



WCGN Notice to Neighbors Regarding Mosaic Development Partners' Tulpehocken Station Project

Property History and Base Zoning

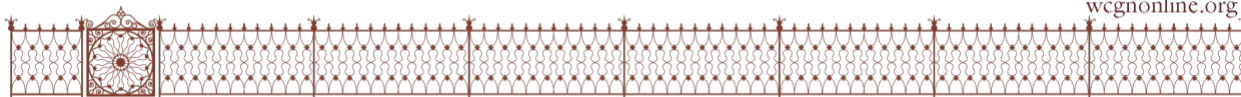
In 2017, a group called “Mosaic Development Partners” purchased the forested land between the Tulpehocken Station parking lot and the rear of the seven condo buildings on the 6100 block of Wayne Avenue for \$350,000 (the prior owner purchased it at Sheriff’s sale in 2003 for \$17,000). The land is approximately 1.5 acres comprised of two lots: 6126 Wayne Ave. and 6134R-46. The larger of the two lots (6134R-46) is a “flag lot” with a narrow strip of frontage on Wayne Ave. Both lots are zoned RM-3 (pursuant to the zoning code enacted in 2012), which permits moderate- to high-density multi-unit residential buildings by right. RM-3 has a min. lot width of 50 ft., min. front and rear setback requirements of 20 ft., and a min. side yard requirement of 6-16 ft. Min. open area is 50%. The Floor to Area Ratio (FAR) must not exceed 150% of the Lot Area. The total combined area of the two lots is approx. 65,565 sq. ft., which permits a structure of 98,244 sq. ft. There is no height limitation and no minimum parking requirement.

WCGN RCO’s Interactions with Mosaic from 2018-2021

WCGN first became aware of Mosaic’s plans to develop the property via a website posting in late 2017, which discussed a 100+ unit development. In May of 2018, WCGN’s RCO/Zoning Chair, Luke Smith, reached Mosaic by phone and learned that there were not yet any formal plans they were awaiting geotechnical study results to determine options in light of the site’s slope, but would be in touch about meeting with the community as plans firmed up.

After investigating the site’s zoning requirements and consulting a certified arborist, the WCGN RCO sent a letter dated July 18, 2018 from Luke Smith, copying representatives from City Council, City Planning, and overlapping RCOs, stating:

Over the last year or so, we have been aware of your ownership of two tracts of wooded land comprising around 1 acre tucked between several apartment buildings on Wayne Ave., Walnut Lane, and the

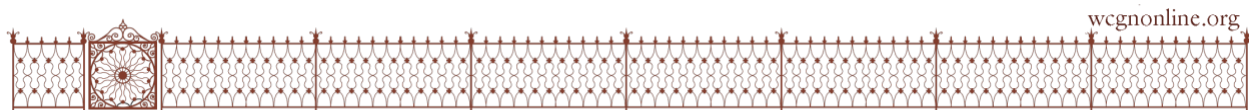


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historic Tulpehocken Station, and specifically your preliminary plan to construct high density housing (initially discussed in the 100-unit range). We have spoken by phone on a few occasions, and I understand you have or soon will be undertaking a study to determine what is possible given the sloped topography of the site, and thereafter will finalize your plan and present it to the neighborhood.

In the meantime, we have reviewed the site and the applicable code requirements and would like to bring some potential issues to your attention. Specifically (1) the requirement for a landscape and tree plan (§ 14-705(a)-(b)); that (2) preserves all existing “Heritage Trees” – of which there are many on your land – absent a special exception approval (§ 14-705(e)); (3) the requirement that all trees measuring 2.5 inches DBH or larger – of which there are a great many on your land – that are damaged or removed in the course of development must be replaced with trees totaling an equal diameter (§ 14-705(f)); and (4) the requirement for an earth moving plan and related restrictions on disturbance of slopes greater than 15% in a “Steep Slope Protection” area such as yours (disturbance of slopes greater than 25%, which will almost certainly be necessary for this site, requires a zoning variance) (§ 14-704). We have numerous photos and a letter from a certified arborist documenting the existing conditions in detail that we would be happy to share with anyone interested.

As you may or may not know, over the last 5 years WCGN and scores of neighbor-volunteers have spent countless hours preparing the land, planting, weeding, watering, pruning, harvesting, and generally transforming the plot abutting the train tracks across from your lots from a dumping ground filled with tires, mattresses, and old refrigerators into a beautiful orchard and garden that welcomes the growing number of commuters frequenting the historic Tulpehocken Station, which anchors our historic district. Over the last decade our board members and neighbors have forged partnerships and won grants to save the Tulpehocken Station building and install water, sewer, and gas lines, and look forward to its eventual re-use as a mixed-use development, ideally with a coffee shop on the first floor. (Please



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peruse www.wcnonline.org for additional information on WCGN's work in general.)

