

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

**9 NOVEMBER 2007
1515 ARCH STREET, ROOM 18029
MICHAEL SKLAROFF, ESQ., CHAIR**

PRESENT

Michael Sklaroff, Esq., Chair
John Herzins, Department of Public Property
Rosalie Leonard, Office of City Council President
Michael Maenner, Department of Licenses & Inspections
Sara Merriman, Commerce Department
Vincent Rivera, AIA
David Schaaf, RA
Denise Smyler, Esq.
Thomas Sugrue, Ph.D.
Scott Wilds, Office of Housing & Community Development

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

ALSO PRESENT

Kevin Kaminski, Venturi Scott Brown & Associates
James Gardner, Downey Moore
Roberto Diaz, Curtis Institute
Elizabeth Warshawer, Curtis Institute
Teddy Abrams, Curtis Institute
Dan McCoubrey, Venturi Scott, Brown & Associates
Seth Cohen, Venturi Scott, Brown & Associates
Jack Dundon, Alesker & Dundon Architects, LLC
John Gallery, Preservation Alliance
Matt McClure, Esq., Ballard Spahr Andrews & Ingersoll, LLP
Tom Lussenhop
George Thomas, Civic Vision
Karen Weldon
Richard Donaghy
Peggy Wachs
Robert Greenbaum
Carl Primavera, Esq., Klehr Harrison Harvey Branzburg & Ellers, LLP
Richard DeMarco, Esq., Klehr Harrison Harvey Branzburg & Ellers, LLP
Steven Singer, Singer Jewelers
Mary Goldman
Liz Blazeovich, Preservation Alliance
E. Hanyie
Joe Noga, Property Locators

Robert Powers, Powers and Company
Neil Sklaroff, Esq., Ballard Spahr Andrews & Ingersoll, LLP
David Matus, Matus Windows
Suzanna Barucco, KSK
Laura Spina, Planning Commission staff
Tony Forte, Esq., Saul Ewing
Hillel Levinson, Manayunk Development Council
Harvey Spear, E-Z Park
Karen Allen
Bruce Cooper, Jakes Restaurant
Laura Siena, West Mt. Airy Neighbors
C. Breder, Toll Brothers
Glenn Moyer
Brett Feldman, Esq., Klehr Harrison Harvey Branzburg & Ellers, LLP
Joe Schiavo, Old City Civic Association
Janet Kalter Old City Civic Association
Van Strother, New Covenant Church

CALL TO ORDER

Mr. Sklaroff, the Chair, recognized the presence of a quorum and called the 543rd Stated Meeting of the Philadelphia Historical Commission to order at 9:00 a.m. Commissioners Leonard, Merriman, Rivera, Schaaf, Sugrue, and Wilds joined him. Mr. Herzins served as the designee for the Commissioner of the Department of Public Property. Mr. Maenner served as the designee for the Commissioner of the Department of Licenses & Inspections.

MINUTES OF THE 542ND STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Upon a motion proffered by Mr. Sugrue and seconded by Ms. Merriman, the Commission unanimously approved the minutes, as corrected, of the 542nd Stated Meeting of the Philadelphia Historical Commission, held 12 October 2007.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 23 OCTOBER 2007

Vincent Rivera, Chair

1610, 1612-1616, AND 1618 LOCUST STREET

Owner: HFGLocust LP, The Lenfest Group LLC, H. F. Gerry Lenfest, Curtis Institute

Applicant: Seth Cohen, Venturi Scott Brown Associates

History: 1610: 1893, John H. Converse House, Wilson Brothers, architects
Individually designated 2/28/67, Significant in district

1612-1616: c. 1960, Non-contributing in district

1618: c. 1855, Charles Custis Harrison House, John Notman, architect
new façade, Wilson Eyre, architect, 1888
Significant in district

Project: In concept - demolish all but 1610 and 1618 facades, construct 10-story music and dormitory building; restore historic facades

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend that:

1. the demolitions of all but the facades of 1610 and 1618 Locust Street are demolitions in significant part and trigger the hardship/public interest test in §14-2007(7)(j). The

2. the applicants have presented sufficient evidence to support the conclusion that the site at 1610-1618 Locust Street is the only viable site in the proximity of the current Curtis Institute buildings that can reasonably accommodate the school's programmatic needs.
3. the applicants have presented sufficient architectural, acoustic, structural, and code-compliance evidence to support their claim that the minimum program cannot be reasonably accommodated on the site without demolishing all but the front facades of the buildings at 1610 and 1618 Locust Street.
4. the proposed building is compatible with the character of the historic district, neighboring structures, the surroundings, and the streetscape, §14-2007(7)(k)(.4). Ignoring the demolition, the proposed building otherwise satisfies the Secretary of the Interior's Standards because it will 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.
5. the following provisions are included in any approval of the demolitions of the two historic rowhouses:
 - a. the demolition permit not issue until the new construction permit issues;
 - b. the Curtis Institute provides binding assurances that the project will be completed;
 - c. the Curtis Institute submits photographs and measured drawings of the extant buildings at 1610 and 1618 Locust Street to the Commission;
 - d. the Curtis Institute commemorates 1610 and 1618 Locust Street with a suitable exhibit that is prominently and perpetually displayed; and
 - e. the front facades 1610 and 1618 Locust Street are completely restored to their 1893 and 1888 appearances, respectively.

STAFF RECOMMENDATION: Section 6.3.d.4 of the Commission's Rules & Regulations permits the staff to directly enter a recommendation to the Commission. Pursuant to that section, the staff recommends that the Commission find that the partial demolitions of 1610 and 1618 Locust Street for the realization of the proposed residential and educational building are necessary in the public interest with the following rationale:

1. The Curtis Institute of Music has sufficiently demonstrated in Points 2-7 and 24 of the affidavit submitted by Elizabeth Warshawer, the Executive Vice President of the Institute, that the Institute currently provides significant public benefits.
2. The Curtis has sufficiently demonstrated in the Warshawer Affidavit, Points 8-17 and 32, that the deficiencies of its physical plant—the lack of adequate rehearsal, teaching, residential, and social spaces—threaten its capacity to continue to provide significant public benefits.
3. The Curtis has sufficiently demonstrated in the Warshawer Affidavit, Points 18-23, that the construction of a rehearsal and residential hall is necessary to revitalize the school and allow it to continue to provide the significant public benefits.
4. The Curtis has sufficiently demonstrated in the Warshawer Affidavit, Points 27 and 28 and the Site Selection Study that the site at 1610 to 1618 Locust Street is the only feasible location for its expansion.
5. The Curtis has sufficiently demonstrated in the Warshawer Affidavit, Points 30 and 31, and the Venturi Scott Brown Associates Feasibility Study that the partial demolition of the historic buildings at 1610 and 1618 Locust Street is necessary to achieve its

6. It can therefore be concluded that the Curtis has sufficiently demonstrated that the partial demolitions of the individually designated and contributing buildings at 1610 and 1618 Locust Street are necessary in the public interest.

The staff also recommends that the Commission approve in concept the application to demolish 1612-1616 Locust Street, partially demolish 1610 and 1618 Locust Street, and construct the 10-story residential and educational building, with the conditions enumerated in the Architectural Committee recommendation.

OVERVIEW: This in-concept application proposes to demolish the entirety of the Non-contributing building at 1612-1616 Locust Street and all but the front facades of the Significant buildings at 1610 and 1618 Locust Street. In their places, it proposes to construct a ten-story building to house practice spaces and residences for students and faculty of the Curtis Institute, a music school located on the 1700-block of Locust Street. It also proposes to fully restore the historic brownstone facades at 1610 and 1618.

The demolitions of all but the facades of the buildings at 1610 and 1618 are indisputably “demolitions” under the historic preservation ordinance. Therefore, the Commission cannot approve this application without first finding that the buildings cannot be reasonably adapted for any purpose or that the demolitions are necessary in the public interest. The application does not advance a hardship claim, but does advance a public interest claim. That claim is elaborated in a Memorandum of Law and accompanying affidavit from the executive vice president of the Curtis Institute. The Preservation Alliance has submitted a response to the Memorandum of Law. The applicant has submitted a response to the Alliance response.

DISCUSSION: Mr. Sklaroff recused owing to his firm’s representation of the property owner in other matters. Mr. Farnham presented the application to the Commission. Elizabeth Warshawer, the executive vice president of the Curtis Institute, architect Seth Cohen, and attorney Carl Primavera represented the application.

Mr. Sugrue asked if any Commission members had questions regarding the recommendations of the Architectural Committee or staff. Mr. Wilds requested a clarification regarding the memorandum of law. Mr. Farnham held up the various documents and stated that the memorandum of law was prepared by the attorneys representing the Curtis Institute. The response to that memorandum was prepared by the Preservation Alliance. A response to the response was prepared by the attorneys representing the Curtis.

Mr. Sugrue suggested that the Commission confront the public interest question before considering the appropriateness of the proposed building.

Mr. Primavera, the attorney for the Curtis, explained that his memorandum of law includes an affidavit by Ms. Warshawer with a detailed presentation of the public interest case. He also explained that Mr. Cohen, the architect, would comment on the architectural aspects of the public interest case. Mr. Primavera stated that his client does not dispute the assertion that the proposal includes demolition as defined by the ordinance. He also stated that that his client is in agreement with the staff and Architectural Committee recommendations and comments. He stated that his memorandum of law focuses on the public interest question. It includes analyses of previous Commission cases involving public interest as well as cases in other jurisdictions. He stated that the declaration of purpose in the historic preservation ordinance speaks directly

to this matter when it states that the purpose of the ordinance and of the Commission is to foster civic pride in the architectural, historical, cultural, and educational accomplishments of Philadelphia. He claimed that Curtis needs to expand. The institution is suffering from a lack of adequate student housing and rehearsal resources. The school also must remain in the immediate Locust Street area owing to the need to move large musical instruments from building to building and to Kimmel Center and Academy of Music. He stated that the school undertook an intense search to find space that was available, affordable, and would satisfy the institution's space and location requirements. He stated that this is the best possible public interest case. Judge Carafiello defined what public interest is not. It is not jobs; it is not tax revenues; it is not development for development's sake. He reported that Gerry Lenfest has acquired the property; after the requisite approvals, the property will be transferred to the Curtis Institute.

