

**THE MINUTES OF THE 561ST STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**8 MAY 2009
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman, Chair
David Amburn, AIA
Leslie Benoliel
Richardson Dilworth, Ph.D.
Della Clark
Rosalie Leonard, Office of City Council President
John Mattioni, Esq.
Sara Merriman, Commerce Department
Daniel Quinn, Department of Licenses & Inspections
Joan Schlotterbeck, Department of Public Property
Denise Smyler, Esq.
Laura Spina, Philadelphia City Planning Commission
Scott Wilds, Office of Housing & Community Development

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

Leonard Reuter, Assistant City Solicitor

ALSO PRESENT

John Rosado, Siloam
Kevin Boyle, Esq., Stradley Ronan Stevens & Young LLP
George Thomas, Civic Visions
James Johnson
Alexis Lukach, Siloam
Joe Lukach, Siloam
Christine Ritter, Episcopal Diocese of Pennsylvania
Richard Rozik, The Olin Studio
Nate Echeventra
Stephen Kiernan, Kiernan Timberlake Architects
Michael Lewis, Williams College
Joe Munford, Siloam
Melvin White, Siloam
Carla Blackwell, Siloam
Angela Synkachale, Siloam
Sheila Brera, Siloam
Vance Clark, Siloam
John Rosado, Siloam
Macbelle Cooper, Siloam

Amanda Aslansan
Sara McEneaney, Callowhill Neighbors Association
Andrew Palewski
John Struble, CNIA
Christine Kimmel, Esq., Pepper Hamilton LLP
Michelle Liao
Warren Williams, SEPTA
Richard Keaveney, MANNA
Mykola Kulish
Dorothy Kratzer
Margie A. Pierco, West Poplar
Syden Mack-Bonie, West Poplar
Tim Cwiek, Philadelphia Gay News
Nancy Goldenberg, Center City District
Paul Levy, Center City District
Susan Weiler, The Olin Studio
Lonnie Hovey, Vitetta
Charles Tonetti, National Park Service
Doris Fanelli, National Park Service
Raymond Hayward
Sheila Washington, Haddington Friends
Vesna Hess
Tuval Shlomo
Claudette Raynor, Haddington Friends
Amy Hooper
Andrew Scott, Urban Engineers
Sr. Maureen Lowry, Siloam
Sabra Smith, Preservation Alliance
John Gallery, Preservation Alliance
Frank Patterson
Mark Whitehead, Siloam
Cathy Maguire, Siloam
M. Bernadette Kinnery, Siloam
Ben Ware, Siloam
Marc Pinard
David Brigham, PAFA
Cheryl Leibold, PAFA
Travis Skidmore, Callowhill Neighborhood Association
C. Anne Anderson, Callowhill Neighborhood Association.
Michael Corday
Michael Saenent
Quiongzhou Schicktanz, Goddess Art and Antique Gallery
Frank Justis, Goddess Art and Antique Gallery
Yilun Cai, Goddess Art and Antique Gallery
T. Zhao, Goddess Art and Antique Gallery
Selina Zha, Goddess Art and Antique gallery
Marie Malloy, Siloam
Lauren Eckberg, JKR Partners
Jonathan Broh, JKR Partners
Dave Waxman, Rector & Associates
Carl Primavera, Esq., Klehr Harrison Harvey Branzberg & Ellers

CALL TO ORDER

Mr. Sherman called the meeting to order at 9:00 a.m. Commissioners Amburn, Dilworth, Clark, Leonard, Mattioni, Merriman, Quinn, Schlotterbeck, Smyler, and Wilds joined him. Laura Spina represented the City Planning Commission in place of Commissioner Schaaf. Commissioner Benoliel joined the Commission during the meeting.

MINUTES OF THE 560TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Merriman moved to adopt the minutes of the 560th Stated Meeting of the Philadelphia Historical Commission, held 9 April 2009. Ms Leonard seconded the motion, which passed unanimously.

OLD BUSINESS

6008 WAYNE AVENUE

Owner: Episcopal Diocese of Pennsylvania

Applicant: Christine Ritter

History: c. 1873, Furness & Hewitt; individually designated 11/30/1965

Project: Legalize removal of stained-glass windows

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

OVERVIEW: At its 13 March 2009 meeting, the Commission discussed and tabled a proposal to legalize the removal of two sets of stained-glass windows from St. Peter's Episcopal Church at 6008 Wayne Avenue in Germantown. The parish has closed and the building is vacant and for sale. The Episcopal Diocese of Pennsylvania, the owner of the building, removed and agreed to sell the stained glass windows to the Pennsylvania Academy of the Fine Arts or PAFA.

During the Commission's March discussion of this application, the Commissioners generally agreed that allowing the removal and transfer of the windows to PAFA was acceptable, given the great artistic value and vulnerability of the windows as well as the safety and accessibility offered by PAFA. However, the Commissioners feared that, once the legalization was complete, the Commission would lose control over the windows. Even though the sales agreement stipulated that PAFA would retain the windows in its collection in perpetuity, only the Diocese, not the Commission, would have had standing to enforce the agreement as it was originally written. Therefore, the Commission asked its attorney to work with the Diocese and PAFA to find a way to give the Commission the authority to enforce the agreement if the Diocese elected not to enforce it.

The Law Department consulted with the parties and the Diocese now proposes to assign the rights to enforce the sales agreement to the City of Philadelphia. The assignment would give the Historical Commission standing to seek a court order to enforce the agreement including the in-perpetuity clause. The City has authorized the Historical Commission to accept the assignment if it so chooses. The Law Department has advised that, if the Commission elects to approve the legalization application and accept the assignment, that it explicitly accept the assignment by resolution.

DISCUSSION: Mr. Danta presented the application to the Commission. Attorney Chris Kimmel represented the application.

Mr. Danta explained that copies of the sales agreement and letter of intent had been forwarded to the Commission members.

Mr. Wilds asked about the terms of the agreement. Ms. Kimmel stated that the agreement stipulates that the Board of the Pennsylvania Academy of the Fine Arts agrees to retain the windows in its collection in perpetuity. The Diocese has offered to assign the right to enforce the agreement to the City, if it chooses.

John Gallery of the Preservation Alliance stated that he considered this to be “a great solution” and he encouraged the Commission to approve the legalization and accept the enforcement rights.

ACTION: Ms. Merriman moved to approve the application to legalize the removal of the stained glass windows and accept the assignment of the enforcement rights on behalf of the City. Mr. Wilds seconded the motion, which passed unanimously.

THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 16 APRIL 2009

Richardson Dilworth III, Chair

1123-33 SPRING GARDEN STREET

Owner: Siloam

Nominator: Andrew R. Palewski

Proposal: Nomination for individual designation

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted unanimously to recommend that the property at 1123-33 Spring Garden Street satisfies Criteria for Designation a, d, e, and h and that the paragraph on page 18 regarding architect Augustus Pugin should be deleted from the nomination.

OVERVIEW: This nomination proposes the individual designation of the Church of the Assumption building at 1123-33 Spring Garden Street. A neighborhood resident submitted the nomination.

Prominent architect Patrick Charles Keely designed the church building in the Gothic Revival style. It was constructed in 1849. Saint Katharine Drexel was baptized in the sanctuary. The nomination contends that the property satisfies Criteria for Designation a, b, and e and should be designated as historic.

Siloam, a non-profit organization, purchased the church building and adjoining rectory and convent from the Archdiocese in 2006. It occupies the rectory. The church has been vacant since the mid 1990s. After purchasing the complex, the non-profit investigated rehabilitating the church. It consulted with the Community Design Collaborative, Partners for Sacred Places, and the Non-profit Finance Fund. It concluded that it would not be feasible to rehabilitate the church building and decided to demolish it. The non-profit received a \$300,000 grant from the state to demolish the building. It applied for the demolition permit after the Commission issued its notice letter and assumed jurisdiction.

