

**REPORT OF THE ARCHITECTURAL COMMITTEE
PHILADELPHIA HISTORICAL COMMISSION**

**Vincent Rivera, Chair
Room 401, City Council Caucus Room, City Hall
11 September 2003**

Present

Vincent Rivera, AIA, Chair
Herbert Levy, FAIA
Daniel McCoubrey, AIA

Randal Baron, Historic Preservation Specialist
Diane M. Hughes, Executive Secretary
Jonathan Farnham, Historic Preservation Planner
Laura M. Spina, Historic Preservation Planner

Henry Schwartz, Esq., Law Department
Eileen Quigley, Esq., Law Department

Also

Joanne Phillips, Esq., Ballard Spahr Andrews and Ingersoll
Lauren Brown, Esq., Ballard Spahr Andrews and Ingersoll
Gray Smith, Gray Smith's Office for Michael Singer
Gersil N. Kay, Building Conservation International
Mela Bracic, Esquire Deposition Services, for Samuel Lehrer, Esq.
Nick Cinalli, O'Donnell and Naccarato
Carl German, resident, 1901 Walnut Street
Paul Stein, resident, 1901 Walnut Street
Scott Donahue, Esq., Coalition of Rittenhouse Neighbors
Joseph Healy, Wallace Roberts and Todd, LLC
Richard Huffman, Wallace Roberts and Todd, LLC
Robert Geddes
Samuel Lehrer, Esq., Counsel for Michael Singer
Michael Singer
Carolyn Nichols, Philadelphia Parking Authority
Nauma Boukena, Philadelphia Parking Authority
William N. Binderman, Esq.
Patrick Sullivan, resident
Michael J. McDamney, Klein and Hoffman
David S. Traub, AIA, David S. Traub Architects
Alvin Holm, AIA
Robert Powers, Powers and Company
Bernard J. Neary, Esq., Counsel for Alvin Holm
Jeffrey A. Cohen, Ph.D., Bryn Mawr College
Babette Josephs, State Representative
Henry Magaziner, FAIA
Heather Winett, Esq., 608 Fulton Street
Jay Schwartz, 1724 Loney Street
Todd Schwartz, 2120 Sansom Street
Thomas J. Reilly Jr., 1901 Walnut Street
Marisa Watman, City Controller's Office
Susan Schwartz, 122 South 19th Street

Patrick Brennan, 747 South 15th Street
 Joseph Matje, 757 South 6th Street
 Peggy Wachs, 237 South 18th Street
 Ira Shlefstein, 1420 Locust Street
 Lenore Millhollen, 2047 Waverly Street, Preservation Alliance
 Florence Siegel, 226 West Rittenhouse Square
 Vukan R. Vuchic, Ph.D., University of Pennsylvania
 Bernard Heinzen, The Church of the Holy Trinity
 Mary Schaffer, Frankel Enterprises, Incorporated
 Mary Tracy, Society Created to Reduce Urban Blight
 John Gallery, Preservation Alliance
 Glenn DeHaven, O'Donnell and Naccarato
 Robert Hotes, DPK&A Architects
 Elise Vider, Center City District
 Vincent Feldman, 717 South 20th Street
 Ajay J. Creghekoff, 1520 Spruce Street
 Craig Schelter, Schelter and Associates
 Randy Cotton, Preservation Alliance
 Marcia S. Keeny, 226 West Rittenhouse Square
 Hy Myers, 4747 South Broad Street
 Bernard Siegel
 Walker Gilmore, City Planning Commission

Vincent Riviera, Chair, called the meeting to order at 10:40 a.m.

1904-24 Sansom Street, 1907-15 Walnut Street, 125-29 South 20th Street

Philadelphia Parking Authority, Owner

Joanne Philips, Esq., Applicant

DATE: 1904 Sansom Street – 1840s; refaced 1923, Clarence Wunder, architect, for J.E.

