

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

**THURSDAY, 8 SEPTEMBER 2009, 9:00 A.M.
ROOM 18-029, 1515 ARCH STREET (ONE PARKWAY)
RICHARD DILWORTH, PH.D., CHAIR**

PRESENT

Richardson Dilworth III, Ph.D.
Janet Klein
Bruce Lavery
Jeffrey Cohen, Ph.D.

Jonathan Farnham, Executive Director
Erin Coté, Historic Preservation Planner II
Jorge Danta, Historic Preservation Planner II

ALSO PRESENT

John Gallery, Preservation Alliance for Greater Philadelphia
Arthur McDowell, 3469 Midvale Avenue
Carolyn Sutton, 3429 W. Penn Street
John Cugini, 3444 W. Penn Street
Jessica Maizel 3413 W. Queen Lane
Frederick Paisley, 3465 Midvale Avenue
Nancy Pigford, 3468 W. Penn Street
Glenn Snyder, 3437 W. Penn Street
Debra Hafft, 3463 Midvale Avenue
Pauline Rose, 3404 Midvale Avenue

CALL TO ORDER

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

TUDOR EAST FALLS HISTORIC DISTRICT

Owner: Various, 210 properties
Nominator: A group of Tudor East Falls residents
Proposal: Nomination for district designation

OVERVIEW: The proposed Tudor East Falls Historic District includes 210 speculative, Tudor Revival, residential properties in the parallel 3400-blocks of Midvale Avenue, W. Penn Street, and W. Queen Lane in the East Falls section of the city. Developer Michael J. McCrudden erected the houses in the then-popular Tudor Revival style between the years 1925 and 1931. Unlike many of the earlier row house developments in East Falls, these blocks were developed with a sylvan, suburban feel produced by a significant number of trees, uniform setbacks from the streets, front gardens afforded by the setbacks, and garages located in and accessed from the rears of the properties.

The nomination contends that the proposed Tudor East Falls Historic District meets four of the Criteria for Designation outlined in the historic preservation ordinance (c, d, h, and j). The district reflects the environment in an era characterized by the distinctive Tudor Revival style (c) and embodies distinguishing characteristics of that style (d). Owing to their uniformity, these blocks, in particular the cathedral and cottage rows, represent established and familiar visual features (h) in East Falls. Finally, the area exemplifies the cultural, economic, and social heritage of the community (j), as East Falls was fundamentally transformed from a workers' housing area to a bedroom community.

STAFF RECOMMENDATION: The staff recommends that the proposed Tudor East Falls Historic District as defined in the nomination satisfies Criteria for Designation c, d, 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.

Rose Pauline, the owner of 3404 Midvale Avenue, stated that she opposes the nomination and district designation. She asked how many residents of the 210 properties support the district designation.

Fred Paisley, a resident of the proposed district, asked who initiated the nomination. John Cugini, a resident of the proposed district and one of the nominators, stated that a group of 15 residents instigated the nomination. He explained the development of the nomination and the grassroots education and outreach program that accompanied that development at length. In 2004, that group sent a survey to all 210 property owners. A total of 71 residents responded. Of those responses, 60 residents supported designation, 7 opposed, and 4 were undecided. Mr. Cugini stated that the survey was distributed by mail. He stated that the community outreach survey is not required by the historic preservation ordinance, but was conducted to ensure that a majority of property owners support the creation of a historic district. The group advocating for designation also undertook other notification and education efforts. Four communications were mailed to the residents and announcements were posted in the *Fallser* newspaper and on the East Falls Community Council website. In addition, there was a community meeting in July of 2003, at which members of the Commission's staff discussed the designation and permit application review processes. Ms. Pauline stated that she did not receive the communications that Mr. Cugini mentioned and that after the community meeting she communicated with then Councilman Nutter to express her opposition to the designation. She stated that she was concerned that the Commission would review her garden design and would impose its plant choices on her. She opined that district designation does not have the support of the majority of the residents and that the Commission did not take the time and effort to consult the community.

Mr. Farnham responded to the concerns raised by Ms. Pauline. He provided an overview of the Commission's jurisdiction. He explained to her that the Commission would not assert any jurisdiction over her garden unless she proposed the construction a feature that would require a building permit, like a concrete structure. He assured her that the Commission would not review her flower choices or tree trimming. He stated that the Commission is only authorized to review alterations within the scope of work proposed by the property owner and cannot unilaterally require work outside the proposed scope. He also explained that alterations made prior to the date of the notice of the consideration of the nomination, 9 July 2009 in this case, are grandfathered. The Commission can require a restoration to the original condition if the owner proposes work that includes the grandfathered, non-historic alteration, but it cannot simply insist that non-historic alterations be undone. For example, an owner can retain a non-historic alteration forever, as long as the owner never proposes to alter or replace that alteration. Mr.

Farnham observed that the Commission would have some flexibility and discretion when reviewing proposals to alter the rears of these buildings because they are either minimally visible or invisible from any public right-of-way.

