

Meeting Minutes

Project: Mellon Arena

Date: February 16, 2010

Subject: Interested Parties Meeting #2

Time: 6:00 – 8:00 pm

By: Lisa Olszak

Place: Rooms 333/334
David Lawrence Convention Center
Pittsburgh, PA

Attendees: See attachment 1

Handouts:

I. Welcome and Introductions

A welcome and introduction was provided by Ray Maginness, environmental Project Manager with Michael Baker Jr. Attendees were invited to introduce themselves. Ray noted that a copy of the meeting AGENDA was provided by email prior to the meeting and was included in the packet of meeting materials distributed as participants signed in.

Ray reviewed the agenda and reminded attendees that the Interested Parties process is a consultation process that seeks to accommodate historic preservation concerns through consultation among agencies and other parties with a demonstrated direct legal or economic relation to the project or affected properties, or concern with the project's effects on historic properties. The goal of the process is to reach an informed consensus on the recommendation of a redevelopment option that avoids, minimizes, or mitigates potential adverse effects to the arena site.

II. Meeting Minutes Review and Acceptance

Attendees were invited to comment on minutes from meeting #1 which were reviewed section by section. Note: All Comments and Responses within the minutes are indicated by a "C" for Comment and "R" for Response. As a result of the review of the minutes, they were determined to accurately reflect what was presented in meeting #1.

A. Introduction & Project History Comments

- No comments

B. Cultural Resources Process Overview Comments

1. C: There are concerns about the process as echoed within the letter from the Pennsylvania Historical and Museum Commission (PHMC).
R: A follow up call with the PHMC to discuss the process resulted in the PHMC's agreement that the proposed process and exercises were a valid way to identify and address issues. In addition, the draft purpose and needs statement was prepared in conversation with the PHMC.
2. C: Is that conversation between SEA and PHMC part of the public record?
R: Yes.
3. C: At the time that the Purpose and Needs Survey (meeting #1) was distributed, all Interested Parties were not identified, nor present. As a result, their needs and interests may not be represented.
R: During the first meeting, all who filled out the Interested Parties' application were approved as Interested Parties. 22 survey forms were completed for consideration in the Purpose & Need Statement development.
4. C: Is there enough time in the process to really identify and evaluate alternatives?
R: We hope to keep close to our original tentative schedule, but we will adjust if necessary. There will be refinements to the tentative schedule, such as combining the proposed two public meetings into a single

meeting that may occur 6-8 weeks down the road to present both the Purpose & Need Statement along with alternatives. You will be informed of refined meeting schedules via email, as appropriate.

5. C: This project is tactical and complicated. There needs to be enough time for volunteers to review alternatives and prepare for meetings.
R: We will work with the Interested Parties to coordinate the process.
6. C: Regarding Comment #6 on meeting #1 minutes, a suggestion was made for an independent consultant to be retained to assess alternatives and avoid political influences on the process.
R: Baker engineering will act as that independent consultant in directing the process to identify and develop the best Arena preservation alternative to be submitted to the SEA for consideration.
7. C: A truly independent reviewer would come from outside the region and not be paid by SEA.
R: We'll work through the process and work on finding the best preservation alternative for SEA consideration.
8. C: Do we have a response from the Penguins regarding when they will provide the development plans?
R: Yes, a plan will be provided when available.
9. C: Section 106 should be formally followed.
R: Currently, no federal agency funding is involved with this process and therefore the PA State Code process is appropriate. However, since the PA State Code does not include provisions for this consultation process, we are advancing the process in compliance with both the PA State Code and the federal Section 106 processes.
10. C: Have you arranged for a tour of the arena?
R: This item will be addressed as an issue for future follow-up.
11. C: Is it your intent to hold future Interested Party meetings at the David Lawrence Convention Center?
R: Yes, but we will remain flexible to the needs of the group.
12. C: Are the Penguins' existing design plans that have been provided to the Hill District meeting available? They are very specific and should be provided to the broader public.
R: The Penguins will release the project plan when they are ready, since it is a separate action from this process. At some point in this process, we will do a broad brush comparison of the Penguins' plan with the preservation alternatives generated by this group.
13. C: We should not compartmentalize projects (i.e., Hill District Master Plan, Mellon Arena Site Master Plan, & the Interested Party process). They are integrated and you can't do one without the other, so all information should be considered as a whole.
R: In this process, we will identify the best preservation option for the Arena site. This option will be evaluated and compared with alternative plans for the Arena site. Plans for areas adjacent to the Arena site will be noted. The preservation option should not preclude plans for adjacent areas. This process will result in the presentation of the best preservation redevelopment option to the SEA for consideration.

C. Interested Party process

1. C: PHMC requested that reference to Section 106 of the National Historic Preservation Act be included into this section of the meeting minutes
R: Minutes to be revised as requested.
2. C: Why is an Interested Party distinguished from the Section 106 Consulting Party?
R: The Consulting Party consultation process is required under the federal Section 106 process for federal

actions. Since no federal funding is identified for this project, the PA State Code process is appropriate which does not require the consultation process. To comply with a wide range of potential future funding scenarios, a combined PA State Code and Section 106 process is being applied with the use of the term "Interested Party", instead of "Consulting Party", to designate the combined process approach.

