

**THE MINUTES OF THE 596TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 13 APRIL 2012
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman, Chair
Anuj Gupta
Dominique Hawkins
Rosalie Leonard, Office of City Council President
Sara Merriman, Commerce Department
John Mattioni, Esq.
Joseph Palantino, Department of Public Property
Daniel Quinn, Department of Licenses & Inspections
David Schaaf, Philadelphia City Planning Commission
Robert Thomas, AIA
Betty Turner

Jonathan Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Jorge Danta, Historic Preservation Planner II
Rebecca Sell, Historic Preservation Planner II

ALSO PRESENT

John Gallery, Preservation Alliance
Ben Leech, Preservation Alliance
Rustin Ohler, Harman Deutsch Architects
Ryan Solimeo, Harman Deutsch Architects
Howard Haas
Michael Sklaroff, Esq., Ballard Spahr
Jerry Steinbrink, Philadelphia Media Network
Sherman Aronson, BLTa
Geoffrey Klein, BLTa
Chris Mrozinski, PREIT
Nancy Kilpatrick, PREIT
Terry A. Necciai, RA, TANRA Historic Preservation Consulting
Samir Benakmoume, Rimas Properties
Kit Leary
Ron Patterson, Esq., Klehr Harrison
Alon Glasberg, D & A Real Estate
Robert Powers, Powers & Co.
Jafar Malek
Tim Kerner, Terra Studio
John Cunningham
Amber Allison Luther
Adrienne Mendell, Spring Garden Civic Association
Joan Wachlin, Spring Garden Civic Association
Rich Thom, Old City Civic Association

Russ Troyer
David Orphanides, Esq.
Mike Black-Smith
Justino Navarro, Spring Garden Civic Association
Kevin McMahon, Powers & Co.
Tom Lutz
Al Hanssen
Howard Horwitz

CALL TO ORDER

Mr. Sherman called the meeting to order at 9:00 a.m. Commissioners Gupta, Hawkins, Leonard, Mattioni, Merriman, Palantino, Quinn, Schaaf, Turner, and Thomas joined him.

MINUTES OF THE 595TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Leonard moved to adopt the minutes of the 595th Stated Meeting of the Philadelphia Historical Commission, held 9 March 2012. Mr. Thomas seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 27 MARCH 2012

Dominique Hawkins, Chair

CONSENT AGENDA

Mr. Farnham introduced the consent agenda and explained that it included only one application, 411 Spruce Street. Mr. Sherman asked if any Commissioners had comments on the Consent Agenda. No one offered comments. Mr. Sherman asked if the audience had comments on the Consent Agenda. No one offered comments.

ACTION: Ms. Merriman moved to adopt the recommendations of the Architectural Committee for 411 Spruce Street. Mr. Schaff seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 411 SPRUCE STREET

Project: Construct garage with roof deck

Type of Review Requested: Final Approval

Owner: David Naussbaum

Applicant: Rustin Ohler, Harmon Deutsch Architects

History: 1818, James Hall and Joseph Lyndall, carpenters

Individual Designation: 12/3/1981

District Designation: Society Hill Historic District, Contributing, 3/10/1999

Staff Contact: Jorge Danta, jorge.danta@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the garage door is metal and the deck door is wood, with the staff to review details.

OVERVIEW: This application proposes to construct a garage addition at the rear of the property. The rear faces a service alley, which is lined with garages and parking pads on both sides. A brick rear wall would be removed and the ground-floor, rear façade of the rear ell would be altered. However, they are not historic, but instead date from a mid twentieth-century restoration. The one-story garage would be topped by a roof deck. The brick walls of the garage would extend up to serve as railings for the deck. A second-floor rear window opening would be enlarged and a door installed for access to the deck.

ACTION: See consent agenda.

ADDRESS: 801 MARKET ST, UNIT 1

Project: Install canopy with signage, replace doors

Type of Review Requested: Final Approval

Owner: PREIT Rubin, Inc.

Applicant: Sherman Aronson, BLT Architects

History: 1903, 1929, Addison Hutton, Grant Simon, architects, Strawbridge & Clothier
Department Store

Individual Designation: 6/9/2006

District Designation: None

Staff Contact: Jorge Danta, jorge.danta@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial.

OVERVIEW: This application was revised since the Architectural Committee meeting. It proposes to install a canopy with signage and replace non-original metal doors on the Market Street façade of the older or western section of the former Strawbridge & Clothier building. The entrance retains an original bronze door surround with a cast spandrel. The publisher of the Philadelphia Inquirer will move from its historic headquarters on N. Broad Street to this building. The newspaper publisher proposes a metal canopy with glass and metal letters to mark the entrance to its new facility. The canopy would be attached to the stone jambs of the entranceway and to the intrados of the arch above the entrance, not the façade of the building. The canopy has been reduced in size to project four feet from the façade. The doors proposed for replacement are non-historic.

STAFF RECOMMENDATION: Approval, pursuant to Standard 9.

DISCUSSION: Ms. Leonard recused from this application because a relative has a business relationship with the property owner.

Mr. Danta presented the application to the Commission. Attorney Michael Sklaroff, architect Sherman Aronson, and tenant Jerry Steinbrink represented the application.

Mr. Aronson described the revisions made to the application that incorporate the suggestions received at the Architectural Committee meeting. He described the revised design as a simple steel frame and glass marquee to project four feet from the face of the building. He noted that the marquee would match the bronze color of the door surround and doors, thus harmonizing with the existing fabric at the entranceway. He specified that the existing door and surround are not bronze, but painted wood or metal to look like bronze. He stated that the attachments details were complex, but that they were able to revise the support. He explained that the attachment details have been revised to be installed through the intrados of the arch and then welded to steel framing in the interior of the building, which would not necessitate the use of attachments

through the face of the building. He further noted that the marquee is also bolted to the inside of the door jambs for lateral support. He stated that the letters of the sign would be individually attached to the marquee and illuminated by a concealed LED lighting strip. Mr. Aronson stated that the new doors would comply with ADA requirements and that the marquee would be properly drained with concealed lines in the interior of the wall of the building.

