

PHILADELPHIA CITY PLANNING COMMISSION
September 18, 2012

PRESENT:

Alan Greenberger, Chairman
Joseph Syrnick, Vice Chairman
Manny Citron, representing Richard Negrin
Patrick J. Eiding
Bernard Lee, Esq.
Elizabeth K. Miller
Nancy Rogo Trainer
Nilda Ruiz
Saskia Thompson, representing Rob Dubow

ABSENT:

Executive Director: Gary J. Jastrzab
Deputy Executive Director: Eva Gladstein

Chairman Alan Greenberger convened the City Planning Commission Meeting of September 18, 2012 at 1:06pm.

Mr. Greenberger stated there will be one change to the order of the items. We are moving item #7 the POD and move it up to item #3, because it requires a court reporter and we prefer to spend less money on her company's services instead of letting her sit around waiting. Everything else will be the same.

- 1) Approval of the Minutes for the August 21, 2012 meeting.

Upon motion by Mr. Eiding, the City Planning Commission approved the minutes for the August 21, 2012 meeting.

Mr. Greenberger welcomed Manny Citron, the new alternate for the Managing Director's Office. Manny Citron is filling in for Brian Abernathy.

- 2) Executive Director's Update

Mr. Jastrzab stated there are a number of items to report.

- **ZONING CODE UPDATE**

The new zoning code went into effect on August 22nd and the transition has gone smoothly. There are a number of new resources available on line, all of which can be accessed from the new PCPC website including:

- a new zoning map
- a map of the boundaries of Registered Community Organizations (RCOs)
- a list of RCOs
- a "Quick Reference Guide" to the new zoning code, and the Zoning Administrative Manual

- **CIVIC DESIGN REVIEW**

I want to remind the Commission that the new zoning code establishes a Civic Design Review (CDR) process, to be managed by a CDR committee. We anticipate that the first review will not need to occur until at least October, if not November. However, I do want to make sure the Commission is aware that it will serve as the CDR Committee until such time as the Mayor appoints the actual Committee.

- **RCO UPDATE**

There are now 176 Registered Community Organizations in Philadelphia. PCPC notified all applicants as to whether or not they were approved. The 45 organizations that were not approved were encouraged to work with us so that they can be approved.

- **CPI UPDATE**
Application deadline for the Fall series of core classes and electives is COB September 20th. Application form is available on the CPI website AT citizensplanning.org. Weekly core courses will begin on Wednesday, October 10 through October 24.

- **PHILADELPHIA 2035 PLANNING ACTIVITIES**
 - **PHILADELPHIA2035 Lower Northeast District Plan**
The public comment period for this draft plan runs through September 30th. Please send comments to ian.litwin@phila.gov. The revised plan will come to PCPC for acceptance at the October meeting.
 - **Next Phila2035 District Plan—University City/Southwest** is officially getting underway this month; you'll hear more about it soon.
 - **SECOND PUBLIC MEETING: CALLOWHILL/CHINATOWN NORTH STRATEGIC PLAN** – a strategic neighborhood planning effort that supports Philadelphia2035. It will be held on Tuesday, September 25th at 5:30pm, at the Holy Redeemer School, 915 Vine Street.
 - **PHILADELPHIA2035 CENTRAL DISTRICT PLAN: SECOND PUBLIC MEETING:**
 - Monday, October 22 at the Independence Visitors' Center at 5:30 pm
 - Thursday, October 25 at the Trinity Memorial Church, 22nd & Spruce at 5:30 pm.

- **PARKING DAY**
Park(ing) Day is this Friday, September 21st and PCPC will be participating for the fifth consecutive year. Park(ing) Day is an international event where metered parking spaces are transformed into temporary public places to raise awareness about the need for more pedestrian-friendly spaces in our urban areas. PCPC will be transforming a parking space on the southwest corner of 16th and Arch Streets into a cabana using only plastic bags! Please stop by and see us on Friday, and be sure to visit all the parklets across the city.

ITEMS IN ACCORD WITH PREVIOUS POLICY – RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

- 1) **PCPC Recommendation to City Council in support of passage of Bill # 120645 “amending Title 14 of the Philadelphia Code, entitled “Zoning and Planning,” by making, revising, and consolidating certain regulations regarding flood protection, and by further repealing Chapter 10-1100A of The Philadelphia Code, entitled “Development in Defined Flood Plain Areas”; all under certain terms and conditions.”** This legislation is scheduled for an October 3rd Rules Committee hearing. It makes minor modifications and removes a sunset provision on flood plain protections in the new zoning code. Its passage is necessary to ensure the Philadelphia can continue to remain in the National Flood Insurance Protection Program. It is consistent with previous policy including the December 13, 2011 PCPC approval of Bill No 110845, containing the new zoning code, and the May 29, 2012 approval of Bill No 120431 containing the updated flood plain regulations.

Redevelopment items for administrative approval. These approvals are consistent with PCPC regulations on Review of Redevelopment Proposals and Agreements:

- 2) **Redevelopment Agreement with Temple Nest IV, LP** for 1504 Carlisle Street in the Cecil B. Moore Urban Renewal Area. Purpose: infill new construction of one building containing 3 apartments and office space on the ground floor.
- 3) **Redevelopment Agreement with Julian Nix** for 2305 N. Smedley Street in the Model Cities Urban Renewal Area. This vacant lot will be used as a side yard.

- **PCPC ARCHIVES PROJECT**

Today we would like to formally thank Joe McLaughlin and Robert Presser, who have volunteered over the last two years to sort and evaluate extensive material from the 50-year accumulation in the PCPC library. The material was housed in several locations in dissolving boxes, collapsed shelves, and unidentified piles. Joe and Bob had the institutional knowledge, time, temperament, and skill to sort and organize thousands of archival document files, photographs, slides, and maps along with unique artifacts. Working with the Records Department, we are transferring this material to the City Archives for safe storage, and also to be digitized and made available to the public. This valuable historic material would not have been preserved without the initiative and hard work of Joe and Bob. A small token of appreciation was presented them.

- 3) Action Item: ZBA Calendar #18399 (Hearing date: October 24, 2012): 400 S. 40th Street. Development of a 5-story, 122-unit residential building.

Paula Brumbelow, Development Planning Division, stated this site is located on 40th and Pine Streets. It is currently vacant. It was a mansion, which was then turned into a nursing home in the 1960's. The Historical Commission has approved the demolition of the mansion. It comes under the old Zoning Code as "R-5A" for a 2-family dwelling units. The existing mansion will be removed. The developer proposes to construct a 66,044 square foot multi-family residential building for use as 122 dwelling units to be used as student housing. The University of Pennsylvania has an interest in it. They will need variances for the following: 1) amounts of units: they are allowed 2 units; they are proposing 122 units; 2) minimum number of accessory parking spaces: they require 122 parking spaces; they are proposing no parking spaces; 3) minimum percentage of open lot area: required 50%; proposing 42%; 4) Rear yard depth: required 20 ft.; proposing 7 ft. 1 in.; 5) side yard required is 8 ft.; proposing 3 ft. 6 in.; 6) height: required: 35 ft. maximum height; proposing 58 ft. 6 in.; 7) stories: allowed 3-stories; proposing 5-stories. It will be fronting on Pine Street. The City Planning Commission staff has just completed a land use survey of this area for the University City/Southwest District Plan and a significant number of the surrounding uses of this property are multi-family units or dormitories. This property was last seen at the Planning Commission with a proposal to erect an 11-story extended stay hotel with approximately 80 units. The City Planning Commission staff recommendation is approval to support the granting of the variances.

Ed Halligan, President of the Spruce Hill Community Association, replied this project is within their bounds (see "Exhibit 3A"). Their Board of Directors voted their approval of the proposed project, with 1 abstention, and 1 denial. The current site is a deteriorating mess.

Mr. Lee asked about the materials.

Mr. Halligan replied the materials were stucco. It was improved to exterior of site and lighting.

John Gallery, Executive Director of the Preservation Alliance, stated his organization surrounds the site. They are appealing the Historical Commission's approval at ZBA.

Mr. Syrnick asked is this for grad student or professional.

Matt McClure, from Ballard Sphar, replied marketed to grad students. Lots of study rooms. They have a need for housing.

Ms. Rogo Trainer asked what is to the south.

Mr. McClure replied on Pine between 40th and 41st, are 1 single home and 1 duplex; everything else is student housing. This is a zoning issue.

Mr. Eiding asked what is the finished on the building. Is it stucco finished?

Mr. McClure replied the first floor is pre-cast stone base, fiber panel, and wrought iron fencing.

Ms. Ruiz asked about the parking. There will be no parking, but you have added residents.

Mr. McClure replied at 40th Street there is public transit. The University of Pennsylvania will have parking nearby.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Eiding, the City Planning Commission approved the granting to support the granting of the variances for ZBA Calendar #18399 for 400 S. 40th Street. Not commenting on the demolition.

- 4) Action Item: Plan of Development Review for 735 S. Christopher Columbus Boulevard (Piers 34-35 South), for a proposal 209-unit residential development in the Central Delaware Riverfront Overlay District. This item was tabled at the August 21, 2012 meeting.

