

**THE MINUTES OF THE 518th STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION
14 October 2005**

**1515 Arch Street, Room 18025
Michael Sklaroff, Esq., Chair**

Present

Michael Sklaroff, Esq., Chair
Joseph James, Deputy Commissioner, Department of Public Property
Sara Merriman, Special Assistant to the Director, Department of Commerce
Kathleen Murray, Assistant to City Council President
David Perri, Department of Licenses & Inspections
Vincent Rivera, AIA
Harris Steinberg, AIA
Thomas Sugrue, Ph.D.
Norman Tissian
Scott Wilds, Deputy Commissioner, Office of Housing & Community Development

Randal Baron, Historic Preservation Specialist
Jorge Danta, Historic Preservation Planner
Jonathan E. Farnham, Acting Historic Preservation Officer
Laura M. Spina, Historic Preservation Planner

Lawrence Copeland, Esq., Senior Attorney, City Law Department

Also

Robert Roomet
John Gallery, Preservation Alliance for Greater Philadelphia
Atul Patel, Calomiris Architects
Bill Calomiris, Calomiris Architects
Han Hsing Ho, Calomiris, Architects
Laura M. Siena, West Mount Airy Neighbors
Clare Kahn
Richard DeMarco, Klehr Harrison, LCP
Peter Taraborelli
Bill Aumiller, Aumiller Youngquist
Boris Cubas, Aumiller Youngquist
Carmella Bruno, 2528 South 19th Street
Julia Bruno, 2528 South 19th Street
Susan Chisholm, Converse Winkler Architects
Edward Bell, Edward Bell Architects
Timothy Jones, 112 Queen Street
Richard E. Tucker, Haman, Inc.
Guy Gindhart, North Star Advisors
Jonathan Broh, 920 Clinton Street
Stephen Verner, Cecil Baker & Associates
Wayne Davis, 225 Race Street/Rittenhouse Developers
Stephen F. Glasheen, Richard W. Thom, AIA
Richard Thom, Richard W. Thom, AIA
James Moliner, Front Street Development

Arlene Matzkin, Friday Architects
Carolyn Healy, Powelton Village Civic Association
John Phillips, Powelton Village Civic Association
Frank Sarlo, Powelton Village Civic Association
Nancy Drye, Powelton Village Civic Association
Sean D. McDougall, Visionary Companies, LLC
Judy Wicks, White Dog Café/Black Cat
Edward Robinson, The Property Connection, Ltd.
Phillip E. Scott, Kise Straw & Kolodner Architects
Kit Matthews, Please Touch Museum

Michael Sklaroff, Chair, recognized the presence of a quorum and called the 518th Stated Meeting of the Philadelphia Historical Commission to order at 9:10 a.m.

THE MINUTES OF THE 517TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

Upon a motion made by Mr. Sugrue and seconded by Mr. Wilds, the Commission voted unanimously to approve the minutes as corrected of the 517th Stated Meeting, 9 September 2005, Michael Sklaroff, Chair.

THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 1 SEPTEMBER 2005

Thomas Sugrue, Chair

136 South Front Street

Front Street Development Associates, LP, Owner

History: built 1825, rear tenements c.1790; demolished 1993

Designated: 26 May 1970

Designation Committee Recommendation: Approval of the rescission of the individual designation of 136 S. Front Street on the conditions that a Phase 1 archeological study is conducted, with follow-up archeological study as required, and maintenance of the designation on the Philadelphia Register with a classification of “non-contributing” in the Old City Historic District.

After purchasing the property in 1988, the Taxin family applied to the Historical Commission to demolish the building for parking. The Commission denied the application. The Taxins appealed the decision to the Board of License & Inspection Review, which sustained the appeal. The City of Philadelphia appealed the decision to the Court of Common Pleas, but later withdrew the appeal, clearing the way for the building’s demolition. The building was demolished despite the Commission’s denial.

The current owner, Front Street Development Associates, purchased the property in April 2003. The owner seeks the rescission of the individual designation under the Commission’s Rules & Regulations, Section 5.5.c.1. The property appears as “non-contributing” to the Old City Historic District and the rescission of the individual designation would not affect that designation and classification.

Ms. Spina presented the application to the Commission. Attorney Richard DeMarco represented the property owner.

Mr. Sklaroff noted that the Board of License & Inspection Review had overturned the Commission's denial of the demolition of the building; he also noted that the City had withdrawn its appeal of the Board's decision. He questioned the Commission's authority to deny the rescission or to request any archaeological study. He suggested that the archaeological potential of the site was unknown.

Mr. Wilds asked if the rear buildings on the site were older than the front building. Ms. Spina replied that the rear buildings were older. She added that all of the buildings on the site were demolished at the same time.

Mr. Sugrue noted that he had chaired the Committee on Historic Designation meeting. He remarked that this site is in the oldest section of Philadelphia. He asked Ms. Spina to describe a typical Phase One archaeological study, which she did. Mr. Tissian asked Mr. DeMarco why his client did not want to undertake the Phase One study. Mr. DeMarco replied that his client was on a cruise and could not attend the meeting; he speculated that his client deemed the study "too complicated."

Mr. Sklaroff asserted that it is the Commission's policy to allow developers to proceed with projects if potential archaeological resources are not disturbed. Mr. Wilds noted the large number of vacant lots in Old City.

Ms. Spina explained that the archaeological policy that had been defined in the Society Hill Historic District nomination had been adopted for the Old City Historic District as well. Mr. Sugrue reported that some members of the Committee on Historic Designation argued that Commission should require archaeological studies with every demolition. He added that he disagreed with this proposed policy, but asserted that the Commission should evaluate the archaeological potential with every demolition application and require studies when the potential for artifacts is high.

Mr. Sklaroff asked Mr. Copeland it was reasonable to assert that the Commission has the power to require archaeological studies. He answered that it was. Mr. Sklaroff then asked Mr. Copeland if it was reasonable to assert that the Commission does not have the power to require archaeological studies. He answered that it was. Mr. Sklaroff then claimed that regulatory agencies must find in favor of property owners in cases such as this one, when powers are ambiguous. Mr. Copeland responded that he did not accept Mr. Sklaroff's logic. Mr. Sklaroff again claimed that if a power is doubtful then the agency must not exercise the power.

Mr. Wilds asked if the Commission has the authority to designate owing to archaeological potential. Ms. Spina replied that it does. Mr. Sugrue asked if this property was designated prior to the creation of the standard designation form. Ms. Spina stated that it was; therefore there is no clear record of the reason for its designation. Mr. Wilds asked if we could require an archaeological study for a non-contributing lot. Ms. Spina answered that Mr. Wilds question was a difficult, but important one. The district nomination cited Designation Criterion I, the archaeology criterion, but non-contributing sites do not factor into to the district's significance. However, many vacant lots classified as non-contributing in the Old City Historic District may hold significant archaeological resources.

Mr. James stated that the Commission was expending too much effort to discuss a relatively minor matter; a Phase One archaeological study is not onerous and should be required. Mr. Sklaroff disagreed. Mr. Tissian responded, stating the agency's mission is preservation; the archaeological resources on the site should be preserved. Mr. Sklaroff again disagreed and noted that the follow-up archaeological study prescribed in the recommendation is not well defined and therefore should not be required.