Mr. Sklaroff stated that, before the Commission accepts public comments, the owners would like to comment on the issue raised in regards to the removal Strawbridge & Clothier signs. Mr. Sklaroff requested that the Commissioners focus their review on the proposed marquee and, once that review has taken place, then discuss the removal of the signs.

Ms. Hawkins stated that the architect had made a genuine effort in addressing the concerns of the Committee members. She noted, however, that the opposition to the marquee was not merely based on the attachment details. She explained that the geometry of the marquee and its juxtaposition against the arch were also objectionable. She stated that, personally, she had a philosophical opposition to the appropriateness of a marquee at this location.

Mr. Thomas pointed to the photographs of other marquee on designated historic buildings, which the Commission had approved through the years. He stated that the proposed marquee meets the Standards and Guidelines. He explained that the marquee does not obstruct the historic opening and that there is a need for the new tenant to have signage. Mr. Schaaf observed that the plate in the jamb is shown below the entablature of the door surround. He asked if it could be raised slightly to align with the entablature of the door surround. Mr. Aronson stated that he believed that it could be raised, but that they would have to discuss the matter with their engineers. He explained that the proposed location relates to the structure in the wall. Mr. Sklaroff stated that, if the Commission approves the application, they could then work with the staff on those details.

Mr. Sklaroff stated that the removal of the Strawbridge & Clothier letters was carried out by a previous owner. He stated "three truths": the current ownership did not remove the letters, the current owners do not have the letters, and they have no legal rights to use the Strawbridge & Clothier name. Mr. Sklaroff stated that they would like to address the issue of the Strawbridge & Clothier signs in a separate proceeding. He noted that, even if the letters could be replicated, reinstalling that brand name on the building would be problematic. Mr. Mattioni opined that any discussion on the Strawbridge & Clothier signs would be irrelevant to the application at hand. Mr. Sklaroff stated that, traditionally, the Historical Commission has approved changes to signage with historic names on buildings. He provided the Fidelity Building on South Broad Street as an example. He pointed out that the ghosts of the Strawbridge & Clothier letters would remain and that the proposed marquee would not affect that area in any way. He stated that he would hope not to discuss this issue lightly and that the Commission would take it up as a separate issue and not related to the discussion of the proposed marquee. Mr. Thomas noted that the Commission should not venture into a discussion of an issue for which no application has been received. He stated that the current application does not propose any alterations to the area where the Strawbridge & Clothier once was. He pointed out that no violation has been issued for the removal of those letters and that any discussion on the removal of those letters is not relevant to the application at hand. Mr. Sherman posed a hypothetical question. He asked: if the new tenant was not the Inquirer, but a new department store, would they have to retain the sign of a former department store on the façade of the building? Mr. Thomas noted that it could be discussed only if the new signs were affecting the former signs. He asserted, however, that the current application does not propose any work to that area of the building. Mr. Thomas stated that the issue of the removed signs needs to be dealt with at a later time, and not as part

of this application. Mr. Sklaroff agreed with Mr. Thomas. Ms. Hawkins stated that the Committee members were of the same opinion and had suggested that the Commission should direct the staff to investigate possible violations for the removal of the signage.

Howard Haas objected to the approval of the marquee without the restoration of the former Strawbridge & Clothier signs. He read a statement in opposition to the application into the record.

John Gallery of the Preservation Alliance stated that the revisions made to the marquee address most of the issues raised by the Architectural Committee. He noted that the revised design is appropriate for the Commission to approve. He stated that he was also present to speak about the issue of the removal of the Strawbridge & Clothier signs. He stated that he had approached Dr. Farnham in 2007 to alert him about the removal of the signs. He pointed out that, not just one sign was removed, but numerous signs had been removed. He stated that he was told at the time that the issue would be addressed once the owner of the building was ready to propose work on the façade. He noted that this seemed unusual to him at the time. Mr. Gallery stated that, if the owner of a single family house on Society Hill removed historic windows and installed vinyl windows, the Commission would not wait until the owner proposes work on the façade to address that removal, but that a violation would be issued immediately. Mr. Gallery questioned the difference in treatment for this property and the difference of standards, and described the special treatment as inappropriate. Mr. Gallery stated that no one walks into the Lit Brothers building expecting their hats to be trimmed for free, or the Lowes Hotel to make a deposit at a PSFS bank account, merely because historic signs on the façade allude to the former uses of these buildings. He stated that it is possible for history to live in the present. Mr. Gallery stated that the Commission would not ignore an illegal condition on the front façade of a building when work is proposed, even if it does not affect the area in violation. He stated that in these situations an application would likely be tabled and a request made of the property owner to either correct the violation or to request legalization. Mr. Gallery noted that this owner should not be treated by a different standard. Mr. Gallery requested that the application be tabled and that any discussion on the marquee include a discussion on the illegal removal of the Strawbridge & Clothier signs.

Mr. Farnham pointed out that in calendar year 2011 the staff requested 52 violations, even though it was aware of several hundred buildings with illegal alterations. Mr. Farnham stated that any assertion that the staff has the capacity to request a violation for every potentially non-compliant condition for every one of the 22,000 designated properties in the city is completely unrealistic. Mr. Farnham noted that the staff has had conversations with the owner of this property over the years about the removal of the signs. He stated that the claim that the staff has ignored the removal of the signs or that it has treated this owner differently is not true. He reiterated that not all potential non-compliant conditions lead to the request for a formal violation notice from the Department of Licenses & Inspections. He clarified that a violation is immediately requested in the most egregious cases. The removal of the Strawbridge & Clothier signs did not rise to that level. Addressing Mr. Gallery's claim that the staff should have requested a violation between the Architectural Committee and Commission meetings, Mr. Farnham clarified that the staff would not act in that manner, usurping the authority of the Commission; the staff would not take such action unilaterally, but would follow the direction of the Commission. Mr. Farnham clarified that any claims that the Commission has a practice of denying applications when aspects of a property unrelated to the applications are potentially out of compliance is completely false. He advised the Commission to review and act on the application at hand without prejudging the allegation of non-compliance regarding the signs.

