

**MEETING OF THE ARCHITECTURAL COMMITTEE
OF THE PHILADELPHIA HISTORICAL COMMISSION**

**TUESDAY, 23 AUGUST 2022
REMOTE MEETING ON ZOOM
DAN MCCOUBREY, CHAIR**

CALL TO ORDER

START TIME IN AUDIO RECORDING: 00:00:00

The Chair called the meeting to order at 9:12 a.m. The following Committee members joined him:

Committee Member	Present	Absent	Comment
Dan McCoubrey, FAIA, LEED AP BD+C, Chair		X	
John Cluver, AIA, LEED AP	X		
Rudy D'Alessandro		X	
Justin Detwiler	X		
Nan Gutterman, FAIA	X		Acting Chair
Allison Lukachik	X		
Amy Stein, AIA, LEED AP		X	

The meeting was held remotely via Zoom video and audio-conferencing software.

The following staff members were present:

Jon Farnham, Ph.D., Executive Director
Laura DiPasquale, Historic Preservation Planner II
Shannon Garrison, Historic Preservation Planner II
Allyson Mehley, Historic Preservation Planner II
Leonard Reuter, Esq., Law Department
Mary Costello, Esq., Law Department
Maggy White, Esq., Law Department

The following persons were present:

Jeff Wyant
Param Doshi
Hal Schirmer, Esq.
Greg Paulmier
Chinmay Nerurkar
Nancy Pontone
Michael Skolnick
Matt Masterpasqua
Nick Cartolaro
Supreet Khandate
Matt Taylor, Permit Capital
Kelly Edwards, Arts + Crafts Holdings
Mike Kitsios
Greg Smolley, DRA
Kelly Ladd

Oscar Beisert, Keeping Society
John Athanasiadis
Peter Bailey
Susan Wetherill
Russell Fulton
Irwin Trauss
David Gest, Esq.
Paul
Allison Weiss, SoLo
Brad Landis
Renita Dubuque
George Earl Thomas
Melissa Draganac-Hawk
Matthew McClure, Esq.
Peggy Steele
Deneene Brockington, Penn Knox Neighborhood Association
Rhonda Lancaster
Jay Farrell
Devon Beverly, Esq.
Kathleen Wilson
Mike Treacy
James Barrett, DRA
Megan Robb
Amanda Landrey, ASL Interpreter
Brett Feldman, Esq.
David Traub, Save Our Sites
Paul Steinke, Preservation Alliance
Joe Lombardi
Doug Mooney

AGENDA

ADDRESS: 1915 SPRUCE ST

Proposal: Add front gate, rear addition with garage, and roof deck with pilot house

Review Requested: Final Approval

Owner: Jennifer and Paul McLean

Applicant: Jeffrey Wyant, Wyant Architecture

History: 1925

Individual Designation: None

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

Staff Contact: Allyson Mehley, allyson.mehley@phila.gov

BACKGROUND:

This application seeks final approval for alterations to the front and rear elevations and the addition of a roof deck with pilot house at 1915 Spruce Street. The property is contributing to the Rittenhouse Fidler Historic District. The original building was constructed circa 1870 in the Italianate Style. In 1925, the front facade was reconstructed in the Colonial Revival Style. The historic district inventory recognizes the 1925 facade as a contributing element to the property's design.

The proposed changes to the front façade include the addition of a front metal gate within the entryway area. The application proposes replacing the second and third-story windows with two-over-two windows and installing new iron balconies in place of the existing ones. Photographs from 1947 and 1950 provide visual evidence that the front balconies were likely installed as part of the 1925 façade alteration. The photographs show that six-over-six windows were in place in the 1940s which would have been historically compatible with the Colonial Revival facade.

At the rear of the property along Manning Street, the application proposes to remove a number of non-historic, later additions including a fire escape, garage, section of building facing Manning Street, and a one-story breezeway structure. A new addition with garage is proposed for the areas of demolition. A new roof deck and pilot house would be added to the building's rear ell.

SCOPE OF WORK:

- Add metal gate at the front entry area.
- Replace second and third-story front windows.
- Replace and reconfigure windows on the side elevation.
- Removal of existing metal four-story fire escape.
- Demolition non-historic sections of the rear façade.
- Construct a wider garage and an addition at the second and third floors (above the proposed garage).
- Enlarge a masonry opening at the fourth-floor rear elevation for access to a new roof deck at fourth level.
- Removal of an existing pilot house.
- Construct new roof deck and pilot house.

STANDARDS FOR REVIEW:

The Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines include:

- *Standard 4: Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*
 - o The front balconies were added when the façade was redesigned in 1925 and should be preserved rather than replaced to meet Standard 4.
 - o Although the building may have originally had two-over-two windows, the reconstruction of the façade in 1925 changed the style of the front façade to Colonial Revival. As part of this significant change, six-over-six windows were added at the second and third floors. To meet Standard 4, the replacement windows should be a six-over-six on the front façade.
- *Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
 - o The proposed new addition and alterations on the rear façade replace non-historic additions. The massing, size, scale, and architectural features are compatible with the historic building; therefore, it meets Standard 9.
 - o Although the front gate introduces a new element to the historic facade, the setback in the entry vestibule minimizes the visual impact to the building's historic character. The front gate should be installed in a manner that does not damage historic materials in order to meet Standard 9.

- *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 will be unimpaired.*
 - o The proposed rear alterations could be removed from the historic building the future, leaving the historic building intact; therefore, the proposal meets Standard 10.
- *Roofs Guideline | Recommended: Designing rooftop additions, elevator or stair towers, decks or terraces, dormers, or skylights when required by a new or continuing use so that they are inconspicuous and minimally visible on the site and from the public right-of-way and do not damage or obscure character-defining historic features.*
 - o The roof deck does not alter the historic slope of the roof and is set back from the roofline. The design of the roof deck and pilot house is compatible with the historic building. The pilot house and deck will not be visible from Spruce Street and will be minimally visible from Manning Street, therefore it meets the Roofs Guideline.

STAFF RECOMMENDATION: Approval, provided the historic balconies are maintained, and the front replacement windows are compatible with the Colonial Revival Style, pursuant to Standards 4, 9, 10, and the Roofs Guideline.

START TIME OF DISCUSSION IN ZOOM RECORDING: 00:04:48

PRESENTERS:

- Ms. Mehley presented the application to the Architectural Committee.
- Architect Jeff Wyant represented the application.

DISCUSSION:

- Ms. Gutterman asked Mr. Wyant if he accepts staff recommendation regarding front façade balconies and windows at second and third floors.
 - o Mr. Wyant confirmed that the recommendation in that regard is acceptable.
- Mr. Cluver inquired if the front gate addition was owing security concerns.
 - o Mr. Wyant confirmed that that is correct.
- Mr. Detwiler stated that he found the application thin on details and he recommended adding more detail to the application prior to the Historical Commission's meeting in September. He noted as an example that the application only provides an elevation view of the security gate and more will be needed for the Commission's final review. He also pointed out that a roof deck and pilot house section was necessary to communicate how these elements relate to fourth floor and roof.
- Mr. Cluver said the proposed front entry gate reads as a security gate and barricade. He recommended that the new gate should be more attractive and better designed. He encouraged the revised design to be softened and more in keeping with the style of the front façade.
- Mr. Cluver asked how far the security gate was set in from the front façade.
 - o Mr. Wyant replied that the gate hardware is approximately three inches from the front façade and the gate panels swing in. He added that the bottom of the door clears the third riser and noted the handrails will need to be modified.
- Mr. Detwiler said the fourteen-inch gap below the gate is awkward and asked if the gates could swing out.
 - o Mr. Wyant responded that if the gates swung out, they would extend beyond the front façade. He explained that each gate panel is twenty-eight inches and that the marble arch entry panel is only twenty to twenty-one inches in depth.

