

**THE MINUTES OF THE 636TH STATED MEETING OF THE
PHILADELPHIA HISTORICAL COMMISSION**

**FRIDAY, 14 AUGUST 2015
ROOM 18-029, 1515 ARCH STREET
SAM SHERMAN, CHAIR**

PRESENT

Sara Merriman, Vice Chair, Commerce Department
Ralph DiPietro, Department of Licenses & Inspections
Anuj Gupta, Esq.
Dominique Hawkins, AIA, NCARB, LEED AP
Rosalie Leonard, Esq., Office of City Council President
John Mattioni, Esq.
R. David Schaaf, RA, Philadelphia City Planning Commission
Robert Thomas, AIA
Betty Turner, M.A.

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

ALSO PRESENT

Ed Eimer, Eimer Design
Pat Madej, Philadelphia Business Journal
Alexandra Wilson, BLTA
Cindy Hamilton, Heritage Consulting
Dave Smallets, BLTA
Joshua Horvitz, Fineman Krekstein & Harris
Charles Peruto
James Pearlstein, Pearl Properties
Reed Slogoff, Pearl Properties
J. Tackett, Tackett & Company, Inc.
Francis Cuthbertson, CKG Architects
Catherine Smeykal, Philadelphia City Planning Commission

CALL TO ORDER

Ms. Merriman, the vice chair, called the meeting to order at 9:00 a.m. Commissioners DiPietro, Gupta, Hawkins, Leonard, Mattioni, Schaaf, Thomas, and Turner joined her.

MINUTES OF THE 635TH STATED MEETING OF THE PHILADELPHIA HISTORICAL COMMISSION

ACTION: Mr. Schaaf moved to adopt the minutes of the 635th Stated Meeting of the Philadelphia Historical Commission, held 10 July 2015. Ms. Turner seconded the motion, which passed unanimously.

Ms. Merriman decided to postpone the discussion of the continuance request for 201 S. 13th Street until additional Commissioners arrived at the meeting.

THE REPORT OF THE ARCHITECTURAL COMMITTEE, 28 JULY 2015

Dominique Hawkins, Chair

CONSENT AGENDA

Mr. Farnham introduced the consent agenda and explained that it included applications for 1900-06 Chestnut Street, 19-25 S. 12th Street, 416 S. Van Pelt Street and 699 N. Broad Street. Ms. Merriman asked if any Commissioners had comments on the Consent Agenda. Mr. Mattioni stated that he was pleased to find 699 N. Broad Street on the consent agenda. Mr. Thomas asked Ms. Hawkins to summarize the Architectural Committee's review of 699 N. Broad Street. Ms. Hawkins responded that the proposed rehabilitation was compatible with the building. She stated that the developer and architect approached the project with sensitivity, leaving the Committee to review relatively small details. She stated that it was a pleasure to review the application. Ms. Merriman asked if the audience had comments on the Consent Agenda. No one offered comments.

ACTION: Mr. Thomas moved to adopt the recommendations of the Architectural Committee for the applications 1900-06 Chestnut Street, 19-25 S. 12th Street, 416 S. Van Pelt Street and 699 N. Broad Street. Mr. Mattioni seconded the motion, which passed unanimously.

AGENDA

ADDRESS: 1900-06 CHESTNUT ST

Project: Construct building

Type of Review Requested: Final Approval

Owner: Chestnut Square Associates, LP

Applicant: Reed Slogoff, Pearl Properties

History: 1935, Frank Hahn, architect, Raymond Pace Alexander Building

Individual Designation: 9/10/2004

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, with the following provisions and clarification:

- provided that the accent light in alcove is reviewed in the field after installation and disabled or removed if inappropriate,
- provided that the metal panel turning the corner into the alcove on the third floor is replaced with a stone panel in the same plane as the other stone of that façade,
- provided that mechanical equipment on the roof is not visible from the public right-of-way,
- provided that signage is located in the sign band, and,
- with the understanding that the stairs and elevators servicing the third floor are not part of the application under consideration.

OVERVIEW: This application proposes to construct a commercial infill building on a vacant lot on the 1900-block of Chestnut Street. The vacant lot is not designated as historic, but the new building would connect internally to the Raymond Pace Alexander Building at 1900 Chestnut Street, which is designated as historic. As an addition to the Alexander Building, the Commission enjoys plenary jurisdiction over the application. This application proposes no work to 1910 Chestnut Street, the former Boyd Theater, which is to the west of the site.

