

NOTICE OF:

REFUSAL
 REFERRAL

CITY OF PHILADELPHIA
DEPARTMENT OF LICENSES & INSPECTIONS
Municipal Services Building, Concourse Level
1401 John F. Kennedy Boulevard
Philadelphia, PA 19102

DATE OF REFUSAL
10/16/2013

APPLICATION #
497525

ZONING DISTRICT(S)
ICMX (INDUSTRIAL COMMERCIAL
MIXED-USE)

ADDRESS/LOCATION:

2012-20 WHARTON STREET (SEC OF S CAPITAL, SWC OF S WOODSTOCK, THRU TO REED)

APPLICANT:

RONALD J. PATTERSON
(ATTORNEY)

ADDRESS:

1835 MARKET STREET, SUITE 1400
PHILADELPHIA, PA 19103

APPLICATION FOR:

FOR THE LOT ADJUSTMENT TO CREATE FIFTY (50) LOTS (PROPOSED LOT 1 – LOT 50) FROM ONE (1) EXISTING DEEDED LOT WITH ONE (1) OFFICE OF PROPERTY ASSESSMENT ACCOUNT (2012-20 WHARTON STREET). ON EACH PROPOSE LOT: THE ERECTION OF AN ATTACHED STRUCTURE WITH A ROOF DECK/VEGETATED ROOF ABOVE THE 3RD FLOOR AND A VEGETATED ROOF ABOVE THE PILOT HOUSE. FOR USE AS A SINGLE FAMILY DWELLING. SIZE AND LOCATION AS SHOWN ON APPLICATION.

PERMIT FOR THE ABOVE LOCATION CANNOT BE ISSUED BECAUSE IT IS NOT IN COMPLIANCE WITH THE FOLLOWING PROVISIONS OF THE PHILADELPHIA CODE. (CODES CAN BE ACCESSED ON LINE AT WWW.PHILA.GOV)

CODE REFERENCE

PROPOSED USE IS REFUSED FOR THE FOLLOWING:

Table 14-602-3

THE PROPOSED USE, SINGLE FAMILY HOUSEHOLD LIVING, IS PROHIBITED IN THIS ZONING DISTRICT.