- o Mr. Detwiler commented that if the current design swung out, this would extend six to eight inches beyond the front façade.
- o Mr. Wyant said he thought it would be preferable for the gate panels to swing in because they will be open most of the time.
- Mr. Detwiler stated that the gate swinging out with the panels opening within the jamb was preferable.
- Mr. Cluver noted that if the doors can swing out, the hardware would likely be better concealed. He said he believed that something attractive and functional can be installed in this entry area.
- Mr. Detwiler added that the final drawings for the gate should show the means of attachment to the building.
- Ms. Gutterman noted that she worked on the gates at City Hall and offered Mr. Wyant some ideas from what she learned from the project.
- The Architectural Committee members agreed that the application needs more details.
- Mr. Detwiler noted that the area under the rear deck appeared awkward and asked if it could be dropped down.
 - o Mr. Wyant asked if it would make visual sense to take the paneled area down to the roof.
 - o Mr. Detwiler recommended dropping the deck down as far as possible and filling in the remaining gap with panels.
- Mr. Detwiler commented that, besides the roof deck, the other proposed rear façade changes were handsome, well designed, and detailed.
- Mr. Detwiler asked how far above the roof deck the paneling rises.
 - o Mr. Wyant replied that it is 18 inches above the roof deck.
 - o Mr. Detwiler said he would prefer to see the railing go down to the floor and the panels used to cover up roof structure underneath.
- Ms. Gutterman recommended reducing the height of the pilot house.
- Mr. Detwiler stated that the opening on fourth floor on the rear elevation would be too large and too much historic fabric would be removed.
 - o Mr. Cluver agreed with this assessment.
- Mr. Cluver inquired where the mechanical equipment would be located.
 - o Mr. Wyant said all old equipment would be removed. New equipment would be set in front of deck and pilot house. He noted this is generally where the equipment is presently.
 - o Mr. Cluver said that the location of the mechanical equipment should be shown on revised plans.
- Mr. Detwiler asked about the historic configuration of the rear windows.
 - o Mr. Wyant said he did not know. He noted that the existing rear windows are not original.
- Mr. Detwiler noted that the proposed rear-elevation fourth-floor opening reads as a void because the doorway is set back within the opening.
 - o Mr. Wyant asked if a six-foot opening in the plane of the rear wall would be approvable.
 - o Mr. Detwiler confirmed it could be approved.

PUBLIC COMMENT:

- Oscar Beisert said he would not object if second and third-floor front façade windows remained in the two-over-two configuration. He pointed out that this would show that there was an earlier building before the Colonial Revival update.

ARCHITECTURAL COMMITTEE FINDINGS & CONCLUSIONS:

The Architectural Committee concluded that:

- The application should be revised to indicate the following prior to the Historical Commission's review to satisfy Standards 4, 9, and 10, and the Roofs Guideline:
 - o The retention and repair of the front balconies.
 - o The installation of six-over six-windows on front façade at the second and third stories.
 - o A front gate that is more decorative and less functional in appearance with necessary details including mounting location and hardware.
 - o The reduction of the height of the deck and pilot house and the installation of a skirt or paneling to hide the opening below the deck.
 - o The location of mechanical equipment.
 - o A reduction in the size of the wall opening at the fourth-floor rear and the installation of a door in the plane of the wall instead of a void.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial as submitted but approval if the requested revisions are made and information is provided, pursuant to Standard 4, 9, and 10, and Roofs Guideline.

ITEM: 1915 Spruce St MOTION: Denial as submitted, but approval with revisions and additional information MOVED BY: Detwiler SECONDED BY: Lukachik					
VOTE					
Committee Member	Yes	No	Abstain	Recuse	Absent
Dan McCoubrey					X
John Cluver	X				
Rudy D'Alessandro					X
Justin Detwiler	X				
Nan Gutterman	X				
Allison Lukachik	X				
Amy Stein					X
Total	4				3

ADDRESS: 539-41 N 22ND ST

Proposal: Amend approval

Review Requested: Final Approval

Owner: JLM Investment Group, LLC

Applicant: Augusta O'Neill, Klehr Harrison Harvey Branzburg LLP

History: 1859

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

Staff Contact: Allyson Mehley, allyson.mehley@phila.gov

BACKGROUND:

This application proposes to amend an application for 539-41 N 22nd Street, which the Historical Commission approved in August 2021. The revisions since the last approval include the removal of the rear ells instead of their repair, the installation of brick veneer on the front façade instead of the restoration of the original brick, and the replacement of front cornice.

This application proposes to convert a single wide building back to its historic form of two residential row houses. The parcel at 539-41 N. 22nd Street was two separate properties with two separate row houses until the 1930s, when an owner purchased both buildings and consolidated them into one. Historic maps and deeds indicate the buildings were combined into a single building sometime between 1931 and 1942. Despite the merging of these properties, the original cornice and majority of front façade window and door openings remain in place. Permastone was installed over the brick on the front facade in 1951. The application proposes to rehabilitate the front elevation to be more compatible with the historic district and the 1859 appearance.

The amended application proposes demolition of the existing rear ells and construction of three-story additions in their place. Zoning records (Figure 5) show this area has been altered over time and is a combination of brick and frame construction. It is presently clad in white vinyl siding. Since the review in 2021, the condition has been assessed by a structural engineer and the applicant is now requesting full demolition of these areas with new construction rather than rehabilitation.

This application also proposed amending the scope of work for the front façade. During the review of the 2021 application, a small section of Permastone was removed and the brick beneath it was restored. The Historical Commission's earlier approval encouraged the applicant to restore the historic brick behind the Permastone. This application requests to remove the Permastone and install a brick veneer over the historic brick rather than restore it, owing to concerns about the condition of the historic brick. The removal and replacement of the historic cornice is also proposed.

SCOPE OF WORK:

- This application seeks to amend the following elements of the previously approved application:
 - o Demolish rear ells owing to condition and construct three-story new additions.
 - o Install brick veneer on front façade.
 - o Remove the historic cornice and replace it in kind.

STANDARDS FOR REVIEW:

The Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines include:

- *Standard 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alterations of features, spaces, and spatial relationships that characterize a property will be avoided.*
 - o The removal of the Permastone material on the front façade is appropriate as it was added in 1951 and outside the period of significance for the historic district.
 - o The original cornice and front façade window and door openings shall be maintained.
- *Standard 6: Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*
 - o The applicant removed additional Permastone to reveal the deteriorated condition of the original brick facade. The application notes that front layer of brick will be removed, and a brick veneer will be installed for replacement. To meet Standard 6,

the staff recommends that a full brick be used for replacement. The brick and mortar should match the building's original masonry.

- o To meet Standard 6, the applicant should submit information to support the removal of cornice. Replacement shop drawing showing that a matching cornice will be installed should be submitted.
- *Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
 - o To meet Standard 9, the applicant has submitted a structural engineer's letter, detailing the structural reasons for removal of the existing eels. The proposed replacement additions were approved by the Historical Commission in 2021.

STAFF RECOMMENDATION: Approval of the requested amendments, with the staff to review the following details, pursuant to Standards 2, 6, and 9.

- An assessment of the condition of the front cornice. If it is deteriorated beyond repair, it should be replaced in kind with shop drawings submitted for approval.
- Proposed replacement brick and mortar submitted for approval. Mockup to be reviewed for approval on site by the staff.
- Revised front façade drawing submitted for approval. The elevation drawing shall confirm the historic location, details, and dimension of the window and door openings. For windows, this must include the openings, header, and sill.
- Shop drawings submitted for approval for new windows and new front entrance including door, transom, and moldings.

START TIME OF DISCUSSION IN ZOOM RECORDING: 00:35:30

PRESENTERS:

- Ms. Mehley presented the application to the Architectural Committee.
- Attorney Brett Feldman, structural engineer Brad Landis, architect Joe Lombardi, mason Michael Treacy represented the application.

DISCUSSION:

- Mr. Cluver said he was optimistic initially that the applicants would find the brick in good condition under the PermaStone. He agreed that the photographs in the application show that the brick is in poor condition.
- Ms. Gutterman asked for more information from the applicant about the proposed brick replacement.
 - o Mr. Treacy explained that the existing building has two courses of brick, an inner course and an outer course. He continued that they would build the new front façade with modern construction materials and techniques and then apply a full course of red brick approved by the Historical Commission onto the structural facade.
- Ms. Gutterman asked if they are proposing to take down the full thickness of this two-course wall. She inquired about the type of new construction.
 - o Mr. Treacy responded that the new front wall would be wood stud and brick construction with a full-size brick used on the exterior of the front façade.
- Ms. Gutterman inquired if they planned to match the historic brick and joint size.
 - o Mr. Treacy confirmed that they would.