3. C: Consulting Parties and Interested Parties are not interchangeable terms.
R: Section 106 applies to a federal undertaking requiring the Consulting Party process. The Pennsylvania History Code does not include a consultation process similar to the Section 106 process. Consulting Parties enter into Memorandums of Agreement and therefore have a role in carrying out project mitigation commitments. The Interested Party process has a broader definition. So we are not using Interested Party and Consulting Party interchangeably.
4. C: If federal funding is identified for the project will the process become a Section 106 process?
R: If, in coordination with PHMC, we determine that there is a federal agency involvement, we will refine the process as required by Section 106.

D. Purpose & Needs Survey

Ray noted that subsequent to the meeting #1, a letter from the PHMC voicing concerns over the Project Needs survey's use of a "ranking" approach was received. Further coordination with PHMC resulted in their acceptance of the Project Needs' approach to be discussed in the next several slides.

E. Question and Answer Session

- No comments

F. Meeting #1 Follow-Up

Items were reviewed and the following comments were presented:

1. **Comment #3** whether the initial redevelopment project in 1955 would result in the project being a "federal action". Research into this issue revealed that the original agreement expired in 1995.
2. Research into **Comment #12** concerning an alleged City vote to demolish the Arena, determined that no such vote or application pursuant to a vote was identified.
3. **Comment #17** requested whether the meeting could be held where free parking is available. In response, a 'one-time use' pass is provided for Interested Parties who have parked in the Convention Center Garage tonight.
4. **Comment #7** concerning the release of the economic analysis of the Pens' Redevelopment Plan, this information will be released when available.

III. Purpose & Need Statement Survey Results

Ray noted that as a refresher, last meeting attendees completed a survey form to rank order in terms of personal importance each Basic Criterion assigning a value from Highest importance (1st Pick) to Lowest importance (11th Pick). This information was recorded in the left column of the form. Information concerning respondents' interpretation of the Basic Criterion was to be entered into the right column to aid in the interpretation of the completed forms. The use of the ranking was to elicit thought on the values & their interpretation. An example form was presented in a PowerPoint slide which illustrated the thoughtfulness of the attendees.

Also noted regarding the Survey was:

- The basic Criteria were left vague so as not to lead responses. The criteria offered by attendees varied

considerably as well as having substantial overlap.

- There were a total 22 forms completed with 233 rankings & 131 different interpretations of the criteria to consider.
- No values were rejected. Values were grouped, organized and consolidated for orderly consideration during alternatives development.

Ray then reviewed the interpretations, reordering and combination of basic criteria into the basis of a Purpose & Needs Statement. He noted that a copy of the table illustrating the results of this effort was included in attendees' folder. The table reflected the process from the Purpose and Needs survey results to the Elements of Need Statement. It also presents a summary of the survey respondent's collective interpretations for each criteria. Attendees were encouraged to take time after the meeting to review the table and gain an appreciation for the varied values & perspectives of the group.

Process Purpose: *"The purpose of the Interested Party process is to develop the best alternative redevelopment option that considers the historic significance of the Mellon Arena site (Area of Potential Effect) through the context of historic preservation."*

1. C: Can you omit the word "site" in the Purpose and Needs statement?
R: We must consider the Area of Potential Effect which is the entire site. This process is about cultural resources and we must address archeological resources which are beyond the arena itself.
2. C: At the last meeting you said that there were no archeological resources.
R: There are no archeological studies that have been done (i.e., digging up the pavement on the parking lot to determine if resources exist.) There must be an archeological study. Additionally, the plan that is developed and presented to the SEA must address all issues included in the needs statement.
3. C: On the PowerPoint slide that reviews the process, there is a broad spectrum of opinions. I am concerned about how you combined the two blue arrows (Community Cohesion and Connectivity). It doesn't have the breadth needed and summary points are absent.
R: Preservation is the Purpose. That is what we are focusing on first and foremost in the Interested Party consultation process.
4. C: We requested this process and discussion two years ago and now it's been compacted into such a short time frame. Should we lengthen the process to involve the public more in ways such as having a design contest? The Portland Oregon arena that is being preserved included a great community conversation.
R: We welcome any additional Interested Parties who have a direct interest in the project to be involved and will adjust the time table as necessary.
5. C: We are concerned that the restrictive timeline prevents putting together and evaluating viable alternatives and preservation plans. It needs to be real and transparent. A six week process is not long enough.
R: The process is not six weeks. There is no exact date by which a decision must be made. The SEA is trying to complete the process so that the public does not have to fund operating costs of the Mellon Arena after move to the Consol Energy Center.
6. C: Without something like a design charrette, there is a danger in not soliciting community involvement. The process must go further in getting people involved in the design. Adding a Saturday meeting would allow more flexibility in this type of involvement.
A: We will continue to review the process.
7. C: What is driving this process is economic.
R: Initially there was a Memorandum of Agreement to have the Mellon Arena demolished. The MOA has been superseded by two additional agreements. The SEA and the Penguins are signatories to those agreements.

