

**THE MINUTES OF THE 600TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 10 AUGUST 2012
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman, Chair
Richardson Dilworth III, Ph.D.
Anuj Gupta
JoAnn Jones, Office of Housing & Community Development
Rosalie Leonard, Office of City Council President
Sara Merriman, Commerce Department
John Mattioni, Esq.
Dan Quinn, Department of Licenses & Inspections
David Schaaf, Philadelphia City Planning Commission
Robert Thomas
Betty Turner

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

ALSO PRESENT

John Gallery, Preservation Alliance
Jessica Anders
David Foberg
Richard Thom, Old City Civic Association
Brett Feldman, Esq., Klehr Harrison
Carl Primavera, Esq., Klehr Harrison
Leonard F. Reuter, The Reuter Law Firm, LLC
Gail Tomassini
Bill Tomassini
Liz Zimmers, Zimmers Associates
Robert Powers, Powers & Co.
John B. Edwards II, Varenhorst Architects
Stephen Varenhorst, Varenhorst Architects
Eric Rahe, BLTa
Mike Black-Smith
Dan Kelly
Ann Verber

CALL TO ORDER

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

MINUTES OF THE 599TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Merriman moved to adopt the minutes of the 599th Stated Meeting of the Philadelphia Historical Commission, held 13 July 2012. Mr. Schaaf seconded the motion, which passed unanimously.

APPOINTMENT OF NEW MEMBER TO THE ARCHITECTURAL COMMITTEE

Mr. Farnham reported to the Commission that Ms. Hawkins, the chair of the Architectural Committee who is unable to attend today's meeting, has proposed the appointment of Amy Stein to fill the vacancy on the Architectural Committee. He stated that Ms. Stein is an architect and preservationist and is highly recommended for the position. He noted that her curriculum vita was included in the Commission members' meeting materials packets. He explained that the vacancy on the Committee resulted when Shawn Evans resigned his post on the Committee, owing to his relocation to Santa Fe, NM.

ACTION: Mr. Thomas moved to appoint Amy Stein to the Architectural Committee. Ms. Jones seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 24 JULY 2012

Dominique Hawkins, Chair

CONSENT AGENDA

Mr. Farnham introduced the consent agenda and explained that it included only 2047 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: Mr. Thomas moved to adopt the recommendation of the Architectural Committee for 2047 Spruce Street. Ms. Leonard seconded the motion, which passed unanimously.

AGENDA

2047 SPRUCE STREET

Project: Legalize deck

Review Requested: Final Approval

Owner: Jessica Anders

Applicant: Jessica Anders

History: 1883; Hewitt Brothers, architects

Individual Designation: None

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

Preservation Easement: No

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend legalization of the roof deck, provided the pressure-treated lumber railing is replaced with a thin metal railing, with the staff to review details.

OVERVIEW: This application proposes to legalize the reconstruction of a roof deck. A roof deck was present at the time of designation of the district in 1995. The property was not individually designated prior to the creation of the district. The original deck was constructed in 1985 and a building permit was approved for its construction at the time. The current owner had the deck reconstructed. It retains its original 1985 dimensions.

The owner submitted an application in August of 2011. The application was presented to the Architectural Committee, and subsequently withdrawn. The applicant received several suggestions at the Committee meeting. The applicant now returns with a proposal to replace the heavy pressure treated lumber of the railings to lighter metal railings; which would diminish the visual impact of the railing. The access point, which is the most conspicuous portion of the deck, would remain the same. Although the deck was present at the time of designation, it lost its grandfathered status when it was removed. A reconstructed deck does not have the grandfathered status.

