



HISTORIC REVIEW COMMISSION OF PITTSBURGH

Minutes of the Meeting of May 7, 2008  
Beginning at 12:00 PM  
200 Ross Street  
First Floor Hearing Room  
Pittsburgh, PA 15219

In Attendance:

<u>Members</u>	<u>Staff</u>	<u>Others</u>
	Katherine Molnar	Maureen F. Neary
Paul Tellers, Vice Chair	Susan Tymoczko	Steven Paul
Earle Onque	Mary Russo	Cynthia Powell
Ruth Drescher		Jeffrey Slusarick
Jill Joyce		Greg Mucha
Daniel Cipriani		Michael Pfeuffer
Noor Ismail		James Sproat Furidzo (?)

**Historic Preservation Awards:** Before the *Old Business*, the HRC met to discuss the applications for historic preservation awards. The HRC discussed all of the applications but decided to issue awards to all but three. The three that they did not think should receive an award are: 3511 Butler St.; 4600 Penn Ave.; 939 Western Ave.; and 827 N Lincoln Ave (submitted after the May 7 the HRC decision, and denied via majority vote email).

Old Business

**Enforcement:** Ms. Molnar presented the enforcement issues – She reported that 1005 E Carson Street & 1020 E Carson Street were at the local magistrate on April 16<sup>th</sup>. At that hearing, the court ordered the offenders to the HRC where the HRC should tell the offenders how to abate the problems. Ms. Molnar reported that two parcels have abated their violations, 2220 E Carson Street, and 2228 E Carson Street (the later has not yet finished installing the windows, but has a CofA to do so). Finally, 1602 E Carson Street painted the building without a CofA.

**Nominations Report:** There are four buildings in the nomination process. Ms. Molnar reported that the Workingmen’s Savings Bank building was scheduled for public comment at City Council on May 20<sup>th</sup>. Molnar indicated that an agreement might be reached between all parties to extend the public comment period for 90 days. Stay tuned. The National Negro Opera House was/is scheduled for a public hearing in front of City Council today (May 7<sup>th</sup>). Malta Temple went to Planning Commission yesterday (May 6<sup>th</sup>) where Planning Commission voted 4-3 to recommend the designation. Mr. Tellers asked if any community members were opposed, Molnar replied that there weren’t. However, nearly every north side organization sent a letter of support.

**Update from February:** The building at 600 N Taylor (rear wood-framed building) was up for demolition in February, and approved by the HRC at that time. The HRC had given the owner an opportunity to discuss the possibility of selling the property to local residents. Ms. Molnar indicated that the negotiations had fallen through, that the building owner was in the process of moving to Florida, and that the building would likely be demolished.

New Business

**Approval of Minutes:** Ms. Molnar lamented that she had not sent out the April minutes. The Commission did not approve any minutes.

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**Certificates of Appropriateness:** Molnar directed the commissioners to the Certificates of Appropriateness. In regards to the April Certificates of Appropriateness, Mr. Onque moved to approve, Ms. Drescher seconded the motion, all voted in favor.

Mr. Tellers asked if the HRC had a tradition that the Chair of the Commission does not vote unless in the case of a tie. Ms. Molnar did not think so, but indicated that she would check on it.

**Applications for Economic Hardship:** There were no Applications for Economic Hardship.

**Rules & Procedures for Local Review Committees:** Ms. Molnar presented the Commission with a DRAFT of the Rules & Procedures for Local Review Committees. She indicated that the document was a draft, and that the HRC should not be voting on the document. She simply wanted the Commission to know that something was being done to advance the efforts of the LRCs. She hoped to gain feedback from the HRC as to whether the document was aimed in the right direction. There was some discussion as to when the document was sent to the HRC members – it was sent in the week before the meeting – another reason why no action should be taken at this time. Mr. Tellers indicated that he thought the Rules & Procedures would be appropriate, and that we should continue with their adoption. Ms. Joyce was missing pages... as were others. Ms. Molnar asked if there were any other comments. There were none.

**Consideration of Rev. Burgess' bill to extend Council decision time from 90 days to 120 days:** Ms. Molnar presented her revised rendition of the bill, which clarified the existing language by re-writing a sentence or two. The HRC had questions about the first draft, and indicated that it needed to see some changes, which is why Ms. Molnar attempted to re-write the paragraph. Ms. Molnar indicated that the HRC needs to vote on the legislation, so that it can go to Planning Commission, so they can vote on it too. Ms. Molnar said she thought that the last sentence addressed the question as to how much time the Mayor has to sign the proposed legislation. All members had remaining questions on the last sentence, which indicated a time frame of ten (10) days. The HRC wondered when the ten days would begin... ten days after the public hearing? Ms. Molnar indicated that she would consult the legal department to clarify this question, and find its intent. The HRC was inclined to approve the first paragraph of the proposed legislation, but continued to have questions regarding the second paragraph. Mr. Tellers recommended a motion, to approve the legislation with staff modifications, and pending consultation with the City's legal department to review the last sentence. Jill made the motion, as written above, and Ruth seconded the motion, all members voted in favor.

Ms. Molnar & Ms. Ismail left the meeting so they could attend the City Council hearing on 7101 Apple Street historic nomination.

**Adjourn:** Mr. Onque moved to adjourn the meeting, Ms. Joyce seconded the motion, all voted in favor.

Discussion on hearing items follows on the attached pages.