- Mr. Cluver asked for details related to brick weeps and expansion joints. He commented that this project would be much more complicated, owing to the removal of the entire front façade, and asked for additional explanation.
 - o Mr. Treacy explained the windows would have metal lintels. A soldier course would be installed where the soldier course currently exists and limestone lintels and sills would be installed.
 - o Mr. Cluver asked about the size of the mortar joints, as the existing joints are not standard.
 - o Mr. Treacy agreed and noted they are likely 3/16 to 1/4 inch wide on average.
- Ms. Lukachik asked for confirmation again that the entire front wall is being removed. She asked why they needed to remove the backup wall.
 - o Mr. Treacy responded that with the existing wall, the inner and outer layers are tied together. He said that once you start removing the outer layer, the inner layer will start to fall apart.
- Ms. Lukachik asked if the backup wall could be repaired. She added that she was having trouble imagining that they would shore up all floors full height and save the rest of the building if they are removing the front wall.
 - o Mr. Treacy stated that floors are tied into the joist pockets on both sides, so the front of building is essentially standing alone. He explained that the front of the building is tied in at a couple places on the second floor. Mr. Treacy added the cornice is tied into the roof.
- Ms. Lukachik inquired if they were retaining the cornice.
 - o Mr. Treacy confirmed that the cornice would be retained. He said they would start the brick removal at the top of the building and remove brick sections out while the cornice will stay tied at the top.
- Ms. Lukachik asked for confirmation that the new wall would be tied into the side walls.
 - o Mr. Treacy confirmed that it would.
- Mr. Detwiler asked if all the lintels, masonry trim, and windows would be new.
 - o Mr. Treacy confirmed they would be new. All will match the historic ones.
- Mr. Gutterman asked what original elements will be left on the front of the building.
 - o Mr. Treacy replied only the cornice.
- Mr. Feldman asked Mr. Treacy if there were any other options besides the extensive wall replacement he had described.
 - o Mr. Treacy explained that the brick was permanently damaged by the installation of the PermaStone. The installation opened up the face of the bricks, damaging them and enabling water infiltration. He pointed out that even if they restored the bricks, within five years, voids in the brick would reappear and the potential for new brick deterioration and crumbling. Mr. Treacy pointed out that inner layer of brick was a softer brick than the outer layer.
- Mr. Detwiler inquired about the condition of the stone water table. He added that all aspects of the front façade need to be documented.
 - o Mr. Treacy stated that the base is a combination of marble and limestone.
 - o Ms. Mehley said she visited the building and could supplement the application with the photographs taken during that visit.
- Ms. Gutterman inquired about rear addition and height of pilot house.
 - o Mr. Feldman reminded the Architectural Committee that the rear design was approved by the Historical Commission at a previous meeting.
 - o Mr. Lombardi confirmed that the rear ell design had not changed from the 2021 approval.

- Ms. Feldman asked Mr. Landis to speak about the rear structural issues.
 - o Mr. Landis clarified that the area to be removed that is structurally deficient is the rear of the rear ell, not the full ell. He noted that it is the area that is of wood frame construction and is in poor condition. Mr. Landis commented that the siding was not maintained.
- Ms. Lukachik asked about annotations on application drawings that noted that the foundations are not built to frost depth. She inquired if the new construction would address this issue.
 - o Mr. Landis confirmed there would be new foundations in the newly constructed area of the ells.
- Mr. Detwiler inquired about the masonry portion of the ells.
 - o Mr. Lombardi said these areas have a stucco finish and they are planning to unify the entire area of the ell with new cladding.
 - o Mr. Treacy added that it was not proper stucco but more of a cement type application.
- Ms. Feldman asked for the rear photographs to be shown and noted that they were included on page 9 of the structural report.
 - o Ms. Mehley responded that the staff had not received a nine-page report but only a two-page letter addressing the rear ell structural condition.
- Ms. Mehley noted that the last time she was at the site, the rear was covered with vinyl siding. She asked if that had been removed and said that the staff could visit the site to see the conditions without the siding in place and supplement the application with site photographs.
 - o Mr. Treacy replied that all of the siding is still on the rear ell.
- Mr. Detwiler asked about the window placement and asked if consideration had been given to aligning them with the historic openings.
 - o Mr. Feldman reminded the Architectural Committee again that the design of the rear ell had been already approved by the Historical Commission. This application seeks an approval for the removal of the front brick and the structural compromised portion of the rear ell.
- Mr. Cluver asked the staff to comment on their recommendation that the revised front drawing be approved. He wanted to better understand the intent of this request.
- Ms. Mehley replied that the staff wanted to see a revised drawing that showed the full rebuilding of the front wall. She noted that the new drawing should reflect existing dimensions and details that would enable an accurate rebuilding of the wall.
- Ms. Gutterman stated that she wished to see wood angles instead of steel angles on the new front wall. She added that a masonry mockup reviewed by the staff should include weep holes, expansion joints, masonry joints, and new brick.
- Mr. Detwiler stated that he recommends reusing as much masonry as possible in the construction of the new brick front wall.

PUBLIC COMMENT:

- None.

ARCHITECTURAL COMMITTEE FINDINGS & CONCLUSIONS:

The Architectural Committee found that:

- The front wall will be completely removed with the exception of the cornice. It will be rebuilt with wood frame with a layer of brick applied to the exterior.
- A portion of the historic rear ells will be removed. The masonry area of the rear ells will be maintained.

The Architectural Committee concluded that:

- An on-site mockup is required for the new front wall prior to construction. The mockup should show the new brick, mortar, joint size, weep holes, and expansion joints.
- The historic marble and limestone base on front facade should be retained and restored, as should the historic cornice.
- Revised drawings must be submitted showing the rebuilding of the front wall prior to the Historical Commission meeting because the current drawings do not show an accurate scope of work for the front façade.
- An existing condition drawing of the front façade should be added to the application prior to the Historical Commission's meeting. The elevation and detail drawings should confirm the current locations, details, and dimension of the window and door openings. For windows, this should include the openings, headers, and sills.
- Shop drawings should be submitted for the staff's review for approval for the new windows and front entrance including the door, transom, and moldings. The removal of the PermaStone material on the front façade is appropriate as it was added in 1951 and outside the period of significance for the historic district; therefore, this meets Standard 2. The original cornice and stone base should be maintained and restored to meet Standard 2.
- The applicant removed additional PermaStone to reveal the deteriorated condition of the original brick façade. To meet Standard 6, the applicant should submit a detailed existing condition drawing(s) of the front façade that will show all dimensions of the existing window and door openings, lintels, sills, mortar joints, and window details. Also, the front façade should be documented in detailed photographs prior to demolition to satisfy Standard 6.
- To meet Standard 9, the applicant has submitted a structural engineer's letter detailing the structural reasons for removing the existing eels. The proposed replacement additions were approved by the Historical Commission in 2021.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to approve the application, with staff to review details, pursuant to Standards 2, 6, and 9.

ITEM: 539-41 N 22nd St MOTION: Approval with conditions MOVED BY: Lukachik SECONDED BY: Cluver					
VOTE					
Committee Member	Yes	No	Abstain	Recuse	Absent
Dan McCoubrey					X
John Cluver	X				
Rudy D'Alessandro					X
Justin Detwiler		X			
Nan Gutterman	X				
Allison Lukachik	X				
Amy Stein					X
Total	3	1			3

ADDRESS: 1717-19 MOUNT VERNON ST

Proposal: Demolish rear ell, party wall and garage, construct side and rear addition with parking

Review Requested: In-Concept

Owner: Mount Vernon Holdings, LLC

Applicant: Matt Masterpasqua, Mass Architecture Studio, LLC

History: 1859; new façade added, 1890

Individual Designation: None

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

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov

OVERVIEW: This in-concept application proposes to make significant alterations and additions to the property at 1717-19 Mount Vernon Street in the Spring Garden Historic District. The western half, or 1719 portion, of the double-width property features a three-story brick main block and rear ell constructed c. 1859 and refaced in 1890, and a one-story frame rear addition. The eastern half, or 1717 portion, has historically remained undeveloped except for garage constructed between 1910 and 1916 at the rear of the lot and an iron fence at the front of the lot. Originally given separate registry plan numbers (5-N-21-188 and -189), but historically sold together, the properties appear as a single parcel in 1858-60, 1910, 1916, 1942 and 1962 historic maps, and as separate properties in the 1875 and 1895 atlases. They were eventually legally consolidated and given a single registry number.