8. C: The community does not know about these agreements. There needs to be a broader education of the community. We need to involve more individuals in the debate (pros and cons) regarding keeping the arena along with concerns about the destruction of the Hill District business corridor. The Hill District must be convinced that not demolishing the arena can be good for them.
R: We will be sure to reiterate this information at the Public Meeting.
9. C: The Penguins are involved in the process and have shown a history of being open and forthcoming with our plans. We have had several meetings in the Hill District to share our plans and solicit feedback. With respect to the master plan for the 28 acres, we have a plan for mixed use development similar to the public plan released in 2000. We are updating this plan and continuing to share it with the Hill District community. At some point, we will show the plan as a part of this process.
R: Comment acknowledged.
10. C: In a Section 106 process, it would be incumbent on a federal agency to facilitate the process. In this process, SEA plays that role.

Process Need: *"there is a need to consider the following:*

- *Affordability - Feasible & reasonable / Financially prudent and sustainable / Compatible with existing & planned community assets*
 - *Community Cohesion & Connectivity - Physical and visual barriers between the HD from the CBD / Pedestrian and transit connections/Harmony with the surrounding community / Community fabric that pre-dated the Arena*
 - *Economic Development & Sustainability - Economic benefit/Employment & housing opportunities / Tax revenue / Self-sustaining asset to the community and City / Compatibility with the Consol Energy Center"*
11. C: Sustainability is not an economic term. It is a design aspect. Please add an additional bullet to the Needs that includes these concepts:
 - Design Planning and Sustainability
 - Compatibility with the Consol Energy site
 - Harmony with the surrounding community
 - Community compatibility
 - Green (economic and environmental sustainability)
 R: This sounds reasonable and will be coordinated with the PHMC following tonight's meeting.
 12. C: Including Preservation as a headline in the Purpose statement makes it get lost, particularly when it is not reiterated in the Needs statements.
R: When evaluating alternatives there must be a focus on preservation. It is a given. Should it be included in the Needs statements? Are you concerned with the way it is presented and articulated?
 13. C: Public relation is a concern, we need to be able present Preservation as a criteria and make it very public so that all realize that is the purpose.
R: Perhaps it could be added to the Design, Planning and Sustainability needs statements.

IV. Workshop with a Focus on Alternative Redevelopment Option

Ray noted that the next portion of the meeting would focus on workgroups developing alternatives. Attendees were directed to the symbol on their name tag as representing their group assignment (which was made randomly). Ray explained that each workgroup was charged with working cooperatively to develop alternative redevelopment options that avoid, minimize or mitigate impacts to the Arena Site, which is the purpose of the Interested Party Process, while also considering the need statement.

Each group was provided with an aerial photo of the Area of Potential Affect (APE), a flip chart table and markers and a Helper who would answer questions and help with the assignment.

A. **Alternative Redevelopment Options**

Workgroup #1: Reuse of the existing Arena as a civic space that house income-producing businesses to compliment the Consol Energy Center and the surrounding neighborhoods. Specific of this plan are depicted on Vision Plan Concept (slide 38 of 71) of a presentation (Towards a Civic Renewal – A Proposal for the Reuse of the Civic Arena) provided by Rob Pfaffman. Elements of the plan include: Arena reuse include: extending neighborhood street grid pattern; mixed-use development of the site; parking garages on the lower & middle Hill; Wiley steps and walkway, a pedestrian greenway connecting the Hill with the Arena; and the restructuring of the Arena to house the existing ice rink/amphitheater/court, a new 120-140 unit hotel & entertainment center, jazz venue, park/open space, & interpretive urban walk.

Workgroup #2: Concept similar to the reuse plan presented by Workgroup #1.

Workgroup #3: Various reuse concepts were considered that extended neighborhood street grid pattern and the following reuse concepts for the Arena:

- reuse as a Parking Garage
- develop the site in mixed-use like the Southside and convert the Arena for concerts and theaters
- convert bottom of Arena for parking and have mixed use development above
- keep existing skating rink for Penguins' practice rink and for public recreational skating
- restructure the Arena into an indoor creative fitness facility with outdoor running track
- restructure to provide housing opportunities
- restructure for use as a water park
- move dome feature to new location

V. **Meeting Recap**

Ray noted that Alternative Redevelopment Options to avoid, minimize and mitigate adverse effects to historic resources including the Mellon Arena were developed and after the meeting he may follow up with attendees for clarification or to gain a better understanding of the option. For the next meeting, options will be evaluated and summarized in a matrix format. At that time, we may be able to identify a preferred Alternative Redevelopment Option (or Options) for further refinement and presentation to the General Public for input.

1. C: A strong topographic model would help us better understand how to make the site accessible to the community.
R: Comment noted.

VI. **Follow-Up Items**

- Provide a tour of the Mellon Arena and Hill District
- Post on website coordination concerning PHMC comments on Purpose & Need Statement
- Penguins' development plans to be released when available
- Revise Meeting #1 Minutes and post as final
- Revise Purpose & Need Statement to reflect meeting minutes and coordinate same with PHMC
- Evaluate workshop redevelopment options for review at Interested Party Meeting #3

cc: All attendees