John Gallery of the Preservation Alliance for Greater Philadelphia asserted that there is an interaction between the three rescission proposals on the current agenda. They all relate to the historic building at 149 S. Hancock Street. Mr. Gallery declared that the Commission should be working to protect the one tangible historic resource on the site rather than be distracted by potential archaeological resources on the other sites. He insisted that Mr. DeMarco state for the record that his client will not demolish the building at 149 S. Hancock Street. Mr. Sklaroff noted that 149 S. Hancock is not included among the current rescission applications. Mr. Gallery explained that it had originally been part of this set of applications, but had been withdrawn. Mr. DeMarco reported that the Redevelopment Authority would "move forward" without the 149 S. Hancock parcel.

Mr. Steinberg moved that the Commission adopt the Committee on Historic Designation's recommendation and rescind the individual designation of 136 S. Front Street on the conditions that a Phase 1 archeological study is conducted, with follow-up archeological study as required, and the designation as "non-contributing" in the Old City Historic District is maintained. Mr. Tissian seconded the motion, which failed with a vote of 4 to 5. Ms. Merriman and Messrs. James, Wilds, Perri, and Sklaroff dissented. Ms. Murray abstained because she had been absent for most of the discussion.

Mr. Rivera moved that the Commission rescind the individual designation of 136 S. Front Street. Mr. Wilds seconded the motion, which carried with a vote of 5 to 2. Messrs. Steinberg and Tissian dissented. Ms. Murray and Messrs. Sugrue and James abstained.

115 Walnut Street

Gloria R. Taraborelli, Owner

History: built c. 1860, demolished 1994

Designated: 6 February 1975

Designation Committee Recommendation: Denial of the rescission of the individual designation.

In the course of the demolition of the building at 117 Walnut Street, the building at 115 Walnut Street became unstable to the point that the Department of Licenses & Inspections declared it Imminently Dangerous. The Commission approved the demolition permit on 9 March 1994 on the condition that "upon the future development for 115 Walnut Street, the design of any facades visible to the public shall be consistent with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* and subject to the approval of the Philadelphia Historical Commission. The Department of Licenses and Inspections will not issue a building permit for a new structure at this location that does not comply with this condition." At the Commission meeting, the owners, Gloria and Peter Taraborelli, agreed to the condition. However, subsequent to the Commission meeting, they objected to the requirement that the new construction follow the Secretary of the Interior's *Standards*. Sixty-eight days after the Commission's decision, the Taraborellis appealed the permit's condition to the Board of

License & Inspection Review (BLIR). The BLIR announced a tie vote on the appeal, affirming the Commission's conditional decision. They did not appeal the BLIR's decision to the Court of Common Pleas.

Ms. Taraborelli still retains ownership of the property but has not developed it during the intervening decade. She now would like to have the individual designation of the property rescinded. The property appears as "non-contributing" to the Old City Historic District. The basis for the rescission application is that the property no longer meets the criteria for designation as noted in Section 5.5.c.1 of the Historical Commission's Rules and Regulations, "the resource has ceased to meet the criteria for listing on the Register because the qualities that caused its original entry have been lost or destroyed."

Ms. Spina presented the rescission application to the Commission. Attorney Richard DeMarco and Peter Taraborelli, the husband of the property owner, represented the application.

Mr. Sugrue reiterated the important facts of the case: the current owner agreed to the condition during the Commission's demolition review; appealed to the Board of License & Inspection Review; and the Board upheld the Commission's decision to impose the condition. He asserted that the Commission should not rethink an earlier decision; the facts of the case have not changed. He concluded, stating that the condition is not unreasonable. Mr. Sklaroff concurred and stated that the owner was attempting to reargue a case that had already been heard and decided.

Mr. DeMarco countered that it would be appropriate for the Commission to rescind the designation and remove the condition. The condition was imposed 11 years ago and the situation on the block has changed. The building has been lost and the property now meets the criteria for rescission. Mr. Sklaroff contended that the circumstances have not changed.

Mr. Taraborelli read a letter to the Commission that his wife had sent to the Commissioner of the Department of Licenses & Inspections on 22 March 1994. It explained that the buildings had housed an industrial rubber company; that they were unable to be rented for any other purpose; that the Commission had approved the demolition of 117 Walnut; and that he had strived to demolish 117 Walnut without damaging 115 Walnut.

Mr. Sklaroff again noted that the Board had upheld the Commission's decision. Mr. James agreed and stated that the Commission was rehearing a case in which none of the facts had changed. Mr. Wilds asked Mr. Taraborelli why he did not appeal the Board's decision to the courts. Mr. Taraborelli replied that his attorney William Schwartz had advised him poorly. Mr. Sklaroff noted for the record that Mr. Schwartz is a knowledgeable attorney.

Richard Thom of the Old City Civic Association stated that he was at the Commission's meeting in 1994 when it imposed the condition; He explained that the Association supported the condition then and continues to support it now. Mr. Sugrue opined that the condition is not unreasonable. Mr. Demarco reminded the Commission that he is not asking for an approval of a development. His client is not seeking to develop the property. He is only seeking to sell it and would like the condition removed to make it

more saleable. Mr. Tissian asserted that the argument was unconvincing and that the Commission should maintain the condition.

Mr. James moved that the Commission adopt the Committee on Historic Designation's recommendation and deny the rescission of the individual designation of 115 Walnut Street. Mr. Steinberg seconded the motion, which carried with a vote of 6 to 4. Ms. Murray, Ms. Merriman, Mr. Wilds, and Mr. Rivera dissented.

117 Walnut Street

Gloria R. Taraborelli, Owner

History: built c. 1860, demolished 1994

Designated: 6 February 1975

Designation Committee Recommendation: Approval of the rescission of the individual designation on the conditions that a Phase 1 archeological study is conducted, with follow-up archeological study as required, and maintenance of the "non-contributing" status to the Old City Historic District

After a severe fire, the Department of Licenses & Inspections declared the building standing at 117 Walnut Street Imminently Dangerous. The staff of the Commission approved the demolition permit, based on the Imminently Dangerous condition.

The owner, Gloria Taraborelli, wishes to rescind the individual designation of the property, as stipulated in Section 5.5.c.1 of the Historical Commission's Rules and Regulations. The property appears as "non-contributing" to the Old City Historic District and the rescinding of the individual designation would not affect that status.

Ms. Spina presented the rescission application to the Commission. Attorney Richard DeMarco and Peter Taraborelli, the husband of the property owner, represented the application.

Mr. Tissian moved that the Commission deny the rescission. No one seconded the motion.

Mr. Sklaroff noted that the issues were the same as those discussed during the review of the 136 S. Front Street rescission application.

