

**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

Individual Designation: 11/4/1976

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.*
  - 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.*
  - 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.

**MAPS & IMAGES:**

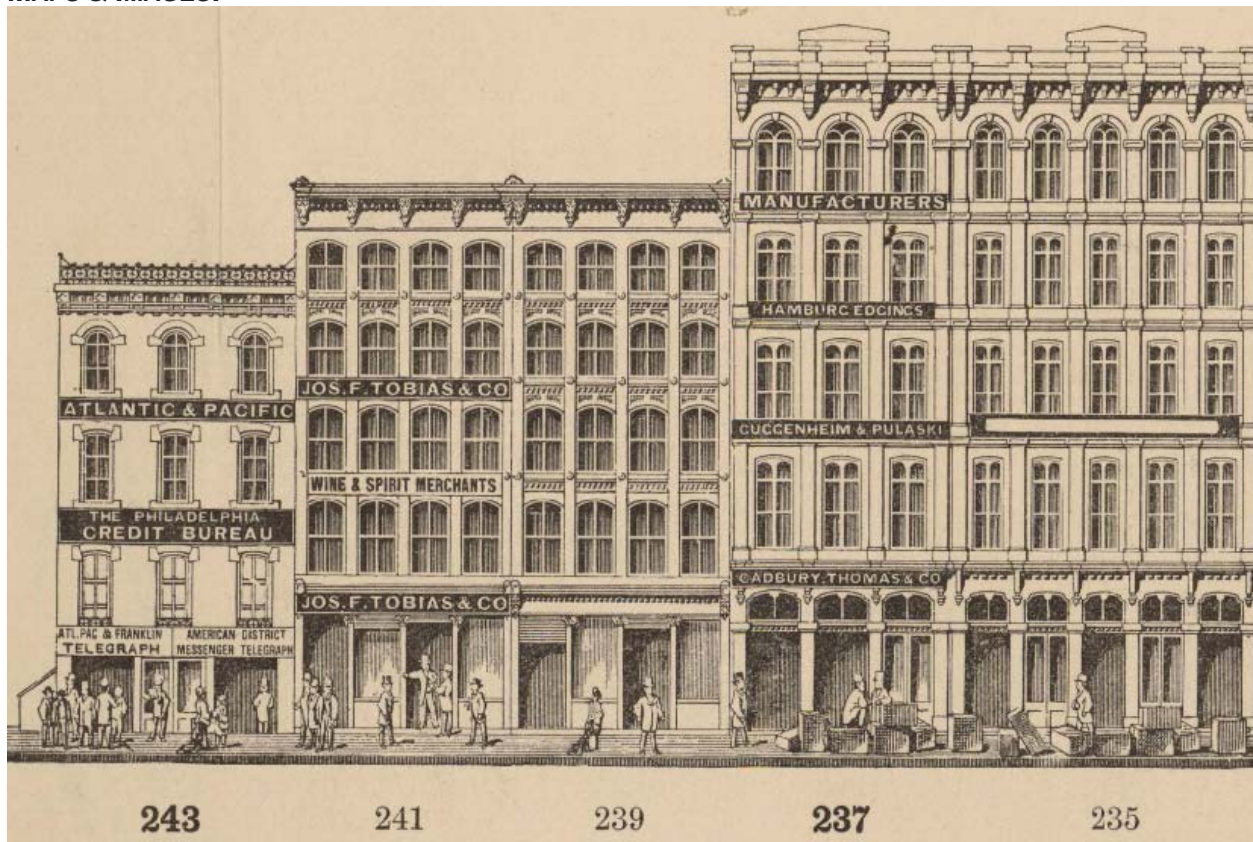


Figure 1: 239 and 241 Chestnut Street from Baxter's Panoramic Directory, 1879. Image courtesy of the Athenaeum of Philadelphia.

