

May 10, 2017

**Via E-Mail ([corey.layman@pittsburghpa.gov](mailto:corey.layman@pittsburghpa.gov))**

City of Pittsburgh Zoning Board of Adjustment  
c/o Corey Layman, Zoning Administrator  
Department of City Planning  
200 Ross Street, Suite 309  
Pittsburgh, PA 15219

**Re: 4501 Butler Street; Zone Case 97 of 2017  
Proposed Conditions of Approval**

To Whom It May Concern:

This firm serves as counsel to the Applicant, Nearest and Dearest, LLC, d/b/a Morgan's Barbecue, relative to the above-referenced matter which is scheduled for a hearing before the Zoning Board of Adjustment ("ZBA") on May 11, 2017 at 9:00 AM. The Applicant is proposing a Texas Barbecue-style restaurant at 4501 Butler Street in Lawrenceville.

The Applicant and the Applicant's representatives attended multiple meetings with the community and also separately met and corresponded with representatives of Lawrenceville United and the Lawrenceville Corp. in an attempt to address concerns raised by both residents and the business community regarding the proposed development.

As a result of those meetings, the Applicant has agreed to the following conditions to be attached to the ZBA's approval of Zone Case No. 97 of 2017:

- Scale & occupancy: Morgan's Barbecue will not expand the outdoor restaurant area beyond the plans shown to the community, which show seating for 75 persons. Morgan's Barbecue agrees to leave the area identified in the site plan as "area not for use" to be permanent green space, consistent with the plan submitted by the Applicant dated May 8, 2017.
- Entertainment: Morgan's Barbecue will not permit amplified sound, speakers, projectors, or TV screens in the outdoor area.
- Hours: Morgan's Barbecue will close the outdoor area and garage doors at 11 PM on weekdays and midnight on weekends. Morgan's Barbecue will maintain regular kitchen hours with dedicated kitchen staff, offering a full restaurant menu, until at least 12:00 AM.
- Outdoor bar: Morgan's Barbecue agrees not to install an outdoor bar.

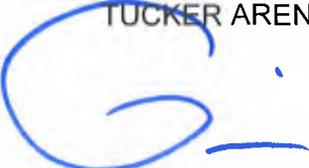
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- Smoke: Morgan's Barbecue has revised their site plan to reposition the smoker to a location not adjacent to residents. If smoke and odors are still negatively impacting residents, Morgan's Barbecue agrees to purchase and use a precipitator to capture smoke fumes and odors.
- Noise: Morgan's Barbecue commits to working regularly with the community to address sound issues as necessary.
- Security Cameras: Morgan's Barbecue will install and maintain surveillance cameras with views of Butler Street and 45th Street.
- Deliveries: Morgan's Barbecue agrees to comply with Residential Compatibility Standards regarding deliveries for properties situated in a Local Neighborhood Commercial District that sit within 100 feet of a residential-zoned district, which prohibit deliveries between 10 PM and 6 AM. Morgan's Barbecue agrees to locate a suitable delivery area that will not inhibit traffic on Butler Street.
- Trash: Morgan's Barbecue agrees to comply with the City of Pittsburgh standards for refuse collection times in residential zones, which prohibit operation of any trash, rubbish, garbage, or recycling collection activities between the hours of 10 PM and 6 AM.

If you have any questions or concerns, please feel free to contact me. Your consideration is appreciated.

Very truly yours,

TUCKER ARENSBERG, P.C.



Gavin A. Robb  
GAR/kc

c: (Via E-Mail)  
Carolyn Ristau, Site Plan Review Specialist ([carolyn.ristau@pittsburghpa.gov](mailto:carolyn.ristau@pittsburghpa.gov))  
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