

**THE MINUTES OF THE 404th STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION
10 April 1996**

**City Council Caucus, Room 401 City Hall
Wayne Spilove, Chairperson**

Present

Wayne Spilove, Chairperson
Robert Barnett, Commissioner, Department of Licenses and
Inspections
David Brownlee, Ph.D.
Duane Bumb, Deputy Director, Department of Commerce
Joseph James, Deputy Commissioner, Department of Public Property
Barbara Kaplan, Executive Director, City Planning Commission
Arlene Matzkin
Michael Sklaroff, Esq.
Scott Wilds, Office of Housing and Community Development
Caroline Wischmann

Mark Zecca, Esq., Law Department

Richard Tyler, Historic Preservation Officer
Randal Baron, Assistant Historic Preservation Officer
Jeffrey R. Barr, Historic Preservation Technician
Laura M. Spina, Historic Preservation Specialist

Also, with affiliation and/or project

Charles Gottesman, Center City Residents Association (CCRA)
Judith Eden, CCRA
Lenore Millhollen, CCRA & Friends of Rittenhouse Square
Sue Harbison, 1929 Manning Street
Milton Marks, Preservation Coalition
Walter Spiegel, Walter F. Spiegel, Inc. Consulting Engineers
Evelyn Federico, 1719 Rittenhouse Square
Eve Oberfield, Rittenhouse Square Fountain
Elaine Ferst, Rittenhouse Square Fountain
Penelope Batcheler, 314 S. American Street
Frances Breininger, Friends of Rittenhouse Square
Ben Heinzen, Rittenhouse Square
P.R. Toner, 320 S. American Street
Bernice Hamel, 302 S. 2nd Street
Paul Rosen, 1820 Rittenhouse Square
Wendy Rosens, 1830 Rittenhouse Square
Charlie Selkey, 335 S. 16th Street
Nancy Heinzen, Rittenhouse Square
Barbay Badenheiner, 2022 Spruce Street
Lynn Shecker, 220 W. Rittenhouse Square
Kate Sidewater, 250 S. 18th Street
Allan Domb, President, Friends of Rittenhouse Square
Terry Kennedy, 325 S. 18th Street

Henry Magaziner, 1901 Walnut Street
George Brodie, President, CCRA
Bobbie Burke, Kennedy House
Suzanne Cohen, 1420 Locust Street
Robert Hanna, 324 S. 21st Street
Bernard Nearey, 2200 St. James Street
David Polatnick, PZ Architects
Joyce Haase, 267 S. Van Pelt Street
Mary Montgomery, Soong Association
Eugene Dichter, 2223 Locust Street
Joseph Shanis, The Barclay
Elisa Shanis, The Barclay
Irene Steely, Rittenhouse Square
Cirel Magen, CCRA Board
Theodore Beitchman, Deputy Chief of Staff, Mayor's Office

Wayne Spilove, Chairperson, recognized the presence of a quorum and called the 404th Stated Meeting of the Philadelphia Historical Commission to order at 10:15 A.M.

Mr. Spilove introduced and welcomed Laura Spina, the new Executive Secretary for the Commission.

MINUTES of the 403rd Stated Meeting of the Philadelphia Historical Commission. Upon a motion made by Mr. Brownlee and duly seconded, the Commission unanimously approved the Minutes of the 403rd Stated Meeting of the Philadelphia Historical Commission held on 13 March 1996, Wayne Spilove, Chair.

ARCHITECTURAL COMMITTEE REPORT, 26 March 1996, Arlene Matzkin, Chair

The Philadelphia Museum of Art

Robert Morrone, Applicant

PROPOSAL: Temporary waiting and ticketing tents

Architectural Committee Recommendation: Approval so long as it will disturb neither the trees nor paving of the forecourt

Ms. Matzkin reported that the Museum of Art submitted its proposal as a courtesy to the Commission. The Museum intends to erect three tents, only if necessary, to accommodate persons attending the Cezanne exhibition. No disturbance of trees or paving will occur.

