

THE MINUTES OF THE 347TH STATED MEETING
OF THE
PHILADELPHIA HISTORICAL COMMISSION

14 November 1990

City Council Caucus Room

Edward A. Montgomery, Jr., Chairman

Present: Edward A. Montgomery, Jr., Chairman
David Brownlee
David Hollenberg
Jason Nathan
Reverend William D. Thompson
William L. Brown
Peter Aborn, Deputy Commissioner,
Department of Public Property
James Cuorato, Department of Commerce
David Baldinger, Deputy 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
Randal Baron, Preservation Planner
Sara Jane Elk, Historical Research Technician
Frederick Richards, Preservation Consultant
Daniel W. Simcox, Executive Secretary

Also: M. Richard Cohen, consultant
Ira Kauderer, preservation consultant
A. Kent Reyburn, Marvin J. Gerstein, George E. Moore,
and George Schmidheiser, Temple University
Stephan Pahides, Ballard Spahr Andrews & Ingersoll
Hyman Myers, Vitetta Group/Studio Four
A. Pasquarella and Loretta Kelly, Berwind Property Group
Michael F. Young, Classic Management Services, Inc.
Jason Stump, Office of Housing & Community Development
Catherine K. Franklin, Penn-Knox Neighborhood Assn.
Steve Kauffman, Penn-Knox Neighborhood Assn.
Paula S. Berenholz, M & B Enterprises
Irvin Jamison, City Council staff
William Blades,
Philadelphia Historic Preservation Corporation
Deborah Kelly and Jennifer Goodman,
Preservation Coalition of Greater Philadelphia
Beth Miller, National Trust for Historic Preservation

The Minutes of the 346th Stated Meeting of the Philadelphia Historical Commission held on 10 October 1990, Edward A. Montgomery, Jr., Chairman. Mr. Hollenberg noted two corrections. In the Architectural Committee recommendation for Drexel University (p.3), the first condition shall read "the restoration of the sash and frames for both the auditorium windows on the northern facade and those within the arch of the main entrance on Chestnut Street." Second, regarding the

recommendation for the John Wanamaker Store (p. 4), Mr. Stevenson, not Mrs. Batcheler, abstained.

A MOTION, made by Mr. Wilds and seconded by Mr. Thompson, to adopt the minutes, as corrected, carried unanimously.

The Report of the Architectural Committee of the Philadelphia Historical Commission held on 25 October 1990, David Hollenberg, Chairman. Mr. Hollenberg provided a summary of six applications reviewed by the Committee.

Approval in Concept

City Hall, Emergency Egress Alterations: Mr. Hollenberg abstained from the ensuing discussion and Mr. Levy assumed the chair. The Department of Public Property retained John Milner Associates (JMA) to explore possible solutions to Code violations in City Hall. JMA presented their plan to the Fire Department's Board of Safety. The Board concurred with the concepts proposed, but required another meeting for final approval. The architects, aware of endeavors to develop a comprehensive Restoration Plan for City Hall, proposed alterations which will not harm the historic fabric. Through the implementation of that Plan, the Board may require sprinklers throughout City Hall. Until then, JMA proposes the following alterations:

Floors Two through Five:

- Corner Stair Towers: The existing doors at the corner stair towers are not rated for fire protection. JMA proposes to install two-hour rated door assemblies just beyond the elevators, enclosing both the elevators and stair towers in protected areas. Other provisions for fire protection include pressurization of the elevator shafts and elevator recall to the first floor in event of a fire.
- Intercommunicating Stairs: Short corridors off the main east and west hallways lead to presently unprotected, intercommunicating stairs. JMA proposes to install two-hour rated door assemblies in these corridors.
- Major Corridors: To prevent smoke diffusion, JMA proposes to install smoke barriers in the middle of each corridor, dividing each floor into quadrants. These unrated barriers will be either fully or partially glazed with double doors.

Sixth Floor: JMA proposes to install two-hour rated assemblies in the corridor near four existing single-story stairs connecting floors six and seven. The assemblies will provide protected egress from these stairs to the corner stair towers.

