# THE MINUTES OF THE 630TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

**FRIDAY, 13 FEBRUARY 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, chair
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**
Paul Boni, Esq., Boni Law
Rich Avicolli, Gilmore & Associates
Beige Berryman, Philadelphia City Planning Commission
Joe Benford, Free Library of Philadelphia
Ignatius Wang, Free Library of Philadelphia
James Keller, JR Keller LLC
Christopher Dardis, Vitetta
Ed Barnhart, Always by Design
Neil Sklaroff, Ballard Spahr
Sonia Benner, Moto Design
Julie Hagopian, Moto Design
Ben Leech, Preservation Alliance for Greater Philadelphia
Rick Prigg, MLS Studios, LLC
Robert Peters
Lisa Hines, Black & Poole
Kathy Dowdell
Amy Laura Cahn, Public Interest Law Center of Philadelphia
Robert Shusterman, AIA, Esq.
Gregory & Sandra Clemens
Jennifer Robinson
Justino Navarro, Spring Garden Civic Association
Mark Kreider
Eric Oskey, Moto Design

DRAFT

Nicole Marquis, Hip City Veg
Gretchen Kubiak, Black & Poole

**CALL TO ORDER**
Mr. Sherman, the chair, called the meeting to order at 9:10 a.m. Commissioners Dilworth, Hawkins, Leonard, Long, Mattioni, McDade, Merriman, Schaaf, Thomas, and Turner joined him.

**MINUTES OF THE 629TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION**
**ACTION:** Mr. Schaaf moved to adopt the minutes of the 629th Stated Meeting of the Philadelphia Historical Commission, held 9 January 2015. Mr. Thomas seconded the motion, which passed unanimously.

**THE REPORT OF THE ARCHITECTURAL COMMITTEE, 2 FEBRUARY 2015**
Dominique Hawkins, Chair

**CONSENT AGENDA**
Mr. Farnham introduced the consent agenda and explained that it included applications for 17 Longford Street and 1929 Sansom Street. Mr. Sherman asked if any Commissioners had comments on the Consent Agenda. No one offered comments. Mr. Sherman asked if the audience had comments on the Consent Agenda. No one offered comments.

> **ACTION:** Mr. Thomas moved to adopt the recommendations of the Architectural Committee for the applications for 17 Longford Street and 1929 Sansom Street. Mr. Schaaf seconded the motion, which passed unanimously.

**AGENDA**

**ADDRESS: 1333 WAGNER AVE**
Project: Construct ADA ramp and addition
Review Requested: Final Approval
Owner: Free Library of Philadelphia, City of Philadelphia
Applicant: Christopher Dardis, Vitetta
History: 1917; Logan Branch of the Free Library; Philip H. Johnson, architect
Individual Designation: 6/12/2009
District Designation: None
Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660
**ARCHITECTURAL COMMITTEE RECOMMENDATION:** The Architectural Committee voted to recommend denial, with a suggestion to further investigate options for providing access through the proposed addition.

**OVERVIEW:** This application proposes to construct an ADA ramp and addition to the Logan branch of the Free Library. The ramp would be located at the front of the building, to the side of the monumental stair, and would be clad in granite with a wrought-iron railing. The addition would be located at the northeast (side/rear) corner of the building, and would house an elevator, egress stair, and bathroom, and would provide ADA access to the basement. The addition would be clad in brick and would enclose three window openings. The application also proposes new entrance doors and basement windows that replicate the historic elements. Since

the time of the review by the Architectural Committee, the applicant has revised and supplemented the application, which now includes a letter from the President and Director of the Free Library, a detail of the front entrance as requested by the Architectural Committee, and two renderings showing different material options for the ADA ramp.

**DISCUSSION:** Ms. Broadbent presented the application to the Historical Commission. Architects James Keller and Christopher Dardis, and Free Library representatives Joe Benford and Ignatius Wang represented the application.

Ms. Hawkins confirmed that the Architectural Committee had requested an additional drawing to show all of the proposed work at the front entrance, including the change in the height of the front portico floor level to allow access to the front door. She acknowledged that the drawing has been provided, but contended that there is no proof that the applicant considering providing the requisite access through the addition as suggested by the Committee. Mr. Keller responded, providing several parameters that guided decision-making for the project, including the goals to preserve, restore and clean the building and prevent severe water infiltration; to minimize disturbance to historic fabric including minimizing covering of windows; to find a solution for maintaining a single point of entry using a ramp that is reversible; and to provide universal accessibility and visual accessibility. The proposed addition would be located at the back corner of building, where it would be least visible; this location is inherently problematic for use as the sole accessible entrance. The Free Library has informed the applicant that the rear addition is an unacceptable means of entry for the disabled. Mr. Keller explained that approximately 20% of neighborhood users of the library have disabilities, and many users of the library are parents with strollers. He also noted that an entrance at the addition would be in darkness for approximately four hours during the winter, when the library is open until 9:00 p.m.

Mr. Keller explained that he has provided two renderings of the proposed ADA ramp to show the visual impact, with one rendering using granite to match the portico, and an alternate using brick to allow the porch element to remain as a ceremonial feature of the building and not compete with it. The intention is to match the new railings with the historic railings in style and color. Mr. Thomas opined that the brick ramp is preferable, with a stone cap, and that black railings are acceptable.

Mr. Keller stated that the new front doors will match the historic doors as seen in early photographs. Mr. Thomas commented that the new doors will not be clear glass on the bottom panel, which will prevent the preferred visibility into the library from the street during operating hours. He suggested a solution where the new doors can be re-hung to open in instead of out, and then a pair of very unobtrusive glass doors can be used during the day to allow visibility into the library, and the main doors can be closed and locked at night.

Mr. Schaaf noted that there are blind windows in the proposed addition, and asked if it would be possible to have a real window instead to allow for natural light. Mr. Keller responded that the original proposal was done for security reasons, but the library is amenable to including a window in both the toilet room and the stairwell to allow for natural light.

Mr. Thomas asked if any consideration had been given to preserving natural light on the main floor by using a light tube. Mr. Keller agreed that natural light would be beneficial to the enjoyment of the space, and stated that they are still in conversation with the library regarding lighting design.

Mr. Thomas referenced the National Park Service Preservation Brief Number 32, titled "Making Historic Properties Accessible." He voiced his approval of the raising of the portico, which he noted has been done on many buildings.