Buchanan and Company, significant in district

1906-16 Sansom Street, The Warwick – 1901, attributed to Price & McLanahan,
architects, contributing

1918-20 Sansom Street – 1910, contributing

1907-15 Walnut Street – vacant lot as result of fire

125-29 South 20th Street – vacant lot

PROPOSAL: Demolish 3 buildings, construct parking garage and movie theatre

Ms. Spina presented the proposal. This development includes the demolition of three historic buildings and the construction of a mixed-use building housing a parking garage, movie theatre and commercial space. The three buildings, one significant and two contributing to the Rittenhouse-Fitler Historic District, sit on Sansom Street. The properties along Walnut Street were demolished after a fire in 1995 and the properties along 20th Street were vacant at the time of designation.

The development has basically an L-shape with the shaft along Sansom Street and the tail reaching south to Walnut Street; however, the property jogs to the east to encompass the property at 1904 Sansom Street. Moravian Street would remain open at the street level, with the northern and southern portions of the development connecting underground and on the upper levels. The proposed construction sits 68 feet tall along Walnut Street and 82 feet tall along Sansom Street. There are three underground levels of parking, commercial space on the ground floor, four levels of parking above and a movie theatre on the top floor.

Demolition

The applicant claims public interest as the basis for the demolition of the three buildings. The attached letter states that the Parking Authority has the power to develop parking facilities and mixed-use projects to encourage development and the growth of business. It further states that the Parking Authority conceived the project as a catalyst for economic investment in the area around Sansom Street.

New Construction

The façade along Walnut Street has brick facing on the lower levels with large commercial windows and metal, glass and EIFS sheathing on the upper level. The façade responds to the cornice levels of the neighboring buildings, but has a contemporary design.

The 20th Street façade has brick facing with a commercial space and a vehicular entrance on the first floor and open panels on the upper floors. The façade is articulated horizontally with beltcourses and a decorative EIFS cornice area. The Moravian Street façade has brick facing articulated with decorative brick panels and beltcourses and an EIFS cornice area.

The Sansom Street elevation has one large vehicular entrance, a loading dock and an open trash area, all at the eastern end of the façade. The western end has four commercial spaces. Like 20th Street, the façade is articulated with brick and open panels and then an EIFS cornice area.

Ms. Spina noted the letter from Warren Huff of the City Planning Commission. As part of a zoning district overlay (Section 14-1607 of the Zoning Code, Special Controls for the Center City Commercial Area), the Planning Commission reviews facade alterations to properties along Chestnut, Walnut, East Market and South Broad Streets. The review and approval by the Planning Commission only addressed the proposed facade design for the Walnut Street elevation and not the demolition of the properties on Sansom Street or the rest of the new construction. In addition, Ms. Spina cited a letter from Jean Cutler at the Pennsylvania Bureau for Historic Preservation, which states that the Bureau considers the demolition of the properties on Sansom Street as an adverse effect on the Rittenhouse Square National Historic District.

Ms. Spina pointed out that accessible and affordable parking is an issue in many urban areas; however, the staff contends that the Parking Authority has not demonstrated a need for a parking garage in this location, as outlined in Section 7.9 of the Commission's Rules and Regulations. The Parking Authority contends that because it is a public agency its actions are in the public's interest. It has not submitted an objective demonstration supported by professional studies to substantiate its claim.

Ms. Spina also said that it is in the public's interest to preserve the historic properties that characterize the Rittenhouse Square neighborhood. These three buildings form an integral part of the Rittenhouse-Fitler Historic District and, indeed, one is significant to the district. The nature of these buildings contributes to the pedestrian-scaled building stock found on Sansom Street, which, despite the rear of the Boyd Theatre, is not an alleyway. The eastern end has storefronts and a large apartment building sits on the western end. This parking garage, with its large vehicular entries, will alter Sansom Street, drastically severing its pedestrian-friendly scale, which has been revitalized over the past few years on the neighboring blocks. It is also in the public's interest to develop this important corner of Rittenhouse Square; however, at a time when the residential market is thriving, staff thought it counterproductive to demolish an apartment building for parking.

