

Minutes of the Committee on Historic Designation Philadelphia Historical Commission

Thomas Sugrue, Ph.D., Chair
Tuesday, 22 August 2006

PRESENT

Thomas Sugrue, Ph.D., Chair
Janet Klein
Bruce Lavery
Hyman Myers, FAIA
Harris Steinberg, FAIA
David Schaaf, Philadelphia City Planning Commission

ALSO PRESENT

Adam E. Laver, Esq., Blank Rome LLP
Robert Downs, Yaron Properties
Elizabeth Blazeovich, Preservation Alliance for Greater Philadelphia
Ruthanne Madway, East of Broad Improvement Association
Theresa Stuhlman, Fairmount Park Commission
John Gallery, Preservation Alliance for Greater Philadelphia
Joe Schiavo, Old City Civic Association
Janet Kaiter, Old City Civic Association

CALL TO ORDER

Mr. Sugrue called the meeting to order at 9:00 a.m.

1200-1202 CHESTNUT STREET, BENEFICIAL SAVINGS FUND SOCIETY BUILDING

Owner at the time of notice: City of Philadelphia, Trustee of the Will under Stephen Girard

Current owner: Ches 12 Partners, LP

OVERVIEW: The Beneficial Saving Fund Society building possesses significance as an outstanding example of an early twentieth-century Classical Revival commercial building, designed by famed Philadelphia architect Horace Trumbauer. It also possesses significance to the social, commercial, and banking history of Philadelphia. The Beneficial Saving Fund Society building meets designation criteria A, D, E, J, and H of Section 14-2007(5) of the Philadelphia Code.

The Beneficial Saving Fund Society was founded in 1853. The bank opened for operations in a small building on the east side of Chestnut Street in 1855. In 1881, the board of trustees selected Edwin Forrest Durang to design a new structure for the institution. This building was expanded by 1900 and later demolished in 1916 to make way for the current structure designed by Horace Trumbauer.

Horace Trumbauer was a nationally prominent architect associated with the Beaux Arts movement of the early twentieth-century. His designs are of the caliber of those of the other leaders of the movement such as McKim, Mead & White and Carrere & Hastings. Trumbauer's bank building is highly significant architecturally.

Moreover, the banking institution housed in the architecturally significant building is very important to the social and economic history of Philadelphia. Leaders of the Irish Catholic community founded the bank to provide financial services to the immigrant community, which was underserved by the city's other banks.

STAFF RECOMMENDATION: Adoption of the nomination and designation of 1200-1202 Chestnut Street as historic with its listing on the Philadelphia Register of Historic Places, pursuant to Designation Criteria A, D, E, and J of Section 14-2007(5) of the Philadelphia Code.

DISCUSSION: Mr. Danta presented the nomination to the Committee. No one represented the property owner.

MOTION: Mr. Steinberg moved to recommend the adoption of the nomination and the historic designation of 1200-1202 Chestnut Street. Ms. Klein seconded the motion.

Mr. Myers requested an addition to the Statement of Significance. He suggested that the end note about the Girard Bank building should be revised to include a mention of Allen Evans of Furness, Evans & Co. in addition to McKim, Mead & White. Mr. Myers contended that the nomination must recognize the local involvement in this important project.

Mr. Myers requested a clarification of the bank's significance in the realm of commerce. Mr. Steinberg answered that the bank played an extremely influential role in the lives of immigrants. It offered immigrants economic opportunities and a means to assimilate into American society. It therefore played an important, albeit indirect, role in the city's commerce. He also noted the importance of the bank's school savings program.

Mr. Steinberg stated that the branch located at Chew Avenue and N. Broad Street should be added to the list of branches opened during the bank's expansion in the early twentieth century. He also commended the staff on the research and completeness of the nomination.

Mr. Myers requested a correction at the end of the closing paragraph. He suggested that "must have influenced" should be changed to "likely influenced." Mr. Schaaf noted that description of the eastern entablature should be amended to read not "centered on the frieze," but "carved into the frieze."

Mr. Schaaf suggested that that Beneficial building may also satisfy Designation Criterion H. He asked his fellow Committee members to consider adding it to the nomination. Mr. Farnham read the text of the Criterion to the Committee: "Owing to its unique location or singular physical characteristic, [the site] represents an established and familiar visual feature of the neighborhood, community or City." Mr. Sugrue requested that the Committee members consider adding Criterion H to the list of Criteria satisfied by this important building. Mr. Lavery noted that the bank's history was very similar to that of the Philadelphia Saving Fund Society. The location of that bank at 7th and Walnut Streets became synonymous with the bank itself. Likewise, the location of this bank became synonymous with the institution. Therefore, Mr. Lavery asserted, this building satisfies Criterion H. Mr. Steinberg concurred with Mr. Lavery.

