

CHRISTIAN STREET HISTORIC DISTRICT

Proposed Action: Continuance Request

Property Owner: Various

Nominator: Preservation Alliance

Number of Properties: 154

Staff Contact: Kim Chantry, kim.chantry@phila.gov

OVERVIEW: The Committee on Historic Designation is scheduled to review a nomination proposing the designation of the Christian Street Historic District at its 15 June 2022 meeting. The Historical Commission is scheduled to review the nomination with the Committee's recommendation at its 8 July 2022 meeting. The nomination proposes to designate a historic district along the 1400 to 1900 blocks of Christian Street. The Historical Commission notified the 203 property owners within the proposed district of its reviews in writing on 7 April 2022. On 27 April 2022, the Historical Commission's staff held an information session for owners within the proposed district. During the information session, a property owner inquired about delaying the reviews, owing to potential conflicts between the meetings and vacation schedules, and owing to a desire to have additional time to consider the implications of a designation. Following the information session, the property owner submitted a formal continuance request, asking the Historical Commission to delay the reviews to September and October 2022. The email request is attached.

To prevent demolitions in the area of the proposed the Christian Street Historic District during the preparation of the nomination, City Council instituted a demolition moratorium in 2021. The moratorium is in effect until the Historical Commission completes its review of the nomination or 1 July 2022, whichever ever comes first. The scheduling of the review of the nomination was designed to ensure that buildings in the proposed district were protected from demolition until the notice letters were sent. The moratorium is attached.

Now that the Historical Commission has sent the notice letters, the provisions of the historic preservation ordinance apply to the properties within the proposed district. Section 14-1005(6)(f) of the preservation ordinance enumerates the Historical Commission's jurisdiction over properties while considering nominations. The code provision gives the Historical Commission 90 days from the submission of any building permit application to conclude the review of a nomination and designate the resource, or the application is deemed approved. In other words, the Historical Commission has 90 days from the submission of any permit application to complete the designation of a district to be able to deny the application; if it does not complete the nomination review within 90 days, L&I may issue the permit without the Historical Commission's review. Permits for inappropriate alterations and even demolition could be issued if the Historical Commission does not act in a timely manner. For example, if a demolition permit application were submitted on 13 May 2022, the Commission would have until about 13 August 2022, give or take a day, to complete the nomination review, designate the district, and deny the application, or the permit would be issued without the Commission's review. If the final decision on the nomination is postponed to October, per the continuance request, buildings within the proposed district would be vulnerable to inappropriate alterations and demolitions for at least two months.

One distinction is worth noting. When a property owner requests the continuance of the review of an individual nomination, that property owner is inherently waiving the right to a timely review and therefore the 90-day clock for permit applications is tolled. When a property owner within a proposed district requests the continuance of the review of district nomination, the property

owner is waiving its rights but cannot waive the rights of other owners and therefore the 90-day clock for permit applications is not tolled.

STAFF RECOMMENDATION: While the staff routinely strongly supports continuance requests when historic resources remain protected during the continuances, the staff recommends against granting this request because it will put historic resources at risk. Moreover, the request was proffered by one of 203 property owners in the proposed district and accommodating that one owner may inconvenience other owners. An owner who cannot attend a meeting may submit written comments in advance of the meeting. Finally, continuing the review at this point in the process may introduce confusion about the review schedule, given that all owners have already been notified of the original schedule.

14-1005(6)(f) Jurisdiction During Consideration of Designation.

L&I shall not issue any building permit for the demolition, alteration, or construction of any building, structure, site, or object that is being considered by the Historical Commission for designation as historic or that is located within a district being considered by the Historical Commission for designation as historic where the building permit application is filed on or after the date that notices of proposed designation have been mailed, **except that L&I may issue a building permit if the Historical Commission has approved the application or has not taken final action on designation and more than 90 days have elapsed from the date the permit application was filed with the Historical Commission.** Where the Historical Commission takes final action on designation within the time allotted herein, any building permit application on file with L&I shall be deemed to have been filed after the date of the Historical Commission's action for purposes of this Chapter 14-1000.

Request for a continuance to the June 15, 2022 hearing

Mohammed Irfan Shariff <greenbirdsredcamels@gmail.com>

Thu 5/5/2022 7:22 AM

To: preservation <preservation@Phila.gov>

External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.

Dear Historical Commission:

This request is in regards to the June 15h, 2022 meeting for SOSNA & Preservation Alliance's nomination of Christian Street / Black Doctors Row Historic District.

The time of this meeting is very inconvenient. Many people who reside in this area will be on vacation or have planned to be out of town during this time. Much like other government bodies staff typically go on summer-break during this time, I requests that the meeting on 6/15/22 be delayed.

The burden to the historical commission is minimal in comparison to the effect of the designation. All I am asking is that the June meeting be postponed to September (which is only 3 months). This delay in time pales in comparison to the permanent length of time that a historical designation to our homes will be.

Finally, this is the first time the Commission has designated an area historical based on ethnicity or race, subsequently I believe to fully appreciate the magnitude of this move, we should make sure that other streets are not being left out. In the interest of inclusion, I believe it is only fair to postpone the meetings so that more people can understand the significance of the historical designation to our homes.

Please let me know if I can be heard in your meeting in May in regards to this continuance request.

Thank you.

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Mohammed Irfan Shariff

(m) 732-690-4902

§ 14-1009. Demolition Moratorium for the West Christian Street Area. 785

Notes

785 Added, Bill No. [170821](#) (approved December 20, 2017); repealed, Bill No. [210075](#) (approved March 29, 2021); added, Bill No. [210473](#) (approved July 1, 2021).

(1) Definitions.

For the purposes of this Section, the following definitions apply:

(a) Moratorium Area.

All lots with street frontage on Christian Street between Broad and 20th Streets.

(b) Complete Demolition.

Removal of two thirds or more of the structural framing members when work involves the removal of any portion of the exterior wall.

(2) Moratorium Scope.

No zoning permit shall issue for a complete demolition of any building within the designated area shall be permitted, unless either:

(a) such demolition is necessary to abate an imminently dangerous condition as determined by the Department of Licenses and Inspections;

(b) such demolition is necessary to abate an unsafe condition impacting the right of way or any adjacent property as determined by the Department of Licenses and Inspections; or

(c) a permit for such demolition is obtained in accordance with the provisions of § 14-1005 ("Regulation"), applying those provisions as if the properties in the moratorium area were a designated historic district.

(3) Expiration.

This § 14-1009 shall expire at the earlier of:

(a) 12 months after it becomes law; or

(b) certification by the Historical Commission to the Chief Clerk of Council that it has made a final determination as to the proposed historic designation of the moratorium area, pursuant to § 14-1004 (Designation).