

Procedures and Standards for Leasing and
Adaptively Reusing Historic Properties in
Fairmount Park



2009

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Mission Statement

The mission of the Fairmount Park Historic Preservation Trust, a nonprofit organization, is to provide leadership, technical assistance, and advocacy to preserve, develop, and manage historic properties and other cultural resources in Philadelphia's Fairmount Park.

Introduction

Fairmount Park

Fairmount Park is one of the largest urban park systems in the world. Established by City Ordinance in 1855, it has grown to nearly nine thousand acres and encompasses more than ten percent of the land area of the City of Philadelphia. With the four thousand acres of East and West Parks at its center, the system includes 61 individual parks that reach into every neighborhood of the City, incorporating the full diversity that is the Philadelphia community. The Park is great not only in size but also in the rich variety of its scattered resources, which give form and structure to the city as gateways, landmarks, and edges to the urban fabric. Fairmount Park preserves significant portions of the City's wooded stream valleys, and provides numerous small parks and playing fields for public use and enjoyment. Over six million residents of the greater Philadelphia region, as well as hundreds of thousands of tourists each year, benefit from its bounties.

Fairmount Park Historic Preservation Trust, Inc.

The Fairmount Park Historic Preservation Trust, Inc. (the Trust) was created to address the critical state of significant historic properties owned by the City of Philadelphia in Fairmount Park. As a collection, these historic structures provide a unique representation of regional and national history. The Trust was chartered in 1992 and authorized in June of 1993 by City Ordinance to undertake the development and the management of these historic resources in Fairmount Park. A non-profit corporation, the Trust is designated to function in lieu of the Fairmount Park Commission on matters regarding the restoration, rehabilitation, and management of the historic Park properties. Designations of properties to be managed by the Trust are stipulated in two master leases, one between the City of Philadelphia, acting through the Fairmount Park Commission and the Philadelphia Authority for Industrial Development (PAID), and a second between PAID and the Trust.

Leasing a Fairmount Park Property

Several of the Fairmount Park historic properties which are not presently under lease by the Fairmount Park Commission or the Trust are available for long-term lease and adaptive reuse by a qualifying non-profit or for-profit entity. Proposed uses must minimize conflict between the use of the property and visitor use of Fairmount Park, be non-polluting and visually unobtrusive, and be compatible with the Park's cultural landscape setting and the current use of adjacent Park properties. The rehabilitation and operation of the property must comply with all applicable laws. The developer must obtain all necessary permits, approvals, and variances, including but not limited to those that govern zoning and use. All applicable taxes, including real estate taxes, or payments in lieu thereof, are the responsibility of the developer. The Lessor assumes total liability and responsibility for the property, its restoration, preservation, maintenance, and operation.

The Process to Lease a Historic Park Property

In this description, the person or entity wishing to lease the property is referred to as the “developer” and the Fairmount Park Historic Preservation Trust as the “Trust.”

Preliminary Meeting with the Trust and Developer

The developer should contact the Executive Director or the Property Manager of the Trust to arrange a site visit to the property and to briefly describe the concept for its proposed use.¹

Expression of Interest to Lease

After the site visit, the developer submits to the Trust a complete “Expression of Interest to Lease” package (Appendix A) describing the proposed program for the building and the developer’s organization, experience, and financial capability. The Expression of Interest to Lease is reviewed by staff, the Trust’s Property Committee, the Trust’s Board, and the Fairmount Park Commission. The developer may be invited to make a formal presentation to any or all of these committees. The Expression will be evaluated for a) the capacity of the developer to undertake the project, b) appropriateness of the proposed use to the building, c) appropriateness of the proposed use to the park, and d) financial return to the Trust. At this stage the developer is asked to present only the concepts of the project, not to submit architectural or engineering work.

Deposit

A payment of \$1,500– \$3,000 per building, depending on the project requirements for a proposed lease is due to the Trust upon submission of the Expression of Interest to Lease. This deposit is refundable only if the developer abandons the project within 90 days of the date of submission of the Expression of Interest to Lease or if the Fairmount Park Commission or its successor agency does not approve the development proposal.

Property Designation

If the Property Committee recommends the project as appropriate and feasible to the Board of Directors, the Board may or may not request a formal presentation by, or require additional information from, the developer. If the Board approves the developer’s concept, the Board will vote to “Designate” the property from the Fairmount Park Commission or its successor agency. To “Designate” the property is to request the approval of the Commission to lease the property to the Trust for sub-leasing to the developer for the purpose approved by the Trust.

