

**ACTIVITIES OF THE PHILADELPHIA HISTORICAL COMMISSION STAFF  
APRIL 2022**

**REOPENING THE OFFICE AFTER THE COVID-19 PANDEMIC SHUTDOWN**

The City of Philadelphia closed all non-essential City offices in March 2020, owing to the COVID-19 Pandemic and the Historical Commission's staff was assigned to work remotely from home. The Historical Commission's offices reopened 7 September 2021, with staff members dividing their work time between home and office. The offices closed again on 20 December 2021 through 31 January 2022, owing to the Omicron variant. The offices reopened on 1 February 2022; all in-person, in-office interaction with applicants are on an appointment-only basis. Appointments are being scheduled with an automated online software system. All public meetings are being held remotely at least through the summer of 2022. The City ended the mask mandate in public buildings (and elsewhere) on 7 March 2022, reinstated it briefly from 18 to 21 April 2022, and then ended it again.

**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 shows that 198 permit applications were approved for historically designated properties in April 2022. Several other permit applications were returned to applicants with requests for revisions and/or additional information. The Historical Commission staff conducted an additional 47 detail reviews 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 reviews of the following nominations have been continued by the staff:

Address	Name	Continued From	Continued To	Total Duration
224 W Washington Ln	Taws Cottage	3/11/2022	6/10/2022	3 months
6740 Germantown Ave	Pelham Trust	5/13/2022	6/10/2022	1 month
8835 Germantown Ave	Women's Center	7/21/2021	6/15/2022	11 months
2301 Fairmount Ave	Rothacker-Orth Brewery and Saloon	1/19/2022	6/15/2022	5 months
5920 Greene St	Thomas C. Potter House	12/1/2021	6/15/2022	6 months
1400,1406-18, 1420 S 3rd St	Sacred Heart of Jesus Church	8/30/2021	7/20/2022	10 months
234 and 240 Hermitage St	Church of the Holy Family	8/30/2021	7/20/2022	10 months
148-54 E Mount Airy Ave	Holy Cross Roman Catholic Church	8/30/2021	7/20/2022	10 months
4501 Poplar St	Stephen Smith Home	3/16/2022	7/20/2022	4 months
1010 S 10th St	First Italian Presbyterian Church of Philadelphia	8/13/2021	8/12/2022	12 months
1001 W Luzerne Ave	Little Flower High School for Girls	8/30/2021	9/21/2022	12 months
2901 W Allegheny Ave	Mercy Career and Technical High School	8/30/2021	9/21/2022	12 months
914-26 Christian St	St. Paul's Roman Catholic Parochial School	10/8/2021	10/11/2022	12 months
775 S Christopher Columbus Blvd	Piers 39 and 41 South	12/1/2021	11/30/2022	11 months
3401 Solly Ave	Stonyhurst	1/19/2022	1/1/2023	12 months

The staff administered the reviews of designation matters at the 8 April 2022 meeting of the Historical Commission. At that meeting, the Historical Commission took the following actions on designation matters:

- Continued the review of the nomination for 3101 W. Passyunk Avenue from its May to its November 2022 meeting;
- Designated four individual resources, 225-31 N. 15<sup>th</sup> Street, Klahr Auditorium Building; 625-33 Christian Street, St. Mary Magdalen de Pazzi Cathiloc School; 2301-41 S. 3<sup>rd</sup> Street, Our Lady of Mount carmel Church; and 1533-39 N. 7<sup>th</sup> Street, Trinity Reformed Church;
- Declined to designate one individual resource, 1206 Chestnut Street, the Philadelphia Federal Credit Union building;
- Reclassified one property, 2204 Walnut Street, from contributing to non-contributing in the Rittenhouse-Fitler Historic District;
- Reclassified one property, 32 Manheim Street, from non-contributing to contributing in the Manheim Square Historic District; and,
- Designated two historic districts, Conwell House Block (7 properties) and Drexel/Govett (95 properties).

