

PHILADELPHIA CITY PLANNING COMMISSION
February 16, 2010

PRESENT:

Joseph Syrnick, Acting Chair
Brian Abernathy, representing Camille Cates Barnett
Duane Bumb
Christopher Donato, representing Rob Dubow
Patrick J. Eiding
Bernard Lee
Natalia Olson Urtecho
Nancy Rogo Trainer
Nilda Ruiz

ABSENT:

Executive Director:

Alan Greenberger

Deputy Executive Director:

Gary J. Jastrzab

Acting Chair Joseph Syrnick convened the City Planning Commission Meeting of February 16, 2010 at 1:10pm.

Mr. Syrnick welcomed Brian Abernathy as the Managing Director's alternate.

- 1) Approval of the Minutes for the January 19, 2010 meeting.

Upon motion by Mr. Eiding, the City Planning Commission approved the minutes for January 19, 2010.

- 2) Executive Director's Update

Mr. Jastrzab stated there will be a Special Meeting of the Philadelphia City Planning Commission: We are proposing a Special Meeting of the City Planning Commission on Tuesday, March 2nd (two weeks from today) to present the Recommended FY2011-2016 Capital Program and Budget for your consideration.

Ms. Olson Urtecho and Mr. Lee arrived at 1:23pm.

- 3) Phila2035 Plan Update

Alan Urek, Division Director of the Strategic Planning Division, stated he is overseeing our agency's efforts of the Phila2035 Comprehensive Plan. We just started the work in January. First he wanted to remind everyone that we initiated last year what we called the Integrated Zoning Process, which is composed of 3 major elements. In large part this process was predicated by the ongoing Zoning Code rewriting and remapping work, which has been going on for about 2 years now. At the end of this calendar year will result in a newly written zoning code, and if it adopted by City Council and put into law, it will require the remapping process. In order to prepare for that remapping process, we knew that we needed to get our ducks in order. From a planning perspective, we initiated a Comprehensive Plan, that we are calling Phila2035. We also recently put in a proposal for the William Penn Foundation for funding for a Citizens Plan Institute that we envision over time becoming the educational and outreach component for the Philadelphia City Planning Commission. That is a critical part of this zoning process. Why are we starting this work now, in addition to the zoning remapping? In part, we are also fortunate to have an Administration that is fully behind all kinds of planning work. We produced Green Works, which is a very strategic plan for sustainability in Philadelphia. There are a number of other efforts that are ongoing in the City at this time. But the reason for doing the Comprehensive Plan is to consolidate that work under one umbrella in a way that makes sense and that will take us forward. We are also following up on the heels of a project that was called Imagine Philadelphia Laying the Foundation, which was grant supported work beginning in 2007 as efforts began to lay the foundation, figuratively and literally for the Comprehensive Plan. While collecting a lot of data, of getting our information in order in our agency, we had a very robust City outreach process that part of that work conducted several public meetings, where several hundred people participated. Ultimately to develop the ideas about what Philadelphia should be in the future. What goals to obtain in that future, and the objectives. So that work concluded this January and the report was released at that Commission Meeting. It is serving its purpose. The scope of our Comprehensive Plan, the work is happening in 2 tiers. The first tier

