

THE MINUTES OF THE 339TH STATED MEETING

OF THE

PHILADELPHIA HISTORICAL COMMISSION

14 March 1990

Edward A. Montgomery, Jr., Chairman

Present: Jason Nathan, Presiding Chairman

David Brownlee

Caroline Golab

David Hollenberg

Reverend William B. Thompson

James Cuorato, Department of Commerce

Charles 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

David Wismer, Department of Licenses and Inspections

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:

Julian R. Bley, Delaware Valley Sign Co.

Frank B. Baldwin III, Counsel, Bookbinder's Seafood House

Robert P. Glikman, Counsel, Bookbinder's Seafood House

Richard Bookbinder, Bookbinder's Seafood House

Jack A. Halpern, Young Smythefield Condominium Assn.

Robert J. Faux, Young Smythefield Condominium Assn.

John H. Sickel, Continental Bank

Allen D. Cornell, J.S. Cornell and Son, Inc.

Rudy E. D'Alessandro, J.S. Cornell and Son, Inc.

Louis A. Iatarola, Realty Appraisal Group, LTC.

Michael Stack, Esq., Stack & Gallagher

Edna Irving, Office of Councilman Street

Howard Kittell, Preservation Coalition

Deborah M. Kelly, Preservation Coalition

Donald H. McNeil, Preservation Coalition

Patrick Starr, University City Historical Society

Carol Dubie, University City Historical Society

Herbert Cohn, 1214 Arch Street

William J.D. Jordan, President,

Center City Residents Association, 1700 Walnut Street

Lenore Milholland, Center City Residents Association,
Barry Dinaburg, Wolf Block Shorr and Solis-Cohen
Jennie Castaldo, 1230 Arch Street
Gary Steinfield, West Allegheny Partners
Arthur S. Novello, Girard Estate Area Residents
Patricia Mattern, Center City Residents Association

THE MINUTES of the 338th Stated Meeting of the Philadelphia Historical Commission held on 14 February 1990, Edward A. Montgomery, Jr., Chairman.

A MOTION to approve the minutes was made by Mr. Brownlee and seconded by Mr. Wilds. The Commission voted unanimously to adopt the Minutes of the 338th Stated Meeting of the Philadelphia Historical Commission held on 14 February 1990.

REQUESTS FOR DEFERRAL

At this time, Mr. Nathan, chairing the meeting in the absence of Mr. Montgomery and Mrs. Washington, acknowledged requests for deferrals.

136 South Front Street - Request for Deferral. Michael Stack, attorney for the property owner, requested a deferral of Historical Commission action on the proposed demolition of 136 S. Front Street, the Elisha Webb Chandlery. Mr. Stack explained that the owner's consultant, Mr. Steven Feldman, has been in the hospital since the 14 February Commission meeting. Because of this unforeseeable circumstance, Mr. Stack requested a deferral until the April meeting.

Mr. Nathan reminded Mr. Stack of a promise made by the applicant at the February meeting. Several substantial items of information had not been delivered. Mr. Nathan urged Mr. Stack to submit these materials at least one week in advance of the April meeting. As there were no objections, the Commission granted a deferral.

The Commission then listened to three requests for deferrals of matters listed on the agenda under the Report of the Committee on Designation.

1228-1232 Arch Street - Request for Deferral. Mr. Norman Oshtry, representing the owner of this property, requested a deferral of action on this matter until the April meeting. Responding to Ms. Golab's inquiry into the reason for this request, Mr. Oshtry indicated that the owner had just recently retained him and that he had not had time to assess his client's interests. Mr. Oshtry asked that the Commission allow him to evaluate his client's interests

regarding the proposed designation. Upon question by Ms. Petrillo, he responded that he did not object to discussion of the matter by the Commission. Mr. Tyler informed him that he could acquire a copy of the designation form at the Commission office.

1214 Arch Street - Request for Deferral. Mr. Herbert Cohn introduced himself as counsel for Mr. Bum Woon Lee, owner of this property. Because the owner was out of the country, Mr. Cohn requested a deferral. Mr. Brownlee asked if the owner instructed him to request this deferral. Mr. Cohn responded that he and his client were unfamiliar with the procedure and ramifications of designation and wanted time to examine these concerns. As there were no objections, the Commission granted this request.

