

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

**TUESDAY, 3 MAY 2011, 9:00 A.M.
ROOM 578, CITY HALL
RICHARD DILWORTH, PH.D., CHAIR**

PRESENT

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

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

ALSO PRESENT

John Gallery, Preservation Alliance for Greater Philadelphia
Ben Leech, Preservation Alliance for Greater Philadelphia
Janet Grace, DOCOMOMO
Meredith F. Sonderskov, Chestnut Hill Historical Society
Ann W. Spaeth, Chestnut Hill Residents Association
Laura Griffith, Fairmount Park Art Association
Karen Allen, Chestnut Hill Residents Association
Joseph Rapone, Chestnut Hill Residents Association
C. Simons, Chestnut Hill Residents Association
Elizabeth Master
Benjamin Mishin, Lifeway Baptist Church
Joseph Palantino, Department of Public Property

CALL TO ORDER

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

615 W. HARTWELL LANE, FLEER RESIDENCE

Owner: Monique Delapenha (owner at notice), Daniel Collins (current owner)

Nominator: Janet Grace, DOCOMOMO

Proposal: Designate property

OVERVIEW: The Mr. and Mrs. Edward H. Fleer Residence at 615 W. Hartwell Lane is located at in the Chestnut Hill Section of Philadelphia. The architectural firm of Montgomery & Bishop designed the residence in the Mid-Century Modern style. It was constructed in 1958. The Nomination contends that the Fleer Residence satisfies Criteria for Designation D and E.

STAFF RECOMMENDATION: The staff recommends that the property at 615 W. Hartwell Lane satisfies Criteria for Designation D and E and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation. No one represented the property owner.

Janet Grace, the nominator, stated that she is a member of the local chapter of the International Working Party for the Documentation and Conservation of Buildings, Sites and Neighborhoods of the Modern Movement or DOCOMOMO. She stated that the Fleer Residence is a Modernist building. She explained that the style was popular from 1917 to about 1975. She stated that she submitted the nomination because the future of this building is uncertain. She informed the Committee that a tree fell on the building in 2009 and its condition is getting worse every day. She added that the building was designed by Montgomery & Bishop, the architects that designed the houses at Greenbelt Knoll, a locally designated historic district.

Mr. Schaaf stated that he found the nomination confusing. He opined that the nomination was a good draft, but not a final product. He noted that photographs were provided without supporting text and that the sources were not always provided. He stated that there were many spelling and other minor mistakes in the text. Mr. Dilworth stated that the nomination does need editing. He asserted, however, that the Committee should concentrate on determining whether the property satisfies any of the Criteria for Designation. He suggested that, in the future, the Committee members should edit nominations prior to the meeting to ensure that they are well organized and written, so as to reserve the meeting time to discuss the properties and the Criteria. Ms. Klein concurred that the nomination was confusing, but stated that the property is certainly worthy of designation. Mr. Cohen asked if there was a way to revise the nomination. Mr. Farnham stated that the Committee could recommend that the Commission table the nomination and direct the staff to revise it. Ms. Klein suggested that the staff should work with the nominator to revise the nomination. Mr. Dilworth suggested that a mechanism should be established to allow the Committee members to review the nominations in advance to avoid situations such as this one.

John Gallery of the Preservation Alliance for Greater Philadelphia stated that it is the staff's responsibility to review nominations for correctness and completeness before forwarding them onto the Committee. He stated that it would be strange for the Committee to take on such a function. Mr. Farnham stated that the staff routinely rejects nominations owing to incorrectness or incompleteness. He acknowledged that nominations are often flawed, but explained that the staff is concerned about discouraging volunteer nominators if it sets too high a standard. He stated that the staff would establish stricter review standards if directed to do so by the Committee or Commission.

Ms. Klein stated that she finds it helpful when the nominations are forwarded to the Committee with the staff comments. She suggested that this should be done in every instance, not only in some. Mr. Farnham stated that the staff would summarize and opine on every nomination in the future.

Mr. Lavery stated that he believes the building meets the suggested Criteria for Designation, even if the nomination needs revision. Mr. Dilworth suggested that the staff should edit and revise the nomination. The Committee agreed. Mr. Farnham noted that the staff would not have time to revise the nomination before it is distributed to the Commission in three days. Mr. Cohen noted that the inclusion of information about other Montgomery & Bishop projects was a positive aspect of the nomination. He agreed that the building satisfies the Criteria for Designation specified in the nomination.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend that the property at 615 W. Hartwell Lane satisfies Criteria for Designation D and E and should be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Cohen seconded the motion, which passed unanimously.

603-05 S. 3RD STREET, ROSENBAUM BANK

Owner: Michael Clark & MDNC South LLC

Nominator: Staff

Proposal: Designate property

OVERVIEW: The former Rosenbaum Bank building is located at 603-05 S. 3rd Street. It was designed in the Beaux Arts style architects Louis Magaziner and William Woodburn Potter of the firm of Magaziner & Potter and constructed in 1907. The building represents important aspects of Philadelphia's social, commercial, and banking history. The nominations contends that the former Rosenbaum Bank building at 603-05 S. 3rd Street satisfies Criteria for Designation A, D, E, and J.

STAFF RECOMMENDATION: The staff recommends that the property at 603-05 S. 3rd Street satisfies Criteria for Designation A, D, E, 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 on Historic Designation. No one represented the property owner.

