

**Testimony by the Young Preservationists Association of Pittsburgh  
To the Historic Review Commission of Pittsburgh  
In support of the historic nomination of the former Nabisco plant  
August 4, 2004**

The Young Preservationists Association of Pittsburgh has pursued this nomination with the best intentions. The YPA met with RIDC over lunch on Monday, July 19, 2004, to explain our motives and negotiate a win-win solution for all involved. HRC staff member Angelique Bamberg was present to provide background on the historic designation process and answer questions. In addition, several other members of the East End community were present. The YPA will soon present a proposal to RIDC that we believe will be mutually beneficial for us, for RIDC, and for the community.

We want to reiterate that we stand ready and willing to work with RIDC in a collaborative effort to ensure that the best interests of the community and the property are pursued.

We never intended this nomination to hold up development, and we continue to believe that it will not. If historic buildings in other cities, including our own, can be successfully restored and reused, then so can Nabisco. We know that historic preservation works as a strategy for community revitalization; we just need to give it a chance.

To look at photos of East Liberty in the 1940s and compare it to today is to witness a neighborhood that is a mere shadow of its former self. The life that is returning to East Liberty is being built on the reuse of existing structures. This should be continued.

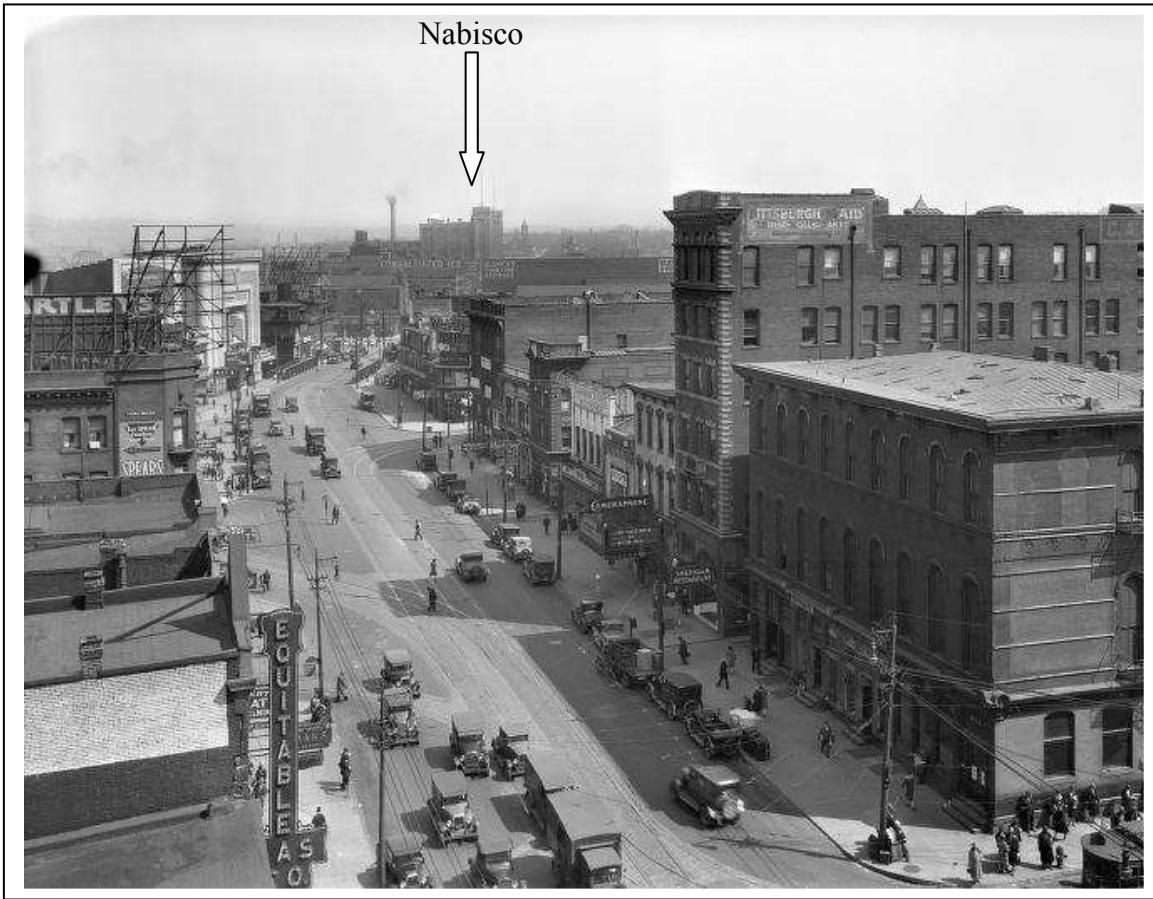
We would like to make four points about this nomination.

