

ACTIVITIES OF THE PHILADELPHIA HISTORICAL COMMISSION STAFF JUNE 2021

COVID-19 PANDEMIC SHUTDOWN

The City of Philadelphia closed all non-essential City offices to the public on 17 March 2020 and to all City staff on 18 March 2020, owing to the COVID-19 Pandemic. The Historical Commission as well as all Department of Planning & Development staff were deemed non-essential and assigned to work remotely from home. The Historical Commission's staff has been working from home since the middle of March 2020. City offices will begin to reopen as of 6 July 2021, but the Department of Planning and Development staff is unlikely to return to the office in large numbers until 7 September 2021. All public meetings are being held remotely. Remote meetings are projected to continue at least through December 2021.

DESIGN REVIEW

Design review continues to be the staff's primary task, with all staff members collaborating on the processing of building permit applications. According to eCLIPSE, 176 permit applications were approved for historically designated properties during the month of June 2021, which may be an all-time record for one month. An additional 45 detail reviews were conducted outside of eCLIPSE.

DESIGNATION

Designation tasks occupy much of the staff's time. Nearly all staff time not devoted to design review is dedicated to designation-related tasks.

The Committee on Historic Designation met on 2 June 2021 and reviewed seven individual nominations, one boundary amendment request, and the district nominations, Automobile Row, Central Mt. Airy, and Carnegie Libraries.

At its June 2021 meeting, the Historical Commission designated one property individually, 404 Fountain Street in Roxborough.

The Historical Commission's staff held informational meetings for property owners in the proposed French Village Historic District on 14 June 2021 and in the proposed 3611-31 Spring Garden Street Historic District on 16 June 2021.

Ms. Mehley finalized the review of the nomination for the proposed Disston-Tacony Industrial Historic District and sent the first notice letters. An informational meeting for property owners will be held in late July and the nomination will be considered by the Committee on Historic Designation in August and the Historical Commission in October.

The staff sent first notice letters for the individual nominations on the Committee on Historic Designation's July 2021 meeting. The agenda includes 14 individual nominations and one historic district nomination, the proposed 3611-31 Spring Garden Street Historic District.

The staff continued the reviews of the following nominations during June 2021:

- 5001 Baltimore Avenue, for 12 months to an as-of-yet unscheduled meeting of the Committee on Historic Designation in 2022.
- 8835 Germantown Avenue, for six months to an as-of-yet unscheduled meeting of the Committee on Historic Designation in 2022.
- 318 E. Durham Street, for one month to the July 2021 meeting of the Committee on Historic Designation.
- 1206 Chestnut Street, for one month to the July 2021 meeting of the Committee on Historic Designation.
- 1826 Chestnut Street, for two months to the August 2021 meeting of the Committee on Historic Designation.

FINANCIAL HARDSHIP

The Historical Commission has no pending financial hardship applications.

SURVEY

The initial project to install, configure, and test Arches for use as the survey data management platform was completed in 2020. Philadelphia's installation of Arches has been named PlatForm for the first map of the City of Philadelphia, which William Penn called a "Plat-Form." Arches is an open source, web- and geospatially based, customizable information system that was purpose-built by the Getty Conservation Institute and World Monuments Fund to inventory and manage immovable cultural heritage. Arches is the inventory and data management platform for the City's comprehensive, citywide survey of historic resources. The consultant, Farallon Geographics of San Francisco, worked with the staff to design, customize, configure, and install Philadelphia's installation of Arches and continues to work with the staff on maintenance and upgrades. The Historical Commission recently received a \$25,000 CLG grant from the State Historic Preservation Office to fund enhancements to Arches. The grant will fund upgrading Philadelphia's installation of Arches from Version 4 to Version 5; enhancements to the data collection capabilities, especially for nominators; the creation of additional resource models, customized structures that hold specific types of data; and preparing the system to be used by the general public. While waiting for the grant funding to begin to flow, Mr. Farnham is meeting bi-weekly with the Arches consultants at Farallon Geographics to plan for the upgrades to the Arches installation.

The Department of Planning & Development received a grant of \$250,000 from the William Penn Foundation to develop and pilot a historic resource survey program. Martha Cross, the deputy director of the Division of Planning & Zoning, is leading the work. Megan Schmitt and Shannon Garrison of the Historical Commission's staff are assisting her. The survey pilot project will explore ways to engage with populations and histories not currently reflected in the properties listed on the Philadelphia Register of Historic Places. Through the project, Department of Planning & Development seeks to expand the traditional understanding of preservation to include a wider range of tools and more comprehensive understanding of cultural heritage. The ultimate goal is to develop a process that engages the public, ties together work across City departments, and ultimately leads to strategic and equitable designations and documentation to protect both tangible and intangible resources. Achieving a significant milestone, the project recently released a Request for Qualifications (RFQ) to be part of the upcoming Cultural Resources Survey Team. The project staff received a significant number of responses to the RFQ and will be working with the Cultural Resources Advisory Team to review all of the submissions, with a plan to release a list of qualified candidates and RFP later this summer.

