A. PROJECT INFORMATION

1. APPLICATION IS:  ☑ Development Project  ☐ Protest Appeal

2. STAFF REVIEW DATE:

3. SITE INFORMATION

Development Address: 6135 Penn Ave
Parcel ID(s)/Lot-and-Block Number(s): 84-C-146
Project Description: New Construction of 6-story office building.

Project received Planning Commission/Variance(s) approval under different ownership and Architect in 2013, for which our records indicate the zone case to be 129 of 2013. Variances/special exceptions approval has lapsed. This submission is to review/receive approval for the same variances/special exceptions.

3. CONTACT INFORMATION

Applicant Name: Jeffrey Wetzell
Applicant Contact (phone and email): 412-932-2044

B. ZBA HEARING INFORMATION

Zone Case #: 40 of 2021
Date of Hearing: 2/3/2021
Time of Hearing: 10:00 AM
Zoning Designation: UNC
Neighborhood: East Liberty
Zoning Specialist: KR

C. ZBA REQUESTS

Type of Request: Variance
Code Section:

Description: ZBA Requests:

Special Exception 904.04.C.4 Additional Height above 4 stories and 60 feet in UNC Zoning district is a Special Exception

Variance 904.04.C.4 85 feet is height permitted under Special Exception, 94 feet requested

Variance 904.04.C.3 4:1 FAR permitted, 5.5:1 requested.
Variance 914.02.A On site parking spaces required, 0 provided

Variance 914.10.A Minimum two off-site loading spaces are required, 0 provided

<table>
<thead>
<tr>
<th>Type of Request: Variance</th>
<th>Code Section:</th>
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<tbody>
<tr>
<td>Description:</td>
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</table>
Data displayed on this map is for informational purposes only. It is not survey accurate and is meant to only show a representation of property lines.

Note: This button uses pop-ups. Please click help button for further printing instructions.
Parcel ID: 0084-C-00036-0000-00
Property Address: 6135 -6145 PENN AVE
PITTSBURGH, PA 15206

Municipality: 11th 11th Ward - PITTSBURGH
Owner Name: HIGHWOODS REALTY LIMITED PARTNERSHIP

Sorry, no sketch available for this record
• PROJECT ADDRESS:
  6135 & 6145 PENN AVE
  PITTSBURGH, PA 15206
  ZONING DISTRICT: UNC

• SCOPE OF WORK:
  NEW CONSTRUCTION 6-STORY OFFICE
  BUILDING. MODIFICATIONS TO SIDEWALK
  PLANTINGS AND STREET FURNITURE.
REQUESTS AND JUSTIFICATIONS

THE FOLLOWING SPECIAL EXCEPTION AND VARIANCES WERE REQUESTED AND APPROVED ON SEPTEMBER 20, 2013. SUBSEQUENTLY, THE SPECIAL EXCEPTION AND VARIANCES WERE APPROVED FOR EXTENSION ON JANUARY 15, 2015 AND JANUARY 14, 2016. WHILE THE DECISION HAS EXPIRED, IN MOST CASES, THE CRITERIA APPROVED AT THAT TIME HAVE NOT CHANGED.