1929 Manning Street

David McGrath, Contractor

PROPOSAL: Rehabilitation of carriage house

Architectural Committee Recommendation: Approval of the proposal with either the retention of the door at grade or installation of a new one to match its design and the retention of the hayloft sliding door with the addition of glazing in that opening.

Ms. Matzkin reported that the applicant is proposing to renovate the whole house and wants to replace the front doors and to glaze the window at the second floor. The Committee recommended against installing windows in the door. The applicant has since found the original door and will refurbish or rebuild it in-kind and replace the second floor door with a simple six-light window.

Mr. Brownlee moved to approve the recommendation of the Architectural Committee. Mr. Sklaroff seconded the motion which passed by a unanimous vote.

13 South 21st Street

Ivor Moore, Applicant

PROPOSAL: Legalization of existing sign

Architectural Committee Recommendation: The Committee voted to recommend the legalization of this sign subject to its being reviewed again upon any application to change or reface it.

Ms. Matzkin reported that the applicant seeks the legalization of a projecting sign that has existed at this location for some twenty years before the creation of the Rittenhouse/Fitler Historic District. Ms. Matzkin stated that the Committee recommended grandfathering the existing sign, but any proposal to change or reface it would subject it to Historical Commission review. Mr. Tyler stated that a permit was never issued for the sign. Mr. Barnett asked if the owners have applied to legalize the sign under a Zoning Code, which Mr. Tyler affirmed. Mr. Tyler stated that the sign existed when the Commission created the District. Mr. Sklaroff questioned the use of the word "legalization" for this permit, and the role of the Commission in the review of a prior condition. Mr. Barnett thought the term "grandfathered" more appropriate than "legalized" for the former could require removal upon a proposed change in the sign. Mr. Sklaroff suggested "non-disapproval" as an alternative.

Mr. Barnett made a motion to table the proposal until Licenses & Inspections can consult with counsel on the proper legal procedure. Mr. Sklaroff seconded the motion which passed by unanimous vote.

Rittenhouse Square Pool

Walter F. Spiegel, P.E., Applicant

PROPOSAL: Refurbish Rittenhouse Square Pool

Architectural Committee Recommendation: The Committee had a split vote on the decision with one in favor, one opposed and one abstention.

Mr. Spilove recused himself and Mr. Brownlee assumed the chair.

Ms. Matzkin explained that the Committee had divided three ways on this application. Paul Cret designed the pool in 1913 as a part of his larger plan for Rittenhouse Square. The present tiles on the panel at the head of the pool replaced Cret's original aquatic floral tile pattern of c. 1920, and the "The Duck Girl" statue became a part of the pool in 1960. The Friends of Rittenhouse Square now propose to undertake improvements to the pool. These include four new vertical water jets which can be turned on and off; a pump to recycle water; under-water lighting for the tile panel, Roman mask and jets; and lighting for "The Duck Girl". Opponents of this proposal believe that Cret never intended the pool to have jets and that his design should not be changed. Phase II of the project would implement deferred maintenance, such as re-setting the stone caps, coating the bottom of the pool, and re-engraving the inscriptions.

Mr. Sklaroff asked if the existing water spouts shaped like fish-heads at the base of "The Duck Girl" function. They operate only during the warmer months. Ms. Matzkin stated that the pool has no pump for water circulation and that the water is city water fed to the pool through a small pipe. Ms. Wischmann asked if the Fairmount Park Commission had approved the application. Mr. Tyler stated that the Fairmount Park Commission had approved the project in concept, but has not formally approved the plans for the alterations.

