CITY PLANNING COMMISSION

Minutes of the Meeting of March 5, 2013
Beginning at 2:25 p.m.

PRESENT OF THE COMMISSION: Chairwoman Wrenna Watson, Reidbord, Burkley, Thomas, Myers, Valentine, Byrne

PRESENT OF THE STAFF: Ismail, Tymoczko, Hanna, Rakus, Scorice, Miller

AGENDA ITEMS COVERED IN THESE MINUTES

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Ms. Watson chaired today's meeting and called the meeting to order.

A. ACTION ON THE MINUTES

On a motion duly moved by Mr. Thomas and seconded by Ms. Myers, the minutes from the February 19, 2013 Planning Commission meeting were approved.

B. CORRESPONDENCE (See **Attachment A for staff reports.**)

Ms. Watson stated that the Commission was in receipt of two pieces of correspondence concerning Project Development Plan #12-69 and they will be discussed when that project is before the Commission.

C. **PLAN OF LOTS** (See **Attachment B**.)

1. Fallet Consolidation Plan of Lots (Arlington Avenue and Freeland Street), 18th Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. This is a two lot consolidation. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairwoman called for a motion.

MOTION: That the Fallet Consolidation Plan of Lots, 18th Ward, City of Pittsburgh, County of Allegheny, prepared for Brian Michael Fallet by J. R. Gales and Associates dated February 12, 2013 and received by the Planning Commission March 5, 2013 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Reidbord; SECONDED BY Mr. Burkley.

IN FAVOR: Watson, Reidbord, Burkley, Thomas, Myers, Valentine, Byrne

OPPOSED: None **CARRIED**

2. Bellisario Subdivision Plan of Lots (Northwesterly Childs Street), 4th Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. This project is converting three lots into four, with lots 1, 2, and 3 for future development. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairwoman called for a motion.

MOTION: That the Bellisario Street Subdivision Plan of Lots, 4th Ward, City of Pittsburgh, County of Allegheny, prepared for Joseph T. Bellisario Family Limited Partnership by James R. Deglau dated January 30, 2013 and received by the Planning Commission March 5, 2013 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Valentine; SECONDED BY Thomas.

IN FAVOR: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Byrne

OPPOSED: None **CARRIE**

3. Pippi Consolidation Plan of Lots, (Springfield Street and Rhode Island Avenue), 20th Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. This is a one owner parcel consolidating for tax purposes. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairwoman called for a motion.

MOTION: That the Pippi Consolidation Plan of Lots, 20th Ward, City of Pittsburgh, County of Allegheny, prepared for Keith and Corrine Pippi, by Tait Surveying, LLC dated February 12, 2013 and received by the Planning Commission March 5, 2013 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Ms. Byrne; SECONDED BY Mr. Valentine.

IN FAVOR: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Byrne

OPPOSED: None **CARRIED**

4. Dorse E. Moye Subdivision Plan of Lots (Lake Street between Fulton and Manhattan Streets), 21st Ward

Ms. Tymoczko made a presentation in accord with the attached staff report. Two lot subdivision, one dwelling unit. Director Ismail stated that the subdivision committee had met and recommends approval of the plan. The Chairwoman called for a motion.

MOTION: That the Dorse E. Moye Subdivision Plan, 21st Ward, City of Pittsburgh, County of Allegheny, prepared for Dorse E. Moye by AWK/Territ, dated December 2, 2012 and received by the Planning Commission March 5, 2013 be approved and the signatures of the proper officers of the Planning Commission be affixed thereto. (No improvements or monuments needed.)

MOVED BY Mr. Reidbord; SECONDED BY Mr. Burkley.