Attachments

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OWNER: Cynthia Powell 1902 Chateau Street Pittsburgh, PA 15233	WARD:.....21 <sup>st</sup> LOT & BLOCK:.....22-E-274 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: ..... 6 <sup>th</sup> ZONING CLASSIFICATION: ..... ARCH. RATING:..... Typical	APPLICATION RECEIVED: 01/30/2008 SITE VISITS: NONE CERTIFICATES OF APP.: NONE
APPLICANT: Russell Blaich Bureau of Building Inspection Pittsburgh, PA 15219		

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**Proposed Changes:**

Raze the structure

**Discussion of Proposal:**

1. Mr. Tellers asked if Ms. Tymoczko was prepared to start the agenda items (she was operating the PowerPoint presentation). He referred to the notes prepared by Ms. Molnar to reconstruct the timeline of this application. The property was brought before the HRC in April 2008; the HRC voted to delay the vote for one month until HRC staff could have the opportunity to research alternatives to demolition.
2. Ms. Powell came to the table, and said that she saw an article in the newspaper regarding the demolition of her house. She doesn't think she should be penalized for the damage done to her house by the neighbor. She wants to know who is paying to demolish the neighbor's house. Ms. Powell indicated that the neighbor is deceased.
3. Ms. Drescher asked who Ms. Powell's representative is on City Council. The answer is Tonya Payne. Ms. Powell contacted the councilwoman, who did not give any specific help.
4. The HRC did not feel as though it could adequately answer Ms. Powell's questions, or comment on the situation, without the assistance of Ms. Molnar, Mr. Cipriani, or Mr. Blaich. It decided to table the agenda item until one of those people showed up.
5. Mr. Cipriani arrived and the HRC returned to this agenda item. Ms. Molnar and Ms. Ismail also arrived. Mr. Tellers re-introduced the agenda item. Mr. Cipriani reminded the HRC the history of the building, and why it was condemned, and why the neighboring building was condemned. Mr. Onque reminded the HRC that the owner was in a difficult situation because she would either have to pay to have the City demolish her home, or pay to stabilize her house, which is impossible without removing the neighboring damaging structure.
6. Mr. Tellers wondered if someone, staff perhaps, ought to look into legal recourse. Ms. Drescher asked what part of the City this goes to. Mr. Cipriani said that the best thing to do at this point would be to get a contact with the law department. Mr. Tellers updated Ms. Molnar on the discussion, and said that not much had happened since March. Ms. Molnar said that after speaking with the Manchester Citizens Corporation, she found that the MCC has no solution either. Ms. Molnar said that she does not have an answer either. Ms. Ismail said that perhaps a letter to the legal department could provide some insight as to how to follow-through with this.
7. Mr. Cipriani wanted to know if HRC would approve the demolition even if there weren't other issues regarding the ownership and liability.

- 8. Ms. Drescher wanted to know where a typical citizen could go for help. She thought that the City ought to have a department, or somewhere that the owner could go. Mr. Cipriani said that typically the owner could go to court and take legal action against the neighbor.
- 9. Ms Molnar said that she wondered whether the HRC ought to decide if the building in question should be demolished based on its historic value, and its contribution to the district. She thought the HRC should decide this apart from any other legal issues surrounding the case.
- 10. Ms. Ismail recommended to the building owner to call the Mayor’s Service Center (311) and state her predicament. In the meantime, Ms. Molnar and Ms. Ismail would consult the legal department. These two items would give the homeowner a reference number. This would be trackable. Mr. Cipriani asked why this item was on the agenda. Ms. Molnar replied that it was a result of a one-month-table action in March.
- 11. Ms. Molnar asked for Ms Cynthia Powells’ email address (none) and phone number (provided).

**MOTION:** Ms. Drescher ... moved to support the recommendation made by City Planning to involve the City’s legal department and to table the proposed demolition until we have more information.

Ms. Ismail..... made the official motion by restating Ms. Drescher’s comments. She motioned that the owner would explore options by calling the Mayor’s 311 Response line and that the owner would track down any course of action available through that recourse. At the same time, in parallel, the Department of City Planning would pursue this with our legal department in finding other ways to address this.

**SECOND:** Ms. Drescher ... seconded the motion.

**IN FAVOR:** All..... ***PASSED***

**OPPOSED:** None

OWNER: Lisa Anderson 1337 Sheffield Street Pittsburgh, PA 15233	WARD:.....21st LOT & BLOCK:..... 22-P-321 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: ..... 6 <sup>th</sup> ZONING CLASSIFICATION: .. R1A-H ARCH. RATING:..... Typical	APPLICATION RECEIVED: 04/17/08 SITE VISITS: 04/25/08 CERTIFICATES OF APP.: #88-049 #90-039
APPLICANT: Lisa Anderson		
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Proposed Changes:**

Construction of alley-facing 20x24’ detached garage. Garage to have gabled roof and vinyl siding.

**Discussion of Proposal:**

1. Mr. Tellers introduced the proposal, and gave the map of the property’s location.
2. Mr. Tellers asked Ms. Lisa Anderson to the table, who gave her name and address. Ms. Tymoczko showed the pictures on the PowerPoint. Ms. Anderson indicated that her intent was to build a garage; she gave the specifications of size and location for the garage. Ms. Anderson indicated that the proposed garage meets the HRC’s guidelines. She would take out some landscaping hedges and fence to erect the garage.
3. Ms. Joyce asked where the pictured garages were located. They are located to the West of the applicant’s lot. Ms. Drescher asked if we know anything about what the garage would look like. Ms. Anderson had brought drawings. Ms. Anderson said that parking was at a premium along her street, and she often had difficulty finding a place to park.
4. Mr. Tellers asked to refer to the photos one more time on the PowerPoint. Mr. Tellers asked if anyone else had any comments or questions from the HRC and from the public. There were none.
5. Ms. Joyce saw that the guidelines provided by Ms. Molnar indicated there should be no vinyl siding. However, the guidelines provided by Ms. Anderson indicated that vinyl siding was permissible. There was a discrepancy between the Garage Design Guidelines and the Manchester Design Guidelines (general). The HRC thought that the Manchester Citizens Corporation had its own design guidelines.
6. Mr. Cipriani entered the room at some point during this conversation.
7. Mr. Tellers wondered if the vinyl could be approved administratively because there was so much discussion.
8. A woman from the audience spoke randomly about how Ms. Anderson was attempting to improve the neighborhood, and that she shouldn’t be denied.
9. Ms. Anderson reminded the Commission that most of the garage would not be visible due to the location of the fence. Ms. Drescher sympathized with Ms. Anderson. Mr. Tellers urged the HRC to make a motion.