that we are working on primarily at this time is the long range 25 years citywide plan; it will synchronize with the Delaware Regional Planning Commission. The reason we produced the plan called Connections targets the year 2035, so we will target that year as well. We will share that information as well. As we complete the citywide plan, we will move to complete 19 district plans around the City, which will be much more strategic at a shorter time frame effort. To summarize the work of the citywide plan, we are really looking at broad, long range varied ideas that have the propensity to make the changes as the City moves forward. The topics that we are primarily concerned with are listed there and many of those consistent with the way we worked the Imagine Philadelphia work. The citywide plan will be the frame work for each of the 19 district plans. The 19 district plans, among other things, has resulted in a specific land use plan. So the district land use plans will be the guideline for the zoning remapping. So as we roll out the district plan, we will immediately move into remapping the district according to the zoning code that will be completed at the end of this year. The district plans will take longer to complete. It will take several years to complete on a roaming basis. This is how we organized ourselves to do the work, it is a staff driven project at the Philadelphia City Planning Commission. We are not hiring a consultant team to do this work. We are using the resources of our staff as greatly as possible to manage this project. We established the City Working Group, which is composed of representatives of City Departments throughout the City, as well as, our sister agencies like SEPTA and PIDC. That working group currently has about 40 people. We met once with them, and will meet with them on a monthly basis to use them as principal bases in this process because the Planning Commission can write the plan but we are not in the position to do the implementation. It is important from a public investment perspective, that the City agencies that have the capacities and the resources to direct this and be a part of this from the very beginning. We also established an Advisory Board. We will be meeting with them in March; these people that will participate in kind in the plan as we move forward. That is some of the other players including City Council, community organizations, and so on. We are currently at the beginning of this process as indicated in the 2010 portion of this schedule. Our attempt is to complete the work on the citywide framework of the 25 year plan in this calendar year. By the end of this year, we will complete the process for the district plan. We would like to prepare 4 district plans per year; that will take us 4 or 5 years to do the entire City. At the end of that period of time, we would refresh the citywide plan and start refreshing the district plans. That way it would always be consistent with the regional plan timeframe that is being completed by DVRPC. The calendar for this year, the first quarter of the year we will be developing and analyzing existing conditions data. We will take the vision statement of the Imagine Philadelphia work and take those out to our working groups so that at the end of the first quarter we can establish a vision of what the City will be in 2035. During the spring and into the early summer, we will be using growth forecasting information to determine what the population housing and employment needs are in the 25 year period; to develop alternatives for how that growth can be used for the City; and to come up with alternatives for the plan. Toward the summer and into the fall, we will develop specific plan elements, and again recommend strategies for development and investment; and at that time begin the process for starting the first of the district plans. It is our hope and expectation to develop and release the beginning of this plan in 2011. Following up that with the preparation of each district. We established a focus team within the agency. He is heading up the team with Rick Redding, Gary Jastrzab, and Alan Greenberger. The Strategic Team is being headed up by Danielle DiLeo Kim. An Analysis Team is jointly led by Laura Spina and John Haak. The Forecast Team is led by Jametta Johnson. The Outreach Team is led by Jennifer Barr. And the Graphic Team is led by Beige Berryman. We are working in the multiple teams that are much integrated as we prepare the documents. We released the Imagine Philadelphia document last month. We convened the first of our monthly working group sessions. We have a second session coming up this week. We have done a very exhaustive round of analyzing existing plans that have been prepared both by City Agencies in recent years

and by other organizations in the region that are relevant, to consolidate plans that are consistent and make sense into a single place. We begun to develop some mapping conventions, this plan will look at some large regions (like Washington to the New York area) and in our area (like New Jersey, Delaware and Maryland area) that have the same conditions like we do. We are hoping to receive a startup grant. Going forward, at next month meeting we will be developing the vision goal objectives. We will be coming up with our baseline population forecast. Those numbers are the driving factor to see how Philadelphia will grow in alternatives ways based on those forecasts.

Ms. Rogo Trainer stated the she appreciates the clarity of the process.

Mr. Syrnick asked regarding your long range citywide plan, what happens in 2014.

Mr. Urek replied that would be an update that would keep us on cycle with the regional, DVRPC planning process. It would also put us in a position that we are not 50 years later having not updated our forecast.

Ms. Olson Urtecho asked about the community outreach.

Mr. Urek replied we have not done that yet, but we will be doing so in the next several weeks. At the March Commission meeting, if not before hand, we will be making an announcement.

