

**THE MINUTES OF THE 651ST STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**THURSDAY, 10 NOVEMBER 2016
ROOM 18-029, 1515 ARCH STREET
BOB THOMAS, CHAIR**

PRESENT

Robert Thomas, AIA, chair
Emily Cooperman, Ph.D.
Michael Fink, Department of Licenses & Inspections
Antonio Fiol-Silva, AICP, FAIA, LEED AP BD+C
Anuj Gupta, Esq.
Melissa Long, Office of Housing & Community Development
Dan McCoubrey, AIA, LEED AP BD+C
Thomas McDade, Department of Public Property
Sara Merriman, Commerce Department
Rachel Royer, LEED AP BD+C
R. David Schaaf, RA, Philadelphia City Planning Commission
Betty Turner, M.A.

Jonathan Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Kim Broadbent, Historic Preservation Planner II
Laura DiPasquale, Historic Preservation Planner II
Meredith Keller, Historic Preservation Planner I

ALSO PRESENT

Steven Cohen
Mike Lastowski, True Hand
Ross E. Hagstoz
Arielle Harris
Haydon Mitman, Philly Voice
Kevin Dolan, Esq., La Salle University
Thomas Chapman, Esq., Blank Rome
Roberto Pupo
Jeffrey Barsky
William Martin, Esq., Fox Rothschild
Patrick Grossi, Preservation Alliance
Peter Kelson, Esq., Blank Rome
Robert Powers, Powers & Co.
Paul Kutufaris, Briarwood
Lyle Seuss, Barton Partners
Michael Sklaroff, Esq., Ballard Spahr
Emanuel Kelly, Kelly/Maiello
David Colman, MIS Capital LLC
Brett Feldman, Esq, Klehr Harrison
Eric Comp, Briarwood
Zachary Katz
Stacy Geneteaux, Village Green
Kathryn Cotton

Harrison Haas
Brian Emmons, Toll Brothers
Andrew Miller, Esq.
Matt Ruben, NLNA/CDAG
Jessica Senker, J&M Preservation Studio
Jenise Whitaker
Ashley James
Ellie Devyatkin, Frankford CDC
Brett Peanasky, Klehr Harrison
Aaron Wunsch
Michael Phillips, Esq., Obermayer
David Lockard
Joseph Menkevich
J.M. Duffin
Fon Wang, Ballinger
Jeff Reinhold, Reinhold Residential
Peter N. Daniele
Yvonne Boye, Commerce Department
Stephan Salisbury, Inquirer
Evan Schueckler
J.F. McCarthy
Kahe Lew
Oscar Beisert
Paul Steinke, Preservation Alliance for Greater Philadelphia
Chen Chan
Madyanne Ritter
Silvia Callegari
Fred Baumert, Keast & Hood
Suzanna Barucco, Preservation Alliance for Greater Philadelphia
Sandy Smith, Philadelphia Magazine
Elsbeth Brown
Jimmy Low
Ben Leech
George N. Bottos
Susan Murray, East Poplar Community Organization
David Gest, Esq., Ballard Spahr
Carl Primavera, Esq., Klehr Harrison
Karen Thompson
Hal Schirmer
Harry Bloch, neverbuyacrapollcondo.com
Paramjit Singh

CALL TO ORDER

Mr. Thomas called the meeting to order at 9:00 a.m. Commissioners Cooperman, Fink, Fiol-Silva, Gupta, Long, McCoubrey, McDade, Merriman, Royer, Schaaf and Turner joined him.

MINUTES OF THE 650TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

Mr. Farnham offered a correction to page 6 of the minutes pertaining to 81-95 Fairmount Avenue. In the staff overview, he explained, is a timeline of the lengthy review process. He noted that a summary of the 14 October meeting was included in overview, but asserted that the

overview should only include a summary of the events leading up to the 14 October 2016 meeting. Mr. Farnham asked to remove the paragraph from the summary. Mr. Sklaroff asked for a clarification on the change requested. Mr. Farnham identified the specific paragraph and clarified that the paragraph summarizes the discussion that occurred at the 14 October meeting, but the events of that meeting are described in the subsequent minute. He explained that it is inappropriate to include a summary of the subsequent discussion in the overview. The overview should only include a summary of the events leading up to the discussion and that meeting and should not include a summary of the discussion in the minute that follows. The Commissioners agreed to make the proposed amendment.

ACTION: Ms. Turner moved to adopt the minutes of the 650th Stated Meeting of the Philadelphia Historical Commission, held 14 October 2016, as corrected as suggested by Mr. Farnham. Ms. Merriman seconded the motion, which passed unanimously.

CONTINUANCE REQUESTS FOR NOMINATION REVIEWS

100 S INDEPENDENCE W ML

Name of Resource: Rohm & Haas

Proposed Action: Designation of building, public interior, and objects

Property Owner: KPG-IMW Owner, LLC

Nominator: Preservation Alliance for Greater Philadelphia

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Commission table the review of the nomination and remand it back to the Committee for review at its 14 December 2016 meeting.

OVERVIEW: These nominations propose to designate the building, public interior, and chandeliers at 100 S. Independence West Mall as historic and list them on the Philadelphia Register of Historic Places. The nominations collectively argue that the building, interior and chandeliers are significant under Criteria for Designation A, C, D, E, F, G, H and J. The building nomination contends that it is one of Philadelphia's most significant mid-twentieth century buildings, satisfying Criteria A and J, for its association with the Rohm & Haas Company, the Philadelphia Redevelopment Authority and the Philadelphia City Planning Commission, who were heavily involved in its development. The nomination further argues that the building's high-profile location next to Independence Mall, and the influence that the setting had on its design, satisfy Criteria G and H. Finally, the building nomination contends that the involvement of architect Pietro Belluschi satisfies Criterion E, while the building's Modernist characteristics and innovative incorporation of modern materials satisfies Criteria C, D, and F. The interior nomination proposes to designate the public interior portions of the north pavilion ground floor lobby and south pavilion commercial space. The nomination contends that the public interior portions of the ground floor are one of Philadelphia's most significant Modernist interior spaces, satisfying Criteria C and D, and are tied to influential modern designers Pietro Belluschi and György Kepes, satisfying Criterion E. The nomination further argues that the incorporation of Plexiglas into the design of the building, symbolizing the importance of that material to the success of the Rohm & Haas Company, satisfies Criterion A. The object nomination covers the three Plexiglas chandeliers that are located along the west perimeter of the north pavilion in an area of the building designed and used for non-public functions. The remainder of the chandeliers is included in the public interior nomination. The object nomination contends that the chandeliers are significant under Criterion A, for the incorporation of Plexiglas into the design of the building, symbolizing the importance of that material to the success of the Rohm &

Haas Company, and under Criterion E, for their association with influential modern designers Pietro Belluschi and György Kepes.

DISCUSSION: Mr. Thomas recused from the consideration of the request because his firm may be involved in architectural work at the site. Mr. Farnham presented the continuance requests to the Commission.

ACTION: Ms. Cooperman moved to table the review of the nominations for 100 S. Independence West Mall and remand it to the Committee on Historic Designation for review at its 14 December 2016 meeting. Mr. McCoubrey seconded the motion, which passed unanimously.

2101 W CLARKSON AVE

Name of Resource: Mary & Frances Wister House

Proposed Action: Designation

Property Owner: La Salle University

Nominator: Arielle Harris

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 2101 W. Clarkson Avenue satisfies Criteria for Designation A, C, and J.

OVERVIEW: This nomination proposes to designate the Mary & Frances Wister House at 2101 W. Clarkson Avenue as historic and list it on the Philadelphia Register of Historic Places. It proposes designating a portion but not the entirety of the very large tax parcel. The nomination argues that the house and associated land satisfies Criteria for Designation A, C, and J. The nomination contends that the house, constructed in 1868 by William Rotch Wister, is significant as part of the mid-to-late nineteenth century development of the Germantown community, which was home to several important Quaker families including the Fishers and Wisters. Those families molded the development of the area as it transitioned from that of large country seats for the wealthy to a more suburban character. The nomination further contends that the building is significant as the birthplace and early home of Frances Anne Wister, one of the founders of the Philadelphia Orchestra, and an important figure in Philadelphia history. The nomination also argues that the property, attributed to local architect James C. Sidney, is architecturally significant for embodying distinguishing characteristics of the picturesque Rural Gothic style, popularized by architects such as Andrew Jackson Downing and Alexander Jackson Davis.

DISCUSSION: Ms. Turner and Mr. Fink recused. Mr. Farnham presented the continuance request to the Commission.

Mr. Farnham explained that La Salle University, the property owner, requested continuing the review of nomination to the Historical Commission meeting in February 2017 to allow for additional assessment of it.

ACTION: Ms. Merriman moved to table the review of the nomination for 2101 W. Clarkson Avenue for 90 days to the Historical Commission's meeting on 10 February 2016. Ms. Royer seconded the motion, which passed unanimously.

1701 LINDLEY AVE

Name of Resource: Little Wakefield

Proposed Action: Designation

Property Owner: La Salle University

Nominator: Keeping Society of Philadelphia

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 1701 Lindley Avenue satisfies Criteria for Designation A, C, J, and that the property furthermore satisfies Criterion I, although it not addressed in the nomination.

OVERVIEW: This nomination proposes to designate a portion of the property at 1701 Lindley Avenue as historic and list it on the Philadelphia Register of Historic Places. It proposes designating a portion but not the entirety of the very large tax parcel. The nomination contends that the house known as Little Wakefield and associated land satisfies Criteria for Designation A, C, and J. The nomination argues that Little Wakefield, constructed in 1829 for Thomas Rodman Fisher, is significant for its association with the Fisher family, who founded the nearby Wakefield Mills, one of the earliest “modern” knitting mills in America. It also argues it is significant for its association with other important and interrelated families of Germantown, including the Logans, Carpenters, and Wisters. The nomination also argues that the house and gazebo are significant for their association with the National League for Women’s Service (called the National League of Workers in the nomination), a women’s organization founded in 1917 to provide wartime aide. Little Wakefield was used by the particularly active Germantown branch of the organization as an educational facility and demonstration center, and the gazebo was constructed as part of this role. The nomination further contends that the property is architecturally significant as a modest, Quaker interpretation of the Federal and Greek Revival styles.

DISCUSSION: Ms. Turner and Mr. Fink recused. Mr. Farnham presented the continuance request to the Commission.

Mr. Farnham explained that La Salle University, the property owner, requested continuing the review of nomination to the Historical Commission meeting in February 2017 to allow for additional assessment of it.

ACTION: Ms. Merriman moved to table the review of the nomination for 1701 Lindley Avenue for 90 days to the Historical Commission’s meeting on 10 February 2016. Ms. Royer seconded the motion, which passed unanimously.

1642 FITZWATER ST

Name of Resource: Tabor Chapel and Mission School

Proposed Action: Designation

Property Owner: The First Colored Wesley Methodist Church

Nominator: Preservation Alliance for Greater Philadelphia

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Commission table the review of the nomination and remand it back to the Committee for review at its 14 December 2016 meeting.

OVERVIEW: This nomination proposes to designate the property at 1642 Fitzwater Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that property is significant under Criteria for Designation A, C, D, E, and J. The nomination contends that the church is significant under Criteria A and J for its association with the African American church and community in Philadelphia, and as a representation of the physical development of the larger Presbyterian Church through the establishment of mission chapels or congregations by the Philadelphia Sabbath-School Association. The nomination further argues that the Samuel Sloan-designed church is significant as an early example of his commissions, satisfying Criterion E, but little information is provided as to how the building embodies distinguishing characteristics of an architectural style, mentioned in the nomination as Italianate or Italian Romanesque, and how the building reflects the environment in an era characterized by said distinctive architectural style.

DISCUSSION: Mr. Farnham presented the continuance request to the Commission.

ACTION: Ms. Merriman moved to table the review of the nomination for 1642 Fitzwater Street and remand it to the Committee on Historic Designation for review at its 14 December 2016 meeting. Ms. Cooperman seconded the motion, which passed unanimously.

10751 AND 10725 KNIGHTS RD

Name of Resource: Byberry Township Public Burial Ground

Proposed Action: Designation

Property Owner: City of Philadelphia

Nominator: Joseph J. Menkevich

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Commission table the review of the nomination and remand it back to the Committee for review at its 14 December 2016 meeting, and that the Commission provide clarification with respect to who may request a continuance.

OVERVIEW: This nomination proposes to designate the site at 10751 and 10725 Knights Road as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that site is significant under Criteria for Designation A, B, G, I, and J. The nomination contends that the Byberry Township Public Burial Ground is the first and oldest known public burial ground in existence in Philadelphia, established circa 1683 by John Hart, an important legislator of Pennsylvania, satisfying Criteria A, B and J. The nomination further argues that the site was laid out as a “rectangular square” similar to the several public squares and burial grounds within the center of Philadelphia which came later, satisfying Criterion G. Lastly, the nomination argues that the site has survived for more than 333 years in near-original condition, lying near a known

Native American path, and may be likely to yield information important in pre-history or history, satisfying Criterion I.

DISCUSSION: Mr. Farnham presented the continuance request to the Commission. He explained that the continuance request was proffered by a group of neighbors, who own properties that are adjacent to the historic burial ground. Ms. Cooperman commented that the Committee on Historic Designation has requested that the Commission provide clarification with regard to the parties that may request continuances. Mr. Farnham responded that there is no restriction in the ordinance or Rules & Regulations regarding who may request a continuance. He opined that any party may request a continuance, and the Commission has the discretion to accept or reject a request from any party, including the property owner. He explained that the Commission does not give up jurisdiction by granting a continuance, and it is beneficial to allow for additional study of a nomination. Additional study allows for a richer discussion by the Commission when the nomination is finally considered. He noted that this property is owned by the City, and the City has no plans to develop the property; there is no threat to the potential historic resource by granting the continuance request.

ACTION: Ms. Cooperman moved to table the review of the nomination for 10751 and 10725 Knights Road and remand it to the Committee on Historic Designation for review at its 14 December 2016 meeting. Ms. Turner seconded the motion, which passed unanimously.

After the motion passed, nominator Joseph Menkevich arrived at the meeting. He explained that he was delayed, owing to traffic. He submitted a letter explaining his opposition to a continuance.

559 RIGHTER ST

Name of Resource: Amos Barnes House

Proposed Action: Designation

Property Owner: James & Grace Barnes

Nominator: Historical Commission

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Commission table the review of the nomination and remand it back to the Committee for review at its 14 December 2016 meeting.