1216-1220 Arch Street - Request for Deferral. Mr. Jack Halpern, attorney for the owner, indicated that he was prepared to address the Commission regarding the proposed designation. However, he stated that he would prefer to await consideration until the April meeting. Messrs. Brownlee and Tyler concurred that this request was sensible and the Commission granted the deferral.

Mr. Tyler reminded the Commission that the nominations prepared for 1214, 1216-1220, and 1228-32 Arch Street emerged from negotiations with the Pennsylvania Convention Center Authority. These buildings face the southern facade of the new construction for the proposed Convention Center. An environmental review of the area found that these buildings merited nomination to both the National and Philadelphia Registers.

THE REPORT of the Architectural Committee of the Philadelphia Historical Commission held on 22 February 1990, David Hollenberg, Chairman. At this meeting, the Architectural Committee reviewed seven proposals: five for alterations to individually designated buildings, one for alterations to a property within the pending Rittenhouse Fittler Historic District, and one for alterations to a building nominated for designation. The recommendations of the Committee follow:

RECOMMENDATIONS FOR APPROVAL IN CONCEPT

The Committee voted to recommend approval in concept for three applications: 124 N. Broad Street, 234-236 Cherry Street; 427 Chestnut Street; and The Bourse, 21 S. Fifth Street.

Applicants proposed extensive alterations to the designated properties on Bread and Cherry Streets to incorporate these historic buildings into a larger rehabilitation center. The Committee recommended an approval in concept contingent upon the substitution of one-over-one sash where the architects proposed a tripartite configuration. Further, members expressed reservations regarding the use of glass block, and informed the applicant that specifications for cleaning and re-pointing would require staff approval.

The Committee recommended an approval in concept for a proposal to install new glass doors in the front of the entrance of 427 Chestnut Street, the American Philosophical Society. This recommendation was contingent upon the replacement of the lower bronze horizontal member with a frameless head configuration with door stops.

The Committee recommended an approval in concept for a canopy for the main entrance on the South Fifth Street facade of The Bourse. Members requested details of the method proposed for securing the canopy to the building in order to reduce the damage to the masonry.

A MOTION was made by Mr. Hollenberg to approve the recommendations of the Architectural Committee for these three proposals. Mr. Brownlee seconded the motion which was approved unanimously.

RECOMMENDATIONS FOR APPROVAL

The Committee voted to recommend approval for two applications: Phase II, City Hall Restoration, and 2016 Sansom Street.

Reviewing work undertaken without a permit by the Department of Public Property, the Committee voted to approve the alterations included in Phase II of the restoration of City Hall. The scope of the work extended from the base of the William Penn statue to the second tier of sculpture. After considerable discussion, the Committee voted to recommend final approval. The Committee, however, wished to record its profound disappointment that the Department of Public Property undertook this work without a permit or previous review by the Commission.

The Committee also recommended approval for the installation of a painted, wooden flat-wall sign on the facade of 2016 Sansom Street.

A MOTION was made by Mr. Hollenberg to adopt the recommendations for approval for both Phase II City Hall Restoration and 2016 Sansom Street. Mr. Cuorato seconded the motion, which the Commission adopted unanimously.

RECOMMENDATIONS FOR APPROVAL, WITH CONDITIONS

The Committee voted to recommend approval contingent upon conditions for one application. Upon review of a proposed sign program for The Franklin Institute, 20th & The Parkway, the Committee recommended final approval, excluding the signs proposed for the main stair and the Winter Street entrance. Members indicated that they would defer to the Art Commission on the aesthetics of the other signs and canopies proposed.

A MOTION was made by Mr. Hollenberg to adopt the recommendations for approval, with conditions, for the Franklin Institute. Mr. Wismer seconded the motion, which was approved unanimously.

RECOMMENDATIONS FOR DISAPPROVAL

The Committee voted to recommend disapproval of alterations to 1535 Locust Street, a building nominated for designation. The applicants proposed the installation of a second automatic teller machine (ATM) in an existing masonry opening on the Locust Street facade. The Committee suggested two alternative sites for installation: adjacent to an existing ATM on the S. Fifteenth Street facade, or within a vestibule on the Locust Street facade.

