

**THE MINUTES OF THE 391st STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

8 February 1995

**Wayne Spilove, Chairperson
City Council Caucus Room
Room 401 City Hall**

Present _____ Wayne Spilove

David Brownlee
Barbara Kaplan, City Planning Commission
Arlene Matzkin
Susan Rabinovitch
Robert Vance, City Planning Commission
Peter VanderHeide, Department of Public Property
Scott Wilds, Office of Housing and Community Development
Stephanie Wolf

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

Jeff First, Office of the City Solicitor

Also _____ J. R. Schietinger,

Philadelphia Preservation Coalition
R. Barber, Getz & Barber Associates
Walter Weir, Patterson & Weir
Leonard J. Ciccotello, Patterson & Weir
Joseph Pacitti, Patterson & Weir
Robert B. Williams, PA Convention Center Authority
Gerald F. Murphy, PA Convention Center Authority
Liz Harvey, Rittenhouse District resident
Patrick J. Thomas, Rittenhouse District resident
Bernice Hamel, Society Hill Civic Association
W. Patrick Cranley, Rittenhouse District resident
Judith Eden, Center City Residents Association (CCRA)
Jennifer Goodman, Preservation Coalition
Milton Marks, Preservation Coalition
Melissa McRaney, Society Hill resident
Bobbie Burke, Rittenhouse District resident
Anthony W. Ridgeway, 1525 Pine Street
Jack McDavid, Down Home Diner
Dan Rubin, Philadelphia Inquirer
Lorna Katz Lawson, Society Hill Civic Association
Gretchen Worden, Eastern State Penitentiary Task Force
Lee Waldron, Grenald Waldron Associates

Bill Fisher, CCRA
Bernard Nearey, CCRA
Lenore Millhollen, CCRA & Preservation Coalition
Ann M. Agee, 257 S. 24th Street
Leanne Atherton, Interior Planning & Design
David Cohen, Interior Planning & Design
Thomas Hine, Philadelphia Inquirer
Beth Miller, National Trust for Historic Preservation
Anne Marlay, Preservation Coalition
Vernon Anastasio, Councilman Vignola's office
Alison Reed, Rittenhouse Square District resident
Otto Sperr, Rittenhouse Square District resident
Miriam Rothman, Rittenhouse Square District resident
Catharine Franklin, Penn-Knox Neighborhood Association
Adam Schneider, Philadelphia Historic Preservation Corporation (PHPC)
Randy Cotton, PHPC
Howard Kittell, Chestnut Hill Historical Society
Bernard Neary

The 391st Stated Meeting of the Philadelphia Historical Commission was called to order at 10:15am by Wayne Spilove, Chairperson.

THE MINUTES of the 390th Stated Meeting of the Philadelphia Historical Commission held on 11 January 1995, Wayne Spilove, Chairperson, were approved by unanimous vote and adopted after a motion was made by Mr. Vance and seconded by Mr. Wilds.

REPORT OF THE ARCHITECTURAL COMMITTEE, Arlene Matzkin, Chairperson

712, 714, 716 WALNUT STREET, YORK ROW

Peter Shaw, P & A Associates

Gerald Cope, Cope Linder Associates

PROPOSAL: Demolition

Architectural Committee Recommendation: Reconvene the Committee on 10 February at 2 pm in the Historical Commission Conference Room.

The Commission did not discuss or vote on this proposal at this meeting in anticipation of the 10 February Special Committee meeting.

1115-1141 MARKET STREET, READING TERMINAL

Ray Grenald, Lee Waldron, Grenald Waldron Associates

PROPOSAL: Market Lights

Architectural Committee Recommendation: The Committee voted to request a less ornate design for the 12th Street fixtures, and to visit the already present Filbert Street lights and report their opinion to the Commission.