OVERVIEW: This nomination proposes to designate the property at 559 Righter Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that property is significant under Criteria for Designation A, C, D, and I. The nomination contends that the Gothic Revival building is an example of the ornamental farm house made popular by American landscape gardener Andrew Jackson Downing's *Cottage Residences*, which popularized Victorian Cottage styles in the mid to late nineteenth century, satisfying Criteria C and D. The nomination further contends that the building is associated with the lives of individuals significant in the past, satisfying Criterion A, including Jonathan H. Levering, the owner of the property in 1850 at the time of the construction of the house; architect Amos Barnes, who lived in the house for 52 years, during which time he designed numerous buildings throughout Philadelphia; Dr. Frances Druck, an early advocate of cremation who lived in the house in the 1870s until her death in 1885; and sculptor Henry Manger, brother-in-law to Druck, who crafted sculptures that stand in west Fairmount Park and abroad and who lived in the house with Druck. Finally, owing to its location at the crest of the ridge along a Native American trail, which

became an early turnpike, the nomination argues that the large, primarily open site is likely to yield information important in pre-history and history, satisfying Criterion I.

DISCUSSION: Mr. Farnham presented the continuance request to the Commission.

ACTION: Ms. Cooperman moved to table the review of the nomination for 559 Righter Street and remand it to the Committee on Historic Designation for review at its 14 December 2016 meeting. Mr. Schaaf seconded the motion, which passed unanimously.

2041-55 CORAL ST

Name of Resource: Harbisons' Dairies

Proposed Action: Designation

Property Owner: Fozan Ehmedi

Nominator: Keeping Society of Philadelphia, LLC

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Historical Commission continue the review of the nomination for 2041-55 Coral Street and remand the nomination to the Committee on Historic Designation for review at its February 2017 meeting.

OVERVIEW: This nomination proposes to designate the property at 2041-55 Coral Street as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the four buildings and iconic milk bottle water tower formerly owned by Harbisons Dairy satisfy Criteria for Designation A, C, D, F, H, and J. The nomination argues that Harbisons Dairy developed into a leading dairy company that served many Philadelphians through what began as a home milk delivery service and later expanded into a large-scale production facility. The nomination asserts that owners Robert and Thomas Bartly Harbison were significant Philadelphians, owing not only to their role in establishing and growing the prominent dairy business, but also for their involvement in educating and promoting the safe storage and transport of milk products. The nomination further contends that the milk bottle water tower is significant for its innovative use as an advertisement and as a familiar visual feature of the neighborhood.

DISCUSSION: Mr. Farnham presented the continuance request to the Commission. He clarified that the request was made by the property owner to allow for time to study the structural integrity of the complex and milk bottle water tower. The Committee on Historic Designation, he added, did not consider the nomination on its merits at its October meeting, but recommended that the matter be continued and the nomination be remanded back to the Committee in February 2017.

ACTION: Ms. Cooperman moved to continue the review of the nomination of 2041-55 Coral Street and to remand it to the Committee on Historic Designation for review at its 15 February 2017 meeting. Mr. Schaaf seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 27 SEPTEMBER 2016

Dan McCoubrey, Chair

CONSENT AGENDA

Mr. Thomas introduced the consent agenda, which included applications for 365 Green Lane, 4236 Main Street, and 1001 S. 15th Street. Mr. Thomas asked if any Commissioners had comments on the Consent Agenda. The Commissioners suggested considering each of the three applications individually because Commissioners need to recuse from two of the three reviews. Mr. Thomas asked if anyone in the audience had comments on the Consent Agenda. None were offered.

ACTION: Ms. Turner moved to adopt the recommendation of the Architectural Committee for the application for 365 Green Lane. Mr. Schaaf seconded the motion, which passed unanimously.

Mr. McCoubrey recused from the review of the application for 4236 Main Street because his architectural firm resides in the building in question.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee for the application for 4236 Main Street. Ms. Cooperman seconded the motion, which passed unanimously.

Ms. Royer recused from the review of the application for 1001 S. 15th Street because her firm is the developer of the parcel.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee for the application for 1001 S. 15th Street. Ms. Cooperman seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 2967 W SCHOOL HOUSE LA, ALDEN PARK

Proposal: Construct in-ground swimming pool

Review Requested: Final Approval

Owner: L3C Alden Park Apartments I LLC

Applicant: Tom Chapman, Esq., Blank Rome

History: 1925; Alden Park; Edwyn Grant Rourke, architect

Individual Designation: 5/7/1981

District Designation: None

Preservation Easement: Yes

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the English Garden and pergola are retained and no above-ground structures except the fence are added to the pool area, with the staff to review details, pursuant to Standards 9 and 10 and the Guidelines for Rehabilitating Cultural Landscapes.

OVERVIEW: This application proposes to construct an in-ground swimming pool at the Alden Park apartment complex in Northwest Philadelphia. The Architectural Committee has already reviewed this application twice. The Architectural Committee reviewed and recommended approval of the pool proposal at its May 2016 meeting. At the following Historical Commission meeting, a few residents of the apartment complex opposed the plan and the Commission tabled the application to allow the applicants an opportunity to submit more information to the Architectural Committee about the proposed pool and its location. The Architectural Committee reviewed the revised application in July 2016 and was unable to agree on a recommendation; two members voted to recommend approval, with the staff to review paving and fence details, pursuant to Standards 9 and 10 and the Guidelines for Rehabilitating Cultural Landscapes. Two members dissented. The applicants withdrew that application prior to the August 2016 meeting of the Historical Commission because the window for the construction of a pool during that swimming season had closed. The current application is identical to that reviewed in July.

The pool would be located on a large lawn area adjacent to a formal garden. The lawn where the pool would be located included a bird bath and was ringed with a flagstone walk, but those features were lost many years ago. An English garden to the east and a pergola with walk to the west of the pool location would be retained.

Alden Park was listed on the National Register on 15 August 1980. It appears that the Historical Commission used the National Register nomination when it designated the complex on 7 May 1981. No landscape features are called out in the nomination and none were noted in the Historical Commission's and Committee's on Certification's minutes during the reviews of the nomination. The nomination notes that the apartment towers are set on spacious grounds, but those grounds are not described or inventoried in the nomination.

The Preservation Alliance for Greater Philadelphia holds an easement on the property and has approved the pool design under its easement agreement. The Pennsylvania Historical & Museum Commission reviewed a larger project that includes the pool as part of a tax credit application, approving the pool, finding that it satisfies the Secretary of the Interior's Standards.

DISCUSSION: Mr. Farnham presented the application to the Historical Commission. Attorney Peter Kelson, architect Lyle Seuss, and preservation consultant Robert Powers represented the application.

Mr. Kelson explained that, when the Historical Commission reviewed this project in June 2016, the Commission determined that the Architectural Committee should review additional information regarding the pool component of the application. Mr. Powers explained that the additional information includes information on the historic development of the garden, an analysis of locations that were considered for the pool, and additional information on the pool itself. Regarding historic development of the garden, he stated that they were unable to find anything definitive, but they did find correspondence between Mr. Strawbridge, the former owner, and the Olmstead firm regarding possibly landscaping at the estate in 1916. In the final correspondence, Mr. Strawbridge told the Olmstead firm that he was not going to retain the firm to undertake any work. Mr. Powers stated that, as of 1916, a garden did not exist. Regarding alternate locations for the pool, Mr. Powers stated that the packets contain information about each location considered and an explanation of why it was rejected. Regarding the pool itself, Mr. Powers stated that the packets contain additional information about the pool design. Mr. Kelson asked if the Historical Commission identified any landscape features for preservation when it designated the property. Mr. Powers responded that no such features were identified. Mr. Kelson explained that the proposed fence around the pool is a code requirement and is intended to be minimal and to blend in with the surrounding landscape. The equipment that services the pool will be located below grade.

Mr. Thomas asked for public comment, of which there was none.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve the application, provided the English Garden and pergola are retained and no above-ground structures except the fence are added to the pool area, with the staff to review details, pursuant to Standards 9 and 10 and the Guidelines for Rehabilitating Cultural Landscapes. Mr. McCoubrey seconded the motion, which passed unanimously.

ADDRESS: 4236 MAIN ST

Proposal: Replace entry doors; replace loading dock door; construct ADA ramp

Review Requested: Final Approval

Owner: Venbrow, a PA Partnership

Applicant: Jessica Senker, J&M Preservation Studio

History: 1880; Venturi Scott Brown Associates

Individual Designation: None

District Designation: Manayunk Historic District, Significant, 12/14/1983

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial as proposed, but approval, provided the ramp is relocated to the side, the accessible entrance is inserted into the new garage door, and the railing is a simple metal railing, with the staff to review details.

OVERVIEW: This application proposes to install an ADA ramp on the front of the property, to replace the front doors, and to replace the side garage/truck loading door. The application offers three ramp and stair alternatives, all of which include the same placement of the ramp portion along the north side of the primary east elevation. The front doors, which are currently wood with a bottom panel and a ledge below the glass, and which appear to be original to the building, are proposed for replacement with flat metal framed doors with large lites that generally replicate the proportions of the existing doors. The application also proposes to

replace the elevated side garage door—which does not appear to be original to the building—with a metal garage door. The existing door is wood with a 10 by 4 panel configuration. The top two rows are glazed, while the bottom two are wood panels. The proposed door would be constructed of metal and feature a fully-glazed 9 by 4 configuration. A wrought-iron guardrail would be installed in front of the garage door for safety purposes.

ACTION: See Consent Agenda

ADDRESS: 365 GREEN LA

Proposal: Construct garage and driveway

Review Requested: Final Approval

Owner: Roger Ross

Applicant: Roger Ross

History: 1871; Benjamin Kenworthy House; William F. Rayner, builder

Individual Designation: 4/10/2015

District Designation: None

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the main body is clad in stucco rather than fish scale siding, the stucco extends over the concrete foundation walls so there is no exposed concrete, the brackets are painted wood, the pediment above the dormers has a more plain board appearance, and the flat roof portion of the mansard is revised to be treated more like a typical mansard, with the staff to review details, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes to construct a free-standing garage at the rear of this corner property. In 2014, prior to historic designation, a previous owner demolished a circa 1900 outbuilding that stood in this approximate location. The design of the proposed garage is similar to that of the main house, with a mansard roof and bracketed cornice. Stucco or scalloped siding is proposed for exterior wall cladding. A historic stone retaining wall runs along the front and side of the property. Based on current photographs provided by the applicant, a section of this retaining wall has been removed to accommodate a driveway from Manayunk Avenue to the garage entrance.

ACTION: See Consent Agenda

ADDRESS: 2127 ST JAMES ST

Proposal: Construct addition

Review Requested: Final Approval

Owner: Marion Ruth Rogel

Applicant: Steven Cohen, Steven S. Cohen, Architect P.C.

History: 1923; English Village; Spencer Roberts, architect

Individual Designation: None

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

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee recommended denial, pursuant to Standards 2 and 9.

OVERVIEW: This application proposes to construct an addition, called a plant porch, in place of a non-historic trellis at the front façade. A similar application was submitted and then withdrawn

during a recent round of reviews. The building, listed as significant in the Rittenhouse-Fitler Historic District, is one of the 20 distinctive cottages that comprise English Village. The proposed work includes constructing new brick walls and relocating the existing window to the new exterior wall. A new slate roof is also proposed to match the adjacent existing roof. The proposed area of construction totals approximately 61 square feet. At its 27 September 2016 meeting, the Architectural Committee voted to recommend denial of the application and asked for additional information on the history and evolution of English Village.

DISCUSSION: Ms. Keller presented the application to the Historical Commission. Architect Steven Cohen represented the application.

Mr. Cohen stated that a suggestion was made at the Architectural Committee meeting to consider an aluminum and glass or greenhouse-type enclosure rather than the proposed brick structure. Owner Marion Rogel, he continued, was not originally in favor of such a structure but has reconsidered the options. Mr. Cohen added that the property is located deep within English Village and noted a discussion at the Architectural Committee meeting regarding whether St. James Street is a public right-of-way. The street, he argued, is clearly private property and has a no trespassing sign at its entrance, although the pedestrian way is open at both ends. The proposed addition, he continued, would be located at an alcove at the northeast corner of the pedestrian way and is not visible from the public street.

Mr. McCoubrey commented that the Committee unanimously agreed that the addition would fundamentally change the building's front elevation. The St. James Place structures, he added, are characterized by stepped walls and vestibules extending from the facades. He argued that the location of the proposed addition stands at the end of the view down St. James Street, despite the fact that there is significant vegetation. If vegetation were lost in the future, he contended, the addition would be highly visible. Mr. McCoubrey acknowledged the suggestion at the Committee meeting that a more conservatory-like addition could potentially be more consistent with the Standards and recommended that the applicant submit a new application to the Architectural Committee that documents the new proposal.

Mr. Thomas noted that the plans in the application lacked context and focused exclusively on 2127 St. James Street. He agreed that the new proposal for an aluminum and glass addition would first need to be reviewed by the Architectural Committee. Mr. Cohen agreed with the need for a new application that would be reviewed by the Architectural Committee and then the Historical Commission.

ACTION: Ms. Cooperman moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 2 and 9. Ms. Turner seconded the motion, which passed unanimously.

1001 S 15TH ST

Proposal: Construct addition; rehabilitate train shed

Review Requested: Final Approval

Owner: Steven Gendler, AIA

Applicant: Emanuel Kelly, Kelly/Maiello Architects & Planners

History: 1876; Railroad Depot

Individual Designation: 5/31/1966, 8/12/2005

District Designation: None

Staff Contact: Randal Baron, 215 686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommended approval, with the staff to review details, pursuant to Standards 2 and 9, provided:

1. existing brick is maintained and restored while existing stucco panels can be replaced in stucco;
2. insulated paneling for the roof is terminated at the pole gutter with the sills of the clerestory raised 4 to 6 inches to accommodate the insulation;
3. the parapets or side walls of the new addition are modified so that they fit under the roofline of the existing building;
4. the sidewalk area is modified to accommodate the truck deliveries so that the roof of the shed does not need to be modified;
5. the intersection of the new and old fabric is articulated with a joint; and
6. the brick for the existing building matches the existing brick in size, color, and edge crispness.

OVERVIEW: This application proposes to construct an addition at the east end of a historic freight depot (called a train shed in the application), which would be rehabilitated as part of this project. Historically, the freight depot occupied the entire width of the block between 15th and Broad Streets. The eastern portion of the building was demolished between 1967 and 1970, leaving behind the vacant ground upon which the proposed addition would be constructed. The proposed addition would be one-and-a-half stories in height and clad in a dark red-brown brick. It would feature a flat roof with a raised clerestory at its central bay. Brick piers and large windows on the north and south elevations would continue the rhythm of the historic train shed openings. The historic building would be substantially rehabilitated.