Mr. James moved that the Commission rescind the individual designation of 117 Walnut Street without conditions, but maintain the district designation. Ms. Merriman seconded the motion, which carried with a vote of 6 to 4. Messrs. Rivera, Steinberg, Sugrue, and Tissian dissented.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 27 SEPTEMBER 2005

Vincent Rivera, Chair

1600 Callowhill Street

Owner: Rubicon-NGP Callowhill, LLC

Applicant: Allen Roth

History: 1908, for Louis J. Bergdoll Motor Co., later Middishade Clothing Factory

Project: Rebuild cornice or parapet

Architectural Committee Recommendation: Approval of the reconstruction of the cornice based on the historic drawing, pursuant to Standard 6

This application proposes to perform work at the cornice level of this industrial building. The applicant has been working with the staff on the masonry restoration and cleaning on the areas below the cornice, and although shown on the drawings submitted, that work is not part of this applicant. The building has lost its original cornice. The building is stuccoed where the cornice once stood; the stucco is in very poor condition. The applicant proposes two different intervention schemes for this area. Scheme One proposes rebuilding the stucco with new sound material. Scheme Two proposes restoring the cornice based on the original plans for this building. There are some discrepancies between the historic drawing and the built conditions; however, the cornice shown on the drawing is most likely a very close approximation of the original. Also, the applicant did not have all the pricing information for the cornice restoration at the time the application was submitted and has thus submitted the two different schemes for consideration.

Mr. Danta presented the application to the Commission.

Mr. Sugrue moved to adopt the Architectural Committee's recommendation and approve the reconstruction of the cornice based on the historic drawing, pursuant to Standard 6 [Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.]. Mr. Wilds seconded the motion, which carried unanimously.

920 Clinton Street

Owner: Michael Greenzang

Applicant: Jonathan Broh

History: 1839; additions, c. 1910

Project: Construct additions, add rear gate, rehabilitate building

Architectural Committee Recommendation: approval, provided all leaded glass is retained and restored, pursuant to the Historical Commission's in-concept approval of June 2005

The large rowhouse at 920 Clinton Street is uniquely situated; the front façade faces Clinton Street; the rear façade faces Pine Street. Virtually all of the exterior facades are visible from the public right-of-way. The rowhouse was constructed in 1838. About 1910, the building was renovated in the Colonial Revival style. Several side and rear bays, a side addition, leaded glass windows, and other features were added at that time.

The Commission reviewed an in-concept proposal for the project in June 2005. At that time, it decided to:

1. Approve in concept wood true-divided-light windows at the Clinton and Pine Street façades and wood simulated-divided-light windows at the side façade, provided all leaded glass windows are retained and restored.
2. Approve in concept the reconstruction of the second-story, Clinton Street, side porch based on the Commission's historic photographs, with a standing-seam metal roof, but denial of the proposed fenestration.
3. Approve in concept the demolition of the first-story side bay and construction of a one-story side addition with a roof deck, provided it is faced with an appropriate material. Deny all proposed Meteon plastic panels.
4. Deny the enlargement of the dormer on the Pine Street slope of the main roof. Approve in concept of the roof deck on the piazza, provided the dormer is not further altered (the window was converted to a fire escape door many years ago).
5. Approve in concept the reconstruction of a two-story addition atop the one-story side addition at the piazza, provided it is faced with an appropriate material.
6. Approve in concept the construction of a large three-story addition along the rear ell in the side yard.
7. Approve in concept the construction of a one-story infill addition beneath the second-story Pine Street bay, provided it is faced with an appropriate material.
8. Approve in concept the reconstruction of a second-story deck at the Pine Street façade.
9. Deny the construction of a third-story deck at the Pine Street façade, the cutting of a window into a door, and the new casement window.
10. Approve in concept the reconstruction of a brick and marble rear wall with wood gates in existing openings.

This design proposed in this application for final approval complies with the in-concept approval in every regard except one: it does not stipulate the retention and restoration of the leaded glass windows, a condition of Item #1 of the in-concept decision. The current proposal does correct the problematic fenestration at the front side porch (Item #2); replaces the unacceptable plastic panels with a smooth stucco (Items #3, #5, #7); deletes the unacceptable enlarging of the rear dormer (Item #4); deletes the unacceptable third-story rear deck (Item #9); and limits the parking entrance to the existing opening in the rear wall (Item #10).

Mr. Farnham presented the application to the Commission. He noted that the architect now plans to retain and restore the leaded glass. Architect Jonathan Broh introduced himself and confirmed for Mr. Sklaroff that he would retain and restore the leaded-glass windows.

Mr. Sugrue moved to adopt the recommendation of the Architectural Committee and approve the proposal provided the leaded-glass windows are retained and restored. Mr. Wilds seconded the motion, with passed by unanimous vote.

101 and 221 West Johnson Street

Owner: Philadelphia Preservation Group

Applicant: James Nolen

History: Presser Building: 1914, Paul & Seymour Davis, architects
 Carriage House: c. 1900, unknown architect
 Nugent Building: 1896, J. Franklin Stuckert, architect

Project: Restore three buildings, construct three residential multi-unit buildings, alter site
Architectural Committee Recommendation:

1. approval in concept of the locations and massing of the new buildings;
 2. approval in concept of the site plan including parking, provided the parking lot between the Presser building and Johnson Street is deleted and the review of grading, retaining walls, plantings, drives and walks, walls and fences, and other site alterations and amenities is deferred until more details are provided;
 3. approval in concept of the location and massing of the stair tower at the rear of the Presser building;
 4. denial of the ADA ramp at the front of the Nugent building;
 5. denial without prejudice of any and all other proposals for the exteriors of the historic buildings owing to incompleteness at the time of submission;
- provided the applicants incorporate the Committee's comments offered during the meeting, pursuant to Standard 9; the Building Site Guidelines; and the Accessibility Guidelines.

This application proposes the addition of three rental apartment buildings and parking to the 5.5 acre site on West Johnson Street in Mt. Airy. It also indicates but provides no details for the conversion of the three historic buildings on the site to residential use.

The two adjacent properties, 101-121 and 221 W. Johnson Street, were individually designated as historic in 2004. The Theodore Presser Home for Retired Music Teachers occupied the large Renaissance Revival building at 101-121 W. Johnson, at the northwest corner of Johnson and Cherokee Streets. A Tudor Revival carriage house, a remnant from Presser's estate, stands beside the retirement home. The George Nugent Home for Baptists occupied the Chateausque building at 221 W. Johnson Street. The overgrown remnants of Presser's large garden occupy the large, center section of the consolidated parcel.

The application proposes the construction of three large, identical, five-story, contemporary apartment buildings on the site. One would be located behind the Nugent building; the other two would stand between the historic buildings, set back from Johnson Street. They would include ground-level parking and would be clad with stucco with brick accents. They would be roofed in metal and have aluminum windows and metal balconies.

In addition to the ground-level parking in the buildings, a large portion of the site would be paved for parking. Existing parking lots would be reconfigured and new lots added. The parking originally proposed for the lawn in front of the Presser building has been deleted from the revised plans. The remainder of the site would be landscaped. A large park or picnic area would be created along Johnson Street between the historic buildings.

Plans but no elevations were included for the historic buildings in the initial submission. Elevations were submitted the day before the Committee meeting. Most of the newly-

proposed work to the historic buildings can be considered restoration and reviewed at the staff level. A few aspects of the proposal, mostly non-historic windows and doors, will require a subsequent round of reviews by the Committee and Commission. The plans initially submitted did propose a stair tower at Presser and an ADA ramp at Nugent; the Nugent ramp has been moved to the rear on the latest plans.

Mr. Farnham presented the proposal to the Commission. Atul Patel and Han Hsing Ho represented the architect's office and Sean McDougal, one of the developers, attended the meeting. Mr. Patel reported that the overall site would have 138 housing units and 162 parking spaces. Messrs. Patel and Ho explained to the Commission several changes that had been made to the design since the Architectural Committee meeting. The parking in front of the Presser Building had been eliminated; the new building behind the Nugent Building had been turned ninety-degrees; and a link with parking beneath had been incorporated between the two new buildings in the middle of the property. Mr. Patel said that smaller changes have also been made, including moving the ADA ramp to the rear of the Nugent Building and altering the retaining wall at the rear of the site.