ACTION: See Consent Agenda

ADDRESS: 250 NORTH CHRIS COLUMBUS BLV

Project: Construct apartment building

Review Requested: Final Approval

Owner: Delaware River Development Group

Applicant: Megan Delevan, BLT Architects

History: vacant lot

Individual Designation: None

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

Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660

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

OVERVIEW: This application proposes the construction of an 11-story apartment building at 250 N. Christopher Columbus Boulevard, on a vacant site north of the Philadelphia anchorage of the Ben Franklin Bridge. The site is located in the Old City Historic District. A non-contributing building stood on the site at the time of the designation of the district in 2003. It was demolished several years ago with the Commission's approval. Owing to the building that stood on the site at the time of designation, the Commission has full jurisdiction over this project. The site is

bounded on east by Christopher Columbus Boulevard; on the south by Summer Street and the bridge anchorage; on the west by Water Street and Interstate 95; and on the north by Vine Street. A utility easement, which cannot be built upon, runs east-west across the site at its northern edge along Vine Street.

In 2005, the Commission approved the demolition of the non-contributing building and the construction of the 30-story, 345-foot-tall building, provided a Phase 1 Archeological Study was performed prior to the start of construction. The non-contributing building was demolished and the archaeological study was performed, but the 30-story building was not constructed.

The proposed building would be 11 stories tall and 122'-10" to the parapet and 134'-0" to the top of the elevator penthouse. The bridge anchorage to the south ranges from 140' and 185' tall. The proposed building would include 180 apartments and three parking levels with 180 parking spaces. The first floor would include lobby, retail, tenant, bicycle storage, and fitness spaces. The cladding of the building's base would be precast concrete panels. The garage would have green screens. The upper floors would be clad with Trespa panels and EIFS or Dryvit, an artificial stucco material. Much of the building's facades would be glazed.

The site is located in an area with very high archaeological potential. The remains of a seventeenth-century shipyard were discovered just to the north of this site, on the north side of Vine Street, during an archaeological excavation in the 1980s. The 2006 archaeological study of this site recommended that an archaeological team monitor the drilling that was proposed for the construction of the support pilings for the foundation system. It also recommended the submission of a report on this monitoring to the Commission.

DISCUSSION: Mr. Farnham presented the application to the Historical Commission. Attorneys Carl Primavera and Brett Feldman and architect Eric Rahe represented the application.

Mr. Primavera stated that his client agreed to undertake the recommended archaeological monitoring when the Commission approved his first project. He stated that his client continues to honor that commitment and will undertake the recommended monitoring during the construction of the currently proposed building. Mr. Primavera explained that the subject property is located within the waterfront area and is therefore subject to the Plan of Development (POD) review process. He stated that the Planning Commission has approved their POD. He explained that the currently proposed project is much smaller than the project approved in 2005. He stated that the Commission only holds full jurisdiction because a non-contributing building stood on the site at the time that the district was designated. The Commission approved the demolition of that building in 2005. Mr. Primavera explained that the site is located in an unusual section of the Old City Historic District, which is devoid of the historic context that is found to the west of I-95. He stated that this area is bounded by I-95, the Ben Franklin Bridge, and Columbus Boulevard and includes many vacant lots. He stated that the only nearby neighborhood is the area known as River's Edge. He stated that his team has worked extensively with those residents. The project will include the repair of Water Street, which appeals to the nearby residents.

Mr. Rahe presented the architectural plans. The building includes an 11-story apartment structure and a three-story parking structure. The parking has been pushed to the west and the apartments to the east to present the best face toward Columbus Boulevard. He stated that the form of the structure results from many restrictions and requirements including an easement along Vine. He stated that they also pulled the tall section of the building as far from the bridge as possible. Also, the site is in the flood plain, meaning that the building must be elevated five

feet above Columbus Boulevard. Finally, the waterfront overlay district suggests a height limit of 100 feet. They exceed the height limit slightly, but fall within the spirit of it.

Mr. Rahe addressed the Architectural Committee's concerns. He noted the Committee's objection to the horizontal orientation of the main façade and explained that there are color changes and other articulations that give the façade rhythm. He noted the objection to the orange color at the northeast corner of the façade and explained that they will soften the color to more of a tan than an orange. He noted the questioning of the open section of the front façade at the parking garage and explained that they will infill that area to match the surrounding façade. He stated that these changes would result in an amendment to the POD. Mr. Rahe stated that they worked hard to make the pedestrian experience on Water Street a pleasant one. There will be plantings and lighting on Water. He showed several renderings.

