

**THE MINUTES OF THE 555TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**14 NOVEMBER 2008
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

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

Jonathan Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Jorge Danta, Historic Preservation Planner II
Erin Cote, Historic Preservation Planner II
Karen Gonski, Administrative Technician

Leonard Reuter, Assistant City Solicitor

ALSO PRESENT

Nan Gutterman, Vitetta
Richard Thom, RW Thom, AIA
Kelly Brennan, RW Thom, AIA
Marc Stein, BDRE LLC
John Gallery, Preservation Alliance
Sabra Smith, Preservation Alliance
Mark Karpo, Esq.
Kwai Shing Wong
Dane Wells, CCRA
David Hammond
Richard DeWyngaert, Society Hill Civic Association
Margo Todd
Charles Todd
Paul Thompson, Bluepath Design
Richard Lush
Sally Smith
Paul Boni
Harry K. Schwartz
Terry Champion
Matt McClure, Esq., Ballard Spahr Andrews & Ingersoll
Hal Wheeler, ARC/Wheeler

Lenore Millhollen, CCRA
Andrew Meloney, City Planning Commission
Sarah Mansfield
Carl Mansfield
Maryann Kurmlavage
Sam Olshin, Atkin Olshin Schade Architects
Andrew Curtis, Atkin Olshin Schade Architects
Ron Patterson, Esq., Klehr Harrison Harvey Ellers & Branzberg
David Hollenberg, University of Pennsylvania
Terry O'Leary, Hersha Hotels
Norma Van Dyke
Mary Nixon
Howard Kaufman
Bruce Lavery, Athenaeum
David Mercuris, Goldenberg Group
Magali Larson, WTHA
Charles Larson, WTHA
Vivian Seltzer, Center City Resident Association
Edwin A. Easton
Mary Daniels
Babette Josephs, Pennsylvania House of Representatives
Ruth Mellman
Huai Jen Han, YCH Architects
Carolina Peña, YCH Architect
William Ewing, Esq.
Tim Peters, Qb3
Kiki Bolender, Schade & Bolender Architects
Wendy Rosen, Friends of Rittenhouse Square
William Martin, Esq., Fox Rothschild
Barry Eiswerth, H2L2
James Templeton, H2L2
Carl Engelke, Eagle Eye Solutions
Kevin Bone, Bone/Levine Architects
Steven Weixler, Society Hill Civic Association
Mathew Grubel
Gary Martinez, Martinez & Johnson Architecture
George Thomas, Civic Vision
Jean Wolfe, The Woodlands
Steve Pollack, Esq., Montgomery McCracken
Newton H. Smith, Newton H. Smith, Architect
Nicholas Blum
Elisabeth Blum
Charles Peruto, Jr.
Martin Rosenblum
Patricia Doniewski
Tim Peters
Jonathan Prokup
Casey Lafferty, Monarch Real Estate

CALL TO ORDER

Mr. Sherman called the meeting to order at 9:00 a.m. Commissioners Amburn, Benoliel, Clark, Dilworth, Leonard, Mattioni, Merriman, Quinn, Schaaf, Schlotterbeck, Thomas, and Wilds joined him.

MINUTES OF THE 554TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

Ms. Merriman offered a correction to the draft minutes.

ACTION: Ms. Merriman moved to adopt the minutes of the 554th Stated Meeting of the Philadelphia Historical Commission, held 10 October 2008, as corrected. Ms. Leonard seconded the motion, which passed unanimously.

CONFIRMATION OF THE APPOINTMENT OF NAN GUTTERMAN TO THE ARCHITECTURAL COMMITTEE

Mr. Farnham introduced Nan Gutterman to the Commission and explained that Sam Sherman, the chair, and David Amburn, the chair of the Architectural Committee, had nominated Ms. Gutterman for appointment to the Architectural Committee to fill the seat vacated by Dominique Hawkins. He reported that Ms. Gutterman is considered one of the most qualified preservationists working in the greater Philadelphia area and would be an incredible asset to the Architectural Committee. Mr. Wilds stated that Ms. Gutterman would be a welcome and wonderful addition to the Committee. He recognized her expertise and noted that she has appeared many times before the Historical Commission.

ACTION: Mr. Wilds moved to appoint Nan Gutterman to the vacant position on the Architectural Committee. Mr. Schaaf seconded the motion, which passed unanimously.

DISCUSSION OF THE HISTORIC DISTRICT PROGRAM

Mr. Farnham summarized the discussion of historic districts at last month's Commission meeting. At that meeting, the staff presented data to the Commission that demonstrated a slight decrease in permit applications during the second half of 2008. It also presented a summary of the historic district nominations awaiting processing as well as projections of the numbers of applications those districts would produce if designated. The Commission held a lively discussion of the historic district designation program with the public and concluded that the staff should propose a schedule for the reviews of the nominations for the three smallest districts at the November 2008 meeting. He noted that the proposed schedule was prepared and included in the Commissioners' information packets for today's meeting. He also noted that the interested parties had been apprised of today's discussion and provided with the same information sent to Commission members.

Mr. Farnham stated that the designation of historic districts is the best mechanism for reaping historic preservation's broad benefits. Yet, owing to its limited resources, the Philadelphia Historical Commission has effectively imposed a moratorium on the creation of new historic districts since the establishment of the Old City Historic District in December 2003. The Commission did break from that moratorium in 2006 to designate a very small district, Greenbelt Knoll Historic District. The Commission instituted the moratorium because it does not have sufficient staff to administer new districts, especially large districts like those proposed for Spruce Hill and Washington Square West. From 1996 to 2006, as the Commission designated numerous individual sites and historic districts, the annual number of reviews conducted by the Commission more than doubled, yet the staff size has remained virtually static. Today, the

entirety of the staff is devoted to administering the existing inventory of designated sites and historic districts.

The Commission has five historic district nominations awaiting its attention; the oldest unprocessed nomination was submitted in July 2002, nearly six years ago. The Commission is also anticipating the submission of three additional district nominations in the near future. Numerous constituents — politicians, property owners, civic groups, and preservation advocates — are encouraging the Commission to resume designating historic districts. With the economic downturn and slowing of the real estate market, the Commission has experienced a slight drop in the numbers of permit applications it is processing. This drop may create a window for the Commission to process the pending nominations for the three smallest historic districts, Awbury Arboretum, Parkside, and Tudor East Falls. As was shown during a staff presentation at the October 2008 Historical Commission meeting, if designated, the workload generated by these districts would be relatively small. It is projected that Awbury Arboretum would produce 3 applications annually and require .5 staff hours per week to administer; Parkside 22 applications and 3.5 staff hours per week; and Tudor East Falls 28 applications and 4.5 staff hours per week.

Mr. Farnham explained that the economic downturn has led to a slight reduction in the numbers of permit applications submitted to the Commission. Although the staff does not yet have enough data to accurately quantify the downturn in terms of workload reduction, it appears to be on the order of 5% or 11.25 staff hours per week. Some of this new but temporary capacity has already been dedicated to increased enforcement. The staff and Law Department are initiating more enforcement cases in court, pursuing the worst of the “demolition by neglect” cases. The remainder of this excess capacity could be dedicated to processing the nominations for the three smallest districts. It is important to remember that this excess capacity will be fleeting, but the added workload will not; new districts will forever generate permit applications at a rate of .12 to .14 applications per property annually. Therefore, the staff suggests that the Commission institute a series of reforms directed at streamlining the permit application review process to achieve new efficiencies before it reviews the nominations of the three smallest districts. The staff suggests that the Commission institute the following measures:

- **Revise Rules & Regulations:** At the January 2009 Commission meeting, the staff will propose amendments to the Commission’s Rules & Regulations to streamline the review process and increase the staff’s efficiency. These amendments may include authorizing the staff to review for approval additional types of applications, thereby eliminating overhead costs associated with full Commission reviews and increasing efficiency. The Commission will review the amendments with any revisions a second time and then act at the February 2009 meeting. If the Rules & Regulations are amended, the Law Department will review the amendments for legality in March 2009. If approved by the Law Department, the new Rules & Regulations will be available for public inspection at the Department of Records during April 2009. If the public requests no additional hearings on the Rules & Regulations, the amendments would become effective in May 2009.
- **Complete verification of designated addresses:** When the Commission designates a site as historic, it brings it under its jurisdiction and lists it by City-assigned address on the Philadelphia Register of Historic Places, its master list of historic sites. Once a site is designated, the Commission regulates its preservation through the City’s building permits process. The City’s Department of Licenses & Inspections (L&I), which issues building permits, uses City-assigned addresses to identify sites designated as historic and to refer permit applications for those sites to the Commission. The City’s Board of Revision of Taxes (BRT) assigns and maintains the list of official City addresses. Owing to subdivision, consolidation, renumbering, street renaming, and other events, official

BRT addresses are dynamic. If an address on the Register does not precisely match an address on the BRT list, it is not flagged as historic by L&I. Therefore, when BRT changes an address of a historic site, the Commission effectively loses its jurisdiction over that site until the address is updated on its Register. In the past, the Commission has maintained its Register manually, identifying invalid addresses and updating them by hand every few years. However, updating in this manner is time-consuming and, more importantly, ineffective because it allows properties to slip from the Commission's jurisdiction. In the worst cases, historic buildings have been demolished without the Commission's review or approval. By 1 January 2009, the staff will complete its yearlong updating and confirmation of the addresses on the Philadelphia Register of Historic Places for BRT compliance and verify the flagging of those addresses by L&I. By 1 March 2009, the staff will develop and implement an automated system that will flag invalid addresses on the Register in a timely manner, allowing for quick corrections and thereby ensuring the integrity of its list of designated properties.

- Notify property owners of designation annually: Provided funding can be obtained, during March 2009 the Commission will begin notifying every owner of a designated property annually in writing of the designation and the Commission's jurisdiction. This notification should eliminate numerous legalization applications, which consume significant resources, but produce limited results. It will allow the Commission to expend its scant resources elsewhere more effectively.

Mr. Farnham suggested that the Commission could begin to chip away at the historic district nomination backlog without significantly impacting its permit review workload if it reviewed the nominations for the three smallest pending historic districts according to the following timetable:

- Awbury Arboretum: The Commission will consider the nomination of the smallest district, the proposed Awbury Arboretum Historic District (25 properties), first. It will issue the requisite 60-day notice during February 2009. The Committee on Historic Designation will review the district nomination in April 2009. The Commission will review the district nomination and act in May 2009. If the district is designated, the staff will complete the designation photography and other administrative tasks in June and July 2009.
- Parkside: The Commission will consider the nomination of the next smallest district, the proposed Parkside Historic District (162 properties) second. It will issue the requisite 60-day notice during April 2009. The Committee on Historic Designation will review the district nomination in June 2009. The Commission will review the district nomination and act in July 2009. If the district is designated, the staff will complete the designation photography and other administrative tasks in August and September 2009.
- Tudor East Falls: The Commission will consider the nomination of the next smallest district, the proposed Tudor East Falls Historic District (210 properties) third. It will issue the requisite 60-day notice during June 2009. The Committee on Historic Designation will review the district nomination in August 2009. The Commission will review the district nomination and act in September 2009. If the district is designated, the staff will complete the designation photography and other administrative tasks in October and November 2009.

Mr. Farnham advised the Commission that this schedule assumes that the City does not institute additional budget reduction measures. If the City does undergo a second round of reductions and the Commission's budget is impacted, the program proposed herein would require revision or even abandonment. Also, this schedule does not account for the staff time that would be needed to establish regulations and processes for the designations of interiors. If

the pending interiors bill is voted into law, the milestones on this schedule would need to be shifted one or two months out to free staff time for the interiors tasks.

Mr. Sherman acknowledged that the City is experiencing a budget crisis. He asserted that the Commission may need to reassess its position in six months. He asked the Commission to hold realistic expectations.