ACTION: See Consent Agenda

THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 21 OCTOBER 2016

Emily Cooperman, Chair

Patrick Grossi of the Preservation Alliance stepped forward and addressed the Historical Commission, explaining that Paul Steinke of the Preservation Alliance was late arriving to the meeting and wanted to speak on the nominations for 704 and 706 Sansom Street. Mr. Grossi requested that the Commission delay the review of the two nominations until later in the meeting for Mr. Steinke's benefit. Mr. Thomas asked if there were any objections to the proposed schedule change. Jeffrey Barsky, a Sansom Street property owner, objected to the request, stating that he and many others arrived on time and would like to proceed with the review. Mr. Grossi countered that there were several unexpected withdrawals, which he guessed would have taken considerable time to review. Mr. Thomas remarked that the agenda states that the schedule is subject to change, adding that the Historical Commission would take each party's request into account. He then asked the Commissioners for input. Ms. Cooperman stated that, given the considerable public interest demonstrated at the Committee on Historic Designation meeting, she found the request to delay the review of the nominations to be reasonable. Others, however, suggested that Mr. Steinke should have made every effort to arrive on time. They acknowledged that several business owners and others opposing the designations had arrived at the meeting on time.

Mr. Thomas stated that they would proceed with the review of 2345-49 E. Susquehanna Avenue. Mr. Barsky objected. Mr. Thomas noted that there are no assigned times for reviews and that the Commission would do its best to move rapidly through its agenda. He thanked Mr. Barsky for his patience. Mr. Thomas then suggested that the Commission place nominations on a consent agenda, similar to the procedure for the review of building permit applications. The next two nominations, he continued, for 3514-30 Lancaster Avenue and 48-62 E. Penn Street, could potentially be placed on the consent agenda. He asked whether there would be any objections to that course. Mr. Farnham stated that the property owner of 3514-30 Lancaster Avenue, Jeffrey Reinhold, had expressed some significant concerns about a designation at the Committee on Historic Designation meeting and would likely want the opportunity to participate in this discussion. Mr. Farnham suggested that Mr. Reinhold should not suffer when he arrived at the meeting in a timely manner. Mr. Reinhold confirmed that he would like to discuss the nomination; it should not simply be approved on an ad hoc consent agenda without discussion.

Mr. Thomas inquired whether anyone representing 48-62 E. Penn Street was present. No one was identified, and Mr. Farnham noted that no one represented the property during the review at the Committee on Historic Designation meeting. He cautioned, however, that the owner, like Mr. Steinke, may have incorrectly predicted the timing of the meeting.

48-62 E PENN ST

Name of Resource: Mifflin-Cope House

Proposed Action: Designation

Property Owner: Waring House LLC

Nominator: Historic Germantown

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 48-62 E Penn Street satisfies Criteria for Designation A, C, D, and E.

OVERVIEW: This nomination proposes to designate the property at 48-62 E. Penn Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that property is significant under Criteria for Designation A, C, D, and E. The nomination contends that the Mifflin-Cope House exemplifies upper middle-class Victorian architecture from the first period of suburban development in Germantown. The nomination also asserts that the property merits designation based on its association with architect Addison Hutton and owners Lloyd Mifflin, Marmaduke Cope, and the Waring family.

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. No one represented the property.

The Commissioners discussed the nomination and agreed with the Committee on Historic Designation's assessment of it.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 48-62 E. Penn Street satisfies Criteria for Designation A, C, D, and E and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Mr. McCoubrey seconded the motion, which passed unanimously.

3514-30 LANCASTER AVE

Name of Resource: Greenville; Mission House of the Protestant Episcopal Church;

Pennsylvania Working Home for Blind Men; Old Quaker Building

Proposed Action: Designation

Property Owner: JAR Old Quaker Property, LP

Nominator: Powelton Village Civic Association

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 3514-30 Lancaster Avenue satisfies Criteria for Designation A, D, E, and J, and that the property furthermore satisfies Criterion I, although it not addressed in the nomination.

OVERVIEW: This nomination proposes to designate the property at 3514-30 Lancaster Avenue as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the property satisfies Criteria for Designation A, D, E, and J. The nomination argues that the earliest building on the property, Greenville, is associated with significant Philadelphians Samuel Blodget and Rebecca Smith Blodget. The nomination also claims significance for the property's association with the Protestant Episcopal Church, which used the main building as a mission house, and the Pennsylvania Working Home for Blind Men, which constructed the Workshop and Factory buildings to provide living and working facilities for blind men.

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. Owner Jeff Reinhold represented the property. Oscar Beisert represented the nomination.

Mr. Reinhold stated that, while not opposed to designation in general, he is opposed to a designation under Criterion I. The criterion, he noted, was in no way addressed in the very detailed nomination. With nothing in writing, Mr. Reinhold continued, he did not understand how the criterion would impact the designation of the property. He asked that the criterion be removed from consideration.

Ms. Cooperman explained that it was the expert opinion of Committee on Historic Designation member and archaeologist Doug Mooney that this property holds a high potential for archaeological deposits, which Criterion I addresses. The significance, she elaborated, results from the very early development of the property in that portion of West Philadelphia and from the lack of disturbance to the ground around the house.

Mr. Beisert, the nominator, objected to a designation under Criterion I, stating that the nomination does not in any way address archaeology. He suggested that the nomination could be amended in the future to include the criterion after studying the property for its archaeological potential. Several Commissioners agreed that the Commission should not designate based on Criteria for Designation that are not addressed in a nomination.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 3514-30 Lancaster Avenue satisfies Criteria for Designation A, D, E, and J, but not Criterion I, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 706 SANSOM ST

Name of Resource: Henry C. Lea Publishing House

Proposed Action: Designation

Property Owner: RP Sansom Street LLC

Nominator: Preservation Alliance for Greater Philadelphia

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

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend to the Historical Commission that the nomination demonstrates that the property at 706 Sansom Street satisfies Criteria for Designation A, C, E, G, and J.

OVERVIEW: This nomination proposes to designate the property at 706 Sansom Street as historic and list it on the Philadelphia Register of Historic Places. The nomination states that the Henry C. Lea Publishing House, which stands on the site, was designed by the architectural firm of Collins & Authenrieth for publisher Henry C. Lea and constructed in 1866. The nomination stipulates that the period of significance is 1866 to 1922. The nomination contends that the property satisfies Criteria for Designation A, C, E, G, and J.

The nomination contends that the property satisfies Criteria A and J, owing to association with the Henry C. Lea and his publishing house. The nomination provides a history of the publishing house and of Lea's construction of the headquarters building at 706 Sansom. The nomination demonstrates that Lea and his firm had "significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, Commonwealth, or nation" and that the property "is associated with the life of a person significant in the past," Lea. The nomination

also demonstrates that the publishing house “exemplifies the cultural, political, economic, social, or historical heritage of the community.” On page 24, the nomination contends that Lea purchased the properties on both sides of the subject property “to expand his publishing firm,” in contradiction to the nomination for 704 Sansom Street, which contends that the building at 704 Sansom was owned by Lea but leased to an independent business.

The nomination contends that the property satisfies Criterion C, owing to its architectural style, and Criterion E, owing to its association with the firm of Collins & Authenrieth. The nomination identifies a distinctive architectural style, albeit not by name, and successfully explains, albeit succinctly, how the style reflects an environment characterized by that style. Regarding Criterion E, the nomination successfully demonstrates that Collins & Authenrieth was a firm that significantly influenced the development of the city.

The nomination contends that the property satisfies Criterion G, that it “is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif.” The nomination briefly and imprecisely describes the 700-block of Sansom Street, but it offers no evidence that the block in question is a “distinctive area” that should be preserved in a particular manner. The area cannot be described as a park or square. The brief discussion of Jewelers’ Row provided in this section of the nomination relates to a time period after the end of the proposed period of significance. The fact that the property is located in a National Register historic district offers no evidence that the property satisfies Criterion G.

DISCUSSION: Mr. Farnham presented the nomination to the Historical Commission. Property owner Roberto Pupo and attorney Michael Phillips and Carl Primavera represented the property owner. Developer Brian Emmons and attorney Carl Primavera represented the equitable owner. Paul Steinke and Patrick Grossi of the Preservation Alliance for Greater Philadelphia represented the nomination.

Mr. Farnham explained that Toll Brothers is seeking to redevelop this property, the property at 704 Sansom Street, which is also nominated, and several others on the block. He informed the Commission that Toll applied for a permit to demolish the buildings at 704 and 706 Sansom, as well as several others, on 4 August 2016. He reported that the nominations for these two properties were submitted to the Historical Commission on 18 August 2016. The Historical Commission notified the property owners of its impending consideration of the nominations and initiated its jurisdiction over the properties on 6 September 2016. He explained that the Historical Commission had no jurisdiction over the properties until the date of notification, 6 September 2016. Mr. Farnham reported that the Department of Licenses & Inspections issued the demolition permit on 9 November 2016. He explained that the Law Department has reviewed the matter and concluded that the Historical Commission does not have the authority to review, approve, or deny the demolition permit because the permit application was submitted on 4 August 2016, prior to the Commission’s issuance of written notice on 6 September 2016. Mr. Farnham explained that the demolition permit is valid and effective regardless of the action taken by the Historical Commission today. He reported that the attorney representing Toll Brothers sent a letter to the Historical Commission presenting a timeline of events related to the permitting and nomination of the property and claiming not only that the demolition permit is beyond the reach of the Historical Commission but also that the Commission does not have the authority to designate the property. Mr. Farnham stated that the timeline offered in the letter is accurate and that the claim that the demolition permit is not within the Commission’s jurisdiction is correct, but he disputed the claim that the Commission does not have the authority to designate the property. Mr. Farnham stated that the Commission does have the authority to

designate the property, but observed that a designation would have no impact on the demolition permit.

Mr. Thomas stated that the Commission's action on the nomination will have no impact on the existing demolition permit. He remarked that, even if the Commission designated the property today, the demolition permit would remain valid and the demolition could be legally undertaken. He stated that, if the Commission designates, the project is not undertaken, and the demolition permit expires, then the Commission would have the authority to review a subsequent permit application. However, the existing permit is not subject to the Commission's jurisdiction. The building may be demolished even if the Commission designates the building today; in that case, the designation would be moot. Ms. Cooperman asked if the designation would remain in effect if the building was demolished. Mr. Farnham responded that, once a property is designated, it remains designated until the Commission rescinds its designation, even if the building is demolished. Mr. Thomas confirmed that the Commission cannot review the existing demolition permit, but, if designated, can review any subsequent permit application. Mr. Farnham stated that the situation is akin to that of 4046-48 Chestnut Street, which the Commission reviewed over the summer. In that case, the nomination was submitted and the Commission notified the property owner of its consideration of the nomination after the demolition permit application had been submitted to the Department of Licenses & Inspections. He reminded the Commission that it tabled the nomination for 4046-48 Chestnut Street, owing to the outstanding permit.

Paul Steinke of the Preservation Alliance for Greater Philadelphia stated that his organization disagrees with the interpretation of the preservation ordinance offered by the Law Department. He noted that it relates to the ongoing case regarding 4046-48 Chestnut Street. He stated that he learned of the Toll Brothers project on 5 August 2016, one day after the demolition permit application was submitted "privately, without any public knowledge." He stated that his organization hastily prepared nominations and submitted them on 18 August 2016. He claimed that Jewelers' Row is America's oldest diamond district.

Patrick Grossi of the Preservation Alliance for Greater Philadelphia read a prepared statement, noting that he believes the nomination makes a sound argument for why this property belongs on the Philadelphia Register of Historic Places. He stated that the Committee on Historic Designation recommended that the property satisfies Criteria for Designation A, C, E, G, and J. The building at 706 Sansom Street is what might be called an example of high vernacular commercial architecture in the mid-nineteenth century. It is reflective of the block's transition from one of speculative rowhouses in 1799 to a commercial corridor, first as a publishers' row, and then more commonly a Jewelers' Row, as we know it today. The building was designed by Collins & Authenrieth, a celebrated German-American firm best known for its work on Market Street's Lit Brother's building, and is associated with Henry C. Lea, a significant public figure. Mr. Grossi noted that he suspects to hear some questions about the integrity of the property, but stated that high integrity is not a required threshold for listing on the Philadelphia Register. He noted that there are other precedents throughout the city for commercial storefronts that have changed over time but that are listed on the Philadelphia Register. He provided the example of three commercial buildings on the 700 block of Chestnut Street that were nominated by the Preservation Alliance and designated in 2015. He noted that all three feature prominent alterations to the ground-floor storefronts, and were added to the Register with enthusiasm. Furthermore, he continued, 706 Sansom is a contributing resource to the National Register Center City West Commercial Historic District, which was created in 1984. Not only is it a contributing resource in a district that comprises hundreds of buildings, but this building is one that was explicitly called out in the National Register nomination to highlight the district's significance and broader character. He asserted that Jewelers' Row is an "ecosystem, a

collection of buildings of varying age, quality, and ornament.” He claimed that the building is an important component of that ecosystem and also is important on its own as perhaps maybe the first purpose-built commercial building on the block. He summarized that for all of these reasons, the Preservation Alliance believes that this property is an excellent candidate for local designation.

Mr. Steinke stated that the street paving on the 700 block of Sansom is designated as are four properties on the block. He asserted that the building at 706 Sansom Street is significant in large part because it was the publishing house of Henry Lea’s publishing company. That company traces its history back to Matthew Carey, who worked for Benjamin Franklin, and later opened a publishing house in 1782. Henry’s father Isaac married into the firm and became Carey’s chief executive later in that century, and then turned it over to his son Henry Lea. The firm was growing rapidly in the 1860s, so it commissioned this building by Collins & Authenrieth to be its new headquarters. Construction began in 1865 and was completed in 1866, and during the period of occupancy in this building from 1866 to 1922, Lea & Febinger grew to become the largest medical publishing company in the United States. They also licensed from England *Gray’s Anatomy* and published a version of that book out of this building for many decades. Mr. Lea passed away in 1909, and is remembered to this day by a school named after him at 47th and Locust Streets. He is also remembered by a library named for him at the University of Pennsylvania. Mr. Steinke concluded that cities are becoming fashionable again. The Commission’s vote on this matter will indicate what sort of city the Commission wants. The Commission can choose real historic buildings or it can choose Disneyland-like faux historic buildings. The building Toll seeks to construct will be a fake historic building fronting a 30-story tower. The Toll building will be an insult to the city. The existing building is a real, occupied, tax-paying historic building that is listed on the National Register. He contended that the demolition of this building will be the beginning of the end of Jewelers’ Row. He asked the Commission to decide between real historic buildings or a “cartoonish, Disneyland version of Philadelphia one block from Independence Hall that would be an embarrassment and a mockery in this most historic city in the United States.”