While many neighbors would prefer to see your lots remain forested, to the extent your study determines this project is feasible on some scale, we and the near neighbors appreciate your expressed desire to involve us in your planning process.

Mosaic requested WCGN's photos and certified arborist statement, which WCGN provided.

WCGN continued to check in periodically for updates, and in November 2018, Mosaic representatives advised they had developed preliminary plans and wanted to meet with a group of neighborhood representatives to discuss. The meeting was attended by members from WCGN's board and zoning committee, as well as overlapping RCOs, and the Tulpehocken Cooperative condominiums adjoining the subject property. Mosaic presented a plan for a 100-unit development, with a mix of homeowner/rental, comprised of 50 apartments (5 stories), plus 6 duplexes and 2 townhomes (4 stories), providing only 11 parking spaces, but with the potential to elevate the structures by 1 story and provide parking underneath. The Friends of Wissahickon RCO representative supported the plan given their goals to increase density at the perimeter of parkland, but representatives from WCGN and Tulpehocken Co-op condos opposed the scale, density, preference for homeownership, and inadequate parking.

In preparation for WCGN's Spring 2019 membership meeting, Mosaic agreed to meet again and present updated plans. At a March 12, 2019 meeting, Mosaic advised it had reconsidered its plans in light of neighbors' concerns, and was now planning to move to entirely homeownership, comprised of 38-40 "smart homes," roughly 1,500 sq. ft. each, in "stacked duplexes" on 21 lots. The new plan included an increased green buffer between adjoining properties, green roofs, pervious paving, and 21 parking spaces. They also advised they were working with Septa to add sidewalks and expand Septa's right of way, which provides the sole egress to Wayne Ave. and Walnut Ln. They planned to complete the project in 2-3 "build/sell" phases beginning late summer or early fall 2019. Mosaic agreed to present once



more when they had designs, elevations, etc. WCGN's Zoning Chair, Luke Smith, reported on Mosaic's plan on March 27, 2019 at its general membership meeting.

WCGN continued to check in with Mosaic for updates throughout 2019 and 2020, but received no further substantive updates until January 7, 2021, when Mosaic contacted WCGN seeking to "pick up where we left off" with respect to the project and scheduled another meeting with neighborhood representatives for January 13, 2021. WCGN sought and obtained agreement to expand the meeting to include near neighbors living in the Tulpehocken Co-op apartments.

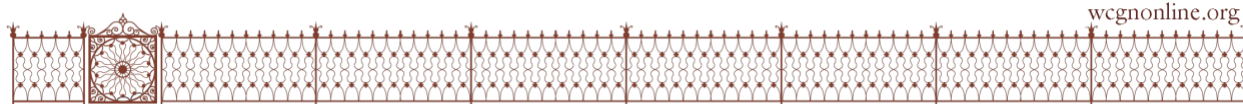
The Current Proposal (as of Feb. 14, 2021)

At the January 13, 2021 meeting, Mosaic presented its current plan, which reverts to the larger scale, higher-density rental/homeowner mix presented (and opposed) in 2018. The plan includes 83 residential units comprised of 5 substantial buildings: a 6-story (including walkout basement) elevator apartment building containing 55 rental units (1- and 2-bedroom apartments with market-level rents) running parallel to the rear of the Tulpehocken Co-op condos, and four additional 4-story structures containing 28 units intended for homeownership (priced in the \$400,000+ range). The plan includes 25 parking spaces, green roofs, and roof decks for the homeowner units. The plan also calls for combining the two lots into one.

It was disclosed – for the first time – at the conclusion of this meeting that Mosaic was, in fact, seeking multiple variances from the zoning code, as follows:

1. Lot width: the flagpole portion of the "flag lot" is only 17'3" wide whereas the code requires min. 50', per the table at § 14-701-2.
2. Tree replacement: the project does not comply with the requirement that all healthy trees of 2.5 in. DBH or larger be replaced by trees totaling the same total DBH, per § 14-705(1)(f).
3. Van Accessible parking: the code requires that one such space be provided for any project that includes parking. NB: The applicant represents that the plan has been updated to provide the required van accessible spot, and that as such this variance is now moot.

In light of the need for zoning variances, and the need for a community meeting in advance of the civic design review (required for projects of this size),



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WCGN coordinated with overlapping RCO to schedule a public RCO/CDR meeting, which was held remotely on February 3, 2021, at 6pm.

