

**THE MINUTES OF THE 559TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**13 MARCH 2009
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman, Chair
David Amburn, AIA
Leslie Benoliel
Richardson Dilworth, Ph.D.
Della Clark
Rosalie Leonard, Office of Council President
Sara Merriman, AICP, Director of Policy Initiatives
Daniel Quinn, Department of Licenses & Inspections
David Schaaf, RA, Philadelphia City Planning Commission
Joan Schlotterbeck, Department of Public Property
Robert Thomas, AIA

Jonathan Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Jorge Danta, Historic Preservation Planner II
Erin Cote, Historic Preservation Planner II
Rebecca Sell, Historic Preservation Planner II
Karen Gonski, Administrative Technician

Leonard Reuter, Assistant City Solicitor

ALSO PRESENT

The Reverend Christine Ritter, Episcopal Diocese of Pennsylvania
Sabra Smith, Preservation Alliance
John Gallery, Preservation Alliance
Carl Primavera, Esq., Klehr Harrison Harvey Branzberg & Ellers
Michael Palermo, Starr Restaurants
Stephen Starr, Starr Restaurants
Christine Kimmel, Esq.
Daniela Voith, Voith & Mactavish Architects
David Brigham, Pennsylvania Academy of the Fine Arts
Cheryl Leibold
Jeff Wyant, Wyant Architects
Ellen Larievre
Steven Weixler, Society Hill Civic Association
Wayne Zukin
Rachel Schade, Schade & Bolender Architects
David Knapton, City Planning Commission

CALL TO ORDER

Mr. Sherman called the meeting to order at 9:00 a.m. Commissioners Amburn, Benoliel, Dilworth, Clark, Leonard, Merriman, Quinn, Schaaf, Schlotterbeck, and Thomas joined him.

MINUTES OF THE 558TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Merriman moved to adopt the minutes of the 558th Stated Meeting of the Philadelphia Historical Commission, held 13 February 2009. Mr. Schaaf seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 24 FEBRUARY 2009

David Amburn, Chair

205-07 CHURCH STREET

Owner: The Rector and Wardens of Christ Church

Applicant: Daniella Voith, AIA

History: Neighborhood House 1916, addition 1922; Ralph White, architect

Washburn House 1922; Ralph White, architect

Contributing to Old City Historic District, 2003

Project: Construct a link between two historic structures

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the gate and piers are rebuilt together on the site, with the staff to review details.

OVERVIEW: This application proposes constructing a link building between two historic structures associated with Christ Church. The Community Building and the Washburn House, both on the west side of American Street, would be linked with a glass structure constructed across what is now an open court. A gate and flanking brick piers at the entrance to the court would be demolished.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architect Daniela Voith represented the application.

Mr. Sherman asked Ms. Voith if the glass would be clear or tinted. She replied that the glass will would have a very light greenish tint, but would appear like clear glass.

Ms. Merriman asked if the church was willing to relocate the piers and gate as recommended by the staff and Architectural Committee. Ms. Voith stated that her client was willing to relocate them. She explained that she had intended to reuse them as a group during a later phase of the project. She plans to create a pathway from the church yard across N. American Street to the new link. She will use the piers and gate as part of this pathway.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve the application, provided the gate and piers are rebuilt together on the site, with the staff to review details. David Schaaf seconded the motion, which passed unanimously.

110 ELFRETH'S ALLEY

Owner: Richard and Polly Cress

Applicant: Richard Cress

History: c. 1760; individually designated 6/26/1956; significant to OCHD, 12/12/2003

Project: Install vinyl windows at rear

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the vinyl window in the main block, but approval of the vinyl windows in the rear ell only, provided the existing frames are retained and not capped, with the staff to review details including shop drawings.

OVERVIEW: This application proposes to install vinyl windows at the rear of this significant property. The rear is not visible from any public right-of-way. The existing sash do not appear to be original. The application does not indicate whether the historic frames will be retained.

DISCUSSION: Ms. Cote presented the application to the Commission. No one represented the application.

The Commissioners agreed that the compromise proposed by the Architectural Committee was appropriate.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and deny the vinyl window in the main block, but approve the vinyl windows in the rear ell only, provided the existing frames are retained and not capped, with the staff to review details including shop drawings. Ms. Merriman seconded the motion, which passed unanimously.

1831 DIAMOND STREET

Owner: Brian Shaffer

Applicant: Edward Fink, Fink & Stange Architects

History: c. 1890, Angus Wade, architect; declared imminently dangerous and demolished, 1999
Contributing to the Diamond Street Historic District, 1985

Project: In concept: reconstruct historic building

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval in concept of plan A-3.

OVERVIEW: This in-concept application proposes the reconstruction of a historic rowhouse, which was demolished in 1999 after the Department of Licenses & Inspections declared it imminently dangerous. The application proposes two alternate façade materials. Plan A2 calls for rebuilding the façade in brick with brown cast-stone details. Plan A-3 calls for rebuilding the façade in brown cast-stone cladding. Details such as the door and basement windows are not depicted correctly in the architectural drawings. The staff can assist the applicant in correcting the details.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architect Edward Fink represented the application.

