



Pennsylvania State Historic Preservation Office

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

April 13, 2023

Timothy Zinn
Michael Baker International, Inc.
100 Airside Drive
Moon Township PA 151080000

RE: ER Project # 2018PR13984.023, NORFOLK SOUTHERN PITTSBURGH VERTICAL CLEARANCE,
Department of Transportation (PennDOT), Pittsburgh City, Allegheny County

Dear Mr. Zinn,

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

Above Ground Resources

We are in receipt of the Response to Comments document provided in response to the Effect Report, Alternative Analysis Report, and the December 14, 2022 Consulting Party Meeting. We offer the following comments for consideration as well as discussion at the upcoming consulting party meeting scheduled for May 2, 2023.

West North Avenue Bridge

International Harvester Building

The Response to Comments indicates the following about the sidewalk designs at Washington Avenue Bridge: need to comply with Norfolk Southern, City of Pittsburgh, PennDOT, and ADA guidelines; need to meet with the approval of the Department of Mobility and Infrastructure (DOMI); additional coordination with DOMI on acceptable sidewalk alternatives is ongoing; and the design team is committed to finding a mutually agreeable solution through ongoing meetings. A mutually agreeable solution is defined as one that would “not result in an adverse effect on the property [the International Harvester Building], would meet the SOI Standards, and that would be accepted by DOMI.” As noted in our January letter, we would like a clear understanding of the pedestrian and ADA accessibility requirements being used in DOMI’s review process. We offer the following comments on the current design with regards to adverse effects and the Secretary of the Interior’s Standards.

The Standards for the Treatment of Historic Properties, specifically the Rehabilitation Treatment Standards (Standards), are used as a measure for determining the appropriateness of work to historic properties as part of federal, state, and local historic preservation programs. They are utilized in review of state and federal projects in the assessment of potential adverse effects on historic properties. They are also used to determine if rehabilitation work qualifies as a certified rehabilitation for state and federal tax incentive programs.

The International Harvester Building is currently undergoing rehabilitation as part of the Allegheny Branch House Lofts project, a certified rehabilitation project under construction that qualified for \$2.5 million in federal tax credits and \$.5 million in state tax credits in 2022. The PA SHPO certified the rehabilitation plans for the state tax credit and reviewed the rehabilitation plans for the federal tax credit before providing them to the National Park Service (NPS) for review, comment, and certification. The PA SHPO was also actively involved in resolution of NPS comments, which included multiple considerations on the windows and window openings at the façade of the International Harvester Building.

As currently designed, it is the opinion of the PA SHPO that the proposed sidewalk improvements associated with the West Avenue Bridge, adjacent to the International Harvester Building would meet the definition of an adverse effect, as found in 36 CFR Part 800.5(2)ii. "Alteration of a property . . . that is not consistent with the Secretary Standards for the Treatment of Historic Properties and applicable guidelines." The National Register of Historic Places (National Register)-listed International Harvester Building was listed in the National Register under Criterion A for Commerce, Criterion B for its association with Branch Manager Emil Louis Mayer, and Criterion C for Architecture. The windows of the façade and water table, which are all considered character-defining features, will be altered in a manner not consistent with the Standards, affecting the architectural significance of the building.

The sidewalk plans, as currently designed, do not meet the Standards for Rehabilitation, specifically standards 2, 5, and 9, as outlined below.

Standard 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The project, as currently designed, will result in raising the limestone water table and sills, character-defining features of the building, to accommodate the increased vertical alignment of the sidewalk. Changes to the sidewalk will also affect the integrity of the street scape adjacent to the building.

Standard 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

The project as currently designed will result in changes to the window openings and sills and the limestone water table, distinctive features and finishes at the façade.

Standard 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The proposed changes to the windows and water table will destroy historic materials that characterize the property.

If the proposed sidewalk cannot be redesigned to accommodate DOMI's needs alongside the Standards, the state and federal tax credits for the Allegheny Branch House Lofts project could be jeopardized. The project is already under construction. To avoid threats to the state and federal tax credits, we urge rapid action to find a mutually agreeable solution. We are willing to make PA SHPO staff available for in-person discussions to assist in these discussions.

Allegheny Commons Historic District

The Allegheny Commons Historic District was listed in the National Register under Criterion A for Community Planning and Development and under Criterion C for Landscape Architecture. The document indicates the fencing along the railroad will be replaced to match the decorative fencing along the rail corridor; no mature trees will be affected; a retaining wall will be replaced and there will be grading changes. Two sections of a low brick retaining wall from the Simonds & Simonds mid 1960s redesign will be impacted and a permanent right of way totaling .09 acre will be required. The sidewalk will be replaced in-kind. Given the number of changes to landscape features within the National Register-listed Allegheny Commons Historic District, there is the potential for an adverse effect. The PA SHPO would like documentation of consultation with the Pittsburgh Parks Conservancy regarding efforts to minimize impacts to the district. This can be presented at the upcoming May 2, 2023 consulting party meeting and as an addendum to the effect report.