FIFTY (50) USE REFUSALS

FEE TO FILE APPEAL \$250

Cc

OWNER:
LOUIS & HELEN SHERMAN
2012 WHARTON STREET
PHILADELPHIA, PA 19146



Sarah Kaiser

PLANS EXAMINER

10/16/2013

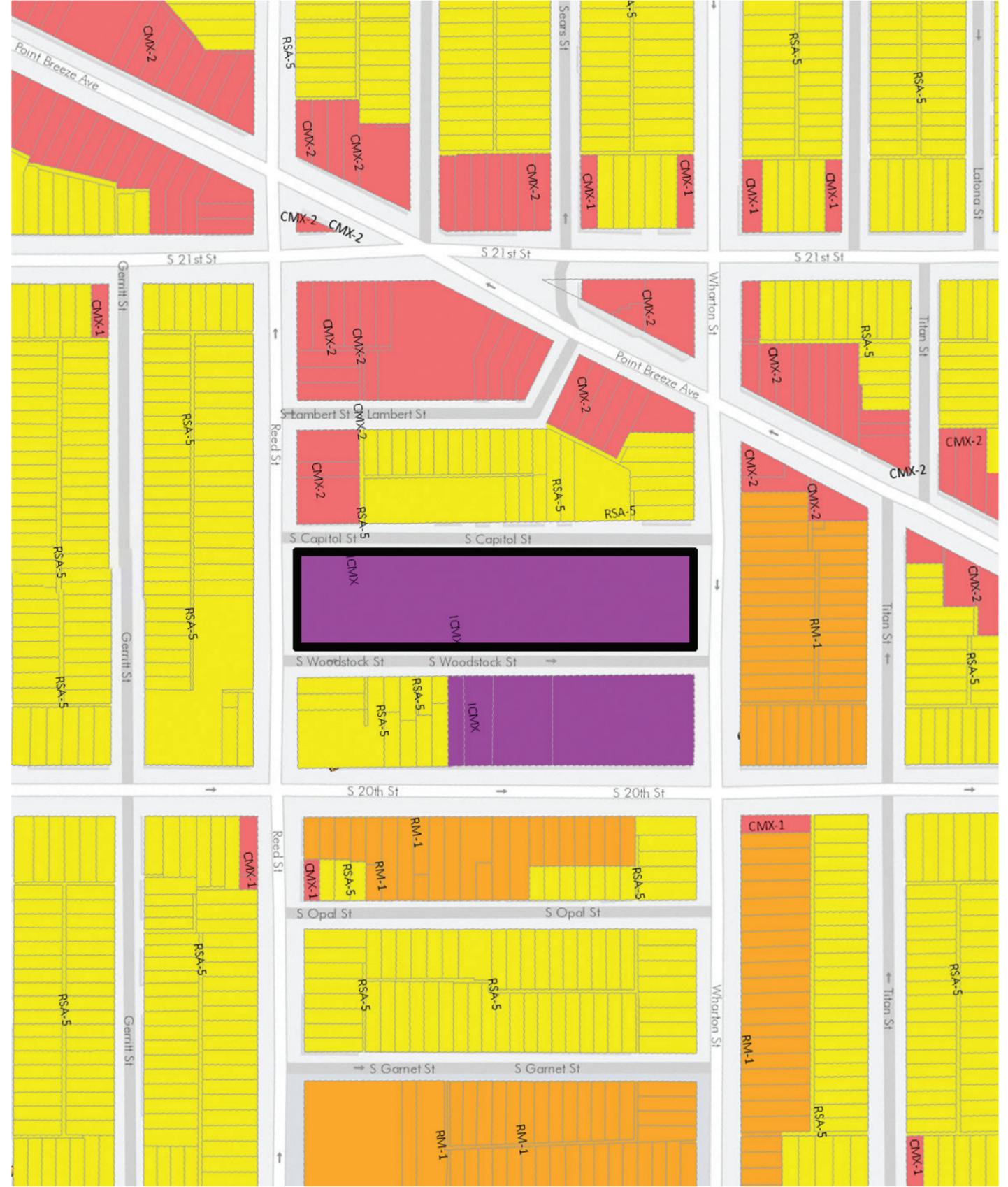
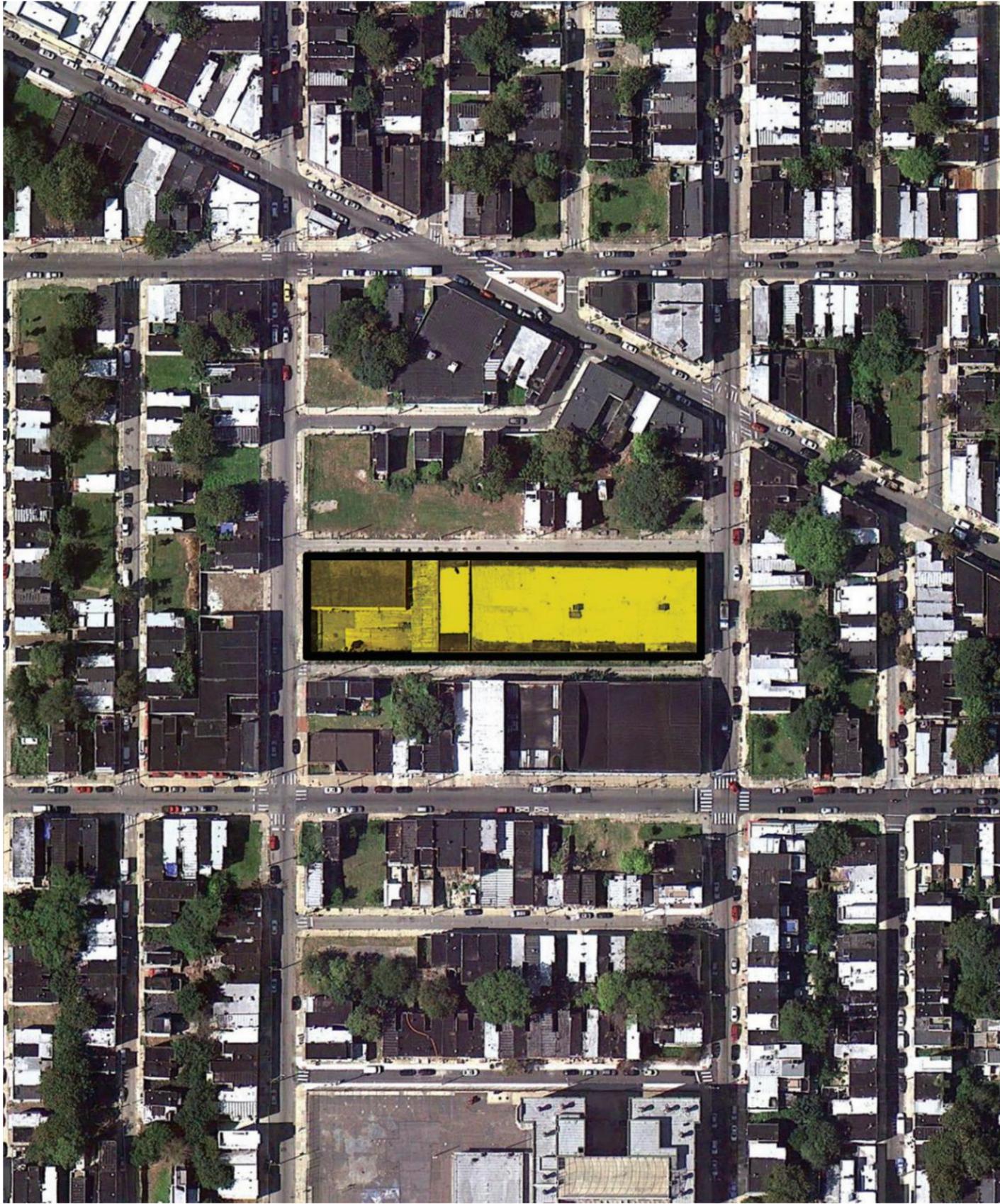
DATE

NOTICE TO APPLICANT:

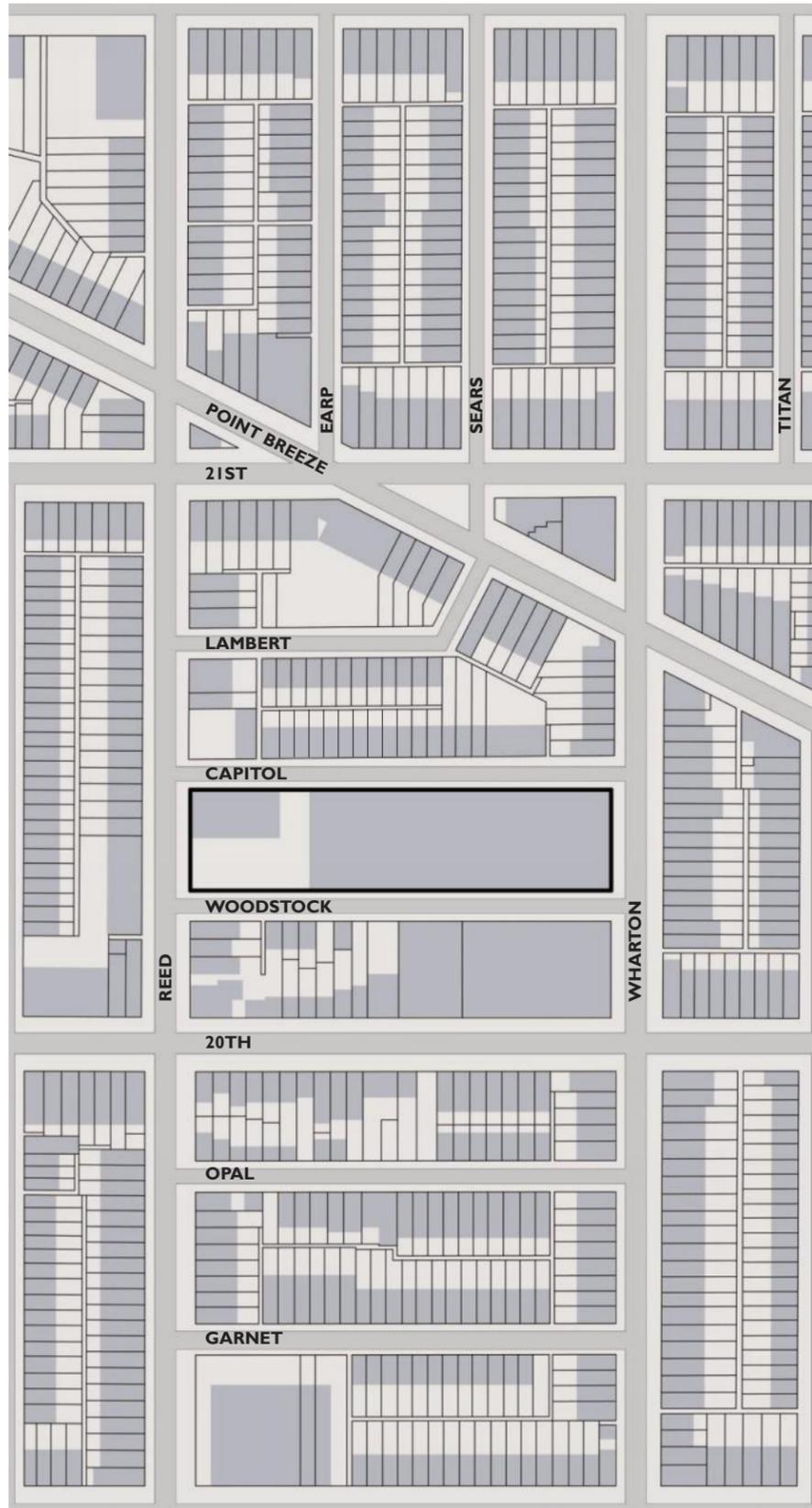
AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING, 11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.