4) Adoption of *Community Planning Guidelines*

Richard Redding, Division Director of Community Planning, stated because we saw this last month as an information only, he will give a brief refresher and also the comments that we have received from that presentation. The community plan guidelines seek to improve communication between the community based plans and City policy plans and resources. And to help insure that all community residents are involved in the plans. Most of the plans are done by CDCs, and a smaller number of cases community based plans are done by civic associations and other planning agencies. Collectively we defined all these plans as community based plans for purposes of this discussion. The APA recommended guidelines of this type, and we feel that the guidelines are timely in the integrated zoning process that Alan Urek has just presented. The new guidelines are that community based plans should have an advisory committee, which would include the City Planning Commission staff as its membership. They should have open public meetings at least twice, and it should be widely advertised. The idea is to get all citizens to come out, not just a select few. They should be consistent with our Comprehensive Plan and district plans. That the sponsorship meets with landowners, stakeholders and those directly affected by the recommendations. When consultants are selected, it should be done in an open and fair bidding process. In exchanged the Planning Commission will give formal recognition in the form of acceptance, a letter of acceptance. The Planning Commission will make the community based plans available on our website, and the plan would become available for our agency to recommend public funding for land disposition, rezoning, and other kinds of public actions. By acceptance, we mean that the Planning Commission supports the goal, and major concepts in the community based plan; that the plan will provide general policy guidelines to the Planning Commission; that it will be input into the Comprehensive Plan process. However, the Planning Commission and other agencies would not be obligated to support each and every recommendation. Since the presentation that you heard last month, we have received some additional comments. One of them was of the

discussion at the Commission table about competitive bidding; and what we have done is replaced it with language of open and fair bidding process. We were also asked by the Association of CDCs, "How will these guidelines apply to older community plans?" What if a plan was done a few years ago? We are saying that if a plan is less than 5 years old, then please go ahead and apply for acceptance. The Planning Commission will review it under the guidelines. If a plan is more than 5 years old, we would see it as not being eligible for acceptance under the guidelines. And we also received a comment from the same organization, that the Planning Commission will accept it and use it in the Comprehensive Plan and policy guidelines. People are saying that we are also recommending it to other City agencies in the government. And basically our staff agrees with that, we would want planning to be part of City government and agencies. We don't necessarily have control over it, but encouraging it is something that we do want to do. And we will add a sentence to our guidelines as to that affect. The City Planning Commission staff recommendation is approval.

Mr. Greenberger arrived at 1:35pm.

Ms. Rogo Trainer asked could you elaborate on the relationship on the community and planning guidelines, and how you see these working together particularly the district plans.

Mr. Redding replied he feels that the community plans, especially the ones that are accepted under the guidelines, are important to be put into the district plans in the integrated planning and zoning process. He feels that whenever we go out to do a plan, one of the important things to do is review what has been regulated by others because that is an important factor to consider. The district plans will become the detailed land use recommendation under the Comprehensive Plan banner, and the district plans are key opportunity areas with more detailed planning for those selected neighborhoods.

Ms. Rogo Trainer asked the way that you have wrote this, the acceptance of community plan does not necessarily mean that all or even most of the recommendations will be accepted into the district plan.

Mr. Redding replied yes that is right.

Ms. Olson Urtecho asked regarding the 5 year requirement for adoption. There are some plans, which are older than 5 years that are very accurate. She is not very comfortable with the 5 year cutoff of the criteria. Are we being overprotective on that?

Mr. Redding replied we felt that the 5 year cutoff correspond well with the policies of the planning and zoning process that we are recommending to the citywide plan or the Comprehensive plan are a 5 year cycle. And the district plans are a 5 year cycle. We thought it was logical and made sense.

Mr. Greenberger replied it is possible that there is a plan out there that is over that age limit, and for one reason or another is compelling. We want to have the flexibility to look at that. We don't want to just make a rule and say well everything including things we don't know about might not count. At the same time, 5 years we thought was a reasonable period that after which people who even formulated the plan at the community level or prior to that, they may have changed too. It is generally a good protection on both sides, recognizing that we may have to make an exception to the guidelines.