Mr. Farnham turned to the question of the notification to property owners. He stated that any meetings or announcements related to the proposed district that were conducted or issued before 9 July 2009 were conducted or issued by parties other than the Historical Commission. The Commission is not bound by or responsible for efforts undertaken by individuals or other organizations. He explained that the Commission's official review began in July, when the Commission notified all 210 property owners within the proposed district in writing with letters sent to each property itself and to each property owner as recorded by the City's Department of Revenue. He reported that the official notice letters announced two public meetings, one convened by the Commission's Committee on Historic Designation and one by the Commission itself. He stated that every property owner and every interested party has an opportunity to appear at these meetings and express his or her opinion on the nomination and potential designation. He rejected claims that the decision had already been made to designate and stated that this meeting was the first of two public meetings to vet the nomination. He concluded, asserting that the designation of the district is not a foregone conclusion; the decision has not been made. The Commission is at the beginning, not the end, of its process. The designation decision will be made at the upcoming public Commission meeting.

Mr. Paisley stated that the letter from the Commission was the first that he had heard of the proposed district. He agreed that the homes in this area are unique, but claimed that they are not necessarily historic. He stated that the residents have always and will continue to maintain their properties well. He opined that the residents do not need additional oversight to protect their investments.

Arthur McDowell, the owner of 3469 Midvale Avenue, claimed that the survey that the neighbors conducted is not valid. He stated that he was concerned about an air-conditioning compressor unit located in his front yard. He expressed his belief that the Commission will make him relocate it to a less efficient location when it is replaced in the future. He concurred with Mr. Paisley, stating that these properties have been maintained for 80 years without government oversight.

Carolyn Sutton, the owner of 3429 W. Penn Street, stated that she chose to move to East Falls because of its historic character. She stated that she supports the nomination and knows that numerous other owners support it as well. She stated that the reason for the nomination was that there was a concern that the casement windows and slate roofs would be replaced with unsympathetic materials and configurations. She claimed that the original designs of the buildings are significant and should be protected. She asserted that the creation of the district would be beneficial to the community and the city as a whole. She stated that she did not want to see the significance fall away as it has in so many other places.

John Gallery of the Preservation Alliance of Greater Philadelphia stated that the Committee is charged with determining whether the proposed district meets one or more of the Criteria for Designation. He stated that, as a visual feature, this area is a distinctive landmark in the neighborhood and in the city. He stated that the buildings retain a very high level of integrity; their architectural character is intact. He asserted that Tudor East Falls is an excellent example of the changes in development that led to the East Falls we know today. Mr. Gallery commented on the Historical Commission permit application review process, stating that he has witnessed the Commission's flexibility as it has helped property owners live in contemporary ways while

retaining the historic characters of their properties. Mr. Gallery stated that recent studies have clearly demonstrated that district designation has a significant positive benefit on property values. He stated that, in recent years, property values within historic districts have increased one percent more annually than values in comparable but undesignated areas.

Nancy Pigford, the owner of 3468 W. Penn Street, a rental property, stated that, although the designation of the district may add a slight inconvenience when obtaining a building permit, the designation will provide an overall benefit to property owners. She supported the nomination.

Glenn Snyder, the owner of 3437 W. Penn Street, stated that he supports designation and that these three beautiful blocks must be preserved.

Debra Hafft, the owner of 3463 Midvale Avenue, stated that she looked into repairing her leaded glass windows and that she obtained an estimate of \$40,000 to do the work. She asked if the Commission would require replication of the historic wavy glass as opposed to regular glass. Mr. Farnham replied that he could not answer that question without additional information and he offered to have the Commission's window expert look at the specifics. He stated that the Historical Commission is reasonable and practical. He also noted that the preservation ordinance includes a financial hardship provision that ensures that the Commission never places an undue burden on a property owner. Mr. Farnham stated that the Historical Commission's goal is not to prevent change to historic buildings but to ensure that changes are appropriate.

Ms. Klein thanked the property owners for attending the meeting. She stated that it is important that they understand that their houses are special. She stated that the proposed district has integrity and by designating it, it will be preserved for generations to come.

Mr. Lavery commended the property owners on the care and pride they have taken in their properties. He stated that, in a city that is defined by rowhouses, this area presents the zenith of rowhouses design. He stated that he believes that the proposed district satisfies the Criteria for Designation.

Mr. Cohen stated that the nomination was well prepared and documents the district well. It demonstrates that the proposed district satisfies the Criteria for Designation.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Lavery moved to recommend that the proposed Tudor East Falls Historic District as defined in the nomination satisfies Criteria for Designation c, d, h, and j, and should be designated as historic and listed on the Philadelphia Register of Historic Places. Ms. Klein seconded the motion, which passed unanimously.

ADJOURNMENT

Mr. Dilworth moved to adjourn at 11:00 a.m. Mr. Cohen seconded the motion, which passed unanimously.