

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA)**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

WHEREAS, the United States Department of Housing and Urban Development (HUD) plans to fund, through Moving to Work (MTW) funds, the Philadelphia Housing Authority's (PHA) Sharswood/Blumberg Headquarters and Redevelopment of Ridge Avenue (undertaking) pursuant to Section 106 of the National Historic Preservation Act (NHPA), [54 U.S.C. § 306108]; and its implementing regulations, 36 CFR Part 800; and

WHEREAS, the undertaking consists of six (6) existing structures with the demolition of five (5) structures to allow space to develop a Central Office for PHA, a supermarket with additional retail space, the possibility of constructing approximately 20 rowhomes for low-income housing, and exploration of possible future uses for 2125 Ridge Avenue.; and

WHEREAS, HUD has defined the undertaking's area of potential effects (APE) as the area confined by W Oxford St to the North, N 20th Street to the East, and Ridge Avenue running diagonally across the Southwest perimeter.; and

WHEREAS, HUD has taken measures to identify interested parties, and invite them to participate in the consultation process. These measures include; disbursing a scope of work and reference material among interested parties, organizing a consulting parties introductory meeting at the HUD Philadelphia Field Office, hosting conference calls among the consulting parties, circulate project documentation among the consulting parties during critical advancements of the project, and informing the consulting parties of any changes in the project.; and

WHEREAS, HUD has determined that the undertaking may have an adverse effect on **2125 Ridge Avenue, former Checker Café**, which is eligible for listing in the National Register of Historic Places, and has consulted with the **Pennsylvania State Historic Preservation Officer (SHPO)** pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); and

WHEREAS, HUD has invited the Delaware Nation, Eastern Shawnee Tribe of Oklahoma, and the Delaware Tribe of Indians to consult on the project and none responded, or expressed any concern for properties of potential religious or cultural significance at the project site; and

WHEREAS, HUD has consulted with the **Philadelphia Historical Commission, Resident Advisory Board, Young Friends of the Preservation Alliance, All That Philly Jazz, Brewerytown-Sharswood Community Civic Association, Design Advocacy Group, Preservation Alliance for Greater Philadelphia, Ridge Avenue Business Association, and Philadelphia Archaeological Forum** regarding the effects of the undertaking on historic properties and has invited them to sign this Programmatic Agreement (PA) as **concurring parties**; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), **HUD** has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation, and the ACHP has chosen *to* participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, **HUD** is responsible for ensuring that the following measures and stipulations are implemented by PHA throughout the duration of the project; and

NOW, THEREFORE, HUD, SHPO, ACHP, and PHA agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

HUD shall ensure that the following measures are carried out for 2125 Ridge Avenue, the former Checker Café:

I. Stabilization

Within 60 days of the issuance of the Environmental Review approval for the Undertaking, PHA will:

- a. Submit a scope of work that identifies the work necessary to clear the Unsafe Structure violation including elimination of water penetration through the roof, securing the loose cladding on the exterior bays, and any additional exigent health and safety concerns. The scope of work will be provided to HUD, SHPO, ACHP, and the Philadelphia Historical Commission for a 5-day comment period prior to implementation. No work will proceed until the expiration of the comment period or resolution of any matter raised by HUD, SHPO, ACHP, or the Philadelphia Historical Commission; and
- b. Perform the work and clear the Unsafe Structure violation with the City of Philadelphia; and
- c. Provide HUD with notification of the clearance of the violation and a copy of the letter from the City.

II. Development and Evaluation of the Structural and Financial Analysis

Within 60 days of the clearance of the Unsafe Structure violation, PHA will initiate the following steps:

- a. Hire an Architectural & Engineering (A&E) firm with expertise and experience in historic building rehabilitation to conduct a physical needs and cost analysis of rehabilitating the Property to meet the Secretary of the Interior's Standards for Rehabilitation, <https://www.nps.gov/tps/standards/rehabilitation.htm>. The A&E firm should include a qualified Historic Architect as defined in the federal SOI professional qualifications. These professional qualifications include at a minimum a professional degree in architecture or a State license to practice architecture, plus one of the following: 1) At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or 2) At least one year of full-time professional experience on historic preservation projects. Such graduate study or experience shall include

detailed investigation of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects; and

- b. Distribute the report to HUD, SHPO, ACHP, and the Philadelphia Historical Commission, and make it available to consulting parties and the public; and
- c. The preliminary summary of the financial study and other relevant information collected by PHA will be distributed among the consulting parties to provide an opportunity for review and comment for 30 days. HUD will consider these comments in determining the financial feasibility of this project. HUD's determination and evaluation will be distributed for 15 days among the consulting parties for final review before any action is taken regarding the fate of the property; and
- d. If HUD determines that the report from the A&E firm shows that the Property lacks sufficient structural soundness, is not suitable for rehabilitation, and/or is not financially feasible to restore then PHA may take the identified steps for demolition of the Property, Stipulation IV;