The Historical Commission reviewed a proposal for the building as part of a larger project at 1900-06 and 1910 Chestnut Street at its June 2015 meeting. At that time, the Commission voted to approve in concept the massing of the infill building between the Alexander Building and Boyd Theater on Chestnut Street, pursuant to Standard 9, with the following advice for revising the design of the infill building for the final review by the Architectural Committee and Historical Commission:

- the application should include detailed drawings,
- the Chestnut Street or front façade should be more compatible with the Alexander Building and not overwhelm the Boyd Theater,
- the front façade should acknowledge the Alexander Building's roofline between its second and third floors, and,
- the front façade should include a setback or chamfer at the western edge of the third floor so not to overwhelm the Boyd Theater.

Since the June 2015 review, the applicants have redesigned the building according to the Commission's advice. In his capacity as the director of Urban Design at the City Planning Commission, David Schaaf, an architect, the City Planning Commission's designee on the Historical Commission, and one of the primary critics of the design presented at the June Commission meeting, has worked closely with the applicants and their architects on the redesign of the infill building.

Several aspects of the design of the infill building have been revised since the last review. Detailed elevation and plan drawings are now provided. The fenestration of the infill building has been revised to replicate the scale of the fenestration of the Alexander Building. The Chestnut Street façade will be clad in natural stone. The exposed third-story façade parallel to 19th Street and above the roof of the Alexander Building will be clad in metal panels; this façade will be minimally visible from the public right-of-way. The third floor of the Chestnut Street façade at the western edge will be set back 2'-6" from the lower floors of the front façade to defer to the Boyd Theater. Color and materials will differentiate the two-story base from the third floor along Chestnut Street.

ACTION: See Consent Agenda

ADDRESS: 219-29 S 18TH ST

Project: Convert three blind openings to openings

Type of Review Requested: Final Approval

Owner: Rittenhouse Regency Affiliates

Applicant: Martin Jay Tackett, Tackett and Company, Inc.

History: 1925, Zantzing, Borie & Medary, architects, Penn Athletic Club, Parc Rittenhouse
Individual Designation: None

District Designation: Rittenhouse Fidler Residential Historic District, Contributing, 2/8/1995

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 9.

OVERVIEW: This application proposes to remove a portion of the brick in three blind windows at existing fire stairs on the Locust and Chancellor Street facades of the Parc Rittenhouse building. The brick would be removed down to the levels of the adjacent second-floor window sills and limestone sills would be added to align with the adjacent sills of the flanking windows.

DISCUSSION: Ms. DiPasquale presented the application to the Historical Commission. Architect Martin Jay Tackett represented the application.

Mr. Tackett distributed a few copies of photographs to the Commission members. He opined that the blind openings in question are not an important part of the architectural composition of the building. He noted that the Committee had been concerned about safety if the sill is set at the same height as the window sills, and directed the Commission's attention to page 3 of the materials he just distributed, which showed the way in which fall protection was addressed on the openings above. The openings above the blind openings in question, he noted, are part of Philadelphia fire stair vestibules and connect the interior to the fire stair. He noted that the fire stair does not stop at the second floor. He described the proposed changes, and noted that they plan to install black metal bars as fall protection.

Mr. Tackett noted that the Committee was also concerned about the way in which the openings would be lit. He stated that the building owners would prefer to have the openings lit as little as possible. He opined that the composition of the building would not be meaningfully compromised by adding the openings.

Ms. Hawkins asked Mr. Tackett to clarify the purpose of the openings. Mr. Tackett responded that there are four stairs located in the quadrants of the building and that the openings exist on all of the floors above the second floor, and at the second-floor level on the northeast side of the building. He noted that one of the openings would create a fire balcony. Ms. Hawkins replied

that the openings had been represented at the Architectural Committee as a balcony amenity for some of the adjacent units. Mr. Tackett responded that the two proposed openings on the southwest and northwest corners would be used as balconies for the adjacent unit owners. Ms. Hawkins asked whether they would be part of an active fire stair, and Mr. Tackett responded that the two stairs on the west side of the building are not active, but could be. The two on the east end of the building are part of an active fire stair.

Ms. Hawkins asked whether there would be a black metal mesh covering the opening, as there is at the openings above. Mr. Tackett responded that there would not be a metal mesh, but simply a metal bar. Ms. Hawkins asked whether the gap between the proposed sill and bar would meet code. Mr. Tackett responded that it depends on the elevation of the floor relative to the sill. Ms. Hawkins noted that these are questions that the Architectural Committee had asked, and the information had not been provided. As such, Ms. Hawkins noted, she did not feel that she had sufficient information to approve the proposed alteration. Mr. Tackett responded that, if the openings were to be used as balconies, the owners of the adjacent units would have the option to put in an additional barrier, such as glass, or appeal to the Board of Building Standards to allow them to do what was done on the floors above. Ms. Hawkins asked if this meant to install metal mesh, and Mr. Tackett clarified that that was not what he meant.