**MOTION:** Ms. Drescher ... moved to approve the garage.

**SECOND:** *Nobody* ..... seconded the motion. Discussion continued.

**MOTION:** Ms. Joyce ..... moved to approve the garage but the decision of vinyl siding would be left to staff. Mr. Tellers restated the motion by saying that they would leave the decision of vinyl vs. wood to their staff person, Katie Molnar.

**SECOND:** Mr. Cipriani ..... seconded the motion.

**IN FAVOR:** Mr. Cipriani, Mr. Onque, Ms. Joyce, Ms. Ismail ..... ***PASSED***

**OPPOSED:** Ms. Drescher

OWNER: Maureen F. Neary 1106 Sheffield Street Pittsburgh, PA 15233	WARD:.....21st LOT & BLOCK:.....7-C-23 &24 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: ..... 6 <sup>th</sup> ZONING CLASSIFICATION: ..... ARCH. RATING:..... Typical	APPLICATION RECEIVED: 04/08/08 SITE VISITS: 04/25/08 CERTIFICATES OF APP.: #01-136 #03-031 #03-093
APPLICANT: Maureen F. Neary		
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Proposed Changes:**

Installation of white, triple-track, aluminum storm-windows. Storms will be attached to the wooden window frames with screws. The existing windows are wooden, but probably are not original to the building (see CofA #01-136). It is unclear how/why the existing windows are underperforming, thus necessitating the installation of storms.

**Discussion of Proposal:**

1. Mr. Tellers introduced the proposal, and gave the map of the property’s location. Mr. Tellers invited Ms. Neary to the table, where she indicated that she intended to install aluminum storm windows. She thought that the aluminum storm windows would not “take-away from the look” of the historic building. Cost was a factor to the proposal.
2. Mr. Tellers remarked that the important thing to him was that the storm windows would not cover-up the existing windows, trim, or frames. Mr. Cipriani directed the HRC to staff’s recommendation

**MOTION:** Mr. Cipriani ..... moved to approve the storm windows, based on staff recommendation.

**SECOND:** Mr. Onque ..... seconded the motion.

**IN FAVOR:** All..... **PASSED**

**OPPOSED:** None

Ms. Neary asked what her next step would be to complete paperwork. Ms. Tymoczko indicated that Ms. Neary should return to the zoning counter to pick-up her Certificate of Appropriateness.

OWNER:	WARD:.....1 <sup>st</sup>	APPLICATION RECEIVED:
Michael Pfeuffer / Andrew Sysak	LOT & BLOCK:..... 1-D-144	04/01/08
Alex I, LLC	INSPECTOR: ..... Ed McAllister	SITE VISITS:
1040 Summer Place	COUNCIL DISTRICT: .....	04/25/08
Pittsburgh, PA 15243	ZONING CLASSIFICATION: .....	CERTIFICATES OF APP.:
APPLICANT:	ARCH. RATING:..... Typical	#01-026
Attorneys with Aprons		#92-061
Pittsburgh, PA 15243		#90-002
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	#86-054
		ELIGIBLE ..... <input type="checkbox"/>

**Proposed Changes:**

Modify existing window opening (second from east) into a door. The new entrance door will be the width of the bay (pier to pier), and the doors will not be as tall as the previous window. The proposed doors will be four sections wide “Nana” walls. The applicant has not provided more information regarding the type of doors proposed.

**Discussion of Proposal:**

1. Mr. Tellers introduced the proposal, and gave the map of the property’s location. Mr. Tellers invited Michael Pfeuffer to the table. Michael began to describe the existing wall.
  - a. The “Nana” walls are aluminum, powder-coated walls with tempered glass. Folding wall system. Mike indicated that the image Ms. Molnar provided was only for one opening, but they decided to install two Nana walls.
2. Ms. Drescher asked for orientation and the applicant and HRC began to describe various other tenants in the building over the years.
3. Mr. Tellers asked if the doors would remain. The answer is yes. Michael indicated that he had images of what the Nana walls would look like. The design and placement of the walls is contingent upon the location of the interior food-service equipment/serving bar.
4. There was some discussion of the awnings, which will remain. Pfeuffer said that the Nana doors will be aluminum, aluminum in color.
5. Earle mentioned that Ms. Molnar was concerned about the patterning of the fenestration on the façade. Molnar wondered about the width of the opening. Mr. Tellers agreed, and wondered if it would be possible to have two openings, so that it wouldn’t look strange. Mr. Pfeuffer said that they originally wanted to do two openings, but that Paris-to-Pittsburgh wanted the openings to be wider, so the compromise was to go with one opening that was wider.
6. The HRC wondered if it would be possible to have two openings, both stretching from the existing window to the existing column. There would be some remaining brick on the other side of the window.

**MOTION:** Ms. Joyce ..... moved to approve this project with the modifications that the door openings are 9’ feet each, three panels of door each, off of the third column. A sketch should be drawn up to

reflect the changes. The new drawings should be submitted to the staff person, Ms. Molnar. We will recommend that she approves them.

