

CDAG Board Meeting Minutes – 2015

Central Delaware Advocacy Group (CDAG) May 14, 2015 at Society Hill Towers Community Room at 6:00 PM - Recorded Attendance Attached

I. Call to Order and Approval of Prior Meetings Minutes

April 9, 2015 minutes were approved.

II. Development Item -107 Callowhill St.- Stephen Maffei (Applicant)/Michael Mattioni Counselor for the Applicant

Matt Ruben, CDAG Chair welcomed all to the meeting and introduced the applicant Stephen Maffei and his legal counsel Michael Mattioni. Steve and Michael are here to talk about their proposed development 107 Callowhill St. The application drew refusals from L&I and the applicant is pursuing the necessary zoning variances.

There are a three RCO's that cover this area but for variety of reasons CDAG has been chosen as the coordinating RCO with the understanding that CDAG is on a tighter schedule then the neighborhood Zoning Committee can be at times.

Stephen Maffei: I am the Principal of the Abitare Design Studio and the architect of the project. I purchased this land about a year and a half ago. My goal was to develop this property. I received a building permit last January and after really getting into the design I decided to make the building all residential. Thus reducing one of the big variances.

The site is combined with two zoning classifications: RM1 and CMX4 The smaller back portion of the parcel is CMX4. I re-designed the project to be 5 residential units. One of the variances I am seeking now is height. I am willing to reduce the height from 65' to 55' by eliminating the occupied space on the top floor and just having a pilot house for roof deck access. The site is a very long irregular lot 15' wide and goes back about 140'. One of the good things is the highway. Along the west edge of the property line is a highway right of way that will likely remain open area. There is no 109 Callowhill. I believe that was taken when PennDot expanded. Next to this project is a vacant lot. At 103 Callowhill is a 3 story structure and one of the neighbors residing in that structure is here as well.

A rendering of the building was presented. As I said I would bring the higher part down and just have a roof deck and pilot house. Each unit will have terraces and some have balconies over the dining room space. I am willing to put in an elevator.

Question: You already have zoning permit for a prior somewhat different version of this proposal and yet you have not pulled a building permit for that yet?

Answer: That is correct.

Question: With that zoning permit what does that prior permit give you as to height?

Answer: 45' plus pilothouse

Question: So you want to go from 45' plus pilot house to 55' plus pilot house?

Answer: It's a change. First my primary office and my primary residence was going to be there. Now it's just one of the 5 residential units.

Question: So now the units must be larger?

Answer: No because when I first planned this out each unit was a bi-level and now they are all single floor units.

Question : The permit that is still active was it a by right permit?

Answer: No.

Question: So it required variances. Did you meet with the communities?

Answer: We met with NLNA and received a letter of support.

Question: Did you meet with River's Edge and was there a report from the meeting?

Answer: We sent letters out to all and did not get a letter for or against from anyone else.

I received a Zoning Permit in January 2014. In 2013 we got the original refusal and then I redesigned the building and came up with a couple of different ideas as to what I would like to do there.

Question: How can you have two zoning classifications for one application?

Answer: That's the way it shows on the zoning map.

Question: Then can you actually build a single structure on a parcel that has 2 different classifications?

Answer: There is a small portion of the lot that is zoned commercial. But if you look at the percentages it's mostly RM1. The code says when there is 2 different classifications L&I makes the determination and tells you how they will look at the

project. I am creating a whole new application with the hope I can do it with this design. Because of the length of the building I have to put in 2 staircases and I am putting in an elevator. The units are only 1300 sq. ft. They are not large units. 1700 sq. ft. is the foot print including the core. the units are 2 bedrooms with 2 1/2 bath units and due to right of way I can have windows on the side of my property. The side windows were requested by NLNA when I met with them. So I contacted PennDot. They have my application and I hope they intend to unify that area. Across the way there is a wrought iron fence that goes across that area. I would like to do the same thing and also plant trees and grass in that area and make a little doggie park as they did across the street

In the rendering that was shown the roof deck and powder room that was in the original plan was taken out and now you only have a pilot house taking the height down to 55'.