This proposal calls for the installation of light fixtures on the 12th Street and Filbert Street facades of the Reading Terminal Market. There were no light fixtures on the building historically, although globe lights on black metal brackets were affixed in the 1960s. The Applicant has already drilled holes through masonry at the 12th Street facade, ordered the 12th Street fixtures from the manufacturer, and hung fixtures within the Filbert Street tunnel.

On Filbert Street, a globe-shaped pendant drop light would be placed in front of the Market's doorways. Ms. Matzkin reported that after visiting the site, Committee members found these lights to be too small and noted that the fixtures do not line up with each other since they occur in front of doors rather than being in every bay. Ms. Matzkin stated that there seems to be a preponderance of globe lights in association with the Convention Center and the Marriot Hotel and that Committee members questioned the use of a globe yet again at the Market. Mr. Tyler noted that a heavier, more "industrial" fixture would be more in character and would provide at least as much as or more than the illumination than available with the current fixture.

The 12th Street fixtures proposed to the Committee were not favored as they appeared to be a combination of different styles at top and bottom, a very simple globe atop a decorated tubular steel bracket. Mr. Tyler stated that the fixture should be more contemporary. Mr. Waldron explained that the Streets Department sees the 12th Street facade as an opportunity to use federal grant money to offer some illumination to the street & facade, & that globes were suggested as a unifying element.

Ms. Matzkin asked if a decision must be made at this meeting and if a fixture on 12th Street is necessary. Mr. Wilds spoke in support of fixtures on the Filbert Street facade, and stated that he would rather an historic-looking fixture that blends well with the building than a contemporary one.

Mr. Tyler expressed confusion over Mr. Waldron's description of the Streets Department's recommendations for the federal grant money, as all federally funded projects must be reviewed for their impact on buildings on or eligible for the National Register of Historic Places. Mr. Tyler did not recall this project from his review of work proposed for the Market. The design of these fixtures would need to conform to the Secretary of Interior's Standard and Guidelines for Rehabilitation, so contemporary rather than historic-looking fixtures would be required for new fixtures without a documented historical precedent. Mr. Tyler stated that he would contact the Streets Department.

Mr. Baron noted that the Committee had asked if the 12th Street lighting bracket design could be simplified by removing rings from the shaft. He asked Mr. Waldron if this simplification is possible. Mr. Waldron explained that they could be presented half-scale renderings of the lights as originally proposed and as simplified.

Mr. Wilds recommended that this matter be referred back to the Architectural Committee for resolution of these design issues.

Dr. Brownlee made a motion to refer this proposal back to the Architectural Committee which was seconded by Dr. Wolf and supported by a unanimous vote.

1115-1141 MARKET STREET, READING TERMINAL

Jack McDavid, Down Home Diner

Gerald Murphy, Reading Terminal Market

PROPOSAL: Market Signage

Architectural Committee Recommendation: The Committee recommended accepting the placement of the "Down Home Diner" sign at the corner of 12th and Filbert, and to request that a study be undertaken to address exterior Market signage.

This proposal to install the "Down Home Diner" sign at the corner of 12th and Filbert Streets would point to the diner's new location on Filbert Street, and inform the public that the diner is open at night. This is the same neon sign that has hung on Arch Street. No other permanent signage currently exists or is planned to be hung on the building

Mr. Wilds stated that this sign would be too prominent at this site, and that there is no precedent for such a sign here. He recommended that it be moved inside a window on Filbert Street. Mr. Tyler explained that Commission Staff disagrees with the Committee's recommendation to allow hanging the sign at 12th and Filbert Streets, stating that the prominent corners of 12th and Filbert and 12th and Arch should be reserved for general Reading Terminal Market Signage. He expressed his concern that other merchants would expect and request similar signage and recommended that it be hung 8-10 feet from 12th Street on Filbert Street. Historically, general Market signs hung at 12th and Arch and perhaps at 12th and Filbert Streets.