Mr. Schaaf commended Mr. Danta on the nomination. He suggested some minor edits and corrections. Mr. Lavery asked if an entirely new building was erected in 1907, or if a new façade was placed on an older building. Mr. Danta stated that he was unable to ascertain whether this was a new building or a refacing of an older building. Mr. Lavery made some suggestions for minor revisions to the Statement of Significance. Mr. Schaaf opined that the history of this building is fascinating. Mr. Lavery observed how remarkable it was that the side gate and pier have survived. Ms. Klein added that she may know descendents of some of the people mentioned in the Statement of Significance and that she would have to share this history with them.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Schaaf moved to recommend that the property at 603-05 S. 3rd Street satisfies Criteria for Designation A, D, E, and J and should

be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Lavery seconded the motion, which passed unanimously.

1025 W. LEHIGH AVENUE, PSFS, LEHIGH BRANCH and

Owner: Citizens Bank of Pennsylvania

Nominator: Janet Grace

Proposal: Designate property

15 S. 52ND STREET, PSFS, WEST PHILADELPHIA BRANCH and

Owner: Citizens Bank of Pennsylvania

Nominator: Preservation Alliance for Greater Philadelphia

Proposal: Designate property

2001-07 S. BROAD STREET, PSFS, SOUTH PHILADELPHIA BRANCH

Owner: Citizens Bank of Pennsylvania

Nominator: Staff

Proposal: Designate property

OVERVIEW: These three Philadelphia Savings Fund Society (PSFS) branch bank buildings were constructed in the 1920s in the Renaissance Revival style and a simplified classicist style. The buildings were designed by architect George Howe and showcase the ironwork of craftsman Samuel Yellin.

STAFF RECOMMENDATION: The staff recommends that the properties at 1025 W. Lehigh Avenue, 15 S. 52nd Street, and 2001-07 S. Broad Street satisfy Criteria for Designation A, C, D, and E and should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation. No one represented the property owner.

Ms. Klein observed that the styles ascribed to the buildings were different in each of the nominations. She stated the styles were Renaissance Revival, Simplified Classical, and Beaux Arts. Ben Leech of the Preservation Alliance of Greater Philadelphia, which prepared one of the nominations, stated that the architect Howe himself had trouble deciding on a name for the style. He stated that the nominations employ the terms used by Howe. Mr. Schaaf suggested some edits. Mr. Cohen asked the other Committee members if they considered the later signage on the roof to be historically significant. He stated that he did not consider it worthy of preservation or restoration. The others agreed.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Lavery moved to recommend that the properties at 1025 W. Lehigh Avenue, 15 S. 52nd Street, and 2001-07 S. Broad Street satisfy Criteria for Designation A, C, D, and E and should be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Schaaf seconded the motion, which passed unanimously.

10 E. MORELAND AVENUE

Property Owner: Renal Enterprises LLC

Nominator: Ann Spaeth, Chestnut Hill Residents Association

Proposal: Designate property

OVERVIEW: This nomination proposes the designation of the property at 10 E. Moreland Avenue in the Chestnut Hill section of Philadelphia. The property at the corner of E. Moreland and Winston Road includes an industrial building and a fenced parking and storage area.

The nomination is a paraphrasing of Jane Mork Gibson's entry on the property in the 1990 book *Workshop of the World*, an encyclopedia of Philadelphia industrial sites produced by the Philadelphia Chapter of the Society for Industrial Archaeology. The entire Gibson entry (without footnotes) is also reproduced at the end of the nomination. The nomination repeats several factual errors found in the Gibson entry on the property. The staff has undertaken considerable research to better understand the property and offer corrections to the nomination.

The Glen Willow Ice Company purchased the vacant property from John C. and Gertrude A. Belz in March 1923 (Deed JMH, 1499, 278). The Farrell-Roth Construction Company erected the red brick building at the corner of Moreland and Winston later that year to designs produced by architect Frank V. Nickels (Building Permit 3820, 1923). The ice company had been established in the Glen Willow section of Manayunk in the late nineteenth century and incorporated on 19 February 1892. It had several ice manufacturing and storage facilities in Manayunk and Lower Merion, none of which survives. The Chestnut Hill site was a much later location.

The nomination states that architect R.C. Martin altered and added to the building in 1930 and 1938. The second date is incorrect. According to building permit records, Martin altered and added to the building in 1930 and 1948 (BP 2180, 1930; BP 3085, 1948). The building was also altered in 1953 (BP 3956).

The nomination claims that Bartolomeo Pio, Inc. purchased the property and converted it for its facilities in 1938. In fact, real estate records show that the wine merchant did not purchase the property until 1946, when it moved its operation from South Philadelphia to Chestnut Hill (Deed CJP, 1364, 229). This location was not the primary Pio location, but a bottling and distribution facility; the vineyards were located in California. The nomination also states that the wine business was sold to Gallo Brothers and the building sold to the Willet Studio in 1964. In fact, Pio was sold to Gallo in 1959 and, as real estate records show, Pio sold the building to Willet, a stained glass manufacturer, in April 1960. Zoning and building permit records show that Willet altered the building in June and July 1960 as it converted it for use as a stained glass studio (BP 4638 and 5578, 1960). The building was again altered in 1964 (BP 3849).

