

THE MINUTES OF THE 318th STATED MEETING

OF THE

PHILADELPHIA HISTORICAL COMMISSION

27 January 1988

Edward A. Montgomery, Jr., Chairman

Present: Edward A. Montgomery, Jr., Chairman

David Brownlee

Caroline Golab

David Hollenberg

Jason Nathan

William D. Thompson

Benjamin Ellis, Commissioner, Department of Public Property

Barbara Kaplan, Executive Director, City Planning Commission

David Wismer, Deputy Commissioner, Department of Licenses and
Inspections

Frederick Bader, Esq., Chief Assistant City Solicitor, Law
Department

Richard Tyler, Historic Preservation Officer

Patricia Siemiontkowski, Assistant Historic Preservation Officer

Randal Baron, Preservation Planner

Sally Elk, Historic Research Technician

Maureen Heaney, Clerk Steno I

Also: Dennis George, attorney, and Sabrina Soong, architect, for the
owner of 8 S. Front Street

Luca Sena, owner, La Famiglia Restaurant, 8 S. Front Street

Fred Gecas and John Konick from MKR Architects

William Blades, Philadelphia Historic Preservation Corporation

Rebecca Trumbull, Preservation Coalition of Greater Philadelphia

Margaret Kirk, The Philadelphia Inquirer Magazine

Thomas Hine, The Philadelphia Inquirer

THE MINUTES of the 317th Stated Meeting of the Philadelphia Historical
Commission held on 30 December 1987, Edward A. Montgomery, Jr.,
Chairman were reviewed and approved.

THE REPORT of the Architectural Committee Meeting held on 14 January 1988,
David Hollenberg, Chairman. Mr. Hollenberg divided the report into
three separate sections, discussed each individually, and offered
individual motions.

David Hollenberg stated that the projects recommended for approval as
submitted include 320 S. 10th Street, 226-228 Vine Street, and the
Franklin Institute.

Mr. Hollenberg asked that a correction be made to the Report of the
Architectural Committee meeting held on 14 January 1988. The report
erroneously identified 8 South Front Street as the "La Cucina"
restaurant instead of "La Famiglia" restaurant.

The submissions that the Committee recommends be rejected are 8. S. Front Street and 2226 Delancey Street.

The Commission unanimously voted to approve the recommendations of its Architectural Committee for the above mentioned projects with the exception of 8 S. Front Street. It was agreed that the Commission would address this item separately.

Dennis George, attorney, and Sabrina Soong, architect, for 8 S. Front Street appeared before the Commission to appeal the action of the Architectural Committee recommending a denial of the owner's application for alterations to 8 S. Front Street. Ms. Soong explained to the Commission her client's desire to enlarge the second floor window openings at 8 S. Front Street into a picture or bay window in order to allow more light into the second floor dining room and to offer a view of the Delaware River waterfront. Ms. Soong presented photographs taken from the existing second floor dining room showing a view of Penn's Landing. Ms. Soong also presented photographs of several existing second floor bay windows in Old City and other parts of the Central Business District added at the turn of the century. She also submitted to the Commission for consideration two possible bay window designs.

Mr. Hollenberg informed the Commission members of the Architectural Committee's position that the proposed alteration would constitute a clear violation of the Secretary of the Interior's Standards and Guidelines, and for this reason the Committee recommended denial of the application. The proposed alteration would destroy original building fabric and create an appearance which has no historical basis. The Committee noted also that the proposed alteration would not only affect the individual property but also disrupt the rhythm and integrity of the entire streetscape.

To assist the Commission members in evaluating this submission, Mr. Tyler reviewed Section 7(k) of the preservation ordinance. He advised the Commission that in making its determination the Commission shall consider items (.1) through (.6). He stressed the Commission's stated purpose of assuring the preservation of the City's historic resources. He pointed out the significance of 8 S. Front Street as an intact, Utilitarian Classical building of the early nineteenth century which contributes to the character of the Old City National Register Historic District. The proposed work would have a major effect on the character of the existing building by radically changing the fenestration of the building and the relationship between solid and void. In addition, the building constitutes part of an intact row of similar buildings. As a result of the proposed change, the character of the entire row would be altered and compromised. Even though the design of the proposed bay window addition, as presented by Ms. Soong, is well done, it is still inappropriate for this building and this row. Finally, as previously mentioned, the proposed work does not conform to the Secretary of the Interior's Standards and Guidelines.

The Commission voted unanimously to reject the proposed alteration to the building located at 8 S. Front Street as recommended by its Architectural Committee.

Mr. Hollenberg also informed the Commission that the Architectural Committee requested additional information on two projects and that this additional information has not yet been received. These projects are the Jayne Estate Building located at 2-16 Vine Street and 350-352 N. 16th Street, a.k.a. 1600 Callowhill Street. Mr. Hollenberg stated that a special meeting to review a revised submission for the Middishade Clothing Factory at 350-352 N. 16th Street will be called prior to the next meeting of the Commission.

The final item for the Commission's consideration involved the building at 602 S. Front Street. Mr. Tyler stated that a building permit for 602 S. Front Street was issued by the Department of Licenses and Inspections, in error, without the approval of the Historical Commission. During the conduct of site inspections in the riverfront area, the staff noted that extensive construction was underway at 602 S. Front Street. Upon returning to the office, the staff telephoned the Department of Licenses and Inspections and learned that a building permit had been issued without the approval of the Historical Commission. The staff then requested that a "stop work" order be issued and that the permit be revoked until such time as the Historical Commission could review the proposed work on this historically designated building. At its 14 January 1988 meeting, the Architectural Committee could reach no agreement with the applicant regarding the proposed rehabilitation of 602 S. Front Street.

