

**MEETING OF THE ARCHITECTURAL COMMITTEE
OF THE PHILADELPHIA HISTORICAL COMMISSION**

**TUESDAY, 24 JULY 2012
ROOM 578, CITY HALL
DOMINIQUE HAWKINS, CHAIR**

PRESENT

Rudy D'Alessandro
Nan Gutterman
Dan McCoubrey
Suzanne Pentz

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

ALSO PRESENT

Benjamin Leech, Preservation Alliance
Jessica Anders
Dave Foberg
Richard Thom, Old City Civic Association
Brett Feldman, Esq., Klehr Harrison
Lorna Katz-Lawson, Society Hill Civic Association
Leonard F. Reuter, The Reuter Law Firm, LLC
Gail Tomassini
Liz Zimmers, Zimmers Associates
Robert Powers, Powers & Co.
John Edwards, Varenhorst Architects
Meg Delevan, BLTa
George Anni
Adam Montalbano, MotoDesign
Dan Kelly
Ann Verber

CALL TO ORDER

Mr. McCoubrey called the meeting to order at 9:00 a.m. Ms. Gutterman and Pentz and Mr. D'Alessandro joined him.

2047 SPRUCE STREET

Project: Legalize deck

Review Requested: Final Approval

Owner: Jessica Anders

Applicant: Jessica Anders

History: 1883; Hewitt Brothers, architects

Individual Designation: None

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

Preservation Easement: No

OVERVIEW: This application proposes to legalize the reconstruction of a roof deck. A roof deck was present at the time of designation of the district in 1995. The property was not individually designated prior to the creation of the district. The original deck was constructed in 1985 and a building permit was approved for its construction at the time. The current owner had the deck reconstructed. It retains its original 1985 dimensions.

The owner submitted an application in August of 2011. The application was presented to the Architectural Committee, and subsequently withdrawn. The applicant received several suggestions at the Committee meeting. The applicant now returns with a proposal to replace the heavy pressure treated lumber of the railings to lighter metal railings; which would diminish the visual impact of the railing. The access point, which is the most conspicuous portion of the deck, would remain the same. Although the deck was present at the time of designation, it lost its grandfathered status when it was removed. A reconstructed deck does not have the grandfathered status.

STAFF RECOMMENDATION: Denial, pursuant to Standards 2 and 9 and Roofs Guidelines.

DISCUSSION: Mr. Danta presented the application to the Architectural Committee. Property owners Jessica Anders and David Foberg represented the application.

Ms. Anders stated that they had explored the Committee's suggestions from the earlier review and considered different railing options with the aim of minimizing the deck's visual impact. She explained that the proposed railing is one of the thinnest they were able to locate, and that it would also match the metal railings of a second-floor balcony. Ms. Anders acknowledged that the deck is visible from the street and that they had considered the possibility of altering the access to the deck to reduce its visibility. She explained that the access point cannot be changed, owing to the condominium's restrictions of the use of the roof. She stated that there are chimneys and air conditioning units on the roof, which cannot be relocated, as well as an original skylight over the stairwell, which is one of the most significant architectural elements of the house. She stated that the access point is located at the only viable place on the roof. She asserted that it would be impossible to change the access point. Ms. Anders stated that they are hoping to refinance their house, and that they are unable to do so until the violation is resolved. She requested that the Committee consider the thin metal railing as an acceptable solution.

Ms. Gutterman asked if the neighboring deck is grandfathered. Mr. Danta answered that the neighboring deck is grandfathered; it was legally built in 1985. He explained that the neighboring deck is part of another unit and is not associated with this application. Ms. Gutterman asked if the staff's objection to the application was based on visibility. Mr. Danta answered that the staff was very sympathetic to this application and the difficult circumstances the owner faces, but that the recommendation for denial was based on the visibility of the deck from the street. Mr. Danta acknowledged that he could not see any other solution to this application but to replace the deck

railing with the proposed thin metal railing, since the access point and the deck footprint cannot be changed.

Ms. Pentz stated that the Committee has recommended denial of similar applications in the past. She felt, however, that, given that the Committee had steered the applicant towards the proposed thin metal railing, the Committee should now be receptive to the proposal. She contended that it was a good solution. Ms. Pentz noted that the railing is the conspicuous portion of the deck, and that its replacement with a thin metal railing would greatly mitigate the visual impact. The rest of the Committee members agreed with Ms. Pentz. Mr. McCoubrey noted that, in the future, when the neighboring deck needs to be repaired, a metal railing just like the one proposed should be installed to make the decks uniform.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend legalization of the roof deck, provided the pressure-treated lumber railing is replaced with a thin metal railing, with the staff to review details.