The Willet Studio, now a subsidiary of Willet Hauser Architectural Glass headquartered in Winona, Minnesota, was a very important maker of stained glass. It was founded in Philadelphia in 1898 and, for most of its history (1913-1960), occupied a building at 225 W. Springfield Avenue in Chestnut Hill. This Willet Studio building, very coincidentally, had been an ice house and was converted for glass production by the famous architectural firm of Duhring, Okie & Ziegler in 1913. The Commission designated this property at 225 W. Springfield Avenue as historic 6 August 1981 because of its associations with the famous art glass studio and the architects. It stands today as the best representation of the Willet Studio during its heyday in the early twentieth century.

Willet moved into the building currently proposed for designation at 10 E. Moreland, a few blocks from its former home at 225 W. Springfield, in 1960. Willet moved out of the building 20 years later, selling it to the Philadelphia Authority for Industrial Development in 1980, which passed it on to Kurtz Construction, a local roofing company. Kurtz occupied it for nearly 30 years before selling it to Free Range Associates LP in 2009. Free Range sold the property to the current owner, Renal Enterprises LLC, which is rehabilitating it as a dialysis center under Building Permit 324683. The building permit application was issued before the Commission's jurisdiction resulting from this nomination went into effect. The Commission has no jurisdiction over the work that is now underway. The exterior work includes reroofing, brick pointing, complete window and door replacement, infilling openings, creating new openings, demolition of the penthouse and removal of dunnage on the roof, enclosing of the loading dock for a pedestrian entrance, construction of a large ADA ramp along Winston, reconfiguration of the main entrance on Moreland, awnings, and a new Dryvit façade on portions of the building. The building will look very different when the work is complete.

At the time this nomination was submitted in December 2010, the nominator and the Chestnut Hill Residents Association, which she represents, were actively opposing the zoning approval for the reuse of this building as a dialysis center. According to press reports at the time, the community opposition was not based on the proposed alterations to the property or building, but on the proposed hours of operation of the dialysis center. The zoning issues have since been resolved, but this nomination should be viewed within the context of a zoning dispute.

The nomination form stipulates that the property satisfies Criteria for Designation A, H, and J, but the text of the nomination does not explicitly specify how the property satisfies the three Criteria.

(A) Has significant character, interest or value as part of the development, heritage or cultural characteristics of the City, Commonwealth or Nation or is associated with the life of a person significant in the past; or,

(H) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community or City; or,

(J) Exemplifies the cultural, political, economic, social or historical heritage of the community.

STAFF RECOMMENDATION: The staff recommends that the Commission reject this nomination and decline to designate 10 E. Moreland Avenue because this property does not satisfy any of the ten Criteria for Designation in the historic preservation ordinance, Section 14-2007(5). Although the staff wholeheartedly supports the preservation of buildings, structures, and sites documenting Philadelphia's extremely important role in the nation's industrial history, the staff contends that this site provides few, if any, insights into that illustrious history. It is a building of no real architectural or technological distinction, with no connection to any architect of note, no significant link to any business or enterprise, and no real exterior expression of the activities that once took place in it. It was not the original home or headquarters of Glen Willow Ice, the Willet Studio, or Bartolomeo Pio Wines, but instead a secondary or later location for each of the three businesses. It is a generic early twentieth-century light industrial building with several later alterations and additions.

DISCUSSION: Mr. Farnham presented the nomination to the Committee on Historic Designation. No one represented the property owner.

Mr. Farnham distributed a letter to the Commission supporting the designation from Peter and Susan Burke, near neighbors who filed a lawsuit to prevent the granting of the zoning variance for the dialysis center. He noted that, although the letter had been received that day, 3 May 2011, it was oddly dated 29 July 2010, nearly six months before the nomination was submitted.

Ann Spaeth, the nominator, stated that she was a founding member of the Chestnut Hill Historical Society and that she worked with the National Trust for Historic Preservation to save the VFW building in Chestnut Hill. She stated that the property at 10 E. Moreland Avenue reflects the industrial side of Chestnut Hill and represents the evolution of the ice industry. She stated that building also served the wine making industry. She added that the factory employees lived nearby. She opined that the site contributes to the character of the residential area. She stated that the community needs help monitoring this building to make sure that this history is not lost.

Meredith Sanderscov of the Chestnut Hill Historical Society stated that the building contributes to the history and character of Chestnut Hill. She stated that, at one time, the Wissahickon Valley, which runs along the southwestern side of Chestnut Hill, had many mills, but they were demolished when the area was converted to a park in the twentieth century. She asserted that this building provided an opportunity to preserve the history of industry in Chestnut Hill.

Eric Spaeth, a Chestnut Hill resident, stated that this corner of the neighborhood has an industrial identity. He stated that the PECO substation is nearby. He stated that this is part of the industrial memory of Chestnut Hill. He stated that the 1920s portion of the building on the site is quite handsome and retains some original details in good condition. He stated that the stained glass for the National Cathedral was manufactured on this site, which adds to its significance.

Ms. Spaeth stated that there was a decorative ironworks next door to this site.

Joe Repone, a Chestnut Hill resident, stated that the previous owner, Kurtz Construction, neglected the property. He opined that that fact does not make it less worthy of designation. He stated that the site became a point of contention when the dialysis center sought a zoning variance for it. He stated that the community does not object the use as a medical facility, but is concerned about the loss of the historic building and would like the historic brickwork of the facade to be maintained. He pointed out that this building has interesting brick and tile work.

