

PHILADELPHIA CITY PLANNING COMMISSION
January 19, 2010

PRESENT: Joseph Syrnick, Acting Chair
Duane Bumb
Christopher Donato, representing Rob Dubow
Patrick J. Eiding
David G. Wilson, representing Camille Cates Barnett
Bernard Lee
Natalia Olson Urtecho
Nancy Rogo Trainer

ABSENT: Nilda Ruiz

Executive Director: Alan Greenberger
Deputy Executive Director: Gary J. Jastrzab

Acting Chair Joseph Syrnick convened the first meeting of 2010 of the City Planning Commission Meeting of January 19, 2010 at 1:15pm.

- 1) Approval of the Minutes for the November 17 and December 8, 2009 meetings.

Upon motion by Ms. Rogo Trainer, the City Planning Commission approved the minutes for November 17 and December 8, 2009.

2) Executive Director's Update

Mr. Greenberger wished everyone a Happy New Year. He stated today is the first day of the Facilitated Dialogue to the Zoning Code Commission that is being sponsored by the AIA Urban Design Committee in conjunction with the University of Pennsylvania to act as facilitators. The first one is happening as we speak with the development community at the Union League. There are 80 people attending. This Saturday is an all-day one with the Community Development Corporation, community members, and community associations. And another one coming up in the following week. It is an attempt to see where the common ground lies between these two different facilitated dialogues. The purpose of this is to help the Zoning Code Commission come to some appropriate language about how to balance like projects with community review. We are grateful for AIA and Penn for volunteering to help us with this. We will report next time on what comes out of it. It is a good start this tremendous interest. As always acknowledgement to the William Penn Foundation for helping to fund the food and facilities.

- 1) Comprehensive Plan – We are releasing the document today, called Imagine Philadelphia. It is the result of 2 years of effort that was done by our head of Strategic Planning, Alan Urek. This document, which started off before he come to the City, intended to set the stage for laying the foundation for the Comprehensive Plan for the City. And that is what it will do. It is a value setting exercise that happened on the back of a lot of community meetings. Document is on philaplanning.org. It can be downloaded. It is the start of the conversation that is going to go quite a bit further on the Comprehensive Plan itself. You have seen presentations of the plan for the plan. Danielle DiLeo Kim has started with us as a one year consultant. Again I thank the generosity of the William Penn Foundation for organizing this. We are convening, as we refer to as the working group of City Departments, on Thursday to be like the Green Works. As ideas are presented to the group, we are looking forward to getting advice from them. We also intend to establish an external advisory group. We are in the process of organizing that. We have assigned a great number of the Planning staff to the Comprehensive Plan team on a part-time basis so that there are probably 20 different planning agency staff that will share a load of this work. The goal is to deliver a long-range citywide plan document in about a year, that will include a look at the City as a whole on typical issues that any Comprehensive Plan looks at: long term growth, economic growth, mobility, parks and open space, housing, commercial corridors, transit oriented development. The very same issues that show up in pretty much every city that have shown up in decades in city planning everywhere. Included in this are the beginnings of 19 separate districts plans, that we will be looking at in more detailed as a way to

help us understand the fine grain and ultimately to use those plans as a way to get at any mapping that has to be done when the new code is in place also in about a year subject to City Council's approval. The code will be rewritten about this time next year. We will make this a regularly monthly update. You will see longer presentations about it as well.

2) **Items in Accord with Previous Policy:**

- **Bill No. 090741:** authorizes the moving of an existing right-of-way for drainage and water main purposes in the Blair Meadows development at 186 Shawmont Avenue. This was introduced by Councilman Jones on October 22, 2009. This Bill will allow the completion of the Blair Meadows Phase II, which consists of 8 single-family dwelling units. Originally approved on March 26, 1987, and later amended on December 6, 1990. The first phase of the development have been constructed and sold. It was 6 homes. It is in the Roxborough section of the City. This Bill is consistent with the approval of the RC-6 Master Plan for Blair Meadow.
- **Streets Bill No. 090905:** Authorizes the relocating of the southeasterly curblineline of State Road, from Pennypack Street to Linden Avenue, 12 ft northwestwardly. It was introduced by Councilwoman Krajewski on December 10, 2009. This action will allow the construction of the North Delaware Riverfront Greenway, a 12 ft wide bike/ped path. This Bill is consistent with the North Delaware Riverfront Greenway Design Guidelines, which were reviewed and approved by the City Planning Commission on September 15, 2009.
- **Streets Bill No. 090927:** amending the Institutional Development District Master Plan for Fox Chase Cancer Center. This Bill was drafted as a result of the Master Plan amendment that was approved by the City Planning Commission on November 17, 2009.
- **Streets Bill No. 090908:** Authorizes a two-year time extension to Bill No. 070392, which strikes and vacates the legally open portions of Llewellyn Street from Delaware Avenue to Canal Street. It was introduced by Councilwoman Tasco for Council President Verna on December 10, 2009. This action was part of the Bridgeman's View development, which includes retail, commercial office space, a 170-key hotel, 352 residential units, and a 1,100 parking structure. The City Planning Commission approved a rezoning bill to accommodate this development on October 17, 2006.
- Staff approval was transmitted to the Redevelopment Authority for the following project that was in accord with previous actions of the Commission:

Redevelopment Agreement with Kfir Bennfield to rehabilitate an existing building into 2 residential units at 122 S. 46th Street in the 45th & Sansom Streets Redevelopment Area. This is consistent with the recommendations of the Redevelopment Area Plan.

3) Adoption of Regulations for Plan of Development Approvals

Martin Gregorski, Zoning Planner, stated this item was brought about by the Central Delaware Waterfront District that included a provision that the City Planning Commission draft and adopt regulations regarding Plans of Development that are required by the District. The regulations, themselves, basically consists of 3 or 4 items. The first item is scope of review. We are going to try to give the developers an idea of what we are looking for in a new development, so we came up with a scope of review. Some items that would be under a scope of review are propose uses, scale height, massing of structures, other amenities, streetscape improvements, the appearance of the building including the building materials. Additionally we had put together some information so that the developer would know exactly what we required that would constitute a completed set for a plan of development, such items as site plans, traffic study if necessary, parking management plan if necessary, stormwater management plans, to the extent applicable a plan for the recreational trail along the waterfront as required by the Central Delaware Waterfront Overlay District. The rules for hearings that will be held at regularly scheduled hearings at the Philadelphia City Planning Commission meetings. The POD hearings shall be open to the public with reasonable notice to provide for public comment. The staff of the Planning Commission will present the plan of development and give recommendations. The Commission may give time for witnesses to speak. The applicant will be given reasonable time to present all the needed testimony, and the Planning Commission staff cross examination will be permitted. The City Planning Commission may allow persons, directly affected by the decision, an equal opportunity to present all of their evidence, have witnesses testify in their behalf, and to also cross examine different parties in the case. The testimony shall be recorded; and a full and complete record will be held of the proceedings. The Commission may decide to approve or not to approve the POD. Basically once a complete plan of development is given to the Planning Commission, the Planning Commission staff has 75 days to make a decision on any of it. After 75 days, approval is assumed. If amendments are made, it will be 75 days after the amendments are made. Appeals of these decisions will go directly to the Court of Common Pleas. Basically, we are going to have a little more tighter hearings than some of the other items we have had in the past like Neighborhood Conservation Districts. These hearings will be more formal with attorney cross examinations of the applicant. The City Planning Commission staff recommendation is approval and that it be held with the Department of Records for 30 days so that it can be put out to the public for comment, and at the end of 30 days it will be approved.