Seventh, Eight & Ninth Floor: These floors are linked by several straight, single-story stairs. JMA proposes to install two-hour rated assemblies at their base on the seventh floor, providing protected egress.

Tower: Though emergency egress lighting and a new fire alarm and detection system are being installed, JMA proposes to further mitigate potential safety hazards by:

- establishing a place of refuge in the masonry portion;
- installing three-hour rated doors at the seventh and ninth floor entrances;
- removing combustible materials,
- installing fire extinguishers at each landing;
- repairing the staircase; and
- limiting tower occupancy at any given time.

The Board of Safety concurred with most of these proposals. However, it dismissed the need for a place of refuge in the Tower and noted that two-hour rated assemblies would be sufficient on the seventh and ninth floors.

The Committee, with Mr. Hollenberg abstaining, recommended an approval in concept of this plan. Mr. Wismer seconded this recommendation, which the Commission approved unanimously. Mr. Hollenberg abstained.

Approval

City Hall, Design Modification for Observation Platform: The Department of Public Property proposes to modify the design of the observation deck for City Hall Tower by incorporating eight clear glass panes in a twenty-four panel decorative iron railing. This alteration will provide an unobstructed view of the City for small children. The Committee recommended an approval.

1718 Walnut Street, Gap Kids Store: The Gap proposes to alter the two easternmost bays on the Walnut Street facade of the Rittenhouse Claridge, a contributing building in the pending Rittenhouse Fidler Historic District. Constructed in the mid-twentieth century, this International Style brick building has been altered considerably on the first floor by successive retail uses. The Gap maintains that the original brick frame of the bays overly restrict display space. They propose to remove the current veneer and to replace it with another veneer.

The staff suggested establishing a degree of unity at the base of this building by removing the existing terrazzo veneer on the brick piers and base and exposing the yellow brick frame of each storefront. Within these frames, tenants could establish individual commercial identities.

The Committee noted that the proposed design offered no more glass area than the original brick frame. However, given the existing alterations and the date of the building, the Committee recommended approval, contingent upon retention of the yellow brick behind the new facade.

3432-3436 Sansom Street: Architect James Kruhly proposes to alter three late nineteenth century Second Empire townhouses, which have undergone numerous alterations for their previous use as

Restaurant La Terrasse. Mr. Kruhly proposes to construct a two-story glass and steel addition on the side and rear of these properties where a wood and glass enclosed porch previously stood. The Committee recommended approval, contingent upon the following conditions:

- revision of the drawings to reflect the proposed treatment above the canopies, and
- staff review of shop drawings of the new windows and of the proposed brick color for the handicapped access ramp.

Mr. Wismer seconded the three preceding recommendations for approval, which the Commission adopted unanimously.

Disapproval

1122 Locust Street: A contractor applied stucco to the brick facades of this building without a permit. The owner assumed that the contractor obtained all necessary approvals and a building permit. The Committee recommended disapproval of this application. The stucco may remain on the rear and side walls, but must be removed from the front facade. Mr. Wismer seconded this recommendation, which the Commission approved unanimously.

The Warwick Hotel: The applicant proposed to install a new canopy and sign on the northeast corner of this building. The Committee deferred this matter and encouraged the applicant to modify the canopy contour so that it is similar to that of an adjacent canopy. Mr. Wismer seconded the recommendation, which the Commission approved unanimously.

The Report on Staff Activities, October 1990. Mr. Montgomery indicated that the staff report was acceptable for incorporation into the record. Mr. Tyler introduced Frederick Richards who will serve as a preservation consultant to the Commission.

The Report of the Thirty-Seventh Meeting of the Committee on Historic Designation held on 17 July 1990, David Brownlee, Chairman. Dr. Brownlee first discussed several issues emerging from the thirty-eighth meeting of the Committee held on 13 November 1990. On that date, the Committee reviewed a preliminary nomination for a Strawberry Mansion Historic District. The Committee recommended approval of this first phase. Mr. Hollenberg seconded the recommendation, which the Commission adopted unanimously.

