



**Division of Zoning and Development Review**  
City of Pittsburgh, Department of City Planning  
200 Ross Street, Third Floor  
Pittsburgh, Pennsylvania 15219

Minutes of the Meeting of November 4, 2015  
Beginning at 12:30 PM  
200 Ross Street  
First Floor Hearing Room  
Pittsburgh, PA 15219

In Attendance:

<b><i>Members</i></b>	<b><i>Staff</i></b>	<b><i>Others</i></b>		
Erik Harless	Sarah Quinn	Joshua Speakman	Carole Malakoff	Jeff Slack
Carol Peterson	Sharon Spooner	Michael Shealey	John Jordan	Kenneth Yarsky
Raymond Gastil		Abby Goldstein	John Rocchino	Wayne Wehrle
Ernie Hogan		Brandon Wiles	Glenn Avick	Bill Tomlinson
Matthew Falcone		Peter Margittai	Nick Kyriazi	Evelyn Jones
Joe Serrao		Ron Graziano	Susan Brandt	

***Old Business***—None.

***New Business***

**Approval of Minutes:** No minutes available.

**Certificates of Appropriateness:** In regards to the October 2015 Certificates of Appropriateness, [inaudible] motions to approve and [inaudible] seconds. Mr. Serrao asks for a vote; all are in favor and motion carries.

**Other Business:**

1. [Inaudible.]

**Adjourn:**

Mr. Serrao motions to adjourn the meeting.

Ms. Peterson seconds.

Mr. Hogan asks for a vote; all are in favor and meeting is adjourned.

**The discussion of the agenda items follows.**

**705 Brighton Road**

**Allegheny West Historic District**

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**Owner:**

705 Brighton Rd Associates LP  
1008 Brianna Lane  
Bethel Park, Pa 15102

Ward: 22nd

Lot and Block: 8-A-158

Inspector:

**Applicant:**

Jeff Slack  
Pfaffman + Associates  
223 Fourth Avenue Suite 800  
Pittsburgh, Pa 15222

Council District: 6th

Application Received: 10/16/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** Building renovations including chimney alteration and after-the-fact roof replacement on carriage house.

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**Discussion:**

1. Mr. Jeff Slack steps to the podium; he is the historic preservation planner at Pfaffman and Associates and the consultant for this property. He states that the project was reviewed back in March, but they are presenting five additional work items. He states that the first item is restoration of the box gutter and cornice in wood and copper so that they more accurately reflect the original design according to historic photos and pattern books. For the next item, they had originally gotten approval just to reset the stone caps, but their structural engineer has determined that they need to do more extensive work, so they will now be resetting the cheek walls of the front stairs and reusing the existing stones. The next item will be resetting the stones at the front of the house and pushing them back to their original position. The next item is the paint colors, which they have selected based on the original colors on the house. The last item is an after-the-fact item; he explains that both the main house and the carriage house had red slate, but around 2005 the owners put red synthetic slate on the main house and grey synthetic slate on the carriage house. He states that a few months ago the carriage house developed a leak. There were two layers of asphalt shingles on the west side of the carriage house, which is not visible from the public right-of-way, so they replaced the existing asphalt with new asphalt in that area. A leak then developed on the visible east side of the roof, and they did end up replacing the entire roof with the new asphalt shingles. They are proposing to make things right today. They did review all five of these items with the LRC, and it was their preference to have synthetic slate on the carriage house. They are now proposing to replace the existing asphalt with synthetic slate with the option to use real slate if funding allows.
  2. Mr. Hogan asks for public comment.
  3. Ms. Carole Malakoff steps to the podium; she is representing the LRC. She states that the owner and applicant have been cooperative and conscientious. She states that the most significant parts of the application for them were the asphalt shingles
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and a chimney which was proposed to be shortened. They are happy to say that the owner took their recommendations to retain the chimney at its existing height and to replace the asphalt with synthetic or real slate.

4. Mr. Slack clarifies that they will be restoring the brick and stone parapets on the roof in-kind.

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**Motion:**

5. Mr. Serrao motions to approve the building renovations as submitted in the documents, with the option to change the synthetic slate to a red slate if desired.
  6. Mr. Falcone seconds.
  7. Mr. Hogan clarifies that the motion is to approve the application, which includes roof replacement with synthetic slate and rebuilding of box gutter.
  8. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**1002 Cedar Avenue**

**Deushtown Historic District**

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**Owner:**

Thomas Liang & Weiyang Mao  
600 Chislett St  
Pittsburgh, Pa 15206

Ward: 23rd

Lot and Block: 23-M-215

Inspector:

**Applicant:**

Thomas Liang & Weiyang Mao  
600 Chislett St  
Pittsburgh, Pa 15206

Council District: 6th

Application Received: 10/16/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** Alterations to dormer and rear elevation.

