THE MINUTES OF THE 634TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

FRIDAY, 12 JUNE 2015
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR

PRESENT
Sam Sherman Jr., chair
Richardson Dilworth III, Ph.D.
Dominique Hawkins, AIA, NCARB, LEED AP
Rosalie Leonard, Esq., Office of City Council President
Melissa Long, Office of Housing & Community Development
John Mattioni, Esq.
Thomas McDade, Department of Public Property
Sara Merriman, Commerce Department
R. David Schaaf, RA, Philadelphia City Planning Commission
Robert Thomas, AIA
Betty Turner, M.A.

Jonathan E. Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Kim Broadbent, Historic Preservation Planner I
Erin Cote, Historic Preservation Planner II
Laura DiPasquale, Historic Preservation Planner I

ALSO PRESENT
Patrick Grossi, Preservation Alliance for Greater Philadelphia
Marissa Parker, Esq., Stradley Ronon
Ed Eimer, Eimer Design
Kevin Towey, Eimer Design
Howard Haas, Friends of the Boyd
John Gallery
James Pearlstein, Pearl Properties
Reed Slogoff, Pearl Properties
Maggie Mund, Center City Residents Association
Rick Gross, 1920 Chestnut Street
Ben Heizen, Rittenhouse Plaza
Mary Ellen Stern, Rittenhouse Plaza
William Martin, Esq., Fox Rothschild
Leslie Lodwick, Mural Arts Program
Janet Stearns, Project HOME
Mary McClenaghan, Barton Partners
Elizabeth J. Romano, CCRA
Pip Campbell, CCRA
Matthew Wolfe, Friends of the Boyd
Josh Horovitz, Esq., Fineman Krekstein & Harris
James Keller, JR Keller LLC
Bill Lederer, Rittenhouse Plaza

DRAFT

Cory Kegerise, PHMC
Charles Goodwin, Center City Residents Association
Joan McConnor, Project HOME
Gersil Kay, BCI
Nelda D. Horowitz, Friends of the Boyd
Henry Hauptfuhrer, Friends of the Boyd
D. Benton, 10 Rittenhouse
Andrew Olen, Esq., Klehr Harrison
Carl Primavera, Esq., Klehr Harrison
Neil Sklaroff, Esq., Ballard Spahr
Dan Greenberg
David Fineman, Esq., Fineman Krekstein & Harris
Bill O'Brien, Esq.
Kathy Dowdell
Juliet Woods
Arrus Farmer, PMC
Kate Jacobi, Mural Arts Program
Max Silver, Eighth Silver Property LLC
Edward Shim, HLW International
Jack O'Connell, Roseland
Ralph Yaffe, Boyd's
Jared Blake, DAS Architects
David Schultz, DAS Architects

CALL TO ORDER

Mr. Sherman, the chair, called the meeting to order at 9:00 a.m. Commissioners Dilworth, Hawkins, Leonard, Long, Mattioni, McDade, Merriman, Schaaf, Thomas, and Turner joined him.

MINUTES OF THE 633RD STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Turner moved to adopt the minutes of the 633rd Stated Meeting of the Philadelphia Historical Commission, held 8 May 2015. Ms. Leonard seconded the motion, which passed unanimously.

CONTINUANCE REQUEST

Mr. Farnham noted that the applicant for 4127 Main Street had indicated that he would request a continuance. Attorney William O'Brien addressed the Commission, requesting a continuance until August 2015. He noted that his client is currently the equitable owner of the property and that the legal owner is reluctant to allow the Department of Licenses & Inspections to inspect the building.

> **ACTION:** Ms. Merriman moved to continue the application to the Historical Commission's meeting of 14 August 2015. Ms. Leonard seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 26 MAY 2015

Dominique Hawkins, Chair

CONSENT AGENDA

Mr. Farnham introduced the consent agenda and explained that it included applications for 715-717 Chestnut Street, 601 W. Lehigh Avenue, 1709 North Street, and 1530-34 Locust Street. Mr. Sherman asked if any Commissioners had comments on the Consent Agenda. Mr. Schaaf requested that 715-717 Chestnut St be removed from the Consent Agenda. Ms. Hawkins asked for clarification as to whether the applicant for 601 W. Lehigh Ave had agreed to change the color of the elevator penthouse according to the Architectural Committee's recommendation. Ms. Cote confirmed that the applicant had agreed. Mr. Sherman asked if the audience had comments on the Consent Agenda. No one offered comments.

> **ACTION:** Mr. Schaaf moved to adopt the recommendations of the Architectural Committee for the applications for applications 601 W. Lehigh Avenue, 1709 North Street, and 1530-34 Locust Street. Ms. Hawkins seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 1900-06 AND 1910 CHESTNUT ST

Project: Rehabilitate facades, alter storefront window, construct tower and connector building
Review Requested: Final Approval
Owner: Pearl Properties
Applicant: Reed Slogoff, Pearl Properties
History: 1935; Raymond Pace Alexander Building; Frank Hahn, architect
1928; Boyd Theater, Sameric Theater; Hoffman & Henon, architects
Individual Designation: None
District Designation: None
Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial as presented.

OVERVIEW: This application proposes a large development project with frontages on Chestnut, Sansom, 19th and 20th Streets. The Raymond Pace Alexander Building at 1900 Chestnut and the Boyd Theater at 1910 Chestnut Street are designated as historic. The remainder of the site, 1902-06 Chestnut Street and 110 and 112 S. 19th Street, has not been designated as historic. The site is not located in a locally designated historic district. None of the interiors of the buildings are designated as historic.

In March 2014, the Historical Commission found that the building at 1910 Chestnut Street, the Boyd Theater, could not be used for any purpose for which it is or may be reasonably adapted and approved the demolition of all but the headhouse on Chestnut pursuant to the hardship provision in the preservation ordinance. At the same meeting, the Commission approved a construction project that included the erection of an addition along Sansom Street at the rear for a movie theater complex. Since the approval, the property has been sold and the current owner has subsequently prepared a new development plan for it. The current application proposes to retain more of the historic building; it proposes to retain the Chestnut Street façade, the

vestibule or headhouse behind the façade, the lobby behind the vestibule, and some of the easternmost portion of the auditorium, known as the foyer.

The development plan includes a tower at the southern end of the site along Sansom Street. The tower would be 27 stories and 320 feet tall. The Historical Commission approved a tower of similar height for the same location on the lot in 2010. The front section of the Boyd on Chestnut and the 1900 Chestnut building would be rehabilitated. A three-story commercial building would be constructed on vacant lots between 1900 and 1910 Chestnut Street.

DISCUSSION: Mr. Farnham presented the application to the Historical Commission. Attorney Marissa Parker, architects Ed Eimer and Kevin Towey, and developers James Pearlstein and Reed Slogoff represented the application.

Mr. Farnham explained that, since the Architectural Committee meeting, the applicant has revised and supplemented the application. With regard to the historic buildings, the applicant has addressed many of the concerns of the staff and Architectural Committee. The applicant now proposes to retain and restore the art glass on the Boyd façade and the terrazzo floor in the vestibule. The applicant has clarified that the southernmost window opening on S. 19th Street in the 1900 Chestnut building will not be enlarged; the only change proposed at the opening is the swapping of the solid spandrel panels for glass panels. All window openings, windows, and sills in the 1900 building will be restored. With regard to the new construction, the applicant has responded to many of the requests of the Architectural Committee. Additional architectural drawings of the intersection of the base and tower along Sansom have been provided. The designs including the cladding materials and colors of the tower and three-story commercial building have been supplemented and revised as advised by the Architectural Committee.

Ms. Parker introduced herself. She observed that the applicants have submitted plans documenting the entire project, but noted that she would primarily limit her comments to the points of contention as indicated by the staff recommendation. She stated that before she addressed the points in the staff recommendation she wanted to inform the Commission that she was withdrawing the portion of the application related to the new construction at the tower, from the base up. She stated that her client, Pearl Properties, is in consultation with the neighbors and will work to resolve community concerns before proceeding with the Commission's review of the tower. She stated that the application now requests action on all other aspects of the proposal including the alterations and additions to the buildings at 1900 and 1910 Chestnut Street. She stated that her clients are native Philadelphians who care about their city and have long-term investments in it.

Ms. Parker introduced the Commission to the project. She stated that 1900 Chestnut is an Art Deco building known as the Raymond Pace Alexander Building constructed in 1935. She stated that it has been used as a commercial and office building. She displayed photographs of the building. She stated that the window systems include metal spandrel panels between the first and second floor windows. The extant panels are not original. She stated that the spandrel panels will be restored to their original appearance in all but the southernmost bay on 19th Street. In that bay, they propose to replace the solid panels with glass panels. She stated that they are proposing to replace the solid with glass for the bay because the space will be used as a restaurant, where additional light is needed. Also, the change will indicate the difference between the restaurant and commercial spaces.

Ms. Parker turned her attention to the Boyd Theater at 1910 Chestnut Street. She noted that the theater had been closed and unused since 2002. It was constructed in 1928. She informed the Commission that the applicants have revised their proposal for the front façade of the Boyd to account for the staff's recommendations regarding its restoration. She reported that they will restore the extant marquee, which dates to the 1950s, when the theater was modified for Cinerama. She stated that they would restore the limestone façade including the edges of the facades below the marquee in a way that is consistent with the 1950s marquee. She stated that the Sameric sign would be removed from above the marquee and the art glass would be restored. The terrazzo flooring in the vestibule would be retained as well as the glass and metal arcade walls in the vestibule. She observed that they are proposing to install a glass storefront across the mouth of the vestibule, about nine feet in from the sidewalk. She remarked that the glass wall would allow the space to be used as a restaurant year-round and would allow pedestrians to look into the historic vestibule. She stated that the glass wall will provide safety and security. The 45-foot-deep vestibule would present a safety and security hazard if it were left open. She stated that the section of the historic glass and metal vestibule wall that will remain outside will be retained and restored. She displayed a rendering of the proposed restaurant in the vestibule.