Laura Siena, the executive director of West Mount Airy Neighbors, stated that she was also representing the Pomona-Cherokee Civic Council and the West Central Germantown Neighbors. She said that several residents with professional backgrounds have been working with the architects and developers to help with the development plan.

Mr. Steinberg questioned if the plans that were presented were enough to grant an approval in concept. He wished to have more information before giving such an approval. Mr. Sklaroff disagreed because the plans show the massing, spacing, and other features.

Mr. McDougal explained that the overall number of units may change since they are still looking at floor plans in the historic buildings. The ratio of parking may also change slightly.

Mr. Rivera noted that the plans present three large challenges: the rehabilitation of the historic buildings, the development of the site, and the design of the new construction. He did not think the plans were developed enough. Mr. Wilds disagreed, citing the in-concept application for the development of the Naval Home. He recognized the fragile real estate market in the neighborhood and the willingness of the developer to work with so many of the neighborhood groups. Mr. Wilds believed that the Commission should show the developer a sign of support through a vote on the concept design. Mr. James reiterated the importance of the development in the neighborhood and agreed with Mr. Wilds that the developer should be given some guidance from the Commission on the plans.

Ms. Siena said that the neighbors are in agreement on the overall development plan for the site. Some wish that the three buildings could differ from each other in design. The area residents also differ a bit on the balance between green space and parking.

John Gallery of the Preservation Alliance asked the Commission to approve the zone for the new construction, but not the actual placement or number of the new buildings. Mr. Wilds disagreed; saying that approval in-concept of the site plan would mean the placement, massing, and number of buildings on the plan before the Commission.

Mr. Steinberg applauded the developer for working with so many residential groups. However, he believed that too many issues remain outstanding, such as the parking, to offer an approval even in concept.

Mr. McDougal explained that the topography is being studied and the exact slopes of the site will help determine the rear retaining walls and other design issues. The proposed parking is a result of four public meetings with the area residents and much of the surface parking lots already exist on the properties.

Ms. Murray objected to the ADA ramp at the rear of the Nugent Building. Mr. Sugrue disagreed, saying that the rear façade would become the primary façade with the new development. The parking would be located at the rear and the handicap entrance would connect directly to the parking area.

Mr. James made a motion to approve in concept the location and massing of the new buildings. Mr. Wilds seconded the motion, which passed with eight votes. Messrs. Rivera and Steinberg dissented.

211- 213½ Vine Street

Owner: Hamam Enterprises, LP

Applicant: Richard Thom, architect

Proposal: Complete demolition

Architectural Committee Recommendation: denial of the demolition application owing to the incompatibility of the proposed work (demolition) with the character of the historic district (a vacant lot or undefined new construction would negatively impact the district), pursuant to Section §14-2007(7)(k)(.4); and to incompleteness (the lack of a public interest or financial hardship claim as well as the lack of plans for the new construction), pursuant to Section §14-2007(7)(e) and (j) of the Philadelphia Code

This application proposes the complete demolition of a complex of buildings at 211-213½ Vine Street in the Old City Historic District. The proposal poses numerous complex questions for the Commission.

First and foremost, the Commission must decide how to review this demolition application. Two of the buildings in the complex were individually designated many years ago, but were then classified as non-contributing when the district was created in 2003. Which designation predominates will determine how the review is conducted.

The buildings at 211 and 213 Vine Street were individually designated prior to the adoption of the new preservation ordinance in 1984. The staff has been unable to find any record of their designations in the minutes of the Commission or Committee on Historic Values, but the two addresses are listed in the original Register, a group of three loose-leaf notebooks that was maintained from the establishment of the Commission until the adoption of the new ordinance. The current ordinance [§14-2007(2)(j)] defines an *Historic Building* as:

A building or complex of buildings and site which is designated pursuant to this section or listed by the Commission under the prior historic buildings ordinance approved December 7, 1955, as amended.

Therefore, these buildings should be considered *Historic Buildings* subject to the Commission's plenary jurisdiction.

Complicating the matter, the complex is listed as non-contributing to the Old City Historic District despite the apparent individual listings of 211 and 213 Vine Street. The buildings were listed as non-contributing because they have lost integrity.

Mr. Farnham explained the proposal to the Commission. Mr. Wilds objected to discussing the designation issue of the property without it being heard by the Designation Committee, in light of the designation applications at the beginning of the meeting. Mr. Sklaroff outlined the two issues of the case: the properties were listed individually by the Historical Commission prior to the Old City Historic District, but were classified as non-contributing to the district, and despite their designation, they have suffered dereliction and a severe loss of integrity. Mr. Sklaroff noted that a property can be both individually designated and non-contributing in a district if the significance of the site is unrelated to the statement of significance of the district. Others contended that this was not the case with this property.

Richard Thom, the architect for the project, then presented documents from the Commission's files that pertained to the properties' original designation. He explained, using a Sanborn atlas from 1908, that the building at 211-13 Vine stood at four stories and the building at 213½ Vine Street was three-and-one-half stories. A photograph shows this last property had a gabled roof and stood along North American Street. All three properties have been cut down, with 213½ Vine now standing at only one story and at only one-third of its original width. Mr. Thom also showed surveys from the file that called into question the buildings' integrity.

Mr. Farnham concurred that the Commission's official copy of the Philadelphia Register from the 1980s lists these buildings, but that no record of any official Commission action designating them can be found in either the Commission's minutes or the property files. Mr. Wilds asked why the owner has not applied for the rescission of the individual designation of the properties. Mr. Thom stated that he believed that the non-contributing classification of the district superseded the individual designation. The Commission members disagreed and suggested that the owner apply to the Committee on Historic Designation.

Mr. Wilds made a motion to accept the Architectural Committee's recommendation. Mr. James seconded the motion.

Mr. Sklaroff asked Mr. Thom what the Committee meant by the results of the "incompatibility of the proposed work" in its recommendation. Mr. Thom replied that the Committee believed that a vacant lot would be detrimental to the historic district. He had brought plans for the new construction to the meeting, but they had not been included in his initial application. Mr. Sklaroff asked if the Committee commented on the new construction. The Architectural Committee minutes state that the Committee members did not comment on the proposed construction.

Mr. Wilds, at the approval of his second, changed the motion to simply deny the demolition without prejudice. Mr. James affirmed his second. The motion passed unanimously.

1911 Green Street

Owner: The Property Connection

Applicant: Ed Robinson

History: c. 1859 by Edward T. Randolph, builder. Alterations: refaced with pressed bricks and limestone details for George W. Fiss, worsted yarn merchant, 1875; mansard roof added and Queen Anne remodeling for George W. Fiss, 1885

Proposal: Add six decks on top and rear of building

Architectural Committee Recommendation: approval of the proposal as submitted, pursuant to Standard 9 and Standard 10

This application proposes to construct a total of six decks at various locations on this property, all of which would not be visible from the public way. The applicant proposes to construct a deck on the main roof of the house, which would measure 9' by 16' and have a set back of 22' from the cornice. A second deck would be located on the roof of the rear ell. This deck would measure 16' by 10'. The remaining four decks would be porch types on the second and third floors attached to the building, which can be seen on the photograph provided of the same design on the next door property. In order to access the decks the applicant proposes to cut down one window per floor to access each deck. This would require the alteration of a total of 4 windows, all of which are located on the rear of the property. The applicant proposes a 9-light wood door, which would be set within the width of the former window.

