

**REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION
PHILADELPHIA HISTORICAL COMMISSION**

**RICHARD DILWORTH, PH.D., CHAIR
TUESDAY, 2 DECEMBER 2008, 9:00 A.M.
ROOM 578, CITY HALL**

PRESENT

Richardson Dilworth III, Ph.D.
Janet Klein
Bruce Laverty
Douglas Mooney, MA
David Schaaf, RA
Jeff Cohen, Ph.D.

Jonathan Farnham, Executive Director
Erin Coté, Historic Preservation Planner II
Jorge Danta, Historic Preservation Planner II
Karen Gonski, Administrative Technician

ALSO PRESENT

Sabra Smith, Preservation Alliance of Greater Philadelphia
John Gallery, Preservation Alliance of Greater Philadelphia
David Brownlee, University of Pennsylvania
Carole Bede
George Acosta
Patrick Gallagher
Matthew McClure, Ballard Spahr
George Thomas, Civic Visions
Kathleen Barron, Episcopal Hospital
Katherine Levins, Temple University Health System
Andrea Dobin
George Thomas, Civic Visions
Emily Cooperman, ARCH Preservation
Shawn Evans, AIA Philadelphia Historic Preservation Committee

CALL TO ORDER

Mr. Dilworth, chair, called the meeting to order at 9:00 a.m. Ms. Klein and Messrs. Laverty, Cohen, and Schaaf joined him on the Committee.

100 E. LEHIGH AVENUE, EPISCOPAL HOSPITAL

Owner: Episcopal Hospital of Philadelphia, subsidiary of Temple University Health System
Applicant: Matt McClure, Esq., Ballard Spahr Andrews & Ingersoll
Nominator: George E. Thomas
Proposal: Rescission of Hospital Campus and designation of Chapel

OVERVIEW: The Episcopal Hospital campus at N. Front Street and E. Lehigh Avenue is large, covering an entire city block in Kensington. This application proposes rescinding the designation

of the entire property and redesignating only a Samuel Sloan chapel and some surrounding ground, which stands near the middle of the campus. In March 2008, the Commission approved the demolitions of two buildings on the campus; the Commission determined that the buildings could not be reasonably adapted for any purpose. At that time, the Commission directed the staff to prepare a nomination for the Episcopal Hospital site proposing the rescission of the designation of the entire site and the new designation of the Sloan chapel. Owing to staffing limitations, the staff did not prepare the rescission and designation documents. Instead, a consultant employed by the hospital prepared them.

The original designation of the hospital campus is problematic. It is poorly documented and, in fact, may have resulted from a clerical error. There is no record of the Commission voting to designate the site. The only document supporting the designation is the inclusion of the Front Street address for the hospital on the pre-1985 list of designated properties. The revised historic preservation ordinance, which went into effect in 1985, defined a Historic Building as:

A building or complex of buildings and site which is designated pursuant to this section or **listed by the Commission under the prior historic buildings ordinance** approved December 7, 1955, as amended. (emphasis added)

Therefore, the complex is designated because it was **listed** at the time of the adoption of the new ordinance. However, there is no record of a vote by the Commission, record of a consideration by the advisory committee, official designation card, nomination, notice letter, or other document corroborating the designation. Without a record of the designation, it is impossible to know the relative values the Commission placed or would have placed on the individual buildings on the campus, which range from mid nineteenth- to mid twentieth-century buildings. The historic significances of the many buildings that stand or once stood on the campus differ greatly.

A very important group of c. 1860 hospital buildings designed by prominent architect Samuel Sloan once stood at the northwest corner of the site. The group had great historic significance because it was the foremost model for hospital construction throughout the United States in the second half of the nineteenth century. Sloan was not only a prominent architect but also a prominent publisher. Publishing the first major architectural journal in the United States, he broadly advertised his hospital design, which became the national standard. Only one small remnant of the Sloan buildings survives, the chapel. All other Sloan buildings on the campus were demolished over several campaigns in the mid twentieth century. During the first documented involvement of the Commission with the hospital, the chair of the Architectural Committee apparently approved the last of the demolitions of the Sloan buildings in 1976. There is no record of any review or approval of this demolition by the Commission or Architectural Committee itself. In 1987, the Commission approved the demolition of Gill House, a turn-of-the-century residentially-scaled building on the Episcopal campus, as necessary in the public interest. As noted above, the Commission also approved the demolitions of the Aspinwall and Harrison Buildings in March 2008. Other than the Sloan-designed chapel, the surviving buildings on the campus are early to mid twentieth-century structures with no historical significance. Simply stated, the buildings that qualified the totality of this site for designation were demolished with the Commission's tacit approval in the 1970s.