Mr. Jack Sickel, real estate manager for Continental Bank, indicated that his office agreed with the recommendations of the Committee and was studying alternative designs.

A MOTION was made by Mr. Hollenberg to adopt the recommendations for disapproval for 1535 Locust Street. Mr. Brownlee seconded the motion, which the Commission adopted unanimously.

Discussion of Security Grates in Center City Philadelphia.

Mr. Hollenberg indicated that an application for the installation of a security grate on 1610 Chestnut Street had been withdrawn from the Committee agenda. However, upon request of the Committee, Mr. Warren Huff of the City Planning Commission explained that Commission's policies regarding the installation of security grates within the Center City Special Controls District. This district

includes Chestnut and Walnut Streets, from the Delaware River to 18th Street, and S. Broad Street, from City Hall to Pine Street. Within this district, the Planning Commission advises applicants to install security grates on the inside of shop windows if possible, and to use "see-through" mesh grilles at all times. The Committee agreed with the design principles promulgated by the Planning Commission.

Ms. Kaplan stressed that the Planning Commission's jurisdiction was limited to the Center City Special Controls District. The Planning Commission does not approve solid grates and recommends the incorporation of the housing into any architectural features. She added that the housing, visible all day long, often was more problematic than the grates which appeared in the evenings. She stressed that while security in Center City had become a serious problem, that these grates had a self-defeating nature, as they removed light from the street and decreased a perception of security among pedestrians.

Upon request, Mr. Wismer explained that the jurisdictional concern of the Department of Licenses and Inspections was limited to public safety.

Mr. Hollenberg reaffirmed that the recommendations of the Planning Commission were compatible with the preferred design treatments of the Architectural Committee. The Committee, however, expressed concern that the document did not indicate that different standards may apply to historic buildings. Accordingly, he requested an amendment to the minutes of this discussion of the Architectural Committee as follows:

The Committee reviewed the one-page handout which the Planning Commission typically distributes regarding the issue and noted that it did not mention that special considerations might apply to Historical Buildings. The Committee recommended that the Commission staff develop appropriate language for inclusion into the Planning Commission document.

As there were no objections to this addition to the Report of the Architectural Committee, the preceding text was incorporated.

General Discussion of Work Undertaken Without a Permit

Addressing an issue discussed at the February meeting of the Commission, Mr. Hollenberg distributed a memorandum outlining the history of Committee and Commission action on work undertaken without a permit. The memorandum reviewed applications within the past year. Mr. Hollenberg expressed

regret that he was unable to attend the February meeting, for as he understood the minutes, the Commission appeared concerned that the Committee acted contrary to established procedure.

In his presentation of the memorandum, Mr. Hollenberg indicated that roughly twenty percent of the work reviewed by the Committee was illegal. Committee actions ranged from full retroactive approval of completed work, like City Hall, to full retroactive disapproval. Committee actions also resulted in the issuance of several stop work orders and design modifications to work in progress. Finally, Mr. Hollenberg noted that several applications for work undertaken without a permit remained unresolved; he mentioned the installation of transformers installed on the grounds of a property at Twenty-Second and Chestnut as an example. Concluding that the Committee was called, upon numerous occasions, to review illegal work, he questioned whether the Commission wanted the Committee to stop reviewing such work. Stressing that the Architectural Committee applied architectural judgment to the problems brought before it, he said that it was not the place to assess punitive measures to an applicant -- especially when the work satisfied the judgment of the Architectural Committee. Mr. Tyler questioned whether the Commission was in a position to undertake such a function. Mr. Hollenberg noted that the application for City Hall approved earlier this meeting was brought to the Committee fifteen months late in submitting a building permit application.

Ms. Golab expressed concern that approval of such work projected the message that it was acceptable to undertake work without a permit. She asked if the significance of the building weighed in the consideration of the Architectural Committee. Mr. Hollenberg noted that the significance of the building was not taken into consideration in these reviews and added that the Commission had encouraged review of such applications. He cited the alterations for City Hall approved earlier in this meeting as an example; this project had started approximately fifteen months earlier.