Elizabeth Masters, a local architect, stated she works at 9 E. Moreland Avenue, across the street. She showed a map to the Committee displaying an industrial enclave in this area, which she claimed is historically significant. It includes this building, the PECO substation, a couple of automobile repair shops, and an antique store.

Ms. Klein asked if all the additions to the building in question are part of the same property. Ms. Spaeth responded that the brick building was constructed first and the additions later. They are under the same ownership. She added the property has had a series of uses, the ice company, wine bottling, and the stained glass studio. They were all important to the community and the country. Mr. Dilworth stated that, given that the site has a history of changing uses, it should be allowed to continue to evolve with the health industry. Mr. Repone agreed and stated that the building is significant to the neighborhood as a reminder of Chestnut Hill's industrial past.

Mr. Farnham stated that, in his opinion, this property does not satisfy any of the Criteria for Designation. He asserted that there are many other industrial buildings in the city that deserve the Commission's attention more than this property. He contended that it would not be appropriate to expend scant Commission resources on this building, which has no real historic significance. Ms. Klein disagreed and stated that the building is worthy of designation, specifically the earliest part of the building. She found the trapezoidal shape of the building interesting. She stated that she found the later additions intrusive and was concerned about how one could designate the property with the later intrusive additions.

Mr. Cohen agreed with Ms. Klein, stating that the earliest parts of the building meets the specified Criteria for Designation. He stated that it reflects a significant industrial history in a part of the city where much of it has been erased. He asked if the Committee could recommend "slicing the pie" as some portions of the property may not be significant. Mr. Farnham stated that the Committee could indicate what it finds as character defining on the site and, if designated, the Commission could be guided by that determination during subsequent reviews of applications. Ben Leech of the Preservation Alliance suggested establishing a period of significance to help define what is important on the property.

Mr. Cohen stated that he believes that the 1923 portion of the building has some significance, but he questioned the significance of the remainder and asked the other Committee members to comment. He thought the 1960 yellow brick addition could be considered historically significant. Ms. Spaeth stated that the yellow brick building is from the 1930s. Mr. Cohen responded that Ms. Spaeth's nomination indicates a 1960 date of construction, which appears correct, owing to the style.

Ms. Sonderskov stated that the staff's position was elitist. She asserted that there is a desire to preserve the mansions at the top of the hill, but not the industrial history at the base.

Ms. Klein stated that the 1923 building appeared to have some significance, but the later additions do not possess the same quality. Mr. Dilworth stated that he was confused with statements by Committee members and the audience. He noted that the 1923 portion of the building was perceived as significant, but the other portions not. He noted that they all have the same shared history. He suggested that perhaps there was an aesthetic preference for the 1923 section of the building. He asked the community people whether they sought to preserve history or a part of a building that they found aesthetically pleasing. Ms. Klein responded that she found the ice making history important. Mr. Lavery agreed and stated that the association with the Willet Studio is important as well. Mr. Lavery stated that this is not a unique industrial building. He stated that it may be a unique building to Chestnut Hill. Mr. Dilworth suggested that Criterion for Designation H applies as it is a unique location. Mr. Farnham stated that the Commission has already designated the early home of the Willet Studio at W. Springfield Avenue and Lincoln Drive, a few blocks from this site. He asserted that it is the site that best represents the important art glass firm. He also noted that, coincidentally, that building was an ice house before it was converted to the studio.

Mr. Dilworth stated that he was under the impression that this nomination was an attempt by the neighbors to stop the conversion of the building into a dialysis center. Mr. Repone stated that the zoning issues with the dialysis center had been resolved. He stated that there was some concern about the hours of operation, but that that issue had been settled. He stated that this is about protecting the building and demonstrating that there is more to Chestnut Hill than mansions. Mr. Repone stated that the property shows the other history of the community. The community members explained that Chestnut Hill was home to a large community of Italians

stone masons, who came to the area to build the mansions in the late nineteenth and early twentieth centuries. They noted that there had been a quarry nearby, where a CVS store is now located. They asserted that it was important to preserve this history. Some Committee members questioned the connection of the former ice making facility to either stone cutting or Italian American heritage.

Mr. Dilworth noted that the building was classified as an intrusion to the National Register Chestnut Hill Historic District. He contended that that classification indicates that it has been determined that the building is not significant to the neighborhood. Ms. Sonderskov stated that the district was created in the 1980s and the building has since become significant.

John Gallery of the Preservation Alliance informed the Committee that National Register historic district inventories do not predetermine the significance of individual buildings. He stated that the property may not be significant to the district, as it is defined, but may be significant in its own right.

Ms. Klein contended that the building satisfies Criteria for Designation H and J, but not A or B. Mr. Cohen respectfully disagreed with the staff and Mr. Dilworth. He stated that the shape of the building at the corner was interesting. He concurred with Ms. Klein that the property satisfies Criteria H and J. They agreed that the parking lot façade was less significant and the facades along Winston and E. Moreland Avenues more significant.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend that the property 10 E. Moreland Avenue satisfies Criteria for Designation H and J and should be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Cohen seconded the motion, which passed by a vote of 4 to 1. Mr. Schaaf dissented.

