

**NOMINATION OF THE VA FACILITY BUILDINGS 10 AND 13
TO BE DESIGNATED AS CITY HISTORIC LANDMARKS**

CITY COUNCIL REPORT



Building 10 North Facade



Building 13 East Facade

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VA FACILITY BUILDINGS 10 AND 13 - HISTORIC NOMINATION STAFF REPORT

Name of PropertyVA Facility Buildings 10 and 13
Address of Property7180 Highland Drive
Property Owner.....General Services Administration
Nominated by:Hon. William Peduto
Date Received:31 July 2020
Parcel No.:.....172-K-170
Ward:12th
Zoning Classification:EMI
NeighborhoodLincoln-Lemington-Belmar
Council District:9 - Burgess

FORMAL ACTION REQUIRED BY THE HISTORIC REVIEW COMMISSION:

1. Act on the Preliminary Determination of Eligibility for Historic Designation (2 Sept 2020)
2. Conduct a public hearing for the Historic Designation (7 Oct 2020)
3. Review the Report prepared by staff for the property in question, and make a recommendation to the City Council on the Historic Designation (7 Oct 2020)

FORMAL ACTION REQUIRED BY THE PLANNING COMMISSION:

4. Conduct a public hearing for the Historic Designation (27 Oct 2020)
5. Review the recommendations of the Historic Review Commission and make a recommendation to the City Council on the Historic Designation (27 Oct 2020)

FORMAL ACTION REQUIRED BY THE CITY COUNCIL:

6. Conduct a public hearing within 120 days of the Planning Commission vote
7. Review the recommendations of the Historic Review Commission and the City Planning Commission and take action on the Historic Designation

NOMINATION OF THE VA FACILITY BUILDINGS 10 AND 13 TO BE DESIGNATED AS CITY HISTORIC LANDMARKS

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FACTS

1. On 31 July 2020 , the staff of the Historic Review Commission received applications for the nomination of the VA Facility Buildings 10 and 13 to be designated as City Historic Structures.

2. **Description of the VA Facility Building 10** (as extracted from the nomination form)

The Highland Drive VA Campus consists of approximately 20 buildings is laid out along an oval path, with a road running the circumference, and a system of over and underground tunnels connecting the buildings.

The North elevation has two entry points. The main entry is at street level on the northwest corner of the facade. It is a two story recessed entrance with an overhanging roof supported by a brick column. Above the door a vertical section of the entry yellow brick is laid in a 3-brick herringbone pattern edged by decorative brown brick in a zig-zag pattern, and three single bricks inset in a diagonal. The heavy steel door below has a corrugated glass sidelight.

Three rows of twelve square blocks of Dalle de verre (slab glass) — thick slabs of glass set in concrete — decorate the façade.

The second entry is up the hill to the left, the first story juts out from the building, and there is an exterior stair leading down to the entry door. One fixed window sits to the right of the entry, and one set of three fixed windows sits at sidewalk level to the left of the entry door.

The west elevation has three square slab glass windows in a column recessed in the covered entry between the brick column and building. There is a one story addition at the right with a wide, overhanging eave, and a ribbon of four, three-light stained glass clerestory windows. Further to the right, the tunnel between the chapel and building 2 has two large multi-light windows, and a central door.

The south elevation has 18 three-light operable clerestory windows running just below a large overhang that connects to, and is on the same plane as the tunnel roof. A single row of twelve square slab glass windows sits at the base of the recessed second floor just above the overhang. There is a door leading out to the roof of the overhang at the far right of the second floor.

The east elevation is partially built into the hill, the tunnel leading to Building 2 has three large multi-light windows. There is one set of three fixed windows in the center of the chapel first floor flanked on each side by two additional fixed windows. The recessed second floor has a ribbon of four square windows with a central vent.

3. **Description of the VA Facility Building 13** (as extracted from the nomination form)

The Highland Drive VA Campus consists of approximately 20 buildings laid out along an oval path, with a road running the circumference, and a system of over and underground tunnels connecting the buildings. Building 13 sits along the western edge of the campus, at the end of the entry road before you arrived in the campus. It was built during the second round of construction, in the same manner and appearance as the rest of the campus, and is utilized as a laboratory and research center. It is organized in three sections. The south section is a square one-story structure that juts out in three directions. The middle bridge section is one story, and the north section is a two-story rectangular structure.

The eastern elevation of the one-story south section has a ribbon of six casement windows and a brick chimney. The middle section has the recessed main entry up three steps that sits under a small flat roof with mechanical equipment above. The door, like all windows on the campus, is not original, it is a single glass door with a glass sidelight. The two-story north section of the building is broken out into three parts separated by two engaged concrete columns. There are six fenestrations on each story aligned

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vertically. The first bay has one casement window on the second story over a boarded up window on the first, the second bay has two casement windows on the second story over one boarded up on the left, and a boarded up door on the right. The third bay has three sets of casement windows on the second story over a boarded up window on the left, a covered window in the center, and a casement window on the right. There is a large gap between the center and right windows with vents located in the gap on each level.

The narrow northern elevation has three evenly spaced casement windows on the second story directly above two casement windows and a center door. The northern elevation of the south section is unadorned.

The western elevation is overgrown with ivy and other flora. There are six casement windows on the second story. Aligned underneath are six fenestrations from left to right, a casement window, a double steel door, a boarded up casement window, a large boarded up picture window (underneath two casement windows above) with a boarded up door to the left, underneath an overhanging canopy, and a boarded up casement window. There are numerous vents and mechanical penetrations, and two engaged concrete columns that correspond with those on the eastern elevation. The one-story bridge section has one set of three fixed windows, and a screen above hiding the mechanical unit. The south section has a continuous ribbon of four sets of two casement windows with a transom over each set that wraps onto the southern elevation. There is one vent below.

