ADDRESS: 239 CHESTNUT ST
Proposal: Construct seven-story building
Review Requested: Review In Concept
Owner: Mazal Tov Development LLC
Applicant: Kevin O’Neill, KJO Architecture LLC
History: 1852; Lewis Building; Stephen D. Button, architect; destroyed by fire in 2018
District Designation: Old City Historic District, Significant, 12/12/2003
Staff Contact: Randal Baron, randal.baron@phila.gov, 215-686-7660

BACKGROUND: Significant architect Stephen Button constructed the two buildings at 239 and 241 Chestnut Street as a pair in 1852; the Historical Commission individually designated the pair together as one entity, 239-41 Chestnut Street, in 1976. The building at 239 Chestnut Street was destroyed by fire and the ruins were demolished in 2018. The building at 241 Chestnut Street was damaged but repaired. Before 239 Chestnut was demolished, the Department of Licenses & Inspections laser scanned the front façade and salvaged the cast-iron first floor by Daniel Badger so that the building could be reconstructed. The applicant, who is considering purchasing the lot, proposes to construct a building that does not reuse the historic fabric or reproduce the historic façade. While the front façade would be rebuilt to the height of the historic façade, an additional two stories would be constructed set back from the new façade. Because the site is close to the corner and the building across the street is notched to create a pocket park, these additional two floors would be quite visible from the street. The standards suggest that the front façade should be reconstructed to its historic appearance because it is a component of a larger ensemble. Extensive documentation and fabric exists to promote an accurate reproduction of the front facade. A rooftop addition that was set back from the front façade to be inconspicuous from the public right-of-way would comply with the standards.

SCOPE OF WORK:
- Construct new seven-story building.

STANDARDS FOR REVIEW:
The Secretary of the Interior’s Standards for the Treatment of Historic Properties and Guidelines include:
- 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.
  o The front façade of the proposed building would not match its twin to the west at 241 Chestnut Street, even though very complete documentary evidence exists for the reconstruction. The project does not comply with this standard.
- Standard 9: New additions, exterior alterations, or related new construction shall … be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  o The architectural features of the proposed front façade will not be compatible with the environment, especially the adjacent twin building at 241 Chestnut Street. The project does not comply with this standard.

STAFF RECOMMENDATION: Denial, pursuant to Standards 6 and 9.
Figure 1: 239 and 241 Chestnut Street from Baxter’s Panoramic Directory, 1879. Image courtesy of the Athenaeum of Philadelphia.
APPLICATION FOR BUILDING PERMIT

APPLICATION # ____________________________________________

(Please complete all information below and print clearly)

ADDRESS OF PROPOSED CONSTRUCTION:
239 CHESTNUT ST., PHILADELPHIA, PA

APPLICANT:
KEVIN J O'NEILL

COMPANY NAME:
KJO ARCHITECTURE LLC

PHONE # (215) 278-2245  FAX # (215) 359-0603

PROPERTY OWNER'S NAME:
MAZAL TOVE DEVELOPMENT

PHONE # FAX #

ARCHITECT/ENGINEER IN RESPONSIBLE CHARGE:
KEVIN J O'NEILL

ARCHITECT/ENGINEERING FIRM:
KJO ARCHITECTURE LLC

PHONE # FAX #

CONTRACTOR:

CONTRACTING COMPANY:

PHONE # FAX #

USE OF BUILDING/SPACE
MIXED-USE (VACANT COMMERCIAL/ MULTI-FAMILY)

BRIEF DESCRIPTION OF WORK:
NEW CONSTRUCTION
7- STORY BUILDING
FULL CELLAR
REQUESTS IN-CONCEPT HISTORICAL COMMISSION APPROVAL

ESTIMATED COST OF WORK
$ 2,980,000.00

TOTAL AREA UNDERGOING CONSTRUCTION: 14,912 square feet

COMPLETE THESE ITEMS IF APPLICABLE TO THIS APPLICATION:

# OF NEW SPRINKLER HEADS (suppression system permits only): ____________ LOCATION OF SPRINKLERS:

# OF NEW REGISTERS/DIFFUSERS (hvac/ductwork permits only): ____________ LOCATION OF STANDPIPES:

IS THIS APPLICATION IN RESPONSE TO A VIOLATION? ☑ NO ☑ YES VIOLATION #: ______________________

All provisions of the building code and other City ordinances will be complied with, whether specified herein or not. Plans approved by the Department form a part of this application. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I further certify that I am authorized by the owner to make the foregoing application, and that, before I accept my permit for which this application is made, the owner shall be made aware of all conditions of the permit. I understand that if I knowingly make any false statement herein I am subject to such penalties as may be prescribed by law or ordinance.

APPLICANT’S SIGNATURE: ___________________________ DATE: __________/________/________

(81-3 Rev 5/04)
CHESTNUT STREET
60' WIDE (17'-26'-17')

PARKING

S. 3rd STREET
50' WIDE (12'-26'-12')

PARKING

241 CHESTNUT ST.
EXISTING 5-STORY
PARCEL NOT IN SCOPE

243 CHESTNUT ST. PROPOSED MIXED-USE 7-STORY BUILDING
FIVE (5) STORY PORTION
EXISTING CONSTRUCTION
OCCUPIED AREA
ROOF DECK
FENCE

LEGEND
PROPERTY LINE
PAVEMENT RESTORATION LIMIT

1. ALL UTILITIES SHOWN ARE DIAGRAMMATIC & FOR REFERENCE ONLY.
2. ALL UTILITY INFORMATION & LOCATIONS SHALL BE DETERMINED BY CIVIL ENGINEER.
3. ALL SIZING SHOWN ARE ESTIMATES. FINAL SIZING SHALL BE DETERMINED BY M/E/P ENGINEER & COORDINATED WITH FINAL PLUMBING DRAWINGS AND PERMITS.

SCALE: 1/4" = 1'-0"
ELEVATION

1. STEEL PIER
2. STEEL LINTEL
3. STEEL PICTURE WINDOW (TYP)
4. STEEL AWNING WINDOW (TYP)
5. STONE CORNICE
6. STEEL TRANSOM
7. METAL SPANDREL
8. METAL CANOPY
9. STRUCTURAL GLASS STOREFRONT SYSTEM
10. PLANTER/GUARDRAIL BEYOND
11. ALUMINUM CURTAINWALL SYSTEM
12. GLASS GUARDRAIL
13. PLANTER

SCALE: 4" = 1'-0"
SITE MASSING
MEETING OF THE ARCHITECTURAL COMMITTEE
OF THE PHILADELPHIA HISTORICAL COMMISSION

TUESDAY, 24 SEPTEMBER 2019
1515 ARCH STREET, ROOM 18-031
DAN MCCOUBREY, CHAIR

CALL TO ORDER

START TIME IN AUDIO RECORDING: 00:00:00

The Chair called the meeting to order at 9:00 a.m. The following Committee members joined him:

<table>
<thead>
<tr>
<th>Committee Member</th>
<th>Present</th>
<th>Absent</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Dan McCoubrey, FAIA, LEED AP BD+C, Chair</td>
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<td>John Cluver, AIA, LEED AP</td>
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<td>Rudy D’Alessandro</td>
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<td>Justin Detwiler</td>
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<td>Nan Gutterman, FAIA</td>
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<td>Suzanne Pentz</td>
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<td>Amy Stein, AIA, LEED AP</td>
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The following staff members were present:
- Jon Farnham, Executive Director
- Randal Baron, Historic Preservation Planner III
- Laura DiPasquale, Historic Preservation Planner II
- Meredith Keller, Historic Preservation Planner II
- Allyson Mehley, Historic Preservation Planner I

The following persons were present:
- Patrick Grossi, Preservation Alliance for Greater Philadelphia
- Jane Yu, University of Pennsylvania
- Kathy Yuan, University of Pennsylvania
- Henry Zeng, University of Pennsylvania
- Kevin J. O’Neill, KJO Architecture
- Christopher Stromberg, S2 Design
- William Vessal
- Colin Goan, Streamline
- R. Xu, University of Pennsylvania
- Paul Boni, Society Hill Civic Association
- Rustin Ohler, Harman Deutsch Ohler Architecture
- Brandon Lutz, Harman Deutsch Ohler Architecture
- Jessie Lawrence, Streamline
- C. Gao, University of Pennsylvania
- Juliet Whalen
- Gary Murray
ITEM: 25 S Van Pelt Street
MOTION: Denial
MOVED BY: Gutterman
SECONDED BY: D’Alessandro

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<tr>
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**STAFF RECOMMENDATION**: Denial, pursuant to Standards 6 and 9.