Walter Spiegel, President of the consulting engineering firm that has worked on the project, gave testimony. He conducted a feasibility study for the project in 1995 with assistance from a landscape architect. Mr. Spiegel stated that the original Cret design identifies the design as a children's pool that has two basins with water running from the upper basin over the Roman mask to the lower basin. "The Duck Girl" statue, a deviation of the original design, entered the pool in 1960. A true reflecting pool should have dark paint to aid the reflection, but the pool has historically been painted a light color for reasons of safety and because dirt can be seen and cleaned more quickly. The Fairmount Park Commission has approved the design in concept and has a concern for the maintenance of the pool. It now takes two to three days to fill the pool with city water; a larger water line would operate more efficiently. In addition, public safety requires the treatment of the water with filtration, chemicals,

and a pump. Mr. Spiegel said that the water emanating from "The Duck Girl" causes ripples in the water which hinder reflection.

Ms. Shelly Murhidge, a representative of City Council President John Street, stated that many of President Street's constituents had contacted him saying that they did not know of the changes proposed and would like an opportunity to discuss the issue with the Commission. She asked, on behalf of President Street, that the Commission table the proposal so that it could receive further public comment at an evening meeting.

Mr. Sklaroff moved to table the proposal pending the receipt of additional public comment at a public meeting in the evening. Mr. James seconded the motion. Mr. Brownlee proposed amending the motion to allow those present at this Commission meeting to testify today with the understanding that the Commission would not act on this submission until a subsequent regularly scheduled meeting. Mr. Sklaroff accepted this amendment.

The Commission heard testimony regarding the tabling of the proposal.

Mr. Paul Rosen, who spearheaded the fundraising for the pool restoration, explained that the committee raised funds, contingent upon the completion of Phase I of the project by the time of the Friends' Ball in June 1996. The committee made a commitment to return the donated funds in the event of an inability to proceed with the project in a timely manner. He testified that if the Commission tabled the proposal, the work could not begin on time and would cripple the Friends' fundraising efforts. The Friends of Rittenhouse Square Board voted 15 or 13 to 2 to keep the project moving forward despite some opposition. Mr. Sklaroff asked if the Friends had presented Phase II to the Commission. Mr. Rosen said that it had not, but it will upon the completion of Phase I. Ms. Kaplan asked for the number of members in the Friends of Rittenhouse Square organization and if the proposed project had the support of the organization as a whole and not just the board. Mr. Rosen stated that the organization had reviewed the project last Summer and that the Board voted to create a committee to oversee it. In December 1995 the Executive Committee received and approved the complete project in detail. Mr. Rosen stated that the Friends of Rittenhouse Square has 400 to 700 members who elect the Board. Mr. Rosen closed by noting that he had anticipated action by the Commission in order for the Friends to know of the status of its pool program and ability to proceed.

Mr. George Brody, President of the Center City Residents Association, testified that he had only recently heard of the proposed changes to the pool when he attended the last Friends of

Rittenhouse Square meeting. He urged the tabling of the proposal to permit the public another opportunity to review the proposed changes before the Historical Commission made its decision.

Mr. Barnett objected to the reference of the Commission hearing as red-tape and stated that public process has validity to review proposals that would affect historic properties. He also expressed a hope that even a later approval would provide adequate assurance for the fundraising campaign.

The Commission approved the motion to table unanimously.

The Commission next heard testimony concerning the proposal itself.

Mr. Milton Marks, Executive Director of the Preservation Coalition of Greater Philadelphia, testified that the Fairmount Park Commission approved the fountain restoration in concept only. He also questioned whether the current plan forms a restoration. The Park Commission has not given its final approval.

Mr. Henry Magaziner, resident and architect who studied under Paul Cret, applauded the restoration of the pool, but opposed the insertion of the new jets because Cret intended a reflecting pool. He characterized Rittenhouse Square as the keystone of the Rittenhouse-Fitler Historic District. He also said that allowing an alteration of a design by Cret would set a dangerous precedent for the District, for if such a clearly significant design can be altered then how could the Commission deny the alteration of any other resource in the District.