2012 WHARTON STREET





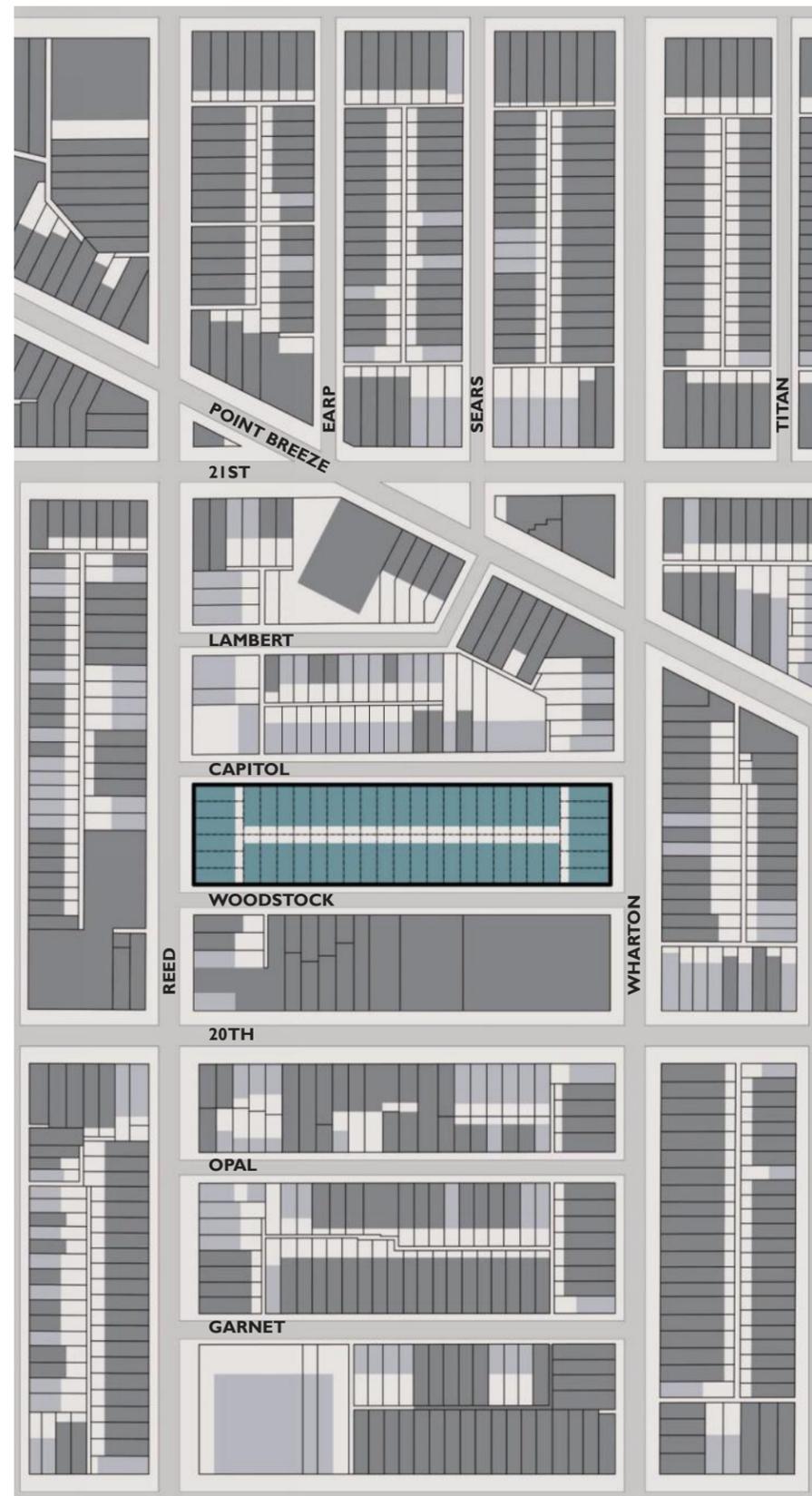
2012 WHARTON STREET



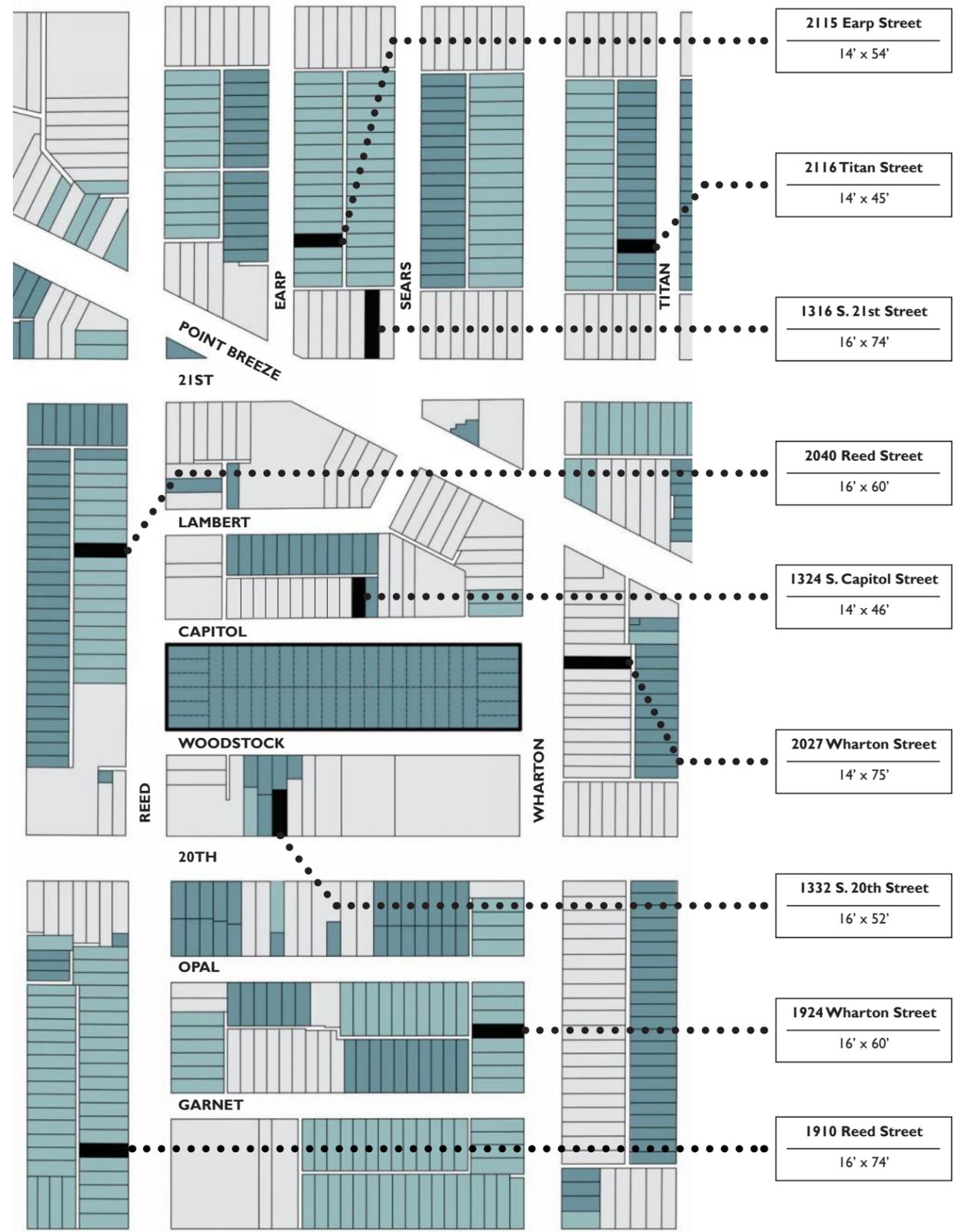
1910



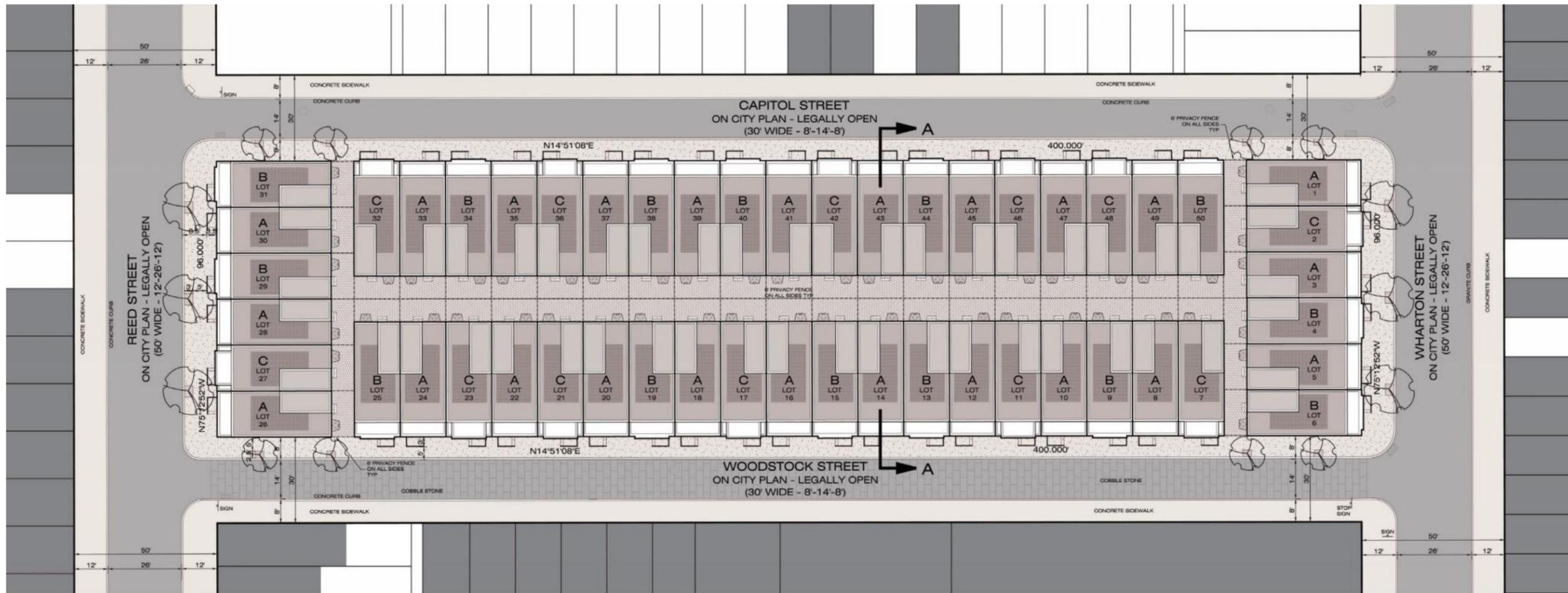
existing



proposed 1910 (vacant) existing proposed



lot area/size analysis -800 sf 800-1000 sf +1000 sf

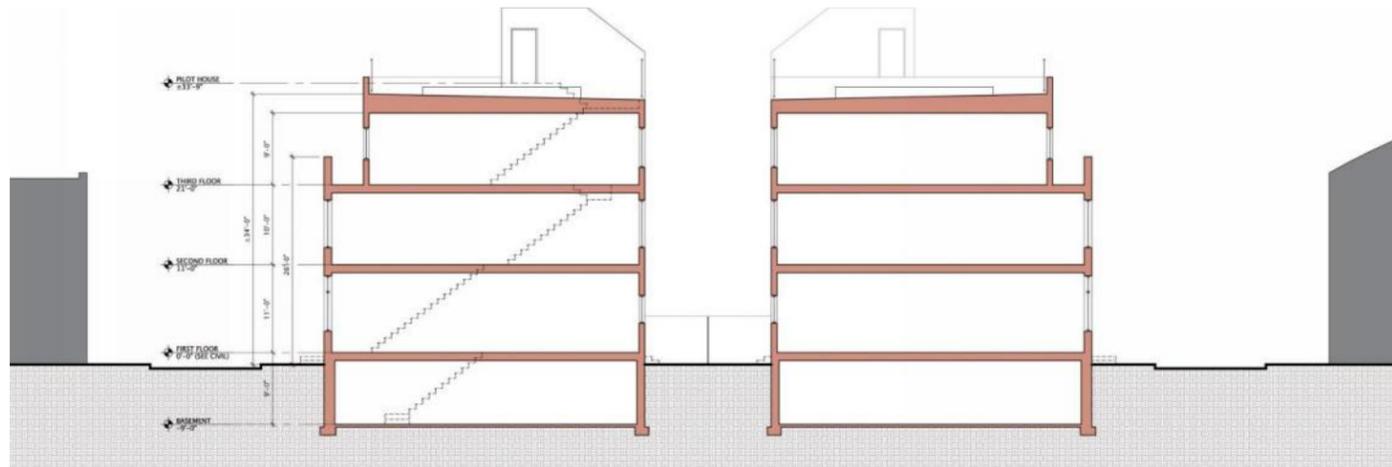


proposed site plan



ICMX - INDUSTRIAL COMMERCIAL MIXED-USE ZONING CRITERIA

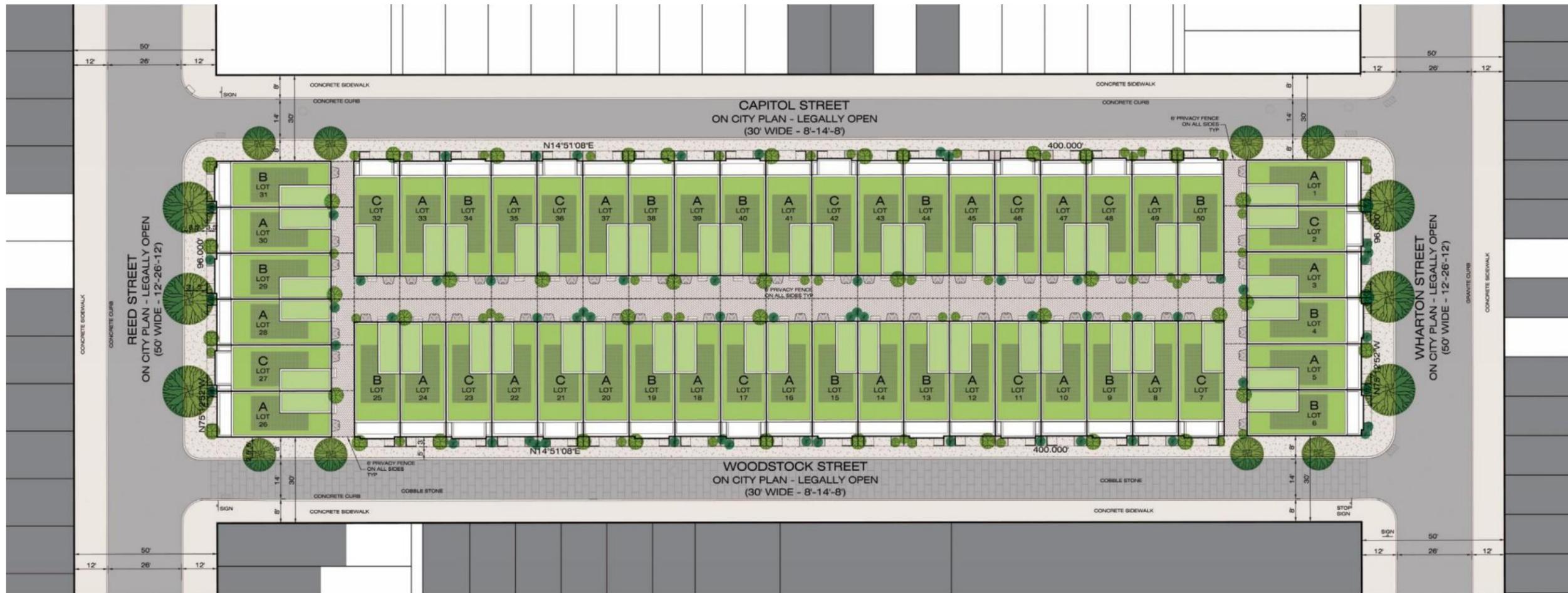
LOT REQUIREMENTS	Required	24 TYPE 'A' UNITS	14 TYPE 'B' UNITS	12 TYPE 'C' UNITS
		Proposed	Proposed	Proposed
Max. % Occupied Area	100%	83.3%	83.3%	83.3%
Min. % Open Area	0%	16.7%	16.7%	16.7%
Lot Area - 38,400 SF	No Limit	768 SF	768 SF	768 SF
BUILDING DIMENSIONS				
Front Yard Setback	None required	None	None	None
Side Yard Setback	0' / 8' if used	0'	0'	0'
Rear Yard Setback	0' / 8' if used	8'	8'	8'
Rear Yard Area	No Limit	128 SF	128 SF	128 SF
Building Height	60'	33.9' (3-Stories)	33.9' (3-Stories)	33.9' (3-Stories)
Max. F.A.R.	500%	239.6%	240.8%	232.2%
Building Footprint	No Limit	640 SF	640 SF	640 SF
Green Roof	None required	480 SF	480 SF	480 SF



