

**THE MINUTES OF THE 662ND STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 13 OCTOBER 2017
ROOM 18-029, 1515 ARCH STREET
BOB THOMAS, CHAIR**

PRESENT

Robert Thomas, AIA, Chair
Emily Cooperman, Ph.D.
Mike Fink, Department of Licenses & Inspections
Steven Hartner, Department of Public Property
Melissa Long, Division of Housing & Community Development
John Mattioni, Esq.
Dan McCoubrey, AIA, LEED AP BD+C
Rachel Royer, LEED AP BD+C
R. David Schaaf, RA, Philadelphia City Planning Commission
H. Ahada Stanford, Commerce Department
Betty Turner, M.A.

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

ALSO PRESENT

Venice Whitaker
Maurie Smith, U3 Advisors
Bryan Calvet
Tahnee Hall, Christian Street Baptist Church
Joseph Bozzell
Grace Ong Yan, DOCOMOMO
Heather Miller
Timothy Miller
Matt Jackson
Stephen May
Alberta May
Julian Piane, Weisbrod & Hess
Fon Wang, Ballinger
Amanda Davis, PIDC
Clayton Hicks, Christian Street Baptist Church
Ben Leech
Sam Phoenix
Daniel Vilsmeier
George Chee
Oscar Beisert
Leon Chudzinski, Public Ledger Building
David S. Traub, Save Our Sites
Dave Nelson

Christina Burris
Jeffrey Hill, Christian Street Baptist Church
Peter Saylor, Jacobswyper Architects
Donna DeStefano, PA Realty Works
John DeStefano, PA Realty Works
Leah Silverstein, Chestnut Hill Conservancy
Michael Stokely, Christian Street Baptist Church
Belinda Hicks, Christian Street Baptist Church
Mark Cohen
Eugene Desyatnik
Anton Michels
Joan deLaurentis, Jared Solomon
C. Isaacson
P. Filanowski, CAHI
Paul Steinke, Preservation Alliance for Greater Philadelphia
Susan Reel Panish, Pella
Dominique Casimir, Department of Public Property
Lori Salganicoff, Chestnut Hill Conservancy
Cynthia Stranglety
Patricia Lloyd
Adam Montalbano, Moto Design Shop
Lorie Henry, Trinity Church Oxford
Mary Lee Deddens, MJRA
Leann Freer
Jon Medlinsky
Amanda Mazie, Dranoff
Jim Lemand
Ricki Sablove, DOCOMOMO
Brian Johnston, JDS
Dani Leiman, BHA
Martin Rosenblum, MJRA
William Martin, Esq., Fox Rothschild
Carolyn Payne
Reuben Asia, Esq., Drinker Biddle
Eileen O'Shaughnessy
Patrick Grossi, Preservation Alliance for Greater Philadelphia
Sue Patterson, Penn Knox
Brett Peanasky, Esq., Klehr Harrison
Nick Himebaugh, Congressman Boyle
D. Carlisle, Hidden City Philadelphia
J.F. McCarthy, Historic Germantown
Amy V. Simmons, Philadelphia Sunday Sun
William Ochester
Jay Tackett
Anthony Floyd, Christian Street Baptist Church

CALL TO ORDER

Mr. Thomas called the meeting to order at 9:00 a.m. Commissioners Cooperman, Fink, Hartner, Long, Mattioni, McCoubrey, Royer, Schaaf, Stanford, and Turner joined him.

MINUTES OF THE 661ST STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Mr. Mattioni moved to adopt the minutes of the 661st Stated Meeting of the Philadelphia Historical Commission, held 8 September 2017. Mr. McCoubrey seconded the motion, which passed unanimously.

REQUESTS TO CONTINUE NOMINATION REVIEW

Mr. Thomas observed that the agenda includes eight requests to continue the reviews of nominations to various upcoming meetings. He asked if any Commissioners wanted to discuss any of the requests before acting on them. No Commissioners responded affirmatively. He asked if any members of the public wanted to discuss any of the requests. Several in the audience indicated that they wanted to discuss the request to continue the review of the nomination for 6901 Rising Sun Avenue to the November 2017 meeting of the Historical Commission. Mr. Thomas announced that it would consider the 6901 Rising Sun Avenue request separately, after considering the others as a group.

ACTION: Ms. Cooperman moved to continue the reviews of the nominations for 23 W. Penn Street to a subsequent meeting of the Historical Commission; 1401 S. Water Street to the December 2017 meeting of the Historical Commission; and 1821-27 Ranstead Street, 6369 Germantown Avenue, 6365-67 Germantown Avenue, 1301-25 Chestnut Street, and 2041-55 Coral Street to the December 2017 meeting of the Committee on Historic Designation. Mr. Hartner seconded the motion, which passed unanimously.

Lorie Henry, representing the property owner of 6901 Rising Sun Avenue, requested that the review of the nomination for the property be continued to the November 2017 Commission meeting. Mr. Thomas asked if any members of the public object to the request. Several members objected. Mr. Thomas asked for what reasons the property owner is requesting a continuance. Ms. Henry replied that the Diocese leadership and the owner's legal counsel were unable to attend the meeting. She added that she and the property owner were only notified of the nomination in August and that they would like additional time to prepare for the review.

Neighbor Matthew Jackson objected to the continuance request, stating that he believes that the request is a legal maneuver by the church and noted that the owner hired an attorney from one of the country's largest law firms. He argued that he and others were accused of politically-driven community activism at the Committee on Historic Designation meeting held during the previous month. He contended that the law firm hired by the church gave more than \$740,000 in political contributions last year, and commented that he finds it hard to believe the church's claim that it lacks financial resources when it hired a high-caliber attorney. He called the action a legal maneuver that is a "slap in the face to the nature of the parish house and Trinity Oxford." Mr. Jackson asked the Commission to act at the present meeting and vote in favor of designation, adding that action must be taken to ensure the property does not fall into the wrong hands. He stated that the proposed developer and company looking to develop the site contradict the church's values and those of the community. He asserted that more than 2,500 community members are opposed to the church's choice for developer and that they prefer to

see preservation. He noted that the Committee on Historic Designation meeting saw preservationists fighting preservationists and that he could not understand why that happened.

Mr. Thomas asked Ms. Henry whether there are discussions between the neighbors and the church. Ms. Henry answered that the church is experiencing protests on Sunday mornings outside the building following Mass. She explained that the church has attempted to engage with the protestors to discuss its position and are currently in the process of developing communication pieces to learn what the community would like to see at the remaining green space, should the church move forward with its development plans. She added that she hopes the community can appreciate that she and her colleagues are volunteers and amateurs that lack a development background. For the past three months, she continued, the church has operated without a rector, so the group of volunteers is attempting to proceed based on what they know best.

Mr. Thomas responded that the Commission typically grants continuance requests from owners. He asked if the church and community are involved in ongoing discussions. Ms. Henry replied that the church is preparing a mailer to send to the community to get its input on possibilities for the remaining green space. Mr. Thomas asked for clarification on the remaining green space, adding that he understands Ms. Henry is negotiating on a plan that would require the demolition of the building. Ms. Henry affirmed and addressed Mr. Jackson's concern over the church's representation by reiterating that she and others from the church are amateurs and needed to engage an attorney familiar with the process to offer assistance. She argued that retaining an attorney should not be held against the owner. Mr. Thomas replied that any property owner has the right to retain counsel. Ms. Henry concluded that she is seeking to protect the parish with the development plans in place.

Paul Steinke, representing the nominator, the Preservation Alliance for Greater Philadelphia, stated that the property was recommended for designation by the Committee on Historic Designation at its most recent meeting. The Preservation Alliance, he continued, did support the continuance request made by the property owner, which was submitted to the Historical Commission last week. He explained that he had no prior notice that the neighbors would object to the request; however, he sympathized with their objections and added that he shares their overall position on the designation of the property. He added that he understands why the neighbors would like the Commission to vote on the property's designation at the present meeting, but reiterated that, as the nominator, he supported the continuance request.

Mr. Jackson asserted that the neighbors were not notified of the continuance by the Preservation Alliance in a timely manner and contended that the Alliance should have consulted with the stakeholders.

Mr. Thomas asked whether all parties understand that while the nomination is on the table that the building is under the Historical Commission's jurisdiction. Right now, he continued, any proposed work to the building would need to be approved by the Commission. He then opined that the real issue for the Commissioners to consider is whether or not to grant the continuance. He noted that the Historical Commission routinely grants such requests made by property owners.

Neighbor Timothy Miller stated he is opposed to the property's redevelopment and added that there is a fully executed lease for this property. He contended that there have not been negotiations for proper development of the green space or the larger property. Mr. Thomas asked whether Mr. Miller understands that the only issue the Commission is considering at

present is whether or not to grant a continuance and that it is not ruling on whether or not to designate the property. He reiterated that the Commission will continue its jurisdiction over the property, which began when the nomination was deemed correct and complete and notice was sent to the property owner. He opined that an issue is whether there are other negotiations that should take place during a period of continuance. Mr. Miller asked Mr. Thomas to clarify what type of negotiations he is referencing. Mr. Thomas stated that the owner has indicated that they are preparing materials to meet with the community. Ms. Henry affirmed.

Neighbor Heather Miller interjected that there are no negotiations between the church and community. She then claimed that “99.9 percent” of church parishioners are not local. She argued that she lives down the street and would be directly affected by the environmental impact of the site’s development. Mr. Thomas explained that Ms. Miller’s complaints would be considered if the Commission voted to deny the continuance but that the issue at the moment is whether the continuance should be granted. Ms. Miller replied that she and other neighbors are requesting that the continuance be denied and that the discussion of the nomination move forward at the current meeting. She stated that she and other community members are prepared to move forward and only discovered that a request for a continuance had been made 48 hours before the meeting. She reiterated that there have been no negotiations and claimed that there is a fully executed lease between the church and Royal Farms to allow for the demolition of the parish house building, which, she argued, serves as a community hub. She contended that the negotiations Ms. Henry referenced relate to a small plot of green space on the sacred ground. Ms. Miller clarified that there are no negotiations regarding the preservation of the parish house and property, which is why she and others are requesting that the nomination proceed at the current meeting.

