

THE MINUTES OF THE 337TH STATED MEETING  
OF THE

PHILADELPHIA HISTORICAL COMMISSION

13 December 1989

Edward A. Montgomery, Jr., Chairman

Present: Edward A. Montgomery, Jr., Chairman

David Brownlee

Caroline Golab

David Hollenberg

Jason Nathan

Charles L. Finney, Deputy Commissioner,

Department of Public Property

Barbara Kaplan, Executive Director,

City Planning Commission

John Street, Esq.,

City Council

Scott Wilds,

Office of Housing and Community Development

Maria Petrillo, Esq., Chief Assistant City Solicitor

Richard Tyler, Historic Preservation Officer

Patricia A. Siemiontkowski,

Assistant Historic Preservation Officer

Randal Baron, Preservation Planner

Daniel W. Simcox, Executive Secretary

Also:

David Dobbins, Thomas Jefferson University

Susan Sayer, Thomas Jefferson University

Robert Brown, Geddes Brecher Qualls Cunningham

Roger W. Keyser, Parkway Corporation

Joseph S. Zuritsky, Parkway Corporation

Seth Cooley, Esq., Duane Morris & Heckscher

Howard Kittell,

Preservation Coalition of Greater Philadelphia

Edna M. Irving, Office of Councilman John Street

Tami Bogutz, Wolf, Block, Schorr, & Solis-Cohen

THE MINUTES of the 336th Stated Meeting of the Philadelphia Historical Commission held on 8 November 1989, Edward A. Montgomery, Jr., Chairman. Mr. Montgomery noted that the word "presentation" on page eight of the Minutes should be changed to "preservation." With that correction, the Minutes of the 336th Stated Meeting of the Philadelphia Historical Commission held on 8 November 1989 were approved.

THE REPORT of the Architectural Committee of the Philadelphia Historical Commission held on 26 October 1989, David Hollenberg, Chairman. Mr. Hollenberg presented the Committee's recommendations to the Commission.

On 30 November 1989, the Architectural Committee met and reviewed a total of nine proposals: six for alterations to historically designated buildings, two for alterations to properties in the proposed Rittenhouse Fitler Historic District, and one for three properties nominated for designation.

The Committee voted to recommend final approval of a proposal for the enlargement and enclosure of an existing wood deck at the rear of Dickens Inn, 411 S. 2nd Street.

A MOTION to accept the recommendation of the Architectural Committee and grant final approval of this application was made, seconded, and carried.

The Committee recommended approval in concept for three applications. Kelly/Maiello Architects presented a proposal for alterations to Reading Terminal Market as part of a larger plan for the proposed construction of the Pennsylvania Convention Center.

The Committee recommended an approval in concept of this submission with the following recommendations:

- placement of exhaust fans behind the parapet on the west side of the train shed;
- retention and restoration of the original storefront in the southwest corner of the Market facing Filbert Street,
- placement of the stairwell proposed for the southwest quadrant in a location which will not intrude upon the 12th Street entrance or destroy the original storefront on Filbert Street; and
- exploration of fire protection alternatives to the proposed wrapping of the iron columns and beams. The Committee stressed the importance of this recommendation. Members noted that fire suppression was a vital concern but that alternative methods of protection should be explored.

The Committee also reviewed a proposal for alterations to three buildings nominated for designation in the 900 block of Chestnut Street. The designation of these buildings, located at 920-922, 926 and 930 Chestnut Street, would be discussed and voted upon later in the meeting. Mr. Brown, of Geddes Brecher Qualls Cunningham reviewed for the Commission

their studies of several issues central to the design of the proposed development of the 900 block of Chestnut Street. It was determined that the existing interiors were not suited to the proposed new use and that no significant fabric remained on the interiors. Mr. Brown presented a conceptual drawing showing floor-ceiling heights which would maintain the continuity between the front facades and the proposed new interiors while providing office space flexible for medical use. This result was attainable through a plan which would allow fourteen (14) feet for the first three floors, while reducing the fourth floor to a height of twelve feet, eight inches, (12'8"). In closing, Mr. Brown explained that the taller portion of the development would be set-back approximately thirty to forty feet from the building line of Chestnut Street.

The Committee stressed the importance of the rhythm of the streetscape, and encouraged the applicants to explore the feasibility of retaining the facade of the Bundy Building. The Committee recommended an approval in concept, with the following points understood as conditions of approval:

- use of a reduced floor-ceiling height, twelve feet, eight inches, (12'8") where necessary to maintain the continuity between the front facades and the proposed new interiors,
- incorporation of a set-back of the proposed buildings to retain the sense of the scale and massing of the three buildings nominated for designation.

The Commission expressed its appreciation for Mr. Brown's cogent and informative presentation.

