



Mexican War Streets Expansion

City of Pittsburgh Department of City Planning (DCP)

Virtual Community Meeting

June 15, 2020

Agenda

- Welcome & virtual meeting operations
- Introductions
- History of nominations (National & City)
- Recommendations & decisions by Commissions & Council
- Court decisions & legal history
- How this affects you
- Resources
- Q&A

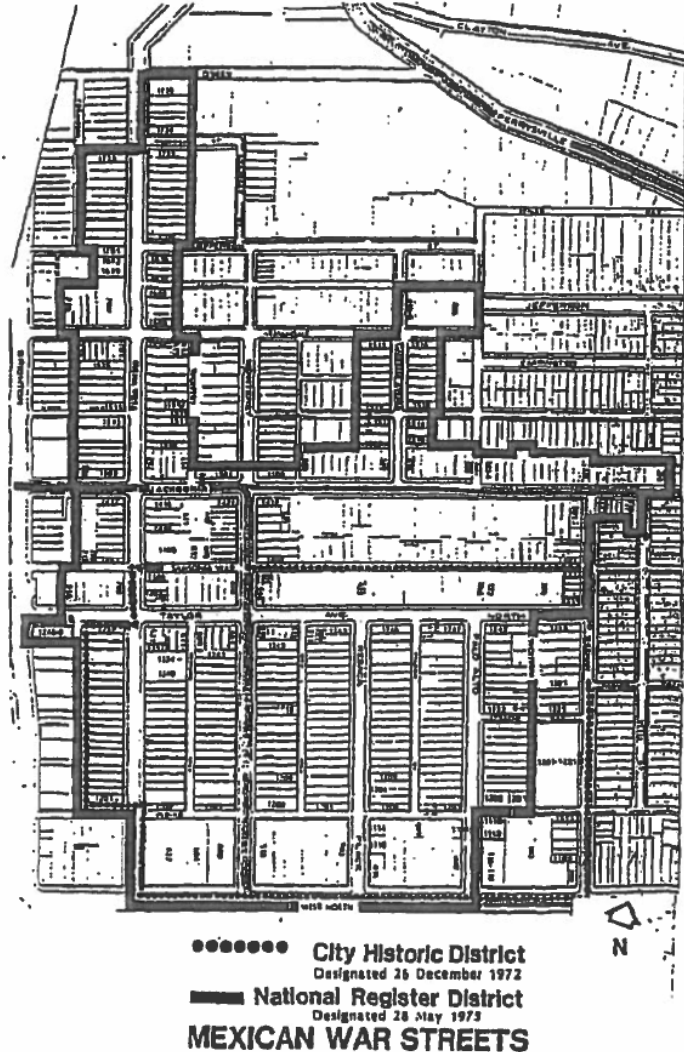
How to Participate

- After the presentation we will invite questions and comments:
 - If you would like to ask a question, you may use the “raise hand” button at the bottom of your screen. The moderator will unmute in the order requested.
 - For voice call-ins, for each caller the moderator will announce the last 4-digits of the phone number and unmute them, one-by-one.
- The chat function will be disabled. Please use the Q&A tool for technical assistance.
- This meeting is being streamed on the Pittsburgh City Planning YouTube and will be recorded. Following the meeting, it will be shared on the pittsburghpa.gov/dcp/mwse.