Mr. Robert Hanna, longtime resident and professor of landscape architecture, formally submitted a letter to the commission opposing the installation of the water jets.

Mr. Allan Domb, President of the Friends of Rittenhouse Square, said that the organization has split into two strong factions over this project. Having the jets on half of the time and off half of the time offers a solution so that both aspects could be appreciated.

Dr. Brownlee returned the chair to Mr. Spilove.

232-246 South Broad Street, The Academy of Music

Nan Gutterman, Vitetta Group

George Schaeffer, Philadelphia Orchestra Association

Lynn Axelroth, Esq., Counsel, Ballard, Spahr, Andrews & Ingersoll

Joanne Phillips, Esq., Counsel, Ballard, Spahr, Andrews &

Ingersoll

PROPOSAL: Exterior ramp to comply with the Americans With Disabilities Act (ADA)

Architectural Committee Recommendation: A restudy of the Scheme 3 side entrance with a ramp that begins on Broad Street and of the design of the Scheme 1 ramp that attaches to the front steps for reevaluation by the Committee

Ms. Matzkin reported that the applicant has not provided a solution that the Committee could accept, but the architect continues to work on the project. Mr. Tyler stated that he received a letter from the counsel for the Academy asking for an addition to be made to the minutes of the Architectural Committee: That without an opportunity for the Orchestra to present testimony, input from city officials was solicited and the Accessibility Advisory Board met and purported to review options and express opinions in respect to this project. Mr. Tyler asked that this letter form a part of the record.

Ms. Matzkin reported that this proposal appears on the agenda as information for the Commission and that it will go back to the Architectural Committee for further review. Mr. Tyler stated that further review of the proposal will not delay the project.

Mr. Brownlee moved to defer judgment on the proposal until the receipt of additional information for a period not to exceed six months. Upon a second, the motion carried. Mr. Sklaroff abstained by reason of recusal.

2423 Panama Street

Joel Ziegler, Wesley Wei Associates

PROPOSAL: New doors and windows; repair masonry.

Architectural Committee Recommendation: The Committee recommended approval.

Mr. Wilds made a motion to accept the recommendation of the Committee. Mr. Brownlee seconded the motion which passed unanimously.

1719 Rittenhouse Square Street

Carmen LaRosa, Architect

PROPOSAL: Erect exterior rear stair with new deck railing and conversion of a rear window into a door.

Architectural Committee Recommendation: The Committee recommended approval.

Ms. Matzkin reported that the Commission had tabled this

proposal at the last meeting. Since then the architect has changed the egress obviating the need for a covered stair. The Committee decided that the rear fire-escape-style stair was appropriate.

Mr. Wilds made a motion to accept the recommendation of the Committee. Mr. Brownlee seconded the motion which passed unanimously.

22nd and Walnut Streets

Michael Webb, Artist

PROPOSAL: Wall murals

Architectural Committee Recommendation: Approval.

Ms. Matzkin reported that Mr. Webb had presented to the Committee some different and refined mural ideas. The east facing wall will contain a reflection of the church in the windows of a modest group of industrial-type buildings and a shadow of the church will appear on the south facing wall. The Committee found this proposal more discreet than the earlier one which the Commission had approved, subject to the Architectural Committee's review. In view of this prior approval, the Commission determined no need existed for another vote.

1811 Walnut Street, The Rittenhouse Club

1805-1809 Walnut Street

Mario Zacharjasz, Architect

Hal Wheeler, Owner

PROPOSAL: for 1811 Walnut Street: Remove front steps to provide ADA access; schematic design of Sansom Street facade; awnings

PROPOSAL: for 1805-1809 Walnut Street: awnings; banners

Architectural Committee Recommendation: Approval of the removal the steps of the Rittenhouse Club subject to the storage of the steps for possible later use.