This application proposes to demolish the garage, rear ell, and second and third floor side walls of the main block and to construct three-story additions occupying the majority of the larger parcel. An engineer's report provided in the application claims that the rear ell is structurally compromised and must be demolished. Along Mount Vernon Street, the side addition would match the height of the existing building and feature a gated first-floor entrance to a below-ground parking garage. A new ell and rear addition occupying the full width of the property would be added at the rear.

SCOPE OF WORK

- Demolish rear ell, garage, second and third floor side walls of main block;
- Construct additions and underground parking

STANDARDS FOR REVIEW:

The Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines include:

- *Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
 - o Since it appears the property was originally intended to be two separately developable lots, the relationship of the historic building to the side yard side is not as significant as some double-width properties with highly ornate side bays and other detailing overlooking historic gardens, for example, so the Historical Commission staff does not oppose the concept of new construction on the 1717 portion of the property. However, the amount of demolition removes a significant amount of historic material of the historic property, including two-thirds of the side wall of the main block, the entire rear ell, and the garage. The application partially satisfies this standard.
- *Standard 6: Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where*

possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- o The application claims that the side wall of the rear ell is beyond repair, but does not propose to replace it in kind. The application does not provide information on the condition of the existing garage also proposed for removal. The application fails to satisfy this standard.
- *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.*
 - o The height, materials, and punched window openings on the second and third floors of the addition proposed along Mount Vernon Street are consistent with the scale, massing, materials and features of the Spring Garden Historic District; however the garage entrance Mount Vernon Street is not appropriate for this mid-block location, nor is the scale or massing of the new construction proposed at the rear. The application partially satisfies this standard.

STAFF RECOMMENDATION: The staff recommends denial, pursuant to Standards 2, 6, and 9.

START TIME OF DISCUSSION IN ZOOM RECORDING: 01:10:35

PRESENTERS:

- Ms. DiPasquale presented the application to the Architectural Committee.
- Architect Matt Masterpasqua represented the application.

DISCUSSION:

- Mr. Cluver asked for the date of the garage.
 - o Mr. Masterpasqua responded that he believes the garage dates to the early twentieth century.
- Ms. Gutterman questioned the operability of the existing gate.
 - o Mr. Masterpasqua responded that the gate is manually operated.
- Mr. Cluver noted that the gate appears to date to the same period as the alterations to the building.
- Mr. Cluver opined that the garage is of minimal historical significance and is also set far back from the street; the gate, however, appears to be a historic element and should be maintained.
- Ms. Gutterman noted that she is troubled by the infill new construction coming to the street and argued that it would be preferable to maintain a garden behind the existing gate.
- Ms. Gutterman questioned how much of the rear ell is proposed for demolition.
 - o Mr. Masterpasqua responded that they are proposing to retain the original stair immediately adjacent to the main block but to demolish everything behind it.
- Mr. Detwiler noted that the engineer's report seems to conflate damaged plaster and stucco caused by water infiltration with structural damage, but that those issues can typically be fixed by removing those finishes. He noted that one photograph in the report shows a decorative corbel and identifies it as showing that the bearing bracket has failed, but it is not a bearing bracket; it is decorative.

- Ms. Lukachik explained that rebuilding the side wall would allow them to retain more of the rear ell, but as currently presented, they are proposing to remove more than half of the existing building.
 - o Mr. Masterpasqua responded that they are proposing to take down anything that is structurally unsound. He noted that the front façade needs work but is sound. He opined that the rear portion does not seem to be worth the effort to save.
 - o Ms. Lukachik agreed with Mr. Detwiler that the engineer's report conflates moisture and finish issues with structural issues. She opined that it is nice to see an engineering report included in an application, but that the structural problems presented in the report are not insurmountable. She concluded that the existing rear ell should not be summarily dismissed and torn down.
 - o Ms. Gutterman agreed, noting that Image 6.F in the engineer's report shows possible structural damage, but in a limited area.
- Ms. Lukachik remarked that the Architectural Committee may take a more sympathetic view of the proposed addition if it called for new openings or modifications into the existing building rather than wholesale demolition.
- The Architectural Committee members summarized that they would like to see the rear ell and gate retained, and that any revisions or resubmissions should include demolition plans.

PUBLIC COMMENT:

- None.

ARCHITECTURAL COMMITTEE FINDINGS & CONCLUSIONS:

The Architectural Committee found that:

- The rear ell, existing garden gate and side yard are character-defining features of the property and should be retained and modified, if necessary, but not removed. The garage is not a character-defining feature of the property.
- The engineer's report that calls for the nearly complete demolition of the rear ell conflates moisture infiltration and damage to finishes such as stucco and plaster with structural problems.
- Moisture infiltration is common in historic buildings and can often be remedied.
- The property could likely accommodate an addition of some sort, provided it is set back from the street and treats the existing structure sensitively.
- The application should include demolition plans in addition to proposed floorplans.

The Architectural Committee concluded that:

- The application proposes to demolish significant portions of the historic building, including the rear ell and two-thirds of the side wall of the main block, failing to satisfy Standard 2.
- The application claims that the side wall of the rear ell is beyond repair, but does not propose to replace it in kind, failing to satisfy Standard 6.
- The proposed additions destroy historic materials and alter the spatial relationships that characterize the property, failing to satisfy Standard 9.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the in-concept application, pursuant to Standards 2, 6, and 9.

ITEM: 1717-19 Mount Vernon St MOTION: Denial; Standards 2,6, 9 MOVED BY: Lukachik SECONDED BY: Cluver					
VOTE					
Committee Member	Yes	No	Abstain	Recuse	Absent
Dan McCoubrey					X
John Cluver	X				
Rudy D'Alessandro					X
Justin Detwiler	X				
Nan Gutterman	X				
Allison Lukachik	X				
Amy Stein					X
Total	4				3

ADDRESS: 156 W SCHOOL HOUSE LN

Proposal: Demolish building
Review Requested: Final Approval
Owner: Pennsylvania School for the Deaf
Applicant: Matthew N. McClure, Ballard Spahr LLP
History: 1897; Boxwood; Mantle Fielding Jr., architect
Individual Designation: 3/12/2021
District Designation: None
Staff Contact: Jon Farnham, jon.farnham@phila.gov

OVERVIEW:

This application proposes to demolish the house at 156 W. School House Lane, owing to financial hardship and necessity in the public interest. The Pennsylvania School for the Deaf owns the property, which is adjacent to its campus in central Germantown. The application claims that the building cannot be feasibly adapted for use by the school and that demolishing the building and redeveloping the land for the school's use is necessary in the public interest.

The Penn Knox Neighborhood Association nominated the property in January 2019, when a different non-profit owner planned to sell the property to a for-profit developer for redevelopment as an apartment complex. After the nomination was submitted, the apartment plan was abandoned and the Pennsylvania School for the Deaf purchased the property in July 2019. The school's campus borders the property on the northeast. The review of the nomination was delayed for a while as the school and the neighborhood association discussed the matter. In March 2021, the Historical Commission reviewed the nomination. During the review, school representatives objected to the designation and explained that the school needed to redevelop the property at 156 W. School House Lane to redesign the traffic flow on the campus and improve safety for the deaf students. The school's consultants also explained that the house was in very poor condition and could not be feasibly adaptively reused for deaf students. The Historical Commission eventually designated the property over the school's objections at the meeting in March 2021. At the time of designation, the Commission suggested that the school submit a financial hardship application formalizing and demonstrating its claims about the infeasibility of reuse and the public interest.

Section 14-1005(6)(d) of the City of Philadelphia's historic preservation ordinance expressly prohibits the Historical Commission from approving demolitions of historic buildings in all but two instances. It may approve a demolition only after determining that:

- the demolition is necessary in the public interest; and/or,
- the building cannot be used for any purpose for which it is or may be reasonably adapted.