> **ACTION:** Ms. Hawkins moved to approve the application as presented at the meeting of the Historical Commission on 13 February 2015, provided the ramp is faced in brick that has a cap and provided that windows are considered for the addition, with the staff to review details, pursuant to Standard 9. Mr. Schaaf seconded the motion, which passed unanimously.

**ADDRESS: 17 LONGFORD ST**
Project: Construct house
Review Requested: Review and Comment
Owner: Sandra Clemens
Applicant: Sandra Clemens
History: vacant lot
Individual Designation: None
District Designation: Greenbelt Knoll Historic District, Non-contributing, 6/9/2006
Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660
**ARCHITECTURAL COMMITTEE COMMENT:** The Architectural Committee voted to comment that the proposed house is compatible with the historic district, pursuant to Standard 9, but suggested that the applicants consider its comments regarding materials and details.

**OVERVIEW:** This application proposes to construct a one-story house on a vacant lot located within the boundaries of the Greenbelt Knoll Historic District. The lot was vacant at the time of the designation of the historic district; therefore, the Historical Commission has review-and-comment jurisdiction only over this lot. Like the houses in the district, the house that would be constructed on the site is a simple, one-story, Mid-Century Modern house with vertical wood siding.

> **ACTION:** See Consent Agenda.

**ADDRESS: 108-12 CUTHBERT ST**
Project: Convert warehouse to residence
Review Requested: Final Approval
Owner: Sonia Jordan Lea
Applicant: Julie Hagopian, Moto DesignShop Inc.
History: 1760; Coombs Alley; Henry Harrison Houses; Jacob Cooper and Henry Harrison, carpenters
Individual Designation: 4/9/1957, 1/6/1977
District Designation: Old City Historic District, Significant, 12/12/2003
Preservation Easement: Yes
Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660
**ARCHITECTURAL COMMITTEE RECOMMENDATION:** The Architectural Committee voted to recommend denial, owing incompleteness.

**OVERVIEW:** This application proposes to renovate an existing warehouse into a single-family dwelling. The application proposes to remove the stucco from the facade, and to cut large

windows and two doors into a currently unfenestrated wall. The application also proposes to replace a large existing sliding door with a wider garage door, rebuild the roof, and remove and/or relocate decorative terra cotta pieces acquired and installed by the owner since the 1980s. The owner who collected the terra cotta pieces is in the process of selling the building.

The warehouse building in question was not identified in the Old City Historic District Inventory, and was consolidated as part of 108-112 Cuthbert in 2003, the same year in which the District was designated. The property at 108-110 Cuthbert was identified in the inventory as a parking lot and classified as Non-contributing. The Henry Harrison Houses on former Coombs Alley (now Cuthbert Street) at 112 to 118 Cuthbert Street were individually designated in 1957, and are considered Significant within the Old City Historic District. This application is limited to the warehouse building, now known as 108 Cuthbert Street, which is being sold to Sonia Jordan Lea. No work is proposed to the eighteenth-century house at 112 Cuthbert Street.

Brief historic map and deed research conducted by the staff indicates that the warehouse building was historically associated with the Nathan Trotter & Company, whose main buildings located at 36 and 38 N. Front Street were constructed in 1833. Founded as a metal-importing business in the late eighteenth century, Nathan Trotter & Company evolved into the largest manufacturer of tin and tin alloys in North America. The warehouse at 108 Cuthbert was once part of the Trotter property. Although the exact date of construction is unknown, the existing warehouse was present by the time of the 1858-60 Hexamer & Locher atlas. The front facade of the existing building contains no windows because it was formerly a party wall between this building and two taller warehouse structures, which stood to the north. A 1916 Sanborn map indicates that the building had a dirt floor, and that there was an opening in the wall between the existing building and the former adjoining structure. The lost warehouse structures are visible in an early photograph. A 1950 Sanborn map labels the property as a metal products warehouse, suggesting that it may have continued to be part of the Trotter holdings into the twentieth century.

**DISCUSSION:** Ms. DiPasquale presented the application to the Historical Commission. Architects Eric Oskey and Julie Hagopian represented the application.

Mr. Oskey described the submission materials and the revisions to the project since the Architectural Committee meeting. The supplemental materials, he noted, include clarifications about the site and its context within the surrounding buildings, and additional drawings. He noted that the overall design remained the same as that presented at the Architectural Committee meeting, with a few minor modifications. The major elements of the proposed renovation include large windows, and entrance bay, and modified garage door. He presented drawings indicating the views of the proposed project from the public rights-of-way on Cuthbert Street and 2nd Street. Mr. Oskey presented the drawings of the existing conditions and proposed alterations for each façade. He noted that, although they planned to add an additional floor within the building and modify the roof structure to accommodate the additional height, the proposed roofline would remain behind the existing parapet. Mr. Thomas asked for clarification as to whether the proposed roofline would remain lower than the existing west party wall, and Mr. Oskey confirmed that it would. Mr. Oskey noted that the entrance portico would be somewhat visible from the parking lot to the west. Mr. Oskey described the section and plan drawings of the building, noting that the projecting entrance piece is intended to both increase privacy for the residents, but also to remedy internal configuration challenges associated with the retention of the existing structural beam. Mr. Thomas asked for confirmation that the existing

stucco wall featuring the architectural artifacts was originally an interior wall, and Mr. Oskey confirmed that it was. Ms. Hawkins thanked the applicant for the additional materials provided.

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

> **ACTION:** Ms. Hawkins moved to approve the application as presented at the meeting of the Historical Commission on 13 February 2015, with the staff to review details, pursuant to Standard 9. Ms. Turner seconded the motion, which passed unanimously.

**ADDRESS: 133 S 18TH ST**
Project: Alter storefront; cut windows and door
Review Requested: Final Approval
Owner: ADR 18th & Sansom LLC
Applicant: Neil Sklaroff, Ballard Spahr LLP
History: 1850; new façade, c. 1915
Individual Designation: None
District Designation: Rittenhouse Fitler Residential Historic District, Contributing, 2/8/1995
Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660
**ARCHITECTURAL COMMITTEE RECOMMENDATION:** The Architectural Committee voted to recommend denial as presented; but approval of the door on 18th Street, full-height glass café windows, a new punched storefront window at least 18 inches east of the historic storefront on Moravian Street, and awnings as proposed for the historic storefront, provided the stone base is retained except at the new door and no awnings are installed over the new storefront window.