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**Discussion:**

1. Mr. Thomas Liang steps to the podium; he is the owner of the property. He states that he was before the Commission a month ago but he has some additional items. He states that there is an existing roof deck that is not visible from the front or the alley. He states that there is a sliding door on the deck and a window above it. He also is asking for permission to match the dormer on the front façade to the **neighbor's and to do some work on the porch roof.**
  2. Mr. Serrao asks about the windows on the front.
  3. Mr. Liang states that they are proposing two windows for the dormer, exactly like **the neighbor's house.** He states that the windows below were approved at the last meeting to be side-by-side double-hung windows in the original openings. He states that the changes in the rear are after-the-fact and were done 6 years ago.
  4. Mr. Hogan clarifies that the work being proposed for the front is two windows in **the dormer to match the neighbor's** and asks if he is proposing in-kind repairs of the wood on the dormer as well.
  5. Mr. Liang states yes, if needed.
  6. Mr. Hogan asks if there is a box gutter on the front of the house.
  7. Mr. Liang says no, it is a hanging gutter.
  8. Mr. Hogan asks about the roof repairs and materials.
  9. Mr. Liang states that he is proposing repair and replacement of the asphalt shingle porch roof.
  10. Mr. Hogan asks what type of windows he is proposing.
  11. Mr. Liang says they will be aluminum in a bronze color. He states that the windows were previously small aluminum slider windows with siding around them. He talks about the changes on the rear of the building, stating that he had changed the location of a window five years ago. He also talks about the retaining wall between
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**his and the neighbor's property which was also constructed five years ago. He talks about the windows on the house and states that there haven't been windows in a long time as they were boarded up.**

12. Mr. Harless states that there have been some changes to the rooftop deck and the rear wall of the dormer.
  13. Mr. Liang states that this area was burned five years ago and rebuilt. The deck was also constructed five years ago. He states that there was a door and two windows originally, and he did reconstruct it similar to what was originally there. The original door was a single door and he replaced it with a sliding door.
  14. Mr. Hogan asks for public comment.
  15. Mr. Nick Kyriazi steps to the podium. He states that the previous owners of the house had butchered it by adding the front porch and making other insensitive **changes, and the HRC doesn't have the authority to order that these be removed** and the house be restored to its original character. He states that the rear façade did have a fire and he believes that the roof caved in. He states that the rear deck area was brick at one point and was replaced around six years ago, after the historic district was already in place. He states that there seems to be a random placement of windows in this area. He states that it looks like they reduced the floor level of all three stories in order to make the third story more usable. He states that the randomly placed third story windows are visible from the alley and **don't fit in at all.**
  16. The Commission discusses the visibility of the third story alterations. They review the plot plan showing that the deck was in place before the district was created.
  17. Mr. Falcone states that he has some concerns about the dormer in front and if there would be windows with rounded tops or square tops.
  18. Mr. Hogan states that they approved the neighboring property, and he believes that they went back to round-top windows. He states that it would be good if they could use the same materials as well. He states that they will need to be prescriptive about the materials, as the applicant has not submitted any. He states that he has an issue with the sliding door and window on the rear and the fact that they are framed incorrectly.
  19. Mr. Harless clarifies that the windows on the lower floors on the rear were reconfigured. The Commission did review the windows the last time that the applicant was before them, with the new windows to be brown aluminum.
  20. Mr. Hogan states that they should take the application piece by piece. For the dormer, he asks the Commission if they want to allow aluminum windows as that is what was approved for the rest of the house and the previous small slider window was aluminum. He states that they should probably require wood windows as they are making a substantial change.
  21. Mr. Falcone agrees that the windows should be wood, as the dormer is an original part of the house and not part of the newer addition.
  22. Mr. Hogan states the next item is the roof repair, which they should be okay with as long as dark grey shingles are used, as well as the in-kind wood repairs to the dormer. The next item is the rear fence. He states that he has never seen a wall with an aluminum fence on top like that.
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23. Mr. Serrao states that it would go back to what was there before.
  24. Mr. Hogan asks if the wall was rebuilt to replace something that existed before.
  25. Mr. Liang says yes, six years ago he rebuilt a crumbling wall that was there.
  26. Mr. Serrao asks if there was a fence.
  27. Mr. Liang states that there was a chain-link fence.
  28. Mr. Hogan states that he has a right to rebuild the wall, and he would not have approved a new chain-link fence.
  29. The Commission discusses the difficulty of all of this guesswork with the applicant.
  30. Mr. Hogan asks about the third floor doors and windows. He states that the sliding transom window is unacceptable.
  31. Ms. Peterson asks about the vinyl siding.
  32. Mr. Hogan states that it has been approved in the rear of buildings, but they usually request the openings to be framed appropriately. He states that the transom will need to be a fixed transom. He states that the piece that is visible is the transom window.
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**Motion:**

33. Mr. Serrao motions to approve the alteration with the following conditions: the front dormer is to have two windows installed in the existing opening, the front porch roof is to be replaced in-kind, and the wood on the existing dormer is to be repaired in-kind. On the rear elevation, they will approve the existing wood openings on the second and third floor and the reconstruction of the wall on the upper floor. They ask for replacement of the existing transom above the sliding door with a fixed window, and the existing windows and openings must be trimmed out in wood, with the profile to be submitted to staff for final approval.
  34. Ms. Peterson seconds.
  35. Mr. Hogan modifies the motion, stating that the front dormer is to be restored to match the adjacent property, with double wood windows and wood to be repaired in-kind and asphalt shingles to be replaced in-kind. The rear wall is to be rebuilt and the chain-link fence is to be substituted with an aluminum picket fence. In the rear dormer to patio area all windows and door are to be reframed with wood or simulated wood trim, and the transom is to be replaced with a fixed pane window.
  36. Mr. Serrao accepts the modification.
  37. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**74 S. 20<sup>th</sup> Street**

**East Carson Street Historic District**

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**Owner:**

John Despines  
2424 Willowbrook Road  
Pittsburgh, Pa 15241

Ward: 17th

Lot and Block: 13-F-132

Inspector:

**Applicant:**

Peter Margittai Architects  
2110 Sarah Street  
Pittsburgh, Pa 15203

Council District: 3rd

Application Received: 10/14/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** Building renovations including installation of operable window system.