Ms. Henry asked to respond. Mr. Thomas again opined that the Commission may not grant the continuance and could continue with the review of the nomination, or it may grant the continuance and postpone the review to a later date. He asked Ms. Henry if there is a reason to delay the review of the nomination. Ms. Henry asked the Commission to approve the continuance in order for the property owner to be represented by an attorney. Others noted that the Historical Commission has a practice of granting continuance requests proffered by property owners.

Ms. Miller interjected that the community is asking that the continuance request be denied, because there was great hardship that went into gathering the community members. She added that she had to hire someone to run her business for the day and that others arranged for alternative plans for their responsibilities. She then commented that the neighbors have collected over 2,500 signatures from concerned residents who would like to see the property designated.

Mr. Thomas asked the Commissioners for comments. Mr. Mattioni stated that the Commission should honor the agreement made between the nominator and property owner and grant the continuance to the 10 November 2017 Commission meeting. He stated that the nominator has been placed in a difficult position, and it would be difficult to deny a continuance request from the property owner after the nominator agreed to accept the request. The community, he continued, has known of the request for two days. He questioned whether the Commission has a valid reason for not granting the continuance. Others noted that the Historical Commission listed the continuance request on its meeting agenda, which was released to the public one week ago.

Mr. Thomas pacified the neighbors by stating that he understands taking time off to attend meetings presents a hardship to them.

ACTION: Mr. Mattioni moved to continue the review of the nomination for 6901 Rising Sun Avenue for one month, to the Historical Commission's meeting of 10 November 2017. Ms. Turner seconded the motion, which passed unanimously.

Mr. Thomas noted that the meeting agendas are published electronically and are available to the public. The neighbors should consult the agendas, he noted.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 26 SEPTEMBER 2017

Dan McCoubrey, Chair

CONSENT AGENDA

Mr. Thomas introduced the consent agenda, which included applications for 150 S. Independence West Mall; 331 S. 4th Street; 440 Spruce Street; 37 Summit Street; and 249-53 Arch Street. Mr. Thomas asked if any Commissioners had comments on the Consent Agenda. None were offered. Mr. Thomas asked if anyone in the audience had comments on the Consent Agenda. None were offered.

ACTION: Mr. McCoubrey moved to adopt the recommendation of the Architectural Committee for the applications for 150 S. Independence West Mall; 331 S. 4th Street; 440 Spruce Street; 37 Summit Street; and 249-53 Arch Street. Ms. Turner seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 1200-02 CHESTNUT ST

Proposal: Install exterior lighting and signage

Review Requested: Final Approval

Owner: Drexel University

Applicant: Robert Roesch, Bittenbender Construction, LP

History: 1916; Beneficial Savings Fund Society Building; Horace Trumbauer, architect

Individual Designation: 9/9/2006

District Designation: None

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the signs at the doors, sign board, bronze plaques, and lighting, provided that the lighting is reevaluated to reduce glare and allow water to drain; denial of the carved signs, but approval of the concept of carved signs in new stone, with the staff to review details.

OVERVIEW: This application proposes to install signage and lighting at the former Beneficial Saving Fund Society Building, which is currently being rehabilitated for use as the Thomas R. Kline Institute of Trial Advocacy of the Kline School of Law at Drexel University. The signage proposal includes carving of the building's new name into the limestone parapet of the north (front) elevation, similar to the existing Beneficial Saving Fund Society signs, which are carved into both the north and east (side) entablatures. The lighting portion of the application proposes LED fixtures, which will highlight the building's architectural features, including the portico and

parapet on the north elevation, and the columns, cornice, and parapet on the east elevation. LED uplighting installed along the bases between columns on the east elevation will have a 7 inch tall aluminum baffle in front of the fixtures, set back 10 inches from the face of the building.

DISCUSSION: Ms. Chantry presented the application to the Historical Commission. Architect Jay Tackett represented the application.

Ms. Chantry explained that the Committee had received two additional options for signage at the parapet, and had recommended approval of the revised Option 1, which proposed lettering carved into a new stone panel that would then be attached to the existing parapet. She noted that this revised application still proposes carving into a cornerstone, which the Committee recommended denying.

Mr. Tackett displayed the baffle that would be installed in front of the light fixture. He stated that it eliminates glare when set back 10 inches from the face of the building, and will be raised slightly to allow water to drain.

Mr. Tackett stated that this building will enjoy this new use for the rest of its existence, and the preference is not to apply an overlaid stone, but rather to carve directly into the original granite. This is also the preference for the cornerstone. Mr. Thomas commented that the stone in question is original fabric that has not been altered. Mr. Baron commented that the Commission allowed the carving into another similar building because the original fabric had been changed multiple times over the years, which is not the case here. Contradicting Mr. Baron, others noted that the Commission allowed similar carving into the original stone at the Wanamaker Building. Mr. Tackett asked Mr. Baron if he was saying that the blankness of the panel is worth preserving. Mr. Baron did not respond. Ms. Cooperman responded that it is not a matter of blankness, but rather that it is historic material, and carving into it would alter it. Mr. Tackett responded that he is actually agreeing with Mr. Baron. He commented that a new granite panel will require some penetration into the historic fabric, but the structural engineer has determined that most of the penetration locations would not be visible from the public right-of-way. This is not true for the cornerstone. The cornerstone would be carved with the dates of 1916 and 2017. Mr. Thomas voiced his approval of adding 2017 to the cornerstone. It was explained that the cornerstone currently does not have any sort of carving or dates, and that all of the proposed work would be new. The Commission then understood that it is the same issue as the carving of the entablature. Mr. Tackett suggested that he revise the application to use a panel at the cornerstone, or to omit the cornerstone entirely. He decided to move forward with the cornerstone omitted.

ACTION: Mr. McCoubrey moved to approve the application, provided that the new parapet lettering is carved into a new, matching stone panel mechanically attached to the existing parapet, with the understanding that the proposed carving for a cornerstone has been withdrawn, with the staff to review details. Ms. Long seconded the motion, which passed unanimously.

ADDRESS: 150 S INDEPENDENCE W MALL

Proposal: Install ADA entrance

Review Requested: Final Approval

Owner: Leon Chudzinski, Carlyle Property Group

Applicant: Dani Leiman, Blackney Hayes Architects

History: 1923; Public Ledger Building; Horace Trumbauer, architect

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standard 9 and NPS Preservation Brief 32, "Making Historic Properties Accessible," with the following provisions:

- the entrance is located in either the center bay or the bay to the north, with preference for the northern bay;
- the frame and glass installation is documented precisely, with the staff to review details;
- if the sidelites are six inches or narrower, they be eliminated;
- consideration is given to making the door push-button accessible;
- the detailing account for the returns of the collonettes, which should be retained, not altered;
- the door frame is limited to the new door system, and does not extend the full height of the glazing; and,
- this is the only ADA entrance on 6th Street, and serves the lobby and any tenant spaces.

OVERVIEW: This application proposes to install an ADA entrance on the primary/east elevation of the Public Ledger Building along 6th Street. The current accessible entrance for the tenant space on the south side of the building is through the parking lot to the rear. Other accessible entrances in the building along Chestnut Street do not have direct access to this space. The installation of the new door would require the removal of a granite base below an existing window, and the removal of a decorative bronze panel at the base of the window. The proposed door features minimal bronze framing and sidelites.

ACTION: See Consent Agenda

ADDRESS: 331 S 4TH ST

Proposal: Rehabilitate front façade; construct rooftop addition

Review Requested: Final Approval

Owner: P. Ellen Jacobs

Applicant: James Lee Deddens, MJRA and Associates

History: 1950

Individual Designation: None

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standards 2, 9, and 10, provided the windows are painted wood rather than aluminum clad.

OVERVIEW: This application proposes to make minor façade alterations and to construct a one-story rooftop addition. At the front façade, the application proposes to raise an existing stone door surround to allow for the installation of a transom and new door; to install a new garage

door and a header course above the existing garage door opening; to lower the sills of the second-floor windows; and to install a new cornice and shutters. The proposed elements are in keeping with the Colonial Revival style of the house. The proposed rooftop addition would be set back 7-feet, 10-inches from the front façade, and would be inconspicuous, or completely invisible, from the public right-of-way owing to the taller buildings on both sides and the proposed cornice. A small deck would be located at the rear of the addition. The rear of the property is completely landlocked by taller buildings.

ACTION: See Consent Agenda

ADDRESS: 440 SPRUCE ST

Proposal: Construct deck on garage; install security gate

Review Requested: Final Approval

Owner: Hillary Wiesel

Applicant: Brian Johnston, Johnston Design Studio, Inc.

History: 1770; Wm. Peden/James Sayer house; 1795 (addition); 19th c. storefront; 1977 restoration

Individual Designation: 1/26/1965

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of all aspects of the application except denial of the security gate, pursuant to Standard 9.

OVERVIEW: This application proposes to construct a deck on top of a freestanding, non-historic garage, and to install a security gate over the door and transom of the 1795 entrance door on the 5th Street elevation of this Significant corner building. The deck would be accessed by a spiral staircase from the rear yard and would be enclosed with a simple black metal picket railing. The security gate would include a fan-shaped transom grate. The staff recommends that alternative and less visually impactful means of security be explored, such as the reinforcement of the door frame.

ACTION: See Consent Agenda

ADDRESS: 37 SUMMIT ST

Proposal: Construct rear addition

Review Requested: Final Approval

Owner: Bruce L. Rind

Applicant: John S. Leonard

History: 1870

Individual Designation: 8/2/1973

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of Option A, with the materials identified in the addendum, the second-floor side windows from Option B, and a real stucco, not a Dryvit or EFIS material, with the staff to review details, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes to demolish an existing one-story rear addition and to construct a two-story addition on the rear of this Italianate twin. The addition, which would be set back approximately 120 feet from the street, would be clad in horizontal wood siding or stucco and feature wood or aluminum-clad wood windows and a standing-seam metal roof. While the application offers several options for the configuration of the addition, the owner-preferred option forms an L-shape with the existing house, extending the addition approximately eight feet beyond the side elevation of the existing building at the first floor. The addition at the second floor would be limited to the rear of the existing building, and would be accessed by cutting down an existing window into a door.

