

Manayunk Neighborhood Council, PO Box 4667, Philadelphia, PA 19127

www.ManayunkCouncil.org 215-482-5528

Kevin Smith, President
Joyce Finnen, Vice President
Keith Newman, Recording Sec.
Jane Glenn, Corresponding Sec.

Mark Turtle, Treasurer
Nancy Hudecki, Sgt at Arms
Joy Griffin, Trustee
Charles Hewins, Trustee



August 23, 2006
OPPOSED

Zoning Board of Adjustment
Municipal Services Building, Concourse Level
15th and JFK
Philadelphia, PA 19102

Re: Calendar No **06-0812--3** Rector Street
OPPOSED

Dear Chairman Auspitz,

Manayunk Neighborhood Council (MNC) does not believe that the developers have worked, in good faith, with the community despite their many claims to the contrary.

On June 1, 2005, at the MNC general meeting, the developers presented plans to demolish 3 Rector Street and build a new four story condo.. Members objected to the demolition of a historic building, among other things. (Exhibit A). MNC adopted a position opposing the demolition and testified at the June 10, 2006 Historical Commission hearing and the July 21 Board of Building Standards hearing. The developers were denied demolition and eventually dropped their appeal to the L&I Review Board.

On December 13, 2005, several MNC board members met with the developers to review possible new plans. The developers showed a simple drawing characterized as a "massing study" (Exhibit B) for building an addition onto the building--An Overbuild. We were not given a copy of the drawing, We were not allowed to copy the drawing, We were not allowed to photograph the drawing. On the basis of this we were expected to approve their plans and support them at the upcoming Historical Commission hearings. We refused to approve their plans due to the lack of any information with which to evaluate their plans. We would have to confer with other board members to determine our position at the upcoming hearings. We sent a letter to the developers with our position (Exhibit C and D)

- The best use is to maintain the building in it's current form
- Any modifications must be approved by the historical commission architectural committee and by MNC.
- Any modifications must preserve the front and side facades.
- Any plans submitted to MNC must show sufficient detail to

determine the final appearance of the building.

On January 24, 2006, several MNC board members met with the developers. We were shown a similar crude drawing with some additional detail. The drawing included a red brick color and mill style windows.. Again it was a small crude drawing with no architectural details, dimensions, or plans. Again we were not allowed to keep a copy. Again, on the basis of their very limited information we were expected to support their project. We again chose not to directly support or oppose the project but to defer to the Historical Commission staff and Architectural Committee. (Exhibits E, F, & G)

The developers have continually characterized themselves as having acted in good faith and as having spent a great deal of time and money reaching out to the community. In fact, after their initial demolition plans they met with us twice, showed us back-of-the-napkin drawings and demanded our full support.

MNC believes that re-use of the current building is the best use. Nevertheless, we suggested, at the Board of Building Standards hearing, that some form of expansion or overbuild might be possible. Having voiced the idea, we do not accept any obligation to accept any design no matter how inappropriate.

In February of 2006, the developers received "in concept" approval from the historical commission. The approval was for a four story brick red building with mill style windows (Exhibit H). MNC objected to the design as it was still a crude rendering with insufficient detail to determine the final appearance. We were never shown any of the renderings or drawings submitted to the historical commission.

In June of 2006 the historical commission approved a wholly new design, completely unrelated to their "in concept" approval with virtually no discussion. At the hearing, the developers unveiled a rendering (Exhibit I). The rendering had not been shown to the commission staff nor the Architectural Committee. MNC had never seen it. While we admit that our first impression was favorable (regrettably recorded in the minutes of the hearing). I, Kevin Smith, President of Manayunk Neighborhood Council state that it was my personal, in the room, observation that the two short questions recorded in the minutes do accurately reflect the level of discussion regarding the massive changes to the "in concept" approval and the wholly unsympathetic design of the building and the materials from which it will be built.

With time to reflect, after the hearing, it became clear that the building is massively out of scale and will tower above the surrounding buildings (83' tall). The exterior finishes (primarily pre-cast panels and sheet-metal) along with the slit windows are completely unrelated to the surrounding buildings. The building looks like it got lost on the way to the shore.

Finally we question the hardship

Raymond Labov has owned the building since 1986 (Exhibit J). In an Income/Expense Statement (Exhibit K) supplied to the historical commission, Mr. Labov claims a carrying cost of \$34,119 per year. \$22,152 is debt service on a mortgage taken out in late 1995 or early 1996 (Exhibit L).. This is part of his business practices long before the plumbing business moved out or the building was put up for sale. The remaining costs, insurance, maintenance, utilities and property tax are common to all properties. The property tax, \$3966/year is significantly lower than the very similar building at 2 Rector (\$9255/year).

In the document "*Affidavit of Raymond S. LaBov--Owner of 3 Rector Street*" (Exhibit M) Mr Labov states that the building became vacant in 2001, went up for sale in 2001 and that he was unable to rent the building in 2001. How long was the building available to be rented. How was it marketed. What was the monthly rental price. In testimony to the historical commission (June 10, 2005, Page 6, par 1) Mr. Labov states that his last tenant paid \$2200/month.

Also in the June 10 2005 minutes (page 6, par 1) Mr. Labov states that he was asking price for the property was \$1,000,000.. In the affidavit and elsewhere in commission minutes Mr. Labov claims that he got no credible offer (except one \$800,000 offer that was withdrawn). Yet provides no details on what offers were made. It's not a hardship for me if I as \$1,000,000 for my house and no one will buy it.

In the February 10 2006 historical commission hearing minutes (Page 12, par 1) Mr Feldman (attorney for the developers) "laments the deteriorating conditions of the building" yet in commission minutes from June 10 2005, the architect reports that the building is "sound secured and maintained".

Finally, there were many claims made that there is no suitable use for the building as is. We undertook a quick survey of the neighborhood and found 61 examples of businesses that could operate from the 3 Rector Street building with little or no modifications. See the accompanying document *Examples of existing, near by, uses compatible with the existing building at 3 Rector St.*

Thank You,

Kevin Smith
President