Mr. Baron explained that the plans had been revised in response to the comments and suggestions of the Architectural Committee. Mr. Fink stated that he had revised the plans to show two alternative façade materials, cast stone and stucco. He stated that the stucco version with stone base and steps is more feasible. He stated that he will present the alternative to the

Architectural Committee during his final-approval review. Mr. Baron noted that the building was originally proposed to be slightly smaller than the neighboring historic buildings. The architect is redesigning it to replicate the sizes of the surrounding historic buildings. Mr. Sherman commended the applicant for reconstructing the historic building and improving the historic streetscape.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve plan A-3 in concept. Ms. Leonard seconded the motion, which passed unanimously.

700 S. 2ND STREET

Owner/Applicant: Ellen Lariviere

History: west and east section c 1790, central section c. 1940
individually designated 1966

Project: Demolish and reconstruct front wall of central section.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to Standard 9.

OVERVIEW: The property at 700 S. 2nd is comprised of a four-story eighteenth-century structure at the corner of 2nd and Bainbridge Streets, a single-story fragment of an eighteenth-century house at the corner of Bainbridge and Phillip Streets, and a single-story twentieth-century commercial structure connecting them. The middle structure is in very poor condition.

In September 2007, the Commission approved a proposal in concept to add to and reface the middle and rear structures to create a four-story structure. That project did not receive the requisite zoning approvals and was abandoned. The applicant now proposes to remove the damaged brick face of the central section and reconstruct it in red brick. The design would look very similar to that approved in concept in 2007; however, it would remain a single story. Several details are not specified. The staff suggests that the new wall be constructed of red brick and sit in the plane of the existing wall. Clad, simulated-divided-light windows would be appropriate for this non-historic section of the building.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Property owner Ellen Lariviere represented the application.

The Commissioners agreed that the proposal was appropriate.

ACTION: Ms. Leonard moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to Standard 9. Ms. Clark seconded the motion, which passed unanimously.

210 W. WASHINGTON SQUARE

Owner: Zukin Realty/210 W. Washington Square Associates

Applicant: Jeffrey Wyant, AIA

History: 1928, Ralph Benker, architect, significant in Society Hill Historic District, 3/10/1999

Project: Install door in window, alter side openings, replace non-historic fence, add signage

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the insertion of the door in the window; and approval of south façade alterations and fence replacement; pursuant to Standard 9.

OVERVIEW: This application proposes to convert one section of a very large original window into a door, alter already-altered side openings, replace a non-historic fence, and add signage.

This very important Art Deco building has monumental windows at the first floor in the northern and southern bays flanking the entrance. This application proposes a door for the window in the southern bay. The Commission approved an identical window-to-door conversion for the northern bay in August 2005. Both the current and approved applications proposed to remove a section of the stone sill, salvage an existing metal panel and window section, and convert the panel and window section into a single-leaf door. The doors provide and would provide direct access to retail spaces flanking the lobby. The current applicant proposed the same window-to-door conversion to the Commission in June 2008. The Commission denied that application because the applicant did not provide information about the interior layout of the retail space, which will be used as a restaurant. The Commission refused to approve the conversion without adequate justification. Since that denial, the applicant has developed an interior scheme, which is documented in the application.

The application also proposes to alter already-altered side openings connecting the restaurant to an exterior seating area. No historic fabric will be lost with the alteration, which will be minimally visible from the street. The application proposes to replace a non-historic glass wall with a metal picket fence. The proposed fence is more compatible with the historic building than the existing fence. The application also proposes signage for the large window and the fence. No details are provided. Signage would be appropriate on the fence, but not on the large window, which is a character-defining feature. The staff could approve appropriate signage at the staff level.

DISCUSSION: Ms. Sell presented the application to the Commission. Restaurateurs Steven Starr and Michael Palermo, attorney Carl Primavera, and architect Jeff Wyant represented the application.

Mr. Primavera stated that his client is withdrawing the signage portion of the application. He noted that the liquor license agreement with the community gives the Society Hill Civic Association the authority to approve or reject all proposed changes to the building. He acknowledged the Architectural Committee's criticism of the implementation of the door in the north bay. He stated that his client is prepared to reconstruct the north door to the approved plans if the south door is approved. He stated that his client hopes to open the restaurant in the late spring and be established by summer.

Mr. Wyant summarized the interior plan of the restaurant for the Commission and stated that the new door was needed for the restaurant to be successful. He also summarized the proposed changes to the side wall and noted that the bar would be removed from the outdoor seating area. He displayed large-scale drawings of the door proposed for the large front window and explained that the new door would be much lighter in appearance than the door currently in the

north bay. He stated that the width of the rail of the new door when compared to the extant door would be reduced from 8.5 inches to 4 or 4.5 inches. He reiterated Mr. Primavera's statement that his client would replace the north door if the south door is approved. He stated that he is proposing to remove the frosted glass fence and replace it with a more appropriate wrought iron fence like the one that stood until a few years ago. Mr. Sherman asked him it would be possible to see the wall of the coatroom through the front window; he contended that the wall was very close to the window. Mr. Wyant responded that he had moved the wall back from the window and would continue to work to minimize the view of it through the window. Mr. Primavera concluded that they would present a new application to the Commission for the signage. He restated his client's desire to be open in time for the mild weather.