The staff administered the reviews of designation matters at the Committee on Historic Designation meeting on 20 April 2022. At that meeting, the Committee reviewed the following:

- The designation of five individual resources, 5626 Morton Street, the Sun Ra House; 1613-27 W. Norris Street and 1610-16 Page Street, parking lot; 3475 Collins Street, Tioga Mills; 6740 Germantown Avenue, Pelham Trust; 5008-10 Germantown Avenue, Reser-Royal House;
- The designation of the interior at 1424-26 Chestnut Street, the main sales floor of the Jacob Reed's Sons' Store;
- An amendment to the Historic Street Paving Historic District to remove the so-called 1400 block of Rodman Street; and,
- The designation of one historic district, the Victorian Roxborough Historic District.

With the completion of the Sun Ra House nomination, the staff is working on other nominations proposing the individual designations of sites related to significant gospel, jazz, blues, and R&B musicians. The staff investigated the property at 1319 Christian Street, where Bessie Smith, the Empress of Blues, lived, for potential designation, but discovered that the building on the site is not the Bessie Smith House. Aerial photography from 2004 shows that the properties at 1317 and 1319 Christian Street were vacant lots at that time. Aerial photography from 1996 shows that the property at 1319 Christian Street was a vacant lot at that time. Documents in the Department of Licenses and Inspections zoning archive for 1317-19 Christian Street show that the extant building was erected by Uni-Penn Housing Partnership IV about 2006. While it bears some resemblance to the house that stood at 1319 Christian Street in the 1920s, the current building was entirely new in 2006. No historic fabric related to Bessie Smith remains at the site.

#### **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 received a \$25,000 CLG grant from the State Historic Preservation Office earlier this year to fund enhancements to Arches. The grant will fund upgrading Philadelphia's installation of Arches from Version 4 to Version 6; 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. Mr. Farnham is meeting bi-weekly with the Arches consultants at Farallon Geographics to plan for the upgrades to the Arches installation. The consultant presented a proposed scope of work, which is currently under review. Mr. Farnham is working on contracting for the project.

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. The project released a Request for Proposals (RFP) to qualified firms in late 2021. Proposals were due at the beginning of December 2021 and consultant teams were interviewed in January 2022. The members of the chosen team were announced publicly on 12 April 2022. The team members are the ROZ Group, Little Giant Creative, and Partners for Sacred Places. Their experience includes project management of major historic African American sites. They have designed social justice-driven programs related to Philadelphia history. Team members have engaged with diverse communities in the city for decades.

#### **HISTORIC PRESERVATION INCENTIVES**

The Historical Commission's staff did not issue any incentive letters in April 2022.

#### **APPEALS**

The following permit decisions 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 and the appeal may be withdrawn.
- 1435-41 Walnut Street
  - At its September 2021 meeting, the Historical Commission denied an application to enlarge window openings at 1435-41 Walnut Street. The property owner has appealed the decision to the BLIR, which scheduled but then postponed a hearing for 14 December 2021. The hearing has not been rescheduled. The Historical Commission submitted its official record to the BLIR on 3 December 2021.

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

- 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 was submitted 19 January 2022.

- 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.
- 5250 Unruh Avenue
  - Attorney David M. Burkholder has appealed the designation of the property at 5250 Unruh Avenue, which was nominated by the Tacony Community Development Corporation and designated on 9 December 2020. The Historical Commission's submitted its record to the court on 29 October 2021. The court held oral arguments on 24 March 2022. Leonard Reuter represented the City. Mr. Farnham attended. On 25 April 2022, Judge Ann Marie Coyle issued her decision, overturning the Historical Commission and undoing the designation. The Law Department will appeal the decision to obtain an explanation of it and then decide whether to continue with the appeal.
- 3611 Spring Garden Street
  - The Historical Commission designated the 3611-31 Spring Garden Street Historic District on 13 August 2021. The owner of the property at 3611 Spring Garden Street appealed the designation of the district because the district included his property, despite the fact that the property is a vacant lot on the boundary of the district and the district's significance is derived from the buildings that stand on the properties to the west. The court scheduled oral argument for 14 April 2022, but the Law Department settled the case. As part of the settlement, the court ordered the removal of the former vacant lot at 3611 Spring Garden Street, now built upon, from the historic district. The court also renamed the district the Gardiner-Poth Historic District.
- Chestnut Street East Historic District
  - At least four property owners are appealing the designation of the Chestnut Street East Historic District, which the Historical Commission approved at its November 2021 meeting. The owner of the property at 727-35 Chestnut Street requested that the Historical Commission reconsider the classification of the property in the district, to which the Law Department has agreed. The request was considered at the Commission's February 2022 meeting, at which time the Commission classified the property as non-contributing in the district. Owners of properties at 700-02, 704, 709-13, and 801-17 Chestnut Street have all filed appeals with the Court of Common Pleas. In general, the owners object to the reclassification of properties from non-contributing to contributing, primarily through the addition of Criterion I, the archaeology criterion. The Historical Commission submitted records to the court for the appeals for 709-13 and 801-17 Chestnut Street on 29 April 2022. The court ordered that the Historical Commission and Committee on Historic Designation reconsider the classification of 801-17 Chestnut Street in the Chestnut Street East Historic District.
- Disston-Tacony Industrial Waterfront Historic District
  - Nearly all property owners in the recently designated Disston-Tacony Industrial Waterfront Historic District have appealed the designation to the Court of Common Pleas. The Historical Commission submitted its record to the court on