**START TIME OF DISCUSSION IN AUDIO RECORDING**: 00:30:09

**PRESENTERS**:
- Mr. Baron presented the application to the Architectural Committee.
- Architect Kevin O’Neill and developer Gary Murray represented the application.

**DISCUSSION**:
- The Committee questioned why the applicant is not reusing the salvaged cast iron façade. The Committee said that great lengths had been taken to salvage the material and the application includes no information that demonstrates that the salvaged historic fabric is unusable.
  o The applicant responded that it was determined to be too expensive to reuse.
- The Committee opined that the façade should be reconstructed as it is a piece of a larger structure and complete documentation exists to aid in reconstruction. In addition it was noted that the similarity in the placement of fenestration shows that the applicant’s program is compatible with reconstruction.
  o The applicant responded that the original architect Stephen Button had created a simple vertical façade and they were continuing in his tradition.
- The Committee asked about materials.
  o The applicant responded that they are proposing steel and glass.
- The Committee responded that those materials would not be appropriate in this situation. The façade could be constructed in cast stone.
- The Committee questioned whether the overlays along Independence National Historic Park allow for this height.
  o The applicants responded that they will have to seek a height variance in any case. Mr. Murray pointed out that the long-demolished Jayne Building that once existed across the street had been quite tall.
- The Committee recommended that, if the front façade was reconstructed, some additional floors might be acceptable, as long as they were designed with more sensitivity to minimize visibility. The Committee had concerns with the penthouses for the elevator, two stairhouses, and the front deck and its railings. The Committee opined that the front deck should be removed entirely.
  o The applicant responded that they could potentially combine the stairhouses into one mass.
The Committee responded that they do not wish to see the width of the penthouse expanded.

PUBLIC COMMENT:
- Patrick Grossi opposed the project and spoke in favor of the reconstruction of the historic façade and the construction of some additional floors if they were designed to be more inconspicuous.

ARCHITECTURAL COMMITTEE FINDINGS & CONCLUSIONS:
The Architectural Committee found that:
- The structure at 239-241 Chestnut Street was constructed and designated as a single structure.
- The streetscape is highly intact.
- The structure that was lost was highly significant because its architect Stephen Button developed a version of the Italianate style with vertical piers which may well have influenced the development of skyscraper design.
- The salvaged ironwork is by Stephen Badger, who was also important in the development of cast iron architecture for which Old City is famous.
- The Department of Licenses & Inspections salvaged the cast-iron façade and made a laser scan of the façade to allow for its reconstruction after the fire.
- The façade should be reconstructed with the ironwork.
- The proposed additional two floors and penthouses would be too conspicuous and take the building too far from its original intent. They can be designed with greater sensitivity to minimize their conspicuousness.

The Architectural Committee concluded that:
- The proposed project does not meet Standard 6 because it does not reuse the existing preserved historic cast-iron fabric and does not match the historic façade known from photographs and the laser scan.
- The proposed project does not meet Standard 9 because the additional floors and penthouses will be highly conspicuous from the south and west.

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

ITEM: 239 Chestnut Street
MOTION: Denial, pursuant to Standard 6 and 9.
MOVED BY: Jon Cluver
SECONDED BY: Nan Gutterman

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ARCHITECTURAL COMMITTEE, 24 SEPTEMBER 2019
PHILADELPHIA HISTORICAL COMMISSION
PHILADELPHIA’S PRINCIPAL PUBLIC STEWARD OF HISTORIC RESOURCES