Mr. Vance noted that the Down Home Diner's lease allows for exterior signage. The Diner's owner, Mr. McDavid, spoke in support of the sign's placement at 12th and Filbert Streets, contending that the Diner is one of the Market's biggest customers for produce. He explained that during Convention Center construction the sign was removed and the diner was forced to close at night. Mr. Murphy added that no other Market proprietor has such a provision in their lease. Mr. Williams of the Convention Center Authority stated that the Authority has no interest in placing permanent general signage on the exterior of the building.

Mr. Tyler noted that the sign must be reviewed and approved by other City agencies such as the Art Commission. He was not sure whether these reviews had been pursued by the Applicants.

Dr. Wolf suggested that the Commission condition the approval of this sign to allow for revisiting the issue if the Convention Center Authority decides that general signage is desirable. Mr. Vance disagreed with this recommendation, stating that that is a lease issue.

Mr. Wilds again suggested the Commission approve a sign inside of the Down Home Diner's windows. Commission members and the Applicants continued to discuss the need for exterior versus interior signage, and whether the diner's evening hours and the darkness of the Filbert Street tunnel warrant special signage placement.

Dr. Wolf made a motion to accept the recommendation of the Architectural Committee which was seconded by Mr. Vance. Commission members voted in support of this motion with the exception of a dissenting vote by Mr. Wilds.

901 SOUTH BROAD STREET, RIDGEWAY LIBRARY

Nilo Regojo, Kise, Franks, and Straw

PROPOSAL: Fence, Sign and Parking

Architectural Committee Recommendation: The Committee voted to recommend approval of fencing Alternative "A," as well as a sign consisting of letters on a bracket pinned to mortar joints at the west portico wall. The 19 panels of historic side fencing may be replaced, but should be salvaged for future use where possible, and a transition piece should be reused at the northern parking area. Final material and color choices were also reviewed and approved. The architect was asked to return to staff with details of the system to anchor the fence to the building and the armature for the sign.

This proposal addresses most of the issues remaining with the development of the Ridgeway Library into the High School for the Performing Arts. The Applicant seeks to create signage for the school, to convert the side yards into surface parking lots, to install graffiti fencing at the entrance facade, and to repair/replace the historic iron fence. The fence is to be repaired at the front, but 20 panels of the historic side fence are to be removed and replaced with new.

Dr. Brownlee moved to accept the recommendation of the Architectural Committee. This was seconded by Mr. Wilds and passed by unanimous vote.

1801 VINE STREET, FAMILY COURT

Leanne Atherton, Interior Planning and Design

PROPOSAL: Front Gates

Architectural Committee Recommendation: The Committee recommended approval of the proposal.

This proposal calls for the installation of eleven new metal fences/gates to enclose the portico on the front of the Family Court building. There is currently a significant problem with homeless people sleeping there. The Applicant sought to derive the design from Yellin metalwork present on the building. The Committee approved the design but requested that a sample be shown to staff before construction

Mr. Vance expressed concern that no provisions are planned to be made for the displaced homeless people.

Dr. Brownlee made a motion to accept the recommendation of the Architectural Committee which was seconded by Dr. Wolf. All Commission members voted to approve this motion with the exception of a dissenting vote from Mr. Vance.

103-105 WALNUT STREET AND 107-109 WALNUT STREET

Leonard J. Ciccotello, Architect

D. Kirk Harman, Structural Engineer

Walter Weir, Jr. Legal Counsel

PROPOSAL: Demolition

Architectural Committee Recommendation: The Committee recommended denying the proposal to demolish any part of the buildings and to instead repair the roofs, brick facades, and cornices, and stabilize and mothball the buildings until a clear and probable development proposal is presented. When this proposal comes before the Committee in the future, the Committee may vote to allow some demolition of structure behind 103-105 and 107-109 Walnut Street if the facade is retained.

This proposal calls for demolishing the majority of the buildings at 103-105 and 107-109 Walnut Street to integrate pieces of the facades into an undefined future development. Of 103-105 Walnut Street, only the

cast iron ground floor would be retained for future use, along with enough structure to be attached to a temporary stabilizing metal framework. This block has been the subject of several demolitions of historic buildings in the recent past.