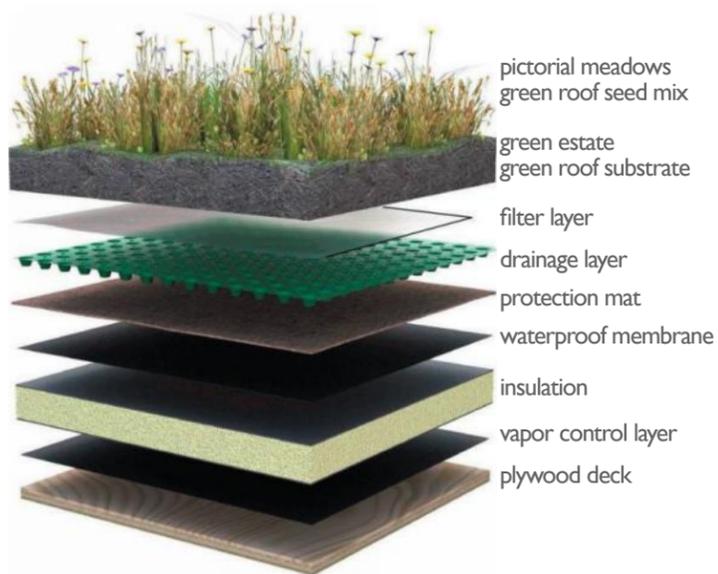
section A-A



pilothouse 3rd floor 2nd floor ground floor basement



green roof & landscape plan



green roof detail



green roof & metal grate decking

APPLICATION:

- Appropriate on all street types.

CONSIDERATIONS:

- Planters should be located so that they maintain minimum clear walking zone widths (see 4.3.2) and do not create pinch points or tripping hazards.
- Planters should be considered in curb extensions (4.9.4) and medians (4.7.3), and the furnishing zone (4.9.4) and medians (4.7.3), and the furnishing zone
- Planter placement should consider the location of underground utilities (4.8.2).
- Planter design must consider passenger and wheelchair accessibility at transit stops (4.6.5).

DESIGN:

- Planter dimensions vary depending upon site conditions. Standard width for planting strips is 4' from face of parallel curb, required minimum width is 3'.
- The Philadelphia Zoning Code requires a 3' planter strip along all blocks in new subdivisions, but the Streets Code does not require planters on existing streets.

GREEN STREET OPPORTUNITIES:

- Consider incorporating stormwater planters (4.4.9).

phila streets design handbook:
treatment 4.4.8 - planters

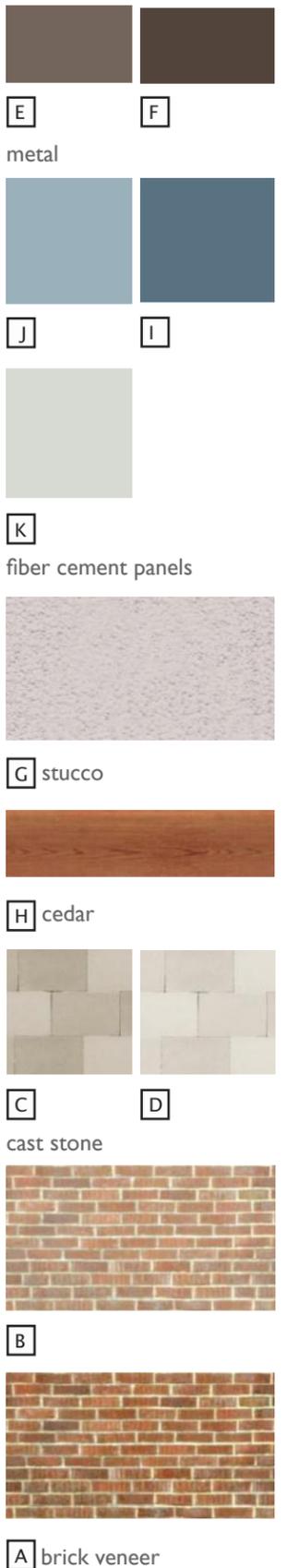


stoop / planter detail



axonometric

2012 WHARTON STREET



south capitol street elevation



wharton street elevation



corner of reed & capitol streets



capitol street

2012 WHARTON STREET



looking north on capitol street

2012 WHARTON STREET



CDR PROJECT APPLICATION FORM

L&I APPLICATION NUMBER: **497525**

What is the trigger causing the project to require CDR Review? Explain briefly.