Jack Conviser, Urban Design Division, stated this item was presented to you on August 21, 2012. This is located off the public boulevard just south of the Dockside Project across from I-95. It is for 209 units, 3,000 sq. ft., and 164 parking spaces. These numbers have not changed since the last presentation. It falls under Central Delaware Riverfront Overlay. We received all of their required documents on July 31. Additional documentation was sent on September 2 in response to the Philadelphia City Planning Commission's issues that were raised at the August 21 meeting. We've identified three of the very significant issues raised at that meeting, and we even noted what some of the responses have been on the materials that we received on September 2. Again, we've been encouraged to expand and extend the public walkway on the south edge of the building on the ground floor. That public walkway has been widened and extended. The materials, the development team was encourage to provide the entire lower portion in the same materials such as flatstone or concrete as noted. The development team has agreed that the northern and western phases of the lower building mass will be designed with metal panels on case concrete as encouraged by the City Planning

Commission. The third issue raised was the City Planning Commission encouraged a portion of ground floor on the public boulevard be made available for retail in the present into the future, and the development team will speak in more detail to your response to those issues. He turned it over to the development team.

David Ertz, architect from Cope-Linder Architects, stated this is the perspective view from Columbus Boulevard. We have an area in the middle of the building that we have designated as fitness, and there was a desire by the Board to enlarge the space and not close the doors to the option of retail. We have moved some of the utility rooms around to make the space a little deeper and a little bit more usable. We currently have it label as retail. If we find a tenant for retail, then it will be retail. Also we have expanded the walkway on south side of the building. We've done a couple of things here. We have pushed the back wall in slightly in that area, and moved some of the planters we had on the very edge so that except that the column locations are now wider, it allows us to turn in as we go along. The plan has also been extended on the east end to accomplish this without using parking spaces on the cantilever deck. So by the time you reach the grey block, the thin building there, then you merge from under the building you can see the sky and it will cantilever east a little bit so you can see up and down the river. There's the extended walkway. Elevations – low-rise and mid-rise portions of the building. There's a lower block in the front that we have agreed to use the same materials wrapping around the three sides. There is a natural termination point on the south side where we enter the corner. On the north side, we have a balcony structure that runs up the building and allows for traffic. We have described a couple of options for the low-rise portion. We are looking at metal panels or precast concrete. We haven't come to a final decision. For the high-rise portion, we are also looking at two materials with metal panels and precast concrete. We're going to make our final decision on that based on where the cost estimates come in, and based on whether or not the client will be using this at a future date when it will become a condominium. So there are the primary changes we have made since you saw this at the last meeting.

Mr. Conviser replied we are repositioning the projection of the site, which we found to be consistent with two of the principles on the Master Plan for South Delaware. We have your recommendations based on the changes from the 21st, and the changes are consistent with the objectives from both the Philadelphia2035 Citywide Vision Plan, and also with the Central Delaware Waterfront Master Plan. The City Planning Commission staff recommendation is approval.

Doug Cregar, owner and resident of the adjacent building at 717 S. Columbus, stated he is representing himself and the other owners. They weren't aware of this project until the recent newspaper coverage of the Planning Board Meeting. They are not necessarily against this, but they have some questions of which have to do with the fact that he just sees more detail here than any of the best of us have seen from a small picture in the newspaper. So it's kind of hard to understand exactly what it's going to look like and what they impact will have on their adjacent facility. They do have issues on this. One is traffic - there is an I-95 ramp, and a left turn light heading south on Columbus Boulevard. They don't know what impact they will have on it. Another issue is the heliport, that's one building over where it has the FAA or whoever's required to approve that?

Ron Patterson, attorney with Klehr, Harrison Harvey Branzburg & Ellers LLP, replied they did reach out and notified CDAG, and the owner or operator of Dockside of the meeting. And I know that they had attended the last 2 meetings where they would have seen the comparison that we had showing the height in relationship to Dockside.

Mr. Conviser replied if I recall correctly, the owners I talked with or the board had been notified prior to this newspaper article.

Mr. Patterson replied that's my understanding, and I guess that is yours as well that we had a meeting.

Francine Cregar replied her husband is Doug, and he's on the Resident's Committee Board. That Board got together this past weekend and discussed this, and no one knew anything about this proposal. When they were trying to build the casino down the street, which wasn't build, we were notified and kept informed. This project has not been informing them. We didn't know, first of all, because there was going to be a building built there. And how quickly all of this was going to happen. That doesn't mean we don't want it there. It just means that we feel snubbed. We have no idea what's going on, and we have no idea that they have made changes to it. What was the elevation of the building supposed to be along Delaware Avenue?

Mr. Greenberger replied it is 100 ft. That was not a rule; not a law. It is a recommendation that was in the Plan with exceptions being allowed as determined by this Commission.

Mrs. Cregar asked do you know what it's like to live on Christopher Columbus Boulevard. There is no restaurant or grocery store, or dry cleaners in the area.

Richard Wolk, on the Executive Board of CDAG, asked for clarification on what he heard: first you didn't make clear what the walkway was going to be. What the public part of that walkway was going to be? What is the width and length of it? Is the public walkway going to the very end of the water? Do you see the water looking ahead, or sideways?

Mr. Ertz replied the walkways will have lights. The store front looks into the lobby, and then it is screened. As you get further out where we have parking, it will be straighter than that. It's not going to be as transparent.

Mr. Wolk replied that is not what he asked. What is the width and the length of the public walkway? And will it end at the water?

Mr. Ertz replied it is 11 ft. 6 in. wide, and narrows to 8 ft. where we have the columns, and it is the length of the building. As you get to the end of the pier, the space flares open so that there is a little bit more space and it does cantilever out over the water. You will be looking up at the sky and have water on 3 sides.

Mr. Wolk asked about the amenities for the public sp that they can enjoy that space.

Mr. Ertz replied don't know yet; probably furniture and planters. It's too early in the process. We haven't gotten to furniture selection at this time.

Mr. Wolk asked about the fitness center. Was it going to be public space, for public use?

Mr. Ertz replied if it is a fitness center only, it is for members. If it becomes retail, there will be an entrance so they don't need to go through the lobby.

Mr. Wolk replied there is no change in regards to the public.

Mr. Ertz replied the developer is going to try to find retail.

Mr. Wolk replied a dry cleaner or a coffee shop would be helpful for residents.

Mr. Greenberger replied they are going to try to market it as retail. We are going to encourage it, but we or CDAG can't force it to be retail if the markets not there.

Mr. Wolk asked about the trail.

Mr. Greenberger replied the Waterfront Corporation is involved in a study on how to make the trail work from Washington Avenue to Spring Garden Street. It is not the developer's obligation; it is DRWC's obligation.

Mr. Wolk replied he would have like to see a little less elevation there. He does thank them for trying to do something to improve it in terms of the public domain.

Jeff Hornstein, President of the Queen Village Neighborhood Association, replied they Continue to feel pretty good about this project. We're pleased that you've expanded the walkway as per the previous conversation. Obviously, we would love it if you'd cut off some of the parking deck, and made the trail go all the way around the building, but I understand that is beyond your capacity. We appreciated that you're at least going to take the step of putting retail out there and see what happens. We understand the market is going to determine that. He apologized to the folks at Dockside. They assumed that Dockside knew what was going on there. They are going to make a better effort as an association to make sure that the residents at Dockside understand and are plugged into what is going on there in the future. He recommends that in the future the developer does direct outreach to your neighbors.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Synchron, the City Planning Commission approved of the Plan of Development Review for 735 S. Christopher Columbus Boulevard (Piers 34-35 South).

- 5) Action Item: Plan of Development Amendment for 230 N. Christopher Columbus Boulevard in the Central Delaware Riverfront Overlay District. This item was originally approved on June 12, 2012.

Beige Berryman, Urban Design Division, stated you saw this on June 12, 2012. It is located north of Race Street Pier, and just north of the Ben Franklin Bridge. It's bounded by Christopher Columbus Boulevard, Summer Street, Water Street, and Vine Street to the north. We are seeing it today because it's within the Central Delaware Waterfront Zoning Overlay, and this is in Section #14-507 in the Zoning Code. We received the required documents in late May in time for the June City Planning Commission Meeting. And we received revised drawings that responded too much of the discussion that you held. We received the new submission on August 28. POD was approved in June. Here is a brief summary of the revisions: they have increase the number of units, but the building height and footprint remain the same as it was in June. This is because the parking ratios have decreased, but the ratio is still within the code requirements. Additionally, the units are matching some of the parking garage elevations. They have also increase the retail space in southeast corner of the project.

The City Planning Commission staff recommendation is approval of the Plan of Development Amendment.

