

**THE MINUTES OF THE 544TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**14 DECEMBER 2007
1515 ARCH STREET, ROOM 18029
MICHAEL SKLAROFF, ESQ., CHAIR**

PRESENT

Michael Sklaroff, Esq., Chair
Rosalie Leonard, Office of City Council President
Eileen Evans, License and Inspections Department
Sara Merriman, Commerce Department
Vincent Rivera, AIA
David Schaaf, RA
Joan Schlotterbeck, Department of Public Property
Denise Smyler, Esq.
Thomas Sugrue, Ph.D.
Scott Wilds, Office of Housing & Community Development

Randal Baron, Historic Preservation Planner III
Erin Coté, Historic Preservation Planner II
Jorge Danta, Historic Preservation Planner II
Jonathan Farnham, Acting Historic Preservation Director
Rebecca Sell, Historic Preservation Planner I
Karen Gonski, Administrative Technician
Leonard Reuter, Esq., Assistant City Solicitor, Law Department

ALSO PRESENT

Charles Goodwin
Nicole Galli
Aron Feferkorn
John Gallery, Preservation Alliance
Jack Dundon, Alesker & Dundon Architects
Kenneth Jacobs
Jeff Wyant, Wyant Architects
Neil Sklaroff, Ballard Spahr Andrews & Ingersoll
Brett Feldman, Klehr Harrison Harvey Branzburg & Ellers
Liz Blazeovich, Preservation Alliance
Kafi Lindsay
Gary Vernick
Joe Schiavo
Janet Kalter
Lenore Millhollen, Center City Residents Association

CALL TO ORDER

Mr. Sklaroff, the Chair, recognized the presence of a quorum and called the 544th Stated Meeting of the Philadelphia Historical Commission to order at 9:05 a.m. Commissioners Leonard, Evans, Merriman, Rivera, Schlotterbeck, Schaaf, Smyler, Sugrue, and Wilds joined him.

MINUTES OF THE 543RD STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Upon a motion proffered by Ms. Merriman and seconded by Mr. Schaaf, the Commission unanimously approved the minutes, as corrected, of the 543rd Stated Meeting of the Philadelphia Historical Commission, held 9 November 2007.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 27 NOVEMBER 2007

Vincent Rivera, Chair

315 N. BROAD STREET

Owner: JAR Packard Property LP

Applicant: Michael Gavin

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

Project: Install cellular antennas, add penthouse screen

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details.

OVERVIEW: This application proposes to install 12 antennas behind a proposed 15'x15' antenna screen with a faux stucco finish on the upper penthouse of the Packard Motor Corporation building. The screen would be visible from the public right-of-way. The associated equipment compound would be housed within the lower penthouse.

DISCUSSION: Mr. Danta presented the proposal to the Commission. Mike Gavin represented the application.

Mr. Gavin stated that the antennas would be located behind a screen. He showed a sample of the proposed materials. He stated that the product is transparent to radio frequencies. It is like Styrofoam and would be finished to match the existing penthouse. Mr. Sklaroff asked if the screen was intended to hide the antennas or the transmitter. Mr. Gavin replied that it would screen the antennas only; the other equipment would be located inside the building. Mr. Gavin stated that the screen would be fabricated from a stealth material that could be produced in any color with any shapes. Mr. Sklaroff asked why the staff had recommended denial. Mr. Farnham answered that the staff had recommended denial owing to a discrepancy between the architectural plans and the photomontages. The plans showed an unarticulated shed; the photomontages showed cornices and other details. Mr. Gavin stated that the photomontage was correct. The stealth material will be produced to replicate the color and detail of the existing penthouse. Mr. Schaaf questioned why the shed would be given architectural expression. Mr. Baron stated that proposed design of the shed was simple and compatible with the existing penthouse.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details. Mr. Rivera seconded the motion, which passed unanimously.

1215 SPRUCE STREET

Owner/Applicant: Aron Feferkorn, 1215 Associates L.P.

History: c. 1830, individually designated

Project: Legalize stuccoing of chimney and modified door

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend legalizing the chimney and rear door, provided that, if rebuilt in the future, the chimney is rebuilt in brick.

OVERVIEW: The Commission reviewed and approved a project to renovate this row house as condominiums. The current proposal involves legalizing two aspects of the project that deviate from the Commission's approval. The owner had the rear portion of the main chimney stuccoed without the Commission's approval. He says it was in poor condition. The Commission approved a door with a glazing configuration to match the original window that was cut down to allow access to a deck. The owner installed a single-light transom and a multi-light door at the second-floor rear that does not match the door approved by the Commission.

DISCUSSION: Mr. Baron presented the proposal to the Commission. Aron Feferkorn, the owner, represented the application.

MOTION: Mr. Schaaf and Ms. Leonard moved to adopt the recommendation of the Architectural Committee and legalize the chimney and rear door, provided that, if rebuilt in the future, the chimney is rebuilt in brick.

Ms. Merriman asked the applicant to explain the circumstances that led to the deviations from the Commission's earlier approval. Mr. Feferkorn stated that his contractor deviated from the approved plan without his knowledge. He explained that his contractor installed incorrect windows on the front façade, which have been replaced with the correct windows at great expense. He also noted that the door and chimney are at the rear and are minimally visible. Ms. Merriman asked for more information on the door. Mr. Baron stated that the approved door was intended to look like the six-over-six window that it would replace; instead, the glass in the inappropriate door is divided differently and it has a transom where the original window did not. Mr. Sklaroff reminded the applicant that, as the property owner, he is responsible for any work undertaken by contractors. Mr. Sklaroff asked about the visibility of the rear door and chimney. Mr. Rivera stated that he had visited the site and considers them to be minimally visible. Mr. Sklaroff stated that it would set a negative precedent to approve the stucco on the chimney; it is inappropriate from both aesthetic and structural perspectives. Ms. Merriman and Mr. Sklaroff asked about the current use of the building. Mr. Feferkorn stated that he is converting it to six condominiums. Ms. Merriman asserted that the faulty chimney should not be transferred to the condominium association, but should be repaired. Mr. Wilds suggested that repairing the chimney would not be too expensive, perhaps \$15,000. Ms. Merriman stated that the applicant always has the option of submitting a financial hardship application.