Mr. Wilds noted that the schedule proposes that designation photographs will be taken only if a district is designated. He suggested that the Commission should take the photographs after notice but before designation to avoid the possibility of homeowners rushing to make alterations. Mr. Farnham replied that designation photographs have routinely been taken after designation to avoid investing money in photographing areas not ultimately designated. He offered to reconsider the policy to ensure that the Commission's records reflected properties at the time of designation. Mr. Schaaf explained that the Planning Commission and Department of Records are working together to document the Queen Village Conservation District. He reported that they are taking 300 to 400 photographs per week. John Gallery of the Preservation Alliance stated that the nominations for all three small proposed districts include photographs of all buildings within the proposed districts.

Mr. Gallery stated that the proposal to revise the Rules & Regulations was appropriate. Mr. Gallery added that the Rules & Regulations should be reassessed broadly. He stated that he appreciated the schedule and noted that the Commission had never before released a schedule for designations. Mr. Gallery reported that the William Penn Foundation provided the Alliance with a grant last year to support the Historical Commission. He stated that the Alliance is able to commit \$25,000 to \$50,000 to support the Commission. Mr. Gallery offered to hire consultants or interns, or provide other funding to expedite the process. He suggested that the Commission give up Class 200 funding rather than staff if it faces additional budget cuts. He offered to offset any reductions in the Class 200 budget. Mr. Gallery encouraged the staff and Commission to suggest ways in which the Alliance could assist the Commission.

Mr. Farnham advised the Commission that it need not take any official action on the plan proposed by the staff. Mr. Sherman polled the Commission to determine whether it supported the plan. The Commission indicated that it approved of the staff plan.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 28 OCTOBER 2008

David Amburn, Chair

410 S. FRONT STREET

Owner: Bridgeman Development LLC

Applicant: James Templeton, H2L2

History: designated as contributing to Society Hill Historic District, 3/10/99 with c. 1973 building; designation classification amended to non-contributing, 10/13/99
building demolished in 2001 with PHC approval; currently a vacant lot

Project: Construct 15-story hotel and condominium building

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted 3 to 1 to forward the application to the Commission to allow for an additional public review and to recommend that:

- the site is “developed” and therefore subject to plenary jurisdiction;
- “the proposed work” is compatible “with the character of the historic district ... including the effect of the proposed work on the neighboring structures, the surroundings and the streetscape” (§14-2007(7)(k)(.4);
- the proposed work is “differentiated from the old and [is] compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the ... environment” (Standard 9); and,
- the application should be approved, pursuant to §14-2007(7)(k)(.4) and Standard 9.

OVERVIEW: This application proposes to construct a mixed-use residential and commercial complex on the lot that runs from Front Street to S. 2nd Street between Pine and Lombard Streets. The site was originally classified as contributing to Society Hill Historic District, but was amended to non-contributing seven months after the initial designation in 1999. The site was not designated individually before the establishment of the historic district. A building, known as New Market and constructed about 1973, stood on the lot at the time of designation. In December 2000, the Commission approved the demolition of the New Market building and the construction of a 10-story hotel. The New Market building was demolished, but the hotel was not built. The remnants of the New Market building, a large concrete slab and foundations at and below grade, currently occupy the site.

The extent of the Commission’s jurisdiction at the site, review-and-comment or plenary, is open to discussion. The Commission may consider this site “undeveloped” and assert review-and-comment jurisdiction; or it may consider it “developed” and assert plenary jurisdiction.

Section 14-2007(7)(d) of the historic preservation ordinance defines the Commission’s review-and-comment jurisdiction as follows:

The Commission’s scope of review of applications for permits for **construction**, as defined herein, shall be limited to a forty-five (45) day period of comment. (emphasis added)

Section 14-2007(2)(d) of the historic preservation ordinance defines “construction” as follows: *Construct or construction.* The erection of a new building, structure or object upon an **undeveloped** site. (emphasis added)

“Undeveloped” is not defined in either the historic preservation ordinance or the Rules & Regulations. However, in practice, the Commission has typically considered a vacant lot “developed” if a building stood on the lot at the time of designation, even if that building was

subsequently demolished. It has typically considered a vacant lot “undeveloped” if it was vacant at the time of designation. A building stood on this lot at designation.

If the Commission deems the site “undeveloped,” then the developer must present the proposal to the Architectural Committee and Commission at public meetings for comment, but the comments are not binding and the Commission has no authority to deny the project. Once the project has been presented or the 45-day clock has run out, the Commission is bound to approve the proposal as submitted.

If the site is deemed “developed,” then the proposal would be reviewed according to the Rules & Regulations for non-contributing sites. The Rules & Regulations for non-contributing sites state that the staff may approve the application; if the staff elects not to approve, the application proceeds to the Architectural Committee, which may approve; if the Architectural Committee elects not to approve, the application proceeds to the Commission, which makes the final determination. The staff suggests that the Committee not approve the application outright, even though it is so empowered under the “developed” scenario, but that it instead allow the Commission to first decide the jurisdictional question and then review the proposal.

When the Commission reclassified the site as non-contributing, it proclaimed that there are no historic resources at the site. Therefore, the Commission should not consider the effect of the proposed work on the site itself, but only on the surrounding historic district. Section 14-2007(k)(.4) of the historic preservation ordinance stipulates that the Commission consider “the compatibility of the proposed work with the character of the historic district including the effect of the proposed work on the neighboring structures, the surroundings and the streetscape.” Additionally, Section 6.5.h of the Rules & Regulations directs the Commission to place particular emphasis on the compatibility and appropriateness of the scale, rhythm and materials of the new construction during its review. Finally, Rehabilitation Standard 9 is applicable. It stipulates that: “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 ... environment.”

In the spring of 2008, the current applicant and development team submitted a similar application for this site to the Commission. The application was withdrawn after the Architectural Committee meeting; therefore, the Commission did not have any opportunity to review it. The staff recommended denial of that application; the Architectural Committee split, with two recommending approval and two denial. The staff has now reversed its position and recommends approval of the current application, which is similar, but not identical to the spring 2008 proposal. Some parties have asserted that the staff’s reversal is evidence that it has been unduly influenced. The staff rejects that assertion and offers two reasons for the reversal of its recommendation. First, the design has improved. The architect has implemented several revisions suggested by the Architectural Committee during its spring review. Second, the staff benefited not only from the Architectural Committee’s review of the spring application, but also the City Planning Commission’s subsequent review of the project. Learning from these discussions and others as well as additional analysis, the staff now contends that this proposal satisfies the review criteria set forth in the historic preservation ordinance and the Secretary of Interior’s Standards.

The Society Hill Historic District is a dynamic area in which old and new, Colonial and Modern, big and small, short and tall stand side by side. It is not a monolithic neighborhood of three-story, brick rowhouses, but instead a diverse built environment with a broad spectrum of compatible structures ranging from eighteenth-century rowhouses to twentieth-century high-

risers. The neighborhood derives its much of its beauty and significance from these juxtapositions that highlight very different buildings existing together in harmony. The staff contends that this well-designed development will be compatible with the diverse character of the neighboring structures, the surroundings and the streetscape. It will likewise be compatible with the diverse materials, features, size, scale and proportion, and massing of the surrounding neighborhood. Note that the ordinance and the Secretary of the Interior's Standards mandate that new construction should be compatible with, not necessarily similar or identical to, the surrounding historic environment. Compatible means capable of existing together in harmony. Most agree that the Society Hill Towers are compatible with the neighborhood, but no one would claim that they are like the historic buildings in the neighborhood.

DISCUSSION: Mr. Farnham presented the application to the Architectural Committee. Architects Barry Eiswerth and James Templeton, attorney William Martin, developer Mark Stein, consultant Carl Engelke, and preservation consultant George Thomas represented the application.

Mr. Wilds stated that the Commission had exerted plenary jurisdiction when it approved the demolition of the New Market building in 2000 as part of a larger project that included the construction of a 10-story hotel. He noted that the hotel was never constructed. He concluded that this review could therefore be considered the conclusion of the 2000 review. He therefore contended that the Commission should assert plenary jurisdiction because the Commission is essentially completing the plenary review that began in 2000.

Mr. Reuter stated that he had had discussion with Mr. Martin, the developer's attorney, preceding today's meeting. He stated that Mr. Martin agreed to limit his dispute of the Commission's jurisdiction over the site to placing his objection to a plenary review on the record. Mr. Martin contends that the Commission should consider the site "undeveloped" and assert review-and-comment jurisdiction. Mr. Martin can preserve the argument for appeal. Mr. Mattioni asserted that the Commission should explicitly decide the jurisdiction question and not simply leave it to a stipulation of a party. Mr. Wilds agreed. He stated that the Commission's decision might make this review moot if it decides that it has review-and-comment jurisdiction only. Mr. Reuter recommended that the Commission accept Mr. Martin's stipulation and proceed, exercising plenary jurisdiction. Mr. Wilds suggested that the Commission determine the level of its jurisdiction; then, the applicant can state his position for the record. Mr. Mattioni suggested that the Commission decide the jurisdictional question and then proceed. Ms. Merriman suggested that the Commission vote on the jurisdictional question. Mr. Mattioni concurred. Mr. Thomas opined that the Commission should assert plenary jurisdiction even though the New Market building had been demolished.

Mr. Martin stated that, although the term "undeveloped" is not defined in the ordinance or the Rules & Regulations, its definition is evident. It is a commonsensical term. He asserted that the site is "undeveloped." He remarked that there is no way to evaluate the appropriateness of the alterations because nothing would be altered; the construction would be entirely new construction. He also claimed that the rehabilitation standards are not applicable because nothing would be rehabilitated. He contended that the Commission's claim to plenary jurisdiction is based on the standards directed at evaluating proposed alterations to existing buildings. Nothing exists at the site except below grade concrete structures.

Mr. Thomas remarked that developers could avoid the Commission's plenary jurisdiction at sites with non-contributing buildings by merely disconnecting the demolition from the new construction. He suggested that the Commission assert plenary jurisdiction in this case because a building stood on the site at the time the historic district was established.

Mr. Farnham advised that the Commission should assert plenary jurisdiction not because of the New Market building remnants at the site, but because of the Commission's consistent past practice. He explained that the staff had investigated every case when the Commission was called upon to determine whether it should assert plenary or review-and-comment jurisdiction. He reported that the staff discovered 37 instances. In 20 instances, the Commission determined that the site in question was vacant at the time of designation and had not been individually designated and therefore asserted review-and-comment jurisdiction. In one instance, a valid demolition permit was in place at the time of the district designation; the building was legally demolished after the district was designated. The Commission later deemed the site undeveloped and asserted review-and-comment jurisdiction owing to the valid demolition permit. In two instances, the site was vacant at the time of the district designation, but had also been individually designated; in these instances, the Commission asserted plenary jurisdiction. In eight instances, property owners demolished non-contributing buildings that stood at the time of district designation, but was demolished after district designation with Commission approval; in all eight instances, which are comparable to the current application, the Commission asserted plenary over new construction. In the other instances, the jurisdiction question was resolved in other ways. Mr. Farnham concluded that the Commission has been completely consistent. In all cases in which the site was vacant at the time of the district designation and not also individually designated, the Commission asserted review-and-comment jurisdiction. In all cases in which a building stood on the site at the time of the district designation, the Commission asserted plenary jurisdiction.

John Gallery of the Preservation Alliance concurred with Mr. Farnham's conclusion. He reported that he has attended approximately 90% of the Commission meetings in the last six years. He stated that, in every case in which the Commission has reviewed new construction on a vacant lot on which a building stood at the time of the district designation, it has asserted plenary jurisdiction. Mr. Gallery added that he had met with Lawrence Copeland, the Commission's former attorney, about three years ago to discuss this question. He stated that Mr. Copeland's explanation of the Commission jurisdiction mirrored Mr. Farnham's explanation.