(1) Construction of 50 dwelling units

(2) Creation of greater than 50,000 square feet of new GFA

PROJECT LOCATION

Planning District: ICMX Council District: 2nd

Address: 2012-20 Wharton Street

Is this parcel within a Master Plan District? Yes No U/K

CONTACT INFORMATION

Applicant Name: Ronald J. Patterson Primary Phone: (215)569-4585

Email: rpatters@klehr.com Address: 1835 Market Street, Suite 1400
Philadelphia, PA 19103

Property Owner: Louis & Helen Sherman Developer 2012 Wharton LLC

Architect: Jose' J. Hernandez A.I.A, NOMA, NCARB

CONTINUED ON NEXT PAGE

SITE CONDITIONS

Site Area: 38,592 SF
Existing Zoning: ICMX Are Zoning Variances required? Yes X No

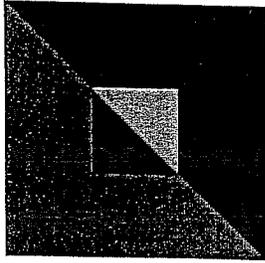
SITE USES

Present Use: Vacant Land

Proposed Use: 50 lots for use as 50 attached single family houses-one on each lot
Area of Proposed Uses, Broken Out by Program (Include Square Footage and # of Units):
50 Lots-each lot is 768 SF. Each house is 3 Stories with a roof deck and pilot house, with no on site parking
Proposed # of Parking Units:
None

COMMUNITY MEETING

Community meeting held: Yes X No
If yes, please provide written documentation as proof. -See attached Notice
-Letter to be provided
If no, indicate the date and time the community meeting will be held:
Date: 10.28.2013 Time: 6:30 pm



Point Breeze Community Development and South Philadelphia Homes, Inc.

ZONING COMMUNITY MEETING

Date: October 28, 2013

Time: 6:30pm

Place: South Philadelphia H.O.M.E.S., Inc.
1444 Point Breeze Avenue
Philadelphia, PA 19146

AGENDA

INFORMATION ONLY

1308-02 Chadwick Street, Philadelphia, PA 19146

Application For: Relocation of lot lines to create 3 equally sized lots to build 3 single family homes. Refusals for open area only.

1132-34 Sydenham Street, Philadelphia, PA 19146

Application For: Two single family homes with garage parking. Refusals for garage parking only.

1944-46 Annin Street, Philadelphia, PA 19146

Application For: Creation of 2 lots from 1 to build 2 single family homes. Refusals for open air and lot size.

1510 and 1518 Manton Street, Philadelphia, PA 19146

Two single family homes. Refusals for open area and 3rd floor set back.

2149 Federal Street, Philadelphia, PA 19146

For the creation of 3 lots from 1 lot to build 3 single family homes. Refusals for open area, lot size and rear yard depth.

17th and Manton Street, Philadelphia, PA 19146

Affordable homes.

CASES TO BE VOTED ON

2012-20 Wharton Street, Philadelphia, PA 19146

The submitted application requires a Civic Design Review for the following reasons:

- [1] Property is located in ICMX Zoning District:
- [2] Property affects a RM-1 Zoning District:
- [3] The application proposes 50 new dwelling units:
- [4] The application proposed 93,296.64 Ft of new Gross Floor Area.

As outlined in the Zoning Code, the Department of Licenses and Inspections is not required to issue a formal refusal/referral prior to the Civic Design Review Committee's recommendations and the Registered Community Organization's approval.

Proposed use as refused for the following:

The proposed use, single family household living, is prohibited in this zoning district.

Roof deck set back	Required	Proposed (Type A & B Units)
	5 FT	0 FT

2300-16 Washington Avenue, Philadelphia, PA 19146

The application is for the consolidation of three existing lots (2300-16 Washington Avenue - Premises A, B and C) into one lot, for the erection of a semi-detached structure (61.5 Feet high) for use as a moving and storage facility with an accessory sales office to include accessory parking of 12 spaces (including 1 handicap accessible space) at the first floor with 8 feet high fence/gate along Washington Avenue and Alter Street, and for the erection of two accessory flatwall signs (one facing Washington Avenue and one facing 23rd Street).

Permit for the above location cannot be issued because it is not in compliance with the following provisions of the Philadelphia Code. Codes can be accessed on line at www.phila.gov.

Proposed:

- [1] A minimum of 51 parking spaces are required whereas only 12 spaces are provided.
- [2] A minimum of 6 loading spaces are required whereas none are provided.

Page 3
Zoning Community Meeting
October 28, 2013

[3]A minimum of 10 bicycle parking spaces are required whereas none are provided.

The proposed zoning is refused for the following:

	Required	Proposed
Minimum side yard (23 rd Street)	6 Feet	2.65 Feet

2055-59 Federal Street, Philadelphia, PA 19146

As he informed the neighbors, he mention that they are going to be condo, not apartments.



CITY OF PHILADELPHIA - DEPARTMENT OF LICENSES AND INSPECTIONS

CDR NOTIFICATION TO PHILA. PLANNING COMMISSION

EXAMINER INFORMATION

NAME: <u>SARAH KAISER</u>	PHONE NUMBER: <u>(215) 686-2417</u>	EMAIL: <u>SARAH.KAISER@PHILA.GOV</u>
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PROJECT/PROPERTY INFORMATION

DATE OF CIVIC DESIGN REVIEW DETERMINATION: <u>10/16/2013</u>	SITE ADDRESS: <u>2012-20 WHARTON ST. (SEC OF S CAPITAL, SWC OF S WOODSTOCK & THRU TO REED)</u>
SQUARE FOOTAGE BEING ADDED: <u>93,296.64 SQ FT</u>	NUMBER OF DWELLING UNITS BEING ADDED: <u>50</u>