STAFF RECOMMENDATION: The staff recommends that the Commission rescind the designation of the campus of Episcopal Hospital at 100 E. Lehigh Avenue, pursuant to the Commission's March 2008 directive and Section 5.5.c.1.1 of the Commission's Rules & 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," and designate the Episcopal Hospital

Chapel and surrounding ground at 100 E. Lehigh Avenue as defined in the nomination, listing it on the Philadelphia Register of Historic Places, because it satisfies Designation Criteria a, c, d, e, f, and j.

DISCUSSION: Ms. Coté presented the rescission request and nomination to the Committee on Historic designation. Attorney Matthew McClure, preservation consultant George Thomas, and hospital representatives Kathleen Barron and Katherine Levins represented the petition for rescission and the nomination.

Mr. McClure stated that the designation of this site is undocumented and one can only guess at the reasons why it was designated. He asserted that there is no record of the Commission voting to designate this site. Mr. McClure stated that the hospital is very different today than it was thirty years ago, when it was allegedly designated. He stated that hospital is now a psychiatric hospital that serves an underprivileged community. He noted that over 90% of the patients rely on Medicaid. He closed his argument by stating that the limited financial resources of the hospital should be used for the core mission of the institution, to provide health care to the poorest of the poor.

Mr. Mooney joined the meeting.

Mr. Thomas stated that the Samuel Sloan hospital buildings are the only reason the campus would have been designated. He explained that all of the Sloan buildings have been demolished except the chapel. Mr. Thomas reviewed the historic significance of the hospital complex. He stated that the Sloan French Pavilion design at Episcopal Hospital was at the cutting edge of technology and design for health care in the middle of the nineteenth century. However, the Sloan buildings, which set the standard for American hospital design, were obsolete by the Civil War, when great advances were made in hospital design. Mr. Thomas reported that the demolition of the Sloan buildings began in the 1930s and were completely gone except the chapel by the early 1980s. Mr. Cohen inquired about the date of construction of the Gothic tower on the campus. Mr. Thomas answered that the tower was constructed in the 1930s. He added that its construction led to the demolition of the first 30 feet of the Sloan Administration building. Mr. Thomas noted that Richard Webster's "Philadelphia Preserved" listed the designation of the complex in 1958. Ms. Klein asked if the Sloan Chapel was a stand-alone building originally. Mr. Thomas answered that the Chapel was originally connected to the main administration building. Mr. Thomas noted that, although a fragment of the original complex, it retains its original interior and it is a cohesive structure as a stand-alone building.

Mr. Schaff asked if the gate house on Lehigh Avenue was design designed by Sloan. Mr. Thomas answered that the gate and gate house were designed by Sloan and were part of the original hospital complex. Mr. Cohen opined that the gate and gate house are part of the historic character of the complex. Mr. Cohen stated that the Committee should not guess at the reasons for the original designation of the campus, but should evaluate its historical significance today. Mr. McClure noted that the staff, the Architectural Committee, and the Commission had all recommended that the designation of the site be rescinded. He noted that the Architectural Committee found that only the chapel had historical significance. Mr. Thomas added that the structures are not up to current medical standards and that their maintenance would hinder the hospital from achieving its mission.

Mr. Schaff asked about the use of the tower building. Ms. Levins answered that the tower is currently leased to the Police Department, but only four out of nine floors are occupied. Mr. Lavery asked if the hospital has always sought the Commission's approval before undertaking

work on the campus. Mr. Farnham replied that the hospital had always sought the appropriate approvals before undertaking work. He noted that the Commission approved three demolitions on the campus, one as necessary in the public interest in 1986, and two this year under the financial hardship provision.

Mr. Farnham summarized the research the staff had conducted into the designation of the site. He stated that the 1958 designation date provided in Richard Webster's *Philadelphia Preserved* is not valid. He noted that the Commission did not meet on the date provided in the book; he added that the Commission's records clearly show that the Commission never voted to designate the site and had no involvement with it until the mid 1970s. He reported that he spoke to a former staff member of the Commission who worked for the Commission in the 1970s who recounted that this site was likely added to the Register without a Commission vote when it was threatened. However, the complex was on the Register by 1985, when the new ordinance was enacted, and is therefore legally designated. Mr. Farnham also noted that the photographs of the complex in the file from this period only depict the Sloan buildings. It is safe to assume that the site was placed on the Register because of the Sloan buildings, which had great historical significance. The remainder of the buildings had little or no significance. Mr. Farnham concluded that the staff supports the rescission of all but the Sloan chapel because the Sloan hospital complex is no longer standing. He added that it would be a poor investment of the staff's and Commission's limited resources to regulate a complex of little or no historic merit.