**SECOND:** Mr. Cipriani ..... seconded the motion.

**IN FAVOR:** *All.....* **PASSED**

**OPPOSED:** *None*

**402 West North Avenue**

**Mexican War Streets Historic District**

OWNER: David & Laurie Charlton 402 W North Avenue Pittsburgh, PA 15212	WARD:.....22 <sup>nd</sup> LOT & BLOCK:..... 23-P-27 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: ..... 6 <sup>th</sup> ZONING CLASSIFICATION: ..... ARCH. RATING:..... Typical	APPLICATION RECEIVED: 4/21/08 SITE VISITS: 4/25/08 CERTIFICATES OF APP.: 00-000
APPLICANT: David & Laurie Charlton 402 W North Avenue Pittsburgh, PA 15212		
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Proposed Changes:**

Construction of rear porch and deck; Installation of a two-car garage across back of property

**Discussion of Proposal:**

1. Mr. Tellers introduced the proposal, and gave the map of the property’s location.
2. Laurie Charlton approached the table, gave her name, and indicated that she only wanted the HRC to consider the rear porch, at this point. She said the plans for the garage were stalled at zoning board. Because the garage was delayed, the rear porch would be visible, and must go before HRC. She showed the HRC the location of the porch and house on the site plan (PowerPoint). Mr. Tellers confirmed that the HRC was not to examine the garage at this juncture. Ms. Charlton said that was correct.
3. Some of the pictures Ms. Molnar provided are dated, and no longer reflect the accurate representation of the rear of the property. Mr. Onque asked Ms. Charlton to describe the property lines. Ms. Joyce asked what the columns would be made of. Ms. Charlton replied that the rear porch would match the front porch in detail. A male voice (did not introduce himself, Mr. Charlton?) indicated that the rear porch would be very detailed. They were having column capitals made, there would be different inlays and moldings. The archways would be 1”x2” lattice.
4. Mr. Tellers asked if there were any other questions or comments. Mr. Tellers then asked for a motion.

**MOTION:** Ms. Drescher ... moved to accept the proposal as presented, for the rear porch only.

**SECOND:** Ms. Joyce ..... seconded the motion.

**IN FAVOR:** All..... ***PASSED***

**OPPOSED:** None

OWNER: Moody National Mortgage Corp. 3811 Turtle Creek Blvd. Ste. 320 Pittsburgh, PA	WARD:.....2 <sup>nd</sup>	APPLICATION RECEIVED: 4/22/08
	LOT & BLOCK:..... 9-N-135/136	SITE VISITS: 4/21/08
	INSPECTOR: ..... Ed McAllister	CERTIFICATES OF APP.: #90-043
APPLICANT: Jeff Slusarick (DLAstorino) 375 Southpointe Blvd., Ste. 210 Cannonsburg, PA 15317	COUNCIL DISTRICT: .....	#02-115
	ZONING CLASSIFICATION: ..... GT	#04-002
	ARCH. RATING:.....	#04-126
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Proposed Changes:**

Installation of new retractable awnings, non-fixed café tables and chairs (sidewalk seating) and planter boxes.

**Discussion of Proposal:**

1. Mr. Tellers introduced the proposal, and asked for a representative. Mr. Jeff Slusarick introduced himself as representative of DLAstorino architects, for Sonoma Grill. Mr. Tellers asked Ms. Tymoczko.
2. Ms. Rebecca White, representative of the Penn Liberty LRC introduced herself.
3. Mr. Slusarick introduced his project, as part of the Paris-to-Pittsburgh program, as new sidewalk seating, and the incorporation of new awnings. He gave the dimension of the retractable awnings. The color of the aluminum awnings would be powder-coated in Almond color – to match existing terra cotta. He described how the awnings would attach to the building. He said that there would be some lettering on the valance.
4. Mr. Tellers indicated that he approved of the idea aesthetically, but was concerned about damaging the fabric of the historic storefront and terra cotta. He also said that the write-up provided by Ms. Molnar indicated that the terra-cotta was not original to the building.
5. Mr. Slusarick indicated that the two awnings would only attach to the building at four points. Thus, the awnings would inflict very little damage to the building, historic or not. Mr. Tellers asked if the awnings would be mounted onto the terra cotta. Mr. Slusarick lamented that he did not have a better picture. The next-door awning has a very similar awning mounting system. The new awnings would not damage the ornamental terra cotta, but rather a plain area of terra cotta.
6. Mr. Cipriani asked about the width of the sidewalk. He said there would be a limitation on the projection of the awning. Perhaps to the planter boxes?
7. Mr. Tellers asked if there were any other comments or questions. He asked for a motion.

**MOTION:** Ms. Joyce ..... moved to approve the awnings as proposed as long as the awnings are within the zoning guidelines.

**SECOND:** Mr. Onque ..... seconded the motion.

**IN FAVOR:** All..... **PASSED**

**OPPOSED:** None

OWNER: Mr. Clint Pohl Sanctuary Holdings, LP 1005 East Carson Street Pittsburgh, PA 15203	WARD:.....17 <sup>TH</sup> LOT & BLOCK:..... 003-G-126 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: .....	APPLICATION RECEIVED: SITE VISITS: CERTIFICATES OF APP.: #04-101 #04-107 #05-055
APPLICANT: <b>Staff – HRC Enforcement Issue</b>	ZONING CLASSIFICATION: ..... LNC ARCH. RATING:.....	
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Current Violations:**

Non-conforming signage; addition of exterior TVs.