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**Discussion:**

1. Mr. Peter Margittai steps to the podium; he is the architect for the project. He states that the building had most recently been a beer distributor; the owner is now looking for a new tenant on the ground floor and is proposing to make enhancements to the building. He states that the building may have historically been a stable. He states that the masonry openings on the ground floor and some of the storefront elements seem to be original. He explains that they discovered that there is a step up into the storefront as well as into the area that has been closed off with panels, but there is no step in the middle. He talks about the side of the building, stating that there is a security door which they will leave and perhaps paint, and the brick is a wire-cut brick which appears to have been applied to the building and is not original. They are proposing to leave the brick as-is at this time, and they are also proposing to leave the vinyl windows on the upper floor although they will clean the wooden frames and **repair and repaint the “hayloft” door.** For the storefront, because of the matching step up at the corner, they are proposing to replicate a similar wooden storefront and cornice on that side to match the other side. He states that there is an existing steel beam that is covered that they will be exposing, and they are also proposing to add an accordion wall system. On the side of the building, the original stanchion where the signage is shown in the drawings is intact, so they will be reusing it for a projecting sign which they will apply for once they have a tenant.
  2. Mr. John Despines steps to the podium and introduces himself.
  3. Mr. Hogan asks for public comment; there is none. He acknowledges a letter from the LRC in support.
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**Motion:**

4. Mr. Serrao motions to approve the building renovation including installation of a new operable window system as submitted in the documents.
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5. Mr. Falcone seconds.

6. Mr. Hogan asks for a vote; all are in favor and motion carries.

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**1117 Bingham Street**

**East Carson Street Historic District**

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**Owner:**

Pittsburgh Community Broadcasting  
67 Bedford Square  
Pittsburgh, Pa 15203

Ward: 22nd

Lot and Block: 3-H-22

Inspector:

**Applicant:**

Pittsburgh Community Broadcasting  
67 Bedford Square  
Pittsburgh, Pa 15203

Council District: 3rd

Application Received: 10/16/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** Extension of C of A permitting use as a parking lot.

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**Discussion:**

1. Ms. Abby Goldstein steps to the podium; she is the general manager of WYEP. She states that when they were last before the Commission in May 2014, MAPA Real Estate Holdings was the owner, but they just took ownership of the lot on June 24<sup>th</sup>. She talks about the history of the company and their efforts to consolidate their two entities, which they took steps towards last month. She states that over the next few months they will be working to put in place the right governance structure. She states that for the development of the parking lot, a capital campaign as a single entity will look much different than a campaign as two separate companies. They are also thinking differently about the use and programming of the additional space that they would construct. She states that if they had designed the space and launched a capital campaign prior to this decision, they would be back to the drawing board at this point. She states that once the merger is complete, they will move forward with a focused message, sense of purpose, cohesive fundraising campaign, and integrated design for the new space.
  2. Mr. Hogan asks for public comment. He acknowledges a letter from the LRC recommending denial of the extension of the Certificate of Appropriateness. He provides backstory on the property for the newer Commissioners. He states that he feels they have been more than lenient with the applicant, and he thinks that the Commission needs to keep pressure on the organization to develop the property.
  3. Ms. Goldstein states that when the Certificate was granted in May 2014, they were told to come back in 18 months to give an update. She does not believe she is seeking approval for an extension at this point. She states that when they come back in or before May 2017 when the Certificate expires they will have plans in place for the development.
  4. Mr. Hogan states that the Commission accepts the report-in and looks forward to hearing back from the applicant.
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**Motion:**

5. No motion.
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**Arsenal School**  
**215 39<sup>th</sup> Street**

**Individual Landmark**

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**Owner:**

Pittsburgh Arsenal School  
215 39<sup>th</sup> Street  
Pittsburgh, Pa 15201

Ward: 6th

Lot and Block: 49-E-245

Inspector:

**Applicant:**

Caplan Engineering Co  
7531 Roslyn Street  
Pittsburgh, Pa 15218

Council District: 7th

Application Received: 9/18/15

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**National Register Status:    Listed:    X    Eligible:**

**Proposed Changes:** Installation of new exterior LED lighting.

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**Discussion:**

1. Mr. Bill Tomlinson of Caplan Engineering steps to the podium. They are proposing to replace the exterior lighting on the school with new LED lighting. He states that there are several locations where lights are being replaced or new lights are being installed, including around all the doors for code and egress reasons and on the front and back of the building. They are also proposing to restore the large light outside of the auditorium, and there are existing floodlights on the front of the building which they will be replacing with new lights. He shows photos of the locations and specs for the proposed lights.
2. Mr. Hogan asks for public comment; there is none.

