

Bay 41 Community Meeting #2

March 26, 2019 | 6:30 p.m. | Stephen Foster Community Center

Introduction

Matt & Dave: Before we start, the goal we have tonight is to find some middle ground between the community and Bay 41. Obviously there is going to be programming there but also clear public access. It's not going to be nothing, and it's not going to be the Wild Wild West, but we're going to find some sort of middle ground. The structure going completely away is not to be an option.

Mary Coleman: Is public access paid events?

Matt: It's a balance. The space would be open to the public and this is part of the process from years ago, but also programmable elements. Which could mean ticketed events. It was seen as a multi-use space. Something like if an event in the park was ticketed. Any other questions about goal?

Jenna Date: Why do we have to have programmable events at all?

Matt: It is the goal of the property owner to have events that make the space financially feasible. That's a need for them. We're honoring that.

Dave explains community process. There is relief being sought for the zoning code here, which triggers the public process. As Matt pointed out this is the tail end of a lot of meetings. When the entire site was being reconsidered for development, we had meetings in 2014 and 2015 that led to The Foundry. They went to the zoning board in June of 2015 and were approved with conditions to build those apartments. Those conditions included things like the tenants of Foundry can't get parking permits for RPP, maintaining Bay 41 as an open space with public access and private programming, written into their zoning approval which gave them an occupancy permit.

In January of 2017, Ben and Fort Willow asked us for input to host community meetings to help make it a public space, and we had two then to get input from people in the neighborhood about what they wanted to see in terms of events. We had a meeting about this occupancy change for Bay 41 back in December. That public space needs to get an occupancy permit. That's why we had that meeting and why we're here tonight. The last community meeting notes are up on our website. Under our development page. All the presentations, meeting notes, our positions, etc. you can check the status for that kind of stuff there.

Matt: Questions about timeline?

Kate: At the beginning it was about building residential with some space in the middle. The beginning part was one thing and in December is another thing? Is the change different? It was embedded in that process.

Presentation from Fort Willow Developers

Alex, Fort Willow: I'll go through that in my presentation. This kind of space doesn't exist in PGH so nothing fits exactly. It's kind of experimental. I want to be clear about these last two bullets. I went to my first meeting with LC and said I want to dedicate this space to the neighborhood because the advice I got was you have this great huge site close to Pittsburgh, why split it in half. It doesn't make sense. You should knock everything down and pack it with as much as you can and I thought that was ridiculous. Between that and 25 ft setback, the setback on willow is 0, the machine shop, red brick building, that's the setback. When we went to build the Foundry, we could have built right on that line but I said it wasn't right for people who live across the street. We originally designed a six story building. We cut 11 units out of the Willow St side, the idea of having 25 foot setback was to create a park setting to feed into Bay 41. I want everyone to understand that this space was based on the idea of "lets do something that's cool and different, way back when with Green Boulevard, we'd have a stop there and have a commuter train stop, and obviously Green Boulevard 2.0 is happening...questions on history? No ok.

For those prior to 2015, that is what the site looked like. There's Bay 41, and it used to be 41st street, it went all the way to the river. In 1933 the city vacated the street so they could add one more foundry. Foundry from 1870 to late 1970s, something like McConway and Torley, a heavy industrial site. When we showed up in 2000, there were 2 ten hour shifts, making noise all night long, big trucks, etc, taking materials in and out. When we started this process and I sold my business to end up with this site, no big trucks was the mantra. I had some offers from people wanting to buy it, I thought it was more interesting to do something else. That would fit better. Compared to what it was, I'm happy. We've tried to save history from the site like the machine shop. I'm fired it up about it, saving a part from a historic building. There was no public access to that site before. It's why the foundry is green because it's authentic to the site. A lot of the original site is still there today. That's the background of what we had. The goal was to make it a space for people to get together. We have to maintain it. We plow it and keep it safe and lit and have insurance policies. We came in December with an aggressive plan, heard the feedback, and cut it way back. Maybe not to the liking of everyone, but it has to be sustainable economically for us. Open for perusing over 97% of the time. Love for people to come and use it. Bring a card table. Use it. Otherwise it will become an attractive nuisance. Some of the things we've done may not be great, but we have to keep it sustainable or we'd have to shift gears and make it private again. I'd love to find a middle ground. Ben will talk about our best shot at that.

