

**REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION
PHILADELPHIA HISTORICAL COMMISSION
1 September 2005**

**Room 578 City Hall
Thomas Sugrue, Ph.D., Chair**

Present

Thomas Sugrue, Ph.D., Chair
Warren Huff, City Planning Commission
Janet Klein, Pennsylvania Historical & Museum Commission
Bruce Lavery, Athenaeum of Philadelphia
Hyman Myers, AIA

Jonathan E. Farnham, Acting Historic Preservation Officer
Laura M. Spina, Historic Preservation Planner

Also Present

Liz Blazeovich, Preservation Alliance for Greater Philadelphia
Michael Herr, 333 Queen Street
Richard Astrelta, Front Street Development
James Molinari, Front Street Development
R. David Schaaf, City Planning Commission
John Gallery, Preservation Alliance for Greater Philadelphia
Peter Taraborelli, 115-17 Walnut Street

Thomas Sugrue, Chair, called the meeting to order at 9:10 a.m.

Mr. Sugrue explained to the audience that the Committee serves in an advisory capacity to the Historical Commission. The Committee members then introduced themselves.

13250 Trevoese Road, Waston Comly School/Somerton Masonic Hall

13250 Trevoese, LLC, Owner
History: built 1892-93, Joseph Anschutz, architect

Ms. Spina explained that the Somerton Civic Association, the party that nominated the property, withdrew its nomination.

333 Queen Street

Michael Herr, Owner
History: built c. 1830s, cornice altered c. 1860s, demolished and rebuilt 1975
Designated: 25 March 1969

On 27 February 1975 the staff of the Commission approved a permit to “demolish the front and rear façades and reconstruction according to plans approved by the Historical Commission.” The next day, the staff approved a permit for “complete demolition and construction of a three-

story building.” The new building is an accurate reconstruction of the historic building; for example, the front brick façade is laid in a Flemish-bond pattern, just as it was originally laid.

The owner, Michael Herr, purchased the property in April 2001. He is applying for the rescission of the individual designation, pursuant to Section 5.5.c.1 of the Historical Commission’s Rules and Regulations.

Staff Recommendation: Denial of the rescission. The extant building is a reconstruction of the historic building that occupied the site. The Commission conditioned the demolition of the historic building on its reconstruction.

Ms. Spina presented the proposal for rescission and clarified that the new construction did not use salvaged 1830s brick but matched the brick patterning of the 1830s construction. Michael Herr, the owner, testified that he purchased the property in 2001 and wishes to have the property removed from the Philadelphia Register to make the permitting process less burdensome when he performs work on the property. He noted that the building is entirely new construction and that concrete block exists in the basement.

Ms. Klein asked if the building is part of a historic district. It is not a locally designated district, but one on the National Register. Ms. Klein believes that the building contributes to the streetscape in scale and details. Ms. Spina showed the Committee the plans that the Commission approved for the reconstruction and explained that the Commission awarded the property a Commission plaque in 1989. Mr. Herr concurred that the Commission approved a plaque, but the previous owner never actually purchased it. In answering a query, Mr. Farnham stated that 26 properties on the block appear on the Philadelphia Register.

Mr. Sugrue reiterated that the Commission reviewed and required the reconstruction. He asked Mr. Herr about the changes he would make to the property that would require the review of the Commission. Mr. Herr noted that he performed roof work and repaired the stucco on the rear and needed the approval of the Commission to perform the work. Ms. Spina had approved these repairs at the staff level. Mr. Sugrue opined that the Commission would probably be liberal with reviews to the rear of the property considering that the rear is new construction. The Committee discussed possible changes to the rear that the Commission may approve. Mr. Farnham concurred and added that the staff could approve an array of work at the rear of the building.

Mr. Huff opposed the maintenance of the designation. He argued that the building is now only thirty years old and has no historic value. Mr. Myers and Mr. Sugrue disagreed. Mr. Herr noted that he wants to maintain the historic character of the front façade. Ms. Klein mentioned that future owners may not be so inclined.

Mr. Myers made a motion to recommend the denial of the rescission request and the maintenance of the designation of 333 Queen Street on the Philadelphia Register, but to note that the rear is non-historic in character and that proposals to alter it should be treated liberally by the Commission. Ms. Klein seconded the motion, which passed by a vote of four to one. Mr. Huff dissented.

Mr. Herr agreed with the recommendation.

136 South Front Street

Front Street Development Associates, LP, Owner

History: built 1825, rear tenements c.1790; demolished 1993

Designated: 26 May 1970

After purchasing the property in 1988, the Taxin family applied to the Historical Commission to demolish the building for parking. The Commission denied the application. The Taxins appealed the decision to the Board of License & Inspection Review, which sustained the appeal. The City of Philadelphia appealed the decision to the Court of Common Pleas, but later withdrew the appeal, clearing the way for the building's demolition. The building was demolished despite the Commission's denial.