Ms. Merriman applauded the proposal and asserted that the applicant's proposed solution for the doors was successful. She stated that she was the Commissioner who requested more information during the last review and concluded that this application provided all of the requisite information. She added that the Commission must allow historic buildings to continue to be lively and productive; they must be adapted for new uses. This application will allow this ground-floor space to be reused. She stated that she had been a patron of the previous restaurant and could understand and accept the need for this interior change. Mr. Primavera stated that, without the change to the dining area, the new restaurant would not succeed. Mr. Starr stated that the door is critical to the restaurant. He stated that he would abandon the project if the door is not approved. He noted that the restaurant will employ 100 people.

Mr. Thomas stated his strong support for the application, which satisfies the Secretary of the Interior's Standards. He contended that the Commission must allow this building to be adaptively reused. He noted that the second door will restore the symmetry to the façade. He asserted, however, that the staff must review the details of the new door very carefully.

Wayne Zukin, the owner of the retail space, supported the application.

Stephen Weixler of Society Hill Civic Association stated that the Ayre Building is an important Art Deco building and contended that the windows are character-defining features. He stated that the Association had opposed the door in north bay. Mr. Weixler stated that the Association is opposed to an inappropriate alteration to the window, but is not opposed to an alteration that would allow a business to thrive. He stated that the Commission should not approve a second door without looking closely at the details. He also noted that the restaurant business will need signage and other elements, perhaps an awning or canopy over the door. He suggested approving the door in concept, provided the north door is replaced with a more appropriate door.

John Gallery of the Preservation Alliance noted that the Commission had not reviewed the details for the north door. He suggested that the south door should only be approved if the applicant proves that a door can be made according to the specifications presented today and replaces the north door with a door meeting those specifications before altering the south bay. Mr. Wyant stated that he is confident that he can have the appropriate door manufactured. Mr. Sherman stated that he is confident that the staff can oversee the appropriate replacement of the north door and addition of the south door.

ACTION: Ms. Merriman moved to approve the revised design as presented to the Commission on 13 March 2009, provided work for the new door in the south bay is not initiated until the door in the north bay has been reconfigured and reinstalled to comply with the revised design, with the staff to review details, pursuant to Standard 9. Ms. Leonard seconded the motion, which passed unanimously.

3615 CHESTNUT STREET

Owner: Ralston House

Applicant: Rachel Schade

History: c. 1890, individually designated 2/23/1971

Project: Replace ADA ramp on side façade, replace front entrance canopy.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the canopy has a shallower pitch, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to replace an ADA ramp and two canopies. An earlier version of this application was presented to the Architectural Committee in January 2009, but then withdrawn before the Commission meeting. The Committee had several suggestions, which have been incorporated into the current application.

The building currently has an ADA ramp on the west side of the property. This ramp discharges onto a parking lot. The applicant proposes to replace the existing wood ramp with a steel ramp. The landing of the ramp would be covered by a steel and glass canopy. The location of the entrance door directly adjacent to an octagonal bay makes it a very difficult location for the installation of a canopy. The applicant proposed to utilize the arch of the window in the bay as a guiding element and presents a curved canopy that follows the radius of the arched window. The canopy would be anchored to the wall and supported by a cable.

The main entrance to the building along Chestnut Street currently has an unsympathetic cloth canopy. The applicant proposed to install a more compatible canopy of steel and glass. The canopy would fit the width of the opening and it would be supported by two slender columns.

The current application responds to the Architectural Committee's suggestions offered during the earlier review. The proposed canopies have been designed to shed water away from the building rather than toward the building; the west canopy will be attached at two points on the brick wall by a bracket and flashing; the south canopy will be supported by two brackets on either side of the main entrance; and the recommended metal mesh skirt is proposed beneath the sloped ramp.

DISCUSSION: Ms. Sell presented the application to the Commission. Architect Rachel Schade representing the application.

Mr. Thomas asked for a clarification regarding the requirement that the canopy have a shallower pitch. Mr. Amburn explained that a canopy that was steeply sloped would be less intrusive. Mr. Schaaf stated that a 3-in-12 pitch would be better than the proposed 4-in-12 pitch.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and approve the application, provided the canopy has a shallower pitch, with the staff to review details, pursuant to Standard 9. Mr. Dilworth seconded the motion, which passed unanimously.

1727 PINE STREET

Owner: Beryl and Jeffrey Rosenstock

Applicant: Rachel Schade, AIA

History: c. 1850, contributing to Rittenhouse Fittler Residential Historic District, 2/8/1995

Project: Legalize front façade repair

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the legalization, provided a structural engineer determines the cause of the marble failure and current condition of the remaining marble.