1801 VINE STREET, FAMILY COURT

Owner: City of Philadelphia

Nominator: Preservation Alliance for Greater Philadelphia

Proposal: Designate interior and objects

OVERVIEW: The Family Court Building was built in the years 1938-1941 following the designs of architects John T. Windrim and William Richard Morton Keast. The building, one of the most prominent structures along the Benjamin Franklin Parkway, was listed on the Philadelphia Register of Historic Places on June 29, 1971. The interior portions of the building outlined in the nomination meet the definition of an eligible historic interior as defined by the Philadelphia Historic Preservation Ordinance, Section 14-2007(5.6.b), as they constitute “an interior portion of a building or structure that is, or was designed to be, customarily open and accessible to the public, including by invitation” and exist in near-original condition. The nomination contends that this interior portion has significant architectural and cultural value, satisfying Criteria for Designation A, E, and J.

The East and West Conference Room Murals were executed in 1939-1940 as part of a larger 37-mural, nine-artist project for the Family Court Building funded by the New Deal-era Public Works Administration. Thirty-five of these murals are included as contributing fixtures in the nomination of the Family Court Building’s major ceremonial public interior spaces to the Philadelphia Register of Historic Places. Because the East and West Conference Room Murals were installed in historically semi-private rooms that fell beyond the boundaries of the proposed interior nomination, this nomination proposes to list the murals separately as objects following

the definition set forth in the Philadelphia Historical Commission Rules and Regulations 2.16: “A material thing of functional, aesthetic, cultural, historic, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.” Executed on canvas boards, these murals are movable by nature, and by virtue of their aesthetic, cultural and historic significance as contributing parts of a larger ensemble of New Deal-era public art works related specifically to the Family Court Building. The nomination contends that the mural objects satisfy Criteria for Designation A and J.

STAFF RECOMMENDATION: The staff recommends that the specified interior public space at 1801 Vine Street satisfies Criteria for Designation A, E and J, and the object murals in the east and west conference rooms at 1801 Vine Street satisfy Criteria for Designation A and J, and both the interior space and murals should be designated as historic and listed on the Philadelphia Register of Historic Places.

DISCUSSION: Ms. Coté presented the nomination to the Committee on Historic Designation.

Ms. Klein stated that the light wells that illuminate the stained glass window in the elevator lobby and the stair well are important and should be protected. Mr. Farnham informed the Committee that the light wells are considered part of the exterior and therefore already under the jurisdiction of the Commission because the building is designated as historic.

Mr. Schaaf noted that, although they are not included in the nomination, the wood chairs in the court rooms and waiting rooms are contemporary with the building and contribute to its character.

Mr. Farnham stated that Joseph Palantino, deputy commissioner of the Department of Public Property, had been at the meeting but was called away. He stated that had Mr. Palantino would have informed the Committee that the Department, which owns and oversees the property for the City, is in support of the nominations.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend that the specified interior public space at 1801 Vine Street satisfies Criteria for Designation A, E, and J, and the object murals in the east and west conference rooms at 1801 Vine Street satisfy Criteria for Designation A and J, and both the interior space and murals should be designated as historic and listed on the Philadelphia Register of Historic Places. Mr. Schaaf seconded the motion, which passed unanimously.

2131 N. BROAD STREET

Owner: North Broad Development Company

Requester: Staff

Proposal: Rescind designation

The Historical Commission’s staff has initiated a rescission request for 2131-59 N. Broad Street. The Commission designated Our Lady of Mercy Roman Catholic Church and Rectory at the southeast corner of Broad and Susquehanna Streets on 10 July 1986. The Preservation Coalition of Greater Philadelphia, a predecessor of the Preservation Alliance, submitted the nomination, which contended that church complex had significance as “an outstanding and rare example of the Romanesque Revival style,” as “one of the finest works of [architect] Edwin Forrest Durang,” and as a “reminder of the late nineteenth-century Irish Catholic community in North Philadelphia.

At the time of the designation in 1986, the property was still owned by the Archdiocese of Philadelphia, even though it had closed the parish in 1984. The Archdiocese sold the church and rectory buildings to Pastor Donald Lyons of the Bible Deliverance Evangelistic Church in September 1986. On 16 July 1991, the stone tower at the corner of Broad and Susquehanna failed and a large section of it collapsed onto the sidewalk and street below. When Lyons did not address the collapse, the City spent more than \$150,000 to remove the debris and stabilize the remainder of the tower. The Commission approved the work to the tower in May 1992. The City billed Lyons for the work, but no payment was forthcoming. Reportedly, Lyons had also defaulted on his mortgage held by the Archdiocese. In 1995, at the City's request, the Court ordered Lyons to repair the buildings, which had deteriorated further. Again, Lyons did nothing. In 1997, the Court authorized the City to demolish the buildings, which had become severely deteriorated and had been cited as Imminently Dangerous. In late 1997, a private contractor hired by the City demolished the church and rectory buildings. With the demolitions, all traces of the qualities that led to the property's designation were destroyed. The City billed Lyons \$160,809 for the demolitions, but again he did not reimburse the City. In 1998, the property was forced into foreclosure and sold at sheriff sale to the current owner, which erected the extant commercial building. The Historical Commission did not review or approve the demolition or subsequent construction. The address remains on the Philadelphia Register of Historic Places as a phantom designation.