Introductions

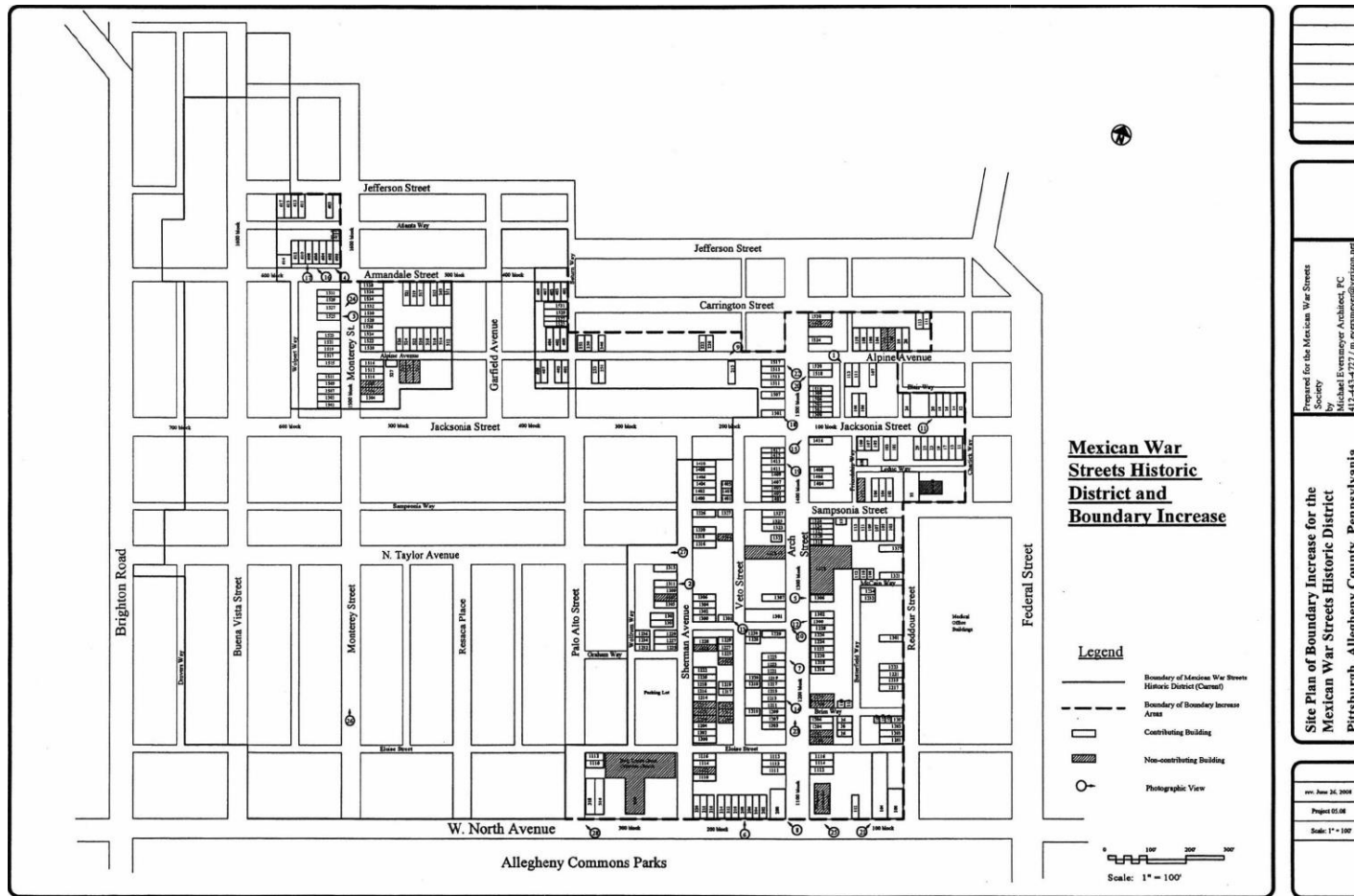
- Councilman Daniel Lavelle
- Councilman Bobby Wilson
- Andrew Dash, Acting Director, DCP
- Larry Baumiller, Assistant City Solicitor
- Corey Layman, Zoning Administrator, DCP
- Sarah Quinn, Historic Preservation Senior Planner, DCP
- Sharon Spooner, Historic Preservation Planner, DCP
- Stephanie Joy Everett, Senior Planner, DCP

History of Nominations (National and City)



- City Historic District
 - Designated December 1972
- National Historic District
 - Designated May 28, 1975