Ben Herring, Bay 41 Manager. Ben@fortwillowdevelopers.com is my email. Lets get right into it, as Alex said we scaled back our plans from the last time. The hours reflect when we can have events. While we move through this slide, let's remember events could mean chef dinner, could also mean a spin class w/15 people. What we decided is we're doing 9 am to 9 pm Sunday through Thursday, 10 pm on Friday and Saturday. 10 pm is our curfew. May through December generally. Outdoor venue is expensive to tent so we want to represent the main months with good weather. Not just there, though. 97% of the time, people can ride bikes through there, people can walk through, go through to NREC, and the Green Boulevard will make it an even better option.

Here's the event tiers. We had these last time. The first is ticketed private event. Small and large. Ticketing sometimes means free, it's a thing most orgs do to track. Something could be deemed ticketed, and it's just a tracking mechanism, we're not charging. Community and public, small and large. Small events like 50 people, took up 1/4 of the bay. An example would be GRLPWR Pittsburgh; they do membership dinners. We have maximum of 500 attendees for weddings, galas, rallies, that also includes 50 people or less fitness classes, like Arsenal Strength,

moving into old carwash, they do free events on Sundays and ticket through Event Brite. Under these events, we're doing a maximum of 20 per year. With that parking will be available when needed. Tech Mill when available has 161 spaces in there. Part of the Foundry development site is the Ice House, there are 35 plus spaces there, it'll be available when requested and/or required, and we can park people there.

Ticketed private, invite and large events: like Creative Drinks. They had their take on a professional mingle. They've had it in every new outdoor space as well as museums. The 9th edition of that. This we're doing maximum of 1200 people. A maximum of 6 per year. Only on Fridays and Saturday nights. Special events permit would be required for those since they're above 500 people. Parking and traffic control would be enforced via city via permit. The Uber drop off: if someone could tell me it differently, Uber does not allow you to create a drop off point. Of course we want to unclutter the front of a venue, so we use the address of the Sandwich Society since that's also part of our development site. It's not the best way, but the best way I can do it. Most of our events are Uber heavy.

Next, events that are public to the community and small. Like spin classes. 32 people. Free drink tickets for after. That would be a max of 500 at any time. Attendance rolling. What we want to cover when attendance is rolling, there may be 1200 people over 6 hour period, but never more than 500 at one time. We can regulate by check ins. When you hear a figure like Taste of Lawrenceville had 2000 people for 8 hours, that wasn't the case that they were all there at one time, attendance is allowed to be rolling. Max 20 per year for those events. Same situation with parking as everything before. When requested.

Next, public to the community large: 1200. Attendance rolling. Maximum of 20 events per year. Friday and Saturday only. If on Sunday, it would be over by 6 p.m. Special event permits might be required. Parking available in the same situations as before. We require a signed vendor agreement for partners and when the space is rented out. Site map created prior to event. Bathroom. Entrance. Exit. Etc. Fencing if needed. Last meeting, we had someone bring up soundproofing, and we looked into that, we have looked into some portable sound blankets and tiles. It is a possibility moving forward. We'll see how that looks. Down Willow toward 40th there was echoing through machine shop and that's about to be shut off. We are looking at different setups for DJs or small bands to mitigate sound. That is our proposal and where we came down to make this a viable space for us.

Alex, Fort Willow: We were originally going to go for assembly general which wouldn't require special events permit process and we've scaled it back to limited. Now we'll have to go to the city for any event over 500 people. Not including rolling attendance. Those are the two kinds of public assembly. Limited is under 500, general is above 500.

Q&A

Mary Coleman: Limited is for 500. But it's a rolling event, which means more?

Dave, LU: Similar to a building's occupancy permit. Like any venue. The capacity of a restaurant might be 100 people but there could be 500 people throughout the day as people come and go.

Mary: 500 minimum, but still a lot of milling?

Alex: 500 is a maximum at any one time. Like the lettuce concert, that was a one time event and we had 850 people there versus Taste of Lawrenceville, that was strolling in and out whenever they so choose, and that's where rolling admission comes in.

