

THE MINUTES OF THE 341ST STATED MEETING
OF THE

PHILADELPHIA HISTORICAL COMMISSION

9 May 1990

City Council Caucus Room

Edward A. Montgomery, Jr., Chairman

Present: Edward A. Montgomery, Jr. Chair
Christine Washington, Vice Chair
William L. Brown
David Brownlee
David Hollenberg
Councilman John F. Street, Esq.
Reverend William B. Thompson
James Cuorato, Department of Commerce
Barbara Kaplan, Executive Director,
City Planning Commission
Andres Perez, Commissioner, Dept. of Public Property
David Wismer, Department of Licenses and Inspections

Maria Petrillo, Esq., Chief Assistant City Solicitor
Richard Tyler, Historic Preservation Officer
Randal Baron, Preservation Planner
Ira Kauderer, Preservation Consultant
Daniel W. Simcox, Executive Secretary
Carmen Weber, Archeologist

Also: Peter K. Aborn, Deputy Commissioner,
Dept. of Public Property
Patrick Goddard, Chart House Enterprises, Inc.
Nick Maile, Attorney, Chart House Enterprises, Inc.
Peter Odell, Fairmount Park Commission
Katherine Huseman, Law Department
Jane Mork Gipson, Historian
Susan W. Myers, Junior League of Philadelphia
George Myers
Virginia Maloney, Junior League of Philadelphia
Irving Shapiro, Society Hill Synagogue
Richard Cole, Architect, Society Hill Synagogue
Alexis Berg Marmar, Attorney, Society Hill Synagogue
Daniel Barol, 416 Spruce Street
Shirley Barol, 416 Spruce Street
Marian McKone, 417 Pine Street
Charles Bangert, 425 Spruce Street
Sonja Veit, 322 S. Lawrence Court
Anthony Trombetta, 1230 Arch Street
Norman Oshtry, 1230 Arch Street
Robert J. Faux, 1216 Arch Street
Bum Woon Lee, 1214 Arch Street

John Taxin, Old Original Bookbinder's Restaurant
Michael Stack, Stack & Gallagher
John Mitkus, Jackson-Cross Realtors
M. Richard Cohen, 1617 Lombard Street
Roger T. Prichard, Old City Civic Association
Bill Brookover, Independence National Historic Park
Bill Blades, Philadelphia Historic Preservation Corp.
Howard Kittell, Preservation Coalition
Deborah Kelly, Preservation Coalition
Sandra Garz, Foundation for Architecture
Gary Sashau, National Trust for Historic Preservation
Don Paravat, Aide to State Representative Maiale
Donna St. George, The Philadelphia Inquirer
Cardine Lacey, Philadelphia Daily News

THE MINUTES of the 340th Stated Meeting of the Philadelphia Historical Commission held on 14 April 1990, Edward A. Montgomery, Jr., Chairman.

A MOTION to approve the Minutes of the 340th Stated Meeting was made by Mr. Brownlee and approved unanimously.

THE REPORT of a Special Meeting of the Architectural Committee of the Philadelphia Historical Commission held at the Fairmount Waterworks on 23 April 1990, David Hollenberg, Chairman. Mr. Hollenberg provided background information to place this report in context. At its meeting of 29 March 1990, the Architectural Committee recommended an approval in concept for the introduction of a restaurant to this site, for the proposed glazing of the Engine House porch and the construction of a masonry link between the Engine House and the Caretaker's House. The Committee, however, had reservations regarding several aspects of the proposal and scheduled a special meeting for 23 April 1990 at the Fairmount Waterworks.

At this special meeting, the Committee focused on the proposed glazing of the Greek Temple Pavilion. Having reviewed several optional designs for this glazed enclosure, the Committee examined the other revisions to the plans. After listening to the comments of the many persons attending, the Committee made the following recommendations:

- It recommended conceptual approval of a glass enclosure within the columns of the Greek Temple Pavilion. The design of this glazed structure, however, should be pulled back one bay and have notched corners at the penultimate columns on the river-side to allow public access to the railing at the waterfront.

- The Committee recommended disapproval of any penetration of the roof or decorative plaster ceiling of the Greek Temple Pavilion.
- The Committee recommended holding back the glass a minimum of four inches from the inside face of the columns to allow for their maintenance.
- The Committee recommended disapproval of the proposed installation of a canopy from the entrance bridge to the Engine House.

Having presented the report and recommendations of the Architectural Committee, Mr. Hollenberg reminded the Commission of his involvement in the preparation of the RFP and the restoration of the Waterworks. Noting that he abstained from the vote of the Architectural Committee, Mr. Hollenberg announced that he would abstain from the deliberations and decision of the Commission.

