

**THE MINUTES OF THE 606TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 8 FEBRUARY 2013
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sam Sherman, Chair
Dominique Hawkins, AIA, NCARB, LEED AP
JoAnn Jones, Esq., Office of Housing & Community Development
Rosalie Leonard, Esq., Office of City Council President
Michael Maenner, Department of Licenses & Inspections
John Mattioni, Esq.
Sara Merriman, Commerce Department
David Schaaf, Philadelphia City Planning Commission
Robert Thomas, AIA
Betty Turner, M.A.

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

ALSO PRESENT

Cindy Hamilton, Loews Hotels
Dan Joy, Rule Joy Trammell & Rubio Architecture and Interior Design
Michelle Behr, Loews Hotels
Rick Staub, Loews Hotels
Anthony Bruttaniti, Architect
Ben Leech, Preservation Alliance
Anthony DeFino, Esq., Michael DeFino Attorneys
Steve Tan

CALL TO ORDER

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

MINUTES OF THE 605TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Turner moved to adopt the minutes of the 605th Stated Meeting of the Philadelphia Historical Commission, held 11 January 2013. Ms. Jones seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 22 JANUARY 2013

Dominique Hawkins, Chair

CONSENT AGENDA

Mr. Farnham introduced the consent agenda and explained that it included three applications, 500 Spruce Street, 111-13, 115, and 117 Walnut Street, and 2015 Delancey Place. Mr. Sherman asked if any Commissioners had comments on the Consent Agenda. No one offered comments. Mr. Sherman asked if the audience had comments on the Consent Agenda. No one offered comments.

ACTION: Ms. Merriman moved to adopt the recommendations of the Architectural Committee for 500 Spruce Street, 111-13, 115, and 117 Walnut Street, and 2015 Delancey Place. Mr. Schaaf seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 1200 MARKET ST

Project: Remove canopy, restore signage, reopen entrance, install canopy

Review Requested: Final Approval

Owner: Twelfth Street Hotel Associates, L.P.

Applicant: Robert S. Rule, Rule Joy Trammell + Rubio, LLC

History: 1930; PSFS Building; Howe & Lescaze, architects

Individual Designation: 1/30/1968

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of Option A, with the revolving door in its historic location at the retail entrance, and the salvaging of all original materials, with the staff to review details including but not limited to the final design and reveal of the canopy, doors, and restoration of the Philadelphia Savings Fund Society sign, pursuant to Standards 2 and 9.

OVERVIEW: The application proposes alterations to the ground floor of the former Philadelphia Savings Fund Society building, which has been adaptively reused as a hotel. This application is a revision of an application that was reviewed at the December 2012 meeting of the Architectural Committee. The Committee recommended denial of the earlier application, which was withdrawn before the Commission reviewed it. The current application responds to the Committee's comments.

The proposed alterations stem from a desire to reconfigure the guest arrival experience at the building. Currently, hotel guests arrive at a Market Street entrance at the western edge of the building, which originally served as the entrance to the main banking room on the second floor. The path from the entrance at the west to the lobby is confusing and indirect. The proposal seeks to eliminate the confusion with the creation of an entrance directly into the lobby. The proposal would relocate the main entrance along Market to two entrances to the east, a retail

entrance and a former subway concourse entrance. The existing canopy would be removed and the original “Philadelphia Savings Fund Society” aluminum letters restored at the banking hall entrance. The former subway entrance, which was infilled, would be reopened and a revolving door installed. A new canopy would be installed, spanning the area from the subway entrance to the retail entrance.

The application proposes three options for the design of the canopy at the new location. All three canopies would be the same size and would span both the retail and subway entrances. Option 1 proposes a metal canopy similar to the existing one. Option 2 proposes a glass canopy with an exposed steel structure. Option 3 proposes a glass canopy with exterior cable tie backs. The staff contends that, of the three proposed canopy options, Option 1 is the most compatible with and sympathetic to this landmark building and is similar to the canopy approved by the Commission in 2000.

The previous application proposed the installation of a five-foot extension to the top section of the storefront; that element has been withdrawn from this application.

DISCUSSION: Mr. Danta presented the application to the Commission. Preservation consultant Cindy Hamilton, architect Dan Joy, and hotel representatives Michelle Behr and Rick Staub represented the application.