Mr. Cohen disagreed with the hospital's attorney's argument that the health care mission should override any historic preservation responsibilities. He noted that Pennsylvania Hospital could make the same argument and seek the demolition of its historic buildings. He asserted that the Commission would face a very slippery slope if it sought to weigh non-profit missions against preservation. Mr. McClure claimed that Mr. Cohen misinterpreted his argument. He acknowledged that the mission of the institution is to provide health care and not historic preservation. However, he added that the hospital had always been a good steward of the site and understood its significance. He added that the hospital also believed that the original reason for designation was lost with the demolition of the Sloan hospital complex. He further added that the Committee must weigh the benefit of preservation versus the financial burden it causes, and whether this site meets the criteria for which it was designated. He also noted that, if the Sloan buildings survived, his client would not be seeking rescission.

Ms. Levins stated that Episcopal Hospital is an unusual institution. She noted that the hospital has the highest Medicaid volume in the Commonwealth. She added that, although it is a vibrant campus, the structures are substandard and can not be leased at market value. She also noted that the existing structures offer limited reuse possibilities. She closed her argument by stating that the hospital has always acted in good faith with the Commission.

John Gallery of the Preservation Alliance asserted that the Committee should limit its review to an assessment of historic significance. The argument that the mission of the institution outweighs the importance of historic preservation cannot be considered by the Committee. Mr. McClure noted for the record that he agreed that the Committee did not have the authority to weigh the importance of the hospital's mission against that of historic preservation, but that the Commission could within its discretionary authority. Mr. Farnham stated that rescission of the complex today would not preclude designation of a building, feature, or the entire campus in the future.

Mr. Dilworth inquired whether the applicant would object to the retention of the historic designation over the gate, gate house, and fence. Mr. McClure stated that his client would not

object. Mr. Cohen opined that even if the Sloan hospital complex was the original reason for designation, that currently the gate, Gothic tower, and chapel merit protection.

Sean Evans of the AIA Philadelphia Historic Preservation Committee asked if the applicant had ever conducted a reuse study for the complex. Mr. McClure answered that the Financial Hardship application submitted to the Commission in the spring of 2008 presented a robust case that there are limited reuse options on the campus. He noted that the application before the Committee did not make the reuse case, but was limited to the historical significance or lack thereof of the site. Mr. Farnham advised that the Committee was reviewing two applications, one to rescind the campus, and the other to designate the chapel. Ms. Klein cautioned that once rescinded there would be no controls over the site; therefore the Commission must act cautiously. Mr. McClure noted if the Commission decides not to rescind, his client would have no other option but to submit additional financial hardship applications.

Mr. Thomas reminded the Committee that the significant historic resource was lost 30 years ago and that the current conditions of the campus do not support the retention of the designation. He opined that the addition of the gate and gate house to the designation of the chapel was appropriate. Mr. McClure stated that the Gothic tower could be individually designated at a later time. Mr. Schaaf noted that the tower is currently designated. Mr. Farnham suggested that the Committee could recommend tabling the application to allow the staff and applicant to present information about the tower's historical significance or lack thereof. Mr. Dilworth reminded the Committee that they could only communicate to the Commission and did not have the authority to render a final decision. Mr. Gallery opined that, if the Committee was inclined to maintain the designation of the tower owing to its historic significance, then they could recommend to the Commission that the designation of this building along with the chapel and gates be retained. He further noted that this action would give the applicant time to present additional information at the Commission meeting.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend approval of the rescission of 100 E. Lehigh Avenue, the Episcopal Hospital campus, with the exception of a zone that includes the chapel, gate house and gate, and Gothic tower. Mr. Dilworth seconded the motion, which passed unanimously.