Ms. Hawkins asked Mr. Tackett to explain his proposal. Mr. Thomas noted that he was hoping to see additional drawings. Mr. Tackett responded that he is trying to find out whether an opening such as this would be approved by the Commission. He opined that, if it was up to him, he would put the black bar 42 inches above the floor, about 12 inches above the proposed sill, and then a glass panel on the inside to span the extra four inches needed.

Mr. Thomas noted that the Commission would be happy to provide some guidance based on past experience, but that the applicant has to provide drawings showing the proposal, not merely a general sense of what might be done. Mr. Thomas asked: What will it look like? Mr. Thomas noted that the applicant might not be able to develop a design that meets the basic code requirements and does not look like an unexpected recess in the building. He noted that the Commission has approved numerous new openings in buildings, but the question of the appearance of these proposed openings remains an open question. Mr. Tackett asked the Commission if it would approve new openings that look like the opening shown on page 5 from the public right-of-way, and the light is limited to a low level such as 10 foot-candles. Mr. Thomas responded that the Commission is not in the position to answer that because the details about its construction have not been provided. He noted that the Commission does not negotiate details that have not been presented to the Architectural Committee and reviewed at a public meeting. If asked to propose a motion, Mr. Thomas opined that he would move to table the application as incomplete.

Mr. Thomas clarified for the applicant that openings may be acceptable. The next step would be to meet with the staff and determine the details for appropriate openings.

Ms. Merriman opened the floor to public comment, of which there was none.

ACTION: Mr. Schaaf moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standard 9. Ms. Turner seconded the motion, which passed unanimously.

Ms. Merriman broke from the Architectural Committee agenda portion of the meeting to return to the continuance request for 201 S. 13th Street.

ADDRESS: 201 S 13TH ST

Project: Legalize removal of balcony and patching and painting of masonry

Type of Review Requested: Final Approval

Owner: Walnut Square Partners

Applicant: Joshua Horvitz, Fineman Krekstein & Harris P.C.

History: 1900, Horace Trumbauer, architect, St. James Hotel

Individual Designation: 8/2/1973

District Designation: None

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend:

- denial of the removal of the balcony and installation of the infill, pursuant to Standards 2, 5, and 6;
- denial of the stain at the east façade, with the suggestion that the old brick is cleaned to allow for a comparison of the new and old brick colors, pursuant to Standard 6; and,
- denial of the installation of the masonry patches and paint, owing to incompleteness.

COMMITTEE ON FINANCIAL HARDSHIP RECOMMENDATION: Ms. Merriman moved that the Committee on Financial Hardship recommend that the Historical Commission table this application for 90 days to allow the applicants to submit additional information as requested and that the Historical Commission remand the supplemented application to the Committee on Financial Hardship for additional review and a recommendation. Ms. Long seconded the motion, which passed unanimously.

OVERVIEW: This application proposes:

- the legalization of the removal of a balcony at the seventh floor, north façade and the installation of infill where the balcony was removed without the Historical Commission's approval or a building permit;
- the application of a stain to new brick installed in the east façade with a building permit, but without compliance with conditions placed on the Historical Commission's approval; and,
- the legalization of the installation of masonry patches and paint to repair deteriorated ornament on the facade.

After the Historical Commission's staff witnessed work underway without and/or in excess of permits or approvals, the Historical Commission's staff advised the contractor and owner of the necessity for approvals and permits and the Department of Licenses & Inspections issued a verbal stop work order at the request of the Commission. The work was completed despite the City's efforts. The City initiated an enforcement action in court; the court ordered the property owner to seek the Commission's approvals for remedies for the work undertaken without permits and approvals. This application results from that order. In addition to the Architectural Committee, the Committee on Financial Hardship will review application before it is presented to the Historical Commission.

With regard to the legalization of the removal of a balcony, the application requests an exemption from the requirements of the historic preservation ordinance because repairing or replacing the balcony in kind would have imposed a financial hardship and an unnecessary hardship on the property owner. The terra cotta clad balcony was removed, the opening infilled,

and Dryvit installed over the infill without the Historical Commission's approval or a building permit.