The applicant distributed revised renderings to the Commissioners. Mr. Joy explained that they had followed the Architectural Committee’s recommendation for approval of Option 1 and developed the details of that option. He noted that there was a change in the design. He explained that the doors at the retail entrance to the east would not be altered as originally proposed and they would instead retain the existing double-leaf doors. Ms. Hawkins stated that the applicant had implemented the Committee’s recommendation and that the additional details met the Committee’s requirements. She noted that it would have been better to include a revolving door in the retail entrance, but, given that the double-leaf doors are an existing condition, they can remain. She stated that it would be best to retain the storefront as is, than to alter the storefront with the installation of a wider revolving door. Ms. Hawkins stated that, in general, the attachment details and the redesigned signage clearly address the Committee’s recommendations.

Mr. Schaaf suggested that the lettering at the banking entrance should be restored with historically accuracy. He suggested that the applicant conduct research and determine whether the bank’s name was Philadelphia Saving or Savings Fund Society. Mr. Schaaf asked if it was appropriate to restore the sign, given that the bank is defunct and no longer occupies this building. Mr. Thomas answered that it was appropriate, given the significance of this landmark building. He enumerated several instances in which historic buildings retain the names of the original tenant or businesses, even when those are long gone.

Mr. Sherman asked if the original letters had survived. Mr. Joy answered that they had and that some of them were in the lobby of the hotel. He noted that those letters would be used to make replicas that are exact copies in material, size, font, and finish.

Ben Leech of the Preservation Alliance expressed strong support for the reconstruction of the sign. He clarified that the original sign read “Saving” and that later on the bank changed to “Savings”. He noted that the sign over the original banking entrance dates to the early period of the bank and as such should read “Saving”. He suggested that the doors leading up to the conference spaces should remain open to the public. Mr. Staub stated that the doors would

remain open to the public. Mr. Leech expressed his support of the revised application as presented.

ACTION: Ms. Hawkins moved to approve the revised design as presented to the Historical Commission at its 8 February 2013 meeting, with the staff to review details. Mr. Thomas seconded the motion, which passed unanimously.

ADDRESS: 500 SPRUCE ST

Project: Enlarge opening and install window, alter doorway

Review Requested: Final Approval

Owner: Elizabeth Surin and Jason Weintraub

Applicant: Adam Montalbano, Moto Designshop Inc

History: 1972

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the alterations to the door, approval of the enlarged window, provided the sill and lintel heights matches those of the windows on 5th Street and the muntin pattern matches the windows along Spruce Street, and approval of all other elements of the application, pursuant to Standards 2 and 9.

OVERVIEW: This application proposes to alter the front façade of a Redevelopment Period townhouse in the Society Hill Historic District. The building was constructed in 1972 for mixed use. It originally housed a doctor's office and residence.

The application proposes to enlarge a ground-floor window opening and install a new window on the front façade facing Spruce Street. There was no window at the first floor of this façade originally, as is shown by a photograph taken in 1973. The window opening in question is not original and is not appropriately located, proportioned, or oriented for the building. It is set high on the façade and is horizontally oriented, while all other windows in the building are tall, narrow, and vertically oriented. The opening be enlarged and vertically oriented to better match the windows at the second and third floors. The proposed divisions of the window could better reflect those of the original windows.

The front doorway would also be altered. The front doorway currently has an arched transom, which would be squared.

The application also proposes alterations and minor work to a rear deck, the installation of a new skylight, the installation of new security guards, and masonry restoration.

ACTION: See Consent Agenda.

ADDRESS: 111-13, 115, AND 117 WALNUT ST

Project: Construct single-family dwellings

Review Requested: Review and Comment

Owner: Society Hill Developers

Applicant: Adam Montalbano, Moto Designshop Inc.

History: vacant lot

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE COMMENT: The Architectural Committee commented that the design is generally appropriate to the district, but suggested that the variety of materials be reduced, that the east and north facades be finished in similar materials to the front façade, and that the gutters be located internally.

OVERVIEW: This application proposes to construct four townhouses on vacant parcels at the edge of the Old City Historic District. The Commission's jurisdiction is review-and-comment only on these undeveloped parcels. Individually-designated buildings once stood on the parcels, but they were demolished before the creation of the historic district and their individual designations were rescinded. The proposed townhouses would be four stories tall and contemporary in style. The front facades of the houses would meet the sidewalk; garages would be located at the rears of the properties. The design of the houses would be clearly contemporary, yet their massing and scale would be appropriate to the district. The proposed design and materials would also be appropriate for this location. The streetscape is varied, with a wide range of materials, scales, massings, and rhythms.