IN FAVOR: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Byrne

OPPOSED: None **CARRIED**

D. DEVELOPMENT REVIEWS (See **Attachment C** for staff reports.)

5. For Hearing and Action: Project Development Plan #13-11, 416 7th Avenue, rooftop cooling towers Bell Telephone/Verizon of Pennsylvania

Ms. Rakus made a presentation in accord with the attached staff report and it is an application for new HVAC equipment in town and is before the Commission because it is in the Golden Triangle and is in excess of $50,000. Ms. Rakus said staff design review has reviewed the drawings and have determined that there will be no impact on the public realm. Ms. Rakus recommended approval of the proposal and turned the presentation over to the applicant.

Sam Trettel, from LLI Engineering, presented the project with Gary Jones, also from LLI present. Mr. Trettel said they are replacing the two cooling towers on the roof of the Verizon Building with three towers. Mr. Trettel said the towers are about 23' high and sitting on a platform and you can walk around all three towers. One will be used as a backup.

There being no comments from the Public or the Commission, the Chairwoman called for the motion.

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MOTION: That the Planning Commission of the City of Pittsburgh approves Project Development Plan #13-11 for approval of the proposed exterior HVAC work at 416 7th Avenue based on the application and drawings filed by Jendoco Construction on behalf of the property owner Verizon Real Estate.

MOVED BY Mr. Burkley; SECONDED BY Mr. Valentine.

IN FAVOR: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Byrne

OPPOSED: None **CARRIED**

6. For Hearing and Action: Project Development Plan #13-12, 436 Seventh Avenue, Koppers Building High Wall Sign

Ms. Rakus made a presentation in accord with the attached staff report. Ms. Rakus said this is an application for two high wall signs and they will be placed on the North and West facades of the building. The signs have been reviewed by the staff design review process and the Contextual Design Advisory Committee, design suggestions were made and the applicant complied with those suggestions. The applicant has provided in writing that the signs do meet the new lighting standards for downtown. Ms. Rakus recommended approval of the proposal and turned the presentation over to the applicant.

Bill Kolano, Kolano Design, presented the project. Mr. Kolano said the city permits a sign that is two percent of the facade which would give them 1500 square feet on one side and the sign on that side is 320 square feet; and on the west facade the sign is a little smaller, it would allow 729 and we are at 279 and we are much under.

Mr. Kolano said they started out asking for sizes of little size on both facades and CDAP suggested making the size on the west facade a little smaller thus it has been scaled down. Mr. Kolano said the will turquoise to blend with the patina from the roof of the Kopper's Building. The signs will be 400 feet above the ground. Mr. Kolano provided views from various points in the City.

There being no comments from the Public, the Chairwoman called for questions and comments from the Commission members.

Mr. Thomas asked if the color is representative of some matching color on the building and Mr. Kolano responded that when the building is illuminated at night the copper patina roof glows a copper patina color so these colors were tested to match. The sign does not have the ability to change color.

Mr. Thomas asked if the sign is on all the time and Mr. Kolano said just at night.

There being no more questions or comments from the Commission members, the Chairwoman called for the motion.

MOTION: That the Planning Commission of the City of Pittsburgh approves Project Development Plan #13-12, for the erection of two new high wall building identification signs on the existing office building located at 436 Seventh Avenue based on the application and drawings filed by Shamrock Building services on behalf of Koppers Building Holdings Inc., property owner.

MOVED BY Mr. Burkley; SECONDED BY Mr. Valentine.

IN FAVOR: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Byrne

OPPOSED: None **CARRIED**

7. For Hearing and Action: Project Development Plan #12-69, 2610 5th Avenue, OPR-D, Oakland Portal

Ms. Rakus made a presentation in accord with the attached staff report and illustrations included in Attachment C that was distributed to the members. This application is in the Oakland Public Realm District and it is for a limited nine story office building with limited retail as well. The nine stories is as measured from Fifth Avenue. The application also wider site work to develop two future pads for future building sites and current roadway though this site for this building and future buildings as well. There is also reconstruction of the intersection at the site.

Ms. Rakus said this project has been seen by staff design review and the Contextual Advisory Panel and at the briefing last time there were some design related concerns from the Planning Commission as well and the applicant has some additional drawings and revised drawings to address those issues.