Mr. Tyler stated that other departments, particularly Licenses and Inspections, shared with the Commission a concern over the performance of illegal work. Much work is undertaken in the City without permits. Regarding future encounters with this problem, he offered the following procedure as a standard: when the staff noticed illegal work, they will report it to the Department of Licenses and Inspections, ask the Department to issue a stop work order, and then encourage the applicant to follow established

procedures.

Mr. Wismer reviewed the problems that the Department of Licenses and Inspections experienced with procedural violations. He indicated that the Courts have been extremely reluctant to enforce penalties levied upon violators. He mentioned that the Department was discussing this problem with several Municipal Court judges.

Mr. Tyler stressed that the activities of the Commission and its Committees were part of a larger governmental system. Mr. Brownlee indicated that the disapproval last month was predicated less on an interest of imposing a penalty than upon the dissatisfaction with the design of the work undertaken. He stated that this criteria was the proper one for Commission judgment and that enforcement was a parallel issue. Ms. Kaplan indicated that the application for work undertaken without a permit should be treated as any other application, and that the burden of resolving other problems should rest with the applicant. Mr. Hollenberg indicated that the Committee review assumed this perspective, though at times found it extremely difficult to maintain this pretense.

THE REPORT of the Thirty-Sixth Meeting of the Designation Committee of the Philadelphia Historical Commission held on 2 February 1990, David Brownlee, Chairman. Mr. Brownlee informed the Commission that the Designation Committee reviewed eleven nominations for placement on the Philadelphia Register of Historic Places. The Committee voted to recommend ten for designation, and voted to recommend against the designation of one building.

1214, 1216-1220 and 1228-1232 Arch Street: Mr. Brownlee reminded the Commission that a vote on the designation of these buildings was deferred until April. He then presented the recommendations of the Designation Committee. While these buildings were nominated individually, Mr. Brownlee presented them as a group. These loft buildings were constructed to serve the requirements of light industrial concerns that desired close proximity to the Central Business District. They are unusual in combining reinforced concrete floors for industrial production with a ground floor showroom and decorative facade. Tall in height because of the high cost of land in the area and decorative because of its Downtown location and sales function, these buildings are fine examples of a type that have become increasingly rare with the demolition for the Convention and Criminal Justice Centers and the Gallery. These buildings contribute to each other and form a preserved 19th century

streetscape; the A.J. Holman Building in the middle of the row was designated previously.

Ms. Golab clarified that these buildings were constructed for the garment industry, whose choice of a central location differed from that of the related textile industry, which accepted more peripheral sites. She stressed that this general area employed eighty percent of the industry in the metropolitan area.

Mershon Building, 1214 Arch Street, Milligan and Webber, 1907.

A handsome Venetian Renaissance interpretation of Beaux Arts Classicism, the Mershon building possesses significance as a fine example of a loft structure, as an example of Beaux Arts Classicism, as the work of the architects of Milligan and Webber and as part of a streetscape of related buildings. The Committee unanimously recommended the designation of this building. Mr. Brownlee noted that action had been deferred until next month.

Young, Smith Field Company, 1216-1220 Arch Street, 1902. The

Young Smith Field building possesses significance as a fine example of a loft structure, as an example of simplified Beaux Arts Classicism, as the work of the architects Field and Medary and as part of a streetscape of related buildings. The Committee unanimously recommended this building for designation. Mr. Brownlee noted that action had been deferred until next month.

Breintnall Building, 1228-1232 Arch Street, Charles W. Bolton, Architect, 1909. The Breintnall building possesses significance as a fine example of a loft structure, as an example of Beaux Arts Classicism, as the work of architect Charles W. Bolton and as part of a streetscape of related buildings. The Committee unanimously recommended this building for designation. Mr. Brownlee noted that action had been deferred until next month.

Kensington Branch YWCA, 174 W. Allegheny Avenue, Hewitt, Granger and Paist, Architects, 1911-15. The YWCA building at 174 W. Allegheny Avenue possesses significance for its social history as one of the most important agencies for social reform and education in the mill districts of Northeast Philadelphia as well as for its architects Hewitt, Granger, and Paist. The Committee voted unanimously in favor of recommending this building for designation.

