

THE MINUTES OF THE 265th STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

2 September 1982

F. Otto Haas, Chairman

Present: F. Otto Haas, Chairman of the Commission
Janet S. Klein, Vice Chairman of the Commission
Edward Pinkowski
John Taxin
Joseph W. Brown, Commissioner, Department of Public Property
Val C. Mogensen, Executive Assistant Director of Finance
Herbert W. Levy, A.I.A., Architectural Advisor to the Commission
Richard Tyler, Historian
Patricia Siemiontkowski, Architectural Historian

Various persons and representatives of organizations concerned with the properties 1631-1633 Locust Street and 1635-1637 Locust Street, a.k.a. 235 South 17th Street.

Unless otherwise noted, all actions taken herein are the results of motions correctly made, seconded and carried.

OLD BUSINESS

1631-1633 Locust Street and 1635-1637 Locust Street, a.k.a. 235 South 17th Street. At the suggestion of the Chairman, the Commission agreed to re-order its agenda and to consider the matter of 1631-1633 Locust Street and 1635-1637 Locust Street before attending to its routine business.

The Historian reviewed briefly the significance of the properties, 1631-1633 Locust Street and 1635-1637 Locust Street, the action taken by the Commission on 1 July 1982, and subsequent developments.

On 1 July 1982 the Philadelphia Historical Commission voted to certify 1629 Locust Street, 1631-1633 Locust Street, 1635-1637 Locust Street and 1630 Locust Street. Following the Commission's action of 1 July, a letter of notification was sent to the owner of record for each building certified. The Emergency Aid Society responded positively to the Commission's certification of its building at 1629 Locust Street. Bell and Howell, counsel for Bell and Howell and for Richard Dilshemer, and Robert and Henry Taplinger responded in opposition to the certification of 1631-1633 Locust Street and 1635-1637 Locust Street. No response was received from the owner of 1630 Locust Street.

On 19 August 1982, the Department of Licenses and Inspections issued demolition permits for 1631-1633 Locust Street and 1635-1637 Locust Street without consulting the Historical Commission. These permits were revoked by letter of 25 August 1982 by the Department of Licenses and Inspections under Section 4-106 of the Philadelphia Building Code and the applications referred to the Historical Commission as prescribed under Section 14-2007 of the Philadelphia Zoning Code.

Following Mr. Tyler's account, the owners of 1631-1633 Locust Street and 1635-1637 Locust Street and their representatives were invited to speak.

John W. Fischer, Esq., counsel for the equitable owner of 1631-1633 Locust Street and 1635-1637 Locust Street under Agreement of Sale respectively dated 7 May 1982 and 27 May 1982, distributed copies of a letter dated 2 September 1982 to the Commission members. In his statement to the Commission, Mr. Fischer further elaborated upon his client's standing on this matter. A copy of the 2 September 1982 letter was accepted by the Commission as part of the official Minute of the meeting and is appended.

Richard B. Laden, attorney for Bell and Howell Company, next testified in his client's behalf. Mr. Laden also distributed to the Commission members copies of a letter dated 2 September 1982. This letter, too, was accepted as part of the official Minute of the Stated Meeting; a copy is attached.

Both Mr. Fischer and Mr. Laden asked that their clients' objection to certification be considered if the Commission action of 1 July does not constitute a final certification of the properties. If that action by the Commission does represent the formal designation of the buildings, Messrs. Fischer and Laden requested decertification of the properties.

Robert Taplinger, owner of 1531-1633 Locust Street, next testified regarding the condition of the building, its economic viability and his interest as a private property owner.

Following Mr. Taplinger's statement, the Chairman asked if anyone present wished to speak in favor of the certification and preservation of the 17th and Locust Street buildings.

Perrin Hamilton of Matburn, Wilcox, Hamilton and Putnam spoke for his immediate clients, the Emergency Aid of Pennsylvania and the Center City Residents Association. Mr.