AMENDMENT OF MOTION: Mr. Steinberg and Ms. Klein modified their motion to include the recommendation that Criterion H be added to the list of Designation Criteria satisfied by 1200-1202 Chestnut Street.

Ruthanne Madway of the East of Broad Improvement Association stated that the building was an important feature and a key component of the banking history of Philadelphia. She also noted the quality and beauty of the interior, which remains virtually unchanged. She informed the Committee that the Girard Trust had very recently sold the building to a developer.

Ms. Madway asked whether the Statement of Significance attributed the design to architect Julian Abele, the African-American designer at Horace Trumbauer's architectural firm. Mr. Myers posited that Julian Abele was too young to have been the lead designer of the Beneficial building. Mr. Lavery noted that accurate attributions are a perennial problem with Trumbauer because the complete firm records have not survived. He added that the nomination includes enough to stand on its own without conjecture. Ms. Madway reported that the bank holds extensive archives related to the design and construction of this building; they may make a definitive attribution would be possible. Mr. Myers added that every design is a collaborative project involving numerous parties.

ACTION: The Committee of Historic Designation voted unanimously to recommend the adoption of the nomination with the addition of Criterion H and the historic designation of 1200-1202 Chestnut Street.

3064 HOLME AVENUE

Owner: City of Philadelphia, Fairmount Park Commission

OVERVIEW: At its May 2006 meeting, the Committee on Historic Designation reviewed the nomination of the Greenbelt Knoll Historic District and recommended that a two-acre wooded tract to the west at 3064 Holme Avenue, which had been part of the original Greenbelt Knoll development, be included within the district. The wooded tract had not been included within the district boundaries proposed in the nomination. Although the Committee on Historic Designation recommended including the wood tract within the district, the Philadelphia Historical Commission did not designate it when it designated the district at its June 2006 meeting. The Commission chose not to include the parkland because it had not notified the property owner at least 60 days in advance of the first public review of the potential designation. The Commission has now satisfied the notice requirement and may consider amending the district boundaries to include the wooded tract within the Greenbelt Knoll Historic District.

Prominent civil rights activist Morris Milgram created the Greenbelt Knoll residential community in 1956 and 1957. It was the first racially-integrated suburban housing development in Philadelphia and one of the first in the country. The wooded tract to the west of the residences, which was owned by the Greenbelt Knoll Park Association, was part of the development from its founding, but was not improved as a private communal recreation area for the residents until the early 1960s. In 1962, architect Harry Duncan, landscape architect Margaret Lancaster Duncan, and engineers of the John F. Thornton Co. improved the park, which they connected to the residences with a path and bridge. They landscaped the area and added a swimming pool, wading pool, changing rooms, and other recreational facilities. For more than two decades, the residents of Greenbelt

Knoll enjoyed the recreation area. However, by 1985, they could no longer care for the park. That year, they transferred the property to the Fairmount Park Commission, which demolished the structures and returned the land to its natural state.

The park at Greenbelt Knoll was an integral part of the landmark development and is therefore eligible for inclusion on the Philadelphia Register of Historic Places. It fulfills Designation Criteria a, b, g, and j as delineated in paragraph 5 of the City's "Historic Buildings" ordinance, Section 14-2007 of the Philadelphia Code. Satisfying Criterion a, the park is an important part of Greenbelt Knoll, which was one of the nation's first integrated suburban housing developments, and therefore has significant character, interest or value as part of the development, heritage, and cultural characteristics of the City, Commonwealth, and Nation and is associated with Morris Milgram as well as residents Robert N.C. Nix and the Rev. Leon H. Sullivan, persons significant in the past. Satisfying Criterion b, the park is associated with an event of importance to the history of the City, Commonwealth, and Nation, the open housing movement. Criterion g is satisfied by the Greenbelt Knoll park, which "is part of or related to a square, park, or other distinctive area which should be preserved." And finally, satisfying Criterion j, the park at Greenbelt Knoll exemplifies the cultural, political, economic, social, and historical heritage of the neighborhood and community.

STAFF RECOMMENDATION: The park at 3064 Holme Avenue satisfies Designation Criteria a, b, g, and j; it should be designated as historic and listed on the Philadelphia Register of Historic Places as a contributing resource in the Greenbelt Knoll Historic District.