DISCUSSION: Ms. Cote presented the nomination to the Commission. Andrew Palewski represented the nomination.

Attorney Kevin Boyle, Siloam executive director Joseph Lukach, Siloam board member Sister Maureen Lowery, engineer Bevin Lawson, and preservation consultant George Thomas represented the property owner.

Mr. Palewski stated that he prepared and submitted the nomination. He reported that he lives in the neighborhood and owns a historic preservation company. He provided a description of the context around the church building, noting that many historic buildings had been lost in the area. He observed that the neighborhood now includes condominiums in former warehouses as well as rowhouses. He presented a petition advocating for the designation of the building. He also presented letters of support from State Representative Curtis Thomas, the West Poplar and Callowhill neighborhood organizations, the Keely Society, the Sisters of the Blessed Sacrament, and architectural historian Emily Cooperman. Mr. Palewski displayed a Powerpoint presentation that summarized the historical significance and condition of the church building. He stated that the building is significant because of its relationships with Saint Katherine Drexel and architect Patrick Keely. He claimed that the exterior of the building is virtually unchanged from its original appearance. He reported that many buildings in the neighborhood have recently been or are being rehabilitated. He contended that the church should be reused. He cited the Community Design Collaborative report and claimed that it says that the church building should be reused. He noted that Michael Paul, an engineer with Duffield Associates who assessed the building for the report, observed that the building is in fair condition. Mr. Palewski pointed to other church buildings that have been adaptively reused including one at the corner of 22nd and Chestnut Streets and another on Green Street. He suggested that Siloam could retain and lease the building or sell it. He pointed to a letter that expresses interest in considering the purchase of the building. Concluding, he stated that Siloam has numerous options to alleviate the burden of owning the church without demolishing it; for example, it could publicly list the building for sale. He contended that the interior condition of the building is irrelevant to the designation review. He claimed that the building is not in poor condition as is claimed. Finally, he asserted that the Pennsylvania Historical & Museum Commission had not reviewed or approved the Department of Economic & Community Development grant to demolish the building.

Kevin Boyle, the attorney representing Siloam, requested that the Historical Commission reject the nomination. He stated that the Archdiocese removed all religious items from the church. He noted that the interior has been gutted. He also noted that almost all of the stained glass windows have been removed and reinstalled in other churches. He asserted that the cost to rehabilitate the building would significantly exceed its value when rehabilitated. He claimed that Siloam could not feasibly or reasonably rehabilitate the building. Mr. Sherman noted that the interior was not relevant to the designation discussion. Mr. Boyle disagreed. He stated that Siloam would immediately appeal the designation to the Board of License & Inspection Review and the Court of Common Pleas. He asserted that the organization had attempted to save and market the building, but had been unsuccessful. He questioned the sincerity of the offer now made for the building through the nominator. He claimed that the benefits that Siloam provides to the community far outweigh the historic value of the building.

Joseph Lukach, the executive director of Siloam, addressed the Commission. Mr. Lukach stated that the organization was founded in 1995 to provide mind-body-spirit services to those impacted by HIV/AIDS. He reported that it is not a faith-based or religious organization. He explained that the incidence of HIV/AIDS in Philadelphia is five times the national average and twice that of New York City. He asserted that his organization is in the people business, not the building business. He reported that it serves 1200 annually and all services are free. He noted that the entire annual budget is \$700,000 and most of it derives from fund raising. He stated that

the Siloam location is ideal because it is close to the served population, other service agencies, and public transportation.

Sister Maureen Lowery, a Board member, provided a chronology of Siloam's involvement with the building. She recounted that Siloam leased the rectory building and parking from the Archdiocese from 1996 to 2006. She stated that Siloam sought to purchase part of the property, but not the church, from the Archdiocese, but the Archdiocese would only sell the property in its entirety. Siloam purchased the property in 2006. At that time, it did not have the intention of demolishing the church. Siloam conducted a lengthy study of its options for the site and only arrived at the demolition decision after much investigation. She stated that she was aware of the historic value of the church building, but the building could not be feasibly saved. She stated that the Board only decided to demolish the church after a significant discussion; it concluded that demolition was the only feasible option.

Mr. Lukach spoke about the condition of the building. He stated that it had been unheated for 14 years. He reported that the altars, lighting fixtures, stained glass windows, baptismal font, and other items had been removed. He stated that Siloam had worked with the Community Design Collaborative (CDC) to explore its reuse options. He stated that the CDC concluded that it would cost \$5,453,000 to rehabilitate the building. He stated that Siloam then worked with Partners for Sacred Places to learn how to raise money to support a rehabilitation project. He stated that they had applied the strategies for fundraising and networking, but had been unable to identify sources for funding. He stated that they had attempted to market the property and had spoken with several developers, but all had agreed that the building could not be profitably reused. He recounted the timeline of events. On 18 November 2008, the Board decided that the building must be demolished. During December 2008 and January 2009, the Board solicited bids for the demolition. On 20 February 2009, it signed the demolition contract. On 9 March 2009, it received the notice from the Commission that it would consider a designation. On 12 March 2009, it submitted a demolition application to the Department of Licenses & Inspections, but withdrew the application once it learned of the designation process. Mr. Lukach concluded that the nomination has diverted the organization away from its mission and cost it a significant amount of money.

Bevan Lawson, an engineer hired by Siloam, displayed a Powerpoint presentation that alleged that the building is unsound. He stated that it is a timber structure and the structure is in poor condition. He noted that the masonry arches are failing. He stated that the building is open to the weather. He listed several defects including rotated joists, cracked timbers, rot, and decay. He claimed that the building is rapidly moving toward an "unsafe" condition. He remarked that his report includes details on the repairs needed. He stated that it is impossible to assess the conditions of the steeples. He recalled the collapses of church towers in Old City and West Philadelphia. He stated that the towers at 1123-33 Spring Garden were not capable of meeting current wind load or seismic requirements. He stated that it is a vacant building that does not meet the building code.

George Thomas, Siloam's preservation consultant, explained that the building was built quickly with cheap material. He claimed that the walls are bowing and separating. He stated that the engineering analysis in the CDC report was entirely wrong. It claimed that the building has a metal frame; it does not; it is wood. He stated that there is no steel or iron in the framing; the primary framing is 12" by 12" wood columns. He claimed that the building suffered from major renovations and should no longer be considered a Keely-designed building. He stated that most of the stained glass windows have been removed. The stained glass windows remaining are damaged and could not be removed. He stated that the nomination is rife with errors. The

building has almost no significance in the life of Saint Katherine Drexel. Several other sites convey her significance better. The church has little to do with Saint John Neumann. Owing to its loss of integrity, it is not historically significant as a Keely-designed church. Mr. Thomas concluded that it should not be designated. Finishing the property owner's presentation, Mr. Boyle reminded the Commission that Siloam has worked diligently to analyze the building and its potential reuses. He asserted that the Commission must be fair.

Ms. Merriman asked why the building was not placed on the open market for sale. Messrs. Lukach and Boyle stated that Siloam studied the reuse of the building and concluded that it was not marketable. Mr. Lukach stated that they planned to create a garden on the site after the building is demolished. Mr. Sherman asked Mr. Lukach if he was aware of the condition of the church before Siloam purchased it. Mr. Lukach stated that he was, but reminded the Commission that it was not designated as historic at the time of purchase. Mr. Sherman asked about Siloam's plans for the church building at the time of purchase. Mr. Lukach stated that he had wanted to create a health or wellness center. Mr. Sherman noted that there are several surface parking lots in the area. Mr. Lukach agreed and stated that the numerous parking lots are an indication of the difficulty of developing in the area.

Mr. Wilds stated that he believed that the church building met one or more Criteria for Designation and could be designated. However, he suggested that the Commission determine whether designation was a wise course of action. He reminded the Commission that it has discretion and may choose to designate or not. He stated that he was not convinced that designation was the appropriate course at this point. He stated that it should have been designated 10 years ago. He asserted that the nominators have good intentions, but their effort is too little, too late.