Ms. Parker observed that the preservation ordinance stipulates that its purposes include preserving buildings, encouraging the restoration and rehabilitation of buildings, and strengthening the economy of the City by enhancing the City's attractiveness to tourists and by stabilizing and improving property values. She stated that this project accomplishes those goals. She contended that the block has been blighted for a long time; this project will enhance the block and bring people and businesses to it. She stated that the character-defining features of the Boyd façade will be retained and restored with this plan. She asserted that, in order to make the Boyd space usable, they must insert the glass wall. No tenant would use the space if left open and it would attract nuisance uses. She added that they are not proposing to alter the Alexander Building in any significant way, but only replacing a few non-historic panels with glass panels. She concluded that the proposed alterations and additions are compatible with the historic buildings and the surrounding streetscape and neighborhood. The alterations are as minimal as necessary for the reuse of the buildings. She contended that the proposals satisfy Standards 9 and 10.

Ms. Parker turned her attention to the addition to the 1900 Chestnut or Alexander Building, which would be the three-story structure constructed on Chestnut Street between the Alexander and Boyd buildings. She asserted that the height and massing of the addition would mirror those of the buildings that stood on the site historically. She referred the Commissioners to photographs of the historic streetscape of the 1900 block of Chestnut in the application materials. She noted that the historic buildings were as tall as or even taller than the proposed addition. She claimed that the height, scale, and massing of the proposed addition is compatible with the historic buildings. She concluded that the addition would work well with the historic buildings and the streetscape.

Ms. Merriman asked Ms. Parker if the application included specifics about the proposed glass wall at the opening of the Boyd vestibule. Ms. Parker directed her to the architectural drawings included at Tab 4 of the submission materials. She stated that those architectural drawings including elevation drawings and plans show exactly how the glass will be installed and how it will relate to the historic features.

Ms. Merriman asked if they had considered restoring the ticket booth. Ms. Parker replied that it was her understanding that the ticket booth was not original. She stated that they are not proposing to recreate it because they want the wider, more open entrance. Ms. Merriman asked if the ticket booth survives. Mr. Farnham stated that, to the best of his knowledge, it is not extant. Others suggested that it may have been removed several years ago and placed in storage.

Ms. Hawkins thanked the applicants for revising the plans to incorporate many of the suggestions of the Architectural Committee. She stated that the alteration of the spandrel panels at 1900 is acceptable. She said that that commitment to restore the building is "a big plus." She asked Ms. Parker if she was requesting approval of the base of the tower, but not the tower itself. Ms. Parker replied that she has withdrawn the segment of the application related to the new construction of the tower and its base. She stated that the application now proposes alterations and additions to the historic buildings, but not the tower and its base. Ms. Hawkins observed that the applicants made all of the revisions suggested by the Architectural Committee except the deletion of the proposed glass wall across the vestibule. She read 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.

Ms. Hawkins stated that installing the glass wall across the vestibule would alter the spatial relationships of the vestibule. She stated that, by installing the wall, the vestibule will be taken out of the private realm and converted into "private property." The insertion of the glass wall will remove the vestibule elements from the Commission's jurisdiction. She asserted that the sides of the space, what has been called the vestibule arcade, can be occupied. She stated that a security gate could be inserted to close off the vestibule at night. She said that it could be used for outdoor seating at the restaurant. Ms. Parker countered that her clients will not be able to make the vestibule space usable without inserting the wall. She contended that it will be a safety and security hazard if it is left open. She stated that their proposed alternative respects the historic fabric and maintains the historic spatial characteristics, but renders the space usable. She stated that, regarding the change in the Commission's jurisdiction, the developer has agreed to retain and restore the metal and glass arcade walls and the terrazzo floor. She stated that a security gate would be impractical, given the size of the opening. She reminded the Commission that it had concluded that there is no feasible adaptive reuse for this building; she contended that the remaining section of the building must be altered to be usable. She also noted that the space behind the glass wall will be adaptable for use by various restaurants. If one fails, another will be able to occupy the space. Without the wall, there is no way to ensure that a tenant will ever want the space. Mr. Thomas asked if a glass wall that opened, that was movable, would be acceptable. Ms. Parker responded that her clients prefer a fixed glass system, not a movable system. Mr. Thomas noted that there are several options available for movable glass walls. He also noted that the tenant would then have the choice to operate the wall or not. It could remain fixed. Mr. Dilworth asked if Mr. Thomas was concerned that the Commission would lose jurisdiction if the wall were immovable. Mr. Thomas stated that the entire vestibule is significant. He stated that the Commission should find a way to allow the space to be usable without compromising its historic features. Mr. Dilworth asked if there was a means of retaining jurisdiction over the vestibule even if it became interior space with the insertion of the glass wall. Mr. Thomas suggested that an operable, movable glass walls was the appropriate compromise. He suggested a solution that would be reversible.

Ms. Merriman asked Ms. Parker to describe the existing features behind the boarding on the vestibule. Mr. Farnham noted that the interested parties' materials include drawings and photographs of the vestibule. Ms. Parker stated that her clients have agreed to retain the glass arcade walls that run down the sides of the vestibule. She stated that the new glass wall would run across the vestibule from the east glass arcade wall to west glass arcade wall about nine feet back from the sidewalk. Mr. Mattioni asked if Ms. Parker was stating that the Historical Commission would retain jurisdiction over the features that would become interior features with the insertion of the glass wall. Ms. Parker replied that her clients are willing to retain the glass arcade walls and terrazzo floor and accept the Commission's jurisdiction over them. Ms. Hawkins asked about the width of the vestibule between the glass arcade walls that run down the sides of the vestibule. Ms. Parker suggested that the architect, Mr. Eimer, answer the question. Mr. Eimer directed the Commissioners to the drawings of the vestibule and the proposed glass wall. He pointed out the new glass wall and existing arcade walls. He stated that the vestibule is 15 feet wide behind the glass wall. Mr. Mattioni stated that the proposal should be precisely defined before the Commission considers it. Mr. Eimer pointed out on his plans where the existing arcade walls are located as well as where the new wall would be located. Mr. Pearlstein emphasized that they plan to restore everything associated with the arcade walls. The new glass wall will be inserted at the corners of the existing arcade walls. Mr. Eimer stated that the new glass would touch the existing glass very lightly.

Ms. Parker asked if the Commissioners had any other questions about the application. Mr. Schaaf stated that he still had one question about the three-story infill building on Chestnut Street, which Ms. Parker had discussed earlier. He stated that the scale of the infill building was dissonant with those of the historic buildings. He asserted that the building should have more of a "delicacy." He stated that the fenestration seems "very, very big." He asked if punched openings would be more compatible than the ribbon windows. He suggested a building with more delicacy and grace. Ms. Hawkins agreed with Mr. Schaaf that the design of the infill building needs reconsideration. She contended that the design had not changed since the Architectural Committee meeting. Ms. Parker disagreed, noting that the design had been revised significantly in response to the Architectural Committee's recommendations. She stated that the cladding materials and colors have been completely revised. Ms. Hawkins suggested that the infill building should defer more to the historic buildings and the scale of the fenestration should be reduced. Ms. Hawkins concluded that the design still suffers from significant problems. Ms. Parker responded that the building will be constructed on parcels that are not designated as historic. She acknowledged that it attaches to the historic buildings at party walls, but asserted that it would not have an adverse impact on the historic buildings. She stated that the Commission should confine itself to determining whether the infill building would have a detrimental effect on the historic buildings, and not whether it likes the building architecturally. Ms. Hawkins disagreed and stated that the infill building is an addition to the Alexander Building; the Commission has full jurisdiction over the infill building and must apply Standard 9 when assessing its design. Ms. Parker agreed with Ms. Hawkins and stated that, to determine whether the proposed building is compatible with the historic building, one must consider the buildings that stood on the site historically. Ms. Parker asserted that the historic buildings on the site were similar in size, scale, and features to the proposed building and therefore it must be considered compatible. She directed the Commissioners to photographs of the historic buildings that stood on the site in the application materials. She stated that the photographs show that the proposed building will have the same effect on the historic buildings as did the buildings that once stood on the site. She stated that the muted lines and minimalist colors of the new building will connect the two historic buildings. She stated that she cannot understand the claim that the infill building will overpower the historic buildings when the infill building essentially recreates the

historic condition. Mr. Schaaf responded that the infill building "just needs a little more design." He stated that the proposed building looks like "an office park." He contended that the windows should be punched, not ribbon. He said that the "delicacy" of the Alexander Building should be carried over onto the infill building. Ms. Parker stated that her clients are willing to work on the design details. She contended that the current design satisfies the review criteria and she offered to work with the staff to develop the design details. She asserted that the massing of the proposed infill building is appropriate and the details can be developed. Mr. Schaaf stated that the Alexander Building and the proposed infill building have different vocabularies. He asserted that the infill building could be improved with more study. Mr. Dilworth asked Mr. Schaaf to distinguish between his historic preservation concerns and his aesthetic concerns. Mr. Schaaf stated that the infill building should "pick up more cues from the Alexander Building and defer to the theater building." Mr. Schaaf stated that the design of the infill building was "raw." Ms. Hawkins suggested that it was "uncooked." Mr. Sherman asked him if he was suggesting that the cadence of the windows in the infill building should match that of the Alexander Building. Mr. Schaaf stated that the infill building should "learn" from the Alexander Building. He stated that the infill building should "introduce the theater in a more graceful way."

Ms. Hawkins read Standard 9 again:

> 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.

Ms. Hawkins stated that the fenestration of the infill building is out of scale and proportion with the historic buildings. The infill building is not compatible as an addition to the Alexander Building. Ms. Parker responded that the building is differentiated from the old, but compatible with it. She pointed out that they are proposing a reveal between the Boyd and the infill building, with the infill building set back. She again stated that a three-story building cannot be incompatible with the historic buildings because three-story buildings stood on the site when the Alexander and Boyd buildings were constructed. She also noted that the proposed windows are appropriate for retail space.