DISCUSSION: Mr. Farnham presented the nomination to the Committee. Theresa Stuhlman of the staff of the Fairmount Park Commission represented the property owner.

Ms. Klein asked why Designation Criterion C, which relates to architectural style, had not been included in the list of Criteria cited to justify the expansion of the district. Mr. Sugrue noted that the district as designated had been found to satisfy Criterion C. Mr. Farnham explained that Criterion C, which relates to architecture, was not satisfied by the park area because it no longer includes any architectural features.

Mr. Myers asked if the identity of the architect for the pool, which is no longer extant, is known. Mr. Farnham answered that architect Harry Duncan and landscape architect Margaret Lancaster Duncan of Bucks County had designed the pool and recreation area. Mr. Myers asked if the now-lost recreational facility could be related to architect Louis I. Kahn. Mr. Farnham answered that there was no specific connection to Kahn, who had served as a consultant for the residential segment of the development.

Ms. Stuhlman of the Fairmount Park Commission stated that the Park Commission supports the addition of the parkland to the historic district.

ACTION: Mr. Steinberg moved to recommend the designation of 3064 Holme Avenue as historic and the listing of it on the Philadelphia Register of Historic Places as a contributing resource to the Greenbelt Knoll Historic District. Mr. Schaaf seconded the motion, which passed unanimously.

218-220 ARCH STREET

Owner: 218 Arch Street, LP; Michael Yaron, president, Yaron Properties Inc.

OVERVIEW: This application requests the rescissions of the individual designations of the vacant lots at 218 and 220 Arch Street from the Philadelphia Register of Historic Places. The properties are currently consolidated with other vacant lots and are known as 218-226 Arch Street. The Philadelphia Historical Commission designated the two properties, as well as numerous others in Old City, on 6 January 1977. The Commission approved the demolition of the buildings at 218 and 220 Arch Street on 29 May 1985 to clear the site for the construction of a hotel. The hotel was never built. A parking lot now occupies the site. The current owner plans to develop the site with a retail and residential building. That owner requests that the Commission rescind the individual designations pursuant to Section 5.5.c.1 of the *Rules and Regulations*. He claims that, with the demolition approved by the Commission in 1985, "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." Note that the Commission designated the parcel at 218-226 Arch Street as part of the Old City Historic District on 12 December 2003. It is and would remain designated and classified as a non-contributing resource in the district. Also, a small portion of the parcel at its eastern edge is designated as part of the Historic Street Paving Thematic District. Little Boy's Court, a narrow cobblestone street which includes the oldest surviving street paving in Philadelphia, runs south from Arch Street to Cuthbert Street across this parcel. Little Boy's Court is not an open, public street, but is entirely on private property including this parcel.

STAFF RECOMMENDATION: Approval of the rescissions of the individual designations of 218 and 220 Arch Street from the Philadelphia Register of Historic Places, provided the Old City Historic District and Historic Street Paving District designations are maintained, pursuant to Section 5.5.c.1 of the *Rules and Regulations*.

DISCUSSION: Mr. Farnham presented the proposal to the Committee. Attorney Adam E. Laver and Robert Downs of Yaron Properties represented the property owner.

Mr. Myers asserted that this case should serve as a lesson to the Commission; demolitions must not be approved until the new construction is guaranteed. The Commission approved the demolitions of the two historic buildings that stood on this site with no guarantee that the new development would be constructed. It was not constructed and the parcel has been an unsightly surface parking lot for decades. Mr. Schaaf noted that the streetscape along this section of Arch Street continuously eroded in the mid and late twentieth century. He remarked that buildings in this area, even if designated as historic, were not highly valued in the 1980s.

Mr. Laver stated that the historic resources were demolished with the Commission's approval; therefore, these sites satisfy the rescission requirements in the *Rules & Regulations*: the property has "ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed." He also noted that he is not proposing any amendment to the designation of the lot in the Old City Historic District or the designation of Little Boy's Court.