<table>
<thead>
<tr>
<th>REQUEST PREVIOUSLY APPROVED</th>
<th>SECTION</th>
<th>ITEM PREVIOUSLY APPROVED</th>
<th>PRIOR JUSTIFICATION FOR REQUEST</th>
<th>CHANGES IN CURRENT PROPOSAL</th>
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<tr>
<td>SPECIAL EXCEPTION</td>
<td>904.04.C.4</td>
<td>ADDITIONAL HEIGHT ABOVE 3 STORES IN UNIC ZONING DISTRICT IS A SPECIAL EXCEPTION</td>
<td>(i) EXISTING LIBERTY BUILDING ON THE SAME BLOCK IS 92 FT TALL</td>
<td>(i) NO CHANGE.</td>
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<tr>
<td>VARIANCE</td>
<td>904.04.C.4</td>
<td>MAXIMUM HEIGHT 85 FT/6 STORES PERMITTED AND 94 FT, REQUESTED</td>
<td>(ii) THE SITE WAS NOT LOCATED WITHIN 200FT OF A PROPERTY ZONED RESIDENTIAL.</td>
<td>(ii) THE EASTSIDE BOND APARTMENTS WERE BUILT ON THE OPPOSING CORNER OF PENN AVENUE AND CENTRE AVENUE IN 2015, REFER TO CONTEXT PHOTOS FOR RELATIONSHIP.</td>
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<td>(iii) THE ADDITIONAL HEIGHT WAS DETERMINED NOT TO CREATE A DETRIMENTAL IMPACT ON ANY RESIDENTIAL PROPERTIES THROUGH VIEWS OR TRAFFIC EFFECTS.</td>
<td>(iv) NO CHANGE; PRIMARY BUILDING FACADE ELEMENTS REQUESTED AT 92 FT, HVAC SCREENING AND STAIR TOWER ACCESS ALONG KIRKWOOD STREET REQUESTED AT 98-6&quot;</td>
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<tr>
<td>VARIANCE</td>
<td>904.04.C.5</td>
<td>MAXIMUM FAR 4:1 PERMITTED AND 7.5:1 REQUESTED</td>
<td>NEIGHBORHOOD AND FINANCIAL IMPACTS WERE DETERMINED TO REQUIRE BUILDING THE STRUCTURE TO THE LOT LINE MAKING MAINTAINING THE SPECIFIED FAR MATHEMATICALLY IMPOSSIBLE. THE PROPOSED DEVELOPMENT WAS ALSO DETERMINED NOT TO BE CONTRARY TO PUBLIC INTEREST.</td>
<td>REQUESTED FAR REDUCED TO 5.5:1. ORIGINAL MEASUREMENT DID NOT INCLUDE LANDSCAPE AREA NOW PART OF CONSOLIDATED SITE OR ROOF TERRACE.</td>
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<tr>
<td>VARIANCE</td>
<td>914.02.A</td>
<td>31 ONSITE PARKING SPACES REQUIRED AND 0 REQUESTED</td>
<td>OFF-STREET PARKING WAS DEMONSTRATED TO BE INFEASIBLE, AND THE PREVIOUSLY EXISTING BUILDINGS DID NOT HAVE ANY. THE APPLICANT PROPOSED A LEASE AGREEMENT WITH A LOCAL PARKING PROVIDER.</td>
<td>&quot;OFFICE&quot; USE 46,939 SF, &quot;RESTAURANT&quot; USE 6,943 SF. IN ADDITION TO THE ORIGINAL JUSTIFICATIONS, THE PROJECT IS LOCATED NEAR THE SUBWAY AND DEVELOPMENTS WITH STRUCTURED PARKING THAT WERE NOT COMPLETED WHEN FIRST SEEKING RELIEF BUT WOULD PROVIDE PARKING RELIEF IN THE GENERAL AREA AROUND THE PROJECT.</td>
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<td>&quot;UPDATE&quot; 63 ONSITE PARKING SPACES REQUIRED AND 0 REQUESTED</td>
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<tr>
<td>VARIANCE</td>
<td>914.1.A</td>
<td>MINIMUM 2 OFF-STREET LOADING SPACES REQUIRED AND 0 REQUESTED</td>
<td>OFF-STREET LOADING WAS DEMONSTRATED TO BE INFEASIBLE, THE APPLICANT PROPOSED USING THE EXISTING LOADING “LANE”.</td>
<td>NO CHANGE</td>
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</table>
SUMMARY OF DESIGN ENHANCEMENTS

1. Modified floor-to-floor heights
2. Adjusted column bay spacing
3. New 5’ x 5’ glass module
4. Removed knee wall at punched openings
5. Small format masonry in lieu of split face brick
6. Small format masonry in lieu of metal panel
7. Added rooftop unit screening

NOTE: Height measured from average finished grade along Penn Avenue. Average finished grade along Penn Avenue is 0'-6" from Level 01 finish floor elevation.
KIRKWOOD STREET ELEVATION - CURRENT PROPOSAL

SUMMARY OF DESIGN ENHANCEMENTS

1. MODIFIED FLOOR-TO-FLOOR HEIGHTS
2. ADJUSTED COLUMN BAY SPACINGS
3. NEW 5'-0" GLASS MODULE
4. REMOVED KNEE WALL AT PUNCHED OPENINGS
5. SMALL FORMAT MASONRY IN LIEU OF SPLIT FACE BLOCK
6. SMALL FORMAT MASONRY IN LIEU OF METAL PANEL
7. ADDED ROOFTOP UNIT SCREENING