ACTION: See Consent Agenda.

ADDRESS: 170 S INDEPENDENCE W ML

Project: Install awnings

Review Requested: Final Approval

Owner: Curtis Partners LP

Applicant: Robert Stein, Compass Sign Company

History: 1910; Curtis Publishing Company building and Dream Garden mosaic; Edgar Seeler, architect

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 2, 5, and 9.

OVERVIEW: This application proposes to install awnings within ten bays on the 7th and Walnut Street or west and south elevations of the Curtis Publishing Building. The awnings would be made of an acrylic material in green embellished with the logo "Aria 3B Orthopedic Institute." The awnings would fit within the window opening. No attachment information has been provided.

Built in 1914 by Edgar V. Seeler, the Curtis Building is one of the most important examples of Beaux Arts and Classical Revival architecture in the City of Philadelphia. The exterior awnings would disrupt the continuity of the unobstructed bays and overall symmetry of facades.

In June 2010, the Commission reviewed a similar application for the installation of awnings and planters on the 7th Street side of this building. The application was denied. The lessee of the unit elected to install the awnings and planters without the approval of the Historical Commission or a permit from the Department of License and Inspection. A violation was subsequently issued. The awnings remain in place, but are illegal.

DISCUSSION: Ms. Sell presented the application to the Commission. No one represented the application.

Lorna Katz Lawson of the Society Hill Civic Association stated that the Association supports the recommendation of the Architectural Committee. She added that she does not understand why the violation for the illegal signage has not been enforced. Ms. Sell informed the Commission that the illegal signage case is being forwarded to Municipal Court for enforcement.

The Commissioners reviewed the application and concurred with the recommendation of the Architectural Committee to deny the application.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 2, 5, and 9. Ms. Leonard seconded the motion, which passed unanimously.

ADDRESS: 2501 S GARNET ST

Project: Legalize removal of wall and installation of parking pad, install gate

Review Requested: Final Approval

Owner: Robert and Laurie Zambrano

Applicant: Anthony Bruttaniti, Bruttaniti Architecture

History: 1910; James H. and John T. Windrim, architects

Individual Designation: None

District Designation: Girard Estate Historic District, Contributing, 11/10/1999

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

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

OVERVIEW: This application proposes to legalize a parking pad that was constructed on this corner property without the approval of the Historical Commission or a permit from the Department of Licenses & Inspections. This application also proposes to install a gate within the new opening in the garden wall.

In October 2012, the staff observed the alteration of a non-historic rear garden wall and installation of a concrete slab. A violation was subsequently issued.

The Statement of Significance in the nomination of the Girard Estate Historic District specifically identifies the open green space as part of the district's significance. The district is historically significant because it was an experimental proposal for an alternative form of development to the typical rowhouse form, which offers little to no green space. Communal garages were constructed with this development as a place for vehicles in order to maintain the open, unencumbered, green experience.

DISCUSSION: Ms. Sell presented the application to the Commission. Property owner Robert Zambrano, architect Anthony Bruttaniti, and attorney Anthony DeFino represented the application.

Mr. DeFino explained that the owner, Mr. Zambrano, applied for a zoning permit for the work in June 2012, which was denied. He stated that he filed an appeal with the Zoning Board, met with the neighbors for petition signatures, and appeared before the Zoning Board in September 2012. He distributed copies of materials including copies of the petitions to the Commission members. He explained that they met with the Girard Estate Residents Association, at which time the issue of historic designation was discussed. He stated that he lived in the subject property from 1995 to 2005 before selling it to Mr. Zambrano. He explained that the rear yard was paved and a block wall was erected in the 1980s. He referred to "Exhibit F" in his materials that showed the non-historic cinderblock wall and pavers that existed pre-designation. He claimed that the neighborhood association did not believe there would be a conflict with historic designation because no historic material would be altered. He added that the association was pleased that a portion of the wall would be removed because it would allow for more open space. He stated that they also met with the district councilman, who concurred with the neighborhood association's assertions. He stated that the Zoning Board of Adjustment subsequently approved the application. He explained that Mr. Zambrano was informed by the Department of Licenses & Inspections that the proposed work did not require a building permit. He claimed a Department inspector visited the site three to four times and approved of the work that was in process. He explained that a violation was issued after construction was nearly complete.