**OVERVIEW:** This application proposes to make numerous alterations to an existing storefront at the corner of 18th Street and Moravian Street, a service alley. At the 18th Street façade, the application proposes to relocate the entrance for the first-floor commercial space from a shared vestibule through a door perpendicular to the 18th Street façade to a new, at-grade entrance in what is now a storefront window. The existing entrance vestibule is not ADA compliant, and the application proposes to infill the existing door opening with a stucco panel, operable window, refrigerated display case and decorative menu board. In place of the existing plate glass storefront window system, the application proposes to cut down the stone base (referred to as a knee wall on the plans) below the windows and install paneled café doors to match the proposed door. A new transom would be installed in place of the existing transom, and a stucco pier would be installed between the café windows and door.

At the Moravian Street façade, the application proposes to extend the storefront by more than half, replicating the existing entablature and installing new café doors and transoms. Like the 18th Street façade, the application proposes to remove the stone knee walls and install paneled café doors. While the application proposes to replicate the existing pilaster, capital, and base at the termination of the proposed storefront extension, it also proposes to demolish the existing pilaster, capital and base, and replace it with a flat stucco column.

Prior to this submission, the staff approved the remainder of changes shown on the Moravian Street façade, including the installation of a 12” projecting exhaust duct in a matte finish, the cutting of a new kitchen door, and the re-opening of an infilled window and installation of a fixed window. The staff also approved the replacement of the awnings with new fabric awnings.

Although the existing storefront is not original to the building, the staff contends that it has acquired its own significance. As such, the staff recommends that all elements of the storefront, aside from the non-historic aluminum storefront windows, be retained.

**DISCUSSION:** Commissioner Long recused herself, owing to her husband's employment at the law firm representing the applicant. Ms. DiPasquale presented the application to the Historical Commission. Architect Ed Barnhart, attorney Neil Sklaroff, interior designer Lisa Hines, Gretchen Kubiak, and business owner Nicole Marquis represented the application.

Mr. Sklaroff noted that the renovation of the property is for a Caribbean-theme restaurant. He directed the Commission's attention to photographs of the existing conditions, and noted that Ms. Marquis's desire is to improve the conditions along Moravian Street, a service alley, at least as viewed from 18th Street. He described the proposed renovations to the Moravian Street façade, including the relocation of the dumpsters, and the addition of windows and doors. He noted that the 18th Street façade drawings were modified following the Architectural Committee meeting to include café doors with a paneled base the height of the existing stone base, with full height glass above.

Mr. Sklaroff noted that they did not accept all of the Architectural Committee's recommendations, and hoped to continue to pursue two matters in particular. The first issue, he stated, was the removal of the stone base beneath the existing 18th Street store windows. He noted that the staff and Committee agreed that a portion of the base could be removed for the installation of an ADA-accessible door. He stated that the applicant's preference was to remove the base in its entirety and to store it in the basement of the building for possible reinstallation at a future date. He noted that there is not enough room on the sidewalk to have outdoor seating, but that the full-height café doors would provide the open and inviting atmosphere they are attempting to create. He stated that they incorporated the Architectural Committee's recommendation to remove the panels from the upper portions of the café doors, but that they would like to have full-height café doors rather than just café windows. He noted that the raised panels at the base of the café doors would be suggestive of the stone base.

The second issue, he continued, involved the Moravian Street elevation. He directed the Commission to the revised elevation on page ID-304, which he believed incorporated the Committee's suggestion of a punched window adjacent to the existing storefront surround. He opined that the punched window would draw more attention to itself than to the historic storefront surround, and requested that the Commission reconsider the Committee's recommendation and allow the applicant to replicate the historic entablature and incorporate an additional set of windows into that system, as originally presented to the Architectural Committee. He noted that the replicated entablature would not destroy the existing historic surround and would be removable.

Additionally, he asked that the Commission reconsider the Committee's recommendation that no canopy be installed over the new Moravian Street punched window opening. He opined that a single awning across the façade that included both sets of windows would be more attractive and would be preferable to the applicant.

Mr. Sherman noted that he is familiar with the alley and that he appreciates that the dumpsters will be pulled back from the 18th Street façade. He asked the applicant whether there was a plan to address the condition of the Moravian Street wall as a whole. Mr. Sklaroff responded that it

would not be practical to paint the entire wall, as the applicant does not own the building. However, his client could paint the first floor.

Mr. Sherman asked whether the applicant would clean the existing storefront surround if they chose to pursue the duplication of the entablature along Moravian Street. Mr. Barnhart noted that existing surround is composed of a granite base with possibly heavily covered limestone piers and entablature, which gives the current appearance of stucco. Mr. Sherman asked whether the coating would be removed, and Mr. Barnhart responded that that was not the intention of the application. Mr. Sklaroff noted that the applicant would be willing to work with staff to clean or paint the surround an acceptable color. Ms. Marquis interjected that they would not be opposed to restoring the existing surround to the limestone underneath. Mr. Sherman opined that, if the Commission were to approve the duplication of the surround, he believed the existing surround would need to be restored to its original condition, so as to replicate the appropriate details.

Ms. Hawkins clarified a few points previously addressed by Mr. Sklaroff, who, she noted, was not present at the Architectural Committee meeting. First, she noted, the Architectural Committee did not discuss in any way painting the Moravian Street façade, and that that would be an issue for the staff to address. She continued that, in terms of the revisions to the plans between the Architectural Committee submission and the Historical Commission submission, the applicant had moved in the general direction of the Committee's recommendations, but that perhaps the recommendation was misinterpreted or the applicant had a different opinion. The punched window on Moravian Street, shown in the revised drawings as adjacent to the pilaster, was intended to be 18 inches from the pilaster so that it appeared as a punched window, and not a continuation of the storefront. That had been the principal objection at the Committee meeting. She noted that the storefront would not historically have wrapped onto a service alley for two bays. She also noted that the material of the storefront surround was unknown at the Committee meeting, and that the Committee had suggested that it was limestone, and that it seemed unlikely that the applicant would be able to duplicate the surround in the appropriate material, given the cost associated with such a replication.

Ms. Hawkins further noted that, in regards to the 18th Street elevation, there appeared to be 12 inches between the front windows and what would be the bar, and that the Committee questioned the value of losing historic material for what would essentially be unusable space.

