

Zoning Permit

Permit Number ZP-2021-007589

LOCATION OF WORK 2401 FRANKFORD AVE Premises E, Philadelphia, PA 19125-1610	PERMIT FEE \$879.00	DATE ISSUED 7/1/2021
	ZBA CALENDAR	ZBA DECISION DATE
	ZONING DISTRICTS CMX2	

PERMIT HOLDER

APPLICANT
Rich Villa DBA: AMBIT ARCHITECTURE 412 S. 2nd StreetPhiladelphia, PA 19147USA

TYPE OF WORK
New construction, addition, GFA change

APPROVED DEVELOPMENT
FOR THE ERECTION OF A DETACHED BUILDING WITH A GREEN ROOF (COVERING ATLEAST 60% OF THE ROOFTOP) AND DECKS AT SECOND, THIRD AND FOURTH FLOOR (SIZE AND LOCATION AS SHOWN ON PLANS).

APPROVED USE(S)
Residential - Household Living - Multi-Family

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROVISO(S) AS ESTABLISHED BY THE ZONING BOARD OF ADJUSTMENT (ZBA)

 **CONDITIONS AND LIMITATIONS:**

- Permits, including Zoning Permits **not** involving development, shall expire if the authorized work or Use is not commenced within, or if work is suspended or abandoned for period of, **six (6) months from the date of issuance** with the following exceptions:
 - 30-days or 10-days** for Permits related to Unsafe or Imminently Dangerous properties respectively.
 - 3-years** from issuance or date of decision by ZBA for Zoning Permits involving development.
 - 60-days** for Plumbing, Electrical or Fire Suppression Rough-In Approvals.
 - Any Permit issued for construction or demolition is valid for no more than **five (5) years**.
- All provisions of the Philadelphia Code must be complied with, whether specified herein or not. This permit does NOT constitute approval of any Violation of such Code.

 The issuance of this CO/permit does not affirm that the subject property is federally compliant with the Americans with Disabilities Act. Owner remains responsible for ensuring property complies with all local, state and federal requirements. Permit must be posted within 5 days of issuance.

Zoning Permit

Permit Number ZP-2021-007589

ADDITIONAL LOCATION(S)

See front side for primary parcel associated with this permit

PARCEL

2401 FRANKFORD AVE Premises E, Philadelphia, PA 19125-1610

ADDITIONAL USE DETAILS

See front side for specific use(s) associated with this permit

FOR THE USE AS VACANT NON-RESIDENTIAL USE ALONG 100% OF THE GROUND FLOOR FRONTAGE OF THE PRIMARY STREET AND MULTI-FAMILY (15 UNITS) HOUSEHOLD LIVING (UTILIZING GREEN ROOF BONUS AND MIXED INCOME HOUSING BONUS), AND TO INCLUDE FIVE (5) CLASS 1A ACCESSORY BICYCLE SPACES.(IN ACCORDING TO ZONING CODE 14-602 (7), THE APPLICANT MUST EXECUTE AND RECORD A DEED RESTRICTION PRIOR TO ISSUE CERTIFICATE OF OCCUPANCY IN FAVOR OF THE CITY, APPROVED AS TO FORM BY THE LAW DEPARTMENT, WHICH REQUIRES THE GREEN ROOF TO BE CONSTRUCTED AND MAINTAINED, AT A MINIMUM, IN ACCORDANCE WITH THE MANUFACTURER'S GUIDELINES, WHERE APPLICABLE, AND WITH WATER DEPARTMENT STANDARDS, FOR THE LIFE OF THE BUILDING; AND WHICH ALLOWS THE CITY TO INSPECT THE GREEN ROOF FOR, OR DEMAND PROOF OF, CONTINUED COMPLIANCE WITH THOSE REQUIREMENTS).

This permit is subject to the following specific conditions.

CONDITIONS

This Zoning Permit (ZP) shall expire if construction or operation pursuant to the permit or approval has not begun within three years after the date the permit or approval was granted.

Changes of use shall be valid for a period of six months unless an application for a Certificate of Occupancy is submitted for that use within such period.

See § 14-303 of the Philadelphia Zoning Code for more information.