WITHDRAWAL OF MOTION: Mr. Schaaf and Ms. Leonard withdrew their motion to adopt the recommendation of the Architectural Committee and legalize the chimney and rear door, provided that, if rebuilt in the future, the chimney is rebuilt in brick.

ACTION: Mr. Schaaf moved to legalize the rear door, but deny the legalization of the stuccoing of the chimney. Ms. Leonard seconded the motion, which passed unanimously.

62-66 N. 2ND STREET

Owner: Purana Shahr, LP

Applicant: Craig Slater, SRK Architects, Vincent Rivera, principal

History: 1942; non-contributing to Old City Historic District, 12/12/2003

Project: Construct four-story addition

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the reconstruction of the building in concept, provided the storefront windows are redesigned to include a solid base like historic storefront windows in the area; the sills of the second-floor windows are lowered significantly to have better proportions; the top-floor balconies are eliminated; and the top-floor canopies are limited to the door areas only.

OVERVIEW: This application proposes to construct a four-story addition on a two-story non-contributing building in Old City. A new storefront opening is proposed for the first floor and cutting two windows down for balconies is proposed for the second floor. The façade of the addition would be clad in brick and metal panels, with two bays of balconies with glass and aluminum railings running from the third story to the roof. At the rear façade, a parking elevator is proposed for access to the parking area in the basement. The application initially proposed rehabilitating the historic street paving on Little Boys Way, but that portion of the application was withdrawn at the Architectural Committee meeting.

DISCUSSION: Mr. Danta presented the proposal to the Commission. Attorney Brett Feldman and architect Craig Slater represented the application.

MOTION: Ms. Leonard moved to adopt the recommendation of the Architectural Committee and approve the reconstruction of the building in concept, provided the storefront windows are redesigned to include a solid base like historic storefront windows in the area; the sills of the second-floor windows are lowered significantly to have better proportions; the top-floor balconies are eliminated; and the top-floor canopies are limited to the door areas only. Ms. Smyler seconded the motion.

Mr. Feldman stated that the historic building that stood on this site was lost in a fire many years ago. The remains of that building were reconstructed as a two-story building. The two-story building is classified as non-contributing in the Old City Historic District. Mr. Feldman distributed a revised design that complies with several of the Architectural Committee's recommendations including the raised storefront sills and the lowered second-floor sills. He stated that his client had met with the Old City Civic Association five or six times and has the organization's support. He stated that the architect had not implemented the Committee's suggestions to eliminate and limit the top-floor balconies and canopies.

Mr. Sklaroff asked for a clarification of the level of review for a non-contributing building. Mr. Wilds noted that, if the lot was vacant, then the review would be limited to review-and-comment only; however, in this case, the Commission enjoys full review. Mr. Feldman countered that the Commission should limit its review. Mr. Farnham explained that the Commission was not charged with protecting the building in question, but was charged with protecting the historic district. Therefore, he suggested that the Commission limit its review to assessing the impact the proposed construction would have on the district.

Mr. Wilds stated that the floor heights in the proposed building were not related to the floor heights in the neighboring historic buildings. He also contended that the balconies and canopies would be jarring because they would have no relation to the surrounding historic buildings. Mr. Feldman noted that they are retaining the existing two-story structure and building on top of it.

Mr. Wilds suggested that they not retain the existing building because it is not historic. He suggested constructing an entirely new, coherent building, not creating a hybrid. Mr. Feldman replied that his design team has been “extolled” for retaining the existing building.

Mr. Sklaroff asked the applicants if they would seek any zoning variances. Mr. Feldman stated that they would, for height. Mr. Sklaroff noted that they probably needed the neighborhood’s support owing to the variance. Mr. Feldman contended that they are proposing high quality materials. Mr. Sklaroff acknowledged the letter of support from the Old City Civic Association.

John Gallery of the Preservation Alliance reminded the Commission that the application was converted to an application in concept by the applicants at the Committee meeting. He stated that he supports the concept, but not the details. He contended that the projecting balconies are inconsistent with the district. He claimed that pedestrians only see the undersides of the concrete pads. He remarked that the balconies on the National West, which is one block to the north, are a “disaster.” He concluded that balconies are nothing more than display shelves for “old furniture and dead plants.” Mr. Schaaf asserted that the balconies are reminiscent of the fire escapes in the district. Mr. Sklaroff disagreed. Mr. Gallery stated that the canopies are also not compatible with the district. He questioned the use of metal panels at the second floor and asked why they do not align with the upper bays. He also rejected the proposed glass and metal storefront. Mr. Sklaroff asked the applicants which party desired the balconies and canopies, the developer or community. Mr. Feldman answered that both parties advocated for the balconies and canopies.

Mr. Sklaroff suggested that the Commission discuss the extent of the concept under review. He posited that the Commission accepted the proposed height and massing. Mr. Feldman requested an approval in concept that includes the exact height and massing proposed and the balconies at all but the top floor. He offered to postpone the discussion of the top balconies and canopies until the final review.