Ms. Hawkins noted that the idea of separating the storefront from the punched window on Moravian was the reason that the extension of the awning was not acceptable to the Committee. Looking at the revised drawings, she noted that the awning over the punched opening appeared to be housing a heater lamp. If the purpose of the awning is to house a heater lamp, she continued, could the applicant instead use a standard standing portable heater lamp used by numerous other establishments. Mr. Sklaroff responded that he may have misread the minutes, but that he believed the Committee minutes recommended that the punched opening must be 18 inches from the metal window. Ms. DiPasquale responded that the minutes stated that the punched opening must be set 18 inches from the storefront, which includes the pilaster beyond the window. Mr. Sklaroff noted that there may be a brick or so in width between the existing storefront and the proposed punched window, but that the interior design is preferable with the windows closer to one another as proposed, and that they would prefer to keep the window in the location as shown.

Mr. Sklaroff noted that they did not agree with everything said by the Committee, but that they believe they have tried to incorporate some suggestions of the staff and Committee, and asked that the Commission allow them to remove the stone base on the 18th Street façade and to install full-height café doors, and to add the windows on Moravian Street, as well as a treatment that replicates but does not imitate the historic surround.

Mr. Thomas agreed with the Committee's recommendation that the punched window opening must be at least 18 inches from the storefront surround, noting that it will not affect the natural light on the interior of the building, nor the perception from inside or outside the building. He continued that the wall is undoubtedly load-bearing, and that the 18 inch setback may be necessary as a column to support the proposed lintel, as well as the three stories of brick above. Aligning the eastern edge of the window opening with the edge of the windows above would create better structural support. Ms. Kubiak interjected that Ms. Marquis would accept the 18-inch setback, as it would be a structural benefit.

Mr. Thomas asked whether the applicant had considered a vestibule in the design of the restaurant. Mr. Sklaroff noted that he has previously dealt with the Streets Department regarding exterior vestibules. Ms. Marquis noted that she has used an exterior vestibule on her 13th Street location, but also would consider an interior heat curtain or internal vestibule curtains. Mr. Sherman noted that a neighboring building, AKA, had received approval for an exterior vestibule, and Ms. Marquis responded that she was unsure how deep the sidewalk at her property is in comparison to that in front of AKA. Some questioned whether the AKA vestibule was approved and permitted.

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

Ms. Hawkins noted that they had not yet discussed the awning over the punched window, and asked whether the applicant concurred that no awning would be installed over the punched window. Ms. Marquis responded that they accepted that condition.

Mr. Sklaroff asked for clarification as to whether a wooden entablature around the new window would be acceptable, and Ms. Hawkins responded that that absolutely would not be acceptable, but that the applicant could use a soldier course of bricks over the window similar to that of the other punched openings on Moravian Street, if so desired.

> **ACTION:** Ms. Hawkins moved to approve the revised application, provided the storefront base is retained on Moravian Street and the new window opening on Moravian Street is a plain, punched opening located at least 18 inches from the existing storefront surround and does not have an awning or surround, with the staff to review details, pursuant to Standard 9. Mr. Schaaf seconded the motion, which passed unanimously.

**ADDRESS: 1929 SANSOM ST**
Project: Replace clear glass with art glass in ten second-story windows
Review Requested: Final Approval
Owner: 1929 Sansom LP
Applicant: Margaret Saligman, MLS Studios
History: 1926; Warburton Hotel; Arthur L. Harmon, architect
Individual Designation: None
District Designation: Rittenhouse Fitler Residential Historic District, Significant, 2/8/1995
Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660
**ARCHITECTURAL COMMITTEE RECOMMENDATION:** Approval, provided the original historic sash are numbered and stored on site, with the staff to review details, pursuant to Standards 9 and 10.

**OVERVIEW:** This application proposes to replace 10 wood windows with stained glass windows on the second floor of the 20th Street façade of this building. The new stained glass windows will include religious iconography related to the use of the interior space as a chapel. The sash of the stained glass window will be the same size and shape as the original sash and will fit within the existing frames. The original sash have 20 panes of glass divided by wood muntins. The original muntin grid pattern will be replicated in the leaded cames of the stained glass windows. The rounded arched transoms above will be maintained.

**ACTION:** See Consent Agenda.

**ADDRESS: 5 AWBURY RD**
Project: Legalize garden structures
Review Requested: Final Approval
Owner: Chunrong Li
Applicant: Chunrong Li
History: 1872; Jonathan and R.C. Evans House
Individual Designation: 5/7/1981
District Designation: Awbury Arboretum Historic District, Significant, 5/14/2010
Staff Contact: Erin Cote, erin.cote@phila.gov, 215-686-7660
**ARCHITECTURAL COMMITTEE RECOMMENDATION:** The Architectural Committee voted to adopt the staff recommendation with an elaboration and recommend approval because the structures are:

- inconspicuous from the publicly accessible sections of the Arboretum,
- similar to greenhouse structures in the publicly accessible sections of the Arboretum,
- temporary in nature,
- related to cultivation, a principle characteristic of the Arboretum, and
- the potting shed is a reconstruction of the historic potting shed on its foundation.

**OVERVIEW:** This application proposes to legalize two garden structures at a private property in the Awbury Arboretum Historic District. The district is unique, in that it consists of a private but publicly accessible, landscaped park as well as a series of private residences that are set within the park. One garden structure is a “hoop house” that sits on a long sloping lawn away from the main house. It is a greenhouse framed with pipe and covered with sheets of plastic. The other structure is a “potting shed” that sits below grade with a sloping plastic cover above grade. Aerial photographs indicate that the potting shed existed as a foundation at grade prior to the date of the district designation, but was added to with brick and concrete block and then covered with plastic sheets over a pipe frame since designation. Both structures are minimally visible from the publicly accessible sections of the Arboretum. Photographs with the application

indicate that a gazebo has been added to the property without the Historical Commission's approval since the designation of the historic district, but it is not the subject of this legalization application.

**DISCUSSION:** Ms. Cote presented the application to the Historical Commission. Attorney Paul Boni and Robert Peters, the husband of the property owner of record, represented the application.

Ms. Cote displayed several photographs of the structures in question taken from the public areas of Awbury Arboretum. She explained that she took the photographs during a recent visit to the Arboretum and she contended that the photographs demonstrate that the structures are inconspicuous when viewed from the public areas of the Arboretum.