A MOTION was made by Mr. Brownlee to enter the Kensington Branch YWCA, 174 W. Allegheny Avenue on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded the motion. Ms. Kaplan reminded the Commission that this building was

being adapted for housing for low/moderate income families. The motion was approved unanimously by the Commission.

Integrity Trust Bank, 715-717 Chestnut Street, Paul Phillipe Cret, 1923. The Integrity Trust building possesses significance as a fine example of the work of important Philadelphia architect Paul Cret and as an early example of Cret's "Greek modernism." The Committee voted unanimously in favor of recommending this building for designation.

A MOTION was made by Mr. Brownlee to enter the Integrity Trust Bank, 715-717 Chestnut Street, on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded the motion, which was approved unanimously by the Commission.

Watkins Building, 1031-1033 Chestnut Street, Albert W. Dilks, Architect, 1894. The Watkins building possesses significance as a rare and early extant example of a Renaissance Revival/Chicago style mid-rise, as an illustration of major retailing trends on the City's pre-eminent shopping street and as the work of 19th century Philadelphia architect, Albert Dilks. The Committee voted unanimously in favor of recommending this building for designation.

A MOTION was made by Mr. Brownlee to enter the Watkins Building, 1031-1033 Chestnut Street, on the Philadelphia Register of Historic Places. Mr. Wilds seconded the motion, which was approved unanimously by the Commission.

Rowland House, 4501 Fisher's Lane, c. 1793/c. 1840. The Rowland House possesses significance as a rare surviving 18th century residence in Northeast Philadelphia, as the grandest remaining house of a 19th century settlement which remains preserved along Tacony Creek, and as the home of Harvey Rowland who managed an important saw works. The Committee voted unanimously in favor of recommending this building for historic designation.

A MOTION was made by Mr. Brownlee to enter the Rowland House, 4501 Fisher's Lane, on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded the motion, which was approved unanimously by the Commission.

E. W. Clark & Company, 1531-1535 Locust Street, Zantzinger, Borie, & Medary, Architects, 1928. The E. W. Clark and Company bank building possesses significance as a fine example of the work of Philadelphia architects Zantzinger, Borie and Medary, as an example of "Stripped

Classicism and as one of only four private banking facilities built in Philadelphia. The Historical Commission staff considered this building for designation upon the request of the Planning Commission. The Committee voted unanimously to recommend the building for historic designation.

Upon the request of Mr. Jack Sickel, representing the owner of this building, a deferral was granted until April.

Tacony Music Hall, 4815-4819 Longshore Avenue, 1885. The Tacony Music Hall possesses significance as the cultural, social and recreational center of Tacony and for its exuberant Victorian brick architecture. Tacony Music Hall was founded in 1872 by Henry Disston who bought 390 acres of farmland for his factory, the nation's first machine made saw works. Disston ran his community in a paternalistic manner, helping to fund housing, churches and this Music Hall. Once prominently featured on the mast head of the Tacony town newspaper, the building remains a major landmark in Tacony. The Committee voted unanimously in favor of the designation of this building. Mr. Brownlee also reminded the Commission that it had previously voted to recommend this building for entry upon the National Register of Historic Places.

A MOTION was made by Mr. Brownlee to enter the Tacony Music Hall, 4815-4819 Longshore Avenue, on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded the motion.

Mr. Lou Iantarola, the owner of this property, addressed the Commission. He expressed his interest that the record reflect the importance of Henry Disston. Ms. Golab assured him that the Committee Report provided a more complete history of the building which stressed the importance of Mr. Disston and his concern for his employees. Mr. Tyler informed the Commission that the building had been entered upon the National Register.

The Commission unanimously approved the recommendations of its Committee and placed this property on the Philadelphia Register of Historic Places.

Fifth District Station House, 215 S. 15th Street, Charles D. Supplee & Son, 1870/1898. The Fifth District Police Station house possesses significance as the earliest extant Philadelphia Police Station house, as a landmark in the development of the Philadelphia Police Department, as a fine example of the Second Empire style, and as the work of an important architect/builder associated with 19th century Philadelphia public buildings, Charles Supplee and Son. It remains as the oldest standing police station in the city.