The application proposes to apply a stain to new brick installed in the east façade to change the color of the new brick to a better match for the surrounding, original brick. In January 2013, the Historical Commission approved masonry repairs to the east façade, with the condition that the Commission's staff would review pointing and brick samples in the field for approval. The work was completed without the requisite staff reviews and the brick that was installed does not match the surrounding brick. The application proposes to stain the brick, but offers no details about the selected stain or the area or method of application. In concept, the stain may be the appropriate fix, but a final decision cannot be reached without additional details.

The application proposes to legalize repairs to ornament on the building undertaken without the Historical Commission's approval or a building permit. Ornament was removed and replaced with a "cement material." The cement material was then painted. The repairs do not replicate the appearance of the removed ornament. The application neither provides an inventory of the repairs nor information about the repair materials. This segment of the application should be deemed incomplete.

DISCUSSION: Mr. Baron presented the request for a continuance to the Historical Commission. Attorney Joshua Horvitz represented the application for request.

Mr. Farnham said that Commission had continued the matter for 90 days from its May 2015 meeting to its August 2015 meeting to allow the applicant time to submit the additional information requested by the Committee on Financial Hardship and the Commission. He stated that the applicant had not submitted additional information and, therefore, the Committee had not reconvened.

Mr. Horvitz said that he had received some but not all of the additional materials from his client and was therefore requesting an additional 90 days both to give his client more time to generate the materials and to allow the Committee on Financial Hardship to meet to review them. Ms. Merriman asked Mr. Horvitz to identify the information he has and is awaiting. Mr. Horvitz said that he has some information on vacancies, but only received the information recently and had not had the time to review it. Ms. Merriman stated that when she made the motion to continue the matter in May she was very firm about limiting the continuance to 90 days. She said that the Commission should take up the matter again in 60 days at its October meeting and hear the case based on the information that has been submitted by that time.

ACTION: Ms. Hawkins moved to continue the application for 201 S. 13th Street to the Historical Commission's meeting on 9 October 2015, with the requirement that all supplementary materials to be considered by the Commission and its Committee on Financial Hardship are submitted by the close of business on 15 September 2015. Mr. Schaaf seconded the motion, which passed unanimously.

ADDRESS: 4146-48 PARKSIDE AVE

Project: Construct apartment building

Type of Review Requested: Review and Comment

Owner: Parkside Historic Preservation Corp.

Applicant: Francis Cuthbertson, CKG Architects

History: vacant lot

Individual Designation: None

District Designation: 12/11/2009

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE COMMENT: The Architectural Committee commented that the applicant should consider the suggestions offered during the review of this project.

OVERVIEW: This application proposes to construct an apartment building on a vacant lot on Parkside Avenue in the Parkside Historic District. The Commission's jurisdiction is limited to Review and Comment because the site is considered undeveloped. The proposed building is comparable to neighboring buildings in terms of its height and massing. The staff considers the projecting brick and glass stair tower to be incompatible with the historic district. Façade materials include cast stone, EIFS, stucco, brick, and asphalt shingles.

DISCUSSION: Ms. Broadbent presented the application to the Historical Commission. Architect Francis Cuthbertson represented the application.

Ms. Broadbent explained that the Committee had offered several suggestions included the reconsideration of the stair tower, the de-emphasis of the stairs as a whole, the addition of a projecting bay element, the addition of a porch or recessed element on the first floor, and the reconsideration of the scale of the windows.

Mr. Cuthbertson explained that he had presented the property owner with the comments from the Architectural Committee, and the owner had told him to not change the design. The then owner went on vacation. Mr. Cuthbertson acknowledged that some of the comments could result in potential cost savings, and he would like to pursue the conversation with the owner regarding those changes. He inquired about the review process going forward, if the owner were to decide to incorporate some of the changes that were suggested by the Committee. Revisions would likely include the reduction of the scale of the upper-floor windows, and the rescission of the stair tower to make it flush with the building. He stated that the two outside stairs could be lowered, so that the entrance would be through a landing. Ms. Merriman responded that he would not have to come back to the Commission, and that the Commission would welcome the modifications that were suggested by the Committee. Mr. Cuthbertson asked about the zoning process. Mr. Thomas stated that the zoning review is not contingent upon the Commission approval. Mr. Cuthbertson stated that the review process by the Historical Commission has been enjoyable.

ACTION: Ms. Hawkins moved to adopt the comments of the Architectural Committee offered during its review of the project. Ms. Turner seconded the motion, which passed unanimously.

ADDRESS: 219 S SARTAIN ST

Project: Legalize vinyl windows

Type of Review Requested: Final Approval

Owner: Patrick Starr

Applicant: Patrick Starr

History: 1840

Individual Designation: 2/28/1961

District Designation: None

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6.