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**Motion:**

3. Mr. Serrao motions to approve the installation of new exterior LED lighting as submitted in the documents.
  4. Mr. Harless seconds.
  5. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**Dilworth Trad. Academy**  
**6200 Stanton Avenue**

**Individual Landmark**

**Owner:**

Pittsburgh Board of Education Facilities Division  
1305 Muriel Street  
Pittsburgh, Pa 15203

Ward: 11th

Lot and Block: 83-H-189

Inspector:

Council District:

Application Received: 10/16/15

**Applicant:**

Advantus Engineers  
300 Bilmar Drive  
Pittsburgh, Pa 15205

**National Register Status:**    **Listed:**    **X**    **Eligible:**

**Proposed Changes:** Chimney alteration.

**Discussion:**

1. Mr. Glenn Avick steps to the podium; he is with Advantus Engineers, which has a contract with the city schools to do mechanical upgrades. He introduces Mr. Wayne Wehrle who is the chief mechanical engineer for the city schools. He states that the boiler needs to be replaced, but when the building was built the boiler was coal-fired, which is why the chimney is so high. The chimney goes up 45 feet or so above the roofline. He states that when replacing a boiler, they could reuse the stack, line the stack, or find a routing for a metal stack somewhere. To reuse an old masonry stack, by code they would only be able to use a low efficiency boiler, **which they don't want to do. It would also be difficult to get workers up to reline** the chimney with metal and to put supports in place. He states that the chimney is deteriorated and the school board has said it needs to come down as it is a structural issue. He states that they looked at the chimney with a masonry **contractor recently, and from the roof level it doesn't** appear to be too bad, but you can still see the cracks around the coping at the top. He shows a photo of the view from the street and an edited view to show what it would look like with the chimney alteration. They are proposing to take the chimney down to the parapet level. He states that the chimney will have to come down or be replaced eventually regardless. He states that the chimney and any metal stack that may show would then be hidden from street level.
2. Mr. Hogan asks for more details on how the chimney will function after the alterations and if there will also be any pipes or anything else sticking out that they will need to look at.
3. Mr. Avick explains the function and states that no, any other changes would be to the boiler room and would not be on the outside of the building.
4. Mr. Hogan asks for public comment; there is none.
5. **Ms. Peterson states that she doesn't like the idea of truncating chimneys on**

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historic buildings.

6. Mr. Falcone agrees.
7. Mr. Serrao states that it is a significant element of the building and can be seen from many surrounding streets.
8. Mr. Hogan states that the reality is that the school board will have to disassemble and rebuild it anyway, and they could reline it as well.
9. Mr. Falcone would rather see them keep the chimney as-is and add a new penetration hidden behind the parapet.
10. Mr. Hogan states that they would need to go through two to three stories of classrooms to do that. He states that the chimney would be the best way to snake that through, but rebuilding and scaffolding the chimney will still be expensive. He states the chimney is a prominent feature of the building.
11. Mr. Harless asks about the structural integrity of the building. He states that some damage was pointed out in the presentation, but the mortar joints seem to be intact.
12. Mr. Avick states that he recently went up to the roof with a project manager from Franco Masonry, who indicated that the chimney is not in terrible shape and could last for a while longer.

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**Motion:**

13. Mr. Falcone motions to deny the chimney alterations..
  14. Ms. Peterson seconds.
  15. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**Immanuel Church**  
**810 Tripoli Street**

**Individual Landmark**

**Owner:**

Homestead Property Ventures  
5889 Aylesboro Avenue  
Pittsburgh, PA 15217

Ward: 23rd

Lot and Block: 24-S-229

Inspector:

**Applicant:**

Homestead Property Ventures  
5889 Aylesboro Avenue  
Pittsburgh, PA 15217

Council District: 6th

Application Received: 6/9/15

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**National Register Status:**    **Listed:**    **X**    **Eligible:**

**Proposed Changes:** After-the-fact installation of glass block windows.

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**Discussion:**

1. Mr. Greg Parker steps to the podium; he is one of the owners of the property. He gives some background on the situation. He states that they bought the building from the community association in August of 2014, when the historic nomination was in progress. He states that the nomination was done to prevent developers from demolishing the church and building apartments. Once they purchased it they created a nonprofit called Neu Kirche, which is a contemporary art center focused on community outreach. Because of their focus on community programming, they needed to get light into the basement; it was previously used as a theater and was painted black and had no windows. They repainted the space and installed the glass block windows. They did support the historic nomination but were not sure of the process. He states that the nomination was approved by council in January of 2015, and they replaced the cinderblock with glass block in October 2014, which he thought they were allowed to do since council hadn't voted yet. He apologizes that this was not the case. He states that as far as they can tell from old pictures, the openings did have glass block at some point. He also states that although the church is historic, it is surrounded by modern office buildings and the expressway rather than other historic buildings.
  2. Ms. Peterson disagrees that there is no historic fabric around the church.
  3. Mr. Hogan agrees with Ms. Peterson. He states that he is very familiar with the community, which endured a lot of hardship with the construction of the expressway that separated it from historic Deutschtown. He states that it is wrong to say the community is not historic just because it is not designated as such. He states that it has lost significant fabric and has seen newer developments, which have not been guided by historic guidelines, as a result. He states that with regards to this building, the date the application for the nomination was submitted is the date that it was protected by the historic guidelines. He states that at that point the obligation of the owners or custodians was to submit an application for any
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exterior alterations.