Mr. Montgomery expressed appreciation for the Report of the Architectural Committee, and asked if the representatives from the Fairmount Park Commission and Chart House wanted to address the Commission.

Peter Odell, Planning and Development Administrator for the Fairmount Park Commission, requested that the Commission focus on the larger issues involved in the long-term planning for the Waterworks. During the past several years, the site has benefitted from the efforts of many people and from considerable financial investment. Capital funds allocated for its restoration by the Park Commission have been bolstered by monies from the Federal and Commonwealth governments, from foundation grants, and from contributions made by local corporations. While these funds were allocated to various projects to stabilize and restore elements of the facility, the Fairmount Park Commission circulated a Request for Proposals to occupy and use the site. The Chart House has remained as the only concessionaire to sustain its commitment to the site. Mr. Odell expressed his satisfaction with the current proposal, as it offered a desirable balance of the interests for an adaptive conversion and those for complete restoration. He expressed concern, however, that the project might collapse if this proposal did not develop.

Mr. Montgomery asked Mr. Odell if he objected to any of the recommendations of the Architectural Committee. Mr. Odell expressed reservations regarding the recommended prohibition of any penetration of the roof or decorative ceiling of the Greek Temple Pavilion. He also conveyed support for the

original glazing design for the Greek Temple Pavilion.

Patrick Goddard, Senior Vice-President of Chart House Enterprises, Inc., circulated revised plans to the Commission. Before explaining the changes made since the Architectural Committee meeting, Mr. Goddard explained the appeal of this site to the Chart House. After presenting slides illustrating adaptive conversions of other historic properties undertaken by his corporation, Mr. Goddard indicated that the Waterworks attracted his company first because of the allure of the Schuylkill. He indicated that many concerned people informed him of its historic value of the Waterworks. Over time, this historic significance has become more integral to the design of the restaurant.

Mr. Goddard indicated that this unique site posed certain problems for its adaptation for a restaurant. Though the Chart House considered using only the Engine House, they decided early in the design process that it was too small to serve their interests by itself. Having committed themselves to using the old mill house for restaurant seating, the architect focused on lighting the space. This decision made the glazing of the Greek Temple pavilion even more critical to their plans. Further, the size of the opening in its deck would allow considerable light into the old mill house. As the floor of the old mill house will be raised to allow diners to see out its windows, this open space becomes particularly important to avoid a feeling of claustrophobia. Yet, the commitment of the Architectural Committee to a smaller enclosure to allow public access along this space led to further revision of the design. Through a slide presentation, Mr. Goddard indicated that the seating moved from being predominantly on the deck to being entirely in the old mill house. The present proposal, he noted, offered a more desirable integration of the restaurant and the interpretive center.

In the current plans, the architect deleted the proposal to glaze the Engine House porch for restaurant seating. Second, the seating inside the Engine House was removed. This building would be restored by the Chart House, who would negotiate with the Water Department for the establishment of an interpretive center in this space. This area could be used by the restaurant for banquets and special functions. Third, the seating proposed in the glazed enclosure on the deck of the Greek Temple Pavilion had been removed. In the present plans, this area would serve as an entrance to the restaurant and remain accessible to the public. Mr. Goddard indicated that holding the glazing back one column, as recommended by the Architectural Committee, would obstruct this splendid view of the

Fairmount Dam on the Schuylkill. Mr. Goddard also noted that direct access to the river would remain throughout much of the surrounding area.

Mr. Brownlee asked if the Chart House intended to restore the Engine House even though it would not occupy this space itself. Mr. Goddard confirmed that Chart House Enterprises, Inc. would restore the Engine House for use as an interpretive center.

Councilman Street confirmed that the representatives of the Chart House only opposed the recommendation regarding the extent of the glazing of the Greek Temple Pavilion. Mr. Goddard also explicitly acknowledged his acceptance of the recommendations of the Architectural Committee regarding the disapproval of any penetration of the roof or decorative plaster ceiling of the Greek Temple Pavilion; the disapproval of the proposed canopy; and the requirement to retain a minimum of four inches between the proposed glazing and the inner face of the columns on the pavilion.

Mr. Brownlee emphasized that the current plans differed significantly from those reviewed at the special meeting of the Architectural Committee. Consequently, he wanted to defer action on this matter until these revised plans had been reviewed by the Committee. Mr. Hollenberg agreed that the Architectural Committee should review these revised plans.