Mr. Schaaf asked the staff to comment on historically designated landscapes in Philadelphia. He stated that he is aware of three such landscapes, F.D.R. Park, Awbury Arboretum, and the Japanese Tea House in Fairmount Park. Ms. Cote stated that there are several including those Mr. Schaaf mentioned as well as Penn Treaty Park. Mr. Farnham added that there are numerous landscapes listed on the Register, often as the sites of buildings, but only a few in which particular aspects of the landscapes and view sheds within the landscapes are specifically identified as historically significant or character-defining features in the nominations. Of those, Awbury Arboretum is likely the best example. Mr. Thomas noted that the Commission has routinely sought to preserve landscapes around historic buildings, for example preventing the installation of a parking pad on a lawn around a house in Germantown, but in this case the landscape itself is the primary historic feature. Mr. Thomas contended that the question in this case is whether the garden structures adversely impact the historically certified landscapes within the Arboretum. Mr. Sherman asserted that the structures have no impact on the landscapes. He noted that the structures are barely visible in the photographs taken from the public areas even though the dense plant life has no leaves. Mr. Thomas stated that he is very familiar with the Arboretum, having ridden his bicycle there for years. He guided the Commissioners through the Arboretum using the map provided with the application. He discussed the private and public areas of the Arboretum and provided information about the accessibility of the various parts of the park. He concluded that the structures are inconspicuous to the visitor to the public areas of the Arboretum.

Ms. Hawkins reported that, at the Architectural Committee meeting, she stated that she was asked to assist with the preparation of the National Register nomination for Awbury Arboretum several years ago, but then did not undertake the work. She reported that she had stated at the Committee meeting that she did not believe that she had a conflict in the matter, but offered to recuse if the applicant requested her recusal. She noted that Mr. Boni had not objected to her participation in the review.

Mr. Boni noted that he and the property owner were in attendance and would gladly answer questions, but had no comments to offer at the moment.

Mr. Sherman asked if anyone in the audience wished to comment. No one offered any comments.

> **ACTION:** Ms. Turner moved to adopt the recommendation of the Architectural Committee and approve the application because the structures are:
>
> - inconspicuous from the publicly accessible sections of the Arboretum,

- similar to greenhouse structures in the publicly accessible sections of the Arboretum,
- temporary in nature,
- related to cultivation, a principle characteristic of the Arboretum, and
- the potting shed is a reconstruction of the historic potting shed on its foundation.

Mr. Mattioni seconded the motion, which passed unanimously.

## OLD BUSINESS

### THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 12 NOVEMBER 2014

Richardson Dilworth, Chair

### ADDRESS: 1501-05 FAIRMOUNT AVE

Owner: J. Mark Kreider
Nominator: Ben Leech, Preservation Alliance for Greater Philadelphia
**COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION:** The Committee on Historic Designation voted to recommend that the property at 1501-05 Fairmount Avenue satisfies Criteria for Designation C and D.

**OVERVIEW:** This nomination proposes to designate as historic the property at 1501-05 Fairmount Avenue. It is an Art Deco commercial building designed by architect Samuel Brian Baylinson and completed in 1930. The building is listed as a contributing resource in the National Register-listed Fairmount Avenue Historic District. The nomination contends that the property at 1501-05 Fairmount Avenue satisfies Criteria for Designation C and D because it is an architecturally distinctive example of the Art Deco style as applied to low-rise commercial construction.

**DISCUSSION:** Ms. Coté presented an overview of the nomination to the Historical Commission. She noted that this review was continued from the December 2014 Historical Commission meeting. Benjamin Leech of the Preservation Alliance for Greater Philadelphia represented the nomination.

Ms. Cote directed the Commissioners to the additional materials submitted by the property owner's attorney during the week leading up to the meeting.

Robert J. Shusterman, attorney for J. Mark Kreider, the property owner, stated that Mr. Kreider likes his property. He salvaged it from sheriff's sale and did whatever he could to get it to the point where he could use it as a car repair facility and to keep it in the best condition he could within economic limitations. Mr. Shusterman stated that his client likes the Art Deco style of the building, but he opposes the designation of the property. Mr. Shusterman stated that his client believes that the nomination submitted by the Preservation Alliance for Greater Philadelphia is incomplete, misleading, and defective. The Commission's staff erred in finding that the nomination was correct and complete and also in forwarding it to the Committee on Historic Designation. The Committee's recommendation cannot be a basis on which the Commission can act because the Committee did not have a proper nomination before it. Accordingly, the Commission must reject the nomination. In considering the adequacy of the nomination, the Commission must recognize that the property owner did not submit the nomination. The nomination asserts that the condition of the property is "good," but the nominator provides no justification for that assertion. No architect or engineer has submitted a report to corroborate the

nominator's assertion about the building's condition. There is no report from a masonry or cast-stone preservation contractor. There is no report from any expert knowledgeable in the maintenance of cast-stone facades. There is no report from any contractor with respect to the building. And there is no evidence that any professional serving on the board of the Preservation Alliance concluded that the property is in good condition. Moreover, there is no evidence that the nominator or anyone working on the nominator's behalf ever entered the building to assess the condition of the interior. Mr. Shusterman contended that he would show that the nominator's assertion that the building is in good condition is incorrect. Mr. Shusterman suggested that the Commission adopt a policy requiring any nominator who does not own the property being nominated, or when the property is not owned by a large business entity or institution, and where the building is not a standard vernacular like a brick townhouse, where the techniques are tried and true for years, to provide a report on the condition of the property. The requirements of maintaining a property designated by the City as historic can be onerous. They are less onerous if you have a brick townhouse in Society Hill, but, if you have a property that is not in good condition, keeping the building from decaying and collapsing can be extremely onerous. To place a property on the Philadelphia Register when there has been no proper assessment that would show the likelihood that the building could be kept and restored is a waste of the Commission's time and the staff time because it just leads to a situation where three or five years down the road there is a hardship application, which can be successfully argued. An owner of a property can say what the condition of his building is, but a non-trade professional should not be able to cavalierly offer an assessment of the condition. Mr. Shusterman paused to determine whether his telephone was ringing; he concluded that it was not.