Paul Boni, resident and attorney, stated he represents groups that don't have the means or the ability that meet at the Union Club. He has not seen these regulations. He doesn't think anybody in the public has seen them. He does think there has been publicity about this. No public notice about this. He would ask this Commission not to take any action on this today, even if it is something that doesn't come to fruition until 30 days. He thinks the Commission need to hear from the public at the first instance. He doesn't see any reason why this needs to be approved today. He stated to his knowledge, the Commission does not have any regulation rights. This is the first regulation that the Commission will have. And for regulations to be voted on without any public involvement is not right. He doesn't see why it is being done in this fashion without the public seeing if first. He also questioned whether the Planning Commission has the authority under the City Charter to approve plans of development. He doesn't think it does. This was brought to the City attention when the overlay was being considered. It was brought to the City's attention by the folks known as the Development Workshop, also by the attorney for the Pennsylvania Environmental Council, and also by neighbors that want the best riverfront. You have three private lawyers questioning the ability of the City to conduct business in this fashion. He has the ability to ask questions, but he doesn't know if he has the ability to get answers. There should be some discussion about this being done in this manner. Please defer any vote

whatsoever until the public has the opportunity to see it and way in on it. He doesn't even know if the Central Delaware Advisory Group has seen it and had input into it. If they have, he hasn't heard of it. We have always heard during campaign season and press releases and press conferences of open and transparencies, public involvement, mission of neighborhood interests. He thinks in that spirit, he hopes no action is taken.

Craig Schelter stated this is truly a historic event because he thought this was the first time in a public forum where Paul Boni and I have agreed on anything. He is here today representing the Development Workshop and we have serious concerns the same ones which Mr. Boni has mentioned in that he literally got a copy of this at 11am this morning. He has gone through it very preliminarily, but even going through it he has a number of serious concerns. The first one being whether the Commission is part of this regulation under Section 8407 of the Charter, which requires an opinion of the legality of these regulations, and then the time that it sits with the Department of Records so that people can come and make their comments. That is question number 1. Question number 2 is, the regulations that were included up here leave out one very important thing, which is required in the Council's legislation which was approved last June and signed by Mayor Nutter on August 17. And that was specific design standards as they apply to two aspects of the controls that were imposed. As he was going through it he didn't find any of the design standards. He found a long list of items that are required but absolutely no standards as to how the Commission would review those.

Mr. Greenberger asked Mr. Schelter to recite what those are.

Mr. Schelter replied one is the waterfront set-back in paragraph 6B it says the Commission shall not accept an exception...Shall not adopt a regulation within 180 days, effective of this session; two is in regards to the plan of development within 180 days the Commission shall adopt regulations provided that the objective standards such as a design review is necessary. He feels there are no design standards of any kind are in there. He feels that is a serious concern. He thought the third concern is the fact that before the Commission acts, that developers and owners should be able to way in on this. He spoke with two of them this morning and they hadn't heard anything about this. They asked me "why are you just calling me at 11 o'clock". I told them that this is something that I just found out at 11 o'clock. He thinks as Mr. Boni said in everything that the City Planning Commission does with the exception of subdivision code, your role is advisory but the way this legislation is drafted you are the final determinant. He thinks there is a high standard on the Commission much the same way the Historical Commission adopted it review on historic interiors Bill was passed, is a lengthy process by which people commented on it as required and reviewed and adopted by the Commission by the Law Department now codified. He very seriously asked the Commission not to take any action on this today, especially in light of the way the copy came to him which stated as adopted on January 19, 2010. Now that may be the form in which it was printed but it pre-supposed the Commission that was going to adopt this today.

Richard Lombardo, formerly a member of the staff of the Philadelphia City Planning Commission, stated the main reason we came here today was to raise the issue of the City Charter, and the public notice. These regulations go beyond the zoning code. They affect a larger audience in the Central Delaware Riverfront. The advertising of what the intent of the regulations are. He had people come up to him today and asked why haven't they been told about it. I told them I didn't know about it either, even though I have attended a number of Commission meetings and Zoning Code Commission meetings. Regulations should be adopted as by the Home Rule Charter, which is advertising in the newspaper, holding over for public comment and I don't you adopt things before getting the inquiry. You put out this is what we are

considering, you get the input, and then you modify or not modify it. It is a bad start. We hope the Commission will hold the vote, and go through the process and have people respond in a timely fashion.

Mr. Schelter remarked he needed to go back to the other meeting, please ditto my comments to items 6 and 7 on your agenda, because it is dealing with the larger issue of adoption of any plans the Commission takes.

Mr. Syrnick replied items 6 and 7 are going to be information only items today.

John Gallery, Executive Director of the Preservation Alliance, stated he agrees with the comments the Paul Boni and Craig Schelter made. He submitted a letter to the Planning Commission today to Mr. Greenberger asking for items 3, 4, 5, 6, and 7 all to be deployed from any action. He showed up at the Planning Commission meeting this morning at 8:30, and asked to see any materials involved in these items. He didn't know where Mr. Schelter got his, but there was nothing he could see on any of these items so that he could intelligently evaluate them to determine the effect on his organization or to make comments on them. He asked that the Commission not take any action on them today. He cannot make any evaluation on the content of these items. He could go through the process with the Historical Commission, which is an open and transparent process in which the public is allowed to browse, comment, and attend Commission meetings for several months before they move off to the consent of the Law Department. I don't know about this Commission, as far as he knows it is required by City Charter. The comments he made also goes for item 5, it is an action you are taking. He asked to look at it, and it was not available for him to look at. His organization has a direct interest in it, and the same goes for items 6 and 7.

Ms. Rogo Trainer asked what the consequences of delaying the vote until the next meeting.

Mr. Greenberger replied it is an Ordinance, that was passed last year, has a 6 month deadline that occurs on February 16 of this year. Hence the rush to get this in. Personally he feels the comments that they heard are reasonable. He was just conferring with Henry Schwartz. If the Commission would like to table this, to give everyone a chance to look at it and give comment. We would have to see what we could do before the February 16 deadline. We could have a special meeting or go back and talk to Councilman DiCicco, who is the author of the original legislation to see if we can get help on that front.

Henry Schwartz, attorney with the City of Philadelphia Law Department, stated the speakers are correct that under the Home Rule Charter the rules to adopt and regulate. The City Law Department would then are sent to the Record Department for 30 days, where they are published for 30 days for the public to comment. Those comments would then come back here, you could review them at the hearing. You are entitled to a hearing. It is designed that the Commission hears first, then the public comment, review after the comment period, and then final obligations of the rules doesn't occur until after that 30 day notice.

Ms. Olson Urtecho replied that sounds good to table it, and then get public comment so that it can come back to us.

Mr. Greenberger replied Mr. Schwartz stated there is a review procedure in place under the Home Rule Charter. The question before the Commission is do we follow the procedures, or table it anyway, take comments before that process.

Mr. Schwartz replied it would have to come before you a second time with a list of comments. You would file it after you had a chance to share those comments.

Mr. Eiding asked what happens to the deadline.

Mr. Greenberger replied we should go back to DiCicco and asked for an extension. It might only be days, but it maybe longer depending on the comments. We may have more work to sort out. If that can't be done, we would need to have a special meeting of the Commission before the February 16th deadline.

Upon motion by Ms. Olson Urtecho, seconded by Ms. Rogo Trainer, the City Planning Commission tabled the Adoption of Regulations for Plan of Development Approvals.

Mr. Lee replied we could make a suggestion that we ask for more time; more than a couple of days.

Ms. Olson Urtecho replied not for a couple of days.

Jeff Carpineta, President of the East Kensington Neighborhood Association, stated the work that you are doing for the Zoning Code revision, the extended outreach of that process has been phenomenal with 16 meetings. Anybody, who would have any criticisms, has not been paying attention for a long time. You are doing a good job. The residents are getting on board; they are tuning in. You have us hooked. I don't know about the process you have here, but you are going to have to go with the gold standard that you set with the ZCC process.

- 4) Central Delaware Riverfront Overlay District: Waterview Grande Plan of Development approval, 1-33 Brown Street and 800 N. Delaware Avenue

Ms. Olson Urtecho recused herself.

Mr. Gregorski stated you saw this item last month. You gave conceptual approval so that the developer could work out some of the details with the City Planning Commission staff. They were parking – where the lots are located, coloring of the property, and glazing of the property. Those details have been worked out to the extent that we recommend full approval of the Plan of Development. With full approval from the Planning Commission, they can go obtain building permits. Nothing substantial has been changed. The City Planning Commission staff recommendation is approval of the full plan of development.

Mr. Lee asked Mr. Gregorski to refresh the Commission recollection of what the issues were.

