



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 260514

Introduced May 14, 2026

Councilmember Gauthier

**Referred to the
Committee on Rules**

AN ORDINANCE

Extending and preserving zoning approvals, density and dimensional bonuses, and Mixed Income Housing Bonus entitlements granted to the Village Square on Haverford mixed-use affordable housing development located at 601 North 37th Street, 3601 Haverford Avenue, and 3611 Haverford Avenue in the Mantua neighborhood of Philadelphia; and providing for related matters.

WHEREAS, the Village Square on Haverford project enjoys the active support and collaboration of multiple governmental entities, including the Philadelphia Redevelopment Authority, the Philadelphia Housing Development Corporation, and the Office of Councilmember Jamie Gauthier (3rd Councilmanic District), Commonwealth of Pennsylvania Office of the Budget; and

WHEREAS, it is the policy of the City of Philadelphia, as expressed in Mayor Cherelle Parker's Housing Opportunities Made Easy (H.O.M.E.) initiative, to create and preserve at least thirty thousand (30,000) units of housing, and the Village Square on Haverford will produce the type of affordable, mixed-use, community-centered development that this initiative seeks to support; and

WHEREAS, the regulation of land use and zoning within the City of Philadelphia is a core municipal function vested in City Council by the Philadelphia Home Rule Charter and the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended), and the preservation of validly granted zoning approvals for a specific project falls squarely within Council's legislative authority over matters of land use, zoning, and community development; NOW, THEREFORE

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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SECTION 1. Definitions.

As used in this Ordinance, the following terms shall have the meanings set forth below:

(a) "Developer" means 3600 Haverford Avenue Associates, LP, a Pennsylvania limited partnership, its successors, and assigns approved by the City.

(b) "Department" means the City of Philadelphia Department of Licenses and Inspections.

(c) "Original Building Permits" means, collectively, Commercial Building Permit No. 1055231 (issued September 20, 2021, for 601 N. 37th Street), Commercial Building Permit No. 1055235 (issued September 20, 2021, for 3601 Haverford Avenue), Commercial Building Permit No. 1055236 (issued September 20, 2021, for 3611 Haverford Avenue), and Commercial Building Permit No. CP-2021-006126 (issued December 31, 2021, for 3611 Haverford Avenue).

(d) "Project Zoning Approvals" means all zoning permits, approvals, variances, special exceptions, use registrations, and other land use entitlements issued or granted to the Project by the Department, the City Planning Commission, or the Zoning Board of Adjustment, including but not limited to zoning approval ZP-2023-002643 and any approvals granted under application numbers AP-1043688 and AP-1043689.

(e) "Mixed Income Housing Bonus Approvals" means all zoning bonus approvals granted to the Project under Section 14-702(7) of The Philadelphia Code, including any floor area bonuses, building height bonuses, and dwelling unit density bonuses, and any associated affordability commitments, recorded instruments, and compliance requirements.

(f) "Project" means the Village Square on Haverford mixed-use affordable housing development located at 601 North 37th Street, 3601 Haverford Avenue, and 3611 Haverford Avenue in the Mantua neighborhood of Philadelphia.

SECTION 2. Preservation of Zoning Approvals.

(a) Continuation of Approvals. Notwithstanding the expiration of any or all of the Original Building Permits, and notwithstanding Section 14-303(10)(a) and (c) of The Philadelphia Code or any other provision of Title 14 of The Philadelphia Code, all Project Zoning Approvals shall remain in full force and effect and shall not be deemed to have expired, lapsed, or been abandoned by reason of the expiration of the Original Building Permits or the passage of time.

(b) Duration. The Project Zoning Approvals preserved by this Section shall remain valid for a period of three (3) years from the effective date of this Ordinance, during which time the Developer shall obtain new building permits for the remaining phases of the Project. The agency or department that granted the applicable approval may extend this period one (1)

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additional time for up to one (1) year, consistent with Section 14-303(10)(d) of The Philadelphia Code, if the required findings remain valid. Where an approval was granted by the Zoning Board of Adjustment, the Zoning Board of Adjustment shall have authority to grant such extension; where an approval was granted by the Department or the City Planning Commission, the granting body shall have authority to grant such extension.

(c) Application for New Building Permits. The Developer may apply for new building permits for the Project, and the Department shall review and process such applications based on the Project Zoning Approvals preserved by this Ordinance, without requiring the Developer to re-apply for or re-obtain any zoning approval, variance, special exception, or use registration previously granted for the Project.