ACTION: See Consent Agenda

ADDRESS: 249-53 ARCH ST

Proposal: Construct ADA ramp; install signage and lighting

Review Requested: Final Approval

Owner: Christopher Aker, Atlantis Investments, LLC

Applicant: Fon Wang, Ballinger

History: 1907; Corn Exchange National Bank & Trust; Seaman's Institute; Newman & Harris, architects

Individual Designation: 1/6/1977

District Designation: Old City Historic District, Significant, 12/12/2003

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the revised ramp, the lighting with the addition of a flange for screening the SL2 fixture if necessary, provided the conduit and fixtures are inconspicuous from the public right-of-way, and the signs, either Option 2 or Option 1 with a single plaque with four points of penetration.

OVERVIEW: This application proposes to construct an ADA ramp at the primary entrance along Arch Street, and to install decorative lighting and signage. The applicants previously applied for a ramp at this location in August 2016 and received a recommendation of denial from the Architectural Committee. The applicants withdrew that portion of the application prior to the Historical Commission meeting to pursue the option of sloping the sidewalk to achieve accessibility, which the Streets Department has subsequently denied. The ramp railings would be painted steel and free-standing. The material for the ramp itself is not specified. The lighting package calls for a series of fixtures to be concealed behind metal fascia painted to match the

limestone of the building. No details of the shape, dimensions, or placement of the fixtures or fascia are provided. The application also proposes three signage options, each of which would feature one sign on the Arch Street elevation and one sign on the 3rd Street elevation. Option 1 features a circular plaque with pin-mounted letters beneath. Option 2 would be limited to bronze plaques with raised lettering. Option three is for pin-mounted letters only. The staff notes that Option 2 would require the fewest penetrations into the masonry.

ACTION: See Consent Agenda

ADDRESS: 241 W PASTORIUS ST

Proposal: Construct dormer

Review Requested: Final Approval

Owner: Tulpehocken Palazzo LP

Applicant: Lionel Guerra, Armadillo Construction

History: 1893; Harry K. Cummings carriage house; Frank Miles Day, architect

Individual Designation: 3/9/2012

District Designation: None

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

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

OVERVIEW: This application proposes to construct a dormer on this former carriage house to allow for adequate ceiling height, light, and air at the second floor, which is being converted from storage to living space. The Historical Commission approved a smaller dormer in the street-facing roof slope of this building in November 2015. The proposed dormer would be faced in stucco and shaped to match the previously-approved dormer. The roof slope is perpendicular to and visible from W. Pastorius Street, a narrow service alley that provides access to carriage houses at the rears of large houses facing Tulpehocken and Walnut Lane.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architect Adam Montalbano represented the application.

Mr. Baron explained that the application materials sent to the Commissioners include a revised proposal, which breaks down the large dormer into three pieces. Mr. Montalbano explained that he had been hired since the Architectural Committee meeting. He said that the former proposal was almost like a wall rather than a dormer. He broke the massing up into two dormers with the center section set back to match the height and scale of other dormers on the building. He also made the proposed windows more in keeping with the other windows. Ms. Cooperman asked about the visibility of the work area from the street. Mr. Montalbano pointed to a photograph in the application materials taken from Pastorius Street. Mr. Farnham noted that Pastorius Street is a service alley, a narrow driveway-like street that provides access to rear carriage houses. Mr. McCoubrey commented on the revised design. He suggested that it would be better to modify the dormer roofs to a jerkinhead hipped roof, reducing the amount of stucco. He added that the dormers should slide to the left to be centered on roof ventilator and the stone building base. He said that the dormer windows should be a little wider and the bathroom windows should be double-hung windows. Mr. Thomas agreed that the applicant could make these modifications while retaining usable space that is sought.

ACTION: Mr. McCoubrey moved to approve the application, with the staff to review details, with the following provisions: the dormer is centered on the rooftop ventilator; the

windows in the dormer are wider; the bathroom windows are double hung; and the dormer roofs are hipped. Ms. Cooperman seconded the motion, which passed unanimously.

ADDRESS: 502-04 S JUNIPER ST

Proposal: Demolish rear wall and roof; construct four-story addition with garage and roof decks

Review Requested: Final Approval

Owner: James Ernst

Applicant: Maggie Persofsky

History: 1830

Individual Designation: 12/31/1984

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 2, 9, the Roofs Guideline, and the prohibition against demolition, Section 14-1005(6)(d) of the historic preservation ordinance, and suggested that the applicant produce a letter from a structural engineer that substantiates the reasoning for the current proposal.

OVERVIEW: This application proposes to demolish the rear wall and roof of the historic three-story building and a portion of the adjacent non-historic, one-story garage. A brick four-story addition would be constructed on the garage site and would feature a garage at the first story, large sliding doors and Juliet balconies at the second and third stories, and two six-over-six windows at the fourth story. A large roof deck with a minimal setback is proposed on the addition. The application also proposes removing the sloped roof of historic three-story building and installing a standing seam metal roof-like structure that is cut away for a deck. A stair would connect the two decks, and the three-story building would be enlarged at the rear to occupy the full depth of the lot. Other work to the historic building includes replacing windows and doors, and installing new limestone lintels. The staff contends that, with the removal of the roof and entire rear wall, this application proposes a demolition, the destruction of a building in significant part, and is therefore prohibited by the preservation ordinance unless the Historical Commission finds that the buildings cannot be feasibly adaptively reused or that the demolition is necessary in the public interest. The application makes no reuse or public interest arguments.

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

Mr. Thomas inquired whether the rowhouse and garage occupy one parcel. Ms. Keller confirmed that the rowhouse and garage occupy one parcel at 502-04 S. Juniper Street. Mr. Thomas stated that both buildings fall under the Historical Commission's jurisdiction.

Donna DeStefano, who owns the adjacent property at 1330 Lombard Street, asserted that her property is adjacent to the garage of the S. Juniper Street property and explained that her property and the S. Juniper Street property once comprised a single property. Mr. Baron, she continued, had worked closely with her on work she completed on her building. She then claimed that she only recently learned of the application for work at 502-04 S. Juniper Street through a notice that was just posted; however, the demolition notice with both the Architectural Committee and Historical Commission meeting dates had been posted on the property on 19 September 2017. She asserted that she missed the Architectural Committee meeting and was unaware of the owner's plans for the property. She contended that the owner has already

demolished the building's interior and dug out the garage without permits. She had not had an opportunity to review any renderings or proposals, she added.

Mr. Thomas responded that the Commission has jurisdiction only over the exterior, and opined that the owner could conceivably obtain a permit for interior cleanout. Ms. DeStefano countered that there is no permit. Mr. Thomas responded that the Commission considers the impact of the proposed work on the building's exterior appearance. Ms. DeStefano recalled what she went through with Mr. Baron to restore her own building. Ms. DiStefano and Mr. Thomas discussed the history of Ms. DeStefano's property. Ms. DeStefano then stated that 1330 Lombard Street and 502 and 504 S. Juniper Street were previously part of the same property.

Mr. Thomas asked for further comment and discussion.

Mr. Mattioni inquired whether the applicant is present. Several Commissioners responded that no applicant is present.

Mr. Thomas opined that, if the Commission accepts the staff's assessment that the application constitutes a demolition, then the applicant would need to make a case for financial hardship or necessity in the public interest. Mr. Mattioni contended that the Commission only has before it an application in which the Architectural Committee has recommended denial.

ACTION: Mr. Mattioni moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standards 2, 9, the Roofs Guideline, and the prohibition against demolition, Section 14-1005(6)(d) of the historic preservation ordinance. Ms. Cooperman seconded the motion, which passed unanimously.

THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 13 SEPTEMBER 2017

Emily Cooperman, Chair

ADDRESS: 717 GLENGARRY RD

Name of Resource: White Residence

Proposed Action: Designation

Property Owner: Peter W. Clark Jr. and Tama Myers Clark

Nominator: Chestnut Hill Conservancy, Docomomo Philadelphia, Preservation Alliance for Greater Philadelphia

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

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation recommended that the nomination demonstrates that the property at 717 Glengarry Road satisfies Criteria for Designation C, D, E, and J.

OVERVIEW: This nomination proposes to designate the property at 717 Glengarry Road and list it on the Philadelphia of Historic Places. The nomination argues that the house, constructed in 1963 for Dorothy White Shipley, is significant under Criteria for Designation C, D, E, and J. Under Criteria C and D, the nomination contends that the house is significant for its bold Modernist design and for its prominent place in the Philadelphia School. The nomination argues that it is also significant under Criterion E as the work of internationally important Philadelphia architects Mitchell/Giurgola Associates. Under Criterion J, the nomination argues that the house exemplifies the cultural and social heritage of Chestnut Hill as an incubator of progressive Modernism in postwar Philadelphia.

DISCUSSION: Ms. Cooperman recused, owing to her connection with the Chestnut Hill Conservancy. Ms. DiPasquale presented the nomination to the Historical Commission. Benjamin Leech, Lori Salganicoff, and Grace On Yan represented the nominators. No one represented the property owner.

Mr. Leech noted that this is the first nomination he has worked on that has three sponsoring organizations, the Preservation Alliance, Chestnut Hill Conservancy, and Docomomo Philadelphia Chapter.

Ms. Salganicoff presented a photograph of Romaldo Giurgola with Louis Kahn and Robert Venturi in 1970, meeting in Chestnut Hill after they had each built an iconic residence and discussing preservation but also new construction and the future of special places like this. She explained that two of the three buildings that these men designed are already listed on the Philadelphia Register of Historic Places. She noted that she hopes the third, 717 Glengarry Road, will be designated as well. She opined that this is an important message for people who dismiss Mid-Century Modern buildings, which are the most likely to be demolished today.

Ms. On Yan reinforced Ms. Salganicoff's comments, noting that Docomomo highlights Kahn's Esherick house and Robert Venturi's Mother's House, and that this is another Modernist gem.

Mr. Thomas opened the floor to public comment. Patrick Grossi of the Preservation Alliance commented that the nomination speaks for itself, and expressed the Alliance's happiness in seeing the building designated.

Ricki Sablove of Docomomo agreed that it is one of three important Modernist houses built in Chestnut Hill, and noted that all were built for female patrons. She explained that it also represents Mitchell Giurgola's residential work, and was one of their few residential commissions. She opined that the nomination is definitely worth consideration.

Peter Saylor, an architect and resident of Chestnut Hill, explained that he started his career working for Mitchell Giurgola. He noted that designating the building would be a tribute to Romaldo Giurgola, who passed away recently. He opined that it is a wonderful building, and mused that he had the opportunity to buy it 20 years ago and ultimately did not, but that he strongly supports its designation.