The February 3, 2021 RCO/CDR meeting was essentially a reprise of the presentation discussed above, including presentations by Mosaic's lawyer, architect, landscape architect, and civil engineer, followed by a Q&A session, and then a community-only discussion and private ballot vote, consistent with WCGN RCO's meeting procedures. The discussion extended well into the evening, and the vast majority of neighbors and near neighbors voted to oppose all variances.

Feedback from the community centered on the following themes:

- **Height:** Perhaps the single most oft-repeated concern was that the 55-unit apartment building is inconsistent with the scale of surrounding buildings. It would extend one and a half stories above (and one story below) the existing Tulpehocken Co-op condos, and there was great concern expressed that this would impact those existing homeowners' light/view, and diminish the use and enjoyment and property values of the numerous condo owners, whose rear balconies overlook the rear of the proposed building.
- **Design:** There were generally negative reactions to the façade, particularly the most prominent building, i.e., the 55-unit apartment building, which includes an exterior walk and building envelope reminiscent of a prison or motel, out of character with the surrounding historically designated train station building and neighborhood. Neighbors also noted that the applicant's other nearby project, Golaski Labs at Wayne Junction, was unattractive and apparently a marked departure from the plans that Mosaic presented at the relevant RCO meeting.
- **Construction:** The plans call for "modular construction," which involves assembling parts of the building that have been prefabricated offsite. Some neighbors liked the purportedly less noisy and disruptive construction style, but others noted that it is the cheapest form of construction and questioned whether the



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large trucks needed to transport the oversize modules would be able to access the site, which has only two narrow forms of egress.

- **Stormwater management:** neighbors were concerned about this given the steep grade and loss of pervious woodland, and the existing Septa parking lot flooding that already occasionally occurs, esp. considering that climate change is worsening this issue every year.
- **Parking:** There was widespread concern that 25 parking spaces is not sufficient for 83 living units. Despite the proximity to the train, most WCGN residents still own a car, and typically multiple cars per household. Adding this kind of density without adequate parking would worsen an existing parking shortage, and lead to residents parking in the Septa commuter spaces, which are needed for the station's growing ridership.
- **Landscaping:** there was generally positive feedback on the landscaping design, which uses mix of native plantings and "scattershot" woodland design rather than typical uniform rows.
- **Sidewalks/roadways:** the development provides no clear footpath from the living units to the public sidewalk. In addition, vehicular access to the development will be via a narrow, two-way (but functionally single-lane) roadway. Congestion is already problematic and dangerous at busy times for commuters, which will be exacerbated by this added density and inadequate of footpaths for pedestrians.
- **Meeting Notice:** Numerous near neighbors, particularly those living in the Tulpehocken Co-op condos, advised that they had not received the required written notice of the RCO meeting, and that in some cases only a single letter was delivered to buildings containing multiple living units.

The applicant advised they planned to submit their proposal to the Civic Design Review Committee less than a week after the public meeting, to get on the March 2nd CDR agenda. WCGN requested that the submission be delayed a month, to allow more time to collect and write-up community feedback. The applicant



advised they would proceed as planned with submission of the proposal in its current form (they noted the CDR often makes recommendations that require revisions and a follow-up presentation at a second CDR meeting), but that they were amenable to attending an additional public meeting, and more broadly noticing it, in advance of their ZBA hearing date to collect community feedback for incorporation along with the initial feedback from the CDR. (The CDR Board itself rescheduled the review based on the already full agenda for March 3.)

Important Dates and Next Steps:

Civic Design Review Committee Meeting: April 20, 2021

Civic Design Review (CDR) is an advisory public review process required for certain large developments. A representative from WCGN RCO will seek to attend the March 2, 2021 meeting to summarize the concerns of the community. But **individual community members, especially those directly impacted, can and should email (to CDR@phila.gov) and/or attend the CDR meeting to share their comments, as well.** For more about the CDR process:

<https://www.phila.gov/services/zoning-planning-development/get-a-plan-review/philadelphia-city-planning-commission-plan-reviews/get-a-civic-design-review/>

Zoning Board of Adjustments Hearing

The ZBA is the body that will ultimately decide whether the variance(s) are granted based on feedback from the RCO(s), neighbors, City Council, and City Planning Commission. WCGN will provide a letter to the ZBA reporting the vote from the RCO meeting(s) in accordance with the city code, and a separate letter adopting and explaining the position of the majority of the neighbors and near neighbors in attendance. Where an applicant is amenable to revisions based on community feedback, WCGN RCO has sometimes held a second RCO meeting, for presentation of and vote on the revised plan. No such meeting has yet been scheduled on this matter. If such a meeting is scheduled, it will be publicized by the applicant in accordance with the zoning code and by WCGN via its website and email list. In any event, **any member of the public may submit comments to the ZBA up until the 3pm on Tues. the week before the hearing to RCOZBA@phila.gov.**