STAFF RECOMMENDATION: The staff recommends rescinding 2131-59 N. Broad Street from the Philadelphia Register of Historic Places, pursuant to Section 5.14.b.1.a of the Commission's Rules & Regulations because "the resource has ceased to satisfy any Criteria for Designation because the qualities that caused its original entry have been lost or destroyed."

DISCUSSION: Mr. Farnham presented the rescission request to the Committee on Historic Designation. No one represented the property owner.

The Committee members reviewed the documentation and agreed that the address should be rescinded from the Register because no traces of the historic resource remain at the site.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Cohen moved to recommend that the designation of 2131 N. Broad Street be rescinded, pursuant to Section 5.14.b.1.a of the Philadelphia Historical Commission's Rules & Regulations, as "the resource has ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed." Ms. Klein seconded the motion, which passed unanimously.

913-61 N. 3RD STREET

Owner: Northern Liberties Action

Requester: Staff

Proposal: Rescind designation

OVERVIEW: The Burke Brothers and Company Tannery Complex at 913-61 N. 3rd Street, built between 1855 and 1913, was designated to the Philadelphia Register of Historic Places on 30 April 1986. The Court ordered the demolition of the complex due to its dangerous condition in 1994. A park now stands on the site.

STAFF RECOMMENDATION: The staff recommends that the designation of 913-61 N. 3rd Street, be rescinded pursuant to Section 5.14.b.1.a of the Philadelphia Historical Commission's Rules &

Regulations, as “the resource has ceased to meet the criteria for listing on the Register because the qualities that caused it original entry have been lost or destroyed.

DISCUSSION: Ms. Coté presented the rescission request to the Committee on Historic Designation. No one represented the property owner.

The Committee members reviewed the documentation and agreed that the address should be rescinded from the Register because no traces of the historic resource remain at the site.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Ms. Klein moved to recommend that the designation of 913-61 N. 3rd Street be rescinded, pursuant to Section 5.14.b.1.a of the Philadelphia Historical Commission’s Rules & Regulations, as “the resource has ceased to meet the criteria for listing on the Register because the qualities that caused it original entry have been lost or destroyed. Mr. Cohen seconded the motion, which passed unanimously.

9554 BUSTLETON AVENUE

Owner: Lifeway Baptist Church

Requester: Staff

Proposal: Rescind designation

OVERVIEW: The Commission staff forwards this rescission request to the Committee on Historic Designation and the Commission to clarify the designation of this property. It is not necessarily a request to rescind the designation, but instead a request that the Commission review the documents in the file and determine whether the Commission, in fact, designated the property at 9554 Bustleton Avenue.

The property at 9554 Bustleton Avenue includes an 1886 church building facing Bustleton as well as a c. 1940 fellowship hall at the rear. Until 1979, the property also included a mid-nineteenth-century Gothic Revival wood-frame house along Bustleton to the south of the church building. The house was demolished with the Commission’s approval. A one-story commercial building now stands in its place.

From its construction in 1886 to its sale in 2006, the church building on Bustleton was occupied by the Pennepack Baptist Church, founded in 1688, the oldest Baptist congregation in Pennsylvania and one of the oldest in the nation. The congregation is also referred to as the Lower Dublin Baptist Church. The architectural firm of Hazlehurst and Huckel designed the Bustleton church building for the congregation, which had outgrown its old church building at 8800 Krewstown Road, a few blocks away. Even after it constructed the Bustleton church, the congregation retained ownership of the Krewstown church, which it used for ceremonial purposes. When it sold the Bustleton church in 2006, the congregation moved back into the Krewstown church building.

The Krewstown church building was built in 1707, enlarged in the 1770s, rebuilt to its eighteenth-century appearance in 1805. It is a simple, Colonial-style stone building with two pedimented doorways and a Palladian window in the gabled front façade. Its great historical significance and designation are undisputed.

During the recent review of a permit application proposing to construct an addition linking the Bustleton Avenue church to the fellowship hall at the rear, the staff noticed numerous inconsistencies between the Register, meeting minutes, and other Commission documents

regarding the designation of the Bustleton property. Given these inconsistencies, the staff requests that the Commission determine whether the Commission truly intended to designate the property or if it is listed on the Register owing to confusion between the Bustleton and Krewstown properties.

Currently, the entry for 9554 Bustleton Avenue on the Philadelphia Register of Historic Places stipulates that the property was individually designated on 29 November 1960 and again on 28 May 1968 (Exhibit 1). It is not unusual to find that the Commission designated properties more than once in its early years.

Regarding the first designation date, 29 November 1960, the Commission's minutes (Exhibit 2) state that:

In the recommendation of the Historical Values Committee [of 21 November 1960], buildings presented in the report were certified with the addition of 404 South Front Street and Palmer's Burial Ground in Kensington.

The corresponding report of the Historical Values Committee (Exhibit 3), the predecessor to the Committee on Historic Designation, dated 21 November 1960, provides a list of "buildings [that] were recommended to the attention of the Commission for certification" that includes "the Pennypack Baptist Church (1805)." Although this notation in the minutes does not include an address, it undoubtedly refers to the church building at 8800 Krewstown Road, which was rebuilt in 1805, not the church building at 9554 Bustleton Avenue, which was not erected until 1886. Therefore, the first date on the Register for 9554 Bustleton Avenue, 29 November 1960, is clearly in error.

