

**THE MINUTES OF THE 674TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 12 OCTOBER 2018
ROOM 18-029, 1515 ARCH STREET
BOB THOMAS, CHAIR**

PRESENT

Robert Thomas, AIA, Chair
Emily Cooperman, Ph.D.
Kelly Edwards, MUP
Michael Fink, Department of Licenses & Inspections
Steven Hartner, Department of Public Property
Melissa Long, Division of Housing and Community Development
John Mattioni, Esq.
Dan McCoubrey, AIA, LEED AP BD+C
H. Ahada Stanford, Ph.D., Commerce Department
Betty Turner, MA
Kimberly Washington, Esq.

Jonathan E. Farnham, Executive Director
Randal Baron, Historic Preservation Planner III
Kim Chantry, Historic Preservation Planner II
Laura DiPasquale, Historic Preservation Planner II
Meredith Keller, Historic Preservation Planner II
Allyson Mehley, Historic Preservation Planner I
Megan Schmitt, Historic Preservation Planner I

ALSO PRESENT

Bruce Bisbano, Bisbano + Associates
Anton Michels, German Society
Rich Giordano, Upper Roxborough Civic Association
Barbara Delany
Allison Weiss, SoLo/Germantown Civic Association
Adam Hurt, SgRA
David S. Traub, Save Our Sites
Julia M. Marchetti, Preservation Alliance for Greater Philadelphia
Doug Mooney, Philadelphia Archaeological Forum
J.M. Duffin
Sean Whalen, Esq., Vintage Law
Ori Feibush, OCF Realty
Kevin R. Orndorf, PE, Orndorf & Associates, Inc.
Lori Salganicoff, Chestnut Hill Conservancy
Richard DeMarco, Esq., Lauletta Birnbaum LLC
Gene Gilbert
Oscar Beisert
Elizabeth Nestor
Doug Seiler, Seiler + Drury Architecture
Michael Phillips, Obermayer Rebmann Maxwell & Hippel

Jo Ann Desper, Roxborough Development Corporation
Suzanne Hagner, S.O.S.
Chip Roller
Elizabeth Stegner, UCHS
Kay Sykora, Roxborough Civic Association
Thaddeus Squire, Overbrook Farms Club
Celeste Hardester, Central Roxborough Civic Association
Suzanna Barucco, sbk + partners, LLC
Janet Anderson, WICA
Pamela Packard
Leonard Bracali
John Carpenter, CRCA
Celeste Morello
Patrick Grossi, Preservation Alliance for Greater Philadelphia
Martha Adams
Brandon Wind, Esq.
Josh Cohen, Councilman Jones' Office
Jason Coleman, O&N
P. Steinke, PAGP
Jed Levin, PAF
Wadell Ridley, Saint Joseph's University
Matt McClure, Esq., Ballard Spahr
Keith Coleman, Property Owner
Stuart Rosenberg, SgRA
Nick Kraus, Heritage Consulting
Steven Peitzman, East Falls Historical Society
Amy Corenswet, Penn Law
Nancy Pontone, Tudor East Falls
Leah Silverstein, Chestnut Hill Conservancy
Ken Weinstein, Philly Office Retail
Craig Deutsch, Harman Deutsch Architecture
James Calamia, Roxborough Development Corporation
Kyle Kernozek, BLT Architects
Jason Coleman, O'Donnell & Naccarato

CALL TO ORDER

Mr. Thomas called the meeting to order at 9:11 a.m. Commissioners Cooperman, Fink, Hartner, Long, Mattioni, McCoubrey, Stanford, Turner and Washington joined him. Commissioner Edwards joined the meeting at 9:25 a.m.

MINUTES OF THE 673RD STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Ms. Cooperman moved to approve the minutes of the 673rd Stated Meeting of the Philadelphia Historical Commission, held 14 September 2018. Mr. Mattioni seconded the motion, which passed unanimously.

CONTINUANCE REQUESTS

ADDRESS: 208-10 REX AVE

Name of Resource: William L. Hirst-H. Louis Duhring Residence

Proposed Action: Designation

Property Owner: Virginia, William, and Hewson Baltzell

Nominator: Chestnut Hill Conservancy

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

STAFF RECOMMENDATION: The staff recommends that the nomination demonstrates that the property at 208-10 Rex Avenue satisfies Criteria for Designation A, C, and E.

OVERVIEW: This nomination proposes to designate the property at 208-10 Rex Avenue and list it on the Philadelphia Register of Historic Places. The nomination argues that the house, constructed about 1857-60, with alterations around 1893 and a substantial rear addition in 1927, satisfies Criteria for Designation A, C, and E. Under Criterion A, the nomination contends that the property has significant character as one of the early prominent suburban villas constructed in the first period of the development of the suburban character of the Chestnut Hill area of the city after the introduction of the first railroad from Center City. The nomination also argues that the building is significant under Criterion A for its association with architect H. Louis Duhring, who owned and lived in the house between 1919 and 1946, and under Criterion E as a representative example of his influential architectural work. The nomination also contends that the property is significant under Criterion C as reflecting the environment of both the period of its original Italianate construction and its Arts and Crafts addition.

DISCUSSION: Ms. Cooperman recused owing to her relationship with the Chestnut Hill Conservancy, which nominated the property. Mr. Thomas presented the continuance request to the Historical Commission.

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

ACTION: Ms. Turner moved to continue the review of the nomination for 208-10 Rex Avenue to a future meeting of the Committee on Historic Designation. Mr. McCoubrey seconded the motion, which passed unanimously.

ADDRESS: 6950 GERMANTOWN AVE

Name of Resource: Leibert House

Proposed Action: Designation

Property Owner: Germantown Home Inc

Nominator: The Keeping Society of Philadelphia

Staff Contact: Megan Cross Schmitt, megan.schmitt@phila.gov, 215-686-7660

STAFF RECOMMENDATION: The staff recommends that the nomination demonstrates that the property at 6950 Germantown Avenue satisfies Criteria for Designation C, D, and J.

OVERVIEW: This nomination proposes to designate the property at 6950 Germantown Avenue and list it on the Philadelphia Register of Historic Places. The nomination describes the Leibert House as a commodious Federal-style "Mansion House" with later Gothic Revival stylistic embellishments. Under Criterion C, the nomination contends that the building reflects the environment in an era characterized by the Federal style, representing the original period of construction between 1800 and 1808 and the Gothic Revival style, representing the Victorian improvements that took place and some point between 1840 and 1880. Under Criterion D, the

nomination argues that, though certain detailing was lost during the property's mid-nineteenth-century Gothic renovation, the Leibert House retains many features that allow it to continue to embody distinguishing characteristics of the Federal style. It also states that despite the loss of the porch, the building continues to embody a blend of distinguishing features associated with both the Federal and Gothic Revival eras. Under Criterion J, the nomination contends that the building is significant due to its association with the Leibert family, specifically William Leibert, a bookbinder that represents Germantown's rich German-language printing and bookselling history.

LUTHERAN THEOLOGICAL SEMINARY HISTORIC DISTRICT

Proposed Action: Designation

Nominator: The Keeping Society of Philadelphia

Staff Contact: Allyson Mehley, allyson.mehley@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the Historical Commission continue and remand the nomination for the Lutheran Theological Seminary Historic District to the September 2018 meeting of the Committee on Historic Designation.

OVERVIEW: This nomination proposes to designate the Lutheran Theological Seminary Historic District located east of the 7300 block Germantown Avenue in the Mt. Airy neighborhood and list it on the Philadelphia Register of Historic Places. The nomination contends that the district satisfies Criteria for Designation A, E, I, and J. The nomination argues that the proposed district, which is composed of 22 buildings constructed between 1750 and 1972, is significant under Criterion A for the Seminary's history and evolution in Philadelphia as representative of, and associated with, the larger historical development of suburban institutional campuses in the city. Under Criterion E, the nomination contends that six of these buildings were designed by architect Frank Furness or his firm Furness & Evans and these buildings represent work of an eminent Philadelphia architect whose work greatly influenced the architectural history of the city. Under Criterion I, the nomination argues that the site where the Seminary currently stands was historically occupied by the Mount Airy Estate and is therefore significant for its archaeological potential. Under Criterion J, the nomination argues that the Seminary represents the historical heritage of religious and theological education and training in the United Lutheran Church.

ADDRESS: 228-36 S 52ND ST

Name of Resource: The Locust Theatre

Proposed Action: Designation

Property Owner: Bushfire Theatre of Performing Arts

Nominator: Noah Yoder

Staff Contact: Allyson Mehley, allyson.mehley@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 228-36 S. 52nd Street satisfies Criteria for Designation A, C, D, E and J.

OVERVIEW: This nomination proposes to designate the property at 228-36 S. 52nd Street as historic and list it on the Philadelphia Register of Historic Places. The nomination contends that the former Locust Theatre, constructed in 1914, is significant under Criteria for Designation A, C, D, E and J. Under Criteria A and J, the nomination argues that the Locust Theatre is emblematic of the construction of small, neighborhood theaters in the United States at the

beginning of the twentieth century, as movies became affordable entertainment. The Theatre is also associated with successful baker William Freihofer, and the Bushfire Theatre of Performing Arts. Having entertained audiences for over a century, the Theatre exemplifies the development of the 52nd Street strip as a major cultural and commercial corridor of West Philadelphia. Under C, D, and E, the nomination contends that the Theatre still retains much of its original terra cotta, Beaux-Arts classical detail, and typifies the high architectural standard to which neighborhood movie theaters were held. The Theatre is clad in terra cotta ornament by the Conkling-Armstrong Terra Cotta Company, and is the work of noted Philadelphia architectural firms Stuckert & Sloan, and later the Hoffman-Henon Company.

DISCUSSION: Mr. Thomas stated that the Historical Commission would consider the continuance requests for 6950 Germantown Avenue, the Lutheran Theological Seminary Historic District, and 228-36 S. 52nd Street simultaneously.

Paul Steinke of the Preservation Alliance inquired about the continuance request for 228-36 S. 52nd Street. Mr. Farnham explained that the artistic director for the Bushfire Theater, who is acting on behalf of the property owner in this matter, was out of town and unable to attend the meeting and therefore had requested a continuance of the matter to the November 2018 meeting of the Historical Commission.

ACTION: Ms. Turner moved to continue the review of the nomination for 6950 Germantown Avenue to the December 2018 meeting of the Committee on Historic Designation; the review of the nomination for the Lutheran Theological Seminary Historic District to the 17 October 2018 meeting of the Committee on Historic Designation; and the review of the nomination for 228-36 S. 52nd Street to the 9 November 2018 meeting of the Historical Commission. Ms. Long seconded the motion, which passed unanimously.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 25 SEPTEMBER 2018

Dan McCoubrey, Chair

CONSENT AGENDA

Mr. Thomas introduced the Consent Agenda, which included applications for 1411-19 Walnut Street, 2314 Green Street and 938 S. Front Street. He asked if anyone on the Historical Commission or in the audience had comments on the requests. Barbara Delaney of 2316 Green Street requested that the Historical Commission remove the application for 2314 Green Street from the consent agenda; Mr. Thomas agreed to her request.

ACTION: Mr. McCoubrey moved to adopt the recommendations of the Architectural Committee for the applications for 1411-19 Walnut Street and 938 S. Front Street. Ms. Cooperman seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 2101 WASHINGTON AVE

Proposal: Remove smokestack

Review Requested: Final Approval

Owner: 2101 Washington Avenue LLC

Applicant: Atiya Groomes, OCF Realty

History: 1865; Howell & Brother Wallpaper Hangings Manufactory; additions, 1883, 1912

Individual Designation: Under Consideration

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial because the smokestack “does represent historic fabric and is significant,” pursuant to Standard 6.

OVERVIEW: This application proposes to remove a smokestack at 2101 Washington Avenue. The property was considered for designation earlier this year, but the designation process has not yet been completed. While the nomination was being reviewed, the City found that the property posed a threat to public safety and that demolition was necessary to abate the dangerous condition. Owing to that finding, the Historical Commission’s staff approved a complete demolition permit application after consulting with the Law Department and the Department of Licenses & Inspections. The staff subsequently approved a partial demolition permit application based on the Department of Licenses & Inspections’ determination that a portion of the complex did not need to be demolished immediately, but might be able to be stabilized. The partial demolition plan proposed to retain the early twentieth-century building at the southwest corner of the site including the smokestack and a portion of the original 1860s building directly behind that building. No permit was issued for the complete demolition, but a permit was issued for the partial demolition and all of the structures slated for demolition under that permit have subsequently been removed. At its May 2018 meeting, while the demolition was underway, the Historical Commission voted to table the review of the nomination until the partial demolition was completed and the Department of Licenses & Inspections closed out the demolition permit (#868420). The Historical Commission elected to wait and see what, if any, of the buildings survived before deciding on the designation. That demolition permit remains open.

The current application proposes to remove the smokestack at the southwest corner of the site, which was slated for retention under the partial demolition permit, but approved for demolition under the full demolition application. The current application includes photographs of the smokestack taken with a drone. It also includes an engineering report on the entire complex, which was previously submitted to the Historical Commission during the nomination review. The smokestack is addressed on pages 14 to 18 of the report. The report notes problems with the smokestack such as mortar loss, joint separation, and shear cracks. The report does not claim that the smokestack must be removed on public safety grounds. However, in the conclusion of the report on page 18, the engineer “recommends the full demolition of the smokestack structure.”

Rehabilitation Standard 2 advises that “the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.” The Historical Commission and Architectural Committee must determine what, if anything, constitutes “the historic character of a property” in

light of the demolition of most of the structures at the site and then determine whether the smokestack contributes to any historic character that survives.

DISCUSSION: Mr. Farnham presented the application to the Historical Commission. Attorney Sean Whalen, developer Ori Feibush, and engineer Kevin Orndorf represented the application.

Mr. Whalen noted that his client has obtained a supplemental engineer's report since the Architectural Committee meeting. He added that Mr. Orndorf would testify about his conclusions in that report.

Mr. Whalen stated that the Historical Commission has already approved an application for the complete demolition of the entire complex including the smokestack. He explained that, in a show of good faith and as good actors with the City, they tried to see if there might be some portion of the complex that they could save. He stated that they still intend to preserve what they can. The partial demolition permit remains open and there will likely be additional demolition under that permit. He reported that at the time that they obtained the demolition permit there was almost certainty that the smokestack would need to be removed because it is dangerous. He stated that the smokestack has never been pointed, or repaired, or capped in any way. Mr. Whalen noted that the telecommunications brackets at the top of the smokestack may be holding the structure together. He reported that the property, in its entirety, is considered imminently dangerous by the Department of Licenses & Inspections. He commented that 80% or 85% of the complex, which occupies an entire block, has been demolished. He contended that so little of the complex survives that it cannot sustain a historic designation. He acknowledged that the designation question is not before the Historical Commission today.

Mr. Whalen observed that the latest engineer's report clearly states that the smokestack is imminently dangerous. He noted that the Architectural Committee had suggested that it would be as easy to repair the smokestack as it would be to demolish it. He disagreed and stated that Mr. Orndorf would testify about the repair and demolition options. He reported that the smokestack is so dangerous that no one can get far enough inside it to determine the interior condition of the structure. The engineer can only estimate the interior condition from the exterior. The structure is too dangerous to evaluate fully or to repair. And the cost to repair would be astronomical.

Mr. Orndorf testified that he had provided an engineer's report on the smokestack, which supplements his report on the entire complex. He acknowledged that the Department of Licenses & Inspections had cited the entire complex as imminently dangerous. He added that he agreed with that declaration that the complex is imminently dangerous. Mr. Orndorf testified that the smokestack itself is imminently dangerous. He stated that it is suffering from an extreme loss of mortar and is in very bad shape. He pointed to a vertical crack shown in Photograph 5 that is about 19 feet long. He stated that there are parallel cracks throughout the stack. Photograph 6 shows a steel reinforcing band with a large crack below. He noted that the weight of the stack above is carried by deteriorated sections of the stack. Once the stack has lost its mortar joints, it has lost its ability to withstand wind loads and seismic loads. Photographs 7, 8, and 9 show the conditions at the top of the stack, where there are vertical cracks and large losses of mortar. Photograph 10A shows the worst case; there is no mortar, and light can be seen coming through the exterior wall of the stack. Bricks are peeling. The rungs of the interior ladder are failing, making it difficult to repair. There is plant growth out of the stack. Mr. Orndorf concluded that, in his opinion, the smokestack is imminently dangerous.

Mr. Whalen stated that their greatest concern is that the smokestack is located right along Washington Avenue. If the smokestack fails, it will fall into the public right-of-way. He concluded that the threat it poses to Washington Avenue raises a grave concern for the property owner.

Mr. Thomas asked the applicants why the sidewalk and travel lanes on Washington Avenue are not fenced or otherwise blocked off. He added that he uses the bike lane on Washington Avenue. Mr. Feibush responded that the smokestack is 120 feet tall. It is taller than Washington Avenue is wide. He stated that he has been warning the City and the Historical Commission about this danger for many months. He observed that it would be feasible to close Washington Avenue. He noted that they closed 21st Street, 22nd Street, and sidewalks and bike lanes on Washington Avenue for short periods of time during some phases of the demolition of the buildings at the site, but they cannot close Washington Avenue indefinitely. He stated that he wants to be prudent, but there is no easy way to protect the public from this smokestack short of demolishing it. It cannot be scaffolded. He said that he is eager to begin to hand-demolish the smokestack in a safe manner. He concluded that, without demolishing the smokestack, he does not know how to protect the public on the street. Mr. Thomas stated that this situation “looks exactly like 22nd and Market,” where six people died in 2013 when an unstable building collapsed onto another building. Mr. Thomas stated that, as a registered architect in Pennsylvania, he has an obligation to speak out if this smokestack is in the poor condition that the applicants claim. Mr. Feibush stated that he has submitted reports on the property to the Department of Licenses & Inspections, but he is not sure whether the latest report on the smokestack has been submitted yet. Mr. Thomas noted that the report is dated 2 October 2018, 10 days ago. Mr. Feibush responded that the same photographs were presented to the City more than one-half year ago. He added that he reported these conditions to the Historical Commission when he appeared earlier in the year. Mr. Thomas responded that “we are all looking to avoid any kind of disaster.”

Mr. Thomas asked Mr. McCoubrey to summarize the thoughts of the Architectural Committee on the matter. Mr. McCoubrey explained that the Architectural Committee did not have the benefit of the most recent engineer’s report, which was submitted after the Committee met. The earlier report stated that the smokestack was in bad condition, but it did not claim that it was imminently dangerous. It suggested that the smokestack could be repaired. He stated that the Committee found that the smokestack was an important component of the site. He reported that the Committee concluded that it did not sufficient information to come to a conclusion about the feasibility of its repair. Given that the engineer’s report did not conclude that the smokestack was imminently dangerous or that it was beyond repair, the Committee recommended denial. Mr. Whalen agreed that the earlier engineer’s report did not conclude that the smokestack was imminently dangerous. He added that his client considered the questions raised by the Architectural Committee and decided that they could best be answered with a supplemental engineer’s report.