Mr. Shusterman stated that he has submitted memoranda by George Thomas of CivicVisions and Fred Baumert of Keast & Hood to the Commission. According to these experts, 1501 Fairmount is in serious disrepair. Moreover, they conclude that the conditions of the structure and deterioration of the cast-stone panels make this property inappropriate for designation on the Philadelphia Register. Mr. Shusterman suggested that the nomination is misleading because the photographs submitted do not represent the condition of the building. The building looks very nice, he claimed, but if you look closely you will see that there are numerous significant problems with the cast stone and the façade. The photographs of the building on pages 13, 14, 15, and 18 of the nomination show the building from a distance, he noted. The photographs show the concept of the building quite adequately, but not the details. One of the photographs is old; it was taken from a vacant lot upon which a building now stands. He stated that the photographs on pages 16, 17, and 19 give a hint of some minor maintenance items, but they do not really show the surface erosion and the panel displacement that is prevalent on the cast-stone facade. He referred the Commission to the expert reports of George Thomas and Fred Baumert. The Commission's staff would be unable to detect the problems with the façade from photographs taken from across the street. Some of the photographs predate the nomination by two years. Mr. Shusterman noted that he submitted additional photographs at the Committee on Historic Designation meeting showing additional identified problems of the displaced panels. Mr. Shusterman contended that the Commission should have required a professional assessment of the building by the nominator before referring the nomination to the Committee. He asserted that the Commission should not require assessments of all buildings proposed for designation, but only those constructed with an evolving technology. Mr. Shusterman claimed that cast stone was an evolving technology at the time this building was constructed. Brick townhouses with gabled roofs are tried-and-true technology, he contended; some brick townhouses have failed but not because as a result of a new or untested technology. Mr. Shusterman stated that since the late 1800s buildings have increasingly

increased their use of experimentation and new technology. After the Chicago Fire, steel columns were protected by masonry, which seemed to be a good idea, but consideration was not given to moisture trapped inside the column enclosures. Curtain walls or buildings where the exterior structure is not load-bearing have gone through major changes through many periods and failures. The façade at 1501 Fairmount is not a structural façade and includes cast stone and glass skin supported by a light steel structure. This was not a tried-and-true technology at the time 1501 was constructed. Curtain wall construction has evolved over time. During this time, there have been many problems, unforeseen problems like those at the John Hancock building in Boston. Mr. Sherman asked Mr. Shusterman if he was actually intending to equate the problems in the 1970s with the glass at the John Hancock skyscraper with the alleged problems with the cast stone at 1501 Fairmount. Mr. Shusterman explained that he was simply pointing out that curtain wall technology is evolving and there have been many failures during that evolution. Mr. Shusterman stated that he was merely attempting to note that designs that seemed appropriate initially later confronted problems including the Mitchell Giurgola designed Strawberry Square in Harrisburg. The building had to have its façade replaced.

Mr. Shusterman stated that Mr. Baumert will testify that the method used for attaching the cast stone panels at 1501 Fairmount does not meet the current standards for such attachments set forth by the Cast Stone Institute, an organization that was established in 1927. He noted that the current revision of the standards for cast stone attachment is dated 2014. Mr. Shusterman stated that, given that the cast stone panels were an evolving technology and given the deteriorating condition of the façade, which is obvious walking down the adjacent sidewalk, the Commission should have required the non-owner nominator to submit an assessment of the conditions of the façade. Accordingly, in the absence of any such report, the nomination must be deemed incomplete and therefore not properly considered by the Committee on Historic Designation and therefore not properly before the Commission. Mr. Shusterman requested that the Commission reject the nomination.

Ms. Hawkins questioned the credentials of one of Mr. Shusterman's so-called experts. She referenced the report provided by Dr. George Thomas, which offers an assessment of the condition of the building. She stated that, as she has noted previously at Commission meetings, Mr. Thomas is neither an architect nor an engineer and is overstepping the bounds by offering an assessment as though he is an architect or engineer. Ms. Hawkins noted that Mr. Shusterman has a report on the conditions of the building by an engineer. She observed that Mr. Thomas is an historian with opinions and suggested the Commission should treat his report as the product of an historian and not an architect or engineer. Mr. Shusterman countered that he is a registered architect and was present when Mr. Thomas conducted his inspections. Mr. Shusterman stated that he provided architectural input to Mr. Thomas on some of those issues. Ms. Hawkins responded that, if that is the case, Mr. Thomas should have referenced Mr. Shusterman as the expert in his report. Mr. Shusterman responded that he was not acting as an expert when he offered his architectural input to Mr. Thomas. Ms. Hawkins asked Mr. Farnham whether the historic preservation ordinance or Commission's Rules & Regulations requires a conditions or structural assessment with every nomination. Mr. Farnham responded that the ordinance and regulations do not require such an assessment. Mr. Sherman commented that, while the attorney representing the property owner has criticized the building's condition, it is the property owner's responsibility, with or without a designation as historic, to maintain the building. Mr. Shusterman replied that the building was derelict and abandoned when his client, Mr. Kreider, purchased it 35 years ago. It was unusable and quite a mess, which is not a technical, architectural term. Mr. Shusterman stated that his client would testify to the Commission that he had improved the interior and exterior to comply with certain codes and OSHA and other

requirements. He stated that his client likes the building and wanted to do as much as he could to the building with the resources he had at his disposal. Mr. Shusterman also reported that the amount of rent his client receives for the building is only nominally higher than the mortgage.

Commissioner Robert Thomas, not to be confused with consultant George Thomas, asserted that many buildings that are in poor condition have been placed on the Philadelphia Register. He stated that the Commission should focus on the Criteria for Designation, which are listed on the nomination. He added that designation can be a mechanism for bringing attention to buildings that need repair. Mr. Thomas reminded the audience that the Commission may designate any property that it finds satisfies one or more of the Criteria for Designation. He observed that there is no requirement to obtain an assessment of the condition and the designation of innovative technologies is not precluded. He noted that he would consider brick load-bearing wall construction a defective technique. He reported that his firm has added star bolts to numerous brick facades because they did not satisfy current construction standards. He noted that mortar can erode, leaving brick-walled buildings unstable, but concluded that the Commission would never eschew designating brick buildings because the technology is flawed. Mr. Thomas then responded to the claim that this nomination should be treated differently because the nominator is not the owner. He observed that the ordinance and regulations do not restrict who may nominate a building. Anyone, whether the owner or not, may nominate the building for designation. Mr. Farnham agreed that anyone may nominate a property; the nominator need not be the owner, or a resident of the City of Philadelphia or Commonwealth of Pennsylvania. Mr. Thomas stated that the designation of buildings in poor condition is not precluded. He also noted that the Historical Commission does not unilaterally order owners to improve their buildings upon designation, but instead reviews applications within the scopes of work defined by owners. He also noted that alterations in place at the time of designation are grandfathered. Mr. Thomas stated that a building in very poor condition may still warrant designation. He remarked that designation sometimes makes properties eligible for funding for repairs and rehabilitation, like the Keystone Grant program. Mr. Thomas reported that he has had clients seek designation to make funding accessible.