Morris Building, 1411-1423 Chestnut Street: The Committee also examined the record of the designation of the Morris Building. This inquiry arose from discussions with the current owners. In 1959, the Commission designated the domed Girard Trust Company building at the northwest corner of Broad and Chestnut Streets. While reviewing early designations in 1976, the Commission determined this one met contemporary preservation standards. Consequently, the Commission ratified its 1959 designation. However, uncertainty exists whether the Morris Building was included in either the designation or the ratification. The

current procedure of preparing detailed nominations did not begin until 1982. Before then, the nomination process was simpler, generally consisting of a review of photographs, insurance surveys and chains of title, followed by brief discussion.

The question before the Committee was whether the Commission ever intended to designate the Morris Building. Existing evidence is inconclusive. The minutes of the period are sketchy. However, the index card, file label and actual notebook of designated properties all seem to include the building by extending the address of the Girard Trust Company to 1421 Chestnut Street. Further evidence supporting its inclusion is that the Morris Building is listed as significant, the highest classification, in the Broad Street Historic District on the National Register of Historic Places. Weighing against its inclusion is the fact that it was not mentioned in the minutes. Mr. Tyler also noted that in the 1950s, Frank Furness was an unpopular architect, whose work was considered ugly. Dr. Brownlee noted that if the Committee were to consider this building presently, it would examine the entire complex formerly owned by the Girard Trust Company. This complex includes the 1905-08 domed building, an adjacent 1923 office tower to the north by McKim, Mead and White and the Morris Building, designed by Furness & Evans. Though all three were designed by significant firms, the Morris Building has been altered considerably. Its top cornice has been removed and the ground floor has been altered significantly.

After examination of the building, the Committee recommended that the Commission determine that the Morris Building, 1411-1423 Chestnut Street, had not been included as part of the designation of the domed Girard Trust Company building on the northwest corner of Broad and Chestnut Streets. Mr. Wismer seconded this recommendation, which the Commission unanimously adopted.

Although the Committee for Historic Designation did not encourage the nomination of the Morris Building, it did consider requesting a nomination for the 1923 building to the north designed by McKim, Mead and White. A MOTION was made by Mr. Nathan to direct the staff to prepare a nomination for the 1923 building by McKim, Mead and White at the corner of Broad Street and South Penn Square. Mr. Hollenberg seconded this motion, which the Commission adopted unanimously.

Park Avenue Historic District, 1800-1948 Park Mall.

Dr. Brownlee next presented a nomination for the Park Avenue Historic District. A hearing for this nomination had been deferred since 11 July 1990 upon the request of the owner.

This district includes thirty-one houses along the west side of the former Park Avenue, now Park Mall of Temple University. The buildings on the east side of the street were demolished and replaced with modern university buildings. The houses, built by three different developers, remain in three intact rows. The Second Empire townhouses from 1800-1832 were built in 1872. The other two rows, 1900-1916 and 1926-1936 were constructed in 1884. The district also includes two churches. Hazelhurst and

Huckel designed the Park Avenue Methodist Episcopal Church in 1886; a Sunday School building and Chapel were added later. In 1890, a sect of Swedenborgians commissioned the construction of the Bible Christian Church. In 1916, they sold the building to the Christian Science Church, who commissioned the design of a tower by Hazelhurst and Huckel.

The district represents the post-Civil War speculative development of North Philadelphia. Previously populated only by the affluent residents of several mansions, this region grew as an "uptown" alternative to Center City after the 1870s extension of streetcar lines allowed commuting from this area to Center City. Unlike Germantown and West Philadelphia, the residences of Park Avenue were distinctly urban, more like those near Rittenhouse Square. Though many of its original residents received mention in the Social Register, by 1900, more owners were employed in the mechanical trades. Temple University started to acquire these properties in 1920; their state of preservation reflects the stewardship of conscientious owners.

Given the significance of the Park Avenue Historic District as a fine representative example of its architectural style and of the work of speculative builders, the Committee for Historic Designation unanimously recommended its placement on the Philadelphia Register of Historic Places. Mr. Hollenberg seconded this recommendation.