Mr. Gregorski replied basically this Plan of Development is for 2 existing buildings, 192 residential apartments, approx. 199 parking spaces. There was a small parking area just as you turned in from Delaware Avenue. We asked them to relocate it so that you wouldn't see it from Delaware Avenue. There is also a promenade between the two buildings, and there is parking there. We felt there would be conflict between the delivery trucks and the parking. Additionally we weren't happy with bright orange color of the buildings, or the dark glazing of the windows. We negotiated with the developers and the changes were made.

Ms. Rogo Trainer asked what are the materials.

James Templeton, from H2L2 architects, stated they are existing concrete buildings, but we are going to paint them.

Mr. Greenberger replied if you take a look at these buildings on Delaware Avenue, you will see they are strong, powerful buildings. The wall all the way along the left is basically a solid wall. The proposal is to cut these out and replace it with glass.

Mr. Eiding asked if the bridge is there now.

Mr. Templeton replied yes, it is existing.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved the Central Delaware Riverfront Overlay District: Waterview Grande Plan of Development approval, 1-33 Brown Street and 800 N. Delaware Avenue.

5) Review of the Stamper Square Plan of Development (Previous PCPC action: August 19, 2008)

Mr. Gregorski stated this item is a recertification of the Plan of Development for Stamper Square development at 410 S. Front Street, generally along Front and 4th Street. This plan is exactly the same plan that was approved on August 19, 2008; nothing has changed. It is exactly the same plan; no new plans have been receive by us. Basically, the Law Department suggested that we take this back because of the legal maneuvers that have been going on. The decision to approve the plan of development went to Court. A judge vacated the decision of the Planning Commission. The Law Department is requesting another look at that. On April 1, 2009, there was an extension of 1 year time limit on this project. It would expire in June of 2010. It is a 15 story building with a luxury hotel. 77 residential condo units, the highest point would be approx. 166 ft., and there would be approx. 350 parking spaces. We are asking for recertification. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked did the public give comments before.

Mr. Syrnick replied yes, it was significant testimony before.

William Ewing, represents Kevin Boyland who owns the property at 419 Lombard Street. The house was built in 1740. It backs up to this development. He asked to cross exam the developer.

Mr. Syrnick replied we typically don't do that. You can make a statement. We are not a court of law.

Mr. Ewing replied earlier today the Commission discussed the regulations to govern the plan of development approvals. This is a plan of development approval. Under those regulations, I heard it, and like the rest of the people I haven't had a chance to see them, I would have the opportunity to cross examine. We would have had adequate notice. We would have had a lot of what has not been provided today. And he asked for the opportunity to have the same input that your Commission would allow if this had the regulations.

Mr. Synchron asked if the developer is here today. He asked him if he would be willing to answer some questions from Mr. Ewing.

Mr. Ewing asked him his name.

Marc Stein, Stamper Square Development.

Mr. Ewing asked Mr. Stein what is his financial status of this development.

Mr. Stein replied up until December 15, we were ready to close. But because of this, we will wait to see what happens today.

Mr. Ewing asked Mr. Gregorski from a planning perspective would you say it is a big difference from a church tower and a hotel.

Mr. Gregorski replied from a planning perspective, yes.

Mr. Ewing asked Mr. Gregorski asked if it is a big density.

Mr. Gregorski asked between a church tower and a hotel.

Mr. Ewing replied yes.

Mr. Gregorski replied yes, it is a big density between a church tower and a hotel.

Mr. Ewing asked how far away is the Society Hill Towers from this site.

Mr. Gregorski replied he didn't know.

Mr. Ewing replied Society Hill Towers is surrounded by open space.

Mr. Gregorski replied he is not familiar with it.

Mr. Ewing asked is there evidence that the board is considering reaching their decision on this plan of development.

Several of the Commissioners started to ask him what did he mean.

Mr. Synchron replied that even he didn't understand that question. And suggested that Mr. Ewing go to the next question.

Mr. Ewing said if you look at buildings along the south side of Walnut Street and the east side of 6th Street, there are tall buildings along there.

Mr. Gregorski replied I believe so.

Mr. Ewing asked if you move south of Walnut Street staying east of the 6th Street, are there any 5 or 6 storied buildings in the area until you get to South Street.

Mr. Gregorski replied he would have to do a survey. He didn't know.

Mr. Synchronick replied we have had extensive testimony on this before. This was a difficult decision for this Commission. There were a number of people for it, and a number of people against it. The last time around, we voted to approve it. I don't know what is going to happen this time. I understand that you are against this proposal. That is why we are dealing with this here.

Mr. Ewing replied the questions that he is asking here, were supposedly not filed with the Court's. This Commission's record that was filed with the Court, it was totally lacking in the documents that was submitted for testimony. It was totally lacking in most of the what the staff consider. He is trying to go back to reconstruct some kind of record from which the court can decide whether the Commission's decision is supported by substantial evidence. You don't have any evidence before you. How are you going to make a decision? He made a motion to intervene on behalf of his client.

Mr. Schwartz replied you can intervene on behalf of your client. There is a plan of development, which was sent to Commissioners, which included not only the plan but all of the documents relating to this item. So that they can make a decision on approving the plan of development. The staff is making their recommendation, which you are free to accept or not to accept. It is ultimately based on the plan of development, and their review of that.

Mr. Ewing moved for continuance of this item. He had received notice at mid-day Friday. We had a 3-day weekend and haven't had time to prepare. His client has not had time to prepare and attend this hearing. He moved to continue at another time.

Mr. Synchronick replied you probably have the right to ask for a continuance, but you don't have the right to move for a continuance. That is only the right of one of the Commissioners. We will take it under advisement. We will hear other testimony here, and talk it out and make our decision.

Mr. Eiding asked Mr. Ewing if his client was here the last time this was originally discussed at the hearings.

Mr. Synchronick asked if Mr. Ewing's client was here.

Mr. Ewing replied he was not here.

Mr. Eiding replied there was more than one meeting.

Mr. Ewing replied we were only given notice of one. Once again when the Commission filed with the Court, there was nothing indicating there were any other meetings. No minutes, no nothing. He asked us to incorporate the previous minutes in this hearing. That will help you because you don't have any record here.

Mr. Schwartz replied the staff here has mentioned that the plan here is exactly like the previous one, which is the plan of development that was in front of the Commission on August 19, 2008; when they approved it.

Mr. Ewing asked if that record is being made available to the public at this time. So that the public can comment on it.

Mr. Schwartz replied absolutely, part of the record here is a public record.

Mr. Ewing replied that he understood that when Mr. Gallery come in this morning and tried to look at it and was told there was nothing for him to see.

Mr. Syrnick replied they we must move on to the next person.

Mr. Ewing replied you are going to cut me off from testifying.

Mr. Syrnick replied I asked you to keep it 3 minutes. We allowed you more than 3 minutes. We have been extraordinarily patient to give you time to say what you had to say. We need to move on to the next person.

Mr. Ewing replied you don't think you have the least understanding of how to conduct a hearing according to due process by law. You are making a final decision in this case. This isn't authority that the Planning Commission was entrusted by the City Charter, which is to advise City Council. This is an entirely different proceeding. You are required to hold a hearing where people can be heard and it can go back and forth. If you want to deny me that, that is fine.

Mr. Syrnick replied we are not denying you anything. We gave you the opportunity to come and testify.

Mr. Ewing replied he will be back here in another year or two, because the Court will see that he was denied the opportunity to introduce evidence in behalf of his client.

Paul Boni stated he is a resident of the Society Hill neighborhood, which two or three blocks away from this project. He would like to ask before he continues, just to clarify whether everything that happened from the meeting the last time is still in the record. Because if this is so, he won't repeat a bunch of stuff and resubmit things that are already there. He basically thought that we were here on a do over. And as a do over, you have to submit things another time.

Mr. Schwartz replied are you asking if your testimony from August 18 hearing has been presented to this Commission.

Mr. Boni asked is any testimony that was submitted from the public at the prior meetings testimony at this meeting. Are they part of this record?

Mr. Schwartz replied the plan of development is part of the record. If you care to use part of your testimony from August 18, you can resubmit it.