Ms. Rakus said that one concern that staff has and wanted on the record is for future building site B, we were asking for an 8 foot sidewalk there, the sidewalk is abutting the blank wall of the building and the parking. Staff felt that the pedestrian access though the site and to the buses and we want that to be a comfortable pedestrian experience. Staff is recommending approval with a number of conditions. Ms. Rakus turned the presentation over to the applicant and stated that she would discuss those after the presentation.

Felix Cardello, TKA Architects, presented. Mr. Cardello described the area being developed and presented the project on Power Point. Mr. Cardello said they are focusing on building A and pads for future buildings; B and C. Mr. Cardello offered a view of the parking plan and driveway plan with the connection from Robinson Street into the private drive.

Mr. Cardello said concentrating on building A, the four levels of parking are all below Fifth Avenue and not visible from that street frontage. The eastern side is exposed for three of the four levels on the downhill slope side.

Mr. Cardello said they are creating a plaza with water feature, pavers, and seating area and an interior line of trees and the required curb planting all along Fifth Avenue and Forbes. There will be retail on the plaza level with a café on one end with covered and open outdoor seating facing the river and South Side Slopes. The other buildings do have planned plazas in the front with a two story lobby. Mr. Cardello said they have landscaped around the buildings and in the front.

Mr. Cardello said there will eight stories of office above the retail area and there are future plans for a hotel. Mr. Cardello showed the site lines of the property on the Power Point Presentation. Mr. Cardello said that the building will not be visible from two-thirds of the way up Robinson Street. Mr. Cardello said they have changed to a green glass due to the comments that were received at the briefing concerning the proposed blue glass. Mr. Cardello proceeded to explain

the materials and colors to be used on the remainder of the building and the pavers that will be used.

Mr. Cardello said with the site being triangular in nature they tried to push the buildings toward the corners of the site and with building A to the very corner of the site and maintain view corridors though the site and around and he showed those on the Power point presentation.

Mr. Cardello asked the Commission if there were additional questions about materials and their changes and then said they would go into the traffic portion of the presentation. Mr. Reidbord explained that normally the Commission sees the entire presentation and then asks questions. Mr. Cardello introduced Ms. Giampole from Trans Associates to make the presentation.

Ms. Giampole started with the traffic and parking analysis and said first to deal with the parking issue we have calculated the required parking based upon the zoning code, there will be parking garages provided under each of the three buildings and the parking to be provided exceeds the minimum requirements of the code for each building.

Ms. Giampole explained the traffic area that was evaluated and the access points to the development. Ms. Giampole presented this on a PowerPoint and stated that there will be a private driveway to access the site and there will be an entry exit on Forbes Avenue that will be a left in and left out with stop sign control. There will be an access point on Fifth Avenue which is a west bound roadway with a bus lane.

Ms. Giampole summarized the recommended improvements and stated that the traffic concerns that are out there now is congestion at Craft Avenue and at Robinson Street with a fair amount of traffic coming down the street. The configuration that is there now was intended for right turns and extended right turn ramp without access to the Blvd. of the Allies, however, when they collected their data, people are detouring around the nose around the median island to the tune of 150 every morning and 300 plus per hour in the afternoon. The intersection is not signalized at this time; it does provide a challenge for pedestrians. There are bus stops here and the closest signalized crossing is at Craft Avenue.

Ms. Giampole said that Port Authority buses use this as a lay by area in the afternoon and make a U-turn at this location. In addition, there are people that look fast and then make a left into the bus lane to Craft Avenue to return to Forbes.

Ms. Giampole said looking at the improvements they have planned for an area that already has significant problems. Ms. Giampole said the have signal improvements at the Birmingham Bridge; Craft Avenue; and Robinson Street. Ms. Giampole showed the improvements planned on a Power point presentation including reconfiguring an area for the Port Authority buses for a layover area. Push buttons and audible signals will be placed at various intersections and signs posted for traffic control.