Eric Rahe, from BLT Architects, replied we are here to talk to you about an amendment to the previous POD. As Beige mentioned, we are expanding the number of units; we are not doing that by expanding the mass. Since your June approval, we have continued to work with the marketing efforts, and one thing that's included is that the market will support more studio units. So, primarily the changes will result in increased unit counts as a result of adding studio units. The POD that was approved in June had 180 apartments, and we've grown to 206. The parking space now has actually gone down a couple of spaces, because we added bicycle storage. The parking ratio drops from 1.0 to .86, as the ratio in bicycle spaces go up. The overall square footage goes up to approximately 10,000 sq. ft. The building footprint remains unchanged with an 11-story parking facility along Columbus Boulevard and Vine, a 3-story parking garage in the rear of the site. In the past POD there was a discussion about the relationship of the building to the bridge. There are no changes in the building's relationship to the bridge. It's still 140 ft. from the bridge abutment. There are no changes in the building height. The building height is 122 ft. to the parapet, and it's approximately 130 ft. to the elevator shaft on the roof. In June public area was contained 1200 sq. ft. retail, fitness, and promotional community room. As they looked at this, they felt that there was an opportunity for a larger tenant lounge on this corner, and that they could move retail 1200 to 1700 sq. ft. Store front windows on the Columbus Boulevard side with transparent glass. We had to relocate bike storage. Previously on the second floor, the units stopped on the corner of Vine and Columbus, and the garage, although it was setback from the colonnade, it was visible along Columbus Boulevard on the second floor. We've now infilled that with studio apartments. And then there was a minor change where we extended that studio unit over to the garage. The typical floor remains unchanged in terms of its mass, and its size, and its coloration. In terms of the changes in that it shows where the two and one bedrooms are being converted to studios apartments. The top floor always had a terrace on the corner. We've made that terrace a little bit smaller and added a one-bedroom apartment on that level. In terms of the façade, this is what was approved in June. You can see where we're infilling the façade on the second floor at this location where there's a small infill up here at the top of the building. Those are the primary mass changes. We did take the opportunity to review feedback from the Philadelphia City Planning Commission and the Historical Commission. The comments varied. More recently, the Philadelphia City Planning Commission had some question about whether we could better articulate the grade, whether there could be some kind of recess that strengthens that expression. The accent color has been limited to the balconies. The horizontal expression remains, but the vertical element are now a mix of gray and off white colors, as opposed to all gray with a little more of a grid pattern. The porch corner, which we've made a big improvement, as opposed to the bands just winding across, they are stopped. They terminate here, and there's a strong recess between them. Looking back up on Columbus Boulevard, the infill on the second floor, and maybe most significantly this corner, which was a garage with environmental screening on it, is now retail with glass. The view from Vine Street, there really is no changes here other than this upper corner, where we added the one unit. We've made refinements, which we think are very positive in terms of planning and site improvement. We are very pleased that the City Planning Commission staff was supportive of these changes, and we hope you will be as well.

Ms. Rogo Trainer replied you are taking retail out of the north piece and moving it south.

Mr. Rahe replied yes.

Ms. Rogo Trainer asked how does one get to the retail.

Mr. Rahe replied this is all street access right now showing the stairs coming up from the street.

Ms. Rogo Trainer asked is there an accessible way of getting there also.

Mr. Rahe replied yes. It will be handicapped accessible.

Joe Schiavo, Vice Chair of CDAG, replied he feels that this project has benefited from the comments this Commission and the neighbors have made. Although the Commission has already approved this project, it is back here for a revised approval, it is the case that I think the developer took to heart the comments, and I think that it's now improved greatly, and on behalf of CDAG, I wish to thank the development team. But he pointed out that a piece of information that came to light after the presentation to the Commission the last time was that the air conditioning system intended for this project were v-packs units, that is, units that pierced the wall as they might in a hotel or motel, and he was wondering if the development team has reconsidered that decision to engineer the HVAC system to include v-pack units.

Mr. Rahe replied he thought there was a misunderstanding about this and things have been written as well about that. The system is the v-pack, which is shorthand for vertical terminal air conditioning. It is an electrical heating and cooling system, who's vertical unit or units depending on the size of the apartment, that are enclosed in a closet for its use and its isolation. They have ducted air that runs to the other rooms. So, if it's in the living room, there's a duct to the bedroom. There are programmable thermostats in every unit. There is the opportunity for the supply of fresh air, and that is what results in a small louver in the wall, which he thinks is what is then fixed on it is this discussion about the HVAC. This system is used by 777 S. Broad Street, which most people would consider to be a good quality building. While the standards of leader changed, that was approved as a Lead quality unit. I think the characterization of this air conditioning system is cheap and hotel like or anything like we were going to cut holes in the wall or go buy a true window air conditioner, that's all incorrect. This is a solid system for this type of housing.

Mr. Schiavo replied he appreciated that clarification. The information that came out of the Historical Commission review of this project suggested other, at least at that time suggested other, and he very much appreciated that clarification. And it's comforting.

Mr. Greenberger replied he assumes that you can market some of the space for retail. If in the southernmost portion, that you are showing as the community area, a retail tenant came to you and wanted to place retail in there, would you place it there?

Mr. Rahe replied yes.

Mr. Greenberger asked what's behind the clear wall.

Mr. Rahe replied there are 4 of what we are calling the store front windows, which you see around town. They'll probably be about 3 ft. deep with an opportunity for a display; it is vision glass that will be 8 ft. high.

Upon motion by Mr. Eiding, seconded by Mr. Lee, the City Planning Commission approved of the Plan of Development Amendment for 230 N. Christopher Columbus Boulevard.

Mr. Greenberger asked the Development Team for item #4 to meet with Dockside.

6) Adoption of the Germantown and Lehigh Plan.

David Fecteau, Community Planner, stated this item is for the adoption of the Germantown and Lehigh Plan. The boundaries of the planning area are: 8th Street to 12th Street and York Street to Glenwood Avenue, about a mile and a half north of City Hall; north of Temple University and south of Temple University Hospital. We didn't take it to Broad Street because we didn't want to take the focus off of Germantown and Lehigh. The Commerce Department wanted to do a plan for this area; that is what brought us on board. The plan was funded through a \$100,000 grant from the Commerce Department and was co-managed by Commerce Department and City Planning Commission staff. Several implementation steps have already begun, among them: Philly Painting, an art project under contract with the Mural Arts Project; securing \$3 million for streetscape improvements to begin next year; and work by Commerce Department staff to reactivate the business association. To oversee the plan's progress and development, the Philadelphia City Planning Commission and Commerce convened an Advisory Committee, charged with reviewing the research findings, weighing in on the proposed recommendations, and ultimately assuming partial ownership of elements of the plan. Nineteen invited stakeholders comprised the Committee, including representatives from seven community organizations, four business and/or property owners along The Avenue, the 5th and 7th Council Districts, the 25th and 26th Police Districts, and four city agencies in addition to the City Planning Commission and Commerce Department. The Police Department has been greatly involved, especially Captain Michael Cram of the 26th Police District, and Officer Tyshaan Williams of the 25th Police District. Officer Williams has focused his efforts on commercial corridors, and has done much work to develop a Business Partnership to organize merchants build capacity, and bring resources to Germantown Avenue at Broad and Erie. He is working closely with NET CDC and has again reached out to area merchants at Germantown and Lehigh, offering to extend his energy, knowledge and resources to tackle cleaning and safety. The City hired an interdisciplinary team led by Scott Page, Mindy Watts, and Jamie Granger from Interface Studio partnered with Meg Sowell from Real Estate Strategies and Lamar Wilson from V. Lamar Wilson Associates, with expertise in planning and urban design, commercial and residential market analysis, organizational assessment, and community capacity building to undertake *The Economic Development Strategic Plan* and coordinate with the *Philly Painting* project. This was an 11-month process beginning in May 2011 and ending in March 2012. Since 1950, they have lost half of their population. The median household income for the area is \$14,201, and 65% of households earn less than \$25,000 per year. The low household incomes translate to a high poverty rate; 60% of the households are living in poverty. Early actions: 1) main – restart a commercial corridor. Commerce Department was able to find temporary funding for cleaning, etc.; 2) organizing the merchants themselves and working with the Police Districts there to improve store front lighting, and develop and implement an outdoor surveillance camera plan for the corridor; and 3) streetscape – \$300,000 million for concrete for pavements and streetlights. Interface was lead consultant. Commerce Department is funding the mural arts program. Goal is to get 2500 to 2800 blocks of Germantown painted in design schemes. We have 75 businesses here. Old Salvation Army Community Center at 2601 N. 11th Street is now closed and gated. It contains a meeting space, classrooms, a full kitchen, and gymnasium, all good working condition. These render this

28,000 sq. ft. structure ideal for reuse should they opt to see the property. How do we get it back on track? Hope Partnership are going to be opening a new school on this site. Older commercial properties – get funding to repair the stores. Vacant land – they could have a children’s garden. The major goals for reusing City-owned land, is to get it out to the residents to use in responsible ways. It doesn’t have the potential for housing development. We recommend rezoning industrial to recreational, etc. Fairfield is incorrectly zoned. We would like to transition blocks to residential that are no longer viable for commercial. There is a demand for subsidized housing for senior housing. They have new affordable housing, which was just build. These are Philadelphia2035 goals and objectives. The City Planning Commission staff recommendation is adoption.

Ms. Rogo Trainer asked about funding for the maintenance.

Mr. Fecteau replied the Mural Arts Program has money for touch-ups. Mindy Watts gets credit for that.

Mr. Greenberger replied take a ride up Germantown, it is a vibrant scene. The artists have some buildings or signs they don’t want to paint over.

Ms. Miller replied this is a great plan. Who do you see as the steward of this plan?

Mr. Fecteau replied Dr. Stanford in the Commerce Department, NEC CDC, Philly Rising someone in the community and Police Officer Williams, and the Village, and the Commerce Department by default.

Ms. Miller asked if any of the organizations are here to endorse the plan.

Mr. Fecteau replied no.

Gabriel Gottleib replied he has volunteered with this group. He disagrees with converting commercial to residential. There are a lot of immigrants in this area, and will keep it growing. This could be a great area for artists and students. Retail can grow here. Twenty years from now we might regret that change.

Upon motion by Ms. Miller, seconded by Ms. Ruiz, the City Planning Commission adopted the Germantown and Lehigh Plan.

7) Adoption of the Central Germantown Business District Beautification Plan.