Mr. Boni replied I guess I will have to resubmit it, and say it again. This plan of development should not be approved prior to the Historical Commission ruling on this matter. They are the ones who know much better than this Commission, the scale, the character and whatnot of what you are going to pass on today. This project we have been told is close to being financed. He has been told that for years. He doesn't think this project is close to finance. He doesn't feel this is a real project, and that this will come back to you again when they get financing as a changed plan. I don't think you are in the business to help developers to get financing. If they get financing, that is great. If they don't, then you shouldn't consider much about the project before you. Of course as we discussed last time, as many people testify the last time. The developer in this project is discriminating against certain near neighbors, who are exactly situated as other near neighbors. They are picking and choosing as to provide

compensation either in the form of free parking or otherwise in compensation for the noise and inconvenience from construction based upon whether or not the near neighbor has supported the project or exercised their right to oppose the project. People are being treated differently. He believes that if the Commission approves this project, then you are complicit in that discriminatory behavior. It is offensive, and it's also discriminatory. One of the things you are ask to do, is to make a decision on if the scale is appropriate. He submitted for the Planning Commission's review 2 renderings ("Exhibits A1 & A2") that the developers may not want you to see. The first is from the developer's website and the second is from PlanPhilly.com today. This is the proposed project in the context of the neighborhood. It is completely out of scale. These are three storied residential houses for the most part on either side of this project. He was heartened to an extent earlier at this meeting, when you talked about regulations being someday being approved for plans of development to provide this Commission with objective standards, and that would provide interested parties, that were directly impacted, to intervene and directly cross examinations, and even call additional witnesses, and to be able to exercise their rights of due process. I think that is being denied here, and that is why you see that from your Law Department or wherever those regs came from. In those draft regs, if you have the ability to approve the plan of development, you have to so by providing due process to folks who have property rights that may be effected. This is a case of spot zoning. It is being approved not in an exercise of what is right for the area. It is being approved for a particular project for a particular owner. We don't really know who the owner is. The last we could tell, there are 2 brothers, whose name is Challa. They have a stake in the property. He doesn't know if that is still the case. Of course they have legal trouble, one of them he believes has been convicted with municipal corruption. He believes it is a classic case of spot zoning. It is not an exercise in planning whatsoever. He submitted a letter dated December 12, 2005 from Councilman DiCicco ("Exhibit B"). That states he would not support rezoning and would have to go before the Zoning Board of Adjustment for a variance. Petition that they did 3 or 4 years ago, folks in the neighborhood opposed to the rezoning on this project. It does not include folks who live in high rises. We would not be opposed to this project if it was 1/3 of the height. The inappropriate scale just out at him. Maybe the developer paid too much or invested too much, and you need to loosen up the zoning so that the project gets built. It's still not getting built. This is a neighborhood that was awarded by the American Planning Association as one of the best planned neighborhoods in the country over a year or two ago. We have the high rise around the Square and Walnut. Everything else, for the most part, has a blanket zoning of 35 ft. It's historic. The most historic part of our City. That is why that's there. And to approve something this out of scale, he thinks is arbitrary and capricious.

Mr. Eiding replied we had at least 2 well heard hearings on this. We would like to see whoever comes up to this microphone say something different. We even had at one point, people who came up and were arguing that they didn't get a parking space. We totally vetted this before. And what I see now, this is the opportunity for people to come back with another bite of the apple. Folks are challenging us on how we handled things. You need to come up here with something different, because honestly we can be here for days and days. We have the Cira II, and it is not being financed. These kinds of things are being introduced all the time. And the more we hold up development for frivolous reasons, the thing has already been fully vetted the Philadelphia City Planning Commission's people and also by the Board that somebody better come up to the microphone with something new.

Roseann Loach stated she is President of Society Hill Civic Association, which is representing this neighborhood. She wanted to address the point of whether this was another bite of the apple. There was an extension that come on to your agenda for a whole new year for

this developer to move forward on this work. And rezoning it to C4 zoning would change the zoning of this property. She found out about that a couple of days before the April hearing last year. They did not have adequate notice. This was a very important hearing. It was a hearing giving a one year extension to the developer. And they did not have notice. She testified here at this Commission to that effect. Four days ago, on Friday afternoon, she received a text message from a member of the sub-committee telling her that Stamper was on today's agenda. You heard from the Preservation Alliance today that he couldn't even find out what it was all about this morning. We were promised, by this new Commission, an open and transparent process.

Meaningful dialogue to the community group representing this neighborhood is required in order for us, as an organization, to review anything of this nature. We have to have at least 30 days notice. We have to be able to give notice to the stakeholders, the neighbors, and other stakeholders in a historically protected neighborhood. We have another layer of oversight, which is critically important to historic, recertified neighborhood. What is the meaning of that, if I get 4 days notice for this hearing and for the last hearing the same where an extension was heard. She thinks what needs to be done, is it need, you need to continue this at another time. And we need to be given adequate opportunity to look at whether this project desires the year extension for this certification. She asked the Commission for such reasonable consideration. She thanked them for hearing her comments.

Harry Schwartz, resident of Society Hill, stated he will not take the 3 minutes up. He has before him Mr. DiCicco's Bill, which provides a sunset date for the rezoning of the end of July. Which is coming up; it's not that many months away from here. Under the Ordinance, you are given authority to provide an extension of the time. However that condition on substantial evidence that was presented to you that this project is legal. This issue has been very contentious in the neighborhood. It has driven the neighborhood apart. It has been very disruptive and destructive. When he testified on this Ordinance in City Council, he said it is a bad thing to put this kind of destructive influence in our neighborhood. For a project, he will argue, cannot be financed. It will not happen. Now at some point, you will have input from the residents of whether the hotel tenant is still there as contracted by the original POD. Whether the finance for it is still there. You have received no evidence on it on these issues. You will need that in the record if you are to extend the Sunset date. He suggests that evidence does not exist or will be forthcoming. We recommend that you defer action on it, and provide notice of the hearing so that we can provide proper testimony.

John Gallery, President of the Preservation Alliance, replied he wanted to make clear first of all as he said earlier, he did come to the City Planning Commission meeting this morning at 8:30am to try to review the plans. He did have a chance to talk to Mr. Greenberger. It was the first time that he learned that it was the same plans as before. Frankly, he is getting a little older and it is hard for him to remember from 2 years ago. He wanted the opportunity to refresh himself. The opportunity to check with the Historical Commission as to where this is in terms of their Commission. It was denied to him because there was no information that was available. He thinks it is highly inappropriate for no need to have been given notice today. It is highly inappropriate to be pushing this through. He does not know whether the comments that were made 2 years ago are on the record. This is a new action. It is a new vote before you, and therefore he want to be clear that there is an issue – just look at that drawing, it is not on a scale in the neighborhood. There is nothing about that drawing, which is in character with Society Hill, copper clad glass, there is nothing about that neighborhood building which is consistent with the houses in Society Hill, those standards that apply in the development district. So again, we are asking to not take any action today, to give adequate notice.

Norma Van Dyke stated since 1975 she has lived on the 100 block of Lombard Street, and she shares a property line with Stamper Square project. For the past 30 years, she has operated a bed and breakfast that is historic at her home, which she bought as a shell from the Redevelopment Authority. She would like to state her concern for the proposed Stamper Square project. Her first concern is economic. As an operator of this business, she has seen first hand the economic impact of tourism. Her guests come from all over the world, and consistently marvel at the priceless treasure our history. They see our historic sites are authentic and alive. The scale and the building materials all contribute to this. A couple of years ago, the Heritage Tourism employed over 1,000 people locally, and represented an annual income of 8 billion dollars. Our history is a gift that must be protected and cultivated. Stamper Square project, height, metal, glass and mass crowded into 2 smaller buildings, is a jarring sight. She is concerned living back to back with this project will effect her living in this neighborhood. And what effect it will have on the tax payers. The possibility of an outdoor restaurant is one example. However from experience across the street from the restaurant, where people stand outside and talk and smoke until 2am, the proposed restaurant would be right under the bedroom window. Therefore it would be inappropriate. Her second concern is environmental. As originally planned, the project will impact environmental standards. In the last presentation, the developer said he would be adding a green roof to the hotel. That is a major improvement, but much more can be done. For example, the developer could, starting with the hole in the ground, add geothermal cooling and heating. Some people complaining about parking spaces, other are not.

