



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

August 19, 2010

Ms. Mary Conturo, Executive Director
Sports and Exhibition Authority of
Pittsburgh and Allegheny County
Regional Enterprise Tower
425 Sixth Avenue, Suite 2750
Pittsburgh, PA 15219

RE: ER#06-2823-003-Y: Pennsylvania History Code Process, Pittsburgh Civic Auditorium (Mellon Arena) and Lower Hill Redevelopment Project

Dear Mary:

I am writing concerning my letter to you dated August 12, 2010. Due to a mix-up in our office, the letter you received was actually part of a draft which transposed two paragraphs and did not include what we believe to be important information regarding our comments to you.

Please find attached the letter that was intended for you which hopefully will read more smoothly and includes the missing 7th paragraph. I would appreciate it if you could remove the letter that is now posted on your website and post the letter that we intended to send.

I apologize for this confusion.

Thank you.

Sincerely,

Jean H. Cutler, Director
Bureau of Historic Preservation
Deputy State Historic Preservation Officer
Pennsylvania Historical & Museum Commission

cc:

Reuse the Igloo	ACHP
PHLF	FHWA PA Regional Office
Preservation	Barbara Franco
Pittsburgh	Senator J. Ferlo
Oxford	Kirk Wilson
Baker	



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RE: ER# 06-2823-003-Y: Pennsylvania History Code Process, Pittsburgh Civic Auditorium (Mellon Arena) and Lower Hill Redevelopment project

Dear Ms. Conturo:

We have received and reviewed all materials relevant to the Sports and Exhibition Authority's (SEA) Mellon Arena and Lower Hill Redevelopment project. Thank you for providing our office an opportunity to comment. Our review included, but was not limited to, documentation provided in the Options Report and Determination of Effect Report and the July 31, 2010 memo from Chris Cieslak to Jean Cutler all prepared by the SEA's consultants; the analysis submitted by 4Ward Planning (including Oxford Real Estate Advisors' rebuttal) and extensive public comments.

As we have stated in the past, we are aware of no federal undertaking which would invoke Section 106 of the National Historic Preservation Act for this project. Furthermore, you confirmed to us in an August 11th email that no entity has submitted any application that is pending or awaiting review by a Federal agency. The Federal Highway Administration has confirmed there are no current or planned FHWA undertakings that may affect the Arena, and that they cannot consult on the project pursuant to Section 106. We are also aware that Senators Specter and Casey have requested earmark funding for the Lower Hill Redevelopment project. We have been advised by an August 11th email from Charlene Vaughn of the Advisory Council on Historic Preservation that since Congressional funding requests may or may not be funded, depending on the final budget approved by Congress and signed by the President, it is premature to consider the project a federal undertaking as defined by Section 106.

Therefore, our participation in this process is governed only by Chapter 5 of the Pennsylvania History Code, which requires that Commonwealth agencies consult with the Historical and Museum Commission before demolishing, altering or transferring significant historic properties and to seek the advice of the Commission on possible alternatives to the demolition, alteration or transfer of significant historic properties under their control. Our role in this process is to consult with SEA and to provide advice when sought. At this time, SEA is solely responsible for compliance with the requirements of the History Code.

Our understanding from the materials provided to us is that the SEA staff finding for this project, called the "preferred alternative," is to demolish the Mellon Arena and that SEA staff will be making that recommendation to the SEA board. Our comments, therefore, are based upon the facts that there is currently no Section 106 undertaking for this project and that the SEA has determined demolition of the Arena is the preferred alternative for this project.

In our view the SEA has completed the consultation requirements of Chapter 5 of the State History Code. The History Code does not have procedures or regulations for implementation: Chapter 5 merely states that the Agency shall “consult” with and “seek the advice of” the Commission. Additionally, as you are aware, unlike the Section 106 consultation process there is no mention in the History Code requiring the involvement of the public or requiring public input or comment on Commonwealth Agency undertakings. The SEA has consulted with the Commission and has requested our advice on the demolition of the Arena. The remainder of this letter provides that advice.