Allegheny Second Ward Industrial District

The Allegheny Second Ward Industrial Historic District is eligible for the National Register under Criterion A in the areas of Industry and Commerce and under Criterion C as a significant and distinguishable entity whose components who lack individual distinction. (*Note: This is a correction to the Determination of Eligibility (DOE) letter that was issued in November of 2019 which stated the district was eligible under Criterion C in the area of Architecture.*) The proposed new bridge, alterations to the International Harvester Building, and changes to sidewalks and grades, will not affect the ability of the district to convey its industrial and commercial significance. Therefore, in our opinion, based on the information received and available within our files, the West North Avenue Bridge Project will not adversely affect the Allegheny Second Ward Industrial District.

Allegheny City Stables Building

The Allegheny City Stables Building is eligible for listing in the National Register under Criterion A in the area of Politics/Government. The new bridge and elevated street and sidewalk grades along West North Avenue do not have the potential to affect the significance of the district. Therefore, in our opinion, based on the information received and available within our files, the West North Avenue Bridge Project will not adversely affect the Allegheny City Stables Building.

Mexican War Streets Historic District

The Mexican War Streets Historic District was listed in the National Register under Criterion A for Social/Humanitarianism and Urban Planning and Criterion C for Architecture. The project will introduce new visual elements into the setting of the district, including the bridge and elevated street and sidewalk grades along Brighton Road and West North Avenue. These changes will not affect the significance of the district. Therefore, in our opinion, based on the information received and available within our files, the West North Avenue Bridge Project will not adversely affect the Mexican War Street Historic District.

Allegheny West Historic District

The Allegheny West Historic District was listed in the National Register under Criterion A for Social History and Criterion C for Architecture. The project will introduce new visual elements including a new bridge and elevated street and sidewalk grades. These changes will not affect the significance of the district. Therefore, in our opinion, based on the information received and available within our files, the West North Avenue Bridge Project will not adversely affect the Allegheny West Historic District.

Pennsylvania Avenue Bridge

Allegheny Second Ward Industrial District

The proposed new Pennsylvania Avenue bridge, alterations to 901 Pennsylvania Avenue, and changes to sidewalks will not affect the ability of the district to convey its industrial and commercial significance. Therefore, in our opinion, based on the information received and available within our files, the Pennsylvania Avenue Bridge Project will not adversely affect the Allegheny Second Ward Industrial District.

Pedestrian Bridge

We remain concerned about the potential of the proposed pedestrian bridge to affect the National Register-listed Allegheny Commons Historic District as it will result in physical impacts and introduce a new feature in the setting of the district. As outlined in our letter of January 13, 2023, the pedestrian bridge should be addressed as part of the project undertaking. We require more information on location, excerpts from the Allegheny Commons Master Plan that indicate the purpose and need, photographs of area, and any preliminary plans. This can be provided at the upcoming May 2, 2023 consulting party meeting and as an addendum to the effect report.

Minimization

As outlined in our letter of December 13, 2022, the purpose of minimization is to lessen the potential effects of a project on historic properties. Minimization measures can be commemorated in the project agreement but should not be misconstrued as mitigation. We note the following minimization measures have been identified for the project.

- Consultation on the design of the West North Avenue Bridge, adjacent features, and landscaping (including the low brick wall) in the Allegheny Commons Historic District.
- Consultation on the design of the new pedestrian bridge in the Allegheny Commons Historic District.
- Consultation on the design of the sidewalk, landscaping and related features adjacent to the International Harvester Building.
- Consultation on protection for/repairs to contributing features within the Pennsylvania Railroad: Main Line (Harrisburg and Pittsburgh) Railroad Corridor Historic District including bridge abutments, retaining walls and decorative fencing.

Mitigation

As stated in our response letter of January 13, 2023, the proposed project will adversely affect the Pennsylvania Railroad: Main Line (Harrisburg and Pittsburgh) Railroad Corridor Historic District due to the replacement of the West North Avenue Bridge, a contributing feature. The project also has the potential to affect the International Harvester Building and the Allegheny Commons Historic District, depending on the results of continued consultation to avoid adverse effects to these historic properties.

Mitigation involves compensation for the loss or diminishment of the integrity of a historic property. As noted in past correspondence, the PA SHPO maintains Criteria for Meaningful Mitigation:

<https://www.phmc.pa.gov/Preservation/About/Documents/Criteria%20for%20Determining%20Mea>

[ningful%20Mitigation.pdf](#) for use in development and assessing the appropriateness of mitigation. Guidance published by the Advisory Council on Historic Preservation (ACHP) indicates mitigation should be in the public interest, address concerns or interests of the consulting parties, and enhance the preservation and management of National Register-listed or eligible resources: https://www.achp.gov/Section_106_Archaeology_Guidance/Questions%20and%20Answers/Reaching%20agreement%20on%20Appropriate%20Treatment.

In addition, the mitigation should be identified as part of a consultative process that involves an active exchange of information between the PA SHPO and all the consulting parties. By its very nature, the consultative component of the review process presents opportunities for the development of creative and innovative measures for the resolution of adverse effects. To date, there have been no consulting party meetings/collective discussions at which mitigation was presented and discussed. We understand the reconstruction of a pedestrian bridge over the railroad was developed as part of a mediation process ordered by the Public Utility Commission (PUC), separate from the Pennsylvania History Code process. The identification of the pedestrian bridge as a potential mitigation option should not preclude consideration of other mitigation ideas.

We look forward to continued consultation on the project. For questions concerning this review and/or for future consultation, please contact Barbara Frederick at bafrederic@pa.gov.

Sincerely,



Emma Diehl

Environmental Review Division Manager