

MINUTES OF THE 268th STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

6 January 1983

F. Otto Haas, Chairman

Present: F. Otto Haas, Chairman
Janet S. Klein, Vice Chairman
Edward Pinkowski
John F. McCloskey, Commissioner, Department of Public Property
Val C. Mogensen, Executive Assistant Director of Finance
Frank Thomas, Esq., Deputy City Solicitor, Law Department
Richard Tyler, Historian
Patricia Siemiontkowski, Architectural Historian

Also: Barbara Gilbert and Marilyn Kutler, Law Department
Tom Hine, Philadelphia Inquirer
Various persons and representatives of organizations concerned with the properties 1631-1633 Locust Street and 1635-1637 Locust Street, a.k.a., 235 South 17th Street, and with the extension of the Spring Garden National Register Historic District.

Unless otherwise noted, all actions taken herein are the results of motions correctly made, seconded and carried.

Owing to the presence of a sizeable group of people interested in particular items listed on the agenda under Old Business and New Business, the Chairman and the Commission members agreed to consider these matters before attending to routine business.

OLD BUSINESS

1631-1633 Locust Street - the Alfred C. Harrison Houses and 1633-1635 Locust Street, a.k.a., 235 South 17th Street - the Charlton Yarnall House.

Before proceeding with any discussion of the 17th and Locust Street properties, Mr. Thomas, legal counsel for the Commission, asked if Mr. Dilsheimer, or any representative of Mr. Dilsheimer, was present for the meeting. Having received no positive response, Mr. Thomas proceeded to report to the Commission members that a letter had been sent to Gilbert B. Abramson, Esq., one of Mr. Dilsheimer's attorneys, by Barbara S. Gilbert, Chief Assistant City Solicitor, Law Department. This letter requested that the Law Department be advised as to whether Mr. Dilsheimer wished the matter of the demolition permit application for 1633-1635 Locust Street to remain on the Historical Commission's agenda in view of the Complaint filed by Mr.

Dilsheimer alleging that the project is no longer viable. Since no response to this letter arrived and since no representative of Mr. Dilsheimer appeared for the meeting, Mr. Thomas recommended that the Commission proceed as though Mr. Dilsheimer still retains his interest in the development of the 17th and Locust Street site.

At this time, Mr. Tyler outlined for the Commission members and other persons present, the recent history of the property and its current status.

The two buildings, 1631-1633 Locust Street and 1635-1637 Locust Street, a.k.a., 235 South 17th Street, were certified by the Philadelphia Historical Commission on 1 July 1982. In response to the objection of Robert and Henry Taplinger, owners of 1631-1633 Locust Street and Bell and Howell, counsel for Bell and Howell and for Richard Dilsheimer, equitable owners of 1635-1637 Locust Street, the Historical Commission and the Committee on Certification reassessed the significance of the buildings. On 6 October 1982 the Historical Commission reaffirmed the certification of 1631-1633 Locust Street and 1635-1637 Locust Street as recommended by its Committee on Certification. In the interim, demolition permits for each of the buildings were issued without the Historical Commission's review and concurrence. These permits were revoked by the Department of Licenses and Inspections as having been issued in error. At its meeting of 2 September 1982 the Historical Commission remanded the matter of the permit issuance to its Architectural Committee for its consideration and a recommendation. Subsequently, at its meeting of 6 October, the Historical Commission voted to delay the demolition of 1631-1633 Locust Street for a statutory six months, and referred the demolition permit application for 1635-1637 Locust Street to the Department of Licenses and Inspections owing to some question regarding ownership of the property and the validity of the permit application. This question has since been resolved. On 29 December 1982, Joseph Egan of the Philadelphia Industrial Development Corporation wrote to David Wismer, Chief of Construction, Department of Licenses and Inspections, with notification that, "Since PAID (Philadelphia Authority for Industrial Development) has nothing but bare legal title to this property, we are of the opinion that PAID is not required to authorize the demolition permit application. Notwithstanding, and without waiver of this position, we also advise you that we neither object to the permit application nor do we authorize it." In a memorandum dated 31 December 1982, David Wismer informed the Commission staff of PIDC's opinion on this matter.

In view of PAID's limited involvement with 1635-1637 Locust Street as "bare legal title holder", the Commission's Historian recommended that the statutory delay on the demolition permit applications for 1631-1633 Locust Street and 1635-1637 Locust Street run concurrently from 6 October 1982 to 6 April 1983.

At this time, the Chairman asked if anyone wished to speak to this issue and the staff's recommendation on it. Christopher Stouffer, attorney for the Rittenhouse Preservation Coalition, identified himself and his group's concern. He did not, however, wish to comment on the issue at hand.

A motion was made to accept the recommendation of the Historian that the delay of six months, provided under section 14-2007 of the Philadelphia Code, placed on the demolition of 1631-1633 Locust Street from 6 October 1982 to 6 April 1983 be applied to 1635-1637 Locust Street concurrently. This motion was seconded and carried.

A separate motion was made to accept as part of the official record of the 6 January 1983 meeting Joseph Egan's letter of 29 December 1982 to David Wismer, David Wismer's memorandum of 31 December 1982 to Richard Tyler and Barbara Gilbert's letter of 5 January 1983 to Gilbert B. Abramson, Esq., attorney for Richard Dilsheimer. This motion was seconded and carried. Mr. Stouffer requested of the Commission the release of Joseph Egan's letter to David Wismer and Barbara Gilbert's letter to Gilbert Abramson. Since these letters were entered as part of the official minutes of the meeting, they become a matter of public record and will be available to any interested persons.