**Discussion of Proposal:**

1. Mr. Tellers introduced this proposal and asked for representatives. Mr. Tellers asked if Ms. Molnar would like to give the background information; she did. She indicated that the columns were painted and that TVs were added to the exterior of the building. She said that the property owner was recently at court, where they agreed to change the exterior of the building.
2. Mr. Tellers asked about the insertion of the TVs. Ms. Molnar indicated that the modification of the building front steps and side railing/stairs were approved by a previous HRC.
3. Mr. Tellers clarified by saying that it was the HRC’s job to suggest which items were not in compliance. He started by saying that the owners would need to remove the painted signage on the columns. The owners would need to remove the exterior televisions. They would also need to return to a color palate that would be appropriate to the historic district.

**MOTION:** Ms. Joyce ..... moved to confirm that this building is not currently up to historic standards

**SECOND:** Ms. Ismail ..... seconded the motion.

**IN FAVOR:** All.....**PASSED**

**OPPOSED:** None

4. Ms. Molnar asked the HRC to define items that would make the building come into compliance. The HRC members replied that appropriate signage, historic color scheme, and removal of TVs would make the building comply.

**MOTION:** Mr. Onque ..... said, “so moved.”

**SECOND:** Ms. Drescher ... seconded the motion.

**IN FAVOR:** All.....**PASSED**

**OPPOSED:** None

OWNER: Management Directions, Inc. Milton I. Barr, <i>tenant</i> 1012 East Carson Street Pittsburgh, PA 15203	WARD:.....17 <sup>TH</sup> LOT & BLOCK:..... 003-G-29 INSPECTOR: .....Bob Molyneaux COUNCIL DISTRICT: .....	APPLICATION RECEIVED:  SITE VISITS: 00/00/00 CERTIFICATES OF APP.:
APPLICANT: <b>Staff – HRC Enforcement Issue</b>	ZONING CLASSIFICATION: ..... LNC ARCH. RATING:.....	
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Current Violations:**

Exterior paint scheme is in violation of Historic Preservation Ordinance.

**Discussion of Proposal:**

- Ms. Molnar introduced the proposal, and gave the map of the property’s location, and gave the background information on the property.
- Mr. Cipriani corrected Ms. Molnar’s handout that Bob Molyneaux is the inspector for that district, not Ron Freyermuth.
- Mr. Tellers called for representatives for this address. Milton Barr introduced himself, as did James Scrott (?) who manages the building. Mr. Barr indicated that he did not receive the building the way it looked in the Allegheny County Assessment website photograph. Mr. Tellers asked if Barr painted the building the way we see it today. Barr said that he did not. Ms. Joyce asked if Barr had hired someone to paint the building that way, Mr. Barr replied that he had.
- Mr. Tellers said that the building was noncompliant with the historic district guidelines. Mr. Tellers said that the HRC could make recommendations as to how to change the building into compliance. James said that the local magistrate (Judge Biccardi) ruled that if the property owner did not change the building, they would receive a hefty fine. James said that legally, he could not censor what his tenant’s signage looked like. They could enforce design guidelines by evicting the tenant. The magistrate said this was the last time this issue would go before his court. The case is currently in a continuance.
- Mr. Tellers said that it was his understanding that the HRC should not delve into the legal aspects of the tenant/owner relationship, but to comment on the historic district sensibilities. Mr. Barr argued that his building should not be considered historic because there are very few historic buildings on his side of the street. He said that the “relic” of his structure is a shadow of its former glory. He said that he is a good tenant and contributes to the economic vitality of the street.
- Mr. Barr said that he agreed the building paint scheme was not historically appropriate, and that he was willing to work with the HRC to bring it into compliance. He was willing to paint or change the front elevation and the lower portions of the eastern elevation. He wanted to keep everything on the upper portion of the eastern elevation (all of the figures), but was willing to do “everything else you say” regarding changes to the building.

7. Ms. Molnar directed the HRC to the packet where she copied the HRC on a statement provided by the LRC that gave the LRC's opinion of the paint scheme.
8. Ms. Joyce asked Mr. Barr if he had commissioned artists to paint the cartoons. Mr. Barr said that he let a freelance artist do whatever he wanted. Ms. Drescher said that all over Pittsburgh we are seeing murals. Mr. Barr interrupted her to say that there are several murals on East Carson Street. Barr wants to "be a mural" on the southside. Ms. Drescher said she was not attempting to comment on the quality of the artwork, but acknowledged that there were other murals on the Southside. She did not make a recommendation, but wanted to consider that murals can exist.
9. Mr. Tellers said that he thought the Local Review Committee would disagree. He said that public art murals that do exist have to go through a rigorous review and approval process. He was confident that this building received none of that review.
10. Mr. Barr said that this building was the best well know mural in the City. Ken Knox is the "artist." Mr. Barr passed around his phone to show the HRC a picture of a newspaper article of unknown significance.
11. Ms. Joyce said that she saw several options: the HRC could either ask the tenant to strip the paint off the building, but did not think that was a viable solution, or the HRC could say Barr could keep his "art," but should paint around it.
12. Ms. Ismail said that the HRC is reviewing this because it's in a historic district, but in general, the City does not review artworks in the City. The City is working to come up with guidelines for murals in public spaces. Mr. Tellers reminded the HRC to stay on track by saying that we need to review this based on the Historic Guidelines, not based on any artistic guidelines.
13. Mr. Tellers suggested the HRC look carefully at the recommendation of the LRC. Ms. Ismail said that this building is now a landmark building in some peoples' minds. Ms. Joyce said that it is just paint, and would eventually deteriorate. Ms. Drescher asked if Barr would be willing to paint the front elevation and parts of the side. Mr. Barr replied that he was not proud of the workmanship of the painting, and would love to have an excuse to paint the building and make it look pretty. But for his business' sake, he needs to keep the murals.
14. Ms. Ismail asked how the painting is related to his business. Barr replied that Ninja Entertainment has a theme identified by the mural. The theme of each store is related to the way the building is painted. When asked, they say, "we're the Ninja turtle building on the South Side." Ms. Molnar wondered if the paint scheme ought to be considered signage.
15. Mr. Tellers said that this building is a precedent that he doesn't want to set. The building has artwork that is essentially public because of its location, but failed to go through any kind of public process. He said it was a difficult decision. Ms. Molnar reminded the HRC that the tenant did not apply to put the mural in the first place. James agreed that the tenant did not follow the normal process.
16. Ms. Drescher said that she thought to ask the building owner to remove something that the tenant considers to be art, and that a lot of the community considers as art, she would find very offensive. Changing the paint in the name of historic preservation would seem strange as the building was not historic in her view. Mr. Barr said that this decrepit old building now looks beautiful because of the artwork he has put on it. To conclude her thoughts, Ms. Drescher said that it feels like censorship to not allow artwork on a building.
17. Mr. Onque said that he did not think that was the issue. He said that historic preservation was the issue. Ms. Drescher recommended that perhaps changing parts of the building's paint scheme (the front, and parts of the side)