Sally Smith stated she is a new neighbor where this project might be. She lives a block away on Front Street. She wasn't going to come up because a lot of what she wanted to say had already been said. But because she did hear one of the Commissioners make a comment that there are frivolous reasons that people are bringing up, she said these are not frivolous reasons to her and she just wanted to make sure to quickly summarized them. She is against the project because of scale. The scale is totally out of character with their neighborhood. Most of the neighborhood is low scale, 3 to 4 stories at the most. Again looking at the picture, you can see that. It is much, much too high. As Paul Boni had said that the height could get a lot less and there would be a lot less people against this. This building would totally tower over the buildings around it. There is also, which is hard to see from there, but there is little to no set back on Front Street. So she would ask to please, there is no hurry to do this today. There is no financing in place. There is not reason to push this through. These are not frivolous reasons. There is a lot of contention in the neighborhood. And if you could please, please take the time with this, and look at everything, because it sounds like a lot of the things previously, people don't remember what they were, and are not even for sure where that information is. So please take time with this. It is a large project, and really does not belong there.

Bernice Hummel stated she is a neighbor living in Society Hill on 2nd Street. For one thing, she would like to say something that has already been said, many of us have been longing to see that vacant property filled with something appropriate built there. It is a big blank empty hole. It has been that way since she can remember how long. We would really like to see development there, but the important word is appropriate development. Appropriate in height, scale, and one that would take into account our unique, truly unique community. Philadelphia enjoys the largest amount of late Georgian and early Victorian architecture in the world outside of London. Which makes sense, since it is the second largest English speaking city in the world at the turn of the century. We have something very special here. Where she lives, she sees tour buses all the time. The tour buses are always extolling the virtues of the beautiful, unique community that is both old and new. Her house was built in 1762. She lives next door to a house that was built 100 years ago. She loves new development and would welcome new

development. It just has to be appropriate in scale and appearance. The community should be involved with the final decision of any plan to date. Thank you very much.

Ms. Rogo Trainer stated she was not part of the Commission when it was presented. What is the purpose of it coming back again?

Henry Schwartz, Law Department, replied after it was approved, Mr. Ewing's client objected, a lawsuit was filed and he took it to court. The judge vacated the Planning Commission's approval without an opinion, and we believe it was on procedural grounds, not substantive grounds because there was never a hearing on it. The Law Department felt that a motion for a reconsideration of that judge's decision. The developers came to us, and said that because of it, it is in legal limbo again, asked us if we would consider bringing it back to the Board for re-approval. The testimony today will end up back in court. As one of the witnesses mentioned there has been an extension until June 30, 2010 to approve it again. He doesn't know if it will be extended for an additional year, if they find they are making extensive progress toward completion.

Ms. Rogo Trainer replied she asking these questions because she does want to make sure that she understands about it. The last time it seems that a lot of people weren't being heard. She doesn't think what they are bringing up is frivolous. She felt they were bringing up good points. It is food for them to be heard.

Mr. Syrnick replied he thinks it is fair to say that the last time around we heard a lot of people from both sides. We are not saying whether this project is good or bad, but this project is the opportunity to be heard.

Mr. Eiding replied it was the terms he used that he didn't clear that up. He didn't mean to imply that everyone, who spoke here was frivolous. What he said was that what came down to it in the end, was some were saying at the second hearing were all we were hearing about were who was going to get a parking space and who wasn't getting a parking space. And he thinks it was the decision of the Commission that is not what we were here for to decide who was better than anybody else. What we are here for is to go over the plan, and to hear from the people in the community, and we did that. He is comfortable that he didn't hear anything different than what he heard before. He apologized for using the word frivolous. But he has to tell you when people come up here complaining because somebody else got a parking space, he doesn't feel that is part of the Planning Commission's decision. He apologized for his choice of words, but certainly the content of those words for people who have testified about parking spots were frivolous. Thank you.

Mr. Syrnick replied we approved this project and it came back to us again. They asked staff to approve it.

Mr. Bumb replied a question that Nancy had that I did not understand. So in some respects what we are doing here is this Commission saw this exact project, took an action on this exact project, had it's approval through the court process set aside. This could go right back into the court process. We are re-establishing the decision made and that decision doesn't speak to the length of time City Council Ordinance voted on that already. There is an issue on that (that people have pointed out already) very shortly. I'm just trying to understand it. I'm re-establishing that this Commission has to provide an approval for the project development to proceed. The developer is asking us. It is impossible for development to proceed unless you have zoning in place even in this difficult market for any circumstance. So it is just to re-

establish that, fully understand that the judicial process will be what it is, and will not be under our control.

Mr. Syrnick replied except that he thinks this Commission would have had an opportunity to change its mind. In addition to say that we are re-establishing what we had before. I'm not taking sides on that. We could do what we want now.

Mr. Eiding replied based on that and based on the testimony, he made a motion to take the recommendation of the staff.

Upon motion by Mr. Eiding, seconded by Mr. Bumb, the City Planning Commission approved the Stamper Square Plan of Development.

Mr. Syrnick replied that his time on the Commission, this was the single most difficult project that was presented to us.

6) Adoption of Community Planning Guidelines

Mr. Greenberger stated what we are going to look at today is a lot of information. Items 6 and 7, you are looking at recommendations that Rick Redding is going to present on guidelines on how community planning that are done outside of the Commission itself. How they might relate them to the City Planning Commission policy to move forward. It is very informative because a lot of community plans out there exists on many different levels. Some of them are involved with the Planning Commission, and some don't. Mr. Redding will make a presentation on that. And because it is appropriate to the subject, we are going to give you a brief presentation on two such plans that have been out there by Logan Square Neighborhood Association and the Center City Residents Association. On all 3 matters, we are not asking for you to act on today. It's a lot of information for you to absorb. It is an important use for you the public so what we will do is put these out there for information only. We are not under any time urgency to do this. No action is required today.

Richard Redding, Division Director of Community Planning, stated he wanted to present the Community Planned Guidelines. There are two major objectives: 1) through coordination of City based plans and policies and resources – exactly to insure efforts are made to include all community residents in the planning process. The guidelines apply to community based plans. For the most part they are done by Community Development Corporations or CDCs. The smaller number of them are done by non-profit and civic associations, and some are done by planning agencies other than the City Planning Commission. Collectively, we are including all these in the guidelines. There are tremendous amount of planning activity that creates confusion. The confusion raises the question "What is the standard for some of these plans?". That is something we are trying to address. We find that recommendation of community based plans are sometimes not consistent with City policy or using available resources. We see that often the plans make recommendations that are under City Planning Commission oversights: zoning remapping, type of program, improvements to the public realm. However, there is no guarantee that the Planning Commission staff was ever really involved. In addition, if the Planning Commission was never notified that there are plans being done out there, then out agency cannot benefit from new recommendations or good recommendation that are in that plan. In some rare cases, the plans are controlled by a small group of member or community leaders without an effort to involve the community in general. So what reasons do we think

these are much needed? The American Planning Association or APA states that municipalities should establish criteria for approving neighborhood plans and the Capital Budget for improving public areas should be there. Consultants to the Zoning Code Commission are recommending that approved neighborhood based plans have a role in the new zoning code. So clearly, coordination of planning efforts play an important part. We are getting ready for the new zoning process, including the Comprehensive Plan. So how have the City Planning Commission dealt with community based plans in the past? In many cases, the sponsored included our staff on the Planning Commission process and sometimes they came to us for our formal support of the Planning Commission. We were able to issue support letters. And we do send out a half a dozens of support letters and put them on our website. However, this was done on a case by case basis without overall policy and that is something we are trying to improve upon at this time. So these are the new guidelines that a community based plan should have an advisory committee set-up. That advisory committee should include Planning Commission staff as its membership. That the community based plans should have open public meetings, be widely advertised and the Planning Commission staff would look to the CDCs to sponsor the good participation of the community that every effort was made to get input from all of the citizens not just a select group. Another guideline is that future community based plan should be consistent with the citywide plans formulated by the Planning Commission Comprehensive process. Sponsors should meet with stakeholders directly effected by the recommendation of their plan, especially when public comment is involved that could effect best practices. Plans that meet the guidelines, the Planning Commission offers full acceptance. We would issue an acceptance letter, we would offer to make the plans available on our website, and for accepted plans they would be eligible for our agency to make public funding and land use position and rezoning and other staff actions and resources. What do we mean by acceptance? It means that the Planning Commission assists the goals and directions of the plan, accepts the plan by general policy guidelines, and the community based plan would provide input to the Comprehensive Plan process. However, our agency would not be obligated to accept each and every recommendation. However, we will support our people overall to the plan. He pointed out that since most community based plans are done by the Community Development Corporations, he thought that a good reaching out would be Philadelphia Association of CDCs. He has been working with them. He would like to thank their policy people for their input and confidence in these guidelines. The City Planning Commission staff recommendation is approval.