Ms. Giampole said they have addressed the comments from Public Works and Planning about adding features to the private driveway so that it would not be used as a public street or by-pass for Craft Avenue. Ms. Giampole said what they have done is introduce: speed humps, elevated pedestrian crossing, signage, and the driveway being circular adds slowing and a truck loading feature.

The Chairwoman opened the meeting up for comments from the Public and advised those that wish to speak of the regulations.

Carlino Giampolo, 49 Boundary Street, 15213. Mr. Giampolo is opposed to any major development in Oakland until developers provide an impact statement as to how the project will affect and benefit the residents of Oakland, especially the elderly long term residents and feels that his community is being stripped away. Mr. Giampolo is upset with the additional student housing that was placed in his neighborhood in the past. Provided written testimony as well.

Wanda Wilson, Oakland Planning and Development Corporation, written testimony provided and one copy of the Oakland Master Plan. Ms. Wilson said they have recently completed the Oakland 2025 Master Plan through a lengthy community process. Oakland 2025 identifies the development area in their proposal and appreciates the meetings that they have had with the developer. The proposed uses are consistent with their plan and the current zoning.

Ms. Wilson commended the widening of the sidewalks but the remainder of the site plan slips into an urban style that is inconsistent with Oakland 2025. They are concerned with no street level activity being planned for Forbes Avenue. Ms. Wilson said in Oakland 2025 they identify priorities for pedestrian amenities and a strong street scape the length of Forbes.

Ms. Wilson said they oppose the 5th Avenue and Robinson Street improvements as they are shown today in the traffic study. The plan will increase the use of Robinson Street by commuters and decrease the quality of life for the residents. There has been inadequate community discussion about this intersection. No discussion at all concerning the westbound bus layover area. Feels they have had addressed the neighborhoods concerns with the discussion so far.

Barbara Brutine, 232 Robinson Street, West Oakland Oakhill Neighborhood Council, written testimony provided. Ms. Brutine said the residents met and felt that the developers were unresponsive to the resident's concerns and many felt the project may hinder instead of advance objectives for this community.

Ms. Brutine said that a petition was submitted to the Commission and the developer in advance of today's meeting. Ms. Brutine said the concerns were voted upon by the Council. They did reach out to Mr. Molnar and a meeting has not yet been scheduled. Ms. Brutine said there are some positive aspects to the development. Some neighbors were not notified of the zoning board hearing and residents feel that many of their concerns were not addressed. They are asking today that the Commission not allow Robinson Street to be connected to the development and not allowing the height for building C without further community process. Ms. Brutine also submitted her personal testimony in writing to the

Commission. Ms. Brutine asked the residents that were in attendance to raise their hands so that the Commission could see how many from this community were in attendance.

Elizabeth Grey, 208 Ophelia Street, lives across the street from what would be the back end of the buildings and has three concerns: not just the Robinson Street problems, on Forbes Avenue we have a problem with people coming down McDivitt Place onto Forbes; that is a right turn and a difficult one, now there will be additional problems with the new left turn especially if there is just a stop sign there.

Ms. Grey said her other concern is with the building itself; in the first part of the presentation you saw red and yellow brick buildings, no glass buildings. The design is not in keeping with the character of Oakland. The area is Victorian.

Ms. Grey said her last concern is with the allowance of signage and doesn't want lighted signage on the building.

Cynthia Kramer, 181 Terrace Street, stated that she lives in the middle portion of the street and with the number of cars and commuter traffic and said vehicles don't usually stop at the stop sign. Ms. Kramer said she is for development and an area for children to play around the development.

Commission members asked that anyone else that wished to speak please form a line.

Gary Willingham McLean, Pastor, 181 Robinson Street and resides at 171 Robinson Street, feels that developments and traffic designs were planned without the residents in mind and their concerns were not evaluated. Pastor McLean said they feel they were ignored on the designs and they were left out of the Zoning Board Hearing and asked that the residents be given the opportunity to be heard.