HISTORIC PRESERVATION INCENTIVES

Ms. Chantry prepared a zoning table exception letter, for 620 S. 8th Street, and submitted it to the Department of Licenses and Inspections on 4 June 2021.

APPEALS

The following permit decisions were or are under appeal at the Board of License & Inspection Review (BLIR):

- 231 Monroe Street
 - The property owner has appealed the Historical Commission's denial of a proposed roof deck at 231 Monroe Street to the Board of License and Inspection Review. The appeal hearing has not yet been scheduled.
- Christopher Columbus Statue
 - The Historical Commission approved the removal of the Christopher Columbus Statue from Marconi Plaza and its storage in a City warehouse, with conditions, on 24 July 2020. Attorney George Bochetto appealed the decision on behalf of a group of interested parties to the BLIR. The BLIR held hearings on 7 August and

29 September 2020. Attorneys Leonard Reuter and Maggy White represented the Historical Commission. Mr. Farnham testified for several hours. On 29 September 2020, the BLIR upheld the Historical Commission's decision. The appellants have appealed to the Court of Common Pleas. The matter remains open.

- 2141 St. James Street
 - The owner of the property at 2141 St. James Street obtained the Historical Commission's approval for a minor alteration along the 22nd and Chancellor Street facades, but then undertook a different project that included demolishing a wall along 22nd Street to create parking. The Department of Licenses & Inspections issued violations (#675434 and #696985) on 5 March and 22 July 2019. The owner appealed the violations to the BLIR. A hearing was scheduled for 26 November 2019, but then continued to 25 February 2020. The BLIR hearing scheduled for 27 April 2021, but then continued the matter to a later date.
- 113-29 Berkley Street
 - In February 2021, the Historical Commission approved the demolition of the Moore Push Pin Building at 113-29 Berkley Street in the Wayne Junction Historic District, owing to financial hardship. Allison Weiss of So/Lo Germantown appealed the decision to the BLIR. The appeal hearing before the Board has not yet been scheduled.
- 5139 Wayne Avenue
 - A neighborhood group and near neighbors retained attorney Sam Stretton to file an emergency appeal of the demolition permit for the building at 5139 Wayne Avenue. The Historical Commission designated the property on 9 April 2021, but acknowledged at the time of designation that it had no jurisdiction over demolition and new construction permits that were in process. Mr. Stretton filed an emergency appeal to the Board of License and Inspection Review on 16 June 2021. The Board scheduled a hearing for 29 June 2021. Mr. Stretton asked the Board to stay the demolition. The Board denied the request for a stay on 22 June 2021. He then appealed the denial of the stay to the Court of Common Pleas. The Court scheduled an emergency hearing for 25 June 2021. The demolition proceeded because neither the Board nor Court had issued a temporary injunction. On 24 June 2021, the evening before the hearing, Mr. Stretton sent an email to the court indicating that matter was moot because much of the house had been demolished. On 25 June 2021, the Court of Common Pleas held a hearing on the matter. Mr. Stretton did not participate in the hearing. Attorney Hal Schirmer attempted to take over the case on behalf of the neighbors, but the judge decided that the case was moot; there was no emergency now that the house was partially demolished. The Board held its hearing on the appeal of the demolition permit on 29 June 2021. Mr. Stretton, who filed the appeal, did not appear, but Mr. Schirmer did. Mr. Schirmer acknowledged that the house was largely demolished, but asked the Board to review the circumstances of the designation and demolition. Attorney Sean Whalen for the property owner and Leonard Reuter for the City countered that appeal was moot because the house was largely demolished and that the Board's powers were limited such that it could not act as Mr. Schirmer had requested. After hearing from the three attorneys, the Board voted unanimously that the appeal was moot and closed the case.
- 339 N. 63rd Street
 - On 13 December 2019, the Historical Commission considered a nomination for 339 N. 63rd Street, Our Lady of the Holy Rosary Roman Catholic Church, and declined to designate the property. The Historical Commission decided that the public had a greater interest in the redevelopment of the site as a gymnasium for a charter school that serves neighborhood children of color than it did in the preservation of the former Catholic church building. On 16 June 2021, attorney

Hal Schirmer filed emergency appeals of the zoning and demolition permits for the church building to the Board of License and Inspection Review, claiming, among other things, that the Historical Commission's finding that the property satisfies some of the Criteria for Designation compels the Commission to protect the property even though it elected not to designate it. Leonard Reuter, the Historical Commission's attorney, asked the Board to decline to hear the appeals, arguing that an appeal of the demolition permit based on a decision not to designate in 2019 is untimely and that the Board has no jurisdiction over zoning permits, appeals for which are heard by the Zoning Board of Adjustment. Mr. Schirmer countered that the Historical Commission's denial of the designation in 2019 was a conditional denial, not a final determination. On 28 June 2021, the Board denied Mr. Schirmer's emergency appeal requests. The Board is likely to schedule the appeal of the demolition permit as a regular matter, not an emergency.