Carolyn Nichols, Esq., Nauma Boukena, Richard Huffman, Joseph Healy, Robert Geddes, Robert Powers, Nick Cinalli, and Joanne Phillips, counsel for the project, attended the meeting. With respect to expansion of the National Historic District, Ms. Phillips contended that, if the district is amended, the letter from the Bureau would have a bearing on the matter at hand. She also said that the Historical Commission's Rules and Regulations do not require the submission of economic studies to the staff; however, the basis for this meeting is to establish public interest. Ms. Phillips explained that the proposed development has been in litigation for many years as a result of the Zoning Board of Adjustment's approvals. She believes that this meeting is a continuation of the process, with the submission the same plans which were before the Zoning Board. She opined that the standards for approval of the demolition and new construction should be based on the public interest, the strength of the proposed design, and the fact that the new construction is compatible with the streetscape. Ms. Phillips said that public interest is not defined in the Philadelphia Code or the Commission's Rules and Regulations, and is not limited to city agencies or city government. She said that the proposed development is not meant to set a precedent and it should be reviewed for its individual merits. She conceded that the demolition of the three buildings would have an adverse impact; however, she thought it important to weigh the effect of the resulting project against the loss of the buildings. She argued that the project is an opportunity to fill a gap on Walnut Street, provide parking, and create a cultural and entertainment center for the public. Ms. Phillips cited several reasons which she believes is a basis for public interest:

1. The Parking Authority is a state authority, which is authorized to promote public safety, convenience and welfare of the citizens of Philadelphia and the Commonwealth and off-street parking can reduce congestion, which endangers public health and safety.
2. The health, safety and welfare of the people of the Commonwealth are dependent on the growth and expansion of business, commerce and tourism. Unemployment, the spread of poverty and the burden of public assistance can be avoided by promotion, attraction, stimulation, development and expansion of business, commerce and tourism in the state through the development of mixed-use projects in the city. Due to the size and density of Philadelphia, the development of mixed-use projects that include parking components and commercial or retail components can be a factor for continuing encouragement, development, attraction, stimulation, growth, and expansion of business.
3. City Council Ordinance supports the project, recognizing the need for parking in the Rittenhouse area.
4. The City of Philadelphia facilitated the project with sale of bonds. The cost of the entire project would be \$35 million dollars, with \$11 million for the acquisition of the land, development costs, and subsequent litigation, and \$24 million for the construction. She noted that if the project does not move forward, the City would be responsible for the repayment of the bond money.
5. The economic benefit to the city as a result of this project: 400 to 500 construction jobs; 75-80 permanent jobs; \$150,000 in amusement taxes and \$500,000 in taxes on parking.
6. The project will spur re-investment in the area.

In conclusion Ms. Phillips noted a 2001 survey of the Rittenhouse Square area by the Planning Commission, which cited the lack of parking as its number one complaint and the area's cultural life, the number one reason for moving into the area. Ms. Phillips read a letter from the Center City District, which supports a movie theatre in this location.

Richard Huffman, an architect and city planner, discussed the neighborhood surrounding the proposed development. He cited the changes that have occurred over the last five or six years on Walnut Street. He also noted that many smaller buildings on Market, Chestnut and Walnut Streets are in need of renovations. He believes that Walnut Street is the premiere destination for the entire region, with restaurants positively changing the character of Rittenhouse Square. Mr. Huffman pointed out that there are approximately 3,800 new residential units in converted office buildings, which has increased the need for parking. He also believes that this project is an excellent

opportunity for the revitalization of Walnut Street.

Joseph Healy gave a detailed description of the proposed project. He explained that the ground floor would be occupied with a restaurant, retail, the service area, the vertical circulation and the main lobby for the theatres. The parking would be divided into two areas: three levels below grade and four levels above street level. The theatre will encompass the entire top floor. Mr. Healy described the Walnut Street facade, which would have three pedestrian entries: a center entrance to the restaurant; an eastern entrance to the theatres with an upscale main lobby; and a western entrance to the elevators to the garage. The Sansom Street façade would have the freight elevator and access to the trash area. The main vehicular entrances would be placed on 20th and Sansom Streets.