Mr. Sherman asked about the materials of the proposed infill building. Ms. Parker stated that the building would be clad with stone to the top of the second floor, in line with the roofline of the Alexander Building. Above that line, the infill building would be clad with metal panels.

Mr. Pearlstein asked Mr. Schaaf if he was requesting that the entire third floor of the infill building be set back from the sidewalk line. Mr. Schaaf stated that he was not making such a request, but was suggesting that the western edge of the third floor of the infill building "step back to introduce the Boyd." Mr. Schaaf stated that the third-floor corner of infill building should be pulled back five or six feet to stand away from the Boyd façade. Mr. Thomas agreed. He also suggested matching the rhythm of the windows of the Alexander Building at the infill building. Mr. Thomas noted that the Centennial Bank and the University Museum have been added to in sensitive ways. He suggested that, rather than stepping the third-floor façade back at the corner, it could be chamfered back at a 45 degree angle to reflect the angled corner of the Alexander Building. Mr. Schaaf suggested that the parapet of the theater should be able to read independently. Mr. Thomas proposed using glass spandrel panels on the infill building like those proposed for the 19th Street façade of the Alexander Building. Mr. Mattioni noted that the Commissioners were suggesting substantial changes. He opined that the design should be

revised and presented to the Architectural Committee for its comments. He stated that the applicants need a more comprehensive plan that might provide some clarity during the next round of reviews. Mr. Thomas agreed. Ms. Merriman proposed a path forward, to approve the rehabilitation of the historic buildings, and to approve the concept of a three-story infill building, but with the requirement that the applicants redesign the infill building pursuant to the suggestions offered during today's discussion. She stated that the revised plans for the infill building could be reviewed by the Architectural Committee and then presented to the Commission for approval either with the tower redesign or on its own. Mr. Sherman asked the applicants to confirm that they are requesting decisions from the Commission today on the proposed alterations to the existing historic buildings as well as the construction of the infill building. Ms. Parker stated that they were requesting action on all aspects of the application except the new construction of the tower. She explained that the infill building is an addition to the Alexander Building at 1900 Chestnut and they need to be able to undertake all of the work at 1900 Chestnut at one time. Mr. Sherman asked Ms. Hawkins if the Commission's advice was sufficient for the Architectural Committee to review a revised design. Ms. Hawkins stated that it was sufficient for her Committee to formulate a recommendation to the Commission on a revised design. Ms. Parker stated that it would satisfy her clients' current needs if the Commission approved the concept of a three-story infill building. Ms. Hawkins opined that three stories would be acceptable, provided the top floor is set back or chamfered at the western edge to defer to the Boyd. Mr. Pearlstein stated that his team had already redesigned the infill building once according to comments from the Architectural Committee. He stated that they were willing to redesign it again, now that they have heard the comments of the Commission. Ms. Hawkins noted that the minute of this review will be provided to the members of the Architectural Committee.

Ms. Merriman suggested that the Commission put a motion on the table so that the public understands the parameters of the debate before the audience members are offered an opportunity to speak. Mr. Thomas asked if additional discussion regarding the glass at the vestibule opening is necessary before a motion is made. Ms. Merriman suggested that the motion include the authorization of the staff to review the details to ensure that the tenor of the Commission's comments is reflected in the final design of the glass wall. Mr. Mattioni asked if the motion included extending the Commission's jurisdiction into the vestibule to be enclosed. Mr. Thomas observed that the Commission would be retaining, not extending, its jurisdiction. Mr. Mattioni disagreed, but said that he would defer to those who better understand the technical and architectural issues.

Mr. Thomas offered a potential motion. He suggested that the Commission approve the alterations to the 19th Street façade of the Alexander Building, with the staff to review details; approve the restoration of the Boyd façade along with the insertion of the glass doors approximately nine feet back that tie into historic lobby elements, with the staff to review details; approve in concept the massing of the so-called bridge or infill building with the applicant to come back to the Architectural Committee with detailed drawings of the façade that are more compatible with the Alexander Building and do not overwhelm the Boyd Theater. He suggested that there is a differentiation at the top line of the Alexander Building that extends into the bridge building, and that the third-floor has a setback or a chamfer at the west corner of the bridge building so that it does not overwhelm the Boyd, and that the design for the bridge building will come back to the Architectural Committee.

Ms. Hawkins noted that the motion did not address the Chestnut Street façade of the Alexander Building. Mr. Thomas replied that his motion would include an approval of the restoration of the

Chestnut Street façade of the Alexander Building, with the staff to review details. Mr. Farnham asked Mr. Thomas if his motion would include approvals of the other aspects of the application that he did not explicitly mention such as the insertions of windows in the party-wall and other facades of the Boyd. Mr. Thomas asked if those aspects of the application were considered part of the base and tower, which was withdrawn from consideration earlier. Ms. Parker explained that the section of the Boyd Theater that is being retained runs from Chestnut Street back to Sansom Street and includes what some have called the foyer. She stated that their application proposes inserting windows in the east and south facades and a loading dock door in an existing but enlarged opening in the south façade of the Boyd. Ms. Hawkins suggested that the applicants delimit the withdrawn section of the application on a floor plan. She asked them to identify what is and is not included in the base and tower, which were withdrawn. Ms. Parker directed the Commission to a site plan and explained which sections had and had not been withdrawn. She asked the Commission to act on the sections of the application addressing the existing structures and the so-called bridge or infill building that connects 1900 and 1910 Chestnut Street.

Mr. Sherman commented that the complex requires a loading dock and the proposed location seems appropriate. Ms. Parker noted that they are proposing to use an existing opening in Sansom Street façade of the Boyd for the loading dock. They would not alter the width of the opening, but would increase the height of the opening by about 18 inches. She added that windows would be inserted in the flat, unornamented brick walls. Mr. Sherman observed that the walls in question have no historic value; they are blank brick walls. Mr. Thomas remarked that the applicants did not make a presentation on the loading dock and windows and therefore he concluded that they had been withdrawn from the application. Ms. Parker responded that she had focused her presentation on the aspects of the application that had been questioned by the staff, but all aspects of the design are documented in the application. Mr. Mattioni observed that the loading dock and windows are proposed for a section of the building that the Commission already approved for demolition. He asked how this aspect of the proposal could raise preservation questions when the developer could legally demolish the structure. Mr. Sherman concurred, opining that the loading dock and windows should be approved. Ms. Merriman suggested that the Commission defer judgment on the changes to the Sansom Street section of the existing structure until it reviews the base and tower portion of the application. She contended that the Sansom Street portion of the project should be considered holistically. Ms. Merriman stated that she would second the motion proffered by Mr. Thomas. Mr. Pearlstein stated that the proposal regarding the loading dock is limited in scope. They are merely proposing to replace a series of flush metal doors with a single door. They would increase the height of the opening slightly, about 18 inches, but maintain its current width. He stated that the current structure along Sansom Street is 65 feet tall. It is unadorned brick without windows. They are proposing a few windows to bring light into the space and make it usable. Mr. Sherman stated that he disagreed with Ms. Merriman regarding the loading dock. He stated that the loading dock is proposed for an appropriate location in a portion of the structure that the Commission already approved for demolition. He noted that, given the size of the complex, the loading door actually seems rather small. He concluded that the Commission has no basis for denying the loading dock portion of the application. Ms. Hawkins reported that someone at the Architectural Committee had testified that the property includes an easement for loading off 20th Street. She contended that the proposed location is not the only option for loading. She conceded that the proposed location is better than loading on Chestnut Street. She stated that the Architectural Committee asked the applicants to explore loading from 20th Street. Mr. Pearlstein stated that loading from 20th Street is not viable. He reported that he does not own

the property that was proposed as a location for the loading dock at the Architectural Committee meeting.

Mr. Baron asked if the motion suggested by Mr. Thomas indicated that the Historical Commission would retain jurisdiction over the exterior vestibule, which would become an interior space when the glass wall was erected across its opening. Mr. Thomas stated that his motion would include the retention of jurisdiction over that space. Mr. Baron asked if the motion would specify whether the glass wall would be fixed or movable. Mr. Thomas responded that it did not make such a specification. Mr. Schaaf stated that the Commission does not need to make a decision on the type of glass wall. It was noted that the application proposes a permanent, fixed wall; it does not leave the question open. Mr. Mattioni contended that the staff can review the details of the glazing proposed by the applicant. Mr. Sherman stated that the design of the loading dock is not significant, but the design of the Chestnut Street façade is important. Mr. Thomas stated that he believes that the vestibule can be enclosed successfully. Mr. Eimer stated that the glass would be butt-glazed and the doors would be frameless. It would be clear glass and highly transparent. Mr. Thomas asked whether the Architectural Committee or staff should be charged with reviewing the details of the glass wall. Mr. Sherman replied that the staff could conduct the review of the details of the glass wall. Mr. Thomas stated that he would leave the question of fixed or movable glass to the developer. Again, Mr. Pearlstein noted that the architectural drawings clearly define a fixed butt-glazed glass wall with two frameless glass doors. The Commissioners offered a second option, a movable or temporary wall, but the application is clear in its request. Mr. Thomas stated that either a movable or glass wall would be appropriate. Mr. Mattioni confirmed that the motion offered by Mr. Thomas would provide options for the applicant and authorizes the staff to review the details.

> **MOTION:** Mr. Thomas moved to approve the restoration and alteration to the Chestnut and 19th Street façades of the Alexander Building and Boyd Theater including the glass wall at the Boyd vestibule, as documented in the revised application, provided the newly enclosed vestibule remains within the Historical Commission's jurisdiction, with the staff to review details, pursuant to Standards 6 and 9; and to approve in concept the massing of the infill building between the Alexander Building and Boyd Theater on Chestnut Street, pursuant to Standard 9, with the following advice for revising the design of the infill building for the final review by the Architectural Committee and Historical Commission: the application includes detailed drawings, the Chestnut Street or front façade is more compatible with the Alexander Building and does not overwhelm the Boyd Theater, the front façade acknowledges the Alexander Building's roofline between its second and third floors, and the front façade includes a setback or chamfer at the western edge of the third floor so not to overwhelm the Boyd Theater. Mr. Mattioni seconded the motion.