The south elevation has a ribbon of six small sets of two casement windows with a transom over each set. There is a metal cornice or canopy that wraps the corner above the continuous ribbon window. There are two vents below.

4. **History of the VA Facility** (as extracted from the nomination form)

By whatever name, the Highland Drive VA was from its beginnings on the front lines in the U.S. government's fight to contain the neuropsychiatric costs of war. Its dedication in 1953, as a hospital dedicated solely to neuropsychiatric care, marked an important step forward for regional veteran health care: many veterans suffering from congenital mental illnesses or from disabling battle-induced psychological traumas could be cared for in an environment wholly focused on their special needs.

The Leech Farm Road Hospital, as it was called when construction began in 1948, was designed to be a sophisticated inpatient facility, able to care for up to a thousand veterans. But the hospital was also intended from the first to be a research institution. Its large pharmacy and well-equipped laboratories had the capacity to support research into the causes of mental illnesses, as well as to develop new therapies to alleviate the suffering of war-wounded veterans. Its scenic location, with expansive views and plenty of fresh air, was itself therapeutic, coming to be valued by patients and staff alike.

The hospital's initial studies focused on the physiological, psychological and sociological elements of schizophrenia. Its research teams would go on to establish the hospital's national reputation for excellence in the study of neurological and psychological disorders. By the time Korean War veterans began arriving in 1956, the hospital had 17 psychologists on staff to study and care for its patients.

Tarney Builds a Hospital: the Beginnings of Highland Drive

The VA Pittsburgh's Highland Drive Hospital, designed specifically to provide veterans with neuropsychological care, was first known as Leech Farm Road Veterans Hospital. It was named for the largest of the farms on whose land it was built, on the heights above the Allegheny River. Funding for the hospital was appropriated by Congress in March 1947, as part of a substantial increase in VA's hospital construction budget. One of the first "Haun" type hospitals, specifically designed for neuropsychiatric care, it became one of 49 VA hospitals whose main specializations were neuropsychological treatment and research.

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Leech Farm Road Hospital was a self-sustaining “city.” It had healthcare, therapy and recreation facilities, surgical suites, an advanced laundry system, and well designed kitchens. It also had its own barber shop, cashier service, post office, canteen, dry goods store, library, chapel, and theater, equipped both for live performances and films. There were generous stretches of window—dispelling any notion of the heavy atmosphere associated with the asylums of past decades—and surroundings complete with gardens, a greenhouse, playing fields, hiking paths, and picnic pavilions with grills. For those able and permitted to interact with the outside community, transport into town was provided for days out.

Although most of the buildings on campus were put up in the early 1950s, improvements were made regularly over the years, and outside facilities like exercise stations along campus paths and walks were added. New programs evolved as well; in 1955 the Community Care program received its first patient, and in 1956-57 the Surgical Service and Dental Intern program were organized, improving the on-site medical and dental services available to patients.

By the time of its 20th anniversary in 1973, the Leech Farm Road Hospital had 951 beds devoted to neuropsychiatric care, some 830 of which were occupied on any given day. Medical teams at Leech Farm Road worked in partnership with pharmacists and social workers to determine how to apply new healthcare options in the most effective, humane and ethical ways.

Research carried out at Leech Farm Road applied contemporary theory and technology to the physiological causes of depression, schizophrenia, mental morbidity and the broad range of regressive and, at times, violent states of mind from which veterans suffered.

The hospital’s beginnings in the 1950s coincided with the rapid development of modern psychopharmacology – the use of sophisticated drugs to manage psychological and behavioral issues. The Leech Farm Road Hospital developed a sophisticated, fully stocked and well-staffed pharmacy and a staff well equipped to administer and manage the new “miracle drugs.” Coordinated by VA Volunteer Services (VAVS), the fraternal organizations and their auxiliaries were key members of the Highland Drive family. Therewere the annual picnic organizers from the area’s American Legion and Legion Auxiliary posts, the women’s auxiliary of the Jewish War Veterans bringing kosher treats and books for the library and picking up guests for Hanukkah parties at their homes. In would come the Navy Mothers to set up an afternoon of music entertainment, the American War Mothers to help with the annual red poppy campaign, the Catholic Daughters to accompany patients to mass, sit with them for Sunday lunch, and listen to their stories. Many of these organization sponsored monthly activities in the Recreation Hall, like parties where volunteer “Gray Ladies” from the community would dance with aging veterans. Jewish groups often took responsibility for Christmas Day festivities, so that Christian volunteers could be with their own families. This kind of sharing helped foster Highland Drive’s sense of being a family. The fraternal and service organizations raised money to buy new sports equipment, used by patients, staff and volunteers on sunny days.

Volunteers fixed broken radios, took patients out for afternoon walks, drove them to see relatives, sat and chatted with patients who sometimes recognized their visitors but could not from one week to the next, over many years, remember their names. No matter: smiles are never forgotten. Volunteers helped with the annual Christmas party, helped decorate the cafeteria for Halloween, reshelved books in the library, refilled flower vases, read aloud to the vision impaired, and provided gentle, respectful assistance for unsteady hands holding a spoon of broth. The Animal Rescue League brought puppies, and later the staff trained therapy dogs for use on station. ROTC students stopped for an afternoon of visiting round the open wards. School choirs and church choirs and high school bands filled the auditorium and cafeteria with cheerful music. And everyone—all the fraternal organizations, all the auxiliaries, all the staff and their families -- gathered for the Annual Carnival.