Carl Primavera introduced himself as an attorney representing Toll Brothers. He stated that this matter is primarily a legal matter. He showed the Commission a copy of the demolition permit. He asked the Commission to defer any action, owing to the outstanding permit. He noted that Messrs. Grossi and Steinke invoked 4046-48 Chestnut Street; he reminded the Commission that it tabled that nomination indefinitely, owing to the outstanding permit in that case. Moving forward and designating the property with the outstanding permit would only invite litigation and confusion. Mr. Primavera stated that there are rules that govern development in the city, which his client is following. To break from those established rules will create uncertainty in the marketplace. He asked the Commission to follow the precedent it set with 4046-48 Chestnut Street and defer any action on the nominations. Mr. Primavera asked people in the audience who support the Toll project to raise their hands; 11 people raised their hands. Mr. Farnham noted that he had distributed copies of Mr. Primavera’s letter as well as the permit to the Commissioners at the start of the meeting.

Attorney Michael Phillips spoke on behalf of the current property owner, RP Sansom Street, of which Roberto Pupo is the sole partner. He stated that his client is opposed to the nomination, asserted that the nomination is moot owing to the demolition permit, and claimed that the Historical Commission does not have the jurisdiction to designate the property at this time. He added that it would serve no purpose to designate the building while the demolition permit is valid. Designating the property with the valid permit would only invite litigation and confusion. Mr. Phillips addressed the merits of the nomination. He asserted that the property does not

satisfy the Criteria for Designation. He argued that, if the Commission finds that it meets the Criteria, it should consider separately whether the property merits designation. He stated that he does not believe that it merits designation. He observed that the nomination simply describes it as a cast iron building. Mr. Phillips opined that that is all the nomination says about the architectural design of the building, and that there is no evidence as normally accompanies nominations relating to the distinct architectural design of this building. He claimed that the nomination does not document the original appearance of the building, other than providing its dimensions and noting that it was constructed of cast iron and red brick. He argued that the building has undergone substantial renovations over the years. Mr. Phillips conceded that Mr. Lea and his family were well-known and prominent Philadelphians, but noted that their publishing company occupied 13 locations over 207 years. He agreed with Mr. Steinke that these buildings are occupied, tax-paying structures, but observed that the owners who pay the taxes are adamantly opposed to their designations. Mr. Phillips noted that this block was a residential block. Eventually it needed revitalization and was converted from residential to Publishers' Row. Eventually it too needed revitalization and was converted to Jewelers' Row. The block is once again in need of revitalization and needs to evolve beyond Jewelers' Row. A designation would prevent that evolution from taking place. These designations will not preserve Jewelers' Row, but will prevent it from evolving and becoming relevant again. If these buildings are designated, they will become vacant, boarded-up buildings.

Mr. Pupo, the owner of 706 Sansom, addressed the Commission. He stated that Jewelers' Row is shrinking, "becoming nothing." He stated that nine owners of properties on the block have accompanied him to the meeting this morning to support his assertion that the commercial area is dying and is in need of reinvestment. He stated that they are willing to make that reinvestment, but they cannot make that reinvestment if the buildings are subject to the Historical Commission's jurisdiction. He stated that the Barsky family used to own his building at 706 Sansom and they remodeled it 18 times, inside and out, removing its historic character. He noted that Jeffrey Barsky is in the audience and can testify to the changes. He stated that the property owners on the block are very nervous that the Historical Commission will prevent them from revitalizing their block. He stated that the customer base at Jewelers' Row is declining. Everyone goes to King of Prussia now for their jewelry. He explained that the stores used to have many employees, but they are now "mom and pops" because the businesses cannot support a large workforce. He stated that the owners are here today to protect their investments; they have invested millions of dollars and now outsiders want to control their investments. He observed that some tenants are supporting the nominations, but owners are not. The tenants do not have their assets tied up in the properties. He stated that the Tool Brothers proposal is "great." It will result in a \$40 or \$50 million investment on the block and bring in many tax-paying, shopping residents. He stated that the development will bring 100 millionaires to the block. They will buy jewelry. They will eat at the restaurants. They will create jobs. Mr. Pupo stated that he is from Rome and understands historic buildings. He stated that new and old buildings survive side by side in Rome. He stated that the Italians did not wait for the Romans to return; they revitalized their city on their own. Philadelphians should do the same.

Mr. Phillips asked the Commission to look closely at the building at 706 Sansom if it decided to consider the nomination on its merits. He asserted that the facts that it was built in 1865, was a publishing company, and is part of Jewelers' Row are not sufficient for designation.

Jeffrey Barsky introduced himself as the owner of 724 Sansom Street. He stated that his building was also used by a publisher at one time. He stated that his first memories of Sansom Street involve his grandparents, his parents, and his aunt and uncle. Jewelers' Row was bustling at that time. Every square foot was used by the jewelry business. A residential tower

would have made no sense at that time. But the street has changed. It has already become a residential area. In every building, from the second floor up, there are apartments, where there used to be jewelry sales, manufacturing, and repair. One building started out as a publishing building, became a jewelry building, and is now an apartment building. Mr. Barsky stated that families have invested their entire lives into Sansom Street; they have built businesses, but those businesses are now changing. He asserted that the Toll project will revitalize the area. It will bring new residents and new customers. For example, the shops at 721 Sansom are now empty; they used to be retail jewelry spaces. They have been vacant for more than one year. Stores on 8th Street that used to attract “key money” to rent now sit vacant. Jewelers’ Row is not what it was. There is no continuity. The merchants in the area want to rebuild it, but it will take this Toll project to get the revitalization started. He stated that the merchants who have accompanied him to this meeting own more than bricks in the area; it is their heritage. He reported that the family of one of the merchants with him has owned its building for 119 years. He stated that his family has operated businesses on the street for 112 years. He stated that this is their reality. He adamantly rejected Mr. Steinke’s comment that the new building would be “Disney World.” He suggested that Mr. Steinke lived in Disney World. He stated that Mr. Steinke’s comment strikes at the core of what they have worked every day for. The merchants have a longstanding financial and emotional commitment to the area; the preservationists do not. He stated that he and the other merchants are advocating for growth, promise, and potential.

Harry Bloch addressed the Commission. He explained that he just had a violent panic attack in the hallway outside the Commission meeting. He suggested that the Commissioners visit his website: neverbuyacrapollcondo.com. He distributed a sheet of paper with web addresses for his various websites related to Toll Brothers. He claimed that Toll concealed the truth and took down all of his websites. Mr. Thomas asked Mr. Bloch to address the matter at hand. Mr. Primavera objected that this testimony goes well beyond the scope of this nomination review. Mr. Bloch stated that Toll is not going to building this building; a subsidiary will. Mr. Thomas asked Mr. Bloch to limit his comments to the nomination. Mr. Bloch asked everyone to look at his websites.

Arielle Harris observed that these buildings are listed on the National Register. Owner consent is required for such a listing. Therefore, one can assume that the owners consented to the listings on the National Register.

Ross Hagstad, the owner of 709 Sansom, explained that he owns the business with his brother. Their great-grandfather started the business in 1898. He stated that he agrees with Mr. Barsky completely. He asserted that no building on the 700 block of Sansom should be designated as historic.

Steve Peitzman, a professor of medicine at Drexel University College of Medicine, claimed that Philadelphia was “America’s medical city” in the middle of the nineteenth century. That reputation was based not only on the physicians working in the city, but also on its medical publishing. Blanchard & Lea published not only *Grey’s Anatomy*, but also works by Samuel Gross, S. Weir Mitchell, and Andrew Abbott, who wrote on bacteriology. It also published the *American Journal of Medical Science*, the preeminent medical journal of the time. The firm helped create Philadelphia’s reputation in medicine.

Jeffrey Barsky stepped forward again. He asserted that what was there 100 years ago is not important; what is there now is important. He stated that one could erect a plaque to explain

what had been at the site. He concluded that the only constant is change, and this area must change.

Nick Backos, who owns 719 Sansom Street, stated that he is a restaurateur, not a jeweler. He stated that he has altered his building many times. He has always obtained permits for the work. He does not want his building designated as historic because he does not want to have to seek the Historical Commission's approval. He stated that it is not fair to the hard-working property owners to designate the properties on Jewelers' Row. The City should allow Toll to invest in this area. He asked the Commission to reject the nomination.

Paramjit Singh, the owner of 720 and 809 Sansom Street, stated that change is constant. He claimed that this building was completely remodeled in 1989. He observed that there is a very tall building at the corner of 8th and Walnut, where historic buildings once stood. He stated that most of the Sansom Street buildings replaced earlier buildings. He reiterated that change is constant.

Evan Schueckler, a student at the University of Pennsylvania, stated that he and his classmates are studying Jewelers' Row. He stated that these nominations are mired in controversy because of "pro-big development policies and a lack of historic designations that are threatening the historic resources in Philadelphia." He asserted that the Commission should consider these nominations based on their merits and "free from city politics." He stated that he and his comrades have reviewed the nominations and find them strong and that they believe that these buildings deserve listing on the Philadelphia Register. He stated that it is the Commission's "duty" to designate these properties if they find that they are significant. He stated that they hope that the Commission can see the importance of these buildings and designate them.

Suzanna Barucco, a representative of the board of the Preservation Alliance, stated her support for the nomination, and asked that the people in the audience in support of the nomination to please stand. Approximately 20 people stood up.

Paul Steinke stated that the Preservation Alliance is not opposed to development, but would like to see these buildings adaptively reused. He asserted that the buildings are historic and should be designated.

Jeffrey Barsky stated that many more people are opposed to these nominations than the 20 who just stood. Those in opposition would fill this room and more. He suggested that the preservationists install a plaque related to the publishing company, but not stand in the way of positive change. He stated that the preservationists have politicized this matter, but it should not be political. He observed that the area is changing and he stated that the property owners welcome that change. They want the area to thrive.

Roberto Pupo, the owner of 706 Sansom Street, stated that there is big difference between the property owners' support of the Toll project and the preservationists' opposition to it. He stated that the owners have invested their lives and millions of dollars in these properties; the students and preservationists have invested nothing. He stated that he does not own his buildings and his neighbors do not own their buildings so that students can study them. He stated that he owns them to survive, to generate a profit and survive. He stated that the Commission cannot equate some student study of the neighborhood with his life, which he has given over to this area. He contended that he, and his children, and his grandchildren depend on the profitability of these properties. The University of Pennsylvania students have nothing invested. He stated that he is 65 years old and has worked all of his life for these buildings. He contended that the

students can study books, not his buildings. He stated that the students have no claim to his buildings; they can buy another book. He stated that it would be unfair of the Historical Commission to turn control of his buildings over to a handful of students.

Mr. Fink stated that the Commission should table the matter until the validity of the demolition permit is decided. He stated that the City considers the demolition permit to be valid. Taking lengthy testimony and considering a designation with the permit in place “muddies the waters.” The Commission should not act on the nominations until the permit issue is resolved. Mr. Thomas stated that the authority over the buildings that the Commission enjoys today would not change if it tables the matter. The Commission has no jurisdiction over the demolition permit, which was applied for before the nomination was submitted or accepted, but it does have jurisdiction over all permit applications submitted since the issuance of the written notice to the property owners. That jurisdiction will remain exactly the same whether the Commission designates the properties or tables the nominations. Mr. Fink stated that the Commission would have jurisdiction over any new permit applications. The existing demolition permit may expire without being exercised, or it may be found invalid by the court. He stated that the Commission is giving “false hope” to people by accepting testimony regarding saving the buildings when the Commission has no authority over the existing demolition permit. Ms. Cooperman observed that tabling or continuing the review of the nominations would not change the Commission’s authority over these properties or demolition permit. Mr. Fink stated that the Commission has taken actions in the past on nominated properties with outstanding demolition permits that have created confusion among the public. He urged the Commission to act with clarity because it has no authority to intervene in the existing demolition permit. It should not give the impression that it can stop any demolition authorized by that permit. The Commission cannot stop that demolition. He stated that the Commission must be consistent when considering designations of buildings for which there are valid demolition permits. He suggested a change to the Rules & Regulations. He suggested that by designating today, the Commission would be “sowing seeds when a heavy frost is coming.” Mr. Thomas asked Mr. Farnham to comment. Mr. Farnham stated that the Commission’s jurisdiction will remain exactly the same whether it designates today or tables the matter. He stated that, if a new permit application were submitted during the tabling period, the Commission would have 90 days to complete the designation review if it wanted to deny that permit application. He stated that the Commission’s jurisdiction will remain in place during this period of consideration unless the Commission affirmatively rejects the nomination, at which time the jurisdiction would lapse. Mr. Farnham confirmed that the Historical Commission has no authority to review, deny, or approve the existing demolition permit. The Commission has no jurisdiction over that permit. The property owner may demolish the buildings regardless of the Historical Commission’s action on the nominations. The Historical Commission simply does not have the legal authority to intervene in any way in that permit. Ms. Cooperman asked about the difference between tabling and designating today. She stated that she perceived no difference. Mr. Farnham stated that he would defer to Mr. Fink, who has expressed reservations about a designation today, but he noted that a designation today might pull the Commission farther into any litigation over the validity of the permit. Mr. Farnham stated that Mr. Fink appears to be advocating for the Commission to stand back and allow any litigation over the permit to occur without the Commission’s involvement. Ms. Cooperman repeated her question to Mr. Fink. He responded that there is no difference between tabling and designating today with regard to the validity of the demolition permit. It is valid regardless of the Commission’s action today. However, designating today will confuse the issue and give the impression that the Commission can stop demolition under that permit. It cannot prevent the undertaking of the demolition authorized by that permit. A designation will confuse the public. Ms. Cooperman stated that she now understands. Mr. Thomas stated that the Commission could determine that the nominations demonstrate that the properties satisfy the Criteria, but could

elect to defer deciding the designation question. He opined, however, that tabling would be the cleanest way to address the matter. Mr. Gupta asked if a better approach might be to reject the nominations outright. The Commission could determine that the nominations demonstrate that the properties satisfy the Criteria, but could decide not to designate. Mr. Thomas and Ms. Cooperman objected to that approach, agreeing that the Commission could decide that the properties satisfy the Criteria and then decline to designate, but they suggested that tabling might be a better approach. Mr. Thomas stated that the Commission could table and monitor the situation.

ACTION: Ms. Cooperman moved to continue the review of the nomination of 706 Sansom Street for 90 days to the Historical Commission's meeting in February 2017. Mr. Schaaf seconded the motion, which passed by a vote of 11 to 1. Ms. Turner dissented.

ADDRESS: 704 SANSOM ST

Name of Resource: Electrotpe Foundry

Proposed Action: Designation

Property Owner: 704 Associates

Nominator: Preservation Alliance for Greater Philadelphia

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

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend to the Historical Commission that the nomination demonstrates that the property at 704 Sansom Street satisfies Criteria for Designation C, D, E, G, and J.