Richard Lombardo, at Ballard Spahr, stated he is here today to speak in behalf of the Development Workshop. He apologized for not getting the comments on the community based guidelines to the Planning Commission sooner. He read the following letter for the record:

“Dear Mr. Greenberger,

Members of the Development Workshop applaud the Planning Commission’s efforts to establish the guidelines for Community Plans prepared by organizations other than the Planning Commission. While the Workshop recognizes that in the present economic times, outsourcing community planning has become a reality and an economical way for plans to be developed, this is not the optimal way to do planning for the City. In the past the Workshop has taken the view that outsourcing planning and quasi-planning functions weakens planning in Philadelphia and has long advocated that the Planning Commission be provided with sufficient resources to carry out its City Charter’s mandate: to plan the City.

One should be mindful that the City Charter gave the Planning Commission be responsibility for drafting and updating the Physical Development Plan for the City and it’s geographical and functional parts so that this work is done by the same agency that is tasked under the Charter to prepare the Capital Program and Capital Budget. The balanced relationship between the community plans and the Capital Budget (which embraces all physical public improvements and any preliminary studies and surveys relative thereto) is critically important to ensure the orderly development and redevelopment of the City.

This said, the Workshop has reviewed the staff recommended Community Planning Guidelines that were presented to the City Planning Commission on January 19, 2010. While the Workshop understands the reasons for the Commission moving towards a policy of outsourcing neighborhood plans, we are concerned that the guidelines should be strengthened to consider more carefully the aspects of the plans that extend beyond current neighborhood boundaries and issues. The efforts to acknowledge community plans should never encroach upon the Planning Commission’s responsibility for planning for the City as a whole nor should they neglect those aspects of the City that are city-wide or regional in nature and not merely local. As the Workshop has noted in the past, any serious plan acknowledges the City’s role in the region and it needs to compete with surrounding communities and other regions to attract new population, create new jobs and grow the tax base.

A plan has the potential to strengthen or weaken the City’s tax base. Whether one is considering the downtown office core, the formerly industrial waterfront, the institutions of the Benjamin Franklin Parkway or the major employment centers (such as

universities, hospitals, the port, or the retail/entertainment commercial or remaining industrial uses throughout the City), the role of the Commission should be central.

We note that you are proposing that a community-initiated plan seeking City Planning commission recognition must be prepared by a community sponsor that has formed a broad-based Advisory Committee to guide the planning process and that the committee membership must include Planning Commission staff. We strongly urge that the committee also be made up of all stakeholders who will be affected by the plan's recommendations, including all classes of property owners, institutions, businesses, neighborhood services and charitable organizations, and public agencies that operate and have an abiding interest in the area for which the plan is being developed. We further suggest that the community outreach process include all segments of the community such as community development corporations, business organizations, civic organizations, labor organizations and other organizations with interest in the community. The plan development process should involve open, public meetings advertised via local newspapers, internet, and fliers.

Amendments to the guidelines should be considered that would assure adequate participation when the commission considers any neighborhood plans. Planning staff comments on "the goals, direction, and major comments expressed by the plans" should be provided in advance to all interested parties in writing. Finally, an opportunity for affected parties to comment to the Commission before any vote is taken on issuance of an "acceptance letter" is essential to ensure an open and transparent planning process.

As with other draft controls currently being considered by the Commission, members of the Workshop are prepared to meet with the staff to provide additional comments."

Greg Hiller, Managing Director of Enterprise Center Community Development Corporation, stated that he testified at the last meeting on the presentation only. He commended the City Planning Commission on these guidelines. There have been numerous efforts done without the City Planning Commission's input and very little connection with city policy. There is frustration with the public sector side that needs oversight by the City Planning Commission to make sure they are consistent when finished. These guidelines have several issues that go forward and connecting community based plans with implementation. He added that it is a lesson that Philadelphia has an interested and involved populace in so many neighborhoods that have a hand in shaping their own destiny. The City Planning Commission is embracing it and finding a way to figure out to give them the tools at its disposal. Thanks for all your hard work.