OVERVIEW: This application proposes to legalize the removal of a small section of the marble cladding on the first-story façade and its replacement with concrete block and stucco formed to match the shape of the lost marble. The window sills were also repaired and the entire first-floor façade repainted. Pieces of the marble facade between the two first-story windows collapsed into the street. The applicant performed the repair without the Historical Commission's approval or the requisite building permit.

Standard 6 of the Secretary of the Interior Standards requires that "Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature will match the old in design, color, texture, and, where possible, materials." In this case the marble collapsed onto the street. Therefore, the severity of deterioration requires replacement. The question then is how to restore the façade. There are two equally-valid preservation options. One would seek to restore the material; the other the appearance.

The materials-centric option would require the installation of a new piece of marble between the windows to replace the lost marble. However, the new marble would not match the surrounding marble, which is painted and was painted at the time of designation. The material would be restored, but the first floor would have a discordant, not monolithic, appearance. The pre-collapse appearance would not be replicated unless the Commission required the painting of the new marble, an absurd option. Likewise, the historic appearance would not be replicated unless the Commission required the removal of all of the paint, a requirement which may extend beyond the applicant-defined scope of work.

The second option, which was undertaken illegally, replicates the shape and appearance of the historic marble when painted, but not the marble itself. In this case, the marble was reconstructed in concrete block and stucco and then painted to match the surrounding cladding. This option restores the uniform appearance of the first-floor cladding, but does not replicate the historic material or pre-painted appearance. Also, it does not allow for the removal of all of the paint and restoration of the cladding in the future.

DISCUSSION: Ms. Sell presented the application to the Commission. Architect Rachel Schade represented the application.

Mr. Schaaf asked if a structural engineer could determine the cause of the failure after the repairs had been completed. He also asked if there were any visible tie backs. Ms. Schade answered that she was only aware of this situation after the collapse and clean up, but added that she had not seen any ties. Mr. Baron stated that he was concerned that other pieces might fall. Mr. Thomas suggested installing fasteners from the inside using epoxy rather than anchors. Ms. Leonard asked why the stucco did not allow for a future restoration. Ms. Sell answered that it did not really preclude a later restoration; the stucco could be removed and replaced with marble. However, the stucco might deter a later owner from removing the paint from the marble.

Mr. Sherman stated that an engineer should determine the cause of the collapse and ensure that no other pieces would fall. Ms. Schade stated that the Committee's request was unclear. She noted that there are several neighboring facades with the same marble. She contended that her client could only be held responsible for his façade, not the neighbors. Mr. Amburn agreed. Mr. Sherman stated each owner is responsible for his or her property only, not the neighbors. Ms. Sell added that the Committee did not recommend that the applicant investigate the condition of the neighboring facades.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve the legalization, provided a structural engineer determines the cause of the marble failure and current condition of the remaining marble. Mr. Dilworth seconded the motion, which passed unanimously.

250 S. 20TH STREET

Owner: Archdiocese of Philadelphia

Applicant: Richard Stange

History: 1911, architects Lafarge & Morris; significant to RFRHD, 2/8/1995

Project: Install gates on front steps and chapel

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standard 9.

OVERVIEW: This application proposes to install three double-leaf gates, constructed of metal bars, on the entrance landing, and one double-leaf gate at the side entrance of the church. Also, a fixed panel of fence is proposed to stand between the columns and the landing on the stairs. The fixed panels would alter the spaces and spatial relationships that characterize the grand entrance of the church.

DISCUSSION: Ms. Cote presented the application to the Commission. No one represented the application.

Mr. Thomas asked for a clarification of the Committee's recommendation. Mr. Amburn stated that the approval included fixed panels to deter skateboarding. He stated that this application was much improved over the earlier proposal.

ACTION: Ms. Leonard moved to adopt the recommendation of the Architectural Committee and approve the application, pursuant to Standard 9. Mr. Dilworth seconded the motion, which passed unanimously.

6008 WAYNE AVENUE

Owner: Episcopal Diocese of Pennsylvania

Applicant: Christine Ritter

History: c. 1873, Furness & Hewitt; individually designated 11/30/1965

Project: Legalize the replacement of stained-glass windows

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial.

OVERVIEW: This application proposes to legalize the removal of four stained-glass windows from a vacant church building in Germantown. The Episcopal Diocese of Pennsylvania is exploring reuses for the building. The four windows are very important works of art. Violet Oakley

designed one pair, titled *Wise and Foolish Virgins*. Tiffany Studios designed the other pair, titled *Saint Cornelius and the Angel*. A professional stained glass studio removed the windows and is currently storing them at its facility. Clear glass was inserted in place of the stained glass windows within the wood frames left in the masonry openings. The windows were removed to be transferred to the Pennsylvania Academy of the Fine Arts (PAFA). In a letter included as part of this application, PAFA expresses its commitment to the preservation, safe-keeping, and display of these important works of art. PAFA owns the color cartoons for the Oakley windows.