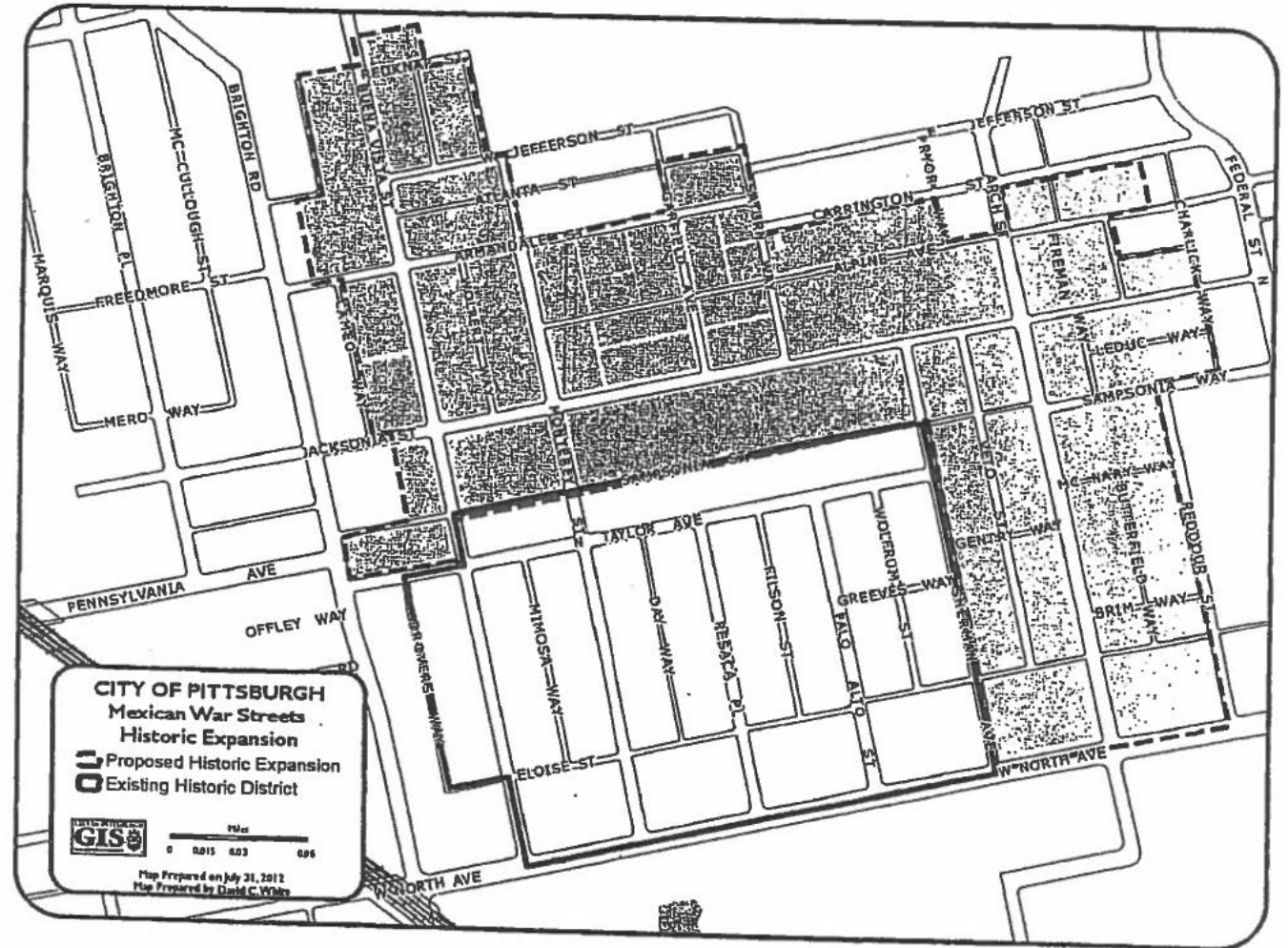
History of Nominations (National Expansion)



- The National District expanded in 2008

History of Nominations (City Expansion)