In the first instance, the ordinance authorizes the Historical Commission to approve demolitions for public policy reasons, when the public interest advanced by the demolition greatly outweighs the public interest in the preservation of the building. In the second instance, the ordinance authorizes the Commission to approve demolitions when the Commission's regulation of the property denies the owner of all economically viable use of it and thereby inflicts a financial hardship on the owner. If the Commission requires the retention and preservation of a building with no feasible reuse without justly compensating the owner for the imposed hardship, its actions would result in a taking in the constitutional sense and violate the property owner's constitutionally guaranteed rights. The hardship provision in Philadelphia's preservation ordinance and equivalent provisions in nearly all municipal preservation laws in the United States are designed specifically to allow preservation agencies to avoid takings claims and thereby function constitutionally. If a preservation ordinance prohibited all demolitions regardless of circumstances, the courts would find it unconstitutional.

The application consists of an affidavit and supporting documents. The application claims that the configuration and condition of the building prohibit a financially feasible reuse of the property. This application also claims that the demolition is necessary in the public interest because redeveloping the land at 156 W. School House Lane is the only means of meeting certain needs of the school and its students.

At its essence, this application asks the Historical Commission to compare the public interest in the preservation of the house at 156 W. School House Lane to the public interest in the reuse of the property to enhance the educational experiences provided by the Pennsylvania School for the Deaf; and, if the benefit of reuse exceeds that of preservation, whether the reuse of the property as outlined is the only feasible means of achieving that benefit. In other words, does the public benefit of the enhancements to the campus exceed that of the preservation of the house and, if so, is the demolition of the house and reuse of the property necessary to achieve the benefit? These questions are fundamentally the same questions that the Historical Commission confronted during the review of the nomination. However, now, with the submission of this application, the Historical Commission has considerably more information on which to base a decision.

In 2001, the Pennsylvania School for the Deaf sought and received the Historical Commission's approval to demolish the designated house at 143 W. Coulter Street, which was southeast of the property at 156 W. School House Lane and adjacent to the school's campus. The Historical Commission approved the demolition as necessary in the public interest, to clear the site for the construction of a facility for the school. Meeting minutes related to the Historical Commission's approvals of the demolition and new construction are included with application materials.

The Historical Commission's Rules and Regulations indicate that both the Architectural Committee and Committee on Financial Hardship must review financial hardship applications and offer recommendations to the Historical Commission. The Committee on Financial Hardship's role is clear; it must evaluate the claims of financial hardship and necessity in the

public interest and determine whether they have merit. The Architectural Committee's role is less clear; the staff suggests that the Architectural Committee apply its expertise to the review of the application and offer a recommendation regarding the claims related architecture, such as condition of the building, cost to rehabilitate, and incorporating the property into the larger campus to solve traffic flow and other problems.

SCOPE OF WORK:

- Demolish building.

STANDARDS FOR REVIEW:

The historic preservation ordinance and Rules and Regulations include the following guidance:

- *Section 14-1005(6)(d), Restrictions on Demolition: "No building permit shall be issued for the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within a historic district that contributes, in the Historical Commission's opinion, to the character of the district, unless the Historical Commission finds that issuance of the building permit is necessary in the public interest, or unless the Historical Commission finds that the building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted. In order to show that building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, the owner must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed."*
 - o The Historical Commission typically determines whether a property can be reasonably adapted for a new purpose by comparing the cost to rehabilitate a property for the new use(s) with the value of the rehabilitated property derived from the new use(s) over time to determine whether the reuse project(s) will produce reasonable rates of return. Such an analysis can demonstrate whether the sale of the property is impracticable, whether commercial rental will provide a reasonable rate of return, and whether other potential uses of the property are foreclosed.
- *Section 10.1 of the Historical Commission's Rules and Regulations, Financial Hardship for Non-Profit Organizations: "The Commission recognizes that the provisions of Section 14-1000 of the Philadelphia Code and other sections of these Rules & Regulations may not all have applicability to a property owned and used by a non-profit organization. No single set of measures can encompass the highly variegated types and contexts of buildings held by non-profit organizations. The economics of a building in the middle of a college campus may differ from that of a church, hospital, museum, or child care center."*
 - o Section 10.1 of the Rules and Regulations indicates that financial hardship reviews for non-profit organizations differ from other hardship reviews and implies that a hardship review for a property held by a non-profit may combine aspects of hardship and public interest reviews, given that non-profits presumably work in the public interest.
- *Section 12 of the Historical Commission's Rules and Regulations, Demolition in the Public Interest: "Section 14-1005(6)(d) of the Philadelphia Code authorizes the Commission to approve a permit application for demolition that may not otherwise satisfy the Commission's review criteria if the Commission 'finds that issuance of the permit is necessary in the public interest.' ... The applicant must provide documentation demonstrating the necessity of demolition in the public interest."*
 - o The historic preservation ordinance authorizes the Historical Commission to make determinations related to necessity in the public interest but does not define or

elaborate on necessity in the public interest. The Rules and Regulations likewise do not define or elaborate, imbuing the Historical Commission with broad discretion.

STAFF RECOMMENDATION: The staff recommends that the Architectural Committee not recommend approval or denial of the application because it is only considering a subset of the entire application and instead concentrate its efforts on evaluating the architectural aspects of the application such as the condition and architectural significance of the building, costs to adaptively reuse it, and campus planning issues such as traffic flow and parking.

START TIME OF DISCUSSION IN ZOOM RECORDING: 01:23:00

PRESENTERS:

- Mr. Farnham presented the application to the Architectural Committee.
- Attorney Matthew McClure, Peter Bailey, Head of the Pennsylvania School for the Deaf, consultant George Thomas, and architects Greg Smolley and Michael Skolnick represented the application.

DISCUSSION:

- Mr. Farnham confirmed with the applicants that sign language interpreters were able to communicate in the Zoom meeting with Mr. Bailey.
- Mr. Farnham asked the Architectural Committee to address the Penn Knox Neighborhood Association continuance request before proceeding to hear the application on its merits.
- Ms. Gutterman asked Mr. Farnham if the staff wanted to offer a recommendation on the continuance request.
 - o Mr. Farnham noted that Leonard Reuter, the Historical Commission's attorney is in attendance and can offer legal advice if necessary. stated that the Penn Knox Neighborhood Association has no special status or standing in the review of this application. It is a member of the public like any other member of the public. Mr. Farnham stated that the Historical Commission is the appropriate body to decide whether this review should be postponed, not the Architectural Committee. He observed that, if the Architectural Committee continues the matter without offering a recommendation, it will tie the Commission's hands, which will have no choice but to remand the matter back to the Committee. Mr. Farnham advised that the Architectural Committee should conduct its review today and, then, the Historical Commission will have the full range of opportunities when it considers the continuance request. If the Historical Commission decides that the Architectural Committee was deprived of information that the neighborhood association would have provided had it had more time, the Commission can remand the matter to the Architectural Committee for a second review. Mr. Farnham asked the Architectural Committee to move forward today, nit tie the hands of the Commission, and conduct its review. Mr. Farnham reminded the Architectural Committee that the Commission has 60 days to review a building permit application or it is deemed approved, unless the property owner agrees with the continuance request.
- Mr. Detwiler asked why the Registered Community Organization (RCO), in this case the Penn Knox Neighborhood Association, does not have some special status that would give it the ability to delay this proceeding. He noted that the Association nominated the property for designation.

