

**LAND USE, PLANNING AND ZONING COMMITTEE**  
*Minutes of the Meeting of August 4, 2022*

Members Present

- |                           |  |
|---------------------------|--|
| ✓ Steve Gendler, Co-chair | Joyce Lenhardt                               |
| ✓ Chris Linn, Co-chair    | ✓ Jean McCoubrey                             |
| ✓ Jan Albaum              | Andrew Moroz                                 |
| Rob Fleming               | ✓ Camille Peluso                             |
| Jason Friedland           | ✓ Craig Schelter                             |
| ✓ John Landis             |  |
| ✓ Greg Lattanzi           | ✓ Kathi Clayton, President CHCA (ex-officio) |
|                           | ✓ Larry McEwen, VP Physical CHCA             |

Others Attending:

Richard Snowden, Bowman Properties  
Dave Hoylman, Bowman Properties  
Henry Clinton, attorney Bowman Properties  
Richard Maloumian, business owner  
Paul Walsh, Elfant Wissahickon Realty  
Barbara Baumbach, Woodward  
Bob Elfant, Elfant Wissahickon Realty  
Ron Pete, business owner  
Kristin Dennison  
Anne Nevel, CHBA  
David Grey  
Kate O'Neil, CHBA  
Karen Pilling  
Denise Connolly  
Tom Beck, Chestnut Hill Local  
Tony Banks, VP Operations  
Celeste Hardester, Development Review Facilitator  
Anne McNiff, Executive Director CHCA  
Melissa Nash, recorder

The meeting was opened at 8:01 pm by Steve Gendler, co-chair. This meeting was conducted remotely using Zoom. The meeting opened with approval of the June minutes. (There was no July meeting.) It was moved that the minutes be approved with minor corrections in spelling and punctuation. The motion was seconded and the minutes were approved. Bowman Properties' application asking for variances for nine properties is on the agenda.

**Bowman Properties Variance Requests**

•Introduction: Richard Snowden presented an overview of the project. There are 9 properties in the project. Seven properties need a variance for a change in use. The two remaining properties have

been used in their current forms for 65 year and 22 years. The City has no record of these uses. Most of the properties are on or very close to the Avenue; two are on Bethlehem Pike. A slide show with a brief overview of each property was shown. *8037-39 Germantown Avenue (10 East Hartwell)*. There are three buildings on the property. The cottage, which was used as an antique store and an apartment from 1947-2000, will be completely renovated as a two story apartment with 805 sq ft. *18 Hilltop*. The property is located in the Cosimo's parking lot. It housed Grebe Construction on the first floor and an apartment on the second. The first floor will be converted into a 2 bedroom, 2 bath apartment. The second floor will remain as is. The building is part of the Hilltop residential area. There has been no response to the notices sent out. *7928-30 Germantown Avenue*. The building has 5 apartments on the upper 2 floors and has an English basement with 1300 sq ft that is now commercial. Due to the slope of the lot, the lower level is on ground level at the rear. The proposal is to create a one bedroom apartment of 800 sq ft with a courtyard at the rear with the remainder of the lower floor as retail. *8042 Germantown (Under the Blue Moon)*. Existing apartments on upper floors will remain. The first floor will have a one bedroom apartment and a retail space suitable for a restaurant. There will be no changes to the exterior. *101 Bethlehem Pike*. Currently, there is one 3 bedroom 2 bath apartment on the upper floors and retail on the first floor. The proposal is to create an apartment at the rear first floor with a 425 sq ft retail space on the street. There is a space between 101 and 105 that will become a terrace. *105 Bethlehem Pike*. There are 3 apartments on the upper floors and retail on the first. The first floor will have a one apartment and a small commercial unit on the street. All new apartments will have off street parking provided. *8532 Germantown Avenue*. There are 2 apartments on the upper floors. The converted first floor will have an 1160 sq ft apartment and a 535 sq ft commercial space. Garages are available. Henry Clinton described the remaining two addresses and stated that the ZBA hearing is scheduled for September 20 at 9:30 AM. *8622 Germantown Avenue* has a first floor commercial space and 2 apartments on the upper floor. The building has been used like this since 1955. Zoning only allows one apartment. *8624-26 Germantown Avenue (Cosimo's Pizza)*. A restaurant is not permitted in this zone. Cosimo's has been in the space since 1999. Both addresses need to be legalized with variances.

•Committee Comments/Questions: Camille Peluso asked about the desired zoning changes and the future of converting back to CMX-1. The zoning is not changing. Only variances are requested. The properties remain CMX-1. Two properties, 8137 and 7928, have façade easements. J Landis expressed a concern that the new retail space for 8532 is too small. R Snowden enumerated the types of retail in the 67 commercial properties he owns: 47 mom & pops, 6 non-profits, 5 small chains and 4 major chains, including Fresh Market and Starbucks. Smaller properties have retail areas between 162 and 636 sq ft. The average length of leases is 8.5 years. Bowman's vacancy rate is 16%, compared with Walnut Street at 17%. Base rent averages \$30/sq ft. R Snowden hopes to improve vacancy rate. During the pandemic, 23 leases were made. 15 were new tenants; the remainder were relocations. Only 2 tenants were lost, a toy store and a dry cleaner. J Landis questions the rent. R Snowden stated that it varies by blocks and size. Smaller properties have a higher per sq ft cost. Many stores do not need much storage space. When people shop they generally go only 20' into a store. The most valuable sales area is near the front. L McEwen noted that as 8532 is a wide building, the commercial space does not seem too deep. He suggested setting the new retail as deep as the existing. R Snowden stated that in the past the depth was used for storage and a soda fountain. Commercial advisors say it should be divided. It can be restored to former uses if needed. S Gendler asked about small space rentals and noted that the vacancy rate should be around 10%. Many buildings need maintenance. R Snowden state that maintenance is planned.