Mr. Sherman asked about the heating and cooling. Mr. Rahe stated that each unit will have its own HVAC equipment. The air intake and exhaust will be located in metal panels adjacent to the windows. The condensation will be internally drained. Mr. Thomas asked about the roof on the tall section of the building. Mr. Rahe explained that the parking garage will have a green roof, while the apartment section will have a membrane roof.

Mr. Schaaf stated that the City Planning Commission approved a POD for the project in June 2012. He stated that the suggestions of the Architectural Committee are good ones, but will require an amendment of the POD. Mr. Primavera asked the Commission to approve the proposal as submitted and with the proposed revisions, to avoid a stalemate situation. He stated that his client agrees with the revisions and would seek to implement them, but does not want to be caught in a situation where he has approvals for two different projects and cannot proceed.

Mr. Sherman asked if the first floor of the parking deck could be converted to retail in the future, if a demand for additional retail emerged. Mr. Rahe stated that they had considered that potentiality and had designed the space for easy conversion to retail. Mr. Primavera added that there is nothing that would prevent the bicycle storage area of the garage from being converted to retail space; bicycle storage could be moved elsewhere in the garage. It would make economic sense if a demand existed. Mr. Mattioni noted that the developer would certainly prefer an income-producing retail space to a bicycle storage space.

Richard Thom of the Old City Civic Association displayed a model of the building and site for the Commission. He asserted that the project would significantly denigrate the historic district. He claimed that the building would be eight stories of Dryvit on a three-story parking garage. He stated that it would not be possible to design "a more simplistic, pedantic building." The project lacks "character" and is constructed of poor-quality materials. He asserted that the building should "genuflect" to the Paul Cret-designed bridge. It will block views of the bridge. It is an "unimaginative" building. He contended that the city should not accept the "second-class" design. Mr. Dilworth asked him what materials would be acceptable. Mr. Thom responded that metal panels would be acceptable. He again objected to the Dryvit, an artificial stucco material. He stated that the architects should be "ashamed" of the project. Mr. Gupta asked if the architects made any changes suggested by the Old City Civic Association. Mr. Thom stated that they made no suggestions, but rejected the project in its entirety. He stated that this is a "motel" project. Mr. Sherman asked Mr. Thom if he was involved in the review of the earlier design. Mr. Thom responded that his group preferred the earlier, much taller design. Mr. Gupta asked the applicants to respond to Mr. Thom's assertions. Mr. Primavera responded that they met with the Old City Civic Association and the River's Edge group. He explained that this building was designed to be economically feasible and to appeal to the market for this area, young people.

He asserted that the market will simply not support the use of luxury materials at this site. He remarked that his architect could redesign the building with luxury materials on the exterior, but it would not be financially feasible to build it in this market at this location. Mr. Rahe stated that the tower suggested by Mr. Thom would not satisfy the waterfront zoning requirements. He also noted that the historic buildings that stood on and around this site blocked many more of the bridge views than this building will. Mr. Rahe reiterated Mr. Primavera's contention that this site will not support a more expensive building. He contended that the developer is not merely trying to squeeze more profit out of the building by cladding it with EIFS, but is simply proposing a building that makes economic sense. He pointed out that this building will have no public subsidies. Mr. Primavera showed a rendering of an early version of the design and noted how much it had been refined.

Mr. Sherman asked if the EIFS will weather. Mr. Rahe stated that the lower floors are clad with pre-cast concrete panels, metal panels, and glass. The EIFS is used to clad the upper stories. Responding to Mr. Sherman's question, he stated that EIFS is no more or less prone staining or other wear than any other material. He stated that the palette is neutral, grays and whites. Mr. Primavera stated that the investors will hold the property for five years as the income stabilizes before they look for a large investor; therefore, the building must be attractive in five years. Also, the building has been designed to be attractive to its market. The developer cannot expect to rent apartments in an ugly or shabby building. The "young, hip" clientele will be attracted to the building. The building is designed for that demographic. Mr. Rahe stated that the majority of the exterior walls are glass, not EIFS.