Ms. Smyler disagreed. She noted that Siloam had not made a concerted effort to sell the building. She noted that Siloam may present a hardship application for demolition if the building is designated. She concluded that the building is worthy of designation.

Several members of Siloam community addressed the Commission. Melvin White, who has received services from Siloam for 10 years, stated that the building would be too expensive to rehabilitate and should be demolished. The site should be turned into green space. Carla Blackwell, a volunteer at Siloam, spoke of the honor, peace, and dignity the organization bestows on its clients. She asked the Siloam supporters in the audience to stand; about 20 people stood. An unidentified man from North Carolina spoke of the care and support he has experienced through Siloam. He stated that the street is blighted already. He reported that the parcel to the east houses a car wash. He concluded that the church building is beautiful, but Siloam is "beautifuler."

Rick Keaveney, the CEO of the Metropolitan Area Neighborhood Nutrition Alliance, stated that he owns commercial property in Center City and had donated a preservation easement. He stated that he considers himself a preservationist. He asserted that Siloam's program is unique; it gives honor and glory to God, but not with a steeple. He stated that neither Siloam nor any developer can reuse the building. He noted that Siloam's demolition grant will expire on 30 June 2009. He asked the Commission not to designate the building because the building cannot be feasibly reused and because a designation would prevent Siloam from achieving its mission.

Michael Lewis, a professor of architectural history at Williams College, stated that the building is more important than the nomination indicates. He recounted the anti-Catholic riots in Philadelphia and the burning of St. Augustine's Catholic Church in the 1840s. He explained that

the Church of the Assumption was the first Catholic church building erected after the riots and it was explicitly intended to be an assertion of the Catholic presence in the city. He also explained that the two-tower church was based on the Cologne Cathedral and was developed in the United States as a means to differentiate Catholic churches from their one-spire Protestant counterparts. He concluded that this church is an early symbol of Catholic identity in the United States.

Dorothy Kratzer identified herself as a historic preservationist. She stated that Siloam owns three historic buildings, but has no plan to maintain them. She asked people in the audience supporting the designation to stand. About 20 people stood.

C. Anne Anderson, a 20-year resident of the area, stated that the organization can continue and the church can be saved; it is not an either-or situation. She suggested that Siloam sell the building.

John Gallery of the Preservation Alliance applauded Siloam, but advocated for the designation. He asserted that the condition of the interior should not be considered during the Commission's deliberations on the nomination. He noted that Siloam's engineer spoke of necessary repairs, but did not say that the building could not be repaired. He contended that the Commission was being asked to prejudge a financial hardship claim. Mr. Gallery claimed that there are no reasonable grounds not to designate. He urged the Commission to focus on the Criteria for Designation, not the hardship claim.

Amy Hooper, the president of the Callowhill Neighborhood Association, stated that the building is the "gateway to the community" and supported the designation. She contended that its loss would be a tremendous blow to the community.

Ms. Smyler stated that she considers Siloam a laudable organization, but observed that she would support the designation. Ms. Schlotterbeck echoed Ms. Smyler's statement and added that she did not believe that the designation would prevent Siloam from continuing to achieve its mission. Mr. Wilds asserted that the decision, whatever it may be, will not be a comment on the merits of Siloam. The Commission will act in good faith no matter how it votes.

Eleanor Walker, a long time parishioner at the Church of the Assumption, recalled that the church provided important services for new immigrants in the area. She asked that the Commissioners think about the good work done at this site as they cast their votes.

William Schick Tanz explained to the Commission that his wife, artist Qiongzhao Schick Tanz, may be interested in purchasing the building and renovating it as an art gallery. He stated that she would like to discuss the matter with Siloam. He had contacted Siloam about one year ago, but the Siloam Board had not decided on a plan for the building at that time. He noted that he was not committing to purchasing the building, but would like to explore the possibility. He commented that money would, of course, play a role in their deliberations. He added that they had never been inside the building and were therefore unaware of its condition.

Shannon O'Rourke, an intern at Siloam, stated that, if the site was transformed into a green space, then Siloam would be able to develop a campus. She added that the designation would crush the organization, leaving three empty building, not just the one church building.

ACTION: Ms. Smyler moved to find that the property at 1123-33 Spring Garden Street satisfies Criteria for Designation a, d, e, and h, adopt the revised nomination with the

omission of the paragraph on page 18 regarding architect Augustus Pugin, and designate the property at 1123-33 Spring Garden Street as historic, listing it on the Philadelphia Register of Historic Places. Ms. Schlotterbeck seconded the motion, which passed by a vote of 10 to 3. Commissioners Amburn, Benoliel, Clark, Leonard, Merriman, Quinn, Schlotterbeck, Sherman, Smyler, and Spina supported the motion. Commissioners Dilworth, Mattioni, and Wilds dissented.

7913-29 OXFORD AVENUE

Owner: Wawa Inc.

Applicant: Wawa Inc.

Proposal: Rescind designation

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: Mr. Schaaf moved to recommend that the Commission rescind the designation of 7913-29 Oxford Avenue, pursuant to Section 5.5.c.1.1 of the Commission's Rules & Regulations, because the resource has ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed. Mr. Dilworth seconded the motion, which passed unanimously.

OVERVIEW: This application proposes the rescission of the designation of 7913-29 Oxford Avenue from the Philadelphia Register of Historic Places. The Philadelphia Historical Commission designated the 1830s Greek Revival style house on 23 November 1966. In February of 2007 fire damaged the building and subsequently the Department of Licenses and Inspections (L & I) issued "unsafe" violations. In September of 2008 another fire damaged the building and L & I deemed the building "imminently dangerous." As a result the Commission signed off on a demolition permit and the building has since been demolished.

Please note that Section 5.5.c.1 of the Commission's Rules & Regulations states that:

The bases for the rescinding of an entry on the Philadelphia Register of Historic Places are 1) the resource has ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed, 2) additional information shows that the resource does not meet the criteria for the Register, or 3) error in professional judgment as to whether the resource meets the criteria for listing.

DISCUSSION: Mr. Sherman disqualified himself from the review, citing a business relationship with the attorney representing the property owner.

Ms. Coté presented the rescission request to the Commission. Attorney Thomas Chapman represented the request.

Mr. Chapman stated that Wawa had acted in good faith throughout its ownership of this property. He stated that Wawa was not aware of the historic designation when it purchased the property. It did not discover the designation until it sought a zoning permit for the property. He explained that Wawa did not want the building, which was adjacent to one of its convenience stores. It sought in vain to sell the property and then attempted unsuccessfully to give it to the civic association in the area. He stated that the building suffered two fires. The building was declared Imminently Dangerous after the second of two major fires. The Department of Licenses & Inspections ordered its demolition. Speaking generally, Mr. Wilds observed that ignorance of a designation is not an excuse for failing to comply with the historic preservation ordinance. He stated that every owner has a responsibility of due diligence. He noted that, in this case, the resource has been lost and the designation should be rescinded. Ms. Spina asked if the building had been sealed after the first fire. Mr. Chapman stated that it had been sealed.

ACTION: Mr. Dilworth moved to adopt the recommendation of the Committee on Historic Designation and rescind the designation of 7913-29 Oxford Avenue, pursuant to Section 5.5.c.1.1 of the Commission's Rules & Regulations, because the resource has ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed. Ms. Leonard seconded the motion, which passed unanimously.