Howard Haas of the Friends of the Boyd introduced himself and read a prepared statement into the record.

> Hello, my name is Howard Haas and I am president of Friends of the Boyd. Organized in 2002, the Friends of the Boyd has been the primary advocacy organization for the survival of the Boyd Theatre, which opened in 1928 and closed as a first run movie theater in 2002. Can Friends of the Boyd please raise their hands? [Eight persons in the audience appeared to raise their hands.]

Friends of the Boyd are not here to oppose Pearl Properties from reusing the surviving portions of the Boyd. We are asking the Historical Commission to consider the details because we think that the plan to reuse the Boyd would be greatly improved it if didn't compromise portions of the surviving theater. If more rather than less of the Boyd were to survive, it would be a better project.

Pearl plans for the Sansom Street's exit doors, where moviegoers exited, to be replaced with a loading dock entry. However, that would create a streetscape unfriendly to pedestrians, as a loading dock would be directly across from the Rittenhouse Coffee Shop at 1904 Sansom St, a historically certified Terra Cotta building. The loading dock would also obliterate the Boyd's Foyer that is between Sansom St & the Grand Lobby. The Historical Commission lacks jurisdiction over the Boyd's interior but the Foyer's has 2 story Art Deco mirrors that are magnificent as is the fountain. As the Foyer's exterior walls survive with this plan, we would rather those fixtures be kept where they are. We ask for the LOADING DOCK to be elsewhere and new windows not be inserted into the Boyd.

Friends of the Boyd agree with the staff recommendation that the Chestnut St facade is properly restored. Though Friends of the Boyd agreed with prior developers' plans to replicate the original 1928 Art Deco marquee, the current 1953 Cinerama marquee is also historically significant. The Boyd was the only Cinerama movie theater in the region so people traveled to it from as far as Harrisburg and Lancaster during the 1950s & 1960s heyday of Cinerama films. The plan specifies that the Boyd letters will be lit. All the RED & GREEN NEON adjacent to the Boyd letters & seen in the 1956 marquee photo in our written materials should also be restored. Cities nationwide are restoring their historic neon signs.

Friends of the Boyd agree with the staff recommendation that "all surviving historic art glass at the Boyd facade is retained and restored (and) any missing art glass is replicated...." Thankfully the current Pearl plans call for the windows to have their original 1928 Art Deco designs. Pearl's rendering does not show the WINDOWS IN COLOR. Our photos in our written materials show gold color that survived, and we understand there were originally other colors including blue & Tuscan red. The Art Deco glass is the most unique feature of the Boyd's exterior so we ask that it be restored and replicated in color.

Friends of the Boyd agree with the staff recommendation that the "open vestibule of the Boyd is restored to its full depth without the new storefront window and door system" proposed as the vestibule is a character defining feature of the Boyd's exterior, typical of movie palaces. The vestibule is also protected as exterior space in the original nomination for the Boyd's place on the Philadelphia Register of Historic Places. Please keep the Boyd's VESTIBULE OPEN.

Friends of the Boyd agree with the original staff recommendation that the "stone scrolls of the Boyd entrance are restored regardless of condition." The stone scrolls are hidden behind 1953 movie poster display cases installed with the 1953 marquee. The stone scrolls were not hidden because anyone perceived them as incompatible with the 1953 marquee. They were hidden because the Boyd needed to have poster display cases out front. The poster display cases could be kept to advertise restaurant or retail, but if they are to be removed, then the beautiful STONE SCROLL work that's behind the poster cases should not be replaced by plain panels as currently proposed.

Thank you for your consideration of these important details.

Richard Gross introduced himself as the co-president of the 1920 Chestnut Street Condominium Association. He stated that he is an attorney and has developed historic properties. He noted that he is a member of the Center City Residents Association board, but is not representing the organization. He stated that he represents a coalition of six properties that surround the development, including Kate's Place, 1920 Chestnut Street, William Penn House, 10 Rittenhouse, and the Rittenhouse Plaza. The buildings house more than 1,000 units and 2,000 residents. He stated that he is speaking on their behalf. He stated that they do not oppose the redevelopment of this site, but do oppose the current development plans. Ms. Merriman asked him to specifically identify what he opposes as it relates to the motion. She asked him if he opposes the proposed rehabilitation of the facades of the historic buildings or the concept of a three-story infill building on Chestnut Street. Mr. Gross stated that he is opposed to the new construction. Ms. Merriman asked him to limit his comments to the parts of the proposal under consideration and addressed by the motion. She explained that the tower section of the proposal has been withdrawn and is not on the table today. She suggested that he limit his comments to the bridge or infill building on Chestnut Street. Mr. Gross stated that until yesterday afternoon he was prepared to appear with the developers to explain that they were working toward an agreement. He stated that his coalition has hired an architect to help redesign all of the new construction including the infill building. He stated that, in light of the Commission's discussion, he is encouraged that he will reach an agreement with the developers and work with them toward a consensus development. He stated that he hopes that they will produce a design of greater attractiveness. Mr. Gross claimed that Ms. Hawkins had read only one of many applicable standards from the Secretary of the Interior's Standards. He claimed that there are eight other applicable Standards that should be applied to the new construction. He claimed that the infill building as submitted and revised violates four of the Standards. Mr. Gross read from a document titled "Planning Successful Rehabilitation Projects," which he attributed to the National Park Service. He claimed that the standards set forth in this document are binding on the Historical Commission pursuant to a Commonwealth Court decision. He read from the document: "Related new construction — including buildings, driveways, parking lots, landscape improvements and other new features — must not alter the historic character of a property." He claimed that the infill building would engulf the historic buildings. "New construction should be placed away from or at the side or rear of historic buildings and must avoid obscuring, damaging, or destroying character-defining features of these buildings or the site." This new construction does not satisfy that standard. "Contributing buildings must not be isolated from one another by the insertion of new construction." Mr. Gross claimed that the infill building conjoins the historic buildings in violation of the standards. The "size, scale, and architectural features of new construction on the site of a historic building must be compatible with those of the historic building. When visible and in close proximity to historic buildings, the new construction must be subordinate to these buildings." Mr. Gross claimed that those standards are the law that governs the Commission's considerations. The Commonwealth Court has said that the Commission must follow them. The infill building is expressly in violation of these standards, Mr. Gross claimed. He stated that he is close to an agreement with the developers and, if successful, will provide additional architectural services for the design of the project. Mr. Gross observed that many of the Commissioners have expressed the same concerns that he holds. He objected to the piecemeal approach to the application. He contended that he will produce a new project within 60 days. He asserted that the City should allow neighbors and developers to work together to design projects and he claimed that this

project can be a model for such a process. He asked the Commission to table the application for not less than 60 days to allow his architect to participate in the redesign.

Gersil Kay stated that she is the "key contact" for the International Art Deco Society. She stated:

> "To paraphrase Rodney Dangerfield, art deco in Philadelphia don't get no respect. It's a wonderful design and we should respect it because there cities all over the United States that have better examples and we are tearing them down. Currently, we are helping to start the new, free, hands-on academy of building conservation to train knowledgeable practitioners how to correctly execute the architects and engineers plans and specifications on time, on budget, and with respect for original design and fabric. This is essential for progress and profit. So, we urge you to save whatever art deco buildings are in Philadelphia because we need the mix of old and new, large and small, architecture in order to create new ideas such as was done in World War II at Bell Labs and also in England with Bletchley Hall where they solved the Axis code and also started the computer. It is progress if we do something with our architecture. I'm Gersil Kay founder and head of Building Conservation International, which received the first President of the United States Historic Preservation Award for innovation, research, and training in pre-1940 buildings."

Pip Campbell stated that she is representing the Center City Residents Association (CCRA), the Registered Community Organization for the neighborhood. CCRA has been involved with the redevelopment plans for this site for many years. She stated that she is confused by the application. She asked the Commission to deny the application and require the redesign of the project. She stated that the plans for the bridge or infill building on Chestnut should be reconsidered.

Patrick Grossi of the Preservation Alliance stated that most of his concerns have already been addressed by the Commission. He questioned the enclosure of the vestibule. He stated that the infill building would "mar" the historic buildings. He also questioned the appropriateness of the loading dock proposal. He suggested that the Commission review a single plan holistically for the entire site. He asked the Commission to reject the application today and refer it back to the Architectural Committee for its comments. He stated that the project will bring development to a much deteriorated section of Chestnut and Sansom Streets.

Kathy Dowdell stated that the ticket booth is a character-defining feature noted in the nomination for the Boyd Theater. She asked the Commission to reconsider its preservation "before it decides that it can just go away." She also asked whether the soon-to-be-enclosed vestibule should be protected with an interior designation. She asked whether the vestibule could be designated as an interior, given that the remainder of the interior has been lost. She stated that "we should just send all of this back to the Architectural Committee."

Jeremy Gradwohl of the Office of City Council President Darrell Clarke stated that the Council President supports a deferral on a decision on the application for 60 days to allow for a collaborative process between the developers and the community.

Mr. Sherman asked Mr. Farnham to restate the motion offered by Mr. Thomas. Mr. Farnham responded that he was unable to restate the motion. Mr. Sherman asked Mr. Thomas to restate his motion. Mr. Thomas noted that his motion did not address the rear section of the theater building. Ms. Merriman noted that the motion did not address the proposed alterations including the loading dock at the remaining section of the theater building on Sansom Street. She

suggested that the Commission consider that aspect of the application separately. Mr. Thomas agreed and asserted that the design for the remaining section of the theater on Sansom Street should be considered with the design of the tower and its base. Ms. Hawkins observed that the motion did not address the proposed window cuts in the theater building. Ms. Parker contended that the window cuts on tertiary facades and the slight enlargement of the existing opening for the loading dock would fall within the staff's purview. She stated that she had not explicitly addressed them in her presentation of the project because the staff had not raised them as issues in its recommendation. She asserted that the side and rear brick walls of the remaining section of the theater, which was approved for demolition, are not historically significant. She added that all her client is proposing in this regard is cuts in unadorned brick walls.