Matt Wysong, Community Planner, replied this work was done in-house with the help of the Urban Design Division. This plan is an outgrowth of the 2009 TOD for this area. Two primary corridors: Central Germantown (Northwest Philadelphia): business district focused on Cheltenham Avenue between Baynton and Morris Streets, and Germantown Avenue between Church Lane and Rittenhouse Street, and Maplewood Mall. This plan is a guide for short- and long-term physical improvements to the Central Germantown Business District. Such improvements are a first step toward the revitalization of the district and are intended to encourage increased private investment. This plan recommends improvements that focus primarily on enhancing the “public realm” of the corridor. This includes streets, sidewalks, landscaped areas and building façades. Proposed improvements include new sidewalk

treatments, tree plantings, public art, street lighting, signage and building façade improvements. The one side is older denser development, and then there is the new side with McDonald's. Germantown Avenue serves as a historic district where there is the village green. The streets are narrow. In the 1966 Germantown Urban Renewal Plan, the Maple Wood Mall Plaza was flanked by 2 pedestrian lanes. Following World War I, Germantown really boomed but in 1960 people moved to suburbs and businesses followed. We found 9 types of retail uses left. There are a lot of dead trees, and they need lighting along Germantown Avenue. It was branded "Freedom's Back Yard". We held 3 public meetings, held online survey, and all of the feedback is what came out of this plan. Assist with new stormwater management for the area. We have also been asked to do it for Maple Wood Mall – replacing concrete, rebranding, lighting, and tree planting. We did a survey to find what trees work here so we don't have a lot of dead trees. We see this as an early implementation item. Germantown train station also landscaping is an early implementation item. Finally hub of which it happens, make more inviting at night. Zoning recommendations of what neighbors want: TOD overlay for regional rail stations. A rain garden at the Germantown Rail Station; and improvements to the Chelton and Wayne bus stop. There are 25 recommendations plus agencies and funding sources listed. The City Planning Commission staff recommendation is adoption.

Ernie Freeman, Germantown Neighborhood Connections, replied they had numerous meetings, and the document is well written. It is a healthy document and gives community hope. Number 1 - find a way to stimulate investment in area. It has more dollar stores in the area. Greater emphasis need to be in marketing the corridors. Re-establishing the community with clean-up etc is music to his ears. They have lost of initiative from the community to spend money here; they go somewhere else for shopping. Strengthen business corridor – they need to get people involved. They can clean the outside and enforce the code, it wouldn't cost them money. The City cannot do it all. McDonald's can clean up their site. They could have affordable housing above the retail. That is a good possibility. Need to look at housing everywhere. Germantown Arts Roundtable – within next 6 months, they will be going for projects to take on their own. How come we can't get dominos moving to get things going? He commends staff on the work they have done. He is the RCO chair, and he is going to meet with other RCOs.

Mr. Greenberger replied he doesn't live far from this corridor.

Upon motion by Ms. Ruiz, seconded by Mr. Citron, the City Planning Commission adopted the Central Germantown Business District Beautification Plan.

- 8) Action Item: ZBA Calendar #18726 (Hearing date: November 7, 2012): 205-209 Race Street. Development of a 16-story, 128-unit residential building containing underground parking. Presented as an Information Only item on October 18, 2011.

Ms. Brumelow stated this item was presented as an information only item on October 18, 2011. This application has been reviewed under the old zoning code. It is bounded by Race Street, 2nd Street, Florist Street and 3rd Street. It is currently a vacant and underdeveloped lot. The proposal is for a 16-story mixed-use building with a cellar, and 14,700 sq. ft. of retail space on the ground floor and 128 residential units with green space on top of building for tenants. It is zoned #C3", and under the new code it would be CMX3. They will need variances for the following:

1. Minimum number of off-street parking spaces: for 128 residential units would need 90 spaces; under CMX3 they would need 39 spaces; they are proposing 34 spaces.
2. Minimum depth of loading space: they are allowed 60 ft. only; under CMX3 1 loading space; proposing 40 ft. deep.
3. Minimum percentage of open lot area: they are allowed 20%; they are proposing 8.43%.
4. Maximum Gross Floor Area (GFA): allowed 450%; proposed 695%.
5. Maximum Building Height: allowed 65 ft.; proposed 197 ft. 6 in.; under new code no longer required.
6. Maximum Building Width: allowed 70 ft.; proposed 186 ft.

The building setback is not 65 ft., but they actually set the building back to 55 ft. They are proposing landscaping plan, and the garage off of Flora Street. Bring the sidewalk out to the curbline. The one variance for the 65 ft. height limit, they showed what a matter-of-right building would look like. And another showed what they are proposing – they are proposing setback and opens the view of the bridge. There will be furniture, and plants along 2nd, Race, and Floral Streets. It is a difficult parcel to develop with the abutting the bridge at this site. The City Planning Commission staff recommendation is approval.

Peter Gluck, architect, replied we design this building with it in mind the 3 dimensions forms buffer not with Old City but with the bridge. It is difficult to have housing there. We have repositioned the building much higher. We designed it for developer as a prime building. It is not cheap; it is expensive with the cut out, etc. We have treated this as a way to design a really great project.

Jeffrey Brown, the developer, replied we listened carefully. This project and this design had evolved. We are sculptural building. The retail loading has been improved with the help of the Streets Department. Loading in the back of the building is unique in Philadelphia.

Rick Snyderman replied he lives in Old City and has a gallery there. There is something about this project. He remembers the activities that were going on at the time of the building of Society Hill Towers. What we have in Old City is unique. It is important to establish a standard. It will stand as an iconic piece of sculpture like the Society Hill Towers. He believes that the building, because of the way it is shaped is unique. He would suggest that the Commission hear carefully, and think carefully of what the other people are going to say after me. That they don't want the change this is going to make.

Richard Thom, Chair for the OCCA Developments Committee (see "Exhibit 8A") replied OCCA voted to oppose this proposal. Ten years ago, we requested City Council to propose a height limit in this area. This is over 300%. GFA is over 150% allowed. The minimum number of off street parking spaces is less than 90% under the previous code. There are 124 units and retail spaces. There are not enough parking spaces. Old City is already a very densely populated area with a great deal of pressure on available parking spaces. The developer has proposed to build only 34 of the 90 parking spaces required under the old code. We recognize the problem by breaking up the façade in a manner suggesting a compacted collection of multiple structures. However, the intended effect is not yet fully realized and requires more careful study by the development team in order to present that 186 ft. long façade as sympathetic with the character of the area. The minimum percentage of open lot area: given that they have three open street areas, we are amazed that they cannot meet this requirement. Massing scheme – we ask that the massing be shifted to the west edge of the parcel, rather

that at the east edge. Loading spaces: recyclables not shown on the plan. Impact of the Ben Franklin Bridge: the massing that will appear over the bridge. We feel it is too much on the wrong side of this site.

Don Todd, History Teacher, replied he moved here for the history. The 200 ft. high building doesn't look like Old City. He likes what they did on their proposal, but not here. He suggests that you lower the building.

Brad Colell replied the 65 ft. height limit; everybody had loved the height limit for a long time. This has streets on 3 sides. He doesn't know what hardship they have. He feels that it is greed.

Joe Schiavo replied he is a property owner, and the Vice Chair of OCCA Developments Committee (see "Exhibit 8B"). He appreciates the appearance of Old City. He doesn't expect the buildings in Old City to look old. He is concerned about the height limit; the FAR is overkill of the parcel. You saw this project previously; you gave it a soft nod. You encourage the developer to propose this project. Is this a beauty contest? This is a beautiful building. But is this the right building for this site? The new Zoning Code is design for the development and planning for the City. He asked them to really think carefully because you like the design.

Larry Mangel replied he lives at 317 Cherry Street for 18 years. He had 2 businesses in Old City that he had to move. He thinks they need a new injection. He likes this design. He had a gallery on 3rd Street. He moved it, and got thousands of people coming in. He strongly recommends everybody supports this project.

Jay W from 2nd Street Parking Consortium replied he represents 280 tax payers. We service the residents of that area. There is a parking lot on the corner. Where this lot will be build, is a mess. He thinks it's on the fringe of Old City. He doesn't see it getting any better. This is a beautiful building. He agrees with Mr. Thom that it is high, and doesn't have enough parking spaces, but he is speaking for the parking consortium. It is a disgrace that there is opposition for this project. We need something to revitalize this area.

Paul Toner replied he represents 2 owners. He had the same concerns. We are less than 1 month since the new zoning code took effect. We ask the Commission to respect the 65 ft. height limitation.

John Gallery, Executive Director of the Preservation Alliance, replied that they support OCCA's opposition to this project (see "Exhibit 8C"). He hears the staff talk about Philadelphia2035 Vision Statement in other projects, but not on this project. He feels this is twice as high to any building that has been given a variance in Old City. This design is incompatible with Old City. This building doesn't have anything to do with Old City. In regards to the new Zoning Code, Alan Greenberger said several weeks ago "this is a start of a new era". Is this a new era or the old era, where the Philadelphia City Planning Commission is going to be giving people variances?

Avram Hornick, from Old City District, replied he is part of the RCO under the new Zoning Code (see "Exhibit 8D"). We answer to City Council. He is the Chair of the Economic Development Committee. The Old City Board is made up of businesses and property owners. It is a mixed-use neighborhood. The residents in Old City are primarily made up of young professionals. They like the buildings, and the restaurants that they can walk to. This project fits in with Old City. As for the height, this property is in Old City, but not in the heart; it is on the

edge. This site near the bridge is very challenging. This site is the doorway to the corridor to Old City. He feels the height is appropriate where it is located. He likes the design of the building. The angle of the façade is creative; it fits into Old City. Light is coming into all of the sides. They could have built an ugly building by-right. Retail is important. It will be unique with loading in back and the size of it. The developer has been involved with Old City since 2004.

