



Division of Development Administration and Review

City of Pittsburgh, Department of City Planning
200 Ross Street, Third Floor
Pittsburgh, Pennsylvania 15219

Minutes of the Meeting of November 4, 2009
Beginning at 12:30 PM
200 Ross Street
First Floor Hearing Room
Pittsburgh, PA 15219

In Attendance:

<i>Members</i>	<i>Staff</i>	<i>Others</i>
Michael Stern	Katherine Molnar	Barbara Talerico
Noor Ismail		Pat Washington
Sergei Matveiev		Jerome Jackson
Joe Serrao		Grant Scott
Ernie Hogan		Mark Valenti
Linda McClellan		Jim Lawrence
		John Lewis
		Greg Mucha
		Jonathan Huck
		Jeff Slusarick
		Carole Malakoff
		Eleanor Coleman
		Paul Tellers
		Patrick Hassett, DPW
		Alida Baker
		John Francona
		John Augustine
		Dennis McAndrew
		David McMunn
		Lynn Glorieux

Old Business

Nominations Report: There are two buildings in the nomination process. Ms. Molnar reported that the Paramount Pictures Film Exchange nomination went to Planning Commission in September, and has been scheduled for a public hearing at City Council. She reported that she had just received an application for the nomination of the Iron City Brewery in Lawrenceville, and that it would come before the HRC for a preliminary hearing in December.

New Business

Approval of Minutes: Ms. Molnar indicated that the September 2009 minutes were now available for review and approval, but the October minutes were not quite complete. The discussion on 1218 N Franklin was not included in the draft version of the minutes. Mr. Serrao moved to approve the September minutes, Mr. Matveiev seconded the motion, all members voted in favor. The October minutes were tabled.

Certificates of Appropriateness: Molnar directed the commissioners to the Certificates of Appropriateness. In regards to the October 2009 Certificates of Appropriateness, Mr. Serrao moved to approve, Mr. Hogan seconded the motion, all voted in favor.

Other: Mr. Serrao nominated Mr. Hogan to be the new Vice Chairman of the Historic Review Commission and Mr. Matveiev seconded the motion. Mr. Hogan accepted the nomination, and all members voted in favor. Mr. Hogan is the new Vice Chairman of the Commission. Mr. Stern asked Ms. Molnar if there was an intention to fill the missing Commission member seat. Ms. Molnar replied that she did not know, but that the appointees for the position come from the Mayor's Office. Ms. Molnar thanked Mr. Matveiev for his service to the HRC: today is his last day because he will no longer be the Chief of BBI. Molnar reported that 1832 E Carson and The National Aviary applications would be postponed from today's agenda until further notice.

Applications for Economic Hardship: None

Upcoming Demolitions:

- Molnar indicated that because it had been tabled at the last HRC meeting, 1218 N Franklin would have to be considered for demolition again in the near future, likely at the December 2009 HRC meeting.

Adjourn: Mr. Hogan motioned to adjourn, Ms. McClellan seconded the motion, all voted in favor.

Discussion on hearing items follows on the attached pages.

OWNER & APPLICANT: Ms. Ruth Parson
1231 Mimosa Way
Pittsburgh, PA 15212

WARD: 22nd
BLOCK AND LOT NUMBER: 023-J-306

BUILDING INSPECTOR:
ZONING CLASSIFICATION: RM-M
HISTORIC ARCHITECTURAL RATING: Important (Typical)

Discussion:

1. Ms. Molnar introduced the application and showed a map of the location of the property. She indicated that she had spoken with the property owner this morning, and that the property owner was opposed to the demolition. Though she could not be present at the hearing, she wanted to encourage the HRC to deny the demolition.
2. **Mr. Paul Loy** introduced himself to the HRC and said that violations at the property go back to 2002 with dangerous conditions. It was condemned. It is a party wall structure, so BBI would not be doing any demolition until the Spring. The owner has not done anything to date to fix the violations at the building. The violations include cracked foundation, masonry issues, roofing issues and holes, interior walls exposed, water damage, broken windows, loose glass, etc. The building is not occupied.
3. **Mr. Greg Mucha** introduced himself to the HRC saying that it is a brick building, and as a representative of the Mexican War Streets Society, he is opposed to demolition. He thinks the building could be restored. He said that the Central Northside Civic Council may try to use the Conservatorship Law to take over the building, if necessary. Mr. Matveiev asked Mr. Mucha why he thought that the building was “structurally intact.” Mr. Mucha said he would try to get a structural engineer inside the building to evaluate it, but he had not spoken with the owner.
4. Mr. Hogan said that there is an ad-hoc committee with an attorney looking for test-case properties in regards to the conservatorship law; he would pass along contact information for these people.
5. **Mr. Jim Lawrence** introduced himself in favor of historic preservation. He indicated that there would be various ways and incentives to try to preserve the building. Mr. Matveiev said that he has heard these arguments before, to no end. He said at some point, we need to put together some “hard fast rules” for how to handle these buildings.
6. Mr. Stern said that if we decide to postpone the demolition, then we would need to set a timeline for when certain things need to happen and what the timeline would be for various repairs.