204 SUNRISE LANE, ESHERICK HOUSE

Owner: Robert and Lynn Gallagher

Nominator: Laura Vanaskie, intern, Philadelphia Historical Commission

Proposal: Designate to the Philadelphia Register of Historic Places

OVERVIEW: The Margaret Esherick House stands on a cul-de-sac in Philadelphia's Chestnut Hill neighborhood, adjacent to Pastorius Park. The small but world-famous house was designed by Louis I. Kahn, one of the most important architects of the twentieth century. It is one of only a few residential buildings designed by Kahn and one of only a few Kahn buildings standing in Philadelphia, his adopted hometown. Designed and built between 1959 and 1961, the house is a highly significant design in Kahn's portfolio, which includes such icons as the Salk Institute (1959-62) in La Jolla, California; the National Assembly Building (1962-83) in Dhaka, Bangladesh; the Kimball Art Museum (1966-72) in Fort Worth, Texas; and the Richards Medical Research Building (1957-65) at the University of Pennsylvania. In addition, the site planning by influential landscape designer Frederick Peck strengthens the property's significance. Peck's brick patio of the mid-1960s has become a defining feature of the Esherick House.

STAFF RECOMMENDATION: The property at 204 Sunrise Lane satisfies Designation Criterion e and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation. Patrick Gallagher represented his father and father's wife, the property owners.

Mr. Gallagher stated that his father purchased the property in the 1980s. He voiced his concern that a local designation of the property would adversely impact the value of a preservation easement. He stated that his father is seeking to sell the property. The tax benefit of an easement is essential to the sale. John Gallery of the Preservation Alliance of Greater Philadelphia stated that the Alliance holds at least 200 easements and the local designation would in no way preclude or conflict with the establishment of an easement on the property. Mr. Gallagher asked about the impact the designation would have on the tax benefit of an easement. Mr. Gallery replied that, in the past, he had not observed an impact of local historic designation on the tax benefit of an easement. He added that the Internal Revenue Service is starting to review appraisal values for easements; the IRS may adjust its evaluation of impact of designation in the future. Mr. Gallagher asked the Commission to defer the designation of the property until the sale and easement are finalized. Mr. Dilworth responded that the Committee is advisory to the Commission and is charged with determining whether the property meets the criteria for designation.

Shawn Evans, the co-Chair of the AIA Philadelphia Historic Preservation Committee, supported the nomination and noted that once the notice letter is sent to the property owner the Commission's jurisdiction goes into effect. The property is already under the Commission's jurisdiction and will remain so unless the Commission rejects the nomination. He asked if the Commission could defer official action to coordinate with Mr. Gallagher's request. Ms. Coté replied it would be up to the Commission. Mr. Farnham stated that the Committee could recommend tabling for any amount of time. However, unless and until the Commission rejects the nomination, the property will remain under the Commission's jurisdiction.

Mr. Gallery commended the Gallagher family for its stewardship of this historic home. He stated that the house is extremely important and should be listed on the Philadelphia Register of Historic Places. Emily Cooperman, a preservation consultant, also commended the Gallaghers for their tremendous stewardship of the property. She stated that she wrote a National Historic Landmark nomination for the Richards Building at the University of Pennsylvania, also designed by Louis Kahn. As part of the nomination, she identified other Kahn designed buildings including the Esherick House that have the potential for National Historic Landmark status. David Brownlee, a professor of architectural history at the University of Pennsylvania, the author of a landmark book on Kahn, and a former member of this Committee and the Commission, expressed his gratitude to the Gallagher family for their stewardship of the property. He stated that the house has local, national, and international significance. He noted that the house is an excellent representation of Kahn's theory of a "society of rooms."

Mr. Schaaf asked if the garage was included in the nomination. Mr. Farnham replied that the entire site including garage would be designated; the Commission could comment on the historic significance of the garage to guide subsequent reviews. Mr. Cohen observed that the nomination describes it as a non-contributing garage. The Committee noted that several grammatical mistakes should be corrected and that the description of the garage should be reworded to classify it as "not historically significant."

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Dilworth moved to recommend that the 204 Sunrise Lane satisfies Designation Criterion e and should therefore be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Cohen seconded the motion, which passed unanimously.

4130 CHERRY LANE, HASSERICK HOUSE

Owner: Earthstar Bank

Nominator: Laura Vanaskie, intern, Philadelphia Historical Commission

Proposal: Designate to the Philadelphia Register of Historic Places

OVERVIEW: The Hasserick House of the late 1950s is the best example of the style known as Mid-Century Modernism in Philadelphia. The house was designed by Richard Neutra, the world renowned architect who brought the International Style to the United States from Europe with Rudolf Schindler in the 1920s and then developed the Mid-Century Modernism style with Charles and Ray Eames and others after World War II in Los Angeles. He trained and worked with famous architects Adolf Loos and Eric Mendelsohn in Europe and Frank Lloyd Wright in the U.S. His Lovell House in Los Angeles of 1927-29 and Kaufmann Desert House in Palm Springs of 1946 are icons of Modern architecture. Neutra, who was featured on the cover of Time Magazine in 1949, is considered one of the most influential architects of the twentieth century. Although the Hasserick House is an excellent example of the Mid-Century Modernist style, it also evidences the influence of the regional materials, climate, and landscape. The Hasserick House satisfies Designation Criteria d and e. It embodies distinguishing characteristics of an architectural style and is the work of an architect whose production has significantly influenced the architectural development of the nation and world.

