

LAND USE PLANNING AND ZONING COMMITTEE

Minutes of the Meeting of April 7, 2016

Members Present

<input checked="" type="checkbox"/> John Haak, Chair	<input checked="" type="checkbox"/> Joyce Lenhardt
<input type="checkbox"/> Ned Mitinger	<input checked="" type="checkbox"/> Jean McCoubrey
<input checked="" type="checkbox"/> Cynthia Brey	<input checked="" type="checkbox"/> Andrew Moroz
<input type="checkbox"/> Steve Gendler	<input checked="" type="checkbox"/> Larry McEwen, VP Physical (ex-officio)
<input checked="" type="checkbox"/> Larry Goldfarb	<input checked="" type="checkbox"/> Laura Lucas, Acting Pres, CHCA (ex-officio)
<input type="checkbox"/> John Landis (on leave)	

Others Attending:

Stuart Udis, Patriot RE Capital, developer 2 E. Chestnut Hill Avenue
Michael Stamm, Patriot RE Capital, developer 2 E. Chestnut Hill Avenue
Agnes Richardson, neighbor at 8 E. Chestnut Hill Avenue
Jeremy Heep, neighbor at 12 E. Chestnut Hill Avenue
Danielle Floyd, SDP
Jenks neighbors
Richard Snowden, Bowman Properties
Stan Runyan, architect for 8201 Shawnee Street townhouses
Melissa Nash, recorder

John Haak, chair, opened the meeting at 8:06 p.m. Committee intros were made. Approval of the March minutes followed. It was moved that the minutes for the March meeting be approved with a minor correction of a house number. The motion was seconded. The minutes were approved.

2 E. Chestnut Hill Avenue

- Report: Stuart Udis noted the refusal included 4 violations: use, rear and front yard setbacks, and multiple structures. The new twin has become a single, which contains two garages. One garage is for the new house and the other for the existing house. One garage is accessed from the alley, the other from the existing driveway. The new house drive would ramp down from the alley to the garage. The new house will be two stories with a high basement. The overall height will be 38' or less. It will have 3000 sq ft not including the garages. The earlier design had a maximum height of 42'.
- Discussion/Questions: Jeremy Heep asked about new refusals created by this new plan. There would be no new variances. J Haak asked if they would be willing to come back to LUPZC in May with the new design completed. They will. The new house would be 2' closer to the existing and will be lower than the original design so the impact on the neighbor house would be reduced. Agnes Richardson, the adjoining neighbor, asked about the location of the AC equipment. She noted that is important, as there will be equipment for 3 households. The location has not yet been determined. S Udis noted that the code allows a 7' side yard and that this design has an 11'. A Richardson also noted that the zoning notice gives a hearing date that is before the LUPZC meeting. The hearing has been deferred. J Heep, stating that he was new to the project, noted that there is a lot of density in this design. There is too much crammed into the site, resulting in the need for variances. L McEwen noted that density is a prime issue. The agreement with the dentist addressed only use of the property. The use is no longer allowed. The yard can remain paved. Zoning does not require a planted yard. Larry Goldfarb noted that it is good to avoid the 30 W. Chestnut Hill Ave. conditions. Preserve the existing house but be flexible about the conversion. Richard Snowden stated that the

Anglecot property was allowed 10 houses by right. Instead there are 9 condo units in the original structures. J Heep noted that there was a meeting at his house but he missed the first public meeting. He further stated that zoning should revert as stated in the agreement. It was noted that zoning did revert. The property no longer has a variance for the dental office.

Jenks Ramp Project

- Discussion: Danielle Floyd of the School District of Philadelphia stated that there have been minor revisions since the previous appearance. The trash enclosure now opens on the ramp side rather than on the street, preserving some of the wall. She recapped the previous meeting and addressed the concerns. The change to the dumpster space will preserve more of the wall. Trash collecting procedures would also be improved. She also noted that the design is complete and approved for construction. There is no date for construction. The change would also eliminate a gate on the street and preserves a tree. It was asked why the trash could not be relocated to the existing drive. Trash pickup could be increased to 5 days a week to reduce trash on the street/sidewalk.

- Committee Comments: Joyce Lenhardt asked why the trash could not be placed in the existing drive. D Floyd responded that no redesign could be done. It was asked what extra cost would be incurred as there would probably be construction savings. It cannot be changed, as it would not be the project that was bid on. Cynthia Brey asked why the ramp is needed at all. It was originally seen as an emergency vehicle access. It is now needed for deliveries and to get dumpsters off the sidewalk. L McEwen asked about accommodating the trash enclosure on the ramp side. Has the ramp been moved further into the site or has it been made steeper. He also noted that extras are being incurred with the current revisions, why not a more comprehensive look at the project.