Regarding the second designation date, 28 May 1968, the Commission's minutes (Exhibit 4) read:

Historical Values Committee, Dr. Roy Franklin Nichols, Chairman. This report was approved and directed to be filed with the official copies of the Minutes.

The corresponding report of the Historical Values Committee (Exhibit 5), also dated 28 May 1968, provides a list of "buildings were considered for certification." First on the list is:

1. Lower Dublin Baptist Church (Old Pennypack Church) founded 1688 – built 1707 – enlarged 1770 – rebuilt 1805. Benjamin Rush buried here. Church at 9550 Bustleton Avenue.

The primary questions related to this rescission request derive from this ambiguous entry in the minutes of the Historical Values Committee of 28 May 1968. The entry deserves a thorough parsing. The names "Lower Dublin Baptist Church" and "Pennypack Church" refer to the congregation, not either of the two buildings specifically. The "Old" modifying "Pennypack Church" may refer specifically to the older building on Krewstown Road or generally to the congregation, which is old. The founding date of 1688 refers to the congregation, not a specific building. The other dates, 1707, 1770, and 1805 refer specifically to the Krewstown building; the Bustleton building was constructed in 1886. Benjamin Rush is not buried at either site; he is buried at Christ Church Burial Ground at 5th and Arch Streets in Old City. However, the Krewstown site does include a cemetery; the Bustleton site does not. Finally, the last clause, "Church at 9550 Bustleton Avenue" is ambiguous. The Bustleton church building was not built in 1707, enlarged in 1770, or rebuilt in 1805. Benjamin Rush is not buried on Bustleton Avenue. Does the final clause, "Church at 9550 Bustleton Avenue," indicate that the Committee recommended designating the property on Bustleton, or is it purely informational, noting that the

congregation that owns the Krewstown building now resides on Bustleton? Is it, in essence, a mailing address?

Other documents in the Commission's files further complicate the matter. In the early decades of the Commission, the staff created an index card for every property that was designated. The designation card for 9550 Bustleton Avenue (Exhibit 6) is likewise rife with ambiguity. The Address field on the card reads "9550 Bustleton Avenue Pennypack Baptist Church (Krewston Road)." Does it refer to the church building on Bustleton or Krewstown? The Date Erected field on the card reads "1805," the date of the Krewstown building, not 1886, the date of the Bustleton building. The Date Certified field reads "29 Nov. 1960 & May 28, 1968." The 1968 date appears to have been added later, indicating that this card was created in 1960, when the Krewstown site was designated. The Dates of photographs field reads "6/14/74, 1960." The Krewstown file includes several photographs of the Krewstown building, all dated 21 September 1960, which could be the "1960" date on the designation card. The Commission holds no photographs of the Bustleton building taken in 1960. The 9554 Bustleton files includes two photographs, both dated 14 June 1964, like the handwritten "6/14/74" date listed on the designation card, but off by a decade. It is unlikely that anyone would mistakenly write "74" in the 1960s, leading one to surmise that the "6/14/74" date, which should have been "6/14/64," was wrongly added to the card during or after 1974. The two 1964 photographs of the Bustleton church building were taken by a Commission staff member as part of a 1964 survey of Bustleton Avenue. The survey consisted of more than 100 photographs of buildings on Bustleton Avenue and cannot be correlated to this or any other designation. The survey photographs are not designation photographs and, in fact, there are no designation photographs of the Bustleton property, i.e. photographs taken around the possible designation dates in 1960 and 1968, in the Commission's files. The only other property on Bustleton that was photographed during this survey and later designated is 9431 Bustleton Avenue, which the Commission designated on 28 June 1966 at the written request of the owner.

The designation card for the Krewstown property (Exhibit 7) is also interesting. Its Address field reads:

Pennypack Baptist Church
Krewston Road (near Bustleton Ave.)
9550 Bustleton Ave
File under Bustleton Ave

The only field other than the Address field on the card that is not blank is the Date Certified field, which reads "Nov. 29, 1960." The designation card for the Krewstown church indicates that the information for the Krewstown property is filed under the Bustleton address, as if Bustleton Avenue is the mailing address for the Krewstown Road property. Supporting this interpretation is an official, bright gold City of Philadelphia Cross Reference Sheet (Exhibit 8) in the Krewstown file, which is labeled "KREWSTOWN ROAD NEAR BUSTLETON" and "PENNEPACK BAPTIST CHURCH" and reads "SEE 9550 BUSTLETON AVENUE". The staff is unaware of another such Cross Reference Sheet in the Commission's 10,000 plus files.

The pre-1985 notebook version of the Philadelphia Register of Historic Places includes a page for Bustleton Avenue (Exhibit 9), which has only two entries, 9431 and 9550. The 9550 entry reads: "9550 – Lower Dublin Baptist Church (Old Pennypack Church) OK." The 9550 street number, as opposed to the current 9554 street number, was used until 1979, when the house was demolished and the lot subdivided.

The pre-1985 Register page for Krewstown Road (Exhibit 10) includes the following entry: “near Bustleton (Pennypack Baptist Church, 1805).” Again, Bustleton Avenue is associated with the Krewstown Road church building.