Kate Lyden: So some of this is not really your fault but our neighborhood is so crowded related to parking, and I want to say when you're talking about 161 spaces and maybe 35, even if it was only a 500 person small event x 20 in a year, one part of your proposal which does sound great but a stressor, in grand scheme, that's still 6100 parking spaces that need to be filled for small event section. Subtracting out the 161 and 25 when available. Where are 6100 parking spaces going to come from? If you were saying we're going to bus them in from somewhere else, that'd be a different story, but on 41st Street, we already have the hotel, and we have 300 people start coming to thunderbird, the neighborhood is very crowded.

Alex: 6,100? I don't follow.

Kate: You basically said you had 161 and 25 when available. Each small event is possible 500 and 20 x 1,000 approximately.

Alex: I got it.

Kate: That's a lot.

Alex: The 20 max includes a 30 person spin class. I know it's the natural process to go to worst case but still even 1000 would be a large number. We found through some large events that we do have huge a huge Uber population. I know people do drive but we have some possibilities with 200 additional spots. I can't sit here and say we'll have that all the time, but we try to accommodate. Thank you.

Joanna: Does the residential compatibility standard apply here? It's residential.

Dave: They're considered RIV. Industrial mixed use.

Joanna: Does it have to follow that?

Alex: Yes but standard changes within 50-100 feet of residences.

Joanna: So what are the rules with those standards?

Dave reads residential compatibility standards for noise.

Joanna: So lot line is 55 feet away during concerts and stuff? Second question: how is what you offered today different from the last meeting?

Alex: We changed from general to limited, which requires us to go through special event process. For 500 or more. 500 or less is limited.

Ben: For ticketed events, we'd have to go through city and they bring in 7 or 8 disciplines for that. A whole group that meets weekly.

Dave: They currently go through this right now.

Mary Coleman: is public at those?

Alex: I don't think so.

Comment: You're going to get that, anyway. You're going to get it anytime he applies to the special events office.

Alex: Certainly there are standards. They applied for Lettuce.

Matt: The special events permit make it so there's a plan for bathrooms, traffic, emergency exists, police, accessibility, structural fire hazards.

Ben: What Dave explained is that in this part of the process, some people suggest having a meeting and some people just go and do it. But we still think that our mission is that the community can be involved. We want to have this to schedule that meeting. We wanted to make sure our proposal was out there.

Alex: Our fall-back, if this doesn't work, we put a wall up and make it something else. Make it private property. We don't wanna go there. This will make the neighborhood unique but also stress the neighborhood. Kaya fest happens in strip and that's a public street, this is private property. This space will be made public 97% of the time, and we take a small sliver of time to have events to make it financially feasible.

Jenna: I'm assuming you got the 97% of the hours from how many of the events there are. 8760 hours in one year. 262.8 hours of events, 86 of them happening throughout year.

Dave: 66 events, last presentation was 122. They cut the events roughly in half.

Jenna: Upwards of 65 nights that we're going to have something happening. To speak to Joanna's convo, and notes, I don't see that any concerns were met. Noise and vibration staying on property. How are you going to take care of neighbors? Restrict noise enough? Control of people before and after, getting to their cars and getting through the neighborhood, peeing in flower pots, parking of course. Also sidebar but light is still on. The foundry light is still a night light. I would like to see addressed.

Ben: We haven't had an event since to show that. We did talk about location and changing that which we will address. We talked about soundproofing w/ tiles and blankets. Other: we have security and right amount of bathroom facilities on property, and we also make sure when people leave, we can't send out a police force to chase every single person that leaves our property, I'm not sure where we can address that other than dedicated security and bathrooms. We haven't had anything since.

Jenna: we have Taste of Lawrenceville coming up. 1.5k, 15k said interested. Maybe we have another community meeting to see how it went afterward. That's a good sample. We'll get to see how the lovely 22 year olds calling wolf on the way back to their cars. So what do you think about getting back together after that event and then say ok what do we do? 80 nights a year is too much. 262 hours is too much. 80 nights w/ 22 year olds.

Dave: 66 events. Not 80. Private and public, small and large for each. That's what was presented.

Jenna: 6 events a month is a lot. Would we be doing 10 events a month?

Alex: May through December is not hard and fast. We could include other months, too depending on weather.

Jenna: anywhere between 6 and 12 events a month.

Alex: if you want to consider a 20 person dinner an event, yeah.

Other questions?