NEW BUSINESS

Extension of the Spring Garden National Register Historic District. The Chairman asked if anyone in attendance wished to speak concerning the proposed extension of the Spring Garden National Register Historic District. Ann Cook, a member of the Committee to Extend the Spring Garden Historic District, identified herself to the Commission members and asked permission to speak on the matter. According to Ms. Cook, an application to extend the existing historic district in Spring Garden has been filed with the Bureau for Historic Preservation in Harrisburg and will be reviewed by the National Register Review Committee in March. The proposed extension reaches to 15th Street on the east, Fairmount Avenue on the north, Green Street on the south and 19th Street on the west. Ms. Cook testified that the buildings standing within the proposed extension possess the same integrity and character of those located within the existing district and that the extended area contains no significantly greater number

of intrusions or vacant lots than the existing district. In view of this, Ms. Cook requested the Commission's support of her Committee's endeavor to have the Spring Garden District extended.

Following Ms. Cook's presentation, the Historian explained that currently neither the Historical Commission nor its staff has any formal or legal role in the nomination process for entry on the National Register. In view of the absence of this role, the Commission's support or objection makes no difference in the conduct of the nomination and review process. The Historian recommended, therefore, that the Commission take no action on this matter.

In response to a question raised by Commissioner McCloskey, a further discussion ensued concerning the possible socio-economic impacts on the Spring Garden neighborhood which the extension of the National Register district could exacerbate. Indeed, in 1978, both the Historical Commission and the City Planning Commission recommended that a smaller district, one bounded by 19th Street on the east, be established. (A district covering a somewhat larger area was subsequently entered on the Register.) This position was taken by the two Commissions owing to the possible consequences of the Tax Reform Act of 1976 to the low and moderate income residents in the proposed larger district.

Following some additional discussion, the Historian suggested to the Commission members the conduct of a survey in the proposed area of extension to determine what buildings might be eligible for local certification. This suggestion was received favorably.

Membership in the National Alliance of Preservation Commissions.

Upon the recommendation of the Historian, a motion to join the National Alliance of Preservation Commissions was made, seconded and carried.

Gift to the Harry A. Batten Memorial Fund. The Historian informed the Commission of the generous gift to the Harry A. Batten Fund made by the Commission's Vice Chairman, Janet Klein. Upon motion, duly seconded and carried, the Commission voted to thank Mrs. Klein for her kind donation.

THE MINUTES of the 267th Stated Meeting of the Philadelphia Historical Commission, 4 November 1982. The Minutes of the 267th Stated Meeting were reviewed and discussed by the Commission members. Mrs. Klein asked that the Minutes be amended to reflect her chairing of the meeting on that day. Subject to this change, a motion to approve the Minutes was made, seconded and carried.

THE REPORT of the Architectural Committee for 15 December 1982, Herbert W. Levy, A.I.A., Chairman, Architectural Advisor to the Commission. Mr. Levy presented the Report of the Architectural Committee for 15 December 1982 to the Commission members for their consideration and up-dated them on his subsequent on-site visit to 401 E. Evergreen Avenue to compare the construction, currently underway, with the drawings submitted for Committee review. After meeting with the architect and owner of the property, many of the inconsistencies which appeared on the drawings were clarified to the satisfaction of Mr. Levy. A detailed presentation, however, will be made by the architect before the full Committee at its next scheduled meeting on 19 January 1983.

Following Mr. Levy's report on Anglecott, a motion was made to approve the Report of the Architectural Committee for 15 December 1982 except for the minute relating to 718-724 Arch Street. It was agreed that this would be discussed as a separate item.

Mr. Levy outlined for the Commission members the request of City Stores, Inc. for permission to demolish 718-724 Arch Street and the Architectural Committee's discussion of that issue.

Stephen Ritt, an attorney for City Stores, Inc., identified himself to the Commission members and reported that his client fully intends to comply with any legal action taken by the Commission concerning the proposed demolition of 718-724 Arch Street.

Following a brief discussion, the Historical Commission voted, in agreement with the recommendation of its Architectural Committee, to impose its six month statutory delay on the demolition of 718-724 Arch Street. The Commission further moved to allow the demolition of the remaining buildings at the eastern end of the parcel, i.e., 700 Arch Street, 710 Arch Street and 701-717 Filbert Street. These structures possess no historical or architectural merit.

THE REPORT of the Committee on Certification for 16 December 1982, Edward Pinkowski, Chairman. Owing to the lateness of the day, action on the Report of the Committee on Certification for 16 December 1982 was deferred until the March Stated Meeting of the Historical Commission.

THE REPORT on Philadelphia Historical Commission Staff Activities for November and December, Richard Tyler, Historian. The Historian's report was reviewed, approved and directed to be filed with the official copy of the Minutes.

There being no further business, the meeting adjourned at 4:30 p.m.

Respectfully submitted,

Patricia Siemiontkowski
Architectural Historian

Attachments:

Letter of 29 December 1982 to David Wismer, Chief of Construction, Department of Licenses and Inspections, from Joseph Egan, Philadelphia Industrial Development Corporation.

Memorandum of 31 December 1982 to Richard Tyler from David Wismer, Chief of Construction, Department of Licenses and Inspections.

Letter of 5 January 1983 to Gilbert Abramson, Esq., from Barbara S. Gilbert, Chief Assistant City Solicitor, Law Department.