

## A Design Advocacy Group Report

### Executive Summary

The Design Advocacy Group (DAG) was invited by Yaron Properties - the developers of 218 Arch Street in Old City, Philadelphia - to review and critique their design proposal. They and their architects presented to five members of the DAG Steering Committee along with three invited observers from interested community groups on September 14, 2006. The proposal involves a substantial building consisting of residential, commercial and parking. The developer proposes a building that is approximately 268' high in an historic district for which a zoning overlay limits construction to 65' high. In addition, the existing C3 Zone limits density to 450% (FAR 4.5) of the site. The proposal is approximately FAR 7.9.

Comments on the design are summarized below and are further elaborated afterwards:

- The height of the building is a major concern particularly as it impacts the vista of Christ Church steeple as seen from Market Street through a 'view shed' controlled by the National Park Service. The architects need to model the view shed in three dimensions and demonstrate how they intend to mitigate any negative impacts, particularly on the appearance of the white steeple against the sky.
- Other issues related to the impact of height and density are not as significant a concern. The architects have outlined a conceptual approach that has the potential to minimize the presence of the tower element while reinforcing the street scale of Arch Street. They do this through setbacks, massing and use of materials.
- The street elevations, particularly along Arch Street, require more design attention. Windows are not as generous as they should be to reveal the life that is intended for the second and third floors. Better consistency with the character of fenestration in loft buildings within the historic district is recommended.
- Underground parking is commendable and is handled well considering the limitations of the site.
- Building service access, especially for the substantial amount of retail that is proposed, needs to be better understood and accommodated.
- First floor retail has insufficient presence at the street. The developer is encouraged to bring the retail forward to the street and develop a stronger retail presence in the two adjoining buildings that he controls. Coordination between new construction and renovated construction will result in a much better project.
- The 'through gallery' from Arch Street to a rear courtyard could be a very good public asset if all of the circumstances needed to support it are credibly in place (e.g., the right retailers, hours of operation, etc.). However, its needs should not override the criticality of creating a strong street presence for commercial activity.

As proposed, we do not yet support this project. However, if the problems related to height/view shed can be mitigated, this proposal is worthy of serious consideration and ultimately support through a design process that continues to engage the concerns that we have articulated.

### **Background**

The Design Advocacy Group (DAG) has crafted a *Reform Agenda*. It outlines several key steps that DAG believes are needed to make the process of design review more transparent and professional in the City of Philadelphia. Among the actions proposed by DAG is the creation of Civic Design Review Commission. Based on similar initiatives in peer cities throughout the United States, the Commission would be charged with independent, professionally managed review of major projects. The reviews would be open to the public and would be a vehicle to gather community input with the benefit of professional oversight and analysis.

DAG has decided that the best way to demonstrate the potential of this proposal is to conduct such reviews itself and make its analysis and commentary available to the DAG membership, interested public agencies and the general public. Yaron Properties, the developers of a proposed major project in Old City, invited DAG to perform such a review. It was agreed that members of the DAG Steering Committee, along with invited observers from interested community and neighborhood groups, would hear a presentation of the proposal, write a report on the group's findings and make the report available. No commitments were made as to the nature of the content, nor were limitations placed on the use of the report by any party.

The presentation took place at the F.U.E.L. Gallery at 3<sup>rd</sup> and Arch Streets in Old City on Thursday, September 14, 2006 (the gallery is owned by Yaron Properties). In attendance from the DAG Steering Committee were George Claflen, Alan Greenberger, Tim Kerner, Craig Schelter and James Templeton. Invited observers were John Gallery representing the Preservation Alliance, Joe Schiavo representing the Old City Civic Association and Don Smith representing Christ Church. Michael Yaron, Charles Balsamo and Robert Downes represented the developer. Li Chung Pei, Stanley Pinska and Ralph Heisel represented the Pei Partnership, the architects for the project. Li Chung Pei presented the project.

### **Summary of the Project**

The project is proposed on the south side of the 200 block of Arch Street. It abuts an historic street on its east side known as Little Boys Way. Two existing four-story buildings, also owned by Yaron Properties, form the western boundary of the site. An existing five-story building, owned by another party, forms the southern boundary of the site.

Zoning for the site is C3 – the predominant zone in Old City. C3 zoning restricts development in several ways, the key one being a limit on developed density of 450% of the lot size (also known as an FAR – Floor Area Ratio – of 4.5). In addition, City Council passed an 'overlay zone' a few years ago for this area of Old City, that limits construction to a height of 65'. Further, most of Old City is a City Historic District, only one of seven such districts in the City of Philadelphia.