The Applicant currently holds a lease-purchase agreement on the buildings. The previous owner of 103-105 Walnut Street was issued a violation and ordered to repair the southeast corner of the building and responded by erecting pedestrian scaffolding on the sidewalk below as well as supporting scaffolding within the structure at that corner. Judge Nigro has suspended further action against the owner pending the outcome of this proposal.

Ms. Matzkin reported that the Architectural Committee's structural engineer visited the buildings with Mr. Tyler and the Applicant's structural engineer, and all found the buildings to be repairable.

Mr. Wilds commented that the destruction and replacement of historic structures with their facades left intact is not an acceptable proposition. Dr. Brownlee added that he would not support the demolition of buildings minus their facades when the buildings are salvageable, especially when development is not known.

Mr. Ciccotello explained that the proposal is part of a larger possible development, that the demolition request is for the structures with restoration of the facades, and that the request to demolish everything at 103-105 Walnut Street except the first floor facade is for feasibility reasons. Mr. Tyler expressed concern for the stability of high free-standing facade walls.

Mr. Tyler recommended that the Commission consider a motion to deny demolition, require stabilization and mothballing of the buildings, and require their protection from trespass through masonry sealing or a similar measure. The Commission could also move to allow the requested demolition when the Applicant's plans are better developed.

Ms. Rabinovitch stated that she would not be comfortable voting in advance for demolition in anticipation of an unknown development. Dr. Brownlee offered that the Commission vote instead to state that it has not always opposed such proposals in principle.

Mr. Weir stated that this would be satisfactory as they simply wanted to determine whether the Commission would be unilaterally opposed to demolition.

Mr. Baron stated that the violation was issued at the request of the Historical Commission so that the building would not be demolished by neglect. He stated that the Commission looks forward to working with the Applicant to determine how the southeast corner of 113-115 Walnut Street will be repaired.

Dr. Brownlee made a motion to accept the recommendations of the Architectural Committee which was seconded by Mr. Vance and passed by unanimous vote. Dr. Brownlee made a second motion to state that the Commission is not opposed in principle to future discussion of the proposal for partial demolition of these buildings as part of a larger development. This was seconded by Dr. Wolf and voted for by all except Mr. Vance, who dissented, and Ms. Rabinovitch, who abstained from voting. Mr. Vance stated that his dissenting vote owed to his belief that such a motion is unnecessary.

REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, Dr. David Brownlee, Chair,

Continuation of Hearings regarding the proposed Rittenhouse Fidler Residential Historic District.

Dr. Brownlee described the public meeting of the Committee on Historic Designation during which the requested boundary changes were reviewed on site and voted upon at Commission offices. The Designation Committee visited two boundary areas of the proposed district in response to letters received by the Commission and then returned to the Commission's office to vote on recommendations. The first area, the north side of the 2400 block of Delancey Street, was reviewed owing to a letter from one property owner who wanted the block of modern "non-contributing" buildings removed from the Register. The Committee found that many of the buildings on the street are, in fact, historic, and that their scale and character are maintained by the modern buildings. The Committee saw no way to eliminate them from the district and voted to recommend that these remain in the district.

The second area in question is the east side of 15th Street between Spruce and Delancey and the south side of the 1400 block of Spruce Street -- part of the possible site of the future Philadelphia Orchestra Hall. The persons involved with the development of the Orchestra Hall have expressed concern, through a letter and Commission testimony, about the designation of buildings that they might want to demolish. Dr. Brownlee explained that in response to these concerns and a subsequent site visit by the Designation Committee, two motions were passed. The first confirmed that these buildings possess the historic character necessary for them to become parts of the district. A second motion was passed to recognize that a higher claim on the use of that land would come from the Orchestra Hall project. Dr. Brownlee stated that this is not a recommendation for Commission action, but merely an evaluation of the situation.