Painters have been lined up. Most stores have long lives. Only the Blue Moon (8042) has been vacant for so long. S Gendler referred to the small size of the retail in Under the Blue Moon. He also noted that in the communities researched (Doylestown, Haddonfield, and Chestnut Hill) smaller spaces were shown to be leased by service organizations, such as: insurance offices, chiropractors, and real estate that do not add to street life. R Snowden stated that these businesses use larger spaces. C Peluso asked about changes in zoning vs changes in use. There are no zoning changes. There is a request for variances allowing residential units in CMX-1. Craig Schelter stated the variances are acceptable if they are close to the Avenue. Greg Lattanzi asked about the existing retail in 101 and 105 Bethlehem Pike. The details are shown in the slide show. He also asked about neighbor notification for 18 Hilltop. Letters were sent. There was a reception with 40 in attendance. There have been no significant objections. J Albaum asked why 8532 has been vacant for so long. In its present state, it is not very enticing. She also stated that the two Bethlehem Pike locations are very small. They would need to be destination places rather than foot traffic. She also stated that the Blue Moon needs repair and paint. Jean McCoubrey noted the retail spaces are small. Kate O'Neill has researched retail spaces with Anne Nevel; they have found that tenants are looking for a mixture of larger and smaller spaces with a slightly greater demand for small. S Gendler noted that a 2010 rental assessment noted that there was too much service. There was a need for more restaurants and bars. R Snowden noted that current zoning limits bars and restaurants. Bob Elfant mentioned the condition of the property at Germantown and Abington (not in this project). There is too much vacancy in lower Chestnut Hill, which is bad. Most of the vacancies are Bowman sites. Small stores on the avenue are vacant; they need to be made attractive. The properties should be cared for. R Snowden noted that there is a successful gallery at Germantown and Willow Grove. There is also a new business going into the Little Nook. 8026 has been leased recently as a comic book store. He also added that Elfant Wissahickon had Bowman listings but did not find any tenants. S Gendler stated that it is reasonable to ask for street facades to be fixed up. B Elfant added that both exteriors and interiors should be fixed up.

•Committee Discussion\Comments: C Schelter suggested selecting a core group of the nine, converting, then evaluate the results. The group could be expanded. Try out the solution. C Linn suggested looking at the projects one by one. S Gendler suggested a separate motion for 8622 and 8624-26. J Albaum suggested a motion for Hilltop, the 8137 cottage and 7928. Barbara Baumbach suggested that the residential be done and the retail be renovated for potential tenants. R Snowden stated that he will not build white boxes for potential clients. J Landis stated that he would support a motion to approve Hilltop, 8137, 7928, and the two use corrections (8622 and 8624-26) with a proviso that Bowman maintains the Blue Moon and 7900-02. He added that the overall plan is good. This will contribute to the street life of the Avenue. Ron Pete stated the plan is philosophically good. He also wondered why Blue Moon has not rented. R Snowden stated there has not been an acceptable tenant. He also stated that the application is a package. All projects must be approved. No provisos are acceptable unless all are approved. R Pete asked why this needed to be a package deal. R Snowden stated that this was because he wants it this way. R Pete stated that the presentation was excellent but that the properties need to be walked. He also asked about the time frame. J Albaum reiterated the idea of staggering the property rollouts. R Snowden reiterated that this was a package deal with no staggering and no time frame. He noted that the HDAC approved the project unanimously. C Linn asked if provisos would be accepted if all variances were approved. R Snowden stated that he will not work this out in public and that he is going to ZBA on September 20.

•LUPZC Committee Action: S Gendler asked for a motion. J Landis moved that the LUPZC approve the 5 sites but not the other 4 that are of concern. The formal motion was that the LUPZC support the variances for 18 Hilltop, 8137 Germantown Ave cottage, 7928 Germantown Avenue, 8622 Germantown Avenue and 8624-26 Germantown Avenue with the proviso that good faith maintenance be done on 7900-02 Germantown Avenue. A discussion of the proviso followed with R Snowden reiterating that this was an all or nothing with no contingencies. A vote was taken on the motion with one vote in support and 6 against. A new motion was proposed: It was moved that the LUPZC support the variances for 18 Hilltop, 8137 Germantown Ave cottage, 7928 Germantown Avenue, 8622 Germantown Avenue and 8624-26 Germantown Avenue. The vote was taken with 5 for and one against. A discussion followed about the remaining 4 properties. S Gendler noted that the Bethlehem Pike properties are different than the Germantown Avenue properties. J Landis stated that he would like more time to consider those properties. C Peluso asked if the committee could meet privately with R Snowden. The DRC meeting is on August 16. There could be an effort to approve the 4 before the DRC. A small group could meet with R Snowden. The group would have volunteers including C Peluso, J Landis, and possibly Joyce Lenhardt. It was also suggested that S Gendler, J Landis, J McCoubrey and J Albaum do a walkthrough of those properties. This could be done on Friday by J Albaum, J Landis, and S Gendler who will then report back.

### **Adjournment**

•The meeting was adjourned at 10:00 PM.