A. Kent Reyburn, special assistant to the president of Temple University, introduced himself as an architect and real estate developer with experience in historic preservation. Temple has treated these buildings sympathetically and appreciates the scholarly research incorporated in the nomination. However, the University remains concerned with the ramifications of historic designation. Without challenging the Commission or the nomination, Temple maintains that designation does not seem in its best interests. The University recently has experienced financial problems. With no endowment, and half of its budget funded by the Commonwealth, Temple operates under considerable fiscal constraints. The Commonwealth also serves as the primary source for the capital budget; in the last ten years, it has financed only one project. The University, therefore, wants to retain control over its own building renovations. Although the present Commission has been sympathetic to these issues, the Temple Administration remains concerned that such cooperation cannot be guaranteed indefinitely.

Councilman Street requested that Mr. Reyburn address the issue of designation. The Councilman objected to the University's request for a special agreement for historic designation and stressed that the Commission proceedings were open to the public. Many of the concerns raised by the University were addressed explicitly in the Rules and Regulations. Mr. Reyburn replied that Temple only wanted to clarify certain procedures. Mr. Tyler suggested that precedent existed for such an agreement: one had been written for the John Wanamaker Store to limit Commission review of interiors to several decorative rooms. Councilman Street suggested that such agreements were undesirable and unenforceable.

Mr. Montgomery reminded everyone that the intent of this meeting was to hear information bearing on the designation of the proposed district, not to clarify or to alter the existing Rules and Regulations. The best assurance that the Commission would offer to the university was its recent record of cooperation with non-profit institutions. Dr. Brownlee indicated that designation would ensure the preservation of these buildings even if their future stewards are not as sympathetic as the current owners.

Regarding the nomination itself, Mr. Reyburn proposed several minor changes. First, he requested changing the historic name of the district from "Park Avenue Historic District" to "Park Mall at Temple University." Second, he wanted the nomination to describe each building, including alterations. He submitted a physical inventory of the buildings for incorporation into the record. Although the Commission usually records buildings only in black and white photographs, Dr. Brownlee indicated that he was amenable to the inclusion of the inventory, subject to staff verification, in the designation record. Third, Mr. Reyburn requested separate districts for each block, so as to exclude Sullivan Hall and any lots presently vacant. Dr. Brownlee noted that Commission jurisdiction over vacant lots and new construction was limited to "review and comment." Fourth, Mr. Reyburn noted that Temple was a "private" not a "public" institution. Fifth, he requested listing the buildings not as private residences but rather as "OTHER: Institutional," with a notation that some are apartments. Sixth, the legal name of the owner is "Temple University of the Commonwealth System of Higher Education." Mr. Montgomery requested that Mr. Reyburn prepare a letter enumerating these technical corrections.

Mr. Montgomery suggested an amendment appending the physical inventory, subject to staff verification, to the nomination of this district. Dr. Brownlee moved the amendment. Mr. Hollenberg seconded the amended motion, which the Commission approved unanimously. The Park Avenue Historic District, presently known as Park Mall at Temple University, was placed on the Philadelphia Register of Historic Places.

Old Business

5324-28-28 Germantown Avenue: Demolition Permit Application

Owner Michael Young sought to demolish these buildings in July 1990 on the premise that they were structurally unsound. Having been denied, he appealed under the provisions for financial hardship. In accordance with the Ordinance, he submitted a pro forma economic analysis for the properties. The Commission retained M. Richard Cohen to analyze this report and to prepare an independent assessment. Mr. Cohen concluded that the present market will not allow for an economically viable re-use. However, rehabilitation could be viable if the owner received income tax credits for both low-moderate income housing and historic preservation.

Mr. Wilds introduced Jason Stump, Assistant Director of Development for the Office of Housing and Community Development.