The current owner, Front Street Development Associates, purchased the property in April 2003. The owner seeks the rescission of the individual designation under the Commission's Rules & Regulations, Section 5.5.c.1. The property appears as "non-contributing" to the Old City Historic District and the rescission of the individual designation would not affect that designation and classification.

Staff Recommendation: Denial of the rescission because the historic building was demolished over the objections of the Commission. Also, the site may have archeological significance.

Ms. Spina presented the application. Richard Astrelta of Front Street Associates and James Molinari, Esq., attorney for Mr. Pacetti, principle owner of Front Street Associates, attended the meeting. Mr. Molinari noted that he joined the development team late in the process. Mr. Astrelta said that Front Street Associates owns 126-34 South Front, 136 South Front, 138 South Front and 111-13 Walnut Street. Ms. Spina explained that of those addresses the Commission designated only 136 South Front Street individually.

Mr. Myers contended that the site probably contains archeological resources. The Committee discussed the extent of the possible archeological significance. Mr. Myers indicated that the building along Front Street had a relatively shallow basement and the rear buildings dated to the eighteenth century. Ms. Klein asked if any building remains on the block. Mr. Farnham noted that 149 South Hancock remains standing and is owned by the Redevelopment Authority.

Ms. Klein made a motion to recommend the rescission of the individual designation of 136 S. Front Street on the condition that a Phase 1 archeological study is conducted, with follow-up archeological study as required, and maintenance of the "non-contributing" status to the Old City Historic District. Mr. Myers seconded the motion, which passed by unanimous vote.

115 Walnut Street

Gloria R. Taraborelli, Owner

History: built c. 1860, demolished 1994

Designated: 6 February 1975

In the course of the demolition of the building at 117 Walnut Street, the building at 115 Walnut Street became unstable to the point that the Department of Licenses & Inspections declared it Imminently Dangerous. The Commission approved the demolition permit on 9 March 1994 on the condition that "upon the future development for 115 Walnut Street, the design of any facades visible to the public shall be consistent with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* and subject to the approval of

the Philadelphia Historical Commission. The Department of Licenses and Inspections will not issue a building permit for a new structure at this location that does not comply with this condition.” At the Commission meeting, the owners, Gloria and Peter Taraborelli, agreed to the condition. However, subsequent to the Commission meeting, they objected to the requirement that the new construction follow the Secretary of the Interior’s *Standards*. Sixty-eight days after the Commission’s decision, the Taraborellis appealed the permit’s condition to the Board of License and Inspection Review. The LIRB announced a tie vote on the appeal, affirming the Commission’s conditional decision. They did not appeal the LIRB’s decision to the Court of Common Pleas.

Ms. Taraborelli still retains ownership of the property but has not developed it during the last decade. She now would like to have the individual designation of the property rescinded. The property appears as “non-contributing” to the Old City Historic District. The basis for the rescission application is that the property no longer meets the criteria for designation as noted in Section 5.5.c.1 of the Historical Commission’s Rules and Regulations, “the resource has ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed.”

Staff Recommendation: Denial of the rescission of the individual designation. Although the resource no longer exists, the Commission approved the demolition with a condition on the new construction. If it rescinds the individual designation, the Commission would abdicate its plenary jurisdiction over the site and release Ms. Taraborelli of the condition imposed at the time of the building’s demolition. The mere passage of time alone should not be the basis of relief from the condition set by the Commission when it approved the demolition permit.

Ms. Spina presented the application. Peter Taraborelli, husband of the owner, represented the property.

Mr. Huff opined that this application differs from the Queen Street application because the property lies in a local historic district. Mr. Taraborelli argued that although he and his wife did not appeal to the Court of Common Pleas for relief from the building permit’s condition, almost the entire block has been demolished. Mr. Pacetti, a developer, owns most of the parcels and intends to build on the entire block. Mr. Taraborelli and his wife would like to sell their properties to Mr. Pacetti for that development. The condition imposed by the Commission makes the property less desirable, claimed Mr. Taraborelli.

Mr. Huff noted that the Commission would review the new construction in terms of scale, height, materials, etc. Ms. Klein noted that the owners could always ask the Commission to release them of the condition. Mr. Sugrue noted that rescission application was essentially requesting a release from the conditions. Mr. Huff argued that the condition did not require a reconstruction of the historic building, but merely that the new construction follow the Secretary of the Interior’s *Standard’s for Rehabilitation*. The standards are the same for any new construction in an historic district. Mr. Sugrue agreed that the *Standards* and the condition are not unreasonable. Mr. Myers did not see a reason to change the condition.