Mr. Wismer noted that the proposal did not disturb the historic fabric of the building. He added that these proposed alterations would not impede pedestrian access along most of the river, and that it would offer the public an enclosed observation area in any weather condition.

Mrs. Kaplan supported these comments and registered her preference for the original glazing design for the Greek Temple pavilion. The notched design, she objected, detracted from the geometry of the pavilion. With regard to public access to the river, she indicated that there was tremendous access to the water and that ceding sixty feet to a private concern, who would maintain it for public use, did not bother her terribly. Concluding that the Chart House presented a wonderful proposal for a difficult location, Mrs. Kaplan reinforced the concern that the site may suffer vandalism if not occupied.

Mr. Brownlee, emphasizing that the design still was improving in a highly significant manner, requested a complete review of these plans by the Architectural Committee. Noting that the glazing of the Greek Temple

Pavilion previously had been presented as crucial to the restaurant for its visual presence and seating capacity, he questioned the importance of the original glazing design now that the seating was removed from this space. Mr. Brownlee conveyed an interest in pushing the architect further to retain this historic open space.

A MOTION was made by Councilman Street to adopt the recommendations of the Architectural Committee with the deletion of the provisions which required that the design of the glass enclosure within the columns of the Greek Temple Pavilion must have notched corners at the penultimate columns on the riverside to allow public access to the railing at the waterfront.

Mr. Goddard requested assurance that the glazing could extend to the last column on the river side.

Councilman Street altered the motion as follows: To adopt the recommendations of the Architectural Committee with two modifications. First, to delete the second sentence of the first recommendation of the Architectural Committee, regarding the glazing of the Greek Temple Pavilion. Second, to approve the concept of allowing the glazing on the Greek Temple Pavilion to extend to the river. Mrs. Kaplan seconded this motion.

Mr. Brownlee asked to amend the motion with language to encourage the applicants to explore alternatives in order to retain public access along the riverfront railing. Mr. Montgomery noted these suggestions.

The motion made by Councilman Street was approved by a vote of 9-1. Mr. Brownlee opposed and Mr. Hollenberg abstained.

The Minutes of the Architectural Committee of the Philadelphia Historical Commission, David Hollenberg, Chairman. Society Hill Synagogue, 418 Spruce Street, 26 April 1990.

Mr. Hollenberg explained that the Synagogue requested the installation of an electrical transformer to increase their power capacity. Though an electrical permit was obtained, the application had not been forwarded to the Historical Commission for review. In preparation for the installation of this transformer, a concrete pad and barrier wall were constructed. The Commission staff subsequently received calls from several residents of the neighborhood, who registered concern regarding this installation. Considerable discussion ensued among the Committee, representatives of the Synagogue, PECO and residents of the

neighborhood. The Committee made the following recommendations:

- that the present installation of the concrete pad and protective wall was unacceptable,
- that the most desirable placement of the transformer was in the basement of the synagogue, where it would have no visible impact on this historic building or adjacent walkway, and
- that the second most desirable location for the transformer was in the rear southeast corner of the property, where its impact on this historic site would be reduced.

Mr. Hollenberg indicated that the Synagogue had cut two holes, highly visible from Lawrence Walk, in the south wall of the building for the installation of an HVAC system. The Committee recommended that the proposed location for the HVAC and ductwork was unacceptable and that the architects explore alternatives for installing the HVAC system.

Subsequent to this meeting, the architects submitted plans proposing alternative installation sites for the transformer as well as plans depicting a less intrusive installation of the HVAC. However, given the considerable public interest in this application, Mr. Hollenberg recommended deferring this matter until June. This deferral would allow the Architectural Committee to review these revised plans at a public meeting on 31 May 1990.

Sonja Veit, a resident of Lawrence Court, declared that the proposals to install an electrical transformer above ground on this site were unacceptable. She suggested that a subterranean installation, though costly, was the only solution which would be acceptable to the neighbors.

Mr. Tyler noted that he had spoken with PECO management, who would meet with the Synagogue and the Commission in an attempt to resolve this matter.

THE REPORT ON STAFF ACTIVITIES. Mr. Montgomery indicated that the staff report was acceptable for incorporation into the record. **A MOTION** to incorporate this report into the record, made by Mr. Hollenberg, was approved unanimously.

NEW BUSINESS

Mr. Montgomery extended a cordial welcome to Andres Perez, recently appointed Commissioner of the Department of Public Property by Mayor W. Wilson Goode. Mr. Perez will serve, ex officio, as a member of the Historical Commission.