Mr. Greenberger replied as he mentioned earlier today, this is for information only and we wanted you to know what the staff recommendation was.

Mr. Syrnick replied in your presentation, you said if there was public money involved you were recommending competitive bidding for what.

Mr. Greenberger replied for consultants to be hired.

Ms. Rogo Trainer asked does that mean, it would be based on the lowest bid.

Mr. Redding replied it would be an open and public process.

Mr. Greenberger replied it is more about advertise process, will competitively submit qualifications. Some proposals might ask for a set of fees or fees up front. We don't take a point of view on that.

Ms. Rogo Trainer asked it wouldn't be based on the lowest bid.

Mr. Greenberger replied no, it would be on qualifications.

Ms. Olson Urtecho asked, regarding stakeholders, is there a criteria for stakeholders.

Mr. Redding replied our staff would definitely evaluate what the sponsor is doing in terms of meeting with the people, who would be directly effected by the recommendations. We just think it is a basic tenant that CDCs should follow and community sponsors need to also. Clearly an advisory committee could have major stakeholders and owners on it.

Ms. Olson Urtecho replied sometimes folks don't get involved with their community.

Mr. Greenberger replied some communities have done and can do this and do it well. Some communities there are less of a focus. Some communities have CDCs come to us with more. There are a lot of pieces that are in motion here that we don't really control. When a plan is done by the Planning Commission, I'm not saying we do this perfectly – we make mistakes too, we try to make sure that a broad range of stakeholders are involved in the plan. Certainly, residents are involved in the plans, it is resident based, but also business, institutions, and other groups not necessarily those that live there but have a vested interested in the plan. This is one area where the relationship of the community based plan need to be really thought through by the recommendations that is put together from the start. That they are careful of the descriptions of what their expectations are. We know that a community based plan will not necessarily be perfect either. We know that stakeholders and some communities have internal disputes about who is working with an organization. We can't control it, but we have to at least evaluate the extent into which they have tried to reach out to us. As a way for us to understand the value of the plan as the public policy works.

Ms. Olson Urtecho replied these are good guidelines. It helps to understand especially between the community and the developers of who is doing what.

Mr. Lee replied regarding competitive bidding. He thinks you might want to use open and fair rather than saying competitive bidding process, or you may have problems down the road.

Brian McHale asked what are the long term prospects for this. He understands the integrating of the zoning and planning process, that there is going to be a Comprehensive Plan with District Plans, and the District Plans are going to be updated. Is there a problem if the Commission begins accepting neighborhood plans that are not updated at the rate that the Planning Commission is doing its own planning updates? What happens if the neighborhoods themselves are back changing their plans at a fast rate? What happens if community groups superseded by others that have a different set of plans? Or begin fracturing the plans the Community has already accepted? Hoe do you perceive the Planning Commission handling all of the politics down the line?

Mr. Redding replied before the Planning Commission can begin its own Comprehensive Plan or District Plans, it's important to review previous plans. The accepted plans would have priority. And if there are multiple plans in an area, at different point in time, we would need to go over them all. But obviously, the more recent plans would be more appropriate. But he thinks the Planning Commission is in a great position to have an open working dialogue all over the city.

Mr. Greenberger replied you have raised 5 good questions for which there are no pat answers. He thinks under the acceptance description, as mentioned, one of the most important things is that it has to be for all of the reasons you suggested, there has to be flexibility consistently. So when a plan is accepted, we have to have the flexibility to at least examine individual recommendations and understand in a way that is more thoroughly whether a given recommendation may or may not be accepted as a guidance from public policy. We have to be able to do that for all of the reasons you stated. They will be fully vetted and its true, groups may change, people may come with different points of view. All we can do is respond to the situation as it evolves.

John Gallery asked if this is available on the website now for those of us that want to review it.

Mr. Jastrzab replied it will be shortly.

Mr. Greenberger replied we could also do a mass mailing of it. If you get your Agendas through the Planning Commission's website, we could send it out to you. If not, it will be on the Planning Commission's website.

Greg Hiller, Managing Director of Enterprise Center Community Development Corporation, replied they are one of those CDCs in the City that has produced a neighborhood plan. CDCs and groups all over the City are producing these plans as Rick said, and working primarily in a vacuum without consistency between them and without any kind of assurance that their plan's impact on City plan. But at the same time, the City Planning Commission came up with this by having an on going process for planning and updating plans all across the City. He is sure those plans are consistent and can provide a guideline for the Planning Commission's own policy. These guidelines take a strong step in addressing those points. There are a lot of unanswered questions. Those are things that are going to have to be figured out down the line. But he wanted to applaud the staff of the Planning Commission for developing these guidelines. He thinks this is a very strong step forward and has great promise for both giving our community based efforts some real teeth and giving the Planning Commission the guidance it needs to shape good City policy as they move ahead. Thank you.

Jeff Carpineta, President of the East Kensington Neighborhood Association, replied ditto to Greg's comments. He thanked Mr. Redding for making him aware of this meeting the other day. It is definitely a new era. To think this group would give this kind of consideration to the civic groups. It is a signal to a new era of partnership. It is a signal of a vote of confidence that there are great ideas out there. East Kensington has actually over the last 6 months just begun to lay the lay the ground work for our own residential blighting process. So this is all good timing for us. The CDC work with the community planners. The Planning Commission is really stepping up by reaching out to the communities. The Water Department work, stimulus money and revitalization of the neighborhood – it has been working. What a better time to bring this to the table. He appreciates it. The points you made in the draft. This is his first time hearing the details and he has to say his initial reaction would be to say terrific. He would be anxious to hear all of the deeper explanation of the part of the competitive bidding. How the process is evolving as far as who is going to do the consulting work? Kensington is an exciting, unorthodox mixture of who the residents are in the neighborhood. Who have background in planning? When are they available? What their roll is in the community? Design Collaborative and other people who are extended from planning. How the civic group can select or identify who is going to do the consulting work? It is going to be different kind of selection process, than say if your group was to reach out to a professional. He is not sure how this whole thing, the way the selection

process should be. Especially if it is not paid for with state or city funds. If it is DVRPC or the Design Collaborative or any other group, he is sure they will have their own requirements. It will be hard enough, but they will make it happen. He is curious about it. How easily it will be structured? For everything else, thank you. He has gone to the Planning Commission's website, and saw the communities mapped out. It is good to know that our planners will go to his meetings and stand with them.

Rick Sauer, Director of the Philadelphia Association of Community Development Corporation, stated he appreciates us reaching out to them. He knows there are issues that go beyond neighborhood boundaries. The selection process for consultants should be an open process. Reach out to the Pearl Buck Foundation to see how they can help neighborhoods. We certainly endorse these guidelines at our next meeting.

Andy Toy, Logan Square Neighborhood Association and chair of the LSNA Parkway Plan, congratulated the Philadelphia City Planning Commission with moving forward on accepting the neighborhood plans. He asked the Philadelphia City Planning Commission to accept or adopt the LSNA neighborhood plan. He thinks it is a model that is supported from a diverse group of stakeholders, including Commerce Department, the neighbors, businesses, high rise and low rise, the Parkway. It is a very diverse group of stakeholders. The Philadelphia City Planning Commission has been at the table with us the entire time with Janice Woodcock, Gary Jastrzab, Alan Greenberger, and Duane Bumb from Commerce, John Gibbons and his crew, and support from SCRUB as their financial agent. We committed to a three year process. Really can inform the larger neighborhood plans use of illustration and digitally are important, sustainability, design review, high to low, bulk controls – not only height but density. Implementation is most important for them. Hopefully we will have the support of the Commission at your next meeting. We know we have the support of the staff we hope we have support of the Commission. We appreciate all of the work that has been done.