III. Consideration of Alternative Uses and Marketing Plan

If the Property is structurally suitable for rehabilitation, PHA will consult with HUD, SHPO, ACHP, the Philadelphia Historical Commission, and other interested parties for exploring options for the reuse of the Property. The Plan will include:

- a. Community outreach for potential reuses and funding opportunities, including outreach to consulting parties; and
- b. Options for rehabilitation for a new use that is compatible with the PHA administration campus, including consideration of reuse by PHA; and
- c. Exploration of the financial feasibility of possible rehabilitation options; and
- d. Offering the building for sale or lease for a nominal amount to a new owner or lessee, if the interested parties has a feasible rehabilitation proposal; and
- e. The marketing and outreach will continue for a period of at least one year. Any plan for reuse and rehabilitation will include a requirement for nomination of the Property to the Philadelphia Register of Historic Places.

IV. Demolition and Mitigation

If HUD determines that the Property lacks sufficient structural soundness, is not suitable for rehabilitation, and/or is not financially feasible to restore, HUD will notify the consulting parties of the decision to demolish the property. The consulting parties will then be provided the opportunity to participate in the development of a mitigation plan, and assist in determining an adequate use of the parcel upon demolition. After completion of the mitigation plan, copies will be circulated and will be posted on a project specific website to inform the public and consulting parties. Furthermore, HUD, SHPO, ACHP, and the Philadelphia Historical Commission will review and approve the mitigation plan before demolition is implemented. Following approval and implementation of the mitigation plan, PHA will be

free to seek demolition approval from HUD, SHPO, ACHP, and the Philadelphia Historical Commission pursuant to Section 14-2007(7)(j) of the Philadelphia Code. Any requirements for recordation in the mitigation plan will be carried out and approved prior to demolition.

V. Maintaining Historic Properties

HUD acknowledges that other than as set forth above, PHA is committing no funds to the development of the Property other than maintaining the structure, in accordance to the National Park Service's Preservation Brief #31: Mothballing Historic Buildings, to prevent further deterioration.

VI. Duration

The PA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, HUD and PHA may consult with the other signatories to reconsider the terms of the PA and amend it in accordance with Stipulation XII below.

VII. Post Review Discoveries

If, during the implementation of an undertaking, a previously unidentified property that may be eligible for inclusion in the National Register is encountered, or a known historic property may be affected in an unanticipated manner, HUD shall assume its responsibilities pursuant to 36 C.F.R. Part 800.13.

- a. In the event that previously unidentified archeological sites or human remains are discovered during project construction, that portion of the project shall stop immediately and the project manager shall notify HUD, SHPO/THPO, ACHP, and other consulting parties signatories within 48 hours, and shall take appropriate steps to immediately secure the site.
- b. If human remains are discovered, they shall be respectfully covered over and the project manager shall notify HUD, SHPO/THPO, ACHP, Tribes, and other consulting parties signatories. In addition, the project manager shall notify local and/or state law enforcement authorities including [medical examiner, coroner, state police, etc.] pursuant to local/state law.
- c. HUD shall consult with the SHPO/THPO, ACHP, and Tribes to determine if the discovered site appears eligible for the National Register. If it does appear eligible, HUD shall submit a treatment plan for the avoidance, protection, recovery of information, or destruction without data recovery to the SHPO for review and comment. The treatment plan shall be consistent with the ACHP's handbook Treatment of Archaeological Properties and subsequent amendments and SHPO guidelines. If human remains are discovered, the treatment plan shall follow the guidance in Advisory Council on Historic Preservation Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects, including appropriate consultation with descendent communities. HUD shall notify all consulting parties of the unanticipated discovery and provide the proposed treatment plan for their comment. Construction work in the area of the discovery shall not continue until the plan has been accepted by the signatory parties and implemented.
- d. All human burial sites in Philadelphia, Pennsylvania are protected under Historic Burial Places Preservation Act of April 29, 1994, and any undertaking that may affect a human

burial site shall comply with provisions outlined in the ACHP's Policy Statement regarding Treatment of Burial Sites, Human Remains and Funerary Objects, the National Park Service Publication, *National Register Bulletin 41 Guidelines for Evaluating and Registering Cemeteries and Burial Places*, and the Pennsylvania Historical and Museum Commission's *Policy for the Treatment of Burials and Human Remains* (1993), the terms of this Agreement notwithstanding.