MOTION:

Mr. Hogan.....Moved to postpone the demolition for a period of six months, or until the April HRC meeting (2010). At that time, the community (or anyone interested in preservation) would need to come back with an action plan or demonstrate action for how the building can be saved and acquired.

Ms. Serrao.....Seconded the motion.

Mr. Matveiev.....Voted in opposition to the motion

Mr. Hogan, Mr. Serrao, Mr. Stern, Ms. Ismail, and Ms. McClellan voted in favor of the motion.

.....**Motion passes.**

1827 – 1831 East Carson Street

East Carson Street Historic District

OWNERS: Mr. John Lewis and Mr. Edward Lewis
1831 East Carson Street
Pittsburgh, PA 15203

WARD: 17th
BLOCK AND LOT NUMBER: 012-E-336
BUILDING INSPECTOR: Mr. Bob Molyneaux
ZONING CLASSIFICATION: LNC
HISTORIC ARCHITECTURAL RATING: Vacant Lot

Discussion:

1. Ms. Molnar introduced the application saying that the HRC had seen this address recently, when the applicants came back to the HRC last month to have approved new construction drawings modified. After a lot of discussion in September, the HRC approved the modification at the site, under the condition that the tower/vestibule element stay intact. Molnar showed drawings that had been approved earlier, and the new proposed drawings.
2. **Mr. Jeff Slusarick**, DLAstorino, introduced himself as the architect for the project. He said that programming at the space, as well as budgetary restrictions, dictated the modifications proposed at the new restaurant. Their purpose today is to propose a change that would keep the tower element, but make it more open so that the decking space can be best utilized.
3. Mr. Stern asked what the function of the “tower element” would be. Mr. Slusarick said that it functions to notate the new entrance of the building. Originally, it was going to be a two story vestibule, but now, it functions more like a trellis. The tower element is also trying to integrate the one story addition of the building to the character of the taller surrounding structures. Mr. Stern asked if Slusarick had considered extending the trellis all the way across the front of the structure, and he replied that they had. Slusarick said that this tower element had been approved initially, and they were trying to get back to the essence of that structure.
4. Mr. Slusarick said that there would be decorative railing and decorative gate at the new addition.

MOTION:

Mr. Serrao.....Moved to approve the modifications to this address as submitted.

Mr. Matveiev.....Seconded the motion.

Mr. Hogan.....Abstained from the vote

All others voted in favor..... **Motion passes.**

Discussion:

1. Ms. Molnar introduced the application and gave some of the background information on the building and its recent (2007) designation as an historic structure. Molnar said that the *Secretary of the Interior's Standards* are the guidelines we use for individually designated historic structures, including that for new construction.
2. **Mr. Mark Valenti** introduced himself as the prospective buyer for this property, and he introduced **Grant Scott**, the architect for the project (KSB Architects). Valenti said that the building is currently vacant, and that he has been looking for five years for a building like this to expand his business. Mr. Valenti walked the HRC through a series of PowerPoint images describing the building and the site. Mr. Valenti described the proposed addition and the reasons why he would like to add on to the property. He said that the first floor would be used for parking, the second and third floors would be used for offices, kitchen, and executive meeting spaces. There is a lot of water damage inside the building.
3. Mr. Serrao asked about the windows and whether they were originally arched, or filled-in with rectangular sashes. Mr. Scott said that in discussions with the Local Review Committee, one of the biggest points of concern was the proposed replacement of the wooden windows with aluminum. He thinks that there is an energy advantage to using aluminum windows.
4. Mr. Scott said that one of the biggest areas of concern is the rear, north wall, where they are not sure if the wall can be repaired or if it would have to be rebuilt.
5. Mr. Matveiev asked if the buyer and architect intended to apply for LEED certification for the new construction? Mr. Valenti said that his intention is to design and construct a state-of-the-art intelligent interior, to act as a showcase for his business, which designs and implements that type of building material.
6. **Ms. Carole Malakoff** addressed the HRC saying that the applicant had attended the Local Review Committee twice. She thinks that this project is going to be a success story. Most of the current HRC members were not on board when the building was nominated by the neighborhood in 2007. She said that the windows had arched tops, not square. In general, the LRC is in support of what the applicant wants to do, but the neighborhood has some concerns. They are concerned about keeping the existing fabric of the jeopardized north wall and about the maintenance of the cross-buck doors. They have a lot of questions about the new construction and its materials/ detailing. The committee is interested in keeping the integrity of the third floor, rear, doors. In regards to new windows, the LRC would like to see wood windows on all three facades. The front and east façade are very visible from the street, and the north façade will be visible when there are other buildings constructed around it. The committee is concerned with landscaping and final details. In total, they are in support, but have lots of questions.
7. Mr. Valenti said that the site plan is close to being fully developed. He discussed traffic flow. They have not yet selected planting materials. In regards to windows, they are currently pricing the windows, and the decision will be a matter of money. He thinks they can make an aluminum window that will look essentially exactly like the historic windows.
8. Ms. Ismail wanted to know if zoning staff and transportation planner had reviewed this application? Mr. Valenti and Mr. Scott said they did not believe they had any zoning issues to deal with. They said that there are no zoning requirements that the project can't comply with.
9. Mr. Stern said that his outstanding questions have to do with final details of the materials and the new construction.
10. **Ms. Mary Francis Barbush** addressed the HRC and asked about the horizontal line that wraps around the historic building, and connects in places to the new construction. She wanted to know if that line could continue to the new construction building to tie the two together. Mr. Stern said that his personal preference is that because the new addition was meant to look so modern, it should not be too slavish to the design elements of the older building. Mr. Scott said that they are not tied to any particular design.

11. Mr. Hogan said that he thinks the addition is pulled back enough that it respects the historic building, but he wonders if the perspective on the rooftop mechanicals is correct.
12. Mr. Stern asked if there were other comments or suggestions the HRC could make, and ask the applicant to come back with a definitive proposal and material samples, etc. Mr. Hogan said that his suggestion would be to reevaluate the addition and to make sure the proportions of it are correct. Pay attention to how it is being adorned and what perspective and lines carry though. How does the building fit into the context of the block? Stern said that overall the HRC is thrilled to see the project happen. Mr. Hogan asked if fiberglass windows would be acceptable? Mr. Stern said he did not see anything sacred about wood as a material, as long as more modern or technologically advanced materials meet the spirit and intent of the *Secretary of the Interior's Standards*.
13. There was no motion because the applicant will come back with more information.

Discussion:

1. Ms. Molnar introduced the final item on the agenda. She said that the City of Pittsburgh Dept. of Public Works has applied for the removal of the pedestrian bridge and decking material. She did not have a comprehensive information about the timeline of the bridge decisions in the past, but we are here today to discuss the possibility of removing the bridge. Molnar said that DPW was present to discuss the bridge. She showed aerial views of the park and the bridge, as well as current photographs. Molnar described the bridge, saying that it spans four Railroad tracks.
2. **Mr. Patrick Hassett** introduced himself to the HRC as Assistant Director to the Dept. of Public Works. He is here today to seek the HRC concurrence that the center span needs to be removed. The bridge has quite a bit of history with the HRC. The DPW engineers now say the bridge is in an accelerated state of decline which is what has us at the table today. In terms of past studies, his records show that the building was 1) closed in 1994 after pieces of the bridge fell onto the tracks below; 2) thorough inspection of the bridge in 1995 that recommended the removal of the bridge; 3) the HRC reviewed a proposal to remove and replace the bridge at two HRC meetings, where the HRC rejected the new designs for the bridge in favor of replacing the bridge in-kind – 1998. Funding became an issue then, as well as a lack of agreement within the community about the replacement. This bridge was then placed on DPW’s “critical” list. At that time, DPW began talking with the Railroad and their ability to participate in the removal of the span (2006). DPW is now in the process of finalizing the agreement with the RR that states the RR would remove the bridge and the City’s expense. DPW has had its own engineers, and those from Michael Baker out to reevaluate the condition of the bridge. Those reports do not find the bridge to be practical in terms of rehabilitation, and also the engineers recommend the removal of the bridge for the sake of eliminating the threat it poses to the cars on the tracks below (2009). DPW is continuing to receive reports of debris falling on the tracks below.
3. Mr. Stern asked Mr. Hassett to be more clear about what is being removed. Hassett said they would remove the span, which stretches from the face of each abutment wall to the other abutment wall. Mr. Stern wanted to know what would happen to the abutments themselves. Mr. Hassett said that would be up to the City, and is not covered as part of the RR’s scope of work.
4. Mr. Hogan asked if, within the negotiations with the RR, if DPW has reserved/preserved the right to reconstruct the bridge at a later date? Hassett said there is no easement currently in place, but that one would be needed in order to reconstruct. Hassett did not think that the RR would deny the easement.
5. Mr. Stern called for public comment:
 - a. **Alida Baker**, project director for the Allegheny Commons Initiative asked the HRC to delay its decision until a complete plan is in place for how to deal with the bridge. She read the recommendation from the Commons Master Plan, which asks that the bridge be further studied to determine if the best course of action is rehab or reconstruction. Alternatives for each treatment should be developed, including costs, to best make decisions on the bridge. She said this is an extremely important design element to the park, which dates back to the 1860s design of the park. Finally, the Allegheny Commons Initiative would like to be involved in the discussion of removing the bridge. She handed out a written statement.
 - b. **Ms. Martha Helmrich** introduced herself and said that on behalf of Allegheny West, she supports Alida’s statement. Sadly, we have watched as the bridge sits there while no one does anything to shore it up. It is important to Allegheny West that something be done to replace this bridge. If DPW tears it down with no plan to replace it, then nothing will ever be done to replace it.
 - c. **Carole Malakoff** reintroduced herself. She said that her committee is not currently in favor of demolition now because no one can tell them what is coming next. They do not want nothing to happen in the next phase.
 - d. **Paul Tellers** member of the Allegheny Commons Initiative Steering Committee said it was absolutely essential that the bridge be replaced. Not only is it part of a series of historic plans for the park, but the bridge is a critical