would help bring the building into compliance, but would preserve the work of the artist at the same time. Mr. Tellers said he strongly objected to that notion, and that the HRC should either leave the work as the artist intended, or that the building should be reverted to a simple 19<sup>th</sup> Century historic storefront.

18. Mr. Tellers said that he would recommend a table motion so that the HRC staff could work out any legal issues, and so that the Local Review Committee would have a chance to attend the next hearing, to comment.

19. Ms. Drescher asked Mr. Barr to bring people to the next HRC to speak to the value of the artwork. Mr. Barr said that he would bring 10,000 people. Not kidding.

20. James asked what the proper process would be for Mr. Barr to pursue the application, so he could do his suggestions. What’s the process? Ms. Molnar addressed Mr. Barr by saying that when she notified him about this meeting, she included with that letter an application for exterior changes. Molnar indicated that Mr. Barr could fill out the application, indicate on the application what his intent was (to keep the paint scheme as is, if that’s his proposal) and get back to the HRC with that application. Mr. Barr said that he did not have the application any longer. Ms. Molnar told him to find it on the website, or ask for another copy. James asked what the next step would be. Molnar replied that it all depended on today’s motion. Ms. Joyce recommended that the applicant meet with the Local Review Committee in addition, before the next HRC.

**MOTION:** Ms. Joyce..... moved to table the application

**SECOND:** Ms. Drescher .... seconded the motion.

**IN FAVOR:** All..... **TABLED**

**OPPOSED:** None

OWNER: Thomas Schweitzer 920 N Lincoln Avenue Pittsburgh, PA	WARD:..... 22 <sup>ND</sup> LOT & BLOCK:.....7-D-25 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: .....	APPLICATION RECEIVED:  SITE VISITS: CERTIFICATES OF APP.:	  NONE 12/15/07 #03-120 #04-071 #04-123 #05-022
APPLICANT: <b>Staff – HRC Enforcement Issue</b>	ZONING CLASSIFICATION: ..... ARCH. RATING:.....		
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE .....	<input type="checkbox"/>

**Current Violations:**

Inappropriate addition of rear porch is in violation of Historic Preservation Ordinance.

**Discussion of Proposal:**

1. Mr. Tellers introduced the proposal, and gave the map of the property’s location. Ms. Molnar gave the HRC the background history of the property. She added that Mr. Schweitzer’s plans were still in limbo because he was working with the Zoning Board of Adjustment to permit occupancy of the building for light-commercial uses.
2. Mr. Schweitzer addressed the Commission and explained why he removed the deck. He now has to make the building ADA compliant, and is looking for a way to satisfy that requirement while he builds the new deck. He is currently considering a ramp or a wheelchair lift. The lift would cost more, but the ramp would be more visually intrusive. He passed around some pictures of the deck as it previously existed. He described where the ramp would potentially be located.
3. Mr. Tellers asked if Mr. Schweitzer had an architect he was working with. Mr. Schweitzer said no, though he had an architect to stamp his drawings. Mr. Tellers asked about doing an interior lift. Schweitzer replied that there was a rear, ground-level access to the building, but that the inside of the building was not situated to accommodate a lift. In addition, Mr. Schweitzer found an interior lift to be more invasive.
4. Ms. Joyce thought that she couldn’t comment on the exterior ramp without knowing what materials it would be, what it would look like, etc. Mr. Tellers asked what the Allegheny West LRC thought about the issue. Molnar replied that the LRC wanted more information about what was actually happening at that structure, and they needed to know what Schweitzer proposed. Molnar reminded the HRC that they were at the hearing today to discuss the deck, and that the ramp was not on the agenda, and could not be decided today.
5. Mr. Tellers said again that an architect could help to solve some of the problems. Mr. Schweitzer described what the effects of the ramp would be on the building. He discussed the costs of various options, etc. Schweitzer reminded the HRC that after 13 years, when his building is no longer permitted to be commercial, then the lift or the ramp could be removed.
6. Mr. Tellers indicated that the HRC needed to move along and make a decision for the day.
7. Mr. Cipriani asked whether the applicant had been working with the Bureau of Building Inspection regarding the ADA components of the ramp or deck. Mr. Schweitzer replied that his original building inspector was Pat Brown, who he had been talking to, and who had come out to the property on occasion as a consultant. Mr. Cipriani

wanted to know if Schweitzer paid Mr. Brown for that service and Mr. Schweitzer replied, “Absolutely not.” Cipriani wanted to know if Schweitzer was familiar with the building inspection process where they review sealed drawings with BBI staff, and the inspectors should not go out to the field and design “these things for you.” Mr. Schweitzer said he understood that. Mr. Schweitzer said he did not realize that it was a problem to ask a building inspector what he thought about various issues. Schweitzer thought that involving BBI from an early stage would actually help expedite his process in the long term. Mr. Cipriani said that there was an established process, and that the inspector and the applicant should not go outside of that established process. Schweitzer apologized if he had gone outside the process.