Designation Period

If the Fairmount Park Commission approves the Designation of the property, the developer will be given a reasonable period of time (called the “Designation Period”), but not more than one year, to complete the work necessary to enter into a sub-lease for the property with the Trust. During this time the property is reserved exclusively for the developer, and the Trust will not entertain alternative proposals from others. If,

¹ A list of potential properties for redevelopment is available upon request.

despite his or her demonstrated best efforts, the developer is unable to enter into sub-lease within the Designation Period, the Trust may, at its sole discretion, extend the Designation Period on a month-to-month basis. The Trust may assess the developer a monthly charge for such extensions, such charges to be credited towards rent charged to the developer under the provisions of the sub-lease.

Signing a Long-Term Lease

The Trust and the developer enter into a sub-lease for the property. The form and content of the sub-lease are set by the provisions of a Master Lease between the City of Philadelphia and the Philadelphia Authority for Industrial Development (PAID), and a master sub-lease between PAID and the Trust. Very little beyond the duration of the lease, the use(s) of the property, and the rent is subject to negotiation.

Rent

The Trust and the developer will negotiate rent for each leased building. This rent will reflect a fair market value for the building but will take into consideration the capital improvements made to the building by the developer.

Additional Approvals by the Trust

Before the developer of a property may undertake any work involving the repair, restoration, or similar alteration, certain approvals must be given by the Trust. These approvals are in addition to, and in advance of, any approvals and permits required by governmental authorities exercising jurisdiction over the work. Any work to the exterior or interior fabric of the building, including its finishes, is subject to review and approval by the Trust's Architecture and Design Review Committee.

Any work to the grounds of the demised property, including natural and man-made features, site infrastructure, and plant materials is subject to review and approval by the Trust's Landscape Committee.

For review and approval of any potential projects, the developer must submit information regarding the project to the Trust for inclusion on the agenda of the Property Committee.

Guidelines for the Repair of Fairmount Park Properties

Introduction

The houses and historic landscapes of Fairmount Park vary greatly from one another in design and building materials. They are, however, all historic resources and their repair must be guided by the principles of historic preservation. The following design guidelines are adapted from the Secretary of Interior's Standards for the Treatment of Historic Properties, 1995 as interpreted by the Philadelphia Historical Commission, the Fairmount Park Historic Preservation Trust, and the Fairmount Park Commission. The guidelines should not be considered comprehensive, but rather helpful in providing the design professional with a base from which to work. All work on Fairmount Park properties under lease by the Trust must be authorized by the Fairmount Park Historic Preservation Trust and all other necessary agencies prior to commencement.

Outline of Standards of Treatment

As adapted from the Secretary of Interior's Standards

According to the Secretary of Interior's Standards for the Treatment of Historic Properties, there are four levels of treatments for historic buildings: preservation, rehabilitation, restoration, and reconstruction.

I. Preservation is the treatment of least intervention. It is simply the repair of the existing material, including corrective measures against sources of deterioration. This type of treatment is appropriate when no extensive changes to the building are required to fit the lessee's needs.

II. Rehabilitation is the repair of existing material and the addition of new fabric to suit the lessee's needs. New fabric must be justified and sensitively designed not to detract from the original.

III. Restoration is the process of returning the building to a specific period in its history. This level of treatment not only requires extensive knowledge of the history of the building, but also extensive justification, because it requires the demolition of subsequent materials.

IV. Reconstruction is the rebuilding of a structure or portion of building previously demolished. Like restoration, this treatment also requires valid rationale as it, too, places a building in a specific point in time and requires the demolition of extant materials from later periods.

Standards for Rehabilitation

As adapted from the Secretary of Interior's Standards

I. Preserve Historic Character The underlying goal of this set of standards is to ensure that historic character of the property is retained and preserved. The property's reuse shall require minimal change to its distinctive materials, features, spaces, and spatial relationships. Buildings, for which a treatment and use have not been

identified, such as outbuildings on the property, shall be protected and, if necessary, stabilized until additional work may be undertaken.

II. Changes May have Acquired Significance Each property shall be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features shall be physically and visually compatible, identifiable upon close inspection, and properly documented. Changes to the property that have acquired historic significance in their own right shall be retained and preserved. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, shall not be undertaken.

III. Repair Rather than Replace Deteriorated historic features shall be repaired rather than replaced. Where severity of deterioration requires repair or limited replacement of a distinctive feature, the new feature shall match the old in design, color, texture and, wherever possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence. For future documentary evidence each feature which has undergone treatment shall be noted on the "as-built" drawings.

IV. Use Gentlest Means Possible Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. No harsh abrasive treatments will be acceptable. Pressure washing with water will only be allowable at a low water pressure. Experimental treatments will not be acceptable. Treatments that cause damage to historic materials shall not be used.