ACTION: Mr. Schaaf moved to find that the nomination demonstrates that the property at 717 Glengarry Road satisfies Criteria for Designation C, D, E, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Mr. McCoubrey seconded the motion, which passed unanimously.

Paul Steinke, representing the Preservation Alliance for Greater Philadelphia, requested that the nomination of 500-10 S. Broad Street be reviewed next, as he was asked to speak at the Reading Terminal Market at 11:00 a.m. Mr. Thomas asked if there were any objections to the request. There were none.

ADDRESS: 500-10 S BROAD ST

Name of Resource: District Health Center 1

Proposed Action: Designation

Property Owner: Philadelphia Authority for Industrial Development

Nominator: Preservation Alliance for Greater Philadelphia

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the building at 500-10 S. Broad Street satisfies Criteria for Designation A, C, D, E, H, and J.

OVERVIEW: This nomination proposes to designate the property at 500-10 S. Broad Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the building is significant under Criteria for Designation A, C, D, E, H, and J. The nomination contends that the District Health Center 1 building, completed in 1960, embodies architectural characteristics of mid twentieth-century Modernism, and was designed by the prominent architects Montgomery & Bishop. The nomination further argues that the building is broadly representative of the mid twentieth-century decentralization of public health in Philadelphia, and is a neighborhood landmark, sited at the central intersection of Broad and Lombard Streets.

DISCUSSION: Mr. Hartner recused from the review, owing to the Department of Public Property's involvement with the property. Ms. Chantry presented the nomination to the Historical Commission. Dominique Casimir, deputy commissioner of the Department of Public Property, represented the property owner. Paul Steinke and Patrick Grossi represented the nomination.

Ms. Casimir stated that there are structural integrity problems with the building that need to be addressed. Mr. Grossi commented that the Commission should determine if the building merits designation, and suggested that structural concerns could be addressed with a permit application. He noted that the Commission would only have jurisdiction over the exterior of the building.

Mr. Thomas asked for public comment. David Traub, representing Save Our Sites, commented that despite potential difficulties in restoring the building, it is a prime example of mid-century modern architecture, and is very distinctive and a landmark in the neighborhood. He concluded that Save Our Sites supports the historic designation.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 500-10 S. Broad Street satisfies Criteria for Designation A, C, D, E, H, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Turner seconded the motion, which passed unanimously.

ADDRESS: 6671 GERMANTOWN AVE

Name of Resource: St. Michael's Lutheran Church

Proposed Action: Designation

Property Owner: Trustees of St. Michael's Evangelical Lutheran Church

Nominator: The Keeping Society of Philadelphia

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

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation recommended that the nomination demonstrates that the property at 6671 Germantown Avenue satisfies Criteria for Designation A, E, I, and J.

OVERVIEW: This nomination proposes to designate a complex associated with the former St. Michael's Lutheran Church and list it on Philadelphia Register of Historic Places. The property includes a burial ground believed to date as early as 1728; the circa 1740 Walder-Essig house, also known as the Beggarstown School, which is already listed on the Philadelphia Register; an 1855 parsonage building; an 1886 Sunday School; and the 1896 church. The nomination contends that the property is significant under Criteria for Designation A, J, and I. Under Criteria A and J, the nomination argues that the complex is significant for its association with St. Michael's Lutheran Church, Germantown, which was the oldest continually operating Lutheran church in Philadelphia until its closure in 2016, and represents three centuries of development of the Lutheran church and the cultural, social, and historical heritage of German Lutherans in Philadelphia. Under Criterion I, the nomination argues that the property has the potential to yield archaeological artifacts associated with the known cemetery as well as those related to the Battle of Germantown, owing to the property's use as a hospital and barracks during the Revolutionary War.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. No one represented the property owner. James Duffin and Oscar Beisert represented the nominators. Ms. DiPasquale noted that the Committee on Historic Designation added Criterion E for the parsonage building, owing to its design by prominent architect Napoleon LeBrun.

Mr. Thomas opened the floor to public comment. Mr. Duffin commented that the nomination is fairly straightforward, but clarified that this is the oldest continuously operating Lutheran site in Philadelphia. There is a congregation in the City of Philadelphia that predates this one by several years, but that congregation has moved so many times that there is not a single place that represents its history. He also noted that he was involved with a joint committee of East and West Mount Airy neighbors in 1987 to include this section of Germantown Avenue on the National Historic Landmark district from Sharpnack Street up to Cresheim Valley Drive. He explained that he assisted in the research on that nomination, and in that nomination, they deemed that all of the buildings on this site should be classified as Significant, the highest grade of designation in a district. He added that they have received letters of support from both East and West Mount Airy neighborhood Registered Community Organizations, and from Historic Germantown as well. Ms. DiPasquale noted that copies of those letters had been distributed to the Commission members. Mr. Beisert commented that this site is significant to the National Historic Landmark district, and is also significant on its own. It is an amazing site, and recommended that those who have not been there should go out and take a look.

City Solicitor Leonard Reuter suggested that for this case, and any other nominations in which the owner is not in attendance, the staff should introduce into the record the nature of any communication with the property owner. Ms. Cooperman responded that representatives of the property owner were in attendance for the Committee on Historic Designation meeting. Ms. DiPasquale explained that she had spoken with the property owner's attorney subsequent to

that meeting. Ms. DiPasquale noted that the owner's primary concern had been the replacement of the slate roof, and that she had explained to them that the Historical Commission could consider the replacement of the roof with an alternative material through the building permit process in the future.

Mr. Thomas opened the floor to public comment. Joe McCarthy, a member of the Historic Germantown board, commented that this site is a very large site and has a large impact on the Germantown Avenue corridor. He argued that further demolition of buildings along Germantown Avenue corridor will endanger its National Register status.

William Ochester, a former member of St. Michael's, noted that he served on the church council and other committees and was involved in the preservation of the burial ground surrounding the church. He asked whether the burial ground was included in the nomination. Members of the Commission clarified that the burial ground is included in the nomination. Mr. Ochester noted that there are soldiers buried there and many forefathers of the Germantown community. Mr. Thomas noted that one of the Criteria for Designation included in the nomination is related to the archaeological potential owing to the burials and the association with the Battle of Germantown. Ms. Cooperman added that the Committee on Historic Designation also believed there were other potential subsurface remains other than those associated with the Revolutionary War dead owing to the lack of development on the site. Ms. DiPasquale noted that the Committee had discussed the archaeological potential for the foundations of the earlier churches on the site.

Paul Steinke of the Preservation Alliance for Greater Philadelphia stated that the Alliance supports the nomination and the recommendation of the Committee on Historic Designation.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 6671 Germantown Avenue satisfies Criteria for Designation A, E, J, and I and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Long seconded the motion, which passed unanimously.

ADDRESS: 1108 S 5TH ST

Name of Resource: Southwark Branch of the Free Library of Philadelphia

Proposed Action: Designation

Property Owner: Greater Philadelphia Overseas Chinese Association

Nominator: Philadelphia Historical Commission staff

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the building at 1108 S. 5th Street satisfies Criteria for Designation A and E.

OVERVIEW: This nomination proposes to designate the property at 1108 S. 5th Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the former Southwark branch of the Free Library is significant under Criteria for Designation A and E. Satisfying Criterion A, the nomination contends that the building has significant interest or value as part of the City's development, the history of public libraries in the United States, and for its association with Pittsburgh industrialist Andrew Carnegie. Satisfying Criterion E, the nomination contends the building is significant for its association with David Knickerbacker Boyd, the industrious Philadelphia architect who designed and supervised or directed the design of nearly 3,000 buildings during his career.

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

Ms. Chantry stated that two letters were mailed to the property owner, dated 7 August 2017, notifying of the proposed designation. No letters were returned to the Historical Commission as undeliverable. The property owners also did not attend the Committee on Historic Designation meeting.

Mr. Thomas asked for public comment. David Traub, representing Save Our Sites, commented that the building is loaded with character and is significant under Criterion A. He suggested that it is the sort of building that may be overlooked, but it adds to the richness of the fabric of the neighborhood. He concluded that Save Our Sites supports the designation.

ACTION: Mr. Schaaf moved to find that the nomination demonstrates that the property at 1108 S. 5th Street satisfies Criteria for Designation A and E, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Cooperman seconded the motion, which passed unanimously.

ADDRESS: 1020-24 CHRISTIAN ST

Name of Resource: Protestant Episcopal Italian Mission & Church of L'Emmanuello

Proposed Action: Designation

Property Owner: Christian St Baptist Church Inc.

Nominator: Keeping Society of Philadelphia

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the buildings at 1020-24 Christian Street satisfy Criteria for Designation A, E, and J.

OVERVIEW: This nomination proposes to designate the property at 1020-24 Christian Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the chapel and parish house are significant under Criteria for Designation A and J. Founded as Philadelphia's first and only Protestant Episcopal Italian Mission, the subject property is one of the oldest purpose-built Italian missions in Philadelphia, constructed between 1890 and 1904.

DISCUSSION: Ms. Chantry presented the nomination to the Historical Commission. Oscar Beisert of the Keeping Society of Philadelphia represented the nomination. Realtor Jeffrey Hill and Pastor Clayton Hicks of the Christian Street Baptist Church represented the property owner.

Mr. Beisert commented that this complex of buildings was originally a mission that provided education and medical care to Italians in South Philadelphia, and was the Episcopal congregation for Italian immigrants as well. The buildings were designed by prominent Philadelphia architect Frank R. Watson. He noted that the Philadelphia Historical Commission staff's 2014 preservation planning memorandum for the South District called this building out specifically as a site that should be considered for historic designation. He referred to it as part of a parade of buildings that surround the Italian Market and relate to the history of Italian immigrants coming to Philadelphia in the late nineteenth century. David Traub, representing Save Our Sites, commented that he endorses the nomination, and that the church contributes to the streetscape and should be designated. Mr. Beisert commented that the Bella Vista Neighbors Association submitted a letter of support for the designation, and had a unanimous

board vote on the proposed designation. Paul Steinke, representing the Preservation Alliance for Greater Philadelphia, commented that the Alliance supports the nomination and the recommendation of the Committee. He commended the nominators for their research and for making it public. Eugene Desyatnik, representing the Bella Vista Neighbors Association, commented that he is in support of the historic designation, and the building is a link to the rich immigrant history of the neighborhood.