ACTION: Mr. Mattioni moved that the Commission deem 410 S. Front Street not "undeveloped" and therefore assert plenary jurisdiction. Ms. Merriman seconded the motion, which passed unanimously.

Mr. Farnham advised the Commission that its task is to determine whether the proposed complex is compatible with the surrounding historic district. He reminded the Commission that compatible does not mean similar or identical to the surrounding historical environment, but instead means capable of existing in harmony with it. He reported that the Architectural Committee had voted 3 to 1 to recommend that the proposed complex is compatible with the surrounding historic neighborhood.

Mr. Martin summarized the 18-month history of the project. He stated that the development team has met extensively with the immediate neighbors, the civic association, and its preservation and zoning committee. He explained that the site had been rezoned with the approval of the Planning Commission.

Mr. Templeton stated that the hotel that would occupy the complex would be a five-star luxury hotel. He presented a site plan and explained that the delivery and parking would be located underground. He stated that the proposed complex would occupy much less of the site than the complex approved in 2000. He reported that all facades would be finished; none would be

blank. All facades would be fenestrated. Mr. Templeton stated that the complex would be LEED certified. He explained that the terraces should not be confused with balconies. He stated that they would not project beyond the face of the building; they would be outdoor rooms within the building.

Mr. Templeton presented historic materials prepared during the redevelopment of Society Hill. The materials showed that those responsible for the redevelopment encouraged and celebrated the juxtaposition of old and new in Society Hill. He stated that the modern buildings were intended to be woven into the old. Tall buildings stand next to much shorter buildings. Old stand next to new. He noted that this building would stand at the perimeter of the historic district. He concluded that his project is compatible with the historic neighborhood.

Mr. Thomas, the development team's preservation consultant, spoke about the rehabilitation of Society Hill. He stated that the neighborhood changed greatly during the redevelopment. It was transformed by the redevelopment. It is not an eighteenth-century neighborhood like Williamsburg; it is a mix of old and new with a mix in sizes and scales. It had tall and short, broad, and narrow buildings standing side by side. He displayed a map showing what was constructed after 1950. He demonstrated that much of the neighborhood is new, not old. The neighborhood derives its power from the juxtaposition of old and new.

Ms. Merriman stated that the proposed complex is very well designed. She observed that it would be a great addition to the neighborhood.

Mr. Gallery also stated that the complex was very well designed. However, he claimed that it was not appropriate for the historic district. Mr. Gallery stated that the Commission's task is to determine whether the proposed building is compatible with Society Hill. He asserted that it is not. He stated that heights are limited to 45 feet in Society Hill except at a few specific locations, around Washington Square and at the site of the former food market. The Society Hill Towers are appropriate because the buildings are separated from the surrounding neighborhood. He asserted that the height was limited for all types of buildings, not merely residential buildings. Mr. Gallery stated that the proposed building would be highly visible from the surrounding neighborhood. He displayed several photomontages, allegedly showing the visibility from several points around the neighborhood. He claimed that the project would be imposing and not compatible with the neighborhood. Mr. Wilds questioned his photomontages, which depicted the building in a jarring, bright color unrelated to the proposed façade colors. Mr. Gallery replied that the bright color was intended to show the visibility. Mr. Gallery then asserted that the application did not provide enough detail to warrant a final approval. He asserted that information about window materials had not been provided. Mr. Gallery objected to the glass on the north façade. He stated that it was more like the Cira Center than the surrounding neighborhood. He contended that the building would be inappropriate to the district. He urged the Commission to deny the application and encourage a new design that is more compatible.

Mr. Templeton responded to Mr. Gallery's comments, stating that his photomontages were not accurate. He displayed his simulations of the views of the building from the neighborhood. He stated that the building would be visible but inconspicuous. He acknowledged that he is proposing a curtain wall for the north façade. He emphasized that this site is a vacant lot.

Richard Lush reported that he obtained 500 signatures on a petition opposing this project. He held up a book and asked the Commissioners if they had read it for school. No one responded. He stated that the book praised Society Hill. He distributed photographs showing the historic

buildings in the area. He displayed a map of the area and claimed that this section of Society Hill is the oldest part of the city. He stated that Ed Bacon would have opposed this design.

Paul Boni, who identified himself as a resident of the neighborhood, spoke in opposition to the project. He stated that the scale is inappropriate. He accused the applicants of a “divide-and-conquer” strategy with the community. He stated that no one in the neighborhood accepts the height. Mr. Sherman asked him if he stood behind that broad statement. He conceded that some do support the project. Mr. Wilds asked him if was speaking on behalf of the civic association. He stated that he was not. He noted that the staff recommended denial when the project was submitted in the spring. The staff now recommends approval. He noted that the staff has stated that its thinking on the project has evolved. He asserted that that is not an acceptable answer. He stated that the project is sized based on finances. He stated that the scale is inappropriate.

Harry K. Schwartz, a former public policy director for the National Trust for Historic Preservation, opposed the project. He stated that the size and materials of this project are not compatible with the historic district.

Terry Champion, a neighbor, opposed the project, claiming that it was not appropriate for the neighborhood. He stated that this project does not comply with the Mayor’s stated planning process. He asserted that the citizens’ opinions must be considered. He threatened to take other action if they are not.

William Ewing, an attorney representing a neighbor, opposed the project. He asserted that the building would be too large for the context. He contended that the tall buildings in the neighborhood do not provide a precedent.

Robert Burnberg, who lives adjacent to the site, stated that a majority of the immediate neighbors support the project. He advocated for the approval of the application.

Carl Mansfield, a neighbor, opposed the project, contending that the development would create too much traffic and noise. He asserted that the neighborhood is very historic and important and the project is too large.

David Hammond, the executive director of the South Street Headhouse District, a business improvement district, strongly supported the project, stating that it would revitalize South Street. He stated that his Board of Directors was unanimous in its support. He stated that the Society Hill Towers are highly visible from his office at 2nd and Pine Streets.

Howard Kaufman, a neighbor, stated that he supports the project and that there is strong support for it among his neighbors. He stated that the proposed building would be compatible with the historic neighborhood and a vast improvement over the vacant lot. He reported that the developer has been very cooperative during this process.

Sally Smith, a neighbor, opposed the project. She contended that the scale, design, and materials are not compatible with the neighborhood. She objected to the overhanging portion on Front Street. She stated that the development would produce too much noise and traffic.

Richard DeWyngaert, the president of the Society Hill Civic Association and a neighbor, voiced his strong support for the project. He stated that the majority of the residents of the neighborhood supported the project. He added that the vacant lot is an embarrassment to the

neighborhood. He asserted that the proposed development is compatible with the historic neighborhood. He stated that he respects the diversity of opinion, but does not support the opposition position. He advocated for the Commission to approve the project.

Mr. Thomas, the Commission's architectural historian, agreed with the Architectural Committee's recommendation that the proposed building including its size and scale is compatible with the historic district. He asserted that the staff and the Architectural Committee should review the details. Mr. Wilds disagreed and asserted that the staff should be authorized to review the details.

ACTION: Mr. Dilworth moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to §14-2007(7)(k)(.4):

“The proposed work” is compatible “with the character of the historic district ... including the effect of the proposed work on the neighboring structures, the surroundings and the streetscape”;

and Standard 9:

The proposed work is “differentiated from the old and [is] compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the ... environment.”

1910 CHESTNUT STREET

Boyd Development LP, Live Nation, Owner; ARC/Wheeler, LLC, Equitable Owner
Matt McClure, Applicant

History: 1928, Hoffman & Henon, architects, designated 8/8/08

Project: Rehabilitate theater, construct 28-story hotel addition

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend:

1. Approval of the removal of the stagehouse, provided the remainder of the theater is restored as proposed, the removal is not undertaken until a new construction permit is issued, and no removal or demolition to the stagehouse area shall be permitted unless and until the developer has arranged for construction financing of the hotel tower and replacement stagehouse, pursuant to Standards 2, 5, and 9. The stagehouse does not “characterize the property.” Because it is not a “character-defining feature,” its removal is not a “razing or destruction ... in significant part.” Therefore, the removal of the stagehouse is an “alteration,” not a “demolition,” in the eyes of the historic preservation ordinance [§14-2007(2)(a, f)].
2. Approval of the hotel tower, pursuant to Standards 9 and 10 and the New Additions Guidelines.
 - a. The tower “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.” The tower will be constructed “so that there is the least possible loss of historic materials and so that the character-defining features are not obscured, damaged, or destroyed.”
 - b. The “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.”

- c. The tower will be designed “in a manner that makes clear what is historic and what is new.” The tower will not imitate “a historic style or period of architecture.”
 - d. The “new addition to the historic building” is “required by the new use.”
 - e. The “new building” is not “out of character or otherwise inappropriate to the setting’s historic character.”
3. Approval of the restoration of the exterior of the theater building including the removal of the non-historic marquee and the reconstruction of the historic marquee, with the staff to review details, pursuant to Standards 1, 2, 3, 5, 6, and 7.
 4. Approval of the vestibule screen, provided the screen is transparent and is inconspicuous when closed, with the staff to review details, pursuant to Standards 9 and 10.
 5. Denial of the banners. If a vertical marquee is added, it should replicate the historic marquee.

OVERVIEW: This application proposes the rehabilitation of the Boyd Theater and the construction of a 28-story, 320-foot hotel addition at the rear of the theater. The theater space will be rehabilitated for live performances, motion pictures, conferences, and other events.

The parcel is unusually shaped. The front façade of the historic, Art Deco theater faces onto Chestnut Street. A series of lobbies lead south from the main entrance on Chestnut to the auditorium space, which runs east-west along the 1900-block of Sansom Street. The parcel includes vacant land at the west of the auditorium; the land connects to both Sansom and S. 20th Streets. The Boyd Theater parcel including the vacant land is individually designated; it is not located in a historic district.

The interior and exterior of the theater would be rehabilitated. The Commission has jurisdiction over the exterior only. The front façade would be restored. The decrepit 1950s and later marquee would be removed and the horizontal portion of the original marquee would be reconstructed; the vertical portion, which read “BOYD,” would not be reconstructed. Banners would be added above the reconstructed marquee. The art glass windows and doors would be restored and recreated. A retractable screen based on the original entranceway flooring pattern is proposed to allow the open vestibule to be closed off at night. The details for the screen’s housing are not included. The staff contends that such a housing would be obtrusive and suggests that the architect consider other alternatives.

The hotel tower would be constructed to the west of the auditorium with frontage on Sansom Street and a covered entranceway running west to S. 20th Street. The construction of the tower would require the removal of a small portion of the theater, the stagehouse, which originally accommodated back-of-house facilities. The portion of the theater proposed for removal has no architectural or historical significance; it is not character-defining. A driveway running east from S. 20th Street to the tower and then turning south and connecting with Sansom Street would provide automobile access to the tower. No parking would be included on site; parking would be provided at an off-site facility. The loading dock for the complex would be located on Sansom Street. The lower floors of the tower would house new back-of-house spaces, a restaurant, ballroom, and meeting spaces. The hotel reception would reside on the fifth floor and the guest rooms would occupy the remaining floors. A pool and exercise area would be located at the roof. The hotel tower would be constructed of concrete and polychromatic glass. It would reflect the color, curves, and playfulness of the Art Deco style of the theater, but in a contemporary manner. The tower would cantilever out over the western section of the auditorium volume, but would not rest on the auditorium. The cantilevered section would house an atrium garden. The tower would be taller than the other high-rise buildings on the block, but would be shorter than

many nearby buildings on Market, Chestnut, and Walnut Streets. A swooping, colored glass canopy would dramatically link the tower to 20th Street.