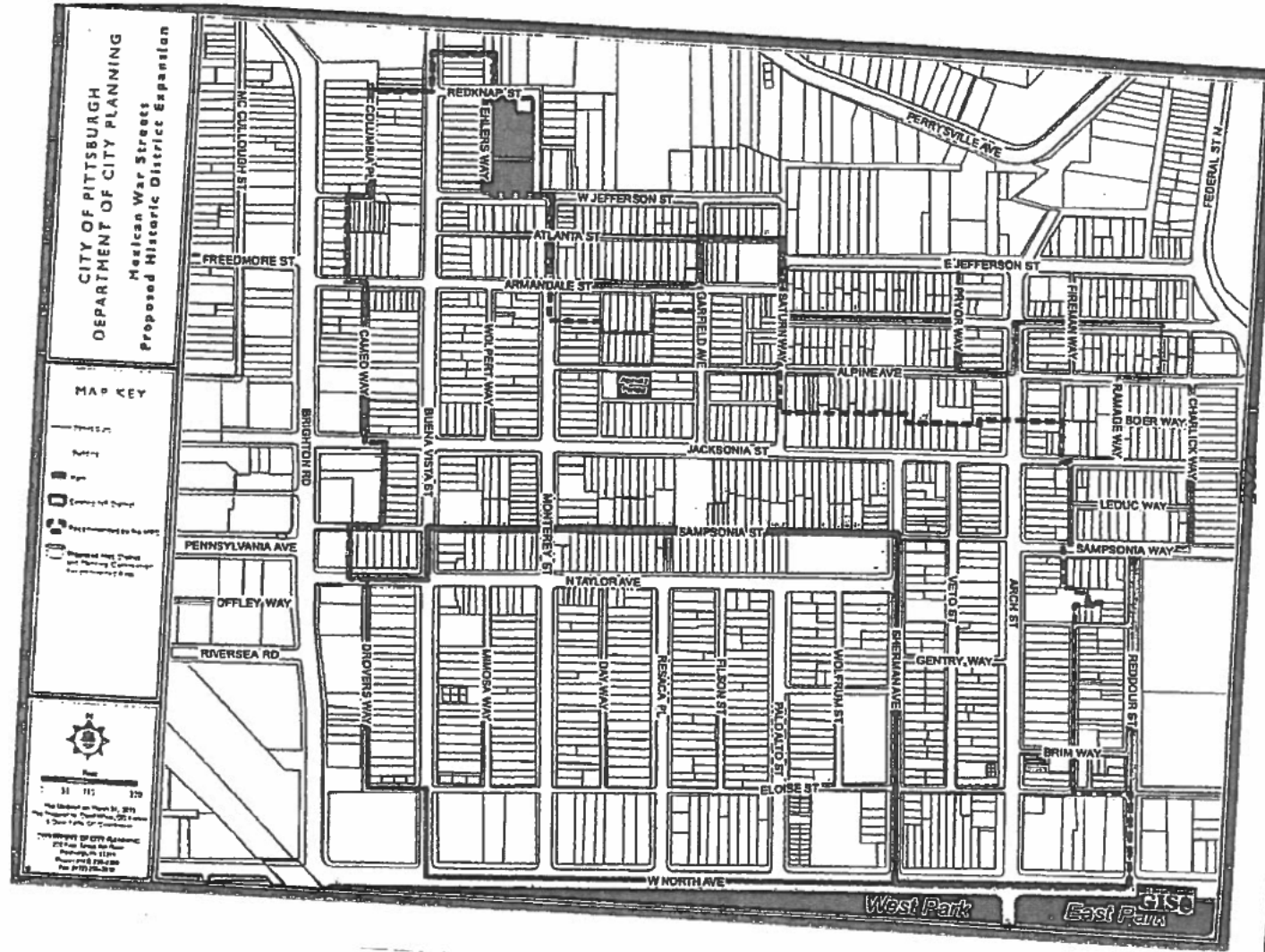
- October 2, 2012: Applicants submitted a formal nomination for a City Historic District for the Mexican War Street Expansion.



Historic Review Commission Recommendation

- December 5, 2012: The City's Historic Review Commission (HRC) held a public hearing and recommended approval of the proposed Mexican War Streets Historic District expansion with revised boundaries.