Mr. Thomas provided background on the Historical Commission and what it means to have a property historically designated. He noted that there are 10 Criteria for Designation under which a property may be nominated. Mr. Thomas proceeded to read each Criterion and offer examples of properties that satisfy them.

Mr. Hill offered background on the congregation and its current situation. He stated that Christian Street Baptist Church has been struggling for the past several years to maintain its presence on Christian Street. This is primarily due to forces of gentrification in the neighborhood, lack of parking, and lack of the existing congregation being able to get to and from their residences and the church. Many churches and houses of worship in South Philadelphia face similar problems. L'Emmanuel operated the church from 1892 through 1929. Since that time, this church has been African American owned and operated as a Baptist church. He noted that the nominator and nomination do not reference the Christian Street Baptist Church or address its historical significance, which he finds ironic. This church has gone through four generations of pastors, and was a significant ministry up through the 1970s, at which time the congregants were gentrified out of the neighborhood. There was never any mention of historical designation until the church was overwhelmed with disrepairs, to the point it could no longer use the main sanctuary because of mold and structural issues. The congregation was confined to a small room at the rear to conduct services, and has been for at least one year. When he was contacted by Pastor Hicks, it was in the spirit of Pastor Hicks wanting to grow his ministry. Unfortunately Pastor Hicks could not do that in the current space. The church made the decision, reluctantly, that they would have to move if they wanted the ministry to survive. The congregation voted to move recently. They put the church on the market and entered into an agreement of sale. Not until after they entered into the agreement of sale, and were looking at alternative places of worship and secured alternative places of worship to expand and continue the ministry, was a nomination made to designate the church as historic. The nomination was made after the church entered into a binding contract with a buyer, and, prior to doing that, the church had conducted a highest and best use analysis. They hired a commercial appraiser. The analysis concluded overwhelmingly that this neighborhood is residential, and that this site should be redeveloped for residential use. Much of the residential in the area is newly constructed buildings, right within this church's own block and the general vicinity. The whole area is residential, Mr. Hill asserted. That is when the decision was made to sell the church to a developer who could be used for its highest and best use. He stated that it would be a "win-win," because the church could continue and expand its ministry. Mr. Thomas interjected that what Mr. Hill is saying is that the church could take the proceeds from the sale of the property and apply it to ongoing ministry. Mr. Hill concurred. Mr. Hill continued that the idea that this church's origins are as an Italian mission is not something that is lost on the church. But what seems to be lost is the fact that this building has been owned independently by an African American institution three times longer than L'Emmanuel existed. Now they are being told, after being gentrified out of the neighborhood so they cannot exist, that not only can they not exist there, but they cannot exist anywhere else. Essentially, their ministry will be stifled, he claimed. It is unacceptable, he asserted. The church was not notified nor invited to the Bella Vista Neighbors Association meeting. Had he known that letters were needed, the support this church has from the greater church community in Philadelphia is overwhelming, including the

largest church in the city, which is doing tremendous ministry in the northwest section of the city, and is in full support of Pastor Hicks. Take all of this into consideration, and realize that in 1943, when the pastorate of this church was purchased, no one told them that they would not have the full bundle of rights that come along with owning real estate, including the right of disposition. Had they been told that, they may have elected to lease the building, because it seems they only have leasehold rights if they are not allowed to move forward and continue their ministry.

Pastor Hicks asked the members in support of Christian Street Baptist Church to stand. Approximately eight individuals in the audience stood. He stated that it seems as though the Commission is very concerned with the architectural structure of the church, but it was built to do ministry; it was built to help people and when the time of helping people of that section of faith was finished, they moved. They went to help someplace else. While this congregation was in the building, it fulfilled the mission to help people. But now the church's time there is done. He opined that making this site historical will not bring in a new congregation. The Commission is so concerned with the mortar and stone, that it is forgetting what the church is about. The congregation needs to relocate. If it is prevented by the designation, the Commission is effectively cutting the church off at the knees. He asked the Commission to understand that by designating this property, it is killing off a ministry. The sale of the church will go to purchasing another building. It is not going in the pocket of the Pastor or the pocket of the people. It is going to continue ministry. The congregation is in a borrowed space from now until December, believing that the Lord will open up a door to get some place else. Pastor Hicks explained that he understands preserving Philadelphia's history, and has lived in Philadelphia all of his life. But he also understands that he has a calling that he must fulfill, and it cannot be done being shackled to the place, and it cannot be done with the church being stopped. Bella Vista Neighbors Association never contacted the church, he claimed. Mr. Beisert never reached out to the church. If there is that deep care for the place, then talk to the people in the place. But that is not what was done. He suggested that the nomination feels very underhanded and sneaky, and that is not what the church wants to be about. Mr. Thomas commented that many churches have been nominated in circumstances like this. There are two goods that are seemingly at odds: the preservation of the site that has value, and the ability of the church to continue to provide ministry has value.

Mr. Beisert apologized for not having time to do additional research on the current congregation. He acknowledged that there is likely significance tied to the current congregation. He explained that he has nominated numerous sites, and several have been historic African American sites. He commented that he cares just as much about African American history as he does Italian history, or the history of Philadelphia. The nomination was made in good faith. It was not to stifle the church's mission. The Keeping Society's mission is to ensure that 100 years from now, the history is still physically there. The church can achieve its mission and Philadelphia can still have its resources. The arguments made by the church are heartfelt, valid, reasonable and strong, but these are the same arguments that were made over the designation of First African Baptist Church, which one could argue was in worse condition and had multiple violations from the Department of Licenses & Inspections. That property sold for over \$1 million, and it did take additional time to sell, but it is being reused for business purposes, and continues to represent one of the oldest Baptist congregations in Philadelphia. He urged the Commission to designate the property and urged the congregation to consider that there is another buyer for this church, who will preserve it. It will take a little more time, but it is possible, and it is not unknown. The moment the nomination went out, Mr. Beisert was called by the developer who has it under contract and who told Mr. Beisert that he is going to demolish the building, and asked Mr. Beisert to withdraw the nomination. Mr. Beisert concluded that this is essentially a vote on demolition.

Leonard Reuter of the Law Department asked about the current status of the agreement of sale. Mr. Hill responded that the agreement of sale still exists, but his understanding is that it becomes voidable if the Commission designates the property. He asked Mr. Thomas if there have been similar circumstances in the past, where a church was also under agreement prior to a nomination. Mr. Thomas responded that he has not seen any paperwork, but offered an example at 38th and Chestnut Streets for the Episcopal Cathedral. Several of the other buildings on that site were historically designated. What they wanted to do was preserve the church building, but wanted to demolish the other buildings, because there was a developer that wanted to build the high-rise that is there today. What was done was there was an agreement where it was guaranteed that the revenue from the high-rise would go to support the historic church. The demolition for hardship reasons was allowed. If the building was listed on the Register right now, in its current state, and there was a hardship situation, the owner would have to document that there is no reuse and that it was marketed unsuccessfully, in addition to other things, in order to demolish it. There are provisions that have been used in a case where it is documented that there is no future for the building. Mr. Hill responded that he appreciates the story, but his question remains. He again asked if there have been prior cases where there was an existing binding agreement of sale in place prior to the recommendation by the Committee. Mr. Thomas responded that he could only answer yes or no if he saw the agreement. Mr. Hill explained that it is voidable because they represented the property in its state before it was sold. It would be voidable if something occurred that would change that representation regarding its lack of historic designation that was made, in good faith, at the time of the agreement. He again asked about timing and needing to know if there is precedent for an existing agreement of sale, prior to a designation. He opined that quite a few churches were demolished, demonstrating that the nominations were submitted too late. He questioned if this nomination was also not made too late, being that there is an existing agreement of sale in place prior to designation. Mr. Thomas responded that what would govern this is if a demolition permit application had been submitted prior to the notice of the consideration of the nomination being sent to the property owner. He provided the example of Jeweler's Row. He explained that the issue is that those buildings were nominated after a demolition permit application had been submitted. In the absence of a demolition permit application, a transaction between private parties does not take precedence over a nomination. But, he observed, the Commission will take all of these things into account. Mr. Reuter asked if there is anyone in attendance representing the purchaser of the property. No one responded. Mr. Reuter emphasized that the agreement of sale may fail as a result of the nomination, which the Commission can consider. The Commission can consider any evidence for and against designation. Having a purchase agreement will not automatically preclude designation, but the Historical Commission can consider it. It is significant for other legal reasons, in terms of what may happen during a potential appeal. He reemphasized that the agreement of sale by itself does not dictate whether or not the Commission can designate the property. The Commission can still choose to designate or to not designate.

Minister Michael Stokely stated that the actual hardship that will be created by a positive decision to designate this church is insurmountable. He noted that Mr. Beisert mentioned something about other potential buyers, and if he is aware of one, he should let the church know. But what they do know is the monetary impact that a designation would have on the value of the property. If it takes away one-third or one-half of the value of the property, it would be a travesty to the small African American congregation. The Commission needs to consider the true impact a designation would have on the congregation.

Archbishop Anthony Floyd commented that he married into this church many years ago. The pastor had been there some 40 years. There were leaks at every corner of the building. He suggested that they go to the Historical Commission and tell them about the leaks so they could get some money. Someone came out and did an examination, and said that the church was not capable of being historical. He said that the windows were “messed up” and he made a big list. After that, Mr. Floyd decided to fix the church. They tried to fix the leaks. The Italian Market was very prejudiced against this church and the community. The church wanted to have a street meeting, and the police said no, owing to the possibility for racial conflict. Mr. Floyd was close with the governor and he told him and then they were able to have the street meeting. They did about \$50,000 worth of work to the church. Even in that community, they were not respected. A chiropractor was on the corner. She said that the “city kids got her out of the building.” He questioned the area where the church is located, and said it should be considered.

Mr. Traub commented that he is sympathetic with the plight of the congregation. He wished they would stay in the neighborhood. If they sell the church, he does not think the building has a good future. He wished this and other congregations would see that they have a moral obligation to keep at least the façade of a building. The façade itself embodies religion. If the church is sold, a developer will most likely obliterate it. More time is needed. He suggested that the matter be continued and the parties involved would get together and work out some kind of compromise that would save at least the façade of the building. A skilled developer could incorporate it into a new residential development. The issue deserves further discussion.