Mr. Shusterman contended that Criteria for Designation C and D are unduly vague and most buildings in Philadelphia would satisfy them. He claimed that it is a violation of the architect's or engineer's law to maintain that a property is in good condition when it is not. The nominator can say it is in ruins and the Commission has the power to designate it. For an individual or institution to make such a recommendation is in violation of the professional licensing laws. Mr. Farnham advised Mr. Shusterman that the Commission is considering whether to adopt the nomination. The Commission can adopt it as presented, it can adopt with revisions, or it can reject it. He stated that the Commission may not agree with the nominator that the condition is good and may upgrade or downgrade that assessment. He cautioned Mr. Shusterman that the nomination is merely a proposal until it is adopted. Mr. Farnham stated that the Commission could amend the nomination, classifying the building's condition as fair or poor, and yet still designate the property.

Mr. Dilworth stated that Mr. Shusterman made a similar argument against designation at the meeting of the Committee on Historic Designation. Mr. Dilworth noted that the Committee considered his argument regarding the condition at that time and determined that the condition was not relevant because the building merited designation whether its condition was labeled good, fair, or otherwise. Mr. Dilworth reported that the Committee advised Mr. Shusterman that the claims about the cost to repair the building would be better made during a financial hardship review. Mr. Dilworth noted that Mr. George Thomas had updated his expert report on the

building provided by Mr. Shusterman since the Committee meeting to include information from a 1934 appraisal map. Mr. Dilworth contended that the conclusions that Mr. Thomas drew from the appraisal map were incorrect and should be disregarded. Mr. Dilworth concluded that he agrees with David Brownlee, an architectural historian with the University of Pennsylvania, who stated in a letter in support of the designation submitted to the Commission that the conclusions drawn by Mr. Thomas from the appraisal map are misleading. Mr. Sherman agreed with Messrs. Dilworth and Brownlee.

Mr. Shusterman introduced Mr. Baumert, stating that he would testify about the structural sufficiency of the building, the interior and exterior condition of the building, and the ability to maintain the building in a way that is suitable for historic preservation. Mr. Sherman suggested that Mr. Baumert should focus his testimony on the exterior. He stated that the interior would not fall within the Commission's jurisdiction. Mr. Shusterman countered that the interior structure is relevant because, if it failed, it would adversely impact the exterior. Mr. Mattioni noted that he has expressed reservations about designating a building when an owner opposes the designation, but then advised Mr. Shusterman that the condition of a building under consideration for designation is only relevant if the condition is so poor that the building cannot convey its historical significance and therefore is not a historical structure. He stated that that is not the case in this situation. He asserted that a claim that the building may be difficult to maintain in the future is not a valid argument against designation. Mr. Mattioni concluded that claims about condition problems that do not prevent the building from representing its history are irrelevant.

Mr. Shusterman stated that it may take some time with his questioning of Mr. Baumert before he gets to issues the Commission considers relevant. Mr. Shusterman asked Mr. Baumert if he is familiar with the Cast Stone Institute. Mr. Baumert responded in the affirmative. Mr. Shusterman asked Mr. Baumert if the façade of the building in question is cast stone. Mr. Baumert responded in the affirmative. Mr. Shusterman asked Mr. Baumert if he has considered the work necessary to undertake a proper restoration of the cast stone façade. Mr. Baumert replied that, in order to preserve the façade as a historic property, given the deterioration that has occurred despite the efforts of the property owner, a fairly significant reconstruction would be necessary. The steel anchors holding the cast stone onto the structure of the building and the pins holding the pieces of cast stone together have suffered deterioration. Stainless steel would be used for this purpose today. Because the anchors have deteriorated, there is concern that parts of the building may disassemble. Many of the panels are starting to shift out of place because of the deteriorated anchors. The correct way to address this would be to disassemble the façade and replace the anchors. Mr. Baumert continued, stating that, second and more important, the goal of historic preservation is to save important aspects of the built environment, our constructed culture, for subsequent generations. In this case, the cast stone panels are showing their age and deteriorating at an accelerating rate. Requiring the preservation of this building puts the owner in a difficult position because these cast stone panels cannot be preserved forever. Mr. Baumert noted that brick rowhouses and aluminum storefronts have longer life spans than cast stone. Cast stone was evolving at the time this building was constructed and the cast stone used in this building would now be considered a substandard concrete mix. It does not have the durability to last a whole lot longer than it has already. There is deep erosion occurring in the cast stone, which is not reversible process. Coatings will slow but not reverse the deterioration. This building is starting to come apart. If this building is designated, then it must be preserved indefinitely, Mr. Baumert claimed. He concluded that he is not aware of any current technology that will allow this building to last forever. Mr. Shusterman asked Mr. Baumert if he had estimated the hard costs of repairing this façade. Mr. Baumert answered that he had not

generated an estimate for repairing the cast-stone façade, but he then estimated that a proper restoration budget for this façade would fall in the range of $300,000 to $500,000 to disassemble, re-anchor, apply consolidants to slow the deterioration, and provide flashing to prevent water infiltration. Mr. Shusterman asked if any work would need to be done to the existing structure of the building to support the modified panels. Mr. Baumert replied that he cannot say because he has taken any of the wall apart and inspected the conditions of the underlying structure. He noted, however, that it appears that the steel frame might be corroding and expanding. Mr. Shusterman asked how expensive it might be to correct the problems that might exist behind the cast stone. Mr. Baumert replied: "It is hard to say either way without having seen the condition." He stated that there is potential for additional cost, but concluded that he "can't say one way or the other." Mr. Shusterman asked if the Commission had any questions for Mr. Baumert. Ms. Merriman responded that the Commission had no questions for Mr. Baumert.

Ms. Merriman began to make a motion regarding the nomination, but Mr. Shusterman interrupted her. Ms. Merriman asked Mr. Shusterman to refrain from interrupting while she made her motion. She noted that he would have an opportunity to address the motion once it had been articulated.

> **MOTION:** Ms. Merriman moved to find that the property at 1501-05 Fairmount Avenue satisfies Criteria for Designation C and D and to designate it, listing it on the Philadelphia Register of Historic Places, pursuant to Section 14-1004(1) of the Philadelphia Code, provided the nomination is amended to characterize the condition as "fair," not "good," in Section 4 of the nomination form. Mr. Dilworth seconded the motion.

Mr. Shusterman stated that he interrupted to move to place the report of George Thomas and the report and resume of Fred Baumert as well as the various photographs previously submitted into the record. Ms. Merriman responded that the Commission already has those materials and they are already part of the record.

