

June 8, 2018

To the Members of the Planning Department, Members of the Planning Commission, City Council, Mayor, and Chief of Staff of the City of Pittsburgh:

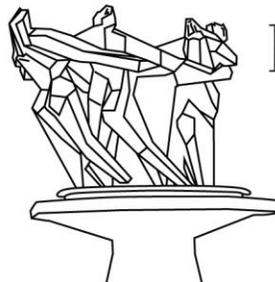
We are writing to offer some suggestions for City Planning to learn everything it can from the case of LG Realty’s RAPLDP at the former Penn Plaza site. We have developed these recommendations over a year of studying the issues, listening to racially and economically diverse Pittsburghers discuss the plan since October 2017, and by participating in the public process over the last several months.

The public hearing on May 15 revealed a huge gap between how LG presented the social and economic impact of the “Pennley Park South” redevelopment in its RAPLDP on one hand, and on the other, how the public understands it. The way that the process was handled and vote was pushed through has done much damage to the reputation of the City government and sown distrust in the public towards City Planning, which appeared to minimize the need for a developer to articulate a development’s “social, economic, and environmental” benefit, and to minimize public input on the “Pennley Park South” redevelopment plan.

We believe that the public process was handled poorly, that the plan strategically obscured the displacement of hundreds of residents from the development site, obscured the developer’s contribution to the city’s segregation problem and other social harms, and failed to describe in any clear way the jobs to be created and the projected effects are on the tax base, including its own diversions to a weak “replacement” housing plan.

In fact, City Planning’s lack of a framework for evaluating these benefits was made clear when the Commission agreed to a “resolution of concern” stating that “a framework or index” is needed “to evaluate social, economic, and environmental benefit, comprehensive citywide data and trends, neighborhood profiles and ultimately neighborhood plans, a public process policy, and a housing strategy index, that will allow us to make decisions on projects such as this, in an informed way, to address those criteria that were forementioned” (Commission Chair Mondor during the public hearing, referring to criteria c, d, and i).¹

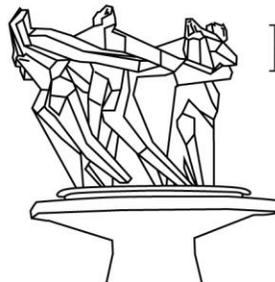
¹ Here is the full transcription of the comment: “Commissioner Dick made a motion to pass a resolution of concern which allows Director Gastil to take this to whoever he needs to in the city, that the planning commission needs—shall I list these again?—a framework or index to evaluate social, economic, and environmental benefit, comprehensive citywide data and trends, neighborhood



We recommend the following steps regarding this resolution of concern:

- 1) The overall framework for evaluating “favorable social impact” of a development plan should include information about any social harm effected in teeing up for the development. If there is any displacement of residents or businesses, this information needs to be included in the plan in sufficient detail, including the number of residents, businesses, and/or employees displaced, whether they belong to protected classes, where they ended up, and whether they have articulated a right of return. Furthermore, any documented favorable social impact must at least be sufficient to outweigh any documented social harm that would result from the development plan that the developer caused prior to plan submission. Moreover, the Commission should give the public an opportunity *in public* to introduce evidence of social impact/social harm prior to the hearing.
- 2) Any finding of favorable social impact must be based on actual documented evidence and not mere speculative assertions by the developer.
- 3) With regard to a “housing strategy index,” any development should be evaluated with the context of the city’s housing data, e.g., the housing needs assessment on the housing deficit already performed and deployed by the City of Pittsburgh.
- 4) We support the development of registered community organizations, democratically accountable organizations, that are given tools by City Planning to contribute robustly to neighborhood plans and gather public input throughout the planning process of a development. CDCs that have no public accountability should not be registered community organizations.
- 5) On public process, where we have observed a number of failures since the LG/City of Pittsburgh consent decree was announced, we suggest the following:
 - a) The “public input” or any public interest referred to in a consent decree or development plan must include input from those residents who are the most impacted by the development—not simply groups of people who live in the neighborhood, or people who may be of like race or ethnicity. Any residents

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displaced by the development must be reached out to and given the opportunity to provide input as significant stakeholders.

b) Notification of public meetings and hearings must be at least 14 days prior, and include the name of the applicant, a brief description of the plan and its neighborhood impacts, information about any displacement that will or has occurred, and information about how objections or support can be sent (including but not limited to online communication).

c) These notifications should be robust, and not limited to primarily online announcements. Newspaper ads, any available billboards, and television local news should all announce these important events for public input. Impacted residences and businesses in the neighborhood should be notified via flyer or U.S. mail. Street frontages onsite and surrounding the site should have signs about the plan.

d) Public comments at public meetings should be fully transcribed. Facilitate written feedback and questions from the public, and ensure that the applicant provide concrete, direct written responses to questions, both oral and written. Provide to both the Planning Commission and the public.

e) If there is a petition with a significant number of signatures, hold a public hearing specifically about the petition.

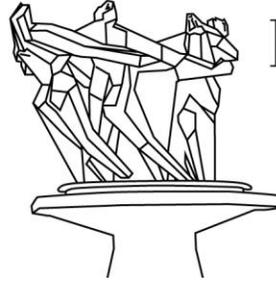
f) The number of public meetings should fit the magnitude of the development plan.

g) At least one public hearing by the Planning Commission should be held after regular work hours to enable robust public participation.

6) As a group, we also support the Affirmatively Furthering Fair Housing task force's draft recommendation for "Fair Housing Criteria for the Assessment of Proposed Development Projects: When assessing proposed development projects, all jurisdictions, commissions, and authorities should perform an analysis and require a showing that the project will not perpetuate patterns of segregation or effectively exclude members of protected classes. This should include, at a minimum, an analysis of the correlation between the market characteristics of the proposed development (bedroom count, rent structure and marketing plan) and the demand characteristics of people in protected classes (the housing needs of people in



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housing
is a
human
right

protected classes in the relevant market area), as well as an analysis of the accessibility of the project and location. Jurisdictions, commissions and authorities should work with fair housing lawyers, advocates/members of protected classes, the Commission on Human Relations and the City-County AFFH Task Force to develop specific criteria for this assessment.”

Respectfully,

Penn Plaza Support & Action Coalition

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