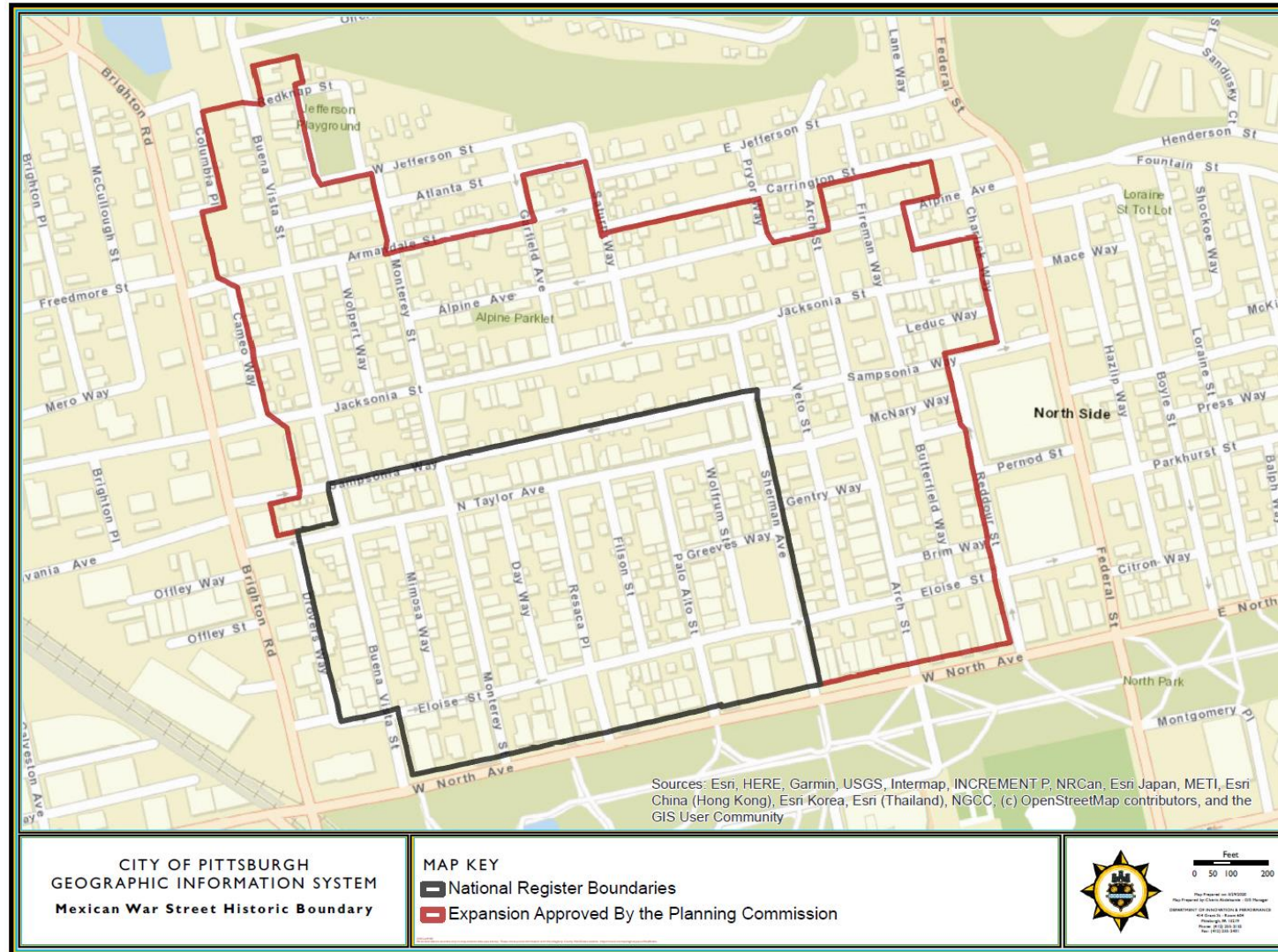
Historic Review Commission Recommendation



Planning Commission Recommendation

- January 8, 2013, January 22, 2013, and February 5, 2013: The City's Planning Commission held public hearings on the HRC's recommendation to expand the District. The Planning Commission unanimously recommended approval of the proposed Mexican War Streets Historic District expansion with revised boundaries of the original National Historic Registry boundaries (as defined in 2008).

