

**LAND USE, DEVELOPMENT & ZONING**  
COMMITTEE REPORT 4-8-21 BOARD MEETING

**I. MEMBER UPDATE**

Members added: Althea Banks, Vearnessa Whigham. Members Resigned: Cassie Lukaciewicz, Dana Fedeli.

**II. GRANT PROPOSAL**

Jeff and Dan Fedeli worked on a proposal that was submitted to the EMAN Grants Committee. The proposal for \$3000 would fund a overview survey of EMA south of Gorgas that will identify historic assets and at risk properties and will allow the committee to develop proactive efforts to bring more equitable and historically oriented approach to development in EMA. The Committee will be working with the non-profit Keeping Society on the survey once it is approved by the board.

*Update: the Board approved the grant at the March meeting, money will be released once the Treasurer position is filled. We are considering forming a subcommittee that may include members from outside the committee to help with this effort.*

**III. MEETINGS**

**2-16-21 Community Meeting for 254 E Phil Ellena**

**3-2-21 RCO Meeting for 254 E Phil Ellena**

**3-17-21 ZBA Meeting for 254 E Phil Ellena**

**4-6-21 Committee Meeting**

**IV. RCO PROJECTS**

**265 E Hortter** - on going, ZBA meeting on 4-7-21. Committee has organized a response to be presented at 4-7-21 meeting as follows (Note, this is a draft):

**1) WHAT HAPPENED TO THE DIRECTION GIVEN AT THE JAN 15, 2020 ZBA HEARING THAT CONTINUED THIS CASE?!**

- Parties were directed by ZBA to meet and also confer with City Council.
- meeting was scheduled immediately after the hearing for Feb 4 but canceled by applicant
- **331 days elapse** when near neighbor noticed orange signs go up on Christmas Eve. For Jan 13th ZBA hearing. Posting cites original 6 unit proposal
- 15 more days elapse before EMAN receive updated plans showing 4 units of housing.
- a massive breakdown in communication from Applicant to Neighbors

**2) WHAT EXACTLY ARE WE REVIEWING/ IS THIS PROJECT?!**

- Single lot has been subdivided now into 2 (with no notification given to neighbors) however plans indicate 4 lots! The zoning refusal still references a single lot. How many lots are there?
- drawings reference "multi-family" but appear to in fact be single family units? - a Twin and 2 singles? Which is it?

### **3) SIDE YARD/ REAR YARD CONFUSION AND PROBLEMS**

- drawings only indicate "yards" and the chart with code references lists rear yard as 13-9 but that is not dimensioned or referenced on the plans.
- drawings label a "front elevation" which faces the shared drive - if this side of the house is then the "front yard" then the area behind it is therefore the rear yard and there is in fact **no rear yard at all** as the house sits on the lot line.

### **4) NORTH ELEVATION ISSUE/ DISRESPECT AND DISREGARD FOR CHEW AVE ABUTTING NEIGHBORS**

Ask applicant to show this the north elevation, or I can screen share same.

- please see the "north elevation" aka the rear of the houses which sits 3 feet from the rear yards of the Chew Ave houses (not 12 feet 9' req + 3' existing alley/ROW), multiply by 4 as this is just one unit shown.

- no materials are called out but this appears to be metal panels or stucco? With exactly 1 window. No articulation from side to side or top to bottom other than joints in the panel. Is this contextual? Welcoming? Appropriate? No. Does it deny air and light to the abutters - yes. Is it in harmony with the characteristics of the surrounding neighborhood - no.

- while neighbors are confronted with this blank facade, the users of the new houses will be afforded roof decks allowing them to look directly into rear yards and the abutters may be subject to noise and potential invasion of privacy due to this amenity.

### **CONCLUSION**

We find no hardship here. It is not the least variance possible as 3 units could be considered if the 2 unit by-right option was seen in some way to be a hardship.

**106 Meehan/ 109-121 Pleasant** - on going, ZBA meeting continued.

PHC nominations committee approved 121 Pleasant to be listed on the Phila Historic Register contingent on full Commission vote (Jeff, Nina, Dana and Althea banks attended 1-20-21 meeting).