A complex of sixteen care-specific buildings, staff housing, administration offices, chapel, recreation and therapy facilities was built across the river from the Aspinwall Veterans Hospital on a bluff known as “River Hill.” The site was just to the northeast of the City of Pittsburgh’s 1912 Tuberculosis Sanatorium, on 251 acres of land including what had been the Leech farm. The Leech Farm Road Hospital campus had the sort of pastoral environment that had become the model for a hospital devoted to healing the injured minds of war-weary veterans.

Ralph Griswold (who designed the campus’ landscape) was an academically trained landscape architect with degrees from Cornell University. Griswold also studied landscape design in Rome for three years before returning to the United States where he designed Chatham Village in Pittsburgh. Griswold also was the Superintendent of the Pittsburgh Bureau of Parks where he worked to revitalize the park system.

In his November 17 welcoming remarks, Director Ginsberg articulated the hospital’s purpose and program in simple terms:

Our sole objective – the objective of every department and every individual of the hospital – is to provide the best medical treatment possible for the patients in order to return them to their homes and loved ones, and to society in general where they rightfully belong.

In order to accomplish this, in addition to the scientific medical treatment that the patients receive, it is also our aim to surround the patient with as much of community life as is possible. For that reason we include in modern medical hospitals of this kind such things as theaters, swimming pools, libraries, chapels, work shops, educational facilities and other activities common to a normal community. These activities are utilized as an integral part of the hospital.

5. Significance of the VA Facility Buildings 10 and 13 (as extracted from the nomination form)

The *Pittsburgh Code of Ordinances, Title 11, Historic Preservation, Chapter 1: Historic Structures, Districts, Sites and Objects* lists ten criteria, at least one of which must be met for Historic Designation. The nominator is of the opinion that the VA Facility Buildings meets the criteria as follows.

Criterion 7- Its association with important cultural or social aspects or events in the history of the City of Pittsburgh, the State of Pennsylvania, the Mid-Atlantic region, or the United States.

Building 10: Campus Spiritual Center is being nominated as a site of a significant event or activity. A new understanding and treatment of mental illness occurred in the mid-twentieth century, and on March 20, 1947, President Truman approved the Urgent Deficiency Appropriation Bill that diverted funds to the Veterans Administration to construction neuropsychiatric hospitals across the United States. The Leech Farm Drive Veterans Hospital is a good example of the Federal government’s response to the treatment of mental illness in veterans using both an aesthetic design approach and a scientific based approach. Building 10, the Campus Spiritual Center, was included in the first round of buildings completed by 1953. It played an important role in the care of returning veterans, as the relationship between trauma and spirituality is key in treating PTSD.

Building 13: Psychosis, schizophrenia, and other mental illnesses commonly diagnosed in veterans were treated through electroshock therapy, and pre-frontal lobotomy, including at six VA hospitals operating into the 1950s. While electroshock therapy was beneficial in many ways, including in the treatment of PTSD, it caused other issues that could negatively impact the rehabilitation and assimilation of returning veterans. Similarly, lobotomies, had negative effects on patients’ personalities, and ability to function independently. Additionally, while these methods saw some measure of success, they involved longer recovery times.

Starting in the mid-1950s a committee interested in researching behavioral science through the use of pharmaceuticals was formed. The committee was comprised of medical practitioners from VA hospitals around the country, including Dr. Amadeo Marrazzi, whose “special [neuropharmacology] laboratory” on the Leech Farms, 1957-1960. Their first task was to help design a study aimed at determining the efficacy of the new drugs. However, while the initial focus of the cooperative studies was on the use of drugs, the committee was instructed to engage in cooperative studies in the field of psychiatry in general.

6. Integrity

The Veterans Affairs replaced the windows on the entire campus in 1988, leaving the decorative windows in Building 10 intact. Otherwise the properties remain unchanged from their original form.

7. Photos

Building 10 - VA Campus Spiritual Center



North Façade, slab glass windows



Slab glass, thick pieces of glass inset into concrete



Slab glass detail



Entry façade decorative elements



North façade, second entry with stairs



West façade, slab glass detail



West façade



West façade, tunnel



West façade, clerestory windows



South façade, clerestory windows below overhang, slab glass windows above, door on far right out to overhang



East façade, tunnel fenestration



East façade partially submerged in hillside



East facade

Building 13 – VA Campus Laboratory and Research Center



Eastern elevation, one-story south section and middle entry bridge



Entry bridge with mechanical system above



North section two-story eastern elevation with engaged concrete columns, and northern elevation



Western elevation, two-story north section, overgrown with ivy



Western elevation looking south, engaged concrete columns and ivy growth



Western elevation entry door, picture window, and overgrown canopy



Western elevation, two-story north section with engaged concrete columns, and one-story middle bridge section with screen for HVAC