Mr. Brown replied a lot of thought went into this design. We thought of what we could do to improve the area here. We don't see 1 downside to any of it. We had a survey on our website. We received 416 yeses on a petition.

Mr. Gluck replied 1 of the reasons for the height is to support the lower level. This project is not about greed.

Ms. Rogo Trainer replied the height limit angles the building because of the bridge. We talked about parking and were told there was parking elsewhere. She agrees with Joe Schiavo. She doesn't have a problem with the height of the building.

Mr. Eiding replied this is a great design the way it was moved around to accommodate everyone. He goes by this site and wonders what is going to be put here. It is a gateway to Old City. He thinks it is great and he likes a project that has style. He is concerned how they are coming here.

Mr. Syrnick replied he also is trouble and concerned how projects are coming to us.

Ms. Miller asked Paula to show the chart.

Ms. Rogo Trainer replied she shares Joe and Pat's queasiness as well. This project could be built as a matter-of-right.

Mr. Lee replied we are asked to make judgments in our choices.

Mr. Greenberger replied this is a very complicated site with the bridge near it. Legally this is under the old code. We are going to face this several more times before projects come under the new code. When you go before the ZBA, you need to answer about the density – the new code allows for some FAR. Use this before the ZBA. The height, there is not case you can worm your way around. You can answer the parking space question, they are around. What Joe brought up about the beauty contest, this is not what this is about. Some people are going to find it exciting and interesting and some will not.

Ms. Rogo Trainer replied she doesn't want to do things willy nilly.

Mr. Citrone asked are you going to have more parking spaces in there. Are you going to car share?

Mr. Brown replied yes, at least 2 spaces.

Mr. Eiding replied at this location, if you put a low rise, he doesn't think they will sell well.

Upon motion by Mr. Eiding, seconded by Mr. Citron, the City Planning Commission approved the support of the variances for ZBA Calendar #18726 for 205-209 Race Street.

Mr. Syrnick opposed.

Mr. Lee left at 4:05pm.

- 9) Information Only: Canal Street North at Penn Treaty Village, 1000 Frankford Avenue also within the Central Delaware Riverfront Overlay District.

Mr. Greenberger stated this is an information only item, and will be coming back to us for a recommendation at a later date.

Scott Page, from Interface Studios, stated they have been working with Core Realty. Canal Street North is the first phase of the proposed Penn Treaty Village Master Plan. Penn Treaty Village is proposed as a mixed-use development located along the Delaware River Waterfront within the boundaries of the Central Delaware Riverfront Overlay. Under the terms of the Philadelphia Zoning Code, Section 14-1638 Central Delaware Riverfront Overlay District, a Plan of Development is required. The boundaries of the District are: the south curblin of Allegheny Avenue on the north, the Delaware River on the east, the north curblin of Oregon Avenue on the south, and the east curblin of Interstate 95 on the west. The Canal Street North development proposal spans seven parcels located between Frankford Avenue, Laurel Street, Front Street, and Wildey Street. The I-95 right-of-way is the approximate western boundary of the development.

- 25 Richmond St (vacant lot)
- 49-61 Richmond St (vacant lot)
- 1002-52 Frankford Ave (former Ajax Metal buildings)
- 44 Richmond St (vacant lot)
- 35-51 E Laurel St (former Dry Ice Corporation buildings)
- 1001-23 N Front St (vacant lot)
- 1025-31 N Front St (vacant lot)

First POD we want to give you a presentation. This project is mixed new construction with old structures of the former Ajax Metal buildings and Dry Ice Corporation buildings. There area is the waterfront streets, Frankford and Delaware Avenues. Canal Street is the ribbon street. We are looking at Penn Treaty Village. Phase 1 is for the 2-existing buildings: the Ajax for entertain facility, and the Dry Ice Building (it is the smaller 1-story building), which is proposed as a western bar and grill. The Ajax building fronts on Delaware Avenue. It sits in a really important juncture with Fishtown and Northern Liberties. We see big opportunities to reuse industrial buildings; vitalize a dead stretch of street; create public space; and transform space under I-95. Surrounding areas are mostly vacant. It is currently zoned CMX3. Under I-95 will be used for parking lots. These properties are also in the Central Delaware Overlay, North Delaware Commercial Overlay. The bowling alley and the concert venue will need variances.

Mr. Greenberger replied the North Delaware Overlay and out of the Central Delaware Overlay.

Mr. Eiding asked how far up does it go.

Mr. Page replied up to I-95 at Allegheny Avenue. It is in 3 overlays. The third is in parking. The North Delaware Overlay – 1 parking space for 4 people in a restaurant. We came up with 4, but when you add in the special overlay we would need 675 parking spaces. We would be short 337. The parking under I-95 would be 337 spaces. We have public transit with buses, and the el stop nearby. We will have bike spaces. We don't want to create a sea of parking spaces.

Mr. Eiding replied people get really excited about projects, but the first question is parking.

Mr. Page replied the plaza open space, private outdoor seating for the Western restaurant, stormwater plants along Frankford Avenue, the bowling alley on the ground floor, concert venue off of Canal Street., and the distillery on the ground floor. Frankford Avenue section Delaware Avenue to Richmond Street, we are replacing windows. Concert venue will not be opening window, but putting in light boxes. There will be 2 separate elevations on Frankford Avenue. There will be loading zones on Richmond Street, which will go into the buildings to unload. There will be distillery and tasting rooms, and offices. The billboards will face I-95.

Matt Karp, Chair for Fishtown Neighbors Association Zoning Committee, replied we had a meeting on September 11, 2012. They are concerned about the parking. There will be 337 parking spots, where fully loaded is a concern. LED billboard is a concern at the end of the meeting. Everyone is very supportive. (see "Exhibit 9A")

Matzi Ben-Maimon replied his family owns property on the southern end. He is a big supporter of this plan, but there is no street here, and they keep putting a street here.

Mr. Greenberger asked him if he has any plans for his property.

Mr. Ben-Maimon replied yes.

Mr. Greenberger asked when can you show them.

Mr. Ben-Maimon replied he is not ready at this time.

Mr. Greenberger replied he is very excited about the use of existing building and the new buildings. He wants to emphasize like the casino with a more limited POD. It is important for us to see a more limited POD.

Mr. Page replied timeframe – long term is no longer a discussion.

Mr. Greenberger replied you need to have those discussions soon. You will need to have access for emergency vehicles.

Mr. Eiding asked what will be the impact on Frankford and Shackamaxon.

Mr. Greenberger replied he doesn't want parking to migrate into the neighborhood.

Ms. Rogo Trainer asked in the long term, what is your vision for parking. If you want to do this, it's a great thing, but you need parking for people who will be driving here.

Mr. Greenberger asked under I-95 are these lots controlled by Core Realty.

Mr. Page replied 1 is controlled by Core Realty.

Mr. Greenberger replied he is concerned what is happening if this is all happening at 1 time. Whether you control the lots or not; you need to have a plan.

Mr. Page replied we will have a parking garage at a later phase.

Mr. Greenberger replied we need to figure out the overflow now. We don't know what the economy will be.

Mr. Eiding replied we need to have it figured out now.

Ms. Rogo Trainer replied whether the businesses here validate parking, it is going to be a big concern. Also signage is going to be a concern.

Mr. Greenberger asked what happens when the Piazza has big events.

Mr. Citrone asked about the how the loading docks are proposed.

Mr. Page replied we had a challenge with the loading docks. The morning load will be for the restaurants.

Mr. Greenberger adjourned the City Planning Commission Meeting of September 18, 2012 at 4:42pm.

SUMMARY

1. Approval of the Minutes for the August 21, 2012 meeting. Approved
2. Executive Director's Update.
3. Action Item: ZBA Calendar #18399 (Hearing date: October 24, 2012): 400 S. 40th Street, Development of a 5-story, 122-unit residential building (Presented by Paula Brumbelow). Approved to support the granting of the variances
4. Action Item: Plan of Development Review for 735 S. Christopher Columbus Boulevard (Piers 34-35 South), for a proposed 209-unit residential development in the Central Delaware Riverfront Overlay District. This item was tabled at the 8-21-12 meeting (Presented by Jack Conviser and David Ertz from Cope-Linder). Approved
5. Action Item: Plan of Development Amendment for 230 N. Christopher Columbus Boulevard in the Central Delaware Riverfront Overlay District. This item was originally approved on 6-12-12 (Presented by Beige Berryman, with Eric Rahe representing BLT Architects for Ensemble Real Estate). Approved
6. Adoption of the Germantown and Lehigh Plan (Presented by David Fecteau). Adopted
7. Adoption of the Central Germantown Business District Beautification Plan (Presented by Matt Wysong). Adopted
8. Action Item: ZBA Calendar #18726 (Hearing date: November 7, 2012): 205-209 Race Street. Development of a 16-story, 128-unit residential building containing underground parking. Presented as an Information Only item on 10/18/11 (Presented by Paula Brumbelow). Approved
9. Information Only: Canal Street North at Penn Treaty Village, 1000 Frankford Avenue also with the Central Delaware Riverfront Overlay District (Presented by Scott Page from Interface Studios). Presented



257 South 45th Street
Philadelphia, PA 19104

www.sprucehillca.org
215.349.7825

EXHIBIT "3A"

Lynette Brown-Sow
Chair
Zoning Board of Adjustment
City of Philadelphia
Municipal Services Building
Philadelphia, PA 19102-1687

August 27, 2012

RE: 400 South 40th Street

Dear Ms Brown-Sow

Please be advised the Spruce Hill Community Association, through its Board of Directors, respectfully submits our approval of the proposed Azalea Garden apartment project at the above referenced address.