The proposal does not satisfy the Secretary of the Interior's Standards. It most directly contradicts Preservation Standard 5, which mandates that "Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved." However, the Standards and related Guidelines do not anticipate a situation like this, in which very significant features may be at risk if retained in the building.

The historic preservation ordinance defines "Demolition or demolish" to include "the removal of a building, structure or object from its site or the removal or destruction of the façade or surface" [§14-2007(2)(f)]. The removal of the windows may qualify as a "demolition" under the ordinance. The Commission should consider the question. If the Commission concludes that the removal does constitute a demolition, it should invoke §14-2207(7)(j) and require the applicant to demonstrate that it is not reasonable or feasible to retain the windows in place, or that it is necessary in the public interest to relocate them to PAFA. The current claims of infeasibility are unsubstantiated by hard evidence.

Beyond the Standards and demolition questions, this application raises complex questions for the Commission regarding safeguarding the windows and ensuring public access to them. There are preservation advantages and disadvantages to both retaining in place and relocating the windows.

Advantages to retaining in place:

- The historic significance of the building and windows is preserved.
- The public maintains its current level of access to the windows.
- The retention of the windows in place complies with the Secretary of the Interior's Standards.
- The retention of the windows in place would not set a precedent and encourage other property owners to remove works of art from their buildings.
- If the removal is legalized without conditions, the Commission would relinquish all control over the windows; they could subsequently be removed from public display or transferred to third party, perhaps outside the city.

Advantages to relocating:

- The windows, which are great works of art, may be at risk in a vacant or redeveloped building. The windows would be safeguarded at PAFA.
- The windows would be interpreted by PAFA, offsetting the loss of historic value resulting from the relocation. The Oakley windows would be reunited with the cartoons.
- The public may have better access to the windows at PAFA, albeit in a different context and after paying an admission fee.

Even if removed from the church, the Commission could retain some control over the windows by designating them as objects. The Commission could condition an approval with a requirement that the applicant submit nominations for designations of the windows as objects.

Finally, the Commission must process this application with care, ensuring that it does not infringe upon the church's right to practice its religion. The fact that the applicant is proposing to transfer the windows to a secular institution indicates that the disposition of the windows is not predicated on any religious tenet. Nonetheless, the Commission should proceed with care.

DISCUSSION: Mr. Danta presented the application to the Commission. The Reverend Christine Ritter, attorney Christine Kimmel, and David Brigham, the director of the Pennsylvania Academy of the Fine Arts, represented the application.

The Reverend Ritter summarized her proposal to the Commission, stating that she is seeking the approval of the removal of the two pairs of the stained glass windows. She explained that she had misunderstood the process and was not aware of the necessity of obtaining an approval from the Commission before removing the windows. She stated that she learned of the need for the review after speaking to Jon Farnham and John Gallery. She then submitted the application to the Commission. She reported that the church was closed and deconsecrated in 2005. She is seeking to ensure the preservation of the windows through the transfer to the Academy. She stated that she has identified two prospective buyers for the church, and artists' center and a contractor. She stated that the artists' center would retain the remaining windows, but the contractor would seek to remove all of the windows. She reported that the Diocese had considered affordable senior housing for the site, but was unable to fund the project. She noted that a question was raised at the Architectural Committee meeting regarding recent grant funding to restore the windows. The Committee asked if that grant had included restrictions on the removal or sale of the windows. The Reverend Ritter stated that she had discussed the matter with Partners for Sacred Places and the Pew Trust, but neither has an easement or other restrictive agreement on the windows.

Mr. Dilworth asked the staff to explain the historic significance of the windows to the building. Mr. Danta answered that the Committee noted that the removal of the stained glass and its replacement with clear glass impacts both the illumination of the interior and the views of the exterior. Mr. Dilworth noted that the Historical Commission has no jurisdiction over the interior of the church. He asserted that the Commission should not base its decision on either the impact to the interior or what can be seen in the interior from the exterior. Mr. Danta pointed out that the windows were part of the exterior envelope of the building and therefore within the Commission's jurisdiction. He contended that removing the stained glass and installing clear glass impacted the exterior appearance of the building.

Mr. Sherman noted that congregations are dwindling in many parts of the city and many churches are closing. When churches close, the buildings often fall into disrepair. He asserted that these stained glass windows are very important and should be protected. He suggested that the historic value of these important stained glass windows may, in fact, exceed the historic value of the church building. The windows may be open to vandalism because the church is vacant. Also, a new owner of the building may not have appreciate the windows or be able to care for them appropriately. He advocated for approval of the removal to allow the stained glass to be preserved in an appropriate environment.