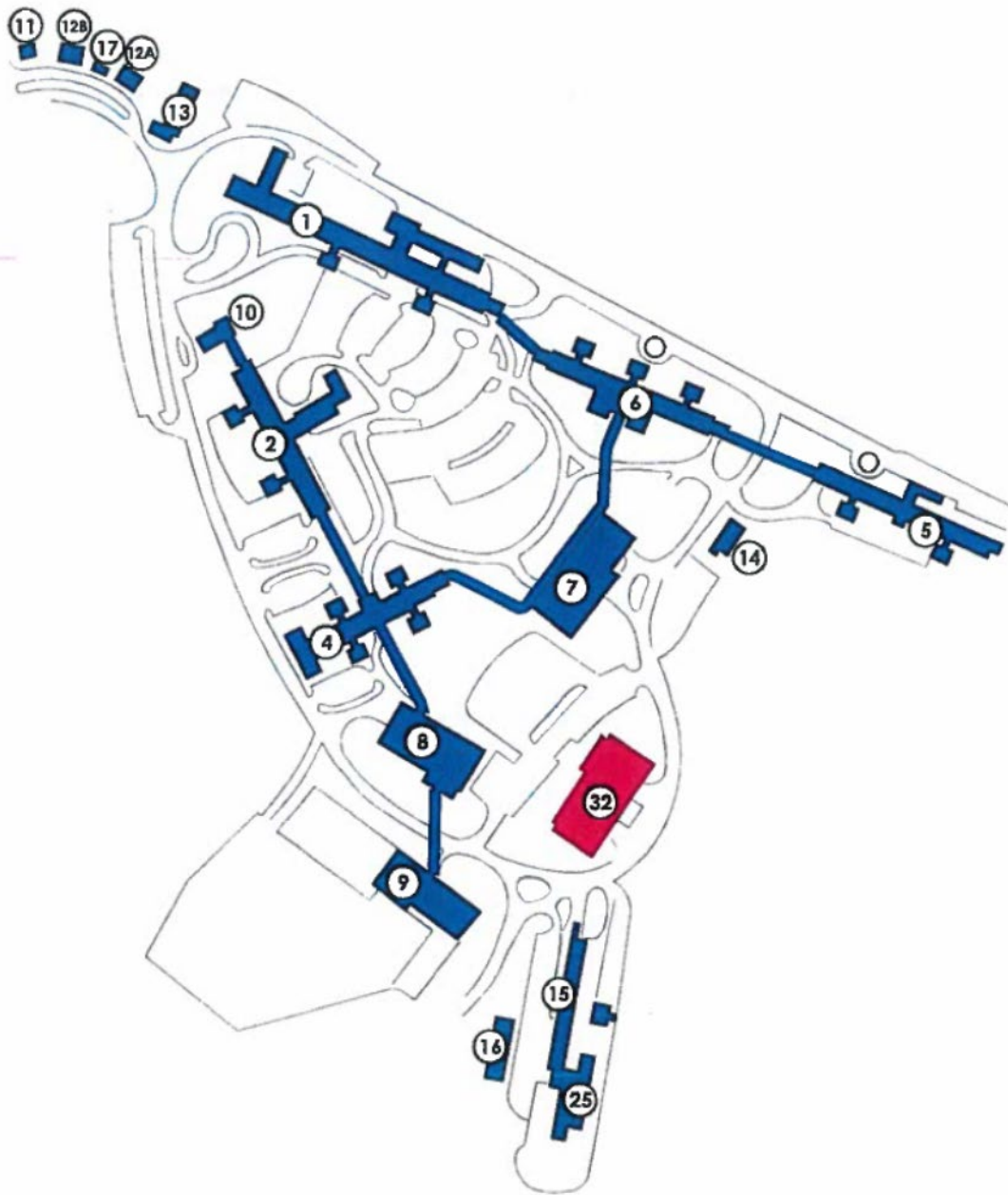
Eastern elevation, one-story south section, with continuous ribbon window



Southern elevation, one-story south section



Southern elevation, one-story south section



VA Facility – 7180 Highlad Drive

9. Recommendation of the Historic Review Commission

The Historic Review Commission held a public hearing regarding the designation of the VA Facility Buildings 10 and 13. On October 7, 2020 the Commission voted to recommend to City Council that it designate Buildings 10 and 13 as historic.

10. Recommendation of the City Planning Commission

The City Planning Commission held a public hearing regarding the designation the VA Facility Buildings. On October 27, 2020 the Commission voted to recommend to City Council that it designate the VA Facility Buildings 10 and 13 as historic.

11. Meeting Minutes

HRC MINUTES –SEPTEMBER 2, 2020 – PRELIMINARY DETERMINATION HEARING

**VA Buildings 10 and 13
7180 Highland Drive**

Historic Nomination

Owner:
Veterans Affairs

Ward:

Lot and Block:

Nominator:
William Peduto

Inspector:

Council District:

Nominations Received: 7/31/20

National Register Status: Listed: Eligible:

Proposed Changes: Nomination for historic designation.

Discussion:

1. Ms. Quinn makes a short presentation on the properties. She states that the nominator found that the properties are significant under **Criterion 7**, association with important cultural or social aspects or events in the history of the City of Pittsburgh, the State of Pennsylvania, the Mid-Atlantic region, or the United States, and that they do retain integrity.
2. Ms. Aguirre asks for public comment; there is none.
3. The Commission discusses the nominations.

Motion:

1. Mr. Falcone moves that the properties meet the listed criteria and retain integrity and should be considered for recommendations to City Council at the next session.
2. Mr. Hill seconds.
3. Ms. Aguirre asks for a vote; all are in favor and motion carries.

HRC MINUTES – OCTOBER 7, 2020 RECOMMENDATION

**VA Buildings 10 and 13
7180 Highland Drive**

Historic Nomination

Owner:
Veterans Affairs

Ward:

Lot and Block:

Nominator:
William Peduto

Inspector:

Council District:

Nominations Received: 7/31/20

National Register Status: Listed: Eligible:

Proposed Changes: Nomination for historic designation.