ADDRESS: 250 NORTH CHRIS COLUMBUS BLV

Project: Construct apartment building

Review Requested: Final Approval

Owner: Delaware River Development Group

Applicant: Megan Delevan, BLT Architects

History: vacant lot

Individual Designation: None

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

Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660

OVERVIEW: This application proposes the construction of an 11-story apartment building at 250 N. Christopher Columbus Boulevard, on a vacant site north of the Philadelphia anchorage of the Ben Franklin Bridge. The site is located in the Old City Historic District. A non-contributing building stood on the site at the time of the designation of the district in 2003. It was demolished several years ago with the Commission's approval. Owing to the building that stood on the site at the time of designation, the Commission has full jurisdiction over this project. The site is bounded on east by Christopher Columbus Boulevard; on the south by Summer Street and the bridge anchorage; on the west by Water Street and Interstate 95; and on the north by Vine Street. A utility easement, which cannot be built upon, runs east-west across the site at its northern edge along Vine Street.

In 2005, the Commission approved the demolition of the non-contributing building and the construction of the 30-story, 345-foot-tall building, provided a Phase 1 Archeological Study was performed prior to the start of construction. The non-contributing building was demolished and the archaeological study was performed, but the 30-story building was not constructed.

The proposed building would be 11 stories tall and 122'-10" to the parapet and 134'-0" to the top of the elevator penthouse. The bridge anchorage to the south ranges from 140' and 185' tall. The proposed building would include 180 apartments and three parking levels with 180 parking spaces. The first floor would include lobby, retail, tenant, bicycle storage, and fitness spaces. The cladding of the building's base would be precast concrete panels. The garage would have green screens. The upper floors would be clad with Trespa panels and EIFS or Dryvit, an artificial stucco material. Much of the building's facades would be glazed.

The site is located in an area with very high archaeological potential. The remains of a seventeenth-century shipyard were discovered just to the north of this site, on the north side of Vine Street, during an archaeological excavation in the 1980s. The 2006 archaeological study of this site recommended that an archaeological team monitor the drilling that was proposed for the construction of the support pilings for the foundation system. It also recommended the submission of a report on this monitoring to the Commission.

STAFF RECOMMENDATION: Approval, provided the archaeological monitoring and reporting recommended in the archaeological report are implemented, pursuant to Standards 8 and 9 and the Commission's 2005 approval.

DISCUSSION: Mr. Farnham presented the application to the Architectural Committee. Attorney Brett Feldman and architect Meg Delevan represented the application.

Mr. Feldman presented an overview of the project and described its path through the City's various regulatory processes. He explained that this project is subject to the City Planning Commission's Plan of Development process and reported that the Planning Commission approved the Plan of Development for this project at its 12 June 2012 meeting. A Plan of Development is required because the property is located in the Central Delaware Riverfront Overlay. He added that, in general, he prefers to seek the Historical Commission's approval first, of all the regulatory agencies, but he was required to present to the City Planning Commission first in this case, owing to the Plan of Development requirement. The Committee members asked if the development team had presented the project to the community. Mr. Feldman and Ms. Delevan responded that the development team has met with the River's Edge and Old City Civic Associations, the Central Delaware Advocacy Group, and the Delaware River Waterfront Corporation. They noted that they have engaged in extensive community outreach, owing to the Plan of Development requirements. Mr. Feldman stated that "some people like the project; some do not."

Ms. Delevan presented the architectural aspects of the project to the Committee. It is an 11-story, 180-unit apartment building. She stated that several factors at the site limit the options for the project. There is a right-of-way at the north end of the site, along Vine Street, that cannot be built upon. The property is in the flood plan, precluding the possibility of any underground parking. She stated that they have situated the building to limit its visual impact on the Ben Franklin Bridge, to add life to Columbus Boulevard, and to locate the living units as far as possible from noise sources at I-95, the elevated train, and the bridge. She stated that the proposed building is not as tall as the bridge anchorage. She stated that the parking has been located as far from Columbus Boulevard as possible, to allow the active uses to be located along the street. She displayed the floor plans for the building. She stated that the landscaping and sidewalks follow the standard developed for the area. She pointed out that they are proposing to reconstruct the historic paving on a part of Water Street. Ms. Gutterman asked why the developer was not reconstructing all of Water Street with historic paving. Ms. Delevan responded that the developer is reconstructing all of the 200-block of Water Street, but only the north portion of it with the historic Belgian block. The remainder will be paved with asphalt. Ms. Gutterman asked about the current paving on the street. Ms. Delevan responded that it is in very poor condition; some sections retain the Belgian block, but most of it is asphalt. Mr. Farnham reported that the 300 and 400-blocks of Water Street are included in the Historic Street Paving Thematic District, but this block, the 200-block, was not, presumably because it was in such poor condition. Ms. Delevan stated that the building would have a green roof, which would be visible from the bridge and I-95. She displayed numerous plans, elevations, and renderings. She stated that the parking garage would be screened from the street by

landscaping and a green screen. Mr. Feldman displayed current photographs of Water Street and the surrounding area.