- Audience Comments: It was asked about the operation of dumpster and ramp gates as it seems they would get in the way of each other. If the gates of the ramp open out, they would block the sidewalk. It was asked how the dumpsters would fit into the ramp area. The committee could make a design. The community has asked to help. As the ramp's purpose has changed what is really being solved now. D Floyd noted that there have been problems with deliveries that the ramp should help solve. It seems this design requires fencing off about 1/3 of the schoolyard. It was also noted that dumpsters should not be placed on the sidewalk. There could be an elevator located inside the driveway door. One neighbor asked how this project benefits students. J McCoubrey asked how would a fire truck be accommodated. She added that the project does not make sense. C Brey suggested that the SDP work with the community, possibly with a subcommittee, to improve the design. R Snowden asked about the direct financial harm to near neighbors. The integrity of the neighborhood is important. Ardleigh Street has permit parking that neighbors timed so that teachers could park while neighbors were away at work. Meredith Sonderskov asked why the playground could not be moved to the Ardleigh Street side of the property and the access be provided on Germantown Avenue, using the existing ramp.

- Wrap Up: Laura Lucas thanked all who came to the meeting, as it is important to hear from neighbors. C Brey recommended that the community offer a subcommittee to work with the SDP to create alternate solutions. J Lenhardt asked that a group be allowed to help the SDP. D Floyd stated that they need to discuss operations and this involves not only Jenks. L Goldfarb asked if it is impossible to modify the design, why converse at all. D Floyd suggested that she return to the SDP and get a response to the proposal.

Townhouses 8201 Shawnee Street

- Presentation: Richard Snowden and Stan Runyan presented an update on the status of the townhouses on Shawnee. R Snowden noted that this was phase 2 of the development of the Magarity property. Zoning has granted permission for 8 townhouses to be built. S Runyan and J McCoubrey noted that the design is mindful of the street with no curb cuts on Shawnee. The buildings are accessed off Hartwell. There are entrances through the parking area as well as front doors on Shawnee. The ground floor has minimal ceiling heights. The first floor has high ceilings. There are no houses across Shawnee. The ground floor walls will be schist with stucco above. There will be two buildings with 4 units in each, similar to the Woodward quad houses. Each unit will have 3500 sq ft, and the units will have elevators. The site will be planted.

- Comments: An audience member commented that this is part of the plan to extract maximum profit from the site. He noted that the project is too big for the site. It is out of proportion and scale for the street. J McCoubrey noted that the size of the project has not changed since 2011. They plan to get the building permit next month. Another audience member noted that there was a discontinuity between the blocks of Shawnee. It was noted that the new sidewalk blends in with the existing. The houses are an average of 38' above grade. It was noted that the roof over parking is not really a green roof. Houses have 12' x 24' decks with planters. An audience member noted that the buildings seem higher. J Lenhardt noted that earlier meetings had discussed stepping the end of the building to reduce the apparent scale. C Brey asked why the buildings have the same height even though the property is sloped.

Planning Commission Changes

- Discussion: There have been changes to the RCO regulations. An existing RCO could be decertified if it does not meet ethical guidelines regarding money, discrimination, etc. This is discussed on the Planning Commission website. L McEwen noted that this could make it more difficult to ask for a full process as it could be viewed as using a delaying tactic.

444-6 W. Chestnut Hill Avenue Variances

- Report: At the prior LUZPC meeting, the request for variances was recommended for approval by the LUPZC. At that meeting, it was stated that all neighbors had been notified and approvals had been received from all but the adjoining neighbors on the carriage house side. L McEwen reported that he has received calls from the Roberts, adjoining neighbors to 444-446 W. Chestnut Hill Avenue. He visited the property and has viewed the carriage house location from the Roberts' property. The construction would be very apparent due to topography. They are concerned about headlights, windows overlooking their property, noise, and the overall size of the building. Subsequently some neighbors have withdrawn their approval. It was suggested that a subcommittee be formed to work with the neighbors and the Stevens, owners of 444-446, to resolve differences.

- Committee Action: A motion was made to put the prior resolution on hold until the neighbor differences have been resolved, and if neighbor agreement is not achieved, the old motion would be null and void. There was little acceptance of this motion. It was restated. Based on new information that the project was not approved by the next door neighbors and the subsequent withdrawal of support by other neighbors, the LUPZC withdraws its approval until the applicants work with neighbors and return to the committee with neighbor approval and revised plans. The proposal would be reconsidered at that point. The motion was seconded and passed.

Adjournment

- The meeting was adjourned at 10:33 p.m.