Discussion:

4. Ms. Quinn makes a short presentation on the properties. She states that the nominator found that the properties are significant under **Criterion 7**, association with important cultural or social aspects or events in the history of the City of Pittsburgh, the State of Pennsylvania, the Mid-Atlantic region, or the United States, and that they do retain integrity.
5. Ms. Aguirre asks for public comment; there is none.
6. The Commission discusses the nominations.

Motion:

4. Mr. Falcone moves to make a positive recommendation to City Council.
5. Mr. Hill seconds.
6. Ms. Loysen amends the motion to include that the properties are significant under **Criterion 7**.
7. Mr. Green seconds the amendment.
8. Ms. Aguirre asks for a vote; all are in favor and motion carries.

PLANNING COMMISSION MINUTES –OCTOBER 27, 2020

C. Development Reviews (See Attachment C for staff reports)

Hearing and Action

1. DCP-HN-2020-00697, 7180 Highland Dr., VA Chapel Historic Nomination

Ms. Quinn made presentation in accordance with the attached staff report.

She informed history of building construction and use, criteria for nomination and planning staff recommendation.

There being no comments from the Public, the Chairwoman called for questions and comments from the Commissioners.

There being no comments from the Commissioners, the Chairwoman called for the motion.

MOTION:

That the Planning Commission of the City of Pittsburgh provides a positive recommendation to City Council for the nomination of 7180 Highland Dr, VA Chapel, DCP-HN-2020-00697 for listing as a City- designated historic site.

MOVED BY: Ms. Dick SECONDED BY: Ms. Mingo

IN FAVOR: Mingo, Dick, Burton-Faulk, O'Neill, Blackwell, Askey, Mondor, Deitrick

RECUSED:

OPPOSED:

MOTION CARRIED

2. DCP-HN-2020-00822, 7180 Highland Dr, VA Laboratory Historic Nomination

Ms. Quinn made presentation in accordance with the attached staff report.

She informed history of building construction and use, criteria for nomination and planning staff recommendation.

There being no comments from the Public, the Chairwoman called for questions and comments from the Commissioners.

There being no comments from the Commissioners, the Chairwoman called for the motion.

MOTION:

That the Planning Commission of the City of Pittsburgh provides a positive recommendation to City Council for the nomination of 7180 Highland Dr, VA Laboratory, DCP-HN-2020-00822 for listing as a City- designated historic site.

MOVED BY: Ms. Dick SECONDED BY: Ms. O'Neil

IN FAVOR: Mingo, Dick, Burton-Faulk, O'Neill, Blackwell, Askey, Mondor, Deitrick

RECUSED:

OPPOSED:

VA FACILITY ACQUISITION MOA

SUPPLEMENTAL MEMORANDUM OF AGREEMENT

BETWEEN THE CITY OF PITTSBURGH

AND THE

PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER

**REGARDING THE CONVEYANCE OF THE FORMER VA PITTSBURGH
HOSPITAL SYSTEM, HIGHLAND DRIVE DIVISION, PITTSBURGH,
PENNSYLVANIA.**

12/17/2020

MADE _____

WHEREAS, the U.S. Department of Veterans Affairs (“VA”) is the federal agency that has administrative control, custody, and accountability, on behalf of the United States, of the approximately 164.82-acre former Veterans Affairs Pittsburgh Healthcare System (“VAPHS”) Highland Drive Medical Center, also known as the former VAPHS Highland Drive Division or, formerly, Leech Farm Veterans Hospital, the real property located along the east side of Washington Boulevard (Highway PA-8) at 7180 Highland Drive, Pittsburgh, Pennsylvania (“Property”) that is the subject of a separate Memorandum of Agreement (“MOA”) between the U.S. General Services Administration (“GSA”), the VA, the City of Pittsburgh (the “City”), and the Pennsylvania Historic and Museum Commission (“SHPO”) of even date herewith pursuant to Section 106 of the National Preservation Act (“NHPA”), 54 U.S.C. § 306108, and its implementing regulations at 36 CFR Part 800; and

WHEREAS, the Property is eligible for listing on the National Register of Historic Places (“National Register”) under Criterion A (Historic Events) as a historic district (the “Historic District”) and as an example of a Third Generation U.S. Veterans Hospital reflecting the continued use of the design schemes developed for the Second Generation Veteran Hospitals and for its care and research for mental illness, emphasized in Omar Bradley’s plan for expansion of hospital construction to treat veterans after World War II; and

WHEREAS, the Property includes 18 individual resources 50 years or older identified and documented as contributing to the Historic District; and

WHEREAS, in 2013, the VAPHS, part of VA, vacated the Property and relocated to two existing VA hospitals in the metropolitan Pittsburgh area (VA University Drive campus and VA H.J. Heinz campus). Additionally VA, as the agency for whom the campus was designed and constructed, concluded that further investment toward renovation and redevelopment of the Property as a functioning medical center was cost prohibitive; and

WHEREAS, VA sought private sector partnerships through the use of its enhanced use leasing authority and completed a Targeted Asset Review of the Property and considered reuse and disposal options. Ultimately, the Targeted Asset review recommended the Property be reported excess to the VA's needs. Pursuant to the Property Act (40 U.S.C § 101 et. seq.), VA submitted a formal Report of Excess to GSA; and

WHEREAS, as part of the disposal process, GSA made the Property available to all federal landholding agencies. Ultimately, no federal agency expressed interest to assume custody and accountability for the Property. Pursuant to the Property Act disposal process, the Property was deemed to be surplus to the needs of the federal government; and