V. Protect and Preserve Archeology Archeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

VI. New Additions must be Compatible and Reversible New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with historic materials, features, size, scale, proportion, and massing to protect the integrity of the property and its environment.

New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Repair of Fairmount Park Properties

Reversibility

The overriding principle directing the treatment of historic buildings is that of reversibility. A reversible treatment is one that can be removed or undone in the future, returning the property to its previous condition without causing any additional

damage. If future technology creates better solutions, or discovers current solutions to be harmful, reversibility allows a second chance. This is not to say that the retention of rotting wooden elements is an acceptable solution, but rather that sensitive, reversible repair of those elements is preferable to replacement.

Minimum Intervention

Through the principle of reversibility, treatments are guided to be the least invasive ones possible. In the realm of historic preservation less is generally considered more, reducing the likelihood of losing historic fabric. The lessee should develop a repair campaign based on the minimum intervention required to sustain his or her needs without altering the historic character of the resource. The lessee should be prepared to define the level of proposed intervention to the Fairmount Park Commission and the Fairmount Park Historic Preservation Trust. The treatment philosophies will be evaluated on a project-by-project basis. Each intervention must be reversible. In all levels of treatment, extant historic material shall be preserved whenever possible.

Repair techniques should be of common preservation practice, and intervention should be as minimal as possible. Dutchman or epoxy repairs for deteriorating wood elements should be considered before replacement. Composite repairs or Dutchman repairs for masonry elements should be considered before replacement.

Buildings Evolve Over Time

No design will be accepted which proposes unnecessary or careless changes to the building fabric or site. Buildings evolve over time, and each layer of building fabric may be important in its own right. Only material that may be damaging to the overall building fabric, such as inappropriately hard mortar, will be removable without question. Where deemed necessary, interventions adding a layer of fabric with minimal damage to the original fabric will be accepted. Any new layer of material should be removable with limited damage to the original fabric.

Pre-Qualification of Contractor

All contractors involved in the preservation of the historic properties in Fairmount Park must be pre-qualified by the Fairmount Park Historic Preservation Trust.

The architect, the preservation consultant, and all contractors who bid on the project, including subcontractors, must be approved to work on historic properties through the pre-qualification process of the Fairmount Park Commission. This process helps assure the Fairmount Park Commission quality workmanship on these valuable properties.

Right of First Refusal

To insure that all preservation work done on the property meets the highest preservation standards, the Trust reserves the “right of first refusal” to match the lowest bid on any building restoration project.

Documentation before Design

Prior to the repair campaign of an historic property, the history of the property must be understood. Depending upon the historical significance of the property and the expected level of intervention, a developer may be required by the Trust to hire a preservation consultant to complete a Historic Structures Report, a Conditions Assessment Report, or a Historic Landscape Inventory Report.

I. Historic Structures Report is a comprehensive report providing a detailed history of the structure, the current conditions, and treatment recommendations. The consultant will research the documentary, photographic, illustrative, and physical evidence. This report will include copies of historic documentation such as deeds and wills, historic drawings, historic photographs and measured drawings. Copies of any evidence of this type will be provided to the Fairmount Park Commission Archives. Results of paint analysis, mortar analysis, and any archeological research deemed necessary will be presented in this report. This type of report is required if extensive changes are proposed, as it will provide historic documentation to support these changes.

II. Conditions Assessment Report provides a summary of the history of the building, the current conditions, and treatment recommendations. The consultant will concentrate on the photographic and physical evidence rather than extensive historical research. Copies of any historical evidence will be provided to the Fairmount Park Commission Archives. The current conditions and treatment recommendations are the primary focus of a Conditions Assessment Report. Results of paint analysis, mortar analysis, and any archeological research deemed necessary will be presented in this report. A Conditions Assessment Report will be satisfactory if extensive changes are not proposed.

III. Historic Landscape Inventory is a three level process that provides important information about how people have shaped the natural environment for both subsistence and pleasure. Level 1 identifies and describes the cultural landscape and the regional context of the site, as well as providing basic historic information. Level 2 provides a thorough analysis and documentation of the character-defining features of an historic landscape as a component of a larger cultural landscape. Level 3 is a detailed documentation of individual plant species in the landscape, including management information.

Appendix A: Expression of Interest to Lease

Expressions of Interest shall be prepared in the sections described below and appended to a Cover Sheet in Attachment A. Proposals shall set forth complete and accurate information. An original and three copies of the proposal are required. Depending upon the nature of the proposal, certain of these requirements may not apply. If this is the case, simply note N/A (not applicable) in response to that information. If you have any questions regarding the form, please call us.