Mr. Mattioni agreed with Mr. Farnham's observations. He stated that the Inquirer should not be held hostage for the actions of a previous owner. He stated that the discussion of the removed signs is not pertinent to the application in front of the Commission.

ACTION: Ms. Merriman moved to approve the revised application as presented to the Historical Commission at its meeting of 13 April 2012, pursuant to Standard 9. Mr. Mattioni seconded the motion, which passed by a vote of 10 to 1. Ms. Hawkins dissented.

ADDRESS: 263 N 03RD ST

Project: Construct building on one-story remnant

Type of Review Requested: Final Approval

Owner: N. 3rd St. LLC

Applicant: Ronald J. Patterson, Klehr Harrison Harvey Branzburg LLP

History: 1840

Individual Designation: None

District Designation: Old City Historic District, Non-contributing, 12/12/2003

Staff Contact: Jorge Danta, jorge.danta@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 3 and 9.

OVERVIEW: This application proposes to construct a four-story addition on top of a one-story building. The one-story building is a remnant of a nineteenth-century building. It is classified non-contributing in the district.

The Historical Commission reviewed and approved a similar application in May 2005. The 2005 approval included the demolition of the nineteenth-century ground floor and the construction of a five-story building with mansard and small balconies. The staff approved construction drawings in July 2008, but the building was not erected.

The application has been revised since the Architectural Committee meeting. The applicant has incorporated all the comments received at the meeting. The revised application is very similar to the application approved in 2005 by the Commission. The revised design presents a building of the same massing and height as the one previously approved. The detailing of the building differs slightly from the one previously approved. The proposed design, however, is compatible with the district. There are two major components of the current application, which were not part of the previous approval. The current approval proposes to clad the building in brick, and it proposes the retention and restoration of the marble ground floor along 3rd Street. These two elements are far more compatible with the district than the previous approval for the demolition of the remnant and the cladding of the new construction with stucco.

STAFF RECOMMENDATION: Denial, pursuant to Standards 3 and 9.

DISCUSSION: Mr. Danta presented the application to the Commission. Developer Samir Benakmoume and attorney Ron Patterson represented the application.

Ms. Hawkins stated that the revisions since the Architectural Committee meeting address the Committee's suggestions. Her fellow Commissioners agreed.

ACTION: Ms. Hawkins moved to approve the application, pursuant to Standard 9. Mr. Thomas seconded the motion, which passed unanimously.

ADDRESS: 229 MARKET ST

Project: Legalize signage and lighting

Type of Review Requested: Final Approval

Owner: Rimas Properties

Applicant: Jafar Malek, Old City Frozen Yogurt

History: 1840

Individual Designation: 11/4/1976

District Designation: Old City Historic District, Contributing, 12/12/2003

Staff Contact: Rebecca Sell, rebecca.sell@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the vinyl sign over the metal panel transom and refacing of the box sign, but denial of box sign's internal illumination, storefront lighting, and smaller projecting sign, pursuant to Standard 9.

OVERVIEW: This application proposes to legalize signage and lighting installed on the façade of this building. A very large, existing, projecting sign armature mounted on the second and third floors of the building was refaced with internally-illuminated plastic-faced signs. The armature was in place when the building was designated in 1976. A large sign was added in the transom area of the storefront. Three light fixtures were installed in the transom area. A small projecting sign was installed at the west end of the storefront. The signs and lights were added without the approval of the Historical Commission or a permit from the Department of Licenses & Inspections.

DISCUSSION: Ms. Sell presented the application. Tenant Jafar Malek represented the application.

Ms. Hawkins asked the applicant if he agrees with the Architectural Committee's recommendation. Mr. Malek responded that he accepts the recommendation, but stated that he will need to find an appropriate lighting fixture for the storefront. Ms. Hawkins suggested that he work with staff to select an appropriate fixture.

ACTION: Ms. Hawkins moved to adopt the recommendation of the Architectural Committee and approve the vinyl sign over the metal panel transom and refacing of the box sign, but deny the box sign's internal illumination, storefront lighting, and smaller projecting sign, pursuant to Standard 9. Ms. Leonard seconded the motion, which passed unanimously.

ADDRESS: 626-30 N 21ST ST

Project: Remove rear section of church building, replace side windows, remove sign

Type of Review Requested: Final Approval

Owner: Alon Glasberg

Applicant: Rustin Ohler, Harman Deutsch

History: 1926, Welsh Presbyterian Church

Individual Designation: None

District Designation: Spring Garden Historic District, Significant, 10/11/2000

Staff Contact: Rebecca Sell, rebecca.sell@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial.

OVERVIEW: This application proposes to remove the rear portion of a church building, which is being rehabilitated for a new use. The church building is a simple rectangle in plan. It extends 80 feet back from the front façade on 21st Street, from front to rear property lines. The rear wall is separated from the building to the west by a narrow slot. The rear 20 feet of the building would be removed and a stucco wall constructed at the opening. Five-foot-wide alleys run alongside the building at the north and south, separating it from the buildings to either side. No portion of the rear wall is visible from the public right-of-way. The rear sections of the side walls are minimally visible from the street. The side windows would be replaced. No details have been provided for the new side windows. A non-historic box sign would be removed from the front façade.