(d) No "As If Never Issued" Treatment. Section 14-303(10)(c) of The Philadelphia Code shall not apply to the Project Zoning Approvals. Any new building permit application for the Project shall be treated, for zoning purposes, as if the Project Zoning Approvals had been continuously in effect and had never expired.

SECTION 3. Preservation of Mixed Income Housing Bonus Approvals.

(a) Continuation. All Mixed Income Housing Bonus Approvals granted to the Project under Section 14-702(7) of The Philadelphia Code shall remain in full force and effect and shall apply to any new building permits obtained by the Developer for the Project, regardless of any subsequent amendments to Section 14-702 or related provisions of Title 14 that may have altered the terms, conditions, eligibility criteria, or calculation methodologies for such bonuses.

(b) Application of Original Terms. The affordability requirements, income targeting standards, and period of affordability applicable to the Project's Mixed Income Housing Bonus units shall be those in effect at the time the relevant zoning approvals were granted, unless the Developer voluntarily elects to comply with subsequently enacted standards that are more restrictive. The affordability period for any units subject to the mixed-income housing bonus shall be not less than fifty (50) years from the date of issuance of the last certificate of occupancy for the applicable building, consistent with Section 14-702(7)(b)(.2) of The Philadelphia Code as in effect at the time the bonus was approved for the Project.

(c) Compliance Check. Any compliance check required under Section 14-702(7)(d) of The Philadelphia Code for the issuance of building permits or certificates of occupancy in connection with the Project shall be conducted based on the terms of the original zoning approvals as preserved by this Ordinance.

(d) Recorded Instruments. Any recorded instrument required under Section 14-702(7)(b)(.2) of The Philadelphia Code in connection with the Project shall reference the affordability terms and period of affordability applicable under the original zoning approvals.

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(e) Payment-in-Lieu Inapplicable. Nothing in this Ordinance shall be construed to require the Developer to make a payment-in-lieu of providing affordable housing units in order to retain the Mixed Income Housing Bonus Approvals, provided the Developer continues to include affordable housing units in the Project consistent with the original zoning approvals.

SECTION 4. New Building Permits.

(a) Applicable Building Code. Any new building permits obtained by the Developer for the Project following the effective date of this Ordinance shall be reviewed and issued under the edition of the International Building Code and related technical codes then in effect in the City of Philadelphia, unless the Developer separately obtains relief from the Board of Building Standards or any other body with jurisdiction over such matters.

(b) Tax Abatement Eligibility. This Ordinance does not preserve, extend, or modify the Developer's eligibility for any real estate tax abatement or exemption under Title 19 of The Philadelphia Code. The Developer's eligibility for any such abatement shall be determined under the provisions of Title 19 in effect at the time any new building permit is issued or any abatement application is filed, unless the Developer separately obtains legislative or administrative relief with respect to such eligibility.

(c) Fees. Any new building permits obtained by the Developer for the Project shall be subject to the permit application fees, plan review fees, and other fees in effect at the time of application.

SECTION 5. General Applicability and Limitations.

(a) Project-Specific Ordinance. This Ordinance shall apply solely to the Project and the zoning approvals identified herein and shall not be construed to amend, modify, or establish a precedent for the interpretation of Section 14-303(10) of The Philadelphia Code, Section 14-702(7) of The Philadelphia Code, or any other provision of law with respect to any other permits, projects, or applications.

(b) No Building Code or Tax Code Amendment. Nothing in this Ordinance shall be construed to amend, modify, or waive any provision of Title 4 (The Philadelphia Building Construction and Occupancy Code) or Title 19 (Finance, Taxes and Collections) of The Philadelphia Code. This Ordinance addresses solely the preservation of zoning approvals and land use entitlements under Title 14.

SECTION 6. Sunset Provision.

(a) The Developer's right to rely on the zoning approvals preserved by this Ordinance for purposes of obtaining new building permits expires three (3) years from the effective date of this Ordinance, subject to extension as provided in Section 2(b).

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(b) Any building permit issued based on the preserved zoning approvals before the sunset date shall continue in accordance with its terms under applicable law.

SECTION 7. Severability.

If any clause, sentence, paragraph, section, or part of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent of this Council that this Ordinance would have been adopted had such invalid provision not been included herein.

SECTION 8. Effective Date.

This Ordinance shall take effect immediately.