Robert Geddes, architect, described his design for the Walnut Street façade and reiterated the cultural and entertainment benefit of the project. He believes the character of the proposed facility will continue the scale and rhythm of the Walnut Street streetscape. Mr. Geddes also believes that project will add life to the neighborhood.

Joseph Healy described the facades on Sansom and 20th Streets, which would be a simple expression of piers to mimic the scale of the residential properties on Sansom Street. He believes that it is very important that smaller buildings in the district be rehabilitated, and that owners of these properties will benefit from the proposed parking. He also believes that the Boyd Theatre is historic and should be renovated.

Ms. Phillips stated that, with regards to zoning, the demolition of the three buildings was always a part of the proposal. She informed the Committee that as a compromise with the Center City Residents' Association, the height of the proposed development was reduced. The number of parking spaces was reduced as well, from 635 to 545 and the court further reduced the parking spaces to 500. Additionally, the Parking Authority agreed to relinquish their air rights above the building.

Ms. Spina noted that the Historical Commission declared the Boyd Theatre historic based on the Art Deco interior; however, the State Supreme Court overruled the designation. In regards to legislative findings, Ms. Spina stated that City Council, in its adoption of the Historic Preservation Ordinance, also affirmed that historic preservation is in the public interest. She pointed out that the three buildings proposed for demolition were designated in 1995. She asked Ms. Phillips if the Parking Authority studied the project for ways to retain and reuse the three buildings. Ms. Phillips noted that the retention of the facades only was explored, but in conversation with Mr. Tyler, it was determined that this would not be a viable option. She said that without the demolition the project would not be feasible. Ms. Spina asked for studies performed by the Parking Authority that show the amount of vacant properties that exists in the neighborhood, as noted in the application. Ms. Phillips responded that they used studies previously undertaken by the Center City District. In response to Ms. Spina's query about a signed operator for the movie theatre, Ms. Phillips noted that they do not have any signed tenants.

Samuel Lehrer, counsel for Michael Singer, expressed his opposition to the project. He believes that the Parking Authority has the duty to find a developer who would preserve the historic structures. He opined that Ms. Phillips arguments should be rejected, owing to his belief that that her arguments assume public interest, but really argue economic interest. Therefore, he believes that if economic interest is the basis for the application, then appraisals to substantiate the financial hardship should be submitted. Mr. Lehrer emphasized the historic significance of the buildings to be demolished, the importance of historic preservation, and that the retention of the buildings would not result in an economic loss.

William Binderman, Esq., Coalition of Rittenhouse Neighbors, clarified that only one vacancy exists in the neighboring buildings. He reiterated that the Parking Authority does not have any signed leases for the development. He stressed that Philadelphia is unique and America's most historic city and that the Parking Authority has made no efforts toward preservation. Mr. Binderman closed by opining that demolition should not be an option.

Hy Myers, an historical architect, declared his opposition to the proposed demolition. He believes that the Architectural Committee and the Historical Commission are the guardians for the preservation of historic structures. He opined that a failure to preserve the buildings would adversely impact the city. He believes that the three buildings give life to Sansom Street and, although forcefully vacated, the buildings would again become a vital part of Sansom Street.

Gray Smith, an architect, presented the Committee with a lengthy report. Ms. Phillips objected to the allowance of Mr. Smith's report without prior review by the applicant. Mr. Smith expressed his opposition to the project. He said that his two issues with the project are the demolition of the three historic buildings and the applicant's request for final approval. He explained the significance of the three buildings. He thought that only preservation of the buildings would be in the public's interest. Mr. Smith then enumerated a number of design problems in the proposal: the materials of the new construction are not compatible with the streetscape; the Chatham residents' view would be limited to the mechanicals on the roof; the proposed parking slots do not meet ADA requirements. [The Chatham Apartment building stands at the northeast corner of 20th and Walnut Streets.] He further explained that, with three levels of parking below ground, a substantial ventilation system is required. However, the mechanical equipment for such a system is not shown on the plans. Mr. Smith also noted that there has not been any mention of advertising, which would be necessary for both the restaurant and the movie theatre on Walnut Street. Mr. Smith believes that the new construction does not coincide with the rhythm of the street. The 20th and Sansom Street facades would be flat and horizontal, while everything else on the blocks is slim and vertical. He stressed that the project should be rejected because neither the demolition nor the new construction is in the public interest.