DISCUSSION: Ms. Sell presented the application to the Historical Commission. Developer Alon Glasberg, architect Rustin Ohler, and attorney David Orphanides represented the application.

Ms. Sell noted that the applicants provided additional details after the Architectural Committee meeting. She explained that the rendering submitted showed that the rear most bay, one of six bays, and chimney at each side wall would be removed. She directed the Commission to pages 4 and 5 that showed the existing conditions and proposed conditions in rendering and photograph. She stated that the additional details showed that the proposed windows in the side elevations would be a two-over-two, aluminum-clad, double-hung sash.

Mr. Orphanides clarified that the correct length of the proposed demolition is 18'6" and not 20' as stated in the overview. He asked the Commission to explain the basis of the Architectural Committee's recommendation of denial. He stated that the architect was advised that the application was incomplete; it is now complete. Ms. Hawkins asserted that, at the time of the Architectural Committee review, the application was incomplete. It is now complete, but the proposal is not necessarily appropriate. She explained that the Committee had some aerial photographs at the time of its meeting, but not the detailed information that was subsequently provided.

Mr. Orphanides explained that the developer wanted to reuse the building without any demolition, with the exception of the removal of hours of service signage and a projecting cross, as an eight-family dwelling unit. However, the current building does not comply with some zoning requirements. He explained that the property is zoned for a multi-family use and therefore believed their proposal is appropriate. He stated that, as the number of proposed units is increased, a rear yard area is required. He asserted that with eight proposed units, 844 square feet of yard area will be needed. To maintain the building as it exists from property line to property line, he explained that they were unable to meet the open space requirement and a

refusal was issued by the zoning reviewer. He stated that the developer and architect appeared before the Spring Garden Civic Association to present their proposal and discuss the zoning application. He warned the Commission members not to be manipulated by the community in this process. He explained that, although the property lies within a multi-family unit zoning district, the neighbors are opposed to the project because no off-street parking would be provided. He added that parking is not required under the zoning code as it is an existing structure. He claimed that the community was not concerned about the rear yard area or demolition, but instead about density and parking. He claimed that it was suggested by some neighbors that the building should be completely demolished and two single-family homes constructed. He asserted that the community is against his client's proposal for adaptive reuse of the property as it exists. He maintained that they propose no alterations to the front façade, with the exception of repointing, repainting, and removal of two signs. He stated they will maintain the sides of the building more than 60 feet back. The sections that would be demolished cannot be seen from the street. He distributed photographs of the rear elevation of the property. He noted that the rear alley is very narrow, has no significance, and is used as trash alley. He asserted that churches generally are losing members and closing and that many church buildings have been sold and demolished. He recalled two examples on 20th and Fitzwater and 19th and Poplar of church demolition. He recalled a church on the 1500 block of Green Street that was adaptively reused without significant modifications to the front façade, but with spiral stairs permitted on the roof. He stated that they would like to do something similar. He described the history of the site as an adaptive reuse from a post office to a church between 1920 and 1942, when the front façade was altered. He asserted that they are not proposing to alter the front façade. Mr. Orphanides directed the Commission to the Secretary of the Interior's Standard 9, which references distinctive character-defining spaces, materials, spatial relationships, features or finishes, construction techniques or examples of craftsmanship. He asserted that those features on this building would be preserved. He stated that the Secretary of the Interior's Standards call for new uses with minimal changes to defining characteristics of the building and its site and environment. He asserted that they are giving a soon-defunct church property a new use with minimal changes that will not be noticed by the general public. He stated that the proposed changes do not radically obscure or destroy any character-defining elements. He opined that the building is not of particular significance in and of itself or a rare survivor of a master architect or craftsman, nor did an important event take place there. He opined that, other than the front façade, he is not sure how the building contributes to the significance of this district. He referenced the Standards regarding districts and stated that the rear of the building is in a very tight area. He explained that they will be maintaining the relationship of the building to the adjoining buildings and will not affect the character of the district or neighborhood. He asserted that they are not proposing to create a false historical appearance or introduce a new building that is out scale or otherwise inappropriate in the district. He asserted that they are not proposing to introduce new construction that destroys historical relationships. He concluded his overview of the Standards and stated that their proposal is an appropriate use and modification for this site.

Ms. Merriman asked if the only new windows proposed would be in the back wall. Mr. Ohler answered that they also propose to replace the windows in the sides of the building with wood, aluminum-clad, 2-over-2, double-hung sash. He stated that the existing windows are broken and deteriorated stained glass windows, which are covered up by storm windows. He asserted that, to adapt the building for residential use, the code requires installation of egress-compliant windows. He explained that the building is constructed with large timber-framed trusses; a truss is located between each window bay. He explained that they propose to remove the rear of the building up to the first truss from the rear of the building; in other words, they would remove 18'-6" of the rear of the building. He stated that the rearmost bay would be removed, but the truss

will be retained, and a new rear wall would be built and stuccoed. He asserted that the rear is currently land-locked and directed the Commission members to a photograph of the conditions in the sides and rear. He described the photograph as in front of an existing metal gate and photographed down the alley with a 10x zoom lens. The photograph was juxtaposed to a photograph altered in Photoshop to show the proposed conditions without the chimneys and rear bay.

Ms. Merriman asked what the existing conditions of the windows were on the north and south elevations. Mr. Ohler stated that they are wood windows with stained glass in the frames covered up with storm windows. Mr. Orphanides stated that they propose to use a clad material for the new windows as they are not conspicuous from the street. He suggested that, if an approval would be based on use of real wood, they would make that concession and install real wood.

Ms. Merriman stated that the Commission will see more adaptive reuse of churches in the future and that it will need to be more open to alterations in order to keep church buildings in use. She explained that the church is nestled in between three buildings and surrounded on all sides but the front. She stated that the best view of the rear of the building is in an aerial photograph and would not be visible from the street. She stated that, while it is not ideal, with the provision that the windows are wood, the proposal is acceptable for this building and the property. She stated that, if this modification is what is needed to keep the building in use, then she would be inclined to vote for approval.