The Committee voted unanimously to recommend the building for designation.

A MOTION was made by Mr. Brownlee to enter the Fifth District Station House, 215 S. 15th Street, on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded the motion.

Mr. Frank Baldwin II, attorney for Bookbinder's Seafood House, addressed the Commission. He questioned the architectural integrity of the building owing to the extensive interior alterations, some changes to the exterior and the addition to the rear. He also expressed concern about the implication of designation to the owner. Following some discussion, the Commission agreed to defer its decision on this property until the April meeting; in the interim, members of the Commission and staff will meet with the owner and examine the building.

Hotel Vendig, 1201 Market Street, J. Franklin Stuckert, 1891-1893.
The Hotel Vendig possesses significance as a rare example of a Victorian terminal hotel, for its Victorian Eclectic style and as an example of the work of J. Franklin Stuckert. The Committee discussed the appropriateness of considering a building for designation that has long been slated for demolition as part of the Convention Center project. The Committee voted to acknowledge the building's significance but voted to recommend against designation because of the established public policy decision to construct the Pennsylvania Convention Center Hotel on the site. Hyman Myers abstained from both votes because of his involvement in the Convention Center project.

Mr. Tyler informed the Commission that the owner obtained a demolition permit for the building prior to this meeting. Therefore, designation would be moot.

A MOTION was made by Mr. Brownlee to accept the recommendation of the Designation Committee and to reject the nomination of this building for entry on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded the motion, which carried unanimously.

The Designation Committee also reviewed a list of buildings in the Central Business District which they considered for designation. Having considered the significance and potential development pressure for each of the buildings, the Committee established priorities and directed Mr. Kauderer, a consultant hired by the Commission with funds from a Certified Local Government grant, to prepare nominations for them.

THE REPORT ON STAFF ACTIVITIES. Mr. Nathan indicated that the report was appropriate for incorporation into the record.

OLD BUSINESS

136 S. Front Street. Mr. Nathan noted that the Commission deferred consideration of this matter until the meeting of 18 April 1990.

154 N. Third Street. Mr. Hollenberg noted that the earlier discussion regarding work undertaken without a permit did not resolve the pending decision on this application. He reminded the other members that in February, a decision on this property had been deferred. He described the proposal and restated the recommendation of the Architectural Committee: to approve the application. Although undertaken without a permit, the work was of high quality, and failing only to replicate the original three light transoms.

A MOTION was made by Mr. Hollenberg to approve the recommendation of the Architectural Committee, to approve the application. Councilman Street seconded the motion, which was approved unanimously.

Pennsylvania Convention Center. Mr. Tyler informed the Commission that the Pennsylvania Convention Center Authority now needs a building permit to proceed with the project; however, it has not yet fully completed the final plans for the new construction or for the train shed. In order to facilitate this development, Mr. Tyler recommended that the Commission approve a building permit application subject to the submission to the Commission of the appropriate bid packages, including plans and specifications, as they become available for Commission review pursuant to Section 14-2007 of the Philadelphia Code.

Mr. Nathan asked Mr. Wismer if there was anything unusual regarding this request, as he assumed that proceeding with a foundation permit was standard procedure. Mr. Wismer noted that the Department would issue a construction permit for this structure and that subsequent elements would require other permits. Because the entire project included some items within the jurisdiction of the Historical Commission, approval was necessary. The original permit will allow phased construction to begin pending review of the component plans as they become available.

Mr. Nathan asked for confirmation that it was standard procedure to allow a complex, multi-phase project to proceed in phases. Mr. Wismer indicated that it was not uncommon

for particularly large projects. The unusual element of this project was that it involved an historic building.

Mr. Nathan asked if Mr. Tyler and Mr. Wismer were requesting the Commission to accede to proceeding without jeopardizing the Commission's review with regard to the historic elements of this project. Mr. Tyler confirmed that the approval of an initial permit would be contingent upon approval of all subsequent bid packages. The Authority would present each element for standard review by the Commission, complete with presentation drawings and models.