Tahnee Hall, the treasurer of Christian Street Baptist Church, commented that the Commission is so focused on the building, instead of being focused on the people. The nominator and supporters have mentioned on multiple occasions that they did not have time to come and speak to the church. The church has been in this neighborhood for decades. Ms. Hall pointed at each individual and stated that she has never seen them. She noted that they have had months since submitting the nomination, and yet she has still not seen them. The church is being pushed out of the neighborhood. If it was up to the church, they would not leave that building. But in order to take wings and fly, they need to move. That means they need to have the ability to sell the property for as much as they can get so that they can move on to the next step. She is also concerned with history, but you take history with you. You repeat your history to your children. You share that information with the people you come into contact with. History is not bricks and mortar. You cannot make this all about a material object. You still need to consider the people.

Mr. Beisert commented that he strongly sympathizes, but feels confident that they will find a buyer who will preserve the building and it will not take very long, if the property is designated. He noted that it is located in a very popular neighborhood with a lot of development occurring. He commented that he believes that history is both about what you tell your children, but it is also about what you see in front of you. He reminded the Commission that, while the designation will have an effect on the congregation for a period of time, it will also have an effect on the people that live in the neighborhood. When you watch what you find beautiful in a neighborhood being destroyed, it is a terrible feeling. The most recent Historic Preservation Task Force meeting showed that there are a lot of people concerned about this problem. It does not have to go one way or the other, because the Commission has the power to ensure that there is a future buyer that will reuse this building, just like First African Baptist Church and other churches that have been designated. He referenced 5356 Chew Avenue, a recent designation that already has a buyer. He concluded that he is trying to ensure that Philadelphia is still recognizable 100 years from now as the historic city that it is.

Mr. Hill stated that what is being ignored is that this building, as a church, and as anything that requires a large congregation of persons, has become functionally obsolescent. There is no parking, no parking lots, and no ability to create parking. That is something that impacts the value and the highest and best use of the property. He stated that it is all well and good for Mr. Beisert to talk about what the congregation may be able to find. He suggested that anyone with all of Mr. Beisert's connections and passions should buy the church. Otherwise, do not deny the church the right to sell property that it owns. Mr. Beisert responded that there are numerous examples in South Philadelphia of churches that have been reused.

Mr. Stokely commented that he has been assisting Pastor Hicks for about one year. Every summer the church has a cookout for the community. No one from the neighborhood ever attends. They do not show up. And the one time someone did, they asked what the church was still doing here. The building is going to crumble. It is not going to last. It is falling apart. Eventually it is going to come down unless someone fixes it up, and he asked: Why would someone do that? On the right side are townhomes that were constructed approximately 5 years ago, and on the other side is all residential properties. The community has already been changed. The Italian Market is no longer the Italian Market. History is not the building. It is the people. If the Commission really cared about the community, it would not do this. It cannot tell people to stay longer. That is a hardship. The building has to be maintained while it is taking longer. If the congregation leaves the building and goes elsewhere, that means they are maintaining two different buildings. This is not a large congregation. Most congregants are over 50 years old. They have been there since they were children. The Commission needs to think about the people who have owned it and have maintained it, and now cannot.

Mr. Desyatnik commented that the last position he wants to be in is an 11th-hour objection to the congregation moving on. It is not the intention for it to be timed like this, and it is not underhanded. This is symptomatic of a larger problem. The preservation community is reactive to these issues. It does not have the resources to catalogue the places that matter. He stated that he does attend community events when he finds out about them, and if the opportunity presents itself, he will attend. He hoped for an adaptive reuse that can allow for both objectives to be met, in that the congregation can continue elsewhere, and the building can be reused for residential purposes. He referenced the synagogue converted into condominiums at 6th and Bainbridge Streets. He commented that he does not know of the financial repercussions. If there is absolutely no way it can happen, he would temper the recommendation for this to be designated by the fact that it cannot happen, and everyone needs to move on. But the hope is that a designation can create an opportunity.

Mr. Thomas opined that it is clear to him that the current situation presents a hardship. He referenced the 3600 block of Lancaster Avenue, which was under agreement and being surveyed for demolition last year. The local civic association and the staff of the Historical Commission filed nominations to designate the block, listing it on the Philadelphia Register. What subsequently happened is the developer did not walk away. Instead the developer created a design that protected the most important parts of the buildings. There is no question that if the building was simply designated, it would be a hardship to the congregation continuing its ministry. A continuance could allow for time to see if there are other options. The current buyer may only take on new construction, but there may be other buyers who could take advantage of a building like this, in this neighborhood, for residential or other purposes. It would be wise to give that some time. That is a hardship in itself, but the Commission has seen other successes recently. He clarified that this is his opinion. There would have to be work going on during the continuance period. The nominator or others from the community would need to work with the church to look at other developers who would be interested in this property and could take

advantage of its character while still providing the revenue needed from the sale. Ms. Cooperman commented that a hardship is not before the Commission, but rather a nomination is before the Commission. She commented that there is likely no Commissioner that is unmoved. She observed that there is no hardship application before the Commission, and it is bound by its Rules & Regulations. Mr. Mattioni commented that the validity of the claims in the nomination is before the Commission. He opined, however, that, if the parties were to agree to move for a continuance at this point, then the Commission might delay acting on the nomination. But that is not something the Commission can do. It has before it a nomination, and that is what it has to act upon, unless it is requested to do something else. The church and its congregation and the nominator may request a continuance.

Mr. Beisert commented that there is an agreement of sale, which is what is pending, and the only way they are backing out of the agreement of sale is if the property is designated. He asked if he is wrong. Mr. Thomas responded that the Commission is charged with looking at the nomination; the Commission is also made up of human beings, who are listening. He reminded everyone that the property would remain under the Commission's jurisdiction if a continuance is granted. Mr. Beisert commented that he spoke to someone at Partners for Sacred Places, who said she would reach out to the congregation. It sounds like they did speak at some point. There was nothing for Partners to do at this point because of the agreement of sale. He reached out to Partners because he was concerned about trying to help find a buyer.

Mr. Thomas stated that the Commission is waiting to hear if either party or both parties would like to request a continuance. Ms. Cooperman commented that the Commission can continue the review at its own discretion. Mr. Reuter commented that, based upon the information provided by the owners of the property, a continuance of this matter, especially without the request of the owner, is essentially the same thing as designating it because it can kill the existing agreement of sale. It is not a question of either party making the request. The request has to come from the owner of the property, and the owner of the property needs to understand that if this matter is continued without any decision, the current status of the property is that it cannot be demolished, at least not without going through the hardship application process. He commented that he does not know if the congregation has had an opportunity to discuss with the purchaser the impact of continuing the matter. He does not know the closing date of the agreement of sale. He is not trying to persuade anyone to do something one way or the other, but it has to be clear what the impact of the various decisions would be. If the congregation does request a continuance, there should not be a reason why the Commission would not honor that request. If the Commission makes a decision to not designate the property, then it is done and the church is free to go. If the Commission makes a decision to designate the property, then that includes all of the restrictions and all that that implies for the agreement of sale. The Commission is basically asking if the church wants a continuance. Mr. Hill asked about the church's recourse if the Commission makes a decision today against the church, and takes away the church's ownership. Multiple Commissioners responded that the Commission is not taking away the church's ownership. Mr. Mattioni responded that it is Mr. Hill's conclusion, from the impact of what the Commission may do. The Commission would be voting on whether or not to designate. Mr. Hill responded that the Commission is taking away the church's bundle of rights that comes along with ownership. Mr. Mattioni responded that that again is an assumption Mr. Hill is making. The Commission does not necessarily agree or disagree. If that is the legal conclusion Mr. Hill wishes to draw, Mr. Mattioni would suggest that he consult with his own counsel. The Commission will not be able to offer any legal advice, and nor will Mr. Reuter. The congregation has been offered an alternative that may or may not sound desirable. In the absence of it, the Commission will have to act. That is done through a motion and a second to a

motion, and then a vote. There will be no prediction of what the results will be. He suggested that, as adults, they can make their own decision.

Mr. Thomas commented that when the Commission votes to designate, and someone objects, that person can go to the Board of L&I Review. Mr. Reuter corrected Mr. Thomas. Mr. Reuter explained that since the Dream Garden case, there were certain cases where by agreement the parties went to the Board, but an appeal from a decision on designation goes directly to the Court of Common Pleas. That is why it is important to understand whether or not the designation has any immediate impact on a particular property owner's rights. In some cases it does, and in some cases it does not. The church has put evidence into the record that there is going to be an immediate impact of some sort on them and the congregation as a result of the designation, therefore they have a strong argument that they do have a right to an appeal directly to the Court of Common Pleas from the decision. If they have legal counsel, perhaps there are other alternatives to do things in the meantime while the appeal is pending. It would take some time. Mr. Mattioni stated that he believes it to be inappropriate for the Commission and Mr. Reuter to get into an extended discussion because the owners have to retain their own counsel if they want legal advice. Mr. Reuter responded that he understands, but the Commission is still obligated to inform persons before them of their rights.

Mr. Beisert and Mr. Hill briefly discussed the matter privately. Mr. Hill asked Mr. Beisert if he wanted to put the discussion on the record. Mr. Beisert responded that it could be grounds for a continuance to allow for further conversation. Mr. Hill asked Mr. Beisert if he had spoken to the buyer of the property. Mr. Beisert responded that he spoke to someone, but cannot confirm that they are in fact the buyer, even though they represented themselves as the buyer. Mr. Hill asked if Mr. Beisert remembered the buyer's name. Mr. Beisert responded that it is Ori Feibush. Mr. Hill confirmed that Mr. Feibush is the buyer. Mr. Hill asked what Mr. Feibush said to Mr. Beisert. Mr. Beisert responded that Mr. Feibush said that there might be some way to preserve some part of the building. Mr. Hill stated that Mr. Beisert suggested that the congregation request a continuance because of that representation. He wanted to make sure that it is in the record. Jim Duffin interjected that the nominator also has the option to withdraw the nomination, and then it no longer needs to be voted on by the Commission. If the nominator wishes to enter into discussion with the owner, and come up with another solution that does not require the property to be put on the Register, the nominator can withdraw the nomination and there will be nothing further to vote on. If it is continued, there is the option for the nominator to withdraw the nomination if an agreement can be reached between the congregation and other parties. Mr. Thomas commented that the benefit of that approach is that it can happen very quickly, because they are dealing amongst themselves and not with a complex legal process. Mr. Reuter commented that, strictly speaking, this is not entirely correct. The Commission is not voting on a nomination; the Commission is voting on whether or not a particular property should be designated. A nomination is the vehicle that brings it to the Commission's attention. If one withdraws a nomination, the Commission is free to decide to no longer consider it. But Mr. Beisert as the nominator is not the one that is in control. Once the staff issues the letter to the property owner, then it is entirely within the Commission's jurisdiction. The nomination is very important, but it is not the controlling document. Ms. Cooperman agreed, but noted that conventionally, the Commission has removed a withdrawn nomination from consideration. Mr. Reuter agreed, but noted that he wanted to make it clear that Mr. Beisert is not a party before the Commission; rather, he is just a nominator.