4. Mr. Parker states that he does realize that now.
  5. Mr. Hogan states that it is clear that there were existing windows that were closed in with block and painted, but the glass block is an issue.
  6. Mr. Parker states that his point was just that the building is not in a formal historic district.
  7. Mr. Hogan states that the building itself was individually nominated and has significance, and hopefully at some point can be restored to what it was.
  8. Mr. Parker states that that is the goal, as well as restoring the building to a community space.
  9. Mr. Hogan commends them for that, but states that they do need to look at this through the guidelines.
  10. **Mr. Parker states that he doesn't believe blocked**-in windows are appropriate and they were definitely not original.
  11. Mr. Hogan agrees but states that there were probably originally window wells along that side of the building that have since been taken out and backfilled for new sidewalks to be put in place. He states that the windows would have been much larger and would have opened to let fresh air into the basement.
  12. Mr. Parker states that that would be similar to what is still on the front of the building. He states that that condition would be now be impossible to replace on the side of the building.
  13. Mr. Hogan asks about the adjoining house [which is part of the historic property.]
  14. Mr. Parker states that there have been no alterations to the house. He states again that they could not put well windows back in because of the sidewalk.
  15. Mr. Hogan states that they could, but it would be expensive.
  16. Mr. Parker states that one of the problems they have is that there are thousands of cars going by a day on Tripoli Street, and they would have to remove half of the sidewalk.
  17. Mr. Falcone adds that there is a precedent in the neighborhood of basement **windows in religious structures being stained glass, although there doesn't appear** to be documentation on whether this building did or did not have them.
  18. Mr. Hogan thinks they would have been double-hung windows.
  19. Mr. Serrao states that the issue is what to do now, and he states that they can either vote to have the block put back or vote to approve the glass block windows.
  20. Mr. Hogan states that they could also put another type of glazed window in with bars for security.
  21. **Mr. Parker doesn't see how they could do that with the sidewalk being right there.**
  22. Mr. Hogan states that there could be a small curb or sill put in, and the windows would have to be smaller and probably custom-made. He states that they have rejected glass-block windows and that the guidelines are specific that glass block is not appropriate in historic structures or districts. He states that they are concerned
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about precedent as well. He states that he understands the environment around the church and the difficulties.

23. Mr. Parker states that he still thinks that cinderblock is even more inappropriate.
24. Ms. Quinn states that she did meet with another owner, Ms. Lee Parker, when the nomination was still in process, and Ms. Parker did talk about this issue specifically. Ms. Quinn suggested that they use single-pane hopper windows that fold inward to allow additional airflow, and they could carry the metal screening that is protecting the upper windows down to the lower windows for security.
25. Ms. Peterson thinks that hopper windows would be a workable solution.
26. Mr. Hogan states that he would deny and ask the applicant to come back with another alternative. He states that they could also table the application.
27. Mr. Serrao asks if the postponement would do them any good.
28. Mr. Parker states that it would be better than a denial and would give them time to price things out and look for funding from the foundation.
29. Mr. Hogan suggests that the application be postponed for 120 days.

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**Motion:**

30. Mr. Serrao motions to postpone the application for 120 days.
  31. Ms. Peterson seconds.
  32. Mr. Hogan asks for a vote; all are in favor and motion carries. He states that the applicant should also touch base with the URA to see if they have any program that could help.
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**1424 Warner Street**

**Manchester Historic District**

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**Owner:**

Wiles Property Resource Group  
PO Box 99481  
Pittsburgh, Pa 15233

Ward: 21st

Lot and Block: 22-E-254

Inspector:

**Applicant:**

Wiles Property Resource Group  
PO Box 99481  
Pittsburgh, Pa 15233

Council District: 6th

Application Received: 10/16/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** After-the-fact siding and door replacement.

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**Discussion:**

1. Mr. Brandon Wiles steps to the podium; he is one of the owners of the property. He states that this is the first rehab project that he and his company have worked on. He states that they are requesting approval for some siding that they completed, as well as the installation of new metal doors and screen doors on the front and back of the house. He states that the rear of the property is not visible from anywhere. He states that when they purchased the property, work had already been started which the previous owner was not able to finish. He states that the siding was wooden and in disrepair, so they had to remove it in places and **replaced it all over with the vinyl siding. He states that he didn't know the house** was in a historic district and needed to undergo historic review. He states that the windows were existing, and the only thing they did was change the framing. He states that there was no existing back door at all and the opening was just covered with plywood. They installed steel entry doors for security, as the house is on an alley. He shows pictures of neighboring houses with vinyl siding and states that they based the materials and colors on what they saw in the neighborhood.
  2. Mr. Hogan states that not every house in the neighborhood is in the historic district, so they should be aware of that. He states that security doors are also found throughout the district but they did not have approval; they generally do not approve those types of doors.
  3. Mr. Harless states that they have a building permit posted for interior work only.
  4. Mr. Wiles states that a lot of the confusion stemmed from the fact that they were continuing the work that had already started and were using the same contractor. He realizes now that they have to go through the historic review process before they can get an exterior permit.
  5. Mr. Hogan states that no work can be done in the city without a permit, and it is at that point that work is flagged for historic review. He states that if this had come before them before the work was done, they would have required them to repair
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and repaint the siding. They would also not have approved a solid door when there was already a multi-lite door.

6. Mr. Hogan asks for public testimony; there is none.
7. Mr. Hogan states that they can reach out to the community organization for assistance in the future. He states that they can give him time to come back with a modified plan.
8. Mr. Serrao states that the issues are the screen door in front, the steel front door, which should be replaced with a fiberglass door with lites to match the original, and the trim around the doors and windows. He should work with staff and the community group to develop a modified plan.