William Binderman, Esq., read a letter of opposition on behalf of Alvin Holm, who had to leave the meeting.

Michael Singer, owner of the Chatham Apartments, said that six floors of apartments would be rendered unusable with the proposed project. He also said that the roof plan shows HVAC equipment in close proximity to the windows of the Chatham Apartments. He remarked that the project will create significant access problems, especially the limited entry space in the garage, which will cause a back-up of traffic on 20th Street. He commented that public interest exists with any project that has economic benefit, but this has not demonstrated an interest strong enough to warrant the demolition of the three buildings.

Jeffrey Cohen, an architectural historian and professor for Bryn Mawr College, believes that the buildings contribute to the streetscape and are not expendable structures. He opined that City agencies should be held accountable to the same standards as the private sector. He said that urban fabric should be preserved and sensitive developments can occur; however, this project is contrary to public interest.

Vukan R. Vuchic, a professor at the University of Pennsylvania, believes that public agencies should coordinate the impact proposals have on the city. He cited other cities, which have excellent transit systems and ample parking. He believes that it is misguided to believe that cities should compensate for the automobile. Excessive numbers of garages could result in an increase in

traffic, which would slow down buses and taxis. Underground garages still impact air pollution. In the public interest, there should be concern about the type of city being created and the retention of a city with an urban atmosphere. He believes that the Parking Authority's proposal collides with preservation. He opined that the 1950s concept of the need for more parking is detrimental to Philadelphia's future. He noted that he served as a consultant to the Parking Authority when it was created and he asserted that the Parking Authority was not created to undertake this type of project.

John Gallery, Preservation Alliance, said that the endangered buildings are significant and worthy of preservation. He believes that the three buildings can be rehabilitated for financially feasible reuses, which is sufficient reason to reject the project. He said that from the moment of purchase, the Parking Authority presumed that the buildings would be demolished. Although the Parking Authority claims that this would not set a precedent, the demolition of the three buildings would send a clear message that demolition is acceptable. He also thought that the application should be conceptual, and that the applicant should explore other options that would preserve the buildings. He pointed out that the Convention Center demolition was done in the public interest, but the Convention Center presented studies on the need for its expansion, created a fund for preservation projects on surrounding buildings, and acknowledged that the historical importance of the building to be demolished. He believes that the approval of the demolition would set a precedent, and urged the Committee to reject the proposal.

David Traub expressed his opposition to the demolition. He believes that thriving businesses would be impacted by the development. He thought that if the three buildings were cleaned and restored, then their architectural merits would be exemplified on Sansom Street. He presented photographs showing the scale of the buildings in their surroundings and a drawing of the buildings if they were rehabilitated.

Gersil Kay of Building Conservation International said that she has been in the construction business all of her life. She believes that the Rittenhouse Square area should be respected and that the area should not be blighted with a monstrous garage, which would have an irreversible effect on the community. In addition, the noise, fumes, dirt and traffic that would be generated by the garage would have an adverse effect on the surrounding properties. She urged the developer to find an alternate solution to the demolition.

Ben Heizen expressed his opposition to the demolition.

Susan Schwartz, owner of a neighboring store, thought that the proposed garage would create traffic congestion and noise, and it would have a negative impact on the ambiance of the small streets and businesses. None of her customers ever complain about the difficulty of parking. She hopes that developers would respect the historic values of Philadelphia and that the neighborhood's revitalization would include parking, but not as the project proposes. She thinks that the developer could produce a better design that would not include the demolition of the buildings.