Mr. Thomas stated that he wanted to make clear that zoning is not an issue that the Commission should consider. He explained that the Commission is to consider the demolition proposed in the application. He stated that he is very familiar with the block as he once lived a few blocks away. He affirmed that you can barely see the rear sides of the building, if at all. He proposed a hypothetical scenario if he were to purchase the property for a residence and studio. He stated that he would want to open a portion of the rear for light and air. He acknowledged that the Commission does not review use. He described a similar proposal for an old grain elevator building that was converted into studio and residence. He stated that the main issue they face is the removal of the last bay, which is not visible from the public right-of-way. He concluded that, if the proposal allows for the reuse of the building for whatever the reason, then he would support it.

Ms. Leonard asked the staff what the standard is for demolition. Mr. Farnham responded that the primary question before the Commission is whether they consider this proposal to be an alteration or demolition. He explained that the ordinance defines demolition as "the razing or destruction, whether entirely or in significant part, of a structure, site or object." He advised the Commission members that, as they review this project, they need to decide whether or not the removal of this last bay is "in significant part" or not. He suggested that one of the factors that should be considered is whether or not the section to be removed is within the public realm. He stated that the Commission is charged with protection of historic resources for the benefit of the public. He explained that the Commission should decide whether the public has an interest in the preservation of the rear of this building. That will depend on the visibility down the two alleys and whether or not the section to be removed includes character-defining elements. He advised that the Commission must determine whether the proposed work constitutes a demolition or an alteration in the legal sense. He informed the Commission members that, if they determine that it is an alteration, then they need not concern themselves with the questions of necessity in the public interest or financial hardship; in that case, they should apply the Secretary of the Interior's Standards.

Ms. Hawkins stated that one of the concerns of the Architectural Committee was that over 20% of the original building is proposed to be removed. She explained that the majority of the Committee believed it would constitute a demolition.

Mr. Thomas stated that, if this proposal were for removal of the rear wing of a building that was added later, the Commission would probably agree that it was an alteration, not a demolition. He explained that the removal of 20%, in this case, is a judgment call. He stated that, if the building had a side yard, he would not support removing any portion. He explained that is a matter of opinion. He stated that, because the public cannot clearly see this section of the building, he considers this to be an alteration.

Mr. Orphanides reiterated that the decision to remove the rear back to the first truss makes structural sense. He stated that it was the smallest section of the building that they could remove that made structural sense. He explained that they are not looking for a specific amount of open area. Ms. Hawkins argued that there are other ways to develop structural support. Mr. Orphanides countered that there are windows between the trusses and to remove less of the rear would result in bisecting a bay. He stated, however, that he is open to alternatives. Mr. Thomas agreed that it could be supported at other locations, but that this location is the most convenient. He argued that to remove a portion of the building, for whatever reason, would not change the appearance of the building in a significant manner from the public way. He argued that the public's interest in the appearance from the street would be protected.

Kit Leary, a neighbor, stated that he lives 30 feet from the church property. He stated that the community wants the church to be preserved and not demolished in any part whatsoever. He stated that the proposal is not necessary. He explained that the applicant has a zoning variance request before the Zoning Board of Adjustment to construct eight units within the existing structure without demolition. He surmised that adaptive reuse is possible without demolition. He stated that there are many adaptive reuse possibilities without any demolition. He submitted a letter from the president of the Spring Garden Civic Association. He stated that scores of nearby residents strongly oppose the demolition. He recalled that two well-respected historians testified at the Architectural Committee meeting that they were opposed to the demolition: John Gallery and Bob Powers. He explained that there is a misunderstanding about the community. He claimed that demolition was never proposed to the community. The consensus at the community meeting was that the building could be adaptively reused for one or two residential units. He stated that this matter is really about zoning and not historical issues. He submitted a petition to the Commission with 84 signatures and noted that more emails were sent directly to staff. The staff distributed the emails and letters at the start of the meeting. He stated that the proposal is clearly demolition of a significant part of the building. He cited the building permit application's description of work, "for the demolition of the rear one-story portion as per plans." It clarified that the portion of the building proposed for demolition is not one-story, but rather a 40 to 50-foot high piece of the building. He submitted photographs of architectural features that are clearly visible from the public right-of-way. He explained that there are chimney and corbelling at the junction of the rear and side walls that are quite large and unique. He explained that this is a walking community and one is able to look down the side alleys and see the sides of the building. He stated that the north alley is wider than five-and-one-half feet because the adjoining property also has a narrow alley on its property. It stated that the architectural features are visible and are part of the original 1892 construction. He urged the Commission to deny the proposal and concluded that high density is not the only path to the redevelopment of this property.

Al Hansen, a neighbor, stated that he was on the historic committee of the Spring Garden Civic Association that wrote the application to place the district on the National Register in the 1970s. He stated that he has been a resident of 2000 block of Wallace Street for 39 years and has seen many changes in the neighborhood. He stated that his house is a twin and that the rear is visible from Mount Vernon Street. He argued that the Commission would not let him alter or remove the rear portion of his home. He argued that the back of the church is visible. He disagreed with Mr. Thomas and stated that he looks down the alley and can see the rear of the building. He asserted that the building is a historic structure and is listed as significant to the district. He stated that any demolition would be an affront to the preservation work done by the community. He described the revitalization of the neighborhood and the change from rooming houses to single family homes. He argued that this applicant proposes to take the neighborhood in another direction. He argued that it is the applicant's intention to sidestep the Zoning Board. He clarified that no neighborhood person suggested the demolition of the building, but they did discuss the need for reduced density. He argued that there are other adaptive reuses and claimed that it is possible to develop the property with no demolition.