Brian McHale replied by and large he supports the guidelines that were sent out. He wants to know about the concept of public involvement. What is it? What does it involve? He hates the Central Delaware Overlay. Whenever the word green comes up he cringes. Going to

all of those meetings, there was a massive amount of public involvement. It is very hard for him to sit here and say the overlay that was set up is generally not the public. Having said that, the Logan Square Neighborhood Association and the Center City Resident Association have plans for half of the City's core. The general area where most of this is in Philadelphia, the core is where we consider Philadelphia as a whole, and he loves the plans. He thinks they are robust, thoughtful, and well planned out, but they also include the Art Museum District, retail corridors along Walnut Street, and the Central Business District. He is not entirely convinced the public outreach for warms Philadelphia was as broad based by perhaps as it should have been and to give resources to all of us, who necessarily live there. That is not to take anything away from neither of the neighborhoods. They did great work. They should be commended.

Jeff Carpineta, President of the East Kensington Neighborhood Association, stated legitimize role of community groups in City policy.

Upon motion by Mr. Lee, seconded by Ms. Rogo Trainer, the City Planning Commission approved the Adoption of *Community Planning Guidelines*.

5) Acceptance of the LSNA & CCRA Neighborhood Plans

Laura Spina, Center City Community Planner, stated last month you saw an information only presentation of the two community plans that have been done by neighborhoods in Center City. Both of them have hired John Gibbons from KSK Architectures.

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 of the Center City Residents Association Neighborhood Plan.

Mr. Syrnick asked her to define acceptance.

Ms. Spina replied recognize the work, don't all agree but will incorporate into policy

Ms. Rogo Trainer asked how does the plan feed into overall.

Ms. Spina replied policy and issues not all under our control, but those that see can be used as policy.

Mr. Eiding asked who decides stakeholders.

Ms. Spina replied the Planning Commission staff on the list and we will give input.

Mr. Greenberger replied our knowledge will be an asset.

Ms. Rogo Trainer asked what is the purpose of open meetings.

Mr. Greenberger replied it would be put out a couple of times to see what happens. If a good point is made, it would be taken seriously.

Ms. Rogo Trainer replied Mr. McHale's question is important. Discussion of acceptance versus adoption. Need both lines and flexibility

Ms. Ruiz arrived at 2:03pm.

Upon motion by Ms. Olson Urtecho, seconded by Ms. Rogo Trainer, the City Planning Commission approved the Acceptance of the CCRA Neighborhood Plan.

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%. 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 affected 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). The staff recommendation will be acceptance of the Logan Square Neighborhood Association Neighborhood Plan.

Mr. Syrnick asked is this the same or covered both.

Sam Little replied we took the history of the plan, and use it to shape code. He replied agree to disagree is OK.

Ms. Olson Urtecho replied Zoning Code Commission outreach meetings.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved the Acceptance of the LSNA Neighborhood Plan.

6) Nicetown Redevelopment Area Plan

Jennifer Barr, Northwest Area Community Planner, stated the Redevelopment Plan of 1965. The original plan had unforeseen consequences, It is 45 years old, and it does need to be updated. The objectives of the 2010 report are the following:

1. Stabilize the existing rowhouse fabric and develop in-fill housing which retains the neighborhood character.
2. Encourage transit-oriented development adjacent to Wayne Junction Station through new construction and adaptive reuse.

3. Provide improved circulation and parking for neighborhood residents and visitors.
4. Enliven vacant areas with active parks.

The staff recommendation is approval.

Mr. Eiding asked has the community given up on industry or employment opportunities.

Ms. Barr replied the market study does not have enough foot print for industrial user needs, not enough demand for commercial. TOD getting people to live here, which adds to desirability.

Ms. Rogo Trainer asked is there an offsite park and ride.

Ms. Barr replied outside area, but has potential.

Ms. Olson Urtecho asked movement within community for historic certification.

Ms. Barr replied rezoning has led to the wish to preserve character of development property.

