

REQUEST FOR RECONSIDERATION

Party Requesting Reconsideration: 4045 Main Street, LLC by Blank Rome LLP

Status in the Subject Appeal (e.g., Applicant, Protestant, Interested Party):

Attorney for Applicant

Property Address: 4045-61 Main Street (corner of Shurs Lane)

Calendar Number: MI-2024-006733

Hearing Date(s): March 19, 2025 and May 7, 2025

Decision Date: June 20, 2025

Date Reconsideration Request Submitted: June 25, 2025

Reasons for Reconsideration: See attached.

Please describe the special circumstances supporting reconsideration that were not known,

and could not reasonably have been known, at the time of the hearing:

See attached.

Submitted by: Adam E. Laver, Esquire

Address: Blank Rome LLP, One Logan Square
Philadelphia, PA 19103

Please note: You must send a copy of this reconsideration request to all parties of record and submit a certification to the Board listing the parties served and the date of mailing. Contact information for parties of record may be obtained from Zoning Board Administrator Tanya Sunkett, who can be reached by email at Tanya.Sunkett@Phila.gov.

CERTIFICATION OF MAILING

I hereby certify that on June 25, 2025, I mailed or, where no street address was provided, emailed a copy of the foregoing Request for Reconsideration to the following parties:

Display Name	Email
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Adam E. Laver, Esquire

Printed Name

Adam E. Laver

Signature

Date: June 25, 2025

REASONS FOR RECONSIDERATION:

The approved new construction project's added proviso limiting building height to 60'-0" leaves the contemplated 7-story project unbuildable and nonviable. An 8'-9" reduction in height, per the Board's *Notice of Decision* in this matter, would effectively quash the proposed development at this location and, along with it, the prospect of adding 163 residential dwelling units along Manayunk's Main Street corridor.

Factors that necessitate the project's height include: i) preservation issues associated with retaining the historic Main Street façade and aligning historic window openings with new floor assembly systems; ii) designing a floodplain resilient structure for a site that is located within a flood plain; iii) code requirements prohibiting residential dwellings at the ground floor level due to the flood plain; iv) topographical constraints, such as significant rock outcropping at the rear of the property that prohibit viable uses, including residential dwellings, from being built on the majority of the second floor; and v) new construction market standards that call for 9'-0" minimum apartment ceiling heights.

Applicant respectfully seeks a reconsideration hearing to request the removal of the added proviso and the approval of the project as presented to the Board. This would allow the proposed development to adhere to both flood and topographical restrictions and to have market-mandated ceiling heights.

PLEASE DESCRIBE THE SPECIAL CIRCUMSTANCES SUPPORTING RECONSIDERATION THAT WERE NOT KNOWN, AND COULD NOT REASONABLY HAVE BEEN KNOWN, AT THE TIME OF THE HEARING:

The proviso attached to the granting of variance relief would create a hardship upon the property and the potential developability of the property. Time constraints related to the docket precluded fulsome review of the following special circumstances, which support reconsideration of the proviso associated with the Board's granting of variance relief in this matter, including:

- Historic preservation objectives and requirements to keep new floor structures from being visible through retained historic window openings, thereby increasing the overall height of the new construction.
- Greater review of building sections, establishing that any residences at the rear of the second-floor level would create nonviable "subterranean" units, primarily due to topographical conditions (i.e., natural rock outcroppings), thereby necessitating raising functional, occupiable areas in the proposed new construction.
- Market driven data, necessitating 10'-8" floor-to-floor heights in new construction projects, allowing for 9'-0" minimum ceilings, as driven by current market and industry standards in both market rate and subsidized affordable projects.
- Site challenges necessitating that the project be built with "5 over 2 construction," which is five stories of wood framed construction over a steel or concrete podium. Other construction types would not be economically viable or practical. Code, market, and economic data shall be presented relating to the avoidance of building four stories where the code will allow five stories of wood framed construction over a two-story podium in new construction.