Ms. Edwards asked about the telecommunications equipment on the tower. She noted that the telecommunications company must have determined that the smokestack was structurally sound before installing the equipment. Mr. Feibush stated that the telecommunications equipment was installed in the 1980s and were disconnected more than a decade ago. He displayed a photograph that showed that the cables to the antennas had been cut.

Mr. Fink observed that the mortar loss and other deterioration appear to be limited to the top 12 feet or so of the smokestack. Mr. Orndorf responded that that seems to be the case on the

exterior, but the extent of the deterioration in the interior cannot be determined. He posited that the damage on the exterior is probably limited to the top 20 or 30 feet. Mr. Fink stated that some of the mortar looks to be in good condition, although there is a vertical crack. He noted that, from his experience, such vertical cracks are fairly common. Mr. Fink stated that when smokestacks and chimneys lose mortar they begin to tilt. He asked Mr. Orndorf if he perceived any titling of the smokestack. He asked if it is out of plumb. Mr. Orndorf stated that he did not know if the smokestack was tilting. He reiterated that the mortar is deteriorated at the top 20 or 30 feet. It was again noted that the smokestack is 120 feet tall. Mr. Thomas asked if it would be feasible to remove the damaged section at the top and leave the remainder. Mr. Whalen stated that it would be possible to demolish the smokestack from the top, working down until the deteriorated sections had been removed, course by course, but it would not be prudent. Mr. Whalen noted that this smokestack was not capped; most of the smokestacks that have survived have been capped. He asked how long they should wait before the smokestack collapses into Washington Avenue. Mr. Orndorf asked the Commissioners to bear in mind that smokestacks like this one are unreinforced structures. They were designed for wind loads, but not for seismic loads. Even if one were to remove the top of the stack it still would not comply with the building code related to seismic loads. It would not be safe.

Mr. Whalen stated that his client intends to keep the building to which the smokestack is attached. He explained that some of the remaining large building will be demolished as they work to stabilize it.

Mr. Mattioni asked how the building at the base of the smokestack would be preserved while the stack was being demolished. Mr. Feibush explained that they would shut down Washington Avenue during the demolition of the smokestack. The smokestack would be demolished by hand, by workers raised in a basket by a crane. They would remove the antennas first. Once it was demolished to about 30 feet, the remainder could be demolished mechanically. Using this method, the building would not suffer any damage. Mr. Mattioni asked if they could evaluate the condition of the smokestack as they proceeded with the demolition and stop demolishing when they found it to be in good condition. Mr. Orndorf stated that he did not know the extent of the deterioration. He also noted again that it is an unreinforced structure and none of it satisfies the building code for seismic loads. Mr. Whalen asked how a demolition of only the deteriorated section would be permitted. He asked if the Department of Licenses & Inspections would determine what was and was not structurally sound. He asked Mr. Mattioni how such a project should be managed. Mr. Mattioni responded that he was asking about the feasibility within the context of the nature of the problem. Mr. Fink stated that the permitting and inspecting of a partial demolition of the smokestack would not be difficult. Mr. Thomas stated that he worked on a project in the Parkside neighborhood that required demolition, the extent of which was not fixed when the work began, yet the project was successful.

Mr. Feibush stated that there is an identical smokestack a few blocks east at the Marine Club. He noted that it is strapped to an eight-story building. He stated that he had never considering saving this smokestack because he did not think that it would be feasible to save it. He again stated that he would save the associated building. Mr. McCoubrey asked why the smokestack is colored green in the aerial photograph that Mr. Feibush created for presentation to the Historical Commission, when the green was intended to highlight the parts of the building that would be retained. Mr. Feibush responded that the Department of Licenses & Inspections determined that the entire complex is imminently dangerous and it was concluded that, because the deterioration occurred before his ownership, he would not be held responsible for the state of the building. He explained that after the complete demolition permit application was approved,

there was “a lot of public discourse” and the partial demolition plan was developed. He stated that he agreed to “arbitrary lines” showing the areas that would be retained and demolished. He added that he has been saying for more six months that the smokestack cannot be saved and that he has not pursued any efforts to save it. He asserted that it is a “false equivalency” to claim that demolishing a smokestack by hand and repointing the interior of it are the same. It is neither fair nor practical to expect anyone to put her life at risk to preserve something that is not unique or historically valuable.

Mr. Mattioni noted that the staff’s recommendation asserts that the smokestack no longer has any historic value because most of the complex has been demolished and has lost all historic character. He read the staff recommendation, which cites Standard 2. Mr. McCoubrey responded that the Architectural Committee disagreed with the staff and asserted that the smokestack is an important historic element. Mr. Mattioni suggested that the Historical Commission should take the staff’s recommendation into account. Mr. Whalen stated that he was surprised when the staff informed him that it would not approval the smokestack demolition application administratively, but would refer it to the Architectural Committee and Historical Commission. He stated that they are before the Commission today with this application because they want to comply with the process. He stated that the smokestack is an imminently dangerous structure that must be demolished. Mr. Thomas stated that there are methods for repointing the interiors of chimneys and stacks without entering them. It can be accomplished with balloon that forces mortar into the joints.

Ms. Cooperman opined that the smokestack is a character-defining feature of the property and its immediate surroundings. Mr. Thomas stated that the Historical Commission needs a path to safety and preservation. Ms. Cooperman asked if the Department of Licenses & Inspections would issue an opinion on the engineer’s conclusion that the smokestack is imminently dangerous. Mr. Fink stated that he just returned from a two-week vacation and has not spoken with his colleagues at the Department of Licenses & Inspections about this matter. He stated that the photographs show that at least the top 10 feet of the stack needs immediate repair. He observed that, based on the photographs, not a visit to the site, the lower portion of the stack seems to be in fairly good condition. Ms. Cooperman agreed with Mr. Fink’s analysis. Mr. Thomas noted that the report is dated 2 October 2018. He asked when the City received it. Mr. Farnham stated that the Historical Commission received it on Tuesday, 9 October 2018. He reported that he emailed it to the Commissioners included Messrs. Fink and Dillon at the Department of Licenses & Inspections that afternoon, 9 October 2018. Mr. Orndorf stated that the date on the report is not correct. A draft was dated 2 October, but the report was not finalized until 9 October 2018. Mr. Whalen stated that his client has been in contact with the Department of Licenses & Inspections. Mr. Thomas asked him if he had received a response from the Department of Licenses & Inspections on the latest engineer’s report. Mr. Whalen stated that he had not received a response. Mr. Reuter interjected that the Historical Commission should not expect a response from the Department of Licenses & Inspections because the Department has already declared the entire site to be imminently dangerous. He added that this site was declared imminently dangerous before the nomination proposing designation was submitted. He explained that high ranking officials of the Department of Licenses & Inspections toured the site last spring and then consulted with the Historical Commission’s staff and the Law Department before the City determined that it was necessary in the public interest to allow the demolition to proceed for the entire site. The complex was so dangerous that it had to be demolished. The public safety concern outweighed the unknown historic value of the site, which had started but not completed the designation process. The property owner then decided to see if some of the complex could be preserved and pulled back

from a total demolition. However, the entire site remains imminently dangerous. Mr. Reuter stated again that the site is nominated, but not yet designated. He stated that, in this particular case, the only matter before the Historical Commission and the only thing within the Commission's jurisdiction is whether or not to approve the permit application for the removal of the smokestack. The Historical Commission cannot force the owner to do anything because it is not designated. The Commission can only approve or deny the permit application. When properties are under consideration for designation, the Historical Commission can review permit applications, but nothing else. Mr. Reuter stated that the real issue is whether or not it is necessary in the public interest to demolish the smokestack. The Commission must weigh the public safety concerns with the historic preservation value of the smokestack. He stated that the Department of Licenses & Inspections has already determined that this site is life threatening; it is imminently dangerous. He suggested that the Historical Commission weigh the public's interest in safety against its interest in historic preservation. He suggested that the Commissioners determine the relative value of the smokestack as a historic resource and noted that Independence Hall stands at one end of the spectrum.

Ms. Cooperman asked for more information regarding existing permitting for the property. Mr. Whalen explained that his client filed a complete demolition permit application for the entire complex. The Historical Commission's staff approved that application after consulting with the Department of Licenses & Inspections and Law Department. However, after discussions between the developer and the Department of Licenses & Inspections, the developer unilaterally decided to scale back the demolition permit from complete demolition to partial demolition; the section that the developer proposed to attempt to save was colored in green on the aerial photograph. Mr. Whalen again noted that the entire site is considered imminently dangerous. He stated that his client scaled back his permit application from complete to partial demolition, but always intended to demolish the smokestack. He stated that his client scaled back the demolition permit application as a show of good faith to keep working with the City because we recognized the significance of this parcel, not only historically but to the residential character of the neighborhood. He added that his client is working with every major stakeholder with regard to the project for this site. He observed that the planning is not happening in a vacuum. He stated that he attempted to amend the partial demolition permit to include the smokestack, but the City would not allow it. Therefore, he submitted a new permit application for its demolition.

Mr. Mattioni stated that, in light of Mr. Reuter's explanation of the circumstances of this case and in light of the danger that this smokestack may pose to the public right-of-way, he stated that he was prepared to make a motion.

Paul Steinke of the Preservation Alliance for Greater Philadelphia stated that public safety is a paramount concern; however, he urged the Historical Commission to deny this application, owing to a lack of information. He advised the Historical Commission to decline to make a decision on this application until the nomination question has been decided. He stated that there is no question that this smokestack is a character-defining feature of the site. He noted that, until recently, this was the only intact industrial site on the Washington Avenue industrial corridor. Mr. Steinke noted that Mr. Orndorf prepared both engineer's reports, one for the entire site and one for the smokestack alone. He claimed that the fact that the City is requiring a separate permit application for the smokestack means that it was not covered by the first demolition permit application. Mr. Steinke advised the Historical Commission to deny the application unless and until the Department of Licenses & Inspections agrees with the second engineer's report that the smokestack poses a danger. He asserted that the Department might not agree with the engineer's report. He pointed to the building at 1512 N. Broad Street, which

suffered a fire and was declared unsafe but not imminently dangerous. He noted that the Department agreed with the earlier Orndorf engineer's report, but we do not yet know what the Department thinks about the latest report. The Department may disagree. He asked the Historical Commission to wait and base its decision on the Department's decision. He stated that an earthquake is unlikely in the next 30 days. He asserted that a qualified masonry contractor could make temporary repairs as necessary. He concluded that the danger may be abated by demolishing a part, not all, of the smokestack. He reported that the Preservation Alliance holds an easement on such a smokestack. He stated that it is not uncommon to see partial smokestacks in Philadelphia.

Mr. Fink stated that the Department of Licenses & Inspections has made a final determination on this property; it is imminently dangerous. It is neither the practice nor the responsibility of the Department of Licenses & Inspections to evaluate pieces of a building or complex of buildings that have been deemed imminently dangerous and determine whether those individual pieces are or are not imminently dangerous. He stated that his Department issued a permit for the demolition of portions of the building with the hope that the dangerous condition could be abated without complete demolition, but the Department will not make a determination on the individual pieces. The entire property is imminently dangerous.

Mr. Thomas stated that the staff concluded that the site had lost its historic character with the demolition that has already occurred and, in light of that, the smokestack has no significance. The Architectural Committee disagreed. Mr. Thomas stated that the Historical Commission must be very careful not to take any action that might endanger the public. He acknowledged that the Historical Commission is not the Department of Licenses & Inspections and cannot evaluate structural integrity. He also acknowledged that the Department of Licenses & Inspections will not evaluate individual components of the larger complex, but instead considers the entire complex imminently dangerous. He added that it is the owner's responsibility with his consultants like Mr. Orndorf, the engineer, to determine within the complex those elements that do and do not pose a hazard to the public.

Mr. McCoubrey reminded his colleagues that the property is not yet designated. Ms. Long stated that, in light of Mr. Fink's statement that the entire complex is deemed imminently dangerous, she would second the motion that Mr. Mattioni had indicated he would offer.

ACTION: Mr. Mattioni moved to approve the application. Ms. Long seconded the motion, which passed by a vote of 8 to 3. Commissioners Cooperman, McCoubrey, and Thomas dissented.

ADDRESS: 147-53 BERKLEY ST

Proposal: Demolish one-story brick building at 149 Berkley Street

Review Requested: Final Approval

Owner: The Church of Philadelphia the Original Glorious Church of God in Christ

Applicant: Craig Deutsch, Harman Deutsch

History: 1910; Arguto Oilless Bearing Company; Mellor & Meigs, architect

Individual Designation: None

District Designation: Contributing, 7/13/2018

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 2, 5, and 6 and Section 14-1005(6)(d) of the historic preservation ordinance, the prohibition against demolition. The application does not demonstrate that the demolition is necessary in the public interest or that the building cannot be reasonably adaptively reused.

OVERVIEW: This application proposes to demolish a one-story brick building known as 149 Berkley Street, part of a larger property at 147-53 Berkley Street. The owner seeks to demolish the building in order to comply an Unsafe violation, first issued in 2013 by the Department of Licenses & Inspections.

Section 14-1005(6)(d) of the historic preservation ordinance enumerates the restrictions on demolitions.

No building permit shall be issued for the demolition of a historic building ... unless the Historical Commission finds that issuance of the building permit is necessary in the public interest, or unless the Historical Commission finds that the building ... cannot be used for any purpose for which it is or may be reasonably adapted. In order to show that building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, the owner must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed.

The application makes no claim that the demolition of the building is necessary in the public interest or that the building cannot be used for any purpose for which it is or may be reasonably adapted.

During the Historical Commission's review of the Wayne Junction Historic District in July 2018, the owner provided copies of a structural report for this building prepared by AR Engineers, which is included with the current application materials. The minutes from that meeting are also included with the application materials. The structural report states that "the overall condition of the building is poor and it is in imminent danger of collapse; demolition would be the only way to make the building safe." While the Department of Licenses & Inspections did issue an Imminently Dangerous violation for this property in 2017, that violation was related to a flagpole at the site, not this building. The flagpole was later removed and the violation was complied. It appears that the Department of Licenses & Inspections has not officially upgraded the existing violation for this particular building from Unsafe to Imminently Dangerous. An Unsafe building can presumably be repaired rather than demolished.

DISCUSSION: Ms. Chantry presented the application to the Historical Commission. Architect Craig Deutsch, attorney Brandon Wind, and Martha Adams of the Original Glorious Church of

God in Christ Apostolic Faith – The Church of Philadelphia, the property owner, represented the application.

Mr. Deutsch explained that he appeared before the Commission several months earlier, when the Wayne Junction Historic District was under consideration. He stated that the Department of Licenses and Inspections (L&I) has not officially declared the building to be imminently dangerous, but did visit the site most recently in August 2018; the fence to protect the right-of-way was installed as a result of that meeting. He directed the Commission's attention to photographs showing a tree growing out of the corner of the building. He stated that this building is part of the church property, and has not been used for many years. The leader of the church passed away and the church has been trying to get its finances in order. An initial report was issued that declared the building to be unsafe, and during that time, the building was designated as historic as part of the Wayne Junction Historic District. He stated that they are before the Historical Commission today to represent that the building is imminently dangerous. He stated that there is no real structure except for the front façade. He stated that the roof is missing, resulting in an unbraced masonry wall with vegetation growing out of it. He opined that there is no real way to determine how to fix the building. He stated that the church will spend tens of thousands of dollars to demolish the building. He stated that they started this process six to seven months ago, but the process for applying for demolition through L&I has changed. He concluded that they have been trying to demolish the building for some time.

Mr. McCoubrey stated that the Architectural Committee concluded that the front portion of the building is able to be preserved and restored. He stated that it is the significant portion of the building, and the remainder of the building is a shed that is mostly lost and is not significant and can therefore be removed. He stated that the one-story structure at the front could be preserved. Mr. Deutsch responded that there is no structure behind the front façade, so they would be keeping only a one-story front façade. Mr. McCoubrey responded that it is more than simply a façade; it is a head house with a shed at the rear. The section with architectural significance is the rectangular head house. Mr. Deutsch responded that the roof is not intact. Mr. McCoubrey responded that he is not talking about the roof; he is talking about the front masonry portion of the building, being one bay deep. Ms. Cooperman agreed that it is not just the front wall. Mr. Deutsch explained that one side wall is a party wall, and the other side wall has been modified. He stated that preserving it would result in the maintenance of a front façade and a piece of the wall extending back. He stated that, once the tree is removed from the corner, there would not be much of a front façade remaining. Mr. McCoubrey suggested that it is not just a façade, but rather it is a head house, one bay deep, with a rear portion that is not visible from the public right-of-way. He reiterated that the character-defining mass at the front of the building is visible and able to be preserved. Mr. Deutsch responded that the front façade has no structural integrity remaining. He stated that L&I has many years of history of assessing the condition of this building. He stated that, at the meeting on site in August with an inspector from L&I, there was discussion about upgrading the violation to imminently dangerous, but that it was decided to not upgrade it on the grounds of the new Code that has been in place, because in the new Code, an imminently dangerous designation could kick in the concept of demolition by neglect. It was decided to not cause another level of violations and fees and fines which could occur with a designation of demolition by neglect. He noted that L&I has been out to the site several times, and most recently put in writing that the owner would apply for a demolition permit. He stated that there is concern related to squatters or potential fire hazard.

Mr. Thomas asked for public comment. David Traub, representing Save Our Sites, commented that Save Our Sites generally does not support the demolition of contributing buildings in historic

districts, at a time when there is an effort to designate more buildings. He noted that this building is the work of Mellor & Meigs, a distinguished Philadelphia architecture firm. He observed that it is difficult to ascertain the particular architectural quality of the building owing to the boarded up openings, but that it appears that the façade does have merit. He concluded that Save Our Sites supports the Architectural Committee's recommendation of denial of the application for demolition.