- o Mr. Farnham responded that the RCO does not have any special status or standing under the historic preservation ordinance as it does before the Zoning Board of Adjustment, where RCOs are formally included in the review process. He stated that the RCO and any other member of the public may request a continuance and offer comments on an application, but a member of the public is not a party to the Historical Commission's review. He reminded the Architectural Committee of the 60-day clock to review building permit applications and noted that it would not stop ticking unless the property owner requested or consented to the continuance.
- Deneene Brockington, the president of the Penn Knox Neighborhood Association, addressed the Committee. She stated that the Association's attorney was unable to attend today's meeting and the Association would like him to be able to participate in the review. She also stated that the Pennsylvania School for the Deaf is also contractually obligated to the Philadelphia Redevelopment Authority to maintain its historic properties, with the Association as a third-party beneficiary. She also stated that the Association just became aware of this application and needs time to prepare its response.
- Mr. McClure stated that his client does not agree to a continuance of the review. He observed that this review is an administrative proceeding, not a hearing, not a quasi-judicial proceeding. There are not opposing parties. This is not a hearing before the Zoning Board of Adjustment, where the RCO is represented by counsel and questions witnesses. The RCO may comment on this application like any other member of the public. Mr. McClure noted that the Association was represented by a different attorney during the designation of this property. He stated that the Association should not have been surprised by this application because he informed everyone at the time of designation that his client would be moving forward with an application like this one. He stated that there is no contract between the school and the Redevelopment Authority that relates to 156 W. School House Lane. He asserted that that is a "red herring." He asked the Architectural Committee to apply the City's historic preservation ordinance as well as federal ADA law to the application.
- Ms. Gutterman asked if the Historical Commission has considered continuance requests from third parties in the past.
 - o Mr. Farnham stated that he has not researched the question but remembers a small number of such requests over the last 20 years. He stated that he remembers such requests being denied but does not remember any being approved without the consent of the property owner. He stated that continuing a building permit application review without the property owner's consent puts the application at risk for a deemed approval, owing to the 60-day clock.
 - o Mr. Farnham stated that the presence or absence of a contract between the school and the Redevelopment Authority should not impact the Historical Commission's review. He stated that the Historical Commission has an obligation to review the application by applying the review criteria in the historic preservation ordinance, regardless of any contract. The Historical Commission is not the appropriate venue for the Redevelopment Authority to seek to enforce any contract it may hold. Mr. Farnham concluded that the Historical Commission, not the Architectural Committee, should make the final decision on the continuance request. The Architectural Committee should make a recommendation to the Historical Commission on the merits of the application.
- Ms. Gutterman polled the Architectural Committee members, who unanimously agreed to reject the continuance request and move forward with the review.

- Mr. McClure introduced his client and consultants. He then stated that 80% of the students at the Pennsylvania School for the Deaf (PSD) live at or below the poverty level, 75% are persons of color, and 40% have a second disability beyond deafness. He concluded that the school works in the public interest. Mr. McClure observed that he submitted an affidavit sworn to by Mr. Bailey, the head of school. Mr. McClure stated that this application intends to show that a demolition in this case is justified by financial hardship and necessity in the public interest, the grounds for demolition laid out in the preservation ordinance. He stated that they are also requesting a reasonable accommodation under the federal Americans with Disabilities Act. He stated that Section 10 of the Historical Commission's Rules and regulations governs the review of financial hardship applications submitted by non-profits. He contended that, under its rules, the Historical Commission does not require non-profits to market their properties or campuses for sale. He stated that the Commonwealth Court confirmed this provision in the 400 S. 40th Street case. He claimed that Section 10.2 of the Rules and Regulations stipulates that the question before the Historical Commission is not whether any potential owner can feasibly reuse the property for any use but instead whether the PSD can feasibly reuse the property for its needs. Mr. McClure claimed that the rule at Section 10.2 regarding non-profits and hardship applications has been applied in the manner described in at least two other applications, regarding the demolition of two buildings on the Episcopal Hospital campus and the building at 400 S. 40th Street, which was owned by the University of Pennsylvania. Mr. McClure also noted that the Historical Commission approved a demolition for PSD, for this campus, as necessary in the public interest in 2001. He stated that the public's interest in the PSD and the education it provides far outweigh the public's interest in the preservation of this building. Mr. McClure stated that it is illegal for a municipality to discriminate against a disabled person under the Americans with Disabilities Act. The City of Philadelphia is required to actively prevent discrimination by providing reasonable accommodation. He stated that the reasonable accommodation, the allowance of the demolition of this building, fits within the framework of necessary in the public interest in the preservation ordinance.
- Mr. Bailey stated that PSD has a great need for the property at 156 W. School House Lane. He stated that they "need" the property; they do not simply "want" it. He distinguished between disparity and parity and stated that the PSD students deserve parity. He stated that they need to demolish the building and reuse the space to serve the PSD students.
- Mr. McClure stated that several institutions involved in deaf education have submitted letters of support for this application to the Historical Commission.
- Mr. Smolley introduced himself and provided his credentials as an architect and planner. He stated that, when evaluating the building, they looked at it through the lens of education, the campus, athletics, and student life. He displayed Exhibit N. He stated that they identified a need for a space for theater, guest lecturers, poetry slams, dining, and other events. He stated that the school identified a need for a social space where interactions can take place. Once they identified the space needs, they looked at the building in question to see if it could be rehabilitated to accommodate those needs. They concluded that the building cannot support the spaces needed. The spaces are too small and cannot be redesigned to fit the needs of deaf and hard-of-hearing students. The design guidelines for deaf and hard-of-hearing students cannot be met. Deaf students require 50 sf per student, not the usual 35 sf per student. Visual connection is a key. Audio cues cannot be used.

- Using Exhibit N, Mr. Smolley discussed campus planning. He explained that under the current design cars are moving across the campus at all times of day, creating safety hazards. He stated that they would like to eliminate the intersection of students and cars. He explained that cars, buses, and delivery vehicles present challenges for deaf students, who do not hear them approaching. He showed current and proposed plans for the campus. He showed a plan with a new building for community activities and the parking shifted to the edge of campus. To achieve this desired plan with students and vehicles segregated, the building at 156 W. School House Lane would need to be demolished.
- Mr. Smolley discussed the floor plan of the existing building using Exhibit B. he stated that the school needs spaces for 100 for dining and for 250 for speakers and graduation. He concluded that the existing building cannot satisfy those needs. He stated that they considered adding to the historic building but could not develop a successful plan. He concluded that there is not a reasonable, financially feasible, educationally sound way of reusing the building for PSD's needs.
- Regarding the condition of the existing building, Mr. Smolley stated that it has suffered from a lacking of heating and maintenance before the school acquired it. The building would have to be completely rebuilt to use it for educational or assembly purposes. He stated that the cost estimate at Exhibit O is a prevailing wage estimate and is probably 5% to 8% before the market now because it was undertaken many months ago.
- Mr. Cluver asked about the circulation plans in Exhibit N. he asked why the building needed to be removed for the safe circulation to work.
 - o Mr. Smolley responded that they need to widen the driveway between the gym and the house, create a bidirectional lane for buses, create space for a larger turning radius for buses, and change the grades on both sides of the gym to make the circulation safe. He stated that they need a 22 to 24-foot wide driveway, with 24 feet at the turns. He stated that the house needs to be removed to make the driveway and parking changes.
 - o Mr. Cluver suggested that the applicants supplement the application with more information about parking and circulation.
 - o Mr. Smolley stated that, to fit a regulation soccer field and the new building for assembly, they need to remove the house to maintain the required parking space count. The house is not able to support any of the school's needed spaces and, even if it did, it would be too expensive to rehabilitate. The traffic needs to be moved from the core of the campus.
- Mr. Cluver asked Mr. McClure about his statement that the house must be evaluated only with regard to the school's needs, within the school context, and a sale to a third party cannot be considered as an option.
 - o Mr. McClure claimed that the Commonwealth Court confirmed that interpretation when it reviewed the 400 S. 40th Street case. He stated that Section 10.2 of the Rules and Regulations likewise supports that assertion. A non-profit institution is only required evaluate potential reuses of a building for its own needs, not from the viewpoint of any potential owner. He also pointed out that their overall argument has two prongs, the financial hardship prong and the necessary in the public interest prong.
- Mr. Skolnick stated that he was a former trustee of PSD and was the chair of the Buildings and Grounds Committee. He discussed Exhibit O. He stated that they received pricing from two companies and used the lower of the two. He stated that