Ms. Matzkin reported that the owner presented the two buildings as a package. For the 1811 Walnut Street property, the owner wants to remove the steps and lower the door to grade to comply with ADA regulations. The proposal does not include drawings for the new door design and requests only Commission approval of the concept. Ms. Matzkin noted that the removal of the steps constituted the least intrusive option for handicapped access to the building. A ramp and an entrance into the adjacent building proved not feasible.

The Committee expressed some dissatisfaction with the proposal for the awnings for the buildings. Mr. Sklaroff asked if the Commission had jurisdiction to regulate the awnings.

Commission members agreed that awnings differed from banners and would be reviewed.

Ms. Matzkin reported that the Allison Building has a loading alley off Sansom Street and that the Rittenhouse Club extends to Sansom Street. The owner proposes to demolish much of the rear of the Rittenhouse Club and erect a new in-fill building with its facade set back 15 feet from Sansom Street to create a loading zone for large trucks to service the store. Ms. Matzkin stated that she thought that this scheme treated Sansom Street as an alley rather than as a streetscape; however, the Committee decided that the development and preservation of the Rittenhouse Club in its Rittenhouse Square context possessed greater importance than the 15 feet that would be lost. The Committee reached a conclusion only on the acceptability of the removal of the entrance steps from 1811 Walnut Street to comply with ADA. It determined that it needed more information before it could make a specific recommendation on the design of the Sansom Street component of this project and suggested that the architect consult further with the staff on the appropriate design for awnings.

Mr. Sklaroff questioned the proposed approval of the removal of the 1811 Walnut Street steps in the absence of a final design for that opening. Ms. Matzkin stated that a conceptual approval allowed the architect to explore options for the new door for a later submission to the Committee and Commission.

Mr. Brownlee made a motion to approve the removal of the steps with the approval of other components and details subject to further review. Mr. Wilds seconded the motion.

Milton Marks of the Preservation Coalition testified that the piecemeal approach to the approvals could be detrimental in the long run. He thought the approval of the removal and storage of the steps unwise until the Commission knows exactly the design of the replacement doors.

Mr. Sklaroff offered an amendment to the motion to render the approval in concept. Mr. Brownlee accepted this amendment.

George Brody, President of the Center City Residents Association, testified that the CCRA opposed approvals in concept for the demolition of buildings or parts of buildings in the membership area. CCRA had supported the creation of the historic district because of the strong protection of historic buildings against demolition. CCRA believes that to give approval to the concept of demolition before the submission of plans and a formal application for a demolition or building permit unnecessarily relinquishes power by the Commission. He asked the Commission

not to grant approval in concept for demolitions in general and particularly not for the partial demolition at 1811 Walnut Street.

Mr. Tyler responded that owners and developers often need guidance and direction for the development of actual plans and designs for submission with a permit application. Usually the staff can provide this service. Occasionally, however, the staff cannot offer this advice with adequate certainty. The Rittenhouse Club affords an example of this. Then only a review in concept by the Committee and Commission can yield a satisfactory level of assurance and direction for the preparation of an acceptable design. Mr. Tyler held that the Commission has an obligation to undertake such reviews and that they contribute to the preservation of historic properties. Moreover, this procedure does not imperil buildings, for final action on permit applications still requires the Commission review and approval.

Mr. Sklaroff restated that the present approval of the Commission was given explicitly because the change was to meet ADA requirements.

The Commission unanimously passed the motion made by Mr. Brownlee and seconded by Mr. Wilds as amended by Mr. Sklaroff.

Mr. Sklaroff raised a point of order and observed that the Commission needs more information on design proposals than just the minutes to exercise its judgment on substantial issues. Mr. Tyler said that time constraints limit the staff's ability to put together packets for each proposal, but agreed that design information would be sent to Commission members. Mr. Brownlee suggested that materials be made available for inspection for about a half-hour before the meeting. Mr. Barnett thought that more information, not all information, would suffice.

Following this discussion, Commission members requested information on past actions on banners and on the demolition of the rear of 1811 Walnut Street.