Mr. Sugrue asked in the public had comments. John Gallery of the Preservation Alliance stated that this application highlights the problematic nature of the Commission's jurisdiction over new construction in historic districts. He remarked that he had requested

clarification on this matter from the Commission more than two years ago and had yet to receive a response. Mr. Gallery noted that, once the designation is rescinded, the Commission would no longer have plenary jurisdiction over the site and therefore no longer be empowered to control the impact of the proposal on the historic district. He stated that this proposal was too important for the Historical Commission not to review it with full jurisdiction. He also contended that a rescission in this case would be inconsistent with previous rescission decisions such as those for the National Products site and 101 Walnut Street. Mr. Farnham responded to Mr. Gallery's comment. He stated that the staff had been consistent with its recommendations on rescission applications in districts. The staff has always recommended approval of the rescissions of individual designations within districts when resources have been lost or destroyed legally. On the other hand, it has always recommended denial of the rescissions of individual designations within districts when the resources have been demolished over and above the wishes of the Commission or in deliberate attempts to circumvent the Commission's jurisdiction. At 101 Walnut, for example, the Commission had approved the demolition, but had conditioned it. The property owner had not met the conditions. Therefore, the staff recommended denial of the rescission. At 218-226 Arch Street, the Commission had approved the demolition unconditionally. Mr. Farnham acknowledged that one could formulate a cogent argument for greater Commission jurisdiction over new construction in historic district, but he asserted that the staff was bound to comply with the ordinance and *Rules* it has, not those it wished it had.

Ms. Klein stated that this application raised the question of whether the Designation Committee should consider the Commission's policy regarding new construction on non-contributing lots when reviewing proposed rescissions. Mr. Steinberg maintained that the Commission does have an unwritten policy in place: if the historic resource has been lost, the jurisdiction should be lifted. Mr. Galley added that the Commission generally exercises 45-day review and comment jurisdiction on non-contributing lots that were undeveloped at the time of the district designation and full jurisdiction on lots that were vacated after the designation.

Mr. Myers asked whether the staff had given any consideration to potential archeological resources at the site. Mr. Farnham reminded the Committee of the Commission's reaction to its recommendations to condition rescissions on archaeological study at Front and Walnut Streets. He advised the Committee that, unless the designation was predicated on potential archaeological resources, it should not condition the rescission on such a study. He noted that these properties were designated because of the buildings that once stood on them. To impose a new designation criterion on these properties after the designation would deny the owner of his due process rights.

Mr. Myers stated that he would recommend maintaining full jurisdiction over the lot until the Architectural Committee reviews the proposed construction. Mr. Steinberg noted that the Commission had acted in good faith at the time it allowed the buildings to be demolished. Mr. Sugrue suggested tabling the application until the Commission rules on the proposed construction. Mr. Gallery stated that his previous comments were more appropriate for the Historical Commission and not the Committee. He added that tabling the application would be inappropriate. Mr. Sugrue agreed with Mr. Gallery and stated that the Committee should not table an application unless it required additional information to fully understand issues within its purview.

ACTION: Mr. Steinberg moved recommend approval of the rescissions of the individual designations of 218 and 220 Arch Street from the Philadelphia Register of Historic Places, provided the Old City Historic District and Historic Street Paving District designations are maintained, pursuant to Section 5.5.c.1 of the *Rules and Regulations*. Ms. Klein seconded the motion, which passed unanimously.

5319-21 GERMANTOWN AVENUE

Owner: Theresa Williams, Around the Clock Home Health Care

OVERVIEW: This application requests the rescission of the individual designation of the property at 5319-5321 Germantown Avenue from the Philadelphia Register of Historic Places. The Philadelphia Historical Commission designated the eighteenth-century building on 24 November 1964. The building was neglected for years. The Department of Licenses & Inspections issued numerous property maintenance violations between 1997 and 2004, but the owner did not correct the problems. The property was sold at a sheriff's sale in 2005. The new buyer commissioned an engineering report, but never undertook the promised stabilization work. In April 2006, he sold it to the current owners, who were unaware of the historic designation and planned to demolish the building and erect a small office building for their business.

The building had been a safety hazard for several years. During the City Council's budget hearings in early 2006, Councilwoman Donna Reed Miller requested that the Commission facilitate the elimination of the hazardous condition. The Department declared it "Imminently Dangerous" in March 2006. Three separate engineers inspected the house in the past year. Daniel Banks, P.E. inspected it in April 2005 and determined that sections of the house had collapsed or were in imminent danger of collapse. Bala Consulting Engineers, Inc. determined in June 2006 that the building "has deteriorated to the point that it is on the verge of collapsing at any moment." Suzanne Pentz of Keast & Hood inspected the building for the Commission in July 2006 and concluded that localized collapses were imminent, but that the building as a whole could continue to stand. However, she determined that, owing to the interior collapses, there was no safe means for contractors to stabilize the building. With great regret, she decided that complete demolition was the only feasible option. Following Ms. Pentz's advice, the memorandum of agreement with the Department, and the *Rules & Regulations*, the Commission's staff approved a demolition permit on 17 July 2006. The building was demolished soon thereafter.