Ken Weinstein, president of Philly Office Retail, commented that his company is the owner of properties adjacent to this building, being 113, 133, and 137 Berkley Street. He explained that he was not in attendance at the Architectural Committee meeting, but did supply a letter of opposition to the application for demolition prior to that meeting. He stated that he strongly opposes the demolition request for 149 Berkley Street. He stated that he would like to see this historic stretch of Berkley Street remain intact, as he is trying to do with other properties in the area. He stated that, approximately one year ago, his company petitioned the court for conservatorship of this property because it found conservatorship to be the only route to saving and restoring this historic structure. He stated that his company has never used conservatorship before. He stated that his general contractor inspected the site and determined that the property is a viable candidate for redevelopment, and that his general contractor noted that he has saved many properties in worse condition. He noted the structural damage on the front left of the building, but referred to it as savable and able to be rebuilt, owing to it being a one-story structure. He stated that the roof structure is also able to be rebuilt. He stated that his understanding is that the Historical Commission will not grant a demolition permit unless the sale of the property is impracticable or that the property cannot be easily reused or adapted. He stated that the sale of the building is very practicable, and the property can easily be readapted for other purposes. Mr. Weinstein then addressed comments made at the Architectural Committee meeting, which are in the meeting minutes. He stated that he is upset by several of the comments. He referenced comments made at the Architectural Committee meeting, where Mr. Deutsch stated that Mr. Weinstein "is trying to take the property away from the church" and Kim Valentine, a representative of the church, commented that "Mr. Weinstein has constantly approached her mother, Ms. Adams, about selling the building to him, in a way that she described as somewhat like a bully and intimidating. Ms. Valentine explained that her mother is nearly 80 years old, and she has told Mr. Weinstein time and time again that she is not interested in selling the property to him... She stated that Mr. Weinstein's people would call her mother, and so she had to ask her attorney to get involved and to ask Mr. Weinstein to please leave her mother alone." Mr. Weinstein stated that he wants to be very clear, that he has never had a discussion with Ms. Adams. He stated that either there were mistruths spoken at the Architectural Committee meeting, or something is not being correctly represented. He explained that his company initially sent a letter to the owners of the church, a little over one year ago, offering help and assistance in revitalizing the community. He stated that he would be happy to provide a copy of that letter to the Historical Commission. He explained that that letter did not even mention potentially purchasing the property. He stated that Ms. Adams called his staffer in response to the letter. Mr. Mattioni interrupted Mr. Weinstein, and asked if his comments are relevant to the application for demolition. Mr. Weinstein responded that the Historical Commission can tell him if it is not relevant, but that he wished to address it because it was written in the minutes of the Architectural Committee meeting. Mr. Mattioni opined that it is not relevant. Ms. Adams stated that she never called Mr. Weinstein's receptionist. Mr. Thomas instructed everyone to calm down. Mr. Thomas stated that, despite claims made at the Architectural Committee meeting, the Historical Commission is looking at the issue of demolition, and that any remarks made should relate to that application. Mr. Weinstein

apologized for addressing the comments contained within the Architectural Committee meeting minutes.

Mr. Thomas stated that this is a contributing building in a historic district, and Mr. Weinstein has an interest because he owns other nearby properties. Ms. Adams stated that the building is in very poor condition, and violations from L&I were sent prior to the building being nominated as historic. She stated that they have worked at that, doing exactly what L&I has asked them to do. She stated that L&I asked that the building be fenced in, which has been done. She stated that some of the residents of the neighborhood have used the building to live in, and do drugs in, and so it needs to be demolished. Mr. Thomas stated that the Historical Commission is considering whether the building should be demolished or not, from the point of view of the historic preservation of the district. He noted that, unfortunately, historic buildings can be locations for criminal activity.

Ms. Edwards reminded the Historical Commission of the Lawsonia Building, located at 1106-1114 Spring Garden Street, which the Commission recently designated as historic even though it is just a façade, with no structure behind it.

Leonard Reuter asked if the conservatorship action is still pending. Mr. Wind responded that it is still pending. Mr. Reuter asked if there is a *lis pendens* on the property. Mr. Wind responded that he does not know. Mr. Reuter asked if the court approved and allowed Ms. Adams to submit this application, and if she informed the court that she was going to be submitting this application. Mr. Wind responded that the court is aware of it, and the conservatorship has not been determined yet. He stated that no action has been taken on it at all, but that he does not know if there is a *lis pendens*. Mr. Reuter responded that if there is a *lis pendens*, this application cannot go forward. Mr. Wind responded that, to the best of his knowledge, he does not believe there is one, but he does not know that for certain. Mr. Reuter asked if Mr. Wind has access to the docket and can check. Mr. Reuter explained that, in a conservatorship action, the court may or may not allow the filing of a *lis pendens*. A *lis pendens* means that anything with respect to the property is now restricted. The court might still allow the owner to go forward with a demolition, but prior to there being a *lis pendens*, it is possible the court might not prevent the owner from proceeding with the demolition. He stated that there is a question about whether this application can even proceed. Mr. Mattioni stated that he has been involved in some conservatorships, but he does not want to offer an opinion on the issue being raised by Mr. Reuter. Mr. Reuter acknowledged that the Historical Commission could still determine if it would approve the demolition, but ultimately whether the demolition permit could proceed might be up to the court to decide. Mr. Mattioni responded that that may be the case, but the Historical Commission is not a court, and it is deciding the issue before it. Mr. Thomas asked what this all means for the Historical Commission. Mr. Reuter responded that he is just raising the question as to whether this property owner can proceed with this application in light of the pending conservatorship action. Mr. Mattioni opined that the Commission should not take this into account, because no one knows the answer at this time.

Paul Steinke, representing the Preservation Alliance for Greater Philadelphia, commented that the building at 3001 Cecil B. Moore Avenue, built as the Railway Express Agency, was missing its roof for many years. Mosaic Development Partners was able to get historic tax credits for the rehabilitation of the structure, making it the first building in the history of the rehabilitation tax credit program to receive historic tax credits even though the structure did not have a roof. The building was converted into apartments, and received a 2017 Grand Jury Award from the Preservation Alliance. Mr. Steinke commented that this contributing building to the Wayne

Junction Historic District could meet the same fate and be restored, keeping the integrity of the historic district intact, especially considering that there is a preservation-minded developer who is interested in redeveloping the property and preserving it. He asked that the Historical Commission deny the application, so that the building may be given a chance at restoration.

Oscar Beisert, representing the Keeping Society of Philadelphia, commented that he supports Mr. Weinstein's testimony that the building should be preserved as part of the historic district. He commented that the building is not imminently dangerous, despite the discussion sounding like a hardship argument. He asked that, if the Historical Commission does allow demolition, that it be limited to the rear of the building, because it has been pointed out that the head house on Berkley Street could be saved and incorporated into a new structure later. He concluded that another loss of a historic building on Berkley Street would disintegrate the continuity of the streetscape.

James Duffin commented that, unlike the prior review for 2101 Washington Avenue, this property is officially listed on the Philadelphia Register of Historic Places as a contributing building to the Wayne Junction Historic District. He commented that, as such, the Historical Commission has established rules and regulations about the evidence that needs to be provided in order to consider a demolition application. He suggested that a hardship application has not been presented to the Commission.

Ms. Adams reiterated that the unsafe violations predate the nomination of the property. She stated that they have been working toward demolition since before the property was nominated. Mr. Thomas agreed, but stated that the property is now on the Philadelphia Register of Historic Places. He stated that the Historical Commission should consider whether the portion at the front of the building is reusable, and whether there is a use that could incorporate the front bay of the building. Ms. Cooperman commented that perhaps the entire footprint could be saved, but, if not, at least the front bay could be saved. She agreed that the application before the Historical Commission is for demolition, not hardship.

Allison Weiss, representing the SoLo/Germantown Civic Association, commented that the Association opposes the demolition of 149 Berkley Street. She commented that it took eight years for the Historical Commission to review the Wayne Junction Historic District nomination. She commented that the Association was very happy when the district was designated, because it meant that another building at Wayne Junction could not be demolished. She noted that this is a very small historic district with very few buildings as it is.

ACTION: Ms. Cooperman moved to deny the application, pursuant to Standards 2, 5, and 6 and Section 14-1005(6)(d) of the Philadelphia Code. Mr. McCoubrey seconded the motion, which passed unanimously.

ADDRESS: 1411-19 WALNUT ST

Proposal: Construct ADA ramp

Review Requested: Final Approval

Owner: Washington Square Partners LP

Applicant: Erin D'Alessandro, Bisbano + Associates, Inc.

History: 1912; Philadelphia Stock Exchange Building; Horace Trumbauer, architect

Individual Designation: 1/7/1982

District Designation: None

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided all visible materials of the ramp and steps are granite and that the handrail is fabricated in brass or bronze, with the staff to review details, pursuant to Standard 9 and the Accessibility Guideline.

OVERVIEW: This application proposes to construct an ADA ramp at the westernmost Walnut Street entrance of the Philadelphia Stock Exchange Building. The ramp would be constructed of concrete and would include a steel railing in dark bronze to match existing exterior finishes. The entrance did not historically include steps, and ADA ramps are generally best integrated at the interior of historic buildings when space permits.

ACTION: See Consent Agenda.

ADDRESS: 1401-15 ARCH ST

Proposal: Construct roof deck; rehabilitate façade

Review Requested: Final Approval

Owner: 1401 Arch, LP

Applicant: Kyle Kernozek, BLT Architects

History: 1898; United Gas Improvement Building; Wilson Brothers & Company, architects; Western addition, first-floor & roof alterations, 1926; Perry, Shaw & Hepbur, architects; Samuel Yellin, gates

Individual Designation: 6/24/1987

District Designation: None

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the staff to review details, pursuant to Standards 6, 7, 9, and the Roofs Guideline, with the following comments:

- The applicant should investigate whether the railing system at the roof ramp can be changed from glass to a painted metal picket railing;
- No coating should be applied to the historic terra cotta or replacement Microcotta, and the Microcotta should be color matched as best as possible to blend with the existing terra cotta; and
- The lighting portion of the application is considered incomplete and requires further details.

OVERVIEW: This application proposes to install a roof deck and repair exterior masonry at the former UGI building. The roof deck would maintain a substantial setback at the east and west elevations, and the eastern portion would be raised 2 feet. At the Arch Street elevation, the deck would include a ramp that would be set back 5 feet from the front façade, and the glass and

aluminum railing would be partially visible behind the existing metal railing. Access to the deck would be provided by converting existing windows to doors.

The application further proposes to replace deteriorated terra cotta units with new units fabricated in Microcotta. Both existing and replacement terra cotta units would then be coated with either a Keim or Conproco product to improve the color match between the materials. Other repair work includes the replacement of through-wall flashing at several locations, selective brick replacement, railing repair, and masonry cleaning.

DISCUSSION: Ms. Keller presented the application to the Historical Commission. Architect Kyle Kernozek and engineer Jason Coleman represented the application.

Mr. McCoubrey stated that members of the Architectural Committee expressed concerns over the glass railings and explained that the Committee's concerns conflicted with the National Park Service's requirements. He asked whether the glass railing was still part of the application and questioned what in the application was revised.

Mr. Kernozek responded that the revision largely included the removal of the lighting application, because he could not provide a compelling package. Mr. McCoubrey asked to confirm that the lighting was removed from the application. Mr. Kernozek affirmed, adding that the lighting will be submitted in a separate package once details and mockups have been prepared.

Mr. McCoubrey asked Mr. Kernozek to describe the issue related to the railing. Mr. Kernozek explained that he and his team are undergoing a second round of review with the National Park Service (NPS) and state historic preservation office (SHPO). In the first round, he continued, he proposed a more opaque system, and the regulating agencies requested a glass railing system. He stated that he mocked up the requested glass railings on the roof and has included photographs in the application. The mock up, he added, showed the railing's visibility from the street, which was a major concern. He noted that the glass has already been approved by the SHPO, though he is awaiting final review from NPS.

Ms. Cooperman asked whether the railing has been withdrawn from the application with the lighting portion. Mr. Kernozek answered that the railing remains part of the current application.

Mr. McCoubrey commented that the Architectural Committee and Historical Commission do not typically approve glass railings, because, although they are purported to be transparent, they reflect light and can be highly visible. The Commission, he continued, typically suggests metal picket railings. He asked whether it would be possible for Mr. Kernozek to present the Commission's preferred railing type of the SHPO. Mr. Kernozek replied that he is waiting for NPS to complete its review process and return comments. At that point, he continued, there may be an opportunity to discuss a metal picket railing system. The glass railing, he added, remains the basis of the application before the Commission.

Mr. Thomas inquired about the railings' visibility from the street. Mr. Kernozek directed Mr. Thomas to the photograph of the mock up. Ms. Keller identified the ramp in the projected photograph. Mr. Thomas asked whether the photograph was taken at ground level. Mr. Kernozek affirmed. Mr. McCoubrey asked whether the photograph demonstrates the most distant view possible. Mr. Kernozek explained that the ramp transitions from the Arch Street side to the Broad Street deck, adding that the portion that is visible is the highest and closest

portion of the railing. The ramp, he continued, provides ADA accessibility from one side of the roof to the other, and the height cannot be lowered further, owing to the required structural supports for the roof deck.

Mr. Thomas noted that the visible portion of the railings is the top rail that rises up the ramp toward Broad Street. Mr. McCoubrey observed that the proposed railing stands behind the existing historic metal railing that is part of the original parapet system. Mr. Kernozek added that the proposal calls for refinishing and reinstalling the railing in its original location.

Mr. Thomas noted that multiple agencies are involved in reviewing the proposed work and stated that he does not want the applicant to bounce between agencies in perpetuity. The question, he opined, is whether the Commission can offer some approval of two different systems so that one is likely to be approved by the other agencies.

Mr. McCoubrey asked that the Commission's preference for a picket railing over a glass railing be known to the SHPO. Mr. Thomas asked whether the surface of the glass could be treated to minimize reflectivity. Mr. McCoubrey replied that potentially the reflection could be slightly reduced, but those types of treatments tend to make the glass more visible.

Mr. McCoubrey asked to address the terra cotta replacement. Mr. Kernozek explained that the terra cotta repairs will be located throughout the façade and the work would consist of patching and replacement, depending on the severity of deterioration. The coating, he continued, is proposed to offer additional protection and to minimize color and texture differences between the historic and substitute terra cotta units. He noted that the Architectural Committee recommended against applying the coating. If the Commission were not to allow the coating to be applied at any visible faces of the terra cotta units, Mr. Kernozek asked it to consider allowing a coating to be applied at the horizontal surfaces of the units.

Mr. Coleman added that the goal of the terra cotta coating is to preserve the existing terra cotta in place. The building, he continued, is over 100 years old, and the terra cotta has performed very well during that time. He argued that the glazing is critical to the durability of the terra cotta, adding that it will continue to deteriorate and the coating will preserve what remains. He contended that the coating is sympathetic to the historic material, adding that the proposal calls for Keim or Conproco coatings, which are potassium silicate products that are semi-transparent. He claimed the products would not alter the aesthetic appearance of the existing terra cotta. He further asserted that the coating would provide a uniform appearance where there are partial repairs or partial patches.

Ms. Cooperman inquired whether the SHPO has approved any aspects of the terra cotta repair and replacement. Mr. Kernozek answered that the SHPO has approved the documents before the Commission, which includes the application of the coating and the replacement of the terra cotta as documented in the drawings. Ms. Cooperman commented that coatings can potentially cause trouble.

ACTION: Mr. McCoubrey moved to approve the application, with details to be finalized with the State Historic Preservation Office and a preference for a picket railing. Ms. Turner seconded the motion, which passed unanimously.

ADDRESS: 241-43 CHESTNUT ST

Proposal: Construct fire escape at front façade; alter storefront

Review Requested: Final Approval

Owner: 241-243 Chestnut Street Condominium Association c/o Robert Gassel Company

Applicant: Doug Seiler, Seiler + Drury Architecture

History: 1852; Lewis Building; Stephen D. Button, architect

Individual Designation: 11/4/1976

District Designation: Old City Historic District, Significant, 12/12/2003

Staff Contact: Allyson Mehley, allyson.mehley@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided that the picket rails at the fire escape landings have top and mid rails, with the staff to review details, pursuant to Standard 9.

OVERVIEW: This application proposes to construct a fire escape on the façade of 241 Chestnut Street. Owing to building code requirements, the application also proposes moving the tenant entryway to accommodate the fire escape's hinged stair at the lower level. The need for a fire escape is related to the February 2018 fire and subsequent demolition of the adjacent building, 239 Chestnut Street. Prior to the fire, residents of 241 Chestnut Street had access to 239 Chestnut Street's fire escape. Owing to limited floor space on each level, constructing a second interior exit stair is not feasible.

DISCUSSION: Ms. Mehley presented the application to the Historical Commission. Doug Seiler of Seiler+Drury Architecture represented the application.

Mr. Seiler stated that the application packet provided to the members of the Historical Commission included elevation drawing A3.1. He pointed out that the A3.1 shows a fire escape railing system with vertical pickets. Mr. Seiler explained that the Architectural Committee had commented that the vertical pickets had a visual density out of character with historic fire escapes. Mr. Seiler noted that, based on the Architectural Committee feedback, the fire escape railing has been revised to a simple horizontal railing.

Mr. Seiler asked if the Commission members wished to hear additional information background on the need for the exterior fire escape. Mr. Thomas responded that he believed Mr. Seiler and the Historical Commission staff had made it clear why the fire escape was needed on 241 Chestnut Street. Mr. McCoubrey added that the Architectural Committee understood the need for an exterior fire escape at this location and found the proposal acceptable. Mr. Thomas commented that the request is unusual but entirely justifiable.

Mr. McCoubrey asked Mr. Seiler if the new elevation drawing provided to all Commission members and shown on the screen to all meeting attendees was the revised fire escape design. Mr. Seiler confirmed that it was the revised design.

Mr. Thomas opened the floor to public comment. No one offered public comment.

ACTION: Mr. McCoubrey moved to approve the revised application as presented to the Historical Commission at its 12 October 2018 meeting. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 516 S 4TH ST

Proposal: Construct four-story residential building

Review Requested: Review and Comment

Owner: Jefftown Village LP

Applicant: Stuart Rosenberg, Stuart G. Rosenberg Architects, P.C.

History: Vacant lot

Individual Designation: None

District Designation: Society Hill Historic District, Non-contributing, 3/10/1999

Staff Contact: Megan Cross Schmitt, megan.schmitt@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the architectural design, with the staff to review details and to recommend that the Historical Commission retain full or plenary jurisdiction over potential archaeological resources at the site, pursuant to Criterion for Designation I in the Society Hill Historic District nomination.

OVERVIEW: This Review and Comment application proposes to construct a four-story brick residential building on what is currently a surface parking lot. The entry in the Society Hill Historic District inventory lists this address as: "Archaeological potential. Non-contributing." The inventory entry is contradictory. It claims that the site has historic significance, i.e. archaeological potential, while simultaneously claiming that it has no historical significance, i.e. it is non-contributing. The applicant has provided the meeting minutes for a Historical Commission review in 2013 with similar circumstances; for that site, the inventory also included the contradictory "Archaeological potential. Non-contributing" classification. During that 2013 review, the Historical Commission determined that its purview was limited to Review and Comment only, in other words that the site was "undeveloped," owing to the contradictory nature of the inventory entry, citing Section 14-201(14) of the Philadelphia Zoning Code which states:

Where the meaning of a restriction in this Zoning Code is ambiguous and the intent cannot be discerned through the usual rules of statutory construction, the restriction shall be construed in favor of the landowner, provided that the resulting construction does not lead to irrationality in the Zoning Code.

The lot where the new construction would occur is located at the northwest corner of 4th and Gaskill Streets. The brick-clad building would be three-and-one-half stories in height with a gabled roof. The front, narrow façade would face 4th Street. All windows would be divided-light, six-over-six, double-hung windows, but the window material is not specified in the plans. Overall, the proposed design appears to be compatible in scale, materials and style with its surroundings.

DISCUSSION: Ms. Schmitt presented the application to the Historical Commission. Attorney Carl Primavera and architect Stuart Rosenberg represented the application.