Councilman Street asked Mr. Tyler if he was satisfied with this procedure. Mr. Tyler responded in the affirmative. Mr. Cuorato added that the Commerce Department retained the right in the lease to approve bid packages one by one, because drawings were not complete. The Historical Commission will have the right to approve these as well.

A MOTION was made by Mr. Brownlee to approve a building permit application subject to the submission to the Commission of the appropriate bid packages, including plans and specifications, as they become available for Commission review pursuant to Section 14-2007 of the Philadelphia Code.

Councilman Street seconded the motion, which was approved unanimously.

Historical Commission Rules & Regulations. Mr. Tyler indicated that a revised draft of the Rules and Regulations had been circulated. The latest revision reflects the concerns previously expressed by the Commission, as well as those of community groups. Mr. Tyler indicated that the staff reviewed written comments submitted by the Preservation Coalition of Greater Philadelphia, the Philadelphia Historic Preservation Corporation, Spruce Hill Community Association, Center City Residents Association, and the Society Hill Civic Association. The comments ranged from endorsement, through specific constructive criticisms, to a suggestion of adopting regulations making them tantamount to the New York City Landmarks Preservation ordinance. Common concerns were provisions for the regulation of interiors, comment on new construction, and demolition by neglect.

Mr. Tyler stated that the ordinance does not allow for the incorporation of some of these suggestions. Because the Historical Commission must review all building permit applications, he did not believe that the Rules could dismiss particular types of permit applications. Regarding the concern for regulation of interiors, the Rules and

Regulations ensures review within five days. In practice, this review often has taken only five minutes. Mr. Tyler stressed the record of promptness maintained by the staff. Though all suggestions may not have been included, all were considered in light of the jurisdiction allowed by the Ordinance and the years of experience of the staff. Permits for the proposed Rittenhouse Fitler Historic District have been reviewed by the office since letters of notification were mailed. In effect, the Historical Commission has administered the Rittenhouse Fitler District for a year and a half. Those permit applications reviewed included two demolitions and a new construction. Most have been handled by the staff and only a few have been sent to the Architectural Committee. The only problems which Mr. Tyler recalled were the result of work undertaken without a permit. These constituted violations not only of the Historic Preservation Ordinance, but also of the Philadelphia Building Code.

The Law Department has not completed its review. Mr. Tyler suggested that the Historical Commission accept testimony today, allow the Law Department to complete its review, call a special meeting, approve the Rules and Regulations, send the document to Records for adoption, and if necessary, to call another special meeting. Mr. Tyler suggested that he would like to proceed with hearings for the Rittenhouse Fitler District at the July meeting. Responding to Ms. Golab's question whether this time-frame was reasonable, Mr. Tyler indicated that it was. Councilman Street stressed the difficulty of scheduling of special meetings, particularly as the budget hearings approach. He suggested that evening meetings may offer the most viable alternative. Mr. Tyler requested that the Commission solicit any other comments from the audience.

Ms. Patricia Mattern, of the Center City Residents Association, indicated that she appeared at the suggestion of Richard Tyler. She informed the Commission that the Board of CCRA mailed a letter enumerating its concerns to Mr. Tyler approximately one year ago. Having circulated a brief summary of this memorandum, she expressed concern regarding the definition of the words: alter and alteration. This definition could be inferred as restricting the owner's ability to change the color of wallpaper. While the Historical Commission does not choose to review these matters, she was concerned that it could.

Councilman Street stated that the Commission could not change the Ordinance. He asked if Ms. Mattern was implying that the Rules and Regulations should include language which will direct interpretation of the Ordinance. Ms. Mattern

reiterated that the language of the Ordinance and present Rules and Regulations concerned the Committee of the CCRA. Councilman Street asked for her recommendations. Ms. Mattern indicated that the Board of the Center City Residents Association, as indicated in the letter, would not support designation of the Rittenhouse Fitler District unless some of the concerns were addressed or alleviated. Councilman Street asked Ms. Mattern to distinguish her personal views from those which the Board authorized her to state. Ms. Mattern indicated that the Board gave her the authority to declare that it would not support the Rittenhouse Fitler District if its concerns regarding the Rules and Regulations were not addressed or alleviated. Councilman Street asked if Ms. Mattern had recommendations which the Commission could incorporate into the Rules and Regulations, or any other action which would address or alleviate her concerns. Ms. Mattern referred to the memorandum once more.