Darlene Casey, 5 Robinson Street, lived in area since 1972 and said she can't open her windows in the summer because she can hear the buses announcing the stop. This was a quiet neighborhood 41 years ago. Ms. Casey said when work was being done on the traffic area they started at 10:00 p.m. with light bulbs that shone into her bedroom window. Agrees that there should be progress but doesn't feel that the needs of the residents have been taken into account.

There being no further public comment, the Chairwoman opened the discussion to the Commission members.

Mr. Burkley said he drops his daughter at Carlow daily and he has some concerns about the intersection and the light and it is a congested area in the morning. Mr. Burkley asked what specific things if they did them would address her concerns. Ms. Brutin said there were a couple of suggestions, they are asking, and it was in the original plan, that there be no opportunity for cars to get to the Boulevard Ramp. That was to be barricaded and they opened it up for the Port Authority buses to turn and that was made outside community input. They want that blocked off, they do not want access to the Boulevard Ramp. Mr.

Burkley said and the reason for that is to discourage commuter traffic and Ms. Brutin agreed. Ms. Brutin said that most residents illegally park on the sidewalk because of many of their mirrors have been hit by the increased traffic.

Ms. Brutin said the intersection of Robinson and Terrace is difficult for pedestrians and school buses for traffic. Mr. Burkley said he wants to understand; if they did x would it meet your concerns. Ms. Brutin said one is access to the Boulevard and blocking that off; lady in the audience spoke but inaudible. Ms. Brutin said there is also a problem with the height of the building next to the surrounding properties and it is out of scale.

Ms. Watson said that with regard to the height of the building, that hearing was held last fall and more than 30 days have passed for the appeal. This Commission cannot overturn a Zoning Board decision, so the height today is not in question.

Ms. Brutin said in her testimony that the community felt that they were not adequately informed of the hearing. Ms. Watson said Ms. Wilson was there from Oakland Planning from a community perspective. If you want to try to overturn that, you would have to go to an attorney and go to the Court of Common Pleas to do that. Ms. Wilson spoke from the audience but her comments were inaudible. Mr. Thomas said that today the Commission is just approving the pad. Ms. Watson said we aren't doing anything today with buildings B and C.

Ms. Brutin stated that there is a lot more information in the written testimony as well and I trust they will look at that.

Mr. Valentine asked what the conditions are that Ms. Rakus mentioned and Mr. Thomas asked if there were design targets from CDAP as well. Ms. Rakus said they have a CDAP letter on this one but they do have the staff design targets. Ms. Rakus said one of the things that came out of the staff meeting was the color; another was the brick on the base of the building; pedestrian access along the sidewalk. Ms. Rakus said what they are asking for today is the permit for building A and the pads for B and C. The driveway thru the site and the work associated with that and the intersection improvements.

Ms. Rakus said the design of B and C would be back, the height and set backs have been approved the Zoning Board but the actual design of the buildings would be back before the Commission after review by CDAP and staff.

Ms. Rakus said the conditions that they recommended in the motion were that any outstanding design changes be reviewed and approved by the staff design review process this was in the expectation that the design would come up today and that Planning Commission would come up with some changes they would like to recommend. That any changes to the transportation analysis be reviewed and approved by the traffic planner and traffic engineer; both of them have currently signed off on the analysis and the new intersection changes. Ms. Rakus said and then just the standard conditions that we review the final construction plans before a building permit and the landscaping plans before issuance of an occupancy permit.

Mr. Burkley asked if we have a PDF copy of the Oakland Master Plan, one of the things that he wants to look at, and there was a lot of work done on the plan, the traffic light may help the pedestrians. Ms. Rakus said she believes it is on the OPDC website and we can send the link around. Ms. Wilson confirmed and stated that they could send hard copies around.