Tax Exemption(Abatement): Information and applications for Real Estate Tax Abatement for new construction and improvements available from the Office of Property Assessment www.phila.gov/opa, 215-686-4334, 601 Walnut St., 300W, Phila, PA 19106. Applications for new construction and commercial improvements due within 60 days of permit issuance. Residential rehab and builder/developer applications due by Dec 31 of year of permit issuance.

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ROBERT M. ZIMMERMAN □
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SPENCER K. STEIN **
ANDREW H. MIGDON
MARC E. WASSER **
S. BRITTA THORNQUIST
BINDI DHARIA
JENNY KIM **

JOSEPH W. CHOUINARD **
NATHAN NUDELMAN †
SOYOUNG LEE †
STEVEN M. FENTON †

MICHAEL BOLLAG
LAUREN T. PIECHOCKI
RICHARD J. SLAVIN □

STANLEY S. GOLDFARB (1906-1975)
CHARLES L. FLEECE (1898-1966)
EMANUEL LUBIN (1914-2000)
MORTON WITZLING (1912-2000)

STEVEN B. SHORE *
LAWRENCE RIVKIN
OF COUNSEL

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† NY & GA BAR
◇ NY & CT BAR
□ NY & MO BAR

●● NY & DC BAR
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□□ NY, NJ & PA BAR

▲COUNSEL

WRITER'S DIRECT DIAL/E-MAIL
rslavin@gflegal.com

January 15, 2021

VIA ELECTRONIC SUBMISSION

City of Philadelphia
Department of Licenses and Inspections
1401 John F. Kennedy Blvd.
11th Floor
Philadelphia, PA 19102

RE: 2401 Frankford Avenue Development / Use Bonus(es) Report
Application Number: ZP-2021-00500

To Whom It May Concern:

Regarding the Zoning/Use Permit Application for 2401 Frankford Avenue, we would like to inform you of the following regarding zoning development/use bonuses proposed for the project:

- **Green Roof Bonus:** The Project will feature the Green Roof Density Bonus (§14-602.7 of the Zoning Code) as available to CMX-2 properties. The Green Roof Density Bonus will add two (2) units to the project. Applicant has made an application to the Philadelphia Water Department for review and approval of the Green Roof Density Bonus. The PWD Application number is FY21-FRAN-6300-01.
- **Low Income Housing Bonus:** The Project will feature the Mixed Income Housing – Low Income Bonus referenced in § 14-702(7) of the Zoning Code, as available to CMX-2 properties. The Mixed Income Housing – Low Income Bonus will add three (3) units and 7'-0" feet to the project. Applicant will make an application to the City of Philadelphia Planning Commission for approval of this bonus, a copy of which is attached here. Applicant will pay the City for the Mixed Income Housing – Low Income in accordance

**REFERENCE
ONLY**

with the fees set forth in the Mixed Income Housing Zoning Bonus Applicant Acknowledgement Form.

If you have any questions, please feel free to contact me at rslavin@gflegal.com. Thank you for your attention to this matter.

Sincerely yours,



Richard J. Slavin

**REFERENCE
ONLY**



**Department of
Planning and Development**
CITY OF PHILADELPHIA

Form Submissions

Email:
planning.development@phila.gov

Questions

Email:
planning.development@phila.gov

Due to COVID-19 restrictions, in-person submissions and phone support are currently not available. Do not mail this form.

Mixed Income Housing Zoning Bonus Applicant Acknowledgement Form

Use this form to acknowledge the mixed income zoning bonus requirements. Before a zoning permit can be issued, the Department of Planning and Development must review plans and sign this form to certify the application to the Department Licenses and Inspections.

Property & Zoning

Identify the location, application, zoning district, lot size, and any lot line changes.

The zoning application must indicate the use of the mixed income bonus. Lot area must match submitted plans and be in Philadelphia District Standard. Plans must be sealed by a licensed surveyor. Lot line changes must be stamped by the Survey District.

1

Address _____

Zoning Permit
Application Number _____

Base District(s) _____

Overlays(s) _____

Application includes a lot subdivision, consolidation, or adjustment?