Mr. Danta presented the proposal to the Commission. Mr. Wilds observed that the proposal includes a deck on the main section of the building. He noted that the Commission rejected a similar application at its previous meeting. Also, if approved, this unit would have two decks; without the deck on the main section the unit would still include some outdoor space. Edward Robinson, the developer of the property, agreed that the deck would be the second for the same unit, but it is the deck on the main section that affords a view of the city. The lower deck provides the means to get to the upper one.

Ms. Merriman moved to adopt the Architectural Committee recommendation and approve the proposal. Ms. Murray seconded the motion, which passed with a vote of 6 to 4. Messrs. Sklaroff, Wilds, Tissian, and James dissented.

1243 Lombard Street

Owner/Applicant: Claire Kahn

History: c. 1830

Proposal: Replace rooftop HVAC equipment

Architectural Committee Recommendation: Approval, provided the HVAC unit is painted a light grey color, making it less conspicuous.

This application proposes to reinstall a cooling/heating unit on the roof of this property. The house is part of a row, which was rehabilitated sometime in the mid 1950s. The documentation in the file does not specify whether the rehabilitation took place prior or after designation. However, the location of the cooling/heating unit is not unique to this property and most of the other houses on this row have their units on the same location. The house has a landscaped rear yard with flower beds around the perimeter. In addition, the dining room window overlooks the only area of the rear yard that could hold the HVAC unit. If located there, it would block light into the dining room. The applicant

has submitted a cover letter in which she explains the inconvenience moving the unit to such a location. She would also incur an additional expense.

Mr. Danta presented the application to the Commission.

Mr. Wilds moved to adopt the Architectural Committee's recommendation and approve the proposal, provided the HVAC unit is painted a light grey color. Mr. James seconded the motion, which passed by unanimous vote.

248 South 3rd Street

Owner: Michael and Christine Mahoney

Applicant: Susan Chisholm

History: c. 1825 for Robert Kid, merchant. Alterations: November 1986, new roof, renovate old bricks, interior alterations

Proposal: add shutters, add door and window under steps

Architectural Committee Recommendation: denial of the shutters on the ground floor and denial of the light above the door, based on the historical surveys, and pursuant to Standard 3; but approval of the new door and window under the stair, with the staff to review details, pursuant to Standard 9 and Standard 10

This application proposes to install paneled shutters at the ground floor and louvered shutters at the second and third floors. Owing to the installation of the shutters at the ground floor, the applicant wishes to move the existing light, currently on the left of the doorway, to the area above the arched entryway. The historical file for this property contains a fire insurance survey from 1834 that clearly mentions that this property had interior paneled shutters, and not exterior shutters. The same survey has a revision from c. 1860, which mentions that Venetian (louvered) shutters had been added at the upper floors by that time. This is further proved by the fact that the ground floor of this house does not have any shutter hardware, but hardware remains at the upper floors.

The application also includes a proposal for changes to the open area beneath the front steps. Currently, this area has a south facing metal access grill and a north facing metal window grill. The applicant proposes to change these to a four-panel wood door, which would mimic the front door in place of the access grill, and a six-pane, true-divided-light, wood window in place of the window grill.

Mr. Danta explained the proposal to the Commission. Mr. Wilds noted that there was no need to change the light if shutters were not installed at the first floor.

Mr. Wilds moved to adopt the Architectural Committee's recommendation and deny the shutters at the first floor and deny the relocation of the light above the door, based on the historical surveys and pursuant to Standard 3 [Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.]; but approve the new door and window under the stair, with the staff to review details, pursuant to 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.]; and

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.]. Mr. James seconded the motion, which passed unanimously.

717 Chestnut Street

Owner: Del Frisco's of Philadelphia

Applicant: Bill Aumiller, architect

History: 1923, Paul Cret, architect, for Integrity Trust Bank

Proposal: Restore masonry base; cut new door; add ramp and awning – in concept

Architectural Committee Recommendation: approval in concept of the removal of the non-historic addition, new openings, ramp with open rail, and glass and muntin system at the first floor and cleaning/restoration of stone and bronze elements, with the staff to review details, but denial of the canopy at the proposed width, pursuant to Standard 7; Standard 9 and Standard 10

This in-concept application proposes to rehabilitate and alter the front façade of this former bank building on Chestnut Street. The building was designed by renowned Philadelphia architect Paul Philip Cret in 1923. The ground floor of the building underwent alterations sometime after WWII with the addition of a new storefront that protrudes from the historic façade. The applicant proposes to remove this post-war alteration and re-establish the original plane of the façade. In addition the applicant proposes to open a secondary entrance with an ADA accessible ramp on the eastern bay of the front façade. This door would be a two-leaf design with transom to match the existing western door. The middle bay would be opened with a fixed insulated glass window. The existing door in the western bay would be replaced with new doors that would match the current ones. The applicant proposes a new internally illuminated canopy over this western main entrance.

The three beautifully crafted bronze windows between each pilaster would be cleaned and restored, but a new insulated glass and muntin system would be placed behind the decorative grills. The rest of the application proposes restoration and cleaning of the stone façade, bronze elements, and new fixtures for façade illumination

Mr. Danta presented the application to the Commission. He noted that the applicants would like their application reviewed for final approval, not in concept approval, for timing reasons. William Aumiller and Boris Cubas represented the application.

Mr. Steinberg asked if the second door was required for egress reasons. The applicants replied that it was needed for egress from the basement. They noted that there is an exit at the rear, but that that does not satisfy all of the building's egress requirements. Mr. Steinberg remarked that he would like to review the interior plans before making any decisions about a new front door. He also noted that the new material around the doors was not stipulated on the plans. The applicants replied that they would restore any missing limestone around the doors. Mr. Steinberg asked if they would restore the front façade to the condition depicted in the early photograph presented to the Commission. The applicants stated that they would restore the existing doorway to its original condition and would replicate that original doorway at the new doorway to the east. Mr. Steinberg remarked that he would like to see detailed drawings before voting to approve. Other Commissioners asked about other front-façade details including the center

window. The applicants reported that they did not know what they would find under the later storefront, but added that they would like to restore the storefront area to its original condition. Mr. Sugrue and Mr. Steinberg observed that the proposal lacked many key details. The applicants stated that they would work with the staff to define the missing parts of their application. They also stated that they would restore the central window surround if they could gather enough information about the original surround. Mr. Sugrue noted that the drawing appears to show the door at a different plane than that of the original. Mr. Aumiller assured him that the door would be installed in the location of the original.

Mr. Sklaroff asked the applicants if they were willing to reduce the width of the canopy. Mr. Aumiller replied that he was concerned about reducing it.