THE REPORT OF THE COMMITTEE ON FINANCIAL HARDSHIP, 21 APRIL 2009

Sam Sherman, Chair

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 21 APRIL 2009

David Amburn, Chair

1907 GREEN STREET

Owner: Mykola Kulish

Applicant: Mykola Kulish

History: c. 1859; contributing within the Spring Garden Historic District

Project: Legalize vinyl window installation

COMMITTEE ON FINANCIAL HARDSHIP RECOMMENDATION: The Committee on Financial Hardship voted to recommend that the applicant qualifies for the consideration under the "Unnecessary Hardship" provision and that the City not enforce the violation provided the applicant replaces the illegal vinyl windows with historically appropriate windows at a rate of two or more windows per year.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend that the City not enforce the violation provided the applicant replaces the illegal vinyl windows with historically appropriate windows as shown in the submitted drawings at a rate of two or more windows per year, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to legalize the installation of fourteen vinyl one-over-one windows in the front façade of the building. The historic windows would be a wood, two-over-two, double-hung sash. The windows were installed without a building permit or Commission approval.

The applicant has submitted financial documentation that demonstrates his income level meets the Section 8 Eligible Guidelines established by the United States Department of Housing and Urban Development (HUD) of not more than 80% of the median income for Philadelphia.

An estimate from Architectural Window of Philadelphia Inc. was obtained for full replacement with wood, two-over-two, double-hung windows at a cost of \$21,292.89. No information has been provided regarding the total cost of the vinyl window installation.

DISCUSSION: Ms. Sell presented the application to the Commission. Property owner Mykola Kulish represented the application.

The Commissioners agreed that, in light of the fact that the applicant qualifies for the consideration under the "Unnecessary Hardship" provision, the recommendations of the committees were appropriate.

ACTION: Ms. Merriman moved to adopt the recommendations of the Architectural Committee and Committee on Financial Hardship and find that the applicant qualifies for the consideration under the "Unnecessary Hardship" provision and not enforce the

violation provided the applicant replaces the illegal vinyl windows with historically appropriate windows as shown in the submitted drawings at a rate of two or more windows per year, with the staff to review details, pursuant to Standard 9. Ms. Leonard seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 21 APRIL 2009

David Amburn, Chair

DILWORTH PLAZA AT CITY HALL

Owner: City of Philadelphia

Applicant: Paul Levy, Center City District

History: 1966-74, Vincent Kling, architect; City Hall individually designated, 5/28/1957

Project: Alter plaza including grading, paving, and landscaping; construct transit entrances and food service building

ARCHITECTURAL COMMITTEE RECOMMENDATIONS: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to Standards 2, 4, 5, 9, and 10.

OVERVIEW: This application proposes alterations to Dilworth Plaza, the open space on the west side of City Hall. It proposes alterations at and below grade and will link with a separate project to rehabilitate the below-grade transit stations.

The Historical Commission designated City Hall as historic on May 28, 1957. At that time, the City Hall parcel was smaller than it is today. An arm of Broad Street ran along the west side of City Hall. To compensate for the loss of public space with the construction of the Municipal Services Building, the City vacated the block of Broad Street along City Hall and created a public space extending west from City Hall to 15th Street. Named for Mayor Dilworth, the plaza on the newly cleared space was designed by architect Vincent Kling and constructed between 1966 and 1974.

Michael Sklaroff, the former chair of the Commission, was famous for saying that “You can’t subdivide yourself out of history.” However, you can consolidate yourself into history. Although Dilworth Plaza was not part of the site when City Hall was designated, it is now under the Commission’s jurisdiction. The Commission has always contended that its jurisdiction expands as a historic site expands.

The question of whether the plaza has achieved its own historic significance is open, but most would agree that it has not. Notably, the Commission has no record of reviewing the design for Dilworth Plaza, even though City Hall was designated at the time.

The Center City District is proposing to alter Dilworth Plaza to overcome a series of chronic problems with the space related to maintenance, circulation, assembly, amenities, drainage, transit access, and disabled access. The application proposes to remove all at- and above-grade structures on the plaza, cover the sunken plaza, and create a lawn, water feature, glass-covered entrances to the concourse, and a small food service building. The plaza would be regraded and new landscaping and paving would be added.

Owing to the sweeping shape and transparency of the concourse entrances, the location of the food service building, and the transparency of the new landscaping, the views of the historic City Hall building would not be obstructed. The project would have no adverse effect on historic resources at the City Hall site.

DISCUSSION: Ms. Smyler disqualified herself from the review, owing to her position on the SEPTA Board.

Mr. Farnham presented the application to the Commission. Paul Levy and Nancy Goldenberg of the Center City District, architect Steve Kiernan, and landscape architect Susan Weiler represented the application.

Mr. Levy, the president of the Center City District, introduced himself. He described Dilworth Plaza as a connector between the Avenue of the Arts, the Parkway, and the expanded Convention Center. He stated that the project is intended to remove barriers. He noted that his team is working closely with SEPTA and several City agencies. He stated that the project will reestablish the ground plane of the site, eliminating the changes in elevation and other obstacles in Dilworth Plaza. He stated that the project will highlight the very important historic building. The project will create a green space, with increased possibilities for programs and activities, enhance a very important transit hub, and also provide a place for public art. He summarized the history of Centre Square from the founding of Philadelphia to the construction of Dilworth Plaza. He noted the demolition and the addition of the block between Broad and 15th Streets to the City Hall site in the 1950s and 1960s.

Mr. Levy stated that the Center City District has retained the Vitetta Group to undertake the Section 106 review for the project. He stated that the Vitetta Group is communicating with Susan Zacker of the the Pennsylvania Historical & Museum Commission about the 106 process. He noted that the project has not yet received federal funding but may in the future.

Mr. Levy commented on the inappropriateness of the trees currently on the site, which block views of the historic building. He explained that the current series of grade changes and steps and ramps will be removed, leaving the entire plaza at one grade. He stated that the lower level of the plaza does not work well, especially for large events. He noted that the current concourse is difficult to maintain. He spoke about the four levels of transit stations at the site. He stated that the stations are not easy to navigate. He noted the subsurface constraints to his project. He stated that the project is intended to better integrate the transit stations and the plaza.

Mr. Kieran presented the architectural proposal. He stated that the trees will be replaced for greater transparency. He pointed out the major features of the design including the south lawn, a water feature, the two concourse entrances, and a small food service pavillion with a stair and elevator down to the transit stations. He showed an earlier design with a glass cube in front of the west portal to the courtyard. He also showed an earlier design for transit entrances at the west with flat roofs. He then showed the latest design, which includes arced glass entrance pavilions linked to the transit station. He showed similar transit pavilions in cities throughout the United States and the world. He stated that the arced pavilions will be elegant and graceful. The pavilions will be 26' wide and 96' long. A 3'-wide water trough will run around the perimeter to keep pedestraains off the pavilions. A new entrance from Dilworth Plaza to the Market-Frankford line will be created. The entrance to the Broad Street line will be improved. The light well from the surface to the trolley station will be retained. The subteranean concourse will include panels on the art and history of the area. He described the food service pavilion, which will be glass and granite. The pavilion will be 11' to 14' tall, 24' wide, and 74' long. He stated that the pavilion would not block views of City Hall.

Ms. Weiler described the landscape plan. She stated that she intends to improve pedestrian circulation on the plaza and across 15th Street; the crossing time would be shortened by

extending the curb lines. She explained that there is nothing in the plan for the plaza that would prevent it from being extending around City Hall and through the courtyard in the future. The plan will open up the views of City Hall. The long term health of the trees will be ensured. She showed the design for the large lawn panel and the fountain. The trees will also buffer noise and intercept rain water. Ms. Weiler described the rain water collection system. She stated that the design will reduce the impermeable surfaces and increase the green space and plantings. She explained that the fountain is a scrim fountain. The panels of the fountain are independent and programmable. The depth of the water in the fountain will only be $\frac{1}{4}$ ". She stated that the design team is intending to include public art, perhaps in the lighting or benches, or in the sidewalk and curbs, like she did at the University of Pennsylvania. She conceded that the program has not yet been developed, but will be. She stated that the team is appearing before the Commission today to establish the locations of the important infrastructural elements. Once those are established, they will work with an artist to develop a public art program. She stated that water will play an important role in any interpretive scheme. She stated that they may develop "rain gardens." She showed photographs of European examples that may provide a guide for their designs. She stated that the seating had not yet been designed, but it will be at a later time. She stated that the plaza will be very flexible. She reported that there would be no stairs or other barriers on the redesigned plaza.