Ms. Warshawer summarized the public interest case. She stated that the demolition is necessary in the public interest because it would benefit not only the Curtis Institute, but also the citizens of Philadelphia. The demolition would greatly advance a non-profit institution that provides cultural and economic benefits to the city and brings it great prestige. The Curtis is known worldwide as a preeminent conservatory. The expansion would solidify the Institute's reputation as the top conservatory in the country and world. All students, most of whom attend for four years, receive full scholarships. The school provides more than 100 free recitals per year. The students play with the Philadelphia Orchestra, Chamber Orchestra of Philadelphia, Pennsylvania Ballet, Opera Company, and University of Pennsylvania Symphony Orchestra. The students ensure that all companies have musicians of the highest caliber. The Curtis provides programming for WHYY public radio, WHYY PBS TV 12, and WHYY's high definition cable channel. Ms. Warshawer noted that the Preservation Alliance suggested that School for the Deaf and Smith Hall projects provided greater social and economic benefits than would be realized with the Curtis project; she disagreed and stated that this project will ensure that the Curtis continues to have a significant impact on the region. She reported that more than 50% of the members of the Philadelphia Orchestra are Curtis graduates. More than 300 alumni live and work in Philadelphia. The Curtis employs many Philadelphia Orchestra members as faculty. The Curtis provides musical outreach to public schools and performs children and family concerts with nominal ticket prices. The school provides a Steinway piano to St. Marks Church and performs free concerts at the church. Ms. Warshawer concluded that this construction project is necessary in the public interest for the Curtis to continue to contribute significantly to the city's cultural, educational, and economic realms. She asserted that the need is at least as great as those claimed in the Smith Hall and School for the Deaf cases. The Curtis can continue to be a major engine driving the revitalization of Center City. The success of the Curtis is essential to the success of the Kimmel Center and the Philadelphia Orchestra. Few American cities have cultural institutions like the Curtis. The Kimmel Center made the Symphony House development possible and the Curtis made the Kimmel possible. Ms. Warshawer stated that that the design is exceptional and utilizes high-quality materials. It is consistent with streetscape of both Latimer and Locust Streets. It will enliven the Latimer block and eliminate an eyesore. The Latimer front will be landscaped and lighted. The Curtis will retain and restore the facades at 1610 and 1618 Locust to original their grandeur. The new facility will allow the Curtis to reduce the pressure on and then restore its existing buildings, all of which are designated as historic. The Curtis will salvage historic elements from the interiors of 1610 and 1618 Locust and reuse them where possible within the new building. The Curtis will commemorate the historic buildings at 1610 and 1618 Locust in the lobby of the new building with a prominent display of photographs and other historical information. The Curtis will conduct tours and open rehearsals in the new building for the public. For first time ever, because of the new air conditioned spaces, the Curtis will be able to provide summer programming including an Elderhostel program.

Mr. Sugrue asked Mr. Primavera to comment on the site selection process. Mr. Primavera stated that the search was methodical and specific. He noted that Ms. Warshawer would provide the details and conclusions of the search. He also referred to the suggestions at earlier meetings that the Curtis locate its rehearsal and residential spaces in two separate buildings to avoid demolishing the historic buildings. He stated that his clients would address this issue and explain why it was not preferred. Mr. Wilds asked him to address efforts to try to fit the school's needs within existing site without demolishing some or all of 1610 Locust.

Ms. Warshawer explained that the Curtis convened a site selection committee more than one year ago. That committee first walked the neighborhood to determine whether an appropriate site was available to house a 4000 sf rehearsal hall, instrument storage, teaching, and practice rooms, and residence hall for 180 students, and dining facilities for students, faculty, and staff. The site needed to be close to Kimmel Center and the Academy of Music. She stated that the committee considered numerous sites and then studied the most promising. Several sites do not appear in the final report because they did not meet obvious requirements, such as the ability to create a campus atmosphere. Creating a campus atmosphere is incredibly important. Also creating a facility where first and second-year students can live and practice in same space is very important. Currently, students live in private housing throughout the city. The housing is very expensive and they must transport instruments day and night in good weather and bad. Most of the students are 17 to 22 years of age. Some are older, but some are younger; some prodigies are only 11 or 12 years of age. A dining hall is essential because groceries are expensive in the Rittenhouse Square area and many of the students have poor diets. After looking at several sites, it became apparent that the 1612-1618 Locust Street site was the only feasible site. The Venturi Scott Brown architectural firm was retained to see if the facility would fit on the 1612-1618 Locust Street site. The architects determined that it would not; the donor, Gerry Lenfest, then purchased 1610 Locust. The properties will be transferred to the school when the approval processes are complete. Mr. Primavera stated that the site selection committee included several experts in Rittenhouse Square real estate. Ms. Warshawer stated that the school intends to remain in its current location within the historic district.

Mr. Cohen, the architect, stated that the minimum program cannot be accommodated on the site without demolishing the buildings at 1610 and 1618 Locust. He presented several diagrams. He stated that the large rehearsal hall on the second floor presents the most restrictions and drives the entire design. It must be a minimum of 3500 sf and be adjacent to the large instrument storage and studios. He stated that there is no way to accommodate the hall without encroaching on 1610. He stated that the architects studied possible design revisions to accommodate the rehearsal hall. They tried rotating and also relocating the rehearsal hall, but none of the revisions satisfied the school's minimum needs. The revisions led to significant programmatic reductions including the loss of a studio. Mr. Sugrue asked about the losses with the rotated rehearsal space. Mr. Cohen stated that the rotated rehearsal space would be too small to accommodate a full orchestra. Mr. Wilds asked if shifting and rotating the orchestra rehearsal room would be successful. Mr. Cohen stated that the rehearsal hall cannot be moved without impacting other mandatory facilities including the building core. He stated that any scheme that mandated the retention of part of 1610 Locust would require complex systems of ramps for accessibility; the ramps would consume essential space resulting in the loss of storage, teaching, and rehearsal facilities. He also noted that the nineteenth-century wood and masonry construction of the rowhouses would not satisfy the acoustical and structural requirements. He also noted that any scheme that moved the rehearsal hall under the residential tower would confront complicated structural and acoustical issues. He explained that all of the spaces within which music will be performed must be box-in-box construction to

acoustically isolate them. The floors, walls, and ceilings must be very substantial. Floor-to-floor heights must be large. Also, space for extensive ductwork, which could not be accommodated in the historic buildings, is required. Ms. Warshawer emphasized the importance of the large instrument studios. She stated that the spaces would be reduced or lost in the revised schemes. Mr. Cohen stated that, for acoustical and visual reasons, the orchestra members should have their backs to the large windows on Locust Street; the revised schemes do not allow for that orientation.

Mr. Primavera asked Mr. Cohen to comment on the proposed alterations to the Latimer streetscape, which will make it safer and more lively and attractive. He asserted that these changes would be in the public interest. Mr. Sugrue responded that the designs for Latimer do not address the public interest issue. He stated that a discussion of those details would best be reserved for a later time. Mr. Primavera stated that the Curtis has worked with the near neighbors included Fr. Mullen at St. Marks Church and the Berger law firm. Mr. Sugrue summarized the claim that the goals of the Curtis cannot be satisfied if 1610 and 1618 are retained. Mr. Cohen noted that, disregarding the space restrictions, he would need to so significantly alter the interiors of the historic rowhouses to reuse them as music performance spaces that they would not retain any of their original integrity.

John Gallery of the Preservation Alliance stated that he agreed with Mr. Primavera that this is a very healthy and important discussion because the historic preservation ordinance provides little guidance for the review of applications that claim that demolition is necessary in the public interest. He asserted that it is therefore important to test the assumptions of such applications to be certain that the intentions of City Council are respected. He contended that the ordinance creates a very limited opportunity for very important projects to proceed when the demolition of an historic building is required. He stated that his comments were offered to foster a discussion of the meaning of the public interest section of the ordinance. He acknowledged that there is no question that the Curtis Institute is a great institution and provides great benefits to Philadelphia. Its free concerts and support to other organizations is important. He noted, however, that there is a danger of confusing the public benefit of the institution as a whole with the potential benefit of the proposed construction project. He quoted attorney Richard DeMarco, who contended that "if the Commission believes that the Curtis mission is in the public interest so must they view the project."

Mr. Gallery claimed that this statement was not true. He asserted that the Commission must account for and follow the precedents set by the Commission, Board of License & Inspection Review, and Court of Common Pleas in their earlier reviews of necessary in the public interest demolitions. Mr. Gallery noted, for example, that the Parking Authority had introduced substantial evidence into the record to demonstrate that the parking garage it sought to build at 19th and Walnut would provide an economic benefit that would be in the public interest even though it is a public entity and simply could have claimed that its mission is inherently in the public interest. Its mission was not the determining factor; its project was. Likewise, everyone would agree that the University of Pennsylvania generally operates in the public interest. However, when it proposed to demolish Smith Hall, the Commission required that the University prove that the construction project, not the mission of the University in general, was in the public interest. Also, the Convention Center proved that its project, the expansion, not its mission in general, was necessary in the public interest. Temple University demolished buildings on Park Avenue. It did not argue that its mission is necessary in the public interest; it demonstrated that it would be a financial hardship to reuse the buildings, even though the project advanced its mission. The ordinance states that the demolition must be necessary in the public interest, not that the sponsor of the demolition must work in general in the public interest. The Commission

must determine that the project, not the sponsor, is necessary in the public interest. If only the mission matters, the Parking Authority's approval would have survived the appeal. If only the mission matters, then any public agency and any institution providing a public benefit could demolish any historic building.