Ms. Murray asked why the ramp had not been located at the main, original, front doorway. Mr. Aumiller answered that the ramp could be located at the main door; he did not believe that the owners would object to the relocation of the ramp at the main door. Mr. Wilds suggested cutting down the step to allow access directly from the sidewalk to the interior space. Mr. Aumiller explained that he did not yet fully understand the conditions at the doorway. He stated that he would cut down the step if possible. Mr. James asked about the location of the ramp. Mr. Aumiller replied that he would investigate moving it to the main door. Mr. Sugrue inquired into the necessity of the second front door if the ramp is moved; he noted the need for interior plans. Mr. Aumiller explained that the second door would be used as an exit from the basement; he explained that the fire code required it. Mr. Aumiller added that his client does not own the lot to the east and therefore cannot install doorways in the east party wall. He also noted that the length of the building precluded the possibility of all basement egress at the rear of the building.

Mr. James asked about the lighting. Mr. Cubas answered that he would work with the staff to define the new lighting, which would be “cleaner” than the existing lighting. Mr. Aumiller added that it would be “unobtrusive.”

Mr. Steinberg stated that the Commission needed more information to make an informed decision. Mr. Sklaroff agreed and asserted that the Architectural Committee should have an opportunity to review all of the details. He added that the Commission never included the “staff to review details” clause in conceptual approvals.

Mr. Sklaroff asked the staff if the Committee had based its recommendation on the Standards cited. Mr. Danta stated that it had; he explained that Standard 7, which addresses chemical treatments, relates to the approval of the cleaning of the stone and metal. He continued, stating that the spatial relations portion of Standard 9 addresses the denial of the canopy; the Committee asserted that the canopy interrupted the verticality and obscured the piers. Mr. Danta added that the Committee suggested that the applicant locate the canopy within the piers. Mr. Sugrue noted that the Commission has required canopies fit openings many times in the past. Mr. Aumiller opined that a narrow canopy would have awkward proportions and would not establish a presence for the restaurant. Mr. Sklaroff suggested that the applicant provide several design alternatives for the canopy.

Mr. Steinberg moved to deny the application as submitted and to suggest that the applicant submit a revised application with additional information and updated designs

for the canopy and handicap access, pursuant to 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.]. Mr. Sugrue seconded the motion, which passed with a vote of 8 to 2. Ms. Merriman and Mr. Wilds dissented.

225 Race Street

Owner: 225 Race Street Investors

Applicant: Jon Hollander

History: c. 1865

Proposal: Rehabilitate exterior, add roof deck

Architectural Committee Recommendation: approval of the proposal with the restoration of the front cornices, with staff to review details, pursuant to Standard 9

This application calls for the conversion of a commercial building to residential use. The structure has facades on Race and Florist Streets. The plans show the addition of a stair-house and deck on the roof, set very far back from Race Street. The Race Street façade is missing its second and third floor cornices, which it had at the time of designation. The new owner has agreed to rebuild these cornices, although in a substitute material.

Mr. Baron presented the application to the Commission. Mr. Sklaroff asked if the proposal included a deck. Mr. Baron explained that it did; he added that the building occupies 100% of the parcel and has no rear ell. Mr. Sklaroff asked for a clarification of the proposal; his packet did not contain a drawing of the deck. Mr. Baron displayed additional drawings that may not have been included in all Commission packets.

Mr. Sklaroff pointed out that the sight-line drawings in the proposal relate to the penthouse, but not the deck. Mr. Tissian asked if the penthouse included any living space or was limited to stairs. Mr. Baron stated that it housed stairs only. Mr. Wilds noted that there is no other place for a deck on the building than on the main roof. Mr. Sklaroff stated that the Committee's recommendation did not reference the deck. Ms. Merriman opined that the recommendation covered all aspects of the proposal including the deck.

Mr. Sugrue moved to adopt the recommendation of the Architectural Committee and to approve the proposal, with the restoration of the front cornices, with the staff to review details, pursuant to 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.]. Mr. Steinberg seconded the motion, which passed with a vote of 9 to 1. Mr. James dissented.

112 Queen Street

Owner: Van Hee Properties LLC

Applicant: Edward Bell

Proposal: Legalize windows and rehabilitate façade

Architectural Committee Recommendation: approval of the legalization of the windows, on the condition that the other work is performed as mitigation, with the staff to review details.

This application seeks to legalize the removal of sash, frames, and shutter hardware and the installation of new wood windows with applied muntins and wider frames. As mitigation for this un-permitted work, the applicant proposes to reset these new windows several inches deeper in the opening to allow for the installation of appropriate clamshell brick-molding. He would install shutter hardware and shutters, and a new door based on an historic photograph.

Mr. Baron presented the application to the Commission. Owner Timothy Jones and architect Edward Bell represented the application. The owner explained that his former architect and contractor failed to apply for the appropriate permits. When he learned of their failure to secure the appropriate permits, he fired them and hired Mr. Bell to correct the problems. He noted that he did not receive violations, but approached the Commission on his own to correct the un-permitted work. Mr. Sklaroff asked him to identify the original contractor. The owner identified him as Louis Viola, LVC Contracting. He also explained that he had lost a significant amount of money to the contractor.

Mr. Wilds asked about the date of the building and the evidence that it originally had shutters. Mr. Baron explained that shutter hardware existed on the building until the illegal work was performed.

Mr. Wilds moved to adopt the recommendation of the Architectural Committee and to approve the legalization of the windows, provided the proposed mitigation is undertaken, with the staff to review details. Ms. Murray seconded the motion, which passed with a vote of 9 to 1. Mr. James dissented.

12 South 12th Street aka 1200 Market Street, PSFS Building

Owners: Loews Hotels

Applicant: Arthur Jones, architect

History: 1930-32, Howe and Lescaze, architects; rehabilitated with rear addition, 1998, Bower Lewis Thrower, architects

Proposal: Cut door on Market Street, extend canopy

Architectural Committee Recommendation: denial of the proposal, pursuant to Standard 2; Standard 5; and Standard 9

This application proposes to cut an additional entrance in the façade of the world-renowned International Style PSFS Building. A new entrance for a revolving door into the hotel lobby would be cut in the Market Street façade of the PSFS Building. The cut would entail the removal of three large granite panels that would be stored for possible reinstallation. The canopy over the main hotel entrance would be extended significantly to cover this new entrance. This would create a stronger horizontal line in an otherwise vertically oriented section of the façade.

Ms. Spina noted that the applicants requested a continuance until the December 2005 meeting.

Mr. Sklaroff suggested a new procedure giving the Executive Director and/or the Chair the power to grant continuances longer than one month rather than requiring applicants to appear before the Commission to request continuances. He asked Ms. Spina what would happen if the Commission denied the current continuance request; the applicant assumed that the Commission would grant the continuance and therefore chose not to attend the meeting. Ms. Spina replied that she had warned the applicant that the continuance was not automatic, but was at the discretion of the Commission. Mr. Sklaroff explained that it was important not only to the applicant but also to the community to know definitively whether a matter would be heard. Mr. Steinberg noted the recent instance when the Commission debated whether to grant a continuance for the Dilworth House application. Mr. Farnham reported that the Rules & Regulations require a vote of the Commission for continuances of permit applications that extend beyond one month. Mr. Sklaroff suggested that Commission give the Executive Director with the approval of the Chair the power to grant longer continuances. Several Commission members observed that such a grant would require an amendment of the Rules. Mr. Sklaroff stated that the Commission should then amend the Rules. Mr. Wilds reminded the Commission that amending the Rules is a lengthy process. After Mr. Sklaroff suggested that the Commission begin the process to amend the Rules, Mr. Wilds asserted that the Commission should engage in a more substantive debate before amending. He stated that he feared that applicants might manipulate the process while shopping for an agreeable mix of Commission members. Mr. Sklaroff asserted that he did not fear that applicants would shop for the most favorable mix of Commissioners. He observed that major proposals are too important to risk the uncertainty. Mr. James agreed with Mr. Sklaroff, but suggested that the Commission engage in more discussion of the important issue. The Commissioners agreed to hold a public discussion on the matter in the future.