Ms. Merriman suggested that the architect entirely redesign the project without the retention of the non-historic, two-story building. Mr. Feldman responded that his client has already expended considerable money preparing a design that is acceptable to the community. Mr. Wilds stated that, in the best of all worlds, the architect would start from scratch and design an entirely new building. However, the Commission must accept the existing pre-designation conditions. He stated that he could accept the proposed height and massing with the existing building serving as a base, but he could not vote to approve the panels, balconies, or canopies. Mr. Slater asserted that there is value in the existing structure. He also noted that the front façade of the existing building is structural and therefore cannot be easily replaced. Mr. Sugrue agreed with the comments of Mr. Wilds.

WITHDRAWAL OF MOTION: Mses. Leonard and Smyler withdrew their motion to adopt the recommendation of the Architectural Committee and approve the reconstruction of the building in concept, provided the storefront windows are redesigned to include a solid base like historic storefront windows in the area; the sills of the second-floor windows are lowered significantly to have better proportions; the top-floor balconies are eliminated; and the top-floor canopies are limited to the door areas only.

Ms. Leonard stated that she would move to approve the height and massing in concept, but she recommended to the applicants that they eliminate the balconies, canopies, and metal panels. Ms. Smyler suggested that they retain the existing building as proposed, but improve the details.

ACTION: Ms. Leonard moved to approve in concept the massing and height of the proposed building with the retention of the existing front façade. Ms. Smyler seconded the motion, which passed by a vote of 8 to 1. Mr. Sklaroff dissented.

2019 WALLACE STREET

Owner: Michael and Heather Frattone

Applicant: Jeff Wyant, AIA

History: c.1866; individually designated, 07/06/1972; contributing to Spring Garden Historic District, 10/11/2000

Project: Legalize demolition of rear wall, construct deck

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided a more appropriate wood garage door, not a metal roll-down gate, is installed, with the staff to review details.

OVERVIEW: This application proposes the legalization of the removal of a rear deck, the demolition of the rear façade including first and basement level, and the construction of a stucco rear façade with French doors and sunken parking pad. The Department of Licenses & Inspections issued a violation for the illegal work. The rear of this property faces North Street. Across North Street from 2019 Wallace is a loading dock. Houses front onto the north side of North Street from 2031 North to the west. Most of the work would not be visible as it would be blocked by a rear gate and wall at the property line. The proposed deck would be placed at the first floor. The original was at the second floor. The deck would have a metal railing with narrow pickets.

DISCUSSION: Mr. Sklaroff recused owing to his relationship with the owners. Mr. Danta presented the proposal to the Commission. Architect Jeffrey Wyant and property owner Michael Frattone represented the application.

Mr. Wyant stated that his clients agree with the recommendation of the Architectural Committee.

Mr. Schaaf asked if the design of the garage will allow a car door to be opened. Mr. Wyant conceded that the slope is steeper than optimal, but asserted that there will be sufficient room to open all car doors.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and approve the application, provided a more appropriate wood garage door, not a metal roll-down gate, is installed, with the staff to review details. Mr. Wilds seconded the motion, which passed unanimously.

1300 SPRUCE STREET

Owner: Hartford Omega, LLC

Applicant: John Dundon, architect

History: c. 1830

Project: restoration, rooftop addition, rear gate

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

OVERVIEW: This project involves two former c. 1830 houses at the corner of 13th and Spruce Street. They have been internally combined into one structure and used for many years as a language school. The grand marble stair was removed prior to designation. Since designation, the building was fitted with aluminum windows and panning without a permit. The proposal calls for rehabilitating the structure to be used as condominium units with a ground-floor restaurant. The restoration aspect of the design calls for removing the aluminum windows and panning and installing correct wood windows. The infilled opening in the center of the façade would be reopened and fitted with a restored door and new solid block marble stairs.

To accommodate the new restaurant, the applicant proposes to cut down a window on 13th Street to create a door with an internal ramp to reach the level of the first floor. On the rear, the plans call for a garage door to be installed on Cypress Street to cover the loading dock for the restaurant.

The residential space in the building would be increased in size with a glazed addition on top of the roof of the visible rear ell.

Since the plans the Committee reviewed plans last month, the applicant has revised the proposal, deleting the side window and setting the rooftop addition back from the street about 15 feet to greatly reduce its visibility.

DISCUSSION: Mr. Baron presented the proposal to the Commission. Architect Jack Dundon represented the application.

Mr. Wilds asked if the window air conditioners would be removed. Mr. Dundon replied that they will be removed and an integrated HVAC system will be installed.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to Standards 6, 9, and 10 and the Roofs Guideline. Mr. Sugrue seconded the motion, which passed unanimously.

521 S. JUNPIER STREET

Owner/ Applicant: Francis Kilson

History: c. 1835, designated December 1984

Project: Legalize stucco of rear and side facades, construct rear parking area.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the stucco repairs, windows, rear door and light fixture, and revised parking area, provided a solid wood beaded board fence and gate is installed along Rodman Street.

OVERVIEW: This application proposes to repair stucco on the side and rear facades of this corner rowhouse. The designation photograph shows only the watertable parged with stucco; the remainder of the house was exposed brick. The stucco was applied years ago. The Commission files do not contain any information on its approval, thus it is assumed to be illegal. The applicant is currently restoring the front façade, which was also parged. The engineer for the project recommends retaining the stucco on the side and rear elevations rather than removing it owing to the weakened condition of the walls. The application proposes the installation of new windows, a new single-light rear door, and a rear light fixture. The applicant also proposes to construct a parking area in the rear yard. The drawings submitted show fencing on only two sides of the yard. The side along Rodman Street would not be enclosed.

DISCUSSION: Mr. Danta presented the proposal to the Commission. Attorney Kafi Lindsey and property owner Francis Kilsey represented the application.