The Committee also voted to recommend an approval in concept for proposed alterations to the property situated at 521 S. Leithgow Street.

The Committee recommended an approval in concept of the replacement of the upper floor windows with wood sash having true muntins, contingent upon staff review and approval of shop drawings. Further, the Committee recommended an approval in concept of the proposed treatment of the opening under the stair, contingent upon the set-back of the glazing from the face of the marble stoop, and upon the review and approval, by the Committee, of a detailed drawing. Also, the Committee voted to recommend approval in concept of the replacement of the basement window, contingent upon the use of a 3/3 true-muntin wood window sash. Finally, the Committee recommended an approval in concept of the proposed dormer, contingent upon its placement flush with the face of the chimney to provide adequate weather protection.

A MOTION was made to accept the recommendations of the Architectural Committee and grant conceptual approval to the preceding three applications. This motion was seconded and carried.

The Committee voted to recommend approval, contingent upon conditions, of five applications.

- Reviewing properties within the proposed Rittenhouse Fitler Historic District located at 2017-2025 Moravian Street, the Committee recommended approval of a plan for the rehabilitation of two existing structures and the construction of a new building, contingent upon the review of any masonry work by the staff.
- The Committee recommended approval of a proposal for alterations to the property at 4207 Walnut Street by The Restaurant School contingent upon the re-design of the louvers on the south elevation of the new addition.
- The Committee recommended approval of the proposed placement of mechanical equipment and a proposed iron fence around a portion of the perimeter of Alden Park Manor, 5500 Wissahickon Avenue. The Committee, however, requested a revision of the proposed gate-house treatment.
- The Committee recommended approval of plans to add a third story to the two-story rears of two rowhouses situated at 408-410 S. 18th Street within the proposed Rittenhouse Fitler Historic District. However, this approval was contingent upon staff review of the specifications for the proposed alterations.
- Finally, the Committee recommended approval for the conversion of an existing window into an entrance for a new tenant on the 7th Street facade of the Curtis Center at 6th and Walnut Streets. The Committee recommended an approval contingent upon the understanding that no other entrances would be permitted except in a similar position on the other side of the main gate, in order to maintain the symmetry of this facade.

A MOTION was made to accept the recommendations of the Architectural Committee and grant approval of these applications, contingent upon their respective conditions. The motion was seconded and carried.

THE REPORT of the Designation Committee of the Philadelphia Historical Commission held on 10 November 1988, David Brownlee, Chairman. Mr. Brownlee presented the Committee's recommendations to the Commission.

Mr. Brownlee distributed photocopies of photographs of the three buildings situated at 920-22, 926, and 930 Chestnut Street. He stated that, as a group, the buildings possessed significance as fine representatives of the Italianate style. The style was popular in the mid-19th Century, and was associated with the City of Philadelphia, the site of some of its earliest and some of its most refined expressions. Philadelphia's utilitarian Italianate architecture, according to some architectural historians, provided the basis for the Chicago-style skyscrapers of the late 19th Century.

This collection of buildings is significant as a remnant of the emergence of Chestnut Street as a commercial district. At the time of their construction, these buildings were interspersed with residential development. As the city grew, particular types of activity tended to concentrate in different areas or in different districts. Chestnut Street emerged as a center of commerce, where stores, engaged in retail trade and light manufacturing, marketed their goods. Within this general trend, these three buildings were the site of enterprises in music, publishing, and ready-made clothing.

The Dunbar Store, at 920-922 Chestnut Street, merits designation as a surviving remnant of the first generation of commerce on Chestnut Street, as part of a preserved mid-19th Century streetscape, and as a fine example of utilitarian Italianate architecture by a significant Philadelphia architect, Stephen D. Button, who also designed the First Baptist Church and the Alabama State Capital.

The Scherr Store, at 926 Chestnut Street, possesses significance as a fine example of Pallazzo Italianate architecture and as a remnant of the Nineteenth Century rise of the Chestnut Street commercial district.

The Allen Store, at 930 Chestnut Street, has been recommended for designation for its significance as part of a mid-19th Century streetscape, for its distinctive Italianate architecture and for its role as the original home of a Philadelphia department store significant in the commercial history of the City.

Mr. Montgomery expressed his appreciation to Mr. Brownlee for the report of his Committee.

Following discussion of the proposed designation for these three buildings, motions were made individually.

A MOTION to designate the property at 920-922 Chestnut Street, known as the Dunbar Store, was made, seconded and carried.

A MOTION to designate the property at 926 Chestnut Street, referred to as the Scherr Store, was made, seconded and carried.

A MOTION to designate the property at 930 Chestnut Street, referred to as the Allen Store, was made, seconded and carried.