Mr. Hicks asked for a five minute recess so that he could discuss the matter with the congregation in attendance. Mr. Thomas agreed. Upon reconvening, Mr. Hicks stated that they wish to move forward with a vote on designation, rather than a request to continue the matter.

Mr. Thomas commented that he assumes that it is also Mr. Beisert's position. Mr. Beisert did not necessarily agree nor disagree. Mr. Thomas commented that, absent any continuance request, the Commission will proceed.

Mr. Farnham offered clarity. He stated that the Commission has heard some claims of hardship, and also counterclaims that the Commission does not have the capacity to consider a hardship argument at this point. The Commission has complete discretion to consider any evidence when deliberating on a nomination. It can consider any argument it wants and can use that as a basis to designate or not. The Commission must find that the property meets one or more Criteria for Designation to make the designation decision, but once it has found for the satisfaction of the Criteria, which it does not sound like anyone has contested, the Commission must then decide whether or not it is appropriate to designate. The Commission's discretionary authority with designation is broad and it is supposed to be. The Commission can consider the hardship claims just as it can consider claims from the neighbors that the property is redevelopable. Nothing is out of bounds. The Commission has full discretion to make whatever decision it wants to make. He commented that he is not lobbying for a decision on either side, but does not want the Commission to discount some evidence that can be factored into its decision. Mr. Thomas elaborated on Mr. Farnham's statements by saying that designation can be a two-step process. The first step is to determine if a property satisfies one or more Criteria for Designation. That alone does not place a building on the Philadelphia Register. He referenced one example where the Commission found that an object satisfied one or more Criteria, but chose not to designate, owing to an owner that was a good steward of the resource. He asked for a motion as to whether the property meets any Criteria for Designation.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 1020-24 Christian Street satisfies Criteria for Designation A and J. Ms. Turner seconded the motion, which passed by a vote of 8 to 3. Commissioners Fink, Long, and Stanford dissented.

Mr. Thomas clarified that the Commission has voted and has decided that the property satisfies Criteria for Designation A and J. Now the Commission needs to look at the whole situation, and not just the satisfaction of the Criteria. Mr. Mattioni commented that the Commission has heard all of the reasons and all of the information from all parties, and it does not seem like there is a need for additional discussion beyond what has already been heard. Ms. Cooperman commented that the Commission is sympathetic to the current financial situation of the congregation and their aspirations. That being said, the Commission's duty is to preserve historic resources. Mr. Thomas commented that, if the Commission chooses to designate the property, it has heard that there may be other paths to developing the property. Ms. Cooperman agreed, saying that previous examples strongly suggest to the Commission that there may be other options out there. If the Commission does not designate, then it is essentially saying that it is appropriate to demolish this building, which it just determined has historical significance. Mr. Thomas commented that the Commission designated District Health Center 1 earlier in the meeting. A developer acquired nearly the entire block. The developer has commented that he will work with the existing building to add value to the project. The Commission has seen that the right developer can still allow you to go forward with your ministry. Ms. Stanford agreed, but cautioned that the Commission does not have that information today. It cannot use that as a fact. The Commission either needs to explore possibilities with the current developer, or identify another developer before it has the information to proceed. Mr. Thomas commented that those discussions are voluntary on the part of the congregation and nominator. The property is under the jurisdiction of the Commission. The church decided to move forward with the designation

vote today, so the Commission is not really in a position to find other developers. The Commission would encourage the church to do so.

Mr. Mattioni asked about the impact of having no motion one way or the other. He also asked about the effect of deciding today to not designate. Mr. Reuter responded that, if the Commission does not vote to designate the property, the matter is over and the owner can apply for a demolition permit today. It is theoretically possible that a third party could file an appeal, but that would not in itself put any restrictions on the property. If the Commission does not act, the general rule is a failure to act is essentially the same as a denial. The Commission can continue or table it, but no decision is a failure to take an action. He asked for a copy of the Commission's Rules & Regulations. Ms. Stanford asked if the Commission can continue the matter in order to obtain more information from the owner or nominator. Mr. Thomas responded that the Commission could vote for a one-month continuance. The congregation has said that it cannot wait, but at the same time, if the Commission voted today to designate it would have the same effect. If it were designated, more information could be put into the record regarding the history of the current congregation. Mr. Thomas encouraged the congregation and nominator to get together to consider additional development options.

ACTION: Mr. Mattioni moved to continue the review of the nomination for 1020-24 Christian Street for 30 days to the Historical Commission's meeting on 10 November 2017. Ms. Cooperman seconded the motion, which passed by a vote of 10 to 1. Mr. Fink dissented.

OLD BUSINESS

2117 E YORK ST

Name of Resource: Weisbrod & Hess Brewery

Proposed Action: Designation

Property Owner: Autowerkstatt LLC

Nominator: Andrew Fearon

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

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 2117 E. York Street satisfies Criteria for Designation A, C, D, E, and J, provided the boundary description is revised to exclude the office building and vacant land at the corner of York and Martha Streets and the chimney stack is considered non-contributing, owing to its lack of integrity.

OVERVIEW: This nomination proposes to designate the property at 2117 E. York Street as historic and list it on the Philadelphia Register of Historic Places. The nomination argues that the former Weisbrod & Hess Brewery loading room, condenser and storage/boiler, and the wash house buildings, constructed between 1890 and 1899, are significant under Criteria for Designation A, C, D, E, and J. The nomination contends that the buildings are significant as part of the formerly much-larger Weisbrod & Hess Brewery complex, as well as for their association with Christian Hess, a prominent citizen in the German-American communities in Philadelphia and Atlantic City, NJ. The nomination also argues that the buildings are architecturally significant as representative designs of the Rundbogenstil style, which was used for German-owned breweries in Philadelphia and across the United States. Under Criterion E, the nomination contends that the property is significant as a work of German-American architect Adam C. Wagner, who designed more than 50 breweries during his lifetime.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. Oscar Beisert represented the nominator, Kensington Olde Richmond LLC. Attorney Brett Peanasky and owners Anton Michels and Chris Isaacson represented the property owner.

Mr. Beisert noted that he was one of the authors of the nomination, which was submitted by Kensington and Olde Richmond Heritage LLC (KORH). He commented that the building is incredibly distinct in the area. As the nomination argues, it is Rundbogenstil in style, which was common for breweries. The period of significance is 1883 to 1939. The architect was A.C. Wagner, who was an important brewery architect at the time, and the building was constructed by R.C. Ballinger and Company. The original owners were George Weisbrod and Christian Hess. He opined that KORH believes it is a distinctive building and that it would be difficult to find anyone in the neighborhood who did not agree that it should be preserved and incorporated into new development. Mr. Beisert noted that there are other people from the community present as well.

Mr. Peanasky explained that he submitted a letter and report and draft form of a preservation easement. He apologized for the tardy submission of those materials, noting that they had been in discussions with Andrew Fearon of KORH with the intention of reaching some sort of private agreement, but were unable to do so. He explained that the purpose of submitting the report was to demonstrate that this is a rare instance in which designation would be unhelpful and counterproductive. In the opinion of the owners, the designation would compound problems that already exist. He noted that the owners are not wealthy developers, but use the property for the function which it has always served, as storage. He argued that deterioration over more than 125 years of the building's existence has undermined the integrity and significance of the building. He noted that towers that once existed are gone, almost all of the windows have been damaged or have fallen out, and courses of brick have fallen out. He opined that the main features of the façade have been significantly altered over time, as has the roofline. He noted that they do not disagree that at one time this building was significant as part of a larger complex, but argued that, over time, that significance has been lost. He explained that the building had a variety of industrial uses over time, but because of the changing character of the neighborhood, that is no longer possible. He explained that the owners purchased the building in 2004 and were attracted to it because of its unique character. He asserted that the owners have always been committed throughout the process to placing some sort of protection on the façade, and opined that the intent of the nomination is to preserve the façade. He stated that from the owners' perspective, nothing else can or should be saved. He explained that the reason he offered the easement was as a demonstration of the commitment of the property owners. He noted that the building has been for sale for a little over a year, that there are no current offers, and there has been no movement on the sale since the building was nominated. He asked that the Commission acknowledge that this is a building that does not merit designation, and reiterated that it is a rare instance in which a nomination would hurt the building. He implored the Commission, should it choose to designate the building, to stick to the Committee's recommendation and only designate the portions of the building it found significant, but noted that the owners would prefer that designation be limited to the façade. He opined that there is nothing left to preserve of the side walls or roof. He also commented that Mr. Michels is the president of the German Society, but is here as a private citizen. He stated that no one is authorized to speak on behalf of the German Society of Philadelphia.