The site of the project, formally the Thoroughgood Nursing Home, has been deteriorating over the past several years, and has remained a blighted corner of the Spruce Hill neighborhood. The Spruce Hill Community Association board has previously given its consent 'not to oppose' the removal of the current building and has now endorsed the unanimous recommendation of its Zoning Committee in support of the proposal to construct a 5 story structure for student housing.

Although some objections have been raised by residents near the site, several open hearings were held within the community to provide accommodations in size and scale, as well as material improvements to the exterior of the proposed building. We sincerely believe the quality of the neighborhood will be improved if this project is permitted to completion.

Sincerely,

Edward T. Halligan
President
Spruce Hill Community Association



Department of Transportation and Parking

August 28, 2012

Lynette Brown-Sow
Chair, Zoning Board of Adjustment
Municipal Services Building
15th and JFK Blvd.
Philadelphia, PA 19103

Dear Ms Brown-Sow:

The University of Pennsylvania Department of Transportation and Parking (Penn Parking) is pleased to work with Azalea Gardens Partners, LD, the developers of a proposed residential facility at 400 S 40th Street. The project features 120 apartment units on five floors.

In support of this development, Penn Parking will provide a parking space at current rates to tenants in the new building who choose to use Penn Parking facilities. Out of our inventory of nearly 5,000 parking spaces, we have identified 1,486 which are near the new building. For example, these are availabilities at the following facilities:

- 40th and Walnut Street, (800 total spaces) 275 spaces available
- 38th and Walnut Street, (684 total spaces) 185 spaces available

These facilities will be accessible to tenants on a 24 hour per day basis. We will be able to provide these spaces without any effect on our current use at these facilities because these are the minimum number of unused parking spaces at any time during the day.

We thank you for your consideration of this submission. If members of the ZBA have additional questions, we would be pleased to respond.

Sincerely,

A handwritten signature in cursive script that reads "Brian D. Shaw".

Brian D. Shaw
Director of Business Services

Cc: Ed Datz
Paul Sehnert
Marie Witt

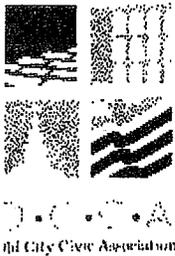


EXHIBIT 8A

August 30, 2012

Philadelphia Zoning Board of Adjustments
Municipal Services Building, Concourse Level
1401 JFK Boulevard
Philadelphia, PA 19107

Re: 205 Race Street
Application No. 416009, ZBA Cal. No. 18726
Hearing Date: 5 September, 2012

Dear Chairperson Brown-Sow and Members of the Board,

At a regularly scheduled meeting of the OCCA Developments Committee, the Committee voted to OPPOSE the above referenced application to the Board and the Variances requested.

Based on the detail of the Refusal issued - under previous zoning code standards - by the Department of Licenses & Inspections dated August 6, 2012, and a presentation made by the development team to the OCCA Developments Committee on August 28, 2012, the Committee wishes to share the following points that contributed to its voted position:

Height: At 197'-6", the proposed high-rise structure is over three times (300+%) the height allowed under the applicable zoning code. The concerning issue of the excessive height is compounded by the fact that the proposed structure is entirely within the Old City Historic District boundary, and as such, a 197'-6" structure is insensitive to the character and scale of all other inhabitable structures in the area of the proposed development.

Gross Floor Area: At an F.A.R. of 695% of lot area, the proposed structure is over 150% the gross floor area allowed (450%) under the applicable zoning code. The developer's willful decision to exceed the allowable gross floor area at the parcel is a clear demonstration of disregard for the City's established development standards. The excessive F.A.R. planned, directly contributes to the excessive height proposed, and both issues could be remedied by the developer re-designing with the applicable standards of the zoning code in mind.

Minimum Number Of Off-Street Parking Spaces: Old City is already a very densely populated area with a great deal of pressure on available parking spaces. The pressure on available parking spaces is compounded by the popularity of Old City as a tourist, shopping and dining destination. The developer has proposed to build only 34 of the 90 parking spaces required under the applicable zoning code. Noncompliance with the parking requirement could be remedied by reducing the density of the proposed development, reducing both the proposed gross floor area and height, and bringing multiple aspects of the proposed development toward code compliance.

Maximum Building Width: Within the district, the applicable zoning code limits building widths to 70', for the purpose of assuring that new structures are sympathetic to the scale of the existing architectural fabric of the Historic District. The developer proposes a 186'-long façade along the Race Street edge of the parcel. The Committee appreciates the developer's intention to articulate the 186'-long low-rise Race Street façade in a manner suggesting a compacted collection of multiple structures. However, the intended effect is not yet fully realized and requires more careful study by the development team in order to present that 186'-long façade as sympathetic with the character of the area.

Minimum Percentage Of Open Lot Area: Given that the parcel is sided by city streets on three sides, it is inconceivable that the developer could not meet the 20% open area required under the applicable zoning code. The 8.43% open lot area proposed represents a further substantial overbuild of the parcel.

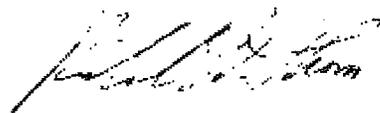
Massing Scheme: The Committee appreciates the developer's intention to manage the massing of the proposed structure to introduce modulation, variation, and architectural points of interest. However, it is the opinion of the Committee that the high-rise portion of the massing composition, however low or high it may ultimately rise, be shifted to the west edge of parcel, rather than at the east edge, as is currently described in the plan. Further, accommodating our suggested shift of the high-rise portion of the development, and then establishing the required 20% open area at the southeast corner of the parcel, thus, better preserving street-level views of the iconic Benjamin Franklin Bridge and its Paul Cret-designed anchorage.

We bring to the Board's attention that the OCCA Developments Committee is welcoming of the contemporary styling of the proposed development. However, our objections and issues with the proposed development scheme rest with the applicable standards of the zoning code, and the developer's willful non-compliance with those standards.

The OCCA Developments Committee respectfully submits to this Board that the 205 Race Street development proposal is void of the hardship claimed and constitutes willful disregard for the applicable development standards - previous or new zoning codes - established by the City of Philadelphia, and as such, is undeserving of the benefit of the requested variances.

We appreciate the Board's consideration in this matter. If you have any questions regarding this letter of OPPOSITION, please do not hesitate to call at the number below.

On behalf of the OCCA Developments Committee,



Richard M. Thom, AIA
Chair, OCCA Developments Committee
215-440-7120



Joe Schiavo
Vice Chair, OCCA Developments Committee
215-922-0936

c: The Honorable Michael A. Nutter (via fax 215-686-2180)
Councilman Mark Squilla (via fax 215-686-1931)
Philadelphia City Planning Commission (via fax 215-683-4630)
Philadelphia Historical Commission (via fax 215-686-7674)
Preservation Alliance for Greater Philadelphia (via fax 215-546-1180)
Mr. Daniel Reisman, Esquire, for the Applicant (via email)
file

Box 111 9 North Third Street Philadelphia, PA 19106 215.440.7000 www.oldcity.org

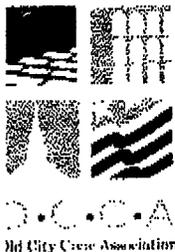


EXHIBIT 8B

September 17, 2012

Mr. Gary J. Jastrzab, Executive Director
Philadelphia City Planning Commission
One Parkway, 13th Floor
1515 Arch Street
Philadelphia, PA 19102

Re: **205 Race Street**
Meeting Date: 18 September, 2012

Dear Executive Director Jastrzab and Commission Members,

Based on the detail of the Refusal issued on August 6, 2012 - under pre-August 22, 2012 zoning code standards - by the Department of Licenses & Inspections, and a presentation made by the 205 Race Street development team to the OCCA Developments Committee on August 28, 2012, the Committee wishes to share the following points that contributed to its voted position to OPPOSE this application in its current form:

Height: At 197'-6", the proposed high-rise structure is over three times (300+%) the height allowed under the applicable zoning code. The concerning issue of the excessive height is compounded by the fact that the proposed structure is entirely within the Old City Historic District boundary, and as such, a 197'-6" structure is insensitive to the character and scale of all other inhabitable structures in the immediate area of the proposed development. Most structures occupying the north and south sides of the 200 block of Race Street are three to five stories in height.

Gross Floor Area: At an F.A.R. of 695% of lot area, the proposed structure is over 150% the gross floor area allowed (450%) under the applicable zoning code. The developer's decision to exceed the allowable gross floor area at the parcel is a clear demonstration of willful disregard for the City's established development standards. The excessive F.A.R. planned, directly contributes to the excessive height proposed, and both issues - excessive height and excessive F.A.R. - could be remedied by the developer re-designing with the applicable standards of the zoning code in mind.