#### NEW BUSINESS

##### Philadelphia Historical Commission Rules and Regulations

Mr. Tyler presented the proposed Rules and Regulations to the Historical Commission. A final draft had been prepared subsequent to meetings of the Ad Hoc Committee on the Rules and Regulations. This final draft reflected the suggestions of that Committee. The draft was distributed, with the Commission's permission, early in November to interested parties.

Miss Petrillo reminded the Commission that formal adoption of the proposed Rules and Regulations required the fulfillment of three prerequisites: review by the Law Department, deposit of the document at the Department of Records for a period of thirty days, and a public hearing. Miss Petrillo informed the Commission that she and Arlene Bell, of the Law Department, were reviewing the Rules and Regulations for clarity and conformance with the City Charter and Philadelphia Code of General Ordinances. She anticipated that this review would be completed within several weeks, after which the document would be forwarded to the Department of Records. Thirty days following public dissemination, a public hearing would be scheduled for review and comment.

Councilman Street expressed concern regarding the following parts of the proposed Rules and Regulations:

- Resignation of Members of the Commission

Councilman Street stated that the provision for resignation was inapplicable to ex-officio members, and the prescription of terms for removal to the Mayor was inappropriate. He further noted that such absences often possess just cause. Councilman Street urged the removal of this provision.

- Committees of the Commission

The provisions on the Committees were ambiguous, and required clarification regarding composition, tenure of members, and quorums. At present, the only provision relating to membership was that a member of the Commission must serve as the Chairman of any Committee. This minimal representation of the Commission on the Committees may raise questions regarding the extent of discretion given to the Committees, and to the legitimacy of the Commission. Councilman Street suggested provisions which would establish times of meeting, composition with increased Commission representation and requirements for a quorum.

Mr. Hollenberg and Mr. Brownlee cautioned that the solution proposed may exceed the problem. Mr. Hollenberg noted that the committees business focused primarily on technical matters of preservation. He also pointed to the fact that the Commission, as established by Ordinance, included only two members with technical backgrounds in historic architecture and architectural history.

- Public Participation in Meetings

Councilman Street noted that all meetings of the Commission and its Committees were not designated as public hearings. Therefore, as a matter of regulation, the public was not entitled to speak as a matter of right at all meetings. He reinforced the point, stressing that the public could participate at Committee meetings only at the discretion of the chairman. The Councilman questioned the propriety of this limitation, as written in the Rules and Regulations, and urged the incorporation of a provision which clearly entitled the public to full participation at committee meetings as well as at the stated meetings of the Commission.

Miss Petrillo noted that the distinction between a public meeting and a public hearing was one which

required further examination and clarification.

Mr. Brownlee stated that his experience did not suggest that such a provision was necessary, though he supported the tone of the suggestion.

Mr. Wilds remarked that the regulations should not become so complex that the committees would be impaired in their ability to serve the Commission.

- Committee on Financial Hardship

Councilman Street maintained that this Committee should exist as a matter of regulation, not at the discretion of the Commission or its staff. He stated that this Committee should maintain confidentiality, and should be required to report its findings without complete public disclosure of the details of its investigation. The guidelines governing this committee should be very clear. Further, he favored the distinction between requirements for individuals and for corporations.

The Councilman expressed reluctance to the idea of adopting the U.S. Department of Housing and Urban Development's standards for low and moderate income persons and families. Though intended as a fair standard, this criterion would hurt more applicants than it would assist. Mr. Tyler stated that those persons not meeting the standard would have the benefit of a personal review of their circumstances. Councilman Street objected to this procedure, and urged the Ad Hoc Committee on Rules and Regulations to incorporate a more inclusive standard for financial hardship with clearly delineated procedures.

Ms. Kaplan indicated that the provision was included to offer alleviation from hardship related to the costs of maintenance. The provision would not apply to additions, like a roof-deck, which would constitute a self-imposed hardship.

Mr. Wilds warned of the possibility of problems resulting from a narrow definition of hardship. As a hypothetical, he offered the example of a neighborhood where houses of historic significance were acquired inexpensively and whose owners may not be able to afford the costs associated with certain methods of repair or restoration.

Councilman Street reaffirmed his message that the definition should be broad and the criterion for exceptions listed clearly. Mr. Street insisted that

the sympathetic and practical character of the Commission should permeate the Rules and Regulations.

Mr. Brownlee noted that the unnecessary hardship clause in the ordinance was not an exception, but rather flexibility in Commission standards. Mr. Wilds added that these reviews constituted individual settlements, and not exemptions. Mr. Tyler referred to the determination of financial hardship as a justifiable relaxation of standards, based on the clause in the Ordinance allowing "not a literal interpretation."