# APPLICATION FOR BUILDING PERMIT

APPLICATION # \_\_\_\_\_

(Please complete all information below and print clearly)



CITY OF PHILADELPHIA  
DEPARTMENT OF LICENSES AND INSPECTIONS  
MUNICIPAL SERVICES BUILDING – CONCOURSE  
1401 JOHN F. KENNEDY BOULEVARD  
PHILADELPHIA, PA 19102

For more information visit us at [www.phila.gov/li](http://www.phila.gov/li)

## 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

## APPLICANT'S ADDRESS:

2424 E. YORK ST. SUITE 110

PHILADELPHIA PA 19125

RA405668

LICENSE # AC#2544771

E-MAIL: INFO@KJOARCHITECTURE.COM

## PROPERTY OWNER'S NAME:

MAZAL TOVE DEVELOPMENT

## PROPERTY OWNER'S ADDRESS:

507-09 W GIRARD AVE PHILADELPHIA PA 19123

PHONE #

FAX #

## ARCHITECT/ENGINEER IN RESPONSIBLE CHARGE

KEVIN J ONEILL

## ARCHITECT/ENGINEERING FIRM:

KJO ARCHITECTURE LLC

PHONE #

FAX #

## ARCHITECT/ENGINEERING FIRM ADDRESS:

2424 E. YORK ST S110

PHILADELPHIA PA 19125

LICENSE # RA405668

E-MAIL: INFO@KJOARCHITECTURE.COM

## CONTRACTOR:

## CONTRACTING COMPANY:

PHONE #

FAX #

## CONTRACTING COMPANY ADDRESS:

## USE OF BUILDING/SPACE

MIXED-USE (VACANT COMMERCIAL/ MULTI-FAMILY)