DISCUSSION: Mr. Farnham presented the application to the Commission. Attorney Matt McClure, architect Gary Martinez, preservation consultant George Thomas, and developer Hal Wheeler represented the application.

Mr. McClure distributed a supplemental packet of information to the Commission members. He explained that the revisions documented in the supplement resulted from a meeting with Alan Greenberger, the Planning Commission director. He asked the Commission to consider the revised application; the revisions relate to the tower, not the historic restoration. He reported that Live Nation owns the property and his client has an agreement of sale to purchase it. He described the building as the last surviving movie palace in the city. He noted that it has had a history of failed projects in the recent past. Despite efforts to restore the theater, it remains in poor condition. He noted that the National Trust for Historic Preservation recently included it on its list of the 11 most endangered properties in the country. He reported that his client has an extremely short due diligence period and must obtain the necessary municipal approvals quickly if he is to purchase the property. He explained that the proposal calls for the restoration of the interior and exterior of the historic theater as well as the removal of an 1800 square foot stage house at the rear to allow for the construction of a 320-foot hotel tower. He introduced architect Gary Martinez, who is well known for theater restoration. He added that ARC/Wheeler, the developer, is well known for completing complex projects. He reported that 10 Rittenhouse, another ARC/Wheeler project in the neighborhood, recently celebrated its topping off.

Ms. Merriman asked the applicant to outline the revisions to the design as documented in the supplement. Mr. McClure responded that the FAR has been reduced slightly; the curvature of the hotel tower has been reduced; streetscape features have been added along 20th street and Sansom Streets.

Mr. Sherman asked if public access into the original lobby from Chestnut Street would be maintained. Mr. McClure affirmed that would.

Mr. Martinez stated that it has been his honor to work on the Boyd for the past six years. He stated that he has significant documentary evidence to guide the restoration. He reported that he and his team have extensively studied the building. Mr. Martinez displayed drawings and photographs of the building in its original condition. He described the lengthy process to document the building inside and out. For example, he showed how he had recreated missing carpets from a photographs, computer rendering, and color analysis. He described the theater as true gem. He detailed the restoration of the front façade on Chestnut Street. He will recreate the missing art glass that was lit from behind. He will recreate the historic marquee. He noted that he will not recreate the large, vertical, projecting sign that was original or added soon after the building was completed. He has eliminated the proposed banners, which would have been added to the front facade. The large scrolls on the front façade will be repaired. The original ticket booth will be reconstructed and used as a will-call station. The storefronts that flank the open vestibule will be restored and used as retail space. Mr. Martinez described the laser scanning system used to document the current conditions. He explained that the art glass doors at the rear of the open vestibule will be recreated in a sandwich of safety glass. He explained the need for a security gate to close off the vestibule at night. It will be open until late into the evening, but closed overnight. It will be transparent, allowing views into the historic vestibule. The design of the security gate is still being studied.

Mr. Martinez acknowledged that the interior is not within the Commission's jurisdiction, but asked the Commission's indulgence to allow him to describe the proposed restoration. He noted that water infiltration has led to the deterioration. He stated that his team undertook a detailed color study of the entire interior. He described numerous original features hidden behind paint and false walls. Mr. Martinez showed photographs of a mock up of the original decorative scheme from the floor of the audience chamber up and across the ceiling. The interior was brilliantly colored and patterned. The surfaces were treated with washes and overglazes. He discovered an original piece of the seat fabric, which will be recreated. Original works of art were found in niches that had been walled over. The theme of the interior is a celebration of the modern woman. All original carpets will be recreated from photographs and remnants.

Mr. Martinez summarized the removal of the stage house. The stage house is 17 feet deep and runs north from Sansom Street along the back of the auditorium. He is proposing removing it to allow for the construction of the hotel tower. A new backstage area will be included within the tower base. Mr. Martinez stated that he is proposing a restaurant that will open onto the restored theatre. After meeting with the Planning Commission, he revised the Sansom Street façade, enlivening it and adding a café. His intent is to enrich the pedestrian experience on the street that is now like a service alley.

Mr. Martinez observed that the tower sits back on the southwest corner of the site, far from the historic entrance. He is utilizing color and pattern on the glass walls of the tower to create visual interest and a relationship between new construction and the colorful façade on Chestnut Street.

Mr. McClure asked John Gallery of the Preservation Alliance to speak as the project's non-profit partner. Mr. Gallery addressed the Commission, explaining that the Alliance is taking on this exceptional role because of the importance of the building. He stated a non-profit partner is needed to facilitate funding from some public and philanthropic sources. He stated that he is dazzled by the design. He stated that he reviewed the design very carefully before agreeing to join as a partner. He announced his support for the project and encouraged the Historical Commission to approve it.

Howard Haas of the Friends of the Boyd supported the project. He proclaimed that the restoration of the theater will be a victory for both the city and historic preservation. Mr. McClure added that the Friends of the Boyd and ARC/Wheeler have agreed to propose a condition for any approval to the Commission. They have agreed to condition any approval with the provision that no removal or demolition of the stage house area shall be permitted unless and until the developer has arranged for construction financing of the hotel tower and the stage replacement house. Mr. Wilds asked how the condition would be met. Mr. McClure replied that his client would produce a commitment letter from a lending institution.

Vivien Seltzer, president of the Center City Residents Association, informed the Commission that her organization was recently informed of the project and had not had an opportunity to review it with the community. She stated that it will be reviewed at an upcoming meeting. She noted that the applicants will be seeking several variances related to height, FAR, and a reduction of the loading docks from two to one. She stated that the organization has no position at the moment. Ms. Seltzer asked the Commission to withhold judgment until the community responds. Mr. McClure stated that the team has been working with the neighbors since September. He reminded the Commission that his client has a very short due diligence period and asked it not to delay its action. Ms. Seltzer stated the development team had been very cooperative and she looks forward to further communications.

Mr. Sherman and Ms. Merriman stated that the project is very exciting. Mr. Thomas echoed the excitement. He noted that the building is at great risk and applauded the project for potentially saving it.

Mr. Baron stated he has been involved in the attempts to save this building for 20 years. He spoke of the two Supreme Court decisions and the failed designation attempt. He strongly encouraged the Commission to approve this application.

Mr. McClure asked the Commission to approve the revised design. The Commissioners assured him that they were considering the revised design.

ACTION: Mr. Thomas moved to adopt the recommendation of the Architectural Committee and the mutually proposed condition for the stagehouse and:

1. Approve the removal of the stagehouse, provided the remainder of the theater is restored as proposed, the removal is not undertaken until a new construction permit is issued, and no removal or demolition to the stagehouse area shall be permitted unless and until the developer has arranged for construction financing of the hotel tower and replacement stagehouse, pursuant to Standards 2, 5, and 9. The stagehouse does not “characterize the property.” Because it is not a “character-defining feature,” its removal is not a “razing or destruction ... in significant part.” Therefore, the removal of the stagehouse is an “alteration,” not a “demolition,” in the eyes of the historic preservation ordinance [§14-2007(2)(a, f)].
2. Approve the hotel tower, pursuant to Standards 9 and 10 and the New Additions Guidelines.
 - a. The tower “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.” The tower will be constructed “so that there is the least possible loss of historic materials and so that the character-defining features are not obscured, damaged, or destroyed.”
 - b. The “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.”
 - c. The tower will be designed “in a manner that makes clear what is historic and what is new.” The tower will not imitate “a historic style or period of architecture.”
 - d. The “new addition to the historic building” is “required by the new use.”
 - e. The “new building” is not “out of character or otherwise inappropriate to the setting’s historic character.”
3. Approve the restoration of the exterior of the theater building including the removal of the non-historic marquee and the reconstruction of the historic marquee, with the staff to review details, pursuant to Standards 1, 2, 3, 5, 6, and 7.
4. Approve the vestibule screen, provided the screen is transparent and is inconspicuous when closed, with the staff to review details, pursuant to Standards 9 and 10.
5. Deny the banners. If a vertical marquee is added, it should replicate the historic marquee.

Mr. Wilds seconded the motion, which passed unanimously.

The Commission recessed briefly. Ms. Schlotterbeck and Mr. Dilworth excused themselves from the meeting.

400 S. 40TH STREET

Owner: University of Pennsylvania; Lessee: Campus Inn Associates

Applicant: Sam Olshin, AIA

History: 1856, Colonial Revival alterations and additions, c. 1900, additions 1964, 1973

Project: Restore house, construct 10-story addition

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of all aspects of the proposal except the signage at the corner of 40th and Pine Streets, provided:

1. the house is accurately restored as proposed;
2. a replica of the curb with hair-pin fence at the sidewalk line known from historic photographs is installed in place of the proposed planter;
3. the stairs in the garden wall along S. 40th Street are aligned on axis with the front porch;
4. the design of three-story wing along S. 40th Street is revised, making it more compatible; and,
5. the rhythm of the fenestration on the hotel is revised to be more regular.

The Committee makes this recommendation with the Architectural Committee and staff to review the details, pursuant to Standards 4, 5, 6, 7, 9, and 10, and the New Additions Guidelines.

1. The hotel building “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.” The hotel building will be constructed “so that there is the least possible loss of historic materials and so that the character-defining features are not obscured, damaged, or destroyed.”
2. The “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.”
3. The hotel building will be designed “in a manner that makes clear what is historic and what is new.” The tower will not imitate “a historic style or period of architecture.”
4. The “new addition to the historic building” is “required by the new use.”
5. The “new building” is not “out of character or otherwise inappropriate to the setting’s historic character.”

OVERVIEW: This application proposes to restore an Italianate house and construct a 10-story hotel addition. The house is encapsulated in mid twentieth-century additions, which would be demolished. The house would be connected to the hotel by a three-story link. The Commission approved an in-concept application for this project in November 2007. The current project is almost identical to that approved in the in-concept application. However, the height of the hotel building has been reduced from 11 to 10 stories.

The house at 400 S. 40th Street was designated individually. It is not located within a local historic district. A Spruce Hill Historic District has been proposed, but has not been created. Several individually designated properties stand in the vicinity, directly to the west and at greater distances to the southwest and northwest. The properties immediately adjacent to the north, south and east of 400 S. 40th Street including the twins along Baltimore Avenue are not individually designated to the Philadelphia Register of Historic Places.

The historic house would be rehabilitated as the hotel's reception area, offices, the breakfast room, and several guest rooms. The house would be restored to its c. 1900 condition; it was significantly altered at that time, when a Colonial Revival front porch replaced the Italianate porch; a grand Palladian window was added to the south façade; and a large addition was added at the rear. The Colonial Revival alterations and additions have achieved their own historic significance and should be preserved. In the 1960s and 1970s, the house was encapsulated in a series of unsympathetic additions. The applicant proposes to demolish these additions and restore or reconstruct the historic elements of the house. The appearance of the house is known from period photographs. If the project is approved, the staff would work with the applicant to finalize and review the restoration details. The applicant proposes to deviate from a full restoration on one element. The front porch would be reconstructed as an enclosed space, rather than the open-air porch it was in 1900. This change stems from the redevelopment program, which requires an enclosed dining area for the hotel guests.

The majority of the guest rooms as well as some retail space would be located in a 10-story building to be constructed at the southern edge of the property. The height of the 10-story building is mitigated by shorter, transitioning wings at the front and rear. The hotel would be clad in fiber cement panels, Roman brick, and have a fenestration system that incorporates through-wall vertical air control system. The new building would link to the old with a narrow connector. The proposed three-story link would require some demolition of a three-story bay on the house. However, this area of the house is not visible to the public and it would remain invisible once the 10-story addition is constructed.

The application also proposes some site improvements; these include the creation of a paved outdoor dining space to the east and the modification of a surface parking lot to the west. The site will be enhanced with a perimeter planter; the historic iron and granite fence does not exist, but should be replicated. The application proposes signage for the hotel, but no details have been provided.