Mr. Steinberg moved to table the application until the Commission's meeting of 9 December 2005. Mr. Wilds seconded the motion, which was approved unanimously.

2528 South 19th Street

Owner/Applicant: Carmella Bruno

History: 1909, James and John Windrim, architects

Proposal: Replace storm door with security door

Architectural Committee Recommendation: approval of the proposal.

This application proposes to replace an ornate storm door with a simplified security door. The security door is fully glazed with plain bars.

Ms. Spina presented the application to the Commission. Owners Carmella and Julia Bruno represented the application.

Mr. Steinberg moved to adopt the Architectural Committee's recommendation and approve the proposal. Ms. Murray seconded the motion, which passed unanimously.

Mr. Sklaroff recused because he represents the adjoining property owner and passed the gavel to Mr. Sugrue.

227-31 South 6th Street

Owner: MCW Enterprises

Applicant: Stephen Verner, architect

History: 1900, William Pritchett, architect; rehabilitated and penthouse addition, 2003, Cecil Baker & Associates, architects

Proposal: Alter rooftop addition

Architectural Committee Recommendation: Approval of the proposal, pursuant to Standards 9 and 10.

This application proposes a minor alteration to a recent penthouse addition to the Lippincott Building. The second floor of this penthouse addition has a small balcony with a double-leaf door. The potential buyer for this condominium would like to remove the balcony and doors and enclose the balcony following the slope of the penthouse roof to create a skylight. The change would be visible from Washington Square, but would only impact non-historic fabric.

Ms. Spina presented the application to the Commission.

Mr. Steinberg moved to adopt the recommendation of the Architectural Committee and to approve the proposal, pursuant to 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.]; and 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.]. Ms. Murray seconded the motion, which passed unanimously.

Mr. Sugrue returned the gavel to Mr. Sklaroff.

3428 Sansom Street

Owner: Judy Wicks

Applicant: Arlene Matzkin, architect

History: 1896-71, attributed to James Cochran, architect

Proposal: Excavate at front and add stair and storefront – in concept

Architectural Committee Recommendation: split - two members recommended denial and two members recommended approval in concept, provided that the new openings retain the width of the existing openings.

This proposal in concept calls for excavating in front of the building to accommodate a new store in the basement of this former residence. The two basement windows would be cut down; one for a door and one for a storefront with a plate-glass window. This house is part of a rare, intact row of Second Empire houses that has been converted to commercial use.

Ms. Spina presented the proposal to the Commission. Owner Judy Wicks and architect Arlene Matzkin represented the application.

Mr. Sklaroff asked Ms. Spina if the architect had submitted any architectural drawings with the application. She answered that the architect only submitted the photo-renderings distributed to the Commission. Ms. Matzkin explained that the photo-renderings presented the entire proposal.

Ms. Matzkin explained that she recently discovered a 1982 agreement with the Redevelopment Authority that includes designs for excavated basements. Mr. Wilds pointed out that the Commission has denied applications for precisely the same modification on the same block. He stated that it would set a bad precedent. He added that it would significantly change the area. Others will want to make the same modifications. The block is a "gem"; this is a "terrible idea," Mr. Wilds asserted. It will "significantly undermine the context." Ms. Merriman asked if interior access was viable. Ms. Wicks answered that it was not. She continued, explaining that she needed the extra space because she had lost her lease to other space. She stated that if the Commission did not approve her proposal, she would close the store. She has lived on the block for 33 years and she saved the block from demolition. She explained that the consent decree issued when the block was saved provided a vision for the development of the block, which included the excavation of basements for commercial space. Mr. Steinberg stated that the proposed construction would add vitality and quality to the street.

Mr. Sugrue noted that he was conflicted; he agreed with both Mr. Wilds and Mr. Steinberg. He remarked on the unusual space between the street and buildings and noted his concern over the loss of the space. He asked Ms. Matzkin to explicate her thinking on the design. Commission members noted the lack of plans. Ms. Spina explained that Ms. Matzkin submitted only photographs. Ms. Matzkin stated that the area would be excavated, L-shaped steps added, and a planter located at the bottom. Mr. Wilds asked if it would meet ADA requirements. Ms. Matzkin stated that it would not. She also explained that it would not be acceptable to introduce windows of the same width as those above. Her reasons were two: first, standard windows would not give the basement space enough presence on the street; second, because the brownstone cladding does not continue below grade, the basement façade material would not match the brownstone above. Therefore, a large plate glass window would best serve her client's needs.

Mr. Sklaroff opined that the appropriate decision on this application was not obvious. The block of buildings on Sansom Street is remarkable. Also, the Commission typically allows the removal of historic fabric only in instances when it is necessary to render a building functional. He asserted that this is not that situation. He noted a conflict between urban revitalization and historic preservation. Mr. Wilds added that no hardship case has been presented.

Mr. Tissian asked Ms. Wicks to elucidate her earlier comment that she would close down the Black Cat if the Commission did not approve her proposal. Ms. Wicks stepped back from her earlier statement and instead stated that she did not know what course of action she would take if the Commission denied her application. Mr. Sklaroff commented that he believed another tenant would occupy the space if the Black Cat were to vacate it.

Mr. James asked if there is any historical precedent for this sort of basement entrance. Mr. Sklaroff answered in the negative. Other Commissioners noted that this block was originally entirely residential.

Mr. Sklaroff asked Mr. Rivera to comment because his firm had executed the original redevelopment plan for the block. Mr. Rivera stated that he respected all Ms. Wicks had done on the block and enjoyed its many commercial enterprises, but thought that the proposed work would detract from its historic character. Mr. Rivera observed that rear access to these buildings was not possible when his firm prepared his report; it is now possible to access the rears of these buildings from Moravian Street.

Mr. Wilds moved to deny the application. Mr. Rivera seconded the motion, which failed with a vote of 2 to 6. Ms. Murray, Mr. James, Mr. Perri, Mr. Steinberg, Mr. Sugrue, and Mr. Tissian dissented. Ms. Merriman and Mr. Sklaroff abstained.

Mr. Steinberg moved to approve the proposal in concept. Mr. Tissian seconded the motion, which passed with a vote of 7 to 1. Mr. Wilds dissented. Ms. Merriman and Mr. Sklaroff abstained.

Mr. Sklaroff passed the gavel to Mr. Sugrue and excused himself from the meeting.

3416 Baring Street

Owner/Applicant: Robert Roomet

History: c. 1862, attributed to Samuel Sloan; porch and rear addition, 1897, A.W. Dilks, architect

Proposal: Cut driveway through fence and yard, build retaining walls

Architectural Committee Recommendation: denial of the application, pursuant to Standard 2; Standard 9; and the Setting Guideline

The owner wishes to install a driveway and parking pad. He attained a zoning permit and a curb cut approval and began excavation. To build the driveway, the historic wrought-iron fence must be removed and the yard excavated to allow the driveway to be at grade with the sidewalk. The driveway will extend twenty-six feet through the front yard and lead to a parking pad in the side yard. The parking pad will be nineteen feet, six inches wide. The driveway and parking pad will be concrete.