Russel Troyer, a neighbor at 2109 Wallace Street, described how his property directly abuts church property. He stated that he submitted a letter to the staff containing photographs of the southern wall of the church. It acknowledged that it was taken not in the public right-of-way, but from his backyard. It claimed that the applicant is attempting to sidestep zoning. He claimed there are other ways to develop the property without having to demolish a portion. He echoed his neighbors, who pointed to the movement toward single-family homes.

Kevin McMan, a representative from Powers & Co., a historic preservation firm, stated that the building is listed as significant in the district and would not have been designated as such if it were not important. He argued that the rear 18 feet is a significant portion of the building and a character-defining feature. He explained that it is the oldest part of the building, which was constructed in 1892 as the Fairmount Station Post office. It comprises 25% of the most historic fabric in the building and should not be demolished.

Howard Horwitz, a neighbor, agreed with Ms. Merriman that churches will be used as living space in the future, but insisted that the applicants are trying to sidestep zoning. He asserted that the rear is visible from the street and one would perceive a difference. He urged the Commission to deny the application.

John Gallery of the Preservation Alliance stated that there are two issues. The first, he stated, is the question of whether this constitutes an alteration or a demolition. He observed that the staff has not determined whether the application should be considered a demolition or an alteration. He recalled Mr. Farnham's explanation of some criteria the Commission should consider, but stated that the staff has not evaluated the application based on that criteria. He assumed that the staff's opinion that the application is now complete means that it has made a decision that it is an alteration. He suggested that Mr. Farnham implied that the primary factor in determining if the application is a demolition or alteration was whether it was in the public realm. He stated that, while the public access is a factor, it is not the only factor. He noted that the proposal involves issues that have similarities with the demolition of the rear portion of the Dilworth House. He stated that the Board of License & Inspection Review and court determined that the Commission made an error in finding that the removal of the wing at the Dilworth House was an alteration. He argued that there are good reasons to believe that this application proposes a demolition; the building is significant to the district and the rear is the oldest part of the building. He opined that the application is incomplete because it does not address the fact that the proposal is a demolition. The second issue, he stated, has to do with zoning. He recalled the

assertion by Mr. Thomas that the Commission does not consider zoning issues. He agreed that the only reason this application has come before the Commission because of a zoning dispute. He recalled the developer's statements that it is financially feasible to adapt the building without any demolition. He opined that the Commission's primary concern should be the integrity of the historic resource. He acknowledged that the developer and the community have a dispute over zoning, but the Zoning Board of Adjustment has not yet acted on the application. It stated that it is conceivable that the Zoning Board of Adjustment could approve the variances and there would be no need for demolition. He opined that zoning matters should be left to the Zoning Board of Adjustment. He suggested that, if the Zoning Board of Adjustment denies the application, the applicant could return with the refusal and claim that the current proposal is the only option. He asserted that there are no legal or financial obstacles. He urged the Commission to deny the application.

Adrienne Mendel, a neighbor, stated that, as a newcomer to the neighborhood, the wall is quite visible to her. She acknowledged that it looks different at varying times of day and weather, but asserted that the alleys are wide and allow views of the rear. She admired the building and its masonry for their beauty. She stated that the community would welcome any developer who is willing to show sensitivity to the community and the fabric of the neighborhood.

Ralph Perkins, a neighbor, stated that he can see the rear of the church every day from the rear of his property. He stated that there is a great deal of pride in the neighborhood.

Mr. Farnham addressed Mr. Gallery's assertions and noted that the Board of License & Inspection Review did overturn the Commission's approval of the Dilworth House project and determined that the proposal was a demolition and not an alteration. He acknowledged that Mr. Gallery was correct in that regard, but he noted that Mr. Gallery failed to inform the Commission that, on appeal, the Commonwealth Court decided that the Board of License & Inspection Review had failed to defer to the Commission on its interpretation of its ordinance, including the definitions of the terms "demolition" and "alteration." He explained that the Commonwealth Court decided that the Historical Commission, not the Board of License & Inspection Review, is the appropriate body to be making those determinations. Mr. Farnham also objected to Mr. Gallery's assumption that the staff had concluded that this was an alteration, not a demolition. He explained that first application as originally submitted was deemed to be incomplete and therefore the staff could not make a determination. He stated that the application was presented to the Architectural Committee with no recommendation other than that it was incomplete. He stated that additional materials were supplemented after the Committee meeting and that there is enough information there now for the Commission to make a determination as to whether it is an alteration and demolition. He asserted that it does not mean that the staff has determined that this is an alteration. He added that in his personal opinion, the work proposed by the application is on the boundary between alteration and demolition. It is the Commission's prerogative to make that decision. He affirmed that the staff is comfortable supporting the Commission's decision in either regard; a strong legal argument could be made either way. Lastly, he reiterated that the notion of "public realm" is just one of the factors that the Commission should consider. He noted that the staff has fought hard for the preservation of historic fabric that is completely outside the public realm. He provided an example, the rear of a building on Spruce Street that warranted protection regardless of the public access to it. He urged the Commission to look at Standards 2, 5, and 9. He cited Standard 2 and advised the Commission that it should decide whether the fabric that would be removed "characterizes" the property. He cited Standards 5 and 9 and reiterated that the Commission should determine whether the rear portion of the building that would be removed characterizes the property. If it

does, the removal can be perceived as a demolition; if it does not, the removal can be perceived as an alteration.

Mr. Sherman stated that he is inclined to view the proposed work as a demolition.

Mr. Schaaf stated that one of the troubling issues about slicing off the back of this building is that the entire documentation for the project has not been provided to the Commission. He explained that there are no interior plans and that he would like to see those before deciding to approve the removal of a piece of the building. He stated that he would like to see the entire project and how the proposed units work within the building.