Mr. Gupta asked if the team met more than once with the Old City Civic Association. Mr. Primavera stated that they met twice with the group as well as twice with River's Edge and once with CDAG, an umbrella group for the central Delaware River waterfront. They also met with the City Planning Commission. He concluded that the River's Edge group, which has the most at stake, supports the project.

John Gallery of the Preservation Alliance supported Richard Thom's comments and advocated for denial. Mr. Gallery stated that the Commission has reviewed many buildings proposed for the Old City Historic District for their compatibility with the district. He stated that this building would not be compatible with the historic district. He stated that the applicants are requesting an approval for the initial, not revised, design. He quoted from Inga Saffron's review of the proposal that was published in the *Inquirer* and contended that, although it may not be relevant, she found the design to be "unimaginative." Parodying Mr. Primavera, he contended that calling it "a cheap motel" for "people with no taste" was not a justification for the design. He asked the Commission to require a better design with more expensive materials. He asserted that others are building with better materials; this developer should as well.

Ms. Merriman raised the issue of archaeology. Mr. Sherman noted that the Commission had required an archaeological study for the site in 2005. He noted that it was performed and the resulting report offered some recommendations for monitoring during construction to protect archaeological resources and subsequent reporting. He asked Mr. Primavera if his client intended to comply with those recommendations. Mr. Primavera stated that his client would implement those recommendations. Mr. Farnham stated that the Standards stipulate that archaeological resources should be left undisturbed whenever possible. This project will leave most of the site undisturbed. In those places where holes for foundation pilings will be drilled, potentially disturbing resources, a qualified archaeologist will monitor the drilling and take the appropriate actions if resources are uncovered. He noted that the Philadelphia Archaeological Forum (PAF) issued a letter expressing concern about potential archaeological resources at the

site. Mr. Farnham stated that he had informed PAF of the archaeological report with recommendations commissioned by the developer, but no one from PAF had visited the Commission's offices to review the report.

Mr. Thomas quoted from the Architectural Committee minutes and contended that the Committee members were simply asking for some variations in color of the façade materials to break up the horizontality of the front façade and render the building more compatible with the district. He asked Mr. Farnham if that was a fair interpretation of the minutes. Mr. Farnham responded that the Committee members did have some concerns about the quality of the materials as well as the orange coloring at the northeast corner, but their primary concern related to the large scale of the building engendered by the unbroken, white bands running along Columbus Boulevard. The Committee members, primarily Ms. Gutterman and Mr. McCoubrey, contended that the scale could be reduced and the horizontality mitigated with changes in the white color along the façade. Mr. Farnham stated that the Committee concluded that the building was not compatible with this section of the district, but was unable to articulate the overriding character of this section of the district. Mr. Farnham stated that this site differs in context from most of the district. It is bounded by a bridge, a highway, a wide street, and a large vacant lot. He stated that the surroundings are predominately horizontal in nature, not vertical. The bridge, for example, is very horizontal. He stated that the bridge and the nearby piers are very large in scale. He noted that the row of nineteenth-century buildings north of Vine, between Front and Water, are the only structures in the area that share in the scale and verticality that typify the areas west of the highway. He stated that Mr. McCoubrey spoke for the Committee when he said that changes in color of the Columbus Boulevard façade would change the scale and rhythm of the building to make it more compatible with the more typical sections of the district.