OVERVIEW: This application proposes no work, but is apparently intended to legalize five vinyl windows in the front façade of this three-story rowhouse at 219 S. Sartain Street.

In 2012, the current applicant reported to the Historical Commission that his neighbor at 209 S. Sartain Street was replacing her windows with inappropriate windows. The Historical Commission investigated and requested that the Department of Licenses & Inspections issue a violation for the installation of windows at 209. In response to the violation, the owner of 209 S. Sartain installed the historically appropriate windows, clearing the violation. During the review of those windows, the owner of 209 inquired about other inappropriate windows on the block. The Historical Commission investigated her claims and requested violations for inappropriate windows at 211 and 217 S. Sartain. The violation for 211 S. Sartain remains outstanding. The owner of 217 S. Sartain applied to the Historical Commission for legalization of his illegal windows. The Commission denied the legalization application, but suspended enforcement of the violation for four years to give the owner time to install the appropriate windows. During the review of the 217 S. Sartain application, the owner of 217 inquired about inappropriate windows at 219 S. Sartain, the subject of this application. The Historical Commission investigated and requested a violation for inappropriate windows at 219 S. Sartain on 3 June 2014, which the Department issued on 6 June.

After receiving the violation for the windows at 219 S. Sartain, the property owner appealed it to the Board of License & Inspection Review. The Board considered the appeal (#23311) on 19 August 2014 and determined that it was not ripe for consideration because the property owner had not exhausted his administrative remedies; he had not submitted an application to the Historical Commission for review. Following the Board's ruling, the property owner failed to submit an application addressing the windows to the Historical Commission and, eventually, the violation was referred to Municipal Court for enforcement. The enforcement proceeding apparently prompted the owner to submit the current application.

The application consists of a cover letter and building permit application form, in which the Brief Description of Work section reads: "None. There is no work. The only work I did was completed subject to a permit from the Philadelphia Historical Commission in 2006." The Historical Commission did approve a building permit application for this owner and property in 2006. It was unrelated to the front façade windows. The current application includes no photographs, architectural drawings, or other materials documenting the current windows. The application could be considered incomplete, but rejecting it as incomplete will not lead to a final resolution of the matter.

In his cover letter, the applicant claims that the windows were installed in 2000, before he purchased the property. Deed records indicate that the current owner purchased the property on 7 July 2000. The property owner appears to believe that he cannot be cited for unpermitted

work undertaken by a former owner. However, a property owner is responsible for the state of his property even if the illegal alteration occurred under earlier ownership. Whether or not the current property owner undertook the illegal work is irrelevant to the Historical Commission's enforcement. A change in ownership does not erase non-compliant conditions. If it did, the City of Philadelphia would be rendered unable to enforce any aspects of the building and zoning codes. Moreover, there is no statute of limitations on enforcement for unpermitted construction work in Philadelphia.

In his cover letter, the property owner contends that the Historical Commission failed to schedule a review of the matter after the Board rejected his appeal of the violation. However, the onus to apply to the Historical Commission for a review of the matter was on the property owner and the Commission's staff advised him as such. The Historical Commission is reactive. It does not schedule reviews unilaterally for property owners, but reacts to building permit applications submitted to it. The property owner had an obligation to submit a permit application if he wanted to seek a resolution to the matter through the Commission. The Board may have contributed to the confusion in this regard. Its official decision on the appeal was "Remanded to Historical Commission." However, remand, to send back to a lower court with instructions for additional review, was not an appropriate action because the Historical Commission had never reviewed the matter and had no record on which to base a second review.

Finally, in his cover letter, the property owner claims that the Historical Commission is breaking the law by requesting and then enforcing the violation. It is not. The claim is baseless. The property owner implies that the Historical Commission's staff is acting fraudulently because it knows that the current owner did not install the windows and, yet, is pursuing enforcement. The staff is aware of the owner's claim that he did not install the windows, but the staff does not know who installed the windows or when they were installed. However, as noted earlier, whether the current owner installed the windows or not is irrelevant. A property owner is responsible for the state of his property regardless of who altered it or when it was altered. The staff would pursue the violation even with ironclad evidence that the current owner did not install the windows. Photographs show that the inappropriate windows were installed after designation. Therefore, in that they were installed without an approval and permit, they are illegal.

As noted earlier, the Historical Commission reviewed an application to legalize inappropriate windows at 211 S. Sartain in 2014. The circumstances in that case were very similar to those presented here. In that case, the Historical Commission denied the application because the windows did not satisfy Standard 6, but suspended enforcement of the violation for four years to allow the owner an opportunity to replace the windows. The Commission should follow that clear precedent and take the same action in this case.