Mr. Wilds asked if the owner planned to repair the stucco. Ms. Lindsay stated that he would; she noted that the new stucco would have a smooth finish.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve the stucco repairs, windows, rear door and light fixture, and revised parking area, provided a solid wood beaded board fence and gate is installed along Rodman Street. Mr. Schaaf seconded the motion, which passed unanimously.

229-237 ARCH STREET

Owner: Berger Development L.P.

Applicant: Neil Sklaroff, Esq.

History: c. 1913; individually designated January 1977; contributing to Old City Historic District, December 2003.

Project: Demolish non-historic addition; construct ten-story addition (In concept)

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval in concept of the tower addition and the rehabilitation of the historic building including the concept of reopening and cutting window openings at the east and west elevations, pursuant to Standards 9 and 10.

OVERVIEW: The site at 229-237 Arch Street encompasses several historic and non-historic buildings. The entire project site extends from Arch Street, north along Bread Street, to Cherry Street. The site is adjacent to the Betsy Ross House. There are four historic buildings within the site: a five-story industrial building facing Arch Street, a four-story industrial building at the corner of Cherry Street, and a three-story light industrial building on Cherry Street. A modern four-story addition connects the buildings on Cherry with the one on Arch Street. The application proposes to demolish the non-historic addition that dates to 1990. The applicant proposes to construct a ten-story addition in its place. The new construction would be contemporary in style.

The massing of the building is analogous to other new construction projects in the area, including the new building directly across Bread Street. The applicant proposes to build the addition out to the plane of the sidewalk along Bread Street. This would reinstate the street façade along Bread Street, which is currently fractured.

The applicant also proposes several changes to the historic building along Arch Street. The changes include reopening infilled historic windows and opening new windows along the side of the building facing Bread Street. On the west façade, previously a party wall, the applicant proposes to cut new window openings. The restoration of the storefront ground level and some façade elements are also included in the application. The applicant has not submitted any details for any of these changes. The application does not include any changes to the buildings facing Cherry Street.

DISCUSSION: Mr. Sklaroff recused owing to his firm's involvement in the project. Mr. Danta presented the application to the Commission. Developer Robert Downs, architects Cecil Baker and Eric Leighton and attorney Neil Sklaroff represented the application.

Ms. Merriman asked about the reopening and addition of windows on Bread Street. Mr. Baker reported that several windows on the side or Bread Street façade of the historic building had been infilled many years ago. He would like to reopen those windows and also cut some new windows to facilitate the conversion from light manufacturing to residential use. Mr. Wilds asked why the brick on the Bread Street appears to change color at one point. Mr. Baker replied that the rear portion of the building is an addition that was built of a slightly different brick. Mr. Wilds asked Mr. Baker how he felt about demolishing the building that he had designed in the 1990s. Mr. Baker replied that he supported the demolition because the new building would be better designed; the extant building suffered from a series of unfortunate design compromises. Mr. Schaaf asked if the party wall facing the Betsy Ross House would be altered. Mr. Baker stated that he planned to regularize it, lighten its color, and add windows.

Ms. Merriman asked about the community response to the proposed height. Mr. Baker stated that the project has many positive aspects that offset the additional height. He is maintaining the open space, restoring the historic building, and returning the buildings on Cherry Street to single-family use. He noted that he will stay within the allowable FAR. Mr. Sugrue asked about the height of the proposed addition. Mr. Leighton stated that it would be 120 feet tall. Ms. Merriman asked again about the community's involvement. Mr. Baker replied he met briefly with John Gallery, who had opposed the plan. Mr. Wilds asked the architects to explain the impact of the addition on Arch Street. Mr. Baker provided renderings showing the proposed addition with the surroundings. They showed that the building would be minimally visible from Arch Street. Mr. Wilds asked if the renderings are accurate; Mr. Baker stated that they are very accurate. Neil Sklaroff directed the Commission to a report by George Thomas, a preservation consultant, which concludes that the proposed addition is compatible with the surrounding neighborhood. Mr. Wilds noted that applicants are not proposing to build on the historic building. He stated that he accepts the tall addition because it alleviates any need to build on top of the historic building.

Mr. Schaaf asked if the garden would be open to the public. Mr. Downs stated that that decision has not yet been made.

Joe Schiavo, who appeared as a resident of Old City, not a representative of the Old City Civic Association, stated that the developer had presented the project to him twice, once formally and once informally. He appreciated the discussion of the height. He noted that there are other buildings in the area that exceed the height limit; some predate the height limit and others were

approved despite the limit. He noted that, although the chairman of the Zoning Board of Adjustment claims that no zoning approval ever sets a precedent, the taller buildings are always cited as precedents before the Historical Commission. He asserted that the 65-foot height limit was instated to protect the character of Old City. He reported that 94% of the buildings in Old City are three to five stories tall. He claimed that a very small percentage is taller. He claimed that the addition would “loom” over the Betsy Ross House. He asked the Commission to take height into consideration. He commented that the Zoning Board will base its decision on the Commission’s decision on the height. Ms. Leonard asked Mr. Schiavo what he would consider a reasonable height. Mr. Schiavo stated that would consider eight stories or 85 feet to be appropriate. He noted that this site is appropriate for a building of that height because it is in the middle of a block, not on a main street. Mr. Wilds asked Mr. Schiavo to clarify his understanding of the location of the proposed tower. Mr. Schiavo stated that it would be to the north of the historic house, not beside it.