## ESTIMATED COST OF WORK

\$ 2,980,000.00

## BRIEF DESCRIPTION OF WORK:

NEW CONSTRUCTION

7-STORY BUILDING

FULL CELLAR

REQUESTS IN-CONCEPT HISTORICAL COMMISSION APPROVAL

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: \_\_\_\_\_

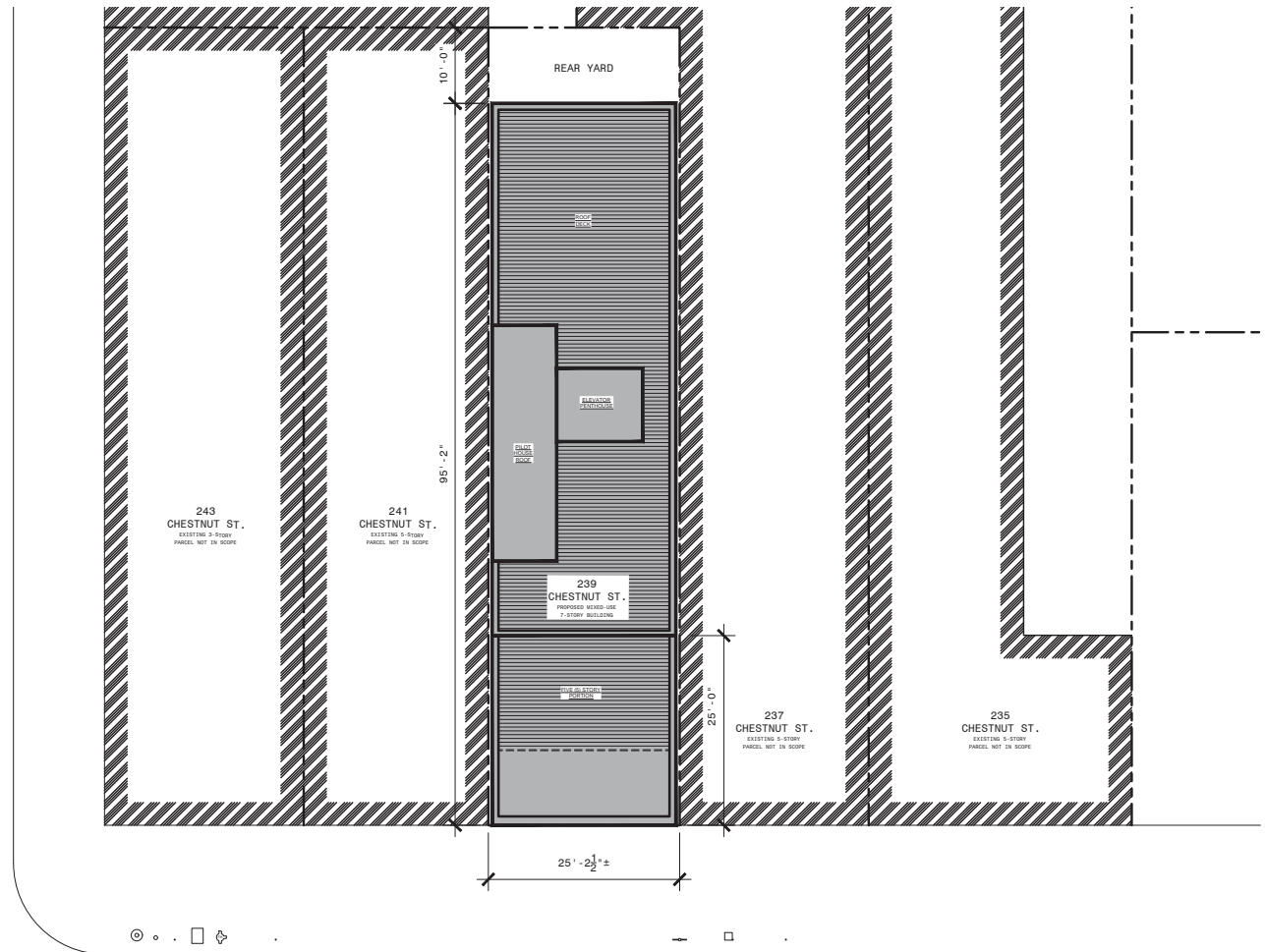
DATE: 09 / 10 / 15



**LEGEND**

- EXISTING CONSTRUCTION
- OCCUPIED AREA
- ROOF DECK
- FENCE
- PROPERTY LINE
- PAVEMENT RESTORATION LIMIT

S. 3<sup>rd</sup> STREET  
50' WIDE (12'-26'-12')  
PARKING



## SITE PLAN



CHESTNUT STREET

60' WIDE (17' - 26' - 17')

