

**THE MINUTES OF THE 378th STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

8 December 1993

**Dr. Stephanie Wolf, Vice Chairperson
City Council Caucus Room
Room 401 City Hall**

Present

David Brownlee
Louis Einhorn, Deputy Commissioner, Department of Public Property
Barbara Kaplan, Executive Director, City Planning Commission
Bennett Levin, Commissioner, Department of Licenses & Inspections
Arlene Matzkin
Carmen Torres-Rodriguez
Scott Wilds, Office of Housing and Community Development
Stephanie Wolf

Richard Tyler, Historic Preservation Officer
Randal Baron, Historic Preservation Planner
Lori Plavin Salganicoff, Historic Preservation Specialist
Jeffrey Barr, Historical Research Technician

Also

Jennifer Goodman, Preservation Coalition of Greater Philadelphia
Milton Marks, Preservation Coalition of Greater Philadelphia
Paul Mariniak, Philadelphia Daily News

The 378th Stated Meeting of the Philadelphia Historical Commission was called to order at 10:10am by Vice-Chairperson Dr. Stephanie Wilds, who announced the presence of a quorum.

THE MINUTES of the 377th Stated Meeting of the Philadelphia Historical Commission held on 8 December 1993, Mr. Wayne Spilove, Chairperson. Mr. Wilds stated that the minutes did not properly reflect that formal votes had taken place. Although not indicated in the minutes as written, all decisions reached in the 377th Stated Meeting of the Philadelphia were reached by vote. Recognizing this correction, a motion was made by Dr. Wolf to approve the minutes as submitted, seconded by Mr. Wilds and approved by unanimous vote.

THE REPORT of the Architectural Committee of the Philadelphia Historical Commission, 23 November 1993, Arlene Matzkin, Chairperson, Architectural Committee:

49th Street and Monument Avenue – Kearsley Home

Clarke Van Sant and Ted Watson, MPB Architects

PROPOSAL: Addition to Facility

Architectural Committee Recommendation (23 November 1994): Final Approval

This proposal for a new nursing facility to be built at the rear of a large historic building was approved in concept at the 9 September 1992 Historical Commission meeting. At its 23 November 1993 meeting, the Architectural Committee recommended final approval of this project.

The massing of the proposed building is the same as was earlier approved in concept. It would connect at grade to the middle of the historic building's rear elevation and sits to the rear of it. The new connection would not necessitate a new opening or new framing to be created on the original building as a veranda already exists there.

Other proposed changes to the site include removal of a non-historic stair tower on the rear elevation, consolidation of parking, entrance reconfiguration and some road widening, and the development of terraced areas and walkways to the northeast of the new building.

Mr. Brownlee made a motion to accept the recommendation of the Committee and approve the proposal, which was seconded by Ms. Kaplan and approved by unanimous vote.

220-222 Spruce Street

Duane Perry, Applicant

PROPOSAL: Addition

Architectural Committee Recommendation (23 November 1994): Final Approval

This proposal was approved in concept by the Historical Commission on 10 November 1993; the only change to the proposal as presented is the addition of materials information to the drawings submitted. This proposal calls for the construction of a one-story rear addition to this corner property that would be somewhat visible from American Street. The proposed addition would however be substantially set back from the street and largely hidden by a brick wall; only a clerestory window at the top of the addition would be visible. This window would be a Pella-type window with muntins on the inside and outside and a black divider in-between.

The Society Hill Civic Association was informed about this meeting by the Commission staff but were not present. Duane Perry, the owner and applicant, informed Randal Baron prior to this Commission meeting that the project had been described to the Association and that they had no objections to the addition.

Dr Brownlee made a motion to accept the recommendation of the Committee and approve the design. Mr. Wilds seconded the motion and the proposal was passed unanimously.

2501 Parkway – Fidelity Mutual Life Insurance Building
Reliance Standard Life Insurance Company
PROPOSAL: Alteration to Stone Inscriptions

Architectural Committee Recommendation (23 November 1993): Defer until applicants can be present at Committee and Commission Meetings

The Reliance Standard Life Insurance Company proposed to cover the portion of the two carved inscriptions which bear the name THE FIDELITY MUTUAL LIFE INSURANCE COMPANY over both the main entrance to the building and the Olive Street bridge. The name change would be accomplished by placing a 33'x1' cast stone plaque bearing Reliance's name, held with 32 bolts, over the original name. The inscription style would be similar but not exact to the original typeface. The building has a facade easement held in perpetuity by PHPC.

Although the Committee recommended to deny this proposal, Richard Tyler believed that the proposal should be heard with the applicants present. The Committee, therefore, deferred final recommendation regarding the proposed plaque until the applicants can attend a Committee meeting.

Dr. Brownlee made the point that this building is the "Fidelity Mutual Life Insurance Building," regardless of the company which presently owns it. The presence of old original company names on buildings housing other companies is commonly found in Philadelphia and other cities.

The Commission did not formally vote on this proposal, instead deferring formal discussion and judgement until applicants could attend the Committee and Commission meetings.

118 North 3rd Street
Ed Bance, Contractor
PROPOSAL: Awning/Sign

Architectural Committee Recommendation (23 November 1993): Deny proposed awning, offer possible alternatives

This proposal was to place a full-width awning over the top 2' of the storefront of this building, which houses an art gallery. Applicants proposed the awning with two purposes in mind -- 1) to advertise the business, and 2) to provide solar protection for the celluloid art which is typically carried in the gallery and displayed in the window.

The Architectural Committee recommended to deny the proposed awning design and offered alternatives including: hanging a clear protective film inside of the storefront glass or applied directly to it with the gallery's logo and name appearing on the glass itself; a sign that projects perpendicularly from the building; and an awning with side panels, located in the main central window between the columns, containing the same information as the awning proposed originally.