OVERVIEW: This nomination proposes to designate the property at 704 Sansom Street as historic and list it on the Philadelphia Register of Historic Places. The nomination states that the Electrotpe Foundry, which stands on the site, was designed by the architectural firm of Collins & Authenrieth for publisher Henry C. Lea, constructed in 1877, and altered in 1890 by the same firm. The nomination stipulates that the period of significance is 1877 to 1922. The nomination contends that the property satisfies Criteria for Designation A, C, D, E, G, and J.

The nomination contends that the property satisfies Criteria A and J, owing to association with the Henry C. Lea & Co. publishing house. The nomination provides a history of the publishing house that is taken verbatim from the nomination for 706 Sansom Street, where the publisher was headquartered. Much of the history of the publisher proffered in the nomination predates the construction of the building in question. For example, the significant publication of the first American edition of *Gray's Anatomy* dates to 1866, a decade before the building in question was constructed. The staff contends that significance of the building at 704 Sansom should not be predicated on the significance of a publishing house that was located on an adjacent property. Henry C. Lea was the developer and owner of the building in question, and he may be historically significant as a real estate developer, but the nomination makes no such case. The nomination claims that the Electrotpe Foundry was "one of many commercial buildings developed by Lea in the second half of the nineteenth century," but it offers no evidence of Lea's significance as a developer beyond a list of street addresses where he may have constructed buildings. Lea was unquestionably significant as a publisher, but that significance does not flow unabated into his activities in other realms including real estate speculation. The nomination includes several attenuated claims that the businesses operating out of the Electrotpe Foundry were associated with Lea's publishing empire, but again no proof is offered. The nomination states that "part of the printing process [of *Gray's Anatomy*] may have also been contracted to" the firm, but no evidence is provided. It claims without documentation

that “Lea no doubt contracted his electrotpe work to the firm.” And it proffers the unsubstantiated claim that “it is very likely that the firm did a great deal of work for its landlord and neighbor, Henry C. Lea & Co.” The property may be historically significant under Criteria A and J, but the nomination does not make a cogent case for the satisfaction.

The nomination contends that the property satisfies Criteria C and D, owing to its architectural style, and Criterion E, owing to its association with the firm of Collins & Authenrieth. The nomination identifies a distinctive architectural style, albeit not by name, and successfully explains, albeit succinctly, how the style reflects an environment characterized by that style and how the building embodies distinguishing characteristics of that style. Regarding Criterion E, the nomination successfully demonstrates that Collins & Authenrieth was a firm that significantly influenced the development of the city.

The nomination contends that the property satisfies Criterion G, that it “is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif.” The nomination briefly and imprecisely describes the 700-block of Sansom Street, but it offers no evidence that the block in question is a “distinctive area” that should be preserved in a particular manner. The area cannot be described as a park or square. The brief discussion of Jewelers’ Row provided in this section of the nomination relates to a time period after the end of the proposed period of significance. The fact that the property is located in a National Register historic district offers no evidence that the property satisfies Criterion G.

DISCUSSION: Mr. Farnham presented the nomination to the Historical Commission. Attorney Carl Primavera represented the equitable owner. Patrick Grossi and Paul Steinke of the Preservation Alliance represented the nomination.

Ms. Cooperman asked that interested parties not repeat their testimony from the 706 Sansom case. The record from that case can be incorporated into this record.

Mr. Grossi noted that his comments for the previous nomination stand for this nomination as well, but added that the polychromatic brickwork on this façade is stunning. He noted that the fourth floor was added in 1890, but was made intentionally consistent with the rest of the façade. He speculated that original material may exist under the vinyl siding on the first floor. He displayed images of the building from the 1940s and 1980s.

Mr. Steinke stated that he believes that the Commission has the authority to designate these properties today. He stated that Mr. Farnham had affirmed that earlier. He asked Mr. Farnham to comment. Mr. Farnham stated that he had contradicted a claim made by Mr. Primavera in a letter to the Commission. Mr. Primavera claimed that the Commission had no authority to consider the nominations with the valid demolition permit in place. Mr. Farnham stated that the Law Department disagreed and advised that the Commission could consider the nominations today. Mr. Steinke stated that “the role of this Commission is not legal. It’s historical. And, since these are historical nominations, a vote on this one and the previous one would be appropriate. I understand that Commissioner Fink does not want to muddy the waters on the legal side and doesn’t want to plant seeds with a heavy frost around the corner, but we think that we have an idea for climate change in preservation that will forestall that heavy frost.”

Aaron Wunsch, who teaches at the University of Pennsylvania, introduced himself. Mr. Wunsch stated that he attended the Committee on Historic Designation meeting and was under the impression that the Committee had not only recommended that Jewelers’ Row properties satisfied the Criteria for Designation but also that the Committee had recommended that the

Commission designate the properties. Ms. Cooperman stated that that was her recollection as well. Mr. Farnham read the recommendation as written and offered to review the audio recording of the Committee's recommendation to ensure that it was transcribed correctly. Mr. Farnham stated that the Committee routinely makes recommendations on the satisfaction of the Criteria and not on the appropriateness of designation itself. He explained that the Committee is a technical body comprised of experts who review the technical details of nominations. He stated that designation is a two-step process. First, the Commission must determine whether the Criteria are met. And second, the Commission must determine whether a designation represents good public policy. He reported that the Committee has routinely deferred to the Commission on the second step of the process. Mr. Wunsch stated that he would like the record to reflect that he and other attendees of the Committee meeting believed that the Committee was recommending for designation. Mr. Thomas agreed that the Commission would look into the matter, but noted that the Committee's recommendation is non-binding and the Commission can choose to take any action regardless of the Committee's recommendation. Ms. Cooperman agreed, stating that the Committee is advisory and does not designate; it recommends.

Jane Tyse stated that she is a tenant in the building and has had studios in the building for 40 years. She stated that she loves the building. She stated that she would rather have the real building than a plaque. People do not go to Rome to look at plaques; they look at real buildings. Mr. Thomas asked her to limit her comments to this building's worthiness of designation. She stated that the building is in wonderful condition. It is fully tenanted. The front of the building is beautiful. The original façade is under the siding. It is in nearly original condition. Jewelers' Row can be revitalized without destroying it.

Richard Spitzborg of the Washington Square West Civic Association stated that these properties fall within the Association's boundaries. The Association is the area's RCO. The Association's mission includes preservation of historic fabric. The Association is the city's oldest, founded in 1935. He voiced the Association's support for the nominations. He stated that 704 and 706 Sansom are landmarks. He stated that Jewelers' Row is important.

Katie Dylan, resident on the block, noted that she rents studio space in this building. She referred to the Philadelphia 2035 Comprehensive City Plan and stated that she hoped that the Commission was familiar with it. She stated that page 154 of the plan explains what she wants to achieve with regard to preservation. She stated that she wants to protect her aesthetic identity. She stated that she wants 704 Sansom Street to be designated. She stated that the project "snuck up on her." She stated that the public does not know what is going on. She stated that she heard that a 30-story building would be constructed at the site. She claimed that the demolition permit was not posted. Mr. Thomas asked her to stay on topic and discuss the merits of the nomination. She stated that the Historical Commission should follow the Philadelphia 2035 Plan and designate these properties.

Paul Steinke stated that he has new information that he learned from the press. He claimed that the demolition permit, which was issued yesterday, has not yet been posted on the Department of Licenses & Inspections' website or on the buildings. He claimed that the public is not yet aware of the demolition permit that was issued. Because the public is not aware of the permit, the permit is not relevant to the Historical Commission's discussion. He stated that the public only knows of the permit because it read about it in the newspapers. The public did not learn of the permit through posting on a website or on the buildings. He stated that he just wanted the Commission to know.

Hal Schirmer introduced himself as the attorney representing the Preservation Alliance. He claimed that the Commission has the duty and responsibility to designate if it finds that the property is historic. He stated that he knows from letters that the Historical Commission does not determine whether a demolition permit is or is not valid. He stated that at this moment there is no evidence of a demolition permit being properly posted or issued to the correct person or being listed on the Department's website, which he just checked. He asked the Commission, in light of this important new information, to rethink its decision on 702 Sansom. Mr. Thomas responded that the Commission is not considering 702 Sansom, but did continue the 706 Sansom matter earlier in the meeting. Mr. Schirmer stated that he wanted to remind the Commission of something: "If you look, the Commission does have authority to grant a 60-day continuance if there is a demolition permit application before the Commission. This is not that situation. This is simply a nomination. So, at this point, the Board has the facts, there is no permit to cause the Board to table this, and under the Board's own code and regulations there is no authority for a motion to table at this time." Ms. Merriman asked Mr. Farnham to address Mr. Schirmer's claims. Mr. Farnham disagreed with the claims. He stated that there is nothing in the code or rules that preclude the Commission from tabling this matter. He stated that Mr. Schirmer is mistaken. Nothing precludes the Commission from designating, rejecting the nomination, or tabling or continuing the review. Mr. Schirmer is wrong; the Commission may take any one of those three actions.

Mr. Thomas asked Mr. Fink if there are any differences between this case and the earlier one related to 706 Sansom. Mr. Fink stated that there were no germane differences. He reiterated that the permit application date as it relates to the Commission's notice date dictates in this matter. The issuance date of the permit is not relevant; the submission date is relevant. The permit application was submitted before the Commission notified the owner of the nomination review. Whether or not the permit was issued and whether or not the public received notice of that issuance is irrelevant; the submission date dictates. Mr. Thomas again confirmed that the Commission gives up no jurisdiction by tabling.

ACTION: Ms. Cooperman moved to continue the review of the nomination of 704 Sansom Street for 90 days to the Historical Commission's meeting in February 2017. Ms. Long seconded the motion, which passed by a vote of 11 to 1. Ms. Turner dissented.

2345-49 E SUSQUEHANNA AVE

Name of Resource: Fifth Reformed Dutch Church

Proposed Action: Designation

Property Owner: Church of the Living Word, Inc.

Nominator: Keeping Society of Philadelphia

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Historical Commission table the consideration of the nomination of 2345-49 E. Susquehanna Avenue to permit the nominator to strengthen the arguments for Criteria C and J, provided the nominator takes no more than 30 days to revise and resubmit the nomination.

OVERVIEW: This nomination proposes to designate the property at 2345-49 E. Susquehanna Avenue as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the Fifth Reformed Dutch Church satisfies Criteria for Designation A, C, and J. The nomination contends that the property represents the working- and middle-class German-speaking population in Kensington and served the community as a place of worship for one

hundred years. The nomination also asserts that Rev. Dr. Gustavus E. Gramm is a person of local significance for his role in founding the church and as an early practitioner of homeopathy. Finally, the nomination contends that the building characterizes a distinctive architectural style, or, as the nomination argues, “a form and trend in the architectural motifs of small congregations with specific, but proud congregations.”

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. No one represented the property. Oscar Beisert and Aaron Wunsch represented the nomination.

Mr. Beisert stated that the property owner likely assumed that the Commission would table the nomination, as recommended by the Committee on Historic Designation.

Mr. Thomas asked for clarification on the Committee on Historic Designation's recommendation. Ms. Keller explained that the Committee recommended allotting the nominator 30 days to revise and resubmit the nomination.

ACTION: Ms. Cooperman moved to adopt the recommendation of the Committee on Historic Designation and table the consideration of the nomination of 2345-49 E. Susquehanna Avenue to permit the nominator to strengthen arguments for Criteria C and J, provided the nominator takes no more than 30 days to revise and resubmit the nomination. Mr. Schaaf seconded the motion, which passed unanimously.

OLD BUSINESS

227 E ALLEN ST

Proposed Action: Designation

Property Owner: The Business Known As 227 E Allen, LLC

Nominator: Andrew Fearon & Oscar Beisert

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 227 E. Allen Street satisfies Criteria for Designation A, C, D, and J.

OVERVIEW: This nomination proposes to designate the property at 227 E. Allen Street as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the property satisfies Criteria for Designation A, C, D, and J. This nomination argues that the Jacob Deal frame dwelling is a rare surviving example of the wooden houses associated with the early development of maritime Philadelphia.

Prior to the nomination's April 2016 submission date, the owner had obtained a building permit for exterior alterations. The permit for this work was issued in October 2015. The work authorized under that permit may be undertaken without the Historical Commission's intervention or oversight.

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. Attorney Andrew Miller represented the property owner. Oscar Beisert represented the nomination.

Mr. Thomas asked for clarification that the permit was applied for prior to the submission of the nomination. Ms. Keller explained that the permit was applied for in October 2015 and the nomination was submitted in April 2016. Mr. Thomas surmised that the permitted work could

proceed, though future applications would be affected by designation, should the Commission choose to designate the property. Ms. Merriman inquired about the permit's expiration. Mr. Fink answered that, according to the Philadelphia Code, the permit would expire if no work is conducted within six months, although the permit can be extended for another six months by the Department upon request. He indicated that he was unfamiliar with the extent of work in this particular case, and stated that, in general, interior work would also initiate the activity of the permit.

Ms. Merriman suggested that, because the permit was applied for more than a year ago, it may have expired. Mr. Fink reiterated that he is unfamiliar with the permitted work and whether interior work has commenced. Mr. Thomas opined that, if the Commission designates the property and the owner needs to renew the permit, the property would then be under the Commission's jurisdiction and would require its review. Mr. Fink concurred, but asserted that the permit may currently be valid.

Mr. Gupta questioned the functional difference between this nomination and those of 704 and 706 Sansom Street, since the status of the original application for work to 227 E. Allen Street is unknown. Mr. Thomas answered that, although the situations are comparable, the Sansom Street properties face potential demolition. Ms. Cooperman commented that, at the Committee on Historic Designation meeting, the issue was raised whether the extent of work authorized under the permit and which is represented in the drawings would render the building ineligible for designation. Although not a demolition, she continued, the result is similar in effect.

Mr. Miller introduced himself as the property owner's representative and asserted that the photographs fail to show the demolition of the rear of the property, work which has already been completed. Section F of the City Code, he continued, does not distinguish between the types of permits, which has been an issue at 4046-48 Chestnut Street and the Sansom Street properties. Mr. Miller argued that the Code addresses permits broadly, and not demolition permits specifically. He urged the Commission to consider this case in the same matter it did 4046-48 Chestnut Street and to table the matter. If a property owner does not act on the permits, he added, the Commission would still preserve its ability to address new permit applications. He asked the Commission for clear indication on how it will handle matters where permits have been obtained prior to a nomination being submitted and again recommended that, when a permit is pending or issued prior to receipt of a nomination, the Commission table the matter to allow it the ability to act in the future. Mr. Thomas thanked Mr. Miller for the information.