Ms. Leonard stated that she would vote against the motion because, in her opinion, the Commission would be better served in reviewing one complete package. She stated that she is confused by the current motion on the floor.

Mr. Sherman confirmed that the motion had been seconded. Mr. Mattioni stated that he had seconded the motion. Mr. Thomas confirmed that his motion did not address the proposed windows or loading dock in the rear or Sansom Street section of the theater building.

> **ACTION:** By a vote of 7 to 3 with 1 abstention, the Historical Commission voted to adopt the motion proffered by Messrs. Thomas and Mattioni to approve the restoration and alteration to the Chestnut and 19th Street façades of the Alexander Building and Boyd Theater including the glass wall at the Boyd vestibule, as documented in the revised application, provided the newly enclosed vestibule remains within the Historical Commission's jurisdiction, with the staff to review details, pursuant to Standards 6 and 9; and to approve in concept the massing of the infill building between the Alexander Building and Boyd Theater on Chestnut Street, pursuant to Standard 9, with the following advice for revising the design of the infill building for the final review by the Architectural Committee and Historical Commission: the application includes detailed drawings, the Chestnut Street or front façade is more compatible with the Alexander Building and does not overwhelm the Boyd Theater, the front façade acknowledges the Alexander Building's roofline between its second and third floors, and the front façade includes a setback or chamfer at the western edge of the third floor so not to overwhelm the Boyd Theater. Mses. Hawkins and Leonard and Mr. Schaaf dissented. Mr. Sherman abstained.

DRAFT

ADDRESS: 715-17 CHESTNUT ST
Project: Construct 32-story residential tower on adjacent lot
Review Requested: Final Approval
Owner: 715-717 Chestnut Associates LLC
Applicant: Andrew Olen, Klehr Harrison Harvey Branzburg LLP
History: 1888, Commonwealth Title & Trust, Willis Hale, architect
1923, altered for the Integrity Trust Company, Paul Cret, architect
Individual Designation: 3/14/1990
District Designation: None
Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, pursuant to Standard 9.

OVERVIEW: This application is unusual, in that it proposes to construct a residential tower on an adjacent, vacant lot at 709-13 Chestnut Street, which is not designated as historic, but proposes no changes to the historic building itself at 715-17 Chestnut Street. The Historical Commission arguably has the jurisdiction to review this project because the new residential tower would cantilever out over the historic building, occupying some of the air space above the designated building. A historic building is defined in the preservation ordinance as a building, its site, and appurtenances. The air space above this building is arguably part of the site. The new tower would extend 6'-8" out over the historic building about 15 feet above the roofline and an additional 2'-5" out for a total of 9'-1" at about 100 feet above the roofline. The developer of the tower contends that the extra space provided by the cantilever is needed owing to constraints related to the automated parking garage and elevator core in the tower. The historic property and the adjacent property where the construction will occur are owned by different entities. An easement agreement between the owners governs the use of the air space. Neither property is located in a local historic district.

DISCUSSION: Mr. Farnham presented the application to the Historical Commission. Attorney Carl Primavera, architect Ed Shim, and developer Jack O'Connell represented the application.

Mr. Schaaf congratulated the developer for investing on this block of Chestnut Street and noted that the Commission recently designated four properties on the block. He asked the developer if the parking would be limited to accessory parking. Mr. Primavera stated that there will be parking for the residents and the public at the site. Mr. Schaaf suggested that the building should be contained within the property lines and not cantilever out over the historic building. He claimed that pedestrians would see the bottom of the cantilevered section. Mr. Schaaf suggested that the elevator core could move six feet east and alleviate the need for the "saddlebag" overhanging the historic building. He noted that this is a "handsome and celebrated" block. There are many great historic buildings on the block.

Mr. Primavera stated that he appreciated Mr. Schaaf's comments, but wanted his architect to have an opportunity to make a full presentation before the Commission reached a decision. Mr. Primavera described the site, including the historic building and parking lot. He noted that the parking lot is very narrow. The parking lot runs back to a nine-foot-wide service alley. He stated that they are using the FAR from the historic building lot to build on the parking lot. He explained that there will be no penetrations or connections between the old and new buildings; they will share a party wall, but that wall will not be penetrated with openings. There is an easement agreement between the two properties, which will protect the historic building in that it can never

be built on. The cantilevered space is necessary for the success of the building on the parking lot, owing to the lot's narrowness. The cantilever will be unnoticed by pedestrians.

Mr. Shim stated that two factors drove the need for cantilever. First, the automated garage, which is internal to the building, and its driveway and pedestrian access walkway must be a certain minimum width. Second, the elevator core and residents' lobby had to be located in a particular location relative to the tower and garage. He stated that the cantilever is the minimum width necessary to allow a building of this type to be erected on this site. He explained that the elevator core must be located in a particular place to allow the corridor for unit access to function. He noted that they cannot place residential units on the eastern property line because they do not control the property to the east. Mr. Schaaf stated that they could simply shift the tower six feet east to make the cantilever unnecessary. Mr. Shim explained that it is not that simple or easy; they cannot simply move the tower to the east because the elevator core and parking elements would conflict. He stated that moving the core would also move the corridor on every floor, making it impossible to arrange the living units. He stated that the tower, like all towers, must be at least 65 feet wide; anything narrower does not work. Mr. Schaaf interjected, objecting that the parking is controlling the design of the tower. Mr. Primavera stated that the parking is driving the design because the site is owned by Parkway, a parking company, who has invited developers to redevelop the site, provided the parking is maintained. He contended that Parkway is not willing to give up its parking for a development. Owing to the nature of the ownership and the current use of the site, any developer will need to take the parking into account. Otherwise, Parkway will simply allow the site to persist as a surface parking lot. Mr. Primavera reported that the development will include 304 units and cost $75 million, but noted that it will not go forward without the parking because the owner is in the parking business. Mr. Primavera concluded that there is no project without parking; parking is driving the project, no pun intended.

Mr. Schaaf accepted Mr. Primavera's argument, but suggested that the cantilever could be set back on the building to continue the line of the western edge of the base up vertically through the tower. Mr. Shim rejected Mr. Schaaf's idea, suggesting that the current design, which separates the base and tower, allows the base to have the scale and proportion of the surrounding buildings. Mr. Schaaf's proposal would obfuscate that differentiation between base and tower and change the scale of the lower section of the building, to the detriment of the surrounding streetscape. Mr. Schaaf disagreed. He again suggested running a line with a reveal up the west side of the front façade at the property line. The cantilever should be pushed back several feet. The building should be modified so that it appears to stay on its site. Ms. Hawkins suggested that the cantilever could be pushed back six to 10 feet. Mr. Shim stated that that size setback would result in the loss of the corner unit, which would make the project infeasible. Mr. Primavera stated that he would like to cooperate, but contended that they cannot make such a concession, which would kill the project. He asked why this issue was not raised earlier. Ms. Hawkins responded that it was raised earlier at the Architectural Committee meeting. Mr. Primavera noted that the Committee recommended approval of the project. Ms. Hawkins reported that it was a split vote; some members vote against recommending approval. Mr. Primavera observed that the Planning Commission, for whom Mr. Schaaf works, approved the project without an objection to the overhang. Ms. Hawkins contended that the cantilever could be removed with the removal of units or amenities. Mr. Primavera asked the Commission to respect the recommendation of the Architectural Committee. Mr. Mattioni responded that the Commission is not bound by the Committee, but can make its own decision. Ms. Hawkins stated that she represents the totality of the discussion at the Committee meeting, not just that of the majority of the Committee members. Mr. Primavera asked Mr. O'Connell to explain why he, as

the developer, cannot set the cantilever back from the front façade as requested. Mr. O'Connell stated that the project would not be financially feasible with the loss of that many units, one per floor. Mr. Primavera concluded that the project cannot go forward without the cantilever. Mr. Schaaf stated that the design called for some "architectural subtlety." He asked the architect to revise the design to include stronger architectural lines on the west property line. He stated that it would make the design of the tower stronger. Mr. Schaaf asked the architect if he could push the cantilever back three or four feet. Mr. Shim stated that he would need to confer with his client, but did not believe that they could push the cantilever back. He added that Mr. Schaaf was missing the point that the cantilever is used to differentiate the tower from the base and to give the base the scale of the other buildings on the street. If the tower and base are merged as Mr. Schaaf suggests, then the scale of the base will be lost and it will look too large for the streetscape. Mr. Schaaf disagreed. He stated that the base and tower must be in the same plane, but the cantilever must be set back. Mr. Thomas suggested a design change at the cantilever to make the front façade more coherent.

Mr. Primavera asked the Commission if the staff could review a revised design that satisfied the concerns expressed today. The Commissioners suggested that that might be a viable solution. Mr. Farnham asked the Commission to stipulate its requirements clearly because the staff was concerned that a set back or other articulation at the cantilever might actually make the extension over the historic building more, not less, pronounced. He suggested that a more complicated design at the cantilever might draw the eye to it, not allowing it to recede into the background. Mr. Farnham also suggested that the Commission couch any decision on the impact to the historic building and eschew opining on the architecture of the tower itself, which will be constructed on a lot over which the Historical Commission has no jurisdiction. Mr. Dilworth contended that the cantilever would have no adverse impact on the historic building.

> **ACTION:** Mr. Dilworth moved to approve the application, pursuant to Standard 9. Mr. Mattioni seconded the motion, which passed by a vote of 9 to 2. Ms. Hawkins and Mr. Schaaf dissented.