DISCUSSION: Mr. Danta presented the application to the Commission. Architects Sam Olshin and Andrew Curtis, attorney Ron Patterson, developer Tom Lussenhop, hotel operator Terry O'Leary, and David Hollenberg of the University of Pennsylvania represented the application.

Mr. Danta emphasized that the project currently proposed is almost identical to that approved in concept by the Commission in November 2007. He also emphasized that the property was individually designated and is not located within a locally designated historic district.

Mr. Olshin explained that the University of Pennsylvania owns the property and the developer holds a long term lease. He displayed photographs and described the building's current condition as poor. He reported that the building was used as a convalescent home from the mid twentieth century until about 2002. The home closed and the University acquired the property. After the purchase, the University stabilized it and has been considering adaptive reuses. The application proposes restoring the historic house, which is encrusted in non-historic additions, and constructing a 10-story addition linked to the house for an extended stay hotel. Mr. Olshin noted that the project approved in concept included an 11-story building and 120 hotel rooms. It has been reduced in size since the approval in concept to a 11-story and 120-room complex.

Mr. Olshin noted the approval in concept of November 2007 and the recent recommendation of approval by the Architectural Committee. He stated that the historic house would be completely restored. He stated that his team would work with the staff to ensure that the details were accurate and appropriate. He recounted the history of their reviews before the Commission. He

reported that the developer sought to rescind the designation of the house as a prelude to demolishing it in the spring of 2007. He stated that the Commission rejected that petition to de-designate and suggested that the developer create a plan that would save the house while accomplishing his programmatic goals. Mr. Wilds pointed out that the Commission rejected the proposal to de-designate the property; the developer did not decide to save the house, but was required to by the Commission. Mr. Olshin agreed. He noted that the Commission approved the current hotel project in concept in November 2007.

Mr. Olshin displayed plans and renderings of the proposed hotel. Mr. Olshin explained that the project has been reviewed and approved by the University's Design Review Committee and Cultural Resources Subcommittee. He noted that a bay would be retained but altered to create the link from the house to the hotel building. He asserted that the alteration complies with the Secretary of the Interior's Standards. He showed a site plan and explained that the site would only include four parking spaces. All other parking would be off-site at facilities owned by the University. The developer has a long-term agreement with the University for the parking spaces. He noted that shuttle services would be provided between the hotel and the hospitals. It is expected that most of the guests would be hospital patients and their families. He noted a traffic study demonstrating that the hotel would not have an adverse impact on traffic and congestion in the area. He displayed photographs of similar buildings in the neighborhood and explained that he took design cues from those buildings for his building. He reported that the taller building is set back 25 feet from 40th and 75 feet from Pine. The cornice on the three-story section corresponds to the cornice of the house. He stated that the addition has a traditional base, shaft, and capital arrangement. He stated that the brick materials derive from precedents in the neighborhood.

Mr. Olshin stated the entirety of the building would be restored. Historic features would be retained and restored or replicated. He stated that the porch that was lost when the additions were constructed in the 1960s would be reconstructed according to a c. 1900 photograph, enclosed with glass panels, and used for the breakfast room. Mr. Curtis stated that they would enhance the streetscape with new brick sidewalks, street trees, and would bury the utility lines in the area. Mr. Olshin addressed the comments about the randomness of the façade. He asserted that it is not random, but has an A, B, C rhythm. He added that the windows on the historic building are very random. Mr. Wilds asked about the south façade. Mr. Olshin stated that it would have the same fenestration with the fiber-cement board siding. Mr. Wilds asked why the south is different from the north façade. Mr. Olshin stated that the north façade is the public façade that provides a backdrop for the historic house. Mr. Wilds countered that the south façade is visible from the SEPTA trolley station to the south on the other side off Baltimore Avenue. Mr. Curtis described the ways in which the materials wrap and transition on the east and west facades. Mr. Wilds asserted that the south side is just as public as the north. He stated that the top four or five stories of the façade will be visible if you "stand across the street a good distance back." Mr. Curtis explained that it would be cost prohibitive to clad the south façade in brick. He stated that most of the façade is not visible to the public and the upper two stories are fiber-cement board on all four facades of the building. He stated that pedestrians will primarily experience the black and orange brick. Mr. Schaaf suggested wrapping the orange brick around the east elevation and onto the south side with a return. Mr. Wilds suggested eliminating the restaurant section of the building, providing a setback from 40th Street. Mr. Olshin stated that the neighborhood has taken various positions on the restaurant space. Mr. Lussenhop stated that the University is advocating for the extension of retail activities south on 40th to Baltimore. He stated that it is also an amenity for the hotel. It would be about 2400 square feet. He stated that it will animate the neighborhood. Mr. Patterson added that the restaurant space was part of the proposal that the Commission approved in concept. Attorney David Fineman, who represents a

group of neighbors opposing the project, interrupted Mr. Patterson. Mr. Sherman told him that he was out of order and assured him that the public would have an opportunity to speak.

Ms. Merriman asked Mr. Amburn to elaborate on the Architectural Committee recommendation. Mr. Amburn stated that the Committee had incorporated Conditions 4 and 5 into its recommendation at the request of the dissenting Committee member. Ms. Merriman stated that she considered the designs of the three-story section on 40th Street and the rhythm of the fenestration to be acceptable. She asserted that the construction of the hotel was a fair trade for the full restoration of the historic house, which is now encased in inappropriate additions. She stated that the project achieves important historic preservation goals. Mr. Wilds disagreed with the Committee's recommendation and suggested that the Commission is being asked to accept such a financial hardship argument. He stated that the applicant has not submitted a hardship application. Mr. Patterson reminded the Commission of the approval in concept and asserted that the Commission should not forsake that approval when the developer has proceeded with his project in good faith. He stated that forsaking the approval in concept would not only be unfair, but would be improper procedure and bad policy. He asserted that the Commission should not debate whether the 10-story addition should be built; it has already done that. It should instead ensure that the details not provided in the in-concept application are appropriate.

Mr. Fineman reported that he is counsel for Woodland Terrace Homeowners Association and Pine Street Neighbors Association. He stated that at the recent Architectural Committee meeting two members voted for approval and one did not. He claimed that the Committee therefore did not have a quorum during its review; he contended that the Commission should remand the application back to the Committee because it lacked a quorum. Mr. Amburn corrected Mr. Fineman, pointing to Section 3.4.a of the Rules & Regulations, which clearly states that three members shall constitute a quorum. Mr. Fineman then claimed that the applicant was presenting a hardship case. He also asserted that it was disingenuous to call the proposed facility merely an extended stay hotel. He claimed that the guests would include conventioners, college families, and visitors to area festivities. He claimed that it would bring congestion to the neighborhood. Mr. Sherman noted that Mr. Fineman was making a zoning argument and cautioned him to limit his remarks to historic preservation matters.

Mr. Lussenhop presented a letter of support from the Roberts Proton Therapy Center. Mr. Sherman reminded Mr. Lussenhop that he needed to be recognized by the chair before speaking.

Mary Nixon, who lives at 4017 Pine Street and is an architect, objected to the proposal. She stated that the addition is too big. She stated that it also blocks views of the house. She stated that too many signs are proposed. She stated that the addition of "obscene" height "smothers" the house. She concluded that the addition is better suited for the airport.

Matthew Grubel, who has a degree in historic preservation, explained his research into the development of West Philadelphia at length. He objected to the choice of iron-spot brick. He displayed photographs of buildings in the surrounding neighborhood. He explained that the area was developed as a garden suburb. He referred to Nathaniel B. Brown and Samuel Harrison, developers in West Philadelphia. He noted Clarence Clark and Anthony Drexel, other developers in the neighborhood. He provided a lengthy description of the Garden Court Apartments. He claimed that the house would not be restored. It would be a reconstruction, not a restoration. He suggested that the Architectural Committee review the design again.

Jean Wolf, a historic preservationist and director of the Woodlands, a house and cemetery two blocks south of the site in question. She argued that this property should be treated as if it is in a "de facto" historic district. She stated that many of the nearby properties have been individually designated by the Commission and it is in a National Register Historic District. She distributed a map showing the "de facto" and National Register districts. She asserted that the impacts on the surrounding properties must be factored into the Commission's decision on this application. She opposed the project because it would have a negative impact on the surrounding properties including the Woodlands. She distributed a map showing what she called "de facto" historic districts. She provided a lengthy description of the architectural styles found in the area. She stated that the "enormous" Spruce Hill area must be taken into account. She asked why the Commission would approve a project that would adversely impact residents over such a wide area. She objected to the noise the hotel would generate. She objected to the trash pickup. She stated that, by law, the Commission is required to protect sites locally and federally designated. She quoted Richard Tyler, the former director of the Historical Commission, who testified before the City Planning Commission that "the new construction is so incompatible with the restoration or rehabilitation of the somewhat mutilated 1853 house does not really offer adequate compensation. Indeed, I think that the demolition of the 1853 structure and its replacement with a modern building in compliance with the City's zoning R5A would have a less negative impact on the historic district and the neighborhood than the present proposal."

Retired architect Charles Larson opposed the project. He claimed that Woodland Terrace is adjacent to this project. He asserted that the house was built on a very generous site with abundant open space around it. He stated that the house is common in the neighborhood. He stated that the historic open space should be protected. He contended that the hotel may fail and the complex would be converted to student housing under the management of Campus Apartments.

Chris O'Donnell, who owns a property on the 4200-block of Pine Street, read a statement from his personal digital assistant (PDA). He claimed that the Spruce Hill Community Association and University City Historical Society was doing nothing to protect the neighborhood and contended that no one from those organizations was in attendance at the meeting. Someone from the audience called out, disputing Mr. O'Donnell's claim and stating that he represented the groups. Mr. O'Donnell stated that he is rehabilitating his house. He suggested that the University is offering a hardship claim; he asked the Commission to reject it. He claimed that the University and Campus Apartments are greedy. He opposed the project.

Maryann Kurmlavage, who owns an investment property on Baltimore Avenue, addressed the Commission. She claimed that the new building would be 10 feet from her kitchen. She claimed that she would lose light and sun into the back of her house. She asserted that the University should "restore the mansion as a gift to the neighborhood." She suggested that the University should convert the building to a Bed & Breakfast. She opposed the project.

Magali Larson stated that the review process for this project "has been one of the most authoritarian and undemocratic [she] has seen since [she] came to the United States." She stated that the University never asked the neighborhood for alternative proposals. She stated that the developers have only engaged with the Spruce Hill Community Association, but not other neighborhood groups. She objected to the parking arrangement. She called the hotel building a "neo-Brutalist slab." She asserted that the design is not high quality. She asked the Commission to protect the "de facto" historic district. She paraphrased Inga Saffron, the Inquirer critic, who asserted that the historic house should be demolished to avoid this hotel

development. She claimed that those who support the project are financially connected to the University. She suggested that the University use its “countless funds” to restore the house.

When asked if there were any supporters of the project in the audience, Mr. Lussenhop stated that he had had supporters at the meeting, but they had to leave before his project was heard. He also stated that he had letters of support.

John Gallery of the Preservation Alliance advocated for the redesign of the three-story section that projects out to 40th Street. He also suggested that the fenestration of the hotel building be rethought. He advised the Commission that it can take into consideration the surrounding National Register Historic District. He asserted that the Commission “does not need to be limited by the fact that there is no local district.” He advocated for denial. He reasserted that the three-story section is not appropriate. He suggested that the Commission deny the application and require that the developer to redesign the three-story section and present that new design to the Architectural Committee.