Mr. D'Alessandro asked if the building was designed to allow for additional stories to be added in the future. Ms. Delevan stated that it was not. There is no plan to add to the building in the future. She also explained that the proposed foundation system is identical to the system that was proposed and approved in 2005. She stated that the 2006 archaeological report is applicable to this building. Ms. Gutterman asked if the green roof would be used by the residents. Ms. Delevan stated that it would not. It is for drainage. Also, noise levels from the highway, bridge, and subway would make it unusable.

Ms. Gutterman asked if other exterior cladding materials were considered. Ms. Delevan stated that alternatives were considered. She stated that pre-cast and Trespa panels were chosen for the lower floors and synthetic stucco, also called Dryvit and EIFS, for the upper floors. She stated that the colors, a palette of grays, were chosen to complement the bridge anchorage and other nearby materials. Ms. Gutterman asked about the orange color. Ms. Delevan stated that it was not rendered accurately and the final color is still under development. Ms. Gutterman criticized the orange and then also questioned the white. Ms. Gutterman ridiculed and derided the color scheme. She stated that it is "out of keeping with everything." She also objected to the rhythm of the building. She contended that the building would appear very long. She suggested that it be redesigned to have the rhythm of row houses. She also stated that she was concerned about the shadows the building would cast on Columbus Boulevard in the afternoon. Ms. Gutterman asked about the setback from Columbus Boulevard. Ms. Delevan stated that it is about 17 feet and is primarily based on the need to create a berm to bring the base of the building up above the flood plain. Ms. Gutterman asked about the height of the bridge anchorage. Ms. Delevan stated that the building would be 130 feet tall and the bridge anchorage is 140 feet tall at its shortest point. Ms. Pentz observed that the Commission had approved a 30-story building for this site and opined that it would be inconsistent if the Committee now objected to an 11-story building.

Ms. Pentz contended that the archaeological questions posed by this application were much more significant than the architectural compatibility questions, such as the height of the building in relationship to the bridge. Ms. Pentz stated that, in her view, there was no need for an archaeologist to review and update the 2006 archaeological study, given that we now know that the proposed building would use the same structural foundation system as the approved building upon which the report was based. The 2006 report is applicable to this building. She did, however, question the conclusions of the 2006 report. She asked if monitoring of the site by an archaeologist during construction would be sufficient, given the archaeological potential of this site. Ms. Gutterman read the monitoring recommendation from the 2006 report. It concludes:

Our recommendation is that the proposed drilling activity [associated with the installation of support pilings] be monitored by an archaeological team, which will be an appropriate method that assesses archaeological sensitivity in conjunction with the requirements of structural engineering. Monitoring will record findings from various positions within the block as the drilling activities take place. It is anticipated that artifact samples will be collected and that recordation of significant findings will proceed as per state, federal and city requirements. A report of the monitoring activities will be submitted to the PHC as appropriate. For your review, we have included an outline of our scope and methods for archaeological monitoring in Appendix G.

Ms. Pentz asked if some preliminary archaeology should be completed before construction. Mr. Feldman asked if she meant additional archaeology beyond that performed for and recommended by the Phase 1 report. Ms. Pentz asked if any archaeological digs had occurred at the site. Ms. Delevan responded that 12 test borings were undertaken and archaeological monitoring was performed during that work. She stated that the findings were detailed in the Phase 1 report. Mr. Farnham noted that the entire report was too long to copy for the Committee members, but the introduction, conclusions, and recommendations were photocopied and included with the application materials in the Committee members meeting packets. Ms. Delevan explained that there was a fire in this area in 1851 and, after the fire, a significant amount of fill was deposited over it. She stated that there is up to 30 feet of fill in this area. Ms. Pentz asked if the test borings encountered any artifacts. Ms. Delevan responded that the report lists all of the artifacts recovered during the borings. Mr. Farnham showed a copy of the entire report to the Committee. Some Committee members perused it. Mr. D'Alessandro asked if money had been budgeted in the project to have an archaeologist on site during the drilling for the pilings. Ms. Delevan stated that that money had been included in the budget. She added that there is time to do additional archaeology before construction.

Mr. McCoubrey asked about a "void" in the Columbus Boulevard façade at the second floor. Ms. Delevan responded that it is related to the parking levels and the interconnection with the residential units. Mr. McCoubrey suggested that this aspect of the design could be improved. He said that it looked like something was missing. He also stated that he found the strong horizontality emphasized by the very white members to be jarring. He stated that the corners and north façade, with the changes in color and variations in plane, were more successful than the main section of the east, Columbus Boulevard façade. Ms. Delevan stated that, in light of the approvals already received, she could not change the overall massing of the building. Mr. McCoubrey responded that he was not suggesting that the overall volumes or massing should be changed. Instead, he suggested changes in materials and/or colors to visually break up the massing and horizontality of the east façade.