Mr. Gallery asserted that he was careful when he said that the current decision in the matter of the Dilworth House indicates that the Commission was in error. He explained that the Commonwealth Court remanded the case back to the Board of License & Inspection Review, which heard the case. He continued that, while deferring to the Commission, the Board concluded that the Commission was in error and that it was a demolition. Mr. Farnham clarified that the decision is currently on appeal and will be going back to the Commonwealth Court.

Mr. Gupta asked Mr. Leary if the church is currently occupied. Mr. Leary answered that there is an active congregation using the church. Mr. Gupta recalled Mr. Leary's statement that the community would be open to other adaptive reuses. He asked Mr. Leary what the community's position would be if a developer proposed a plan for a yoga studio and two single-family homes in the church, but also proposed demolition or alteration of the rear 20% portion of the building. Mr. Leary responded that, while not a spokesperson for the community, he believed the community would be opposed to the demolition. Mr. Gupta concluded that the community's concern is not the use, but rather the preservation of the building. He asked whether the community would support a project with eight units without any demolition of the building. Mr. Leary responded that the community would not support it owing to the density of units.

Mr. Palantino asked the Commission if they would support the application if the architectural features proposed to be removed were reconstructed at the new rear location. Mr. Thomas explained that the reconstruction in a non-historic location would be considered false historicism.

Mr. Thomas stated that he has not seen a full photograph of the rear elevation and does not have any information in a photograph or rendering to show what would be removed. Mr. Orphanides explained that it is difficult to get a clear view of the rear wall as the space behind the building is so narrow. He claimed that the photographs he was able to obtain were the best angles available. Mr. Thomas stated that he was revising his previous statement in support of the application. He explained that he has been reviewing letters from the community that were supplied at the start of the meeting and does not have adequate documentation of the rear wall conditions. He added that he agreed with Mr. Schaaf that interior floor plans are necessary to review as they directly affect the exterior.

Mr. Gupta stated that he thinks it is premature for the Commission to make a decision on this application at this time. He stated that the application should be reviewed by the Zoning Board of Adjustment before the decision is made by the Commission. He stated that if the Zoning Board of Adjustment grants a variance and the developer is able to fit eight units in to the existing structure, then the community's priority of preserving the rear 20% is achieved. Ms. Merriman responded that the application before the Commission proposes a certain set of elements and treatments for the building. She stated that having the longest tenure on the

Commission, she is uncomfortable with the notion of deferring the application to the Zoning Board of Adjustment in any matter before the Commission. She explained that the Zoning Board would approve a zoning proposal that is completely incompatible with the Standards without consideration of the preservation issues. She stated that she believes that the application is ripe for a decision because use is not a factor for the Commission to review. She asserted that she believes this application to be an alteration and not a demolition. She added that any notion of tabling or waiting for another body to make a decision is not appropriate and prolongs the process.

Ms. Hawkins stated that, although the Commission does not review interior changes, there is a purview for review when interior alterations affect the exterior. She stated that she believes the application proposes a demolition and therefore the application is incomplete. She opined that the volume of the building is an important component for the church and its relationship to the neighborhood. She asserted that it is visible.

Mr. Mattioni stated that he has not decided if the application is a demolition or an alteration and that it is apparent the majority of the Commission is unclear as well. He stated that he believes the application is incomplete and more information should be provided in order to make an informed decision.

ACTION: Ms. Hawkins moved to find that the removal of the rear of the building constituted a demolition and deny the application, pursuant to Section 14-2007(7)(j) and owing to incompleteness. Ms. Leonard seconded the motion, which passed by a vote of 7 to 2. Ms. Merriman and Mr. Mattioni dissented. Mssrs. Sherman and Thomas abstained.

ADDRESS: 271 S VAN PELT ST, UNIT 2

Project: Construct rooftop addition and deck

Type of Review Requested: Final Approval

Owner: John Cunningham

Applicant: Timothy Kerner, Terra Studio, LLC

History: 1870

Individual Designation: None

District Designation: Rittenhouse Fidler Residential Historic District, Contributing, 2/8/1995

Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 9.

OVERVIEW: This application proposes to construct a rooftop addition and deck on this carriage house. The stucco addition would be set back over 13 feet from the Van Pelt Street façade and 10 feet from the Manning Street façade. The addition would be visible but inconspicuous from the corner of Van Pelt and Manning Streets. The Historical Commission has approved additions on two-story carriage houses such as this one to allow for the adaptive reuse of carriage houses, which were originally constructed for storage, not residential use.

DISCUSSION: Mr. Baron presented the application to the Architectural Committee. Architect Tim Kerner and property owner John Cunningham represented the application.

Ms. Merriman asked if the minutes of the Architectural Committee record split votes by the Committee. Mr. Farnham said that the practice has been to record the vote of the majority as

the recommendation. Ms. Hawkins said that the Committee had asked the architect to look into the possibility of flipping the ell-shaped structure so that the bulk of the addition could be moved further back on the building. Mr. Kerner said that they had evaluated that option but that the interior plan would not work as well because then guests would have to go through the private office space to get out onto the deck. He also stated that, with the setbacks, the addition would not be visible from Van Pelt Street or Manning Street, but would be visible at a great distance from Spruce Street. He said that flipping the ell would not make the addition less visible from Spruce. Although the addition would be visible, it would not be conspicuous. He said that the addition would be clad in stucco with wood elements, playing off of the materials found in the building. No historic fabric would be lost.

ACTION: Ms. Merriman moved to approve the application, with the staff to review details, pursuant to Standard 9. Mr. Schaaf seconded the motion, which passed by a vote of 10 to 1. Ms. Hawkins dissented.