Mr. Brigham, the director of the Pennsylvania Academy of the Fine Arts, addressed the Commission. He presented a history of the windows. He explained that the windows were added to the building about 30 years after its construction. The church was erected in 1873. The Tiffany windows were installed about 1900 or 1901 and the Oakley windows about 1907. He acknowledged that the windows are related to the history of the building, but not original to it. He

asserted that the windows are also related to the history of the Academy. He explained that Violet Oakley is especially linked to the Academy. She was a student in 1896. She was the Academy's second female faculty member, after Cecilia Beaux, teaching mural painting from 1912 to 1917. She exhibiting over 250 works of art and had seven solo exhibitions at the Academy between 1896 and 1950. In 1905, on the occasion of its centennial, the Academy awarded her its gold medal. The Academy holds over 2000 items related Oakley in its collections including the full-scale oil studies for the windows in question. The windows are clearly related to the setting or environment of the Academy. Mr. Brigham continued, explained that Oakley only executed eight stained glass commissions during her career. Five of the eight have been destroyed. Only three survive, two of which are in private buildings. Therefore, these windows are the only Oakley windows that the public can experience. The Academy would display and interpret them for the public.

Mr. Brigham stated that the Academy has an excellent record of stewardship. He noted that it is responsible for *The Dream Garden*, the mosaic at the Curtis Center, which was designed by Maxfield Parrish, Oakley's peer, and executed by Tiffany Studios. He contended that the Academy would provide a setting or environment related to the Tiffany stained glass windows. He also noted that the Academy co-owns *The Gross Clinic* by Thomas Eakins. The Historical Commission has had significant involvement with both *The Dream Garden* and *The Gross Clinic* and the Academy is safeguarding them. Mr. Brigham also reported that St. Peter's Church and the Academy building were designed by the same architectural firm, Furness & Hewitt, at about the same time. Although not the original context, the Academy building would be a very sympathetic context for the windows. He stated that the Academy would provide educational training to interpret the windows, which would be fully integrated into the school and museum's educational mission. He noted that educational tours of the museum currently serve 8,000 students annually. He also noted that the windows would also be integrated into the museum's adult tours. He explained that the Academy is developing a Women-in-the-Arts program and the Oakley windows would play a prominent role in it. He mentioned that the Academy holds stained glass workshops and these windows would be employed in them as well. Finally, he reported that the Academy is willing to accept the windows in perpetuity, a condition that would be included in the purchase agreement with the Episcopal Diocese. He stated that this would be extraordinary; the Academy does not typically agree to accept works in perpetuity.

Mr. Brigham introduced letters supporting the application. In addition to the letter he authored, he presented letters by Bailey Van Hook, an art historian who is writing a monograph on Violet Oakley, and Patricia Likos Ricci, who has written extensively on Oakley and is considered the leading expert on her. He also noted a letter by George Thomas, an architectural historian, which was not solicited, but which supports the application.

Mr. Dilworth suggested that the Commission adopt the staff recommendation and approve the application provided the works are held in perpetuity and are designated as objects.

Mr. Schaaf observed that all four of the windows have family dedications. He added that St. Peter's and St. Martin's in the Fields were built by Henry Houston, the director of the Pennsylvania railroad. He suggested that the Commission seek the opinions and guidance of the families who paid for and donated these windows. He noted that at least one of the families still has members in Chestnut Hill. Messrs. Thomas and Sherman asserted that the windows were given as gifts to the Episcopal Church more than a century ago. They claimed that, unless the gift agreements stipulate that the windows revert back to the donors if removed, then the church owns them outright and can do with them as it sees fit, as long as it complies with the historic preservation ordinance and any other binding law. Ms. Schlotterbeck stated that, as the

Commissioner of the Department of Public Property, she is often involved in loan and sales agreement. She stated that the “in perpetuity” clause may prove problematic.

John Gallery of the Preservation Alliance stated that this application raises several complex issues. He stated that he is in favor of approval of the transfer of the windows to the Academy, but suggested that the Commission should arrive at such a decision with care. He asserted that the record should clearly indicate that the Commission considers these windows part of the exterior and covered by the designation. He recounted the Commission's involvement with Our Lady of Loretto, a church in Southwest Philadelphia that is designated as historic. He noted that the Archdiocese appealed the designation, claiming that exterior features such as the stained glass windows and sculpture were religious objects outside the Commission's purview. He also observed that the removal of the windows could be considered a demolition, as the staff pointed out. Next, he asserted that the Episcopal Church is not donating these windows to the Academy; it is selling them. He noted that the Academy could, in turn, sell them to a third party. He suggested that the Commission approve the removal of the windows with conditions including the condition that they held by the Academy in perpetuity. He stated that the Commission would set a negative precedent if it allowed these windows to be removed without conditions. Mr. Dilworth noted the staff had recommended that the Commission redesignate the windows as objects. He asked if the Commission would have any jurisdiction over a future sale if the windows were designated as objects. Mr. Gallery stated that he has concerns about designating the windows as objects.