Mr. Primavera stated that the meeting minutes from the Architectural Committee were comprehensive and highly detailed, so he would not go into a lot of detail since they were available to the members of the Historical Commission. He said that his role was really regarding the jurisdictional aspect of the application. Mr. Primavera said that they believed that, because the property was listed as non-contributing, Review and Comment jurisdiction should prevail based on the prior recommendation they had just heard by the Historical Commission's counsel, and by prior actions in other cases, reiterating that this was really his role in this application. Mr. Primavera said that in the law, he would call archaeological potential "dicta" like when the Supreme Court writes that a decision is a holding, but they have some helpful and

informative comments that were not part of the actual case. He suggested that almost everything in the Society Hill Historic District probably had or should have the same comment regarding archaeological potential. Mr. Primavera commented that they still did not believe that legally this influenced the jurisdiction, which he repeated was Review and Comment because of the non-contributing nature of the parking lot. He told the Historical Commission that he would let Mr. Rosenberg go through the plans in more detail, adding that he had done a lot of research on the property, which he understood had not been fully presented at the Architectural Committee meeting.

Mr. Rosenberg thanked Mr. Primavera, and told the members of the Historical Commission that he was going to specifically discuss the history of the site. He stated that the research had uncovered a significant amount of evidence from over 100 years that the site had always been occupied by rowhouses that were made up of both brick and wood additions, presumably with basements. Mr. Rosenberg remarked that it was their contention that it established the fact that, since basements were already there, there were not the other uses that were typically found at lot areas such as cemeteries or other uses that were at grade, and therefore, the extent of archaeological significance could be demonstrated to be minimal at best.

Mr. Thomas explained to the audience that normally, if there was a vacant lot in existence at the time of the designation of a local historic district, the Historical Commission's purview was Review and Comment only. He asked the Historical Commission's attorney, Leonard Reuter, if the situation before them was different due to the potential for archaeology. Mr. Reuter responded that he believed that the language in the code stated that if it was an undeveloped site at the time the historic district was designated, which was the case with the property currently under review, and it was listed in the inventory as non-contributing despite the ambiguity of the potential for archaeological evidence, the Historical Commission's purview was Review and Comment. He commented that maybe there had been the idea at the time that at some point the site could be further researched and perhaps do an individual designation because of a significant discovery; however, the non-contributing status on the list was dispositive of the site being non-contributing and undeveloped at the time of designation and therefore the review level should be Review and Comment. Mr. Reuter then clarified that his comments from the 2013 meeting that were mentioned earlier by the applicant had not been made as counsel to the Historical Commission, but rather as a private attorney. He said that he did not think that anything was ambiguous, but to the extent that the Historical Commission thought there was anything ambiguous, it would have to be resolved in favor of the property owner, which in this case would mean that the review jurisdiction is Review and Comment.

Ms. Cooperman commented that in the context of archaeology, the word potential was not intended in the generic sense of the word, but was rather the word that was used both in the language of Criterion I of the Philadelphia Register of Historic Places Criteria for Designation and also in the language for National Register Criterion D. She said that she wanted to make that clarification as it related to Criterion I, explaining that it was a recognized scientific standard for archaeologists.

Ms. Cooperman asked the applicant if he was proposing any site disturbance below what was the previously existing depth of the basement. Mr. Rosenberg responded that they had not yet determined the original depth of the original basement, and Ms. Cooperman added nor could they determine the extent of it. Mr. Rosenberg stated that that they could infer from the atlas map that was shown on the screen that the extent of the basement typically would follow the exterior party wall. He pointed out that the orange shape on the map typically indicated a

wooden structure at the rear of the house which may not have had a basement, and was a relatively small portion of the site. Mr. Rosenberg commented that he would anticipate the future developer of the proposed single-family residence would typically include a basement in that design. He further explained that their proposed design included a stoop, so the base of the first floor would be above grade, and it could be possible that the new basement could be held at the level of the original so that any disturbance would not go below the original basement.

Ms. Cooperman said that, although she recognized that their situation was ambiguous, her personal preference would be that the developer hire a qualified archaeologist to monitor excavations, and should an important site be discovered, that it be subjected to analysis, and that data recovery take place should that be appropriate. She further commented that they were living in a vacuum in terms of their statute and in terms of what they could recommend.

Mr. McCoubrey remarked that there was an issue because the Criteria for Designation clearly said that there was archaeological potential at the site, and if there were discoveries made below grade, the Historical Commission would become the stewards of them. Mr. Reuter responded that this designation had been an historic district designation, so under the code and under the Rules and Regulations, if a property was undeveloped at the time of designation, the Historical Commission's purview was Review and Comment. He said that even if there was absolute proof of archaeological remains of importance in the ground, because it was undeveloped, their purview would be Review and Comment unless the property was listed as contributing. Mr. Reuter said that it would not even matter if there were archaeological remains that they knew about. He remarked that he did not know if a mistake had been made, or what had happened at the time, but for future reference, if there were sites in the district that were not developed but they were very sure that there were remains in the ground, they needed to relist them as contributing, because if they were listed as non-contributing and undeveloped at the time of designation, it did not matter.

Mr. Thomas said that it sounded clear that the Historical Commission was looking at the current application as Review and Comment. Mr. Primavera directed the Commissioners to their application materials, and told them that the previous case that they had referred to was regarding 512, 514 and 516 S. Front Street from the 10 May 2013 meeting, and the Historical Commission adopted a recommendation from Ms. Jones and Ms. Turner that the case be considered as Review and Comment only, and therefore they were only asking to be treated consistent with prior handling, not more favorably or less favorably, just the same way the Historical Commission had handled prior similar cases. Mr. Mattioni said that he thought that they were legally bound to do so. Mr. McCoubrey responded that he thought there was ambiguity because, although the designation said that the site the lot was non-contributing, it did say there was archaeological potential on this particular site. Mr. Reuter repeated that because it was undeveloped at the time of designation, it had to have been listed as non-contributing, and that it seemed as though Mr. McCoubrey was suggesting that there had been some kind of clerical error. Mr. McCoubrey stated that there were two different questions before them: What was above ground and what was below ground, and Mr. Mattioni disagreed. Mr. Mattioni stated that the property had been listing as non-contributing, and that should be the end of the matter.

Mr. Thomas asked if there were any further comments on the matter, to which Mr. Farnham responded that he could give them some history on previous actions the Historical Commission taken with similar applications if they wanted, but otherwise he had no comment.

Mr. Thomas asked if there were any comments from the public. Doug Mooney from the Philadelphia Archaeological Forum (PAF) introduced himself and explained that his organization's involvement with this particular project had to do with the arguments being presented related to the Historical Commission's jurisdiction. He stated that the PAF's position was that these arguments had no merit, that there was no contradiction in the wording, and that the Historical Commission should retain full, plenary jurisdiction over this project. Mr. Mooney remarked that the listing said that there was archaeological potential but that it was also non-contributing, and that the archaeological potential referred to below ground resources and that non-contributing referred to the lack of above ground resources. He said that in order for the term non-contributing to apply to archaeological resources, and it must apply to archaeological resources if there were to be a contradiction, there must be direct knowledge about what was below ground on the site. Mr. Mooney argued that there must be evidence of extensive disturbances on the site that reduced archaeological potential, or an archaeological investigation must be conducted that demonstrated that there were no archaeological resources on the site. He told the Commissioners that neither had been presented for the property currently under review nor for the case in 2013, therefore rendering the term non-contributing as applied to archaeological resources meaningless, which meant that there was no contradiction.

Mr. Mooney stated that the other argument that had been put forward was that, because the site was not developed at the time the Society Hill Historic District was listed in 1999, it also restricted the review authority of the Historical Commission. He suggested that the undeveloped site rule only applied to above ground resources and that it had no impact whatsoever on resources below ground. Mr. Mooney noted that, if the City and the Historical Commission were maintaining that jurisdiction of an undeveloped site was limited to Review and Comment, it also meant that in the case of 218 Arch Street, they would have approved the disturbance of the First Baptist Church cemetery, because that site was also undeveloped at the time of designation. Mr. Mooney remarked that he did not think that anyone in the room thought that the way that cemetery had been treated was appropriate, and had Criterion I been applied to the Old City Historic District, there should have been a full review of that project and the Historical Commission should have retained full, plenary jurisdiction.

Mr. Mooney referred to the letter that had been submitted by the PAF which stated that the Society Hill Historic District nomination had been prepared by the Historical Commission staff and was approved by the Historical Commission. He reiterated that there was absolutely no ambiguity or contradiction in the wording that was used in the nomination language with respect to archaeological resources, adding that it was both clear and forceful. Mr. Mooney commented that the idea that the Historical Commission would limit its jurisdiction because of inarticulate wording was ridiculous. He said that the PAF was not telling the Commissioners what needed to be done, it was just telling them to retain their jurisdiction and exercise their authority to review this site for its potential to contain archaeological resources.

Mr. Thomas responded by reading from the letter submitted by the PAF that quoted from the nomination: "In general, all properties in the district, with the possible exception of those excavated to a depth of more than twenty five feet, have archaeological potential and may yield information important in pre-history or history." Mr. Thomas said that he agreed with the statement but the question was how it applied to their current discussion. Mr. Mooney remarked that the language from the nomination did not say that there had to be a building on the site, and Mr. Thomas agreed, adding that it was just by virtue of being a property within the district. Mr. Mooney stated that this was a really important issue because this was the second time the argument was being applied in the Society Hill Historic District. He added that by taking this

position, the Historical Commission was potentially placing archaeological resources at direct risk, rather than protecting them, which was its charge.

Mr. Thomas read again from the PAF's letter quoting the nomination for the Society Hill Historic District: "The underlying soil in Washington Square, Headhouse Square and Shambles and much of the open space in Society Hill remains undisturbed and may yield significant archaeological resources, especially in the house sites in the area that had privy pits, cisterns, wells and yards," noting that the subject property would have had these features. Mr. Mooney added that the limited research that had been presented by the applicant regarding the history of the site only went to bolster the archaeological potential.

Mr. Thomas remarked that the 1999 nomination made clear that any site like the one they were discussing may yield significant archaeological resources, but what they had not addressed was whether the Commissioners agreed with the point in the nomination, which was to what extent did that control their review of the design of what might be proposed to be constructed on the site, other than that protective measures would need to be taken when there was an excavation to do archaeological work. He further commented that normally, on an undeveloped lot, the Historical Commission commented on the design, and the owner could use that information as they wished. Mr. Thomas asked the members of the Commission if they felt as though the likely presence of archaeological resources at a lot that was undeveloped at the time of designation, would give them a full review of the architectural work that was being proposed at the site. Mr. McCoubrey responded that it was the Architectural Committee's opinion that, given that the site was undeveloped at the time of designation, there could be a Review and Comment for any above ground structures that were being proposed; however, there was an obligation to protect any archaeological remains below grade on the site because of Criterion I, which was very clearly stated as a criterion for the district and was specifically mentioned in the designation. Mr. Thomas said that, looking ahead, the way Mr. McCoubrey was describing the Architectural Committee's recommendation, the building that would end up being constructed on the site would be the same regardless of what the Historical Commission did; however, they would simply recognize what was found in the nomination and require that, under Criterion I, the correct measures be taken with regards to the archaeology, adding that what happened in the twenty-first century above ground would not be an issue. Mr. McCoubrey reiterated that they did have an obligation to protect below grade archaeological resources, and Mr. Thomas agreed.

Mr. Primavera said that all of these were good suggestions, but they were all there because there was a City Council ordinance that, through the Zoning Code and through councilmanic action, delegated power to the Historical Commission to follow existing rules and regulations. He remarked that, if the suggestions being made were something that people wanted to look at, the City Council could always amend the code to say that, where there was a historic district, Review and Comment was only limited to what was above the surface of the site, but if one of the Criteria for Designation included archaeological artifacts, then there would be this so-called dual jurisdiction. Mr. Primavera stated that he thought this approach was very creative and that he was not aware of any precedent for it; however, legally, this was not something that was under their power currently. He commented that although there were always ways to improve the system to be more protective, he did not think that they should be put to a burden that other people had not been, especially when the Historical Commission's jurisdiction was well defined. Mr. Primavera added that he did not think as a legal matter, there was a question about their power. He commented that, if there were questions about better ways to do archaeological preservation, they should be addressed on a holistic or comprehensive level, adding that the entire city probably had some potential for archaeological interest, not just in the so-called

historic areas. Mr. Primavera said that if they wanted to come up with a policy or a protocol that connected with a building permit, it would be additional work, but there were things to do that could capture some of the emotions and interests that had been expressed.

Mr. Mooney responded that, while the idea of doing something to preserve the archaeological resources throughout the city was a great idea, it was not what was being considered currently. Mr. Thomas read the language regarding the house site's archaeological potential from the nomination again. He said that, if one was to look far back and document the history of a property and saw that it had never been excavated because, for example, it had been a brick yard for a very long time, and then it became a parking lot, there would be a very small chance that there would be any archaeological remnants at a shallow depth, but the current situation excluded that.

Mr. Primavera said that they had been debating processes within processes, and if that was the legislative policy it would have been fine; however, it should not be that this issue simply arose in this particular situation. He compared it to someone going to the Zoning Board of Adjustment and arguing that a project should not block a bedroom window, and that it sounded like a good idea to require this when, in fact, the code would have to be changed in order to approve it. Mr. Mooney interjected that, once again, this was not the issue before the Historical Commission.

Mr. Farnham said that he wanted to make a few points, beginning by commenting that he agreed with Mr. Mooney that archaeological resources should be protected; however, he disagreed that there was no contradiction before them. Mr. Farnham said that there was clearly a contradiction, and read the definition of a non-contributing building, structure, site or object from the Rules and Regulations. He said that the definition was telling the Historical Commission as well as the property owner that the property had no historic value, including archaeological value. Mr. Farnham further commented that the other side of the issue was that the inventory stated that the site had archeological potential, resulting in a direct contradiction because the non-contributing classification indicated that the site had no value and the archaeological assertion indicated that it had some value. He stated that these two characterizations were in conflict, and the Zoning Code was quite clear that, when there was a conflict, the decision had to be made on behalf of the property owner's interests. Mr. Farnham informed the Historical Commission that they had not just confronted such a situation once but rather five times, and he listed the other addresses as 600-02 Addison Street, 512-14 S. Front Street, 232-36 Walnut Street, 500-06 Walnut Street and 212-220 S. 3rd Street. He said that, in every one of those instances, the Historical Commission had interpreted the circumstances the same way he was suggesting they needed to interpret them now. Mr. Farnham told the members of the Historical Commission that he and Mr. Reuter would of course defend any decision they made; however, he thought that it was quite clear that they had made this same decision five times in the past.

Mr. Mooney remarked that the other decision the Historical Commission had made was that archaeological resources were a contributing factor to the Society Hill Historic District. He said that the decision was made by the staff when they prepared the nomination and it was made by the Historical Commission when they voted to place the historic district on the Philadelphia Register of Historic Places, and he asked if now they were saying that they were wrong when they prepared the nomination. Mr. Mooney reiterated that the issue of non-contributing was still not resolved because there was absolutely no way to make a declaration that a site was non-contributing without either showing that there had been extensive disturbances at the site or without conducting an archaeological investigation, because other than that, people were just

making things up. Mr. Mooney thanked the staff for alerting them to the fact that the situation within the historic district was actually much worse than they had previously thought. Mr. Farnham responded that he thought it was a legal question, and although there very well could be archaeological resources at the site in question, the Historical Commission had an obligation to inform the property owner of the way it would regulate the site when it sent notice that it was going to designate the district. He said instead, the Historical Commission notified the property owner in an ambiguous way, in which case the law clearly stated that they had to decide on behalf of the property owner. Mr. Farnham told the members of the Historical Commission that there were 34 sites within the Society Hill Historic District that were listed as having archaeological potential and listed as non-contributing, adding that he would be happy to discuss these properties again at some point. He said that there were 31 sites that were listed as having archaeological potential and were also classified as contributing, eight sites with archaeological potential and were listed as significant, and one site that was listed as having archaeological potential and had no classification, which was clearly an error. Mr. Farnham said there were more than 800 sites listed in the inventory for the Society Hill Historic District and only 74 that were actually classified as having archaeological potential, which was also a problem. He commented that Mr. Mooney was insisting that Criterion I should cover the entire historic district, but Mr. Farnham said he had to question why fewer than 10% of the sites were listed as having archaeological potential in the inventory.

Mr. Mooney responded by reading a section of the Society Hill Historic District nomination that said that above and below ground, Society Hill met the Criteria for Designation as a historic district, reiterating that the entire district was listed under Criterion I. He said that this was made abundantly clear in the text and by the intent of the nomination. Mr. Mattioni told Mr. Mooney that he had made his point. Mr. Mooney said that, if there was an issue with respect to the inventory, then it really called into question the legitimacy of the entire district. Mr. Mattioni repeated that Mr. Mooney had made his point.

Mr. Thomas asked if there was any further comment. Patrick Grossi of the Philadelphia Alliance for Greater Philadelphia introduced himself and said that he wanted to briefly reiterate the comments he had made at the Architectural Committee meeting, although most of them had already been stated. He said that the Preservation Alliance was inclined to agree with Mr. Mooney's and the Philadelphia Architectural Forum's contention that the Historical Commission did have full jurisdiction over the potential below grade resources in the district. Mr. Grossi clarified that it was not to suggest that nothing should be constructed on the site, but if it was, the Historical Commission could have Review and Comment jurisdiction on the design of the above grade structure. He asked what was the value or the intent of listing archaeological potential if there was nothing actionable about it. Mr. Grossi asked about the Historical Commission's intentions when it indicated that the property had archaeological potential and about an appropriate action for the Historical Commission to take when archaeological potential was very clearly stated in the inventory for a district that was partially designated under Criterion I. He stated that whether this property resolved the issue or not, this was something that really needed to be resolved going forward because the validity of the inventory which triggered and governed all of the projects that happen within the historic district was basically being questioned. Mr. Grossi explained that he understood that the Zoning Code suggested that in instances of ambiguity such as this one, preference would be given to the property owner, but he did not think that they could say unambiguously that the subject site was non-contributing; it was contributing, but just not listed as such.

Mr. Mattioni responded that the site had been listed as non-contributing and that their legal counsel had informed them of the consequences of that classification. Ms. Cooperman added that it sounded as if, present issue aside, there were problems with the inventory, and although she did not know how best to address them, it seemed to be fairly pressing and needed to be addressed. Mr. Mattioni replied that he did not think that they could do that with the current application, and Ms. Cooperman agreed. Mr. Mattioni said that they were currently confined to Review and Comment, and that was what they should do, and so if there was some review and some comment, they should have it, and otherwise they should proceed. Ms. Cooperman said that she had already made her comment that, in other instances, property owners had been willing to hire an archaeologist to determine whether there were, in fact, significant remains below grade, and her comment was that she would hope the same would happen in this instance.

Mr. Primavera told the members of the Historical Commission that, as part of the Review and Comment, they would like to hear what their recommendations were on the proposed design of the house. Mr. Thomas responded that, in some ways what would have been a very straightforward application, had raised other very important issues. He suggested that they handle the Review and Comment portion of the house that was being proposed, and then added that as the Historical Commission, there were times when they had found that the regulations under which they were operating were not correct from their current point of view. Mr. Thomas cited the recent issue with a vote regarding the church on Christian Street, and as a result, they were updating their regulations to reflect Robert's Rules of Order. He said that he thought there was a larger issue, and whether it was just within the historic districts or whether it is the whole city, it was a discussion they could certainly have, but for the moment, he suggested that they take a look at the residence that was being proposed for the site.

