REOPENING THE OFFICE AFTER THE 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 assigned to work remotely from home. The Historical Commission’s staff has been working from home since the middle of March 2020. City offices began to reopen as of 6 July 2021, but the Department of Planning and Development staff decided not return to the office in large numbers until 7 September 2021. As of 7 September 2021, staff members will divide their work time between home and office. All in-person, in-office interactions with applicants and others will be on an appointment-only basis. The Historical Commission will use a software system that allows constituents to make appointments online. All public meetings are being held remotely 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. The permit reporting utility in eCLIPSE, the Department of Licenses and Inspections (L&I) online permitting system, is again not working, so the records for August 2021 will be incomplete until the utility is fixed, hopefully in September. The staff is working with L&I staff to address the problem. The Historical Commission’s records show that the staff of the Historical Commission approved 141 permit applications in eCLIPSE in August 2021. An additional 37 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 30 August 2021 and reviewed six individual nominations and one district nomination, the Disston-Tacony Historic District. The reviews of an additional seven individual nominations were continued to later meetings.

At its August 2021 meeting, the Historical Commission designated 11 properties individually: 3816 The Oak Road, Memorial Church of the Good Shepherd; 1523 Chestnut Street, Love Building; 8224 Germantown Avenue, Detweiler House; 5706 Germantown Avenue, John S. Trower Building; 1946 N. 23rd Street, Pearl Bailey House; 7600 Germantown Avenue, St. Martin’s Coal Company Office; 714 Chestnut Street, Henry A. Dreer Seed Company; 1923 Chestnut Street, J.E. Limeburner Co. Store; 6500-90 Old York Road, Carmelite Monastery; 1517 W. Girard Avenue, Pyramid Club; 340 Gates Street, Lamon House. It rejected one nomination, for 318 E. Durham Street. It considered the amendment of the boundary of one designation, 3615 Chestnut Street, but tabled the matter for one month. The Historical Commission designated one historic district, 3611-31 Spring Garden Street, at the meeting.

The staff sent first notice letters for three historic district nominations on the Committee on Historic Designation’s October 2021 meeting, the Conwell Block, Manhein Square, and Chestnut Street East Historic Districts. The Historical Commission’s staff scheduled an informational meeting for property owners in the proposed districts for 29 September 2021. Notice had already been sent and an informational meeting held for the French Village Historic District, which is also on the October agenda of the Committee on Historic Designation.

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

- 1206 Chestnut Street, because a consultant was unavailable for the August 2021 meeting of the Committee on Historic Designation, for two additional months to the October 2021 meeting of the Committee on Historic Designation.
1400,1406-18, 1420 S. 3rd Street, Sacred Heart of Jesus Church, to give the Archdiocese of Philadelphia time to consult with the parish, for three months to the 1 December 2021 meeting of the Committee on Historic Designation.

234 and 240 Hermitage Street, Church of the Holy Family, to give the Archdiocese of Philadelphia time to consult with the parish, for three months to the 1 December 2021 meeting of the Committee on Historic Designation.

2301-41 S. 3rd Street, Our Lady of Mount Carmel Church, to give the Archdiocese of Philadelphia time to consult with the parish, for three months to the 1 December 2021 meeting of the Committee on Historic Designation.

148-54 E. Mount Airy Avenue, Holy Cross Roman Catholic Church, to give the Archdiocese of Philadelphia time to consult with the parish, for three months to the 1 December 2021 meeting of the Committee on Historic Designation.

1001 W. Luzerne Avenue, Little Flower High School for Girls, to give the Archdiocese of Philadelphia time to consult with the school, for three months to the 1 December 2021 meeting of the Committee on Historic Designation.

2901 W. Allegheny Avenue, Mercy Career and Technical High School, to give the property owner time to consult with an attorney, for three months to the 1 December 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 immobile 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. DiPasquale prepared a zoning table exception letter for 1045-49 Sarah Street and submitted it to the Department of Licenses and Inspections on 27 July 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 appealed the BLIR’s decision to the Court of Common Pleas. On 17 August 2021, the Court of Common Pleas sustained the appeal and overturned the BLIR’s affirmation of the Historical Commission’s decision. In other words, the court threw out the Historical Commission’s approval of the removal of the statue.
  - The City has appealed the Court of Common Pleas decision to the Commonwealth Court.
  - The appellants have asked the Court of Common Pleas to allow them to replace the plywood box currently covering the statue with a plexiglass box.

- **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. Ms. Weiss did not seek a stay to prevent the demolition of the building during the pendency of the appeal hearing. The building was legally demolished, and therefore the case should be moot.

- **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 BLIR 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.

- Mr. Stretton 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 BLIR 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.

- The building has since been demolished and the property has been removed from the Philadelphia Register of Historic Places, as the Historical Commission directed in its designation decision.

### 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. One 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 (BLIR), 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 BLIR 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. The building was subsequently demolished. The property at 3414 Haverford Avenue was removed from the Philadelphia Register of Historic Places as part of a settlement agreement between the City and the property owner. The ownership of 3412 Haverford Avenue is in dispute.

- **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. The Commission’s record is now due on 5 January 2022.

- **6399 Drexel Road**
  - Attorney Hal Schirmer, who is working for neighbors of the property at 6399 Drexel Road in the Overbrook Farms Historic District, has appealed a zoning permit that was related to the Historical Commission’s issuance of a zoning table exception letter to the Department of Licenses and Inspections. The zoning table exception is part of the package of preservation incentives that went into law recently. The Historical Commission’s record was due to the Court of Common Pleas on 6 September 2021. Owing to numerous flaws in the appeal, the Law Department will seek to quash it.

- **401-09 N. 65th Street**
  - Attorney Neil Sklaroff has appealed the designation of 401-09 N. 65th Street, St. Donato’s Roman Catholic Church to the Court of Common Pleas. He claims that the owner of the property, the parish, not the Archdiocese of Philadelphia, was not notified of the proposed designation in a timely manner. The court has not yet issued a scheduling order.

**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**
  - Based on the Historical Commission’s approval of 14 August 2020, as documented in the decision letter of 20 August 2020, the Commission’s staff placed the Commission’s approval stamp on a permit application to abate the dangerous condition at 1600-06 E. Berks Street on 29 July 2021. The approval includes several conditions to limit the demolition to the sections necessary to abate the dangerous conditions, to record with a laser scan and salvage materials from the front façade, and to require the reconstruction of the front façade. The Department of Licenses and Inspections is reviewing the permit application to ensure that demolition is undertaken in a safe manner and is limited to the areas of the building necessary to abate the dangerous conditions.

**SECTION 106**

Ms. Garrison is conducting federally-mandated Section 106 reviews for the DHCD undertakings assisted by HUD.

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 and Ms. DiPasquale are participating on the City's Historic Preservation Policy Team, which seeks to ensure that all City agencies are following best preservation practices.