DISCUSSION: Mr. Thomas recused and left the room. Ms. Broadbent presented the application to the Historical Commission. Property owner Patrick Starr represented the application.

Ms. Broadbent noted that the application was supplemented with a letter from the applicant, dated 4 August 2015, and a letter from Councilman Squilla.

Ms. Merriman stated that the minutes from the Architectural Committee meeting are very clear and explicit regarding the arguments made by the applicant at that meeting. She stated that the Commission understands his position, but observed that the Commission has a responsibility to be consistent, and the Commission's record regarding illegal windows is very consistent in terms of providing a timeframe to correct the violation versus excusing the violation.

Mr. Starr stated that he does not seek legalization of the windows, and he never has, but it is the arcane process that necessitates that his approach be legalization. He accepts that the windows are illegal, but seeks relief from the timeframe, as it is not a similar case to 211 S. Sartain Street. He explained that Randal Baron was the person who informed him in 2000 that his house is historically designated, and that when he encountered Mr. Baron on the street, Mr. Baron told him that the illegal windows “slipped by him.” Mr. Starr said that his point is that there was no requirement at that time of his purchase of the property to disclose historical designation, and his house is plain and it did not occur to him that it was historically designated, especially since he purchased it with vinyl windows. He stated that he has photographs from the time of purchase that clearly show the vinyl windows, and the house inspection indicates that the predominant window type is vinyl. Mr. Starr stated that he does not accept the Commission’s proposed timeframe to replace the windows because he is a responsible homeowner facing various other expenses related to his home at this time. He promised to disclose to a future buyer, should he sell the house with the vinyl windows in place, that the property is historically designated, that the windows are in violation of the code, and that they must be replaced with windows that are approved by the Commission. He stated that he is being unfairly singled out and treated differently. He explained that he obtained a legal permit for changes to the building in 2006, including shutters and a basement window, and he worked with Mr. Baron to revise the garden door also at that time. He stated that he loves his home, and has spent money on his home, and he will not replace the windows with anything but historically appropriate windows that are approved by the Commission. However, he does not want a timeframe imposed, given his demonstrated stewardship of the property.

Ms. Merriman asked about the timeframe to which Mr. Starr referred. Mr. Starr responded that he is referring to the suggested timeframe that was mandated in the 211 S. Sartain Street case. He explained that he wishes to address other concerns regarding the home at this time, and he will replace the windows in accordance with the Commission’s standards, if he is still the owner of the property at the time of the replacement. He added that the windows function well, and an energy efficiency test done two years ago showed that the windows are in good working order.

Mr. Gupta asked if Mr. Starr is proposing a different timeframe. Mr. Starr responded that he does not want a timeframe, but rather he wants an agreement that says that he will abide by the rules, and will disclose that the house is historically designated, should he not be the owner of the property at the time of the window replacement. Mr. Schaaf commented that he cannot remember a time when the Commission did not impose a timeframe in situations such as this. He used the example of the Veterans of Foreign Wars (VFW) Hall in Chestnut Hill, where the historic windows were illegally removed, and the Commission gave the owners a four year timeframe to replace all of the windows with historically appropriate windows. He explained that it has been a consistent metric of this Commission to attach a timeframe to the replacement of windows that are in violation; it provides for an expectation of completion. Ms. Merriman commented that typically the timeframe is one year per floor.

ACTION: Ms. Hawkins moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standard 6, but to suspend enforcement for a period of four years to 14 August 2019, by which time the appropriate windows must be approved by the Historical Commission and installed. Mr. Mattioni seconded the motion, which passed unanimously.

ADDRESS: 416 S VAN PELT ST

Project: Apply stucco to rear facades

Type of Review Requested: Final Approval

Owner: Jason Nusbaum

Applicant: Jason Nusbaum

History: 1870

Individual Designation: None

District Designation: Rittenhouse Fitler Residential Historic District, Contributing, 2/8/1995

Staff Contact: Kim Broadbent, kim.broadbent@phila.gov, 215-686-7660

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend approval, provided the stucco is cement-based, with the staff to review details including the stucco detailing at the roofline, window and door openings, and neighboring properties.

OVERVIEW: This application proposes to apply stucco to the brick facades of the rear ell and rear main block of this rowhouse located within the Rittenhouse Fitler Historic District. The rear of this property is minimally visible from Addison Street, an alley that runs perpendicular to S. Van Pelt Street and is a designated street in the Historic Street Paving Thematic District. The brick at the rear of this building is in very poor condition. The first-story window in the rear of the rear ell is a large non-historic window. The second-story window has been infilled. There are other rowhouses on this block that have stucco covering their rear façades, including 420 S. Van Pelt, which was approved by the Historical Commission as part of a larger rehabilitation project.