Mr. Sugrue asked Mr. Gallery to comment on the specifics of the Curtis case in relation to the specifics of the other cases. Mr. Gallery stated that he concluded in his response to the applicant's memorandum of law that the Curtis claim to necessary in the public interest is based on the school's mission and not on the proposed project. He noted that the applicants have again today predicated their claim on the school's mission, not on the project as required by the ordinance. He contended that the school has not demonstrated that the rehearsal hall is necessary in the public interest. The projects proposed in the Smith Hall and the School for the Deaf cases offered more public benefit than this project will offer. The School for Deaf offered a high school to serve city residents when no other high school for the deaf existed in the entire Philadelphia region. The Curtis proposal will merely allow students to move from one apartment to another. The Smith Hall project offered very explicit economic benefits to the entire region. The Curtis Institute has proposed no public benefits of a similar scale, magnitude, or type. Mr. Sugrue stated that the Curtis applicants are making the argument that the rehearsal space is essential to continue to accomplish the mission and thereby essential to providing the public benefit. Curtis is making the argument that the demolition is essential because of inadequate facilities threatens the very purpose of the institution and thereby threatens its capacity to provide benefits to the public. Mr. Sugrue stated that the University could not have made the same claim about Smith Hall because the proposed facility was but a very small component of a much, much larger institution. The inability to build on the Smith Hall site would not have threatened the very existence of the University. He rejected Mr. Gallery's analogy between the two cases. Mr. Gallery moved to his last point. He reported that, as a professional planner, he has undertaken site searches for organizations. He claimed that the report presented from the Curtis search does not indicate that the Curtis conducted a responsible site search. He claimed that some of the sites were not plausible including the Barclay Hotel and the McIlhenny House. Mr. Gallery distributed copies of a map showing the distribution of sites considered by the Curtis. He stated that it indicated a tremendous inconsistency. Some sites are appropriate for the rehearsal space; others for the residences. He claimed that this indicates that there is no inherent connection between living and rehearsal spaces, which may be desirable, but is not essential. Mr. Gallery also asked why the school considered the site on the 1900-block of Walnut if the search was limited to site one block or less from the current buildings. He asserted that this indicated that the school was, in fact, considering a larger area. He stated that, given that the school was considering a larger area, it should have considered the surface parking lot at 17th and Pine, which is near the Kimmel and Academy. He contended that no conscientious site search would have missed the lot at 17th and Pine. He claimed that the lot would meet all of the school's requirements and would be cheaper to build on than the Locust Club site. He also suggested that the Curtis could construct the rehearsal hall on the non-contributing Locust Club site and the dormitory on the 17th and Pine site. He concluded, saying that the site search was flawed and should not be accepted.

Mr. Sugrue asked the staff to comment on the earlier public interest cases. Mr. Farnham stated that Mr. Gallery had not accurately portrayed the earlier public interest cases in his response to the applicant's memorandum of law or his testimony. He stated that the staff had thoroughly reviewed the records of those cases and would like to present some corrections. In the case of the School for the Deaf, Mr. Gallery has claimed that the demolition was approved to allow for a high school for the deaf, which the Philadelphia region lacked. In fact, a building housing an early childhood center and a performance center was erected on the area cleared by the

demolition of the historic house. During the Commission's review of the demolition application, the school's principal indicated that the school sought to create a high school for the deaf, but no evidence was ever presented that clearly linked the demolition of the historic house to the creation of the high school. Mr. Gallery has also claimed that no site other than the one occupied by the historic house was available for construction near the School for the Deaf. In fact, the School for the Deaf did not present any evidence to the Commission that it had conducted any sort of site study. The principal merely informed the Commission that he sought approval to build on the site with the historic house because the City had purchased it and was offering to sell it to the school. There was never any demonstration that the school had considered any alternate sites. Moreover, the school never argued that the demolition was necessary in the public interest; it simply claimed that the demolition would benefit the school and therefore the public. Mr. Farnham stated that he was not implying that the Commission had erred in approving the demolition; he stated that he was suggesting that the Commission has some discretionary space when considering demolitions that may be necessary in the public interest; he advised that the Commission jealously guard this space and not unnecessarily delimit it as Mr. Gallery suggests. Mr. Farnham then commented on the Smith Hall case. He stated that the University of Pennsylvania conceded during its Commission testimony that there were several possible sites on which to locate the laboratory. The University chose the site on which the historic Smith Hall stood not because it was the only site, as Mr. Gallery wrongly claimed, but because it was the most convenient and least expensive site on which to build. Mr. Farnham concluded, quoting from Dr. Sheldon Hackney, the President of the University at the time of the Smith Hall case. During the Commission's review, Dr. Hackney had summarized the University's need for the new engineering facilities in a statement that was nearly identical to the Curtis Institute's current claims, if the word "music" is substituted for "engineering." He stated:

This development is part of a comprehensive plan to reinvigorate research endeavors in order to preserve and enhance Penn's position as a leading international university. This initiative is critical because Penn has not been able to make appropriate investments in the fields of engineering and the natural sciences. Though research costs have increased and competition from other schools has grown keener, the facilities at Penn have remained obsolete. Research has been impaired and programs compromised by a lack of space and special facilities.

Cletus Lyman, a business owner and resident on the 1600-block of Latimer Street, addressed the Commission. He seconded Mr. Gallery's comments. He asserted that there is a large amount of residential development underway in the Rittenhouse Square area at the moment. He suggested that the Curtis partner with a real estate developer who is looking to fill space; the Curtis could buy into one the large condominium projects in the area to house its residential and dining hall facilities. It could then use the Locust Club site for its rehearsal and practice spaces. He suggested that the Curtis buy into the Parc Rittenhouse, Warwick, or Lewis Tower projects. Mr. Sugrue stopped Mr. Lyman and asked him to focus on the question of necessary in the public interest. He advised Mr. Lyman that he would have an opportunity to discuss other issues raised by this application later in the meeting after the Commission decided the public interest question. Mr. Wilds questioned whether it would be feasible for the Curtis to house its students in a very high-end condominium project like the Warwick. He contended that the suggestion was not realistic. Mr. Lyman replied that he believed that it would be feasible to house students in luxury condominiums. Mr. Lyman then stated that the historic preservation ordinance requires that signs announcing the review of the demolition application be posted on the street facades of the impacted buildings. He claimed that no notices were posted on the buildings. He contended that they could not have been posted and then removed because they would have left a residue; he stated that he found no signs of poster residue. Mr. Farnham noted that he had responded to a similar assertion by Mr. Lyman at the Architectural Committee meeting. He

reiterated that the Commission is required by the ordinance to post whenever anyone applies for a demolition permit. In this case, the applicants are seeking an in concept approval not a demolition permit. Nonetheless, as a courtesy, the Commission's staff posted both street facades of all three buildings not once, but twice. The poster on 1610 Locust was illegally removed, but then immediately replaced by the staff.

Teddy Abrams, the president of the student body at Curtis, spoke on behalf of the Curtis students. He stated that this project is absolutely necessary in the public interest. He described the inadequate practice facilities. He described the difficulties of practicing in off-campus apartments. He spoke of the impossibility of practicing in groups in apartments. He emphasized the need for spaces for students to congregate and socialize. He noted that the students face security and safety issues, especially when transporting instruments between the living quarters and practice rooms late at night. He reported that students now have very poor diets because they have no dining facilities. He also detailed the challenges of competing with other top conservatories, especially those with new facilities. He concluded with a description of the benefits the school offers to the public, especially outreach and free concerts.

Peggy Wachs, a neighbor, member of Cosmopolitan Club at 1616 Latimer Street, and a member of Friends of Curtis board, addressed the Commission. She explained that the Cosmopolitan Club has not taken a formal position on the project, but she wholeheartedly supports the project.

ACTION: Ms. Merriman moved to find that the demolitions of all but the Locust Street facades of 1610 and 1618 Locust Street for the construction of the proposed Curtis Institute rehearsal and residential building are necessary in the public interest. Mr. Wilds seconded the motion, which passed unanimously.

Mr. Wilds noted there have been some questions on treatment of the Latimer Street as well as the viability of using the front doorway at 1610 Locust. He suggested that these issues should be addressed in the application for final approval. Ms. Smyler advised that the applicants should continue to develop the design to create a campus environment. Mr. Primavera noted that the applicants would provide more on lighting and safety. Mr. Gallery complimented the design. He stated that the new building will fit well into its context. He strongly supported an approval of the in concept design.

Attorney Tyler Wren addressed the Commission. He is representing St. Mark's Church and the law firms of Berger & Montague and M. Mark Mendel, all of which are located on the 1600-block of Locust. His clients wholeheartedly support the project. He stated that an approval of this project would be a victory for the block and Philadelphia. He stated that the design of the new building is appropriate for the historic block.

Mr. Lyman objected to the proposed building, stating that it was too large for Latimer Street, which is lined with 3-story buildings. He objected to the loading dock, which detract from the beauty and cleanliness of the street. He also objected to traffic problems he believes this project will cause.

ACTION: Mr. Schaaf moved to approve the proposal in concept, pursuant to §14-2007(7)(k)(.4) and the Standard 9, with the following conditions:

- a. the demolition permit not issue until the new construction permit issues;
- b. the Curtis Institute provides binding assurances that the project will be completed;

- c. the Curtis Institute submits photographs and measured drawings of the extant buildings at 1610 and 1618 Locust Street to the Commission;
- d. the Curtis Institute commemorates 1610 and 1618 Locust Street with a suitable exhibit that is prominently and perpetually displayed; and
- e. the front facades 1610 and 1618 Locust Street are completely restored to their 1893 and 1888 appearances, respectively.

Ms. Smyler seconded the motion, which passed unanimously.

223-225 S. 6TH STREET

Owner: John J. and Mary Elizabeth Turchi

Applicant: Neil Sklaroff, Esq.

