

THE MAYOR'S TASK FORCE ON HISTORIC PRESERVATION
Harris Steinberg, Chair

Meeting Minutes
Thursday, 19 July 2018, 8:30 a.m.
1515 Arch Street, Room 18-029

Present

Harris Steinberg, Chair
Dominique Hawkins, Vice Chair
Oscar Beisert
Cathy Califano
Carl Dress
Mike Fink
Patrick Grossi
Nan Gutterman
Bob Jaeger
Trapeta Mayson
Shawn McCaney
Matt McClure
Doug Mooney
Laura Spina
Councilman Mark Squilla
Robert Thomas
Fon Wang
Seri Worden, National Trust for Historic Preservation
James Wright

Also Present

Elizabeth Okeke-Von Batten, Task Force Facilitator
Martha Cross, Department of Planning and Development
Donna Carney, Department of Planning and Development
Jon Farnham, Philadelphia Historical Commission
Meredith Keller, Philadelphia Historical Commission

Call to Order

Harris Steinberg called the meeting to order at 8:35 a.m.

Presentation

Julie Donofrio and Molly Lester from Penn PRAXIS provided an update on the Historic Preservation Citizen Engagement Project and Toolkit creation. 20 community liaisons from across the city – identified with assistance from Donna Carney and the Community Planning Institute program - have assisted with the process of creating content, pointing to the resources that already exist, and trying to bridge the interest from citizens to established preservation

processes and agencies. Donofrio shared that initial findings from the research and evaluation are that citizens often do not know where to start in order to advocate for the preservation of historic buildings. Thus, Penn PRAXIS is working to structure the toolkit for those interested in preservation in various neighborhoods and with tips on how to care for your older home, how to advocate for a significant historic building or site, how to spur commercial corridor revitalization, as well as answers to other frequently asked questions. Drafts of the toolkit will be shared at the September 20th public Task Force meeting and Penn PRAXIS will solicit feedback from public participants to incorporate in the final toolkit product.

Discussion

Steinberg commenced a discussion and confirmation period with Task Force members regarding the Best Practice Matrix that was developed to highlight challenges and associated best practices from other U.S. cities that Task Force members have identified. During June and July, all subcommittee edits were received and incorporated into the document. Steinberg emphasized that the full Task Force signing-off on the matrix is very important because it captures and confirms what the Task Force has identified as important and provides a road map to frame recommendations.

Steinberg reminded the Task Force and public audience that these are best practices not recommendations, and that throughout July and August, work on developing recommendations for the Mayor and City Council will continue through subcommittees. The best practices highlighted are examples of approaches to problem solving, but they still need to be evaluated for applicability to Philadelphia.

Task Force members offered a range of responses. Robert Thomas offered that the best practices list is a good cross section of issues and associated best practices. Oscar Beisert offered that any references to California-based best practices should consider unique state laws that specify that locally designated historic properties are overseen through a regulatory process similar to that which governs federal properties (similar to a Section 106 review), but local municipalities have even more influence over outcomes. Also Beisert shared that he thought tiers of significance related to building types should be developed that especially highlight those buildings which house special uses - churches, libraries, museums, and other single-use buildings, and that the PHC Staff has invested significant time and effort in collecting survey data for the recently released 2035 Plan, identifying many of the most threatened buildings in Philadelphia, including community buildings that need preservation advocacy

From the National Trust, Seri Worden inquired as to whether it make sense to couple challenges together or decouple, such as those listed under the Regulatory Section, nos. 3.1 and 3.2. Laura Spina responded and offered that a challenge, such as incorporating better practices to recognize and protect archaeological sites could be decoupled and distributed in the inventory and regulatory sections; no. 1.2 - creating an archaeology sensitivity model for the city / create a heat map of where there are archaeological resources located in the city, and in recommendations identifying how do you locate the resource, and what the location and

identification triggers as part of the regulatory process. Doug Mooney offered that archaeology differs from above-ground historic resources, and it is not possible to survey for archaeological resources; instead, archaeological resources are identified through predictive models based on expectations of where resources may be located. He and other Task Force members researched practices in other cities (Phoenix, St. Augustine, Alexandria, New York City) and identified what triggers review of these sites, how City staff proceeds when archaeological resources are discovered, and how these historic sites and associated resources are documented prior to destruction.