WHEREAS, in a continuing effort to put the Property back into productive reuse, GSA offered the facility to a wide array of public entities, local governments and eligible non-profit organizations for public benefit purposes; and

WHEREAS after an evaluation of proposals thereafter submitted pursuant to required processes, the Department of Justice and the Federal Emergency Management Agency approved the City's application for use of the Property as a law enforcement and emergency management center; and

WHEREAS, the conveyance out of federal ownership to the City as a discount conveyance for the combination of emergency management use and law enforcement use will constitute an undertaking as defined in 36 CFR § 800.16(y) (the “Undertaking”), and, as a likely consequence of the Undertaking, several buildings in the Area of Potential Effects (“APE”) will be demolished; and

WHEREAS, GSA determined the APE is the Property. In consultation, GSA considered whether the Undertaking poses adverse effects to historic properties within the APE; and

WHEREAS, GSA applied the Criteria of Adverse Effect (36 CFR § 800.5) and found the Undertaking will have an adverse effect on historic properties as a result of the anticipated demolition of buildings in the APE, and, in accordance with 36 CFR § 800.6, GSA consulted with the SHPO and has notified the Advisory Council on Historic Preservation (“ACHP”) of its adverse effect determination with specified documentation and ACHP has chosen to participate in the consultation; and

WHEREAS, the City retained the services of a qualified preservation planner / architect to make a good faith effort to fit the programmatic requirements of their combined emergency management and law enforcement use on the Property in a way that would avoid, minimize, and mitigate adverse effects to the Property following conveyance out of federal ownership; and

WHEREAS, VA determined, in consultation with the SHPO during completion of Section 106 of the NHPA, that no archaeological resources will be affected by the subsequent demolition of several of the contributing buildings due to previous ground disturbance within the developed portion of the Property; and

WHEREAS, notwithstanding the adverse effects, given the City’s emergency management and law enforcement activities, the VA, GSA, and the City have agreed

to complete specific mitigation within the APE as further detailed herein and in the MOA; and

WHEREAS, the GSA is the lead agency pursuant to 36 C.F.R. § 800.2(a)(2) and has involved the public and potential consulting parties as required by applicable law and regulations; and

WHEREAS, although the Section 106-required mitigation that will occur within the APE will be referenced in the MOA, the SHPO and City have further agreed to enter into this separate supplemental MOA (this “Supplemental MOA”) to set forth the City’s Stipulations relating to Transfer of the Property, for mitigation within the APE, and for additional mitigation outside of the APE involving inventorying and recording City-owned properties as further set forth herein. The Stipulations set forth herein this Supplemental MOA will be attached as an exhibit to the MOA.

NOW, THEREFORE, the SHPO and City agree that the City will perform the Stipulations set forth herein as further consideration for the effects of the Undertaking on historic properties.

I. RECITALS

The recitals set forth above are incorporated by reference as a material part of this Supplemental MOA.

II. STIPULATIONS

In consultation with the SHPO, the City shall ensure that the following stipulations are implemented:

A. Stipulations attached to the Transfer of the Property: The City acknowledges the following provisions referred to in the MOA (as required by GSA) as conditions associated with the Transfer of the Property:

1. The City will initiate or complete consultation with the SHPO prior to any ground disturbing activities in the Surrounding Areas (outside the currently developed acreage of APPROXIMATELY 64 ACRES) by providing to the SHPO the information requested on the SHPO's website (<https://www.phmc.pa.gov/Preservation/Environmental-Review/Pages/Review-Process.aspx>). Such stipulation will appear in deed of conveyance.
2. As a condition of real estate transfer and conveyance, the City will provide evidence of pursuit of the listing of Buildings 10 and 13 in the Historic District as locally designated Historic Structures in accordance with City of Pittsburgh, Pennsylvania Code of Ordinances, Title Eleven: - Historic Preservation, and associated correspondence will be provided to SHPO by the City in a timely fashion, but not later than one year of the disposition of the Property to the City. To date, the City has initiated pursuit of the listing of the Property's Buildings 10 and 13 in the Historic District as locally designated Historic Structures in accordance with City of Pittsburgh Pennsylvania Code of Ordinances, Title Eleven: - Historic Preservation.
3. As a condition of real estate closing and conveyance, the City agrees to include funding in the applicable project budget for the Public Safety Complex (as defined in the MOA), subject to applicable law, for the City's redevelopment of the Property for the creation of an interpretive installation that memorializes the former use of the Property, and /or for the creation of artwork and / or an interpretive marker memorializing the Highland Drive Medical Center for display in an easily accessible and public space. Partnership with local institutions is encouraged in this effort.

B. Stipulations within the APE:

1. Within one year of the real estate transfer and conveyance, the City shall assess the feasibility of salvaging and reusing brick from the demolished buildings that contribute to the Historic District, for additions and new construction, to preserve a cohesive campus feel with the Historic District. The City must provide its assessment to SHPO by the conclusion of the one-year timeframe.