**First, support for this historic nomination has been strong and widespread.**

Letters from throughout the Pittsburgh region have been received by the HRC. It has received the support of Pittsburgh History & Landmarks Foundation, Preservation Pennsylvania, and East Liberty Development, Inc.

**Second, the historic and architectural qualities of the former Nabisco plant are outstanding.**

Designed in 1918 by the architects Albert G. Zimmermann, Roy L. Hoffman and Kenneth R. Crumpton, all of whom had nationally-acclaimed architectural practices, the building uses contrasting brick and terra cotta ornament to evoke a classical theme. Nabisco was the first nation-wide cracker maker and revolutionized the manufacture and distribution of crackers and cookies after 1898. At a half-million square feet, the Pittsburgh Nabisco plant was one of the largest in the United States and sits at the crux of six city neighborhoods. As these photos show, the former Nabisco plant has had a prominent place in the East End for more than 80 years.



University of Pittsburgh, Pittsburgh City Photographer, Archives Service Center.  
Used with permission.

Penn Avenue in East Liberty, 1928, with the Nabisco Plant towering in the background.



Historical Society of Western Pennsylvania Used with permission.

Nabisco Plant from the corner of Penn Avenue and East Liberty Boulevard, c. 1950s.

### **Third, this historic nomination in no way will hold up development.**

Recent statements by RIDC have suggested that somehow the historic designation process will slow or halt development. For instance, on KDKA-TV on Monday, August 2, reporter Ken Rice indicated that the nomination passed the first HRC hearing unanimously but that the property owner is opposing the nomination because it will prevent it from reopening the plant. This is not accurate.

To prove our point, we provide some hard data on how easy it is to comply with the City's historic preservation code.

### **Implications of Historic Designation**

There is nothing in the historic preservation code that would prevent an owner from making changes to, developing, or re-opening the plant. The historic preservation code simply allows for a review process into exterior changes to the property. Most requests can be approved at the HRC staff level.

Compliance with Pittsburgh's preservation ordinance has been easy on property owners. Property owners are welcome to make changes, additions, or modifications to their properties in order to maintain their homes. Nothing is "frozen" even after the property becomes a historic district. Historic designation does not require property owners to do anything to their properties, and the City of Pittsburgh historic district guidelines are not severe. They merely allow public input into major alternations of the property, such as demolitions and new construction.

Minor changes to a property owner's exterior can be made with the approval of the Historic Review Commission's staff over the phone. The process can take as little as a few days. The HRC staff will issue a "certificate of appropriateness" and the property owner can proceed. Major exterior changes, such as demolitions or new construction, will have to be reviewed by the full Historic Review Commission during a public hearing.

The data on the next page support this case.

## **The Historic Preservation Code: Easy on Property Owners & A Green Light for Development<sup>1</sup>**

As of December 2003, there were eleven City Designated Historic Districts (with approximately 4,100 buildings), one Historic Site, and sixty-eight Historic Structures under the jurisdiction of the Historic Review Commission, which ensures that any proposed exterior work conforms to written guidelines designed to retain the character of individual buildings and neighborhoods.

### **1. Most applications for work in historic districts get approved.**

- There were 150 total Certificates of Appropriateness issued by the HRC, the highest number since 1996.
- Only two certificates were denied, the lowest number since 1994, when the HRC started collecting statistics.
- There were 7 demolitions approved in 2003 and only one demolition was denied.

### **2. Most applications are approved by the HRC staff.**

- There were 108 administrative approvals in 2003—in other words, 72% of all HRC applications are approved at the staff level.
- An additional 42 approvals were made by the Commission in 2003.

### **3. Most applications are approved on the same day or within two business days.**

- In 2003, 96 approvals (64%) were issued on the same day as the application for work.
- There were 100 applications issued within two business days (73%).

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<sup>1</sup> Information compiled from *City of Pittsburgh Historic Review Commission 2003 Annual Report*.

