

BELLA VISTA NEIGHBORS ASSOCIATION

P.O. Box 63955, Philadelphia, PA 19147
(215) 627-0057

www.bellavistaneighbors.org

Bella Vista Neighbors Association, formerly known as Bella Vista Town Watch, is an independent non-profit neighborhood organization. Our goal is to improve the quality of life for all residents of Bella Vista.

Hon. Frank DiCicco
Chair, Philadelphia Zoning Board of Adjustment
One Parkway Building, 1515 Arch Street, 18th Floor
Philadelphia, PA 19102

September 22, 2019

Re: RCO Meeting Summary Form

ZBA Calendar No. 38214, Zoning Application No. 988271

604-06 S 9th St. / ZBA hearing date: September 25, 2019, 9:30 am / Applicant: David Orphanides, Esq.

Dear Mr. DiCiccio:

Below is a summary of our public community meeting held regarding the above referenced zoning application.

Position: Not opposed (with conditions agreed by applicant and ZBA)
Date of Meeting: September 10, 2019
Location of Meeting: Palumbo Recreation Center, 10th & Fitzwater Streets.
Participating RCO: Bella Vista Neighbors Association (BVNA) Zoning Committee
Number of Attendees: Approximately 47 excluding zoning committee members

Reason for Position:

The applicant intends to be a tenant in the 604 S 9th Street portion of the building and seeks to operate a music and dance/motion instruction studio for adults and children. No change in the use is intended for the adjoining 606 S. 9th vacant commercial space. The plans include a small performance area towards the rear of the building that is permitted in the base CMX2 zoning district but prohibited in the South Street Head House Overlay District as an assembly and entertainment use. The applicant argues a hardship that the performance space is intended as an accessory use to a primary use within the personal services category (dance instruction) and should not have been characterized as a primary use. Further, prohibiting the performance space keeps the studio from fully realizing the primary use of dance instruction, which is permitted in both the base zoning and the overlay district.

The reaction of the neighbors was mixed. Many were in support but others were vocal in their concerns about possible increased noise and activity, and the potential to disrupt the predominantly residential quality of the block, even though this block abuts South Street and already has a density of commercial zoning and uses at the north end where this application is proposed. Neighbors were concerned that the variance would survive the applicant and that a future tenant may have a business more intrusive than the one described by the applicant. The applicant expressed a willingness to "legally" limit the performance and stage space to 407 Sq. ft. as shown on the plans, to document that the performance space would be an accessory use, and to seek a temporary variance if any of these options would satisfy neighborhood objections.

Eleven affected neighbors (within a 250' radius) voted in support of the application as presented and eight were opposed. Seven people from the general neighborhood were in support with one opposed. The Committee recognizes the applicant's desire to work with the neighbors and bases its decision on that willingness. If, through a proviso or other means, the size of the performance space is fixed and incorporated into the approved plans, and the accessory use is officially documented, the Committee would recommend a variance that expires after three years allowing the neighbors to evaluate the effect of the variance. **With these conditions agreed by the applicant and endorsed by the ZBA, BVNA shall not oppose the application.** As always, we thank you for considering our report of the meeting discussion, and of our opinion in the matter.

Respectfully submitted,

Bella Vista Neighbors Association, Inc.



By: _____

Lawrence Weintraub AIA
Co-Chair, BVNA Zoning Committee

cc: The Hon. Mark Squilla c/o (Marie.Beren@phila.gov), BVNA Zoning Committee, rco.notification@phila.gov, mikeharris@southstreet.com. ZBA: Kariyma.Quintana@phila.gov, For applicant: David Orphanides Esq., dorphanides@otllp.com
encl: Zoning Meeting Agenda Poster, Zoning Meeting Sign-in Sheets

RCO Meeting Summary Form to Zoning Board of Adjustment (ZBA)

Bella Vista Neighbors Association Zoning Committee

PO Box 63955
Philadelphia, PA 19147

September 22, 2019

Hon. Frank DiCicco
Chair, Philadelphia Zoning Board of Adjustment
One Parkway Building, 1515 Arch Street, 18th Floor
Philadelphia, PA 19102

Re: RCO Meeting Summary Form

Calendar No. 38214
Application No. 988271
604-606 S. 9th Street
September 25, 2019; 2:00 pm

Dear Mr. DiCicco:

Below is summary of a public community meeting held regarding the above-referenced zoning application.

Final Position Taken by Coordinating RCO is one of:

- Support
- Opposed
- Non-Opposition (with conditions agreed by applicant and ZBA)**
Did not reach agreement on the application

Vote Count(s)

	RCO	All Attendees (excl. affected)	Affected addresses (within 250')
Support	0	7	11
Oppose	0	1	8
Non-Opposition	6	0	0

Date of Meeting: September 10, 2019

Location of Meeting: Palumbo Recreation Center, Fitzwater & S 10th St.

Participating RCO: Bella Vista Neighbors Association

Total Number of Attendees: Approximately 47, excluding zoning committee members

Letter with Explanation of Rationale for Position Attached.

Sincerely,

Bella Vista Neighbors Association, Inc.



By: _____

Lawrence Weintraub AIA
Co-Chair, BVNA Zoning Committee

cc: The Hon. Mark Squilla c/o (Marie.Beren@phila.gov), BVNA Zoning Committee, rco.notification@phila.gov, mikeharris@southstreet.com. ZBA: Kariyma.Quintana@phila.gov
For applicant: David Orphanides Esq., dorphanides@otllp.com