STAFF RECOMMENDATION: The property at 4130 Cherry Lane satisfies Designation Criteria d and e and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation. George Acosta, who represented John Hauser, the property owner, read a statement prepared by Mr. Hauser outlining his history with the property. He reported that the property was purchased from the bank after a foreclosure. He noted that the only bank that would give him a mortgage was the bank that had foreclosed. The mortgage agreement stipulates that Mr. Hauser will not seek historic designation. If the property is designated, the bank can consider the mortgage in default and foreclose. He stated that they are stuck with this bank. He also noted that Philadelphia University, which is adjacent to this property, attempted to buy it to demolish it. He claimed that if he and his partner are unable to retain their mortgage and the property, the university will obtain and demolish it. Mr. Dilworth stated he would like to see the exact language of the loan agreement.

Mr. Cohen asked if the Committee wanted to recommend tabling the designation. Ms. Klein stated that once the notice letter is sent to the property owner, the property is then protected by the Commission until and unless the Commission decides that it is not worthy of designation.

Shawn Evans, the co-Chair of the AIA Philadelphia Historic Preservation Committee, articulated his support of the nomination. He opined that the Longstreth addition to the Neutra is significant and should be protected if the house is designated. Ms. Klein noted her surprise that Longstreth was not mentioned more in the nomination. Mr. Acosta stated that he and his partner intend to restore the building.

John Gallery of the Preservation Alliance of Greater Philadelphia stated that Mr. Acosta had contacted him when considering purchasing the property. He reinforced the claim that the owner has good intentions for the property. He suggested that the Commission's attorney review the provisions in the mortgage regarding designation and advise the Commission on the implications of designation. He asked the Committee to recognize the historic significance of the property, but recognize the potential implications of a designation. Mr. Evans stated that the university may seek to purchase the property and demolish the building should the current owner default on his mortgage.

The Committee noted that there are grammatical errors in need of correction in the nomination. Mr. Cohen suggested that site and building plans should be included in nominations in general. Mr. Gallery opined that the only plan relevant for the designation process is the site plan. Mr. Cohen countered that one can better understand the exterior with the assistance of the interior plan.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Dilworth moved to recommend that 4130 Cherry Lane satisfies designation criteria d and e and should therefore be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Cohen seconded the motion, which passed unanimously.

19-25 S. 12TH STREET, STEPHEN GIRARD BUILDING

Owner: Trustees of the Estate of Stephen Girard

Nominator: John Andrew Gallery, Executive Director, Preservation Alliance of Greater Philadelphia

Proposal: Designate to the Philadelphia Register of Historic Places

OVERVIEW: The Stephen Girard Building was designed by architect James Hamilton Windrim in 1896 for the Board of City Trusts / Estate of Stephen Girard. The Stephen Girard Building qualifies for listing on the Philadelphia Register of Historic Places under Criterion (a) for its significant interest and value in the development of the city; under criterion (e) as the work of an architect whose work has influenced the historical and architectural development of the city; and under criterion (j) as an important part of the social history of the city through its association with the Board of City Trusts and Girard College. In addition, the Stephen Girard Building represents characteristics that relate to several other criteria for designation including (c) exemplifies the environment in an era characterized by a distinctive architectural style and/ or (d) embodies distinguishing characteristics of an architectural style, and (h) owing to its singular physical characteristic represented a familiar visual feature in Center City.

STAFF RECOMMENDATION: The property at 19-25 S. 12th Street satisfies Designation Criteria a, c, d, e, h and j and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation. John Gallery of the Preservation Alliance of Greater Philadelphia represented the nomination.

Mr. Gallery stated that this building is interesting because it is the earliest skyscraper built in Philadelphia. Mr. Cohen disputed his claim and stated that his definition of a skyscraper, 10 or more stories and a steel frame, was arbitrary.