With the demolition approved by the Commission in 2006, the property satisfies the requirement for rescission stipulated in Section 5.5.c.1 of the *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: Approval of the rescission of the individual designation of 5319-5321 Germantown Avenue from the Philadelphia Register of Historic Places, pursuant to Section 5.5.c.1 of the *Rules and Regulations*.

DISCUSSION: Mr. Farnham presented the application to the Committee. No one represented the property owner.

Mr. Myers noted that this site also held archeological potential. He added that every eighteenth-century site in the city has archeological potential. Ms. Klein asked if the staff should have conditioned the demolition on an archeological investigation. Mr. Farnham stated this building posed a serious risk to public safety; he stated that the demolition approval was granted as soon as the engineer hired by the Commission verified that it was a danger and could not be saved. He again stated that the staff must follow the law; it cannot adjust a designation to accommodate its current interests. Mr. Steinberg stated that requesting archeological investigations after the fact presented both philosophical and legal problems. Mr. Farnham agreed and stated that the due-process question would arise if such a restriction was placed on the parcel after the designation without a proper hearing. He noted that the staff is currently working on revisions to the designation form, which would allow for noting archeological potential in a clear and precise manner at the time of designation. He added that the proposed revisions to the form would be vetted through the Committee. Mr. Sugrue stated that the question of archeological potential was a complicated one. He suggested that the staff discuss the legal implications of imposing restrictions based on archeological potential with the Commission's counsel.

Mr. Farnham stated that this application highlights a perennial problem for the Commission: enforcement of its ordinance after designation. He noted that the Commission never requested that the Department of Licenses & Inspections issue a violation for demolition by neglect in this case even though this building was the poster child for demolition by neglect. He asserted that this building might have been saved if that action had been taken in the middle of the 1990s. He conceded that the staff was aware of the building's decline, yet took no formal action against the former owner. He stated that, in response to this situation, the staff would inspect every eighteenth-century building along Germantown Avenue in the coming months and request violations to correct problems. He stated that he considered the loss of this building to be a great tragedy.

Mr. Myers noted that the engineering survey prepared by Daniel Bank deemed the property repairable. Mr. Farnham showed the report to the Committee and explained that it stated that certain areas of localized collapse may have been repairable at that time. Mr. Farnham stated that, because of the rarity of the resource, the staff had been exceedingly careful before approving this emergency demolition. Mr. Farnham commissioned Suzanne Pentz of Keast & Hood, the preeminent engineering firm in the region for historic buildings, to fully examine the building before approving the demolition permit. Ms. Pentz evaluated the structural integrity of the building before agreeing with the owners' engineers that it was dangerous to be saved.

Mr. Schaaf stated that this demolition was a tragedy, owing to the scarcity of eighteenth-century buildings remaining on Germantown Avenue. He stated that this building was the only eighteenth-century building between Grumblethorp and the Deshler-Morris House. His fellow Committee members agreed that this building highlighted the failures of the Commission's enforcement system and asked that the staff work to improve them.

ACTION: Mr. Steinberg moved to recommend approval of the rescission of the individual designation of 5319-5321 Germantown Avenue from the Philadelphia Register of Historic Places, pursuant to Section 5.5.c.1 of the *Rules and Regulations*. Ms. Klein seconded the motion, which passed unanimously.

GENERAL DISCUSSION

John Gallery of the Preservation Alliance addressed the Committee and requested information on the status of the Commission's processing of pending historic district nominations. Mr. Farnham outlined the status of the pending district nominations. He noted that in addition to the outstanding Spruce Hill, Overbrook Farms, and East Falls nominations, the Commission had recently received a nomination for Parkside. He also noted that a nomination for an Awbury Arboretum historic district was expected soon. The Committee members discussed several of the outstanding issues related to district designation. Mr. Sugrue stated that the Designation Committee hoped to receive guidance from the Commission on the processing of the pending district nominations. Mr. Sugrue stated that Mr. Gallery's questions should be directed to the Commission. Mr. Gallery asserted that the Commission should provide the public with an explicit statement of its policy on district designation.

ADJOURNMENT

Mr. Schaaf moved to adjourn. Mr. Myers seconded the motion, which passed unanimously. The meeting adjourned at 11:05 a.m.

Respectfully submitted,

Jonathan Farnham and Jorge Danta