Mr. Gupta asked whether the work already underway has been completed pursuant to the October 2015 permit. Mr. Miller affirmed and stated that it was his understanding that the permit was renewed, since the work is ongoing and the permit was renewed or extended. Mr. Thomas clarified that, if the Commission agrees to table the matter, it would retain jurisdiction. When the permitted work is completed, he continued, the Commission would need to determine whether enough integrity exists to warrant designation.

Mr. Miller asserted that permits are commonly amended, per the City's code. When an individual nominates a property subject to a permit, he added, the code would not deny the property owner the ability to amend that permit as necessary. He acknowledged that the nominated property has foundation problems and argued that the nomination cannot, under existing code, deny the owner the ability to address those issues that are only uncovered once work begins. He reiterated his recommendation that the Commission table all matters and not hear testimony for nominated properties with active or pending permits.

Mr. McCoubrey asked whether an individual who holds a permit for certain work can move through a constant sequence of amendments that fundamentally change the nature of the project. Mr. Fink answered that an amended permit requires a new application. A literal reading of the code, he continued, requires that a new application is subject to Historical Commission's review. Mr. McCoubrey asked if the Commission's review would take effect once an amendment was filed. Mr. Fink responded that in his reading of the code, any application submitted after the Historical Commission's date of notice of a property's nomination is under the purview of the Commission.

Mr. Thomas offered an analogous project from his own experience and stated that, if the Commission retains jurisdiction on this property and an amendment is necessary, any new application for foundations or structural work would require the Commission's review. He opined that the Commission has previously been amenable to structural work that preserves the building, and added that an amendment to construct an addition would likely not be approved.

Mr. Miller cautioned that the building, after completion of the permitted work, would need to be reviewed to determine if it merits historic designation. Mr. Thomas suggested that the nomination be tabled and reassessed in the future.

Mr. Thomas opened the floor to public comment, of which there was none.

ACTION: Ms. Cooperman moved to continue the review of the nomination for 227 E. Allen Street for 90 days to the Historical Commission's meeting in February 2017. Mr. Gupta seconded the motion, which passed unanimously.

5129-35 FRANKFORD AVE, PENN FRUIT

Nominator: Preservation Alliance for Greater Philadelphia

Owner: Rite Aid of Pennsylvania

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 5129-35 Frankford Avenue satisfies Criteria for Designation A, C, D, and J.

OVERVIEW: This nomination proposes to designate the property at 5129-35 Frankford Avenue as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the building satisfies Criteria for Designation A, C, D, and J. The nomination argues that the arched-roof supermarket, constructed in 1955, possesses significant character, interest, and value as part of the development of Philadelphia in the postwar era, exemplifies the legacy of the Penn Fruit Company as a major innovator in the supermarket industry, reflects the environment of the postwar era characterized by the popularity of exaggerated modernism, and embodies the distinguishing characteristics of the supermarket as a building type uniquely emblematic of this era and style.

DISCUSSION: Ms. Broadbent presented the nomination to the Historical Commission. Patrick Grossi and Paul Steinke of the Preservation Alliance for Greater Philadelphia represented the nomination. Attorney Carl Primavera and structural engineer Fred Baumert represented the property.

Ms. Broadbent explained that a request for continuance and structural engineer's report was distributed at the start of the meeting, as it was recently received by the staff. Mr. Primavera

responded that he is no longer requesting a continuance, and is now prepared to go forward with the review at this meeting. He introduced Fred Baumert of Keast & Hood.

Mr. Baumert explained that he conducted a conditions assessment of the property and assembled the report that was distributed at the start of the meeting. He summarized the findings of the assessment. He stated that there is such advanced deterioration of elements of the building, that requiring preservation would be difficult or impossible to implement. Based on observations at other Penn Fruit stores, the roof is a location that is prone to internal decay. He was able to observe the internal framing that supports the glass curtain wall system, which is clad with aluminum around the steel. Those steel members are corroded. Mr. Baumert stated that he is recommending to the owner that the corrosion is to the point that it is becoming dangerous and, in his opinion, should be taken down. He stated that what has been observed at other Penn Fruit stores in the area is that the storefront systems do not last. There are a few large glass panels and many locations where there are smaller glass panels where they have been replaced. He stated that it is currently impossible to obtain pieces of glass that large; if a glass panel breaks, it needs to be replaced in smaller pieces.

Mr. Primavera explained that the recent tenant went into bankruptcy, and the property is or will be listed with a broker. The community has been working with the City to explore the idea of a transit oriented development at the site. He opined that the condition of the building, as well as the policy concern that this building could stand in the way of a transit oriented development in the future, are two reasons why it should not be designated.

Mr. Baumert discussed the idea of building obsolescence, which he explained as the observation that some buildings are built to be monumental and permanent, whereas others are built to take advantage of market conditions at the time of construction. He stated that as the Penn Fruit supermarket chain grew, it intended to have something that would catch the eye of customers but was built as inexpensively as possible because the company did not intend for these to be long-term edifices. These were meant to be commercial structures with limited life spans. He opined that there are buildings that can be preserved indefinitely, and then there are other buildings where it is virtually impossible to fulfill the requirements of historic preservation because material selection and design do not allow for those buildings to be maintained.

Mr. Thomas asked questions. Does it make sense economically to repair this building? If the building is at risk of being declared dangerous, is it better to simply document the building? Can two panes of glass be installed instead of a single pane, as was done at Wanamaker's? If the Commission chooses to designate, and then there is a financial hardship application, should the Commission instead document a Penn Fruit in better condition? Should the Commission agree that it meets the Criteria but choose to not designate?

Ms. Cooperman commented that calling this "planned obsolescence" is going a little far. She stated that one could say it was expeditiously done, but one of the hallmarks of this period was an experimentation of materials. The designers were not planning for it to fail. She commented that other Commissioners may decide that the condition of this building means it is not worthy of designation, but in terms of architectural significance, it is an approach that is indicative of this period. Mr. Thomas concurred, but again suggested documentation rather than preservation.

Mr. Fiol-Silva asked about the Community Development Corporation's (CDC) position. Kim Washington, Executive Director of the Frankford Community Development Corporation, distributed copies of a recent market study for a transit oriented development by Urban Partners. She explained that the Preservation Alliance reached out to her over one year ago

when they learned of Rite Aid's plan to demolish the building. The CDC's concern was that the neighborhood would be a food desert if Rite Aid were to demolish it. The CDC began to work with SEPTA, City Council, Philadelphia City Planning Commission and Pennsylvania Department of Community and Economic Development to start planning for the transit oriented development anchored by a fresh food supermarket, per the recommendations of the Phila2035 Plan. They reached out to several supermarket operators. The supermarket operators want to be located at the transportation center, but one of the problems is the availability of large parcels for a supermarket development, with this particular site being the most ideal parcel. She stated that the problem with the existing structure is that the supermarket operator that was previously in the building had issues with the equipment, which needs to be brought up to code. She stated that no one was interested in putting a supermarket into this building with these challenges. There is also potential for housing to be incorporated into the transit oriented development, and this again is the parcel that is large enough to support a mixed-use development. She summarized that the CDC is opposed to the preservation of this building because the designation of the building may get in the way of a transit oriented development that will largely benefit the neighborhood and the city.

Mr. Grossi reminded the Commissioners to reconsider the merits of the nomination. He cautioned that some of the discussion has touched on a financial hardship, which is not on the table at this meeting. He urged the Commission to not make a decision based entirely on one relatively brief visual assessment of the building, and that a second opinion should be allowed. He opined that a transit oriented development and the designation of the building are not mutually exclusive, and the building could be a very unique visual anchor for the location. He suggested that a denser mixed-use project could be incorporated on the site while retaining the building. Regarding documentation and the suggestion to find an intact example of a Penn Fruit supermarket, he stated that this building is the best example in the area. Mr. Steinke commented that multiple Penn Fruit supermarket buildings have been adaptively reused, and to give up on this building because its current tenant went bankrupt, forecloses the possibility that another tenant could be part of a transit oriented development that would meet the community's needs.

Mr. Primavera distributed a memorandum stating his client's position on the proposed designation. He stated that he is trying to preserve the most flexibility for the community, as it may be more difficult to sell the property with the historic designation.

Mr. Thomas asked for public comment.

Aaron Wunsch commented that the question of obsolescence comes to the question of builder intent. Was this building meant to be obsolete after a certain period of time? He stated that that is something you learn from the archives. It is a historical question, and should be treated as such. He suggested that the Commission does not accept a brief visual assessment as proof of a historical argument. He concurred that the building can be reused. He opined that the Commission should not be sympathetic to circumventing the hardship process, and that process works according to its own mechanism, and is set up exactly for this kind of circumstance. He stated that the Commission should not foreclose that possibility.

Mr. Primavera noted that Keast & Hood worked with architectural historian George Thomas on the report.

Jeffrey Cohen, architectural historian and member of the Committee on Historic Designation, commented on the notion that there are buildings that are intended to be temporary and

buildings that are intended to be permanent. He opined that this building is an important place-making piece of architecture. He commented that the Commission would be condemning a lot of post-war architecture, and a lot of wooden architecture, if it decided that buildings built with modest materials and that were not built to last should not be considered for historic preservation.

Mr. Thomas opined that the building does contribute architecturally and has the potential to be part of a transit oriented development, with additions or alterations or other changes. Mr. Fiol-Silva asked that the Commission get back to addressing the Criteria. He noted that this nomination was submitted as part of a trio of mid-century modern buildings, but opined that this building is a poor representation of the group. He opined that this building is alien to the community of tightly-knit row houses, and does not reflect the environment of the neighborhood. He commented that the nomination has some compelling examples of these types of buildings, but this one is not the best embodiment of that. He stated that the building is an anomaly, and not a strong case for preservation. He commented that the reuse examples of the building typology have obliterated characteristic features of the building, showing that it is difficult to reuse. He stated that he would not shove preservation down the throat of the neighborhood when they are trying to do something else.

Mr. Schaaf offered a different opinion. He agreed that it is not a rowhouse, because that is not what this nomination is about. He explained that an important feature is how the building is sited in such a manner that it creates a public space in front of it, and is an exception to the neighborhood's fabric. He stated that it is keenly different from everything else, which is one of its strengths. He suggested it could be the keystone of the transit oriented development.

ACTION: Mr. Schaaf moved to find that the nomination demonstrates that the property at 5129-35 Frankford Avenue satisfies Criteria for Designation A, C, D, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Cooperman seconded the motion, which passed by a vote of 7 to 5. Commissioners Fink, Fiol-Silva, Gupta, Long and McDade dissented.

ADDRESS: 8330 MILLMAN STREET, VANNA VENTURI HOUSE

Proposal: Designation

Nominator: Kathleen Abplanalp and Emily Cooperman, Chestnut Hill Historical Society

Owner: David Lockard

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 8330 Millman Street satisfies Criteria for Designation D, E, and F.

OVERVIEW: This nomination proposes to designate the property at 8330 Millman Street as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the property satisfies Criteria for Designation D, E, and F. World-renowned architect Robert Venturi designed and built the house for his mother, Vanna Venturi, in the late 1950s and early 1960s. It is widely considered one of the world's most important architectural landmarks of the twentieth century. The subject of numerous books, articles, and essays, the house marks a pivotal shift in architectural theory and design, signifying the end of Modernism and the start of Post-Modernism. The Historical Commission designated Venturi's Guild House on Spring Garden Street, which occupies a similarly prominent position in the canon of architectural history, in 2004.

DISCUSSION: Ms. Cooperman recused. Ms. DiPasquale presented the nomination to the Historical Commission. Property owner David Lockard represented the property.

Mr. Lockard noted that he does not oppose the designation, and believes that the nomination ably addresses the Criteria for Designation. However, he continued, his concern is that the nomination speaks of the “property,” which is a fairly large piece of land. He stated that the house itself is sublime, beautiful, monumental, and deserves to be protected in every way possible, but the use of the word property seems to extend beyond the house itself. He expressed concern that the term property may include the interior of the house, and the grounds of the house which were shaped by Venturi, but have changed as trees and bushes have grown. He wanted to ensure that the protection of the house does not extend to, say, the shed in the corner of the property, trees that are far from the house, or bushes that he already removed. He noted that he bought the house in part to protect it, and intends to live there until he dies. He continued with his concerns, noting that the windows are single-paned, and there seems to be significant heat loss, so he may wish to convert them to double-pane. Having had several architects in to look at that already, he has been told that that will not be an easy job, and will be expensive. He stated that he would not wish to have his hands tied by a very restrictive designation. He noted that he might wish to have some outdoor sculpture added to the property.

Mr. Thomas thanked Mr. Lockard for acquiring the property with such a sense of preservation and stewardship. Mr. Thomas responded to Mr. Lockard’s concerns. He noted that the Historical Commission only designates the exteriors of buildings, their grounds, and permanent site features; there is a process for designating “publicly accessible” interiors, but this residential interior would be precluded from designation. Mr. Lockard noted, for example, that the paint on the exterior of the building was chosen by Robert Venturi, but it has not always been the same paint, and he asked if he would be bound to stick with Venturi’s original selection. He noted that the lintel in the historic photograph appears to be quite light, and he asked Denise Scott Brown, who indicated that it was originally exposed concrete, and someone accidentally painted over it. He questioned whether he could go back to the original concrete, and noted that he intends to adhere to Robert Venturi’s vision to the extent possible. He stated that he wants to make sure his hands are not tied if there is a need for exterior painting. Mr. Thomas explained that the designation would not prevent Mr. Lockard from appropriately and reasonably maintaining and preserving his building. He offered thoughts on accessibility and sustainability. Mr. Lockard clarified that he was really asking if, when the Commission designates a property, it designates the building or the entire parcel. Mr. Thomas offered an anecdote about a medical fraternity at 11th and Clinton Streets that illegally altered a wall. Mr. Thomas asked Mr. Farnham what else he would say. Mr. Farnham responded that, if the Commission designates the property, then it would have the authority to review building permit applications for that property. If the owner were to construct a detached garage, the Historical Commission would review that, but would certainly not review landscaping projects such as the addition or removal of trees. If the owner wanted to place sculptures on the ground, the Commission would generally not be involved unless the sculpture were so large that it required a building permit to build a foundation for it. Mr. Farnham noted that the installation of a large sculpture would be a quick administrative approval, unless the owner chose to place the sculpture in front of the building that blocks all view of the entrance. Mr. Farnham reiterated that it is likely that no review would be required, but if one was, it would be administrative, at the staff level, and would take minutes, or five days at the absolute most.

Mr. Thomas noted that the reason there were so many continuances of this nomination was that there was a thought that it might be acquired by someone who would be interested in a preservation easement, and asked if Mr. Lockard was doing so. Mr. Lockard responded that at one point he was contemplating an easement, but now he is not. Mr. Thomas replied that there was a question of timing and that Lori Salganicoff of the Chestnut Hill Historical Society had said that if he were planning to ease the property, the easement should be put in place before the property is designated by the Philadelphia Historical Commission. Mr. Lockard responded that he understands the implications of his actions. Mr. Fiol-Silva asked why an easement should be put in place prior to designation. Mr. Thomas clarified that an easement can be put in place at any time, but that doing so after it is designated has tax consequences.