29 April 2022. The appellant's and appellee's briefs are due 6 June and 4 July 2022 respectively. The property owners participating in the appeal are listed below:

- 5101R-49 Unruh Avenue
  - 5201 Unruh Avenue
  - 5223 Unruh Avenue
  - 5235-45 Unruh Avenue
  - 5247 Unruh Avenue
  - 6801 New State Road, Unit A
  - 6801 New State Road, Unit B
  - 6801 New State Road, Unit C
- In general, the number of appeals of designations has skyrocketed in the last few years. The staff strongly advises the Historical Commission to designate with care. Designation appeals are very time-consuming. The Historical Commission operates with very limited resources and every decision to designate one resource is inherently a decision not to designate another resource. Also, designation appeals put the Historical Commission at risk. Any appeal has the potential for an adverse decision that could weaken the entire designation program. The Historical Commission should avoid including vacant lots on the boundaries of historic districts and should only designate buildings that have been highly altered or are in poor condition when those buildings have great significance. Every designation is a commitment to expending the Historical Commission's scant resources in perpetuity. The resources spent defending the designation of a building that has been highly altered or is in poor condition and then regulating that building forever may be better spent designating and regulating several buildings with integrity.

#### **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.

On 26 April 2022, Ms. Keller testified in a court case regarding the property at 1106 Chestnut Street, where an Art Deco glass and metal façade was removed.

#### **UNSAFE AND IMMINENTLY DANGEROUS CASES**

The Historical Commission's staff is currently involved with the dangerous case at 1919 Green Street, a building that is at risk of collapse owing to ill-advised excavation at an adjacent property. Mr. Reuter is coordinating with his colleagues at the Law Department and the Department of Licenses and Inspections to ensure that all reasonable steps are taken to protect the historic building and public safety.

#### **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**

Ms. Keller notified the Historical Commission that she will be resigning her position on the Historical Commission's staff in late May 2022. She will be leaving for a similar position with another municipality. We thank Ms. Keller for her many years of excellent service to the Historical Commission and wish her the best of luck with her new position.

On 9 December 2021, City Council passed a mid-year transfer ordinance that includes an additional \$150,000 in Class 100 funding for the Historical Commission. Class 100 funding can be used to hire staff. The Mayor signed the bill into law on 15 December 2021. The Historical Commission and Department of Planning and Development are working to hire two new staff members with the new funding. Unfortunately, the current Historic Preservation Planner I civil service list is nearly two years old and has yet to produce a viable candidate. The Historical Commission is currently advertising three open positions, the two new positions as well as the position that Meredith Keller is vacating, and will be interviewing candidates from a new civil service list in June.

The Historical Commission's intern Nika Faulkner is busy working on research that will lead to nominations of sites documenting the histories of underserved populations. Ms. Chantry is supervising her.

#### **OTHER**

Councilperson Cindy Bass introduced a bill on 3 February 2022 that would establish a demolition moratorium in the 8<sup>th</sup> Councilmanic District for six months. No demolition permits would be issued for the district unless the building was deemed Imminently Dangerous or the Historical Commission approved the demolition, treating the entire Councilmanic District as though it were a historic district. The Department of Planning and Development and the Law Department are reviewing the bill. No further action has been taken on the bill since it was first reported in the February 2022 staff report.