☐ Yes

☐ No

Lot Area _____ sq. ft.

Mixed Income Bonus

Identify the intended bonus.

All information from this section must also be included on submitted plans.

(a) Identify the selected bonus level.

(b) Identify the type of bonus(es) and the amount earned/used.

The bonus varies by zoning district and affordability level. See § 14-702(7).

(c) Identify if affordable housing or a payment will be provided to earn the bonus.

See § 14-702(7) for affordable unit and payment requirements. Include calculations if making a payment.

(d) Identify all other bonuses indicated on the permit application.

Include bonuses in § 14-702, the green roof exception in § 14-602(7), and the fresh food market incentives in § 14-603(7).

2

(a) Bonus Level (select one)

☐ Moderate Income

☐ Low Income

(b) Project to Receive (select all that apply)

☐ Gross Floor Area Additional Floor Area (as a percentage of lot area) _____ % earned _____ % used

☐ Building Height Additional Building Height _____ ft. earned _____ ft. used

☐ Dwelling Unit Density Additional Units _____ earned _____ used

(c) Project to Provide (select one)

☐ Affordable Housing

☐ Payment to the City

Total Dwelling Units _____

Calculation _____

Affordable Dwelling Units _____

Estimated Payment \$ _____

(d) Other Bonuses (include additional floor area, height, and/or units earned for each bonus)

Applicant

Identify the applicant on the zoning permit application.

3

Name _____ Company _____

Address _____

Email _____ Phone _____

Property Owner

Identify the property owner on the zoning permit application.

4

Name _____

Address _____

Email _____ Phone _____

Acknowledgement Statement & Signatures

The above-referenced zoning permit application includes a mixed income housing bonus at the level of affordability, type, and amount earned as referenced above, in accordance with § 14-702(7) of the Philadelphia Code. Affordable housing or a payment to the City in lieu of providing affordable housing will be provided in a manner consistent with the Philadelphia Code and City-issued regulations and code bulletins issued.

I hereby acknowledge and understand the requirements of § 14-702(7) of the Philadelphia Code and the penalties for noncompliance. I certify I have read the "Bonus Requirement Summary" attached to this form. I further certify that I am authorized by the owner to make the foregoing acknowledgment. I understand that if I knowingly make any false statement herein, I am subject to such penalties as may be prescribed by law or ordinance.

Zoning Permit

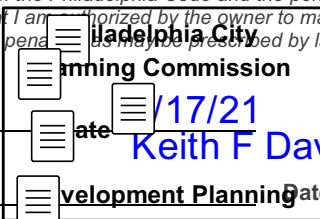
Applicant's Signature

REFERENCE ONLY

[Signature]

Department of Planning
& Development Signature:

[Signature: K Davis]



Date: _____ / _____ / _____

Date Certified: _____ / _____ / _____

Mixed Income Housing Zoning Bonus Requirement Summary

Applicants must read this summary before signing the Applicant Acknowledgement Form.

Disclaimer

Affordable housing must be provided and payments in lieu must be made in a manner consistent with the Philadelphia Code and City-issued regulations and code bulletins. If this summary conflicts with any adopted regulation, ordinance, or code the regulation, ordinance, or code will govern.

Applicants Providing Affordable Housing

Legal Instrument

A legal instrument must be recorded in favor of the City before this issuance of a building permit. This instrument is a restrictive covenant approved by the Department of Planning and Development (DPD) and the Law Department. This commits the owner to the requirements of the bonus. The restrictive covenant is available for review upon request.

Affordable Building Plan

DPD must approve a submitted Affordable Building Plan before the issuance of a building permit. The applicant and the development's design professional must sign the Affordable Building Plan. Permit modifications may require DPD approval of a new Affordable Building Plan.

This Affordable Building Plan must include, but need not be limited to:

- A plan to market the affordable units to eligible tenants/purchasers.
- A site plan showing the location of affordable units.
- A statement and documentation from the design professional that affordable units will be comparable to market-rate units in exterior and interior design, size, appearance, building materials and finishes, overall construction quality, and energy efficiency.
- An outline of any development phasing including the timing of any temporary certificates of occupancy.
- An acknowledgment of penalties if the development does not conform to the Affordable Building Plan.