Mr. Stump, who prepared an analysis of these properties, explained that most rehabilitation projects included three fiscal components: equity, debt and public subsidy. For this project, there is a gap of \$370,000, which could be provided by public subsidy. Usually, this subsidy could be funded by either the Community Development Block Grant program, the MEND rehabilitation program or Project Homes. Each will require that the properties remain used as low-income housing for the next thirty years. At present, however, Project HOMES is the only viable source for public subsidy. Subsidy from that program combined with use of both low-income and preservation tax credits could make rehabilitation possible. However, this strategy entails considerable risk and some delay. Mr. Wilds, however, noted that the owner could gain capital for this strategy by developing the portion of this site which was not designated. Steven Kauffman, a developer and member of the Penn-Knox Neighborhood Association (PKNA), opposed demolition, particularly because the Greater Germantown Housing Development Corporation (GGHDC) wanted to acquire these properties. To support this statement, he presented a letter from Herb Wetzell, GGHDC Executive Director, who encouraged a deferral to allow his organization to negotiate acquisition. Though information regarding public subsidies will not be available until spring, the Cohen report cast doubt upon the viability of the owner's proposed commercial use in the current market. For these reasons, Mr. Kauffman urged a deferral. Deborah Kelly of the Preservation Coalition supported this request.

Catherine Franklin, co-chairwoman of PKNA and long-time neighborhood resident, also opposed demolition and stressed the loss of Germantown's historic character. A report of the City Planning Commission indicated that nineteen buildings have been demolished recently on the 5300-5400 blocks of Germantown Avenue. Fourteen were on the Philadelphia Register of Historic Places and four contributed to the Germantown Avenue District on the National Register of Historic Places. The extent of demolition has transformed too much of the area into a parking lot. Mrs. Franklin noted that PKNA also wanted to preserve the adjacent buildings, which are not within the Commission jurisdiction, on West Penn Street.

Michael Young addressed the preceding remarks. Noting that GGHDC and the Coalition examined the buildings in April 1990, he stressed that neither expressed an interest in acquisition at that time. Though rehabilitation may be viable with tax credits for both low-income housing and preservation, large subsidies will be necessary given the severely deteriorated building conditions. Though one of the buildings possesses a weak second floor, the other two remain salvageable. However, given the fiscal limitations and considerable housing demand of the City, greater results could be achieved by allocating these funds to another project.

Mr. Hollenberg requested consideration of the issue of demolition by neglect. Mr. Young reasserted that he did not own the buildings during their period of deterioration. Although he owned 5324 Germantown Avenue from 1983 to 1988, he did not own the other properties for any significant time before December

1989. Mr. Young stressed that all three buildings were in good condition when he sold them. By December 1989, when he foreclosed a mortgage on them, they had fallen into disrepair. Mr. Wilds concluded that he would maintain a distinction, on this point, between 5324 Germantown Avenue and the other buildings.

Mr. Montgomery suggested a four-month deferral contingent upon the owner securing the buildings before winter. Mr. Young indicated that he could not seal them at a reasonable cost. Mr. Wismer reported on the inspection of these properties. Two of the buildings possess dangerous conditions and the Department issued a dangerous condition violation for 5326 Germantown Avenue. The building inspector, however, did not enter the buildings because of failed joists. Presently, all are sealed at street level in the front with a six-foot high fence surrounding the property. Mr. Hollenberg again suggested invoking the maintenance provision and inquired if it had been waived because a demolition permit was pending.

Councilman Street expressed reservations to deny the permit given the possibility of personal injury, a risk the City certainly should not assume. He also noted that a deferral would impose certain costs on the owner. Mr. Nathan shared these concerns. Given the delay and outlook for public subsidy and the conclusion of the Commission consultant, he suggested the Commission simply may be postponing an unpleasant decision. If the buildings are in bad condition now, they only will grow worse through winter. Mrs. Franklin stressed that the PKNA was profoundly concerned for the personal safety of neighbors and their children. That concern spurred the community association to maintain a vigilant watch on the properties and to request that the Department seal the buildings. She suggested that raising the height of the fence along Penn Street would offer greater protection. Mr. Young noted that he was not averse to installing barbed wire on top of that fence.