The proposal calls for a mixed-use project of underground parking, a three-story base primarily of leasable commercial space and a 20-story residential tower whose massing is broken up into two identifiable parts. The base, whose cornice height matches that of the adjoining existing buildings on Arch Street is shown as brick with narrow and tall individual windows. The tower, which is set back from the base on all sides, is shown as glass. The tower is approximately 268' high. The proposed density is approximately FAR 7.9.

The proposal is still in progress and is an evolving design. A somewhat earlier version of it has been submitted to Licenses and Inspection for 'zoning refusal', thus putting it on the calendar for consideration by the Zoning Board of Adjustment.

### Findings of the Reviewers

This is a complex proposal in that it engages many critical questions about development in central Philadelphia. Using our own 'Criteria for Urban Design' as a guide, our analysis tries to answer the following questions:

- How should new, modern development be assessed in a strong urban context, in this case, one that has been designated an Historic District?
- Are the proposed uses appropriate and reasonable for the area?
- How does the proposed development contribute to the quality of the street and the pedestrian experience?
- Is the proposed massing, use of materials and general composition supportive of the character and quality of the area?
- How should the 65' height limit be understood and what are the actual impacts of the proposed height of the building?
- Are there sufficient benefits to the neighborhood and/or the city as a whole to warrant consideration of a proposal that requires substantial variances from the current zoning limitations?

We attempt to answer these questions in the order in which we pose them.

### Modern Development in an Historic District

The purpose of an historic district is multifold. Its most important job is to offer protection to a great number of buildings that, together, form an unmistakable pattern of noteworthy development. That pattern represents what one might call a 'working memory' of an area that dominates most people's impressions. In such an area, district designation is a great administrative asset in ways that designation of individual properties cannot achieve.

While the focus of district designation is on existing and historic properties, there is also a clear mandate to at least consider the character of new construction in the context of the historic district. However, It is not the intention of the historic district to lock the area in time, prohibit new construction or force new construction to mimic the characteristics of historic properties.

Old City represents a unique historic district in that its critical history – the 'working memory' – actually bridges different social and architectural eras. On the one hand, there are memorable places like Elfreth's Alley, Betsy Ross House and Christ Church that are important landmarks from the 18th century. However, the dominant pattern of development is from the 19th century, an era when larger, industrial loft buildings filled property limits and created very strong streetscapes. Because these buildings are generally of a consistent construction type, they also bear a relationship to each other in width, height, window type and size, and use of materials. At the same time, Old City is characterized by a vitality of styles, textures and patterns that create a rich, architectural fabric consistent with its entrepreneurial history.

One of the hallmarks of 19th century loft buildings is their remarkable ability to be rehabilitated for new and contemporary uses. Old City's evolution to a residential, office and entertainment area has been made possible by the availability of such buildings. In this sense, the ability to adapt is, itself, an important characteristic of this historic district.

The site for 218 Arch is currently dominated by a parking lot. That this underutilized site be developed, largely filled-in and made dense is compatible with the history and character of the neighborhood. We also do not question the use of a contemporary idiom to find an appropriate expression for such a development.

### Proposed Uses

The project is primarily residential in the tower, retail in the base and parking below grade:

- Residential: Old City has become one of Philadelphia's premier residential neighborhoods. As long as proposals are consistent with the character and capacity of each site, adding living space is appropriate and ultimately contributes to the vibrancy of the area.
- Retail: The use of street level space for retail is entirely in keeping with the uses and texture of the streetscape in Old City. In this instance, the developer also proposes that retail (commercial) space be located on the second and third floors of the base. If there are retailers willing to do that, we support it. However, we have concerns that such retailers may not materialize. We strongly urge the developer to concentrate on the effectiveness of retail on the street. If, in doing so, it means that second and/or third floor uses have to change – either to office or residential – the result will be in keeping with patterns that exist now.
- Parking: We commend the developer for placing parking underground. Given the tight site, we understand that parking is effectively a valet operation that relies on elevators to lower levels. The provision of space to stack cars off-street before going down the elevator is also noteworthy.