ADDRESS: 601 W LEHIGH AVE
Project: Construct ADA addition, renovate interior
Review Requested: Final Approval
Owner: Free Library of Philadelphia (City of Philadelphia)
Applicant: Christopher Dardis, Vitetta
History: 1905; Lehigh Branch of the Free Library; Hewitt & Hewitt, architects
Individual Designation: 4/10/2015
District Designation: None
Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided that the elevator tower is a neutral color above the roofline, the glass frit pattern is simpler, and a granite base is included if the structure is exposed below the floor line, pursuant to Standards 9 and 10.

OVERVIEW: This application proposes to construct an ADA entrance addition to this Carnegie Branch Library building. The proposed structure would house an elevator, café, toilet rooms, and a rooftop garden. It would stand on the east side of the library at street level. The application proposes to maintain the existing east elevation of the building. However, the addition would be tied into the building just under the cornice below the clerestory windows and

two openings would be cut to provide access between the main level of the library and the addition. The addition would be clad with a glass curtain wall system, order to have a transparent quality, allowing for visibility of the east elevation of the library. The glass will have a ceramic frit pattern.

ACTION: See Consent Agenda.

ADDRESS: 212-18 S 03RD ST
Project: Construct four single-family townhouses
Review Requested: Final Approval
Owner: SLKRC Real Estate LLC
Applicant: Gabrielle Canno, Canno Design
History: 1960
Individual Designation: None
District Designation: Society Hill Historic District, Non-contributing, 3/10/1999
Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 9.

OVERVIEW: This application proposes to demolish a non-contributing 1960s structure and construct four single-family townhouses. Three of the houses would front on 3rd Street and the fourth house would sit at the rear of the property. They would be clad in cast stone, and have double-height windows, a recessed entry, and linear slot windows. These buildings have compatible height, scale and massing with its neighbors. The design features are also compatible with the district as they can be found in some of the Redevelopment Era houses throughout the district.

DISCUSSION: Ms. Cote presented the application to the Historical Commission. Architect Carey Jackson Yonce represented the application.

Mr. Sherman thanked the architect for developing a scheme that does not include front-loaded garages. Mr. Yonce explained the revisions that were made in response to the Architectural Committee's suggestions including the vertical striations in the stone façade. He noted that also added a base to the building and a canopy at the corner. He observed that he met with near neighbors and has addressed their concerns in the revised design. Ms. Hawkins stated that the applicant has addressed many of the Architectural Committee's comments.

Mr. Sherman opened the floor to public comment, of which there was none.

ACTION: Ms. Merriman moved to approve the revised application as presented at the Historical Commission's meeting on 12 June 2015, with the staff to review details, pursuant to Standard 9. Ms. Leonard seconded the motion, which passed unanimously. Ms. Hawkins abstained.

ADDRESS: 240-42 N 02ND ST
Project: Construct 12-unit residential building
Review Requested: Review and Comment
Owner: 240-42 N. 2nd Street, LLC
Applicant: Dominic Aspite, DVA Services
History: vacant lot
Individual Designation: None
District Designation: Old City Historic District, Non-contributing, 12/12/2003
Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to comment that the proposed building is not compatible with the materials, features, size, scale, and proportions of the surrounding buildings in the historic district. The height, setback, cladding materials, and windows and doors are especially incompatible. The exterior of the building should be completely redesigned to better reflect the character of the district.

OVERVIEW: This application proposes to construct a 12-unit 6-story residential building on a vacant lot in the Old City Historic District. The lot was undeveloped at the designation. Therefore, the Commission's jurisdiction is Review and Comment only. The residential building would be clad in a gray brick at the lower two floors and fiber cement panels at the upper floors. The upper four floors would be set back from the street facades for terraces. All stories would have large single-pane windows and be accented by perforated metal panels. The main entrance would be marked by a canopy on New Street.

DISCUSSION: Ms. Cote presented the application to the Historical Commission. Architect Kevin Towey represented the application.

Mr. Towey stated that he and the owner have considered the Architectural Committee's comments, but the owner has decided that he is committed to the design as proposed. Mr. Towey discussed the site, which is a surface parking lot, and the context, which includes a gas station.

Ms. Merriman suggested that the architect reconsider the color choices of the exterior materials. Mr. Schaaf objected to the tower on a podium massing. Mr. Towey stated that the massing is driven by the zoning for the site.

The Historical Commission decided to let the comments of the Architectural Committee stand. It commented that the proposed building is not compatible with the materials, features, size, scale, and proportions of the surrounding buildings in the historic district. The height, setback, cladding materials, and windows and doors are especially incompatible. The exterior of the building should be completely redesigned to better reflect the character of the district.

ADDRESS: 251 N 03RD ST
Project: Apply mural to stucco wall
Review Requested: Final Approval
Owner: Francis Purcell
Applicant: Leslie Lodwick, Philadelphia Mural Arts Advocates
History: 1850
Individual Designation: 12/31/1984
District Designation: Old City Historic District, Contributing, 12/12/2003
Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the brick corbelling is changed to a simplified cap element and the stone base is not continued at the corner elements, pursuant to Standards 3 and 9.

OVERVIEW: This application proposes to paint a mural directly onto the south and east stucco walls of this three-story building located at North 3rd Street and New Street. Both façades were historically connected to buildings that have since been demolished. The staff is generally in support of the mural application; however, it suggests the omission of the brick corbelling and individual bricks that are shown in the current design because they create a false impression of the historic configuration of the building.

DISCUSSION: Ms. Broadbent presented the application to the Commission. Mural Arts Program Project Manager Leslie McShane Lodwick represented the application.

Mr. Schaaf asked about the Historical Commission's general position on murals in historic districts. Mr. Farnham suggested that the Commission apply the Secretary of the Interior's Standards in the same way it would for any alteration. In this case, the staff and Architectural Committee agreed that the inclusion of the brick corbelling around the top of the side wall and rear of the building would change the public's perception of the building, and confuse historic architecture with contemporary paint, but otherwise the general consensus was that the mural does not have an adverse effect on the historic building or the historic district.

Ms. Broadbent explained that the applicant wishes to retain the brick corbelling as part of the mural. Ms. Lodwick stated that the artist included the brick corbelling because it is an extension of the actual corbelling that exists on the front of the building. Mr. Sherman stated that the artist's reasoning is logical. Ms. Hawkins noted that she was not part of the Architectural Committee review for this specific application. Mr. Schaaf commented that the location for the side mural is a party wall where decorative brick corbelling would have never existed. Mr. Sherman responded that the mural is not permanent, and at some point in the future, the parking lot next to this building will be developed and the mural lost. Mr. Lodwick noted that this building and the parking lot are owned by the same person. Ms. Leonard asked about the reason for keeping the stone at the base. Ms. Lodwick responded that it provides a stage-effect for the mural skyline, and it is also where cars will be parked so the content of the mural will not be blocked, and a car cannot hit and damage the more important content of the mural.

> **ACTION:** Ms. Merriman moved to approve the application as presented, with the brick corbelling, pursuant to Standards 3 and 9. Mr. Mattioni seconded the motion, which passed unanimously. Ms. Hawkins and Mr. Schaaf abstained.

ADDRESS: 1704 MELON ST
Project: Construct single-family townhouse
Review Requested: Final Approval
Owner: Max Silver
Applicant: Max Silver, Eighth Silver Property LLC
History: 1863; demolished 2002
Individual Designation: None
District Designation: Spring Garden Historic District, Contributing, 10/11/2000
Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial as presented.

OVERVIEW: This application proposes to construct a three-story, single-family residence with a roofdeck and pilothouse on a currently vacant lot. Two rowhouses were located on the property at the time of designation, but were determined imminently dangerous shortly thereafter. The buildings were demolished and the vacant lots consolidated. The Commission retains full jurisdiction over the property.

The proposed rowhouse would be located on a narrow alley between two recently constructed townhomes. The façade would be clad in brick. The ground floor would feature a front-loading garage and recessed entry, while the upper floors would feature a shallow, paneled bay window and punched, double-hung, one-over-one windows. The floor heights and cornice would generally align with the neighboring properties.

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

Ms. DiPasquale noted that the applicant had revised the application since the time of the Architectural Committee meeting to include all of the Committee's recommendations as detailed in the 26 May 2015 Architectural Committee minutes.

Mr. Schaaf noted that the property located in either an RM-1 or CMX-2 Zoning district, neither of which allows front-loading garages, and thus this project will require a variance. Ms. DiPasquale noted that the adjacent properties, constructed only a few years ago, have front-loading garages. Ms. Hawkins noted that the garage front had been presented to the Architectural Committee as a by-right feature. Mr. Schaaf listed the districts that do not allow front-loading garages.

Ms. Hawkins moved that, in the absence of an applicant, she recommended denial based upon the fact that a garage is not allowed without a variance at this location.

Mr. Dilworth asked Ms. Hawkins whether the applicant had addressed the concerns of the Architectural Committee. Ms. Hawkins responded that the applicant had indicated that garages were permitted by-right, so the Committee did not discuss that aspect, and thus were evaluating a proposal based upon a false premise. Mr. McDade opined that the building seems to match the adjacent properties. Mr. Dilworth commented that the Historical Commission is not the Department of Licenses & Inspections. Ms. Hawkins finally responded to Mr. Dilworth, noting that the revised application did address the Architectural Committee's concerns. Mr. Dilworth asked why, then, the question of zoning was an issue for the Historical Commission. Ms. Hawkins responded that, if the Committee had been presented with the fact that this application

requires a variance, she did not think they would have come to the same conclusion. Ms. DiPasquale noted that the Committee and Commission should be evaluating the project based the Standards and judging its impact to the historic district, not its compliance with zoning regulations. Mr. Thomas agreed.

Mr. Sherman suggested that, for future applications, the staff verify whether or not front-loaded garages are permitted by-right so that that information is disclosed to the Committee so that they make their decision based on whether or not a variance is required. He noted that the Committee is giving guidance to someone who may not get a variance. Ms. Hawkins opined that she would hate to have the Department of Licenses & Inspections see the Historical Commission's stamp of approval and then issue a permit with a front-loaded garage that should otherwise not be issued.