History: 1956-1957, architect G. Edwin Brumbaugh for Mayor Richardson and Anne Dilworth

Project: Remove rear and side wings, construct 16-story building

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted unanimously to recommend final approval of the application, provided the south wall of the tower is additionally fenestrated and articulated, with the Architectural Committee to review for final approval the details of the revised south wall design, pursuant to the Commission's approval in concept of September 2006.

OVERVIEW: This application for final approval proposes to remove the side and rear wings and retain the main block of the former home of Mayor Richardson Dilworth, which is listed as significant in the Society Hill Historic District. It also proposes to construct a mid-rise residential condominium building behind the remaining section of the historic building. The new building would connect to and wrap around the historic building at the north and east. It would also cantilever over the rear of the historic building. The application also proposes the addition of a doorway in the south wall of the Athenaeum building to the north to access a storage area in the residential condominium building.

The Commission approved an in-concept version of this application in September 2006. At that time, the Commission explicitly determined that the proposed demolition is not a "demolition in significant part" and therefore does not require a finding of financial hardship or necessity in the public interest for approval. In-concept approvals are valid for one year. In September 2007, before the September 2006 in-concept approval expired, the applicant requested and received an extension of the approval in concept for six months to March 2008. The project currently proposed is consistent with the project approved in concept in 2006.

DISCUSSION: Mr. Sklaroff recused owing to his firm's representation of the property owner. Mr. Farnham presented the application to the Commission. Property owner John Turchi, attorneys Matt McClure and Neil Sklaroff, architect Carey Yonce, consultants Craig Shelter and George Thomas, and Roger Moss and Sandra Tatman of the Athenaeum represented the application.

Mr. Sugrue requested that the applicants concentrate on two issues in their presentations, the differences between the plan approved in concept and the current proposal, and their disagreements with the recommendations of the Architectural Committee. Mr. McClure introduced Mr. Yonce, the architect, to explain the changes since the approval in concept.

Mr. Yonce described the overall scheme with ground-level parking, mezzanine storage, and a 16-story tower. They are proposing a connection to Athenaeum to access a storage space. The building will have 11 full-floor residential units and one double-height penthouse unit. The primary façade facing Wash Square will be clad in German brownstone. The brick on the side

and rear facades will be applied using a panelized system. Mr. Yonce showed samples of the brick and brownstone.

Since the Commission reviewed the project in concept, there has been one change and one refinement to the design. He explained the change first. In the previous design, the north wall at the main entrance along the Athenaeum was shown as a massive 16-inch-thick structure to support the south wall of the Athenaeum. The engineers have looked very closely at the problem and have developed a design to tie the south wall of the Athenaeum back into the structure that will alleviate the need for the new thick wall. Therefore, Mr. Yonce is now proposing a slimmer wall along the Athenaeum. Mr. Sugrue asked if the proposed work to the Athenaeum is part of this application. Mr. Yonce stated that it is not. It will be submitted as a separate application at a later date.

Mr. Yonce then explained the refinement. He stated that the south party wall of the tower had previously been depicted as a dark red wall. The architects have decided that it should be lighter in color, like the towers behind it to the north. The wall will now be patterned with two colors of gray brick.

Mr. Wilds asked Mr. Yonce to comment on the suggestions made by interested parties that the blank south wall should be better articulated and that the floor plan should be flipped to move the windows to the south. Mr. Yonce stated that he cannot add more windows to the south party wall because of the service core behind it. He remarked that the south party wall honestly reflects the activities taking place behind it.

Mr. Sugrue asked if the proposal for the east façade of the building is the same as that approved in concept. Mr. Yonce stated that only the color has changed. Mr. Sugrue asked if the same brick is being used on the north and east walls. Mr. Yonce stated that he is using the same brick on all three walls. The pattern on the south wraps around to the balcony section of the east wall. The north wall and the north section of the east wall are a single solid color, not patterned.

Mr. Yonce then addressed the suggestion to flip the floor plan, moving the setback and windows from the north to the south wall of the tower. He stated that architect Robert Venturi designed the tower like a typical row house, with the front section spanning the full width of the property and the rear section attenuating to create a side yard. Mr. McClure asked Mr. Yonce to speak about the Athenaeum, which is a National Historic Landmark. Mr. Yonce stated that Mr. Venturi deferred to the Athenaeum building with his design because it is a very important building historically. If the plan were flipped, it would block the light to one of the most important rooms in the city. Mr. Yonce stated that the Athenaeum is much more important than the Lippincott building. Mr. McClure added that Dr. Moss can further address the impact flipping the plan on the Athenaeum.

Mr. Schelter discussed the negative impact of adding windows to the south. He stated that adding the windows would compromise the design of the master bedrooms. He also claimed that the south wall would have a minimal impact on the public. He showed a photomontage with the tower superimposed on photograph taken from 6th Street at the southeast corner of Washington Square. He claimed that it showed that the south wall of the tower would not stand out. He claimed that the eye would always go to the tallest portion of the skyline, which is the line of towers behind the Dilworth House on Walnut Street. He also claimed that the proposed tower would be conspicuous from limited sections of the public right of way to the south toward Spruce Street; it would not be conspicuous from elsewhere.

Mr. Thomas, the historic preservation consultant, stated that the new stucco for the south wall of the Athenaeum will be matched to the stucco already on the north wall, which he has analyzed. The new stucco on the north wall of the Dilworth House, where the wings will be demolished, will be matched to other stucco already on the house. It too has been analyzed. The ghost of the stair wing will be outlined. He has conducted paint analyses and other analyses of the main portion of the house, which will be restored fully. The monument will be moved to the south courtyard. Mr. Wilds asked him if the upper floors of the house will be used. Mr. Thomas answered that stairs will be added up to the second floor of the house. He also noted that the second floor may perhaps possibly be used as Mr. Turchi's office.

Attorney Larry Silver, who represents the Preservation Alliance and Society Hill Civic Association, addressed the Commission. Mr. Silver stated that John Gallery will speak on the question of whether the proposed work is an alteration or demolition. Mr. Sugrue stated that that matter had already been decided. Mr. Silver countered that that decision was an in concept decision, not a final decision. He noted that Leonard Reuter of the Law Department had commented on that matter at the Architectural Committee meeting. He asked Mr. Reuter to reiterate. Mr. Reuter stated that the Commission is not bound by its earlier concept decision. It may, if it chooses, reopen the alteration vs. demolition question. However, the decision to reopen the question is within the Commission's discretion. It may simply defer to its earlier decision. Mr. Wilds noted that the Commission could grant final approval to this project, within which would be an implicit decision that the work is an alteration. He stated that he would not want to reopen the demolition discussion. He contended that the Commission had fully discussed the issue and rendered its decision. Mr. Reuter noted that all aspects of any final approval including the alteration/demolition question would be open to appeal. Ms. Leonard noted that she would defer to the Commission's earlier decision on alteration. Mr. Silver stated that the Commission could change its mind on the alteration decision. He stated that he would like to incorporate all of the comments he and his clients made before the Commission in September 2006. Mr. McClure noted that the minutes of September 2006 recorded two motions. The first related to the alteration/demolition question; the Commission voted to find that this application proposes an alteration, not a demolition. The second vote approved in concept the application. He claimed that the two were separate and the first is binding on the Commission. He also noted that he had renewed the in concept approval, which remains valid. He stated that the Commission must respect its own decision, which remains valid. He conceded that he could not be issued a permit based on the in concept approval, but asserted that the alteration/demolition decision should be considered binding. Mr. Silver disagreed. Mr. Reuter noted that everyone's rights of appeal are preserved. This issue can be appealed.

Mr. Silver read the historic preservation ordinance definition of demolition. He noted the terms razing and destruction. He also noted that the ordinance states that demolition is also the removal or destruction of a façade or surface. He said that, under this definition, this is a demolition.

Paul Boni of the Society Hill Civic Association addressed the Commission. He noted that the architect never used the word "Dilworth" when he made his presentation. He claimed that that omission tells one that this is demolition, not an alteration. He stated that demolition is not limited to a majority of a building. He stated that this is a demolition. He asserted that the Commission's decision in 2006 to approve this project in concept is irreconcilable with its decision on the 2003 application for this property. Implying that the Commission was corrupt, he stated that Mayors Clark and Dilworth were opposed to everything that led to Commission's approval in concept of this project. He noted that the City is on the brink of a new era; he hoped

that the City would turn away from the passing era. He asked the Commission to make the day the first of the new era, not the last of the passing era. Mr. Wilds strenuously objected Mr. Boni's assertions. He stated that the Commission has worked very hard to direct this project toward a better outcome for all. He stated that he refused to be insulted by Mr. Boni. He noted that, if the Commission was corrupt as Mr. Boni had implied, it would have simply approved the first proposal; it did not, but instead worked with the developer and interested parties to achieve a good outcome for all.

John Gallery of the Preservation Alliance stated that the percentage of removal is not the key test to determine whether a proposal is a demolition or alteration. He stated that the true test should be whether the removal destroys the historic integrity of the resource. He said that the Commission must determine whether the proposal would destroy the historic meaning of the resource. He noted the 2003 approval to convert this building to a private residence; the discussion focused on the visibility of the changes from Washington Square. He showed section diagrams of the 2003 project and the current project and declared that the current project will change the meaning of the historic resource; the Dilworth House will become a minor appendage to the tower. He asserted that the historic integrity of the property is being destroyed; therefore, the removal of the wings and addition of the tower should be considered a demolition. Second, he addressed the design. He agreed with Mr. Wilds that the design has greatly improved with the Commission's review. He also conceded that the changes since the earlier approval are positive. He displayed a photomontage like that displayed by the applicants, but one that showed the south wall of the tower looming over 6th Street. He agreed with the Architectural Committee and suggested that the design for the south wall be refined.

Attorney Carl Primavera, who is representing the neighbors in the Lippincott Building, Independence Place, and St. James Court, addressed the Commission. He stated that he wanted his statements at earlier meetings to be included as part of this record. He stated that a building of this height and massing is inappropriate for the site and historic surroundings.