OLD BUSINESS

CONTINUATION OF THE HEARING ON THE REPORT of the Thirty-Sixth Meeting of the Designation Committee of the Philadelphia Historical Commission held on 2 February 1990, David Brownlee, Chairman. Mr. Brownlee reminded the Commission that, at its April meeting, it deferred consideration of nominations for 1214, 1216-1220, and 1228-1230 Arch Street. As the Commission listened to full presentations for these nominations twice previously, Mr. Brownlee recommended allowing the owners to present any new information relevant for consideration.

Mr. Tyler indicated that he had met with representatives for each of the properties. At that meeting, he discussed the role of the Historical Commission, the ramifications of designation, and its distinction from the permit process.

Norman Oshtry, attorney for the owner of 1228-1230 Arch Street, expressed appreciation to Mr. Tyler for meeting with the owners. Robert Faux, member of the Young Smyth Field Condominium Association which owns 1216-1220 Arch Street, also expressed gratitude to Mr. Tyler for the meeting. He added, however, that he had been informed of a survey by the CLIO Group, historical consultants, which presented information disputing the certifiability of these buildings. Mr. Faux expressed concern that he had not been apprised of this study and requested a deferral to allow him reasonable time to examine it.

Mr. Tyler indicated that he had not been aware of this survey. He noted, however, that a study of the Convention Center area undertaken by John Milner Associates indicated that all of these buildings were eligible for entry upon the National Register. He added that the owners of these buildings had been invited, over three months ago, to review all sources available at the office of the Historical Commission.

Mr. Brownlee obtained the survey in question, a Pennsylvania Historic Resource Survey Form prepared for this property in 1980 by the CLIO Group. The evaluation of the survey was not that the building was not certifiable, but that it would contribute to a district. Mr. Faux advanced his

interpretation that this evaluation implied that the building itself was not eligible. He added that many of the buildings in the surrounding area, which may have contributed to a larger historic district, were demolished or slated for demolition for the Convention Center project. Mr. Faux stressed that the decision to retain the buildings on Arch Street, while allowing the demolition of many surrounding buildings, imposed considerable economic hardship on the owners.

Mr. Brownlee noted that evaluations by Commonwealth and Federal agencies were not binding on the present designation proceedings. Mr. Brownlee, however, did not object to granting another continuance if desired by the Commission. Mr. Tyler stressed that the only relevant criteria for future discussion of this matter were the provisions in the ordinance for historic designation. Mr. Montgomery reinforced the point that claims of economic disadvantage were not relevant to the designation process. Mrs. Kaplan noted that, throughout the hearings on these nominations, the buildings had been presented as a group, and that they did constitute a small district. There being no objection, Mr. Montgomery announced that the hearing on the nominations of 1214, 1216-1220, and 1228-1232 Arch Street would resume at the June meeting of the Historical Commission.

CONTINUATION of THE HEARING to consider an application for a demolition permit for 136 South Front Street. Michael Stack, representing the owner of this property, asked the Commission to allow him to question John Mitkus, a real estate consultant retained by the owner. Mr. Mitkus had served as the executive director of the City Planning Commission for seven years before becoming a member of the commercial real estate division of Jackson-Cross Realtors, Inc. There he devotes most of his time to office leasing and sales. He has been the broker for space at 1700 Market Street, the Avenue of the Arts Building, and the North American Building. He also served as a co-broker for Mellon Independence Center.

Mr. Mitkus explained that his company classified office buildings into several categories. After providing examples of each, he suggested that the buildings in the general area near Front and Market were in his company's lower classifications. Asserting that the area was not a strong office rental market, he pointed to the restored, but vacant, Corn Exchange Building at Second and Chestnut Streets. Though he acknowledged that there were several single-owner-occupied buildings in the area, he reaffirmed that it was not a strong office rental market.

Mr. Mitkus stated that the building at 136 South Front Street was not viable for conversion for multiple tenant use. He added that the elongated rear portion of the building only had sufficient capacity for single-loaded office space. Further, he disputed the rental value of this space projected by Richard Cohen, a consultant retained by the Commission. The more probable rate for this building seemed likely to exceed that of the Corn Exchange Building, which remained vacant through the past two years. Mr. Mitkus stressed the problems of the present market, indicating that building owners were trying to lure tenants into long-term leases with attractive short-term benefits. The office rental market was further dampened by the fact that many of the region's larger employers already were committed to particular buildings.