Mr. DeFino argued that no historic material was removed from the property during the construction project. He argued that the newly-installed off-street parking conforms to neighborhood precedent. He cited several other properties in the neighborhood, including buildings along Garnet and Lambert Streets, which have existing off-street parking pads. Mr. Sherman interjected that the Commission is reviewing this application as it pertains to the historic resource and not parking requirements. Mr. DeFino countered that he is demonstrating that the work proposed for legalization in this application is not out of character with the district and that other properties have similar parking pads. Mr. Sherman explained that the Commission does not know when the cited parking pads were installed, before or after designation. He explained that if they were installed prior to designation, they are grandfathered. Mr. DeFino argued that one was installed after designation. He referred to photographs of 2501 S. Lambert Street and stated that the property owner received a zoning approval and installed a parking pad after designation.

Ms. Merriman noted that the minutes of the Architectural Committee review indicate that someone claimed that the installation of the concrete without a curb cut would not require a permit. She observed that an application for a curb cut was submitted in December 2012 and asked when the applicant was notified that he would need a permit for a curb cut. Mr. DeFino explained that the curb cut was in the drawings submitted for the first Zoning Board of Adjustment hearing. He stated that the contractor told them that it would be more expensive to pull up the existing granite curb. He explained that the curb was less than two inches in height and they decided to not pursue a curb cut. Ms. Merriman read from a letter dated 21 December 2012 that states that the applicant is seeking approval for a curb cut. Mr. DeFino stated that he does not know why the letter would request approval of a curb cut when a curb cut was not installed. He explained that a curb cut was in the original drawings, but not installed. Mr. DeFino explained that the concrete contractor contacted the Department of Licenses & Inspections and was told that the curb would need to be less than two inches in height to alleviate the need for a

curb cut and that “flat work” did not require a permit. Mr. Maenner, the Department’s representative on the Commission, explained that the Department of Licenses & Inspections does not and never has issued curb cut permits; they are issued by the Streets Department. Mr. DeFino explained that the contractor called the 2nd District branch of the Department of Licenses & Inspections, which gave him the information about the curb cut and stated that he would not need a permit. He related that the work was completed. The inspector who wrote the violation explained that a permit is not generally required for “flat work,” but was in this case because the property is designated as historic. Mr. Sherman stated that, from his development experience, he has never been told by the Streets Department that a permit is not required because of an existing two-inch lip. He explained that a curb cut permit is required to memorialize the cut as part of the City plan. Even if the curb is depressed enough to be driven over, the City still needs to memorialize or record the existence of the curb cut and confirm that it is legal through the planning and permitting process. He explained that there are other issues that are considered by a curb cut application, such as the relationship to the corner and stop signs. The location must be appropriate, regardless of the height of the curb. He asked the applicant if he has anything in writing from any City department that corroborates the information that was communicated by the contractor. Mr. Zambrano explained that there is a separate permit that is required for striping the driveway and the Streets Department stated that a curb cut is required to stripe.

Mr. Zambrano explained that, had he known that his parking project required the Historical Commission’s review, he would have appeared before the Commission before undertaking the work. He pointed out that he has obtained permit application approvals from the Commission in the past. Mr. DeFino added that the curb cut is approved and that they would install the curb cut, rather than driving over the curb, if it would appease the Commission. Mr. Sherman explained that the curb cut is not the issue; the appropriateness of the parking pad and the requirement for a Commission approval are. Mr. DeFino argued that it is clear where the failure occurred. He argued that if the zoning application had triggered a Commission review, this situation would have been prevented. He contended that this is a rare situation that did not require a permit.