Mr. Fiol-Silva expressed his pleasure that Mr. Lockard had purchased the property. Mr. Fiol-Silva noted that one of the most compelling moments in Chestnut Hill, when he gives tours of the neighborhood, is the whole approach to the house, which is a very important moment not just for the property, but for Chestnut Hill, as it is right next to the Kahn house.

Mr. Thomas opened the floor to public comment, of which there was none.

ACTION: Mr. McCoubrey moved to find that the nomination demonstrates that the property at 8330 Millman Street satisfies Criteria for Designation D, E, and F, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Long seconded the motion, which passed unanimously.

ADDRESS: 81-95 FAIRMOUNT AVENUE

Proposal: Designation

Nominator: Staff of the Philadelphia City Planning Commission

Owner: VMDT Partnership

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 81-95 Fairmount Avenue satisfies Criteria for Designation A, C, D, and J.

OVERVIEW: This nomination proposes to designate the rowhouses at 81-95 Fairmount Avenue as historic and list them on the Philadelphia Register of Historic Places. The nomination contends that 81-95 Fairmount Avenue satisfies Criteria for Designation A, C, D and J. The nomination argues that the rowhouses are a rare surviving example of a once common building type of the early Philadelphia waterfront between Front Street and the Delaware River, and the row retains original early Federal-style characteristics despite a significant but sensitive Colonial Revival renovation in the early 1920s. The nomination further contends that 81-95 Fairmount Avenue exemplifies the cultural, social and historical heritage of the Northern Liberties community, having served as the Beach Street Mission, representing the first facility of the Guild House organization.

On 22 September 2015 The Historical Commission mailed a notice letter to the property owner notifying the owner that the Historical Commission received a nomination, which was under review, and that the property was under the Commission's jurisdiction. The nomination was scheduled to be reviewed by the Committee on Historic Designation on 2 December 2015 and the Historical Commission on 11 December 2015.

On 13 November 2015 the Commission granted the owner's request for a continuance to allow the owner time to review the nomination.

On 11 February 2016, a revised nomination for the property was submitted by the staff of the Philadelphia City Planning Commission, Oscar Beisert, and Jim Duffin. The Historical Commission subsequently notified the property owner that the nomination would be considered at the 17 March 2016 Committee meeting and 8 April 2016 Commission meeting.

On 17 March 2016 the Committee reviewed the nomination and voted to recommend that the Commission table the nomination to allow the nominator to revise it and remand the revised nomination to the Committee for review.

On 8 April 2016 the Commission moved to table the nomination to allow the nominator to revise it and stipulated that the revised nomination must be submitted by 13 May 2016. The revised nomination was scheduled to be reviewed by the Committee on 15 June 2016 and the Commission on 8 July 2016.

On 15 June 2016 the Committee reviewed the nomination and voted to recommend that the nomination demonstrates that the property satisfies Criteria for Designation A, C, D, and J.

On 8 July 2016 the Commission moved to table the review of the nomination to seek advice from the Law Department to determine whether the staff of the Philadelphia City Planning Commission is authorized to nominate a property. The property owner's representative accepted the 30-day extension without prejudice.

On 12 August 2016 the Commission moved to continue the review of the nomination at the request of the property owner's representative.

On 9 September 2016 the Commission reviewed the nomination and offered three motions regarding the nomination, all of which failed.

On 14 October 2016 the Commission deliberated on whether the three failed motions constituted a rejection of the nomination and failure to designate, or if the failed motions resulted in the Commission taking no action. The Commission moved that it took no action at the 9 September 2016 Commission meeting. The Commission then moved to continue the review of the nomination to the 10 November 2016 Commission meeting.

DISCUSSION: Mr. Schaaf recused. Ms. Long recused because her husband is employed by the law firm representing the property owner. Mr. Farnham presented the application. Attorney Michael Sklaroff represented the property owner.

Mr. Farnham stated that he provided to the Commission a memorandum written by Andrew Ross, the attorney in the City's Law Department who represents the Historical Commission. The confidential memorandum, he continued, provided advice from the City's Law Department to a City entity, the Historical Commission, and has not been shared with the public or with the property owner's representatives. Mr. Farnham read from the memorandum: "There was no change in the status quo as a result of the three votes at the September Commission meeting. The Commission may by motion reconsider the nomination of this property in future meetings in accordance with the requirements of 14-1004 of the Code of the Historic Preservation Ordinance."

Mr. Sklaroff insisted that he is not present to discuss the merits of the nomination, nor would the Commission hear from the property's representatives on that issue. Mr. Sklaroff noted that Mr.

Farnham's partial reading of a confidential memorandum is problematic and claimed that its contents would need to be disclosed. Mr. Sklaroff asked Mr. Farnham to repeat the sentence read aloud. Mr. Farnham addressed Mr. Sklaroff's contention by stating that he explicitly discussed disclosing the memorandum's contents with Mr. Ross and that Mr. Ross informed him that the content of the memorandum to the Commission could be disclosed during the discussion, but that he was directed not to provide a complete copy to either Mr. Sklaroff or any individual outside the Commission. Mr. Sklaroff contended that reading a statement from the memorandum put Mr. Farnham in a difficult position. In disclosing part of it, Mr. Sklaroff asserted, members of the Commission, the public, and the landowner have no sense of the context. He again requested that Mr. Farnham read the same passage. Mr. Farnham responded that the statement reflects the advice that he provided to the Commission verbally at the previous meeting and that Mr. Sklaroff and others asked to have confirmed by the Law Department. He stated that the information is not revelatory and reread the conclusion of the memorandum.

Mr. Sklaroff asked if the members of the Commission had written copies of his letter. Mr. Farnham affirmed that they did. Mr. Sklaroff asked if the letter was currently with the Commissioners. Ms. Merriman indicated that she and others had the letter. Mr. Fiol-Silva asked for the date of the letter, and Mr. McCoubrey answered that the letter is dated 4 November. Mr. Sklaroff stated that he had extra copies of his letter and asked if he could learn the date of Mr. Ross's memorandum. Mr. Farnham answered that Mr. Ross's memorandum is dated 8 November. He explained that he provided Mr. Ross with a copy of Mr. Sklaroff's letter and the minutes of the September and October Historical Commission meetings before Mr. Ross wrote his memorandum.

Mr. Sklaroff turned to the minutes of the October meeting and mentioned Mr. Farnham's request to excise one paragraph. On Page 6, he continued, the minutes state that on 9 September 2016 the Commission reviewed the nomination and offered three motions regarding the nomination, all of which failed. Mr. Sklaroff noted that in his letter he indicated that referring to them as failed motions does not do them justice. The first motion, he added, was ineffective, because it asked that the nomination not proceed. The second motion was definitive, he claimed, because that was the motion to nominate based on an official action, and it failed three votes to five. In Mr. Sklaroff's letter, he stated that he believed he demonstrated that the result of the failed motion was an action and a failure to designate. He then noted that a third motion proffered by Ms. Royer was intended to preserve the nomination. Designation, he opined, meant the property would remain encumbered by the nomination. He argued that his letter demonstrates that both motions, the three to five vote and the tie vote, were failures and that the law is clear in these matters. Mr. Sklaroff asserted that no conditions exist and the property owner is not moving to demolish the building today or in the foreseeable future. He asked Mr. Orlow to confirm that statement, which Mr. Orlow did.

Mr. Sklaroff commented that this property is not Jewelers' Row and emphasized to the Commission that his intention is that this property would be free of a nomination that has failed. Now in its 498th day of pendency, he continued, the first two nominations were so badly flawed that the Committee on Historic Designation asked that the nominator be granted additional time for revision. The revised nomination, he added, was before the Commission on 9 September and failed. He argued that the failed motion equated to a decision on the nomination. The second motion, he contended, removed two of the criteria and also failed. He insisted that a tie vote results in failure, adding that he addressed this process previously. Mr. Sklaroff held that they have reached a point where the matter is a legal question. He stated that members of the Commission were concerned at the previous meeting that the only legal opinion was relayed

orally and that there was interest from the Commission in receiving a statement in writing from the Law Department. He reiterated that the property owner has no plans to demolish the building, a point he believed he made clear at the previous meeting. At that previous meeting, he continued, he had proposed that the Commission continue the status of the review for 30 days with the understanding that, during that period, he and the Commission would hear from the Law Department. Ms. Turner's adopted motion, he asserted, was based on that process. He added that the Law Department is very capable of writing public decisions and that the solicitor's opinions are typically published when they are important, allowing lawyers to review those opinions and seek guidance. He reiterated that the continuance was to allow time to hear from the Law Department.

Oscar Beisert spoke out of order, calling the matter absurd and claiming Mr. Sklaroff requested the continuance to allow his expert to be present.

Mr. Sklaroff countered that the issue is fundamental. Commissioner Thomas noted that the issue had been discussed previously, although there may be other information. He asked that the Commission return to reviewing the nomination. Mr. Sklaroff requested another couple minutes to speak and stated that his position is that the law is clear that on September 9 the Commission took action. He claimed it was a procedural question. Commissioner Thomas asked that Mr. Sklaroff refrain from continuing, because the Commission obtained guidance from the Law Department. Commissioner Thomas added that he understands Mr. Sklaroff's concern that the memorandum supplied by the Law Department has not been shared with the owner or his representatives, but he argued that the Commission has the right to proceed and it would exercise that right.

Mr. Sklaroff responded that he believed there was a condition that he would see a written document from the Law Department and would have an opportunity to respond. He argued that, as a property owner, his client has rights to substantive procedural due processes, and he reiterated that the continuance was granted to provide clarity.

Mr. Beisert again spoke out of order. Commissioner Thomas asked Mr. Sklaroff to end the discussion, adding that the Commission has the right to consider the nomination and that he realizes if it takes action there may be consequences. Commissioner Thomas then asked Mr. Sklaroff if he would like to present anything else related to the nomination.

Matt Ruben, president of the Northern Liberties Neighbors Association and chair of the Central Delaware Advocacy Group, introduced himself. Mr. Sklaroff stated that, if the Commission is now considering the nomination that he has no further interest in the discussion and would leave without participating in the discussion. He reiterated that they made their case at the 9 September meeting and that the nomination failed twice. Commissioner Thomas responded that only one person at a time will be allowed to speak and that the review would proceed. Mr. Sklaroff noted his respect for the Commission, adding that it can hear the case but that he would not participate.

Commissioner Thomas thanked Mr. Sklaroff and asked that Mr. Ruben proceed. Mr. Ruben stated that the Commission must use its judgment to decide which specific criteria the property satisfies. In reading the 9 September minutes and expert George Thomas's report, Mr. Ruben explained that he understands the technical meaning of the term "intact," such as an intact row, and argued that the Commission has evaluated how intact the building's specific architectural features are. He explained that he wanted to clarify that the nomination's mention of an intact row denotes a commonsense definition that indicates that multiple addresses exist at eight

attached structures. This particular situation, Mr. Ruben continued, is unique between Front Street and the water in a multi-mile stretch of the Central Delaware. He contended that the average observer would see an intact row of eight structures. Commissioner Thomas interjected that the Commission is aware of the argument Mr. Ruben is presenting. Mr. Ruben responded that the opposition has used a particular meaning of the word “intact” and ignored the meaning he just presented. He contended that Mr. Thomas’s report emphasizes the loss of chimneys and interior alterations to the building, which are irrelevant to this consideration. Mr. Ruben further argued that the structure may be in a different physical context due to the construction of I-95 and shifting buildings and uses surrounding the structure, but those changes are not sufficient to disqualify the property from designation. If so, he insisted, any property located outside Vine Street to South Street would be at risk of never being designated due to changing context. The nomination, he noted, states that the building, even at the time of its construction, existed in a heterogeneous context. For the purposes of the Criteria for Designation, he continued, the building is exemplary of the history of the neighborhood and context. Mr. Ruben added that he respectfully disagrees with Mr. Thomas’s argument regarding the changed context and explained that the heterogeneous uses now does not differ from the heterogeneous context of the 1800s. Mr. Ruben suggested that the museum-level scrutiny of the property’s merits is not appropriate for the structure and reemphasized that the changed context does not prevent it from holding significance to the community’s history. He concluded that the basic envelope and number of structures remaining together are most important.

Mr. Thomas stated that the Commission is considering the Criteria for Designation and have already heard the arguments for and against designation.

Susan Murray, a representative of the East Poplar Community Organization and 14th Ward Democratic Committee RCO, agreed with Mr. Ruben’s comments and asked to add another historical aspect. She noted that she lives in a Friends Housing Cooperative, which is a structure listed on the Philadelphia Register of Historic Places. The organization, she contended, originates, to a certain extent, from the nominated property. She maintained that the first settlement movement occurred in the building in 1886, and eventually the community organization became the Friends Neighborhood Guild, which cofounded the Friends Housing Cooperative. Commissioner Thomas interjected that, while he realizes Ms. Murray may not have been present at the previous meetings, the Commission has heard the organization’s history. Ms. Murray responded that she wanted to note that her community is on the National Register of Historic Places and emphasized the connections between the historic and current organizations. She argued that in its 2035 Comprehensive Plan, the Philadelphia City Planning Commission indicated that one goal is to preserve these types of structures. She asked that the Philadelphia Historical Commission designate the property.

Commissioner Thomas invited further public comment. Karen Thompson, a planner with the Delaware River Waterfront Corporation, stated that her organization submitted a letter the previous month regarding the nomination and wanted to reiterate that the property falls within the Central Delaware Planning District. She noted that her organization’s master plan was adopted by the City Planning Commission in 2012, making it a part of the 2035 Comprehensive Plan. She observed that much of the waterfront architecture has been lost due to the construction of I-95 and other causes. The preservation and adaptive reuse of structures like 81-95 Fairmount Avenue, she continued, is central to the master plan’s goal of retaining a waterfront that is unique to Philadelphia.

Patrick Grossi of the Preservation Alliance for Greater Philadelphia noted that he has gone on record multiple times at past meetings to express the Alliance's support for the nomination. He stated that he would like to go on the record once again to indicate that their support stands.