Our review of the materials provided indicates there is significant public interest in pursuing adaptive reuse of the Mellon Arena. A new advocacy organization, Reuse the Igloo, has been sufficiently successful in garnering public support to employ the services of a nationally-recognized firm to provide the outlines of an alternative economic analysis based on a concept of adaptive reuse.

Virtually all of the public comment promoting adaptive reuse, in one way or another, requests that more time and resources be provided to develop alternatives to demolition. As you will recall, we have been concerned about the aggressive schedule for completion of this process since the beginning. We find in the public comments a reflection and reiteration of that concern, and we believe SEA should very carefully consider them. Our advice, therefore, is that the SEA should seriously consider delaying demolition of the Arena to allow for and in fact assist in the development of a more fully articulated economic and development opportunities for the Mellon Arena and Lower Hill Redevelopment based in a context of adaptive reuse.

We fully understand and appreciate that there would be “carrying costs” associated with delaying demolition of the Arena. However there are significant costs associated with the demolition of the Arena. Also, the entire purpose of the History Code requirement for consultation is that there is an understood intrinsic value to pursuing adaptive reuses of historic properties beyond that of expediency or cost. That intrinsic value coupled with the public’s concern about the timing of the proposed demolition leads us to advise a delay in the proposed timeline that will allow for the development of alternatives.

We believe a delay would allow the SEA to more fully engage in assisting Arena preservation advocates in creating a redevelopment plan based in the context of adaptive reuse of the Arena site. In our view this property is sufficiently significant to justify an RFQ that could be distributed nationwide soliciting developers and designers that could potentially provide much wider perspectives on the long-term viability of adaptive reuse than has been the case so far.

Our view is that it is entirely possible that the pursuit of additional perspectives on adaptive reuse may help support the SEA’s current position that there is no viable alternative to demolition. However, we believe that to truly understand whether this is the case, broader perspectives can and should be brought into the investigation, and that the perspective raised by 4Ward Planning and Reuse the Igloo do, at the very least, raise questions about whether reuse is truly viable or not.

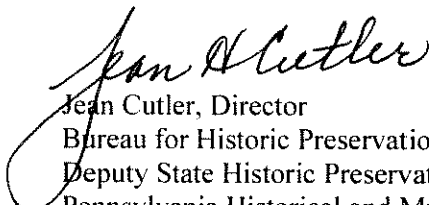
As we have stated previously, the SEA has completed the requirements of Chapter 5 of the State History Code. We would like to reiterate, however, that in our opinion the former Civic Auditorium, now known as Mellon Arena, is eligible for listing in the National Register of Historic Places. Indeed, in our opinion, Mellon Arena is an exceptionally significant historic resource. Generally speaking, only properties with exceptional significance are considered eligible for the National Register of Historic Places if they are less than fifty years old.

In our view, Mellon Arena embodies a significant and distinctive type of classic mid-20th century civic architecture. In addition, the Arena conveys and is related to the history of “urban renewal” in the mid-20th century, a controversial but unquestionably significant chapter of American history. Our position is and has been that if a satisfactory adaptive re-use for the Arena can be found, part of that re-use should be a renewed, ongoing emphasis on interpreting that history.

In our opinion, adaptive re-use of the Arena would solidify Pittsburgh’s growing reputation as a city that recognizes the value of pursuing development opportunities that are economically, environmentally, and culturally sustainable. Promoting and implementing the adaptive re-use of existing assets is a necessary component to any city’s claim to sustainable development policies. Premature demolition of the Arena could tarnish Pittsburgh’s claim to be a leader in sustainable development, and we encourage the SEA to consider delaying demolition of the Arena so that adaptive reuse opportunities may be more fully explored.

Thank you once again for the opportunity to comment on this project. If you have any questions please do not hesitate to call Ann Safley at 717-787-9121 or Bill Callahan at 412-565-3575.

Yours Truly,


Jean Cutler, Director
Bureau for Historic Preservation
Deputy State Historic Preservation Officer
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