Mr. Sherman asked about the maintenance of the glass entrances. Mr. Kiernan replied that the glass will be resistant to graffiti, etching, and dirt. Mr. Levy stated that a public/private corporation will be created that will have management responsibilities for the site including maintenance. Mr. Wilds asked if there would be sufficient room for the parade seating along the curb line. Mr. Levy and Ms. Weiler stated that there would be more room, not less, for temporary seating along the curb line.

Mr. Wilds stated that he thought that the project "looked great." He asked Mr. Levy to clarify the arrangement between the Center City District and the City. He asked why the City was not listed as the applicant on the building permit application, given that the City is the property owner. Mr. Levy answered he has been working closely with Deputy Mayors Andrew Altman and Rina Cutler, Planning Commission director Alan Greenberger, and SEPTA. He observed that the Center City District has been responsible for the fundraising and design oversight. He stated that the next step will be the establishment of the maintenance corporation. Ms. Merriman asked about the cost of the project. Mr. Levy stated that the project will cost \$45 million including a portion of the concourse. He noted that the SEPTA project is not included within that amount. Mr. Sherman asked if any of the money would be stimulus money. Mr. Levy stated that none would be stimulus money, but some would be federal transportation money. The current funding plan includes \$20 million from the state and \$15 million of federal transportation money. He stated that the Center City District is now in discussions with major foundations for support. He added that the District has the authority to issue bonds to fund the project. He concluded that the project will be publicly and privately funded. Ms. Merriman asked Mr. Levy if the project would be fully funded before construction begins. Mr. Levy replied that the SEPTA project may proceed because portions must be completed before the plaza project begins, but the plaza project will be fully funded before it begins. Ms. Merriman asked about the timing of the project. Mr. Levy replied that he believes that they can send the project out for bid in the late winter of 2010, about six to nine months from now.

Mr. Levy stated that he is requesting preliminary approval from the Commission. Ms. Merriman asked him to clarify his request. Mr. Levy replied that he is requesting preliminary or conceptual approval, whatever term is appropriate. He stated that he intended to submit a subsequent application to the Commission with the design details, once they are established. He noted that

he would also be submitting applications to the Art and City Planning Commissions. Mr. Wilds stated that Mr. Levy appeared to be requesting an approval in concept. Mr. Levy agreed and stated that the design will evolve over time. He asked the Commission to give an approval in concept to the fundamental aspects of the design including the locations and configurations of the concourse entrances and the size and location of the lawn and fountain. He explained that these features must be set because they involve the connections to the SEPTA project. He again assured the Commission that he would submit a subsequent application with the design details. He concluded that he is currently seeking the support of the Historical and Art Commissions to allow the project to move forward.

Mr. Wilds asked Mr. Levy if he felt confident that the lawn could be maintained with the anticipated volume of foot traffic. Ms. Weiler stated that she is confident that the lawn will be able to be maintained. Mr. Sherman asked if the lawn would be watered with storm runoff. Ms. Weiler answered that storm water would be collected in a cistern under the lawn and then used for irrigation.

Ms. Schlotterbeck stated that, as the Commissioner of the Department of Public Property, she has been working closely with City officials, the Center City District, and SEPTA on the plaza project. She emphasized that the Mayor and other ranking City officials are in support of this project.

John Gallery of the Preservation Alliance distributed a memorandum and showed a Powerpoint presentation detailing his assessment of the project. He apologized that he was distributing it at a late date and acknowledged that the Commission would not have an opportunity to read it. He claimed that the plaza project was presented to the Design Advocacy Group one day earlier and it had not had enough time to consider it. He noted the last page of his memorandum included an outline of the issues of concern. He stated that the Alliance supports the Center City District's initiative to redesign Dilworth Plaza. He stated that Dilworth Plaza does not have historic significance and it should not be protected for its historic value. He stated that he looks forward to a newly-designed public space. He stated that he appreciates the efforts of the Center City District and its consultants.

Mr. Gallery asserted that this project presents an opportunity for an inspirational design. He stated that all City agencies should help to achieve the "highest good" in this project. He contended that the Commission's staff and Architectural Committee had reviewed the project in a very narrow way. He observed that they only considered the impact of the project on historic resources. He asserted that they should have considered more than historic resources and advocated for the design of a "great civic plaza." He commented that he supports the District's objectives, but observed that those objectives have not been translated into an effective design. Mr. Gallery voiced his support for an approval in concept, but not for an approval of the specifics presented. He supported a conceptual approval but not approval of this design in the specificity that it is being presented. Mr. Gallery noted that the Art Commission review is not complete. He stated that the Art Commission had raised concerns in January. He suggested that the City organize a coordinated review process in which all parties can participate.

Mr. Gallery then made several suggestions to improve the design. He approved of the concept of opening up of the view of the west façade of City Hall. He showed a photograph of the Hotel de Ville in Paris and noted the open plaza. The view of the building is powerful, he claimed. He approved of the concept of creating a single ground plane. It will provide a flexibility, allowing the space to be used in many ways. Mr. Gallery suggested removing the trees from the proposed plan. Mr. Gallery stated that the plaza project provides an enormous opportunity for

great public art. He showed a photograph of *The Bean* in Chicago. He asserted that public art should be integral to the design. He contended that dramatic works of art should drive and shape the design. He suggested a Calder sculpture.

Mr. Gallery encouraged the Commission to support the in-concept approval. He stated that the approval should include the decision that the current plaza has no historic value and can be demolished. It should include the opening up of the plaza for views of the building from the west. It should include the requirement of a flexible plaza for a variety of public activities. He suggested removing the lawn and trees. He suggested removing the north stair to the concourse. He approved of the fountain. He suggested demolishing all of the current plaza and not saving the lower section, which would be saved in the proposed plan. He suggested relocating the *Phoenix Rising* sculpture. He asked the Commission to approve the essential concepts of the design, but not the design as presented.

Ms. Schlotterbeck assured Mr. Gallery that the City is already working collectively to review and shape this project. She noted, for example, that the location of the *Phoenix Rising* is not set, but is under discussion. She explained that she has a seat on the Art Commission and will work through the Art Commission on issues such as this. She concluded that the Historical Commission should approve this project today.

Mr. Mattioni stated that the proposed plaza “left him cold.” He asserted that Dilworth Plaza should be welcoming. He agreed that an in-concept approval was appropriate. He contended, however, that public art should be integral to the design and not an afterthought. He stated that he agreed with Mr. Gallery’s other criticisms as well. Mr. Mattioni suggested that a motion to approve in concept with the inclusion of Mr. Gallery’s suggestions would be appropriate. No such motion was proffered.

Mr. Levy responded that the project has been presented publicly several times including to the AIA twice, the Design Advocacy Group three times, and to the Art Commission. Mr. Levy remarked that the design has been revised every time valid criticisms have been raised. He stated that this is the third schematic design. He thanked Mr. Gallery for offering to raise the funds to add the Calder sculpture to the site. He claimed that Mr. Gallery’s suggestion to remove one of the two main transit entrances shows “contempt” for transit riders. He stated that the numerous interests must be balanced. He asserted that transit riders cannot be forgotten. Mr. Levy again asked the Commission to approve the presented project in concept. He stated that he anticipated the inclusion of public art as the project progresses. He explained that he needed a commitment to the locations of the major features owing to the connections to the SEPTA project.