ACTION: See Consent Agenda

ADDRESS: 699 N BROAD ST

Project: Restore facades; excavate basement for terrace

Type of Review Requested: Final Approval

Owner: Divine Intervention Hotel L.P.

Applicant: William Alesker, Alesker & Dundon Architects, LLC.

History: 1893, Willis Hale, architect, Lorraine Apartments, Divine Lorraine

Individual Designation: 5/13/2005

District Designation: None

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 based on historical evidence including photographs, pursuant to Standards 6, 9, and 10, with the following provisions:

- replacing the missing terra cotta statues, perhaps with an alternate material and with a single mold, is considered,
- the design of the basement doors for the rear building is refined, perhaps with metal panels,
- installing limestone instead of stucco at the newly exposed base of the building is considered,
- wood windows are installed at the first and second floors of the main building,
- all windows are restored to their original sizes,
- the sign is restored with neon as proposed, and,
- mechanical equipment is minimally visible from the public right-of-way.

OVERVIEW: This application proposes to renovate the Divine Lorraine Hotel, which has been vacant for many years. The main and rear buildings would be renovated for commercial use at the lower floors and residential use above. The application proposes the cleaning and repair of the brick facades; the infilling and parging of areas where terra cotta statues are missing; the installation of aluminum-clad windows; the installation of a Sarnafil rubber roof; and the modification of balcony railings to make them code compliant. A new stair and rear entryway would be constructed between the buildings. On the south side of the building, an area would be excavated to create a sunken plaza. At this sunken plaza, the basement windows in both buildings would be cut down to create doorways. The proposal for the new doorways at the basement level of the back building should be clarified; it is unclear how the basement windows would be incorporated into the new doors and it appears that some brick infill may be added to the windows to create a transom. In addition, a careful review of window divisions and muntins needs to be undertaken by the staff to verify that the new window configurations will match the historic configurations.

ACTION: See Consent Agenda

ADDRESS: 19-25 S 12TH ST

Project: Install exterior lighting and signage; construct bridge to adjacent building

Type of Review Requested: Final Approval

Owner: Stephen Girard Estate Trustees

Applicant: Alexandra Brinkman Wilson, BLT Architects

History: 1896, James H. Windrim, architect, Stephen Girard Building

Individual Designation: 12/12/2008

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 signage and lighting, provided that the signs do not have backlit faces and the lights are controllable at each level to eliminate “hot spots,” with the staff to review the attachments of lights to limit water penetration, pursuant to Standards 9 and 10.

OVERVIEW: The Commission recently approved an application for the rehabilitation of this building. The current application proposes work that was withdrawn from the earlier application before it was approved.

The application proposes flat non-illuminated signs for the east and west facades hung outside the glass. On the north and south facades, the signs would be illuminated projecting signs attached through the mortar joints.

The application proposes light fixtures attached to the cornices at levels 3, 5, and 13. Although they are on L brackets, the mounting also includes screws into the horizontal surfaces of the cornices. No information about the fixtures has been provided.

The proposed bridge would spring from the east façade and span a narrow alley, connecting the historic building to a building to the east. Most of the cornice would be preserved, but some would be cut away.

ACTION: See Consent Agenda

ADDRESS: 2026 RITTENHOUSE SQ

Project: Rehabilitate façade; construct three-story rear addition

Type of Review Requested: Final Approval

Owner: A. Charles Peruto, Jr.

Applicant: A. Charles Peruto

History: 1900

Individual Designation: None

District Designation: Rittenhouse Fidler Residential Historic District, Contributing, 2/8/1995

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standards 6, 9, 10 and the Roof Guidelines.

OVERVIEW: This application for final approval proposes to convert a former carriage house into a residential building. The Historical Commission approved in-concept an earlier application, with the provision that the staff determined that the decks and additions would be inconspicuous. The current application differs significantly from the application approved in concept.

The application proposes building a two-story rooftop addition set back 40 feet from the front façade. Although the staff determined that the additions proposed in the in-concept application

would be inconspicuous, the current application includes an additional deck at the fourth floor, which may render the addition more prominent. The roof of the carriage house, which was previously going to be preserved to a distance of 16 feet back from the front façade, is now depicted inconsistently in the architectural plans. It is implied that the entire roof would be demolished to construct a new cross gambrel roof. The front façade would be rebuilt with a design that is only partially based on the evidence. At the front façade, existing historic fabric would be removed and Tudor style elements with no basis in history would be installed. The staff would recommend approval of a design in which all rooftop additions are inconspicuous from the street, removal of historic fabric is limited, and the front façade is restored to its historic appearance.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. Developer Charles Peruto Jr. represented the application.