Mr. Sherman asked the staff how the Commission discovered the violation. Ms. Sell explained that the staff received a neighbor complaint call that the unapproved work was in progress. She continued that the staff performed a site visit and took photographs. Mr. Sherman asked if the work was completed at the time of the site visit. Ms. Sell stated that the photographs from the site visit, included in the packet, are dated October 2012 and the work was well underway. Mr. DeFino asserted that they posted zoning notices and met with the neighborhood and there were no complaints on record. Mr. Sherman asked the staff and Commission members if there is a precedent for these types of issues in this neighborhood. Mr. Baron stated that whenever the Commission has reviewed an application for a parking space on these rare corners in this neighborhood, the Commission has denied it. He added that, simply because a condition exists in the neighborhood, that condition should be propagated. He explained that there are vinyl windows in the neighborhood that were installed prior to designation; when those windows need to be replaced, the Commission will require the installation of historically appropriate windows; existing historically inaccurate windows do not justify the installation of more inappropriate windows.

Mr. Mattioni stated that, having lived around the neighborhood, he knows that off-street parking has existed in Girard Estate for years. He claimed that, if one were to walk the Girard Estate area, one would see many instances of off-street parking similar to that proposed by the applicant. He claimed that Girard Estate residents have devised creative ways to park off-street.

It is accepted and commonplace. He opined that the claim in the Statement of Significant in the district nomination regarding open, green space cannot be reconciled with the reality of the history of the area and precedent for existing off-street parking. He observed that it appears that the applicant tried to comply with the process, altered the property in a way that is consistent with the neighborhood, and was only notified after the fact of the violation.

Mr. Sherman agreed that he does not believe the applicant performed the illegal work intentionally; it was a mistake. He asked how the Commission can prevent this from happening again by improving the process. He asked if Zoning and Streets Departments should be notified of historic designations.

Ms. Jones responded to Mr. Mattioni's statements and contended that earlier violations of the preservation ordinance do justify later violations. She stated that the neighborhood should consider asking the Commission to amend the designation. The Girard Estate residents should decide if the open spaces that are cited as character-defining features in the designation should be altered. Mr. Mattioni agreed that the suggestion may provide an appropriate solution. He added that he read the description in the nomination that included "open space" and opined that the existing conditions do not match that description. He argued that it is a long-standing condition that he can remember as a child, with the exception of the parks that are incorporated into Girard Estate.

Ms. Merriman stated that she does not believe it is appropriate to second guess designation decisions that former Commission members have made. She explained that she would not want to alter the criteria for which Girard Estate was designated as a district. She contended that it would be more productive to explore the relationship of the Streets Department and zoning applications to Historical Commission reviews. She acknowledged that the zoning application was submitted in May 2012 and the refusal was given in June 2012. She stated that the application was in process for a long time. She asked if someone could explain the relationship between Zoning and Streets Departments and what might be done to prevent this type of lapse in the future.

Mr. Farnham explained that the zoning permit, Historical Commission approval, and, if required, other approvals like an Art Commission approval are prerequisites for a building permit. One must demonstrate to the Department of Licenses & Inspections that all prerequisite approvals have been obtained before a building permit can be issued. He explained that there have been recent discussions about changing Historical Commission approval from a prerequisite for a building permit to a prerequisite for a zoning permit. He explained that, while there would be some advantages to that change, after much investigation by the staffs of the Historical and Planning Commissions as well as a Councilman's office, it was determined that even though such a change would prevent some problems like this, it would also create many more problems. He explained that zoning permits are typically sought very early in the design development process, especially with larger projects. Building permits are sought at the end of design development. The Historical Commission's review requires details that are not generally available until design development is nearly complete. If applicants were compelled to obtain the Historical Commission's approval as a prerequisite to the zoning permit, they would need to develop design details before they knew whether the project could proceed. Such a system would be expensive and inefficient for applicants. Also, nearly all construction projects require a building, but most do not require a zoning permit. Making the Historical Commission review a prerequisite to a zoning permit, when a zoning permit is not needed in most cases, would create more, not fewer, opportunities for confusion. He noted that the issue arising with this application is similar to one that arises when one calls the Department of Licenses & Inspections to ask if a