Steven: Under the City of Pgh noise ordinance you're not allowed to have another concert like Lettuce. The decibels were way over. Even with sound blankets, there's no way you can soundproof open air. You have to have a wall.

Ben: that's heard, and I hate to harp on that and we did that once and we don't have one scheduled, we went through city permit and did everything they said. We were cleared via that. Maybe moving forward that would change. Everyone followed the exact rules. Moving forward, we're trying to mitigate noise, that and parking seems to be one of the biggest things, we followed the rules and we were given clearance.

Dave: Those large events you talked about previously is there still a role for concerts?

Alex: More so live music. Like jazz quartets or something along those lines. Full-blown concert? Doubtful. Not never again, but doubtful.

Steven: I care about 2 story PA systems.

Alex: More jazz quartets, etc. experimental space. Others we won't do again. A music festival? Maybe? For instance, had a benefit for Tree of Life. Certainly it's a burden but we're trying to have something that gives back that's also an asset. If this is a square peg in a round hole, we'll shift gears.

Zach, 41st: I like the idea, but my biggest concern is property vandalism. I know it's mentioned you can't police the streets, but have there been any ways to encourage people attending to treat the neighborhood respectfully?

Ben: every time we do a gentle exit, we have trash and recycling, and ask them to exit property and go back to cars or next destination. Outside of that, I'm seeing the area, if something were to come up, we'd report that to police. We would be open to suggestions outside of that. Once it gets off our property, I don't know what to do with that. I could be wrong, but we're doing the best we can.

Alex: It is tough when you're dealing with people. It's that way most weekend nights in Lawrenceville. People parking here going to and from bars, not right but just a reality.

Chris Laskey, 43rd: What's your current limit?

Alex: We don't have an occupancy permit. It's like a hybrid quasi public space. We don't have an occupancy permit.

Chris: The reason I bring it up, 500 is a scary number, 190 spaces between both lots, still leaving a lot of parking. I might consider lowering to the limit. The parking is free or paid?

Ben: Depends.

Alex: Tech Mill lot and Foundry lot, we're part owners.

Chris: If I see free street parking, I'm gonna take that though. Making that parking free would go a long way. The Ice Hous lot, what happens when that property is developed and that parking goes away. That's a concern. The security on site, nothing limiting people to off duty cops might be a good addition. How are all of these parameters codified so they're enforced?

Dave: Conditions of what we're talking about?

Chris: Zoning code says 500 and we're not going put more than x #.

Dave: We've gotten it written into the zoning approval so it's a condition of permit, if they were in violation, you can have your occupancy permit revoked. That is historically the process.

Chris: I do like it, I walk my dogs through there, love for you to put something at the end, the issue of things are busy on Butler and true and historic and acceptable, but this is the middle of residential and should be different threshold for compliance. I've been arguing on the opposite side, before, though so I see where you're coming from.

Gavin: My question is how does this benefit the neighborhood?

Ben: Present events and gatherings that the neighborhood will like. We wanna give the space to have a neighborhood yard sale in spring. Some people like Taste of Lawrenceville and getting snacks and drinks from local businesses. Diversify those 66 events. We're not gonna please everyone, but try to have events everyone will like.

Lex: The real benefit is the time you can walk dogs, etc. If Green Boulevard happens, we have access to river and dog park. Primary benefit is when it's vacant.

Gavin: If you're giving back 10% from event profit to Boys and Girls Club, I think you'll have a much different convo with us then if the small businesses are going to have.

Alex: This is a venue for you all to take advantage of. Venue for you guys to have for fundraisers, meetings, whatever.

What kind of events could we have?

Ben: To me, I grew up in Sewickley, the yard sale every year that they did, is a gathering, people get together, with making the space viable, there's so much I don't know about. Maybe there's a huge cribbage community, or a huge book club, some of things like that, bingo, whatever. If Dave could repost that, our first meeting 2017, we did a dot test to see what people would want.

Dave: We had an idea thing up here, some were things like in the winter pour some water down and go ice skating.

Ben: with this space, it will be impossible for me to say these are all the events we want to have, because the point is to allow for ideas to filter in from the community. We came up with a lot. Have I sought out all the ideas?

Helene, Willow: Yes, I wanna have a family reunion and I wanna contact you.

