

November 12, 2019

Elise Vider, *Chair*

Executive Committee

David Brownlee
George L. Claflen, Jr.
Marsha Moss

Zoning Board of Adjustment
One Parkway Building
1515 Arch Street, 18th Floor
Philadelphia, PA 19102
Via email: RCOZBA@phila.gov

Steering Committee

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RE: 1525 S. Christopher Columbus Boulevard
Appeal No. 38216
Hearing date: November 12, 2019

Chairman DiCicco and Members:

Good morning. Thank you for this opportunity to testify on this important matter regarding waterfront development in Philadelphia.

My name is Andrew Ross. My address is 257 North 2nd Street in Philadelphia. I am here today representing the Design Advocacy Group, known familiarly as DAG, which advocates for design quality and equity in the planning, architecture and physical development of Philadelphia. Our testimony was drafted by Peter Piven on behalf DAG's Waterfront Task Force, which has been examining issues related to the development of both the Delaware River and Schuylkill River waterfronts in the city.

I will be brief.

All "vehicle and vehicular equipment sales and services" (including, but not limited to, "vehicle fueling station") are prohibited within the Central Delaware Overlay (CDO) "on lots with frontage on Delaware Avenue." Zoning Code, §14-601(8)(c).

DAG is opposed to granting variances and/or special exceptions to the owner, developer and/or user of the site in question for the proposed use of "vehicle fueling station" for these reasons:

1. A vehicle fueling station with gas pumps in this location completely contradicts the Delaware River Master Plan, and ignores the strictures of the CDO, both of which were established by the City after major public input to guide development along the Delaware River.

2. The fact that there are at present two gas stations near the proposed site is neither a justification nor an excuse to place another gas station on this waterfront site.
3. The so-called “buffer” parcel created by the developer on the Delaware Avenue frontage is designed solely as a work around for the purpose of circumventing the need for a variance and seeking to limit review to a special exception. There is no legitimate use or need for this paper transaction. The Comprehensive Plan specifically says special exceptions criteria must not be inconsistent with the plan, and this is inconsistent. The Department of Licenses + Inspections should not have allowed it or legitimized it as a compliant with letter and intent of the CDO. It was an error subject to reversal in the courts.
4. Allowing access to the proposed Wawa from Tasker Street is questionable, as Tasker Street is a “river access road” in the CDO on which gas pumps are not allowed. The developer’s argument that it should be grandfathered to when the proposal was first made is specious. If Tasker Street was originally designated a “river access road,” this Wawa proposal would require a zoning variance and not a special exception.

DAG supports the positions of the Pennsport and Queen Village communities and the Central Delaware Advocacy Group. The record before you does not support the requested special exception, and we urge you to deny it.

Respectfully submitted,

Design Advocacy Group
Andrew Ross