



August 30, 2012

Philadelphia Zoning Board of Adjustments  
Municipal Services Building, Concourse Level  
1401 JFK Boulevard  
Philadelphia, PA 19107

**Re: 205 Race Street**  
**Application No. 416009, ZBA Cal. No. 18726**  
**Hearing Date: 5 September, 2012**

Dear Chairperson Brown-Sow and Members of the Board,

At a regularly scheduled meeting of the OCCA Developments Committee, the Committee voted to OPPOSE the above referenced application to the Board and the Variances requested.

Based on the detail of the Refusal issued - under previous zoning code standards - by the Department of Licenses & Inspections dated August 6, 2012, and a presentation made by the development team to the OCCA Developments Committee on August 28, 2012, the Committee wishes to share the following points that contributed to its voted position:

**Height:** At 197'-6", the proposed high-rise structure is over three times (300+%) the height allowed under the applicable zoning code. The concerning issue of the excessive height is compounded by the fact that the proposed structure is entirely within the Old City Historic District boundary, and as such, a 197'-6" structure is insensitive to the character and scale of all other inhabitable structures in the area of the proposed development.

**Gross Floor Area:** At an F.A.R. of 695% of lot area, the proposed structure is over 150% the gross floor area allowed (450%) under the applicable zoning code. The developer's willful decision to exceed the allowable gross floor area at the parcel is a clear demonstration of disregard for the City's established development standards. The excessive F.A.R. planned, directly contributes to the excessive height proposed, and both issues could be remedied by the developer re-designing with the applicable standards of the zoning code in mind.

**Minimum Number Of Off-Street Parking Spaces:** Old City is already a very densely populated area with a great deal of pressure on available parking spaces. The pressure on available parking spaces is compounded by the popularity of Old City as a tourist, shopping and dining destination. The developer has proposed to build only 34 of the 90 parking spaces required under the applicable zoning code. Noncompliance with the parking requirement could be remedied by reducing the density of the proposed development, reducing both the proposed gross floor area and height, and bringing multiple aspects of the proposed development toward code compliance.

**Maximum Building Width:** Within the district, the applicable zoning code limits building widths to 70', for the purpose of assuring that new structures are sympathetic to the scale of the existing architectural fabric of the Historic District. The developer proposes a 186'-long façade along the Race Street edge of the parcel. The Committee appreciates the developer's intention to articulate the 186'-long low-rise Race Street façade in a manner suggesting a compacted collection of multiple structures. However, the intended effect is not yet fully realized and requires more careful study by the development team in order to present that 186'-long façade as sympathetic with the character of the area.

**Minimum Percentage Of Open Lot Area:** Given that the parcel is sided by city streets on three sides, it is inconceivable that the developer could not meet the 20% open area required under the applicable zoning code. The 8.43% open lot area proposed represents a further substantial overbuild of the parcel.

**Massing Scheme:** The Committee appreciates the developer's intention to manage the massing of the proposed structure to introduce modulation, variation, and architectural points of interest. However, it is the opinion of the Committee that the high-rise portion of the massing composition, however low or high it may ultimately rise, be shifted to the west edge of parcel, rather than at the east edge, as is currently described in the plan. Further, accommodating our suggested shift of the high-rise portion of the development, and then establishing the required 20% open area at the southeast corner of the parcel, thus, better preserving street-level views of the iconic Benjamin Franklin Bridge and its Paul Cret-designed anchorage.

We bring to the Board's attention that the OCCA Developments Committee is welcoming of the contemporary styling of the proposed development. However, our objections and issues with the proposed development scheme rest with the applicable standards of the zoning code, and the developer's willful non-compliance with those standards.

The OCCA Developments Committee respectfully submits to this Board that the 205 Race Street development proposal is void of the hardship claimed and constitutes willful disregard for the applicable development standards - previous or new zoning codes - established by the City of Philadelphia, and as such, is undeserving of the benefit of the requested variances.

We appreciate the Board's consideration in this matter. If you have any questions regarding this letter of OPPOSITION, please do not hesitate to call at the number below.

On behalf of the OCCA Developments Committee,



Richard M. Thom, AIA  
Chair, OCCA Developments Committee  
215-440-7120



Joe Schiavo  
Vice Chair, OCCA Developments Committee  
215-922-0936

- c: The Honorable Michael A. Nutter (via fax 215-686-2180)  
Councilman Mark Squilla (via fax 215-686-1931)  
Philadelphia City Planning Commission (via fax 215-683-4630)  
Philadelphia Historical Commission (via fax 215-686-7674)  
Preservation Alliance for Greater Philadelphia (via fax 215-546-1180)  
Mr. Daniel Reisman, Esquire, for the Applicant (via email)  
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