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**Motion:**

9. Mr. Serrao motions to postpone the application for 120 days.
  10. Mr. Falcone seconds.
  11. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**4400 Forbes Avenue  
Carnegie Library**

**Oakland Civic Center Historic District**

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**Owner:**

Carnegie Library of Pittsburgh  
4400 Forbes Avenue  
Pittsburgh, Pa 15213

Ward: 4th

Lot and Block: 52-N-42

Inspector:

**Applicant:**

Clio Consulting  
233 Amber Street  
Pittsburgh, Pa 15206

Council District: 6th

Application Received: 10/16/15

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**National Register Status:**    **Listed:**    **X**    **Eligible:**

**Proposed Changes:** Signage.

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**Discussion:**

1. Ms. Angelique Bamberg steps to the podium; she is with Clio Consulting and is working with the library on some new identification signage. The signage is similar to signage that has been approved at some of the neighborhood library branches. She shows a map of the location of the sign along Schenley Drive. The sign will be black aluminum and it will be double-sided; it is about six feet high and two feet wide and will be mounted 11 feet above the ground for a total height of 17 feet. It has a small LED panel toward the bottom of the sign which will read “Open” during library hours.
  2. Mr. Hogan asks for public testimony; there is none.
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**Motion:**

3. Mr. Serrao motions to approve the new signage as submitted.
  4. Ms. Peterson seconds.
  5. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**940 Penn Avenue**

**Penn-Liberty Historic District**

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**Owner:**

938 Penn Avenue LLC  
PO Box 93  
Bridgeville, Pa 15222

Ward: 2nd

Lot and Block: 9-N-109

Inspector:

**Applicant:**

JJA Restaurant Pittsburgh LLC  
188 N Brookwood Avenue  
Hamilton, OH 45013

Council District: 6th

Application Received: 9/30/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** Storefront alterations including window replacement with operable system.

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**Discussion:**

1. Mr. Alex Blust steps to the podium; he is the owner of the restaurant group Bakersfield that is opening a location in this building. He states that other restaurants in the district do have the features they are proposing, such as operable storefronts, and they do feel that they need to be competitive. He shows drawings of what they are proposing, but states that they also have an alternate proposal, which involves garage doors and cedar siding and awnings. They would also like to clad the knee wall in brick.
  2. Mr. Hogan states that the knee wall would not have been brick; it could be wood or they could retain what is there. He also states that the guidelines call for fabric or fabric-like awnings.
  3. Mr. Blust states that the knee-wall that is there doesn't match the color palette of what they are proposing; they would usually do brick to match above or they could do wood. Their preference was actually to use the cedar siding in that area.
  4. Mr. Hogan asks about the doorway recess.
  5. Mr. Blust states that they are keeping the recessed doorway, as it will help with wind along with the vestibule. They did want to take the two door system down to one door, to be trimmed in wood with sconces on either side.
  6. Mr. Hogan asks what kind of operable system they are proposing.
  7. Mr. Blust states that it will be a bi-folding Nanawall, with the material to be wood. He points out the specs in the packet and the measurements on the drawings. They are proposing a system that folds to either side.
  8. **Mr. Hogan states again that he doesn't like** the brick on the bottom, but he could see allowing them to do cedar throughout. He states that he would like them to go back to a double door and retain the transoms.
  9. Mr. Falcone states that the blade sign should also not be placed in the middle of
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the transom.

10. Mr. Blust asks about the garage doors.
11. Mr. Hogan states that there is no way that they can approve garage doors. If they want to propose some other type of operable window system, they can resubmit.
12. Mr. Hogan asks for public comment; there is none.

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**Motion:**

13. Mr. Serrao motions to approve the storefront alteration to include the following: new operable window system is to be painted to match the color scheme submitted, knee wall material is to be cedar, new entry door is to match existing entry door in form with a full glass panel, and new awning to be a fabric awning. Signboard is approved but signage is to be submitted under a separate application.
  14. Mr. Harless seconds.
  15. Mr. Hogan clarifies that the approval includes the signboard, the alteration of the façade to incorporate a retractable operable window system, the knee wall made of cedar, replacement of the door in-kind, and installation of awnings, with the articulation of the transom to remain similar to existing.
  16. Mr. Hogan asks for a vote; all are in favor and motion carries.
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**941 Penn Avenue**

**Penn-Liberty Historic District**

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**Owner:**

John Jordan  
941 Penn Ave HOA  
PO Box 2173  
Lower Burrell, Pa 15068

Ward: 2nd

Lot and Block: 9-N-137

Inspector:

Council District: 6th

Application Received: 10/16/15

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**Applicant:**

John Jordan  
941 Penn Ave HOA  
PO Box 2173  
Lower Burrell, Pa 15068

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**National Register Status:**    **Listed:**    **X**    **Eligible:**

**Proposed Changes:** Awning replacement.

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**Discussion:**

1. Ms. Quinn states that the applicant asked her to **present this item, as he wasn't** able to be present. She states that they just need to replace the awnings with new flame-retardant fabric, as they suffered damage from cigarette burns.
  2. Mr. Hogan asks for public comment; there is none.
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**Motion:**

3. Mr. Serrao motions to approve the awning replacement as submitted.
  4. Mr. Falcone seconds.
  5. Mr. Hogan asks for a vote; all are in favor and motion carries.
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## ***Discussion on Ordinance Revisions***