Robert Powers, a historic preservation consultant, stated that the proposal is quite shocking. He agreed with Mr. Gallery and labeled this a demolition, not an alteration. He also objected to the scale of the tower in relation to the historic building.

Sissy Lipton, who represented herself as the chairman of Washington Square, asserted that this building "serves no purpose but to line the pockets of its developer." It would rob the community of its history. She stated that the south wall is a "wall of spite." She contended that the south wall will be highly visible. She stated that it would rob the neighbors of their light and air. She said that the building will be an insult to the neighborhood. She objected to the project and asked the Commission to reject it. She accused Mr. Turchi of being the "villain" and "bully" of Society Hill. She objected to the 16-story building.

Robert Greenbaum, a resident of St. James Court, stated that the proposed building would have a significant impact on his neighborhood. He asked the Commission to reject the application.

Mr. McClure stated that his client submitted an in concept application to allow for a full discussion of the project. He noted that there has been a very full discussion of the project.

ACTION: Ms. Merriman moved to adopt the Historical Commission's finding of September 2006 that the proposed demolition is not a "demolition in significant part" and to approve the application as submitted. Mr. Wilds seconded the motion, which passed unanimously.

48 AND 50 S. FRONT STREET, 103 CHESTNUT STREET

Owner: Centra Associates, Cheswall LP, Harvey and Robert Spear

Applicant: Richard C. DeMarco, Esq.

History: vacant lot; the three buildings on the site were demolished 2007 under court order; individually designated and Contributing to Old City Historic District

Project: Parking lot

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

OVERVIEW: This application proposes paving the area where the recently demolished historic buildings stood and installing a landscaped perimeter.

DISCUSSION: Mr. Baron presented the proposal to the Commission. Attorney Richard DeMarco represented the application.

Mr. DeMarco reported that the owners intend to improve the vacant lot for surface parking as an interim use. In the future, they plan to construct a large-scale, mixed-use development on the site. He assured the Commission that his clients accepted the Commission's jurisdiction and would present their future development plans to the Commission. The owners would like to improve the lot with brick piers and fencing at the perimeter. They would extend the parking lot on the neighboring lot to this lot. He acknowledged that his clients would need a zoning variance; he asserted that the Commission has no jurisdiction over use. He stated the materials salvaged from the demolition of the historic buildings have been retained and would be used in the new development.

Mr. Sklaroff asked for clarifications about Judge DeVito's decision and the consent decree. Mr. Reuter stated that the court had found in favor of the property owners and ordered the Department of Licenses & Inspections to issue the demolition permits for the historic buildings. The Law Department appealed and was given an automatic stay. During this period, the Department of Licenses & Inspections determined that the buildings were a public safety hazard and ordered them demolished. In exchange for dropping the appeal, the owners entered into an agreement with the Law Department. Mr. Sklaroff requested that a copy of the decree be incorporated into the record. Mr. Reuter explained that the agreement required the owners to preserve brick and marble work, and to continue to submit to the jurisdiction of the Commission, and to not attempt to rescind the designation. Mr. Reuter explained that the consent decree was presented to the Commission in executive session. Mr. Sklaroff asked if the scope of review was changed in any way by the consent decree. Mr. Reuter stated that it was not; the Commission enjoys plenary jurisdiction over the site.

Mr. DeMarco explained that his clients would need a zoning variance owing to the frontage on Chestnut Street. Mr. Schaaf stated this site is zoned C-3. Mr. Sklaroff opined that parking on this site would be a lawful use with a certificate. Mr. Schaaf disagreed. He noted that the restriping would trigger the 1991 standards for surface parking, which require screening on all boundaries and lighting. Mr. Wilds opined that this design does not comply with the 1991 standards. Mr. DeMarco acknowledged that they expect a refusal from the Department of Licenses & Inspections. Mr. Sklaroff stated that they may need a certificate for use. Mr. DeMarco replied that the lot raises many zoning questions. Mr. Wilds asked why Mr. DeMarco had submitted a non-conforming application to the Commission. Mr. DeMarco responded that the requirements are unclear. Submitting an application is the only way to sort them out. Mr. Sklaroff asked if these issues bear on the historic preservation. He asked if there was any reason to deny the application from a historic preservation standpoint. Mr. Sklaroff asked why

the Architectural Committee had recommended denial. Mr. Rivera stated that the Committee considered the design inappropriate for the historic district.

Joseph Schiavo of the Old City Civic Association asked the Commission to reject this application owing to its incompleteness. He asserted that, when they extend this parking lot, they will lose its grandfathered condition. He stated that they need to bring the entire lot up to the current standards.

FAILED MOTION: Mr. Rivera moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standard 9. Ms. Smyler seconded the motion, which failed by a vote of 4 to 3. Ms. Smyler and Messrs. Schaaf, Sugrue, and Wilds dissented. Mr. Sklaroff abstained.

ACTION: Mr. Wilds moved to approve the application as presented at the Commission meeting. Ms. Smyler seconded the motion, which passed by a vote of 4 to 3. Mses. Leonard and Merriman and Mr. Rivera dissented. Mr. Sklaroff abstained.

1300 SPRUCE STREET

Owner: Hartford Omega, LLC

Applicant: John Dundon, architect

History: c. 1830

Project: restoration, rooftop addition, rear gate

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the restoration, side door for ADA, and the rear garage door, with the staff to review details, but denial of the rooftop addition and the new window on the side façade, pursuant to Standards 6, 9, and 10 and the Roofs Guideline.

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

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

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

DISCUSSION: Mr. Baron presented the proposal to the Commission. Mr. Sklaroff suggested that the revised application should be reviewed by the Architectural Committee before presentation to the Commission. Mr. Sugrue concurred.

ACTION: Mr. Wilds moved to table the application for a period not to exceed six months. Mr. Rivera seconded the motion, which passed unanimously.

401 S. 17TH STREET, AKA 1644 PINE STREET

Owner: Property Locators Inc.

Applicant: David Schwartz, contractor

History: c.1840, contributing to Rittenhouse Fittler Historic District

Project: rebuild west wall with new brick, restore facades

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the façade restoration, with the staff to review details. The Committee did not reach a consensus on the use of new brick; three voted to recommend approval; three voted to recommend denial of the use of new brick.

OVERVIEW: This property formerly housed a store at the ground floor and a residence above. The building, which was hit by a car a number of years ago, has a bow in the west wall. The storefront door in that wall had been previously closed up as part of the wall repair. The proposal calls for rebuilding the west wall with new brick. The plans show the restoration of all other aspects of the two facades. The window details however are not appropriate to the building.

The staff has visited the site to look at the condition of the existing brick in the west wall and the proposal for a new brick. The staff has determined that the new brick is not a good match and recommends the salvage of the brick from the existing wall to be used in the reconstruction of the west wall.

DISCUSSION: Mr. Baron presented the proposal to the Commission. Property owner Joe Noga and John Konick of KGroup Architects and Engineers represented the application.

Mr. Konick described their efforts to match the color and coursing of the brick. However, they have been unable to find a brick that precisely matches the historic brick in size. The best new brick would be one-half inch shorter than the historic brick. He stated the corner had been damaged in an automobile accident many years ago and was patched with mismatched brick and painted. He stated that they must rebuild the 17th street façade, which is bowed owing to structural problems. Mr. Baron noted that he had suggested two options; supporting the bowed wall with star bolts and rebuilding the wall with salvaged, not new, brick. Mr. Konick stated that salvaging the existing brick or purchasing salvaged brick was not feasible. He asked the Commission to approve the rebuilding in new brick. He stated that the Pine Street façade would be retained and that the joint between the new brick on 17th and the old brick on Pine would be virtually unnoticeable.

ACTION: Mr. Rivera moved to approve the application with the reconstruction of the 17th Street façade in new brick, with the staff to review details. Mr. Schaaf seconded the motion, which passed unanimously.

400 S. 40TH STREET

Owner: University of Pennsylvania

Applicant: Andrew Curtis

History: c. 1856; significantly altered and added to c. 1990, 1964, and 1975
individually designated, 11/1/1973

Project: In concept: Restore mansion, construct 10-story building with link

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted 4 to 2 to recommend denial.

OVERVIEW: This application, in concept, proposes to largely restore this c. 1856 Italianate house and construct a ten-story building that will link to the historic mansion. The project will redevelop the site into an extended-stay hotel.

The house is currently encapsulated within mid-century additions. The applicant proposes to demolish these additions and restore or reconstruct the historic elements of the mansion. The appearance of the mansion is known from period photographs. The restoration details are not finalized, but the applicant has committed to restoring the house with the aid of the staff. The house would include the reception area, offices, the breakfast room, and several guest rooms.

The majority of the guest rooms as well as some retail space would be located in a tall new building to be constructed at the southern edge of the property. The new building would link to the old with a narrow connector. As originally submitted, the application proposed a 10-story building with retail on the ground floor, hotels rooms above, and a pool at the top floor. At the suggestion of the Architectural Committee and some members of the public, the design has been slightly revised. The application now proposes an 11-story building set back with three-story wings at the front and rear. The three-story wings are intended to provide transitions to the smaller buildings along 40th and Pine. Also, at the request of the Committee and public, the facades of the hotel building had been regularized. Originally, the windows were set rather randomly; they are now set in patterns, making the building more rhythmic and orderly.

The applicant also proposes some site improvements; these include the creation of a paved outdoor dining space to the east and the modification of a surface parking lot to the west. The site will be enhanced with a perimeter planter; the historic iron and granite fence does not exist.

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

DISCUSSION: Mr. Sugrue recused owing to his employment at the University of Pennsylvania, the property owner. Mr. Danta presented the application to the Commission. Attorney Anthony Forte, architect Sam Olshin, developer Tom Lussenhop, and David Hollenberg of the University of Pennsylvania represented the application.

Mr. Danta explained that the applicants have provided revised architectural drawings reflecting the suggestions offered by the Architectural Committee and the public. Mr. Rivera opined that the revised application should be referred back to the Architectural Committee to allow it an opportunity to formulate a new recommendation.