*Update: full commission approved and asked that PHC review new plans for the driveway adjacent to the house. Note that project is still on the ZBA agenda for 4-17? Chair plans to check in w Applicant attorney to check on status.*

**254 Phil Elena St** - Community Mtg 2-13, RCO Mtg 3-2

Committee met on the above dates w the community and applicant and negotiated the following compromise which was also presented at the 3-17 ZBA meeting and approved as a proviso:

*On behalf of East Mount Airy Neighbors (EMAN) we submit the following summary of conditions agree to and voted on by those in attendance of the above referenced meeting.*

- No roof deck or associated pilot house above the 3rd Floor.
- Provide street trees to the fullest extent allowed on Phil Ellena St and Crowson St.
- Evidence of Streets Dept approval of sidewalks on both streets, with a preference for adhering to Complete Streets guidelines.
- Delete concrete patio at front of house on Phil Ellena and provide a small yard (with the

*understanding that plant material will be maintained per City standards).*

*- Provide a letter from Owner agreeing to the above conditions.*

*- Adherence to front yard setback of 8'-0" per Table 14-701-1 and as sited in the zoning refusal.*

**397 E Upsal** - Community meeting scheduled for April 20, RCO meeting May 18. ZBA meeting June 16.

**164 Meehan Ave** - informal advance meeting with developer tentatively scheduled for 2-13

*Update: met with applicant and generally supported what we saw, offered some suggestions for better presentation materials and are awaiting official notice from ZBA on the refusal.*

**101 E Springer St** Community meeting scheduled for April 20, RCO meeting May 4. ZBA meeting May 19. We do not have any materials for this project and will ask the applicant to continue the ZBA hearing if we do not receive them soon.

## **V. MISCELLANEOUS**

### **OLD ITEMS**

**Sun House** - historic home of Philadelphia Sunday Sun newspaper at 6661-63 Germantown Ave. The committee plans to host the owners to a meeting and see how EMAN can support their efforts <https://hiddencityphila.org/2020/12/mt-airy-couple-seeks-to-create-community-space-for-us-by-us-in-philadelphia-sun-building/>

*Update: Sam and Antoine from Save the Sun will be presenting to the committee on 4-6.*

**Anti-racism** - committee adopted the first suggestions from the Anti-racism Committee for EMAN committees.

*Update: Anti-racism members Linda, Nina and Carolyn will direct us in next steps for the committee.*

### **MISCELLANEOUS - NEW ITEM(S):**

#### **Proposed Changes to the zoning code.**

The committee submitted the following as testimony to the City Council Rules Committee. Note these actions were approved by the executive committee and also reflect opinions learned as part of RCO and community meetings that the committee has participated in over the past 2 years:

TO: PHILADELPHIA CITY COUNCIL RULES COMMITTEE FROM: EAST MOUNT AIRY NEIGHBORS

DATE: MARCH 8, 2021

RE: CITY COUNCIL BILL # 210078

#### **IN SUPPORT**

On behalf of East Mount Airy Neighbors (EMAN) I would like to voice our strong support for amending the Philadelphia Code Section 14-604 (11) (d) (.2) to expand the use of Accessory Dwelling Units (ADUs) to large lots in RSA5 and CMX1 classifications.

Expanding the availability of ADUs reduces development pressure and allows an option for property owners, other than subdivision or sale. ADUs are a means of preserving existing structures, and supports neighborhood stability and social equity. Furthermore, ADUs support aging in place by allowing for flexible uses for long term home owners, which is an important goal for EMAN.

In addition to RSA5, large lots, and CMX1 we encourage City Council to go beyond this bill and expand ADUs to all relevant zoning classifications in the City of Philadelphia.

## OPPOSED

On behalf of East Mount Airy Neighbors (EMAN) I would like to voice our strong opposition to amending the Philadelphia Code Table 14-701-1, "Dimensional Standards for Lower Density Residential Areas", to reduce the lot size for RSA5 from 1440 SF to 960 SF.

While we recognize that many RSA5 lots are smaller than 1440, RSA5 lots in Mt Airy are very often occupied by 2 story structures with porches and yards. What we have seen over and over again in zoning variance requests are 3 story structures with roof decks, built to the setbacks with no porches, paved to the fullest extent allowed, and virtually no green space. This sort of development does not fit the character of Mt Airy and neighbors have been strongly opposed to it. By allowing smaller lots "by right" we will lose the chance to voice our concerns via the variance process.

Furthermore, we would encourage Council to consider more broad ranging protections for our existing neighborhood infrastructure such as Tiered Historic designations or Neighborhood Conservation Overlays. Thank you for your attention to our concerns, and we hope you will support them as these changes move forward through City Council.

TO: PHILADELPHIA CITY COUNCIL RULES COMMITTEE FROM: EAST MOUNT AIRY NEIGHBORS

DATE: MARCH 8, 2021

RE: CITY COUNCIL BILL # 210003

## SUPPORT

On behalf of East Mount Airy Neighbors (EMAN) I would like to voice our strong support for amending the Philadelphia Code Section 9-1004 (5) (.2) to require contractors to carry insurance to cover damage to adjacent properties during the course of construction.

Thank you for your attention to this matter and action to strengthen protections for owners of properties adjacent to construction sites. This is highly relevant to our neighbors in District 8 as we are increasingly seeing development pressures resulting in demolition and infill of existing lots.

- Jeffery Hayes, submitted on 4-5-21