Mr. Baron explained that the applicant has submitted four different versions of the plans during the current review process. He noted that the Committee's recommendation refers to the first set of plans. He explained that, at his first site visit, he was able to determine that the dormer on the roof appears to be a much later addition. He recounted that the Committee asked the staff review a mock-up of the addition to assess the visibility. Mr. Baron showed an image of the mock-up and stated that he was surprised to learn that an entire floor of the addition would be visible from the east side and several feet of the addition would be visible from the west.

Mr. Peruto explained that he is making the application on behalf of his father, who will live in the building. He said that the application has two main pieces, the designs for the front façade and for the two-story addition. He said that, although the addition is more visible than expected, it is so far back that it appears to be part of another building. He explained that the area from which it is visible includes about 15 to 20 feet of sidewalk on the east side and 6 to 8 feet of sidewalk on the west side. He said that the building to the left is about 35 feet deep but that his addition does not begin until 40 feet back. He said that the deck and railing will not be visible at all. The new half cross gambrel will not begin until a setback of 16 feet and was, in any case, favored by the Committee to shed water. He explained the changes to the front façade including narrowing the garage to its original size, widening the front door, and reopening the windows. Ms. Hawkins praised the work on the façade, but contended that the addition was not inconspicuous. She urged the applicant to consider a redesign to move some of the program of the addition to the roof deck area behind the gambrel and to relocate the deck on top of it. Mr. Mattioni opined that, while not inconspicuous, the addition does not damage our understanding of the building. Ms. Leonard asked about the materials of the addition and was told that the side of the addition would be brick. Mr. Thomas observed that viewers will perceive this addition to be part of the back of a Spruce Street house because it sits so far back on the carriage house. He said that the materials of the addition should make it look like the rear of a house. Mr. Peruto said that the design including a bay was meant to do just that.

ACTION: Mr. Thomas moved to approve the most recent revised design including its massing as presented at the Historical Commission's meeting on 14 August 2015, provided the addition is designed in a manner to reduce visibility, with the staff to review details. Ms. Leonard seconded the motion, which passed by a vote of 8 to 1. Ms. Hawkins dissented.

ADDRESS: 48 S 02ND ST

Project: Rebuild front façade

Type of Review Requested: Final Approval

Owner: Honzig Inc.

Applicant: Megan Fitzpatrick, Ambit Architecture

History: 1840

Individual Designation: 10/7/1976

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

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

ARCHITECTURAL COMMITTEE RECOMMENDATION: The Architectural Committee voted to recommend denial, pursuant to Standard 6. Additionally, they recommended that a pull test be conducted, and additional anchors added if necessary. If an engineer determines that the wall cannot be repaired, then it should be rebuilt using the salvaged, original face brick, with the staff to review details. The windows should be replaced with wood six-over-six sash, with the staff to review details, pursuant to Standard 6.

OVERVIEW: This application proposes to rebuild the brick front façade of this commercial building in new brick. The building has suffered some settlement over the years and the Department of Licenses & Inspections issued an order to repair the façade. An engineer designed a plan to make the façade safe without reconstruction, but with star bolts and internal straps, which was approved by the Commission's staff. The tenant, who would fund the project, is concerned that the straps would not look aesthetically pleasing. Note that the drawing shows 9-over-9 windows. The correct 6-over-6 wood windows have been replaced without a permit with vinyl windows. The wood 6-over-6 windows should be reinstalled.

The staff approved the reconstruction of another building façade on the unit block of S. 2nd Street because the facade was in much worse condition than this facade and because the engineer on that project determined that it could not be made safe. In that case, the brick façade is being carefully deconstructed and the historic bricks are being salvaged and reused. New bricks never precisely replicate historic bricks.

DISCUSSION: Mr. Baron presented the application to the Historical Commission. No one represented the application.

The Commissioners discussed the application and concurred with the recommendation of the Architectural Committee.

ACTION: Ms. Hawkins moved to adopt the recommendation of the Architectural Committee and deny the application, pursuant to Standard 6. Mr. Schaaf seconded the motion, which passed unanimously.

ADJOURNMENT

ACTION: At 10:23 a.m., Ms. Hawkins moved to adjourn. Mr. Mattioni 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 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: 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.