



Hill group goes to court against arena

Appeal comes as part of dispute over community benefits agreement



MARK BELKO 

Pittsburgh Post-Gazette

mbelko@post-gazette.com 

FEB 14, 2008

5:00 AM

A Hill District group is headed to court in its battle over a community benefits agreement related to the new hockey arena.

The One Hill Community Benefits Agreement Coalition, joined by four other groups, filed an appeal yesterday challenging the city planning commission's Jan. 14 approval of a master plan for the \$290 million arena.

Paul Ellis, an attorney for One Hill, said the appeal was not necessarily designed to block arena construction, but was filed to "preserve our legal rights and keep our options open." Yesterday was the deadline for filing an appeal.

"We remain optimistic that we can negotiate a CBA around the Penguins' arena development that will be beneficial to the Hill, the city, the Penguins

and our region," he said.

Still, Mayor Luke Ravenstahl and Allegheny County Chief Executive Dan Onorato, both of whom are leading the talks over a CBA, expressed disappointment with the decision.

"Both sides have agreed to continue to negotiate in good faith, and to try to derail that process with a lawsuit, I think, is unfortunate," Mr. Ravenstahl said.

The appeal came the same day One Hill officials met with representatives of the city, county and the Sports & Exhibition Authority to continue talks over a CBA. Mr. Ravenstahl said he would express "some frustration" to the group over the appeal.

"My definition of good-faith negotiation is a two-sided part of the equation, and I would hope they would realize and appreciate what we've done," he said.

Mr. Onorato was "very disappointed" an appeal was filed, spokesman Kevin Evanto said.

"He feels that we are close to a community benefits agreement ... and that there are only a few issues left to resolve," he said.

The Penguins, who will build and operate the new arena, declined comment.

Given that the neighborhood will host the new arena, Hill leaders are pushing for a community benefits agreement that will give residents a first crack at jobs, a long-sought grocery store and community center, more park space and input into a redevelopment plan.

Two big obstacles in the talks have been demands for a neighborhood-controlled development fund and unionization neutrality agreements for Penguins-controlled developments near the arena.

While Mr. Ellis stressed that the appeal in itself was not intended to delay the arena construction, Carl Redwood, chairman of the One Hill Coalition, said that doesn't mean the group won't go that route at some point.

"The One Hill Coalition is very clear that this project will not proceed unless there's a community benefits agreement," he said.

Among the issues One Hill raised in its appeal was the absence of commission member Todd Reidbord for much of the Jan. 14 hearing while he attended a University of Pittsburgh basketball game. He returned to vote in favor of the plan "in spite of the fact that he failed to hear, and therefore could not consider, most of the public testimony," the appeal stated.

Commission Chairwoman Wrenna Watson said Mr. Reidbord was present for all of an earlier hearing Dec. 11 where the master plan and CBA were discussed. She said much of the testimony at the Jan. 14 hearing was repetitive.

"So he really did have the information to make an informed decision," she said.

In the appeal, One Hill also charged that there "appeared to be unusual pressure to rush [the master plan] to a vote," given that the commission refused requests for a delay and refused to allow testimony on Jan. 14 from anyone who had spoken on Dec. 11.

It also argued that the master plan did not provide adequate parking for the arena and failed to consider environmental and social impacts, particularly to the Hill.

Nonetheless, Ms. Watson believes the commission will prevail.

"You never know which way an appeal will be decided but I feel personally that the board made a good decision, that they made their decision based on the criteria in the zoning code. From that perspective, we should be OK," she said.

Joining One Hill in the appeal were the Hill District Consensus Group, Preservation Pittsburgh, the Black Political Empowerment Project and Pittsburgh United.

First Published: February 14, 2008, 5:00 a.m.



Mark Belko is a staff writer for the Pittsburgh Post-Gazette.

✉ mbelko@post-gazette.com

✕ [@PG_Belko](https://twitter.com/PG_Belko)