### Quality of the Streets

In general, the proposal makes good efforts at invigorating the streetscape on every side that is accessible or viewable to the public. However, there is room for improvement:

- We are confused by the deep recess on Arch Street. While we understand it compositionally, we fear that it will be a dark area that makes prominent the residential lobby at the expense of the retail that is set behind the street.
- The use of a through-passage from the street back to an open courtyard may turn out to be a compelling asset for the public. However, if the right uses are not sustainable in this so-called 'gallery', more expansive retail presence on the street will have been sacrificed. Caution should be taken to prevent that from happening.
- We also note that the same developer owns two existing properties adjacent to this one. These properties have the potential to extend retail more assertively to the street and should be incorporated into a unified plan for development.
- The presence of the car stacking area along Little Boys Way is understandable given the configuration of the site. The street wall that separates the stacking area from the alley needs to be well designed and not be an afterthought.
- Service to the building is through Little Boys Way and relies on trucks backing down the alley to a curbside door. While this is common in Old City, it is not without problems. Building service needs to be more carefully considered and accommodated.
- The rear/side courtyard can be a great asset under the right conditions. It can also give some life at the end of Little Boys Way. Even if the courtyard eventually has gates on the alley side, the presence of a well-designed, visible, open space deep into the site will be positive.

### Massing, Materials and Composition

The essence of the scheme is intended to be this: a fairly restrained, largely masonry base whose height and cornice match the adjoining historic buildings and general scale of Old City, topped by a glass/sky-colored tower that is set back from the property line on all sides.

The proposal relies on the supposition that a contextually appropriate base compensates for the height of the building, which, by anybody's definition, is substantially taller than the prevailing height of buildings in Old City, not to mention the zoning overlay limitation of 65'.

In general, the premise has some merit and is at least worthy of the discussion it has engendered. Ground level views of the building (not yet prepared by the architect) will probably reveal that the presence of the tower is reasonably well masked from the street (the tower is a much bigger issue when seen from a distance – the subject of the next section on height).

- The base: The design of the base has gone through several iterations and will likely go through several more before a resolution is reached. The current iteration is fundamentally contemporary in nature and is likely to render a superior result to something that closely mimics the historical buildings around it.

The base is substantially solid and relies on the use of large brick panels with relatively narrow but tall individual windows. As compared to even the most solid street walls in Old City (e.g., north side of Merchants Row at 3<sup>rd</sup> and Arch), the proposal suffers from a stinginess of glass area. The nature of lofts is their expansive use of glass, particularly at the street side and in the rear, to bring light deep into buildings. If retail is brought to the second and third floors, current philosophies of retailing rely heavily on visibility to the street – something these elevations do not yet achieve.

- The tower: The architects have gone to great lengths to 'slenderize' the tower. They do this by splitting the tower into two unequal height masses and then offsetting one mass against the other. The tower is to be clad completely in glass so as to unify and minimize its scale. Pending a better understanding of the type and color of glass, the approach has the potential to be successful. Its success is also related to the sophistication of the detailing of the glass wall, something well within the capability of this architect.

We wish to note however, that a proliferation of glass towers is not an answer for every high-rise proposal in a lower-rise district. In the same way that retention of historic facades became a standard answer for some historic preservation initiatives, glass towers has that same potential. Communities need to be open to a wide range of architectural solutions.

### Building Height

If there is any issue that is likely to be contentious, it is the height of the building. Currently, the proposal shows the taller of the two glass segments to be 268'. The shorter of the two segments is 184'. For reference, the steeple of Christ Church is approximately 200'. Several new buildings in Old City are approximately 110' and the zoning height limit is 65'. The vast majority of the historic buildings are 65' or less.

We asked ourselves first if the height limit should be taken as sacrosanct. We do not believe so. The height limit overlay was brought about through community pressure in the political system to prevent developers from imposing tall structures in Old City without community input and, in

essence, approval. It was not vetted through the Planning Commission, nor was it the result of a comprehensive master plan. Like many overlay zones in the city, it was passed in reaction to the lack of a plan, not as a positive statement of what should be.

This is not to suggest that it is without merit, however. It is probably fair to say that if economic pressures did not demand more height, people in Old City would be quite content with dense development that is more or less within the stated limited. Put another way, it is unlikely that a plan for Old City would include high-rise buildings. And, if it did, it is equally unlikely that this site would be designated as an obvious candidate (contrary to what was done in Society Hill where the site of the towers was identified in a plan as a proper site and most of the rest of Society Hill was strictly limited in height).

Absent a plan, there is nonetheless a history of developers introducing tall buildings where there had previously been resistance to them (e.g., Liberty Place). The fact that a developer makes such a proposal, for whatever reason, does not automatically make it a bad proposal.

The merits of this proposal as regards height are mixed. Given the intention to have this much density, the architects have skillfully crafted a design to mitigate the impacts of mass and height. They separate the base from the tower, set the tower back on all sides, break its mass into smaller parts, and clad it in glass to make it sky-like and slightly reflective. They have also reduced the floor-to-floor height to make the tower as short as it is likely to be without cutting program. In all, it is smartly done.