MOTION: Mr. Rivera moved to table the application for a period not to exceed six months and refer it back to the Architectural Committee. Mr. Wilds seconded the motion.

Ms. Merriman stated that the review should not be delayed, but should be conducted today because the revisions are in direct response to the suggestions of the Architectural Committee.

Mr. Forte stated that his architect revised the plans according to the suggestions of the Architectural Committee. He also noted that he had presented the revisions to the staff, which opined that they conformed to the Committee's suggestions. He stated that his client should not be penalized because he accepted and implemented the changes suggested by the Committee. He stated that the project is on a tight time schedule. The applicant has been very accommodating and has complied with every aspect of the Commission's process. The architect undertook the revisions in direct response to the Committee's advice.

Mr. Wilds asked if Mr. Forte had submitted his zoning application yet. Mr. Forte replied that he had not because he wanted the assurance of an approval in concept from the Historical Commission before entering into the zoning process. Mr. Wilds noted that he could make his zoning application while returning to the Architectural Committee for a review of the revised plans without any loss of time.

Mr. Sklaroff asked Mr. Forte to outline the changes to the design. Mr. Olshin stated that he had revised the architectural plans to respond to comments from the Architectural Committee and the Preservation Alliance. First, in response to a request from the Committee, he moved the bulk of the tower away from 40th Street. The tower had risen the full 10 stories at the sidewalk line on 40th. It now rises only three stories at the sidewalk and then sets back. To overcome the loss of interior space from the setback, one story has been added to the tower, making it 11 stories in height. At the rear near Pine Street, a three-story section has been added to transition from the tower to the historic buildings to the west. Also, the window pattern in the tower has been regularized in response to a request from the Preservation Alliance. Mr. Forte added that the massing was revised to better relate to the surrounding historic buildings. He also emphasized that this is an in concept application; the Commission will have an opportunity to review it for final approval. Mr. Rivera contended that the massing had been significantly revised. Mr. Forte disagreed with him, stating that the massing had been slightly adjusted to comply with the requests of the Architectural Committee. Mr. Forte asserted that the basic concept has not changed at all. Mr. Olshin added that the amount of retail space, the number of hotels rooms, and, most importantly, the proposed restoration of the historic building have not changed at all. The changes are minor revisions to address suggestions offered by the Committee and the public. Mr. Forte suggested that the Commission consider the original application if it was uncomfortable with the revised design. John Gallery of the Preservation Alliance stated that he considered the changes to be significant. Mr. Wilds noted that the Committee did not state that it would recommend approval if the plans were revised in this manner; he stated that the Commission typically considers revisions if the Committee clearly states that it would recommend approval if particular changes are made. Mr. Forte again stated that his client should not be penalized because he sought to comply with the recommendations of the Committee. Mr. Wilds pointed out that the Committee did not recommend the revisions, but only suggested them during the discussion. Mr. Hollenberg remarked that the Committee offered excellent suggestions on improving the design and the architect implemented them quickly and successfully.

FAILED MOTION: The Commission rejected the motion proffered by Messrs. Rivera and Wilds to table the application for a period not to exceed six months and refer it back to the Architectural Committee by a vote of 2 to 5. Ms. Smyler, Leonard, and Merriman and Messrs. Herzins, and Schaaf dissented. Mr. Sklaroff abstained.

Mr. Forte introduced the project. He explained that the Italianate mansion, which was built in the 1850s, was significantly altered and added to in the 1960s and 1970s. More recently, the building was neglected and is now in very poor condition. He noted that the Commission denied his petition to rescind the designation of this building in July 2007. He also noted that the Commission indicated at that time that the additions and alterations have no historic value. He reported that the University chose the developer, Campus Inn, because of its sensitive approach to historic restoration. He also reported that the Commission had suggested during the rescission review that the applicants restore the mansion and construct their new development at the south edge of the property. He explained that Mr. Olshin has developed a plan in consultation with the staff, community, and University to restore the mansion and build a hotel at the south. He stated that the mansion will be fully restored. The connection between mansion and the hotel building has been minimized. He pointed out that the staff has indicated in a very thorough manner that this proposal complies with the historic preservation ordinance and the Secretary of the Interior's Standards. He asserted that the restoration and hotel will have a very positive impact on the neighborhood. He again noted that the historic building would be restored.

Mr. Olshin displayed recently discovered photographs of the historic building taken in the 1950s before the additions were erected. He then displayed a site plan and discussed the site in relation to the surrounding neighborhood. He stated that 40th Street is a commercial district with buildings at the sidewalk line. Spruce and Pine are residential streets with the buildings set back from the sidewalk. He stated that he will be making presentations to the Spruce Hill community groups. He displayed photographs showing the non-historic additions and the deteriorated conditions. He again stated that 40th Street is a commercial corridor. Mr. Wilds strenuously objected to Mr. Olshin's characterization of 40th Street as a commercial corridor. He stated that area is largely residential. He asserted that the commercial strip runs north on 40th from Spruce.

Mr. Olshin displayed a photograph of the building from c. 1900 and stated that the porch would be restored to this design. Mr. Sklaroff asked if the decision regarding the appropriate time point to restore to was part of this conceptual application. Mr. Forte responded that the fact that the mansion will be restored is part of the in concept application, but the restoration details are not. Mr. Forte suggested that the Commission leave restoration details to the staff. Mr. Olshin stated that the mansion would include not only the reception area, offices, and lobby, but also hotel rooms on the upper stories. He stated that the porch would be glazed for use as a breakfast area. He stated that all of the non-historic additions would be removed. The cupola would be restored. Mr. Olshin stated that he has met twice with the neighbors. He displayed photographs of other large buildings in the neighborhood; he claimed that they fit well into the neighborhood.

Mr. Olshin showed the hotel plans. He discussed the Hilton Hotel chain's requirements for room size and other aspects. He described the parking, which will be off site. A few spaces will be located on site, as a reservoir for the valets. He is proposing a glass canopy over the main entrance door on Pine and plaques flanking the door. He commented that the new rear wing is intended to transition the tower to the lower surrounding buildings. He said the retail will be a café or bistro and will serve as an amenity for the neighborhood. He stated that all historic windows, masonry, fireplaces, and the main stair will be maintained. He stated that the pool has been moved to the third floor. He explained that the tower has been pulled back away from 40th

Street above the third floor level. He reported that the tower would be set back 75 feet from Pine and 25 feet from 40th. Mr. Olshin presented shadow studies; they show that, for most of the year, the tower will only cast shadows on this property. During the winter, it will cast shadows across Pine.

Mr. Olshin stated that the tower was designed to relate to but be different from the historic house. He stated that the tower has been revised to reflect the Committee's and Preservation Alliance's comments. The windows are no longer random, but are ordered based on the height of a stringcourse on the mansion. He discussed the outdoor space and landscaping including herringbone brick sidewalks and street trees. He stated that the exterior walls of the mansion would be restored once the additions are removed. He commented on the materials for the tower: terra cotta and rusticated concrete. He presented photomontages showing the visibility from Baltimore Avenue and Pine Street.

Mr. Hollenberg noted the University's support for the project. He stated that the University is committed to working with the community and the Commission on this project.

Glen Moyer, a neighbor, voiced his opposition to the proposal. He stated that the developer has not met with the general public. He objected to the fact that the building would extend to the sidewalk at 40th Street. He stated that even three stories along the sidewalk would be too tall. He also stated that the tower would be very close to the twins on Baltimore Avenue. It would loom over them. It would be out of scale with all other buildings on the block. He stated that the traffic would change the character of the neighborhood. He also objected to claim that the building has been dilapidated for a long period of time.

Lindsay Johnston, a real estate broker and neighbor, stated that there are many tall buildings in the neighborhood. He reported that he lives near one and it has no negative impact on his quality of life. He disputed Mr. Moyer's claim that this building has not been dilapidated for a long period of time. He reported that the nursing home was poorly managed and that the building was poorly maintained for many, many years. He also reported that the nursing home had been shut down because it was not well managed. He stated that this hotel would be very good for the neighborhood. He also reported that he has three illegal bed-and-breakfasts, which are nuisances, on his block. He noted that their success indicates that there is a need for a hotel in this area. He also disputed the characterization that this is a block of single-family homes. He stated that the vast majority of the buildings on the block are multi-family rental buildings.

Dan Douritis, a real estate developer and former resident of University City, stated that he owns four houses directly across the street from the site, 13 properties within one block, and 18 within two blocks. He fully supported the project because the historic mansion will be restored. He stated that it will add to the value of the whole area. He stated that almost all of the block is owned by developers and rented as student housing. He stated that there is a great need for a hotel in the area.

Melani Lamond stated that she is resident of the area, a realtor, and the past president of the University City Historical Society. She supports the establishment of an historic district in the area and also the restoration of this mansion. She stated that it would not be possible to restore this mansion without redeveloping the remainder of the lot in a way such as is proposed by the applicant.

Michael Hardy addressed the Commission. He stated that he has lived on S. 43rd Street since 1970. He stated that he strongly supports this project, which will bring vibrancy back to the

block. He stated that this block of S. 40th Street was a very lively commercial block in the 1960s and should again become a busy commercial block. He remarked that this project would continue the tradition created by Garden Court.

John Gallery of the Preservation Alliance stated that he considers the revisions to the design to be very positive. He advocated for approval of the project, but suggested that the appearances of the 3-story sections of the tower should be revised to better fit the neighborhood. He opined that they should be redesigned to be more in the character of the neighborhood.

Mary Goldman, who has lived in the neighborhood since 1959, stated that she opposes the proposal. She stated that this block of S. 40th had a few businesses, but was never very busy. She stated that the restoration of the mansion building was not worth the construction of the tower. She objected to the parking from Pine Street. She also objected to the restaurant use.

