



Zoning Board of Adjustment
Concourse, Municipal Services Building
15th and JFK Boulevard
Philadelphia, PA 19102

November 20, 2018

Re: Opposition to Appeal #34997 Permit #901422 District Council #2

Application for: for the erection of a two story rear addition to an existing three story structure, with a rear deck at the second floor rear, for use as a sit-down restaurant on the first floor, for two dwelling units on the second thru third floors.

Dear Zoning Board Members,

The applicant in this appeal appeared before a meeting of the coordinating RCO, Girard Estate Area Residents (GEAR), on Tuesday, November 13, 2018, at which the GENA zoning committee participated.

The permit was refused by the Department of Licenses & Inspections (L&I) on the basis that *THE PROPOSED USE, 'SITDOWN RESTAURANT' IS PROHIBITED IN THIS ZONING DISTRICT. THE PROPOSED USE, 'TWO DWELLING UNITS' IS PROHIBITED IN THIS ZONING DISTRICT.*

GENA opposes the application as it was presented to us, but we are willing to reconsider subject to certain modifications and clarifications:

Objection 1 – scope of project. Adding a third story in order to add another apartment, in addition to placing a restaurant or café on the first floor, puts too much of a strain on an area that is already suffering from too much density, per testimony of neighbors. This particular part of the neighborhood already is surrounded closely by CMX-2 development. A restaurant plus only one apartment, or a business space (such as a professional office instead of a restaurant) plus two apartments, would give the project a gentler impact on the residents.

Objection 2 -- Neither the exterior nor interior plans show ADA compliant access. In the case of the exterior, not showing this detail makes it impossible to evaluate the impact on foot traffic.

Objection 3 -- Strong neighborhood opposition. Neighbors from 1723 and 1727 Jackson appeared at the meeting and made a strong case in opposition, and the neighbor from 1725 Jackson emailed to state his opposition.

Changes and Provisos: The applicant, commendably, has already addressed several objections that were presented at (and following) the RCO meeting, and has continued to revise plans up to the last minute. If the applicant were to adapt further and scale the project to have less impact on the residents, we

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Girard Estate Neighbors Association
Providing a voice for the community.

would be willing to reconsider. A restaurant plus only one apartment, or a business space (such as a professional office instead of a restaurant) plus two apartments, would be preferable.

We believe that **Objection 2** ought to be addressed, and the applicant asked to re-apply, before any variance or exception should be granted.

At the very least, if the ZBA should approve this project as-is over these objections, we would ask that **Objection 3** should be remedied by a guarantee this establishment would not become a take-out restaurant.

Sincerely,

Paul Rossi, Chair, Girard Estate Neighbors Association Zoning Committee

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