Mr. McCoubrey told the members of the Historical Commission that the Architectural Committee agreed with the staff's recommendation that the proposed dwelling was sympathetic with the historic district. Mr. Thomas said that he agreed, and asked for a motion. Ms. Cooperman asked whether they needed to make a motion for Review and Comment, and Mr. Thomas said they did not. He remarked that, in reviewing the plans that had been submitted, the members of the Historical Commission were commenting that they appeared very much in keeping with the district and urged the applicant to proceed in the direction they were heading. Ms. Cooperman added that they would also hope that the property owner would entertain the idea of having a fully qualified archaeologist involved in the project to determine the archaeological potential and the appropriate action. Mr. Thomas agreed that Ms. Cooperman's remarks would be included in their comments as well. Mr. Mooney told the Historical Commission that he appreciated its comments. Mr. Thomas replied that the larger issue was something they would need to discuss to see if there was something that they wanted to move ahead on.

Mr. Thomas concluded the review, stating that the Historical Commission had found that its jurisdiction over the property is Review-and-Comment jurisdiction only, not plenary or full jurisdiction, and to comment that the proposed building is sympathetic with the historic district and that the developer should entertain the idea of engaging a qualified archaeologist.

ADDRESS: 2314 GREEN ST

Proposal: Construct side and rear additions and decks

Review Requested: Final Approval

Owner: 2314 Green LLC

Applicant: Stuart Rosenberg, Stuart G. Rosenberg Architects, P.C.

History: 1859

Individual Designation: 12/5/1974

District Designation: Spring Garden Historic District, Contributing, 10/11/2000

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

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

OVERVIEW: This application proposes to construct a rear addition to this rowhouse. The Architectural Committee reviewed a similar application for this property in June 2018. At that time, the Architectural Committee determined that that application proposed a demolition, not an alteration, and recommended denial. The current application proposes to remove much less. Sections of the basement side wall of the rear ell would be removed. However, the plans leave much of the rest of the wall intact. The side addition would set back from the rear wall of the rear ell and would cover the basement, first, and second floors. The rear ell has been significantly altered with stucco as well as non-historic door and window openings. The upper section of the side of the rear ell is visible at a great distance, about 200 feet, from the public right-of-way across a courtyard as well as from Pennsylvania Avenue. Historically appropriate windows would be installed in much of the rear ell. The application also proposes an addition at the second and third floors of the rear ell, but no longer proposes an elevator penthouse on the main roof. The application also proposes two roof decks on the rear ell.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Architect Stuart Rosenberg represented the application.

Neighbor Barbara Delaney, who owns 2316 Green Street, said that she is excited to see construction going on in the adjacent house because it has been dilapidated for quite some time. She said that she has been in touch with her neighbor about the proposed work. She said that now that she is taking a closer look at the proposal, she thinks that her neighbor was a little disingenuous as to what is really going on. She said that she was told that the railings were to be lined up at the rear. Now she sees that the rear will be lifted up two feet. She pointed out that the houses are built on a slope. These houses are some of the most "picture worthy homes." She said "we have people taking pictures of our homes on an almost daily basis." We all are basically on the same level. She pointed out that on the back there are steps. If you take away those steps and add two feet that is how you are getting those high ceilings. That is allowing the elevator and making the house. She said that it is beautiful, "don't get me wrong," and she does not have an issue with adding a third floor if it is done properly. They are getting a lot of new height. Every single floor is going to be on a different level. It is going to look completely different from the other homes in the neighborhood because the other homes do not go "flat into the back surface." She knows that these houses are special because she did the history on them. They are Italianate and Victorian. From what she has read, this style is extremely rare. When you walk out onto that level the water flows to the back. The sewers were put in to flow to the back. She said that "we have an alleyway and when the water flows we have to be very careful how we put everything in place and the gradation steps down. Our water flows into an alleyway that is in the back. She said that they still have the old marble from the old days." The front sewer line goes another way. She said "it looks to her and she didn't have a chance to

discuss with the architect. She has concerns because they are digging down to get the elevator in and completely getting rid of what they have in the back which was built specifically for a reason when they were build and sewage and water flowed out the back.” She expressed concern that they will have a sink hole. It runs specifically past all four of these houses that were built at the same time. She said that she did not know about this project; none of the neighbors knew about it. She is excited about the renovation and she said that the architect did beautiful work but she wants to make sure that they have some continuity. She “can’t wait to see it start but she wants to make sure it is done properly including problems that could have been avoided with a little bit of communication.” She would like to see this happen more than anybody. She said that she thinks that most neighbors on the block feel that way to but they feel that they need a little bit more information. She said that she does not want to see something bad happen like what happened across the street where the whole front had to torn out because of it. She said that “there are houses built at the end of the street when the Catholic church sold off a lot.” She said that they “don’t want to get in the way but people should still be able to enjoy the views and the area. It should be a good area for the tourists.” “We just don’t want to see the foundation of all those four homes destroyed if it is not done properly or people don’t look into it properly especially when we are the only back yards that still exist like that.”

Mr. Baron pointed out on the drawings that the roof of the rear ell originally drains towards the east side and with the new addition it will continue to drain in the same direction. Ms. Delaney said that at the bottom floor they will still have windows there but what is not shown is that now they will walk out onto grass. She said that currently they all have steps there and that you step up to the back yard but that that will be changed. She said that you can kind of see it in the photograph of one of them with the overgrown grass. Mr. Baron said this it is his understanding that there will be no change at the first-floor rear. Ms. Delaney said that there will be a change. Mr. Rosenberg said that, if you look at the drawing HC-3, the existing floor slab of the house is on the same level as the back yard. He is not proposing a change to the rear first floor. Ms. Delaney said that that was done recently when the pipes burst in the house and it was repaired. She said that it currently no longer matches the rear of the other houses. She said that it was like that when they gutted the house.

Mr. Thomas said that he has a basic question. He said that he lived for five years at 1915 Green Street and he has walked past this house hundreds of times going to the Art Museum or the park. He asked if we are discussing the rears of these properties. Mr. Rosenberg said that they are proposing to restore the front of the property. Mr. Thomas asked if there will be any change to height area, windows openings or anything else on the front. Ms. Delaney said that the steps will be lifted and this will affect the storm water. The Commission members asked if such work is within the Commission’s jurisdiction. Mr. Thomas said that storm water management is not a concern of the Historical Commission. He explained to Ms. Delaney that the Historical Commission reviews proposals to ensure that they satisfy the Secretary of the Interior’s Standards; visibility of the proposed work from the public right-of-way is a factor. Mr. Thomas said that the house next door has a deck on the rear ell. He said that, if this were visible from the front, it may not have been allowed, but on the rear, not visible to the public, it was allowed. Ms. Delaney said that, in terms of the architecture of the house, it will no longer look like the other homes in the row. Mr. Thomas said that there is no requirement in the Standards that the rear not change. The rears of historic buildings can be changed, particularly if the area is not visible from the public street. The Department of Licenses & Inspections may consider the issue of storm water management. The Historical Commission considers the size, scale, and materials of alterations, primarily on the fronts of buildings. There is no requirement that adjacent rear ells match one another. He pointed out the deck on Ms. Delaney’s own house. He

also explained that there are zoning concerns that are also separate from Historical Commission concerns. He used his own house in Powelton Village as an example. He said that there are zoning issues, building code issues, and historic preservation issues. Ms. Delaney again brought up the raising of the stairs. Ms. Cooperman said that the Commission has no jurisdiction over the interior. She explained that the Commission only looks at the visible parts of the exterior. Mr. Thomas noted that this application was listed on the consent agenda because it satisfied all applicable review criteria. Ms. Delaney said that these people are circumventing the Standards because portions of the exterior have already been destroyed. Ms. Cooperman disagreed.

ACTION: Mr. McCoubrey moved to adopt the recommendation of the Architectural Committee and approve the application, with the staff to review details, pursuant to Standards 9 and 10. Ms. Cooperman seconded the motion, which passed unanimously.

ADDRESS: 938 S FRONT ST

Proposal: Legalize windows; install doors and deck

Review Requested: Final Approval

Owner: Gary Steere

Applicant: Gary Steere

History: 1760

Individual Designation: 6/24/1958

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval of the deck, but denial of the windows, doors, and shutters, pursuant to Standards 6 and 9.

OVERVIEW: This application proposes to legalize windows, install shutters and a door, and construct a deck. The owner of the house began consulting with the Historical Commission's staff regarding potential renovations to this very early house prior to purchasing it. Although the owner obtained a permit for interior alterations, he did not obtain a permit for work to the exterior of the house.

The owner installed windows without the Historical Commission's approval or a building permit. The owner is now seeking to legalize the illegal windows. The new windows, while made of wood, are of an inappropriate design for this house. They are two-over-two windows with a stock frame. The correct windows can be seen on the neighboring house, which was constructed at the same time. They are six-over-six with plank frames.

The application also proposes shutters of an inappropriate design and a pre-hung door with an inappropriate frame.

On the rear garage, the application proposes a deck with a five-foot side setback and a simple picket railing.

It should be noted that a former owner removed the chimney and altered the dormers and roofing inappropriately. This application does not address that non-compliant work.

ACTION: See Consent Agenda.

THE REPORT OF THE COMMITTEE ON HISTORIC DESIGNATION, 12 SEPTEMBER 2018

Emily Cooperman, Chair

ADDRESS: 3005 W SCHOOL HOUSE LANE

Name of Resource: Lycoming

Proposed Action: Designation

Property Owner: Overseers of the Public School; Penn Charter School Inc.

Nominator: The Keeping Society of Philadelphia

Staff Contact: Laura DiPasquale, laura.dipasquale@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 3005 W. School House Lane satisfied Criteria for Designation D and E, but owing to the demolition of the resource, recommended that Historical Commission decline to designate the property.

OVERVIEW: This nomination proposes to designate the property at 3005 W. School House Lane and list it on the Philadelphia Register of Historic Places. The nomination contends that “Lycoming,” the former residence of William Jay Turner, constructed in 1907, satisfies Criteria for Designation D and E. Under Criterion E, the nomination contends that the house and its contemporaneous auxiliary structures are significant as a suburban design by architect Wilson Eyre, Jr. Under Criterion D, the nomination argues that the buildings embody distinguishing characteristics of the Arts & Crafts style.

The nomination was submitted to the Historical Commission on June 29, 2018. The owner of the property applied to the Department of Licenses & Inspections for a demolition permit on the same day, June 29, 2018. The Historical Commission notified the owner in writing that it would consider the nomination on July 17, 2018, initiating its jurisdiction over any subsequent permit applications for the property. The City's historic preservation ordinance requires the Department of Licenses & Inspections to forward to the Historical Commission all building permit applications for review submitted on and after the day the written notice is mailed to the property owner. Therefore, the Historical Commission does not have authority to review the demolition permit, which was submitted to the Department of Licenses & Inspections on June 29, more than two weeks before the written notice was mailed. The demolition permit was issued and the demolition has been completed. The staff photographed the property prior to the Committee on Historic Designation meeting documenting that no structures remained at the site.

DISCUSSION: Ms. DiPasquale presented the nomination to the Historical Commission. Oscar Beisert represented the nomination.

Ms. DiPasquale explained that the nomination was submitted the same day that a demolition permit was applied for, the demolition occurred legally, and the historic building is no longer standing. Ms. DiPasquale noted that the Committee on Historic Designation discussed the merits of the nomination.

Mr. Beisert read a prepared statement: “Known historically as Lycoming, the residence of William Jay Turner, the house and its ancillary buildings at 3005 W School House Lane was completed in 1907 on designs by Wilson Eyre, Jr., one of the city’s most important architects. This was a documented design by Eyre that he himself referred to in 1911 as an ‘ideal country house’ in a featured article about the property in a national architectural journal. In a climate where so much of our historic fabric is not protected, I am compelled to recognize that this demolition could have been prevented. The nomination was filed on June 29th, which was

apparently the same day that the permit was filed calling for its demolition. Technically, if the Historical Commission had sent notice that day, the house would have been protected from demolition and a discussion could have been had about its preservation. There is now a playing field on this site. I am not criticizing the staff or contesting that nominations shouldn't be thoroughly reviewed, but this was a documented Wilson Eyre on one of our most important residential streets in the city."

Mr. Thomas noted one of the reasons that Mr. Beisert and many others are putting in so much time on the City's Historic Preservation Task Force is to create a preservation planning process that allows property owners to move forward with projects with certainty ahead and simultaneously protect historic resources.

Mr. Thomas asked if there was any discussion beyond the fact that the resource is no longer there. Ms. Cooperman responded that there is not much to add to the recommendation of the Committee.

Mr. Thomas opened the floor to public comment. Steven Peitzman of the East Falls Historical Society and a near neighbor bemoaned the competitive race between nominations and demolition permits. He noted that there was an interesting overlap between Penn Charter's zoning request and the demolition request, the former of which he believed obfuscated the latter. He opined that Penn Charter either did not know of the building's importance or did not choose to reveal that at the neighborhood zoning meeting about the property earlier in the year.

Mr. Thomas noted that the Strawbridge mansion was another loss in the East Falls neighborhood. He commented that you can only lose so many historic resources before you do not have anything left. Mr. Peitzman noted that Penn Charter has demolished other buildings for playing fields. Mr. Thomas responded that Lower Merion encountered the same issue with the Stoneleigh mansion. Mr. Thomas opined that, if the City gets a vigorous designation process going and can make it clear what the most important resources in the city are, people can be aware and take pride in those resources and people doing development will look towards places where they will not be impacting important resources.

ACTION: Ms. Cooperman moved that the Historical Commission find that the property at 3005 W. School House Lane had satisfied Criteria for Designation D and E when the buildings were standing, but, owing to the demolition, no longer satisfies the Criteria for Designation and therefore decline to designate the property. Ms. Long seconded the motion, which passed unanimously.

ADDRESS: 2424 E ALLEGHENY AVE

Name of Resource: Our Lady Help of Christians Church

Proposed Action: Designation

Property Owner: Archdiocese of Philadelphia

Nominator: Celeste Morello

Staff Contact: Meredith Keller, meredith.keller@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the property at 2424 E Allegheny Avenue satisfies Criteria for Designation A, E, H, and J.

OVERVIEW: This nomination proposes to designate Our Lady Help of Christians Church at 2424 E. Allegheny Avenue as historic and list it on the Philadelphia Register of Historic Places. While the larger parcel includes several buildings and an expansive cemetery, the nomination proposes exclusively to designate the church building itself. The nomination argues that the property is significant under Criteria for Designation A and E. The nomination contends that the building represents the American Catholic Church's social history as it pertains to the "German problem," in which German-Americans declined to assimilate and adopt the English language. The nomination notes that this lack of assimilation resulted in the creation of several German Catholic churches, including Nativity BVM and later Our Lady Help of Christians Church. The nomination further argues that the choice to commission architect Albert Wolfring Leh, an American of German descent, and not archdiocesan architect Edwin F. Durang was significant.

DISCUSSION: Ms. Keller presented the nomination to the Historical Commission. Attorney Michael Phillips represented the property owner. Nominator Celeste Morello had been present, but left the meeting before the start of the review.

Mr. Phillips commented that Ms. Morello left the meeting but that she offered a statement for the record. He then stated that he represents Nativity of the Blessed Virgin Mary parish and the Archdiocese of Philadelphia, adding that his clients have no opposition to this nomination. He then clarified that the owner's non-opposition is unique to this specific property, and the Archdiocese does have concerns about its churches being designated solely because they are old and were at one point in time important to their parishes. Its position on this church, he added, should not be considered a blanket non-opposition and that their positions on designations are case by case. In this case, with respect to this church and nomination, he reiterated that the Archdiocese is not opposing designation.

Mr. Thomas responded that the Commission considers nominations on a case by case basis as well. He then opened the floor to public comment.

Anton Michels, president of the German Society of Pennsylvania, vocalized his organization's support for the nomination to designate a very important landmark of German-American Catholic history. He further stated his appreciation that the Archdiocese is not opposing designation.

David Traub of Save Our Sites also expressed his appreciation to the Archdiocese for not opposing the designation of the property. This church, he continued, is a component of three magnificent Catholic churches clustered around Campbell Square, which is important to the Port Richmond community. All three buildings, he added, should be designated, although he noted that Nativity BVM is already listed on the Philadelphia Register of Historic Places. He called the three churches an amazing assembly of magnificent buildings, asserting that the city should be

cognizant of their value. He opined that they should all be illuminated at night to provide a special feature in the cityscape.

Paul Steinke stated that the Preservation Alliance for Greater Philadelphia is an enthusiastic supporter of the nomination. He then thanked Ms. Morello for researching and writing the nomination, which adds to the city's permanent historical record an incredible story of the events of the German-American Catholic community during this period. He elaborated that the nomination also raises the profile of the building's architect, who was mostly known for his work in the Lehigh Valley. The nomination, he continued, notes that Albert Wolfring Leh was brought to Philadelphia to design his signature project on Allegheny Avenue for the German-American Catholic church.

Oscar Beisert of the Keeping Society expressed his support for the nomination and commended Ms. Morello for nominating so many beautiful churches. Almost all the buildings she has nominated, he added, are incredible architectural landmarks.

Ms. Cooperman noted that the Committee on Historic Designation found that, because of the prominence of this and the other churches on Allegheny Avenue, Criterion H was particularly fitting to add. She further explained that the Committee recommended the addition of Criterion J owing to the importance of the church's association with the German ethnic community in Philadelphia.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the property at 2424 E. Allegheny Avenue satisfies Criteria for Designation A, E, H, and J, and to designate it as historic, listing it on the Philadelphia Register of Historic Places. Ms. Turner seconded the motion, which passed unanimously.

RIDGE AVENUE ROXBOROUGH THEMATIC HISTORIC DISTRICT

Proposed Action: Designation

Nominator: Philadelphia Historical Commission

Staff Contact: Kim Chantry, kim.chantry@phila.gov, 215-686-7660

COMMITTEE ON HISTORIC DESIGNATION RECOMMENDATION: The Committee on Historic Designation voted to recommend that the nomination demonstrates that the Ridge Avenue Roxborough Thematic Historic District satisfies Criteria for Designation A, C, D, and J.

OVERVIEW: This nomination proposes to designate a thematic historic district, which consists of 188 historic buildings along Ridge Avenue between the Wissahickon Creek and Northwestern Avenue, and list it on the Philadelphia Register of Historic Places. The nomination contends that the historic district satisfies Criteria for Designation A, C, D, and J. The period of significance spans from 1681, when William Penn began conveying land to the original purchasers, to 1908, the dawn of the automobile age, when the completion of the Walnut Lane Bridge opened the southeastern section of Roxborough to new forms of residential development. The historic district inventory includes those buildings that best represent the development and varied architectural styles constructed through 1908.