Mr. Thomas noted that there is often language in the letters that applicants receive following the Commission meetings that notes that the Historical Commission approval does not indicate that the application has the approval of other departments, boards, and commissions with jurisdiction. He used the example of his own home in Powelton Village, which had its porch removed by the previous owner. If his property was listed on the Philadelphia Register of Historic Places, he continued, the Historical Commission would happily approve the replacement of the porch as a restoration, but it would require a zoning variance. He noted that the Historical Commission is tasked with considering issues that are not considered by other departments, and in this case, is considering the particular street and noting that it is a service street that had garages and carriage doors, and thus the project is sensitive to its context. However, on this and every other application, the applicant must be aware of other regulations, including zoning and building codes, ADA codes, and other regulations. He noted that it would be inappropriate for the Historical Commission to take on the reviews for which other departments are responsible, other than to inform applicants that their projects are subject to other regulations. He stated that Historical Commission should only be asking whether the project meets the Secretary of the Interior's Standards, noting that there are many things that meet the Secretary of the Interior's Standards that do not meet zoning. Mr. Farnham agreed with Mr. Thomas, suggesting that the Commission not approve or disapprove of a project solely for whether a project does or does not meet the zoning code. He noted that, basing the Historical Commission's decisions on the zoning code, or any other code, would open the decisions to appeal. Mr. Schaaf noted that front-loading garages are increasingly a flashpoint at the Planning Commission, but agreed with Mr. Thomas that the Historical Commission should judge the project on its merits as construction on a service street. The applicant can seek whatever variances are necessary.

Mr. Sherman opened the floor to public comment, of which there was none.

> **ACTION:** Mr. Dilworth moved to approve the revised application as presented at the Historical Commission's meeting on 12 June 2015, with the staff to review details, pursuant to Standard 9. Mr. Thomas seconded the motion, which passed by a vote of 9 to 1. Ms. Hawkins dissented.

DRAFT

ADDRESS: 2322-32 GREEN ST
Project: Modify previously-approved plan for new construction
Review Requested: Final Approval
Owner: Daniel and Alexandra Greenberg
Applicant: Gabrielle Canno, Canno Design
History: 1948; St. Francis Xavier Convent
Individual Designation: None
District Designation: Spring Garden Historic District, Non-contributing, 10/11/2000
Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial.

OVERVIEW: This application proposes to modify a previously-approved new construction project on the site of a non-contributing building in the Spring Garden Historic District. The previously approved application proposed seven identical single-family residences on equally sized lots. The revised application proposes to retain the design of the six western properties, the lot sizes of which would each be reduced by one foot, and to increase the size of the eastern lot and to completely modify the design of the property. The proposed new eastern property would feature a white brick façade with arched punched openings and a standing-seam metal mansard roof. While the proposed design features some historic elements, it is differentiated by the choice of materials, the squared-off dormers, and steel and glass entry.

DISCUSSION: Ms. Long recused, owing to her husband's employment at Ballard-Spahr. Ms. DiPasquale presented the application to the Historical Commission. Attorney Neil Sklaroff, architect Carey Jackson Yonce, and equitable owner Daniel Greenberg represented the application.

Mr. Sklaroff noted that the proposed building would be Mr. Greenberg's private residence. Mr. Yonce described the Architectural Committee discussion, and noted that much of the discussion was focused on the windows. Following the Committee meeting, he noted, they revised the windows in several ways, including making the upper floor windows two-over-two, tweaking the overall sizes of the windows, and ensuring that all windows had vertically oriented panes. He noted it was difficult to see on the elevation rendering, but the revised application also included recessing the steel sash entrance to distinguish it from the elements of the primary masonry plane. Further, he noted, the dormers were shifted slightly to better align with the windows below. The revised application also removed some of the previously approved brick detailing to simplify the design.

Mr. Sklaroff directed the Commission's attention to photographs submitted in their packets, noting that the neighborhood is dominated by two-over-two and four-over-four window configurations. Ms. Hawkins noted that several of the changes to the application reflected the recommendations of the Architectural Committee.

Mr. Sherman opened the floor to public comment, of which there was none.

> **ACTION:** Ms. Merriman moved to approve the revised application as presented at the Historical Commission's meeting on 12 June 2015, with the staff to review details, pursuant to Standard 9. Mr. Dilworth seconded the motion, which passed unanimously. Ms. Hawkins abstained.

ADDRESS: 1709 NORTH ST
Project: Construct single-family townhouse with roof decks
Review Requested: Final Approval
Owner: J&J Properties, LLC
Applicant: Matt Gardner, Sr., Buckingham Drafting & Design
History: 1875; demolished 2015
Individual Designation: None
District Designation: Spring Garden Historic District, Contributing, 10/11/2000
Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided there is no front-loading garage, and the railing of the roof deck is pulled back so that it is invisible from the public right-of-way, pursuant to Standard 9 and the Roofs Guideline.

OVERVIEW: This application proposes to construct a three-story, single-family residence on a recently vacant lot. In February of this year, the foundation of the former rowhouse was undermined by adjacent new construction, and the property was determined imminently dangerous. The Historical Commission staff approved the demolition of the property with the stipulation that an identical structure be reconstructed within one year. Had a true reconstruction been proposed, the staff could have approved it administratively.

The proposed façade of the construction resembles the former building in nearly all materials and features, except that it features a front-loading garage door rather than two double-hung windows. The massing of the structure is also different. The former structure was three stories in height with a two-story rear addition with a deck. The proposed new construction is a continuous three-story building with a pilothouse and roof deck.

ACTION: See Consent Agenda.

ADDRESS: 1818-20 CHESTNUT ST
Project: Alter storefront, install signage
Review Requested: Final Approval
Owner: Boyds Realty Partnership
Applicant: Morris Clarke, DAS Architects, Inc.
History: 1907; Bair Funeral Home; John T. Windrim, architect
Individual Designation: 8/6/1981
District Designation: None
Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the removal of the doors, the decorative metal window frames, the ramp on Chestnut Street because it would be a tripping hazard, and the canopy as presented owing to a lack of information about its attachment mechanism.

OVERVIEW: This application proposes several changes to the front façade of the Boyd's clothing store on Chestnut Street.

A very large fabric canopy at the entrance, awnings at the upper windows, and two banner signs would be removed. The fabric canopy at the entrance would be replaced with a small, simple

glass and metal canopy. The banner signs would be replaced by a single non-illuminated blade sign.

To overcome safety and accessibility problems with the main entrance, the sidewalk would be replaced with a sidewalk that gently rises up to the entrance sill level. There is currently a step up to the sill level. The main doors, which are cumbersome and apparently not original, would be removed and new frameless glass doors installed slightly behind the plane of the existing doors. The setback of the doors is required to meet landing size and door swing requirements for egress. The decorative historic door frames would be retained in place. The non-historic interior vestibule would be replaced with a more transparent, less obtrusive vestibule.

Decorative metal framing would be added to the exterior of the storefront windows. The new framing would hide defects in the glass of the storefront windows, which cannot be easily or economically replaced because they are very large sheets of glass installed directly into the storefront columns without frames.

A decorative film would be applied to the interior of the windows.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architects David Schultz and Jared Blake and business owner Ralph Yaffe represented the application.

Mr. Schultz displayed historic photographs of the building. He summarized the proposed work. He explained that the present awnings and canopy would be removed. The sidewalk would be gently sloped to the top of the existing granite sill at the existing door. Although the plans do not show it, they propose to remove the existing deteriorated doors but maintain the decorative door frame and surrounding glass. The new doors would be set in from the plane of the original building creating an open vestibule. A new lightweight glass and metal canopy would attach to the back of the columns and shed water off the back without a gutter. A new translucent glass blade sign would attach into the building mortar joints. Ms. Hawkins said that the doors should be located in the plane of the building line as originally designed and that the new door design alters a significant special relationship. Mr. Schulz said that this new space would contain a code compliant landing and would avoid the doors opening out onto the sidewalk. Several Commissioners suggested that the change to the doors would be appropriate to allow for access and safety. Ms. Merriman said that, although she likes the color of the existing window awnings and banners, the new sign will be quite elegant.

> **ACTION:** Ms. Merriman moved to approve the application, with the staff to review details, pursuant to Standard 9. Mr. Thomas seconded the motion, which passed by a vote of 10 to 1. Ms. Hawkins dissented.

DRAFT

ADDRESS: 1530-34 LOCUST ST
Project: Renovate roof top area, install entrance doors, canopy, signage and ADA ramp
Review Requested: Final Approval
Owner: Papermill JV LP and Papermill JV GP LLC
Applicant: Mary McClenaghan, Barton Partners Architects Planners Inc
History: 1921; The Versailles; Frederick Webber, architect
Individual Designation: None
District Designation: Rittenhouse Fitler Residential Historic District, Significant, 2/8/1995
Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided that:

- the trellises are deleted or replaced with awnings or other appropriate sunscreens,
- the privacy screening at the lobby is installed in the interior, not exterior,
- all railings at the rooftop are metal painted to match the background, not glass
- the ramp at the Locust Street entrance is a single ramp running east with the minimum landing, not a double ramp,
- the balcony railing extensions have as few new pickets as allowed by code, and
- the metal scrollwork at the front door and sidelights is reinstalled on the new doors if it is determined to be original,

with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to make rooftop additions and modify the entryway of this apartment building.

A large cooling tower would be located at the southeast corner of the roof. While the cooling tower would not be invisible from the street in this location, the proposed location is the best location from a visibility standpoint. The application proposes to add several rooftop amenities including a deck with two trellises, a dog walk and a fitness area surrounded by five-foot high fencing, a grilling area, and a sky-bridge between two wings of the building. This bridge will not be seen from the public right-of-way. Railings at historic balconies will be augmented in height to comply with the current code.

On the ground floor the application proposes to install new lobby windows with privacy screening, a new door, and ramps with railings for accessibility.

ACTION: See Consent Agenda.