Mr. Reuter, the Commission’s attorney, asked Mr. Farnham to comment on the differences between in-concept and final approvals. Mr. Farnham explained to the Commission that this application had been submitted as a request for final approval, not approval in concept. He stated that the Commission could convert it to an application for approval in concept, but the Commission should clearly state the restrictions of such an approval. He noted that the question had arisen during the Architectural Committee review and prompted significant discussion. The Commission and the staff recommended final approval because the outstanding issues are not preservation issues. At the prompting of Mr. Reuter, Mr. Farnham reminded everyone that an approval in concept is time limited and does not vest rights in a building permit. He suggested to the Commission that, if it granted an approval in concept, it make the terms of that approval explicit. He noted, for example, that the connections between this project and the below-grade SEPTA project must be locked in place in the near future and will not be able to be revised

without significant impacts on the SEPTA project. He stated that the Commission must understand that it would, in essence, be committing to these locations, even with an approval in concept. He asked the Commission to consider final approval to give the project the certainty it needs to proceed. Mr. Reuter asked Mr. Farnham to read the section in the Rules & Regulations on the time limits of approvals in concept. Mr. Farnham stated that an approval in concept is valid for one year and may be extended for an additional six months. He stated that the Commission is not bound by an approval in concept; it is purely advisory. A final approval would offer certainty. Mr. Farnham concluded that the conditions of any approval in concept must be clear before proceeding. Mr. Wilds agreed that the applicant and Commission members must be aware of the implications of an approval in concept and that the Commission must be explicit about the concepts being approved. For example, would an approval in concept include the green lawn, the water feature, two entrances to the transit concourse, and the trees? He noted the confusion caused by imprecise approvals in concept in the past.

Mr. Levy stated that he appreciated the comments and asked the Commission to approve the project in concept precisely as shown in the submitted drawings. He stated that they have completed the schematic design phase and would like an approval in concept of it. He stated that the locations of the SEPTA connections must be locked in place for the project to move forward. He stated that he is not asking for approval of a generic concept. He assured the Commission that public art can be introduced into the project. Mr. Reuter again stated that an approval in concept alone would not allow for the issuance of a building permit. He suggested that the Commission consider a final approval of aspects of the project. Mr. Wilds stated that the Commission respects its approvals in concept. He noted that it had strayed from that path once recently and learned from its mistake. He stated that, as long as the concepts being approved are well defined, the approval in concept should be sufficient. The Commission should always be consistent and respect its approvals in concept when considering projects for final approval. Ms. Schlotterbeck stated that either approval, final or in concept, should allow for the City, SEPTA, and the District to continue to work together to develop the plans.

Ms. Merriman accepted the claim that public art has been left completely out of the plan. However, she noted, public art is within the purview of the Art Commission, not the Historical Commission. She contended that the Historical Commission should concentrate on the relation of the plaza to the historic building. She asked her fellow Commissioners to bear in mind the Commission's jurisdiction as it contemplated a decision.

Mr. Gallery asserted that SEPTA, not the City, owns the stairs and elevators between the surface and the concourse. Ms. Schlotterbeck corrected him, observing that the City owns that infrastructure. She reported that the City and SEPTA have developed a memorandum of understanding regarding the City Hall Station project. Mr. Gallery asked if SEPTA would need the Commission's approval for its part of the project. He also noted the impending Section 106 reviews. He asserted that it would be premature to grant final approval to the project. He opined that a final approval would constrain the Art Commission. Mr. Wilds disagreed and stated that a final approval would be appropriate. An approval in concept is not a guarantee. He stated that the Commission could grant final approval, giving certainty, and the applicant could submit a revised application in the future, after the Art Commission's review, proposing revisions. Mr. Gallery rebutted the opinions of Mr. Wilds, claiming that a final approval today would require the District to submit a new application for final approval if any details changed. Mr. Wilds noted that, with an in concept approval, the applicant is guaranteed to have to submit another application. Mr. Levy asked for certainty from the Commission.

MOTION: Mr. Mattioni moved to approve the application as submitted in concept. Ms. Merriman seconded the motion.

Ms. Schlotterbeck asked Mr. Mattioni and Ms. Merriman why they have moved to approve the project in concept. Ms. Merriman stated that she has confidence in the in-concept approval. She stated that it gives the District the certainty it needs. She asserted that a final approval would send the wrong message to the Art Commission; it would indicate that the Historical Commission has determined that there is no reason to refine the design. She stated that there must be room for revision. She advocated for giving the Art Commission an opportunity to review the project without the constraint of a final approval.

Mr. Levy stated that Mr. Gallery had informed the Art Commission that it must not render a decision on the plaza project until the Historical Commission had had a chance to opine. He is now asking the Historical Commission to defer to the Art Commission. He claimed that Mr. Gallery was proposing an unending process. Mr. Levy asked the Historical Commission to provide certainty to allow him to move forward. Mr. Gallery interrupted Mr. Levy and claimed that he had never made such a request to the Art Commission.

William Burke, the executive director of the Art Commission, stated that the Art Commission had deferred a decision on the plaza proposal to allow the Historical Commission to review it. He noted that the Art Commission defers to the Historical Commission because the Historical Commission has a narrow purview. The Art Commission wants the Historical Commission to ensure that historic resources are protected before it conducts its broader review. He asked the Commission to approve the project in concept to give the Art Commission an opportunity to conduct its review without aspects of the design “locked in place.”

Mr. Levy asked that the term “concept” be interpreted to mean the plans as submitted. Ms. Merriman and Mr. Wilds assured him that the motion was clear in that regard. Mr. Wilds clarified that the motion to approve in concept included the locations and massings of the lawn, water feature, double entrance way to the concourse level, and café and entrance to the transit level at the northern edge of the plaza.

Ms. Schlotterbeck asked how long an in-concept approval would remain valid. Mr. Sherman answered that it is valid for 12 months with an option to extend it for another six months. Ms. Merriman noted that the project schedule would certainly require that the applicant return for a final approval well within that 18-month window.

ACTION: The Historical Commission voted unanimously to adopt Mr. Mattioni and Ms. Merriman’s motion and approve the application as submitted in concept.

Ms. Spina and Mr. Amburn excused themselves from the meeting.

314 W. TULPEHOCKEN STREET

Owner: SEPTA

Applicant: Warren Williams

History: c. 1885; individually designated, 1981

Project: Reconstruct failing roof structures, mothball building

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided that architectural materials and elements are salvaged and reused wherever possible, and that accurate scaled detailed drawings are submitted for the reconstruction and reuse, with the staff to review details, pursuant to Standard 6.

OVERVIEW: This application proposes to remove the failed roofing structures on the main roof, canopy, and roof over the tunnel stairs, as well as the sleeping porch structure and reconstruct the roofing structures and porch to match the historic roofs and porch in size, shape, and configuration with replicated details. Please note that some of the details are not drawn accurately in this submission. In addition, this application proposes to mothball the building by installing plywood in the openings and a new steel door. The drawings are unclear as to whether the plywood is to replace the windows as infill or to cover the existing windows. The staff suggests that SEPTA consult the National Park Service Preservation Brief for mothballing historic buildings for guidance.

DISCUSSION: Ms. Smyler disqualified herself from the review, owing to her position on the SEPTA Board.

Ms. Cote presented the application to the Commission. Warren Williams of SEPTA and architect Jeff Miller represented the application.

Ms. Cote noted that she had met with the architect and he is revising the drawings to more accurately depict the detailing on the station.

Mr. Wilds asked if SEPTA had plans for the building beyond mothballing. Mr. Williams replied that the station has not been used for many years owing to low ridership. He also added that SEPTA had been unable to lease the building. He stated that SEPTA's only plan is to mothball the station, which is poor condition and prone to vandalism. He stated that the building has suffered termite and water damage. Mr. Wilds asked him if the building is connected to utilities. Mr. Williams replied that it has water and sewer connections. Mr. Wilds asked how the building had fallen into such disrepair. Mr. Williams responded that SEPTA had not maintained the building because it does not have a ticket booth. He noted that SEPTA is undertaking minor repairs to the other stations on the line, which are in good condition. Mr. Mattioni asked if the building could be successfully mothballed with the repairs proposed. He asked if it also required other repairs. Mr. Williams responded that the brick walls are in good condition with minimal mortar loss. Vents and a fan will be added to promote ventilation after mothballing. He stated that the canopy will be replaced and the windows will be boarded.