The following appeals to the Court of Common Pleas are in process:

- 2000 Spring Garden Street
 - A neighbor appealed the Historical Commission's approval of the demolition of a non-contributing, non-historic and the construction of a new multi-family residential building to the BLIR, which affirmed the Commission's approval. The neighbor has appealed that decision to the Court of Common Pleas.
- 3412 and 3414 Haverford Avenue
 - The Historical Commission designated 3412 and 3414 Haverford Avenue on 9 October 2020. The property owners have appealed the designations to the Court of Common Pleas. A scheduling order was issued and the Historical Commission provided its record to the court on 1 March 2021. On 7 May 2021, the Department of Licenses and Inspections informed the Historical Commission that the building had been declared Imminently Dangerous and would be demolished to abate the safety hazard. It is unknown whether the building has been demolished.
- 156 W. School House Lane
 - The Historical Commission designated 156 W. School House Lane on 12 March 2021. The property owner, the Pennsylvania School for the Deaf, has appealed the designation to the Court of Common Pleas. The Historical Commission's staff has assembled the record of the designation for submission to the Court. It was due on 5 July 2021, but the Court continued the case at the request of the appellant on 1 July 2021.

ENFORCEMENT

With the Law Department and Department of Licenses & Inspections, the staff is pursuing numerous enforcement cases for unpermitted work, non-compliant work, and failure to maintain in good repair.

UNSAFE AND IMMINENTLY DANGEROUS CASES

- 1600-06 E. Berks Street, St. Laurentius Church
 - The Historical Commission's staff continues to work with the property owner's consultants, the Law Department, and the Department of Licenses and Inspections as the property owner seeks to develop a plan to abate the dangerous conditions.
- 1512-14 N. Broad Street
 - As previously reported, the property at 1512 N. Broad Street is individually designated. It suffered a major fire on 29 March 2018 and was declared Imminently Dangerous on 3 April 2018. The Historical Commission reviewed and denied an application proposing to demolish the entirety of the building in May 2019. The Historical Commission approved an application to remove the damaged part of the building and stabilize and seal the rest in August 2019. The

work was never undertaken, presumably because the ownership of the building was in dispute. City enforcement efforts have been unsuccessful. On 23 April 2021, the Department of Licenses and Inspections informed the Historical Commission that it would undertake the demolition of the building because it posed a public safety hazard, especially owing to its proximity to Broad Street, Temple University, and facilities of the Broad Street Subway. Philadelphia Community Development Coalition, Inc. filed a conservatorship case. Leonard Reuter participated in the conservatorship hearing on 28 June 2021, at which time the court denied the conservatorship request. The Historical Commission has asked the Department to laser scan the building before it demolishes it.

SECTION 106

Ms. Garrison returned from maternity leave on 29 June 2021 and is again conducting federally-mandated Section 106 reviews for the DHCD undertakings assisted by HUD while she is out.

The Historical Commission is planning to assume all Section 106 reviews for the Philadelphia Housing Authority (PHA) as part of a larger Department of Planning & Development effort to assume all responsibility for PHA's federal environmental reviews.

STAFFING

The Historical Commission is budgeted for seven full-time staff members for Fiscal Year 2022, which starts 1 July 2021. While the position vacated by Randal Baron when he retired in May 2020 remains on the Historical Commission's roster, it is not currently funded and cannot be filled.

OTHER

Mr. Farnham participated in a panel discussion with Councilperson Mark Squilla and Paul Steinke of the Preservation Alliance, convened by the Washington Square West Civic Association on 1 June 2021, to discuss the establishment of a historic district in Washington Square West.

Mr. Reuter chaired and Mr. Farnham participated in a half-day presentation on historic preservation law for the Pennsylvania Bar Association on 10 June 2021. Attorney Peter Byrne, the Mayor's Agent for historic preservation in Washington DC, delivered the keynote address.

On 24 June 2021, Councilperson Mark Squilla introduced an amendment to the zoning code providing parking incentives for historic buildings to adjust the language to ensure that added square footage within the exterior envelope of a historic building, like a mezzanine floor in a church, was eligible for parking incentive. The bill will be considered until the fall 2021 Council session.

Ms. DiPasquale published a blog post on the City's website highlighting early protests for LGBTQ Civil Rights at Independence Hall and the importance of Barbara Gittings in that movement.