Following the meeting of the Architectural Committee, the applicant applied for and received from the Court of Common Pleas a temporary restraining order which lifted the "stop work" order and allowed construction at 602 S. Front Street to continue. This TRO was granted to allow construction of a roof to begin in order to protect the building from the weather. A hearing was then scheduled for early the following week before Judge Lord. On the day of the scheduled hearing, the applicant and members of the Commission staff reached a compromise solution, with the encouragement of the court, resulting in a consent degree having the force of a court order. This solution called for a restoration of the ground floor to its original 1790's residential appearance while allowing reconstruction of the roof in glass. This glass will bear a very close resemblance to a standing seam metal roof. Samples of this glass will be presented before a final approval is given on this project.

Mr. Tyler explained that it was agreed in court that this Commission would review within one week the submission of drawings reflecting the compromise reached by the parties.

Mr. Tyler reported that these drawings have been received and that they conform substantially to the compromise arrived at in the court. Some minor revision and refinement of details, however, will be necessary.

Mr. Tyler recommended that the Commission approve the drawings in concept, subject to the correction of the minor details.

The Commission unanimously voted to approve, in concept, the submission for 602 S. Front Street.

123 Queen Street

Mr. Tyler stated that 123 Queen Street falls under the report of the Architectural Committee, owing to the fact that this item was scheduled for a review by the Architectural Committee on 14 January. The applicant's, however, requested a deferral of one month. Subsequent to this deferral, the staff learned that the Queen Street property was placed on the market for sale.

Mr. Tyler stated that on 29 October 1987 the staff of the Philadelphia Historical Commission reviewed and approved an Application for Building Permit for the property situate at 123 Queen Street. This approval allowed for the following:

Selective demolition of interior spaces only; all demising partitions to remain, in preparation for interior alterations and renovations to the premises. No exterior alterations; no changes to window frames, window sash, doors, etc.

Subsequent to the issuance of the building permit by the Department of Licenses and Inspections, work was begun at 123 Queen Street. The work performed at 123 Queen Street far exceeded the scope of alterations as described in the building permit granted by the Department with the approval of this Commission. The illegal work included complete demolition of rear and party walls as well as removal of the roof structure and front facade down to first floor. As a result, a "stop work" order was issued by the Department of Licenses and Inspections at the request of the Historical Commission staff. By that time, however, the historically designated building had been destroyed nearly completely by the applicant in violation of Section 14-2007 of the Philadelphia Code entitled "Historic Buildings."

Removal of demolition debris and clearance of the remainder of the site was undertaken by the Department of Licenses and Inspections in order to eliminate a imminently dangerous condition and to insure public safety.

Mr. Tyler informed the Commission that subsection (9)(c) of the ordinance states that, "Any person who violates a requirement of this Section or fails to obey an order issued by the Department shall be subject to a fine of three hundred (300) dollars or in default of payment of the fine, imprisonment not exceeding ninety (90) days." Mr. Tyler also informed the Commission that subsection (9)(d) of the ordinance requires that, "Any person who alters or demolishes a building, structure, site or object in violation of the provisions of Section 14-2007 or in violation of any conditions or requirements specified in a permit shall be required to restore the building, structure, site or object involved to its appearance prior to the violation. Such restoration shall be in addition to and not in lieu of any penalty or remedy available under the Code or any other applicable law."

The Commission members expressed concern over the fact that this building might be sold without the buyer's knowledge of the existing violation of 14-2007.

The Commission unanimously voted to authorize the staff to work with the Solicitors office in enforcing the ordinance to the fullest extent of the law and to seek to assure that an uninformed buyer had knowledge of the violation and its consequences.

Mr. Tyler advised the Commission that often persons purchase property without knowledge of its historical designation. An immediate solution to this problem has been arrived at by the Department of Licenses and Inspections and the Historical Commission. A staff member from the Historical Commission will visit the Licenses and Inspections office daily or every other day and indicate on the sellers certification statement whether a building is designated by this Commission and, therefore, subject to 14-2007 of the Philadelphia Code. Other methods of notification will be explored as well.

THE REPORT of the Philadelphia Historical Commission Staff Activities for 15 December 1987 - 15 January 1988 Richard Tyler, Historic Preservation Officer. Richard Tyler stated that the last three lines of the first page of the Report of the Activities were deleted by the computer. These missing lines were read to the Commission. Copies of the report in its entirety will be sent to the Commission members.

Mr. Montgomery acknowledged with appreciation the work of Terri Koob and expressed the Commission's gratitude for all the support she gave the Commission during her employ as Executive Secretary of the Historical Commission.

The Commission unanimously voted to approve the Report of the Staff Activities for filing.

NEW BUSINESS

Richard Tyler recommended that the meeting date of the Commission be changed from the last Wednesday of the month to the second Wednesday of the month, owing to scheduling problems and conflict with holidays.

The Commission unanimously voted to approve Mr. Tyler's recommendation that the Historical Commission meeting date be changed to the second Wednesday of each month.

There being no further business, the meeting adjourned at 11:40 a.m.

Respectfully submitted,

Maureen Heaney
Clerk Steno I