Ben: yes, we try to make it as visible as possible. If you were to contact me and said June 7, can we do this. I give about a week or two hold on it, but if something's on there, yeah, that's already been booked. You can go through me. Depends on what there is. Something like that, we would discuss it. No fee if you're bringing your own stuff.

Matt: both Willow and 40th are gonna be paved.

Helene: The flow of traffic from Butler Street is diverted to Willow Street. So those are some concerns. My friends don't wanna come to Lawrenceville because parking is tough.

Dave: We're going to close. Additional questions can be on sticky notes. We'll make sure they get answered. We did pretty good tonight. Thanks Alex and Ben. Again, this is voluntary for them to be here.

Closed Door Discussion

Matt: We'll put a hard stop at 815. Typically we go around and talk but today we're gonna do a little experiment. This is the point where we get to next steps.

Dave: next steps. Zoning board hearing has not been scheduled, we will follow up with you when it is. You can show up and speak on your own behalf. Welcome to reach out to us with additional questions or comments. We normally open it up for digesting but we're doing a straw poll. Matt: Full support to zero support with everything in between. We want to get a show of hands who wants to get into these buckets.

Where do we sit with this at this moment? We can go back and do the conditions. None of us are going to be in complete agreement but hope to organize the conversation this way.

Zero support: 2

Oppose unless certain conditions change: 7

I can live with it: 3

Support w/ a few issues: 3

Full support: 1

3 observers

Seems like the majority of folks are in the middle. Let's start with oppose unless.

Major issues: Sound mitigation. Crowd control. Bathrooms. Just too many people. Parking.

Dave: Oppose unless for noise: Are we talking about absolutely no amplified concert, or Lettuce was too much, but something like a jazz quartet is fine?

Comment: What we agreed to way back was jazz quartets, no amplified music, spread out. That's what we agreed to. The Lettuce concert was everything we disagreed upon.

Owen: how loud was mill beforehand? Just curious.

The problem w the mill was that it was completely enclosed. Some but not all. Only thing was in the middle of the night. As far as noise, I was there for Lettuce concert, I didn't think it was that bad. They quit before 10.

Steven: they were over the noise ordinance by a huge amount.

But everyone is. Same thing. Butler Street. Nied's they had it every Friday.

Steven: no matter what they tell you, you can't mitigate open air, but something like a jazz quartet is fine.

Dave: Is it the frequency? Can you live with one concert a year?

No.

Owen: Problem is we have the opportunity to use 40x200 ft. you can have 20 houses in there with 40 or 60 cars. Instead we have beautiful open space. All they're asking is they need to make some money to maintain it. They have to do insurance. The structure's upkeep. I think if it was across the street it would be worth one or two concerts. If you want them to seal it up and develop it, you're still going to have parking problems. To say no not at all is hurting the community as a whole because it is communal asset. But that's your choice.

You're also forgetting that without that space, you still don't have parking because of Butler Street traffic. You get rid of space, you're still not gonna have parking, but more people coming down Butler.

I just want to know why I should care that they should make money. Why do I care about that? Why do I care about it being public?

Dave: Where we're coming into is on the history is that we do want a dedicated public space. That was clearly articulated in our previous community process.

Matt: This goes back to Allegheny riverfront plans. The developer could have done a lot of things. When it was a hulking structure and it was demolished. This space deserves to have public access, it's a part of history, people need to see, we advocated for that element. There's an additional dimension of us versus them. The residential site has 182 units. There could be a chasm of old versus new residents, but the public space in the middle creates connections with new residents. To make sure it wouldn't be a gated community. Bay 41 is supposed to connect to a pathway that is to extended from downtown to Highland Park. You should be able to access that. We're working in increments on that Green Boulevard plan. The developer understood that plan. That parking lot he talks about is our parking lot. I get it. This was not

coming from a place of him making money but how do I offset the cost but create other benefits for residents and events and vitality.

Mary Coleman: What if he would let residents within two blocks have the parking spaces for the nights of concerts and have the attendees park elsewhere?

Comment: I'm in favor, but think it's hypocritical to have 10-20 spots backed off we don't have parking.

Mary: I asked if they would rent them to residents.

Matt: That's a good idea.

Dave: Vendor agreements? Trash? Can that be baked into vendor agreements? For instance, anyone who's coming in and doing those has to sweep within a two block radius within the end of the night.