Mr. Spilove requested that those giving public testimony keep their comments to five minutes in length. Their comments are paraphrased below:

Lorna Katz Lawson of the Society Hill Civic Association requested that the Rittenhouse District be passed soon so that the Society Hill Historic District may proceed.

Bernard Neary, one of the co-Chairs of the Center City Residents Association's Historic District Committee reminded Commission members that the public response to the proposed designation has been going on since November and has been overwhelmingly positive. He requested that the Commission vote at this meeting and stated that he knew of no reason not to vote.

Mr. Spilove stated in response that the Commission needs more time to reflect on the district as people continue to call with questions and there are some unresolved boundary issues.

Bobbie Burke, a 40 year resident of the Rittenhouse district and past president of the Center City Residents Association (CCRA), board member of the Preservation Coalition, and author of Historic Rittenhouse. A Philadelphia Neighborhood, described having testified at the 9 November 1994 hearing when over 100 people attended the meeting. She has attended every meeting of the Historical Commission since that time. Ms. Burke recounted the designation-related history of the district: National Register designation in 1985, first nominated for local historic district status in 1987, property owners notified in September of 1994, notice given in the CCRA newsletter and an informational meeting at St. Patrick's Church in October of 1994, the boundaries and hearing dates were posted throughout the neighborhood, four months of hearings, and eight years of waiting for the historic district.

Ms. Burke stated that she understands neighborhood response has been steady and overwhelmingly in favor of designation, and that nothing should delay the vote. She described the many improvements made to the area by caring residents over the decades. But, she noted, the integrity of historic buildings and streetscapes is in continual danger of being eroded and must have protection that the historic district

review process guarantees.

Having attended all of the meetings, Ms. Burke knew of only four or five objectors and asked for an explanation for there being no vote at this meeting. She concluded by reminding Commission members that the district was first nominated in 1987 as a result of neighborhood research and investigation, and asking again for an explanation if no vote would be taken at this meeting.

Ms. Kaplan stated that Commission members have not determined that there will not be a vote, although she admitted she was not aware of the procedure for proposing a vote.

Mr. Spilove stated that the vote is not on the agenda, and that there will not be a vote owing to the unresolved boundary questions. Ms. Burke asked why the people from the Avenue of the Arts who raised the boundary question were not in attendance and Mr. Spilove answered that they had testified at an earlier Commission meeting. Dr. Wolf contended that the Designation Committee has addressed the issue and the Commission can vote on this boundary question and resolve it. Once boundary issues are addressed, she continued, the Commission has a responsibility to vote on the district today. She suggested to vote to remove the Orchestra Hall area from boundary and then vote of the district.

Mr. Burke asked if there is no procedure for any member of Commission or a citizen to ask for a vote?

Mr. First stated that the Commission Rules and Regulations are silent on whether a citizen can ask for a vote, but suspected that Commission members could vote on whether there should be a vote, although the Rules and Regulations are silent on that as well.

Ms. Matzkin made a motion to remove the buildings on the east side of 15th Street from the district between Spruce and Delancey from within the Rittenhouse Fittler Residential Historic boundary. This motion was seconded by Dr. Wolf and passed by unanimous vote.

Ms. Matzkin then made a motion to vote on the district which was seconded by Ms. Rabinovitch.

Mr. Spilove suggested changing this motion so as to have a vote at the next meeting. Ms. Rabinovitch stated that, as supportive as Commission members want of be of the community, Commission members must be sensitive to all ramifications. Members, however, must be told what those ramifications would be to weigh them in judgement. Mr. Spilove responded that this is the first big district in the City, and one of the largest in the country, and that calls are still being received by his office. Ms. Rabinovitch asked how many calls have been received in the last month and Mr. Spilove answered that approximately six calls have come in.