- 8. Mr. Tellers said that the action today would be to ask the applicant for drawings. Jill Joyce and Tellers recommended an architect. Schweitzer said that he had received three quotes from ADA professionals. Molnar recommended that HRC vote to give Mr. Schweitzer more time. Molnar asked how long it would take for Schweitzer to come back with more information and plans.

**MOTION:** Ms. Drescher .... moved to table the application pending further information provided by building owner.

**SECOND:** Mr. Onque ..... seconded the motion.

**IN FAVOR:** All..... **TABLED**

**OPPOSED:** None

OWNER: Bruce Hall & Edward Reece 848-50 Western Avenue Pittsburgh, PA	WARD:..... 22 <sup>ND</sup> LOT & BLOCK:.....8-A-40 INSPECTOR: ..... R. Freyermuth COUNCIL DISTRICT: .....	APPLICATION RECEIVED: SITE VISITS: CERTIFICATES OF APP.: #97-045 #00-124
APPLICANT: <b>Staff – HRC Enforcement Issue</b>	ZONING CLASSIFICATION: .....	12/15/07
NATIONAL REGISTER:	ARCH. RATING:.....	
	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Current Violations:**

*The building owner removed architectural detailing along the building’s cornice line, specifically, an end bracket or cornice finial.*

**Discussion of Proposal:**

1. This item was addressed last on the agenda.
2. Mr. Hall could not attend the hearing.

**MOTION:** Ms. Joyce..... moved to table the application until next month, when the HRC could get the owner’s input.

**SECOND:** Mr. Onque ..... seconded the motion.

**IN FAVOR:** All..... **TABLED**

**OPPOSED:** None

OWNER:	WARD:..... 2 <sup>ND</sup>	APPLICATION RECEIVED:
Golden Triangle Management	LOT & BLOCK:..... 009-N-122	NONE
Acceptance Co.	INSPECTOR: .....Ed McAllister	SITE VISITS:
210 10 <sup>th</sup> Street	COUNCIL DISTRICT:.....	04/25/08
Pittsburgh, PA 15222	ZONING CLASSIFICATION:.....	CERTIFICATES OF APP.:
APPLICANT:	ARCH. RATING:.....	#06-055
<b>Staff – HRC</b>		#07-091
<b>Enforcement Issue</b>		
NATIONAL REGISTER:	LISTED..... <input checked="" type="checkbox"/>	ELIGIBLE ..... <input type="checkbox"/>

**Current Violations:**

*Installation of large commercial painted sign installed on the western sidewall of 960 Penn Avenue.*

**Discussion of Proposal:**

1. Ms. Molnar introduced the proposal, and gave the map of the property’s location. She gave some of the background information of the property and the billboard sign. She indicated that the Local Review Committee is not in support of the sign’s existence without a Certificate of Appropriateness
2. Mr. Tellers invited the property representative to the table. Mr. Joel Arenson (?) introduced himself as an attorney at Reid Smith. He represents the owner of the sign. Mr. Arenson asked if he should proceed. Mr. Tellers told him to complete his comments. Arenson said that he represents Pittsburgh Outdoor Signs.
  - a. On November 3, 2006, before the involvement of Pittsburgh Outdoor Signs, a permit was issued for the sign. After the appeal period had passed, the sign permit was transferred to another entity, and that entity came to Pittsburgh Outdoor Sign (POS) and asked if POS would be interested in accepting assignment of our rights to that sign. He said that POS reviewed it, there were discussions in the Mayor’s office, the appeal period had passed, a permit had been issued, and POS took assignment, and paid \$250,000 for the rights to the sign. POS then erected the sign.
  - b. There was a challenge filed by LAMAR advertising many months after the sign was erected. The sign was lawful, and Lamar challenged the lawfulness of it, which is the deliberation that went before the Zoning Board.
  - c. The basis for why the permit was issued is that the sign was a continuation of a non-conforming advertising sign, based on the sign that already existed on the wall. Arenson said that the issue of whether a sign could exist in that location has been conclusively determined by the zoning board. They had no other indication that any other permits or processes were required to obtain the sign permit.
  - d. Arenson said that his client is looking to the HRC for direction in determining what is historically appropriate for signage at a location where signage has conclusively been determined to be permitted to exist. The City has said that an advertising sign is permitted. He recognized that the HRC guidelines for that district do not necessarily condone the type of sign that his client owns the rights