Mr. Fiol-Silva asked if the Commission would vote on the same criteria. Ms. Cooperman answered that the Commission chooses the criteria by which it designates a property. Mr. Fiol-Silva expressed concern over the previous failed motions using multiple criteria and noted his curiosity over whether the Commission would vote on the same criteria that were defeated or resulted in a tie. He opined that he is least familiar with the meaning of a tie vote but observed that other Commissioners seemed confused, since a tie vote had not happened at past meetings. He remarked that he wanted to learn what a tie vote meant legally and thought it would be clarified by the Law Department. Although Mr. Fiol-Silva noted that he read the confidential memorandum supplied by the solicitor, he stated his interest in ensuring that rigor is applied to the process with both clarity and transparency. For the record, he continued, he indicated that he was uncomfortable with not sharing the memorandum or having a legal opinion with no clear answer clarifying the meaning of a tie vote. He reiterated that he is uncomfortable voting on the same criteria that have not been reargued. The nomination, he added, preceded him by many years with over 400 days of indecision.

Ms. Cooperman suggested that the Commission attempt to vote on a motion that could lead to a decision. Mr. Fiol-Silva interjected that he would like to know if they are voting on a motion. Ms. Turner requested that the Commissioners return to the minutes, stating that Mr. Farnham explicated the specific Criteria for Designation under consideration at the previous meeting. The meaning of the failed motions and the Commission's decision as to whether or not it took action, she continued, is recorded in the minutes.

Mr. Sklaroff countered that the discussion is focused on the clarity of the motion and legal clarity of several failed motions. He argued that the law approaches the meaning of the failed motions differently and contended that the Commission either acted or did not. He added that he wanted to focus with Mr. Ross on what happened at the 9 September meeting.

Mr. Gupta asked to revisit Mr. Fiol-Silva's comments and observed that there is importance in providing procedural clarity to this applicant and future applicants on why the Commission believes that a tie vote preserves the status quo. He argued that, without precedent, it is necessary to establish for applicants in the past why counsel is taking a certain position. He suggested that the Commission decide whether it waves its privilege with its counsel to make the most relevant section of the memorandum part of the record to provide clarity on what exactly a tie vote means. He added that it may not be a motion raised at the current meeting, but reiterated that it would be important to provide procedural clarity.

Ms. Turner noted that Mr. Gupta's concern is different than defining the Criteria for Designation. Ms. Cooperman asked Mr. Farnham to repeat the statement he made earlier about the question of disclosing the content of the memorandum. Mr. Farnham answered that Mr. Ross stated that the Commission is welcome to discuss the contents of the memorandum with the understanding that, as the Commission discusses the content, the contents would be disclosed to the property owner and the public.

Mr. Sklaroff commented that he does not fully understand the meaning of that statement, since the solicitor publishes opinions. He then contended that he further wanted clarity because the Law Department informally advised the Commission that the Philadelphia City Planning Commission could submit the nomination. The City Planning Commission and Historical

Commission, he contended, are both represented by Mr. Ross of the City's Law Department. The two clients, he continued, pose a potential conflict. Mr. Sklaroff addressed Mr. Farnham, stating that, as the landowner who has property rights and who honors the community values of historic preservation, he sincerely believes as documented in his letter that the Commission decided on 9 September not to designate the property. The Commission's overview, he added, which is mailed to every owner of a nominated property, states that the jurisdiction of the Commission lapses when it has failed to nominate. He asked why the case is still being argued.

Mr. Farnham responded that the reason the case is still being heard is because the Law Department has advised the Historical Commission that it has not acted and that the nomination can still be considered. He maintained that clarity has been provided, and although the Commission is not providing the reasoning behind the decision, it is providing Mr. Sklaroff with the clarity that the nomination can be considered at present by the Commission. Mr. Sklaroff countered that he is present because one of the Commissioners moved to have an extension, to which he agreed at the 14 October meeting. He contended that he agreed to the continuance, and believe others did, so there would be an exchange. Mr. Beisert spoke out of order, again interjecting that Mr. Sklaroff requested a continuance to allow his expert to be present. Following several arguments between the public and the owner's representative, Mr. Sklaroff continued that he believes that the 9 September meeting ended the Commission's jurisdiction. Commissioner Thomas stated that the Commission received clear advice from the Law Department that there was no change to the status quo as a result of the three votes of the September Commission meeting. He reiterated that the Commission may, by motion, reconsider the nomination of this property at future meetings in accordance with the requirements of 14-1004 of the code. Mr. Sklaroff argued that there is a process in the Commission's minutes, on the record, that Mr. Ross would have an opinion that would be provided to Mr. Sklaroff, and he would comment on it. That due process, he asserted, was recorded in the minutes and in the motion and is the reason he is present at the meeting. He added that he has no interest in revisiting the merits of the nomination and is only interested in gaining closure.

Commissioner Thomas remarked that he could not state why the memorandum was confidential, noting that it was presented as such to the Commission. The Commission, he continued, has been advised by the solicitor that it has the right to proceed as though there was no consequence of the three failed motions.

Mr. Ruben spoke out of order and asked that the Commission hear a second attorney on the matter.

Mr. Fiol-Silva offered a quote, stating "We can agree without being disagreeable." He noted his enjoyment of debate when it is respectful and creates a sense of dialogue. He said debate is important, because the Commission is a civic body, but asked for a "cooling of the tempers" and calm explanations. It is counterproductive, he added to engage in heated arguments, and he implored those involved to return to a civil discussion. He stated that the question he asked earnestly and would like to get clarity on is whether the legal issue is resolved and, if the Commission votes again on the same nomination, whether the same Criteria for Designation would be presented. In reviewing the minutes, he continued, the specific criteria are not clear in the documentation.

Mr. Farnham paraphrased Mr. Ross's memorandum and commented that decisions on nominations are not yes/no decisions, but instead rely on criteria as applicable grounds for designation. In considering and moving on a nomination, the Commission, he continued, may find some or all or none such criteria applicable, which means there may be multiple motions

citing different criteria. He observed that that is the reason why Mr. Ross believes there can be multiple motions. To Mr. Fiol-Silva's question, Mr. Farnham continued, whether or not the Commission considers designating this property under the identical criteria that were considered and rejected before, this Commission is free to do that. However, Mr. Farnham advised that, unless new material or information has been provided since the last review, should the Commission consider the same criteria, the property owner would likely argue on appeal that the Commission was being arbitrary and capricious. He noted that the Commission could consider the same groups of criteria again but advised against it.

Mr. Fiol-Silva voiced his appreciation for Mr. Farnham's response and added that they would need some indication for why the Commission would choose to vote on the same criteria should no circumstance change. To do so, he asserted, would open the issue to further confusion. He argued for clarity and transparency of the process to strengthen the Commission's ability to be forceful in defending historic resources.

Mr. Farnham agreed but stated that he should have cautioned the Commission at the previous meeting against binding the Law Department to take some particular action through a motion with the intention of providing legal advice to the property owner. He stated that his intention was to provide the legal advice to all, but he cannot do so due to the restrictions placed on the memorandum by the Law Department.

Mr. Sklaroff responded that he did not believe there was a statement in the analysis provided by the property owner's representatives that the Commission cannot have multiple motions. He explained that that is not the position presented in his letter and asserted that the Commission is free to do so. He summarized the series of motions made at the 9 September meeting and clarified that his position is that the Commission cannot revive a defeated motion at its next meeting.

Attorney Hal Schirmer indicated his concerns about clarifying the procedure of the Historical Commission. The Historical Commission, he stated, is represented by the Law Department and Mr. Ross. Mr. Ross, he observed, is not present, and he added that it is his belief that it is not procedurally proper for an attorney to argue to the Commission about the meaning of a decision in the absence of the Commission's representative. He agreed with Mr. Sklaroff that the discussion should be undertaken in writing and not in front of the board.

Mr. Sklaroff thanked Mr. Schirmer.

Jim Duffin made a procedural suggestion, stating that ambiguity resulted from the Commission's 9 September decision. He reminded the Commission that only one Criterion for Designation is needed. After voting on multiple criteria that resulted in a tie vote, he continued, the easiest way to proceed would be to vote on each criterion individually. If every criterion fails, he asserted, then the action would be indisputable. If one criterion passes, he added, the building would be designated.

Mr. Fiol-Silva remarked that he understood the spirit of Mr. Duffin's comment, but cautioned that, in the case of Penn Fruit, the building satisfied the criteria only when grouped together and not when parsed apart individually. He argued that the criteria are contextual, with some carrying more weight than others, and expressed concern over the lack of rigor in trying different motions until one sticks. He encouraged the Commission to believe in the past discussion and analysis of the criteria and asked that the Commissioners consider the group of criteria rather than separating them and removing the context.

Commissioner Thomas countered that the issue is not continuing to vote until a motion carries. The issue, he asserted, is that the Commission has a deadline for taking definitive action. He added that the current status remains that the Commission had two tie votes and one failed motion with the end result being no change in the status quo. The status quo, he clarified, is that the Commission did not take action. He insisted that the Commission has a certain time period to take action.

Mr. Fiol-Silva asked if he could make a motion or present an idea. To Mr. Schirmer's point, Mr. Fiol-Silva stated, he inquired whether the Commission could request a memorandum to definitively resolve the clarity of the legal issue prior to considering the nomination and making a motion.

Ms. Cooperman observed that the Commission is in somewhat of a bind, as Mr. Farnham pointed out, because it has no control over the Law Department's actions. She asserted that the Commission cannot coerce the Law Department into an action. Mr. Fiol-Silva argued that the Commission could make a request that they issue a binding, clarifying legal opinion to settle the issue. Commissioner Thomas countered that the memorandum issued by Mr. Ross of the Law Department serves as that opinion; it does precisely what Mr. Fiol-Silva is suggesting. Ms. Merriman contended that the Commission did request clarification at the 14 October meeting, and the Commission's attorney issued an opinion with the directive that it not be shared with the property owner or public, despite the lack of comfort Commissioners may feel. Mr. Fiol-Silva maintained that he finds that unsettling. Ms. Merriman countered that she believes that the Commission must follow the Law Department's advice. Ms. Merriman reiterated that the Commission, property owners, and public are present due to the result of several tie votes and proffered a solution to prevent another tie. She recommended that one Commissioner commit to abstaining, to ensure that an odd number of Commissioners vote.

Mr. Gupta responded that the Commission is the client, and it is not the Law Department's position to tell the Commission whether or not to disclose a point of information. He contended that, as the client, it is the Commission's decision. He acknowledged that the solicitor's opinion is clear that the Commission can vote on the matter again, but he emphasized the importance for future proceedings of receiving clarity on why a tie vote preserves the status quo.

Commissioner Thomas noted that the attorney is not outside counsel and is provided by the city. He agreed that the Commission could honor the view that it can move forward with the nomination's consideration and supported Ms. Merriman's suggestion that someone abstain. Ms. Cooperman offered the alternative strategy of a straw poll or non-binding vote.

Mr. Ruben remarked that while he understands the Commission's desire to be transparent, it has received both oral and written opinions from its own counsel. He suggested that its lingering concerns result from Mr. Sklaroff's argument, which is counter to the advice the Commission's counsel has provided. Mr. Ruben stated that he did not believe that the Commission trusted its own counsel's argument and added that the cases Mr. Sklaroff is drawing from do not indicate that the Commission lacks discretion. He explained that, in issuing a written decision following a tie vote, one could not appeal on the basis that the decision was invalid because the vote resulted in a tie rather than majority. Mr. Ruben argued that the Commission has the discretion to determine whether or not to issue a decision after a tie vote and contended that Mr. Sklaroff's argument is deeply flawed. He implored the Commission to trust the Law Department's advice and urged it to introduce a motion based on a different set of criteria and vote.

Mr. Gupta clarified that he does accept the counsel's opinion but that he does not accept that the Law Department determines whether the information contained in the opinion remains confidential.

Jeff Cohen, a member of the Committee on Historic Designation, reminded the Commission that the property owner stated that there is no intent to demolish the building, which he found encouraging.

Commissioner Thomas observed that he does not want to prolong the nomination's consideration.

Mr. Sklaroff reiterated that the property owner is not seeking to demolish the building.

Mr. McDade stated that, at Ms. Merriman's suggestion and out of respect for the impassioned comments of all parties involved on 9 September, he would abstain from voting, because he was not present during the previous vote.

Commissioner Thomas asked for a motion.

Mr. Farnham summarized the two motions that failed before the Historical Commission in September: the first proposed that the nomination proved that the property satisfies Criteria for Designation A, C, D, and J; the second proposed that the property satisfies Criteria A and J alone.

Commissioner Thomas read the definitions of Criteria A and J, adding that the motion resulted in a tie vote.

Ms. Cooperman stated that she has not had a chance to voice her own opinion about the nomination and the building, particularly to address the comments made previously by Mr. Thomas. She recounted when she lived in Northern Liberties and noted that the buildings at 81-95 were of interest to her and clearly stood as an important feature in the landscape. She added that she understands and respects Mr. Thomas's opinion that the building is not a correct Colonial Revival design but countered that the building clearly represented an image and brand for its owner in the Sesquicentennial era. Despite not being high style, she observed, it serves as an example of vernacular revival. Ms. Cooperman noted that there was significant discussion about integrity, and she asserted that, while integrity is an extremely important concept, the Commission is not required to address integrity in terms of the National Register criteria.

Mr. Sklaroff again stated for the record that he would not address the merits of the nomination, since he believed the merits had already been decided.

Mr. Fiol-Silva suggested that the building is not significant to the development, heritage, or cultural characteristics of the city and added that he does not perceive the building as exemplifying the cultural, political, or historical heritage of a community.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 81-95 Fairmount Avenue satisfies Criteria for Designation C and D and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Mr. McCoubrey seconded the motion, which passed by a vote of 5 to 3. Commissioners Fink, Fiol-Silva, and Merriman dissented. Commissioner McDade abstained.

ADJOURNMENT

ACTION: At 1:41 p.m., Mr. Schaaf moved to adjourn. Ms. Merriman seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

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

Standard 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.

Guidelines for Rehabilitating Cultural Landscapes, Alterations/Additions for the New Use:
Recommended: Designing new features when required by the new compatible use to assure the preservation of the historic spatial organization and land patterns.

CRITERIA FOR DESIGNATION

§ 14-1004(1) Criteria for Designation.

A building, complex of buildings, structure, site, object, or district may be designated for preservation if it:

- (a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, Commonwealth, or nation or is associated with the life of a person significant in the past;
- (b) Is associated with an event of importance to the history of the City, Commonwealth or Nation;
- (c) Reflects the environment in an era characterized by a distinctive architectural style;
- (d) Embodies distinguishing characteristics of an architectural style or engineering specimen;
- (e) Is the work of a designer, architect, landscape architect or designer, or professional engineer whose work has significantly influenced the historical, architectural, economic, social, or cultural development of the City, Commonwealth, or nation;
- (f) Contains elements of design, detail, materials, or craftsmanship that represent a significant innovation;
- (g) Is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif;
- (h) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community, or City;
- (i) Has yielded, or may be likely to yield, information important in pre-history or history; or
- (j) Exemplifies the cultural, political, economic, social, or historical heritage of the community.