- the estimate is about 5% to 8.5% low, owing to recent changes in the market. He stated that the job is priced at \$3,255,305.
- Mr. Detwiler asked about the size of the building's footprint.
 - o Mr. Smolley stated that it is just over 4,000 sf.
 - o Mr. Detwiler stated that the overall building without the basement is about 7,000 sf. He stated that there is very little architectural information to support the estimate.
 - o Mr. McClure stated that that is the nature of a financial hardship application. The pricing is an estimate. They did not develop full architectural plans to have priced out. He stated that he understands why the Architectural Committee is having difficulty reviewing this application, when it is better suited for the Committee on Financial Hardship, but the Rules and Regulations require the Architectural Committee to review financial hardship applications.
 - o Mr. Detwiler stated that the application should include full floor plans and photographs of every interior space.
 - o Mr. McClure countered that this is one of the most thorough, most complete applications ever submitted to the Historical Commission. He asked that PSD be held to the same standard as other applicants.
 - o Mr. Detwiler stated that the building has no structural deficiencies. It can be repaired.
 - o Mr. McClure stated that they never alleged that it has structural deficiencies, nor do they need show that to prove their case. He suggested that Mr. Detwiler consider the necessary in the public interest, financial hardship, and ADA regulations and apply them to the application.
 - o Mr. Bailey stated that the building is in poor condition and can no longer be inhabited.
 - Mr. McClure introduced consultant George Thomas to discuss the significance of the building at 156 W. School House Lane relative to the buildings on PSD's main campus.
 - Mr. Thomas introduced himself as an architectural historian. He stated that there is a wealth of great Colonial Revival buildings in Northwest Philadelphia, but the building at 156 W. School House Lane is not one of them. It is a minor piece, a rehabilitation of an earlier building accomplished with the addition of secondary motifs. It does not have the energy or richness of good Colonial Revival. He displayed photographs of several important Colonial Revival buildings in the area and asserted that the house at 156 W. School House Lane is not architectural important. Mr. Thomas stated that the Colonial buildings on PSD's campus are extremely important historically and architecturally. The buildings were some of the first that the Historic American Buildings Survey documented after the program was created in 1933. He displayed photographs and drawings of the PSD buildings that had belonged to Germantown Academy and now form the core of the campus. He stated that PSD carefully preserves and maintains its very important historic buildings from the eighteenth century as well as the latter Colonial Revival buildings that were added. PSD has made a great contribution by keeping these buildings alive. The school's mission is to provide education for children with special needs. The school cares for very important buildings. It cannot care for the very minor building at 156 W. School House Lane while providing education and preserving important buildings. The building at 156 W. School House Lane is an impediment to the school's more important efforts.

- Mr. McClure concluded that this review is about the balancing of interests, as the ordinance requires. The school provides education to children who need it and the school preserves very important buildings. The cost estimates show that it would be very expensive to rehabilitate the building at 156 W. School House Lane and the school does not need the sort of space that the building could provide. The school is located in an urban area and space is at a premium. Little new space is available. The school needs the space now occupied by the house at 156 W. School House Lane to redesign its campus, make it safe, and fulfill its mission.
- Mr. Cluver asked about the new building shown on some of the campus plans.
 - o Mr. Smolley explained that the new building would house dining facilities and a black-box theater. It will be a communal space for students of all ages. He clarified that they are not proposing the building as part of this application but are only showing it to demonstrate how they would like to reorganize the campus.
 - o Mr. Cluver opined that the proposed building does not seem to be much larger than the building proposed for demolition.
 - o Mr. Smolley replied that it is larger than the building at 156 W. School House Lane and would be one floor only for accessibility. The older building is three floors and the spaces are not usable by the school. He stated that the new dining area would seat 100 people at a time and the theater space would seat 250; the spaces would be shared and have a folding wall between them. With support spaces, the building would be about 10,000 sf. The existing gym is 12,000 sf, for comparison.
 - o Mr. Bailey added that the new building would allow PSD to hold graduation on campus. Currently, PSD uses space at Germantown Friends School for graduation. The new space could also be used for community events.
- Mr. Cluver asked about a playground on the campus plan between 143 and 151 W. Coulter Street. He asked if the playground could be relocated and the driveway run from School House Lane to Coulter, avoiding the need to demolish the house and moving the traffic away from the center of the campus.
 - o Mr. Smolley stated that the playground would likely move with the construction of the new building.
 - o Mr. Bailey noted that PSD does not own all of the properties on W. Coulter Street.
 - o Mr. Smolley stated that running a driveway from School House Lane to Coulter would create significant safety and security problems. The long driveway between the streets would encourage people to use it as a short cut and would allow for high speeds. The plan would transfer some of the turning radius and other problems from School House Lane to Coulter Street. It would be a road across the campus. It would not work.

PUBLIC COMMENT:

- Greg Palmier stated that he grew up in the area and has lived in Germantown for many years. He observed that he walked to school when he was a child and the experience of walking to school was a positive one. He stated that schools are becoming too insular. He stated that school students should walk to school or take public transportation. He suggested that the Pennsylvania School for the Deaf would not need so many driveways and parking lots if students walked and took public transportation to school. He stated that he did not see an overall budget for new building and other changes PSD wants to make at its campus and he asked the applicants what the overall budget would be.

- o Mr. Farnham informed the Architectural Committee and the audience that members of the public may offer comments, but they may not question the applicants. It is not an adversarial hearing with cross examination.
- Paul Steinke of the Preservation Alliance acknowledged that “the Philadelphia School for the Deaf and its consultants are clearly people of good faith who are dedicated to serving the school’s mission and its constituency and community.” He commented that his mother worked for a deaf church congregation and he grew up around hearing impaired and deaf people, so he is aware of the challenges that deaf people face. He stated that he submitted a letter on this application to the Historical Commission. Mr. Steinke asserted that the applicants have misrepresented the financial hardship provisions in the preservation ordinance by claiming that they do not apply to non-profit institutions. He stated that it is a shame that non-profit institutions like Drexel, Temple, St. Joe’s, and the University of Pennsylvania demolish historic buildings to fulfill their institutional needs. He stated that “it’s a shame to see the Philadelphia School for the Deaf is kind of doing the same thing here and undermining and disrupting the historic character of this part of Germantown.” He stated that past administrations at the school found ways to reuse historic buildings but the current administration is failing to continue that legacy. He asserted that resourceful leaders could find ways of achieving parity in education without undermining and destroying the historic character of Germantown. He asked the Architectural Committee to reject the application and remand it to the Committee on Financial Hardship.
- Doug Mooney noted that 156 W. School House Lane was designated under Criteria B and I, meaning that archaeological resources at the site must be protected. He stated that the Architectural Committee cannot approve the new building and site improvements such as driveways and parking lots with the information provided today because the application does not address archaeology. He stated that the projects will certainly include significant ground disturbance and will impact archaeological resources including those related to the Battle of Germantown. He asked the Architectural Committee to recommend denial of the campus improvement projects until an archaeology plan is provided.
 - o Mr. Farnham observed that the current application is not seeking an approval for the new building or parking lots and driveways but is only proposing the demolition of the building at 156 W. School House Lane. He noted that information about the other potential improvements is only provided today to make a case for the necessity of the demolition. The Architectural Committee is not reviewing the campus improvement projects for approval today. The applicant will be required to submit those projects for approval under separate applications and archaeology can be considered at the time of those reviews.
- David Traub of Save Our Sites stated that the building in question is already designated, so statements by Mr. Thomas about its relative historical significance are irrelevant. He stated that “there must be other uses for the building.” He suggested that the building could be used as a home for the head of school. Presumably confusing the sign language interpreter for the head of school, Mr. Traub stated that she spoke earlier and, although he could not remember her name, she could live in the house, which could be restored as her house as the head of school. He agreed with Mr. Palmier and suggested that the number of automobiles on campus should be reduced. He asked the Historical Commission to reject the application.
- Irwin Trauss stated that he lives directly across the street from the property in question and was part of the Penn Knox Neighborhood Association team that worked

with PSD when it moved to the neighborhood in the 1980s. He stated that the other buildings on the site, which were behind the house, have been demolished. The space behind the main building is open and is used to park buses. He stated that, in essence, the school wants to demolish the house and turn the site into a parking lot. The parking lot will be in front of my house. He stated that that would be devastating for the block, neighborhood, and Germantown. The school lacks desire and vision; the house could be reused by the school. PSD obtained the campus in the 1980s with bond funding from the Redevelopment Authority and the City of Philadelphia. PSD could reuse the house at 156 W. School House Lane as it reused the Germantown Academy buildings. He objected that PSD has not provided its budget for the new building with the dining hall and other campus improvements. Mr. Trauss experienced technical problems and disconnected from the meeting.