Mr. McCoubrey asked if anyone in the audience wished to speak. Richard Thom of the Old City Civic Association stated:

We've disliked this project from the first time we've seen it. In our opinion, it is a sophomoric concept pedantically executed. Make no mistake folks, you are about to approve eight stories of Dryvit on top of a parking garage. Does this city deserve better than this? We think so, but the Planning Commission staff didn't think so, the Planning Commission itself didn't think so, and the Deputy Mayor doesn't think so. We think that next to the Paul Cret anchorage, this ought to be a better building built with better materials and that's our position. One of the members of our committee who has 20 years of real estate experience said: "Why is this building so ugly?"

Mr. Thom threw some documents onto the meeting table and then abruptly left the room.

Lorna Katz-Lawson of the Society Hill Civic Association stated that she had not intended to comment on this project, but would offer a few impromptu thoughts. She stated that, "as a massing thing, it would have been better to pull it back even further from the abutments, from the bridge. ... I don't really get why it has to be spread out like that. That's just a personal opinion."

Mr. D'Alessandro asked Mr. Farnham to confirm that the site is non-contributing in the Old City Historic District. Mr. Farnham stated that the site is classified as non-contributing. He stated that the roles of the Committee and Commission are to ensure that the proposed building is

compatible with the historic district. He stated that the Committee should seek to define the character of this part of the historic district and then determine if the building is compatible with that character. He stated that there are many vacant lots in this part of the district. The only section of this part of the historic district that retains its historic streetscape is the narrow stretch of buildings that runs along Water and Front Streets on the block northwest of the site in question. He stated that those buildings are primarily four- and five-story, brick, nineteenth-century loft buildings, many of which have been significantly altered. Most of the area around the site in question has lost its historic character. He noted that the bridge, piers, and pier buildings are of a very different scale than the smaller buildings on Water and Front. Mr. Farnham also explained that the bridge was completed in 1926, long before I-95 was constructed. Before the Interstate was run through the area, the zone around the anchorage of the bridge was very densely settled. Mr. Farnham stated that the open views of the bridge anchorage one enjoys today did not exist historically. At the time the bridge was constructed, it was surrounded by a dense fabric of warehouse and industrial buildings. The current views of the bridge anchorage are non-historic views.

Mr. McCoubrey stated that the palette selected for the façade is his primary concern. He stated that the colors and materials for the façade should be chosen very carefully. He stated that the white and orange are not compatible with the district. He stated that, otherwise, he had no objections to the design. Ms. Delevan stated that they would continue to study the colors. Ms. Gutterman and Mr. McCoubrey stated that changes in the color scheme could help to reduce the stark horizontality of the east façade. Ms. Delevan stated that the economics of this project restrict them in terms of materials. She stated that it is very difficult to design a building that meets the waterfront height limits and other restrictions of the site and is also profitable. Mr. Farnham asked the Committee if they were suggesting changes to the coloration alone to create a less horizontal appearance, or if they were proposing revising the basic volumes of the building. The Committee members responded that they thought that the colors alone could be revised to reduce the strict horizontality and give the building a façade rhythm that was more compatible with the district.

Ms. Gutterman asked Mr. Farnham if the Committee should make two motions, one related to the design and a second related to archaeology, or should it offer a single motion combining the two. Mr. Farnham stated that either approach was acceptable and would yield the same results. Ms. Gutterman asked if the applicants were requesting final approval and suggested that an in-concept approval might be more appropriate. Ms. Pentz agreed. Mr. Farnham objected to the Committee's frequent attempts to convert applications from final to in-concept approval. He suggested either recommending final approval with conditions that address the concerns or recommending denial. Ms. Delevan asked about the impact of an in-concept approval to her schedule. The Committee members responded that an in-concept approval would necessitate a subsequent review before the Commission, which would add about two months to the review process. Mr. Feldman responded that, owing to their schedule, they were unable to consent to an approval in concept.

Ms. Gutterman stated that she would support a recommendation of denial, because of the design flaws and because of the lack of specificity about the archaeology. Ms. Delevan stated that they have a completed Phase 1 archaeology report with specific recommendations regarding monitoring during the construction. She again stated that they are willing to fully implement the recommendations. She disagreed with Ms. Gutterman and contended that they would be in full compliance with the standards for archaeology. Ms. Gutterman stated that she wanted an agreement that an archaeologist would be on site during the foundation work before she would agree that they had met the archaeology requirements. Ms. Delevan asserted that

they had agreed from the beginning to carry out the archaeologist's recommendations. She stated that there was no disagreement between themselves and the Committee on archaeology. Mr. Feldman concurred, stating that they had already agreed to implement the archaeologist's recommendations fully.