Dr. Brownlee suggested allowing the demolition of the rear sections of these buildings, contingent upon the restoration of the front portions. This rehabilitation strategy may produce a more favorable economic analysis. Mr. Kauffman supported this suggestion.

Councilman Street requested that the Department secure the properties and barricade the footway to limit the risk of personal injury. Mr. Wismer indicated that he would resolve these issues with the owner. The Councilman then stressed the importance of devising a strategy during a deferral period and suggested limiting the time allowed to a month. Mr. Nathan supported this limitation, having noted that previous meetings resulted in no tangible agreement. Mr. Cuorato commended Mr. Young for his cooperation, but expressed concern that the present discussion would recur in three months. However, he would support a thirty-day deferral if Mr. Young was amenable. Mr. Young indicated that this deferral was acceptable.

Mr. Kauffman noted that a month deferral would yield no further information regarding public subsidies, leaving a significant question unanswered. The Commission stressed that all interested

parties still could reach an agreement on a rehabilitation strategy. Councilman Street noted that he would recommend demolition of the buildings assessed as dangerous if there were no agreement.

A MOTION was made by Councilman Street to defer this matter until the meeting of 14 December 1990, contingent upon the sealing and securing of the properties and the agreement by all representatives of interested parties that they will meet to devise a rehabilitation strategy within thirty days. Dr. Brownlee seconded this motion, which the Commission approved unanimously.

24-26-28 South 21st Street: Demolition Permit Application
Owners Joseph and Paula Berenholz proposed to demolish these buildings which were designated in 1982. Mrs. Berenholz stressed that their designation as historic did not appear in a title search conducted prior to their acquisition. They purchased the properties with the intent to demolish them for construction of a high-rise office building. When they applied for the demolition permit, they learned of their historic designation. Since then, the deterioration of the buildings and decline in the real estate market have imposed financial hardship upon them. Having noticed a crack in the rear wall in April 1990, the owners vacated the buildings. When the insurer inflated their rate to that for "high-risk," they cancelled the policy. The Department of Licenses and Inspections recently notified the owners to repair or demolish the buildings. Mrs. Berenholz submitted that she had cooperated with the Commission, that the properties had been on the market for a year and a half, and that there have been no offers though the price has been lowered three times.

Several Commission members questioned the report prepared by M. Richard Cohen. Mr. Wilds doubted its assumptions regarding the development potential of this site. Mr. Baldinger noted that development scheme C was not permitted under existing zoning.

Mr. Tyler noted that several adjacent buildings had been razed under the provisions of the old ordinance, which only allowed the Commission to delay demolition for a period of six months. Together, the six buildings formed a late nineteenth century streetscape with integrity. The demolition of the other three detracted significantly from this character. Mr. Tyler clarified that the Department assessed the buildings as "public nuisances". Given the current market, he recommended approval of the permit.

Deborah Kelly of the Preservation Coalition urged the Commission to defer this matter for a period of sixty days. She stressed that the Commission's consultant, who was aware of the aforementioned factors, recommended a 60-day delay.

A MOTION was made by Mr. Nathan to approve the demolition permit application. Mr. Hollenberg seconded the motion, which the Commission approved unanimously.

New Business

Harry A. Batten Memorial Fund: Mr. Tyler requested permission to allocate one thousand dollars from this fund for an advance payment to consultant Frederick Richards. Mr. Richards shall restore this money to the fund when he receives compensation from the Commonwealth for services rendered.

A MOTION was made by Dr. Brownlee to allocate \$1,000 from the Harry A. Batten Memorial Fund for a loan to Frederick Richards. Mr. Hollenberg seconded this motion, which the Commission approved unanimously.

Mr. Montgomery indicated that the Commission had completed its agenda, and would convene an executive session to discuss pending legal issues.

The Commission adjourned at 12:40 p.m. The next Stated Meeting of the Commission is scheduled for 12 December 1990.

Minutes Approved: 9 January 1991

Daniel W. Simcox,
Executive Secretary