The staff of the Historical Commission authored this nomination on behalf of a consortium of community groups and the district Councilperson. The community representatives were concerned by the number of demolitions of older buildings along Ridge Avenue. To provide the Historical Commission with sufficient time to survey the area's older buildings and prepare the

historic district nomination, the Councilman implemented a one-year demolition moratorium for properties along Ridge Avenue. During that time, the Historical Commission's staff researched the area and developed the nomination with inventory, which identifies 188 historic buildings. The nomination is intended to address the community's specific concern, the unchecked demolition of buildings along Ridge Avenue. The nomination is not intended to encompass all aspects of Roxborough's history. It does not identify and protect structures, objects, interiors, landscape, or archaeological resources, nor does it preclude the later identification and protection of those resources. It is not intended to encompass all aspects of Roxborough's history, but only to address a specific problem, the demolition of buildings along the commercial corridor. This nomination is a step toward protecting historic resources in Roxborough, but not necessarily the only or last step.

DISCUSSION: Ms. Chantry and Mr. Farnham presented the nomination to the Historical Commission.

Mr. Farnham discussed the events which led to the creation of the nomination for the historic district. He explained that there had been several demolitions of prominent but not designated historic buildings on Ridge Avenue during the latest real estate boom. An example of this was the Bunting House, located at the corner of Ridge and Roxborough Avenues. He explained that this spurred the community into action, which resulted in a consortium of community organizations working with Councilman Curtis Jones. Councilman Jones developed legislation for a demolition moratorium on Ridge Avenue, to allow the Historical Commission time to assess historic value along Ridge Avenue and propose the historic designation of eligible properties. Mr. Farnham explained that that legislation was introduced in September 2017. During the next several months, the Commission staff developed a list of 317 potentially historically significant properties on the five-mile stretch, out of 566 possible properties which abut Ridge Avenue. Councilman Jones included that list in his demolition moratorium legislation. The moratorium was put into place in December 2017, and prevented for one year the demolition of those 317 properties. The proposal was vetted by the Philadelphia City Planning Commission in November 2017. In December 2017, City Council held a public hearing on the moratorium and the list of potential historic properties. The Historical Commission also considered this plan at its meeting in December 2017 and directed the staff to move forward. In December 2017, City Council passed the demolition moratorium and Mayor Kenney signed it into law, protecting 317 properties for up to one year. Immediately following that, the Commission staff began to conduct more in-depth research into the 317 properties. By July 2018, the staff had completed the writing of the nomination, proposing to designate 188 properties out of the original 317 properties. The staff notified affected property owners in writing on 9 July 2018. That same month, the Commission staff presented information about the proposed district at a community meeting at the Roxborough Memorial Hospital, and answered questions from the community members in attendance. In September 2018, the Committee on Historic Designation held its public meeting and recommended the designation of the historic district, asserting that it satisfies Criteria for Designation A, C, D, and J.

Mr. Farnham discussed the development history of Roxborough. He explained that Roxborough developed primarily as an agricultural and a milling community in the eighteenth century, and Ridge Avenue was a very prominent transportation route. He stated that the staff identified a series of buildings associated with that eighteenth-century history, built in the Georgian or Colonial style, which are primarily vernacular but very much representative of the early history of Roxborough. He displayed photographs on the projection screen of the buildings at 6633 and 6635 Ridge Avenue, 7549 and 7551 Ridge Avenue, 7623 Ridge Avenue, and 7701 Ridge

Avenue as examples of architecture from the eighteenth century. He explained that identifying characteristics of these early buildings include Wissahickon schist construction, side-gabled roofs, two to two-and-a-half stories in height, low to the ground, steep roofs often with dormers, symmetrically arranged windows and doors, molded cornices and door surrounds, and additions at the side or rear as needed. Mr. Farnham continued that the staff also identified buildings constructed right after the United States became a country, in the Federal style, high style and vernacular versions. He observed that most buildings in the proposed historic district are vernacular, but are important because those buildings tell so much about how this part of the city developed. He displayed photographs on the projection screen of the buildings at 6341 Ridge Avenue and 7953 Ridge Avenue as examples of Federal architecture from the 1780s to the 1820s. He explained that these buildings are related to earlier Georgian and Colonial styles, but are lighter and more delicate. Character-defining features include Wissahickon schist sometimes faced with stucco, side-gabled, two to two-and-a-half stories in height, symmetry, and pedimented door surrounds and dormers, sometimes with Gothick windows. Mr. Farnham explained that the Ridge Turnpike was chartered by the State of Pennsylvania in 1811, and was a very important road in and out of the city. He briefly described the establishment of Manayunk, which came into being as an important mill city much later than the community along Ridge Avenue, and which had an impact on Ridge Avenue and the area at the top of the hill. He stated that the staff identified many buildings from this period of the 1820s to the 1850s, which is evidenced by the Greek Revival style of architecture. He displayed photographs on the projection screen of the buildings at 7101 Ridge Avenue, 7105 Ridge Avenue, 7801 Ridge Avenue, and 8144 Ridge Avenue, as good examples of Greek Revival architecture. He explained that the shorter windows at the third floor are one of the main architectural themes. He continued that other identifying characteristics of these primarily vernacular buildings include construction of Wissahickon schist, whether uncovered or finished with stucco, three stories in height and three or five bays wide, entry or full-width porches supported by classical columns, half-height third-floor windows, broad cornices, gabled or hipped roofs of shallower pitches than their predecessors, and double gable-end chimneys. Mr. Farnham stated that by 1839, the area was beginning to transition to suburban development, as evidenced by advertising in the newspapers for available suburban building lots, to support people who worked in Manayunk and also the city. He stated that the staff identified buildings associated with that suburban community, which began with the Gothic Revival style of architecture in the 1840s to 1860s. He displayed photographs on the projection screen of the buildings at 559 Righter Street, being known as the Barnes House and already individually designated, 5508 Ridge Avenue, and 5231 and 5233 Ridge Avenue, as good examples of Gothic Revival architecture. He explained that the distinguishing characteristics of this style include a centered cross gable roof with decorated barge boards, steeply pitched roofs, arched windows extending into the gables, and open entry or full-width porches. He stated that Italianate architecture soon followed, between 1855 and 1880. He displayed photographs on the projection screen of the buildings at 5301 Ridge Avenue, and 6109, 6111, and 6113-15 Ridge Avenue, as examples of both high-style and vernacular Italianate architecture. He explained that the character-defining features of this style include low-pitched roofs with wide eaves supported by decorative brackets, tall narrow four-over-four or two-over-two double-hung windows, double doors with bolection mouldings and decorative door surrounds, porches elaborated with brackets, window crowns or other decorative hoods, and cupolas or towers. He noted that the rowhouse variant features bracketed cornices and brick facades. He stated that the staff also identified buildings associated with the post-Civil War building boom, which includes Second Empire architecture from the 1860s to 1880s. He displayed photographs on the projection screen of the buildings at 5504 Ridge Avenue and 8155 and 8157 Ridge Avenue as good examples of Second Empire architecture. He explained that distinguishing characteristics of this style include a distinctive,

steep, dual-pitched hipped mansard roof with dormers, and decorative brackets, ornate door and window surrounds, double doors, and one-story porches. He stated that the staff identified several buildings from the end of the nineteenth century in the Queen Anne style. He displayed photographs on the projection screen of the buildings at 5535 Ridge Avenue and 6904 Ridge Avenue as examples of buildings which contain elements of the Queen Anne style. He stated that the character-defining features of the Queen Anne style include intersecting, asymmetrical, and complex forms, decorative brick or stonework, multi-paned windows, bay windows, large porches with complex woodwork, cross gables, engaged towers, and turrets, steeply pitched roofs with irregular shapes, and shaped slate or wood shingle patterning. Mr. Farnham stated that the proposed historic district contains many residential properties but also commercial and institutional buildings. He explained that the period of significance begins with the area's founding and subdivision by William Penn in 1681, and extends to 1908, which is the year that the Walnut Lane Bridge opened. He explained that the Walnut Lane Bridge, which crosses the Wissahickon Creek, ushered in an entirely new sort of development that was associated with the automobile. He explained that the development did not really take off until after World War I, but that the development patterns significantly changed at that time. He reiterated that the historic district is designed to preserve buildings within the time period of 1681 to 1908. He acknowledged that there are other buildings that are historic on Ridge Avenue, but those are not proposed for designation because their construction dates fall after the opening of the Walnut Lane Bridge in 1908. He displayed several photographs of examples of these types of buildings on the projection screen, including 6168 Ridge Avenue and 7220 Ridge Avenue, both constructed in 1910, and 6128-32 Ridge Avenue, constructed in 1924 and already listed individually on the Philadelphia Register of Historic Places.

Ms. Chantry discussed the staff's process in conducting research and determining the inventory. She explained that the criteria used by the staff when determining historic significance of each property included a study of the age, integrity, social significance, architectural style and materials, and context of each resource. She stated that the staff used historic maps and atlases, deeds, census records, and newspapers to evaluate each property's historic significance. She stated that the inventory includes residential, commercial, mixed-use, religious, and institutional properties, in addition to several cemeteries and one park. She explained the information that each resource can provide when used to research historic properties. She stated that the nomination is intended to address the community's specific concern, the unchecked demolition of buildings along Ridge Avenue. The nomination is not intended to encompass all aspects of Roxborough's history. It does not identify and protect structures, objects, interiors, landscape, or archaeological resources, nor does it preclude the later identification and protection of those resources. It is not intended to encompass all aspects of Roxborough's history, but only to address a specific problem, the demolition of buildings along the commercial corridor. She stated that the nomination is a step toward protecting historic resources in Roxborough, but not necessarily the only or last step. She asked that the Commission discuss the issue of deep or wide lots where the historic resource is located right on Ridge Avenue, leaving lots of open land distant from the historic resource, because some property owners are interested in understanding how the Commission or staff will regulate and review, if at all, the undeveloped land next to or behind their historic buildings. She displayed an aerial image on the projection screen of the deep lot located at 6633 and 6635 Ridge Avenue as an example of such a scenario.

Mr. Thomas noted that typically there would be comments from the nominator, but this nomination was prepared by the staff of the Commission.

Mr. Thomas asked for public comment. Pamela Packard, owner of 7105 Ridge Avenue, commented that she and her husband are opposed to the designation of their property. Ms. Chantry displayed an image of the property on the projection screen for the Commission and public to view. Ms. Packard stated that she is coming from a position that the historic designation is a *fait accompli* and there is little she can do. She stated that she and her husband are not qualified to comment on the suitability of the project, nor on the advisability, the underlying motivation, or the effort. She stated that it does, however, seem counterintuitive to stifle development along the commercial corridor of Ridge Avenue. She explained her concerns related to the historic designation of her property at 7105 Ridge Avenue. She stated that the building has been substantially changed over time and arguably no longer carries some or any of the identifying characteristics that would make it an interesting subject for this project. She stated that many of these changes came about due to the falling-down condition in which she and her husband found the building when it was purchased in 2004. She stated that they believed it was constructed in the 1970s and was just badly done. She stated that they purchased it with an eye towards development one day, and had entered into an agreement with Designblendz to take the house down and build four houses on the property. She stated that the agreement went into limbo upon receipt of the 9 July 2018 letter from the Commission, notifying her of the proposed historic designation. She stated that the builders have stated that they are waiting on the outcome of the proposed designation to let her know if they have any further interest. She asserted that other builders will have the same attitude, which is proof of the near un-marketability of the property, simply due to the threat of a historical designation. She stated that this unremarkable building must, due to its age, condition, and situation on a high-traffic road, continue to deteriorate in the normal course of events, and nothing can be done to prevent this. She stated that developing the property was and is an important part of her and her husband's retirement plans, which are now thrown aside through no fault of their own. She stated that this constitutes an overwhelming financial hardship that they cannot absorb. She stated that her property is situated in a row with three other commercial buildings, only one of which bears any resemblance to the original building. She concluded that she and her husband request that the house and the ground behind it be excluded from the proposed historic district designation.

Richard DeMarco, an attorney representing the equitable owner of 6633 and 6635 Ridge Avenue, commented that he and his client agree with the Historical Commission's staff, and are not going to contest the designation of the building fronting Ridge Avenue. He observed that the property is extremely deep, running back approximately 320 feet, and has recently been subdivided and will likely be subdivided again soon. He stated that the historic building will be preserved, but the lot that will be created at the rear will have a different address and will not be historic. He introduced Nick Kraus, of Heritage Consulting Group, and explained that Mr. Kraus had sent a letter to Mr. Farnham the week prior, which was provided to the Commissioners, and which stated that they agree with the designation by the Commission, but specifically for and related to the structure and the historical nature of the Ridge Avenue building only. He explained that the structure will sit on its own lot and will be preserved going forward. He stated that they agree with the Historical Commission as to the historical nature of the structure, but also agree that the remainder of the undeveloped portion of the lot when it was originally designated has no significance and that the designation is limited to the structure itself. Ms. Chantry displayed an aerial view of the original property lines on the projection screen for the Commission and public to view, which showed the depth of the original lot. Mr. DeMarco reiterated that they agree with the designation of the structure itself, which will be preserved. Mr. Thomas agreed and thanked Mr. DeMarco.

Gene Gilbert, owner of 5635 Ridge Avenue and 5639 Ridge Avenue, voiced his opposition to the designation of his properties. Ms. Chantry displayed images of his properties on the projection screen for the Historical Commission and public to view. Mr. Gilbert stated that he and his wife were not notified that their properties were under consideration until receipt of the 9 July 2018 notice letter from the Historical Commission, which provided notice to the property owner that the Historical Commission would consider at two public meetings whether to designate the property as historic. He commented that the development right next to his properties is one of the ugliest developments in Roxborough and has been going on for years. He commented that there is a Dunkin' Donuts and a gas station on the other side of his properties. He commented that Councilman Jones only recently walked Ridge Avenue for the first time, and now he is designating these properties as historic. He explained that these properties are part of their retirement, and that maybe they would have gotten developed, but now that is on the back burner. He clarified that they do not have any plans to develop the properties right now, but that the historic designation will automatically devalue the properties, and no one will be interested in purchasing them for development. He asserted that some of the members of the community groups live off of Ridge Avenue in very historic houses that are more historically significant than his own properties. He claimed that the historic district is a narrow approach to slow down development in the area. He commented that development is exploding in Roxborough. He commented that he came to today's meeting knowing that this is getting pushed through without the property owners agreeing to it. He acknowledged that some property owners may appreciate a historic designation, but many do not. He commented that Roxborough is historic, but Philadelphia is historic, and that historic designations work best in locations like Delancey Place in Rittenhouse, where the building stock is concentrated and close together. He commented that it does not make sense to him that the properties on Ridge Avenue have been picked out. He commented that he does not need a Historical Commission to tell him what he can and cannot do with his property, and that he maintains his properties with sweat equity. He stated that he resents the notion that the Historical Commission can tell him what to do. He commented that the Roxborough Development Corporation (RDC) never informed him of a public meeting at City Hall. He asserted that the cutoff date for the period of significance is 1908 because the RDC owns a property that was constructed in 1910. He asserted that "there is political stuff going on here." He commented that the RDC has not properly represented anyone along Ridge Avenue. He observed that there are dollar stores, nail salons, and pizza shops along Ridge Avenue. He commented that the RDC has not stepped up to develop the way it said it would. He claimed it is taxation without representation because he pays 10% of his real estate taxes directly to the RDC to represent him and it does not.

Keith Coleman, owner of 6150 Ridge Avenue, voiced opposition to the designation of his property. Ms. Chantry displayed an image of his property on the projection screen for the Commission and public to view. Mr. Coleman explained that he received a letter in July 2018 which indicated that his property was nominated for historic designation. He commented that he immediately phoned and also wrote to the Commission staff to state his opposition. He commented that the staff informed him that there would be three public meetings to discuss the proposed designation, and that he had a right to attend those meetings and voice his opposition. He opined that those meetings were a farce, and that the Historical Commission already intended to designate 188 properties without consent of the owners or majority of the community. He commented that, although they indicated that they met with community organizations to discuss these matters, the community organizations did not discuss it with the property owners. He commented that the community organization's boards and members, without the consent of the community, went on to recommend the designation of these properties without the consent of the owners. Mr. Coleman referenced the Criteria for

Designation. He asked that the Commission tell him which one of the Criteria is met by his property. He acknowledged that 6150 Ridge Avenue is old, but he asserted that it does not meet any of the other requirements. He reiterated that he has no intention to demolish his property, and that it is part of his retirement plan. He commented that he hopes the historic designation does not devalue his property in any way. He referenced the building next to his, which is owned by the RDC and for which a large addition was approved on top of it. He referred to it as an ugly eyesore. He commented that there is other new development happening up and down Ridge Avenue, including a new apartment building across the street. He referenced the Philadelphia Folksong Society building several doors down, which the RDC recently developed. He commented that the inconsistency bothers him. He asked that the Historical Commission take these properties on a case-by-case basis, rather than a cluster. He commented that some of the people who recommended these properties for designation do not have an interest in Roxborough, including a financial interest or a liability interest, and are not using these properties towards their retirement. He acknowledged the good presentation by the Historical Commission's staff, and also agreed with not demolishing historic buildings, but reiterated that the properties should be reconsidered on a case-by-case basis to allow the property owners to have a majority say in whether or not their properties are designated as historic. He asked that the Commission reconsider its approach to this designation.

Ms. Edwards asked for clarification regarding the Roxborough Development Corporation and what type of organization it is. Mr. Coleman responded that the RDC is the development corporation, and is supposed to develop the Roxborough corridor and also help develop businesses along the corridor and also treat each property owner fairly. He opined that they have not done so. He opined that the RDC has a biased opinion because it owns real estate. He commented that the majority of the RDC's real estate has already been redeveloped or is not being considered for historic designation. Ms. Edwards asked for clarification as to whether the RDC is a Community Development Corporation, or a Business Improvement District. Mr. Farnham stated that the Executive Director is in attendance and can answer her question.

James Calamia, Executive Director of the Roxborough Development Corporation, explained that the RDC is the business improvement district that is responsible for managing Ridge Avenue, and is one of 13 business improvement districts in Philadelphia. He stated that roughly 100 of the 188 properties that are proposed for inclusion in the historic district fall within the RDC's catchment area. He stated that he is happy to meet with individual property owners regarding their concerns, and regarding statements made that are not entirely accurate. He commented that he has seen the RDC's role in this process as communicating information. He commented that what the Historical Commission is hearing from some of the property owners is that, with 188 owners, it is a challenge to communicate the intent of the historic designation. He commented that many property owners are concerned about the tax abatement. He noted that there has been an incredible amount of development and destruction of historic buildings, and many long-standing owners feel it is unfair that their property was selected for historic designation, when they see other nearby properties being developed and taking advantage of the tax abatement. He stated that the RDC's role is to communicate information. He commented that the RDC hosted a public meeting in the community, and invited all business improvement district members to that meeting. He commented that another issue is construction standards. He explained that with a thematic historic district, there may be two historically designated properties with a vacant lot in between which has no design controls. He commented that the RDC, in collaboration with the Planning Commission, has put a lot of effort into addressing what new construction should look like on Ridge Avenue. He suggested that, if the Historical Commission designates the historic district, the properties should be individually evaluated in

terms of zoning. He encouraged the Commerce and Planning departments to work together to think about next steps.