Unit Affordability

At least 10% of all dwelling units, rounded up to the nearest whole number if a fraction, must be affordable as defined in the Zoning Code. A household is every person who lives or intends to live in the unit, regardless of age, dependency status, or relationship. The imputed household size to determine maximum monthly costs is 1.5 people per each bedroom in the unit and 1 person for studios and efficiencies. Area Median Income (AMI) is as reported by the U.S. Department of Housing and Urban Development for the Philadelphia Metropolitan Statistical Area. AMI is adjusted for actual household size to determine eligible occupancy.

Rental unit requirements:

- Total monthly costs (including rent and utility costs) cannot exceed 30% of the gross monthly income of an imputed household earning 60% of AMI for moderate income units or 50% of AMI for low income units.
- Households can earn up to 60% of AMI for moderate income units or 50% of AMI for low income units at the time of the household's initial occupancy.
- Households cannot continue to occupy a unit if income exceeds 120% of AMI for moderate-income units or 100% of AMI for low income units.

Owner-occupied unit requirements:

- The maximum sale price during the term of affordability is calculated based on a down payment of no more than 5% of the purchase price, a fixed-rate 30-year mortgage, consistent with the average monthly rate published by Freddie Mac, and monthly costs (including mortgage principal and interest, property taxes, property insurance, and condominium or homeowner association fees) that do not exceed 30% of gross monthly income an imputed household earning 80% of AMI for moderate income units or 70% of AMI for low income units.
- All sales during the affordability period must be to one or more members of a household with household earnings up to 80% of AMI for moderate income units or up to 70% of the AMI for low income units.
- The unit must be the principal residence of at least one owner during the period of affordability.

Applicants Making a Payment to the City

Binding Agreement & Payment

The property owner must sign an agreement with DPD and make a payment to the City before the issuance of a building permit. The payment agreement is available for review upon request.

Payment Calculations:

- In an RM-2, RM-3, RM-4, RMX-1, RMX-2, RMX-3, IRMX, CMX-3, CMX-4, or CMX-5 zoning district: The additional gross floor area (in square feet) earned through the bonus, multiplied by \$25 for the moderate income bonus or by \$30 for the low income bonus.
- In an RM-1, CMX-1, CMX-2, or CMX-2.5 zoning district, the greater of:
 - The lot area (in square feet) multiplied by \$20 for the moderate income bonus or by \$24 for the low income bonus.
 - The number of additional dwelling units earned through the bonus multiplied by \$25,000, for the moderate income bonus and by \$30,000 for the low income bonus. Unless indicated, the maximum number of dwelling units is rounded down to the nearest whole number if a fraction when calculating each step (e.g. base zoning, other dwelling unit density bonuses, and the mixed income housing bonus) not at the end of the calculation.

Penalties and Enforcement

- No building permit will be issued until the property meets the mixed income bonus requirements.
- No certificate of occupancy will be issued for dwelling units in a development unless:
 - Certificates of occupancy are issued for all affordable units;
 - An agreement is signed with DPD and payment is made instead of providing the affordable units; or
 - DPD issues a waiver upon showing of exceptional circumstances.
- Failure to comply with the recorded instrument will be grounds for:
 - Revocation of any building permit, certificate of occupancy, or rental license and the renewal of any such permits, certificates, or licenses;
 - A fine of \$500 a day; or
 - Any other remedies that are available by law.
- DPD has the right to inspect documents as necessary to determine continued compliance. This includes, but is not limited to, the financial records of any tenants or owners to confirm eligibility.