Karen Allen, a former board member of the University Historical Society, objected to the size of the proposed building. She noted that the neighborhood is a National Register Historic District. She contended that the tower would destroy the character of the neighborhood. She objected to the testimony of the many real estate developers and brokers who had testified. She stated that everyone who testified in favor was involved in commercial real estate. She suggested that their testimony be discounted. She contended that she had no ulterior motives in opposing this project. She presented a letter from another neighbor opposing, Chris O'Donnell. She concluded that a 10-story building does not fit into a three-story neighborhood.

ACTION: Mr. Schaaf moved to approve the application in concept as revised and presented at the Commission meeting. Ms. Merriman seconded the application, which passed by a vote of 5 to 2. Messrs. Rivera and Wilds dissented. Mr. Sklaroff abstained.

Mr. Herzins, the designee from the Department of Public Property, excused himself from the meeting. Mr. Maenner, the designee from the Department of Licenses & Inspections, joined the Commission.

2503 S. 21ST STREET

Owner: Joseph & Terri Pooler

Applicant: Anthony Miskitz

History: c. 1910

Project: In concept: Construct rear addition, exterior alterations

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the second-story addition, pursuant to Standard 9; denial of the fence, pursuant to Standards 5 and 9.

OVERVIEW: This application proposes to construct a rear addition and reconstruct a rear yard fence. The rear of the property is visible from Porter Street. The rear of the property currently has a one-story addition. The proposed expansion would retain this addition and build a second-floor on it. The construction would require the demolition of a non-historic chimney and side steps, and the infill of two windows. The addition would be finished in brick to match the existing and would replicate the soldier course and quoins found in the original portion of the building. The rear yard is encircled by its original hairpin iron fence. The applicant proposes to replace the historic fence with a new design that would incorporate the hairpin design within a three-foot brick wall and six-foot piers. This design would double the height of the fence from three to six.

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

Mr. Sklaroff asked if this addition is like others in the neighborhood. Mr. Danta explained that most others are one story in height; this would be two stories, but it is compatible with the building and surroundings.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the second-story addition, pursuant to Standard 9; but deny the fence, pursuant to Standards 5 and 9. Mr. Sugrue seconded the motion, which passed unanimously.

739 WALNUT STREET

Owner: Steven Singer

Applicant: Thomas Wiedenman

History: c. 1928; contributing to Society Hill Historic District, 3/10/1999

Project: Replace windows

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the transoms have the historic pane and mullion configuration, with the staff to review details, pursuant to Standard 6.

OVERVIEW: This application proposes to install aluminum-clad windows with swinging casements at the sides and fixed windows at the center and transoms in all the historic window openings in the south and west façades. The original windows were tripartite windows and transoms that were set-in slightly from the façade. This application also proposes a new storefront door on the first floor where the fire escape used to be at the rear on the 8th Street façade and fixed glass non-divided windows at the second and third floor of the former fire escape.

DISCUSSION: Ms. Cote presented the proposal to the Commission. Property owner Steven Singer and architect Thomas Wiedenman represented the application.

Mr. Wilds asked if the Committee recommended the historic pane configuration for the transoms. Ms. Cote stated that it had. Mr. Sklaroff asked the applicants if they accepted the recommendation. Mr. Singer stated that he did.

ACTION: Ms. Smyler moved to adopt the recommendation of the Architectural Committee and approve the application, provided the transoms have the historic pane and mullion configuration, with the staff to review details, pursuant to Standard 6. Mr. Wilds seconded the motion, which passed unanimously.

2100 FAIRMOUNT AVENUE

Owner: Spaventa Enterprises

Applicant: A. C. Roberson

History: c. 1922; individually designated, 12/06/1979; contributing to Spring Garden Historic District, 10/11/2000

Project: Legalize exterior alterations

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

OVERVIEW: This application proposes to legalize the installation of a basement stair with a metal railing and entrance in the sidewalk at the front façade.

DISCUSSION: Ms. Cote presented the proposal to the Commission. Property owner Donato Spaventa and his daughter Daniela represented the application.

Ms. Spaventre told the Commission that her father originally planned to convert the basement to a restaurant; he no longer plans to do so. He built stairs from the street to the basement, but then received a violation from the Department of Licenses & Inspections. She stated that he would like either to legalize the stairs as they exist or to remove them and restore the sidewalk; he will do either, at the Commission's preference. Mr. Sklaroff stated that the Commission could approve an application to undo the illegal work.

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

2018 BRANDYWINE STREET

Owner: Kevin T. Ryan

Applicant: Chris Plunkett

History: c. 1859; individually designated, 05/01/1975; contributing to Spring Garden Historic District, 10/11/2000

Project: Construct rear roof deck

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the rear alterations and the repair of the existing roof deck.

OVERVIEW: This application proposes repairs and the installation of new stairs to an existing roof deck. It also proposes to construct a small bump-out addition and cut an a new opening for a window at the third-floor rear, as well as the infill of a window, a new window opening and new vinyl windows at the first-floor rear. This work would not be visible from any public right-of-way.

DISCUSSION: Ms. Cote presented the proposal to the Commission. Kevin Ryan, the owner, represented the application.

Ms. Cote stated that, since the Committee meeting, the staff has confirmed with the Department of Licenses & Inspections that this deck was not permitted originally; therefore, the application proposes legalization.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the rear alterations and the repair of the existing roof deck. Ms. Merriman seconded the motion, which passed by a vote of 7 to 0. Mr. Sklaroff abstained.

2119 DELANCEY PLACE

Owner: Harriet Berneman

Applicant: David Matus

History: c. 1865; alterations by Deeberger and Rabenold, 1923; individually designated 1/6/1972; Contributing to the Rittenhouse Fittler Historic District, 2/8/1995

Project: Install simulated-divided-light windows

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: This application proposes to remove existing one-over-one vinyl windows and install four-over-four simulated-divided-light windows in all openings including the dormers on the front façade. The proposed muntins would not replicate the historic muntins. The new curved muntin profile would differ greatly from the historic, squared profile with putty slopes. The dormer windows would not have been four-over-four historically. The windows originally had two-over-two, double-hung sash.

DISCUSSION: Ms. Sell presented the proposal to the Commission. Window salesman David Matus represented the application.

MOTION: Mr. Sugrue moved to adopt the Architectural Committee recommendation and deny the application, pursuant to Standard 6. Mr. Wilds seconded the motion.

Mr. Matus stated that the proposed windows have a combination of a narrower simulated-divided-light horizontal muntin and a wider true-divided-light vertical muntin. He stated that he could provide a putty slope rather than a curved muntin. Mr. Matus claimed that the configuration would match the historic configuration. Mr. Sklaroff asked why the staff had not approved the submission. Ms. Sell replied that the staff had objected to three aspects of the proposal: the simulated-divided-light horizontal muntin, the inappropriate shape of the muntin, and the incorrect configuration of the dormer window. Mr. Matus had agreed to change the muntin shape to a putty slope and to revise the configuration of the dormer window, but still sought approval of the simulated-divided-light horizontal muntin.

WITHDRAWAL OF MOTION: Messrs. Sugrue and Wilds withdrew their motion to adopt the Architectural Committee recommendation and deny the application, pursuant to Standard 6.

ACTION: Mr. Sugrue moved to approve the application as submitted, with the staff to review details. Mr. Wilds seconded the motion, which passed unanimously.

18-22 LETITIA STREET

Owner: EFL Partners

Applicant: Rustin Ohler

History: 1855, individually designated, 10/7/1976; Contributing to Old City Historic District, 12/12/2003

Project: Construct fire escape on front facade

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: An application for the removal of an existing fire escape on the Letitia Street façade and reconstruction in kind was first proposed to the Historical Commission in January 2007. The

original fire escape extended from the second to fifth story. The landings on the second and third stories spanned five bays. On the fourth and fifth stories, the landings spanned only three bays. The Commission approved the removal and reconstruction of a steel fire escape in the same configuration as the existing fire escape.

The applicant now returns with a revised application to reconstruct the fire escape. The fire escape now, however, is proposed to span five bays on the second through fifth stories, unlike the original configuration.

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

Mr. Wilds asked the staff if this fire escape was necessary for egress. Mr. Baron replied that the applicant claims it is necessary for egress. Mr. Baron added that he typically sees interior fire stairs, not exterior fire escapes, in these sorts of condominium conversions. Mr. Sklaroff stated that this application should have been approved by the staff for safety reasons. Ms. Sell explained that the developer removed the fire escape seen in the photographs and would now like to build a larger escape.

Joseph Schiavo of the Old City Civic Association offered to explain why the developer is now proposing to construct a fire escape. He stated that this project was very poorly planned. The fire escape should have been unnecessary, but the hallways were constructed in a manner that did not meet the fire code. Therefore, the developer is proposing to build a new, larger fire escape in the place of the fire escape that was removed during the masonry restoration of the front façade. Mr. Schiavo also noted that the drawings of the fire escape are not consistent.

ACTION: Mr. Rivera moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standard 6. Ms. Leonard seconded the motion, which passed unanimously.

2350 ST. ALBANS PLACE

Owner: Scott Donahue

Applicant: Scott Donahue

History: c. 1868; individually designated 9/30/1969

Project: Exterior alterations and demolish rear structure

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the demolition of the rear one-story masonry shed, pursuant to Standards 2 and 6; approval of all other restoration and roof replacement, with the staff to review details, pursuant to Standards 6 and 7.

OVERVIEW: This application proposes to remove all metal siding concealing a mansard roof, dormers, upper cornice, and lower cornice with dentils. There is evidence that many of the wood features are still intact; they will be restored and painted. The roof will be replaced with a rubber simulated slate roofing to match the original shingles in design, color, shape, and size. Paint will be removed from all masonry lintels and sills. Two-over-two windows are proposed for the second-story rear bay; however, no shop drawings have been submitted for review. Ornamental wood details are proposed for the dormers; however, no design profiles have been submitted for review.