Mr. Mitkus disputed the assumption that the acquisition price of \$900,000 was artificially inflated at an absolute auction. He noted that an absolute auction often was the best means for acquiring a property because the seller must sell the property, regardless of the final price.

Further, he disagreed with the conclusion of the Cohen report that an office was the best use of the property. He noted that the building stood alone on the block with surface parking lots on either side. The others had been demolished for sewer construction. Noting that there apparently was a demand for parking in the area, he suggested that the best use for the site was parking. Although assembling the lots for another use may be viable in the future, it was unlikely in the present market. Mr. Mitkus also questioned the conclusion that this building was the last remaining structure of its type in the area. He indicated that a similar building stood one-half block to the north on Front Street.

Mr. Montgomery asked Mr. Mitkus if he had previously stated that \$900,000 was a good price for acquiring this property.

Mr. Mitkus responded that he did not state whether he thought it was a reasonable price. He did indicate that the price was reached at an absolute auction where the property, with all of its attached conditions, was exposed to the market.

Roger Prichard, Development Committee Chairman of the Old City Civic Association, requested permission to address Mr. Mitkus in the manner allowed Mr. Stack. Councilman Street objected to this suggestion of turning over a witness to the general public. Mr. Tyler suggested that Mr. Prichard present his comments and questions, and that Mr. Mitkus may

respond to them if he desired.

Mr. Prichard objected to the conclusion that office rental was the highest and best use of this property. He said that it was ridiculous to compare the market for a small historic building to the large office towers on Market Street in Penn Center. He indicated that a number of buildings in the area had been converted successfully into owner-occupied office space. He offered the Urban Engineers' Building, Nelson and Associates, and Reshatar Associates as examples. None of these buildings were as significant as the Elisha Webb Chandlery, and some of them were in worse condition before their conversion. Mr. Prichard concluded that an economically viable conversion would have been feasible if the property had been acquired at a reasonable price based on the retention of the building.

Bill Brookover of Independence National Historic Park read a letter from Hobart Cawood, Park Superintendent. This letter supported the preservation of this building as a structure significant to the character of Independence National Historic Park Area F. It remains the only remnant of the 18th Century waterfront industry. A copy of this letter has been retained as part of the record.

Howard Kittell, executive director of the Preservation Coalition of Greater Philadelphia, stressed the support of his organization for the preservation of this building. He noted that the building warranted special consideration because of its historical significance. Mr. Kittell questioned the assumptions made in comparing potential office space in this building to rental space available in large Center City office towers.

Mr. Stack objected to earlier testimony regarding the Parking Authority. He claimed that the garage has been filled to nearly ninety percent capacity on weekend evenings. Mrs. Kaplan questioned this assertion. A letter to the Commission from the Parking Authority indicated that parking had been available in the garage, but that Bookbinder's had not used it extensively. Mrs. Kaplan added that a parking study conducted by the Old City Civic Association confirmed a low level of use at the Second Street garage even on weekend nights. She further noted that Mr. Taxin's parking lot was not being reserved for patrons of his restaurant. Mrs. Kaplan stressed that without a firm commitment for the construction of a subterranean garage that this demolition request hinged on nine parking spaces. She added that the development of an underground garage seemed possible without demolishing the historic building. Finally, she emphasized that the

applicant purchased this property, aware of its historic designation, with the stated intention of demolishing it.

Mr. Stack addressed these comments, and referred the Commission to a site plan he had circulated just prior to his testimony. This plan indicated that demolition of the building would allow for thirty-five spaces above ground and twenty-four spaces below ground, for a total of fifty-nine spaces. Mr. Stack added that he had submitted a letter notifying the Commission of the intention of an adjacent property owner to provide underground parking in conjunction with this property. Finally, Mr. Stack objected to the Park Service demand to preserve this building as part of a National Park. He urged the Park, if it was committed to the preservation of this building, to condemn the property rather than to demand a private owner to preserve the building as a museum.

Mr. Tyler indicated that the aforementioned letter had been circulated to the Commission. Mr. Montgomery reminded the Commission that Mr. Taxin purchased this property, aware of its historic designation, with the intention to demolish it.

Mr. Montgomery called the question of whether to approve the application for a demolition permit for 136 S. Front Street.

A VOTE was taken on the question of whether to approve the application for a demolition permit for 136 S. Front Street. The Commission voted to deny the request for demolition by a vote of 6-3. Messrs. Cuorato and Brown and Councilman Street voted to approve the request for a demolition permit.

There being no further business, the Commission adjourned at 12:15 p.m.

Respectfully submitted,

Daniel W. Simcox,
Executive Secretary