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CITY OF PITTSBURGH
DEPARTMENT OF CITY PLANNING
JOHN P. ROBIN CIVIC BUILDING

June 1, 2020

Mexican War Streets Historic District Expansion Court Determination and Order

Dear Property Owner:

A recent court decision may affect your property rights. A proposal was brought to Pittsburgh City Council to expand the Mexican War Streets Historic District in 2013, which Council voted to deny the resolution proposing the expansion. However, this decision of City Council was overturned by the courts. On October 24, 2019, the Commonwealth Court of Pennsylvania ordered that the Mexican War Streets Historic District Expansion be put into effect. The City then filed a Petition for Allowance of Appeal with the Pennsylvania Supreme Court, but that was denied on April 21, 2020. The City has exhausted all legal remedies; therefore, the Resolution for the Mexican War Streets Historic District Expansion is required to be approved. A map of the boundary expansion is attached.

I would like to invite you to a **virtual meeting through Zoom** regarding this matter at **4:00 p.m. on Monday, June 15, 2020**. A link to the virtual meeting will be posted on the Mexican War Street Historic District Expansion webpage one day prior to the meeting: www.pittsburghpa.gov/dcp/historic/mwse. The purpose of this meeting is for the City to present the history of nomination, public hearings, and court processes; discuss how this affects property owners and provide options on moving forward; and to hold a Q&A session following the presentation. If you would like to watch the virtual meeting but not participate in the Q&A session, please watch the YouTube Live Stream on the Pittsburgh City Planning YouTube page to allow those with questions to join the meeting via Zoom. A recording of the virtual meeting will be available on the website listed above afterwards for those who are unable to participate.

How this affects you

Because of this decision, all exterior alterations to the designated building(s) – alterations that are visible from a public street or way – must be reviewed and approved by the Historic Review Commission before they may take place. Please note that the Commission does not review interior alterations, nor does it review proposed uses for properties. Its jurisdiction is limited to the external appearance of structures, and includes proposals for additions to buildings or for their relocation or demolition.

When reviewing applications for exterior changes, the Historic Review Commission will reference the Mexican War Streets Guidelines to determine the appropriateness of the proposed changes. These standards are accessible at: https://apps.pittsburghpa.gov/dcp/05_Mexican_War_Streets_Guidelines.pdf.