permit is needed for window replacement in a single-family home. He explained that the Department of Licenses & Inspections will explain that a permit is not needed as long as the window openings are not altered. He explained that the problem in that scenario is that the caller did not give the Department of Licenses & Inspections all of the information that it needed to provide the proper guidance. He stated that the permitting code exempts window replacement in existing openings in single-family homes from the need for a permit unless the building is designated as historic. He explained that there is a list of 25 to 30 types of projects that do not require permits unless the property is historically designated. Therefore, if one calls the Department of Licenses & Inspections and inquires about the installation of parking pad but does not inform the Department that the property is designated as historic, one will not get the complete answer. He asserted that the onus is on the property owner to provide the Department of Licenses & Inspections with complete information if he or she wants a complete and correct response. He asked if the contractor informed the inspector and the Department of Licenses & Inspections that the property is designated. If he did not, then he likely did not get a complete answer. He added that the Historical Commission sent a letter to every owner of a designated property in the spring of 2009 explaining that the property is historic and provided a list of the types of work that would require the Commission's review and approval; included in that list was driveway, paving, and concrete work. He asserted that this type of letter should be mailed regularly to continue to remind property owners of their requirements under the preservation ordinance. He observed that, in this case, the reminder was provided relatively recently.

Mr. Thomas stated that, while it is an unfortunate situation for this property owner, this work requires a building permit; the Streets Department only reviews applications for work that occurs in the public right-of-way. He stated that the owner did not understand that and therefore did not seek a building permit that would trigger the Commission's review. He stated that, when permits are obtained, there is a prominent notice at the bottom of the form that states: "the granting of this permit in no way guarantees the granting of other permits that may be required." He explained that, if one obtained a zoning permit for a six-unit building and then applied for a building permit, but could not conform to the building code for unit size, the building permit application would be denied and the building could not be constructed. He explained that the Department of Licenses & Inspections website has a checklist of departments one should consult when seeking a permit. He explained that, to obtain a zoning, curb cut, or electrical permit, does not mean that one is satisfying the other requirements of a project. He agreed with Mr. Farnham that the onus falls on the owner. He stated that he is concerned about this application because there have been similar applications for legalizations of this nature on corner properties in other historic districts that have been denied. He recalled a project on Clinton Street, where a wall was removed and parking installed. That illegal work was cited with a violation and the owner was forced to remove the pad and reconstruct the wall. He recalled another project in Powelton Village, where the owner began to remove trees and cut into a fence for parking. The owner submitted an application for installation of a parking pad, which was denied by the Historical Commission, and he was forced to restore to the earlier condition. He agreed with Mr. Mattioni that parking is squeezed onto properties all over the city in ingenious ways, but it must meet the code requirement and regulations. He agreed with Ms. Jones that it would be more appropriate for someone to work to redefine the historic district to allow for parking on former green space. He asserted that it is not appropriate for the Commission to grant variances such as this one.

Mr. DeFino submitted a letter from Councilman Kenyatta Johnson in support of the application. The letter explained that it is a modern yard and no historic fabric was removed from the building.

Mr. Schaaf asked Ms. Hawkins about her suggestion at the Architectural Committee meeting to alter the gate to hide the parking pad behind it. Ms. Hawkins explained that, at the time the information was presented, the Committee believed that the applicant had applied for and received the necessary permits to do the work. She now knows that that is not true. She added that the Architectural Committee did not investigate the permitting process. She explained that the Committee believed that the necessary permits had been obtained and that there may have been a miscommunication among City agencies about historic designation. Mr. Mattioni added that, if that were the case, it would raise other issues, but it is not the case in this instance.

ACTION: Ms. Jones moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 2 and 9. Mr. Thomas seconded the motion, which passed by a vote of 9 to 1. Mr. Mattioni dissented.

ADDRESS: 2514 S 22ND ST

Project: Legalize windows

Review Requested: Final Approval

Owner: Steve Tan

Applicant: Steve Tan

History: 1915; James H. and John T. Windrim, architects

Individual Designation: None

District Designation: Girard Estate Historic District, Contributing, 11/10/1999

Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: This application proposes to legalize the installation of vinyl windows that were installed without the Historical Commission review and approval. The historically appropriate windows for this house are wood one-over-one double-hung windows.

DISCUSSION: Ms. Coté presented the application to the Commission. Property owner Steve Tan and his daughter Amy Liang represented the application.

Ms. Liang stated that they purchased the property in June 2012 and they were not aware that the windows were illegal at that time. She opined that the windows do not have an effect on the historic structure. She stated that they brought photographs to show other properties in the district that have altered elements like windows. She stated that some houses have non-historic bay windows. She stated with their window openings are the original size. She stated that their next door neighbor infilled windows and enclosed a porch. She pointed out other properties that have vinyl windows.