Matt McClure shared that the regulatory subcommittee addressed archaeology related issues in their best practice findings but realizes that this issue is cross-cutting through subcommittees. McClure also offered concern about Task Force attendance at the August Task Force meeting, as he suspected that not many Task Force members will make the meeting due to vacations and perhaps the Task Force needs to schedule an additional meeting to debate recommendations that will be presented.

Doug Mooney asked a final question pertaining to archaeology; will the archaeology information be available as part of the best practices report and / or in recommendations, and if so, how? Steinberg shared that the information will be part of the recommendations, and that the new Department of Planning and Development configuration will help to foster what this integrated and recommended approach to the historic built environment means.

Justino Navarro offered that in the Survey section of the matrix, the word “desire” does not capture the fundamental need for survey activity in Philadelphia. He pointed out that he did not see information about archaeological best practices. Bob Jaeger indicated that churches, synagogues, and other houses of worship are at-risk typologies, and that the incentives subcommittee should, in their recommendations, account for how non-profit organizations might receive financial and regulatory incentives for the preservation of their buildings.

The discussion period ended with Steinberg asking if there was any opposition to the matrix, and if, with the addition / amendments per the points mentioned by Task Force members, the Best Practices Matrix could be approved. The Task Force members concurred.

Subcommittee Updates

The co-chairs of the Task Force subcommittees provided updates on their groups' work:

- Regulatory Subcommittee: Dominique Hawkins and Matt McClure, co-chairs, shared that their subcommittee had furthered a discussion about the *differentiation* of historic resources, a concept which was introduced at the May public meeting, and that the group identified the nexus between a necessary regulatory framework for districts by considering the inclusion of other types of districts, such as:
 - Historic Districts: the current PHC monitored districts that offer plenary power on alterations and demolitions

- Community-based Historic Districts focused on neighborhoods; neighborhood character, form, shape, massing, and how best to develop protections around alteration to the historic fabric, which may include demolition delays.
- Conservation Districts: a district focused on history of an area but allowing for regulatory review on rehabilitation or replacement work on windows and doors, but not to the extent of the regulatory review that owners of historic district-registered properties currently participate in when filing a building permit for this work. Inclusion of a property in a Conservation District would also provide the owner access to unique incentives that promote the preservation of historic character for the property and the district.

Harris and McClure offered that there are a tremendous number of details that still need to be worked out as the subcommittee drafts recommendations

- Survey / Inventory Subcommittee: Nan Gutterman, co-chair, shared that the subcommittee concluded that the City needs to do a comprehensive, citywide survey, and the survey is necessary to understand the resources outside of Center City. It has been helpful for the subcommittee to review and understand what best practices are used in other cities. Also the subcommittee has realized that there is much parcel data and information in Philadelphia departments across agencies, such as RDA, Community Housing and Development, etc., but the data has not been assembled and compiled in a central location. The subcommittee did meet with staff in the GIS division of Philadelphia's Department of Planning and Development and found that there is a data layer established for historic data, but it has not been populated or included in the City's comprehensive survey. The subcommittee thinks that this needs to be prioritized and implemented.

Earlier this summer, the subcommittee also met with Janet Hanson of Survey LA to talk about the mapping and data collection platform that the City of LA used (ARCHES), its 10-year research process, and how that process might be applied in Philadelphia. Also, the subcommittee is trying to think through how survey data collected can stay current as data collection and analysis really never ends in a dynamic built environment. Currently, the City and Commonwealth share data once a year about properties in the city, and the Historical Commission has been awarded a \$25,000 grant (with an equal match from the City) by the Pennsylvania Historical and Museum Commission to compile current data and update the Philadelphia citywide survey. PHC staff have not started to use the grant funds yet and are waiting for the Task Force's recommendations on how to proceed with a citywide survey.