Question: Have you checked the massing as it relates to surrounding neighbors?

Answer: I did some studies and there is nothing behind me but the highway. I am quite close to the highway. I don't think I am over developing in proposing 5 residential units in the building.

Question: In that part of the City does the issue of parking comes up frequently?

Answer: There is only one off street parking space and that is the function of the size of the building plus under the zoning classification there is no requirement for parking.

Question: As you developed the design, you did not subscribe to the Code standards of open area and rear yard?

Answer: I felt that because of the length of the lot and PennDot being on the side of the project having terraces at each living level is more important to having a roof deck and would create a vibrant energy. I needed that space for functionality. My open area is 11%. I felt the space was more important used to create interior space and exterior terraces.

Question: You mentioned a parking space. Where is it located?

Answer: It is off of Callowhill St. It is an interior garage.

Question: Where is the first portion of the occupied building?

Answer: The ground of the lobby floor slants down from one end to the other. past the lobby and mail room I would like to occupy the first unit, a duplex, on the back side of the building.

Question: What kind of exterior materials do you plan to use and what were the refusals?

Answer: A tile system on the building. Wood panels and ceramic tiles and brick. Floating slabs will encompass the terraces. The refusals were maximum height, open space and rear yard depth.

Question: If you would forego the balconies do you feel you would have made the requirement for open space?

Answer: I believe I would.

Matt: I am mindful of the clock and if no one has any more questions we can go to discussing this by ourselves.

Question: Can you show us what surrounds this project?

Answer: A billboard, a new 4 unit housing development and the highway.

Matt thanked Steve & Mike for coming in and presenting to us. We will now have a discussion within our membership and will inform them of the result.

III. 107 Callowhill St. Development Discussion - Board Members

Matt: When we were in communication with the officers of River's Edge I told them that CDAG was different than a neighborhood zoning committee. We have to always be mindful of the Master Plan and the Overlay. Also CDAG has a vested interest in the Zoning Overlay Code that was provided.

A robust discussion was had. The CDAG Board members present concluded that the elements of the development proposal that are in non-compliance with the Code - maximum height, open area, rear yard depth, street front parking garage - were design and programmatic decisions made by the applicant, rather than design decisions consequential to the specific conditions of the parcel. Therefore, the board concluded there was no evidence of hardship adequate to justify the variances requested.

IV. Officers Reports

1. Chairs Report - Matt Ruben

Pier 35 1/2 North: this is the old Trump Tower site just south of Waterfront Square and north of the Festival Pier site. By the way you might have seen that an RFQ went out on the Festival Pier site so when DRWC picks a developer you should see some progress. The former Trump site is technically designated 709-710 Penn St. The Trump site was to be 45 stories of 253 condo units 500' high

and 95% lot coverage. This property was purchased from the mortgage holders for \$86,000 and then a new group of investors bought the property for 2.4 million dollars. This is a group called Shovel Ready. They say their City zoning permit is good until July 2016. The City had extended the zoning permit for 3 years and then for another 3. I contacted Alan Greenberger, Deputy Mayor for commerce and head of the Planning Commission and he said his initial search of the property indicated to him that the permit had expired. The last thing he saw was 2008 but the legislation that the State had named this project does not mean that the extension is still valid. So he feels it expired and is having the Law Department look into it. They also say one option the builder would be thinking about was to build 15 town houses. However it is not clear whether they intend to develop this site or flip it.

DRWC says work is proceeding on the Spring St. connector planning to create bump outs, signage for the buses and a light installation. Also will work on the north side Race St. connector. They are also going to make Callowhill St. and Spruce St two way between Delaware Ave. and 2nd St. They are starting on that now and they going to be doing them one at a time. Spruce St is first because they want it ready for the opening of Spruce St Park. The changes will include new left turns on Delaware Avenue and when PennDot signs off they will take out the scissor ramps.