VIII. MONITORING AND REPORTING

Each **quarter** following the execution of this PA until it expires or is terminated, **HUD** shall ensure that **PHA** provide all parties to this PA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in **PHA**'s efforts to carry out the terms of this PA. **PHA** shall upload these reports to a project specific website to inform the public and consulting parties of the progress of implementation.

IX. DISPUTE RESOLUTION

Should any signatory to this PA object at any time to any actions proposed or the manner in which the terms of this PA are implemented, **HUD** shall consult with such parties to resolve the objection. If **HUD** determines that such objection cannot be resolved, **HUD** will:

- a. Forward all documentation relevant to the dispute, including **HUD**'s proposed resolution, to the ACHP. The ACHP shall provide **HUD** with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, **HUD** shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. **HUD** will then proceed according to its final decision.
- b. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, **HUD** may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, **HUD** shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the PA, and provide them and the ACHP with a copy of such written response.
- c. **PHA**'s responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.

X. AMENDMENTS

This PA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

XI. TERMINATION

If any signatory to this PA determines that its terms will not or cannot be carried out, that parties shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation X,

above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the PA upon written notification to the other signatories.

Once the PA is terminated, and prior to work continuing on the undertaking, **HUD** must either (a) execute an PA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. **HUD** shall notify the signatories as to the course of action it will pursue.

Execution of this PA by **HUD**, **SHPO**, **ACHP**, and the Invited Signatory **PHA** and implementation of its terms evidence that **HUD** has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment. This PA may be executed in counterparts, with separate signature pages, and will become effective on the date of the final signature of the Signatories.

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

SIGNATORIES:

United States Department of Housing and Urban Development

By: 

Monica A. Hawkins, MBA

Director, Office of Public and Indian Housing

Date: 5/8/17

PROGRAMMATIC AGREEMENT

AMONG

THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),

REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA

SIGNATORIES:

Pennsylvania State Historic Preservation Officer

By: Andrea L. MacDonald Date: 5/5/17
Andrea L. MacDonald
Deputy State Historic Preservation Officer

PROGRAMMATIC AGREEMENT

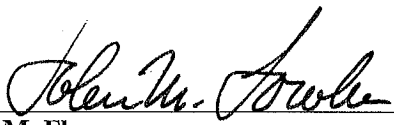
AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

SIGNATORIES:

Advisory Council On Historic Preservation

By: 

John M. Flower
Executive Director

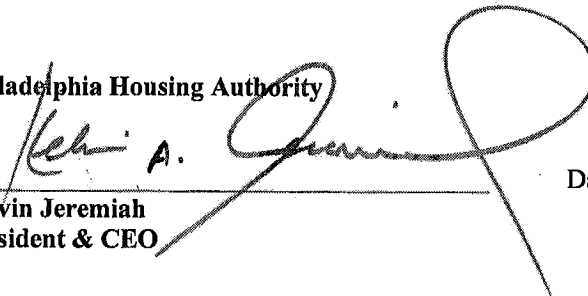
Date: 5/12/17

PROGRAMMATIC AGREEMENT

**AMONG
THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),
REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

INVITED SIGNATORIES:

Philadelphia Housing Authority

By: 
Kelvin Jeremiah
President & CEO

Date: 5/5/19

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Philadelphia Historical Commission

**By: _____
Carol Ingald, Historic Preservation Planner**

Date: _____

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Resident Advisory Board

**By: _____
Asia Coney, President**

Date: _____

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Young Friends of the Preservation Alliance

**By: _____
Libbie Hawes, Advocacy Liaison**


Date: _____

PROGRAMMATIC AGREEMENT

**AMONG
THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),
REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

All That Philly Jazz

By: 

Faye Anderson, Director

Date: May 8, 2017

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Brewerytown-Sharswood Community Civic Association

**By: _____
Darnetta Arce**

Date: _____

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),
REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Design Advocacy Group

**By: _____
Kiki Bolender, Chair**

Date: _____

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

REGARDING THE

**SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Preservation Alliance for Greater Philadelphia

By: _____
Patrick Grossi, Director

Date: _____

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),
REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Ridge Avenue Business Association

**By: _____
Charles Bennett**

Date: _____

PROGRAMMATIC AGREEMENT

AMONG

**THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD),
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER (SHPO),
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP),
AND THE PHILADELPHIA HOUSING AUTHORITY (PHA),**

**REGARDING THE
SHARSWOOD/BLUMBERG HEADQUARTERS
AND REDEVELOPMENT OF RIDGE AVENUE
IN PHILADELPHIA COUNTY, PENNSYLVANIA**

CONCURRING PARTIES:

Philadelphia Archaeological Forum

**By: _____
Douglas Mooney, President**

Date: _____