David Hollenberg, the University Architect at the University of Pennsylvania, spoke in support of the project. Before joining the University, Mr. Hollenberg worked for 14 years for the National Park Service overseeing preservation projects and for 17 years in private practice as a preservation architect. He reported that the University’s Design Review Committee and Cultural Resources Sub-committee reviewed the project four or five times and approved it because it satisfies design and historic preservation standards. He highlighted the Commission’s in concept approval of the project and stated that the University has relied on that approval. He advocated for approval of the project. Mr. Wilds stated that the application form listed the owner of the property as Campus Inn Associates. He stated that that was not correct. He asked for a clarification for the record. Mr. Lussenhop stated that the University owns the property. Campus Inn will enter into a long-term lease with the University. Mr. Mattioni advised Mr. Wilds that a long-term ground lease is a property interest.

Bill Burrison introduced himself as a friend of Commissioner Wilds. He stated that he is not an expert on historic preservation standards. He urged the Commission to deny the proposal for reasons of “neighborhood tranquility.”

Mr. Thomas asked if the Architectural Committee had recommending this to the Committee on Financial Hardship. Mr. Wilds stated that it had not. He added that he had noted that the hardship route would be one option for the developer. Mr. Reuter clarified that the developer has not submitted a hardship application and there is not one before the Commission today.

The Commissioners asked Mr. Farnham to clarify whether the Commission can consider the impact of this development on neighboring properties when it makes its decision on this application. Mr. Farnham acknowledged that Section 14-2007(7)(k)(.4) is somewhat ambiguous, but advised that the Commission has a practice of limiting its review to judging the impact of the proposed alterations on the property in question and not surrounding properties when the property is not located in a locally designated historic district. He reminded the Commissioners of a review of a proposal for a garage on the 900-block of Spruce Street, when the Commission had debated this issue at length. He stated that the Commission reaffirmed its policy at that time of limiting its assessment of the impact to the designated property itself and not surrounding properties, whether designated or not, when not within a district. He advised the Commission to likewise limit the scope of its review in this case and consider only the impact to the designated property itself and not the surrounding properties, whether designated or not, which are not within a locally designated district. Mr. Mattioni asked if the Commission should base its

decision on the compatibility of the proposed alterations and additions with the historic house in question and not neighboring properties. Messrs. Sherman and Wilds stated that it should. Mr. Mattioni stated that he has a “visceral reaction” to the proposed hotel building. Ms. Larson interrupted the Commission. Mr. Sherman called her out of order.

FAILED MOTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee without the original Provision 5 and approve of all aspects of the proposal except the signage at the corner of 40th and Pine Streets, with the Architectural Committee and staff to review the details, pursuant to Standards 4, 5, 6, 7, 9, and 10, and the New Additions Guidelines, provided:

1. the house is accurately restored as proposed;
2. a replica of the curb with hair-pin fence at the sidewalk line known from historic photographs is installed in place of the proposed planter;
3. the stairs in the garden wall along S. 40th Street are aligned on axis with the front porch;
4. the design of three-story wing along S. 40th Street is revised, making it more compatible; and,
5. the brick is wrapped around the east façade with a return on the south facade.

Mr. Schaaf seconded the motion, which failed by a vote of 3 to 7. Commissioners Sherman, Wilds, Thomas, Leonard, Quinn, Mattioni, and Benoliel dissented.

ACTION: Mr. Wilds moved to deny the application as submitted. Mr. Mattioni seconded the motion, which passed by a vote of 7 to 3. Commissioners Merriman, Schaaf, and Amburn dissented.

Ms. Benoliel excused herself from the meeting.

RITTENHOUSE SQUARE

Owner: City of Philadelphia

Applicant: Kiki Bolender, AIA, LEED AP

History: 1683, original city square, Thomas Holmes, surveyor; 1913, redesigned by Paul Cret

Project: Renovate gardener’s shed and install parking

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to Standard 9 and the Building Site Guidelines.

OVERVIEW: This application proposes to restore the early twentieth-century gardener’s cottage in Rittenhouse Square. The cottage would be removed from its foundations and placed back on new foundations in the same location. The application also proposes to enlarge the service area around the cottage to include a new parking area for maintenance vehicles and storage of irrigation materials. The service area would be enclosed by a green fence and metal gates. The fence would have live vegetation on them that would minimize their impact on the landscape of the park. The cottage and its service area are currently surrounded by landscaped shrubbery.

DISCUSSION: Mr. Danta presented the application to the Commission. Architect Kiki Bolender represented the application.

Mr. Wilds asked Ms. Bolender to explain her choice of the asphalt shingle roofing. Ms. Bolender stated that real slate is very expensive and imitation slate would not be appropriate.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to Standard 9 and the Building Site Guidelines. Ms. Leonard seconded the motion, which passed unanimously.

339 S. 21ST STREET

Owner: Martin McNamara

Applicant: Tim Peters

History: c. 1870, contributing to Rittenhouse-Fitler Historic District, February 1995

Project: Add signage

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standard 9.

OVERVIEW: This application proposes to install a nine-foot, internally-illuminated sign on the Pine Street facade of this corner building. The sign would be made of aluminum plates with opaque vinyl lettering. The sign would be backlit with LED lights.

DISCUSSION: Mr. Danta presented the application to the Commission. Patricia Doniewski and Tim Peters represented the application.

Martin Rosenblum, a neighbor, approached the Commission and spoke out of order, asserting that he had not been informed of the review. He claimed that the proposed sign was inappropriate. The staff reported that it had notified the public of the meeting in compliance with all laws and regulations. It also reported that it had sent Mr. Rosenblum, who has an application before the Commission at this meeting, a copy of the full meeting agenda as part of his applicant notification. Therefore, because he has an application on this agenda, he was notified in advance in writing of all cases on the agenda.

Ms. Doniewski stated that the sign would be inconspicuous and unobtrusive. She stated that it would be softly back lit and would create a delicate glow with a halo effect. Mr. Roseblum claimed that he was appalled by this signage. He stated stating this type of signage had never before been allowed in this neighborhood. He called it a radical departure and totally inappropriate for the neighborhood. Ms. Doniewski offered several examples of similar projecting signage on and near this block. The Commission members agreed that there was similar signage in the immediate neighborhood and that the proposed signage was compatible with the building and the historic district.

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

219-229 S. 18TH STREET

Owner: Rittenhouse Regency Affiliates

Applicant: Greg Mastalerz

History: 1929, Zantzinger, Borie & Medary, architects, altered c. 1940.

Project: Alter window openings at penthouse.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of Scheme D.

OVERVIEW: This application proposes to enlarge four windows at the penthouse level. The penthouse design was approved by the Historical Commission on April 2006 and was recently completed. The approval from the Historical Commission included a restoration package. The design of the penthouse incorporates decorative panels that are a subdued representation of the original parapet that was lost when an addition was constructed in the 1940s. The expansion of the windows would eliminate the decorative panels that currently mediate the connection between the historic building and the new penthouse. The proposed extension also disrupts the strong horizontal nature of the penthouse addition.

DISCUSSION: Mr. Danta presented the application to the Commission. Architect Greg Mastalerz and developer David Marshall represented the application.

The applicants explained to the Commission he had secured a potential buyer for the condominium unit, but that the buyer objected to the sill height in the unit. The sills are so high that one cannot see out the windows when sitting. They explained that lower the sill heights would not impact any historic fabric because the parapet that would be cut is new. It was added when the building was renovated in the last year. Mr. Thomas stated that he deemed the proposal appropriate because it did not impact historic fabric. He stated that Scheme D was the most appropriate of those proposed.

ACTION: Mr. Thomas moved to adopt the recommendation of the Architectural Committee and approve Scheme D. Mr. Wilds seconded the motion, which passed unanimously.

1508 PINE STREET

Owner: 1508 Pine Street Associates, Martin Rosenblum

Applicant: Jennifer Arnoldi, Martin Rosenblum Architects

History: 1849, Lewis's Row, T.U. Walter, architect

individually designated, 1971; Significant to Rittenhouse Fidler Historic District, 1995

Project: Legalize gas meters on front façade and roll up garage gate on rear.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the legalization of the gas meters, but approval of the rear gate, pursuant to Standard 9.

OVERVIEW: This proposal calls for legalizing the installation of gas meters on the front façade of the building. The developer, who was also the architect for the project, worked closely with the staff on the façade renovations to the building. He disagreed with the gas company over the placement of meters in the basement. He has converted the basement to a condominium unit and does not wish to install the meters along the inside of the front wall of the basement where the gas company had wanted to install them. He offered a space for installation under the front stair, but the gas company rejected that location for safety and access reasons. The developer

therefore installed on the front façade and attempted to hide them with a planter. The staff is working with another homeowner on the block to have them installed in the interior.

The second portion of the application proposes installing a metal roll-up garage type gate along the back of the house. Several houses face the street which runs along the back of this building. The staff recommends a gate with a more appropriate paneled-wood design.

DISCUSSION: Mr. Baron presented the application to the Commission. Architect and developer Martin Rosenblum represented the application.

Mr. Baron advised the Commission to reject the proposal to legalize the utility meters installed on the front façade of this very important building because the utility company is able to install them in the interior. He asserted that improving this application would set a bad precedent. Mr. Rosenblum stated that he has spent a large amount of money on the restoration of this building because of its deteriorating condition, including an expensive restoration of the front façade masonry with Jahn. He reported that he has been unable to sell four of the condominium units, which remain vacant. He stated that he would lose approximately 600 square feet of space in one unit if the meters were installed inside. Mr. Rosenblum claimed that he could not afford to forfeit this space. Mr. Amburn informed Mr. Rosenblum of the Commission's hardship procedures and advised that he might avail himself of them if he is claiming that it would be a hardship to rectify this situation. Mr. Wilds stated that he was not convinced that there were not alternatives to this problem. Mr. Reuter informed the Commission that the meters might extend out beyond the building line. If they extend into the public right-of-way, then they can only be legalized by an act of the City Council. Mr. Amburn suggested an open mesh roll up gate.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and deny the legalization of the gas meters, but approve the rear gate, pursuant to Standard 9. Mr. Quinn seconded the motion, which passed unanimously.

129-131 N. 10TH STREET

Owner: Kwai Shing Wong

Applicant: Yao Chang-Huang, architect

History: c. 1825; individually designated, 1974

Project: Demolish front façade, rear ell, construct new faced and rear addition

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 6, 9, and 10.

OVERVIEW: This application proposes to convert this building for first-floor office use and upper-floor residential use. It proposes to demolish the rear ell and extend the rear of the building to cover the entire lot. The rear is visible to the public from a service alley. The front façade of this building was reconstructed with an inappropriate glazed brick without a permit at some point after its designation in 1974. This application proposes to replace the illegal front façade using a more appropriate brick. However, the front door and first-floor windows would not be located in their historic positions; the first floor has been lowered to grade and the windows and door would be located to correspond to it.

DISCUSSION: Mr. Baron presented the application to the Commission. Architect Carolina Peña represented the application.

Mr. Baron stated that this proposal could be deemed a demolition rather than an alteration in the legal sense because so much of the building is proposed for demolition. He suggested that require a restoration of the first-floor, front façade would ensure that this proposal could be considered an alteration instead of a demolition. Mr. Wilds disagreed with Mr. Baron and stated that the proposal would be significant improvement over what exists currently. Mr. Thomas acknowledged that floor heights can be problematic when uses change. He noted that he faced similar problems with his own office. He asked about the proposed use of the first-floor space. He suggested that the two historic windows and a solid door would be appropriate for an office space, but not a retail space. Mr. Baron stated that the first floor would be used as office space. Mr. Thomas suggested that the proposed design should be improved; its proportions are not appropriate. Mr. Wilds asserted that the second and third floors and the dormer were acceptable, but he suggested a taller door and transom that would allow the arch to remain in place.