Mr. Schaaf stated this building is unusual because is finished on all four sides; most tall buildings in Philadelphia have party walls on two or three sides. It was built with confidence. Ms. Klein stated that the nomination was a joy to read and commended Mr. Gallery for his work. Shawn Evans of the AIA Philadelphia Historic Preservation Committee stated that the building is even more interesting because it is juxtaposed with the PSFS building, the Modernist icon, which stands across the street and was built only 30 years later.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Schaaf moved to recommend that 19-25 S. 12th Street satisfies Designation Criteria a, c, d, e, h and j and should therefore be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Dilworth seconded the motion, which passed unanimously.

1631-37 ARCH STREET, BELL TELEPHONE BUILDING

Owner: Bell Telephone Company of Pennsylvania

Nominator: Jorge Danta, H. P. Planner II, Philadelphia Historical Commission

Proposal: Designate to the Philadelphia Register of Historic Places

OVERVIEW: The Bell Telephone Parkway Building possesses significance as an outstanding example of the Neoclassical Style of the early twentieth century. The building was designed by famed architect John Torrey Windrim and constructed between 1914 and 1916. It also possesses great significance due to its connection to Bell Telephone Company and the telecommunications history of the city and nation. In addition, the Bell Telephone Building possesses urban planning significance owing to its location on the Benjamin Franklin Parkway. The building was the first of many Neoclassical buildings constructed as ornaments to the Parkway.

STAFF RECOMMENDATION: The property at 1631-37 Arch Street satisfies Designation Criteria a, d, e, g, h, and j, and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation.

Mr. Cohen stated that the description in the nomination is incredible, but added that such an elaborate description may not be necessary. John Gallery of the Preservation Alliance of Greater Philadelphia stated that the description is important and is used by both the staff and the Commission during its reviews. Mr. Danta stated that the description follows the standard nomination practice. He added that the description is an important aspect of the nomination. Ms. Klein concurred. Mr. Schaaf stated that the description shows that the nominator was thorough and careful in the crafting of the nomination. He noted that the description in the nomination of the Beneficial Savings Fund Bank, which stands near this building, was also written beautifully. Mr. Danta acknowledged that he had also written that description. The Committee members agreed that this building certainly satisfied several designation criteria and should be designated. They noted that the grammatical errors in the nomination should be corrected.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Dilworth moved to recommend that the property at 1631-37 Arch Street satisfies Designation Criteria a, d, e, g, h, and j, and should therefore be designated as historic and listed on the Philadelphia Register of Historic Places. Ms. Klein seconded the motion, which passed unanimously.

1201 SPRUCE STREET, GRAND UNITED ORDER OF ODD FELLOWS BUILDING

Owner: Odd Fellows of America

Nominator: Aliya Turner, intern, Philadelphia Historical Commission

Proposal: Designate to the Philadelphia Register of Historic Places

OVERVIEW: The Grand United Order of Odd Fellows Building, designed by the architectural firm of Watson & Huckel, was constructed in 1907 to 1908 as the national headquarters for the organization. As a physical testament of the largest African American society in the country, the Odd Fellows Hall satisfies Designation Criteria (a) and (j). With its simple lines, graceful proportions, and Classically styled terra cotta cladding, the building satisfies Designation Criterion (c) by exemplifying early American tall building design of the Chicago School, as well as possibly being the one of a few examples in Philadelphia. As the work of the prolific architectural firm of Watson & Huckel, the building satisfies Designation Criterion (e).

STAFF RECOMMENDATION: The property at 1201 Spruce Street satisfies Designation Criteria a, c, e, and j, and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation.

Mr. Cohen disagreed with the nomination's claim that the building in question is stylistically similar to the buildings of the Chicago School. He added that is nonetheless a good nomination. Mr. Schaaf observed that the building has Chicago style windows.

John Gallery of the Preservation Alliance of Greater Philadelphia suggested that the property should also be designated under designation criteria h because the building as a landmark in the neighborhood. He stated that the building is of a different material than those around it, it is taller, and it still bears the name "Odd Fellows." He commended the intern for preparing the nomination. The Committee members agreed that this building certainly satisfied several designation criteria related to architecture and social history.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend the property at 1201 Spruce Street satisfies Designation Criteria a, c, e, and j, as well as h, and should therefore be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Dilworth seconded the motion, which passed unanimously.

509 QUEEN STREET

Owner/Applicant: Andrea Dobin, Esq.

Proposal: Rescind designation

OVERVIEW: This application proposes the rescission of the designation of 509 Queen Street, a 1830s three-story brick row house in Queen Village. The owner claims that it has been so significantly altered that it does not retain any historical significance. In 1987, the Commission approved the removal of a nineteenth-century storefront and the restoration of the front façade to its historic appearance. This work was faithfully undertaken. Since that time, the building has been altered without the Commission's review. Windows and doors have been replaced. However, despite these inappropriate modifications, the building retains its essential character. The qualities that caused its original entry on the Philadelphia Register of Historic Places have not been lost or destroyed.