Ms. Gutterman contended that the proposed building was not "in keeping" with the materials and character of the historic district. Ms. Delevan stated that it appeared that the Committee was objecting to the EIFS, but not the precast material. She stated that the precast material is used on the lower three floors or 40 feet of the building. She stated that the EIFS, to which some Committee members object, would never be seen up close, but would be, at a minimum, 40 feet above the ground. Ms. Gutterman moved to recommend denial of the application. She stated that the real problem is not the material, but the color. She stated that changes in color could reduce the horizontality and improve the rhythm of the east façade, making it more in character with the district. Mr. Farnham asked the Committee to confirm that the motion for denial was predicated on the assertion that the current massing of the building was not compatible with the historic district, but that the massing could be rendered compatible with appropriate changes to color and/or materials of the east façade. The Committee members confirmed that that was their claim. Ms. Gutterman stated that the Columbus Boulevard or east façade should be broken down visually with changes in color and/or materials. She objected to the horizontal white bands. She said that the current design "was not working." Mr. Farnham asked her if she objected to the volumetric massing of the overall building. She stated that she did not object to the basic volumes that make up the building, but to the visual appearance from Columbus Boulevard. Mr. Farnham asked if the problem could be corrected with changes to the colors alone. The Committee members responded that it could be corrected with color changes. Ms. Gutterman noted that the houses along Water Street are one continuous volume, but they appear as a series of individual buildings rather than one volume, owing to the changes in colors across the various buildings.

Ms. Gutterman informed the applicants that the Committee is an advisory group, whose recommendation may be adopted or ignored by the Commission.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial.

ADDRESS: 108 CHRISTIAN ST

Project: Legalize decks, replace basement windows

Review Requested: Final Approval

Owner: Bill and Gail Tomassini

Applicant: Liz Zimmers, Zimmers Associates

History: 1835

Individual Designation: 6/24/1958, 5/31/1966

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

OVERVIEW: This application proposes to legalize a series of decks, landings, and stairs installed on the pitch of the roof and down the rear elevation of this building. The railings are vinyl; the decking is Trex. The alterations were performed without the approval of the Historical Commission or a permit from the Department of Licenses & Inspections. A building permit is required for a deck whether the property is designated as historic or not.

This application was first proposed in February 2012. At that meeting, the Architectural Committee recommended denial of legalization of the deck. The applicant subsequently withdrew the application. Based on Committee suggestions, the applicant revised the application to reduce visibility from the public right-of-way. This application now proposes to modify the existing roof deck, removing the front six feet of the deck closest to the ridgeline of the roof, to reduce its visibility. In July 2012, the staff performed a site visit to review a mock-up installation of the proposed reduction. Photographs of the mock-up are provided in the packet.

On the front façade, the application proposes to remove brick from a non-historic stair and install an iron railing. The basement windows are also proposed to be replaced in-kind.

STAFF RECOMMENDATION: Approval of front stair alterations and basement windows and denial of the legalization of the decks, landings, and stairs, pursuant to Standard 9 and the Roofs Guideline.

DISCUSSION: Ms. Sell presented the application to the Architectural Committee. Attorney Leonard Reuter, property owner Gail Tomassini, and architect Liz Zimmers represented the application.

Ms. Sell distributed color photographs of the mock-up installation. She explained that the staff recommended denial of the application because there is no precedent for a staff approval of a deck installed above the slope of a gable roof. She noted that, although the current deck is visible, the proposed reduction in its size would decrease its visibility, making it less conspicuous from the public right-of-way. The mock-up demonstrates that the alteration would make it inconspicuous. Ms. Gutterman asked if the staff's recommendation refers to only the roof deck rather than the decks and landings on the rear elevation. Ms. Sell explained that the staff's recommendation of denial covers the entire application, but results from the roof deck on the gable. She explained that the first, second, and third-story decks are not visible from Front or Carpenter streets, but the rear decks on the third story and roof are visible from inside Shot Tower Park.

Mr. Reuter explained that the owners had a misunderstanding with their contractor. He acknowledged that a permit was not obtained. He stated that they seek retroactive legalization and are ready to accept the penalties in accordance with the violation that they received. He stated that they would like to mitigate the problems of the illegal work. He acknowledged that there is no precedent of approving roof decks on pitched roofs. He argued that, if this deck was on a flat roof and not visible from the public right-of-way, it is likely that the application would be approved at the staff level. He showed photographs of the side views of the roof deck from Christina Street. He noted that the neighboring houses to the east were constructed in 1972 with a setback on the third story that obscures the rear gable of 108 Christian Street. He explained that they propose to reduce the deck to the second post, which would bring it further back away from the ridgeline of the gable and make the deck inconspicuous from the public right-of-way.