John Gallery of the Preservation Alliance opposed the rescission. He observed that the lot will be developed with other parcels and fears that the consolidation will lead to the demolition of the Bouvier building at 149 South Hancock Street.

Mr. Taraborelli argued that he did not want to be singled out from the rest of the property owners on the block. With the condition imposed on his property, it is less desirable to the

developer assembling the larger parcel. The property will become a burden if it cannot be sold to the larger development. Mr. Sugrue assured Mr. Taraborelli that, even with this condition, the property could be developed. Mr. Farnham informed Mr. Taraborelli that if it proves that the property cannot be developed with the condition, he may apply to the Commission for relief under its financial hardship provisions.

Mr. Myers made a motion to recommend denial of the rescission of the individual designation. Mr. Huff seconded the motion, which passed by unanimous vote.

117 Walnut Street

Gloria R. Taraborelli, Owner

History: built c. 1860, demolished 1994

Designated: 6 February 1975

After a severe fire, the Department of Licenses & Inspections declared the building standing at 117 Walnut Street Imminently Dangerous. The staff of the Commission approved the demolition permit, based on the Imminently Dangerous condition.

The owner, Gloria Taraborelli, wishes to rescind the individual designation of the property, as stipulated in Section 5.5.c.1 of the Historical Commission's Rules and Regulations. The property appears as "non-contributing" to the Old City Historic District and the rescinding of the individual designation would not affect that status.

Staff Recommendation: Approval of the rescission of the individual designation, pursuant to 5.5.c.1 of the Rules and Regulations.

Ms. Spina presented the application and reiterated that the demolition approval did not have any conditions on new construction. Mr. Taraborelli agreed with the staff's recommendation.

John Gallery again argued that rescission of the individual designation would further jeopardize the Bouvier Building. The Committee members discussed Hancock Street. The street itself is not part of the Historic Street Paving Thematic District, but Mr. Myers believes that the offsets of the street prove significant because they show the alleyway nature of the street.

Mr. Myers explained that the development of a nearby site is not relevant to the determination of whether this site should or should not remain designated. However, he believes that the site may hold archeological potential, which should be explored. Mr. Huff expressed conflict between the argument for good urban design and the fact that the resource no longer exists. He believes that the development at 101-113 Walnut Street was improved by the Historical Commission's review. Mr. Sugrue acknowledged that maintaining the individual designation would not be fair or consistent when it clearly met the requirements for rescission specified in the Rules & Regulations. Committee members agreed that an archeological survey should be done. Mr. Huff opined that having the jurisdiction over the new construction of 115 Walnut would give the Commission review over the development on the entire site.

Mr. Taraborelli insisted that it would not be fair to exclude 115 Walnut Street from the larger development by maintaining the Commission's jurisdiction. The Committee was not there to attach tentacles to all properties on the block, he claimed. He said that a developer already has the plans for the block and they are ready to move forward with the development; to have to present the plans to the Commission would be an unfair burden.

Mr. Huff made a motion to recommend the rescission of the individual designation on the condition that a Phase 1 archeological study is conducted, with follow-up archeological study as required, and maintenance of the “non-contributing” status to the Old City Historic District. Ms. Klein seconded the motion, which passed by unanimous vote.

Mr. Taraborelli said that he would agree to the archeological survey condition for 115 Walnut Street, if the Commission removed the condition and abandoned its full jurisdiction over the new construction. Mr. Sugrue instructed him to present that compromise to the Commission.

Archeological Issues

The Committee then discussed the issue of archeological surveys. Mr. Myers explained that the depth of the building’s basement proves to be a good indication as whether any archeological resources may remain on a property. Too often sites are cleared and rebuilt without the proper documentation of what may lie underground. Although almost none of the buildings in the city are first generation buildings, many are built in such a way that the original foundations, privy pits, and wells of previous building campaigns still exist and can offer great amount of historical research. As each building campaign occurred, especially in the later nineteenth and early twentieth centuries, the excavation for the basements of the buildings tended to disturb these resources.

Ms. Klein made a motion that all future demolition approvals granted by the Historical Commission include a requirement that the basement depths in the buildings to be demolished be measured and documented with the Commission. Mr. Myers seconded the motion, which passed unanimously.

With a motion made by Mr. Lavery and seconded by Mr. Myers, the meeting adjourned.

The meeting adjourned at 10:40 a.m.

Respectfully submitted,

Laura M. Spina
Historic Preservation Planner