Please note that Section 5.5.c.1 of the Commission's Rules & Regulations states that:

The bases for the rescinding of an entry on the Philadelphia Register of Historic Places are 1) 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, 2) additional information shows that the resource does not meet the criteria for the Register, or 3) error in professional judgment as to whether the resource meets the criteria for listing.

STAFF RECOMMENDATION: The staff recommends that the Commission deny the request to rescind the designation of 509 Queen Street, pursuant to Section 5.5.c.1. of the Commission's Rules & Regulations, as the none of the three bases for rescission have been met.

DISCUSSION: Ms. Coté presented the request for rescission to the Committee on Historic Designation. Andrea Dobin, the property owner, represented the rescission petition.

Ms. Dobin the property owner stated she was a bankruptcy lawyer by trade and described how she obtained the property after it had been lost to foreclosure in the 1990s. Ms. Dobin claimed that she was not informed of the designation when she purchased the house; she remained unaware of it until her recent attempts to sell the property. She also noted the lack of historic windows and the roll-up metal gate as telltale signs of the house's lack of historical integrity. She criticized the lack of a City mechanism in place to advise homeowners of its historical significance. She discovered the designation nine years after purchase when she attempted to sell the house. Ms. Dobin claimed that a potential buyer refused to purchase the house after learning of its designation status. Ms. Dobin stated the house is not in its original condition. She stated that she has altered the house significantly during her ownership.

Ms. Klein asked if the property was on the National Register. Ms. Coté replied that the property is located within the Queen Village or Southwark National Register Historic District. Mr. Schaaf stated that the property is located within a neighborhood conservation district as well. Ms. Klein asked what the classification of the property is within the historic district. Mr. Farnham replied that there is no inventory available for the National Register district. He added that the National Register designation and classification have no bearing on the local designation.

Mr. Farnham stated that the Historical Commission has met every notification requirement for this property. He stated that Ms. Dobin should have discovered the designation during her due diligence period before purchasing the property. He added that the City does not unilaterally notify property owners or potential property owners of legal restrictions such as zoning classifications on their properties. It is the property owner's responsibility to seek this information.

In response to Mr. Dilworth's question on the conservation district, Mr. Farnham replied that the Commission does not have a regulatory role in conversation districts, but the Historical Commission's jurisdiction does supercede when historical and conservation districts overlap. Mr. Dilworth asked if the storefront, which was removed, was original to the building. Ms. Cote stated that it was not. It was an alteration. The removal of the storefront and reconstruction of the residential façade was a restoration.

Ms. Dobin stated that the windows have been replaced with non-historic windows, disqualifying it for inclusion on the Register. Mr. Farnham stated that the windows could easily be replaced with appropriate windows. Many buildings on the Register do not have the appropriate windows. However, over time they will be replaced with historic windows. The Commission has a very long outlook and is very patient. Ms. Dobin asked how the Commission verifies compliance. Mr.

Farnham stated that the Department of License & Inspections and the Commission verify compliance. However, the Commission's resources for enforcement are very limited.

Mr. Dilworth stated that, since the building is in a neighborhood conservation district, it is protected and may not necessarily need the individual designation. Mr. Schaaf rejected that claim and stated that the conservation district regulations for Queen Village involve new construction, not historic preservation.

Ms. Dobin reiterated her claim that the building no longer resembles the original building, which she claimed was a bottle factory. She claimed that the lack of fire places indicated that it was not historic. She pointed out the many differences between her home and the neighboring houses. Mr. Schaaf asserted that the houses are part of the same development row and are similar to one another. Mr. Farnham stated that the building is a typical early nineteenth-century rowhouse. He stated that the reconstruction of the front façade was a restoration, not an alteration. He stated that the house conveys its historic appearance to the public. Mr. Cohen stated that the house still conveys its original appearance. Ms. Dobin argued that its interior is very modern. Mr. Schaaf stated that the restored building is carefully composed and echoes the houses of its era.