Henry Magaziner, a former member of the Philadelphia Historical Commission and regional historian for the National Park Service, remarked that he loves Rittenhouse Square. He opined that the lack of parking was instrumental in the exodus of fine stores in the area. He noted that there are no decent movie houses in the area. Mr. Magaziner cited the Penn Mutual building; when faced with demolition, the façade of the building was preserved with new construction behind it. He urged the Parking Authority to develop a similar solution.

Mary Schaffer, representing Frankel Enterprises, a business that has invested millions of dollars in properties along Rittenhouse Square, believes that the demolition of the three properties would be a violation of the historic district. She opined that the Parking Authority has not given consideration

to preservation and noted that it has already evicted tenants and viable businesses from the buildings. Ms. Schaffer believes that adequate parking exists and that the development could incorporate the three buildings.

Ira Shlefstein, a resident, said that he frequently walks in the area, and that he would not want to see gaping holes, garbage and dumpster areas. He thinks that the proposed plans destroy the historic streetscape.

Vincent Feldman, a photographer, expressed his opposition to the demolition and the parking garage.

Todd Schwartz, a resident of Rittenhouse Square, stated that visitors come to Philadelphia to see our attractions, not our parking garages. People want to experience a real vibrant downtown and the parking garage would diminish that vibrancy. He urged the rejection of the parking garage and the demolition of the three buildings.

Heather Winett asked for clarification of the design in the area of the demolished buildings. The architect responded that this area would house the loading docks and trash areas on the ground floor, parking spaces and three theatres on the upper floors. Ms. Winett, a long-time resident, asked the Committee to reject the project.

Jay Schwartz, a Northeast Philadelphia resident, said that he has never had a problem finding parking in Center City. He said that areas like Sansom Street draw him into Center City and Rittenhouse Square.

Eileen Quigley, Esq. responded to Ms Phillips' objection to Mr. Smith's submission of a report. Ms. Quigley said that under Section 6.3.d.2 of the Rules and Regulations, it is appropriate for the Committee to accept the report. The nine days stipulated for the submission of information pertains to applicants only.

Ms. Phillips explained that the Philadelphia Code requires the installation of four loading docks for such a development and these cannot be located on Walnut Street. She also noted that the Wellington apartment building has a waiting list for parking spaces.

Mr. McCoubrey expressed dismay that the proposal was not for conceptual approval. He said that the Committee had not reviewed the proposal previously, nor seen any studies or options for the retention of the three buildings. He stressed that the Committee's charge is to review applications based on the Secretary of the Interior's Standards. He explained that if the Parking Authority had applied for approval in concept, the Committee would have engaged in discussions with the applicant for ways to preserve the historic buildings yet provide a development meeting the Authority's needs. Mr. Levy stated his concerns are that the Parking Authority has not demonstrated a tremendous need for additional parking and the proposed development is out of scale for Sansom Street. Mr. Rivera said that he did not believe that the Parking Authority had made a case for demolition based on public interest. Mr. McCoubrey and Mr. Levy agreed.

Ms. Phillips asked the Committee members for their opinion of the proposed Walnut Street façade, noting that the application has two prongs: demolition of three buildings and the new construction. They replied that the proposed Walnut Street elevation had a good, contemporary design. However, they believed it disingenuous to discuss the design for the new construction when the proposed development is predicated on the demolition of three historic buildings.

The file will include the entire written statements of the following interested parties: Patrick

Brennan, Jeffrey A. Cohen, Alvin Holm, Mary Schaffer, Gray Smith, David Traub, Vukan Vuchic, Heather Winett.

The Architectural Committee recommends denial of the demolition of 1904, 1906-16 and 1918-20 Sansom Street, pursuant to Standard 2 [The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration 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 9 [New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize a property.] and 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.].

The meeting adjourned at 1:50 p.m.

Respectfully submitted,

Diane M. Hughes
Executive Secretary