ADDRESS: 739 S 02ND ST

Project: Construct rear addition

Review Requested: Final Approval

Owner: George and Karen Roskam

Applicant: Amber Luther, Hugewindow

History: 1835

Individual Designation: 6/24/1958, 3/30/1965

District Designation: None

Staff Contact: Randal Baron, Randal.Baron@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of Alternate 7 with a new window on the third floor of the main block that matches the size, shape and configuration of the other windows on that façade, provided that the gable fanlight is restored, the window in the addition is aligned with the windows below, the roof of the addition has a slight slope, and the HVAC equipment is located toward the party line on the roof.

OVERVIEW: This application proposes to demolish a third-floor addition and a portion of the rear wall of the main block at the third floor and construct a new third-floor addition at this property at the corner of 2nd and Pemberton Streets. This application proposes several alternatives for a third-floor addition as a result of the Architectural Committee's review of an in-concept application last month. Alternate 7 retains the historic roof shape and a 1-foot section of the rear cornice at the corner. The other alternatives cantilever out over the rear wall and/or encroach more on the main roof. Ms. Luther stated that the owners can accept Alternate 7; however, they would like to have a window in the proposed master bedroom, which would mean cutting an opening on the third floor on the main block of the building, as is shown on the drawing labeled SK-5. The Committee recommend approval provided that the fanlight in the gable is restored. Ms. Pentz stated that it appears that it had been altered at some point. Ms. Coté informed the Committee that the Commission has no record of an approval or permit for this change. Ms. Hawkins suggested that the roof of the addition slope down slightly to the north, to a point below the historic cornice line of the main block.

DISCUSSION: Mr. Baron presented the application. Architect Amber Luther represented the application.

Ms. Hawkins thanked the architect for working with the Committee to revise the design. The architect said that she provided two revised drawings, SK3 with a flat roof and SK2 with a sloped roof. For aesthetic reasons, the applicants prefer the flat roof, but are willing to accept the sloped roof. Ms. Hawkins said that the Committee recommended approval of the sloped roof option as represented by SK2. In response to a question from Mr. Baron, Ms Hawkins said that the new design includes the restored side fanlight and complies with the Committee's recommendation.

ACTION: Ms. Hawkins moved to approve the revised design depicted in drawing SK2. Mr. Schaaf seconded the motion, which passed unanimously.

OLD BUSINESS

ADDRESS: 108 CHRISTIAN ST

Project: Legalize decks, alter front stoop, replace basement windows

Type of Review Requested: Final Approval

Owner: Bill and Gail Tomassini

Applicant: Liz Zimmers, Zimmers Associates

History: 1835

Individual Designation: 6/24/1958, 5/31/1966

District Designation: None

Staff Contact: Rebecca Sell, rebecca.sell@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of front stair alterations, basement windows, and rear window, with the staff to review details; denial of the legalization of the decks, landings, and stairs, pursuant to Standard 9 and the Roofs Guideline.

OVERVIEW: This application proposes to legalize a series of decks, landings, and stairs installed on the pitch of the roof and down the rear elevation of this building. The railings are vinyl; the decking is Trex. A single-leaf door was installed in a cut-down window opening at the third story. The alterations were performed without the approval of the Historical Commission or a permit from the Department of Licenses & Inspections. A building permit is required for a deck whether the property is designated as historic or not.

This application proposes to install a window at the first story on the rear of this building. No information has been provided about its material or construction.

On the façade, the application proposes to remove brick from a non-historic stair and install an iron railing. The basement windows are also proposed to be replaced in-kind.

DISCUSSION: Mr. Farnham explained that the applicants are requesting an addition continuance of one month as they seek resolutions to the illegal condition.

ACTION: Ms. Hawkins moved to continue the application for one month, to the May 2012 meeting of the Historical Commission. Mr. Schaaf seconded the motion, which passed unanimously.

NATIONAL REGISTER NOMINATION COMMENT

GIRARD AVENUE WEST HISTORIC DISTRICT (BOUNDARY INCREASE)

Owners: Various

Nominator: Heritage Consulting Group

OVERVIEW: The Girard Avenue West Historic District boundary increase captures four buildings, 2613, 2615, 2617 and 2619 W. Girard Avenue. These four buildings are located directly adjacent to the eastern boundary of the historic district. These buildings mirror the development that occurred within the historic district during the period of significance. The four buildings meet criterion A for "Commerce" and should be included in the district. The staff comments that the application is complete and advises the Commission to comment favorably on the inclusion of these four buildings within the historic district.

DISCUSSION: Mr. Danta presented the National Register nomination to the Commission. The Commissioners agreed that the inclusion of the additional properties was appropriate. No one offered public comments.

ACTION: Mr. Hawkins moved to send a favorable comment to the Pennsylvania Historical & Museum Commission on the inclusion of 2613, 2615, 2617 and 2619 W. Girard Avenue in the Girard Avenue West Historic District. Mr. Schaaf seconded the motion, which passed unanimously.

ADJOURNMENT

ACTION: Ms. Hawkins moved to adjourn at 11:33 a.m. Mr. Thomas seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

Standard 2: The historic character of a property will be retained and preserved. The removal of distinct materials or alterations of features, spaces, and spatial relationships that characterize a property will be avoided.

Standard 5: Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Standard 6: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new works shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Window Guidelines: Not Recommended: Changing the historic appearance of windows through the use of inappropriate designs, materials, finishes, or colors which noticeably change the

sash, depth of reveal, and muntin configuration; the reflectivity and color of glazing; or the appearance of the frame.

Section 14-2007(7)(k)(.7) of the Philadelphia Code: In making its determination as to the appropriateness of proposed alterations, demolition or construction, the Commission shall consider the following:

(.7) In specific cases as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this section would result in unnecessary hardship so that the spirit of this section shall be observed and substantial justice done, subject to such terms and conditions as the Commission may decide, the Commission shall by a majority vote grant an exemption from the requirements of this section.