Mr. Farnham clarified the staff recommendation, stating that it includes two conditions. First, the applicant must demonstrate that the Academy is contractually obligated to retain the windows in perpetuity. Second, the applicant must submit nominations of the windows as objects within six months to the Commission. He stated that, if adopted, the legalization would not be completed until the applicant met both conditions. Mr. Reuter stated that the Commission would not be able to enforce an “in perpetuity” clause in a private sales agreement between the Episcopal Church and the Academy unless the City was a party to the agreement.

Mr. Gallery stated that the public has an interest in the preservation of these windows; removing them to the Academy would be in the public interest. He stated that he has strong reservations about designations of them as objects. An object must have a relation to a specific environment. He claimed that the windows would have no relationship to the Academy context or environment. He also asked the Commission to consider the meaning of the designation of an object. He claimed that, if Macy's wants to move the Wanamaker Eagle, which is designated as an object, from the Grand Court to the basement, it would need the Commission's approval. He likewise claimed that, if the Academy wanted to move the windows into storage, it too would need the Commission approval. He agreed with the staff's recommendation that the approval be subject to the Academy's retention of the windows in perpetuity.

Mr. Brigham reported that the Academy is 204 years old and is the oldest art school and museum in the country. He added that Oakley is deeply tied to the Academy's history. He announced that the Academy is prepared to accept the windows in perpetuity, but contended that the Academy's Board does not support the designations of the windows as objects. He remarked that the restrictions that accompany designation as objects were not acceptable to the Academy's Board. He claimed that it would be too cumbersome to seek approval every time the objects were moved.

Mr. Reuter advised the Commission that it state unambiguously in any motion to approve the removal that this case is unique and does not set a precedent. He explained that the

Commission should not allow the removal of building elements every time a property owner claims that they might be damaged by vandals.

Commissioners asked about the other stained glass windows in the church. Mr. Brigham addressed the question of the artistic value of the other windows in the building. He asserted that the four windows in question are very special, but the remaining windows are not. They are “much more pedestrian in design and conception” and are not stained glass but painted glass. They are not objects of the same caliber. They are part of the beauty of the church, but do not have the same artistic value as the four windows in question.

Mr. Dilworth asked if the Commission was in favor of Mr. Reuter’s suggestion that the City be a party to the sales agreement. Mr. Sherman stated that he was not in favor of that suggestion. Ms. Leonard asked if the City could enter into an agreement with the parties. Mr. Reuter replied that it would be possible and has been done before. Ms. Merriman stated that she would prefer that the City be included as a party to the agreement. Mr. Brigham replied he was open to this suggestion in spirit, but would need the approval of his Board. He stated that he is willing to have the Academy’s attorney speak with the City’s attorney about such an agreement.

Mr. Gallery suggested that the Commission table the application to allow for additional investigation and discussion. Ms. Merriman asked the Commissioners if they thought that investigating the possibility of including the City as a party in the agreement justified tabling the matter. Ms. Schlotterbeck stated that she objected to including the City as a party.

Mr. Sherman asked the Commission to consider its options if there is no legal mechanism for the City to enforce the sales agreement requiring that the windows are retained by the Academy in perpetuity. He then asked the applicants if they would accept a tabling of one month. The Reverend Ritter stated that she was not opposed to a one-month delay. Mr. Thomas suggested that the Commission investigate similar situations in other jurisdictions during the tabling period.

Frank Barletta, a realtor who is marketing the building for the church, stated that he was also involved in the Our Lady of Loretto. He stated that two stained glass windows were broken at Our Lady of Loretto. He contended that these windows would be endangered in their setting in Germantown. He noted that the stained glass windows at St. Peter’s are covered with opaque plexiglass.

ACTION: Mr. Sherman moved to table the application for 30 days. Mr. Quinn seconded the motion, which passed unanimously.

NATIONAL REGISTER NOMINATIONS

CENTER CITY WEST COMMERCIAL HISTORIC DISTRICT BOUNDARY INCREASE

Nominator: Logan McClintic-Smith, Powers & Co.

OVERVIEW: This nomination to the National Register of Historic Places proposes to increase the eastern boundary of the Center City West Commercial Historic District by the addition of four properties, 1505 Locust, 1501-03 Locust, 224 S. 15th, and 222 S. 15th Street. Out of these four properties, 1501-03 Locust Street, and 224 S. 15th Street would be classified as contributing to the district. 1505 Locust Street and 222 S. 15th Street would be classified as non-contributing to the district. The four buildings, although of different classifications, relate to the significance of

the district as an early 20th-century commercial enclave. The two contributing buildings meet criteria A and C.

STAFF RECOMMENDATION: The staff recommends that the Philadelphia Historical Commission support the nomination for the proposal to increase the Center City West Commercial Historic District with the inclusion of 222 S. 15th Street, 224 S. 15th Street, 1501-03 Locust Street, and 1505 Locust Street.

PENNSYLVANIA STATE OFFICE BUILDING, 1400 SPRING GARDEN STREET

Owner: Tower Investments, Inc.

Nominator: Sheryl Jaslow, Powers & Co.