7) Presentation of the LSNA & CCRA Neighborhood Plans

Laura Spina, Center City Community Planner, stated there are two community plans that have been done by neighborhoods in Center City. Both of them have hired John Gibbons from KSK Architectures. He is here to present these plans to you. This is for information only today. We are hoping you will act on acceptance on these plans next month. The Center City Residents Association plan for the neighborhood of Rittenhouse Square, it is the entire southwest quadrant of Center City. Five years ago CCRA saw a number of developments that were proposed for their neighborhood. They wanted to create a plan so that they could address development so that it would be compatible with existing conditions in their neighborhood. They raised funds and hired KSK to do the plan, and staff from the Planning Commission did serve on the advisory committee of this plan. The CCRA Board adopted the plan in 2007, and then adopted a revised version of the plan just last year. The staff recommendation will be acceptance.

John Gibbons stated the Center City Residents Association wanted a plan to guide them and help them move forward. The study area boundaries coincide with CCRA boundaries, stretching from east to west from the Avenue of the Arts on Broad Street to the banks of the Schuylkill River, and from north to south, from JFK Boulevard to South Street. The study area encompasses all of Rittenhouse Square, the Penn Center financial district, Fidler Square, the shopping district along Walnut and Chestnut, and smaller neighborhoods in between. These were some of the issues: What aspect did they not like? Such as blank party walls, high rise day light on low rise, loading docks, and premature demolition; Design control for decks, etc,

connections between Rittenhouse Square and Logan Square; Quality of life issues; Plan Principals or goals – rezoning; Character areas of Center City Residents Association; Design standards at what point will building be scrutiny; Set-backs; and Transparencies. Zone 2 is residential – encouraging green roofs. Zone 3 is retail district. Zone 4 is townhouse area, green roofs, open space, ground parking. Zoning issues: Logan Square and Parkway, number of windows in a façade, parking underground, green decks, set-back, open space. Improving connections and circulations, traffic, requiring rear parking at townhouses.

Ms. Olson Urtecho replied legislation was signed today that anything above 10,000 feet needs to be a green building.

Adam Snyder, Center City Residents Association, replied please accept the neighborhood plan. We believe that our neighborhood plan is a good plan. KSK produced a highly developed and concise plan. We had an advisory committee. We encourage you to use this as we go forward. As a former Zoning Chair for the Center City Residents Association, which we feel makes a win-win situation. We request the Philadelphia City Planning Commission accept the Center City Residents Association neighborhood plan.

Tim Kerner replied our plan has been in use for 3 years now. It brings efficiency to developers and residents. We hope you will accept it and continue to endorse it.

Ms. Spina stated LSNA also raised money from DVRPC and Commerce in 2006 to partner with Mr. Gibbons. She stated Logan Square Neighborhood Association under former Executive Director Janice Woodcock, Debby Schaaf, PCPC's Transportation Planner, and I. And staff was used as a match to their DVRPC grant. The cultural institutions along with Parkway, at times it came into conflict with the residents. Overall we think it is a very strong plan. We agree with 85% and we will recommend acceptance of the plan next month.

Mr. Gibbons stated Logan Square Neighborhood Association is bounded by Broad, Market, Spring Garden, and the Schuylkill River. Residential core around Logan Square. Several major developments that have effected Logan Square Neighborhood Association. Stakeholders here are some of their issues: important with Parkway, homeless on Parkway, effects and impacts from high rises, connection to Center City and open space. Barnes proposal, which is a right by code, caused a lot of outcry. Generated a response 125 feet height limit Parkway and Spring Garden; Quality of life; Underpasses, homeless, education, green roofs, tree canopies, circulation, parking, pedestrian connections, bicycle and transit service. Development recommendation conservation district, historic resources, updating zoning map, addressing zoning, re-zoned on Broad Street; Split between high density and low rise; Zoning recommendations RC-4, etc bonus boost, existing 125 ft height, reduce FAR and bonuses southside of JFK, height, spacing between buildings, Design Review with community, short term (red circled are disagreeing with PCPC).

Ms. Spina replied as you can see from both of these plans, the staff of the Philadelphia City Planning Commission have to look at the entire City not just for this area.

Mr. Toy replied this is a great way to do it. He said he forgot to thank Ms. Spina, who was involved with countless meeting with them. The longer term goals are where we will need support.

Mr. Greenberger replied the Zoning Code Commission is actively looking at the commercial mixed-use. There are some very good suggestions as we study these more carefully.

Mr. Syrnick replied we will be seeing this next month.

Mr. Lee left at 3:50pm.

- 8) Institutional Development District Master Plan Amendment for the University of Pennsylvania for the block bounded by 34th Street, Chestnut Street, 36th Street, and Sansom Street. The proposal is for the demolition of the existing Pepper Hall and the construction of a new building in its place.

Mr. Gregorski stated this proposal would authorize the demolition of Pepper Hall, which is the southern wing of the reverse "C" shaped structure that occupies the space between Silverman Hall and Tanenbaum Hall. The current wing of the building is primarily a one-story structure with a small partial second floor, and is approximately 14,153 sq.ft. This structure will be replaced with a new building that consists of a ground floor, floors 1 through 3 and a mechanical penthouse and is approximately 41,759 sq.ft., but in a footprint that is approximately 1,500 sq.ft. less than the existing building. A bridge at the second floor level is proposed to connect the new building to Silverman Hall. This new Pepper Hall will be used primarily for administrative and faculty offices, but there will also be an auditorium and mock court room on the ground floor. The IDD will have 3588 parking spaces, and they are only required to have 3301 spaces. They will be putting a partial green roof on it. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Eiding, seconded by Ms. Olson Urtecho, the City Planning Commission approved the Institutional Development District Master Plan Amendment for the University of Pennsylvania for the block bounded by 34th Street, Chestnut Street, 36th Street, and Sansom Street.

- 9) Streets Bill No. 090924: Authorizing the striking and vacating the legally open portions of Adams Avenue from Aramingo Avenue to the northwesterly right-of-way line of the Delaware Expressway and reserving and placing on the City Plan a right-of-way for drainage purposes within a portion of Adams Avenue being stricken (Introduced by Councilmember Krajewski on December 17, 2009)

William Erickson, Development Planner, stated this Bill is to strike and vacate Adams Avenue. It is not there. It is a paper street on Conrail land between Aramingo Avenue and I-95. A developer would like to build a 46,000 square feet industrial building for the transfer of waste and material to railcars, and would like to remove legal encumbrance. The City Planning Commission staff recommendation is approval.

Upon motion by Ms. Olson Urtecho, seconded by Ms. Rogo Trainer, the City Planning Commission approved Streets Bill No. 090924.

- 10) Paschall Village Revitalization Project:
 - a. Preliminary Plat: To subdivide a 3.2-acre tract of land to allow for the construction of 60 single-family attached dwellings as part of the Paschall Village Revitalization Project;
 - b. Streets Bill No. 090925: Authorizing the revision of lines and grades on a portion of City Plan No. 248 by placing on the City Plan Saybrook Avenue from Lloyd Street to 72nd Street. And the bed of Saybrook Avenue will be dedicated to the City (Introduced by Councilmember Tasco for Council President Verna on December 17, 2009)

Sarah Chiu, Development Planner, stated this is a Preliminary Plat for the Paschall Village Revitalization Project. It is bounded by 72nd Street, Lloyd Street, Woodland Avenue, and Paschall Avenue. It is zoned R-13. The existing Paschall Apartment complex contains 140 apartment units that are owned and operated by PHA. All of the existing building will be demolished. The purpose is to subdivide 3.2-acre parcel for duplexes and a new community center. Streets Bill No. 090925 will allow Saybrook Avenue to be placed in between 72nd Avenue and Lloyd Street, in order to enable the PHA's Paschall Village Revitalization Project Phase II development to meet its subdivision and infrastructure requirement. The proposed street will be 50 ft wide with 12 ft sidewalks. The City Planning Commission staff recommendation is approval.