2. Secretary's Report - Richard Wolk

We presently have 15 voting delegates. We have lost Old Richmond Civic Association and Pennsport and we have gained one with the addition of Waterfront Square. We need 8 present for a quorum. Today we have 9 present and quorum hasn't been a problem since we made Society Hill Towers our permanent meeting place. I suggest Dianne and maybe I visit and make presentations to those we lost. However in most cases those that we lost were not because of a lack of interest but in most cases the delegates have family issues and their organization is very weak on providing replacements.

3. Treasurer's Report - Jim Moss

Our bank account stands at \$2800 but with a \$200 check from Pennsylvania Environmental Council and \$500 from Queen Village we will now have \$3500 in our bank account..

V. PennDot Retaking Authority to Regulate Billboards - Andrew Ross

I think there is some mis-information on this. It's not a removal of City authority when pertaining to Billboards along the interstate highway. In the areas PennDot has control it is essentially for the right of way of the interstate highway. In 1974 it delegated authority to the City and therefore control of billboards remains within the City's zoning process. Now if you want to put up a billboard you would still go

through the City's Design process and if you then got an approval or variance from L&I you would then go through PennDot and they would give you a permit that you are in compliance with the State. In other parts of the City there is no difference at all. pennDot also still has authority over streets or highways that are State roads. As an example Broad St is a State road. The two things out there is the conversion to digital and whether PennDot is going to proactively enforce an existing billboard if it was put up illegally. PennDot may take a position that they are not going to give a variance or permit if they think it conflicts with the law. If they should go down that road there are quite a few signs that are questionable.

On federal highways or roads PennDot enforces what the federal regulations are.

VI. Old Business - Joe Schaivo

Last month we spoke about organizing priorities from our Progress Report and added an addendum for historic assets within the Overlay. Patrick spoke up for pursuing an active role in identifying historic assets and getting designation relative to some of those historic assets. The Chair assigned Patrick the task of arranging a meeting with Wendell Mason, the new Executive Director of PennPraxis, to find out what resources may be available for CDAG to pursue. Patrick had the meeting with Wendell Mason, I sat in the meeting with one of Patrick's staffers Lizzie who graduated from the PennPraxis School of Design of the University of Pennsylvania who is very interested in helping us out. Patrick made a contact, found that everything is available to us from a drop box. However, what was recommended was the possibility of hiring a graduate student to help document all assets. It was estimated that it would cost us \$3000 to \$4000. Patrick said PEC would put \$500 into the pot. It will all depend on others stepping up and contributing. A suggestion was made that we should apply for a grant and another suggestion was finding someone who wishes to do a summer work study. if it is a non-profit client sometimes it would be funded by the study group. We also need to see if DRWC is a source for some of this information.

Joe will send out an appeal to the entire Board asking them to help CDAG identify their local resources and to give him all of those contacts.

Asked about the AAA project: There are three law suits pending. Zoning Board held up revocation and the revocation was appealed in court. They went to the Planning Commission for approval and they were denied. That issue is now in Common Pleas Court. They also sued the City directly and that is also pending. They asked for an injunction and the Court granted it. They have an active permit but the Court said that if they do work they are responsible if the Court rules against them. They are presently doing some work at the site.

VII. Old Business

Do to the expansion construction at the Sugar House Casino there are terrible traffic jams on Penn St. There should be some one there moving traffic in and out of the major streets. It has become a major problem for people trying to crossc the street.