Dr. Brownlee motioned to accept the recommendation of the Committee and disapprove the proposal, which was seconded by Mr. Wilds. The Commission voted unanimously to deny this proposal. Furthermore, none of the alternatives were endorsed; the owner was asked to resubmit the application with a new design.

THE REPORT of the Activities of the Philadelphia Historical Commission Staff, October 1993, Richard Tyler, Historic Preservation Officer. Dr. Tyler introduced Jeffrey Barr, the new person working for the Office of Housing and Community Development, detailed to the Historical Commission. Jeff has a Master of Science degree in Historic Preservation from the University of Pennsylvania and a Bachelor of Arts degree in Art from Lafayette College. Jeff has several years of restoration carpentry, construction and documentation experience. Most recently he developed a preservation plan and managed the restoration of an 18th century farmhouse in Morgantown PA.

NEW BUSINESS

Bennett Levin, Commissioner of the Department of Licenses and Inspections, provided an update on the Mayfair House at 401 W. Johnson Street. The Department of Licenses and Inspections issued an order to repair or demolish of the building. In addition, the City would like to see the owners pay at least a portion of their back taxes. No permit applications in relation to this action have yet come before the Historical Commission.

According to Mr. Levin, representatives of the Department, including himself, have met with members of the neighboring community, the owners of the property, and lawyers and engineers hired by the owner. Mr. Levin has also corresponded with the attorneys for the Philadelphia Historic Preservation Corporation (PHPC), the holder of a facade easement on the building.

A plan was submitted by the owner's engineers on 7 December 1993 which described "masonry sealing" of the lower three stories of the building with four stories to be sealed at one area at the rear of the building. The plan also shows that the fire tower sealed with masonry at the lower two stories and chain link fence at the third and fourth stories. Mr. Levin stated that after sealing the building, the owner's must next address the removal of glazing to prevent glass from falling. Mr. Levin stated that this work will not in any way stay or impede the appeal to the L & I Review Board that the owner has taken against the order to repair or demolish; if the Review Board vacates the order, L & I will go to Common Pleas Court to have it reinstated.

Mr. Levin stated, in response to a question from Mr. Wilds, that there is room for negotiation if the owners tender plans to address the problems cited by L & I. Furthermore, if the owners sufficiently seal the building and pay the required portion of the back taxes, the order to repair or demolish would be vacated. Mr. Levin also stated, however, that he foresees low marketability for the Mayfair House and that the desire to preserve the structure should not diminish the rights of the people within the neighborhood. Mr. Brownlee later stated that Mr. Levin is asserting a case for economic hardship as defined by the Historic Preservation Ordinance. Economic hardship, however, is a circumstance that must be proven through the submission of economic data and marketing studies to the Commission.

In addition, Mr. Levin explained that if the owners failed to pay the required back taxes, the building would be declared abandoned. In response to a question from Ms. Wolf, Mr. Levin stated that alterations to historically designated buildings owned by the City would be brought for review to the Historical Commission. Ms. Wolf expressed concern that problems which L & I is having with buildings such as the Mayfair House should always be brought before the Commission in a timely manner. Mr. Levin stated that these matters will be seen by the Commission in a timely manner and later stated that L & I had no plans to subvert the authority of the Historical Commission.

Ms. Kaplan remarked that since questions have been raised regarding the maintenance of facade easements owned by PHPC in the discussion of the Mayfair House, the City officials who serve in an ex-officio capacity on PHPC's Board of Directors should endeavor to determine the type of enforcement typically practiced by PHPC on their facade easements. Mr. Tyler stated that he knew of annual inspections of these buildings by PHPC and of negotiations undertaken by PHPC with building owners. Ms. Kaplan added that she was aware of some legal action taken by PHPC toward some of these building owners.

Ms. Kaplan stated that the Commission may want to give some thought to revising the Historic Preservation Ordinance, particularly regarding Demolition by Neglect. Mr. Tyler stated in response that revising the Ordinance should be done very carefully by first formulating a general list of what is needed and then deciding if these needs can best be answered through changes to the ordinance or through changes to the rules and regulations prepared by the Commission. Following this, there should be consultation with City Council President Street and the Administration on those changes.

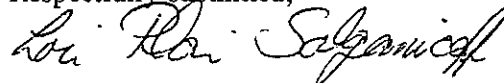
Ms. Kaplan recommended that a Committee be formed to better coordinate the activities of those City Departments and Commissions which have an interest in and impact on historic buildings. Issues considered by this Committee should include enforcement of building violations and zoning; assuring that policy and law are the same, and revising the Repair or Demolish Order letter sent to owners of deteriorating historic buildings to emphasize their repair and the retention of historic materials and elements wherever possible. This Committee could also examine the order to repair or demolish to determine whether routine maintenance should be addressed so as to avert demolition by neglect.

Tentatively, members of the Committee would include people from the Departments of Law and Licenses & Inspections, the Planning Commission, the Historical Commission, a non-City government lawyer, and private preservation concerns such as PHPC and the Preservation Coalition. Mr. Wilds moved to create this Committee, Dr. Brownlee seconded the motion, and the motion was approved unanimously.

During the course of the discussion about this Committee, Mr. Wilds noted that no one from the City's Law Department was present at this meeting to advise Commission members about the possible legal ramifications of their ideas. Mr. Wilds asked that the Law Department be notified of the distress this absence causes.

There being no further business, Mr. Wilds motioned to adjourn. His motion was seconded by Dr. Brownlee and the Commission unanimously voted to adjourn at 11:30am.

Respectfully submitted,



Lori Plavin Salganicoff