- Incentives Subcommittee: Cathy Califano, subcommittee member, and James Wright, co-chair, shared that the subcommittee has created a matrix to prioritize different types of building structures and related incentives (60-70 ideas in total). Through this process, the subcommittee has analyzed:
 - What are we trying to accomplish with these incentive programs?
 - How can we best reduce regulatory requirements for projects?
 - Tactics for adaptive reuse
 - Investigating current Philadelphia incentives and regulatory measures that could be modified to better support preservation activity

- Promising practices that can be used in Philadelphia relatively quickly for:
 - Special purpose-built buildings (churches);
 - If you protect the envelope – could allow for many types of reuse – streamline the zoning process and eliminate parking requirement
 - Transfer of Development Rights (TDR) – Philadelphia has never had a TDR ordinance, but the city has had protection of lots – contemplated something that was not implemented under the old code – new code allows for TDR, but needs to be structured
 - Accessory dwelling units;
 - Created as part of zoning reform, but not used readily – rental units could help building owners afford to stay in their building
- Next steps: ranking the incentives within the matrix and aligning across subcommittee recommendations
- Outreach / Education Subcommittee: Laura Spina and Trapeta Mayson, co-chairs shared that the subcommittee has been working to identify how best to work with different audiences, realizing that the City needs different strategies to meet these audiences where they are at and that though there are currently resource limitations, the subcommittee is drafting recommendations while reflecting on best practices. At the July meeting, the subcommittee will analyze the recommendations from the other subcommittees and has been working with ULI Philadelphia to host a small group discussion with developers and with PennPRAXIS on its community engagement and toolkit. Additionally, the subcommittee has worked to strengthen the Historic Preservation Task Force's web presence, ensuring that phlpreservation.org content is updated consistently.

Next steps for the subcommittee include working on the recommendation matrix, meeting with other subcommittees to gather key questions that Task Force members would like public input on, and identifying how to reach a broad cross-section of citizens through methods such as:

- PHC / PCPC listserv emails that currently reach community groups and RCOs that can disseminate the information;
- PennPRAXIS community liaisons;
- Task Force members – get the word out to the people that they represent;
- Working with Councilman Squilla to do a reach-out to other council members;
- Engaging the development community

To further prepare for the September Task Force meeting, the subcommittee will work with PHC staff to create an online participatory portal on Task Force website to allow participation from interested parties unable to attend the September meeting.

Subcommittee Discussions

Steinberg encouraged Task Force members to share their reflections on the subcommittee updates and other associated matters. Patrick Grossi began by asking about the second district option that the regulatory subcommittee shared and asked for further information as to how this district concept is different from the conservation district model. Dominique Hawkins shared that

the subcommittee is still working through what this district concept looks like as this concept was brought up as a middle ground between the current historic district and conservation district models but would include greater scrutiny toward alterations to historic buildings than a conservation district as well as different provisions regarding demolition. Grossi asked if the existing conservation district model is worth tweaking, and Hawkins answered that the subcommittee will continue to investigate this option.

Steinberg suggested that Task Force members review the conservation district white paper that the City showcased during the May public Task Force meeting. He reiterated that while conservation districts are zoning tools that regulate infill construction, they do not incorporate preservation-related tools.

Hawkins cautioned that while the best practices report is good at showing what the global opportunities are, the Task Force needs to be practical about what it can suggest for Philadelphia and consider state statute and the City's regulatory barriers.