HAS THE APPLICANT REQUESTED AN EARLY REFUSAL/REFERRAL BEFORE COMPLETING A CIVIC DESIGN REVIEW? YES

APPLICANT INFORMATION

NAME: <u>RONALD J PATTERSON</u>	ADDRESS: <u>1835 MARKET STREET, SUITE 1400 PHILADELPHIA, PA 19103</u>
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PLEASE BE ADVISED THAT THIS FORM SHALL BE SENT TO:
Gary Jastrzab, Executive Director of PCPC (Gary.Jastrzab@Phila.Gov)
David Schaaf, Director of Urban Design Division (David.Schaaf@Phila.Gov)

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 REFERRAL

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DEPARTMENT OF LICENSES & INSPECTIONS
Municipal Services Building, Concourse Level
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ICMX (INDUSTRIAL COMMERCIAL
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APPLICANT:

RONALD J. PATTERSON
(ATTORNEY)

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PERMIT FOR THE ABOVE LOCATION CANNOT BE ISSUED BECAUSE IT IS NOT IN COMPLIANCE WITH THE FOLLOWING PROVISIONS OF THE PHILADELPHIA CODE. (CODES CAN BE ACCESSED ON LINE AT WWW.PHILA.GOV)

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THE PROPOSED USE, SINGLE FAMILY HOUSEHOLD LIVING, IS PROHIBITED IN THIS ZONING DISTRICT.

FIFTY (50) USE REFUSALS

FEE TO FILE APPEAL \$250

Cc

OWNER:
LOUIS & HELEN SHERMAN
2012 WHARTON STREET
PHILADELPHIA, PA 19146



Sarah Kaiser

PLANS EXAMINER

10/16/2013

DATE

NOTICE TO APPLICANT:

AN APPEAL FROM THIS DECISION MUST BE MADE TO THE ZONING BOARD OF ADJUSTMENT, MUNICIPAL SERVICES BUILDING, 11TH FLOOR, 1401 JFK BOULEVARD, PHILADELPHIA, PA 19102, WITHIN THIRTY (30) DAYS OF DATE OF REFUSAL.



Letter of Transmittal

Date: _____

To: _____

Phone: _____

Re: _____

Via: _____



Copies	Item

They are transmitted:

- | | | |
|---------------------------------------|---|---------------------------------------|
| <input type="checkbox"/> as requested | <input type="checkbox"/> as indicated | <input type="checkbox"/> resubmit |
| <input type="checkbox"/> for your use | <input type="checkbox"/> for review and comment | <input type="checkbox"/> for bids due |
| <input type="checkbox"/> for approval | <input type="checkbox"/> for signature and return | <input type="checkbox"/> _____ |

Remarks: _____

Signed: _____

Copy to: _____



CITY OF PHILADELPHIA
DEPARTMENT OF LICENSES AND INSPECTIONS

CARLTON WILLIAMS, *Commissioner*
MICHAEL FINK, *Deputy Commissioner*
MICHAEL K MAENNER, *Deputy Commissioner*
INDIRA C. SCOTT, *Deputy Commissioner*

October 4, 2013

Ronald Patterson
Klehr | Harrison | Harvey | Branzburg LLP
1835 Market Street, Suite 1400
Philadelphia, Pa 19103

Re: 2012-20 Wharton Street (SEC of S Capital, SWC of S Woodstock, thru to Reed)
Appl. No. 497525

Dear Mr. Patterson,

Thank you for submitting your application on September 27, 2013. We appreciate the opportunity to review your application and are committed to providing you with excellent service.

The following comments to the application must be addressed before further action can be taken:

- The proposed projecting bays on the Type B and C units must be approved by Streets Department (MSB, Room 940, Phone: 215-686-5500).
- Unit Type A and B both identify “balconies” above the 2nd floor front. These meet the definition of roof decks and must comply with the provisions of §14-604(5). See refusal.
- The guard rails on the roof decks located above the 2nd and 3rd floors are not shown on the plans. Roof deck guard rails may not exceed 48 inches in height. (§14-604(5)(b)).
- The units are Lots 36, 44 and 46 were not labeled with a type of unit. I believe they are Type C, Type B and Type C, respectfully.
- Confirm the total Gross Floor Area (GFA) measurement according to §14-202(4). Please note the cellar is not to be included in this measurement (§14-202(4)(b)(.2))
 - Based on the lot area and FAR noted on the plans, the total GFA calculated is 93,296.64 ft²

The submitted application requires a Civic Design Review for the following reasons (per Table 14-304-2, Case 2):

- Property is located in ICMX Zoning District,
- Property affects a RM-1 Zoning District,
- The application proposes 50 new dwelling units,
- The application proposes 93,296.64 ft² of new Gross Floor Area.

As outlined in the Zoning Code, the Department of Licenses and Inspections is not required to issue a formal refusal/referral prior to the Civic Design Review Committee’s recommendations and the Registered Community Organization’s approval. This letter will serve to outline the items that will result in a refusal if no changes are to be made:

As the plans were submitted, a refusal will be issued for the following items:

CODE REFERENCE	PROPOSED USE IS REFUSED FOR THE FOLLOWING:		
<i>Table 14-602-3</i>	THE PROPOSED USE, SINGLE FAMILY HOUSEHOLD LIVING, IS PROHIBITED IN THIS ZONING DISTRICT.		
<i>§14-604(5)(a)</i>		REQUIRED	PROPOSED (TYPE A & B UNITS)
	ROOF DECK SETBACK	5 FT	0 FT

Required items must be submitted within sixty (60) days of the date of this letter or the application will be abandoned. Please address **all** comments prior to resubmission to avoid the assessment of additional review fees. **Ensure that the application number is clearly identified on the package containing additional information.**

Additional information will be processed within five (5) business days of receipt.

If you have any questions, please contact me at 215-686-2417 or sarah.kaiser@phila.gov. Again, thank you for your interest and your investment in Philadelphia. We look forward to serving you.

Sincerely,



Sarah Kaiser
Plans Examiner