This application also proposes the removal of an existing one-story rear masonry shed. The opening will be bricked over and a modern door and frame will be installed. No shop drawings have been submitted. Baist's 1895 atlas indicates the rear of the building was flush with the rears of the whole row. The row houses on the 2300 block of St. Albans were originally built with one-story masonry rear extensions. The surviving brick one-story rear extension is therefore original and should be preserved.

A wooden vertical slat fence is proposed to enclose the rear yard.

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

Mr. Wilds stated he would vote against this denial because the removal of the rear extension would have a minimal impact on the building. Mr. Baron suggested keeping the wall of the extension facing the street and incorporating it into the new garden wall. Mr. Wilds stated this would not be practical. Other Commission members contended that the original feature should be preserved.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and deny the demolition of the rear one-story masonry shed, pursuant to Standards 2 and 6; and approve all other restoration and roof replacement, with the staff to review details, pursuant to Standards 6 and 7. Mr. Rivera seconded the motion, which passed by a vote of 7 to 1. Mr. Wilds dissented.

7406 GERMANTOWN AVENUE

Owner: New Covenant Church of Philadelphia

Applicant: Van B. Strother

History: 1892, Wilson Brothers, Wissinoming Hall, Pennsylvania School for the Deaf
individually designated 05/28/1957, 05/07/1973

Project: Construct and elevator shaft and pergola

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to the Commission's approval in concept.

OVERVIEW: This application proposes to construct a five-story exterior elevator tower, and alter a fire escape at the rear of this large building on the campus of the New Covenant Church. The Wilson Brothers, a prominent architectural and engineering firm, designed this and the other large stone buildings on the pastoral campus in the early 1890s, during the same period it designed the significant Reading Terminal train shed on the 1100-block of Market Street.

In August 2007, the Commission approved an elevator proposal in concept for this location including massing of the tower, shape of the roof, and location of the entrance.

The applicant now proposes the final approval of the exterior elevator tower approved in concept. The tower and entrance would be located between two rear wings on the south side of this E-shaped building. The construction of the elevator tower would require cutting through the eave of the roof and removing windows, a chimney, and a dormer. The tower would be faced with an ashlar stone veneer. An aluminum and glass link would connect the stone tower to the historic building. The tower would be topped with a gable roof, recalling the dormer. Wood shingles would be installed on the roof of the new elevator shaft.

Near the elevator tower, a window opening would be cut down for a door, however no shop drawings for the door have been submitted for review.

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

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to the Commission's approval in concept. Ms. Merriman seconded the motion, which passed unanimously.

4367 MAIN STREET

Owner: Elliot and Maxine Hoffman

Applicant: Bruce Cooper

History: c.1910, storefront c. 1950

Project: In concept: demolish and construct new storefront

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to PM-704.2.6.

Storefronts: Original existing storefronts contributing to the character of the district shall be retained and repaired. New storefronts shall be compatible with the proportion, form and materials of the original building.

OVERVIEW: This in concept proposal calls for combining this building with its neighbor to expand Jake's Restaurant. The applicant wishes to demolish the elaborate Moderne recessed storefront constructed of enameled metal panels. The new storefront would be flush with the street front and have operable cafe windows.

DISCUSSION: Mr. Baron presented the proposal to the Commission. Restaurant owner Bruce Cooper, attorney William O'Brien, and architect Brian Tracy represented the application.

Mr. Baron read the section of the Manayunk Ordinance regarding storefronts: "Original existing storefronts contributing to the character of district shall be retained and repaired. New storefronts shall be compatible with the proportion, form and materials of the original building." He contended that this was a very unique and important storefront. Mr. Sklaroff noted that it is a 1910 building with a 1950 storefront. Mr. Wilds pointed out that the ordinance requires that "original existing storefronts" be retained and repair. He asserted that this is not an original existing storefront, but a much later storefront. Mr. Baron countered that the proposed storefront was not in the character of the original 1910 storefront, which would have been recessed. Mr. Wilds responded that the ordinance requires that new storefronts be compatible in "proportion, form and materials." It does not require replication of the original storefront. Mr. Farnham commented that evidence of the original storefront exists behind this non-historic storefront. Mr. Baron proposed retaining the existing storefront, but truncating its deep entranceway to provide more space for the business owner. Mr. Sklaroff stated that there was no provision for such a requirement under the Manayunk Ordinance. Mr. Wilds suggested that the Commission should approve either a new, compatible storefront or the restoration of the original storefront, but not require the retention of the non-historic storefront. Mr. Baron advocated for the preservation of the non-historic storefront. Mr. Wilds asserted that the Commission must comply with the law.

Mr. O'Brien discussed the recent business history in Manayunk and stated that the neighborhood has declined. This project will revitalize it. Mr. O'Brien stated that the existing storefront is not practical for his client; it significantly limits the interior space. He noted that the application is in concept and acknowledged that he would need to present final plans to the Commission.

Mr. Tracy stated that he intended to design a simple, understated storefront that is compatible with the building. He stated that he does not know what is behind the sign band or where the brick ends above the storefront. He will retain as much of the brickwork as possible. The new storefront would include café windows and a transom. Mr. Sklaroff clarified this is an application in concept that proposes to demolish the existing storefront and construct a new, compatible storefront. He reminded the applicants that the Commission must review the final proposal once the existing conditions are better understood.

ACTION: Mr. Sugrue moved to approve the application in concept, pursuant to PM-704.2.6. Mr. Wilds seconded the motion, which passed unanimously.

130 QUEEN STREET

Owner: Richard Donaghy and Karen Weldon

Applicant: Ivano D'Angella

History: c. 1810

Project: Legalize this-floor addition and exterior alterations

NO-QUORUM RECOMMENDATION: The members of the Architectural Committee voted to recommend denial, pursuant to Standards 6 and 9

OVERVIEW: This application proposes to legalize alterations done to this property by the previous owner. The current owner submitted an application on December 2005 requesting legalization of the changes and approval of new roof-decks, the Commission tabled the application for a period not to exceed six months. The application was scheduled to be heard by the Commission in June 2006; however, the applicant withdrew the application before the Commission review.

The illegal work involves modifications to the rear of the property, which is highly visible. The rear ell originally had a half gambrel roof. The gambrel was an especially unique and significant example of historic architecture. Few, if any, survive in the city. The previous owner demolished the gambrel and expanded the third story of the rear ell. The previous owner also added windows, French doors, and a balcony. The roofline of a small side shed addition at the rear was also raised. A photograph dated 3 May 2004 shows the work to the shed addition underway. The Commission has no record that any proposal for these rear alterations was ever reviewed or approved. Furthermore, the Department of Licenses & Inspections has no record that it issued a building permit for the rear alterations. The current owners purchased the building with these changes and seek to legalize them. The Commission was unaware of the illegal alterations until the current owner sought approval for a deck. The Commission did not request the issuance of violations for the illegal work until after the time of the sale.

DISCUSSION: Mr. Danta presented the proposal to the Commission. Property owners Richard Donaghy and Karen Weldon and architect Ivano D'Angella represented the application.

Mr. Donaghy explained that he purchased the property in August 2005. It was newly renovated. When he applied for a permit for a deck, he discovered that the renovations executed by the

former owner had been undertaken without permits and approvals. He is therefore seeking legalization. Mr. Farnham stated that the staff learned of the illegal work in December 2005, when the current applicant first submitted his deck plan. Mr. D'Angella stated that his clients have received a zoning approval for the work done illegally by the former owner. They also have the approval of the community group. Mr. Wilds asked if the applicants are seeking approval for a proposed rear deck at this point. They stated that they are not; they are only seeking legalization of the work done by the former owner.

ACTION: Ms. Smyler moved to legalize the alterations as documented in the submitted plans, bringing the property into compliance with the Commission. Mr. Wild seconded the motion, which passed unanimously.

2420 GRAYS FERRY AVENUE, NAVAL ASYLUM

Owner: Toll Naval Associates

Applicant: Chris Pienkowski

History: 1830s, William Strickland, architect

Project: New design for four-story townhouses

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to the Commission's May 2004 approval.

OVERVIEW: This application proposes to alter the previously approved design to several blocks of four-story town-houses on the campus of the U.S. Naval Asylum. The Commission approved a very similar block for this site in May 2004. Typically, the staff would have deemed the differences between the approved and current plans negligible and approved the revised version at the staff level, but the precise language of the Commission's 2004 approval precluded that possibility. In 2004, the Commission approved "the application as submitted without staff to review details."

The current proposal pertains to blocks 3, 5, 6 and 8, which are located towards the rear of the campus. The revised design is very similar to that approved by the Commission in 2004. The size of the building's footprint has been reduced slightly. Also, the rhythm and detailing of the front façade has changed slightly; the most noticeable change is the reduction of applied ornamentation to the facades, creating a simpler aesthetic. However, the new design is no more or less compatible with the historic site and nearby historic buildings than the earlier design approved by the Commission.

DISCUSSION: Mr. Danta presented the proposal to the Commission. Attorney Brett Feldman represented the application.

ACTION: Mr. Wilds moved to adopt the recommendation of the Architectural Committee and approve the application, pursuant to the Commission's May 2004 approval. Ms. Smyler seconded the motion, which passed by a vote of 7 to 0. Mr. Sklaroff abstained.

ACTION: Mr. Wilds moved to grant the authority to the staff to review for approval details for 2420 Grays Ferry Avenue. Ms. Merriman seconded the motion, which passed by a vote of 7 to 0. Mr. Sklaroff abstained.

ADJOURNMENT

ACTION: At 3:00 p.m., Ms. Merriman moved to adjourn the meeting. Ms. Leonard seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

14-2007(7)(k)(.4): In making its determination as to the appropriateness of the proposed alterations, demolition or construction, the Commission shall consider the following:

the compatibility of the proposed work with the historic district or with the character of its site, including the effect of the proposed work on the neighboring structures, the surroundings and the streetscape.

PM-704.2.6 Storefronts: Original existing storefronts contributing to the character of the district shall be retained and repaired. New storefronts shall be compatible with the proportion, form and materials of the original building.

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

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

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

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

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