Planning Commission Recommendation



City Council Decision

- March 5, 2013: Legislation is introduced at Pittsburgh City Council's Regular Meeting for a Resolution to designate the Mexican War Streets Historic District Expansion as a City Historic District.
- June 17, 2013: Pittsburgh City Council held a public hearing on the Resolution at the Northside Institutional Church of God in Christ.
- June 19, 2013: Pittsburgh City Council approved a motion to read, receive, and file a Report of the Committee on Land Use and Economic Development for a negative recommendation (denial) with respect to the Resolution.
- June 25, 2013: Pittsburgh City Council voted unanimously to not enact the Resolution (denied the Mexican War Street City Historic District expansion).

Court Decisions & Legal History

- July 24, 2013: Nominators filed a statutory appeal in the Allegheny County Court of Common Pleas alleging that City Council failed to hold a public hearing on the Resolution within 120 days of its receipt of the HRC's December 5, 2012 recommendation and the City's Planning Commission's February 5, 2013 recommendation to expand the boundaries of the Historic District as required by Section 1101.03(i)(4) of the Code. Specifically, nominators claimed that the deadline for City Council to hold the required public hearing pursuant was June 5, 2013. Nominators asserted that as a result the Resolution was deemed approved by City Council pursuant to Section 1101.03(j)(3) of the Code.