OVERVIEW: This nomination to the National Register proposes the designation of the former Pennsylvania State Office Building located at 1400 Spring Garden Street. The Building was commissioned by the State of Pennsylvania in 1958, and its design involved the collaboration of three important Philadelphia based architectural firms. The firm of Carroll, Grisdale & Van Alen, the firm of Harbeson, Hough, Livingston & Larson, and the firm of Nolen & Swinburne, as well as landscape architect Ian McHarg. The building meets criterion C, as it is one of the most important examples of mid 20th century Modernism in the City of Philadelphia.

STAFF RECOMMENDATION: The staff recommends that the Philadelphia Historical Commission support the nomination for the inclusion of 1400 Spring Garden Street, State Office Building, to the National Register of Historic Places.

AJAX METAL COMPANY, 46 RICHMOND STREET (1000-52 FRANKFORD AVENUE)

Owner: New River City Associates LP

Nominator: Sheryl Jaslow, Powers & Co.

OVERVIEW: This is a nomination to the National Register for the designation of the Ajax Metal Company located in the Northern Liberties neighborhood of Philadelphia. The nomination lists the address as 46 Richmond Street, but the official address recognized by the City of Philadelphia is 1000-52 Frankford Avenue. The building is associated with the Ajax Metal Company, a prominent foundry in Philadelphia during the first half of the 20th century. The building meets criterion A.

STAFF RECOMMENDATION: The staff recommends that the Philadelphia Historical Commission support the nomination for the inclusion of 46 Richmond Street, Ajax Metal Company, on the National Register of Historic Places.

PHILADELPHIA QUARTERMASTER DEPOT, 2724 S. 20TH STREET

Owner, Buildings 9 and 13: Bright Star, Inc.

Owner, Buildings 6, 8, 11, 12, 14, 15, 16, 31, 39: Defense Realty LLC

Nominator: Logan McClintic-Smith, Powers & Co.

OVERVIEW: This nomination to the National Register proposes the designation of the Quartermaster Depot Complex located at 2724 S. 20th Street in South Philadelphia. The complex is an intact collection of World War II era buildings in the Art Deco Style. The buildings have strong associations with the military, specially, the war effort during the Second World

War. The complex also relates to the industrial history of Philadelphia in that it contained the Quartermaster's only textile factory in the continental United States; a clear linkage to the long and prestigious history of Philadelphia as a leading center for textile manufacturing throughout the 20th century. The complex includes a total of eleven buildings and it was designed by the notable Philadelphia firm of The Ballinger Company. The complex meets criterion A.

STAFF RECOMMENDATION: The staff recommends that the Philadelphia Historical Commission support the nomination for the inclusion of 2724 S. 20th Street, Quartermaster Depot, to the National Register of Historic Places.

DISCUSSION: Mr. Danta presented the nominations to the Commission.

Mr. Farnham explained that the City of Philadelphia is designated as a Certified Local Government (CLG) by the National Park Service (NPS). As a CLG, the City of Philadelphia works in partnership with the NPS and the State Historic Preservation Office (SHPO) to promote historic preservation at the local level. The Commission represents the City in all CLG matters. Both opportunities and responsibilities accompany designation as a CLG. Commenting on nominations to the National Register of Historic Places (NRHP) is one of those responsibilities. In order to maintain its CLG status, the Commission must comment on 75% of all National Register nominations reviewed annually for sites within the City. The Commission's comments, which are advisory only, are presented to the Pennsylvania Historic Preservation Board (PHPB), a board convened by the Bureau for Historic Preservation (BHP) at the Pennsylvania Historical & Museum Commission (PHMC). This month, the BHP of the PHMC, the SHPO in Pennsylvania and the representative of the NPS, has requested that the Commission, as the representative of the CLG, review four nominations to the NRHP and submit comments to the PHPB.

The Commission discussed the nominations. Mr. Farnham noted that the designations of these sites to the National Register would allow the property owners to avail themselves of the federal historic preservation tax credit program. John Gallery of the Preservation Alliance recommended that the Commission find the properties worthy of the National Register.

ACTION: Mr. Sherman moved to recommend to the Pennsylvania Historic Preservation Board that it support the following amendments and additions to the National Register of Historic Places:

- the expansion of the Center City West Commercial Historic District to include four properties, 1501-03 Locust Street and 224 S. 15th Street, classified as contributing, and 1505 Locust Street and 222 S. 15th Street, classified as non-contributing, pursuant to designation criteria A and C;
- the addition of the Pennsylvania State Office Building, 1400 Spring Garden Street, pursuant to designation criterion C;
- the addition of the Ajax Metal Company Building, 46 Richmond Street (1000-52 Frankford Avenue), pursuant to designation criterion A; and,
- the addition of the Quartermaster Depot Complex, 2724 S. 20th Street, pursuant to designation criterion A.

Mr. Thomas seconded the motion, which passed unanimously.

ADJOURNMENT

Ms. Merriman moved to adjourn at 11:17 a.m. Mr. Thomas seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

Standard 5: Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Standard 6: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new works shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.