Mr. Reuter stated that, as council to the Historical Commission for 6 years, the issue of "conspicuousness" was raised frequently. He noted that it is not defined in the Rules & Regulations. He submitted literature from the National Park Service demonstrating that the term "conspicuous" has not been used recently. He cited Preservation Brief 14 on rooftop additions, which employs the phrase "highly visible," not "conspicuous." He interpreted this change as the Park Service's recognition of the public's desire to have rooftop decks. He stated that every third or fourth house in Queen Village has a roof deck, legal or not, and that the majority are more

visible than the one proposed in this application. He acknowledged that Queen Village is not a historic district, but that the majority of the older buildings are likely individually designated.

Mr. Reuter explained that their proposal to reduce the roof deck by six feet would limit visibility to points at the intersections of Christian Street at Front and Second Streets. He added that the roof deck is not visible on the front façade across the street. He stated that it is visible from halfway down Howard Street, an alley that intersects Christian Street in front of 108 Christian Street. He claimed that the rear deck installation on the exterior was constructed with posts and on an existing shed and did not require interior or roof alterations. He added that the roof deck provides additional protection from the sun and elements. He explained that they met with the Queen Village Neighborhood Association's Zoning Committee and received its approval, which will be forwarded to the Zoning Board.

Ms. Zimmers explained that they are proposing a material change, in addition to the reduction in size. She stated that they propose to remove the white vinyl rail and install a thin metal rail on the roof deck in an effort to reduce visibility. Ms. Gutterman asked if the rail would be changed at only the roof level or on all levels. Ms. Zimmers stated that, owing to lack of visibility of the rear decks, the change would only occur at the roof deck level. Mr. Reuter noted that the rear decks are not visible from the public right-of-way. He acknowledged that they are visible from Shot Tower Park, but only from the baseball field. He added that there is a large tree that is full for most of the year, which blocks views from the park. He showed a photograph of the rear visibility from the park and noted that the majority of the decks visible are on the adjoining neighbor's roof, not 108 Christian Street. Ms. Sell affirmed that the rear of the property is not visible from Carpenter or Front Streets.

Ms. Pentz stated that the Commission has consistently denied roof decks on the main blocks of designated rowhouses. Ms. Sell corrected that the Commission has approved roof decks on main blocks where there is little to no visibility from the public right-of-way. Ms. Pentz noted that the most conspicuous part of the deck is the vinyl rail. Mr. D'Alessandro suggested a metal rail should replace the vinyl rail at the third story and roof deck levels. However, he stated that, had this application been reviewed before construction, the Commission would have likely only approved deck installation up to the third-story rear, not the roof level.

Mr. McCoubrey stated that this building has opportunities for decks at a minimum of two levels. He argued that this installation is excessive. Ms. Zimmers argued that this building has a unique condition in that the neighboring buildings are set back, allowing for a greater amount of visibility than would not exist if they had been built to the property line. Ms. Gutterman stated that there are two issues: visibility and precedent. She explained that the Committee has never recommended approval for a deck on a sloped roof. Mr. Reuter argued that there has not been a change to the roof itself and the rear slope of the gable is not visible. Ms. Gutterman argued that the deck would still be visible, even when reduced.

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the façade alterations and legalization of the rear first, second, and third-story decks, but denial of the roof deck, pursuant to Standard 9 and the Roofs Guideline.

ADDRESS: 312-22 WALNUT ST

Project: Enlarge penthouse, replace windows

Review Requested: Final Approval

Owner: 312 Walnut Street Associates, LP

Applicant: John B. Edwards, Varenhorst, PC

History: 1926; Maryland Casualty Company, Walnut Place

Individual Designation: None

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

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

OVERVIEW: This application proposes replacing all windows in this building and adding a larger penthouse on the roof.

The proposed windows appear to be a reasonable match for the historic windows, but some detail dimensions differ from the originals by one inch. The windows need further review to determine the extent of acceptable deviations in dimension from the existing historic windows.

The rooftop addition would be set back substantially from the building's facades. The front façade has a tall parapet. The addition would be inconspicuous from the street and would be compatible with the architecture of the building.

STAFF RECOMMENDATION: Approval, with the staff to review details, pursuant to Standards 6, 9, and 10.

DISCUSSION: Mr. Baron presented the application to the Architectural Committee. Developer Jim Nolen, architect John Edwards, and preservation consultant Bob Powers represented the application.

Mr. Nolen stated that it is their intention to restore this building to its former glory. He noted that they would be using federal historic tax credits and would undergo the joint state-federal review.

Mr. Baron explained that the proposed windows would be aluminum and would therefore be inherently bulkier than the existing steel windows. The proposed jambs are larger than the existing. He suggested that the architect should consider an aluminum window such as one manufactured by Custom Window and featured in the National Park Service's Preservation Brief on steel windows; it has very narrow frames that might better replicate steel frames. He also suggested considering employing companies such as Seekirchner, which can restore and retrofit steel windows with double glazing. The Standards recommend restoring existing fabric whenever possible.