Upon motion by Ms. Olson Urtecho, seconded by Ms. Rogo Trainer, the City Planning Commission approved the Preliminary Plat: To subdivide a 3.2-acre tract of land to allow for the construction of 60 single-family attached dwellings as part of the Paschall Village Revitalization Project, and Streets Bill No. 090925.

Mr. Syrnick adjourned the City Planning Commission Meeting of January 19, 2009 at 4:05pm.

SUMMARY

- 1) Minutes of the meetings 11-17-09 & 12-8-09. Approved
- 2) Executive Director's Update.
- 3) Adoption of Regulations for Plan of Development Approvals (Presented by Martin Gregorski) Tabled
- 4) Central Delaware Riverfront Overlay District: Waterview Grande Plan of Development Approval, 1-22 Brown St & 800 N. Delaware Ave (Presented by Martin Gregorski). Approved
- 5) Review of the Stamper Square Plan of Development (Previous PCPC action: 8-19-08; Presented by Martin Gregorski). Approved
- 6) Adoption of Community Planning Guidelines (Presented by Richard Redding). Presentation
- 7) Presentation of the LSNA & CCRA Neighborhood Plans (Presented by Laura Spina & John Gibbons, KSK Architects, Planners). Presentation
- 8) IDD Master Plan Amendment for the Univ of Penn for the block bounded by 34th, Chestnut, 36th, & Sansom Sts. The proposal is for the demolition of the existing Pepper Hall & the construction of a new bldg in its place (Presented by Martin Gregorski). Approved
- 9) Streets Bill #090924: Authorizing the striking & vacating the legally open portions of Adams Ave from Aramingo Ave to the northwesterly right-of-way line of the Delaware Expressway & reserving & placing on the City Plan a right-of-way for drainage purposes within a portion of Adams Ave being stricken (Introduced by Councilmember Krajewski on 12-17-09; Presented Approved

by Wm Erickson).

10) Paschall Village Revitalization Project
(Presented by Sarah Chiu):

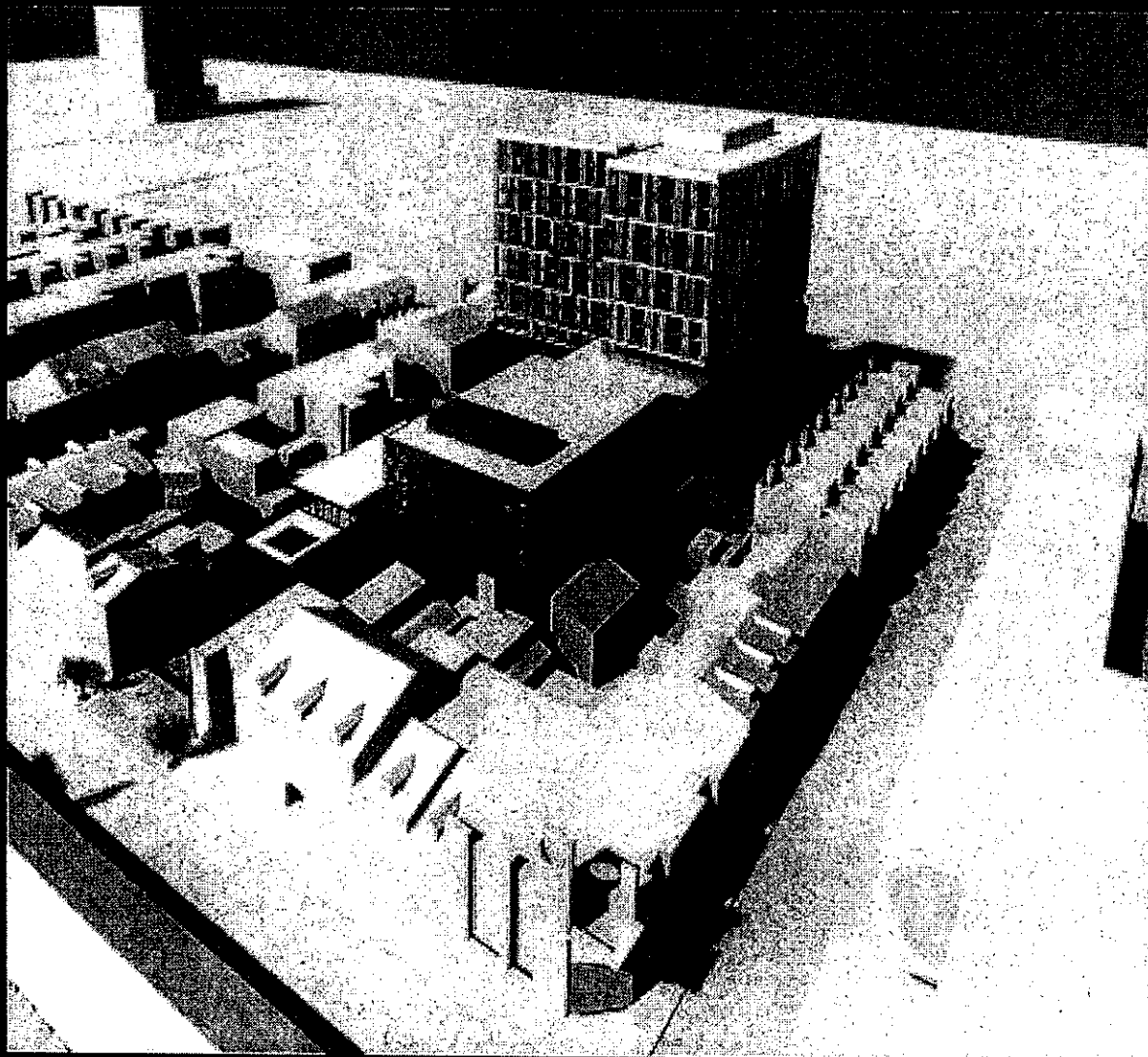
Approved

- a. Prel Plat: To subdivide a 3.2 acre tract of land to allow for the construction of 60 single-family attached dwellings as part of the Paschall Village Revitalization Project;
- b. Streets Bill #090925: To authorize the revision of lines & grades on a portion of City Plan No. 248 by placing on the City Plan Saybrook Ave from Lloyd St to 72nd St. And the bed of Saybrook Ave will be dedicated to the City (Introduced by Councilmember Tasco for Council President Verna on 12-17-09)

"EXHIBIT A1"

Stamper Square Hotel & Condominium

1 2 3 4



"EXHIBIT A2"



Stamper Square view from Penn's Landing



CITY OF PHILADELPHIA
CITY COUNCIL

"EXHIBIT B"

✓ ORIGINAL TO PAUL
✓ COPY TO TANIA
DEC 19 2005

FRANK DICICCO
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COUNCILMAN - 1st DISTRICT

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December 12, 2005

(Via Telefax to Boni at 215-989-0035)

Mr. Paul Boni
Chair, Zoning & Historic Preservation Committee
Society Hill Civic Association
PO Box 63503
Philadelphia PA 19147

Re: Zoning at New Market

Dear Mr. Boni:

Thank you for the opportunity to offer you my opinion of the zoning at New Market. After careful consideration, I have reached the conclusion that the zoning at New Market is appropriate.

New Market is part of the Society Hill Historic District. The property is located among other low-rise buildings. As you discovered when you met with City Planning Commission in April 2005, the property was consciously and intentionally zoned C-2. For those reasons I do not believe that any rezoning is called for.

Thought my views on this matter are clear, the possibility still exists for anyone to seek a zoning variance. If a developer can demonstrate a hardship, then the developer can seek a variance to cure the hardship. If this occurs and the Civic Association still objects, I will stand with the Association in seeking to work out differences with the developer. My door is always open for this purpose.

Again, thank you for your inquiry.

Sincerely,
Frank DiCicco
Frank DiCicco
Councilman-First District

cc: Tania Rorke, President, Society Hill Civic Association