Mr. Wilds noted that the Architectural Committee recommended salvaging and reusing as much as possible. Mr. Williams replied that it is difficult for contractors to bid a job that includes salvage. He noted that SEPTA must competitively bid the project. The contractors must be able to estimate costs precisely before they bid on the job. Therefore, the contractors must assume complete replacement. However, the contractor who then undertakes the project will be able to make salvage decisions in the field. He stated that SEPTA would salvage as much as possible. He again reported that much of the wood has suffered termite damage.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, provided that architectural materials and elements are salvaged and reused wherever possible, and that accurate scaled detailed drawings are submitted for the reconstruction and reuse, with the staff to review details, pursuant to Standard 6. Mr. Sherman seconded the motion, which passed unanimously.

500-36 CHESTNUT STREET, INDEPENDENCE HALL

Owner: City of Philadelphia

Applicant: Doris Fanelli, National Park Service

History: 1752, tower added 1828 by William Strickland; UNESCO World Heritage Site, individually designated, 1955

Project: Restore Tower

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the construction of a mockup of the cladding and the replacement of the balustrade, weathervane rod, clockface, pointing, and roofing at Levels 6 and 7, with the staff to review details.

OVERVIEW: The Architectural Committee and Commission reviewed this application to restore the clock tower at Independence Hall at their 9 April and 24 March 2009 meetings. The Commission tabled the application for a period not to exceed six months and remanded the application back to the Architecture Committee. The Commission also agreed to conduct a site visit to see the deterioration first hand. The Commission and Committee members visited the tower on 2 and 4 April 2009. Since then, the applicant has withdrawn the cladding portion of the application.

DISCUSSION: Mr. Baron presented the application to the Commission. Charles Tonetti and Doris Fanelli of the National Park Service represented the application.

Mr. Wilds asked the applicants about the schedule for the mock up. Mr. Tonetti answered that they are already in the process of selecting consultants. The funding is in place. He explained that he is planning two mock ups. One will be left in place as a standard; the other will be subjected to accelerated weathering. He stated that he would present the results of the mock-up exercise to the Commission.

Mr. Wilds asked Mr. Tonetti to explain the weather vane rod replacement. Mr. Tonetti stated that the weather vane dates to 1828. The rod that within the tower that supports the weather vane is corroding and will be replaced with a stainless steel rod. The rod is entirely internal to the weather vane and cannot be seen from the outside. The old rod will not be discarded but will be placed in the park's architectural study collection.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the construction of a mockup of the cladding and the replacement of the balustrade, weathervane rod, clockface, pointing, and roofing at Levels 6 and 7, with the staff to review details. Ms. Leonard seconded the motion, which passed unanimously.

3 RECTOR STREET

Owner: Rector Street Associates, LP

Applicant: Jonathan Broh A.I.A.

History: c. 1880; Main Street Manayunk Special Controls District, 12/14/1983

Project: Replace windows and doors.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided that the southwest balcony doors are arched-top to match the segmental arch; the southeast balcony transom is eliminated; the railings have simple vertical pickets; the four-panel wood door is retained with glass inserted in the upper two panels; and a more appropriate oculus window is installed on the west elevation, with the staff to review details, pursuant to Standard 6 and 9.

OVERVIEW: This application proposes the replacement of windows and doors throughout this commercial property in Manayunk. The applicant proposes a combination of restoration and alterations. Most of the historic openings would be restored with the installation of replicas of the historic windows. The building was expanded in the early twentieth century and a combination of casements and double-hung windows are historically accurate. On the canal side, the applicant proposes the installation of two balconies with cable railings. The design for the doors at the balconies is different in both cases. One door would have a transom; the other one would have a blind panel above. Also the color rendering dated 6 April 2009 and the architectural drawings contradict one another on the design of the balconies and their railings. On the north elevation, the applicant proposes to remove what appears to be an original four-panel wood door and replace it with a metal and glass door. This alteration would not meet the Rehabilitation Standards. However, the Rehabilitation Standards would support the installation of glass in the upper two panels. The applicant should consider this alternative instead. On the west elevation, the applicant proposes to reopen an oculus window above the main entrance and install a fixed glass panel. The staff did not find evidence of the original window design for this opening, but opines that the proposed single-pane configuration would not replicate any of the possible historic configurations.

DISCUSSION: Mr. Danta presented the application to the Commission. Architect Jonathan Broh and developer David Waxman represented the application.

Mr. Wilds asked the applicants if they had proposed the large addition for this building a few years ago. They stated that they had, but had since abandoned that project. Mr. Wilds recollected the memorable review of that addition. He asked the applicants how the rehabilitated building would be used. They stated that it would be used as office space.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve the application, provided that the southwest balcony doors are arched-top to match the segmental arch; the southeast balcony transom is eliminated; the railings have simple vertical pickets; the four-panel wood door is retained with glass inserted in the upper two panels; and a more appropriate oculus window is installed on the west elevation, with the staff to review details, pursuant to Standard 6 and 9. Ms. Merriman seconded the motion, which passed unanimously.

316 S. 21ST STREET

Owner: William Hozack and Vesna Hess

Applicant: Tuval Shlomo

History: c. 1860, main block refaced in 1949

Contributing to Rittenhouse Fidler Residential Historic District, 2/8/1995

Project: Alter side elevation

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of Option One, with the staff to review details.

OVERVIEW: This application proposes alterations to a side façade. The applicant has submitted several applications for alterations to his façade. The Historical Commission approved a very different proposal for this property in July 2007. That proposal proved unsuitable to the owner's program. The owner now proposes a scaled back version of the design previously approved.

The application proposes three alternatives. All three alternatives propose the same rear addition and alterations to the garage; the design for the rear addition and garage is similar to that portion of the design approved in July 2007. The primary changes from the approved design involve the treatment of the rear ell wall. The three schemes propose the addition of simple bays at two locations instead of the previously approved Ionic portico and balconies with French doors. The staff contends that the three alternatives meet the Secretary of the Interior Standards for Rehabilitation. All three clearly respond to the comments the applicant has received from both the Architectural Committee and the Historical Commission, which stressed the preservation of the rear ell wall and the spatial relationship between the main block and the rear ell. The applicant has successfully integrated those comments into the three proposed alternatives.

DISCUSSION: Mr. Danta presented the proposal to the Commission. Architect Tuvo Shlomo and property owner Vesna Hess represented the application.

Mr. Wilds noted that this owner has proposed many schemes for the rehabilitation of this property. He asked Ms. Hess if she agreed with the Committee's recommendation. She stated that she did. He asked her if she intended to complete this project if approved. She stated that she did intend to construct it if approved.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve Option One, with the staff to review details. Ms. Smyler seconded the motion, which passed unanimously.

2115 PINE STREET

Owners: Valerie Hobson, Jan Williams

Applicant: Brendan Kelley, former owner

History: c. 1855; contributing to Rittenhouse Fittler Historic District, 2/8/1995

Project: legalize repairs to brownstone, sills, lintels, water table, and installation of vinyl basement windows and rebuild planter

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend the legalization of the masonry work provided that the two first-floor lintels are restored with Jahn or like material; denial of the legalization of the planter unless it was extant at the time of designation; and denial of the legalization of vinyl basement windows, but approval of the legalization of wood basement windows, provided they are painted black.

OVERVIEW: The applicant, who owned the property until recently, made repairs to the building. Although he sought and received a permit for a new door, he did other work without a permit or Commission approval. The brownstone lintels, sills and water table were shaved of loose stone and detail, parged with cement and painted brown. The details now have a soft pillow-like appearance without their original detail. Cement, rather than a compatible material, was used for the repairs. The Commission received a complaint and had a violation issued. A staff member met with the applicant to discuss ways to repair the façade and noticed that the applicant had also installed white vinyl sliders in the basement openings. A planter in front of the watertable had been built or rebuilt using modern brick with a bluestone cap.