NOTE: HEIGHT MEASURED FROM AVERAGE FINISHED GRADE ALONG PENN AVENUE. AVERAGE FINISHED GRADE ALONG PENN AVENUE IS -0'-6" FROM LEVEL 01 FINISH FLOOR ELEVATION.
HIGHWOODS PROPERTIES PROPOSES THE FOLLOWING ASPECTS OF THEIR BUSINESS/OPERATIONAL PLANS FOR THE BUILDING IN RESPONSE TO THE REQUEST FOR THESE VARIANCE:

• FOR THE CONSTRUCTION OF THE PROJECT, HIGHWOODS HAS INCLUDED AN AFFIRMATIVE OBLIGATION TO SEEK THE INCLUSION OF MINORITY SUB-CONTRACTS THAT EMPLOY CITY OF PITTSBURGH RESIDENTS WITHIN EAST LIBERTY, LARIMER, HOMewood, LINCOLN, GARFIELD, NORTH POINT BREEZE, AND WILKINSBURG AND TO SPECIFICALLY ENGAGE COMMUNITY EMPOWERMENT ASSOCIATION WORKFORCE AND DEVELOPMENT TRAINING TO PARTICIPATE IN SOME CAPACITY IN THE PROJECT.

• HIGHWOODS PROPERTIES IS COMMITTED TO COMPLETING AND CERTIFYING THE NEW BUILDING THROUGH LEED. HIGHWOODS PROPERTIES IS ALSO COMMITTED TO ADHERING TO PORTIONS OF OTHER SUSTAINABILITY CERTIFICATION PROGRAMS.
# ZONING DEVELOPMENT REVIEW

**Zoning Record Number:**
DCP-ZDR-2020-11535

**Responding to Review:**
Initial Zoning Plan Review

**Review Date:**
November 6, 2020

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<tr>
<td>1</td>
<td>Can you modify the height drawing to show the height measurements from average finished grade? 925.07.A / Measured in feet. When measured in feet, building height refers to the vertical distance between the average finished grade along the wall facing the front street yard at the base of the building and: 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip, or gambrel roof. In the case of fences or walls, other than retaining walls, height shall be measured on the side with the least vertical exposure above finished grade to the top of the fence or wall.</td>
<td>Please refer to updated presentation documents. Height measurements have been modified to be measured from the average finished grade along the wall facing the front street yard. The front street yard for this project is along Penn Avenue. The average finished grade along the wall at Penn Avenue is -0'-6&quot; from the finish floor elevation as denoted as 0'-0&quot; on the elevation drawings.</td>
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<tr>
<td>2</td>
<td>Are you intending to lease these spaces from the Parking Authority? In this case, it would be a Special Exception.</td>
<td>Highwoods has indicated that they do not plan on leasing spaces to relieve the requirement of onsite parking spots. The letter from the Pittsburgh Parking Authority in the previously submitted presentation indicates that there is availability in the nearby parking lot for a select quantity. As Highwoods is not intending to lease spots, we understand that this matter must be reviewed by the Zoning Board in order to receive relief from the zoning code/site parking requirement.</td>
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| 3    | Please provide the current proposed square footages by use so I can verify that the required number of parking spaces is still correct. | Per the project's latest design documents the following identifies the current square footages by use and the breakdown for the requirement of parking (information included in presentation as well):
- Office Use: 46,939 SF (Levels 2-6, plus main building lobby)
- Restaurant Use: 6,943 SF (Level 1)
- Total Required Number of Onsite Parking Spots (Per Zoning Code): 125 (Office Use = 89, Restaurant = 36)
- Allowable Reduction due to project's location in East Liberty: 50%
- Reduced Required Number of Onsite Parking Spots: 63 |
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<td>4</td>
<td>What is the design intent of this loading here? It does not seem large enough to fit a delivery vehicle. Please note as well that we will review the request for zero on site loading spaces with DOMI.</td>
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<td>Please refer to the updated stamped site plan. The area in question has been modified to indicate our proposed design at this location: ramping (similar to ADA ramping at crosswalks) at this area to facilitate the movement of trash and other items. The project is still requesting relief from the zoning code requirement of (1) off-street loading space, as it is still infeasible, and we propose utilizing the existing loading &quot;lane&quot; that occurs along Kirkwood Street. We understand that this needs reviewed by both Zoning and DOMI.</td>
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Regards,
Chris Sciulli
Project Manager
(412) 526-6520
Chris.Sciulli@ae7.com