**REFERENCE
ONLY**

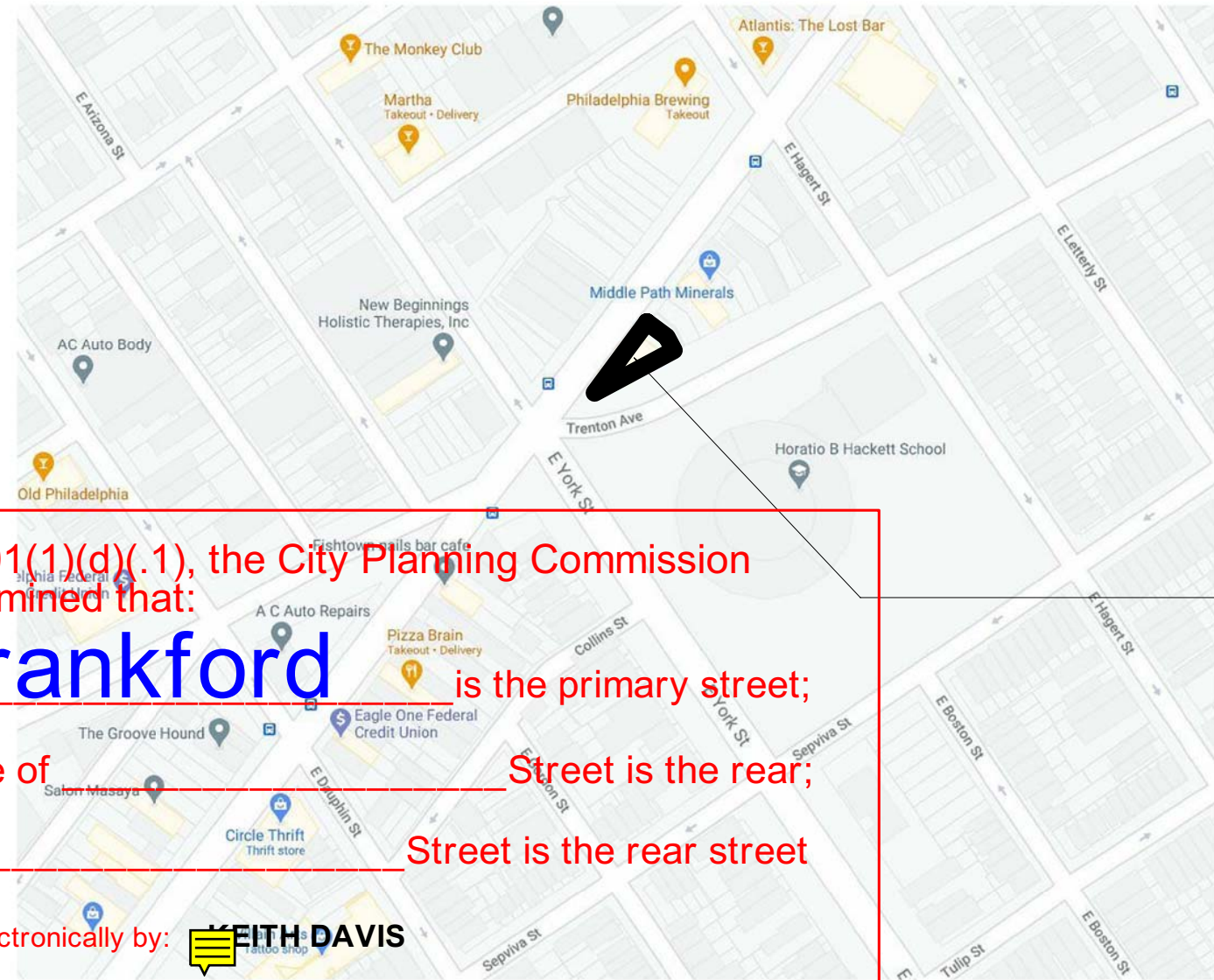


The Arcade Building

Residential Building:
2401 Frankford Ave. Philadelphia, PA 19125

PROJECT SUMMARY: 2401 Frankford Avenue		
ZONING: CMX-2		
LOT AREA: 4,540.00 SF		
USE:	COMMERCIAL / RESIDENTIAL BUILDING	
	BASEMENT - NONE	
	GROUND FLOOR - VACANT COMMERCIAL / RESIDENTIAL ENTRY / RESIDENTIAL UNIT	
	2ND FLOOR - RESIDENTIAL	
	3RD FLOOR - RESIDENTIAL	
	4TH FLOOR - RESIDENTIAL	
DWELLING UNITS	8 (no bonuses)	15 (With Green Roof Bonus and Low Income Bonus)
Green Roof Bonus: The Project will feature the Green Roof Density Bonus (\$14-002.7 of the Zoning Code) as available to CMX-2 properties. Green Roof Density Bonus will add two (2) units to the project. Applicant has made an application to the Philadelphia Water Department for review and approval of the Green Roof Density Bonus. The PWD Application number is FY21-FRAN-0300-01.		
WITH THIS BONUS THE TOTAL UNITS ALLOWED IS 10		
Low Income Housing Bonus: The Project will feature the Mixed Income Housing - Low Income Bonus referenced in § 14-700(7) of the Zoning Code, as available to CMX-2 properties. The Mixed Income Housing - Low Income Bonus will add three (3) units and 7'-0" feet to the project. Applicant will make an application to the City of Philadelphia Planning Commission for approval of this bonus. Applicant will pay the City for the Mixed Income Housing - Low Income in accordance with the fees set forth in the Mixed Income Housing Zoning Bonus Applicant Acknowledgment Form.		