Mr. Farnham explained that, while the RDC was certainly involved and a key player in communicating information about the proposed historic designation, the proposal which led to the nomination proposing this historic district originally came from a group of community organizations which were concerned about demolition on Ridge Avenue. He stated that he met with these groups that were promoting this sort of idea more than two years ago. He explained that the community groups then presented the idea for a historic district to Councilman Jones, who was very much in support of it, and Councilman Jones put the demolition moratorium in place to allow the Historical Commission's staff time to work on the nomination without having to worry about ongoing demolition. He stated that this was a grassroots effort that grew up out of a series of community organizations along Ridge Avenue that realized that they had shared concerns about the pace of development and demolition on Ridge Avenue. The idea was then embraced by the Councilman. He reiterated that this is not a proposal that came from an individual or one community group, but from several places that represent the community at large. He explained that the task was then turned over to the Historical Commission's staff, which prepared the nomination, and which made the selections of which buildings to include and exclude from the thematic district. He explained that the staff prepared the documentation based on its research in a vacuum, without outside direction. The staff did not want the process to be accused in any way of being politicized or designed to benefit one faction over another. The staff did not release any information about which buildings were selected for inclusion until the letters informing the property owners that they would be considered for designation were mailed. He reiterated that the staff wanted the process to be pure and not be tainted by any sort of community politics that might exist. He stated that the Historical Commission may hear otherwise, but assured the Commission that the selections were made by the staff, based on age, integrity, social significance, architectural style and materials, and context of each resource, and were not made by the community members, even though some community members at the beginning of the process did provide the staff with lists of buildings that they would like to see included. He explained that some of those buildings were included, but others were not. He explained that most of these suggestions came from the community organizations who had done historic research on Ridge Avenue, and not from those with business or property ownership interests. Ms. Cooperman asked if what Mr. Farnham is saying is that what the staff did was a technical process. Mr. Farnham confirmed this. He stated that the staff's decisions were based solely on training as architectural historians and historic preservationists, and there was no outside influence on what was included or excluded from the inventory.

Mr. Coleman asked how his property at 6150 Ridge Avenue satisfies Criteria for Designation A, C, D, and J. Mr. Farnham responded that, as he had mentioned earlier, the buildings along Ridge Avenue in Roxborough with short windows at the third floor are the most characteristic buildings in Roxborough. He commented that they really define that moment when Roxborough was coming into its own, and when it was becoming prominent for trade and transportation along Ridge Avenue. He stated that 6150 Ridge Avenue is a very good example of what may have been commercial and residential from the beginning, or may have started out as a residence and was converted later for commercial use. He acknowledged that the building has been altered, but asserted that it has all of the characteristics that are emblematic of that period of Roxborough right before the Civil War. He pointed out these characteristics, being the half-height windows at the third floor, the pitch of the roof, the massing of the building, and the moulded and denticulated cornice. He acknowledged that the storefront is a fairly recent addition, but the building, especially when viewed in its context of the buildings to the west,

represents this period of Roxborough's development history, perhaps better than just about any building, and therefore directly correlates to the Criteria for Designation that the Commission is required to consider and determine that the district meets. Mr. Coleman responded that the A-frame roof is metal and has no historic value. He stated that there are many properties with small windows that may not meet the age requirement but have the same characteristics and are not being considered for historic designation. He claimed that no one of significance slept at 6150 Ridge Avenue; it was not part of the Underground Railroad; George Washington did not walk down Ridge Avenue. He commented that he does not see the point of designating a building with an A-frame roof, because they are common throughout Philadelphia. He reiterated that he has no intention of demolishing his building, but he would also like to have a say in whether or not it is designated as historic. Mr. Farnham responded that there are about 12,000 buildings listed on the Philadelphia Register of Historic Places currently, and only a handful of those are world monuments. He continued that most of those designated buildings are vernacular and do not represent moments in history like the signing of the Declaration of Independence, but they tell us a great deal about our shared history, and have characteristics that remind us of Philadelphia in the eighteenth and nineteenth centuries. He commented that the fact that George Washington did not sleep at 6150 Ridge Avenue does not preclude it from historic designation. He added that George Washington did walk down Ridge Avenue around the time of the Battle of Germantown.

Mr. Gilbert commented that there is more development occurring a block off of Ridge Avenue than on it, and that the Historical Commission should look at those developments. He commented that a lot of it looks very institutional and does not belong. He commented that the Commission is overreaching by picking 188 properties on Ridge Avenue to designate as historic. He suggested that it should have looked one block in either direction and found better buildings. He commented that each property owner should be given fair time to state why their property should or should not be historically designated, rather than it being done as a group. He stated that perhaps it could work if it were only one city block, but it is unfair being spaced out over five miles. He commented that he is not saying that the RDC picked out the properties, but asserted that it certainly had a hand in it, as did all of the neighborhood groups. He commented that he has nothing against the neighborhood groups, but that they overreached in this case.

Celeste Hardester, representing the Central Roxborough Civic Association, commented that her organization supports the proposed historic district. She read from a prepared statement by Kay Sykora, founding Director of the New Manayunk Corporation, now known as the Manayunk Development Corporation and currently a Roxborough resident, who was unable to remain in attendance for this matter to be heard:

This tool, historic district designation, helped shape and protect the identity of Manayunk as it evolved. What did it do? Now instead of old buildings with no perceived value because they were simply old and dilapidated, the buildings were identified as historic, with value in that identity. Many of the buildings would have come down, without this tool. Instead virtually all were renovated and over the years some were renovated a number of times. Each time exposing more of their unique identity. With historic designation, the identity of a community is preserved, the character of the building generates enhanced interest, and over time value increases, both business and residential. Think about Chestnut Hill, Media, Phoenixville and West Chester as communities that have preserved the identity of their downtown districts, to the benefit of both their business communities and their extended residential community. Compare this also to the Roxborough Bank Building, which is historically designated. It is now in

the midst of an amazing renovation for an innovative use. Think about what it would have been without the protection. Or the Manayunk Bridge, historically designated and preserved as a bike and pedestrian trail. None of this would be without protections. SEPTA actually had plans to tear down the bridge at one point and now it draws interest to the community, with the benefits that go with that.

Ms. Hardester commented that she hears the concerns regarding other streets in Roxborough, and noted that there are efforts underway to designate various properties off of Ridge Avenue. She commented that Ridge Avenue, however, is core to the entire community. She commented that the proposed designation was supported by eight civic groups along Ridge Avenue, and was originally instituted by Jeffrey Allegretti of Wissahickon, who was very concerned about what he continued to see along Ridge Avenue, and so he took that concern to other civic groups who supported his efforts. She commented that the RDC then heard about it and listened to their concerns. She commented that she appreciates the demolition moratorium which helped the designation process to move forward, and the Historical Commission's staff for the work done to prepare the nomination. She commented that Roxborough is growing in size and more people are choosing to live there and positively impact the community. She opined that the historic designation will be economically beneficial to property owners and businesses over the long-term.

Lori Salganicoff, Executive Director of the Chestnut Hill Conservancy, commented that she is speaking as a preservation advocate. She expressed support of the nomination and gratitude to Councilman Jones for introducing the demolition moratorium and the Commission for its response to that. She commented that she is hopeful that this is a tool that can be used throughout other communities in Philadelphia. She urged the Commission to vote to designate the district.

Paul Steinke, Executive Director of the Preservation Alliance for Greater Philadelphia, voiced support for the proposed historic district. He commented that the Alliance believes the proposed historic district satisfies Criteria for Designation A, C, D, and J. He commented that Ridge Avenue is a historic road that dates back to the earliest human settlement of what is now Philadelphia, and this nomination seeks to identify and preserve the earliest and most important remnants of Ridge Avenue's earliest history. He commented that some property owners may have their long-term plans changed by this designation, but the City's historic preservation ordinance gives the Historical Commission wide latitude to vote in support of this designation today. He asserted that the historical, architectural, and built environment of Roxborough is one of the leading reasons why anyone would want to live, work, or own property there, and this nomination seeks to protect that. He agreed with Ms. Salganicoff in that the Alliance hopes this serves as a model that can be used in other parts of the city that are also undergoing intense short-term development pressure that threatens to destroy the historic fabric of the city.

David Traub, representing Save Our Sites, commented that his organization supports the designation. He commented that, while one can be sympathetic to property owners who wish to be excluded from the historic district, letting property owners choose if they want to be included would set a bad precedent. He opined that those property owners will see how the historic designation has benefited them in the years to come.

Oscar Beisert, representing the Keeping Society of Philadelphia, voiced his support for the historic designation. He suggested that perhaps the RDC could look to expand the district in the future to include later commercial buildings. He suggested that the quality of businesses in the

Main Street Manayunk Historic District are better because of higher standards, and that it would be hard to argue that the historic district designation in Manayunk has hurt the area.

Steven Peitzman, representing the East Falls Historical Society, commented that the historical society board supports the nomination. He commented that he is thinking about today's discussion in the context of recent recommendations by the Mayor's Task Force on Historic Preservation. He suggested that there needs to be a greater presentation of the value of historic preservation in the neighborhoods so that persons of open mind can begin to perceive that preservation helps avoid ugly development and out of control demolition. He suggested that community members may be able to be trained to create their own inventories of historic properties, utilizing the model of Ridge Avenue. He commended the staff on the preparation of the nomination.

Joshua Cohen, chief of staff for the Office of Councilman Curtis Jones Jr., commented that Councilman Jones fully and enthusiastically supports the creation of the Ridge Avenue Roxborough Thematic Historic District. He commented that his office worked with the Historical Commission's staff over the last year, including with the preceding demolition moratorium, and with many civic associations. He asked the Historical Commission to approve the designation as submitted. He stated that the Councilman's office had no influence whatsoever of what properties were proposed for designated in this district. He explained that he did not learn of which properties were included in the inventory until only a couple of hours before it became public.

Leonard Bracale, owner of two properties on Ridge Avenue, voiced his opposition to the proposed historic district. He stated that he is opposed to the designation of his property at 6518 Ridge Avenue. Ms. Chantry displayed an image of 6518-20 Ridge Avenue on the projection screen for the Commission and public to view. Mr. Bracale asked that the photograph of the Bunting House be shown on the projection screen, and suggested that his building probably looked like the Bunting House years ago, but is different now. He commented that the proposed designation is too inconsistent and includes too many properties. He commented that his building was knocked down, and one can clearly see to the left and the right, and his building is different brick. He commented that the square footage was off. He commented that a garage at the rear was knocked down. Mr. Bracale distributed photographs of buildings on Ridge Avenue, some showing buildings proposed for designation and others showing new construction or buildings not proposed for designation. He commented that Ridge Avenue is big and not congested. He suggested that some buildings should be designated as historic, but that the Historical Commission needs to go back through those and make sure. He commented that some properties owned by RDC board members were not included in the proposed designation. Mr. Thomas responded that whether Mr. Bracale's assertion is true or not, the Historical Commission is a professional board, and is looking at architectural requirements, and not ownership of the properties. Mr. Bracale responded that he understands. Mr. Thomas commented that the opening of the Walnut Lane Bridge was a huge turning point. He opined that the designation was researched in a professional and fair manner. Mr. Bracale stated that his building is just an example of many buildings along Ridge Avenue. Ms. Cooperman responded that that is the point. Mr. Bracale commented that he also owns 6141 Ridge Avenue. Ms. Chantry displayed an image of 6141 Ridge Avenue on the projection screen for the Commission and public to view. Mr. Bracale distributed a photograph of 6168 Ridge Avenue, a building shown earlier in Mr. Farnham's presentation as one not included in the historic district owing to its construction date of 1910. Mr. Bracale explained that the RDC owns the building and is putting a microbrewery in it. He opined that the building is beautiful, and that if any

building on Ridge Avenue should be designated historic, it is 6168 Ridge Avenue. He asserted that Roman's Pizza at 6613 Ridge Avenue looks terrible and should not be historically designated. He observed that these several buildings were not visually included in the staff's earlier presentation. He asserted that the pet shop at 7043-45 Ridge Avenue looks terrible and should not be historically designated. He commented that he has photographs of new development on Ridge Avenue that is beautiful. He commented that his tenant at 6518 Ridge Avenue walks across the street to go to physical therapy. He asserted that the city will lose money and jobs, including 15,000 jobs over the next 10 years. He suggested that Ridge Avenue should be a service area, focused on physical therapy offices, nail salons, and doctors' offices. He distributed additional photographs. Mr. Thomas responded that what Mr. Bracale is showing are buildings that have been altered over the years. Mr. Bracale agreed, and stated that they need development. Ms. Edwards commented that she is confused by the line of questioning and the unlabeled photographs being distributed. Mr. Thomas agreed, and explained that application materials are put online for the public to view ahead of any meeting, and as such, the distribution of photographs during this meeting without the benefit of them being made available to the public is not appropriate. Mr. Bracale responded that photographs of these buildings are available online, except for ones showing new development. Ms. Chantry confirmed that photographs of all properties proposed for designation are available online as part of the historic district inventory. Mr. Thomas commented that an important point being made by Mr. Bracale is that many of the buildings proposed for designation are perhaps undistinguished in the way they have been treated. He rhetorically asked why this effort should be made to create this historic district. Mr. Bracale asked if it was to keep prices down. Ms. Long and Ms. Cooperman responded no. Mr. Thomas responded that photographs of streets prior to historic designation in other areas of the city look very much like what Mr. Bracale has shown in his photographs. He commented that what ends up happening is that buildings get improved over time and value increases. Mr. Bracale stated that Frankford Avenue is beautiful because of new construction mixed in with old, and historic designation will hamper that. He commented that Mr. Coleman's building at 6150 Ridge Avenue is not very nice and needs development. He commented that Ridge Avenue is different than other streets and needs to focus on services. He suggested that his tenant would not be able to go to physical therapy across the street, at a location not proposed for historic designation, because that non-historic building would be marked as historic. He commented that Ridge Avenue, not Manayunk, needs development. Mr. Thomas responded that every district is unique. He explained that the Commission is responding to an assignment that came from the City, the Councilman's office, and other organizations. He explained that not every building on Ridge Avenue is proposed for historic designation, as has been done in all other historic districts. This will allow for parcels with non-historic resources to accept new development where appropriate which can fit in with the historic resources. Mr. Bracale asked if he could propose that the RDC-owned building referenced earlier at 6168 Ridge Avenue be designated as historic. Mr. Mattioni responded that Mr. Bracale certainly could do that, if he wishes to spend the time and effort necessary to submit a nomination to designate the property as historic. Others encouraged him to do so. Mr. Bracale responded that the building is beautiful. Mr. Mattioni responded that beauty is not the issue, but rather historic preservation is the issue. Mr. Bracale responded that he will first focus his efforts on challenging the historic designation of his property. He asserted that 6518 Ridge Avenue was clearly built in 1920, as an assessor has asserted. He concluded that he will fight that historic designation without a doubt.

ACTION: Ms. Cooperman moved to find that the nomination demonstrates that the Ridge Avenue Thematic Historic District satisfies Criteria for Designation A, C, D, and J, and to

designate it as historic, listing it on the Philadelphia Register of Historic Places. Mr. McCoubrey seconded the motion, which passed unanimously.

OLD BUSINESS

ADDRESS: 5900 AND 5920 CITY AVE

Name of Resource: Louisa Baugh House
Proposed Action: Withdrawal of nomination
Property Owner: Saint Joseph's University
Nominator: Staff of the Historical Commission
Staff Contact: Jon Farnham, jon.farnham@phila.gov, 215-686-7660

OVERVIEW: In 2006, the Historical Commission's staff prepared and submitted the nomination for 5900 and 5920 City Avenue. The Historical Commission notified the property owner that it would consider the nomination, but, for various reasons explained below, no action was taken on the nomination. It has been pending for 12 years, since 2006. As the nominator, the staff now requests that the Historical Commission withdraw the nomination because the building's condition is such that it no longer merits designation.

Former State Representative Louise Bishop, who owns an abutting property, contacted the Department of Licenses & Inspections and Historical Commission regarding her concerns about the condition and potential redevelopment of the property in the late 1990s. In 1998, the property owner defaulted on a mortgage and the bank holding the mortgage seized the property. In 1999, a non-profit associated with St. Joseph's University purchased the property from the bank. In 2004, the non-profit transferred the property to St. Joseph's University.

With encouragement from State Representative Bishop, the Historical Commission's staff prepared and submitted a nomination for the property in 2006. The Historical Commission notified the property owner of its pending consideration of the nomination on 21 July 2006. The Committee on Historic Designation's review was scheduled for 22 August 2006 and the Historical Commission's review for 8 September 2006, but the property owner requested a continuance from those meetings to the next Committee on Historic Designation meeting, which had not yet been scheduled.

The meeting was eventually scheduled and the Committee on Historic Designation reviewed the nomination on 12 March 2007. At that time, the Committee recommended that the property satisfied Criteria for Designation c, d, h, and j. The property owner raised concerns about the building's poor condition at the Committee meeting in 2007, but was told that those concerns would be better addressed at the Historical Commission meeting, which was scheduled for 13 April 2007. Prior to the April 2007 meeting, the property owner requested an additional 60 days to consider its options and the review was rescheduled for the Historical Commission meeting on 8 June 2007. State Representative Bishop, St. Joseph's University President Timothy Lannon, Jon Farnham of the Historical Commission's staff, and others met at the President's house to discuss the matter on 17 May 2007. The University raised concerns about finding a use for the property that would be acceptable to the neighbors and the cost of renovating the dilapidated house, but offered to explore its options if the community and Historical Commission accepted a postponement in the review. In June 2007, the Historical Commission granted an indefinite continuance to allow for the ongoing discussions between the university and the community regarding the reuse of the property with the understanding that the matter would be

placed on a subsequent agenda at the request of St. Joseph's University and/or that of the State Representative. The University began exploring the adaptive reuse of the property, but was concerned about the community's support for zoning variances because the property was zoned single-family residential. Apparently, that support was not forthcoming. Neither the University nor the State Representative requested a subsequent consideration of the nomination. On 19 May 2010, the Historical Commission reminded the University in writing that the matter was still pending, but no request to restart the review was submitted.

On 5 September 2018, a contractor working for St. Joseph's University submitted a demolition permit application for the building to the Department of Licenses & Inspections. The Department forwarded that permit application to the Historical Commission. The demolition permit application was submitted without prior discussions with the Historical Commission. Apparently, owing to personnel changes and a loss of institutional memory between 2010 and 2018, the University had forgotten that the property was under consideration for designation. The Commission's staff scheduled the demolition permit application for review by the Architectural Committee on 25 September 2018 and the Historical Commission on 12 October 2018, but the review was then put on hold by the property owner to provide time to resolve the unexpected designation matter first.

The University's demolition permit application was instigated by a significant event on 7 March 2018. During a major wind and snow storm that included "thundersnow," a large tree fell and severely damaged the northeast corner of the building. At the time of the storm, the building was already in very poor condition. It had been vacant for nearly 20 years, during which time the tile roof had decayed significantly, allowing large amounts of storm water into the building. At the time of the nomination in 2006, the staff had toured the site and learned that the building was already in distressed condition. In fact, in 2007, the property owner argued to the Historical Commission in writing that "given its deteriorated physical condition," the designation of the property "will result in a financial hardship to the University."