The staff recognizes that the building had already lost some of its brownstone detail before the work occurred. A compromise might take that factor into account. At the least the lintels with their projecting molding should be rebuilt using Jahn or a like material.

Although the windows could be made much less visible with black paint, the Commission does not typically approve these windows and should not reward work performed in violation.

Visually, the planter is the most prominent piece of the inappropriate work.

DISCUSSION: Mr. Baron presented the application to the Commission. No one represented the application.

Mr. Wilds noted that the recommendation was conditional. He asked Mr. Baron to comment on the conditions. Mr. Baron answered that a pre-designation photograph shows a planter, albeit not very clearly. He stated that it was impossible to confirm whether the planter in the photograph was the extant planter or if the extant planter had been modified recently. However, there was certainly a planter at this site before designation. He also noted that he had confirmed that the basement windows are wood, not vinyl.

ACTION: Mr. Wilds moved to legalize the masonry work, provided that the two first-floor lintels are restored with Jahn or like material; the planter; and the wood basement windows, provided they are painted black. Mr. Sherman seconded the motion, which passed unanimously.

1940 PINE STREET

Owner: Gary Waxman

Applicant: Jason Nusbaum

History: date unknown; contributing to Rittenhouse Fitler Historic District, 2/8/1995

Project: Legalize roofdeck

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes the legalization of a roof deck on a corner building. The deck is set back behind a parapet but is still slightly visible from the public right of way. Although visible it is inconspicuous.

DISCUSSION: Mr. Baron presented the application to the Commission. Jason Nusbaum and Richard Sauder represented the application.

Mr. Baron noted the building was significantly altered from its historic appearance before designation. Two floors were removed. He stated that the staff recommended approval because the building is altered and now has a tall parapet that largely hides the deck.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve the application, pursuant to Standards 9 and 10. Ms. Leonard seconded the motion, which passed unanimously.

118 S. 20TH STREET

Owner: Meyer Fitler II LP

Applicant: Jason Nusbaum

History: c.1850 storefront alterations c. 1910; contributing to Rittenhouse Fitler Historic District, 2/8/1995

Project: Modify storefront, cut side door

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the storefront and door, with the staff to review details, pursuant to Standards 9 and 10.

OVERVIEW: The Commission has previously reviewed the restoration of the building and the addition of a mansard. The new plans call for modifications to the later storefront and the cutting of a side door. The storefront which was cut into the original residential front features a mix of white marble, green marble and slate as well as stucco where the stone has fallen off. The proposal calls for restoring the copper and prism glass transom and rebuilding the frame of the storefront with wood panels to cover the existing mix of materials.

The application also proposes cutting a door in the side façade to access a new outdoor seating area. This location formerly featured a window which had been cut down into a door and accessed by steps. The recent restoration restored that window opening. The current proposal would recut the door but at a lower level without a stoop.

DISCUSSION: Mr. Baron presented the application to the Commission. Robert Scully and Jason Nusbaum represented the application.

The Commissioners agreed that the application is appropriate, given the poor condition of the storefront and the alterations at the location of the proposed door.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the storefront and door, with the staff to review details, pursuant to Standards 9 and 10. Ms. Leonard seconded the motion, which passed unanimously.

640 SPRUCE STREET

Owner: Frank and Molly Napolitano

Applicant: Chris Blakelock

History: c. 1979 by Baker, Rothschild & Hornblake, architects; contributing to Society Hill Historic District

Project: Construct rear addition

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the application as submitted, pursuant to Standard 9.

OVERVIEW: This application proposes to construct a rear addition to the second and third stories. The proposed addition would be stepped to resemble the original profile of the west elevation and held back from the original façade allowing the original exterior wall to be perceived. Metal panel partitions would cover the west side of the addition while glazing and cement-fiber panels would clad the south elevation. Glass and aluminum railings are proposed for the rear balconies.

The applicant, Cecil Baker & Partners, designed the original structure in 1979.

DISCUSSION: Ms. Sell presented the application to the Commission. Architects Cecil Baker and Chris Blakelock represented the application.

The Commissioners agreed that the alterations are appropriate.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve the application as submitted, pursuant to Standard 9. Ms. Clark seconded the motion, which passed unanimously.

108 PINE STREET

Owner: Murat Aslansan

Applicant: Rustin Ohler

History: c. 1766, restored c. 1968, individually designated 2/27/1967, Significant in Society Hill Historic District 3/10/1999

Project: Legalize rear addition

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the legalization, provided the cornice is simplified and does not overlap onto the main block of the building, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to legalize a second-story rear addition. The addition was constructed without a building permit or Commission approval. The addition extends the second story to be flush with the rear wall of the existing first story. The addition and first story were stuccoed to match the existing stucco on the third story. A balcony rail and cornice are proposed for the new addition. The existing nine-over-twelve windows were removed from the rear of the main block and installed in the rear second-story addition. No information about alterations to

the rear wall of the main block at the second floor, which is now encapsulated, has been provided.

Photographs from 1914 and 1957 show this building as part of a row. Circa 1930, a storefront was installed in the first-story facade. Between 1957 and 1967, during the Redevelopment Period, the adjoining structure at 106 Pine Street was demolished by the Redevelopment Authority, exposing the east wall of 108 Pine Street. In 1967, 108 Pine Street was restored and rehabilitated. This building has maintained the same design and configuration through the time of the Society Hill Historic District designation in 1999.

The current owner was aware of the Historical Commission's jurisdiction. He obtained the Commission's approval for a permit in June 2007 for interior work only. In August 2007, the staff observed a second-story addition under construction and notified the Department of Licenses & Inspections, which issued violations on 14 August 2007.

This application was first presented to the Architectural Committee in September 2007. At that meeting, Committee members concurred that because the building had been altered several times, a history and materials of the building should be documented. The Architectural Committee requested a study of the building and voted to recommend denial, pursuant to Standard 9. The applicant subsequently withdrew the application prior to the Historical Commission meeting.

DISCUSSION: Ms. Sell presented the application to the Commission. Amanda Aslansan represented the application.

Mr. Wilds asked Ms. Aslansan to explain how the addition was erected without any permits or approvals. She stated that she did not know about the permitting of the addition. She was not involved. Her husband was responsible for the addition. Mr. Wilds reminded her that her husband had submitted applications for interior permits prior to constructing the addition, but then erected the addition with no permits. He asserted that he must have been aware of the historic designation because the Commission approved the interior permit applications. Ms. Smyler stated that the Commission does not condone illegal work and suggested that Ms. Aslansan's husband should have appeared to explain his actions. Mr. Mattioni contended that it was inappropriate for the husband to make the wife "the fall guy."

Mr. Wilds noted that the Preservation Alliance holds an easement on the property. Ms. Aslanson indicated that she is working with the Preservation Alliance.

Mr. Wilds asked about the deck railing shown on the drawings. Ms. Sell noted that the deck was not yet built on the addition. Mr. Wilds asked Ms. Aslanson if the deck would require the creation of a new door in the rear façade. He observed that the drawings did not indicate a door. Ms. Aslanson stated that she did not know the answer to that question. Mr. Wilds stated that the deck portion of the application was incomplete. He then explained to the applicant that, if the addition was legalized today, it would not include an approval to change a window into a door or install the deck or railing. He stated that Ms. Aslanson must apply to the Commission for an approval for the deck with the requisite documentation before undertaking any work. The applicant stated she understood the process and would submit a separate application for the deck.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the legalization, provided the cornice is simplified and does not overlap

onto the main block of the building, with the staff to review details, pursuant to Standard 9. Mr. Mattioni seconded the motion, which passed unanimously.

ADJOURNMENT

Ms. Schlotterbeck moved to adjourn at 1:32 p.m. Ms. Smyler 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 4: Changes to a property that have acquired historic significance in their own right will be retained and preserved.

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.

Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.