John Gallery of the Preservation Alliance noted that this is an application in concept. He asserted that the applicant is requesting the approval of four concepts. First, the applicant is requesting that the Commission approve of the concept of a glass building. Mr. Gallery advocated for the rejection of this concept, which he claimed is not compatible in materials or scale with the surrounding district. He stated that it is an office building with curtain walls. He concluded that it is “dramatically inconsistent” with the district. He stated that the second concept is the idea of articulating the building to coincide with the rhythm on Bread Street. He stated that this was a fine idea, but one that would be lost if executed in glass instead of masonry. Mr. Wilds asked him if he was suggesting that the base of the tower should be more compatible with its surroundings. Mr. Gallery answered in the affirmative, stating that the height would be less significant if the base was appropriate. Mr. Gallery claimed that the staff contends that all new construction must be in a contemporary style. He countered that there is no longer one cohesive contemporary style. He remarked that Robert Stern, a prominent architect, has built in many styles in Philadelphia recently. He referred to his designs for the Comcast Building, 10 Rittenhouse, and McNeil Center and contended that none can be considered the one contemporary style. Mr. Wilds asked Mr. Baker if he would deem an approval in concept an approval of the glass. Mr. Baker advocated for the glass. He stated that the site is “cocooned by history.” He asserted that the sense of history is so strong in the area that a glass building will not detract from the district. He agreed that the building is clearly contemporary, of the twenty-first century. He rejected Mr. Gallery’s claim that it would be an “office building,” and asserted that it would be an “elegant, residential building.” Mr. Wilds asked Mr. Baker if he considered his proposed building to be compatible with the historic district. Mr. Baker stated that he did. Mr. Gallery remarked that Mr. Baker is very capable of designing buildings that are compatible with their historic surroundings. He asserted that the proposed building is not compatible and should be revised. Mr. Gallery suggested that Mr. Baker design a brick veneer for the former party wall at the west. Several Commissioners observed that pasting a veneer on this wall would, in fact, violate preservation principles.

Mr. Gallery declared that the Commission has an obligation to consider the 65-foot height limit. He asked rhetorically if violating the 65-foot height limit would provide a preservation benefit and answered that it would not. He asserted that the Commission must acknowledge the height limit and provide preservation reasons for approving a breach of it. Neil Sklaroff disagreed with Mr. Gallery. He contended that the Commission could, of course, consider height when determining whether the proposed building is appropriate for the district. However, he cautioned the Commission against employing 65 feet as an absolute standard; he asserted that that judgment should be made in the zoning forum. He also asked the Commission to discount any claims

about the intent of the height limit based on an interpretation of the purpose section of the zoning ordinance, which is non-binding.

Mr. Wilds opined that the new construction would be very reminiscent of the industrial buildings in the area. He asserted that the proposed addition would be compatible with the district. Mr. Sugrue agreed that the proposed development would be compatible, but not in a "strict constructionist way." It would fit into the existing streetscape. Ms. Merriman encouraged the applicant to revise the design of the first floor of the addition; she claimed that the setback and arcade might pose a safety and security hazard. Mr. Wilds agreed and also noted that the masonry at the first floor is awkward. Mr. Schaaf stated that he liked the design very much. He stated that the building will never be experienced as it is seen in the elevation drawings. Instead, it will be experienced as a series of glimpses and views. He stated that the proposed design was "beautifully composed." He suggested that a shadow line be added to the addition at the cornice level of the historic building.

Ms. Smyler commended the proposal. She rejected Mr. Gallery's claim that the Commission must adhere strictly to the 65-foot height limit. She noted that Mr. Schiavo stated that he would accept 85 feet.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve in concept the tower addition and the rehabilitation of the historic building including the concept of reopening and cutting window openings at the east and west elevations, pursuant to Standards 9 and 10. Ms. Merriman seconded the motion, which passed by a vote of 5 to 3. Mses. Schlotterbeck, Evans and Leonard dissented. Mr. Sklaroff recused.

1837-55 N. BROAD STREET

Owner: Temple University

Applicant: Tom McCreesh

History: c. 1899, designed by Thomas Preston Lonsdale; designated February 1984

Project: Alter facades for ADA accessibility

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the VRC lift, roll down gate, restoration of the front façade and installation of the louvers on the south elevation, provided these area set behind unglazed window grills that match the muntin configuration of the original windows and approval of cutting down the steps and lowering the door on the north elevation, provided a solid undivided panel is installed rather than the proposed glazed transom, with the staff to review details.

OVERVIEW: This application proposes alterations to the exterior of the Baptist Temple. On the front façade, the applicant proposes to remove handrails, an illuminated sign, and a cross. The handrails would be reinstalled after the rehabilitation work is completed. On the south elevation, the applicant proposes to demolish a stair and install a VRC lift and also cut a window opening to accommodate a roll down door. On the north elevation the applicant proposes to remove historic steps and cut down a door for ADA accessibility and install metal louvers in two basement windows. Along the rear of the building the applicant proposes to remove handrails and infill a door with new stone veneer to match the surrounding limestone.

DISCUSSION: Mr. Sklaroff abstained, but did not recuse. Mr. Danta presented the application to the Commission. No one represented the application.

Mr. Wilds asked for clarification on the Committee's recommendation of a solid panel instead of a glazed transom over the lowered door. Mr. Danta displayed a photograph showing the door and surrounding building. He explained that the Committee considered the solidity and massiveness of the corner to be its primary attribute. It therefore determined that a solid panel, which would preserve the massiveness, not a glazed transom, which would undermine the massiveness, would be more appropriate.

ACTION: Mr. Sugrue moved to adopt the recommendation of the Architectural Committee and approve the VRC lift, roll down gate, restoration of the front façade, and installation of the louvers on the south elevation, provided these area set behind unglazed window grills that match the muntin configuration of the original windows; and the cutting down the steps and lowering the door on the north elevation, provided a solid undivided panel is installed rather than the proposed glazed transom, with the staff to review details. Ms. Merriman seconded the motion, which passed by a vote of 7 to 0. Mr. Sklaroff abstained.