Mr. Schaaf clarified that the 100-foot height limit is stipulated in a master plan prepared by the Delaware River Waterfront Corporation. He stated that the City Planning Commission is authorized to determine whether a proposed building sufficiently satisfies the recommended height limit. In this case, the City Planning Commission decided that the height of this proposed building was close enough to satisfy the recommended height limit. He stated that there are many cold storage warehouses dating to the early twentieth century just to the north of this site that are as tall and taller than the proposed building. Mr. Schaaf also pointed out that the 1953 photograph looking south on Water Street from Vine included in the Commission meeting materials clearly shows that the historic buildings on this site would have blocked more of the views of the historic bridge anchorage than would the proposed building. Mr. Farnham agreed that the views of the bridge anchorage that we see today are non-historic views across a vacant lot. He stated that the buildings in the 1953 photograph were not demolished until the 1970s and 1980s. Any building on the site in question would block some pedestrian views of the bridge anchorage, but that was the historic condition. It was an incredibly dense urban environment made up of loft and warehouse buildings. Mr. Thomas agreed that this was historically a densely built-up area. He noted that he looked at aerial photographs from the 1920s and 1930s to confirm his recollections. Mr. Thomas stated that he has discomfort with the proposed building, but it is unrelated to compatibility with the historic district. He stated that the area along the waterfront is very open and this building will be compatible with that area. He added that the views from the bridge to the district would not be compromised by the proposed building. He stated that he would like to see the Committee's comments about color incorporated into the design.

Mr. Gupta asked the applicants to provide their rent projections. Mr. Primavera responded that the rents will be considerably below those of Center City and will attract younger residents with

more modest incomes. Mr. Rahe added that the rents would not be as high as rents in the core of the city, but he added that the marketing consultants had not yet finalized their rent numbers. Mr. Gupta asked if the fact that they have targeted a particular market has limited their capacity to provide higher quality finishes. Mr. Primavera stated that that summary did not quite capture the situation. He stated that his clients explored the economics of the project and found that there is both financing and a market for rental units at this location, but that market is comprised of younger people with less income and therefore less to spend on rent. There is no market at this location for higher income people. Therefore, even if the building was constructed with more expensive materials, the higher-income people would not be drawn to it. They want to live on Rittenhouse Square, not Columbus Boulevard, he claimed. Mr. Primavera stated that Morningstar, the largest such firm, will manage the building. He concluded that they designed the building for the market that will live at this location; they did not target a particular segment of the market and then design the building for that segment. Mr. Gupta acknowledged their constraints, but noted that they are operating in an attractive financing environment. Mr. Primavera responded that the attractive financing is offset by a difficult construction environment. The cost of construction is very high in Philadelphia, owing to the building trades.

Mr. Sherman stated that this will be the first large building constructed under the new waterfront plan and is therefore being watched carefully by many. He asked if there is a way to improve the design without starting on the design from scratch. Mr. Primavera reiterated that the Planning Commission has reviewed this project very carefully under the POD process. He stated that many of the design issues were worked out during the POD review. He asserted that the Historical Commission should treat this review as more of a review-and-comment review than a full review. He stated that, excepting the now-demolished non-contributing building, this would be a true review-and-comment review. He suggested that the Historical Commission defer to the Planning Commission.

Mr. Thomas stated that the Architectural Committee was satisfied with overall massing and design and simply suggested some minor revisions to the coloration to change the rhythm and proportioning on Columbus Boulevard. Mr. Sherman asked Mr. Primavera if they could accept an in-concept approval and then adjust the coloring before returning for a final review. He responded that they cannot make any design changes without an entirely new POD review, which would be time consuming, costly, and unpredictable. He added that their financing would be at risk if they cannot move forward with the construction. He stated that he would accept the staff's review of the final details as they relate to the matters under discussion today. If the project is not shovel-ready, then the financial people will pass on the project and it will not be built. Ms. Merriman asked Mr. Thomas if the plan presented today was ready for the Commission's action, or if it needed additional review. Mr. Thomas stated that he was not sure if the revised design was ready for a final review. Mr. Farnham stated that the Commission was presented with two designs, the original design reviewed by the Architectural Committee and the revised design incorporating the Committee's primary comments. The revised design includes the infilling of the area at the parking garage along Columbus Boulevard and the changes in coloration. Mr. Farnham cautioned the Commission that there was not unanimity on the Committee, but instead a broad range of opinions.