## **Fourth, historic preservation is good economics and good for the community.**

### **Economic Benefits**

Historic properties in Pittsburgh and across the country have helped enhance and preserve the economic value of properties and their surrounding neighborhoods. Key examples include the East Carson Street, Manchester, Mexican War Streets, Murray Hill Avenue, and Schenley Farms historic districts. Economically and socially, these neighborhoods are stronger because of the historic district designation.

That historic areas are the most desirable places to live and work should come as no surprise to anyone. Numerous studies have confirmed the economic benefits of historic preservation.<sup>2</sup> For instance, a study conducted in Philadelphia<sup>3</sup> showed that:

- In the last 20 years over \$1.5 Billion has been invested in historic commercial properties;
- That investment has created over 55,000 jobs and generated over \$1.3 Billion in household income for Philadelphia;
- Developers are today again recognizing the investment value of Philadelphia's historic buildings;
- The population loss in historic neighborhoods is far less than in the city as a whole; and
- Historic preservation is being used as a strategy not just to save old buildings but to save whole neighborhoods.

A Brookings Institution study of Pennsylvania suggests that a key strategy to attract and retain young people is by preserving our cultural and historic assets. The report notes that:

In 1999, Campos Market Research in Pittsburgh conducted a series of focus group sessions that probed the problem. These sessions solicited the views of young knowledge workers who were either in the process of making or had already made their decisions about where to live, and yielded several findings. The study revealed, that while nearly all participants liked Pittsburgh, many felt “disconnected” from the area, and lamented a lack of particular cultural, natural, and recreational attributes that would encourage them to stay.<sup>4</sup>

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<sup>2</sup> Economic impact studies have been compiled for several states. More information is available on the Advisory Council on Historic Preservation’s website, <http://www.achp.gov/economic-statewide.html>.

<sup>3</sup> “The Economic Benefits of Preserving Philadelphia’s Past,” A study conducted by The Preservation Alliance for Greater Philadelphia, by Donovan D. Rypkema and Katherine M. Wiehagen, 1998.

<sup>4</sup> *Back to Prosperity: A Competitive Agenda for Renewing Pennsylvania*, Brookings Institution, Brookings Institution, 2003, p. 58.

## **Preservation is Consistent with Neighborhood Plans**

Preservation of the former Nabisco plant is consistent with existing neighborhood plans. East Liberty has an elaborate and detailed community plan entitled, “A Vision for East Liberty,” prepared by East Liberty Development, Inc. in 1999, with substantial input from community stakeholders. Central to the Vision is the concept of protecting and building on existing assets—“businesses, neighborhoods, parks, cultural institutions, etc.—that East Liberty already has...”

The restoration and reuse of the former Nabisco plant—an existing asset—is an extension of ELDI’s long-term framework for revitalization. One of the “critical concerns” identified in the Vision document is that “‘sub-urban renewal’ destroyed much of East Liberty’s physical and social structure.” As a result, ELDI has pursued a new vision for the community that plans and implements “new commercial development that strengthens rather than competes with the historic business district.”

The YPA would like to assist ELDI and surrounding communities to envision a new future for the former Nabisco plant through restoration and reuse, rather than repeat mistakes of the past.

## **The Legal Precedent for Preservation**

Historic Landmarking has been upheld by the courts twice. First, the Penn Central Transportation Co. vs. New York City case (438 U.S. 104 (1978)) determined that where the U.S. Supreme Court determines that (1) preservation laws substantially advance legitimate state interests because historic preservation advances the quality of life of urban neighborhoods, and (2) the NY preservation law as applied to Grand Central Station did not violate the “economic” component of the “Takings Clause” of the Constitution.

Second, more recently, in the United Artists vs. City of Philadelphia case (535 Pa. 370, 635 A.2d 612 (1993)), the Pennsylvania Supreme Court holds (on the second time around) that its prior decision that designation of a building as historic constituted an unconstitutional taking of private property was WITHOUT PRECEDENT in any state court and was in direct opposition to the Penn Central decision, thus upholding the Supreme Court’s Penn Central decision.

We are proud of the Pittsburgh region’s history. Our history gives us character, identity, and shapes who we are—and suggests who we are to become. The region’s historic assets were left for us so we can take care of them for the next generation. What will our kids say about the actions we take today? Well, the next generation is upon us and we have to decide how to avoid the costly mistakes of the past. Let us choose wisely. Let us choose historic preservation and support the historic designation of the former Nabisco plant.