2. The City shall continue consultation with the SHPO regarding the master plan and design for the City's development of a combined law enforcement and emergency management campus on the Property:
 - a. The City shall make a good faith effort to apply the Secretary of the Interior's (SOI's) Standards for the Treatment of Historic Properties (Rehabilitation) (36 CFR 68) in the master planning and design for the development of a combined law enforcement and emergency management campus on the Property.
 - b. The City shall submit the interim and pre-final master plan documents and design drawings to the SHPO and Consulting Parties (as defined in the MOA) for review and comment. SHPO and Consulting Parties shall provide written comments within 30 calendar days.
 - c. Site Visits. If necessary for review, the SHPO may request a site visit within the reviewing period. The City shall accommodate this request within two business days.
 - d. Consideration of Written Comments. The City shall consider timely written comments, to the fullest reasonable extent.
 - e. Objections. Should the City object to any comments, the City shall provide the SHPO and Consulting Parties with a written explanation of its objection, and will initiate consultation with the same to resolve the objection. If no agreement is reached within ten calendar days following SHPO's and Consulting Parties' receipt of the City's written explanation, the City shall request the ACHP to review the dispute pursuant to the process set forth in the MOA.
 - f. Failure to Comment. If the SHPO or Consulting Parties do not provide written comments within the agreed upon timeframes noted above, the

City may assume that the SHPO or Consulting Parties do not have any comments regarding the project documents, and the City may proceed in accordance with its project documents.

- g. **Unanticipated Adverse Effects.** If the SHPO determines that the development of a combined law enforcement and emergency management campus on the Property or changes may result in unanticipated adverse effects to the Property during the course of master planning and design or there are other reasons that develop to cause the district to lose its National Register eligibility, the SHPO shall ensure that the City is notified of such unanticipated adverse effects. The City shall thereafter consult with the SHPO and Consulting Parties pursuant to the process set forth in Stipulation 2(b)-(f) to avoid, minimize or mitigate any unanticipated adverse effects.
- h. **Loss of Eligibility for Inclusion in the National Register.** If the SHPO determines that the unanticipated adverse effects to the Property are extensive enough that the Property no longer retains sufficient integrity to qualify for eligibility for listing on the National Register of Historic Places, the SHPO shall consult with the Keeper of the National Register to validate its determination. If the Keeper concurs with SHPO's decision, the SHPO shall notify the City in writing of this determination with appropriate documentation. The City shall review the SHPO's determination and respond in writing within 30 calendar days with its view of the SHPO's determination.
- i. **Termination of Continuing Consultation.** Should the Keeper determine, and the City concur, that the unanticipated adverse effects to the Property are extensive enough that the Property no longer retains sufficient integrity to qualify for eligibility for listing on the National Register of Historic Places, the City's responsibility to consult with the SHPO, and the SHPO's responsibility to consult with the City, for the development of a combined law enforcement and emergency management campus on the Property, shall be considered complete.

3. The City and SHPO have agreed that the level of master planning completed to date, as performed by a preservation architect, has been sufficient to document the Stipulations covered in this Supplemental MOA.

C. Stipulations outside of the APE: The City will fund an inventory of all city-owned building that were built in 1980 or before to produce basic historic information on the properties and their potential for National Register eligibility.

1. The files of the City of Pittsburgh and the SHPO's online inventory will be reviewed to determine if resources have been previously documented and/or evaluated for National Register eligibility.
2. The final report will include a survey methodology; table of identified properties with current name, historic name, address, date of construction and major alterations, and National Register eligibility/listing status; photographs of all elevations of the buildings; recommendations for more detailed survey; and Abbreviated Historic Resource Survey Forms ("HRSFs") with mapping and photographs.
3. The inventory should identify potential historic districts as well as individual properties that require further documentation for National Register eligibility as part of a future survey.
4. The inventory will be developed in coordination with the SHPO. The SHPO and the Consulting Parties (as defined in the MOA) will review a draft and provide comments prior to issuance of the final report. All comments must be provided within thirty (30) days of receipt of the draft report.
5. The results of the inventory will be presented to the public and discussed at a public meeting.
6. A final digital copy of the inventory including the Abbreviated HRSFs will be provided to the SHPO for inclusion in their files. The inventory and public meeting will be completed within three (3) years of the disposition of the Property to the City.

D. Based on the results of the inventory, full HRSFs will be prepared by a qualified historic preservation consultant of the City's selection (meeting the Secretary of the Interior's Professional Qualification Standards for Architectural History) for at least five (5) City-owned properties identified as potentially eligible for the National Register. The properties to be documented and assessed for eligibility as part of this effort will be determined by the City in consultation with the SHPO. The SHPO will review a draft and final of the HRSFs and respond within thirty (30) days of receipt. A final digital copy of the HRSFs will be provided to the SHPO for inclusion in their files. The five full HRSFs will be completed within four (4) years of the disposition of the Property to the City.

E. The City, in cooperation with Preservation Pittsburgh, will begin the process of nominating 700 Filbert Street and 1800 Ley Street for local historic designation, through the City of Pittsburgh Historic Review Commission within one (1) year of the disposition of the Property to the City.

F. Implementation of the above requirements will evidence that the City has taken into account the effects of the Undertaking on historic properties.

III. ADMINISTRATIVE CONDITIONS:

A. **Personnel Assigned.** The City shall ensure that all historic preservation work is carried out by or under the direct supervision of a person or persons meeting, at a minimum, the *Secretary of the Interior's Professional Qualification Standards for Architectural History* (see http://www.nps.gov/history/local-law/arch_stnds_9.htm).

B. **Failure to Comment.** If the SHPO does not provide written comments within the agreed upon timeframes noted herein, the City may assume that the SHPO does not have any comments regarding project documents, and the City may proceed in accordance with its project documents once it has received and responded to any comments from other Consulting Parties.

IV. DURATION

This Supplemental MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to any expiration, the SHPO and City will discuss the terms of this Supplemental MOA and, if necessary, may amend the term or other provisions in accordance with Section VIII below.