Mr. Gallery interjected that the applicants are asking the Commission to approve the application as initially submitted. Mr. Mattioni agreed with Mr. Gallery and stated that he would do just that, make a motion to approve the application as initially submitted. Mr. Mattioni stated that he is satisfied that the proposed building is compatible with its context and this section of the historic district.

ACTION: Mr. Mattioni moved to approve the application, provided the archaeological monitoring recommended in the 2006 report is undertaken, pursuant to Standard 9. Mr. Schaaf seconded the motion, which passed by a vote of 7 to 3. Ms. Jones and Leonard and Mr. Gupta dissented. Mr. Sherman abstained.

ADDRESS: 108 CHRISTIAN ST

Project: Legalize decks, replace basement windows

Review Requested: Final Approval

Owner: Bill and Gail Tomassini

Applicant: Liz Zimmers, Zimmers Associates

History: 1835

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the façade alterations and legalization of the rear first, second, and third-story decks, but denial of the roof deck, 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. 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 was first proposed in February 2012. At that meeting, the Architectural Committee recommended denial of legalization of the deck. The applicant subsequently withdrew the application. Based on Committee suggestions, the applicant revised the application to reduce visibility from the public right-of-way. This application now proposes to modify the existing roof deck, removing the front six feet of the deck closest to the ridgeline of the roof, to reduce its visibility. In July 2012, the staff performed a site visit to review a mock-up installation of the proposed reduction. Photographs of the mock-up are provided in the packet.

On the front 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: Ms. Sell presented the application to the Historical Commission. Attorney Leonard Reuter, property owner Gail Tomassini, and architect Liz Zimmers represented the application.

Mr. Reuter explained that the owners understand and acknowledge that the work was done without a permit. He stated that they had a misunderstanding with their contractor and used the neighborhood trend for roof decks as a basis for the installation. He noted that at least 50% to 60% of houses in Queen Village have roof decks. He explained that the rear is not visible from the public right-of-way and was previously altered. He showed images of the property and the row of neighboring buildings to the east, which were built about 1970. He noted that balconies on the facades of those houses obscure the east wall and rear roofline of 108 Christian Street. He summarized that the Architectural Committee recommended approval of the rear work because it is not visible from the public right-of-way. He opined that the Committee may have recommended approval of the roof deck if the rear roof were flat and not pitched. He showed photographs of the east side of the building and explained that it was party wall to a house that has since been demolished. He stated that when the adjoining property was standing, the rear slope of the house would not have been visible.

He explained that the deck currently meets the peak of the ridgeline. He stated that they propose to scale back the deck to the first post closest to the front of the roofline. He explained that the alteration will make the deck less conspicuous or inconspicuous from the public right-of-way. He referred to the staff's photographs of the mock-up and stated that, after the deck is reduced, one would only perceive the deck from half a block away on Howard Street.

Ms. Merriman asked if the materials would be changed as well. Mr. Reuter stated that the current white vinyl railing will be replaced with a thin metal railing to reduce visibility. Ms. Jones asked for the distance from which the photograph of the façade of the house showing the current deck railing was taken. Mr. Reuter estimated that distance at about 70 feet from the front façade. He explained that, once the deck is reduced in size, the visibility would be nearly eliminated.

Mr. Reuter stated that there will be some alterations to the front façade including a modification to the stair that can be reviewed at the staff level. He stated that the pintels for the shutters exist and that they propose to install shutters that will also be reviewed at the staff level.

Mr. Reuter explained that he understands that alterations at another property do not necessarily justify them at a second property. He stated that roof decks in Queen Village are part of the fabric of the neighborhood. He stated that they add to the livability and marketability to the property, and can protect the roof structure. He explained that the Commission has reviewed and approved roof decks in the past on sloped roofs. He showed a photograph of 806 S. Hancock Street, which is one block west of 108 Christian Street. He explained that the Commission approved the highly visible roof deck shown on the slope of the rear gable.