Minimum Number Of Off-Street Parking Spaces: Old City is already a very densely populated area experiencing a great deal of pressure on available parking spaces. The pressure on available parking spaces is compounded by the popularity of Old City as a tourist, shopping and dining destination; residents and business customers are competing for the same, limited on-street parking spaces. The developer has proposed to build only 34 of the 90 parking spaces required under the applicable zoning code. Noncompliance with the parking requirement could be remedied by reducing the density of the proposed development, reducing both the proposed gross floor area and height, and bringing multiple aspects of the proposed development toward code compliance.

Re: 205 Race Street
Meeting Date: 18 September, 2012

Page 2

Maximum Building Width: Within the district, the applicable zoning code limits building widths to 70', for the purpose of assuring that new structures are sympathetic to the scale of the existing architectural fabric of the Historic District. The developer proposes a 186'-long façade along the Race Street edge of the parcel. The Committee appreciates the developer's intention to articulate the 186'-long low-rise Race Street façade in a manner suggesting a compacted collection of multiple structures. However, the intended effect is not yet fully developed and requires more careful study by the development team in order to realize that 186'-long façade as sympathetic with the character of the area.

Minimum Percentage Of Open Lot Area: Given that the parcel is sided by city streets on three sides, it is inconceivable that the developer could not meet the 20% open area required under the applicable zoning code. The 8.43% open lot area proposed represents a further substantial overbuild of the parcel and willful disregard for the applicable regulations.

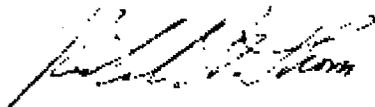
Massing Scheme: The Committee appreciates the developer's intention to manage the massing of the proposed structure to introduce modulation, variation, and architectural points of interest. However, it is the opinion of the Committee that the high-rise portion of the massing composition, however low or high it may ultimately rise, be shifted to the west edge of parcel, rather than at the east edge, as is currently described in the plan. Further, accommodating our suggested shift of the high-rise portion of the development, and then establishing the required 20% open area at the southeast corner of the parcel, thus, better preserving street-level views of the iconic Benjamin Franklin Bridge and its Paul Cret-designed anchorage.

We bring to the Commission's attention that the OCCA Developments Committee is welcoming of the contemporary design and intended high-quality of the proposed development. However, our objections and issues with the proposed development scheme rest with the applicable standards of the zoning code, and the developer's willful non-compliance with those standards: six (6) variances are required to legalize this development proposal.

The OCCA Developments Committee respectfully submits to this Commission that the 205 Race Street development proposal is a conspicuous over-build of the parcel and illustrates a disregard for the applicable development standards - previous or new zoning codes - established by the City of Philadelphia, and as such, is undeserving of the benefit of the Commission's support, at this time.

We appreciate the Commission's consideration in this matter.

On behalf of the OCCA Developments Committee,



Richard M. Thom, AIA
Chair, OCCA Developments Committee
215-440-7120



Joe Schiavo
Vice Chair, OCCA Developments Committee
215-922-0936

- c: The Honorable Michael A. Nutter (via fax 215-686-2180)
Councilman Mark Squilla (via fax 215-686-1931)
Philadelphia Historical Commission (via fax 215-686-7674)
Preservation Alliance for Greater Philadelphia (via fax 215-546-1180)
Mr. Daniel Reisman, Esquire, for the Applicant (via email)
file

**PRESERVATION
ALLIANCE***for greater philadelphia*

"EXHIBIT 8C"

September 4, 2012

Philadelphia Zoning Board of Adjustments
Municipal Services Building, Concourse Level
1401 JFK Boulevard Philadelphia, PA 19107

Re: 205 Race Street Application No. 416009, ZBA Cal. No. 18726
Hearing Date: 5 September, 2012

Dear Chairperson Brown-Sow and Members of the Board,

The Preservation Alliance for Greater Philadelphia **OPPOSES** the above referenced application to the Board and the variances requested. The Preservation Alliance is a non-profit organization whose mission is to protect and preserve historic properties in Philadelphia. As part of its mission, the Preservation Alliance holds easements on certain historic buildings providing the Alliance with a legal responsibility to ensure their protection and preservation. The Preservation Alliance holds such easements on 212-220 Race Street directly across the street from the proposed development as well as easements on a number of other properties in the Old City Historic District.

The Preservation Alliance opposes the application for the following reasons:

First, we note that the City Planning Commission has not yet made a recommendation regarding the proposed variances. It seems appropriate for the Board to have the Planning Commission's recommendation before it takes action.

With respect to the substantive aspect of the variances we oppose the following:

Height: At 197'-6", the proposed high-rise structure is over three times (300+%) the height allowed under the applicable zoning code. The proposed structure is entirely within the Old City Historic District boundary, and as such, a 197'-6" structure is insensitive to the character and scale of all other structures in the area of the proposed development. The Old City District Overlay specifically includes a height restriction in order to insure that new development is compatible with the character of the district.

Gross Floor Area: The F.A.R. of 695% is over 150% the FAR allowed (450%) under the applicable zoning code. The excessive FAR directly contributes to the excessive height.

Page 2

Minimum Number Of Off-Street Parking Spaces. The developer has proposed to build only 34 of the 90 parking spaces required under the applicable zoning code. Noncompliance with the parking requirement could be remedied by reducing the density of the proposed development, reducing both the proposed gross floor area and height.

Maximum Building Width: Within the district, the applicable zoning code limits building widths to 70', for the purpose of assuring that new structures are sympathetic to the scale of the existing architectural fabric of the Historic District. The developer proposes a 186'-long façade along the Race Street edge of the parcel. The Committee appreciates the developer's intention to articulate the 186'-long The 186'-long façade and the architectural expression the developer has chosen for it are inconsistent with the character of the Old City Historic District.

Minimum Percentage Of Open Lot Area: Given that the parcel is sided by city streets on three sides, hard to understand why the developer could not meet the 20% open area required under the applicable zoning code. The 8.43% open lot area proposed represents a further substantial overbuild of the parcel.

Hardship: The Preservation Alliance sees no hardship in the property that justifies the height, FAR, parking, building width or lot area variances requested.

This is an opportunity for the board to demonstrate a commitment to enforce the requirements of the zoning code that will be an important aspect of implementing the new code that went into affect in August. The Preservation Alliance requests that the board deny the application for the requested variances.

Sincerely,



John Andrew Gallery
Executive Director

cc: Councilman Mark Squilla (via fax 215-686-1931)
Philadelphia City Planning Commission (via fax 215-683-4630)



OLDCITY DISTRICT

"EXHIBIT 8D"

Board of Directors

- Joseph Ritchie
Chair
The Hurks Companies
- Harvey Spear
Vice Chair
E-Z Park/Centra Associates
- David Neff
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Neff & Associates
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- Sheryl Bar
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- Lynn Martin Haskin
Philadelphia Association of CDC's
- Avram Hornik
FCM
- Christopher Loufer
Omni Hotel
- Patricia Lavello
Colonial Penn
- Carolyn Pfeiffer
Kalshman Company
- Peter C. Rothberg
Caldwell Harbor Commercial NRI
- Luca Semp
Fenu's View Hotel
- Albert Taus, AIA, NCARB
Albert Taus & Associates
- Laurie Townsend-Rapp
Sommels & Son Seafood Co
- Ellen Yin
Fork Restaurant
- Hon. Mark Squilla *
Philadelphia City Council
- Cynthia MacLeod *
Independence National Historic Park
- Ryan Besley *
Old City Civic Association
- *Ex-officio

September 14, 2012

Mr. Alan Greenberger, FAIA, Chairman
Philadelphia City Planning Commission
One Parkway, 13th Floor
1515 Arch Street
Philadelphia, Pennsylvania 19102

Re: 205 Race Street (NWC through to Florist Street), L&I Application No. 416009, ZBA Calendar No. 18726, Planning Commission Meeting Date, September 18, 2012

Dear Alan:

The Old City District, a Municipal Authority, convened a meeting of its Economic Development Committee on Tuesday, September 4, 2012, to review a presentation by Brown Hill Development on the above-referenced zoning application.

Based on this presentation and our review of the facts, the Committee decided by a unanimous vote to support this development project. With the developer and his architect, the Committee reviewed the issues of density, building height, setbacks, sight lines and relationship to the street, parking, loading, materials and overall design, was satisfied that the applicant has sufficiently addressed the various concerns.

We look forward to this developer bringing another top-quality project to Old City.

Sincerely,

Graham Copeland
Executive Director

Cc: Joe Ritchie, OCD Board Chair
Avram Hornik, OCD Economic Development Committee Chair

Graham Copeland
Executive Director

RECEIVED SEP 09 2012

Philadelphia City Planning Commission
One Parkway, 13th Floor
1515 Arch Street
Philadelphia PA 19102

"EXHIBIT 8E-PAR102"

August 29th 2012

RE: Zoning request for 205 Race Street

Dear Sirs:

As a resident of 225 Race Street, I am totally opposed to the plans by Jeffrey Brown (the developer) for 205 Race. I am looking to your agency to reject his application. It violates many zoning codes and negatively impacts the residents of the 200 block of Race Street.