Following the tree damage in 2018, the University obtained an engineer's report for the building. The report details the tree damage as well as the poor conditions of the building generally. It explains that portions of the building have collapsed and others are in danger of collapse. Most significantly, the report provides evidence that the schist walls of the building have been severely compromised by years of water infiltration. The staff visited the site on 2 October 2018 and can confirm that the exterior walls of the building, especially the north and east walls, are in very poor condition, with significant collapses, shifting, bulges and bows, displaced lintels, sills, and steps, and cracks and other evidence of failure. Windows have fallen out of the building and large sections of the roof and roofing material are missing. The building is in very poor condition.

In light of the fact that the nomination has been pending for 12 years, that the building was in poor condition in 2006 when nominated, and is in worse condition today, the staff, which nominated the property, asks the Historical Commission to accept its request to withdraw the nomination and to relinquish jurisdiction over the property. The building does not merit designation in its current condition. There is no path that leads to the preservation of this building. To avoid situations like this in the future, the staff requests that the Historical Commission direct it to propose a rule for consideration for inclusion in the Rules & Regulations that would cause the automatic reconsideration of nominations that have been indefinitely postponed after a set period of time.

DISCUSSION: Mr. Farnham presented the withdrawal request to the Historical Commission. Wadell Ridley of St. Joseph's University and attorney Matt McClure represented the property owner.

Mr. Thomas asked if anyone in the audience wanted to speak about this matter. Thaddeus Squire, the president of the Overbrook Farms Club, introduced himself. He stated that it is ironic that he founded both CultureWorks and *Hidden City*, but has never attended a meeting of the Historical Commission. He observed that he was stepping out from behind the curtain today, appearing not as the Wizard of Oz, but as the Scarecrow. He stated that he sits today before the Historical Commission as the Scarecrow. He noted that he is the president of the Overbrook Farms Club and the chair of its committee on public property and civic space. He explained that his committee is involved with historic preservation issues as well as those related to the Department of Licenses & Inspections. He stated that he is voicing his "full-throated opposition" to withdrawing the nomination. He stated that it is the unanimous position of the board of the Overbrook Farms Club. He stated that other neighbors would be in attendance to support that position if they were as "ungainfully employed" as he is. He stated that he has spoken to former state representative Louise Bishop, who could not attend, owing to illness. He stated that she offered a "panegyric" on wanting to save the house. He stated that she found St. Joseph's stewardship of the property reprehensibly negligent. He noted that she may have been in favor of the demolition of the building in the past, but she is not today. She wants the building saved and options for it explored. Mr. Squire presented a letter from Councilman Jones opposing any withdrawal of the nomination. He added that the Councilman recently purchased a house in Overbrook Farms on Drexel Road. He stated that his organization was requesting a continuance of the matter. "To rush to the finish line of demolition would taste of imprudence." He stated that there are lots of open questions. He stated that the university has not kept its promise to engage with the community and explore options. He stated that it is hard to believe that St. Joe's had any other intention than to demolish this building. He noted that the university's attorney had stated in 2007 that, if the property were designated, the university would submit a hardship application for a demolition approval. He stated that KSK issued a report at that time indicating that the property could be rehabilitated for \$2 to \$3 million. Mr. Squire stated that he questions the process that resulted in the continuance. He claimed that Mr. Farnham, the executive director who granted the continuance, only has the authority to grant one continuance, to the next month's meeting, but not to grant an indefinite continuance. He questioned whether the proper process had been followed in the granting of the continuance. He asserted that the continuance was extraordinary. Regarding the condition of the property, he conceded that it is in bad shape, but contended that "it is not within [the executive director's] licensure to be the only and last word" on condition. Other opinions and other reviews are due. He stated that his group wants time to review the engineer's report and perhaps commission their own report. He stated that the photograph showing the fence around the property is not recent; he claimed that there is no fence around the property today. He stated that the house sits on a large parcel and is set back from the road. It is surrounded by a seven-foot wall with gates. "Not even the most inebriated St. Joe's student could mount this wall if he tried," Mr. Squire opined. He claimed that the house would not place anyone in danger if it collapsed tomorrow. He stated that he communicated with the Commissioner of the Department of Licenses & Inspections and contended that the Department has not issued any opinion on the condition of this property. He stated that he sees no evidence that this building is imminently dangerous; he claimed that that was the executive director's assessment. Mr. Squire claimed that this is not a hardship hearing. St. Joe's can submit a hardship application, but the Historical Commission is not now reviewing such an application. He concluded that "this is one of the most mendacious examples of demolition by neglect that I have seen in a long time." He stated

that the time that has elapsed since nomination and the lack of action during that time is “remarkable.” He stated that he has great concerns about this as a precedent, if the Commission were to withdraw this nomination. He claimed that “this demolition by neglect is expressly prohibited by Section 13.2 of the R and R of this Commission.” He stated that he has grave concerns about the intentions of St. Joe’s, which is moving into the neighborhood. He stated that he would like to discuss this property and the university’s broader intentions as they relate to the neighborhood. He stated that the Councilman has facilitated a meeting of the community and St. Joe’s for Friday, 19 October 2018 to discuss this property as well as St. Joe’s master planning and intentions in the Overbrook Farms community. He concluded stating that “we are asking for time and we are asking for forbearance.”

Ms. Cooperman asked Mr. Squire to estimate the time needed for his conversations with the university. Mr. Squire responded that he would need four to six months for his discussions with the university. Several Commissioners responded that that was too long to postpone consideration of this matter. Mr. Squire stated that he could accept 60 days. He stated that several developers in his neighborhood are interested in considering options for this parcel. He noted that it is a large parcel and therefore presents options for additional development beyond the existing structure. He stated that his organization would like to consider partnership possibilities with the university. He noted that his organization “would like to give it a considered last look before [they] bid it adieu.”

Paul Steinke of the Preservation Alliance asked the Historical Commission to extend the life of this George Pearson-designed building. He reported that he has spoken to Stanley Taraila, a retired developer, who believes that the building in question is in better shape than the Lits Brothers building was before it was rehabilitated. Mr. Steinke recounted that the demolition equipment was on site to demolish the Lits Brothers building before it was saved. Mayor Goode started the process that saved the building. Mr. Steinke concluded that the Preservation Alliance supports a 60-day continuance for this matter.

Mr. Thomas opined that this building poses no danger to the public. He supported the call for a 60-day continuance.

Mr. Farnham disputed Mr. Squire’s characterization of the staff’s assessment of the condition of the property. He stated that he had never used the term “imminently dangerous” with regard to this property. He stated that the staff’s request to withdraw this nomination is not predicated on an assertion that this building poses a threat to the public. The staff has not claimed that this building poses such a threat. Mr. Farnham also disputed Mr. Squire’s claim that he had violated the Rules & Regulations by continuing this matter indefinitely. He stated that continuance requests for designation matters used to be handled much differently than they are today. He noted that continuance requests for designation matters are not addressed in the Rules & Regulations. The one continuance for one month rule that Mr. Squire mentioned defines the executive director’s authority with regard to continuance requests for building permit applications; it has nothing to do with continuances for the reviews of nominations. Mr. Farnham suggested that the Historical Commission consider adding a rule related to continuations of nomination reviews. To avoid situations like this in the future, he requested that the Historical Commission direct the staff to propose a rule for consideration for inclusion in the Rules & Regulations that would require the automatic reconsideration of nominations that have been indefinitely postponed after a set period of time has elapsed. He stated again that there is no rule regarding continuing nomination reviews and explained that, at the time the continuance in question was granted, the Historical Commission had delegated great authority to the staff to

grant such continuances. Mr. Farnham addressed Mr. Squire's claims about demolition by neglect. He stated that Section 13.2 of the Rules & Regulations, which Mr. Squire referenced and which corresponds to Section 14-1006(3) of the preservation ordinance, cannot be applied to buildings that are under consideration for designation, but only to buildings that are designated. He explained that he discussed the matter with the Historical Commission's attorney, Leonard Reuter, who confirmed that the demolition by neglect provision in the preservation ordinance was directed at "historic buildings," which, by definition, are buildings that are designated as historic, not under consideration for designation. Mr. Farnham reminded the Commissioners that the preservation ordinance gives the Historical Commission 90 days to act on a designation when a permit application for a property is pending. In this case, the property owner has submitted a complete demolition permit application, but also requested that the Commission continue that application for one month. He concluded that, unless the property owner delays the application again, that application will be reviewed at the October meeting of the Architectural Committee and November meeting of the Historical Commission, so the 90-day clock has started ticking. Mr. Reuter clarified that the 30-day continuance stopped the clock for 30 days, but it restarts once the application is active.

Mr. Reuter explained that, with regard to properties that are under consideration for designation and not yet designated, the Historical Commission does not have plenary jurisdiction. The Historical Commission solely has the authority to review building permit applications for properties that are under consideration. It has no other authority over properties that are under consideration. He stated that the City, through the Department of Licenses & Inspections and the Law Department, has the authority to compel a property owner to maintain a property, whether the building is historic or not. He observed that this building is set back from the street behind a tall wall. The condition of the building would not be evident to anyone on the street because the building is barely visible from the street. He stated that he is unaware of any complaints to the City about the condition of this property. There are no current violations on this property. He concluded that there was no basis for the City to undertake any enforcement action. He stated that the claims that have been made that the Historical Commission bears any fault for the condition of the building are misplaced. He noted that the Commission only began this year to consider withdrawal requests for nominations. Prior to this year, a nominator could simply withdraw a nomination. This nomination could have been unilaterally withdrawn at any time prior to this year.

Attorney Matt McClure introduced himself and stated that he represents St. Joseph's University. He stated that he did not prepare a formal presentation for today's meeting because he did not make the request to withdraw the nomination. The Historical Commission's staff made the request. He stated that he became involved in the matter after the demolition application was submitted and scheduled for a review by the Architectural Committee. Mr. McClure stated that the first step he took after becoming involved in this case was to visit the building. He opined that, in his 20 years of practicing land-use law, he has never seen a building in worse condition than this one. He stated that his arguments today will be factual; they will not be about town-and-gown issues or master plans. He stated that the Historical Commission's sole concern is whether to accept the staff's request to withdraw the nomination. He observed that the staff has indicated that this building is not worthy of designation. He stated that the staff's opinion is important because they authored the nomination. Mr. McClure stated that he takes offense to Mr. Squire's comment about inebriated students of St. Joseph's University. He stated that the university acquired the property in 1999 after a foreclosure. He stated that it was a distressed property. The property was in poor condition when the university purchased it. When it was nominated in 2006, the university explained to the Historical Commission that it was in very poor

condition. The Historical Commission did not vote on the nomination because it was put into abeyance. There were no factual findings regarding the condition of the property at that time. Mr. McClure asked if the Commissioners had copies of the engineer's report. The Commissioners responded that they did have copies of the report. Mr. McClure stated that an act of God occurred in March 2018; a tree fell on the northeast corner of the house and ripped open the roof and knocked off the chimney, a character-defining feature. He explained that the university obtained an engineer's report immediately after the tree fell. The report had nothing to do with any sort of application to the Historical Commission. It was obtained to guide the university as it evaluated the property after the destructive event. The university hired CVM Engineering, a prominent firm with experience with historic buildings. Mr. McClure stated that he spoke with the engineer who prepared the report yesterday and the engineer stated that the building could not be salvaged. He noted that the engineer was unable to attend today's meeting, owing to the short notice. The report documents that, in addition to the tree damage, portions of the interior are collapsed. Interior sections of the north façade have collapsed, as is shown on page 8 of the report. On the west side of the building, the floors inside have collapsed. The second floor is inaccessible. Ms. Cooperman apologized to Mr. McClure for interrupting him and asked if his client objects to a 30-day continuance. Mr. McClure responded that he could return to present more evidence with his engineer. He also noted that he will be exploring the matter with the Department of Licenses & Inspections. He stated that he is happy to return in 30 days to present the facts of this case to the Historical Commission. He noted, however, that the historic preservation ordinance is not a vehicle for resolving town-and-gown issues. Ms. Cooperman responded that the Historical Commission has often sought to bring parties together. She stated that this building has been in very poor condition for a very long time; a 30-day continuance should not make a great difference. Mr. McClure stated that his client already has a plan to meet with the community stakeholders. He also stated that he will return to a later meeting and present a fuller set of the facts of the case.

Mr. Reuter asked Mr. McClure if he was willing to extend the 90 days that the Historical Commission has to review the demolition permit application. Mr. McClure responded that he needed to consult with his client before answering.

Mr. McClure stated to Mr. Fink that his client would not object to the Department of Licenses & Inspections inspecting the property. Mr. Thomas responded that the matter before the Historical Commission is not whether this property is imminently dangerous, but whether it should be designated as historic. He stated that the Historical Commission might accept the withdrawal request if the property no longer had historic value or if it was unable to be adaptively reused. Ms. Cooperman added that necessity in the public interest might be another reason. Mr. Thomas stated that he does not believe that any of those justifications is valid in this case. Mr. McClure asked Mr. Thomas to refrain from reaching any conclusions in the matter until he had an opportunity to present evidence. He suggested that any decision at this point would be without basis.

Mr. Farnham observed that the only matter before the Historical Commission is a request from the staff to withdraw its nomination. He stated that the Historical Commission is not obligated to accept or even act upon the request. He informed the Commission that it can grant, deny, or ignore the request. He advised the Commission that, because no notice of the consideration of the nomination was provided to the property owner, the Commission should not act on the nomination itself, deciding the designation question, but should only consider the staff's request. He stated that the Historical Commission can choose to have an opportunity to review the nomination and may review the demolition permit application. Mr. McClure stated that he would

postpone the demolition application review if the Historical Commission considered the withdrawal request with his evidence about the condition of the building. Mr. Reuter stated that the Historical Commission should provide the property owner with notice of its intent to consider the nomination to account for the case that the withdrawal is denied and the nomination review moves forward. Mr. McClure noted that the demolition permit application he would file in this case would be significantly different than the one on hold, which was submitted by the demolition contractor without information about the condition or feasibility of reuse of the building. Mr. McClure stated that he is happy to return to the Historical Commission at a later date, provided he has the opportunity to put on his case regarding the building. He stated that he would not object to the Historical Commission considering the nomination as long as he has an opportunity to first make his case about the condition of the building.

Steven Peitzman interjected, asking if the staff had determined that a nomination was correct and complete and if notice of the review of the nomination had been sent to the property owner. Mr. Farnham responded that the nomination for the property had been determined to be correct and complete and notice had been sent to the property owner. He explained that the Committee on Historic Designation had reviewed the nomination at a public meeting and forwarded a recommendation to the Historical Commission. An abutting property owner, who had prompted the staff to write and submit the nomination and the property owner, St. Joseph's University, had jointly requested that the Historical Commission continue the matter. He added that the Historical Commission could return the nomination to its agenda for consideration without the consent of either of the parties involved in the continuance request, but the Commission would be obligated to provide the property owner with proper notice of the review. Mr. Reuter agreed. Mr. Steinke lobbied for continuing the matter for 90 days to give the community the maximum flexibility with its negotiations with the university. Mr. Reuter stated that a permit application is deemed approved 90 days after submission if there has been no action on a pending nomination. Mr. Reuter noted that nominations can sit forever awaiting action, but the submission of a permit application triggers a deadline for the Historical Commission. Once a permit application is submitted, the Historical Commission may approve the application or act on the nomination within 90 days and then deny the application. A denial of the permit application without action of the nomination within 90 days will not prevent the application from being deemed approved. The property owner's rights are not impacted by a prolonged nomination review, but they are impacted if the Historical Commission fails to act on a permit application in a timely manner. Mr. McClure stated that his client wants an opportunity to present a full reporting on the condition of the property. He remarked that he will provide an engineer and others, who have actually inspected the property, to provide reports. He stated that he will put the facts before the Historical Commission. He stated that he would not be "playing any legal gamesmanship" with regard to the 90 days; the clock is not ticking. He stated that he is willing to participate in the process. He stated that he is not hiding anything. He wants to be open and transparent. He stated that he and his experts are happy to appear before the Historical Commission and present the facts of the matter. Mr. Squire stated that there needs to be enough time for the local community process. The people involved in the process have day jobs. The Historical Commission must provide enough time for the community to consider this matter fully.

ACTION: Ms. Cooperman moved to continue the consideration of the staff's request to withdraw the nomination for 60 days to the Historical Commission's meeting on 14 December 2018. Ms. Turner seconded the motion, which passed unanimously.

Lori Salganicoff approached the Commissioners' table and began to speak. Mr. Mattioni indicated that he was in the midst of moving to adjourn and that she was out of order.

ADJOURNMENT

At 2:24 p.m., Mr. Mattioni moved to adjourn. Ms. Edwards seconded the motion, which passed unanimously.

STANDARDS AND GUIDELINES CITED IN THE MINUTES

Standard 2: The historic character of a property will be retained and preserved. The removal of distinct materials or alterations of features, spaces, and spatial relationships that characterize a property will be avoided.

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

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

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

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

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

Roofs Guideline: Recommended: Identifying, retaining, and preserving roofs—their functional and decorative features—that are important in defining the overall historic character of the building. This includes the roof's shape, such as hipped, gambrel, and mansard; decorative features such as cupolas, cresting, chimneys, and weathervanes; and roof material such as slate, wood, clay, tile, and metal, as well as its size, color, and patterning. Designing additions to roofs such as residential, office, or storage spaces; elevator housing; decks and terraces; or dormers or skylights when required by the new use so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.

Accessibility Guideline: Recommended: Providing barrier-free access that promotes independence for the disabled person to the highest degree practicable, while preserving significant historic features.

14-1005(6)(d) Restrictions on Demolition.

No building permit shall be issued for the demolition of a historic building, structure, site, or object, or of a building, structure, site, or object located within a historic district that contributes, in the Historical Commission's opinion, to the character of the district, unless the Historical Commission finds that issuance of the building permit is necessary in the public interest, or unless the Historical Commission finds that the building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted. In order to show that building, structure, site, or object cannot be used for any purpose for which it is or may be reasonably adapted, the owner must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed.

Section 14-201(14) of the Philadelphia Zoning Code which states:

Where the meaning of a restriction in this Zoning Code is ambiguous and the intent cannot be discerned through the usual rules of statutory construction, the restriction shall be construed in favor of the landowner, provided that the resulting construction does not lead to irrationality in the Zoning Code.

CRITERIA FOR DESIGNATION

§ 14-1004(1) Criteria for Designation.

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

- (a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, Commonwealth, or nation or is associated with the life of a person significant in the past;
- (b) Is associated with an event of importance to the history of the City, Commonwealth or Nation;
- (c) Reflects the environment in an era characterized by a distinctive architectural style;
- (d) Embodies distinguishing characteristics of an architectural style or engineering specimen;
- (e) Is the work of a designer, architect, landscape architect or designer, or professional engineer whose work has significantly influenced the historical, architectural, economic, social, or cultural development of the City, Commonwealth, or nation;
- (f) Contains elements of design, detail, materials, or craftsmanship that represent a significant innovation;
- (g) Is part of or related to a square, park, or other distinctive area that should be preserved according to a historic, cultural, or architectural motif;
- (h) Owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood, community, or City;
- (i) Has yielded, or may be likely to yield, information important in pre-history or history; or
- (j) Exemplifies the cultural, political, economic, social, or historical heritage of the community.