- Rhonda Lancaster stated that she has lived in Germantown for many years. She objected to the proposal to demolish the building. She stated that Germantown is a good, stable neighborhood that is home to good people.
- Oscar Beisert of the Keeping Society objected to the application and stated that the house, which was designed by Mantle Fielding, is architectural significant. He stated that Mantle Fielding did design work for Germantown Academy, when it occupied the PSD campus. He objected to the “extremely narrow viewpoint on what is and is not historic” set forth by Mr. Thomas. He stated that Germantown Academy did not abandon the campus. It was used by other institutions after Germantown Academy left. He noted that a historic district nomination was prepared for Penn Knox many years ago and the building in question was classified as contributing in that draft nomination. He concluded that demolition is unacceptable and would demonstrate a disregard for the neighborhood. He added that the school already demolished a historic building on Coulter Street. The application should be denied.
- Hal Schirmer stated that the nominator of the property determined that it was in fair to good condition in 2019 but now the school is saying that it is in poor condition. The building is made of stone and would not deteriorate quickly. The Historical Commission should consider what was done to maintain the building. He noted the Criteria for Designation that were cited in the nomination. He noted that it was included in a draft nomination for a historic district. He stated that the school should undertake a campus master plan. Buildings are often demolished with plans, but the properties remain vacant lots for many years after the demolition.
- Mr. Farnham stated that Georgette Bartell is next on the list to provide public comment. He noted that members of the PSD community were extremely offended by Ms. Bartell’s comments about genome editing that she offered during the review of the nomination that led to the designation of the property. Mr. Farnham explained that she made similar comments in writing regarding the current application. He observed that she has the right to make any comment she wants because this is a government proceeding but asked her to try to limit her comments to the issues at hand related to the application for demolition.
 - o Irwin Trauss responded that it was he, not his wife Georgette Bartell, wishing to speak. He stated that he was using her Zoom login. He continued his statement, after having technical difficulties earlier in the public comment period. He stated that the Historical Commission cannot make any decisions about the application until it is provided with the costs for the new dining hall and other improvements to the campus. He stated that the cost of adding to the extant building should be provided. He also asserted that the source of the money for the work must be disclosed. He stated that money may be available to restore the historic building

that is not available for other work on the campus. He suggested that the house could be converted for use as a multi-family residential building for perhaps \$1 million. He explained that a developer had considered putting seven units in the house and 42 units in a new building at the rear at one time. The neighbors objected to the density but would accept a few apartments in the house. Also, after the developer abandoned the project and before PSD purchased the property, a group of neighbors was considering purchasing it. The neighbors were not given an opportunity to make an offer on the property. PSD purchased the property knowing that it was designated as historic. Mr. Trauss objected to Mr. McClure's assertions about the lack of a requirement for non-profits to market properties for sale when applying under the financial hardship provision of the preservation ordinance. He stated that the Pennsylvania Supreme Court is the final authority, not Commonwealth Court. He asked the Architectural Committee to deny the application, or to require the submission of additional information.

- Allison Weiss of SoLo stated that she concurs with other members of the public who have spoken.
- Deneene Brockington, the president of Penn-Knox Neighborhood Association, stated that she is new to her position. She stated that she is a developer and has recently come to understand the importance of historic preservation. She said that historic structures help people have pride in their neighborhood. She stated that she believes that PSD has done its due diligence and is trying to do what is best for the school. However, she suggested that the school should work harder and try to innovate and save this building. She said that the possibilities are endless. She asked the Historical Commission to ask PSD to undertake additional investigations.

ADDITIONAL DISCUSSION:

- Mr. McClure disagreed with Mr. Steinke's assertion that the rules for reviewing financial hardship applications for non-profits do not provide flexibility for the Historical Commission. He noted that the Historical Commission's Rules and Regulations were written by a former executive director of the Preservation Alliance and the hardship provisions for non-profits have never been challenged. He stated that Section 10 of the Rules and Regulations allows the Historical Commission to consider the public interest when reviewing financial hardship applications for non-profits. There is no conflict with the interpretation of the rule and the ordinance.
- Mr. McClure noted regarding Doug Mooney's testimony that there is no evidence in the designation record that there is a likelihood of archaeological resources at 156 W. School House Lane, as the nominator conceded.
- Regarding David Traub's testimony, Mr. McClure asserted that the testimony offered by Mr. Thomas was not irrelevant, as Mr. Traub claimed. He stated that not all designated buildings are of equal significance and the Historical Commission must weigh the relative significance of this building when deciding whether to approve the application.
- Mr. McClure thanked Mr. Trauss for his comments. Regarding the multi-family development proposed for the site, it is likely that the 42 new units at the rear would have subsidized the seven units in the historic building. There is no evidence in the record that the seven units in the historic building were viable on their own with the new development in the back. He also noted that there is no evidence in the record to support the assertion made by Mr. Trauss that it would cost \$1 million to rehabilitate the house as apartments. Mr. McClure stated that he included real bids in

his application. He added that he did not include a union bid, which was much higher than the one that was included.

- Regarding Rhonda Lancaster's testimony, Mr. McClure stated that development pressures on Germantown are not a valid reason to deny PSD relief under the local ordinance and federal law.
- In response to Mr. Beisert's statement that this property would have been classified as contributing in a Penn Knox Historic District, Mr. McClure stated that the Rules and Regulations indicate that a building that is worthy of individual designation should be classified as significant in a historic district. This one was only classified as contributing in the draft district, meaning that it would not qualify for individual designation.
- Regarding Mr. Schirmer's claim that the change from a good-to-fair condition in the nomination to a poor condition is evidence of demolition by neglect is an insult to PSD. Mr. McClure noted that the school disputed the good-to-fair condition assessment during the review of the nomination and argued that the building was in poor condition in 2019. The nominator never entered the building and the nominator's condition assessment was factually inaccurate.
- Mr. McClure offered to meet with Ms. Brockington to discuss the school's needs.
- Ms. Gutterman asked Mr. Farnham to advise the Architectural Committee with regard to a recommendation.
 - o Mr. Farnham noted that one member of the public had suggested that the Architectural Committee remand the application to the Committee on Financial Hardship. He stated that the application will be reviewed by the Committee on Financial Hardship regardless of the Architectural Committee's recommendation. He explained to the Architectural Committee that it does not have the authority to remand and suggested that the Committee not seek to remand the application anywhere. He advised that the Architectural Committee should not recommend approval or denial of this application because the Committee is only considering a subset of the evidence. The Committee should offer a recommendation related to its expertise including construction costs, the condition of the building, campus planning, and the historical and/or architectural significance of the building. Mr. Farnham stated that the Committee's opinions of the application, as it relates to those areas of your expertise should be provided. Perhaps the Committee may want to indicate where the application is lacking, or where it is convincing. However, he concluded that the Committee should resist the temptation to recommend approval or denial outright.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend that:

- The Architectural Committee acknowledges that the primary program spaces that the school currently lacks and needs to provide such as dining and assembly spaces cannot be accommodated in the building at 156 W. School House Lane.
- The application has not proven that the demolition of the building and repurposing of the property will achieve the school's parking and circulation goals. More information is needed to show that reuse of the property for parking and circulation will increase the safety and efficiency of the campus.
- The application has not proven that the demolition of the building is necessary in the public interest, but that deficit could be remedied with additional information.
- Additional information should be provided to the Committee on Financial Hardship and the Historical Commission.

ITEM: 156 W School House Ln MOTION: Additional information is required MOVED BY: Cluver SECONDED BY: Lukachik					
VOTE					
Committee Member	Yes	No	Abstain	Recuse	Absent
Dan McCoubrey					
John Cluver					
Rudy D'Alessandro					
Justin Detwiler					
Nan Gutterman					
Allison Lukachik					
Amy Stein					
Total					

ADJOURNMENT

START TIME OF DISCUSSION IN AUDIO RECORDING: 03:44:57

ACTION: The Architectural Committee adjourned at 12:57 p.m.

PLEASE NOTE:

- Minutes of the Architectural Committee are presented in action format. Additional information is available in the audio recording for this meeting. The start time for each agenda item in the recording is noted.
- Application materials and staff overviews are available on the Historical Commission's website, www.phila.gov/historical.