- Agenda of the Meetings

Councilman Street expressed reservations about the time limitations for the placement of items on the agenda. He stated that an entire week in advance was too restrictive, and suggested a twenty-four hour period as an alternative. He contended that this time period would allow ample opportunity to notify Commission members. Though acknowledging that certain substantial testimony, which could not be reviewed within that period, may be problematic, he reaffirmed his belief that a prolonged period for submission may constitute an undue restriction on free speech.

- Residency

Members expressed reluctance to adopt a residency requirement for committee members in the Rules and Regulations, as it would remove several dedicated members from the committees.

- General Procedure

Councilman Street urged clarification of the actions available to the Commission, particularly that a deferral constitutes a decision, in fact.

- General Comments

Councilman Street suggested that the proposed Rules and Regulations, as written, were too restrictive. He reinforced his earlier statement that the document should stress the entitled rights of the public, not the discretionary powers of the Commission. The regulations should be an expression of the rights of the public. He encouraged use of the active voice instead of passive expressions throughout the document. He suggested that the Ad Hoc Committee review the Rules and Regulations and incorporate a more appropriate tone.

- Purpose

Councilman Street questioned the intent of the Rules and Regulations, as to whether they were to supplement the Ordinance, or stand alone. Mr. Wilds suggested following the Plumbing Code which incorporated agency regulations into the actual code, with the latter distinguished in boldface type.

- Non-Contributing Buildings in an Historic District

Councilman Street inquired whether the Commission would review non-contributing buildings in Historic Districts. He also questioned the legitimacy of review during the transition period, between notification of owners and designation.

Mr. Montgomery asked if anyone in attendance would like to address the Commission regarding the proposed Rules and Regulations.

Mr. Howard Kittell, of the Preservation Coalition of Greater Philadelphia, informed the members that the Coalition was compiling comments from various neighborhood groups regarding the proposed Rules and Regulations. Mr. Montgomery asked when he may be able to present them to the Commission. Mr. Kittell responded that he hoped to have them as soon as possible.

Mr. Montgomery asked Miss Petrillo if every change of the proposed Rules and Regulations required Law Department review. Counsel offered that every change would not.

Mr. Wilds requested that when the document is forwarded to the Department of Records that a press release be prepared, which would inform the public of the intent and effect of the Rules and Regulations.

Certified Local Government Comment on  
National Register Nominations

Mr. Brownlee presented three buildings submitted to the Commission for review and comment in accordance with the Certified Local Government program.

The First City Troop Armory, located at 22 S. 23rd Street, previously had been designated by the Philadelphia Historical Commission.

The Tacony Music Hall, situated at 4815-19 Longshore Avenue, was established as a special venture for varied community uses. However, the facility flourished only after it had been furnished by the Disston family, who owned and operated the surrounding saw mills, and viewed the community social center as a facet of their interest in the neighborhood and Disston workers -- an expression of the paternalistic capitalism characteristic of some employers at the time.

The Kensington Branch of the Philadelphia YWCA, at 174 W. Allegheny Avenue, was designed by the architectural firm of Hewitt Granger and Paist to serve the social and cultural needs of the industrial population of Kensington.

Both The Tacony Music Hall and the Kensington Branch of the YWCA are neighborhood landmarks which were established to provide basic social, cultural, and recreational facilities for the 19th and 20th Century residents of two of Philadelphia's industrial neighborhoods.

A MOTION was made to recommend entry of these properties on the National Register. The motion was seconded and carried.

Mr. Tyler noted the work of Mr. Theodore Bartley, recently deceased. Commended as an exemplar of public service, Mr. Bartley was remembered by the Commission as a fine colleague and committed preservationist whose presence will be missed.

Miss Petrillo reviewed recent discussions regarding the Philadelphia Naval Home on Grays Ferry Avenue, recalling damage that the buildings have suffered at the hands of vandals. Miss Petrillo offered a summary of recent discussions among the Mayor, Councilwoman Anna. C. Verna, local preservation groups, the present owners and herself. She informed the Commission that the intent of the Law Department was to assert the right to a joint inspection by the Department of Licenses and Inspections and the Historical Commission.

Councilman Street inquired of the status of the Fairmount Park houses. Mr. Tyler informed him that there have been no further developments. Ms. Kaplan reviewed a recent discussion with Mr. William Mifflin, the Executive Director of the Fairmount Park Commission.

Councilman Street requested an update on the progress of plans to "moth-ball" Eastern State Penitentiary. Mr. Tyler reported that the staff was exploring the possibility of obtaining private funds for a study of the scope and cost of moth-balling the National Historic Landmark. Councilman Street mentioned the possibility of obtaining Capital Budget funds

for this project. Mr. Tyler responded that he hoped to interest private sources in a study to determine the cost of "moth-balling," and the cost of adapting the facility to include an interpretive center and a facility for storage.

There being no further business, a motion to adjourn was made, seconded and carried.

Respectfully submitted,

Daniel W. Simcox,  
Executive Secretary