

# Center City Residents' Association

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## Minutes of the Joint Meeting of the Board of Directors And Zoning Committee December 9, 2003

Attending: Coffey, Mattern, Easton, Mandel, McNamara, Seltzer, Reilly, Baker, Donahue, Gutman, Klenk, Kumar, Levi, Levy, Marx, Miller, Murphy, O'Brien, Phillips, Saltz, Schneider, Wroblewski, Krakower (Counsel,) Dichter, Halpern, Millhollen, Weinberg, Levin (Administrator)

Absent: Goldstein, Ferguson

Excused: Kung, Barnes, Butler, Lee

1. Walgreen Pharmacy petition to build store at SW corner of 19<sup>th</sup> & Chestnut. Pro position was presented by Peter Kelsen, Esq., of the Blank, Rome law firm. Con position was presented by Barry Cohen, Esq., of the Thorpe Reed & Armstrong law firm.

In essence, pro position represented that a small over the counter type store handling only pharmaceuticals, cosmetics occupying only 5,100 square feet on 1st floor only would be a positive for the neighborhood.

Con position presented a petition against by members of William Penn House, Rittenhouse Row arguing that Chestnut Street did not need another pharmacy.

Board Member Jim O'Brien, a resident of William Penn House attended the meeting at which the matter was taken up by the residents. He commented that it was a small percentage of the residents that attended the meeting and that most who attended didn't understand the issues.

Mr. Cohen (con) asked that CCRA join in the petition to stop Walgreens; Mr. Kelsen asked that CCRA wait until after the January 20, 2004 meeting between the two sides for CCRA to take any action. Kelsen assured the Board that the proponents would take no action in furtherance of the Permit until after any such meeting.

Considerable care was taken by LC to give each Board and Committee member or guest present an opportunity to ask a question. Zoning Board later met by themselves and made the following recommendation:

1. CCRA should not join in the appeal to the Zoning Board of Adjustment from its issuance of the Permit.

2. The CCRA Board should write a letter to the ZBA stating that:
  - (a) CCRA takes no position on the legal issues regarding L&I's issuance of the Permit; and
  - (b) CCRA does not want another drug store at 19th & Chestnut Streets.
3. The CCRA Board should consider deferring taking any action until the parties have met in January.

At LC's suggestion, a motion was made and seconded that the Board defer action until the parties have met in January. The motion was defeated.

The following Resolution was adopted by a majority of the Board, with several Members voting against the Resolution:

RESOLUTION: CCRA is opposed to the use of the property at the southwest corner of 19<sup>th</sup> & Walnut Streets as a drugstore, including the proposed use by Walgreen's. The Board of CCRA, at this time, has no formal legal opinion regarding the validity of the challenge to the issuance of a zoning permit. The Zoning Board is to be informed by letter of this Resolution.

Adam Schneider recused himself from the vote on the above resolution because of a conflict of interest.

2. Proposed Condominium/Retail Project at 18<sup>th</sup> & Walnut/Sansom Streets

The developer is a joint venture of the ARC Wheeler Group and a division of Skanska. While Mr. Wheeler was present, the presentation was handled by Brian White, a partner with the architectural firm of Robert A. M. Stern Architects, New York City. Mr. White presented a model of the project which he presented in detail. In essence, they hope to build a 390 foot tower, with attractive setbacks from Walnut Street preserving two historic buildings on Walnut street and the façade of the Rittenhouse Club, as well as the facades of the 18th Street retail shops, a garden entrance on 18<sup>th</sup> Street at the rear of the Van Rennslear Mansion, retail shops along 18<sup>th</sup> St. folding around into Sansom Street until the ramps for underground access to the 150 car garage, loading bays and service area, somewhat west on Sansom Street. While the developer is within code for the building of this tower up to 320 feet, they will be requesting two variances: adding height to reach the 390 feet they desire and expanding the building floor area by 5%. They are also proposing a 14-foot setback from 18th Street, instead of the 5-foot setback required, thus making the building more slender and taller.

Pat Mattern chaired this discussion because of conflict of interests of LC. PM allowed opportunities for each Board and Committee Member and guest present to ask questions and make comments.

Wheeler will return in future with more precise plans and requests for CCRA support. Until then, he requested any informal, non-binding feed back CCRA is willing to give him.

3. Motion to accept minutes of November Board Meeting passed unanimously.
4. President's Report (according to agenda).
  - A. LC testified in favor of Campaign Finance Reform at a Public Hearing of the City Council Committee of the Whole.

- B. Goode Bill passed in City Council; Mayor has threatened a veto.
- C. Kenney Bill was defeated by a 7-7 vote, with 2 Council Members absent.
- D. Newsletter will be further considered post February.
- E. Special Meeting to discuss Lighting Project sparsely attended. Funding the project requires \$6 – 7,000,000.
- F. Philadelphia Inquirer Article on Board Member Jim O'Brien.
- G. Friends of Schuylkill River Park active to stop CSX railroad cars from parking near grade crossing exits/entrances to Park at two locations, Locust Street and Race Street.
- H. LC attended meeting with Design Advocacy Group which is offering CCRA its cooperation/services e.g. urban planning, designs, *pro bono*. Both the Board and Zoning Committee encouraged the use of such services.

5. Boyd TIF

The project was deferred by City Council. A revised TIF plan requesting no more than 1/3 public contribution will be presented to Council in January, with a Council vote expected in February.

6. Treasurer's Report -- TJR

no significant change from last report. Membership campaign is helping finances-- \$6 – 7,000 over last year.

7. Membership Committee -- PK

PK is working with CC merchants for a discount program for CCRA members. Please e-mail PK with new suggestions as well as response to a number of activities he has or will be embarking upon which he referred to in his report

8. Zoning Committee Report -- AS

Adam Schneider presented the results of the Zoning Committee meeting held November 25, 2003. There was no further comment or discussion.

9. Rittenhouse Farmer's Market

The Board unanimously approved a motion to send to Councilman Darrell Clarke the letter of support for the Farmer's Market proposed by Charles Capaldi.

Respectfully submitted,

Vivian Seltzer  
Secretary