Comment: Let's say parking works out. Is there a reason that they have to have so many? 9-10 events a month? Even if half were small? Could we try one a month or one every two months?

Dave: That's what they've been doing. 1 or 2 a month. The lettuce concert of course was a big thing, but other events, farmers market truck, several arsenal strength classes, etc. Are people even aware of these events? It's on their website.

Comment: Could we have them post what they're doing every month in public? Post on their kiosk. Put the monthly calendar up so you can chart that for people who don't see the website.

Jenna: What if we were to say 66 is too many? How about we say 12 events, 250 tops, sell tickets, do your cycling, make some money, renting out parking spaces, giving local people parking and then doing crowd control. Limit of alcohol. Can we have them limit to 250 people capacity? 160 parking spaces would be enough then.

That would provide community opportunity. Not huge but ample. And no amplified sound.

Jenna: Pittonkatonk doesn't go above that. How can we meet them?

Dave: Seems like we're focusing on the number of events, but when there are events the community isn't even aware of, can I ask, is it just the big events?

Comment: Sometimes food trucks are problems. And they might think that's a medium event. Taste of Lawrenceville. I have problems because I'm right there. I have no problem with yoga or cycling or whatever. Anytime they have that I get garbage. Crowd control. Number of people that are there is the issue. Doesn't seem like a lot of people until they're in my front yard. I can't get into my home. These guys are awesome in that they try hard. If people like that who came to the events we wouldn't have a problem but they can't control who comes and if they have manners and that is the problem. They admit that they can't control that.

The same crowd control methods they used aren't working.

Dave: If anyone else hasn't spoken, I want to hear it.

Any advance on shifting hours for parking permit?

Dave: We had a meeting about that this morning. Below Butler Street in Central Lawrenceville is not Residential Permit Parking and we think it makes sense to RPP those areas. South Side did a Parking Enhancement District which changed hours of enforcement. Reflected hours of people coming into neighborhood for bars/restaurants and residents coming home from work. Extended into evening hours. There's been some staff turnover within the parking authority so we're starting it all over again unfortunately but this year we're pushing. That will eventually be a very long and very fun community process.

What's the plan for Taste of Lawrenceville? What should we do if we run into any issues?

Dave: OK. For emergencies, 911. I think document what you see, but for emergencies 911. That would go for noise complaint as well. Being very honest, the noise ordinance has no mechanism to enforce, the police don't have instruments to measure decibels. They come out and decide subjectively if it seems too loud they'll go talk to the organizer, if they get multiple calls, a ticket. There's a mechanism that's missing. The city has been planning on changing that.

Matt: Is there an option with event permits to make the process transparent?

Dave: It's reactive, where block parties are even put at risk. There is engagement you can do and document all of that and report all of it. I can give you the contact info for special events permits follow up. 311 is the other one for those kinds of issues, too. But 311 won't stop immediately. A couple days for them to get around to it.

If there were a lot of people, if each family called 311 about the same event, that would likely get routed through special events office. April 14, 12-5. I'll put that on my calendar. To try and document.

Matt: They are not on the zoning board calendar. This Taste of Lawrenceville is going to be another litmus test.

Mary: They're allowed to have the event even without that?

Matt: yeah, with special events permitting.

Zoning requested that they come through with use and you should do this if you're going to do events like this on a regular basis.

The goal is us both coming to the middle.

500 is a big deal, 50 isn't.

Andrea: If they limited the size and alcohol consumption, would the group be interested in saying we prefer fewer and smaller with TOL being a test, what events worked and what didn't work. You don't have to have the final answer now. What if it continues to be a process and gives everyone a chance to test it out?

Keep testing agreements year after and before. Does this have to be where it's all figured out forever?

Maybe if you don't need notice w/50, who cares if you do a few of those.

ZBA was asking him for the change though, so they were forcing this. Perhaps there's a way to say it will be revisited to make sure the community is comfortable. We can do the homework for mechanics. All of these bars have agreements and I want to revisit them.

Dave: Could provide some room for letting them test it out. A lot of this comes down to they're figuring out the space and don't know what their event calendar is going to look like. They don't have a schedule. They haven't gotten that far.

Andrea: they're also including smaller events. We could limit with their agreement the high end on what would be ok.

What would that be?

Conversations we can have with them. And that might be untenable to them but we can work through that.