WITH THIS BONUS AND THE GREEN ROOF BONUS THE TOTAL UNITS ALLOWED IS 15		
DIMENSIONAL STANDARDS		
OPEN AREA:	20.00%	20.00%
BUILDING AREA:	80.00%	80.00%
FRONT SETBACK:	0'-0"	0'-0"
SIDE (NORTH) SETBACK:	0'-0"	12'-9 1/2"
REAR YARD:	14'-1 3/4" MIN (10% of Depth)	14'-3 1/2"
HEIGHT:	38' (45' with Bonus)	45'-0"
TOP OF PARAPET:		45'-0"

Philadelphia City
Planning Commission
#Date
mixed income bonus
4/17/21
Keith F Davis
Development Planning



Per 14-701(1)(d), (1), the City Planning Commission has determined that:
Frankford is the primary street;
Frankford is the rear street;
Frankford is the rear street;
Applied Electronically by: KEITH DAVIS
April 17, 2021
PHILADELPHIA CITY PLANNING COMMISSION

PHILADELPHIA DEPARTMENT OF STREETS
OF HIGHWAYS, RIGHT OF WAY UNIT
APPROVAL FOR ZONING ONLY
THIS PERMIT IS TO BE ISSUED WITHOUT STAMPED PLANS BY THE
DEPARTMENT OF STREETS FOR FINAL APPROVAL OF SITE PLANS.
PLANS REQUIRED TO SECURE THE APPROVAL OF THE ZONING AUTHORITIES,
PLANS FOR ADDITIONAL REVIEW BY THE STREETS DEPARTMENT
ENCROACHMENT ORDINANCE REQUIRED FOR:
COMMITTEE OF HIGHWAY SUPERVISORS (APPLICATION NO.)
DETAILED REVIEW FOR MINOR SITE PLAN
UNDESIGNATED REVIEW FOR MAJOR SITE PLAN:
CITY PLAN ACTION
OTHER:
APPLIED ELECTRONICALLY BY STREETS STAFF:
Neman Cosby
April 7, 2021
CHIEF HIGHWAY ENGINEER