ACTION: Mr. Wilds moved to deny the proposed first-floor front façade on 10th Street, but approve all other aspects of the application. Ms. Schaaf seconded the motion, which passed unanimously.

200 MARKET STREET

Owner: Andrew M. Ullman & Sandra Schwalb, Trustees

Applicant: Richard Thom, architect

History: c.1860, floor removed mid twentieth century, stuccoed. c. 2003

Non-contributing to the Old City Historic District, 12/12/2003

Project: In concept - reface one-story building, add 2nd-floor and roof deck

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend an approval in-concept of the addition of a second story with deck

OVERVIEW: The building in question is classified as non-contributing to the Old City Historic District. The application to convert this building from a diner to a full-service restaurant proposes adding a second floor and facing the building with wood siding. The addition would cantilever beyond the first-floor and over the sidewalk. The second-floor addition would include a roof deck with plantings. The design is not compatible with the district in materials, rhythm, or massing. The wood siding and the horizontal windows in particular are incompatible with the surrounding district.

DISCUSSION: Mr. Baron presented the application to the Commission. Architect Richard Thom represented the application.

Mr. Schaaf admired the inclusion of the clock, saying that it evoked the diner that recently occupied the space. Mr. Thom stated that the clock was an allusion to the clock at Chelsea Market in New York City.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve in-concept the addition of a second story with deck. Mr. Thomas seconded the motion, which passed unanimously.

332-334 SOUTH 4TH STREET

Owner: Charles and Margo Todd

Applicant: Paul Thompson, AIA

History: 1811, altered c. 1880, rehabilitated 1960 individually designated, 4/30/1957; contributing to Society Hill Historic District, 3/10/1999

Project: Legalize exterior alterations and install solar panels

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

OVERVIEW: This application proposes to legalize a series of alterations to the rear ell and to install windows, doors, and solar panels on the roof.

In July 2008, the Department of Licenses & Inspections issued violations and a stop work order for major work without permits or approvals.

There is little documentation regarding the condition of the two-story portion of the rear ell prior to the alterations. According to historic atlases, the two-story and part of the three-story rear ell were added between 1860 and 1875. Based on photographs taken by the applicant in May 2008, the first story had two large openings supported by timber lintels and a six-over-six, double-hung window and the second story had two six-over-six, double-hung windows. Without a permit, the applicant demolished the facade of this section, rebuilt it using some original brick, recreated the large openings on the first story, but added two larger window openings on the second story. The applicant proposes to legalize these alterations and install two sets of French doors in the openings on the first story and two sets of paired double-hung windows at the second story.

In the rear elevation, the applicant proposes to infill two existing openings on the first and third stories and cut two window openings on the third story.

The applicant proposes to install six-over-six, true-divided-light, double-hung windows throughout the remainder of the building. Window shop drawings for the first, second, and third stories alterations were reviewed and approved by the staff in June 2008 prior to the illegal alterations. In addition, this application proposes to install a dormer window and front door; however no shop drawings have been submitted for review.

This application proposes to install a Timberline Weathered Wood shingle roof and legalize the installation of a wooden gate along 4th Street.

This application proposes to install solar panels on the rear roof of the main block and solar panels, a condenser, and a skylight on the roof of the rear ell. The rear roof of the main block is visible from Green's Court and a public greenway walk. The roofs of the rear ell have a very low pitch. A mockup should be installed to determine visibility from Green's Court and the greenway walk.

This application also proposes to legalize the installation of stucco on the side wall of the rear ell. Since the Architectural Committee meeting, the staff conducted a site visit to examine the method of stucco installation. The building had an existing layer of stucco. The applicant nailed a wire mesh subsurface over the existing stucco, driving the nails into the original brick to anchor the mesh. The applicant then applied another layer of smooth stucco over the mesh. The new layer of mesh and stucco added one inch to the original surface causing the original

lintels, sills, and shutter dogs to recede further into the stucco. To remove the nails, mesh, and stucco may cause additional damage to the brick.

DISCUSSION: Mr. Danta presented the application to the Commission. Architect Paul Thompson represented the application.

Mr. Thompson explained to the Commission that he was not involved in the illegal work that was undertaken without building permits. He displayed computer renderings depicting the solar panels. He claimed that the renderings proved that the equipment would not be visible from S. 4th Street, but would be minimally visible from the walkway and Lawrence Court. Mr. Baron stated that the staff supported alternative energy equipment generally, but noted that there may be shortcomings with some of the locations proposed. He asserted that the walkway is a public right-of-way and views from it are important. Mr. Baron opined that the equipment could be appropriately installed on the rear ell, suggested a mock up to demonstrate whether the placements are appropriate. He suggested that the Commission carefully consider the proposed locations. Mr. Thompson explained that the locations must not be determined using visibility as the only criteria. He stated that shading and other factors must be factored into the location decisions. He explained that the pitches of the photovoltaic and water heating devices are important. He offered to locate the devices on the rear pitch of the main block to allow the roof to be seen and understood. He also noted that the devices come in standardized sizes.

Mr. Sherman asserted that the Commission must provide solutions that preserve historic resources but also allow properties to be adapted to twenty-first-century realities such as changing energy needs.

The discussion turned to the illegal stucco and the rear ell reconstruction. Mr. Thompson explained that the rear ell had been covered with ivy. When it was removed, the damaged and deteriorated stucco beneath was revealed. He stated that the building was suffering from water infiltration, which had caused severe damage. The new, thin layer of stucco was installed on mesh. Mr. Thompson acknowledged that the work done by the owners had been illegally. The façade of the two-story section had been demolished and rebuilt with larger window openings at the second floor because the wood lintels at the first floor were deteriorated. Mr. Todd, the owner, conceded that he had no excuse for the illegal work. He stated that he used poor judgment when he had his contractors proceed without permits.

Mr. Danta reported that, during a site visit by the staff, Rebecca Sell had found that the mesh had been nailed into the old brick. He contended that removing the stucco and mesh may do more damage to the building than leaving it in place. Mr. Danta reported that the added layer of stuccoing makes the windows appear recessed. Mr. Wilds asked if it would be possible to leave the stucco and move the windows out toward the plane of the facade. Mr. Danta stated that that would be difficult and expensive.

Ms. Merriman stated she could not support legalizing this significant amount of illegal work which includes stucco, demolition, construction, new windows, doors, and openings.

Steven Weixler of the Society Hill Civic Association encouraged the incorporation of green technology into historic buildings. He noted that this is a high-trafficked tourist area and asserted that the equipment should be inconspicuous. He urged denial of the equipment as proposed, but was ambivalent about the illegal stucco because removing it may cause more damage. He also opposed the second-floor paired windows, but approved of the window and door changes at the ground level.

Mr. Thomas encouraged the architect and owner to work with the staff to develop better solutions for the alternative energy equipment. Mr. Wilds also encouraged the applicants.

ACTION: Mr. Thomas moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standard 9. Ms. Leonard seconded the motion, which passed unanimously.

1933-1935 SPRUCE STREET

Owner: George Karivalis

Applicant: John Ciccone

History: c. 1875, contributing to Rittenhouse Fittler Historic District, 2/8/1995

Project: Renovate storefront

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the application, provided the awnings are narrowed to span only the width of each window opening on the west elevation, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to renovate an existing storefront using historic openings and cues from a historic photograph from 1950. On the façade, the applicant proposes to remove the faux shingled pent to expose a band of historic transoms. On the west side elevation, the applicant proposes to reopen historic window and door openings and install accordion café windows with transoms and two wood paneled doors. The applicant also proposes to install a wood cornice, gilded flat wood signage, and roll-up awnings based on the historic condition shown in the 1950 photograph.

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

The Commission members agreed that the Architectural Committee's recommendation provided an appropriate solution to the business owner's needs.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, provided that each awning on the west elevation is narrowed to span the width of the window opening only, with the staff to review details, pursuant to Standard 9. Mr. Schaaf seconded the motion, which passed unanimously.

107 COTTON STREET

Owner: 526 South Third Street, LLC

Applicant: Glen Falso

History: designated within the Manayunk National Historic District 12/14/1983; vacant lot

Project: Construct four-story building

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the cladding is four-inch true brick, a corbelled brick is used in place of the proposed cornice, and the watertable line is continued throughout the base, with the staff to review details, pursuant to Manayunk Ordinance Section PM-704.2.7.

OVERVIEW: This application proposes to construct a four-story commercial building in a vacant lot. The first three stories would be constructed of brick with brick pilasters, soldier-course brick

lintels and sills, a cornice, and six-light aluminum windows in a modern style reminiscent of a historic factory building. The fourth story would be set back eight feet from the façade and five feet from the Station Street elevation. It would be clad with an aluminum panel system and have six-light aluminum windows and double door to provide access to a roof deck.

A similar application was proposed in-concept by a different architect to the Commission in March 2008. The proposed commercial building was designed as a full four-story brick building with cornice. The Commission approved the application in-concept, noting that the height of the building was consistent with other commercial buildings in the area. However, the neighborhood opposed the construction of a four-story building and preferred a three-story building. To accommodate the interests of the neighborhood and the owner's program, this applicant has presented a redesigned version of the building with a setback and change in material at the fourth-story level to give the illusion of a three-story industrial building with a modern rooftop addition.

DISCUSSION: Mr. Baron presented the application to the Commission. Attorney Ron Patterson and developer Glen Falso represented the application.

Mr. Baron informed the Commission that the Architectural Committee deemed the proposed cornice too classical and historical and therefore inappropriate for a commercial building. Mr. Baron stated that he disagreed with the Committee and asserted that the proposed cornice was, in fact, more appropriate than the corbelled brick suggested by the Committee. He stated that corbelling brick off a façade that is only 4-inches thick would not be wise. Mr. Amburn informed the Commission that the Committee objected to the white denticulated cornice, which would be more appropriate to a residential building than an industrial building. He noted that the Commission had suggested that the building have an industrial appearance during the in concept review.

Ms. Merriman asked if the applicants if they had revised the design based on the Committee's recommendations. Messrs. Patterson and Falso stated that the design had been revised to accord with all of the Committee's recommendations.

Mr. Schaaf questioned asked why the developer needed three separate entrances on the relatively small facade. Mr. Falso explained that one entrance provides access to the upper floors. The others provide access to the retail spaces on the first floor. The extra doors allow the retail space to be configured as needed.

ACTION: Mr. Quinn moved to adopt the recommendation of the Architectural Committee and approve the application, provided the cladding is four-inch true brick, a corbelled brick is used in place of the proposed cornice, and the watertable line is continued throughout the base, with the staff to review details, pursuant to Manayunk Ordinance Section PM-704.2.7. Mr. Wilds seconded the motion, which passed unanimously.

4633 HAZEL AVENUE

Owner: Monarch Real Estate

Applicant: Eugene O'Brien

History: 1910-1915, individually designated, 12/2/1976

Project: Legalize pointing and installation of glass block in basement windows

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 6, 7, and 9.

OVERVIEW: This application proposes to legalize the installation of destructive pointing on the west wall and installation of glass block in the basement windows. The correct basement windows should be six-light, wood, true-divided-light windows.

In August 2008, the project manager indicated to the staff that pointing work had begun on the side wall without a permit. Staff approved an application for brick pointing with the caveats that the mortar mix be six parts sand, two to two-and-a-half parts lime, and one part Portland cement with staff to review samples of the mortar cut-out and pointing in the field for final approval.

Upon the site visit to check the samples, staff observed a small sample in the rear with the approved mortar mix. The staff performed a "key test" and determined that the sample was appropriate in texture and consistency, however, the color was too white as the mason used a white bar sand. The staff suggested using a brown sand and install another sample for review.