V. POST-REVIEW DISCOVERIES

If any unanticipated discoveries of historic properties or archaeological sites are encountered during the performance of the Stipulations set forth herein, the City shall immediately notify the SHPO. The SHPO, in consultation with the appropriate parties, will determine an appropriate treatment of the discovery prior to the resumption of undertaking activities in the area of discovery.

VI. MONITORING AND REPORTING

Following the execution of this Supplemental MOA until it expires or is terminated, the City shall provide the SHPO and the Consulting Parties with bi-annual summary report detailing work undertaken pursuant to its terms until all work set forth in the Stipulations herein is completed. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in the City's efforts to carry out the terms of this Supplemental MOA.

VII. DISPUTE RESOLUTION

Should objections be raised by either party as to any actions proposed or the manner in which the terms of this Supplemental MOA are implemented, the parties shall

meet to discuss. If the City determines that such objection cannot be resolved, the City will:

A. Forward all documentation relevant to the dispute, including the City's proposed resolution, to the ACHP. The ACHP shall provide the City with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the City shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The City will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the City may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the City shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatories, the Invited Signatories and Consulting Parties to the MOA, and provide them and the ACHP with a copy of such written response.

C. The City's responsibility to carry out all other actions subject to the terms of this Supplemental MOA that are not the subject of the dispute remain unchanged.

D. At any time during implementation of the measures stipulated in this Supplemental MOA, should any objection pertaining to any such measure or its manner of implementation be raised by a member of the public or the Consulting Parties, the City shall notify the SHPO and take the objection into account, consulting with the objector and, should the objector so request, with the SHPO to resolve the objection.

VIII. AMENDMENTS

This Supplemental MOA may be amended when such an amendment is agreed to in writing by all Signatories.

IX. TERMINATION

If any party to this Supplemental MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other party to attempt to develop an amendment per Section VIII, above. If within thirty (30) days (or another time period agreed to by the parties) an amendment cannot be reached, either party may terminate this Supplemental MOA upon written notification to the other.

X. ADDITIONAL PROVISIONS

A. Severability

The provisions of this Supplemental MOA shall be severable. If any phrase, clause, sentence or provision of this Supplemental MOA is declared to be contrary to the Constitution of Pennsylvania or of the United States or of the laws of the Commonwealth the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Supplemental MOA and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby.

B. Assignment

The responsibilities included in this Supplemental MOA may not be assigned by any party to this Supplemental MOA either in whole or in part, without the written consent of the parties.

C. Notices

The contact person for each of the parties to this Supplemental MOA shall be the following:

1. For SHPO: Andrea MacDonald, Director and Deputy SHPO, Pennsylvania State Historic Preservation Office, 400 North Street, 2nd Floor, Harrisburg, PA 17120, Telephone Number: (717) 787-4215

Email: amacdonald@pa.gov

2. For City of Pittsburgh: Director, Department of Public Works, 3rd Floor, City-County building, 414 Grant Street, Pittsburgh, PA 15219. Telephone Number: (412) 255-2726

Email: chris.hornstein@pittsburghpa.gov

With a copy to: Department of City Planning, ATTN: Historic Preservation Officer, 200 Ross Street, Pittsburgh, PA 15219. Telephone Number: (412) 255-2243

Email: sarah.quinn@pittsburghpa.gov

Any party may change its designated contact person by providing written notice to the other party.

D. Authorizing Legislation; Home Rule Charter Liability.

The City of Pittsburgh is authorized to enter into this Supplemental MOA pursuant to Resolution No, 400 of 2020, effective July 31, 2020. This Supplemental MOA is subject to the limitations of the Home Rule Charter of the City of Pittsburgh, and any monetary liability of the City must be appropriated as set forth in Section E. herein.

E. Costs

No City funding has been pre-authorized for the City's obligations set forth in the Stipulations and otherwise herein this Supplemental MOA. The parties recognize that all City funding obligations are subject to legislative authorization required by applicable law. As Stipulations requirements become applicable, the City will include the projected costs of its responsibilities in carrying out the Stipulations in the relevant annual capital budget requests during the term of this Supplemental MOA. If Pittsburgh City Council does not appropriate sufficient funding, the City will contact the SHPO, and they will confer to discuss how to address any predicted shortfalls, including other funding sources.

F. No Third-Party Beneficiaries

Other than rights provided by applicable law, this Supplemental MOA is not intended, nor should it be interpreted, to create or extend any legal rights of enforcement to any person or entity not a party to this Supplemental MOA.

G. Counterparts


This Supplemental MOA may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.


[SIGNATURES CONTINUE ONTO NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed this Supplemental MOA as of the date of year first written above. By signing, all parties agree to uphold all of the terms herein.

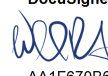
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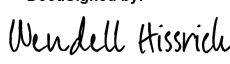
STATE HISTORIC PRESERVATION OFFICE


By:  _____
Gerard Leone,
Assistant Counsel
PHMC

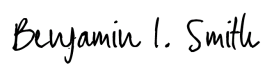
By:  _____
Title: Deputy State Historic Preservation Officer

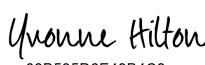
CITY OF PITTSBURGH


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By: AA1F670B64C14E...
Mayor

DocuSigned by:
 _____
By: F38E6C19C76A43E...
Director, Department of Public Safety

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 _____
By: 342C4A004D174BB...
Director, Department of Public Works

EXAMINED BY:  _____
D42F79E720B54AF...
Assistant City Solicitor

APPROVED AS TO FORM:  _____
03B535D6E49B4C8...
City Solicitor

COUNTERSIGNED BY:  _____
5E84DB883908466...
City Controller