Ms. Hawkins asked if the windows were in place at the time of purchase. Ms. Liang responded that the windows were installed prior to the purchase of the property. She added that they received the violation notice a few months after the purchase.

Ms. Merriman stated that in the past the Commission has advised applicants to go back to the seller who undertook the illegal work and seek relief in some way. She stated that she was unsure if that was possible in this instance because the applicants purchased the property at an auction. She stated that the Commission has tried to work with applicants in similar instances by allowing them to replace the illegal windows over time, with the priority being the front façade and then the rear.

Ms. Liang stated that all of the windows are secure and are not damaging the building. She informed the Commission that their neighbors accept the vinyl windows. She reported vinyl windows were installed in a house on the street yesterday. Ms. Merriman advised the applicant to provide information about the illegal windows to the staff so that it may request a violation for that property. She stated that the owner is responsible for maintaining the property in compliance with the historic preservation ordinance. She informed that applicants that they are not being singled out. She stated that, to be fair to the applicant as well as all applicants, she is suggesting that the appropriate windows be installed at a minimum of two annually, beginning with the front facade.

Mr. Schaaf stated that the Commission has offered similar compromises to other property owners in similar situations. He cited the VFW hall on Germantown Avenue as an example.

ACTION: Ms. Merriman moved to deny the application, pursuant to Standard 6, but to suspend enforcement of the violation as long as a minimum of two of the illegal windows are replaced with approved windows annually, starting with the front facade. Ms. Hawkins seconded the motion, which passed unanimously.

ADDRESS: 245 S 16TH ST

Project: Construct trellis

Review Requested: Final Approval

Owner: Peter Bloomfield

Applicant: Peter Bloomfield

History: 1840

Individual Designation: 6/7/1973

District Designation: Rittenhouse Fitter Residential Historic District, 2/8/1995

Staff Contact: Erin Coté, erin.cote@phila.gov, 215-686-7660

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

OVERVIEW: This application proposes to construct a trellis with a metal canopy, cable, and planters. A powder-coated steel canopy would be installed between the first and second-floor levels of the side or Latimer Street façade. It would project one foot and three inches from the building. The canopy would be broken into six segments that would span the entire width of the wall. In four areas, lattices of cable would run between the canopy and planters on the ground, which would be attached to the wall. The material of the planters is not indicated in the application.

DISCUSSION: Ms. Coté presented the application to the Commission. Property owner Peter Bloomfield represented the application.

Peter Bloomfield distributed color drawings of the proposal and his vision for the street. He discussed the 1500 block of Latimer Street, which includes backs of buildings, 13 dumpsters, and parking garages. He compared the block to the 1600 block of Latimer Street, which is much nicer. He stated that they hope to get all the dumpsters removed, redo some signage, have planters installed creating a "green" street, and set up a shared bike program. He informed the Commission that he sees the trellis as a stepping stone for his vision and as a way to enhance the street. Mr. Sherman asked if the applicant proposed to alter the windows. Mr. Bloomfield replied that he does not propose to replace the windows at this time and if and when he does decide to replace them, he would work with the staff.

Ms. Hawkins observed that the applicant provided additional information about the attachment details. She stated that the members of the Committee were also concerned with putting plants on a building, which may be harmful to the building. She stated that the applicant proposed plants that would not be invasive; however, the Commission does not have the authority or the capacity to review plant species and plantings. She stated that she was concerned about setting a precedent by approving this proposal and implying that owners put plants on their buildings without knowing the long-term effects on historic fabric. She stated that some Committee members felt that the wall of this corner property has historic character and significance that merits preservation. She opined that this was not an appropriate treatment of the wall. Ms. Hawkins acknowledged that the applicant did provide additional information.

Mr. Thomas observed that the planter is unlikely to collect water against the building. He stated that he has seen historic sites in urban locations that have had plantings installed in such a way that they do not negatively impact the building or fabric. He stated that the proposal is reversible. He asserted that greening is an appropriate treatment for the wall.

Mr. Schaaf stated that the Streets Department may need to review this proposal because the planters occupy some of the sidewalk. He stated that the proposal made him think of the lattice at Wyck in Germantown. He stated that he sees this approach as a very picturesque and suburban treatment, but not an appropriate treatment in this urban setting. Mr. Thomas disagreed. He stated that Center City has a network of tiny back streets that have landscape treatments. Mr. Mattioni concurred with Mr. Thomas and stated that he did not see how planting would impact the fabric of the building.