There are, however, potential negative impacts:

- The tower will definitely exist in the view shed of the Christ Church steeple, especially from 2<sup>nd</sup> and Market, which effectively is the 'heart' of Old City. The park at that corner is known as Wilson Park and is part of Independence National Historical Park. Depending on which part of the intersection one is standing, the tower will form a backdrop of approximately one third of the steeple.

This view shed is not the only compelling view of the Christ Church steeple. However, it is the only one that public institutions have chosen to acknowledge through preservation of designated open space. As such, the presence of the tower does compromise the significance of seeing the white steeple surrounded by sky from that location.

The architects have not prepared a three-dimensional view of their proposal in relationship to the view shed. They need to do this and indicate how they propose to mitigate what we believe are negative impacts. Options to somewhat shorten the building or move the tower to the west both appear to have some promise.

- The tower also definitely casts a longer shadow to its north than any building has thus far in Old City. However, isolated projects, while they cast shadows, do so for limited times of the day – a phenomenon that is quite common in a dense city. Moreover, unlike long structures, this one retains and reflects an impressive area of lit sky around it, making the relative brightness to others acceptable in our view.

Inevitably, a critical question arises: if it is acceptable to exceed the 65' height limit under select conditions, at what height is it not acceptable? A second critical question must also be asked: if this project is done, is it a precedent for other projects and, how likely are those to happen?

As to precedents, absent a bonafide and comprehensive set of planning directives, each project has to be taken on its own merits. That is the system we as a community have crafted for ourselves, until we make meaningful changes to it. However, the idea that projects don't suggest precedents and that those precedents don't mean anything is naïve.

In Old City, two factors effectively limit the likelihood that there will be a proliferation of similar tower proposals in the center of the neighborhood. The fact of the historic district makes it very difficult for any developer to acquire sufficient footprint to make a tower practical without also proposing the removal of existing structures. Under the historic district, the removal of such structures is extremely difficult, though not impossible. This is as it should be. Secondly, there are simply few clear sites available. All of these conditions are subject to the economy which can and will change over the years.

However, if we are unwilling to take our chances on what might or might not happen, a clearer set of directives, done under the auspices of the Planning Commission, must be developed. These should articulate limitations of height and density and creation of important view corridors, if there are to be any at all. No guidelines are foolproof. However, no guidelines at all are foolish. For those who think that the guidelines are in place, clearly that is not the case. Communities, including Old City, negotiate exceptions all the time in response to perceived benefits that particular projects offer.

On the question of how much height is too much, we simply don't know the answer and are not sure that there even is a reasonable answer outside of the context of a broader vision. For example, a comprehensive plan might limit the number of projects or the distance between projects over a certain height. Some people will argue that a height limit was established and that it is law. However, the proliferation of exceptions and the common understanding of the political community as to the purpose of the height limit places that limitation on very shaky ground. In Philadelphia, the rules have effectively been suspended by politicians, by public agencies and even by communities themselves. Until we fix that, we are just going to have to weigh each proposal on its own merits.

#### **Benefits versus Variances**

This leads us to consider one last question: do the benefits of the project as proposed outweigh any negative impacts. To answer that, we must decide what the benefits actually are. Here are our impressions:

- The project develops an unsightly parking lot, thus repairing the texture of the neighborhood. Could this be done with development densities that are within current FAR and height limits? Physically, yes; economically, we don't know.
- The project delivers quality residential and retail uses to the neighborhood, again something that probably could be done within the current limitations.
- The project has the potential to deliver a skillful piece of architecture and urban design. Were the developer required to do otherwise, he may simply walk away or do something considerably less skillful or imaginative (e.g., no underground parking, no commitment to serious retail, no willingness to restore an historic street, etc.).

In the end, we cannot credibly argue that the neighborhood gains substantial benefits that a project done within the established limitations wouldn't also deliver. However, this is speculative. There is no mechanism to require the development of such an alternative design.

The practical fact is that a developer is making this proposal in this economic climate at this time. Faced with a choice to negotiate with the developer on this proposal or accept the current parking lot for an undeterminable amount of time, negotiation looks to us like the preferred path.

**Conclusion**

We do not support the current version of the project, although we do believe that changes could be made to the project that would enable us to support it. In our view, the need to mitigate the impact to the view shed of Christ Church is the critical first step. If this can successfully be accomplished, we then believe that this proposal deserves serious consideration and ultimately support through a design process that continues to engage the concerns that we have articulated.