229 Delancey Street

Mr. Spilove next introduced Bernice Hamel, Chair of the Historic Preservation Committee of the Society Hill Civic Association and Vice-President of the Association, who wished to make a statement on the Commission's approval last month of the introduction of a gate in the nonhistoric garden wall at 229 Delancey Street. Ms. Hamel said that since the Zoning Board did not grant the variance for parking and that since the Department of Streets had not issued a permit for a curb-cut, the Commission should not have allowed the installation of a wood gate in the masonry wall. She asked the Commission to vacate its approval

and schedule a public hearing concerning the proposed work. She objected to the scale of the gate and the loss of the brick wall.

Mr. Barnett took exception to Ms. Hamel's statement that the Department of Licenses & Inspection had issued a permit in violation of the law. Mr. Tyler stated that the decision of the Commission did not rest on the granting of a variance and that the Commission knew that the Zoning Board of Adjustment had denied the variance when it approved the gate.

1115-1141 Market Street, Reading Terminal Headhouse

Philip Scott, John Milner Associates

Eric Rehe, Bower, Lewis, Thrower

William McDowell, Redevelopment Authority

PROPOSAL: Interior rehabilitation of public access zone and review in concept of limited exterior work at the Reading Terminal HeadHouse

Architectural Committee Recommendation: Approval of placement of the pylons at the headhouse on Market Street.

Ms. Matzkin reported that the interior work includes escalators, new elevators for the handicapped and some development of the empty space between the Headhouse and the Market. The Committee voted only the pylons for installation at the entrance of the Headhouse on Market Street which would not impact historic fabric. The Commission does not have jurisdiction over the interior work, but the Reading Terminal submitted the plans for the interior work as a courtesy.

Mr. Wilds made a motion to approve the recommendation of the Architectural Committee. Mr. Jones seconded the motion which was adopted. Mr. Sklaroff abstained.

3204 Powelton Avenue

Guy Laren, Owner

PROPOSAL: Porch post and railing.

Architectural Committee Recommendation: The Committee Recommended approval of the proposal.

Ms. Matzkin reported that the owner had stated that the original balusters and railings were removed before he bought the property and he would like to replace the railing in response to a violation. The Architectural Committee approved the installation of square balusters and the original, salvaged newel for the new railing. Mr. Baron reported that Herbert Cleaver, a neighbor, had written a letter to the Historical Commission stating that the present owner had removed the original railing.

Mr. Cleaver had saved a baluster from the original railing which

is a turned baluster. Mr. Baron stated that we cannot determine the time of the removal of the original railing and suggested that the Commission request the owner to install stock, round balusters in the new railing instead of square ones.

Mr. Barnett made a motion to accept the recommendation of the Committee. Mr. Wilds seconded the motion which passed unanimously.

325 South 18th Street

Sabrina Soong, Architect

Terry Kennedy, Owner

PROPOSAL: Restoration and partial reconstruction of the rear 2/3 of the building.

Architectural Committee Recommendation: Approval of the submission.

Ms. Matzkin reported that the owner has changed architects and the new application calls for fewer changes than the original proposal. The Committee recommended approval.

Mr. Bumb made a motion to approve the recommendation of the Architectural Committee. Mr. Sklaroff seconded the motion which passed unanimously.

318 South 19th Street

Sol Weiss, Applicant

PROPOSAL: Replace missing roof tiles; install security light.

Architectural Committee Recommendation: Approval of the submission.

Mr. Bumb made a motion to approve the recommendation of the Architectural Committee. Mr. Wilds seconded the motion which passed unanimously.

**The Report of the Activities of the Historical Commission Staff,
March 1996, Richard Tyler.**

Mr. Tyler commended the work of Jeffrey Barr during this period of a staff of two. The Personnel Department will announce this week two vacancies for the position of Historic Preservation Planner.

The meeting adjourned at 12:00 p.m.

Respectfully submitted,

Laura M. Spina