Cathy Califano asked if the Survey / Inventory subcommittee identified certain geographic areas within the city that could have incentives aligned for that area to promote survey and protections for historic resources. Oscar Beisert and Nan Gutterman offered that the subcommittee has yet to identify a neighborhood selection hierarchy based on need. Califano followed-up with another question: could the subcommittee recommend criteria that would identify areas under threat that are priority areas, such as criteria that establishes where concentrations of low-income households are and how best to preserve Philadelphia rowhouse building stock as well as housing affordability? Similarly, identifying commercial businesses that may be under a certain type of threat and have historic significance. Harris Steinberg endorsed that it is important to understand what the demolition or threat of loss risk is on the ground, and thus it is good for the subcommittee to identify what those areas of threat are. He offered that perhaps the Survey / Inventory and Incentives subcommittee could work together on this. Beisert offered that the Survey / Inventory subcommittee could talk with PHC staff and Preservation Alliance for Greater Philadelphia staff to understand what the pressing concerns are from the public that they serve. Matt McClure then stated that Philadelphia has a large housing stock but is also one of the poorer large cities in the US. He stated that preservation cannot happen through current regulations alone and that it will take incentives that are outside the yolk of a regulatory framework to help promote historic preservation by providing technical assistance, streamlining the permitting process, etc.

Justino Navarro posed a fourth topic when he asked, "is the Incentives subcommittee looking at tiering / differentiation?" Cathy Califano stated that the subcommittee has deferred to the Regulatory subcommittee for the definition of tiers / differentiation to best align incentives that support the rehabilitation of properties. She hopes that there may be three different sets of incentives based on the three district tiers / differentiations and that may be supported by tax credit projects and create standards for single-purpose buildings and residential buildings. Navarro offered that as the Task Force attempts to democratize preservation in Philadelphia, incentives for preservation in neighborhoods will be essential for homeowners in order to do

revitalization work. He asked if the Incentives subcommittee is looking at financial and other incentives to support property owners to improve their residential properties. James Wright offered that he had not thought about incentives in this way but had thought about residential incentives across the spectrum to help homeowners and builders think about the possibilities.

Harris Steinberg offered that these conversations should continue beyond the Task Force meetings, throughout the month and into the next Task Force meeting.

The final topic that was discussed was raised by Oscar Beisert; "Has the National Trust evaluated best practices for blighted, unsafe, and vacant structures and alternatives to demolition and eminent domain? (E.g. demolishing one rowhouse in the middle of a row). What can the Task Force do to help citizens work to revitalize the buildings? He offered that not every solution should be demolition as demolition works against the historic integrity of an intact block. Seri Worden cited the City of Baltimore Vacants to Value (V2V) program and stated that the Incentives subcommittee is looking into that issue further and that many cities are re-opening the idea of Conservation Districts (Nashville, Detroit). She offered that the National Trust would be happy to think through what could be done in Philadelphia. Cathy Califano stated that the City's housing department and License & Inspection are looking at ways to target vacant houses on a block and stabilize the houses as to ensure demolition does not happen in the future.

Public Comment

The public comment period commenced with Lori Salganicoff from the Chestnut Hill Conservancy and Historical Society identifying that the Task Force process should draw awareness to the cost of development pressures on neighborhood identity and growth. She emphasized that the community development corporations and organizations should be encouraged to be involved in the September public meeting. Salganicoff also inquired as to where on the phlpreservation.org the district vs. the conservation web paper can be found. Task Force member Laura Spina offered that the informational brief was offered as a hand-out at the May public Task Force meeting but can be uploaded to the website's "Resources" section. Salganicoff further noted that the Planning Department's Northwest district plan was set for release today and offered new regulatory incentives. Laura Spina asked for clarification to this point and offered that maybe Salganicoff was referring to the accessory dwelling units provision, to which Salganicoff was unsure. Finally, Salganicoff offered that CHC / HS and other neighborhood preservation groups have current survey inventories that the City might consider using to supplement the citywide survey.

James Duffin offered a suggestion to the matrix on item 3.2 – Demolition delay process; don't use "delay," but say "demolition review."