Mr. Mooney stated that there is high probability of a privy existing on the property and most likely archeological remnants could be found from the earliest occupants. He thought that because the property has archeological potential it should still be protected. He observed that this may not be the original criterion for which it was designated, but the potential resources should be protected. Mr. Farnham stated this property was designated before the formal criteria were enumerated. Mr. Mooney asked that the Commission establish a policy for archaeology. He noted that the section of the Rules & Regulations on rescission does not make sense for properties designated before the criteria were established.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Dilworth moved to recommend that the Commission deny the request to rescind the designation of 509 Queen Street, pursuant to Section 5.5.c.1. of the Commission's Rules & Regulations, as the none of the three bases for rescission have been met. Mr. Mooney seconded the motion, which passed unanimously.

835 S. 2ND STREET

Owner: Carole Bede

Applicant: Carole Bede

Proposal: Rescind designation

OVERVIEW: This application proposes the rescission of the designation 835 S. 2nd Street, a 1830s three-story brick row house in Queen Village. The Commission designated the property on 24 June 1958. In 1972, the Commission approved the removal of a nineteenth-century storefront and the restoration of the front façade. The façade was not restored, but was rebuilt with a non-historic appearance. The Commission took no enforcement action and the inappropriate façade has stood for 36 years. The public experiences mid-block rowhouses through their front facades. Although the historic dormer remains, little else on the front of this building has survived.

Section 5.5.c.1 of the Commission's Rules & Regulations states that:

The bases for the rescinding of an entry on the Philadelphia Register of Historic Places are 1) 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, 2) additional information shows that the resource does not meet the criteria for the Register, or 3) error in professional judgment as to whether the resource meets the criteria for listing.

The staff contends that the qualities that caused its original entry have been lost or destroyed. The Commission had an affirmative obligation to ensure that the restoration of the front façade was appropriately undertaken in 1972. It did not. Illegal work cannot be condoned or rewarded, but there must be some statute of limitations. The historic façade is lost. A door or a window can be easily replaced. A façade cannot.

STAFF RECOMMENDATION: The staff recommends the rescission of 835 S. 2nd Street, pursuant to Section 5.5.c.1 of the Commission's Rules & 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.

DISCUSSION: Ms. Coté presented the request for rescission to the Committee on Historic Designation. Carol Bede, the property owner, represented the rescission petition.

Ms. Bede stated that she is the daughter of the previous owners. She stated that remembers as child her parents seeking the approval of the Historical Commission to restore the house. She was unaware that the work undertaken at that time did not comply with the plans that were approved and permitted. She asked the Committee to describe the correct restoration of the façade. The Committee members explained that the front façade was not built according to the plans. The locations, sizes, and proportions of the windows are wrong. The cornice does replicate the historic cornice; it is built as a parapet and hides the dormer.

The Ms. Dobin, the owner of 509 Queen Street, stated that her house is similar to 835 S. 2nd Street and questioned the difference between the staff's recommendation for her property and this one. Ms. Cote explained that this building was illegally modified 36 years ago to such an extent that it no longer conveys its historic appearance. She added that the Commission failed to enforce the ordinance. She reminded the Committee that the question before them whether this property continues to satisfy the designation criteria and is worthy of continued protection.

Mr. Dilworth asked why the Committee should recommend rescission if the work was undertaken illegally. Mr. Farnham stated that work was undertaken more than three decades ago. He stated that the Commission failed to enforce the historic preservation ordinance at the time this illegal work was undertaken. He sees no way to require the owner to correct the work 36 years after the fact. He stated that it would be impossible to defend a violation before the Board of License & Inspection Review and the courts. Ms. Dobin insisted that the staff explain how her situation differs from this one. Mr. Farnham replied that the difference is significant. The house at 835 S. 2nd does not convey anything of historic value to the public; the house at 509 Queen Street does. Mr. Farnham stated that it would set a very dangerous precedent to rescind the designation of 509 Queen Street because the front façade had been restored. He stated that restoration is the Commission's goal. He acknowledged that the front facade of 835 S. 2nd could be restored, but he contended that it would be unlikely in the foreseeable future. He did not think that it would be a good investment of the Commission's resources to regulate a non-historic building for decades with the hope of an eventual restoration. He stated that the illegal non-historic alterations to 509 Queen, which were done much more recently, have a minimal impact on the building and, unlike those at 835 S. 2nd are easily reversible. He concluded that the building at 509 Queen has historic value; the building at 835 S. 2nd does not.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend the rescission of 835 S. 2nd Street, pursuant to Section 5.5.c.1 of the Commission's Rules & Regulations, as 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. Mr. Lavery seconded the motion, which passed with a vote of 5 to 0. Mr. Cohen abstained.

ADJOURNMENT

Mr. Dilworth moved to adjourn. Ms. Klein seconded the motion, which passed unanimously. The meeting adjourned at 12:25 p.m.