116 S. 20TH STREET

Owner: Jose Garces

Applicant: Julio Sanchez

History: c. 1860, contributing to the Rittenhouse-Fitler Historic District, February 1995

Project: Alter storefront and façade.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the café windows, sign, menu box, and railing, with the staff to review details, but denial of the copper cladding on the storefront surround, pursuant to Standards 4, 5, and 6.

OVERVIEW: This application proposes to alter the storefront at 116 S. 20th to match the alterations recently approved by the Commission for 114 S. 20th Street. The restaurant is expanding into the building at 116 S. 20th Street and the owner would like to have both facades match. The applicant proposes to install café windows and clad the existing wood storefront surround with copper to match the next door property. However, no details were provided and the drawings submitted do not portray the storefront accurately. The storefront at 114 S. 20th was originally copper, not wood. The storefront at 116 S. 20th Street was originally and still is wood, not copper. The storefront would have a simple picket railing. A menu box and metal sign are proposed for the front door. The sign would be attached to the inside jambs of the door surround. The front doors would also be replaced with glazed double-leaf wood doors. The basement windows are currently infilled; the applicant proposes to install windows like those at 114 S. 20th Street.

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

Mr. Wilds asked if the Commission had approved the installation of the café windows in the neighboring storefront at 114 S. 20th Street. Mr. Danta stated that it did. Mr. Wilds stated that he valued the retention of the historic storefront window. Mr. Sklaroff noted that there was value in allowing the restaurant to expand as well. Other Commissioners remarked that the window change would be completely reversible. Mr. Baron reminded the Commission that this storefront had always been wood; the neighboring storefront at 114 had historically been copper.

ACTION: Ms. Merriman moved to adopt the recommendation of the Architectural Committee and approve the café windows, sign, menu box, and railing, with the staff to

review details, but deny the copper cladding on the storefront surround, pursuant to Standards 4, 5, and 6. Mr. Schaaf seconded the motion, which passed by a vote of 8 to 1. Mr. Wilds dissented.

1714 SPRUCE STREET

Owner: Paul A. Monaghan

Applicant: Paul A. Monaghan

History: c. 1855; Contributing to the Rittenhouse Fidler Historic District, 8 February 1995

Project: Replace rear swing gate with metal roll-up gate.

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

OVERVIEW: This application proposes to install a metal roll-up gate at the rear of the property that fronts the 1700-block of Delancey Place. This block of Delancey is not a service alley. The buildings at 1704 to 1732 Delancey Place face this street.

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

The Commission determined that the recommendation of the Architectural Committee was appropriate.

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

2002 AND 2004 SHUNK STREET

Owner: John M. Gallante Jr. (2002) and Jason Capone (2004)

Applicant: John M. Gallante Jr. and Jason Capone

History: 1914; Contributing to the Girard Estate Historic District, 11 November 1999

Project: Install metal gate

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial because of the historically inappropriate style of the gate, but approval of a simplified design, pursuant to Standard 9

OVERVIEW: This application proposes the installation of a metal gate at the paved side yards separating the houses at 2002 and 2004 Shunk Street. The owners would like to install it for added safety and security. Historically, this opening would not have been gated. The gate would be set back behind the porches and downspouts of the houses. The original design of the gate was highly ornate with decorative leaf and vine panels. Since the Architectural Committee meeting, the applicants have submitted a much simpler, revised design.

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

Mr. Sklaroff asked Ms. Sell if the applicants had revised the plans to comply with the Architectural Committee's recommendation. She stated that they had. Mr. Wilds asked if the gate would be set back behind the porch. Ms. Sell stated that it would be set back behind the downspouts.

ACTION: Mr. Wilds moved to approve the application with the revised plans showing a simplified gate design. Mr. Schaaf seconded the motion, which passed unanimously.

2127 PINE STREET

Owner: Charles P. Goodwin & Nicole D. Galli

Applicant: Charles P. Goodwin & Nicole D. Galli

History: c. 1870; Contributing to the Rittenhouse Fidler Historic District, 8 February 1995

Project: Legalize painting of masonry.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 5 and 9 and the Masonry Preservation Guidelines.

Masonry Preservation Guideline: Not recommended: Applying paint or other coatings such as stucco to masonry that has been historically unpainted or uncoated; Not recommended: Changing the type of paint or coating or its color; Not recommended: Using new paint colors that are inappropriate to the historic building and district; Recommended: Cleaning masonry surfaces with the gentlest possible method, such as low pressure water and detergents.

OVERVIEW: This application proposes to legalize the painting of masonry lintels, sills, and watertable. In October 2007, the owners painted them purple without the Commission's review or approval. They had been painted previously, but were not painted historically.

DISCUSSION: Ms. Sell presented the legalization application to the Commission. Property owners Charles Goodwin and Nicole Galli represented the application.

MOTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and deny the legalization, pursuant to Standards 5 and 9 and the Masonry Preservation Guidelines. Ms. Leonard seconded the motion.

Mr. Goodwin immediately offered what he called "a lawyer's point" to ensure that he was on the record to reserve his right to contest the Commission's jurisdiction on appeal. He claimed that the historic preservation statute cannot be properly construed to include such "de minimus variations" in exterior appearance as painting. Mr. Wilds disagreed with Mr. Goodwin and stated that the ordinance clearly gives the Commission the authority to regulate the exterior appearances of designated buildings. Mr. Goodwin responded that the phrase "appearance" cannot be construed literally. He suggested that, for instance, if graffiti were placed on his building, he would not need the Commission's approval to remove the graffiti. Mr. Wilds disagreed and stated that he would certainly need the Commission's approval to remove it; the Commission would review the removal to ensure that the historic masonry was protected. Mr. Sklaroff added that, if you did not remove the graffiti, the Department of Licenses & Inspections and the Commission might require you to remove it. Mr. Goodwin replied that Mr. Sklaroff's example "accounted for extra statutory factors." Mr. Sklaroff disagreed and stated that protecting historic fabric is at the very core of the Commission's mission. Mr. Wilds added that the building in question is designated and is subject to the Commission's jurisdiction. Mr. Sklaroff suggested that Mr. Goodwin focus on the merits of the case.