Paul Steinke of the Preservation Alliance for Greater Philadelphia provided several comments including that the regulatory and incentives subcommittees should consider the impact of the 10-year tax abatement that was first enacted in 1997 for Chestnut and Walnut streets and used to spur adaptive reuse activities in ground floor retail buildings. This information can be found in

the “Turning on the Lights Upstairs” Center City District Report. Steinke continued that in 2001, City Council and the mayor changed this abatement to apply to all construction in the city. Now, the 10-year tax has been used throughout the city and in neighborhoods that should be on the historic register but are not currently. Steinke asked the Task Force to consider a demolition review process before the abatement is granted and prohibiting the use of the abatement for National Registered listed or districted buildings. He posed the questions “why give the abatement for the destruction of building on the National Register that are contributing?” In order for the 10-year abatement and zoning to work in concert toward preservation-positive activities, the Task Force needs to figure how this can be done in order to not lose historic fabric.

Mr. Steinberg responded and asked the regulatory and incentives subcommittees to investigate Steinke’s points, as this information would be important to consider when forming recommendations. Cathy Califano shared that there is a 10-year tax abatement report that states that developers use this abatement to rehab properties, and that the incentives subcommittee is working through if a property receives more value from the abatement and if a property accrues more value – can the property be reassessed after the developer has done the pre-demolition activity; trying to develop two incentives for rehabilitation and new construction that could be part of the 10-year tax abatement

Matt McClure queried further; “is this an abatement issue or a zoning issue?” McClure offered that the Task Force needs to figure out what are the economic and political drivers for this issue.

Wanda Myles, an alumnae of the Citizens Planning Institute (CPI) program recommended that there should be a Citizens Historical Preservation Institute, just like the CPI training to help further the Task Force’s agenda. Mr. Steinberg endorsed Myles’ recommendation and offered that the Task Force should figure out how to operationalize this idea through staffing, financing, and programming. Myles referenced the JumpStart program as an interesting model of citizens working as developers rehabilitating properties throughout the near Northwest Philadelphia neighborhoods.

Kathy Dowdell shared several observations including a reassessment of the use of a tax abatement. Dowdell explained that the International Existing Building Code (IEBC) offers several methods of code compliance for an existing building, including the Prescriptive method, Work Area compliance method, and Performance compliance method. An individual, she added, may choose a particular compliance method. Under the Work Area method, she noted that there are three levels of alteration and that Level 3 alterations, which generally involve more than 50% of the area of the building, can be termed a “gut-rehab.” She opined that a more fair application of the tax abatement would be to allow any building that qualifies for Level 3 alterations to also be allowed to take advantage of the tax abatement on the full value of the building after renovation, minus land value, and not just on the value of improvements. She contended that that practice would remove a significant disincentive to retaining an existing building. She also seconded Myles comments about the JumpStart program; that it is a terrific program to encourage developers to do historic rehabilitation projects. Regarding the

September public Task Force meeting, Dowdell encouraged the Task Force to have strong online follow-up with the public and get the date and location out to the public as quickly as possible. During the public meeting: identify what the public can help with per the Task Force recommendations in terms of implementation, e.g. print a sheet with City Council members' and the Mayor's contact information and identify simple ways to connect viable public actions to implementation strategies.

Next Steps

Liz Okeke-Von Batten provided next steps for the final drafting of the Best Practices report. The full Task Force will receive the draft in the next weeks for final review and the public will be able access the draft online by the end of August on the phlpreservation.org website. Also, subcommittee co-chairs will host their final meetings during July and Task Force members will work to collate and prioritize their recommendations in order to share their findings during the August Task Force meeting

Adjournment

Harris Steinberg adjourned the meeting at 10:30 a.m.

Next meeting: September 20, 2018 from 6:30 - 8:30 p.m.
at Rodeph Shalom, 615 North Broad Street