pedestrian connection between neighborhoods, and it creates a healthy lifestyle for people within the neighborhoods. In the packet, there is an interesting photograph of an earlier bridge in the park, which could be an impetus for redesign. Also, feasibility issues should be addressed in terms of studying the bridge for replacement, including ADA accessibility and likewise.

- e. **Sandra Pack**, president of the Allegheny Historic Preservation Society, is concerned that there will be strong environmental and sustainability issues if the bridge is torn down. She's been told that the RR wants to raise the bridges so that they can meet double-stack standards. She thinks that this would compromise the very essence and reason for the park.
- f. **Barbara Tallerico**, resident of the Mexican War Streets. She disputed the statement that the bridge was closed in 1994, because she remembers walking across it while she lived nearby. It proves that there has been ample time to figure out what to do with the bridge in the last years. It cannot be torn down without some kind of replacement.
- g. **Mary Francis Barbush** lives in Allegheny West. She is distressed because the bridge helped to facilitate her expedient return home, on occasion, when she had emergency situations. She urges the delay of any demolition until a greater plan comes forward.
- h. **Lynn Gloryeaux**, East Allegheny Neighborhood Council, lives in the neighborhood because she can walk or bike everywhere, thanks in part to the bridges and accessibility. They do not want to see the bridge removed, but if it must be, then there should be a provision for a replacement.
- i. **David McMunn**, representing the Mexican War Streets Society, said that he is opposed to the bridge's removal because a lot of the gateways on the northside are being threatened – the bridges and underpasses, etc. – they need to have a plan or analysis to bring these gateways back, as they exist today.
- j. **John Augustine**, Central Northside Neighborhood Council boardmember, the group is opposed to the demolition without a stated rebuilding plan. Second, Pittsburgh is trying to become a greener, more walkable community, and this bridge would help facilitate that goal.
- k. **Jim Lawrence**, member of the MWSS and the CNNC, is opposed to demolition without plan for replacement. This bridge is the only thing that connects the two parts of the park, and now we're going to lose that too, since we already lost the easement/cut through?
- l. **Barbara Tallerico**, came up again, and said they love that the sunken RR tracks muffles the sound of the traffic in the park. If the bridge comes down, and the double decker cars are permitted, then the neighborhood loses all muffling.
- m. **Greg Mucha** remembers playing in the park and running across the bridge every Sunday. It should not be demolished.
- n. **John DeSantis**, nominator of the Commons to become a City Historic Site in 1989. The bridge is as significant as any other element in the park. He was the chairman of the commission during earlier hearings, and the reason why nothing proceeded at that time, was because DPW was not willing to make a commitment to replace the bridge. Also, DPW was not willing to make negotiations with the RR to replace the bridge. If the bridge is replaced, then the new bridge would have to accommodate higher RR car traffic. Prior to the 1880s, the trains ran through at grade level. If things haven't changed since the 1990s, if you repair a bridge, it can be maintained at its current height, but if you replace it, it must meet new height requirements. There were some designs submitted, that would have squared the arch of the bridge to accommodate the trains. He asked that DPW would come back to the HRC with a design for a new bridge, which has been approved by the RR, and a document indicating such, and then we will discuss with you the possibility of demolishing this span. In the last years,

DPW has been allowing demolition by neglect. This piece of architecture is a significant piece of work, and should not be demolished callously. John said that two of the members of the committee are City of Pittsburgh employees and he would expect that they recuse themselves from voting on this issue.