PARKING

SCALE:  $\frac{1}{16}'' = 1' - 0''$

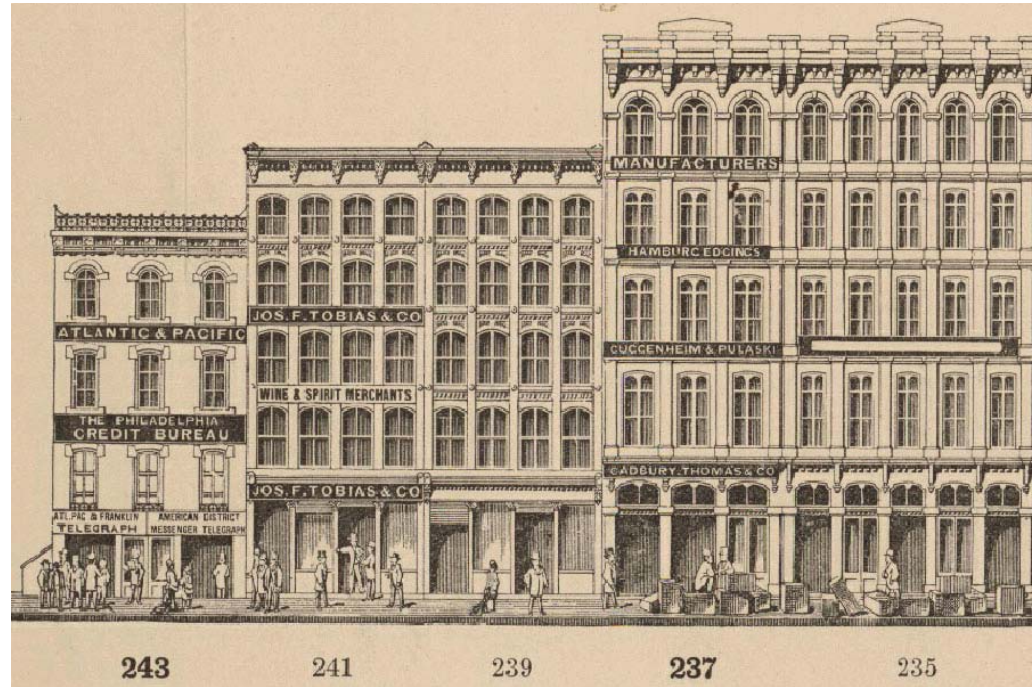




239 CHESTNUT ST. | SITE PHOTOS 07/25/19

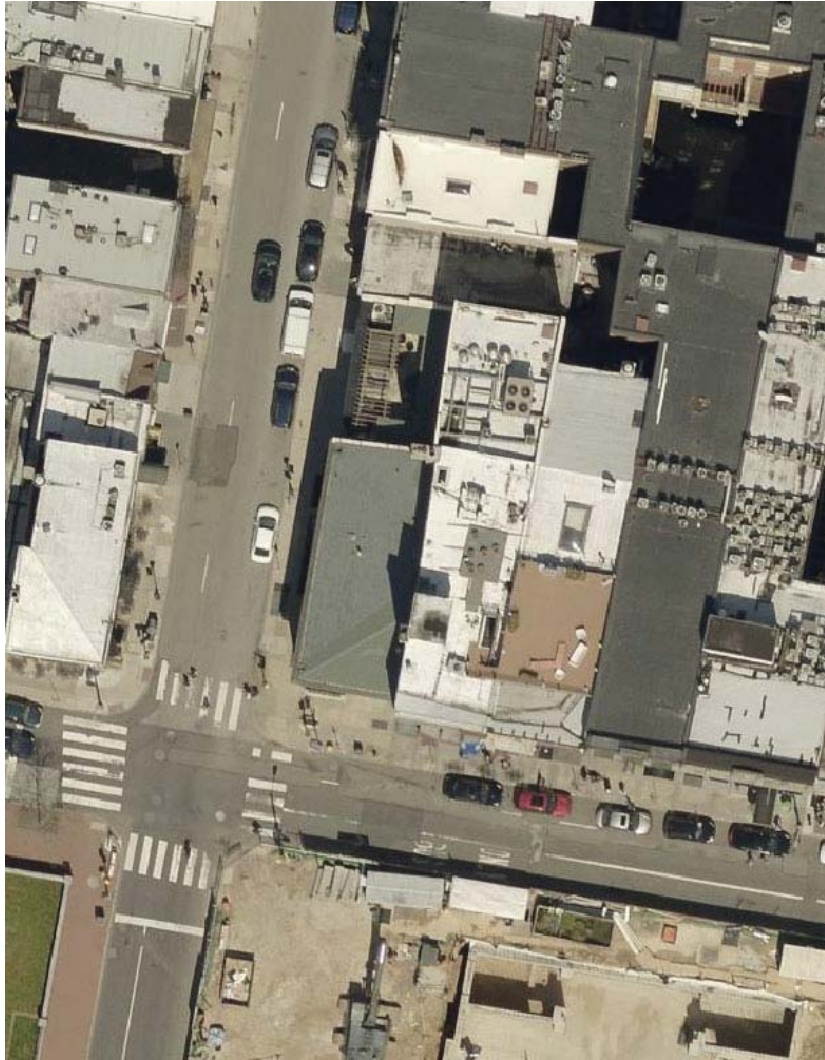


1895 MAP

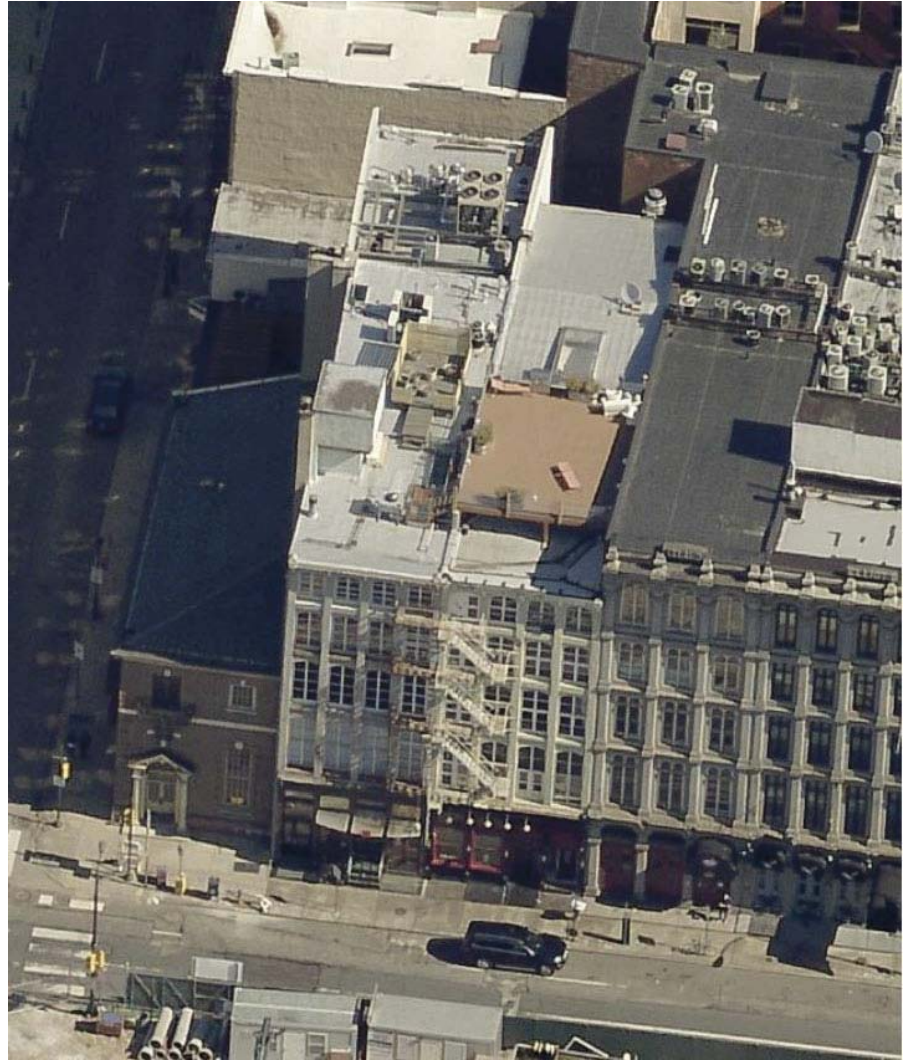


1879 DRAWING

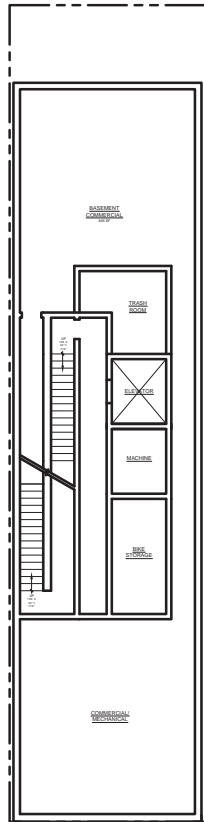




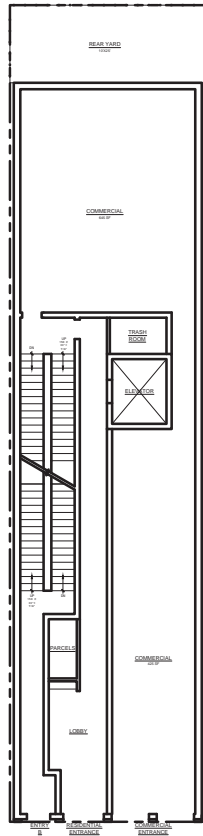
AERIAL VIEW CIRCA 2015



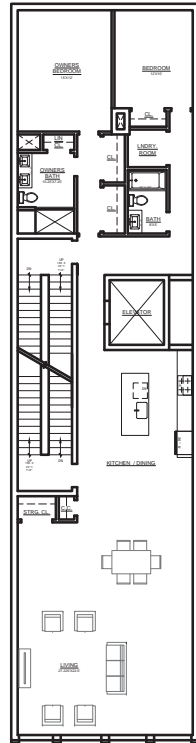
OVERHEAD VIEW CIRCA 2015



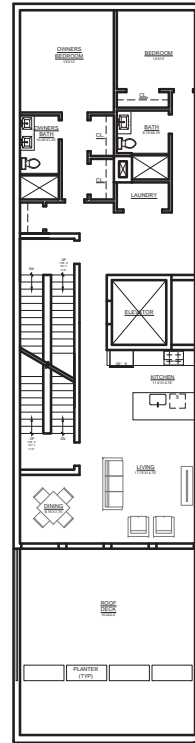
BASEMENT



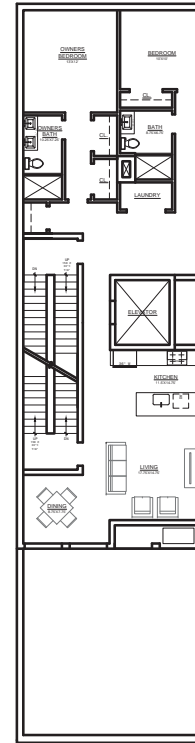
1ST FLOOR



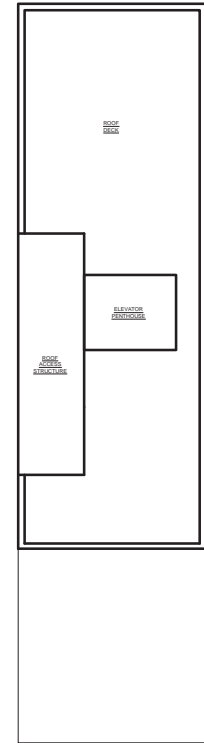
2ND-5TH FLOOR



6TH FLOOR



7TH FLOOR



ROOF

SCALE:  $\frac{1}{16}" = 1'-0"$





# ELEVATION

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

SCALE:  $\frac{1}{16}" = 1'-0"$

**KHO** ARCHITECTURE

239 CHESTNUT ST. | PHILADELPHIA HISTORICAL COMMISSION | IN-CONCEPT DESIGN | 09.10.2019 | 6 of 8



SITE MASSING



PERSPECTIVE VIEW FROM WEST