Mr. Powers reported that the existing windows are rusted shut and have lead paint and asbestos caulk. They also have wire glass. He noted that Mr. Nolen's development company, which has completed numerous restoration projects, always tries to repair and restore windows before replacing them. However, in this case, the windows cannot be repaired. He stated that the rental residential units will require window operability, which the existing windows cannot provide.

Mr. Powers reported that they are seeking federal tax credits for the project and stated that Scott Doyle, the reviewer at the Pennsylvania Historical & Museum Commission, is in support of the project. Mr. Doyle is not requiring any amendments to the window design for the federal preservation review, which is based on the Secretary of the Interior's Standards. He reported

that Charles Tonetti of the Independence National Historical Park had also reviewed the plans because the site faces the park. Mr. Tonetti had indicated that he would defer to the federal tax credit reviewer. Mr. Baron asked about the replacement of the large arched windows at the first floor. Mr. Powers stated that they would not be replaced, but would be retained and restored. The windows to be replaced are on the upper floors only. Mr. Baron asked about the windows on the west façade. Mr. Powers stated that they would be replaced to match. Ms. Pentz opined that, given the large size of the windows, the minor deviation at the jamb, to which Mr. Baron objects, is insignificant.

The Committee turned its attention to the penthouse. Mr. Powers stated that the sightline studies show that it will be inconspicuous from the street. Ms. Gutterman disagreed that the penthouse would not be conspicuous. She asserted that it would be seen from the street. Mr. Powers stated that the existing mechanical penthouse, which is not visible, is nearly 13 feet tall; the new penthouse would only be 11 feet tall. He added that the penthouse would be set back significantly from all facades. Ms. Gutterman stated that she was confused. Mr. Powers explained the architectural plans to her and showed her photographs of the existing conditions. Mr. Powers stated that the penthouse would be flat and low to minimize visibility. Mr. D'Alessandro stated that he approved of the penthouse design. Ms. Pentz asserted that the addition to the penthouse minimally visible and inconspicuous. Ms. Gutterman acknowledged that she had been confused but now agreed that the penthouse design was appropriate. Mr. Powers added that the building has a very tall parapet at the front. Mechanical equipment would be hidden behind the parapet. Mr. McCoubrey asked if the stucco fascia at the top of the penthouse addition could be made of metal to match the color of the windows. Ms. Gutterman suggested that the window color should be determined using paint analyses. The Committee members concluded that the penthouse would be compatible with the existing penthouse.

Lorna Katz-Lawson of the Society Hill Civic Association stated that the Association has been discussing the project with the developer. She stated that she is "somewhat disappointed" about the replacement of the windows. She "just wondered if there is not some other analysis that needs to be brought forth to make a blanket decision about replacement because we thought the idea was to preserve. I'm just asking this as a question. Is this a hardship thing? And I thought it needed to be substantiated in some way." The Committee members responded that a hardship showing is required in instances of significant or complete demolition only. The replacement of windows has never been considered a significant demolition. Ms. Gutterman stated that the developer's architect and preservation consultant determined that the windows cannot be repaired and therefore must be replaced. The Commission routinely approves the replacement of deteriorated windows, provided the new windows approximate the old. Mr. Powers added that the Secretary of the Interior's Standards promote reuse when possible, but allow replacement when windows are deteriorated. He stated that they generally recommend reuse, but the windows are beyond repair in this case. Mr. Nolen agreed, stating that the windows have reached the ends of their lives. Ms. Katz-Lawson asked why the windows at the U.S. Custom House at 2nd and Chestnut could be repaired, but these cannot. Mr. Powers stated that Ms. Katz-Lawson was mistaken; all of the windows in the Custom House are being replaced. Mr. McCoubrey stated that it would be untenable to retain the steel windows in this building in a residential environment. For instance, there is no thermal break in the steel windows. Ms. Pentz agreed. The Committee members concluded that the proposed windows are generally appropriate but that the applicants could work with the staff to refine some of the window details. Ms. Gutterman acknowledged that the windows are very large and the detail deviations will be relatively insignificant, but she suggested that some of the larger deviations in the details could be reduced in size. She also requested paint analyses at the lower and upper

to determine the original paint colors. Ms. Katz-Lawson objected to the reflective glass. Mr. Powers responded that they are proposing clear glass, not reflective glass.

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

1. the facia on the penthouse is metal, not stucco,
2. paint analyses are undertaken to ensure that the new window color(s) matches the original color(s), and
3. the window details are refined to better match those of the historic windows.

ADDRESS: 1229 SPRUCE ST

Project: Legalize windows and signage

Review Requested: Final Approval

Owner: George and Valerie Anni

Applicant: Adam Montalbano, Moto Designshop, Inc.