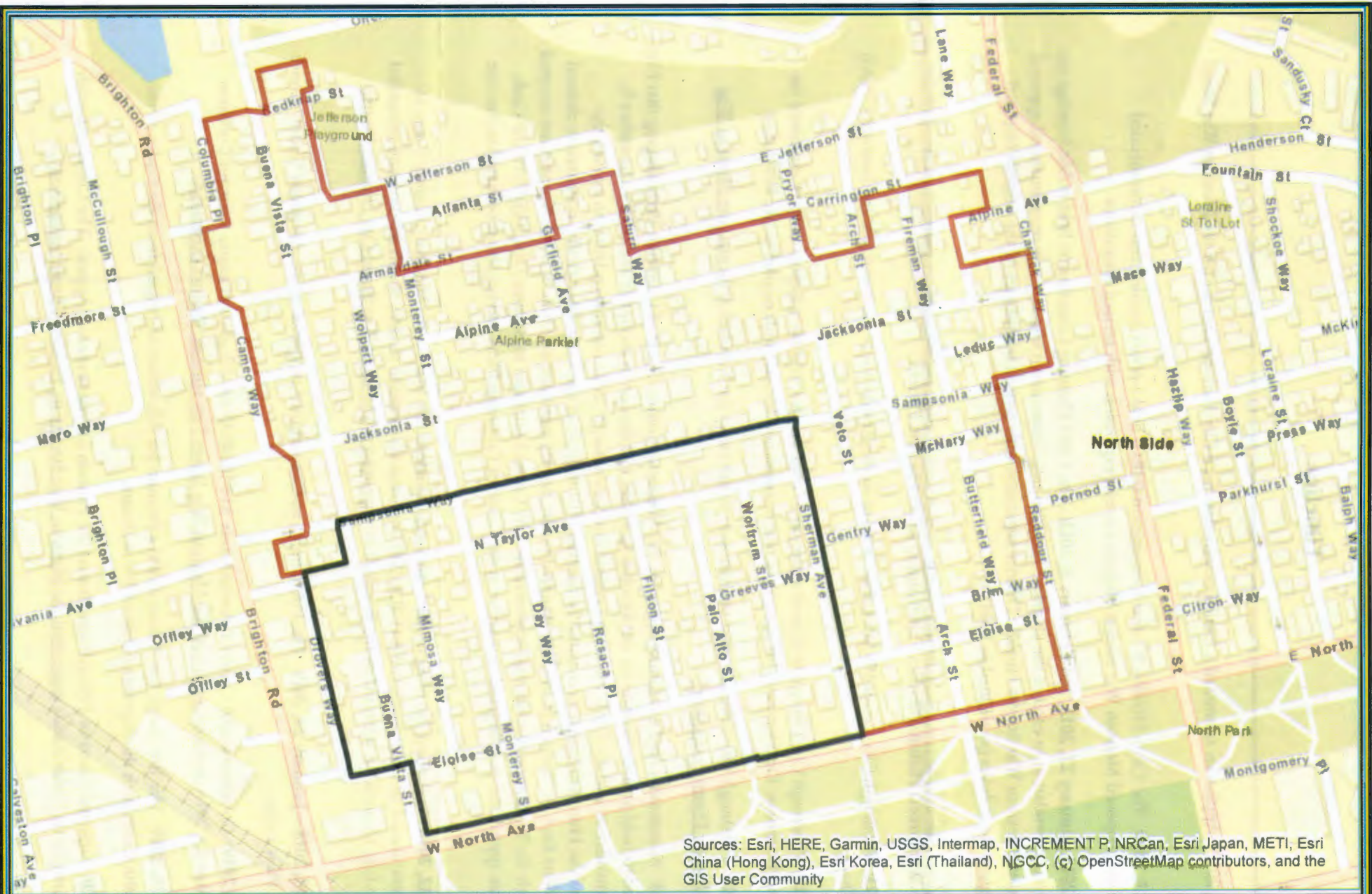
Attached are a timeline of the events that led to this decision and a frequently asked questions sheet. -If you have additional questions about the historic designation and its effects, or if you would like to file an application for exterior renovations with the Commission, please contact the City's Historic Preservation Planner, Sarah Quinn, via email at Sarah.Quinn@pittsburghpa.gov.

Thank you for your time, and I hope to see you at the meeting.

Sincerely,



A handwritten signature in blue ink that reads "Andrew M. Dash".

Andrew Dash, AICP
Acting Director, City Planning



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

**CITY OF PITTSBURGH
GEOGRAPHIC INFORMATION SYSTEM
Mexican War Street Historic Boundary**

- MAP KEY**
-  National Register Boundaries
 -  Expansion Approved By the Planning Commission



Feet
0 50 100 200

Map Prepared on 05/05/08
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Timeline

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

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.

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).

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).

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. 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.

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).

Historic District FAQs:

How will the historic district affect me?

- 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.
 - The Historic Preservation staff are two dedicated planners who are committed to providing assistance with the process to all applicants and homeowners. Our goal is to make the process as painless as possible.
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What is the process?

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

- There may be a fee for historic review depending on the project. We have tried to keep the fees for homeowners reasonable at \$25 for smaller projects and \$100 for larger projects reviewed by the HRC. If your project is repainting only, there is no fee, and the choice of paint color is up to you.

What are the benefits of historic designation?

- Historic preservation efforts can have significant positive impacts on property values, neighborhood revitalization, tourism activity, job creation, and tax revenue generation. More information can be found on our website at https://apps.pittsburghpa.gov/redtail/images/5007_Economic_Benefits_of_Historic_Preservation.pdf.
- Historic designation is good for the environment, as it emphasizes repair and restoration rather than replacement and discourages unnecessary demolition and waste.
- The Historic Preservation staff is always working to make the process more productive and to involve residents and community groups. Recently, we obtained a grant to assist the Allegheny West Historic District with revising their guidelines to be more user friendly and include more photos and graphics to represent the wide variety of appropriate treatments in historic districts. We look forward to working with your community on projects like this.

Contact Information:

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*Please note that email is the best contact method at this time.