**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:

<b>Committee Member</b>	<b>Present</b>	<b>Absent</b>	<b>Comment</b>
Dan McCoubrey, FAIA, LEED AP BD+C, Chair	X		
John Cluver, AIA, LEED AP	X		Arrived 9:08
Rudy D'Alessandro	X		
Justin Detwiler	X		
Nan Gutterman, FAIA	X		
Suzanne Pentz	X		
Amy Stein, AIA, LEED AP	X		

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

<b>ITEM: 25 S Van Pelt Street</b> <b>MOTION: Denial</b> <b>MOVED BY: Gutterman</b> <b>SECONDED BY: D'Alessandro</b>					
VOTE					
Committee Member	Yes	No	Abstain	Recuse	Absent
Dan McCoubrey	x				
John Cluver	x				
Rudy D'Alessandro	x				
Justin Detwiler	x				
Nan Gutterman	x				
Suzanne Pentz	x				
Amy Stein	x				
Total	7				

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**ARCHITECTURAL COMMITTEE, 24 SEPTEMBER 2019**

**PHILADELPHIA HISTORICAL COMMISSION**

**PHILADELPHIA'S PRINCIPAL PUBLIC STEWARD OF HISTORIC RESOURCES**

- *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.*
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  - 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.

**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.
  - 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.
  - 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.
  - 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.
  - 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.
  - 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.

<b>ITEM: 239 Chestnut Street</b>					
<b>MOTION: Denial, pursuant to Standard 6 and 9.</b>					
<b>MOVED BY: Jon Cluver</b>					
<b>SECONDED BY: Nan Gutterman</b>					
VOTE					
Committee Member	Yes	No	Abstain	Recuse	Absent
Dan McCoubrey	x				
John Cluver	x				
Rudy D'Alessandro	x				
Justin Detwiler	x				
Nan Gutterman	x				
Suzanne Pentz	x				
Amy Stein	x				
Total	7				