DRAFT

OLD BUSINESS

ADDRESS: 323 S 06TH ST
Project: Legalize vinyl windows, legalize window and infill in place of door
Review Requested: Final Approval
Owner: Knockwood Associates, LP
Applicant: Joshua Horvitz, Fineman Krekstein & Harris P.C.
History: c. 1835
Individual Designation: None
District Designation: Society Hill Historic District, Contributing, 3/10/1999
Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: This application requests the legalization of vinyl windows and the infill of a historic door opening with a vinyl window with bricks below on this corner property in Society Hill. This work was performed without permits or review by the Historical Commission.

DISCUSSION: Ms. Broadbent presented the application to the Historical Commission. Attorney David Fineman represented the application.

Mr. Fineman explained that his client had a former employee who did not apply for a building permit for the work in question at this property. As a result, vinyl windows were installed without the review of the Historical Commission. Mr. Fineman showed slides of the property prior to window replacement, and also slides of neighboring properties that demonstrate various window configurations in various conditions. He explained that the prior owner of this property did not maintain it, and his client purchased the property recently and renovated it, improving its condition.

Mr. Sherman asked if Mr. Fineman is representing three applications seeking to legalize violations, this application and the next two. He asked if they all involve the same employee who failed to obtain permits. Mr. Fineman confirmed Mr. Sherman's beliefs. Mr. Thomas stated that an employee performed a job improperly. Had he sought permits as required, he would have been advised by the staff of the Historical Commission if they had applied for a permit. Mr. Fineman responded that he understands the frustration of the Commission. Mr. Sherman asked about ownership of the buildings for all three violations. Mr. Fineman responded that Philadelphia Management is the owner, which is a corporation, and the president of Philadelphia Management, Ron Caplan, is one of the larger developers in Philadelphia. Mr. Fineman opined that Mr. Sherman is offended in a personal way that an employee of his client did not obtain a permit, and he contended that it is inappropriate to hold the actions of a former employee against his client. Mr. Fineman suggested that the Commission should use this opportunity to review the application before it. Mr. Mattioni responded that Mr. Fineman's client needs to be held accountable, and that the client is not insulated as a corporate entity for what its employees did or did not do. He continued that the applicant is asking for a special consideration, and that it is unacceptable that the client be excused for what was done improperly by its employees. Mr. Fineman responded that he did not say that. Mr. Mattioni responded that that is precisely what Mr. Fineman said, and that Mr. Fineman is asking for relief from the guidelines that the Commission follows. Mr. Fineman responded that what he said was that his client is responsible for not obtaining a permit, but that he is before the Commission to present a case in which he is asking that the Commission grant appropriate relief.

Ms. Hawkins stated that she sees no additional information beyond what was presented to the Architectural Committee, and as a general course of action, the Commission does not grant approval of vinyl windows without extenuating circumstances. She stated that she would move to deny the application. Mr. Schaaf stated that he would second such a motion.

Mr. Thomas stated that the applicant raises the issue of process. He summarized that the applicant is admitting that something was not done correctly on the part of the building owner, but the applicant is asking that the Commission look to the Secretary of the Interior's Standards and the specific situation and see if there is some way of approving the work that was done. Mr. Thomas stated that the Commission has done that, and did not find a way to accept the work that was done, which is why the Commission will likely deny the application. The Commission has found that the windows do not satisfy the Standards, and the application will be denied on that basis, not because the owner did not obtain a permit. The applicant would need to present information regarding a financial hardship, should the applicant wish to make a claim that it is now financially infeasible to replace the windows. Mr. Fineman responded that he understands the explanation that Mr. Thomas provided, and commented that his team had meetings with the staff prior to this review, in an attempt to find a compromise, and those meetings were unsuccessful. Mr. Schaaf commented that it would be unfair to approve this application as presented, when the Commission has routinely denies other applicants who have presented similar legalization requests.

> **ACTION:** Ms. Hawkins moved to deny the application, pursuant to Standard 6. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 406 AND 408 S 09TH ST
Project: Legalize vinyl windows and removal of shutters
Review Requested: Final Approval
Owner: Knockwood Associates, LP
Applicant: Joshua Horvitz, Fineman Krekstein & Harris P.C.
History: 1840
Individual Designation: 1/31/1961
District Designation: None
Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial of the vinyl windows, pursuant to Standard 6; approval of the removal of the non-historic shutters.

OVERVIEW: This application requests the legalization of vinyl windows and the removal of shutters on two rowhouses. The vinyl windows were installed and the shutters were removed while these two properties were undergoing renovations. The staff of the Historical Commission approved permit applications for interior-only renovations during this time.

DISCUSSION: Ms. Broadbent presented the application to the Historical Commission. Attorney David Fineman represented the application.

Mr. Fineman explained that his presentation for this review will be no different than that of the previous review for 323 S. 6th Street. He stated that, like the previous application, older vinyl windows were removed and replaced with newer vinyl windows. Mr. Baron responded that his

understanding is that these two buildings had historic wood windows in place, which were removed and replaced with vinyl windows. Mr. Fineman responded that his understanding is that the former windows were vinyl.

Ms. Hawkins stated that she would move to deny the application, based upon the Secretary of the Interior's Standards. Mr. Schaaf stated that he would second the motion.

Ms. Merriman asked if the shutters that were removed were historic. Mr. Fineman responded that the shutters were plastic, and some were missing. Mr. Schaaf commented that the shutters were wrong for these buildings, and that new shutters should not be installed.

Ms. Hawkins stated that, regardless of whether the former windows were wood or vinyl, she would recommend a more appropriate treatment approach, and still recommends denial based upon the Secretary of the Interior's Standards. Mr. Schaaf agreed.

> **ACTION:** Ms. Hawkins moved to deny the application, pursuant to Standard 6. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 1100-02 SPRUCE ST
Project: Legalize aluminum door
Review Requested: Final Approval
Owner: Knockwood Associates, LP
Applicant: Joshua Horvitz, Fineman Krekstein & Harris P.C.
History: 1891; Hotel Colonial; alts. 1984
Individual Designation: 11/24/1959
District Designation: None
Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660
ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: This application requests the legalization of an aluminum entry door on the S. 11th Street side of this corner property. The former door was removed and the new door was installed without permits or review by the Historical Commission.

Since the Architectural Committee meeting, the staff investigated the designation of 1100-02 Spruce Street and learned that 1102 Spruce was designated to the Philadelphia Register of Historic Places on 24 November 1959, but the corner property, 1100 Spruce Street, was not. The Historical Commission obtained jurisdiction over the property at 1100 Spruce when it was consolidated with 1102 into one property. Since at least 1981, the Commission has been reviewing applications for alterations to 1100 Spruce, but solely to determine the impact of the alterations on the designated portion of the property at 1102. In light of this new information, the staff suggests that this Commission take the same approach with this application, and any future applications for the corner building at 1100 Spruce Street, and consider how any proposed changes to 1100 Spruce Street affect 1102 Spruce Street.

STAFF RECOMMENDATION: The staff recommends that, in light of this information regarding the designation status, which was not known at the Architectural Commission meeting, the Commission approve the legalization application because the replacement door does not have an adverse effect on the historic resource at 1102 Spruce Street.

DISCUSSION: Ms. Broadbent presented the application to the Historical Commission. Attorney David Fineman represented the application.

Ms. Broadbent explained that, since the Architectural Committee meeting, the staff investigated the designation of 1100-02 Spruce Street and learned that 1102 Spruce was designated to the Philadelphia Register of Historic Places on 24 November 1959, but the corner property, 1100 Spruce Street, where the illegal work occurred, was not. The Historical Commission obtained jurisdiction over the property at 1100 Spruce when it was consolidated with 1102 into one property. Since at least 1981, the Commission has been reviewing applications for alterations to 1100 Spruce, but solely to determine the impact of the alterations on the designated portion of the property at 1102. In light of this new information, the staff suggests that this Commission take the same approach with this application, and any future applications for the corner building at 1100 Spruce Street, and consider how any proposed changes to 1100 Spruce Street affect 1102 Spruce Street. Ms. Broadbent suggested that the illegal changes to the doorway at 1100 Spruce have no impact on the perception of the historic building at 1102.

Ms. Merriman asked Mr. Farnham how often a situation like this occurs, where a building becomes listed on the Philadelphia Register of Historic Places owing to parcel consolidation. Mr. Farnham responded that he does not know the exact number, but there have been maybe five or ten examples over the last few years, with most of the examples being rowhouses that were consolidated. He noted that there is documentation in the property folder for these buildings that indicates that, as far back as 1981, applications for alterations to 1100 Spruce Street were reviewed in terms of the affect to the designated resource at 1102 Spruce. However, the door replacement still required a permit, which was not obtained by the building owner. Ms. Merriman commented that the removal of the historic door is unfortunate, but she does not want to deviate from the practice of the Commission.

Ms. Hawkins asked if the parcels have been consolidated or if there are two separate tax parcels. Mr. Farnham responded that there is a single tax account for both buildings. Ms. Hawkins commented that she is concerned about how this application is similar to the application for the 1900 block of Chestnut Street, which includes new construction between two historically designated buildings, where the Commission's jurisdiction is extended to the new construction. Mr. Farnham responded that the new construction between 1900 and 1910 Chestnut Street is an addition to an existing building, but in the case of 1100-02 Spruce Street, neither building is an addition. Mr. Mattioni stated that 1100-02 Spruce Street is one tax account, but with two separate buildings. He stated that 1100 Spruce Street was never individually historically designated. Ms. Merriman noted that in 1959, when 1102 Spruce was designated, the description of the designated resource was simply the address. Ms. Hawkins confirmed that the door is on the address of the portion that was not historically designated originally.

> **ACTION:** Ms. Merriman moved to approve the application, owing to the Commission's practice at this consolidated property. Ms. Turner seconded the motion, which passed by a vote of 10 to 1. Ms. Hawkins dissented.

ADJOURNMENT

ACTION: At 12:56 p.m., Ms. Merriman moved to adjourn. Ms. Hawkins seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

Standard 3: Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

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

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

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

DRAFT