Mr. Reuter stated that he believes the roof deck to be inconspicuous. He stated that he researched the term "inconspicuous" and how it is interpreted in the Standards. He explained that the National Park Service's Preservation Brief 14 and a circular for interpreting the Secretary of the Interior's Standards #47 states that they no longer use the term "inconspicuous." He explained that phrase now used is "highly visible." He argued that the roof deck is not highly visible and will be less visible after the reduction.

ACTION: Ms. Merriman moved to approve the application and legalize the decks, provided the roof deck is reduced in size as proposed and its railing replaced with a light metal railing, with the staff to review details, pursuant to Standard 9. Ms. Turner seconded the motion, which passed unanimously.

ADDRESS: 312-22 WALNUT ST

Project: Enlarge penthouse, replace windows

Review Requested: Final Approval

Owner: 312 Walnut Street Associates, LP

Applicant: John B. Edwards, Varenhorst, PC

History: 1926; Maryland Casualty Company, Walnut Place

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to Standards 6, 9, and 10, provided:

1. the facia on the penthouse is metal, not stucco,
2. paint analyses are undertaken to ensure that the new window color(s) matches the original color(s), and
3. the window details are refined to better match those of the historic windows.

OVERVIEW: This application proposes replacing all windows in this building and adding a larger penthouse on the roof.

The proposed window designs were revised since the Architectural Committee meeting and are now an acceptable match for the designs of the historic windows.

The rooftop addition would be set back substantially from the building's facades. The front façade has a tall parapet. The addition would be inconspicuous from the street and would be compatible with the architecture of the building.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architect John Edwards and preservation consultant Bob Powers represented the application.

Mr. Baron explained that the applicants have revised the window details and the proposed windows would now closely replicate the historic windows. He stated that the applicants are in agreement with the Committee's recommendation.

Ms. Merriman asked about the use. Mr. Edwards stated that it would be used for rental residential with retail at the first floor.

Mr. Sherman commended the project.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to Standards 6, 9, and 10, provided:

1. the facia on the penthouse is metal, not stucco,
 2. paint analyses are undertaken to ensure that the new window color(s) matches the original color(s), and
 3. the window details are refined to better match those of the historic windows.
- Mr. Mattioni seconded the motion, which passed unanimously.

REMINDER REGARDING NEW ZONING CODE

Mr. Farnham reminded the Commission that the City Council adopted and the Mayor signed into law a new Zoning Code in December 2011, which will become effective on 22 August 2012. The City's historic preservation ordinance is included within the larger Zoning Code as Chapter 14-1000. Although most of the Zoning Code was entirely rewritten, the historic preservation ordinance was not significantly amended from the earlier code, Section 14-2007. Mr. Farnham noted that the entire text of the new preservation ordinance with pertinent excerpts from the Zoning Code were included in the Commissioner's meeting materials packets. Mr. Farnham explained that, owing to the lack of changes, the transition from the old to new preservation ordinance should be virtually transparent for the Historical Commission, its Committee and staff, applicants, and interested parties. The primary change to the preservation ordinance is clerical; the section and subsection numbering in the ordinance has changed. The Commission will refer to the ordinance using the new numbering system after 22 August 2012. For example, the restrictions on demolition, which were formerly numbered §14-2007(7)(j), are now numbered §14-1005(6)(d). The only substantive change is the extension of the appeal period from 15 to 30 days; this change was instituted to standardize the preservation appeal period to the 30-day appeal period stipulated for all other appeals to the Board of License & Inspection Review in the Building Code. The separate ordinance giving the Historical Commission review authority in Manayunk, which is resident in the Property Maintenance Code, is unchanged. Mr. Farnham concluded that, in the coming months, the staff will draft a revision to the Rules & Regulations to incorporate the numbering in the new preservation ordinance. The draft will be presented to the Commission for its consideration.

ADJOURNMENT

ACTION: Ms. Jones moved to adjourn at 11:04 a.m. Mr. Thomas seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

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.

Roofs Guideline: Recommended: Designing additions to roofs such as residential, office, or storage spaces; elevator housing; decks and terraces; or dormers or skylights when required by the new use so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.