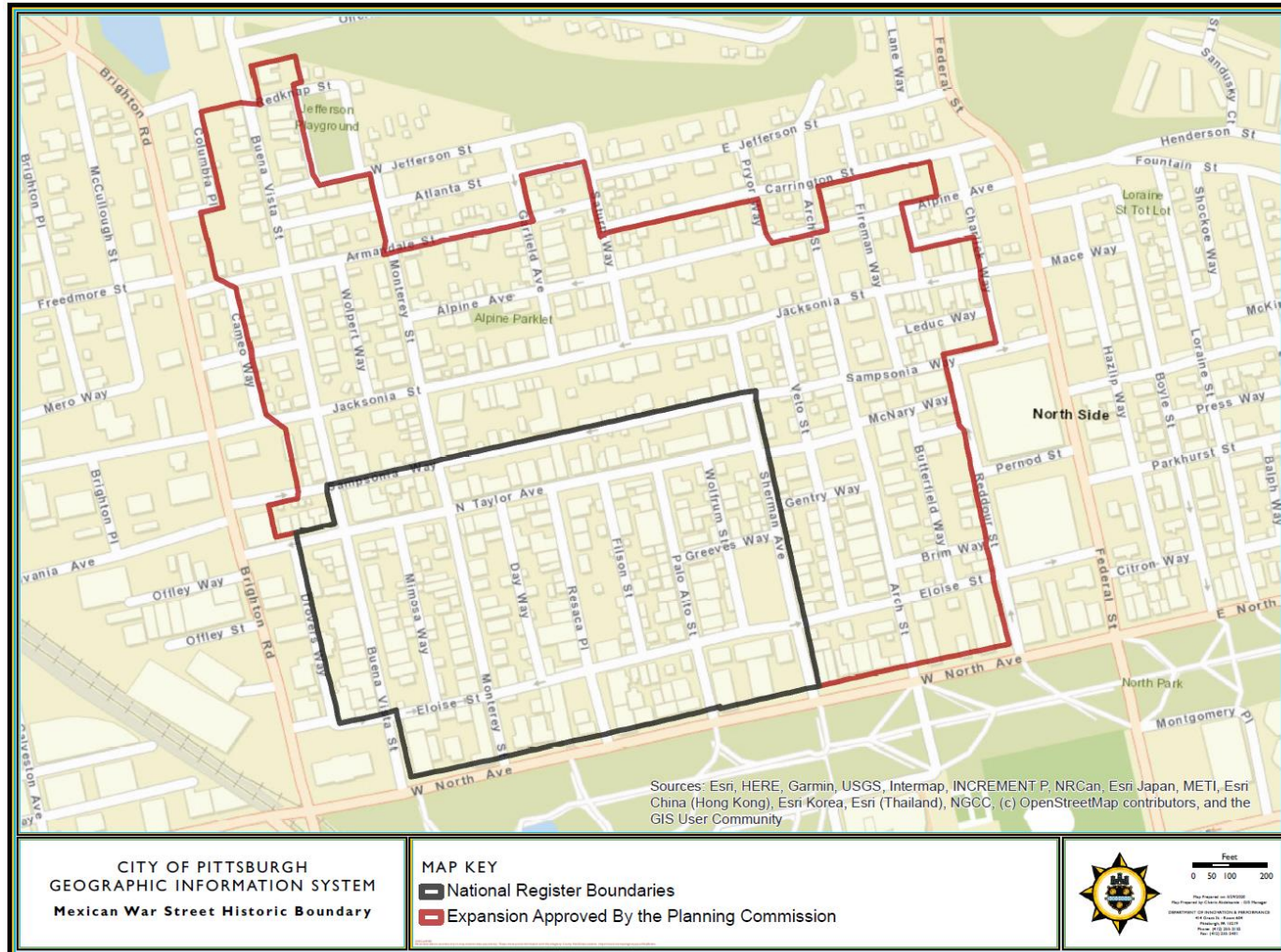
Court Decisions & Legal History

- Following this appeal, the case lingered as inactive in the Court of Common Pleas and no action occurred in the case until 2018.
- December 12, 2018: Following the filing of briefs and oral argument, the trial court (Allegheny County Court of Common Pleas) issued an order that OVERTURNED City Council's decision to deny the Resolution and remanded the matter to City Council for approval of the Resolution (approved the Mexican War Street City Historic District expansion).
- December 12, 2018 – January 24, 2019: The Pittsburgh City Council filed an appeal of the Allegheny County Court of Common Pleas order.

Court Decisions & Legal History

- October 24, 2019: Commonwealth Court of Pennsylvania AFFIRMED the Allegheny County Court of Common Pleas December 12, 2018 decision (approved the Mexican War Street City Historic District expansion).
- November 25, 2019: The Pittsburgh City Council filed a Petition for Allowance of Appeal from the Order of the Commonwealth Court with the Supreme Court of Pennsylvania.
- April 21, 2020: Supreme Court of Pennsylvania denied the Petition for Allowance of Appeal. The Commonwealth Court of Pennsylvania Order stands (approved the Mexican War Street City Historic District expansion).

Official Boundaries



How this Affects You

- Changes to the exterior of your property will need to be looked at by Historic Preservation staff and undergo review depending on the details of the project.
- Historic review is integrated into the normal process of obtaining a building permit.
- There is no requirement that any work be done to your property. The process only starts when you decide to do exterior work.
- The historic district does include a variety of homes, including very historic ones but also ones with more modern materials. Any materials that you have on your house right now are “grandfathered in” and you are allowed to replace them with the same materials if you choose.

How this Affects You

- The Mexican War Streets guidelines, found on our website at https://apps.pittsburghpa.gov/dcp/05_Mexican_War_Streets_Guidelines.pdf, are a good place to start when planning your project.
- Most projects involving repairs, replacement with the same materials, or painting can be reviewed and approved by staff within a few days.
- Larger projects, such as new construction, construction of an addition or demolition of a garage, will be reviewed by our Historic Review Commission. The HRC meets once a month and considers all applications carefully on a case-by-case basis.
- There is a process available to appeal a decision of the Historic Review Commission called the Certificate of Economic Hardship Application.

How this Affects You

- When submitting an application for historic review, the following application materials may be required:
 - An application form (available on our website)
 - Photos of your property
 - Description of the project
 - Details of the materials to be used

Thank you for participating.

Questions?

Q&A Session

Q&A Session

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