Ms. Hawkins explained to Mr. Shusterman that the designation of this property will not result in the required restoration of the building. She stated that property owners have obligations to maintain their properties so that they are safe. She advised that, if the property owner believes that the panels may fall off, then he should take action quickly. She noted that a piece of stone fell from a Chestnut Street building last night. She objected to the argument that the cast stone panels installed on this building more than 80 years ago do not meet today's standards. She contended that that argument could be made about any building that is more than 10 years old. No older building meets current standards because the standards are always changing. She stated that she is certain that the cast stone on this building met the standards when the building was constructed. She likewise questioned the erosion argument. She observed that every material erodes over time. She concluded that the statements of the property owner's representatives were exaggerated to serve a purpose. Mr. Sherman agreed and stated that the property owner has an obligation to maintain the building whether it is designated as historic or not. He objected to the argument that the building should not be designated because it has not been well maintained. Mr. Farnham stated that he agrees with Ms. Hawkins that the property owner should take swift action if he believes that the building poses a danger. However, he reminded the owner that he should inform the Department of Licenses & Inspections of the potential hazard and obtain a building permit before undertaking any work.

Mr. Shusterman introduced Mr. Kreider, the owner of the building. Mr. Kreider stated that he is confused by the entire process. He asked why he was not involved in the designation process earlier by the Preservation Alliance, the nominator. He asked why the Alliance did not contact him before it submitted the nomination. Mr. Kreider claimed that he received the Commission's notice letter less than 30 days before the Committee on Historic Designation meeting. He asserted that he was accosted by the Committee for not having an engineer's report regarding the condition of the building. He stated that fingers were pointed at him for just being a developer. He contended that there has been an adversarial tension during the meetings. Mr. Kreider claimed that Mr. Dilworth disparaged Mr. Shusterman's credentials. He asked the Commission to understand that he is just a normal person who received a letter informing him of the consideration of the nomination; that letter, he claimed, has cost him a lot of money. He stated that he is not seeking to demolish the building and construct townhouses. He noted that he did consider selling the property four years ago to fund his divorce, but he only offered it for sale to his neighbors at Project HOME. He noted that he was the only one in the neighborhood who supported Project HOME when it moved into the neighborhood. Mr. Kreider again stated that he is just a normal person. He noted that he has never been late on his taxes and has always pays his wage and real estate taxes. He contended that he has maintained the building, but not perfectly. Mr. Kreider explained that the current tenant worked for him in the early 1980s and then took over the repair business. He stated that he pays a nominal rent. He reported that the business has been in the building for 35 years. He stated that, in the life of the building, no other business or owner has occupied it longer. Mr. Kreider stated that the building is 85 years old and he has owned it for 35 years, longer than any other owner. He explained that he offered the building for sale to someone who would retain it, but has never considered selling it to any of the many developers who contact him regularly and who would demolish the building. He stated that he does not want to demolish it or turn it into a nightclub. He contended that he does not like being told what he can and cannot do with his building after owning it for 35 years. Regarding maintenance, he has had a rubber roof installed and has pointed the exterior. He stated that he does not inspect the building on a regular basis. He no longer works at the building and visits infrequently. He stated that he may perhaps be derelict as a landlord, but he claimed that he is not a "building person" and never looks closely at the building. He stated that he has had some emergency work done recently to secure loose panels that Mr. Baumert discovered. He concluded that he is trying to say that the Commission should involve the building owner more in the nomination and consideration of the designation. He stated that it is not a very good practice to exclude the owner. He stated that he is not an institution, not the University of Pennsylvania, not anything, just a normal person. The city needs normal people, small business people, to thrive. He concluded that the Historical Commission should not make it more difficult for small business people to thrive.

Ben Leech of the Preservation Alliance thanked the Commission for considering the nomination and the property owner for preserving the building. He stated that his organization did not seek to skirt the property owner, but noted that the nature of designation does not allow for the nominator to engage with the property owner before submitting the nomination because some owners will demolish buildings to avoid designation. Mr. Leech noted that his organization has offered to meet with the owner since the nomination was announced, but the owner has not accepted that offer. He stated that the Spring Garden Civic Association supports the designation. He opined that this building is a neighborhood landmark. The building is appreciated by the neighbors and the city; it is not an everyday building.

Justino Navarro, the president of the Spring Garden Civic Association and vice president of the Spring Garden Community Development Corporation, stated that his organizations are in

support of the nomination. He stated that the building is a neighborhood landmark. He observed that, as commercial development spreads east toward Broad Street, every effort should be made to retain historic buildings along Fairmount Avenue. He commended the owner for maintaining the building in good condition and noted that he lives nearby, about 200 feet away. He noted that he is neither an architect nor engineer, but believes the building, which he has observed for more than 30 years, is in good condition. Mr. Kreider asserted that the building is in Francisville, not Spring Garden. He also asserted that there are no other businesses operating on the 1500 block of Fairmount Avenue other than the Project HOME thrift store. Mr. Navarro responded that the Spring Garden Civic Association and Spring Garden Community Development Corporation areas include the north and south sides of Fairmount Avenue; this property is within their areas. He agreed that there is little commercial development on the 1500 block of Fairmount, but noted that it is zoned commercial and businesses are considering moving into the area, which is experiencing a resurgence.

> **ACTION:** By a vote of 10 to 1, the Commission adopted the motion proffered by Ms. Merriman and Mr. Dilworth to find that the property at 1501-05 Fairmount Avenue satisfies Criteria for Designation C and D and to designate it, listing it on the Philadelphia Register of Historic Places, pursuant to Section 14-1004(1) of the Philadelphia Code, provided the nomination is amended to characterize the condition as "fair," not "good," in Section 4 of the nomination form. Mr. Mattioni dissented.

Mr. Mattioni explained that he opposed the designation, not for the reasons cited by the property owner and his attorney, but because the property owner is denied his constitutional rights without just compensation under the Fifth Amendment.

## ADJOURNMENT

**ACTION:** At 11:27 a.m., Ms. Leonard moved to adjourn. Mr. Schaaf seconded the motion, which passed unanimously.

## STANDARDS AND GUIDELINES CITED IN THE MINUTES

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.

§ 14-1004. Designation.

(1) Criteria for Designation.

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

(c) Reflects the environment in an era characterized by a distinctive architectural style;

(d) Embodies distinguishing characteristics of an architectural style or engineering specimen;