Mr. Wilds stated that in a month, even more calls will be received and that there will always be questions. He declared that the Commission needs a better reason to vote "no" on this motion. Mr. Spilove suggested that the Commission should reflect on this issue for one month and that this is the first meeting since all legal notices were received. He asserted that this process has taken a long time and that one more month would not matter since the buildings remain protected during this interim period of review.

Dr. Brownlee explained that the Commission is being asked by their well-respected Chairman to delay the vote for reasons not explained, but that Commission members owe the Mayor and the citizens that elected him, their best judgement of what makes sense for the administration of the City. He stated that the designation of the district, in his opinion, makes good sense for the preservation of the City's physical resources, and that it makes eminently good sense for those who care for the success of this administration. Dr. Brownlee declared that he saw no reason for the lack of confidence in the merits of

the district.

Ms. Rabinovitch stated that the public has spoken overwhelmingly in favor of the designation and that it is her responsibility to respond to their wishes regarding the holding of the vote. She added that she will push for a vote today unless someone steps forward with a good reason not to vote. Dr. Wolf reminded attendees that a motion remains on the table.

Mr. Spilove's recommended to recess until 1 pm that day was met with strongly negative Commission and audience reaction. Commission members described scheduling conflicts. Mr. Spilove stated that this vote is very important and that a vote was not an agenda item. He requested more time to deliberate with those involved and again asked for a recess until 1 pm. Dr. Wolf worried that a quorum might not be present at this later meeting, and Mr. Spilove responded that it would be scheduled for whenever is most convenient in the afternoon.

Commission members discussed tabling and withdrawing the motion to vote on the district, but no such action was taken.

Mr. Vance stated that as Chairman of the Planning Commission, he can appreciate the position of Mr. Spilove and understand the pressures he may be under. He declared, however, that he agreed with other Commission members that the matter has been debated and has been the subject of hearings and should be subjected to a vote at this meeting, notwithstanding the few questions that remain. He noted that most members in attendance were appointed by the Mayor, and when similar situations have arisen at the Planning Commission, he has risked his appointment there by sometimes making choices that were not those supported by the Mayor. He reiterated that the reasons for delaying the vote have not been made clear, and that he cannot see any loss with the approval of the district. He added that Mr. Spilove has done the job he was asked to do, and if the vote succeeds it will have been because Commission members did what they thought was right.

Mr. Spilove asserted that he is not against the district, and that he has a lot of property located within its boundaries. Owing to this potential conflict, he recused himself from vote. Mr. First noted that a quorum is established at the beginning of a meeting and that subsequent recusals do not challenge the validity of a vote. Mr. Spilove turned the chair of the Commission to Dr. Wolf.

Dr. Wolf recognized that a seconded motion sits before the Commission on whether to vote at this meeting on the question of the designation of the Rittenhouse Fitler Residential Historic District. ***All but Mr. VanderHeide voted in favor of the motion to vote on the designation of the Rittenhouse Fitler Residential Historic District at this meeting.***

Ms. Matzkin made a motion to vote to accept the recommendation of the Committee on Historic Designation and approve the designation of the Rittenhouse Fitler Residential Historic District. This motion was seconded by Mr. Vance who also reiterated that this decision will not have been made lightly. Dr. Wolf and Dr. Brownlee added that with no contrary evidence, the information at hand is overpoweringly favorable toward designation. Mr. Vance called the question, which was passed by unanimous vote.

Ms. Goodman of the Preservation Coalition thanked the Commission for the discussion and for their vote, adding that the community appreciates their efforts.

Mr. Vance proposed a motion to express the Commission's confidence in Chairman Spilove which was seconded by Dr. Wolf and passed unanimously and heartily.

REPORT of the Activities of the Historical Commission Staff, January 1995, Richard Tyler, Historic Preservation Officer. Mr. Tyler asked if there were any questions stemming from the report, which had been distributed to Commission members.

A motion to adjourn was made by Dr. Brownlee, seconded by Mr. Wilds and approved by unanimous vote at 11:15 a.m.

Respectfully submitted,

Lori Plavin Salganicoff