ACTION: Mr. Thomas moved to approve the revised design as presented to the Historical Commission at its 8 February 2013 meeting, with the staff to review details. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 2015 DELANCEY PL

Project: Expand garage, construct roof deck and penthouse

Review Requested: Final Approval

Owner: Kevin and Amy Covert

Applicant: Jackie Gusic, inHabit, LLC

History: 1865

Individual Designation: 1/6/1972

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

Staff Contact: Erin Coté, erin.cote@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, based on the mock-up and provided the panels on the railing and garage door are more sympathetic to the panels in the bay, with the staff to review details.

OVERVIEW: This application proposes to construct a roof deck and penthouse addition. The roof deck would be set back eight feet, and the penthouse would be set back 20 feet from the front façade. They will be minimally visible from Cypress Street.

This application also proposes to expand the rear Cypress Street garage from one-car to two-car. The expanded garage structure roof would create a walk-out terrace at the first floor. The application proposes to access the terrace by converting the side bay window into French

doors. Narrow stiles and rails are proposed to match the historic window dimensions and proportions.

ACTION: See Consent Agenda.

ADDRESS: 1601 LOCUST ST

Project: Install signage and door

Review Requested: Final Approval

Owner: 1601 Locust LP/Allan Domb Real Estate

Applicant: Rotciver Lebron-Martinez, Express Expeditors

History: 1929; University Club; Grant Simon, architect; penthouse added, Cecil Baker, architect, 2002

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 6 and 9.

OVERVIEW: This application proposes to alter the ground and second floors of this building, which has been converted from a club to residential and commercial condominiums. The application proposes fitting out the space for a retail store. A doorway on Locust Street would be modified with the removal of a door with sidelights and the installation of a double-leaf frameless glass door. Two metal halo-lit signs would be installed at the corner of the building above the first-floor windows. The application stipulates that the sign attachments and electrical connections would be inserted into and through mortar joints in the façade, but this appears impossible, owing to the thinness of the joints. The holes would likely damage the stone facade. In addition, the signs and the frameless door are not compatible with the character of the building. Canvas awnings and a compatible door with sidelights would be more appropriate.

DISCUSSION: Mr. Baron presented the application to the Commission. David Kloman, director of store development for the retail company leasing the space, represented the application.

Mr. Baron explained that the staff and Committee favored canvas awnings as a solution to the signage because awnings are more residential in character and would be in keeping with the building and the streetscape.

Ms. Merriman asked Mr. Kloman if he had considered the awning option. He said that he is in a position to consider that alternative. Ms. Hawkins summarized the Committee's concerns regarding accessibility as well as potential damage to the masonry. Mr. Kloman explained that the disabled accessibility will be provided at the 16th Street entrance. He said that the condominium board of this building echoed many of the concerns of the Committee.

Mr. Baron explained that the staff could approve awnings and a new door with frame and transom without referral back to the Committee and Commission. Mr. Sherman asked if the applicant was willing to work with staff on such a solution. Mr. Kloman said he would. He asked if the objection to the sign related to the holes in the masonry only or had other aspects. The Commission members stated that the proposed sign was not compatible with the character of the building. Mr. Schaaf referred to other signage that might be acceptable. Mr. Kloman asked if brass plaques would be acceptable. The Commission members seemed to agree that they were an acceptable option.

ACTION: Ms. Hawkins moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 6 and 9. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 418 N 32ND ST

Project: Legalize windows

Review Requested: Final Approval

Owner: Stephen Donnelly

Applicant: Denis Daily, De Haven Construction Company

History: 1860

Individual Designation: 2/25/1964

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: This application proposes to legalize the installation of vinyl windows. The owner removed wood windows and installed vinyl windows with a shape and light pattern very different from the originals. He has retained the old windows, which are depicted in photographs. He claims not to have the funds to buy new wood windows. In such a case, the staff recommends that he reinstall the old windows until such time as funds are available for appropriate replacement windows.

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

ACTION: Ms. Jones moved to continue the application to the April 2013 meeting. Ms. Leonard seconded the motion, which passed unanimously.

ADJOURNMENT

ACTION: Ms. Jones moved to adjourn at 10:36 a.m. Ms. Leonard seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

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

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

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

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new

works shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.