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### **Discussion:**

1. Ms. Quinn steps to the podium. She explains that the process for providing recommendations to City Council on the ordinance revisions will be the same as providing recommendations on a historic nomination. She states that the Commissioners can review the materials she has provided and do a preliminary recommendation, then they can take the month, come back, and give a final recommendation in December. She states that the first document she has provided is a copy of the revisions to the ordinance as provided to her by the city clerk. She states that there are some items that are proposed to be changed and some that are proposed to be removed. She has identified the changes and has provided comment as to how they fit in with legislation, legal precedent, and best practices. The other document she has provided is a copy of the language from the U. S. Supreme Court decision *Penn Central v. New York City*, which was an affirmative decision on the validation of historic preservation ordinances done in 1978. She states that there are a lot of things in the Supreme Court case that apply to the ordinance changes as presented. She reads from the Supreme Court decision:

*The city acted from the conviction that "the standing of [New York City] as a world-wide tourist center and world capital of business, culture and government" would be threatened if legislation were not enacted to protect historic landmarks and neighborhoods from precipitate decisions to destroy or fundamentally alter their character. The city believed that comprehensive measures to safeguard desirable features of the existing urban fabric would benefit its citizens in a variety of ways: e. g., fostering "civic pride in the beauty and noble accomplishments of the past"; protecting and enhancing "the city's attractions to tourists and visitors"; "[supporting] and [stimulating] business and industry"; "[strengthening] the economy of the city"; and promoting "the use of historic districts, landmarks, interior landmarks and scenic landmarks for the education, pleasure and welfare of the people of the city."*

She states that this is the basis for basically every historic preservation ordinance today. She states that *Penn Central Railroad* presented the case that there were restrictions in the historic preservation law that basically equaled a taking under the law as far as removing viable use of the property. They felt that it was a violation of the Fifth Amendment, which is applicable to states through the Fourteenth Amendment. The Supreme Court looked at whether a historic nomination would constitute a taking under the law. She reads from the decision again, which summarizes what they considered and what they found.

*...the Fifth Amendment's guarantee . . . [is] designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole...*

*It is true, as appellants emphasize, that both historic-district legislation and zoning laws regulate all properties within given physical communities whereas landmark laws apply only to selected parcels. But, contrary to appellants' suggestions, landmark laws are not like discriminatory, or "reverse spot," zoning; that is, a land-use decision which arbitrarily singles out a particular*

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*parcel for different, less favorable treatment than the neighboring ones.*

*...the New York City law does not interfere in any way with the present uses of the Terminal. Its designation as a landmark not only permits but contemplates that appellants may continue to use the property precisely as it has been used for the past 65 years...*

*On this record, we conclude that the application of New York City's Landmarks Law has not effected a "taking" of appellants' property. The restrictions imposed are substantially related to the promotion of the general welfare and not only permit reasonable beneficial use of the landmark site but also afford appellants opportunities further to enhance not only the Terminal site proper but also other properties.*

She states that she wanted to get this language on the record because she thinks it directly applies to what they are looking at today. She goes through the items in the table that she has handed out. She states that she did not know how to **comment on the first item. The second change states “ whereas care must be taken to ensure that government does not ask any one person to endure burdens supposed to benefit the many when those rules do not apply to all.”** This is a case specifically identified within the U.S. Supreme Court ruling. The next change, along the same lines, does not allow any member of the city, including City Council, Planning Commission, and the HRC, to nominate a property or district; the only one allowed to nominate a property would be the owner. She states that this is also something identified in the Penn Central case, and it is contrary to best practices in the preservation field. She states that the next item is regarding nomination of a historic district by community based organizations or an individual; currently, a positive petition by 25 percent of property owners is required, and the proposed changes increase that to 70 percent. She did research on this a few years ago and has listed to the side the percentages that have been identified as useful in historic district petitions in other cities. She states that Durham, NC requires 20 percent of the parcels, Greensboro NC requires 25 percent of the land and 25 percent of the parcels, Brookhaven, NY requires 25 percent of the area, Athens, Clark County, GA has no petition requirement, and Eustace, FL requires 30 percent of the parcels, which also includes rural districts. The next change is a change to the process for nominating properties, which would **have the HRC follow the Zoning Board of Adjustment's procedures rather than their own.** She interprets this as meaning that the HRC would no longer have its own independent rules and procedures. She states that the next item states that **“submission of a nomination by a member of the HRC shall not preclude them from voting on the recommendation.”; she has no recommendations on this item.** She states that the next two items talk about withdrawal of a nomination; the first item is contrary to best practices, and **although she wasn't able to fully understand the purpose of the second item, it sounds like it is contrary to best practices as well. The next item is** “The Historic Review Commission shall not consider a proposed amendment or rescission of designation within one year of its previous designation”; **she states that the language about rescission is new, and it is contrary to best practices.** The final change that she identified is related to the membership of the Commission; they would be required to have a qualified land-use attorney. **She doesn't have a comment on this change.**