Mr. Goodwin stated that he had consulted the Commission's web site before painting the façade. He noted that, in the past, he had obtained the proper approvals from the Commission for other work to his property. Mr. Goodwin objected to the Center City Residents Association program to install window boxes on houses in the Rittenhouse-Fidler area as a flagrant violation of the City's historic preservation ordinance. He has removed the window boxes from his house

and noted that there was no record of the Commission's approval of them in the Commission's file on his property. He noted that the website specifically states that the Commission's approval is required for window boxes. Mr. Wilds explained that the Commission reviews window box applications because the attachments of the boxes can damage historic facades. Mr. Sklaroff noted the Center City Residents Association is not a City agency; property owners are responsible for their properties, even if a third party like the Center City Residents Association installs window boxes. Mr. Sugrue stated that the applicant's objections are merely "red herrings."

Mr. Sugrue and Mr. Wilds stated that the Commission has chosen not to regulate the painting of window trim, but it does not typically allow the painting of masonry, including watertables and lintels. Mr. Goodwin read from the website and then asserted that the sills, lintels, or watertable are trim. Mr. Wilds disagreed and noted that the Commission does not consider the masonry lintels, sills, and watertable as trim. He stated that he knows of no other applicant that has ever asserted that the lintels, sills, or watertable was trim. Mr. Sklaroff asked Mr. Wilds to enumerate those parts of the house that he considered trim. Mr. Wilds replied that he considers the window sash, frames, and brick mold to be trim, but not the masonry elements. Mr. Goodwin asked if the distinction was based on material. Mr. Wilds answered that it was. Mr. Goodwin asked if he could have painted the lintels and sills if they had been made of wood. Mr. Wilds answered in the affirmative. He stated that he considers trim to be all of the elements that are "painted as a matter of course."

Mr. Sklaroff turned to Mr. Reuter for clarification. Mr. Reuter stated that the painting in question is illegal irrespective of the Commission's policy on the painting of trim. He stated that the Commission has jurisdiction over all alterations to exterior appearance. The Commission can authorize its staff to review the painting of wood trim, but it cannot waive its right to review such applications. Mr. Sklaroff asked the staff to express its understanding of the matter. Mr. Farnham stated that, in practice, the Commission has not required property owners to seek approval for the painting of wood and metal trim. However, the Commission has always required reviews for and has not typically approved the painting of masonry elements. Ms. Evans stated that she does not believe that trim can be defined by its material. Mr. Sklaroff stated that it would be unreasonable to require property owners to seek the Commission's approval to repaint wood trim in the same color. Mr. Wilds suggested that painting, most importantly, raises preservation questions. Wood and metal require regular painting for long-term preservation. Masonry should not be painted; paint can harm masonry. For preservation purposes, the Commission has denied applications to paint masonry. Mr. Sklaroff asked the staff if it considers doors as trim. Mr. Farnham stated that the practice has been to consider doors as trim. Mr. Wilds noted that the Commission has made distinctions between doors that were historically painted and those that were stained. The applicants clarified that the door surround is wood, not masonry.

Ms. Galli explained that she and her husband have sought the Commission's approval every other time they have altered their property, including the replacement of windows and the installation of a light fixture. She stated they have made a good faith effort to cooperate with the Commission and are restoring the property appropriately. Ms. Galli claimed that the Commission's website states that the Commission does not review the painting of trim. She stated that the Commission's discussion of the meaning of the term "trim" during this review indicates that the term is open to interpretation.

Mr. Wilds asked if the lintels and sills were already painted before they recently painted them. Ms. Galli stated that they were already painted before she and her husband had them painted

purple. Ms. Galli stated that she would have preferred to remove the paint, but that was not possible; therefore, they repainted them. She noted that masonry details on nearby rowhouses had been painted recently. She provided a list of the addresses in her application. Ms. Merriman asked if the Commission had approved or requested violations on any of the properties. Ms. Sell responded that most of the properties had been painted prior to designation, but some may have violations. Mr. Wilds suggested that the Commission legalize the painting owing to the conflicting information on the website and the fact that some of the masonry features were painted prior to the recent coat of purple paint. Mr. Sugrue agreed.

John Gallery of the Preservation Alliance stated that the paint colors are so inappropriate for the building that the painting should be considered a demolition. He reported that he had visited the site and was very concerned. He urged the Commission not to legalize the painting.

Mr. Sugrue stated that the painting of wood trim is easily reversible; the painting of masonry is not. He was shocked by the purple paint. Mr. Gallery suggested that the paint colors were out of character for the district. Ms. Smyler agreed with Mr. Gallery. Lenore Millhollen of the Center City Residents Association agreed with Mr. Gallery. She stated that the community was adamantly opposed to the paint colors. She called the paint a "horror." Mr. Goodwin stated there were several layers of paint on the masonry including bright yellow, green, and a plum color.

Mr. Reuter stated that it was within the discretion of the Commission to legalize the painting if it determines that the website is confusing or inaccurate. He suggested that the text in question on the website be revised. He noted however that the Commission has full jurisdiction over exterior alterations including painting and has the authority to deny this request. Mr. Sklaroff observed that, if the Commission's ordinance is ambiguous, then the Commission must find in favor of the property owner. Ms. Merriman stated that she planned to vote to deny any legalization. Mr. Sklaroff noted that there is agreement that the choice of color is inconsistent with the values of the historic district. Mr. Galli stated for the record that she has received comments in favor of the color. She disputed Mr. Gallery's claim that no other buildings in the district are painted in this manner. Mr. Goodwin stated for the record that he knows of five properties on 2100 block of Pine with significantly different paint on the sills, lintels, and watertables than is depicted in the designation photographs.