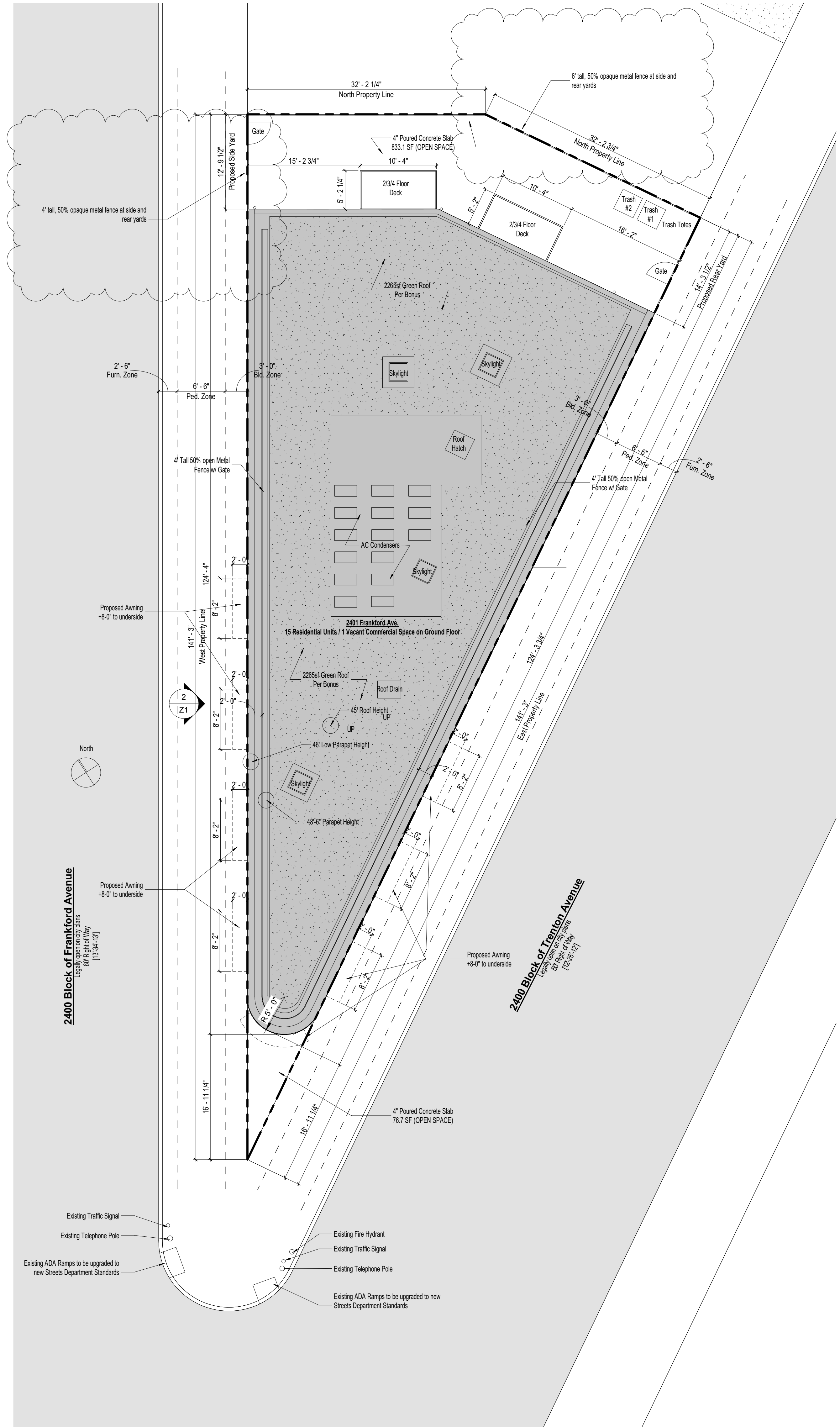


SYMBOLS LEGEND	
	DRAWING TITLE
	WINDOW TAG
	SECTION TAG
	ELEVATION TAG
	DOOR TAG
	KEYED NOTE
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR
	PARTITION TYPE
	ELEVATION TAG
	REVISION TAG
	ENLARGED DETAIL TAG
	RATED PARTITION
	EXISTING PARTITION
	NON RATED PARTITION
	PARTIAL HEIGHT PARTITION
	FINISH DIMENSION
	CENTER LINE DIMENSION

APPROVED
FOR ZONING ONLY
07/01/21
APPLIED ELECTRONICALLY BY L&J USER:
Applied Electronically by L&J User:



2 Zoning Elevation - Frankford Avenue
1/8" = 1'-0"



412 SOUTH 2ND STREET
PHILADELPHIA, PA 19147
267.503.0004
WWW.AMBITARCHITECTURE.CC
ON

AMBIT
ARCHITECTURE

DATE	REVISION
04/17/21	01
04/17/21	02
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04/17/21	100

Residential Building:
2401 Frankford Ave.

Z1

1 ZONING PLAN
1/8" = 1'-0"

#	DATE	REVISION
	1/14/21	PERMIT
	3/1/21	Zoning Rev.