At the site visit, the staff also observed that the entire side wall up to the second story had been pointed with a very hard mortar applied thickly in the joint causing it to cover the faces of the bricks. Staff conducted a "key test" on the cured mortar and no residue was produced, a typical characteristic of cement. A conversation with the mason on site revealed that he used a high level of cement in the mix. Staff explained to the mason that the hard pointing will not expand and contract at the same rate as the softer historic brick, resulting in spalling.

At the site visit, staff also observed that glass block had been installed within all of the basement openings. To correct a previous window violation, an application to remove illegal vinyl windows and install the correct historic windows in the façade and side elevation up to the middle of the first bay was approved in February 2008. The application omitted a proposal for basement windows. The staff explained to the owner on site that the windows are an illegal condition as they were not approved in the February 2008 application. The owner must replace the glass block with the correct windows or she must apply for legalization.

DISCUSSION: Mr. Danta presented the application to the Commission. Property owner Jonathan Prokup and realtor Casey Lafferty represented the application.

Mr. Wilds asked if there was a way to remove the pointing without causing more harm. Mr. Danta responded that the mortar had been smeared over the face of the brick. He advised that the bad mortar could be cut out, but it might do more harm than good.

Mr. Lafferty stated that his real estate company had attempted to rehabilitate the house responsibly. He stated that they tried to make the house consistent with others on the block. The applicants claimed that an inspector from the Department of the Licenses & Inspections had stated that the mortar mix recommended by the Historic Commission staff was insufficient. They expressed concern about the removal of the mortar, which may result in more damage. Mr. Prokup stated that several neighbors had asked for the name of his mason. Mr. Wilds suggested that the new mortar should be left in place if its removal would cause more damage.

He asked if the pointing had been completed. Mr. Lafferty stated that the first and second floors were completed on the side; the entire rear was completed. He added that the contractor, who had assured him that the proper permits were in place, was fired.

Mr. Sherman asked Mr. Prokup if he was proposing a compromise. Mr. Prokup stated that he was not; he is seeking legalization of the mortar and glass block. Mr. Wilds stated that he could not vote to legalize the glass block visible from the street. He suggested security bars if security is a problem.

ACTION: Mr. Wilds moved to legalize the completed pointing, provided that the remaining pointing is undertaken with an appropriate mortar mixture, and to legalize the windows, provided that appropriate windows are installed in the three window openings closest to the front of the house, with the staff to review details. Mr. Schaaf seconded the motion, which passed unanimously.

2000-2002 DELANCEY PLACE

Owner: PBRG Acquisitions, LP

Applicant: A. Charles Peruto, Jr.

History: c. 1865, individually designated, 1/6/1972; contributing to the Rittenhouse Fittler Historic District, 2/8/1995

Project: Construct rear garages and decks

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

OVERVIEW: This application proposes to construct three rear garages with a "living roof," two balconies at the rear, and one roof deck. The garages and balconies will be constructed in brick with a decorative railing. The application proposes cutting down two rear windows for French doors to access the balconies.

This application also proposes to wash the historic brick with a diluted acid solution and then re-point it. No specifications on the cleaning solution or pointing were submitted. The letter from the contractor mentions installing star bolts and leveling the window lintels, but no details are provided.

The staff suggests that the balconies should be lighter in design without the brick piers; that the French doors and transoms should have fewer divisions to look more like six-over-six windows, and the garage walls should look more like the historic wall that enclosed the rear yard. Please note that the roof of this building is flat and has a gambrel shaped parapet, which is not depicted in the drawings.

DISCUSSION: Ms. Coté presented the application to the Commission. Equitable property owner and potential developer Charles Peruto Jr. represented the application.

MOTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 9 and 10. Mr. Wilds seconded the motion.

Mr. Peruto informed the Commission that his financing option will expire in one week and must have a final answer on the project. He stated that he has revised the plans based on the comments of the staff and Architectural Committee. The revisions include setting the roof deck

back 12 feet to preclude visibility, changing the brick cleaning method, and amending the garage designs. He explained that he is converting the building from apartments to condominiums and must have the garages to make the units salable. Mr. Peruto stated that the roofs on the garages would be green roofs and would function like lawns.

Mr. Baron objected to the proposed balconies or porches on the rear of the building. He stated that this building, which stands on the corner, has a very distinguished rear façade that is highly visible to the public. The Commissioners agreed that the rear of this building has great historical significance. Mr. Peruto agreed to eliminate the proposed rear balconies or porches. Mr. Sherman indicated that this was a good compromise.

WITHDRAWAL OF MOTION: Ms. Merriman and Mr. Wilds withdrew their motion to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 9 and 10.

ACTION: Mr. Wilds moved to approve the application with the revised roof deck and paint removal scheme, provided the rear balconies are deleted from the design. Mr. Schaaf seconded the motion, which passed unanimously.

1216-1220 ARCH STREET

Owner: Young Smith Field Condo Association

Applicant: Mike Ring

History: 1901, Field & Medary, architects; individually designated, 6/13/1990

Project: Install antennas and accessory cabinets

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the antennas are removed when taken out of service, pursuant to Standard 9.

OVERVIEW: This application proposes to remove two cellular antennas and install four cellular antennas and one GPS antenna on the penthouse of the Young, Smyth, & Field Company building. The associated equipment cabinet would be housed within the building and not visible.

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

The Commissioners deemed the application acceptable.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, provided the antennas are removed when taken out of service, pursuant to Standard 9. Ms. Leonard seconded the motion, which passed unanimously.

315 N. BROAD STREET

Owner: JAR Packard Property

Applicant: Mike Ring

History: 1910, Albert Kahn, architect; individually designated, 5/7/1981

Project: Install antennas and accessory cabinets

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the antennas are removed when taken out of service, pursuant to Standard 9.

OVERVIEW: This application proposes to install three cellular antennas and one GPS antenna on the upper penthouse of the Packard Motor Corporation building. The associated equipment cabinet would be housed within the lower penthouse and not visible.

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

The Commissioners deemed the application acceptable.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and approve the application, provided the antennas are removed when taken out of service, pursuant to Standard 9. Mr. Wilds seconded the motion, which passed unanimously.

510 WALNUT STREET

Owner: Gary L. Naughton, Owner

Applicant: Joseph Levine, Applicant

History: Egyptian Revival façade, c. 1839, John Haviland, architect

office tower, 1971, Mitchell/Giurgola Associates, architects

individually designated, 9/25/1962; significant to Society Hill Historic District, 3/10/1999

Project: Restore façade, repair masonry, install concrete stucco

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the application, provided a test sample reviewed by Architectural Committee members and staff confirms that the coating approximates the appearance of the concrete.

OVERVIEW: This application proposes to restore and repair North and partial west facade of the office tower by patching concrete spalls and cracks with a polymer-modified Portland cement, coating the concrete surface with reinforced mesh and a built-up coating, and re-caulking the joints an elastomeric sealant. This application also proposes to repoint joints and pin face stones on the Egyptian Revival façade. The staff has some concerns that the coating will not match the existing concrete in color or texture.

DISCUSSION: Ms. Coté presented the application to the Commission. Architect Kevin Bone represented the application.

MOTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve the application, provided a test sample reviewed by Architectural Committee members and staff confirms that the coating approximates the appearance of the concrete. Ms. Leonard seconded the motion.

Mr. Bone explained that the concrete exterior of this Modern high-rise office building is seriously deteriorated. He stated that he is an expert in concrete preservation and has investigated this building in great detail. He stated that, owing to concerns about the proposed coating system raised by the Architectural Committee and others, he is withdrawing that segment of his application and is now requesting approval of the patching and other maintenance work only. He stated that he will monitor the condition of the exterior over the next five years and will search for alternative repair methods. He cautioned the Commission that this building will require major repairs beyond patching in the near future.

WITHDRAWAL OF MOTION: Mses. Merriman and Leonard withdrew their motion to adopt the recommendation of the Architectural Committee and approve the application, provided a test sample reviewed by Architectural Committee members and staff confirms that the coating approximates the appearance of the concrete.

ACTION: Mr. Thomas moved to approve the patching of the concrete. Mr. Wilds seconded the motion, which passed unanimously.

708 S. WASHINGTON SQUARE

Owner: Nick Blum

Applicant: Maggie Persofsky

History: c. 1819, Designated individually 11/28/1961; 3/10/1999 as contributing to the SHHD

Project: Construct addition, cut garage

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the horizontal grate replacement and approval of the vertical grate removal, provided the marble is patched; denial of the bulletproof glass windows; approval of the planting wall on this property, provided it is brick or marble and no additional dirt will be placed against the building approval of the elevator addition and French door and Juliet balcony; denial of the garage door and window cut, with the staff to review details, pursuant to Standards 6 and 9.

OVERVIEW: The Committee reviewed a similar application last month. Like the previous application, the current application proposes alterations at the front of the building and an addition at the rear.

At the front, it proposes changes at the basement windows and at the planters at the sidewalk. Currently, the basement windows have non-historic horizontal metal grates at grade over window wells and non-historic vertical metal grates in front of the windows. The horizontal grates would be upgraded and the vertical grates would be removed and replaced with "bulletproof glass." The current basement windows are one-over-one double-hung sash. The basement windows in the designation photograph were six-over-six. The Commission did not approve their replacement. This application proposes to construct 8-inch-tall stone planting walls in front of the building and the neighboring building to the west. The wall at the west appears to be on the neighboring property; however, the application provides no indication that the neighbor has approved of the construction.

The application proposes an addition at the rear. The piazza area would be enclosed for an elevator. A second-floor window opening would be enlarged to install a Juliet balcony with French doors and transom. In addition, this application proposes cutting a garage door and cutting down the second floor windows in the rear ell, and adding gate at the side yard. Please note that the designation photograph shows six-over-six windows in the rear ell; the current

photographs show one-over-one windows. The Commission did not approve the window change. However, the applicant is now proposing to install the appropriate windows.

DISCUSSION: Ms. Coté presented the application to the Commission. Attorney Stephen Pollack, property owners Elizabeth and Nick Blum, and architect Newton Smith represented the application.

Mr. Pollock explained that an elderly, disabled parent is moving into the house. The house must be modified to accommodate his special needs. His client would like to install a garage in the first-floor rear to allow for safe access to the building. He explained that the street at the rear is very narrow and congested owing to the Pennsylvania Hospital building to the west. He claimed that it is not safe to load and unload on the street. Parking in the side yard along the ell does not allow the car doors to be opened sufficiently for children and the elderly to enter and exit. A elevator will be installed inside the house.

Mr. Newton stated that he will replace the inappropriate windows with historically appropriate windows. He plans to modify a window opening in the side yard, but it will not be visible to the public. He will add a fence as suggested by the civic association and extend a trellis.

Steven Weixler of the Society Hill Civic Association stated that the Commission should allow historic buildings to be appropriately adapted for contemporary uses. He asked the Commission to approve this application, but did request that a more appropriate door be substituted for the roll-down steel gate.

Mr. Baron asserted that this property was historically two buildings, not one. He claimed that the rear ell had been a separate house, but was connected to the larger house on Washington Square. The Commission rejected this claim.

ACTION: Mr. Wilds moved to approve the application as submitted. Mr. Thomas seconded the motion, which passed unanimously.

ADJOURNMENT

Mr. Wilds moved to adjourn at 4:45 p.m. Ms. Merriman seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

Standard 1: A property will be used as it was historically or given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

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 3: Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

Standard 4: Changes to a property that have acquired historic significance in their own right will be retained and preserved.

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

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

Standard 7: Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damages to historic materials will not be used.

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.

New Additions Guidelines: Recommended: Designing a new addition in a manner that makes clear what is historic and what is new. Not Recommended: Imitating a historic style or period of architecture in a new addition.

Building Site Guidelines: Recommended: Designing new onsite parking, loading docks, or ramps when required by the new use so that they are as unobtrusive as possible and assure the preservation of the historic relationship between the building or buildings and the landscape.