6. Mr. Hassett said that he does not disagree with anything that has been said today. He said that he is on the same page as everyone else – that he would love to see the bridge replaced, but he does not have the funding to do that. He doesn't want to dwell on the past, but rather look to the future for how to move forward. We do have a risk with this bridge, so time is of concern. I'm not calling it an emergency, but it is of high concern. He does not want to languish in wasting time by planning studies and redesign issues, etc.
7. Mr. Matveiev wanted to know what the immediate concern is for trains and for bridge collapse. Mr. Hassett said that he has tried to get that information, but no body is willing to quantify that type of risk. Our bridge engineers have no way of assessing the risk, outside of the risk of the bridge itself falling down. It is not in imminent threat to collapse, but it is in an accelerated rate of decline. Debris does fall, in various sizes. Matveiev asked if there was something we could do to minimize risk, such as installing a net to keep stuff from falling. Hassett said they looked into that, but he couldn't remember why it wasn't accepted as a good mitigation alternative.
8. Mr. Stern said it is clear that the neighborhood has spoken, and that the bridge is important to the historic character of the park. Maybe we can turn the adversity of demolition into an opportunity. Maybe we can start developing a plan for replacing the bridge. The liability of the bridge creates a sense of urgency, and he does not want to approve the demolition because then there will never be an impetus for addressing the replacement problem. Mr. Hogan agrees that it is not easy to work with DPW to build/replace a bridge, but it is Allegheny Commons Initiative responsibility to work with DPW to come up with a plan. Mr. Hogan would be inclined to deny the application for demolition, and give the community time to work with DPW to come up with alternatives.
9. Mr. Hassett asked for a specific reason for why the HRC would deny the application for demolition. Mr. Stern said that approving it would simply allow "the problem" to go away. The problem is the lack of the functioning bridge, according to Mr. Stern, and the problem is a dangerous bridge, according to Mr. Hassett. Mr. Hogan feels strongly that this decision puts the honour back on DPW and the Community to start working on this issue. Mr. Stern said that we could give DPW a timeline in which it could start to forge a working relationship with the Community. Mr. Hassett said he would ask that the community forge a working relationship with him. DPW does not have the capacity to take on a process like this, but clearly would be willing to participate in the discussion. Mr. Stern asked the audience if they would be willing to make the commitment, as a group, to take this on.
10. Mr. Serrao said that his fear is that the bridge may come down in big chunks, which could result in immediate demolition, whether we want it or not. The decision could be out of our hands. We need to act quickly.
11. Ms. Ismail asked what are the legal questions and concerns. If the HRC delays a decision on the bridge, what would be amenable to DPW in terms of timing for reconsideration? Mr. Hassett said that once he has an agreement with the RR for demolition, that's when DPW has to act on the demolition of the bridge. Once that agreement is signed, then the City becomes 100% liable for the bridge. That agreement could take a little bit of time yet... but he is not sure exactly how long. To hold off for three months may be possible, depending on this agreement with the RR.
12. Mr. Tellers wondered if the agreement with the RR could include a commitment to rebuild, in writing, then he would personally be comfortable with the demolition. The agreement would not have to stipulate any design issues, but rather, would preserve the right to rebuild in the future. Mr. Hassett said that he has a note to look into that with the RR.
13. Martha Helmrich commented that the Commons Initiative did talk about the bridge some five or six years ago, and they tried to work with the City to find a solution, but those efforts never went anywhere. They also looked for funding, but were not successful in acquiring any. She thinks we should all work together to find the finances to do this.

14. Mr. Stern asked for commitment from the community to work with Pat from DPW. Ms. Aldia Baker stood up and said, “here I am.” And that she would work with Mr. Hassett to find out what we know, and what we don’t know, and get a work plan together. Mr. Hassett asked her to set up a meeting.

MOTION:

Mr. Serrao.....Moved to table the demolition of the pedestrian bridge in Allegheny Commons Park for a progress report at the January meeting of the Historic Review Commission.

Mr. Hogan.....Seconded the motion.

All voted in favor.....**Motion passes.**