The Commission reviewed its first application for the Bustleton property on 2 August 1979, when it approved an application proposing the demolition of the house that stood on the property. The Commission’s records do not indicate that it reviewed other permits that were issued for the property in 1963 and 1967, suggesting that the Department of Licenses & Inspections did not consider the property designated at those times.

The historical significance of the Bustleton church building is not necessarily germane to the determination of whether the Commission did or did not intend to designate the church building, but a summary of its significance is worth recounting. The prominent architectural firm of Hazlehurst & Huckel designed the building, which was constructed in 1886. The firm designed many churches, several in Philadelphia. The Philadelphia Architects & Buildings website attributes 33 churches to the firm, but includes unverified information about many others. The Bustleton church building housed the oldest Baptist congregation in Pennsylvania and one of the oldest in the nation from 1886 to 2006. However, the congregation is most closely associated with its Krewstown Road building, which it still owns and occupies. The Bustleton church building has lost some integrity. The bell tower portion of the steeple was demolished in 1946 and a cap with “illuminated aluminum cross” added in 1950. The steeple has subsequently been clad in vinyl siding. The slate roof, which had reached the end of its life, was recently replaced with asphalt shingles.

Regarding the Commission’s designation habits during its early years, the Commission designated 115 houses of worship before the new preservation ordinance went into effect in 1985. The vast majority of these are ante-bellum buildings with great religious, social, and/or architectural significance. The connection to the ancient congregation may have qualified this building for designation before 1985, but its architectural significance would not. When the Bustleton church is compared with the other churches designated before 1985, and especially with those designated in the 1950s and 1960s, it stands out for its lack of significance. Finally, although 115 designated churches may seem like a large number, it should be noted that there are nearly 2,000 houses of worship in the city today.

Section 5.14.b of the Commission Rules & Regulations authorizes the Commission to rescind a designation and remove its entry from the Philadelphia Register of Historic Places if:

- a. the resource has ceased to satisfy any Criteria for Designation because the qualities that caused its original entry have been lost or destroyed;
- b. additional information shows that the resource does not satisfy one or more Criteria for Designation; or,
- c. the Commission committed an error in professional judgment when it determined that the resource satisfied one or more Criteria for Designation.

Note that all three criteria for rescission relate to the property’s satisfaction or lack thereof of one or more of the Criteria for Designation. The rules do not authorize a rescission owing to a clerical error. However, one could argue that, if a property is listed on the Register owing to a clerical error, it is not truly designated and therefore could be removed but not rescinded from the list. One cannot rescind a designation that does not exist. In other words, the Commission could remove an address incorrectly listed on the Register without rescinding it from the Register. The removal would offer no opinion about the property’s capacity to satisfy one or more of the Criteria for Designation; it would simply correct a clerical error. The property could

later be designated if a nomination demonstrated that it satisfied one or more of the Criteria for Designation.

Applying Ockham's Razor, the simplest explanation for the inclusion of the Bustleton church on the Register is that the Commission designated the Krewstown Road building twice, in 1960 and again in 1968, as was not uncommon in that era, and then confused the Krewstown and Bustleton buildings at some point in the 1970s owing to the decision to file the Krewstown Road property file under the 9550 Bustleton Avenue address, where the congregation resided. The simplest explanation, then, is that the Bustleton building was not designated, but is on the Register owing to a clerical error.

STAFF RECOMMENDATION: The staff recommends that the Commission direct the staff to remove the 9554 Bustleton Avenue address from the Philadelphia Register of Historic Places because it is not designated as historic.

DISCUSSION: Mr. Farnham presented the rescission request to the Committee on Historic Designation. Pastor Benjamin Mishin represented the property owner.

Mr. Lavery commented that the overview of the Commission's involvement with this property reads like a Charles Dickens novel. Mr. Farnham agreed that there are many characters and many twists and turns in the story.

Mr. Lavery stated that it appears the Commission did not mean to designate this building. Mr. Cohen agreed but felt that the building was still worthy of designation. Mr. Lavery stated that a new nomination would have to be submitted for the church on Bustleton Avenue then.

Ms. Klein stated that the Rules and Regulations do not cover situations such as these and that the rescission process does not really apply here. She suggested that the address be removed from the Register.

Mr. Leech voiced his concern that should the Commission choose to remove the address from the Register it would set a precedent and creates a burden of proof for other properties where the records maybe scant.

Mr. Mishin stated that this came about because they are trying to renovate the church. He stated the inside of the church is beautiful and that the organ was donated by Carnegie. He added that he did not see the benefit of designation as the congregation has been unable to obtain any grant money to renovate the building.

Mr. Cohen stressed the importance of a new nomination being submitted to protect this building. Mr. Lavery stated that he thinks that the building is worthy but it would be better if the nomination came from a third party and not the staff.

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION:

1. Ms. Klein moved to recommend that 9554 Bustleton Avenue be removed from the Philadelphia Register of Historic Places because its listing on the Register resulted from a clerical error. Mr. Lavery seconded the motion, which passed unanimously.
2. Mr. Cohen moved to recommend that the Commission direct the staff to prepare a nomination for 9554 Bustleton Avenue. Ms. Klein seconded the motion, which passed with a vote of three to one. Mr. Lavery dissented and Mr. Dilworth abstained.

ADJOURNMENT

Mr. Dilworth moved to adjourn at 11:38 a.m. Mr. Cohen seconded the motion, which passed unanimously.