FAILED MOTION: By a vote of 2 to 7, the Commission rejected Mr. Wilds and Ms. Leonard's motion to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 5 and 9 and the Masonry Preservation Guidelines. Mses. Leonard, Schlotterbeck, and Evans and Messrs. Sklaroff, Schaaf, Sugrue, and Wilds dissented.

ACTION: Mr. Wilds moved to legalize the repainting of the exterior elements including the masonry. Mr. Schaaf seconded the motion, which passed by a vote of 7 to 2. Mses. Smyler and Merriman dissented.

215-217 VINE STREET

Owner: Gary and Kim Vernick

Applicant: Elaine DelDuca

History: c. 1820; individually designated 12/31/1984; Contributing to Old City Historic District, 12/12/2003

Project: Construct single family dwelling

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

OVERVIEW: This application proposes the construction of a four-story, single-family dwelling at the corner of N. American and Vine Streets. The Board of Revision of Taxes address at the time of designation was 215–217 Vine Street. The section of the parcel at 215 Vine Street, where the construction is proposed, is currently used as a parking lot. The section at 217 is occupied by a three-and-a-half-story building constructed about 1820. The new building would not connect to the historic building, but would share a party wall with it.

The new building would include wide bay windows at the second, third, and fourth stories on the south and east facades, a recessed balcony at the fourth story on the east façade, and a garage with curb cut on the east side. The building will be constructed with red brick, but, the two large bays, which dominate the two main facades, will be clad with a vertically-hung, one-by-six-foot cedar board. In addition, Old City does not have a tradition of bay windows. The rhythm of proportions, fenestration, and openings in the structure are incongruent with surrounding buildings.

DISCUSSION: Ms. Sell presented the proposal to the Commission. Property owner Gary Vernick represented the application.

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

Mr. Vernick asked the record to reflect that 215 and 217 Vine Street were subdivided with the recording of new deeds on 9 July 2007. Mr. Sklaroff asked the applicant if he had informed the Committee of the subdivision. Mr. Vernick replied that he had. However, the Board does not update its database promptly; the online version still lists the 215-217 property as one. Mr. Wilds asked if the applicant was seeking to decertify 215 Vine Street. Mr. Vernick responded he that he would like to request that the Commission rescind the designation of 215. Mr. Wilds informed him that the Commission has a process for rescission. Mr. Sklaroff noted that, if subdivided, the Commission's jurisdiction may be in question; it may be plenary or review-and-comment. Mr. Reuter reminded the Commission that any amendment to a designation requires a 30 or 60-day notice period; no notice has been provided in this case because the applicant submitted a permit application, not a request to amend the designation. Mr. Vernick stated that photographs show clearly that 215 is a vacant lot. Mr. Wilds suggested that the applicant may decide to work with the Architectural Committee and Commission and develop a better design rather than seeking a rescission. Mr. Vernick objected to the Committee's response to his proposal. He distributed photographs showing that there are no buildings on the west side of American Street side from Vine to Wood Street. He also distributed photographs of the buildings on the 200-block of Vine Street, many of which, like the Painted Bride, are not historic. Mr. Vernick noted Cecil Baker's new building at 4th and Vine Streets, which has massive bay windows on all three sides. He contended that his design for his rowhouse was appropriate. Mr. Sklaroff suggested that Mr. Vernick should discuss the details of the design with the Committee, not the Commission. He suggested that Mr. Vernick submit a revised design to the Committee or a

rescission application to the Designation Committee. Mr. Vernick noted that both civic associations, Old City and Franklin Bridge North, support the project. Mr. Wilds stated that the new building would have no relationship to the adjacent historic building. He stated that he would like to see an elevation drawing showing the new and the old together. Mr. Vernick offered to change the exterior cladding materials to conform to the Commission recommendations.

John Gallery of the Preservation Alliance stated that the predominant type of building in Old City is the commercial building. There is no precedent for a residential bay window in Old City. He stated his support for the Architectural Committee's recommendation. He advocated for denial because the building, especially with the bay windows, is not in character with the district.

Mr. Wilds suggested that Mr. Vernick could submit a revised application if the Commission denied this application. He objected to the Vine Street elevation because it does not relate to the adjacent historic building. He stated that he could accept the bay on American Street if it were limited to three stories in height and did not extend to or above the roof line. Mr. Sklaroff noted that the Commission was also requesting revisions to the Vine Street façade in relation to the historic building at 217.

WITHDRAWAL OF MOTION: Mr. Wilds and Ms. Evans withdrew their motion to deny the application, pursuant to Standard 9.

Dick Tucker of the Franklin Bridge North civic association supported the proposal.

ACTION: Mr. Wilds moved to approve in concept a four-story building with a bay window on the American Street façade that does not to extend above the fourth-floor ceiling height, but no bay on the Vine Street facade. Ms. Evans seconded the motion, which passed unanimously.

ADJOURNMENT

ACTION: At 12:20 p.m., Ms. Merriman moved to adjourn the meeting. Ms. Leonard seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

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 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.

Masonry Preservation Guideline: Not recommended: Applying paint or other coatings such as stucco to masonry that has been historically unpainted or uncoated; Not recommended: Changing the type of paint or coating or its color; Not recommended: Using new paint colors that are inappropriate to the historic building and district; Recommended: Cleaning masonry surfaces with the gentlest possible method, such as low pressure water and detergents.

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