Mr. Reidbord said maybe they should give the community and the developer an opportunity to sit down and go over the details again, we do like to see at least one meeting with the group that is involved, maybe there is some common ground. Ms. Watson suggested they have two meetings; one meeting for the developer to present and one for the community to offer suggestions. Ms. Wilson said that they did exactly that and there were three meetings. One with the presentation, one on the traffic concerns, and then another meeting where she thinks the missing piece might be and there wasn't sufficient information and why the things they suggested weren't considered. If they could get everyone in the room together including Public Works and City Planning staff that should help them. Mr. Burkley said we can't make any particular person be at a meeting but they should try and staff should try. Mr. Burkley said he doesn't feel comfortable voting on the plan today, something is going to happen on this site and maybe there is some common ground.

Director Ismail said there were some neighborhood meetings that were convened by Councilman Lavelle and asked Justin Miller from Planning staff to clarify. Mr. Miller said he attended one meeting and the transportation planner, Patrick Roberts, attended a separate meeting. Ms. Watson said he sounds like Mr. Reidbord is indicating that there should be some meetings but to be honest Ms. Wilson makes it sound like there have been a few meetings. Ms. Wilson from the audience stated that they would be happy to convene more meetings.

Mr. Thomas said he would like the opportunity to read through the Oakland Master Plan and would like additional time to see how it fits into the Master Plan. Mr. Thomas said there should be additional time for the community and developer to meet.

Mr. Valentine said he is in agreement.

Mr. Reidbord said he could make a motion for a continuation of this matter, but the public hearing part of it is closed. People are more than welcome to back in two weeks but we will not take any additional testimony and consider what we have. The developer can come back in two weeks and tell us if there was common ground but otherwise the testimony for the public would be closed. Ms. Watson said she would like to make a statement before the motion is made.

Ms. Watson said she read though the pieces of correspondence; one was from Mr. Kramer who outlined numerous interests that the community had. If you look under the section for employment it states to lease retail space to minority and women owned businesses; then she goes to the letter that is the response from Mr. Molinar, one of the managing partners, due to high the quality of this development the use of this development by professional and medical tenants, the use of this development would only be for high end retail, it would not be worth our while to take one bad tenant to jeopardize our development. Ms.

Watson said she is certain that wasn't meant to be towards the statement for minority or woman's business and it might have applied to bars, but Ms. Watson just wanted to caution Mr. Molnar to be careful with the words that uses.

Mr. Serrao said it was bad phasing and he was referring to not wanted a bar or liquor store in the complex and they want a high quality, good tenant for the neighborhood. They don't want a college bar and he agrees that was bad phasing.

Mr. Cardella asked to speak for a moment about the traffic comments and wanted to ask Ms. Giampole to speak. Mr. Valentine said no we didn't let the other side do that and it wouldn't be fair. Mr. Burkley said we heard the testimony and have all of the reports, we understand.

Mr. Reidbord made the motion to postpone the consideration of this matter for two weeks until the next meeting with the understanding that the testimony from the public is closed and we ask if possible if the developer and the community are willing to schedule one or two meetings and we would give the developer an opportunity if there are any changes or suggestions that they have based on those meetings to come back to us. Mr. Valentine asked if we should give one community representative an opportunity to speak. Ms. Watson said what Mr. Reidbord is saying is that we want to know if there is some agreement or changes.

MOTION: That the Planning Commission of the City of Pittsburgh continues for two weeks with no additional public testimony to be heard.

MOVED BY Mr. Reidbord; SECONDED BY Mr. Burkley.

IN FAVOR: Watson, Reidbord, Thomas, Burkley, Myers, Valentine, Byrne

OPPOSED: None **CARRIED**

D. Director's Report

Director Ismail advised the Commission members that the Planning Department has revamped its website and asked them to browse it and provide comments. Mr. Reidbord said finding a zoning map is difficult.

E. ADJOURNMENT: 3:30 p.m.

APPROVED BY: Kirk Burkley
SECRETARY

Attachments

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Any other notes, recordings, etc. are not official records of the Planning Commission. The Planning Commission cannot verify the accuracy or authenticity of notes, recordings, etc., that are not part of the official minutes.