History: 1825

Individual Designation: 2/27/1962

District Designation: None

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

OVERVIEW: This application proposes to legalize a series of alterations undertaken at this building without permits over many years. The Historical Commission has, beginning in 1997, had violations and even a stop work order issued to this property owner for work without permits. These have been ignored. Recently, the court imposed a large fine on the property, which the owner is seeking to have revoked. As can be seen from the designation photograph of 1968, the building had six-over-six wood windows and a dormer with an arched top window and frame. These were replaced with vinyl windows and aluminum capping by a former owner, who received a violation in 1997. The current owner contends that he purchased the property with those alterations and should not be required to correct the misdeeds of a former owner. He has provided an appraisal from 1995 with a photograph that shows those alterations. The current owner has remodeled the storefront and sign twice, both times without a valid permit. The first remodeling in 1999 added a new stoop and wood storefront. The most recent alteration to the storefront, in 2008, clad the first floor with stone panels that project out from the façade and added café type windows. The sign has been altered with new faces and large projecting channel letters with exposed bulbs. The sign does not meet the Secretary of the Interior's Standards because it is too large and aggressively illuminated for this residential building and streetscape. Neither the windows, dormer capping, nor storefront alterations match the original design for those elements.

STAFF RECOMMENDATION: Denial, pursuant to Standards 6, 9, and 10.

DISCUSSION: Mr. Baron presented the application to the Architectural Committee. Property owner George Anni and architect Adam Montalbano represented the application. Mr. Baron reported that the store was altered in 1924 by architect William Koelle, a noted designer who often worked in a Mediterranean Revival style. He explained, however, that those alterations appear not to have survived.

Ms. Gutterman asked about the history of the sign. Mr. Baron explained that the building has had many signs. A blade sign may have been installed in 1924. It can be seen in photographs

from the 1950s. It was replaced by a sign with a clock. Mr. Montalbano stated that the sign with the clock was extant when his client purchased the building. Mr. Baron reported that the current owner appears to have altered the sign twice. First, the clock was replaced with a "V." Then the faces were replaced. Mr. Baron stated that the alterations were made without reviews or permits.

Mr. Montalbano explained that he was not the architect at the time of the work, but was hired recently to assist Mr. Anni with his application. He claimed that the latest work to the building was permitted, but under 1231 Spruce Street, not 1229 Spruce Street. Mr. Baron explained that Mr. Anni had obtained a permit application approval for interior work only from the Historical Commission, but that the permit application form with the Commission's approval clearly specified no work to the exterior of the building. Mr. Baron also pointed out that the building inspector issued a stop work order for the illegal exterior. However, despite the stop work order, the alterations were completed. Ms. Pentz observed that much illegal work has been undertaken at this building. She stated that the Commission should see that the illegal work is stopped and reversed.

Mr. D'Alessandro asked Mr. Anni if he was aware of the violations when he purchased the building. Mr. Anni explained that he purchased the building at sheriff sale. Mr. D'Alessandro asked Mr. Anni if he ever obtained any permits for the work he has undertaken. He stated that he has obtained permits. Mr. Baron clarified that the only permit applications the Commission has approved for Mr. Anni have been for interior alterations only. The Commission has not approved any permit applications for exterior work. All of the exterior work has been illegal. Mr. Montalbano stated that the alterations to the windows at the second and third floors and dormer were undertaken before Mr. Anni purchased the property. Mr. Montalbano stated that his client, Mr. Anni, has altered the first floor and the signage. Mr. Baron remarked that a violation was issued for the illegal window work undertaken before Mr. Anni purchased the property. Ms. Gutterman observed that due diligence at the time of Mr. Anni's purchase would have uncovered the violation. Mr. D'Alessandro noted that violations are attached to properties, not owners. A change in ownership would not clear a previous violation. When Mr. Anni purchased the property, he purchased the violations with it.

Mr. Anni stated that his contractor obtained a building permit under the address 1231 Spruce Street to expand the restaurant into that adjacent building. He claimed that that permit covered the work to 1229 Spruce. He showed a copy of the permit, #71827, to the Committee. Ms. Gutterman stated that it was a permit to expand the restaurant into 1231 Spruce Street. She noted that it provided no description of the work, but did refer to architectural drawings. She asked Mr. Anni for a copy of the drawings. He stated that he did not have a copy.

Ms. Gutterman stated that she would advocate for a recommendation of denial. She stated that the Committee's recommendation was advisory to the Commission, which may come to a different conclusion if presented with contradicting paperwork. Mr. Baron asked her to elaborate and state whether the illegal work satisfies the Standards. Ms. Gutterman stated that the replacement windows at the second and third floors and dormer do not meet the Standards. The sign does not meet the Standards. She also stated that the cladding on the storefront does not meet the Standards.

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

ADJOURNMENT

The Architectural Committee adjourned at 10:40 a.m.

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

Standard 8: Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

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.