2. **Mr. Hogan states that he doesn't know why they would need a land-use attorney.**
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3. **Mr. Serrao states that it goes back to the idea of a “taking.”**
  4. Ms. Peterson states that there are not that many land-use attorneys, and there is a possibility that none would want to be on the Commission.
  5. Ms. Quinn states that it would just mean that they would not have a full Commission. She states that this concludes all that she has to present; she does not have a full staff report like she would prepare for a nomination. Based on her **qualifications as a preservation professional under the Secretary of Interior’s Standards for Preservation Professionals**, she finds that the proposed changes would hinder the ability to maintain a historic preservation program in the city. She states again that they will need to make a preliminary recommendation at this time, unless they feel that they need more time to look things over.
  6. Mr. Falcone states that one of the changes that was not commented on was the removal of item seven, which deals with the nomination of religious structures.
  7. Ms. Quinn states that her understanding is that the other proposed ordinance changes would make that one moot, as all properties, not just religious ones, could only be nominated by the owner.
  8. Mr. Falcone states that he would still like to see some of the same information put together for that item such as best practices and legal precedent.
  9. Mr. Hogan states that the modifications that have been presented by City Council for consideration are the modifications to section six under nominations, including elevation of the petition requirement to 70 percent, the striking of item seven, which has to do with nomination of religious structures, and also the elimination of the ability of anyone but an owner to nominate a structure. He states that he believes that the other things that have been called out in the report are not modifications of the existing law. He also states that he understands the bill is still **tabled, and he doesn’t believe it is going to move because the votes aren’t there.** For the Commission to make a recommendation on this, he would prefer that they ask for a public hearing in City Council.
  10. Ms. Quinn states that she did speak to Councilman Kraus about this. The Council decided to send the matter to the HRC and Planning Commission for recommendation. She states that the timing is interesting because the new year is coming up soon.
  11. Mr. Hogan states that it will be a timed-out bill soon.
  12. Ms. Quinn states that she has Planning Commission dates reserved in December and January, although the councilman believes that the bill may not even be reintroduced in January. She states that the HRC can request a public hearing if they would like
  13. Mr. Hogan states that they would need to have 25 signatures, or a councilperson would have to request it on their own. His issue is that the legislation is created by the public for the public, and the Commission members are appointed by the mayor **to uphold it. For them to comment on Council’s recommendations of changes**, he believes they should send a letter or a note citing some of the references to best practices in other cities and the levels of requirement for participation both in the status of the nominator and the petition requirement. He feels that these items would show Council that the ordinance should not be **modified. He states that they are not nominating themselves, and he doesn’t**
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understand why the Councilman is asking them to go through a process that is similar to creation of a historic property or district, unless Council is asking for their feedback on the implications of this bill.

14. Mr. Falcone states that the process is in the ordinance itself. He reads from section 1101.11, Amendments:

*City Council may, by ordinance, amend, supplement, or change this Chapter after requesting and receiving recommendations from the Historic Review Commission and the City Planning Commission upon such amendments and after conducting a public hearing.*

15. Ms. Quinn states that for nominations, the Commission puts together a finding of fact; they can respond in any form they decide, and she would just want to get confirmation from the law department that it will hold up under the processes.
16. Mr. Falcone asks if there is precedent for this from when the amendment for religious structures was made.
17. Mr. Hogan says that the Commission was not consulted on that amendment.
18. Mr. Falcone states that it did not then follow the process in the ordinance. He asks if letters of public comment were submitted.
19. Mr. Hogan states that they have two letters. He asks if they want to take public comment.
20. Ms. Quinn states that they can, and she just needs some guidance as to what they want to do next.
21. Mr. Hogan states that he wants to make sure they follow the ordinance, so if Council is looking for recommendations, they should submit them in writing and have an action that is codified in the minutes that they did review this and what **the consensus of the Commission is. He doesn't think** they can do a preliminary recommendation at this time, but they will take her recommendations and the public comment, and have someone draft recommendations, circulate it among the Commission members, and make it public. He asks for public comment.
22. Mr. Michael Shealey steps to the podium. He states that he rfully supports the existing historic preservation ordinance. He believes that the Commission provides a public forum, and a higher threshold for petitions is not needed. He does believe review from time to time is advisable.
23. Ms. Kara Halderman of Preservation Pittsburgh steps to the podium. They believe the proposed changes would adversely impact individual and community rights, as **well as the city's ability to preserve its heritage. She states that currently**, every Pittsburgher has the right to initiate a conversation about historic resources that **meet the qualifications outlined in the city's historic preservation ordinance. She** states that the changes would mean that only property owners would retain that right. She talks about the raising of the petition threshold to 70 percent and the provision that nominators recuse themselves from discussion, and states that these changes collectively would remove public access and severely limit City **Council's ability to direct historic preservation public policy. She states that the changes are without precedent in other cities in the nation, and if enacted would severely harm the city's preservation reputation. They have spoken with** preservation departments in Boston, New York, and Philadelphia, who assured
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them that the public has the right to nominate in their respective cities. She states **that this is an opportunity to reaffirm the city's commitment** not only to historic preservation as a public good, but to ensure that every Pittsburgher has a voice in shaping and preserving their neighborhood and their community.

24. Ms. Susan Brant steps to the podium. She states that she is sorry that the legislation got this far. She states that there may be some issues with procedure in **the HRC, but the system isn't broken. She hopes that this bill will go away and not** be a feature of historic preservation in 2016. She also states that the addition of new members to the Commission has been a good thing and has made it better.
25. Mr. Joshua Speakman steps to the podium. He works in historic preservation and he previously lived and worked in New York City. He states that the active preservation scene was one of the reason he chose to move here, and he agrees with his fellow speakers that any change that weakens the preservation laws will have a negative effect on the city as a whole. He talks about his experiences in New York, and states that the 70 percent figure is high, although he personally is in favor of a majority.
26. Mr. Hogan thanks the speakers and states that as we continue to grow as a city, the ordinance becomes more important in encouraging best practices. He talks about the need to educate on the value of historic preservation.

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**Motion:**

27. No motion.
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