1. **Building height:** The building, as proposed, will be 300% higher than any surrounding structure. If the neighborhood is to preserve any sense of residential balance, new construction has to adhere to the zoning overlay for height. A tall apartment building is unwelcome. It will tower over every building on the street, ruin views and darken the street. It's size will have a negative impact on traffic.
2. **Parking:** Old City residents find it already near impossible to park. A building that does not adequately provide parking for its tenants punishes the neighbors. I am a senior citizen and need (and currently have) access to elevator in the back of my building on Florist Street to bring in groceries etc. Any structure that plans to take over Florist Street for their use will directly and negatively impact me and I oppose it strongly. Any developer who claims that a grocery store will become a tenant without adequate parking is (to be blunt) being untruthful.
3. I have not seen a drawing of this structure, but a building this dense, with outsize height and width, is aesthetically bankrupt. This issue is an important one for me and I moved to Old City for its historic look and feel. An outsized and ugly building on my street could ruin the value of my property in an instant. No one would want to buy anything near this eyesore. In addition, my neighbor has a roof deck. His deck will be overshadowed and ruined by this building.
4. Old City is a major attraction for tourists because of its historic look and feel. Our block is a gateway block to the Race Street Pier. Adding a large and ugly structure will hurt the appeal of our block and everything surrounding it.
5. I cannot speak to the 'hardship' factor for this developer, but I do not see why I should suffer financially in order for him to protect his desire for an unstated profit.

As it stands, I think this development could wreck the block and Old City as an entity.

Sincerely,



Bette Woolsey
225 Race Street
Philadelphia PA 19106

"EXHIBIT 8B PART 2 of 2"



bwoolsey@jbwoolsey.com
Sent by:
webmaster@zoningmatters.org
g

To qa@rockriverstar.com, zoning.commission@phila.gov
cc
bcc

08/29/2012 10:44 AM

Subject [Zoning Matters Website Inquiry]

Bette Woolsey sent a message using the contact form at <http://zoningmatters.org/contact>.

RE: Zoning application for 205 Race Street.

As a resident of 225 Race Street, I am totally opposed to the developer plans for 205 Race. It violates so many zoning codes, I don't know where to begin.

1. Height: The building, as proposed, will be 300% higher than any surrounding structure. If the neighborhood is to preserve any sense of residential balance, new construction has to adhere to the zoning overlay for height. A tall apartment building is unwelcome. It will ruin views and darken the street and negatively increase traffic.

2. Parking: Old City residents find it already near impossible to park. A building which does not adequately provide parking for it's tenants punishes it's neighbors. I need (and currently have) access to the back of my building to bring in groceries etc. Any structure that plans to take over Florist street for their use will directly and negatively impact me and I oppose it strongly. Any developer who claims that a grocery store will become a tenant without adequate parking is, to be blunt, telling a total lie.

3. I have not seen a drawing of this structure, but a building this dense, with outsize height and width, is aesthetically bankrupt. This issue is not usually considered adequately, but an outsized and ugly building could ruin the value of my property in an instant. No one would want to buy anything near an eyesore. My neighbor has a roof deck. This part of his property will be ruined by a building overshadowing it.

4. I cannot speak to the 'hardship' factor for this developer, but he bought this property of his own free will I do not see why I should suffer financially and emotionally in order for him to make for profit.

4. We have too many vacant storefronts in Old City. I do not want to see a vacant first floor at 205 Race Street. I would oppose liquor licenses being granted to restaurants which might locate in the building.

5. This application seems to me to be a cheap and crude attempt to profit-only-neighborhood-and-future-be-damned.

As it stands, I think this development could wreck the block and beyond.

"EXHIBIT 8F"

*John D. Woolsey
225 Race St., Unit 300
Philadelphia, PA 19106
john@jbwoolsey.com*

Philadelphia City Planning Commission
One Parkway, 13th Floor
1515 Arch Street
Philadelphia, PA 19102

RECEIVED SEP 12 2012

5 September 2012

RE: Zoning request for 205 Race Street

Dear Sirs:

As a resident of 225 Race Street, I am opposed to many aspects of the plans for 205 Race submitted by Jeffrey Brown, the developer. I would like to see his application rejected since the variances it requests will negatively impact the residents of Old City and particularly the 200 block of Race Street.

1. Building height. The building, as proposed, will be 300% higher than any surrounding structure and the 65' height specified by the current zoning overlay. If the neighborhood is to preserve any sense of residential balance, new construction has to adhere to the zoning overlay for height. A tall apartment building is unwelcome. It will tower over every building on the street, and be distinctly out of scale with the other structures on the block, most of which are 100 or more years old.

2. Parking. Old City residents find it already near impossible to park without purchasing or renting parking space, or having it provided by their building's developer. A building that does not adequately provide parking for its tenants punishes the neighbors. The plans for this building must include, at the very least, parking for 3 of every 10 units, as specified in the new zoning law. Additional spaces must be allotted to the commercial uses on the first floor. I am a senior citizen and need to have unhindered access to our Florist Street entrance for elevator access to our third floor unit. Any structure that plans to take over Florist Street for their use will directly and negatively impact me and I oppose it strongly.

3. Commercial uses. New commercial space on our block would, in general, be welcome, depending on the nature of the businesses there. However, the plan for a large-scale business in the structure — a supermarket has been suggested by the developer — without additional parking for the business, which has not been proposed in his plans, is unacceptable. The scale of nearly all businesses in Old City is small, and most are unique in keeping with the character of the neighborhood. Aside from the supermarket, large spaces are more likely to attract chain and franchise operations that would be out of character with our neighborhood.

4. View of the BF Bridge. Old City is a major attraction for tourists because of its historic look and feel. The comparatively uninterrupted view of the Ben Franklin Bridge, one of Philadelphia's architectural treasures, is an asset both residents and tourists enjoy. Our block is a gateway block to the Race Street Pier that has an intimate relationship to the bridge. A tall structure will block that view, not to mention the additional views of the riverfront that many of our neighbors enjoy from their homes or roof decks.

5. Developer's hardship. I cannot speak to the hardship factor for this developer. However, I know other developers who can make the numbers work easily on parcels of this size and price range without radical departures from current zoning and overlays. His plans as put forth will negatively affect the value of our, and our neighbors' property and I do not see why I should suffer financially in order for him to protect his desire for profit.

Please reject his application for zoning variances.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Woolsey". The signature is written in a cursive, flowing style with a long, sweeping tail on the final letter.

John D. Woolsey

"EXHIBIT 9A"

FISHTOWN NEIGHBORS ASSOCIATION

P.O. Box 29292
Philadelphia, PA 19125
zoning@fishtown.org



17 Sept 2012

Gary Jastrzab
Executive Director
Philadelphia City Planning Commission
One Parkway, 13th Floor
1515 Arch Street
Philadelphia, Pennsylvania 19102

Re: Penn Treaty Village Canal St North

Dear Mr. Jastrzab,

I am writing you on behalf of the Fishtown Neighbors Association in support of the project referenced above. On September 11th, 2012 the FNA hosted a well-publicized and well attend meeting for Michael Samschick and his team to introduce plans for reuse of several existing buildings and lots located at the intersection of Laurel and Frankford Ave. The local neighbors (within 500') voted '14' yes and '8' no, and the community (remaining votes within FNA boundaries) voted '72' yes and '17' no. The total vote was '86' yes to '25' no, supporting the project.

The project was described as renovating the Ajax building at 1002-52 Frankford Avenue to house a local distillery, bowling alley, 3000 person Live nation concert venue, two restaurants, retail shops, offices, with 3 billboards (some LED) on the top of the building. Renovating and constructing a small addition on the dry ice building at 35-51 Laurel St to become a Country Western Bar/restaurant with live music. The remaining address 44 Richmond St, 25 Richmond St., 49-61 Richmond St., 1011-23 N. Front, and 1025-31 N Front would become 337 paid parking spots, 66 bicycle spaces and pedestrian plaza's for the site.

The large music venue was stated to probably be active 60-65 nights a year and would stay open until 2am. The country music venue would hold about 1000 people and has a large outdoor seating area that would allow outdoor consumption of alcohol within a fenced in area.

The neighbors were receptive and supportive of:

- The reuse and preservation of existing buildings that have long be vacant and/or underused.
- The potential for this project to become a connection the waterfront to the neighborhood and jumpstart the waterfront development.
- The reduction of vandalism in the area with a fully functioning building adding eyes and cameras on the street.
- There were positive comments regarding the developer and how his existing operating buildings have worked with the community.
- The entrance of the music venue being located on Canal St to shelter the nearby residential from the crowds entering and exiting the building.
- A promise for family friendly development as part of the overall Penn Treaty Village Masterplan and not necessarily this phase.

The neighbors were concerned or opposed to:

- Parking concerns
 - o With the primary lots for this venue being paid parking it would make the people who do not want to pay drive into the neighborhood to find free parking.
 - o The 337 provided spaces was seen as very low for the entire complex which was described as holding 5000 customers with 600-700 employees when in full use.
 - o It was recommended that the venue should promote public transit by working out a deal with septa to subsidize the ticket prices to take the train to the site.
 - o The 2am closing time of the music venue would be after the Blue line stopped running, ruling out transit on the EL for some shows.
- There was serious concern for the (3) proposed billboards on the top of the Ajax building (2 new and 1 existing). The community was not supporting the LED billboards proposed when brought up in the community discussion after the presentation.
- Concern over the density of this project and the upcoming phase II and phase III of the casino across the street. Specifically the traffic and parking needs that will be created by the two projects.
- While the masterplan was presented as aiming to have family friendly spaces/uses, it was pointed out that none of the uses in this phase outside of the bowling alley felt family friendly.

On behalf of the neighbors of Fishtown, we would ask you to grant the requested proposal. Thank you for considering our input.

Sincerely,



Matt Karp, Chair, FNA Zoning Committee

CC:

Michael Samschick, Applicant
Henry Pyatt, NKCDC
Sean McMonagle, Councilman Squilla's office