Hamilton also testified in behalf of other interested parties, including the National Society of Colonial Dames, the American Institute of Architects, the Victorian Society, St. Mark's Church, the Paralegal Institute, the Center City Foundation and others. A total of 36 persons attended the Commission's meeting; many of them supported the preservation of the Locust Street buildings. In addition, a statement in opposition to the proposed development of the 17th and Locust Street site signed by 98 members of St. Mark's Church was presented to the Commission. Two congregants indicated their support of the proposed new development.

Mr. Hamilton urged the Commission to continue its efforts to preserve 1631-1633 Locust Street and 1635-1637 Locust Street on the basis of their historical and architectural importance to the City of Philadelphia.

Cate Spurr, speaking as President of the Center City Foundation, addressed the individual merit of each of the buildings and their significant contribution to the integrity of the Rittenhouse Square neighborhood.

Finally, Christopher Scouffer, an attorney for the proponents of certification, and Peter Tolone, a resident of the neighborhood, offered brief statements. Mr. Scouffer expressed his opinion that the historical certification of the properties does not constitute a legal taking, as suggested by the opponents, but instead offered only an opportunity for dialogue between the parties.

The Chairman thanked those present for attending the meeting and presenting their views to the Commission. There being no further discussion, the Victorian recommended to the Commission that it follow its regular procedure and refer the issues of certification and demolition to the respective committees. Mr. Pinkowski offered the motions to refer the owner's refusal to accept certification to the Committee on Certification and to refer the demolition permit applications to the Architectural Committee. These motions were seconded and unanimously carried. The Committee on Certification will meet on 14 September 1982 at 2:30 p.m.; the Architectural Committee will meet on 15 September 1982 at 2:20 p.m. The recommendations resulting from these Committee meetings will be presented to the Historical Commission for its consideration at its next Stated Meeting scheduled for Wednesday, 6 October 1982, at 3:30 p.m.

- ✓ 4. S. Naval Row, 24th Street and Gray's Ferry Avenue. The Historian presented for the Commission's information a copy of the preliminary site plan of the proposed development of the

Naval Home complex. This plan calls for the preservation of the Strickland buildings, the lawn in front of the Strickland buildings, the perimeter walls and the guardhouses. New town-house development will fill the remainder of the site including the area now occupied by Laning Hall, a mid-nineteenth century structure designed by John McArthur, Jr.

While the proposed development of the Naval Home property requires no action by the Commission under its enabling legislation, the Historian asked the Commission to consider the propriety of an endorsement of the plan. Following some discussion, the Commission asked the Historian to secure additional information from the developer concerning the implementation of the plan. Action was tabled pending the receipt of this data.

MINUTES AND REPORTS

The Minutes of the Stated Meeting of the Philadelphia Historical Commission held on 1 July 1982 were reviewed, approved and directed to be filed.

The Report of the Architectural Committee for 21 July 1982 was approved and directed to be filed with the official copy of the Minutes.

The Report of the Architectural Committee for 18 August 1982 was reviewed and amended. On page 5 the minute regarding 310 S. Quince Street was amended to read as follows: "The proposed work includes the installation of a new lead coated copper roof and the closing on one large window and three horse stall windows at the rear of the building." Subject to this amendment, the report was approved and directed to be filed with the official copy of the Minutes.

The Historian's Report on Philadelphia Historical Commission Staff Activities for July and August was approved and directed to be filed with the official copy of the Minutes.

NEW BUSINESS

National Trust for Historic Preservation Annual Meeting. Members of the Commission voted to approve the expenditure of up to \$700.00 from the Harry A. Batten Fund to allow the Commission's Architectural Historian to attend this year's meeting in Louisville, Kentucky. The National Trust will meet from 7 through 10 October. In addition, the Chairman generously offered to send the Commission's Historian, as well, and to cover his expenses.

Mr. Mogensen abstained from voting on this matter.

STATED MEETING

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2 September 1982

There being no further business, the meeting adjourned at 4:30 p.m.

Respectfully submitted,

Patricia Siemiontkowski
Architectural Historian

Attachments:

Letter of 2 September 1982 from Richard B. Laden re 1635-1637
Locust Street, a.k.a., 235 South 17th Street.

Letter of 2 September 1982 from John W. Fischer re 1631-1633
Locust Street and 1635-1637 Locust Street, a.k.a., 235 South 17th
Street.