The submissions will consist of seven (7) sections, as specified below:

A. Cover Sheet

The Cover Sheet (printed at the end of this Appendix) must be reviewed, completed, and executed for the Expression of Interest to Lease a Fairmount Park property through the Fairmount Park Historic Preservation Trust, Inc. The remaining information described below is to be appended to the Cover Sheet. All such information shall be typed, double-spaced, on 8 1/2" x 11" white paper.

B. Program Proposal

In narrative format, the program proposal must specify the uses for the property, an estimation of the amount of real property to be included in the lease, and parking requirements. In addition, the proposal shall describe the concept for the rehabilitation and adaptive reuse of each structure, estimated duration for all construction work, and an estimation of construction costs. Detailed plans and specifications are not required at this time. The proposal should explain how intended uses of the property would be compatible with public visitation and use of Fairmount Park, and emphasize the benefits to be derived by the Fairmount Park Commission and the City of Philadelphia from the developer's rehabilitation and use of the property.

C. Organization

A general statement describing the organizational structure of the developer should be provided. Joint ventures by developers with different specialties will be permitted. The proposal shall state the relationships between the developer and any parent companies, subsidiaries, partners or others that might participate in the Project. This section of the proposal should include the following information:

1. The developer's firm name, address, telephone number, and representative authorized to respond to questions and negotiate on its behalf.
2. A description of the developer's form of business organization, e.g., for-profit or non-profit corporation, partnership, sole proprietorship.

3. A statement identifying the individuals or other entities that will have any ownership or equity interest in the leasing, construction, or operation of the Property. The nature and extent of such interest should be identified.
4. If appropriate, a description of the developer's financial resources for prior transactions (concluded within most recent ten years) indicating amounts and sources of debt and equity in each case.
5. A statement describing the technical and/or managerial staff which the developer will use to carry out the work in connection with the Property.
6. A statement of the names of the architect or architectural firm or firms which will be retained by the developer to design and inspect the construction to the Property, if known at this time.

D. Experience

This section of the proposal shall include a summary of the developer's previous experience in development projects, with emphasis on the following:

1. The rehabilitation of historically certified buildings. The submission should include photographs, brochures, and/or published material illustrating the buildings previously developed under the direct supervision of the person or persons in the proposed development team and any other qualifications of the developer which should be considered in implementing the Project.
2. In the event that the developer's experience has focused on one type of development (i.e. museum, hotel, office or retail) or one phase of development (i.e. construction, operations or management), the submission should include an explanation of how the balance of the necessary development or management expertise will be obtained and integrated into the development team.

E. Financial Capacity

The developer shall provide information regarding financial responsibility and shall indicate its financial resources available to fulfill all obligations related to current proposed renovations and future preservation and maintenance of the property. This section of the proposal shall include a statement of any financial relationships between the developer and any other party who may participate in the project.

1. The developer shall submit financial statements for all entities included as financial resources for the Property. Such statements shall be prepared within the last 12 months in accordance with generally accepted accounting standards.

F. Other Current Projects of Developer

The submission shall include a description of all other projects in which the developer is participating, with the estimated dates for completion of each such project. The submission should describe the nature and extent of the developer's participation.

G. Minority, Female and Disabled Involvement

The developer shall include a statement indicating the developer's commitment to extend equitable opportunities for participation by minorities, females, and the disabled. For purposes of this section, definitions are provided in Section 17-500 of the Philadelphia Code.

H. Rent

The rental fee will be based on the market rate for a similar building but will also reflect the capitol improvements made to the building by the developer.

Expression of Interest to Lease

Expression of Interest to Lease Historic Properties,
Fairmount Park Historic Preservation Trust, Inc.,
Fairmount Park
Philadelphia, Pennsylvania

I/We desire the Trust to review and evaluate the attached Expression of Interest to Lease a Fairmount Park property. In consideration of such review and evaluation, I/we make the following statements and commitments:

I understand that any or all proposals may be rejected, and additional proposals may be solicited all at the discretion of the Trust. I agree that such actions shall be without liability to the City of Philadelphia, the Philadelphia Authority for Industrial Development, the Fairmount Park Commission, and the Fairmount Park Historic Preservation Trust, and I release these entities from any claim which I may have for damages. I understand that I shall bear all costs of preparation for my submissions.

I/We attach as the Expression of Interest to Lease the following:

- A. Cover Sheet: This sheet fully completed and executed.
- B. Program Proposal: _____ pages
- C. Organization Description: _____ pages
- D. Experience Summary: _____ pages
- E. Financial Capacity Statement: _____ pages

- F. Description of Other Projects: _____ pages
- G. Minority, Female and
Disabled Involvement Statement: _____ pages
- H. Deposit _____ check enclosed

Name of Developer: _____

Authorized Signature(s): _____

Date: _____
(Please type or print name)