Councilman Street asked if the Law Department had reviewed the memorandum and summary alluded to by Ms. Mattern. Ms. Petrillo responded affirmatively. Councilman Street asked if the various points had been taken into consideration. Ms. Petrillo indicated that she was incorporating them at present, but that some may not be resolved. Councilman Street expressed concern that a major civic group in the district proposed for designation has serious reservations at this point in the process. He requested assurance that the Law Department, staff and witness knew what steps would follow this meeting, and that these steps would be followed to provide as much relief as reasonably possible within the Rules and Regulations. Assured of those matters, he would be satisfied to resolve other concerns at the individual district hearings.

William Jordan, President of the Center City Residents' Association, stated that Ms. Mattern's opinion was that of the Board, not of the full membership. The membership planned to meet later in the spring. Acknowledging this point, Councilman Street maintained that the concerns expressed by the representative of the Board warranted attention.

Ms. Mattern clarified the Board's position that it would not support the District, not that the Board would oppose the designation of the Rittenhouse Fitler Historic District. As Mr. Jordan informed the Commission, this position had not been brought to a vote. However, she pointed out that addressing these concerns now would facilitate the designation process.

Mr. Brownlee addressed the witness regarding the basis of the Board's opposition. Recalling that permits within the District had been reviewed for one year and a half, he asked if the Board's opposition was shaped by a negative experience. Ms. Mattern indicated that this was not the case. Discussion ensued on the definition of alteration and the jurisdiction of the Commission. Ms. Mattern stated that the definition of alter/alteration could include work beyond the scope of activities requiring a building permit. Mr. Tyler stated that building permits, plus cleaning, pointing, and re-roofing, or any other changes of appearance required Commission review.

Councilman Street requested assurance that the Law Department would meet with this group to address its concerns. Councilman Street asked that this meeting occur within a reasonable time frame. Mr. Tyler indicated that after the Law Department completed its review, that they would call a special meeting. Ms. Petrillo stated that the Rules and Regulations expressed the interpretation of the Commission. She indicated that Ms. Mattern raised valid concerns, some old, some new, which warrant further review by the Law Department.

Carol Dubie, of the University City Historical Society, informed the Commission that the Society met with Mr. Tyler and believed that the meeting was productive. She noted that the UCHS shared concerns with Ms. Mattern. In particular, her association maintained reservations regarding regulation of interior work; more importantly, the UCHS urged the inclusion of stronger, detailed provisions regarding demolition by neglect. As the Rules and Regulations would serve as the primary document for neighborhood preservation, she urged consideration of these matters.

Howard Kittell, Executive Director of the Preservation Coalition of Greater Philadelphia, commended the Commission staff for its responsiveness. He also noted some concern regarding interiors and a strong interest in further development of the provisions regarding demolition by neglect. He urged, however, that the interest in incorporating these provisions should not impede the adoption of these Rules or the pending districts. Stressing that the Rules were not likely to address every variation on a theme, he urged a measure of trust on behalf of the neighborhood groups. He alluded to his experience in other areas with less regulation which have illustrated that longstanding staff practices and precedent were important aspects of actual regulation. He stressed that the importance of trust, and the importance of these regulations

to consolidate interest in these districts, and to encourage people to invest money in restoration, knowing that properties would be safe from atrocities. Mr. Kittell submitted comments to this effect.

Mr. Hollenberg asked Ms. Mattern if her summary had any priorities. She responded that the list was neither in order, nor all inclusive.

Regarding the Rules and Regulations provisions for Financial Hardship, Mr. Wilds distributed guidelines of the Department of Housing and Urban Development.

A MOTION to adjourn was made by Mr. Brownlee and seconded by Mr. Wismer. There being no further business, the motion carried and the meeting adjourned.

Daniel W. Simcox
Executive Secretary

Minutes Approved: 14 April 1990