Meeting Adjourned at 7:30 PM

Next regularly schedualed CDAG Board meeting is June 11, 2015 at

Society Hills Towers Community Room at 6:00 PM

CDAG Board Member Attendance Record - May 14, 2015

CDAG Board Member (N/V = non-voting members)	Representatives Primary & Alternate	Pre sen	Quor- um	
Abbott Sq. Homeowners assoc.	Sean Sullivan (P)	X	NV	
Delaware River City Corp.	Tom Branigan (P)		NV	
1 Dickinson Square West.	Nick Calcagni (P)			
Dickinson Square West	Jane Winkel (1A)			
2 Fishtown Neighbors Assoc.	Matt Karp (P)			
Fishtown Neighbors Assoc	Kevin O'Neill (1A)	X	1	
Fishtown Neighbors Assoc.	Tim Potens (2A)			
Franklin Bridge neighbors Ass.	Gary Vernick (P)		N/V	
Franklin Bridge Neighbors Assoc	Ricky Camitta (A)		N/V	
3 Neighbors Allied Best Riverfront	Mary Stumpf (P)			
Neighbors Allied Best Riverfront	Dianne Mayer (1A)			
Neighbors Allied Best Riverfront	Kathy De Angelis (2A)	X	2	
4 New Kensington Development Corp.	Sandy Salzman (P)			

	New Kensington Development Corp.	Andrew Goodman (1A)	X	3	
5	Northern Liberties Neighbors Association	Matt Ruben (P)	X	4	
	Northern Liberties Neighbors Association				
6	Waterfront Square Condo Association	Nina Zimmer (P)	X	5	
	Waterfront Square Condo Association	Mike Futryk (1A)	X		
	Waterfront Square Condo Association	Fred Santilli (2A)	X		
7	Old Swedes Court Homeowners Assoc.	Paul Nutaitis (P)			
	Old Swedes Court Homeowners Assoc.	Kerry Durst (A)			
8	Olde Richmond Civic Association	Phil Stolztfus (P)			
	Olde Richmond Civic Association	Julio Nieves (A2)			
	Olde Richmond Civic Association	Tom Potts (A1)			
	Pennsport Civic Association	Tom Otto (P)		NV	
	Pennsport Civic Association	Jim Moylan (1A)		NV	
	Pennsport Civic Association	Rene Goodwin (A2)		NV	
	Penn Future	(P)		NV	
	Penn Future	Christine Knapp (A)		NV	
9	Pennsylvania Environmental	Patrick Starr (P)			
	Pennsylvania Environment	Samantha Driscoll (A1)			
	Pennsylvania Environmental Council	Tony Spagnoli (A2)			

10	Pennsylvania Horticultural Society	Tammy Leigh DeMent (P (P))	X	6	
	Pennsylvania Horticultural Society	Claire Baker (A)			
n	Port Richmond on Patrol & Civic Assoc.	Laura Lanza (P)		NV	
v	Port Richmond on Patrol & Civic Assoc.	Jeremy LaCompte (A)			
11	Queen Village Neighbors Association	Richard Wolk (P)	X	7	
	Queen Village Neighbors Association	Jeff Hornstein (A)			
12	River's Edge Community Association	John Scorsone (P)			
	River's Edge Community Association	Rich Stange (A)	X	8	
13	Society Hill Civic Association	Jim Moss (P)			
	Society Hill Civic Association	Lorna Katz-Lawson (A)	X	9	
14	Society Hill Towers Homeowners Assoc.	Marsha Bacal (P)	X	10	
	Society Hill Towers Homeowners Assoc.	Herman Baron (A)	X		
	South St. Head House Business District	Krystal Souvanlasy (A)			NV
	South St. Head House Business District	Mike Harris (P)			
15	Whitman Council	Rich Lazar (P)			
	Whitman Council	Mark Kaczynski (A)			

Joe Schiavo Vice Chair *Ex- Officio voting member

(8 voting Board members required for a meeting quorum) 10 present

Guests and friends of CDAG:

Andy Sacksteder, President, River's Edge Civic Association
Kathy Mc Mullen, River's Edge Civic Association
Matt Stein, River's Edge Civic Association

Andrew Ross, Philadelphia Legal Department

For 107 Callowhill St:

Stephen J. Maffei, Principal Abitare Design Studio
Michael Mattioni, Counselor at Law (for the applicant)