The owner will then construct two retaining walls flanking the driveway. The retaining walls will stretch for twenty-six feet, stand two-feet high, and be made of cast-stone block.

The proposal also calls for removing the brick sidewalk, installing a concrete base and reinstalling the brick at the driveway.

Ms. Spina presented the proposal to the Commission. Mr. Roomet, the owner of the property, represented the proposal.

Mr. Tissian moved to adopt the recommendation of the Architectural Committee and deny the proposal, pursuant to 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.]; and the Building Site Guidelines [Recommended: Designing new onsite parking ... when required by the new use so that they are as unobtrusive as possible and assure the preservation of the historic relationship between the building or buildings and the landscape.]. Mr. James seconded the motion.

Mr. Roomet stated his reasons for wanting the driveway; he stated that he had difficulty parking on the street in his neighborhood and that his vehicles have been broken into and vandalized. A private parking area would solve these problems. He added that his property is in poor condition and has been altered significantly. He proposed to pave the driveway with brick and recreate a "carriage way," which, according to his research, might have been present in the area before the extant post Civil War houses were erected. Mr. Roomet substantiated this proposal of a carriage way by listing area estates that included this feature in the nineteenth century. He also provided the Commission Members with photographs of similar brick-paved driveways that he would use as models.

Ms. Murray inquired on the length of the proposed driveway. Mr. Roomet mentioned that it did not extend the entire length of the side yard, but would be limited to 53'. Mr. Wilds noted that the Historical Commission had allowed for a parking alteration at 42nd and Pine Streets. Ms. Murray asked whether the Department of Licenses & Inspections had issued a permit for this work. Mr. Roomet answered that a curb cut permit had been issued by the Streets Department. He added that a zoning variance was not needed for the proposed work.

Frank Sorlo of the Powelton Village Civic Association stated that the Association opposed the approval of this change. He opposed the elimination of green space and the impact of a driveway instead of a side yard on the streetscape and the pedestrian experience. He also noted that an approval would set a negative precedent.

Mr. James noted that driveways were preexisting conditions on the block. Mr. Sorlo clarified that the driveway next door is an illegal alteration.

Mr. James withdrew his second to Mr. Tissian's earlier motion. Mr. Steinberg seconded Mr. Tissian's motion to adopt the recommendation of the Architectural Committee and deny the proposal, pursuant to Standards 2 and 9 and the Building Site Guidelines.

Carol Neily submitted a letter in opposition to the driveway and expressed her concern with setting a precedent for future requests. John Phillips expressed his opposition to the change and the loss of green space.

Mr. Wilds asked the interested parties if they would accept the extension of the driveway beyond the bay to allow vehicles to be parked at the rear, out of view from the public right-of-way. Mr. Sorlo noted that he would not accept the compromise because it would provide Mr. Roomet with extra space for his many tenants to park on the driveway. Mr. Wilds inquired whether this property was a single-family house or subdivided into apartments. Mr. Roomet answered that there were seven apartments in the property

currently. Mr. Tissian inquired whether he planned to allow his tenants to park on the driveway. Mr. Roomet answered that the driveway would be for his personal use only.

Mr. Sugrue called the question. Mr. Tissian's motion, seconded by Mr. Steinberg, to adopt the recommendation of the Architectural Committee and deny the proposal, pursuant to Standards 2 and 9 and the Building Site Guidelines, passed with a vote of 7 to 2. Messrs. James and Perri dissented.

NEW BUSINESS

Memorial Hall

Owner: City of Philadelphia, Fairmount Park Commission

Tenant: Please Touch Museum

Architect/Applicant: Philip Scott, KSK

Date: Built 1876 for the Centennial Exhibition, Hermann Schwartzmann, architect

Proposal: Conversion of interior space for Please Touch Museum

In October 2003, the Historical Commission approved in concept all the exterior segments of a complex project to convert Memorial Hall, one of the surviving buildings from the Centennial of 1876, to the Please Touch Museum. In October 2004, the Commission gave final approval to the project. In both cases, the Commission reviewed the exterior segments of the project under its ordinance, §14-2007 of the Philadelphia Code. The exterior segments of the project included façade restoration and rehabilitation, an addition for a carousel, landscaping including parking and walks, and signage.

The current review is mandated by a lease agreement between the City of Philadelphia and the museum. This review is not governed by §14-2007 of the Philadelphia Code or by the Commission's *Rules & Regulations*, but by the lease agreement, which states that the:

Tenant agrees that its Restoration Plan and Specifications and Alteration Specifications for the interior portions of the Building listed below shall be subject to the prior review and approval of the Philadelphia Historical Commission applying the United States Secretary of the Interior's Standards for the Treatment of Historic Properties: Great Hall; South Foyer; North Foyer; Commission Meeting Room; Committee Meeting Room; and the Dome.

Under the direction of Lawrence Copeland, the Commission's attorney, the staff, but not the Architectural Committee, reviewed the proposal. The staff recommends approval, with the staff to review details, pursuant to Rehabilitation Standards 1, 2, 3, 4, 5, 6, 7, 9, and 10.

Mr. Farnham presented the proposal to the Commission. Phillip Scott of Kise, Straw & Kolodner and Kit Matthews of the Please Touch Museum represented the proposal.

Mr. Sugrue inquired if the Architectural Committee had reviewed this proposal. Mr. Farnham explained that it had not; he reported that the proposal encompassed interior alterations only and that this review was not being conducting according to §14-2007, but under a contract between the City and the museum. He stated that the staff only had reviewed the proposal. He also noted that the exterior alterations had already been

reviewed and approved by the Historical Commission under its ordinance. Mr. Sugrue asked if the Centennial Exhibition model would remain on site while construction was taking place. Ms. Matthews answered that the model would remain on site, but it would be encased in plywood. It would later be displayed as part of the museum's exhibits.

Ms. Murray moved to adopt the recommendation of the staff and approve the proposal, with staff to review details, pursuant to Rehabilitation Standards 1 [A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.]; 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.]; 3 [Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.]; 4 [Changes to a property that have acquired historic significance in their own right will be retained and preserved.]; 5 [Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.]; 6 [Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.]; 7 [Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damages to historic materials will not be used.]; 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.]; and 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.]. Mr. James seconded the motion, which passed unanimously.

THE REPORT OF THE ACTIVITIES OF THE HISTORICAL COMMISSION STAFF, SEPTEMBER 2005

Mr. Farnham presented the report and asked if the Commissioners had any questions or comments. They had none.

HARRY A. BATTEN MEMORIAL FUND

Mr. Tissian moved to approve the \$ 19.11 expenditure for lunches for the Architectural Committee. Ms. Murray seconded the motion, which carried unanimously.

Upon a motion made by Mr. James and seconded by Ms. Murray, the meeting adjourned at 1:15 p.m.

Respectfully submitted,

Randal Baron, Historic Preservation Specialist
Jorge Danta, Historic Preservation Planner
Jonathan E. Farnham, Acting Historic Preservation Officer
Laura M. Spina, Historic Preservation Planner