- to. He said that on one hand it seems as though the City gave permission for the sign to exist, and on the other hand another branch of the City (HRC) is questioning that right.
- e. Mr. Arenson asked for guidance for the design of signage that will, conclusively, exist in that location in the future.
3. Mr. Tellers asked if the HRC could ask Mr. Arenson some questions. Arenson replied, yes.
- a. Mr. Onque asked if Arenson considered the sign a continuation of non-conforming use. Arenson replied that was the basis of the sign's permitting, and that was proven to be acceptable rational for the issuance of the permit.
- b. There was some discussion of the guidelines, and how the HRC interprets them. Mr. Arenson said that since there was an existing sign in that location, the new sign is like a continuation of that sign. In other words, there is historic precedent for a sign in that location.
4. Mr. Tellers asked for more comments or questions from the HRC.
- a. Ms. Drescher wanted to know why this agenda item was coming to the HRC for the first time, when we have known about the case for some time. Molnar replied that this is an unusual circumstance where the sign permit was given without a Certificate of Appropriateness. Typically, an applicant should not be allowed to get the sign permit without the CofA. Molnar did not have an answer as to why that happened.
- b. To be clear Arenson received the sign permit after it was first issued. His client had not part of the permitting process. Arenson said that the sign was hung so that it would not injure the building. It was designed so the sign face could be replaced periodically. In practical terms, understanding that they have a right to the sign, what kind of content for the sign face would be most historically appropriate? Is there guidance to make the sign content acceptable according to the historic district?
- c. Mr. Tellers said that it is quite clear that the sign is not permitted under the historic district guidelines. Guideline #9 gives some room for interpretation. Arenson said that the existing sign does not violate the two criteria that would cause the HRC any reason to view the application unfavorably and that regardless of how you interpret #9, he doesn't think the HRC is compelled to deny the sign.
- d. Mr. Cipriani urged the HRC to read staff's recommendations.
- e. Ms. Drescher wanted to know how the item came to the HRC. Molnar replied that the Penn Liberty LRC had been asking questions as to how the sign had been approved for quite some time. She indicated that some of the members, and herself, had gone to a couple of the zoning board hearings and asked why a Certificate of Appropriateness was never issued. She said that she (and the LRC) was never really acknowledged at those hearings. At the advice of the City's legal department, she sent a letter to the building owner asking them to come to the HRC.
- f. Mr. Arenson said that at the end of one of the zoning board hearings, a member of the LRC was present, but the person gave an after-the-fact comment.
5. Mr. Tellers asked if anyone else would like to speak:

- a. Ms. Rebecca White addressed the HRC and asked if the HRC had received a copy of the letter that the LRC prepared regarding the concerns of the LRC.
  - b. Brooks Robinson indicated that he was also a member of the LRC, and that the issue never went before the LRC. Ms. White said she learned about the sign first when she saw it in place. The sign was erected in early 2007, according to Arenson.
  - c. Ms. Molnar asked for an approximate date of when the contest was withdrawn by Lamar. Arenson replied that it was in March, 2008.
  - d. Mr. Arenson tried to clarify who owned the sign, who contested it, and who originally applied for the sign permit. The original approval was issued to the building owner Golden Triangle Management Acceptance Corporation.
  - e. Mr. Tellers asked if Reid Smith knew that the building was in a historic district. Arenson said he was not involved at the time of the permit was issued. The historic district issue was not brought up in any timely manner. It was first mentioned in November, 2007 by Al Cuteri at the Zoning Board.
  - f. Ms. Drescher asked if there was a length of time the sign would be permitted to exist. Arenson said it was a very long period of time. A term lease.
  - g. Mr. Tellers asked if, HRC aside, the sign would be permitted to exist under zoning law. Susan Tymoczko, zoning administrator, replied that currently the City would consider the sign as a legally non-conforming sign.
  - h. Mr. Cipriani had checked the computer for the existing permits at the building. It was discovered that the sign permit that was first issued was for a larger square footage than what currently exists. Arenson said that the current sign is 1000 sq. feet, though they had approval for 1,232 sq. feet. The original sign (historic) is approximately 2500 sq. feet.
6. Tellers said that the options would be to call the sign non-conforming with the Historic guidelines, another option would be to table until we have further legal comment. Mr. Onque said that he thought the later option would be advisable. Ms. Joyce said that she agreed, and she would still like to know how long the sign would be there. Mr. Arenson interjected that the sign face could be changed in a matter of weeks or months. He would like to know what the HRC would like to see in regards to the new sign face. Ms. Molnar commented that it was her understanding that when an applicant wants to change a sign face, it is considered in-kind replacement. She doesn't usually make recommendations on the design, colors, or content of the sign face. Mr. Tellers said that if the application had come through the HRC in a traditional manner, he would have voted against it.
  7. Ms. Molnar asked, again, if the HRC would please make a recommendation as to the sign's historic appropriateness. If the HRC decides that the sign is not appropriate, then she can take that recommendation to the legal department. If the sign is appropriate, then she could write a Certificate of Appropriateness for the sign, and the issue will be closed. Mr. Tellers said he did not think it was appropriate. Mr. Cipriani asked if this came to the HRC as a new issue, would it be approved. There was general murmurings of "no."
  8. Mr. Tellers said that just because the sign has zoning approval, it does not mean that the sign is approved. Historic Review law is another review layer on top of zoning. Arenson said that the sign permit was issued, and that zoning upheld that permit. The question as to whether the sign is permitted to exist is a closed issue.

9. Mr. Brooks Robinson said that he thought he could speak on behalf of the LRC, and that he thought the LRC would unanimously disapprove of the sign.

10. Mr. Tellers called for a motion.

**MOTION:** Mr. Onque ..... moved to table the issue until the HRC had the opportunity to consult with the City’s Legal Department to determine the HRC’s options, because the HRC is faced with a non-conforming use in an historic district. He asked that the legal department comment on what the HRC is allowed, or not allowed, to do.

To summarize, Mr. Onque moved to seek legal council as to what the HRC’s rights are, or how the HRC should proceed when it comes to a non-conforming sign.

**SECOND:** Ms. Drescher ... seconded the motion.

**IN FAVOR:** *Ms. Drescher, Ms. Joyce, Mr. Onque* ..... **PASSED**

**OPPOSED:** *Mr. Cipriani*