Mr. Thomas stated that designation does not control the interior of the building. Mr. Beisert noted that he was not aware that the Commission could designate only the façade, and noted that he is not opposed to that compromise. He also commented that, although he would prefer

to see the chimney preserved, he can see how that would impede upon future development, and understands why the Committee did not choose to include it in their recommendation. Mr. Isaacson explained that he is a civil engineer. Mr. Thomas interjected, explaining that the condition of the building is not relevant and that the Commission is only looking at whether the nomination makes an argument for the Criteria. Mr. Thomas noted that the condition would only come into play when the owners needed to obtain a building permit. Mr. Isaacson responded that he obtained a building permit in 2009 or 2010 to remove 25 feet off the top of the smokestack and poured a concrete cap on the stack. He opined that the brick may be salvageable. Mr. Michels commented that he worked on the building over the last six years and has first-hand experience with what is behind the walls. He explained that when he became a business partner, he thought the building could be saved, but for several reasons, the idea of keeping the side and rear walls is not possible to imagine. He directed the Commission's attention to the report, noting that part of the structure is collapsed and trees are growing out of it. He opined that the only part that could or should be saved is the façade, but they do not have the financial ability to develop the property, so they put it on the market. He argued that the nomination is geared towards part of a building that does not exist anymore. Mr. Thomas asked what was discussed at the Committee on Historic Designation meeting. Ms. DiPasquale responded that the Committee recommendation was that the designation exclude the chimney, the more modern two-story office building, and some vacant land, and that those be considered non-contributing so they could be demolished. Mr. Thomas commented that that appears to coincide with what the owners are asking for. Ms. DiPasquale clarified that the owners are also asking that the side and rear walls of the building be considered non-contributing. Mr. Thomas commented that just the front façade of the Royal Theater was retained. Mr. Thomas asked Mr. Farnham whether the Commission could designate just the façade. Mr. Farnham responded that the Commission could determine that some parts of the building are not historic and could be demolished in the future without a finding of hardship or a necessity in the public interest. He noted that the Commission would still be designating the entire tax parcel, but only regulating for preservation purposes whatever pieces they chose. Mr. Thomas asked if there were photographs of the side and rear walls. Mr. Peanasky replied that there are some in the report they submitted. Mr. Thomas asked when that report was submitted, as he had just returned from a trip. Mr. Peanasky responded that he submitted it after close of business on Wednesday. Mr. Farnham clarified that he emailed the report and letter to the Commission members early Thursday morning, yesterday. Mr. Peanasky responded that he understands that the timing was problematic. Ms. DiPasquale clarified that hard copies of the report were distributed at each Commission member's seat before the start of the meeting. Mr. Peanasky noted that his report also featured a definition of the facade and recommended that the Commission use that as a guide. Mr. McCoubrey noted that many issues of condition could be handled through the building permit application process, and opined that he is not sure that the Commission needs to limit the designation at this point, given that there are other ways to review condition. Mr. Thomas opined that he does not feel the designation would prevent openings from being cut in the walls in the future.

Community member Venise Whitaker spoke in favor of the nomination. She opined that the building holds a character of Old Kensington, and spoke to the historical importance of the survival of these buildings. She argued that there has been too much demolition in the area and asked that the Commission designate the building.

Mr. Michels commented that the problem is that, if the entire building is designated, it becomes more uncertain for a prospective buyer to determine how much it would cost to rehabilitate the building. He suggested that if the designation is limited to the façade, there will be fewer hoops to jump through at the Department of Licenses & Inspections. He noted that he had difficulty

with getting a demolition permit for the office building, despite the fact that all the floors have collapsed. He opined that the request for that demolition permit is the reason that the nomination was submitted because the neighbors thought that the whole building was going to be demolished. He stated that he does not trust the process. He argued that designation limits the potential for a buyer because no one wants the restrictions. Mr. Peanasky clarified that they would like the Commission to recognize that the façade is the only historically significant piece, so that when a new owner seeks a building permit, the staff could approve the building permit. Mr. McCoubrey noted that the Commission considers not just the façade but also the massing, so if an applicant were to propose a 20-story building while retaining the façade, that would not be acceptable. Mr. Thomas agreed, and again offered the example of the Royal Theater, noting that all of the back walls have been demolished but that the Commission reviewed the massing of the new construction. Mr. Thomas opined that it would set a bad precedent to have a whole class of buildings where just the façade is designated. Ms. Royer noted that, from a development perspective, it does not necessarily reduce the development or construction costs to only retain the primary façade. She explained that it could be very expensive to support and restore the façade without a building behind it. Patrick Grossi of the Preservation Alliance clarified that the principal reason the façade of the Royal Theater was retained is because the Preservation Alliance holds an easement on the façade. He explained that the Royal Theater was granted a hardship claim by the Commission that allowed them to demolish the entire building. He noted that it is possible that the owners may have come with a proposal to retain the façade, but the primary reason that the façade remains is because of the easement. He suggested that the Commission designate it as it would any other property, recognizing that there are structural concerns with the smokestack, that the most recent addition would not be considered contributing, and without prejudice to a project that would principally retain the façade. He argued that the Commission should not limit its jurisdiction only to the façade, and noted that an interested buyer may want to retain some of the other walls. He also argued that the Commission should retain jurisdiction over things like the setback of an addition. City Solicitor Leonard Reuter responded that Mr. Grossi is correct that the Preservation Alliance holds a façade easement on the Royal Theater, and that he believes the easement was for the entire headhouse. Mr. Thomas commented that only the façade has been retained. Mr. Reuter noted that he represented the Alliance tangentially regarding an issue that came up with the easement several years ago, and though that is not relevant to this case, he just wanted people to know.

Christina Burris, a member of the community, noted that she is an architectural conservator and part of the brewery community. She stated that she is familiar with Wagner's work and the architecture of lager buildings. She noted that she is not a member of KORH and was not aware of the nomination until the night before, so she has not had time to read it, but that she strongly supports the designation of the building. The Weisbrod and Hess brewery took up the whole block, she explained. Philadelphia Brewing Company across the street has restored the bottling plant and put their own brewery into it. She believes this part of the complex has potential, and is sorry to hear that the smokestack may not be included. She argued that the smokestack is part of the building's history and was what powered the whole block. She reiterated that as a community member, architectural conservator, preservationist, and someone who is very familiar with Wagner's work, she strongly supports this building being preserved. She opined that, if it is not designated, she does not trust that it will be here in five years.

Maria Sturm spoke on behalf of Andrew Fearon of KORH. She explained that Mr. Fearon asked her to speak because he knows that she is familiar with the history of the German American community in Philadelphia. She noted that she has been a member of the German Society for many years, and most recently served as Chair of its Library Committee. She encouraged the

Commission to designate the building, because all of the brewers, including Christian Hess and George Wesibrod, were members of the German Society. She expressed happiness that Philadelphia Brewing has already preserved a portion of the complex, and her hope that this portion of the brewery would also be preserved too, and with it, an important aspect of the German American community in Philadelphia. Mr. Peanasky reiterated that the German Society has not deliberated or taken any position on the nomination.

Neighbor Carrie Nelson commented that it is important to her that this building is designated because it is one of the most beautiful buildings in the whole area. She noted that it is an area that at one time had a great balance of worker homes and industrial buildings, but there are fewer of the industrial buildings remaining. She commented that, around the same time that the owners bought this building, she purchased a two-story brick warehouse nearby. She explained that when she bought her buildings, its condition was deplorable, it was missing most of its roof and there were trees growing out of it. Mr. Thomas asked her to curtail her testimony to the salient facts. Ms. Nelson argued that, over the last 13 years, this building has deteriorated owing to its lack of roof and is being destroyed by purposeful neglect. She stated that she would like to see it stabilized and preserved.

David Traub of Save Our Sites commented that his organization is not averse to saving the façade. He stated that he is very concerned that someone does not build a high-rise building with the façade is plastered to it, because that would be ludicrous. Mr. Thomas responded that the Commission does not typically designate façades alone.

Mr. Peanasky clarified that he understands that the condition of the building is not a Criterion for Designation, but opined that the deterioration of the building, which happened decades before they purchased the building, has undermined whatever significance it might have had. He argued that the important parts of the building are no longer there. He explained that it is an RSA-5 zoning district, so 99% of any development proposal would have to go through a community process. He stated that the community will absolutely be engaged and considered during that process. He argued that they are not proposing to limit community involvement with the building in the future, but are asking that the Commission recognize that designation is not helpful to the building or the property.

Neighbor Julian Piane joked that he is part of the gentrification of the area, but noted that he bought a nineteenth-century house and is fixing it up. He stated that it is startling to go around the neighborhood and see how different the new architecture is. He noted that, when one stands in front of Philadelphia Brewing and sees how they have restored it pretty faithfully, one can imagine how the area would have originally been. He argued that it would be tragic to make some sort of Frankenstein out of this building by not being faithful to the original design. He noted that there are empty lots all over this part of Kensington, so there will be plenty of new construction, which is why it is so important to preserve buildings like this that actually speak to the history of the area.

Mr. Michels responded that they did not “Frankenstein” the building, and that he understands the neighbor’s concerns. He noted that, as more residents move into the area, the quality of construction will improve. He stated that he understands their dreams, but does not want to pay for them. He wants to realize his own dreams and not pay for other peoples’ dreams just because they come around the corner and think, “Wow, what a wonderful building.”

Jon Medlinsky, owner of a business directly across the street, commented that he would like to see this building protected. He explained that he spends about 14 hours a day in the building

across the street, and that this building is his friend. It inspires him on a daily basis to build something of quality and lasting value. He noted that he knows that the owners want what is best for the building, and he believes in the Commission's ability to protect it.

ACTION: Mr. McCoubrey moved to find that the nomination demonstrates that the property at 2117 E York Street satisfies Criteria for Designation A, C, D, E, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places, provided the boundary description is revised to exclude the office building and vacant land at the corner of York and Martha Streets and the chimney stack is considered non-contributing, owing to its lack of integrity. Ms. Royer seconded the motion, which passed unanimously.

ADJOURNMENT

ACTION: At 12:39 p.m., Mr. Mattioni moved to adjourn. Ms. Turner seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

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

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new works shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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.

14-1005(6)(d) Restrictions on Demolition.

No building permit shall be issued for the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within a historic district that contributes, in the Historical Commission's opinion, to the character of the district, unless the Historical Commission finds that issuance of the building permit is necessary in the public interest, or unless the Historical Commission finds that the building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted. In order to show that building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, the owner must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed.

NPS Preservation Brief 32, "Making Historic Properties Accessible."

Every effort should be made to minimize damage to the materials and features that convey a property's historical significance when making modifications for accessibility. Secondary spaces and finishes and features that may be less important to the historic character should be identified; these may generally be altered without jeopardizing the historical significance of a property. Non-significant spaces, secondary pathways, later additions, previously altered areas, utilitarian spaces, and service areas can usually be modified without threatening or destroying a property's historical significance.

CRITERIA FOR DESIGNATION

§ 14-1004(1) Criteria for Designation.

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

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