Clare Laver stated Pops Place is a good model. Crime is down. Coordinate with the CDC and government. It has the potential for phasing of additional development.

Brian McHale replied in the 1965 Redevelopment Authority Plan community development moving to Broad Street (Erie) potential conflict between Broad and Erie and Wayne Junction enough pop for TOD.

Ms. Barr replied the 1965 plan, density was not huge. Approximately 100 units, she hasn't gotten the number count for Unity Market. Regarding senior units, apartment options are not available. We are trying to realistically meet the goals.

Ms. Rogo Trainer replied jobs and people are not exclusive; both can be attained.

Mr. Eiding replied you cannot enjoy park without jobs, crime don't go down without jobs. When planning you need to think about reuse of buildings for industry. Gone are days of every block has a factory.

Ms. Rogo Trainer replied need to be flexible to address unintended consequences.

Ms. Barr replied C3 should do that, potential for mixed use.

Upon motion by Ms. Olson Urtecho, seconded by Ms. Rogo Trainer, the City Planning Commission approved the Nicetown Redevelopment Area Plan.

- 7) Institutional Development District Master Plan Amendment for Temple University

Ms. Olson Urtecho and Mr. Eiding recused themselves.

Martin Gregorski, Development Planner and Acting IDD Administrator for the Philadelphia City Planning Commission, stated the location is at 1800 N. Broad Street at the northwest corner of Broad Street and Montgomery Avenue. The Pearson and McGonigle Halls are located on this site. The buildings, constructed in 1969, contain swimming pools, gymnasiums, locker rooms, labs, classrooms and offices. The proposal is to construct a new grand entrance/atrium with retail and café space on the front of the buildings, then construct additional floor over the existing footprint of Pearson Hall. The additional approximately 140,000 sq. ft. will house basketball practice courts, recreational sports facilities, exercise/yoga rooms, weight rooms, classrooms and office space. The parking spaces required by the IDD are 1,437 spaces; they are providing 2,951 spaces. It will front on Broad Street. It should be noted that in order to construct the addition, support structures will be needed on the public sidewalk for the recreation facility on upper floors. These structures will need to be approved via a Streets Ordinance for the encroachment for the columns. It will be a LEED certified building

Mr. McCreesh stated outside the building because of the pool, will need size 17 ft column 3 ft 8 inch caisson.

Ms. Ruiz asked is the loading dock on outside.

Mr. McCreesh replied second loading dock to be added on 15th Street, one is already there.

Ms. Ruiz asked about the community input.

Mr. McCreesh replied yes, Community Relations Department had addressed it.

Ms. Ruiz replied the building is ugly, could use better treatment on Berks and 10th building. It is really ugly.

Mr. McCreesh replied assure all 4 corners, that Temple took every per caution to treat appropriately. Load set back of 100 ft will not be seen.

Mr. Eiding replied Broad Street is looking great.

Ms. Rogo Trainer asked is the 5 ft encroachment the minimum.

Mr. McCreesh replied yes, it is the minimum required. It challenged the structural engineer.

Ms. Rogo Trainer asked what is the material.

Mr. McCreesh replied stucco pre-cast concrete Broad Street glass.

Ms. Ruiz replied make the space between columns a home for art.

Ms. Rogo Trainer asked has the public been notified.

Mr. Eiding replied I am a trustee, and that is always a concern.

Mr. McCreesh replied not directly.

Ms. Rogo Trainer replied OK if there is a give back, but blank walls are not it. Make it more open and friendly would help.

Mr. McCreesh replied there will be lighting, which is not shown. We are not opposed to change.

Ms. Rogo Trainer replied make façade friendlier. The 7 ft. sidewalk is small, make sure encroachment is the minimum. Big blank walls aren't doing it.

Mr. Greenberger asked graphic treatment any interest.

Ms. Rogo Trainer replied might be.

Ms. Ruiz replied this offensive. Community needs it to be friendly and inviting, this doesn't portray that.

Mr. McCreesh replied 4 facet are glass, most of this is already there. We are trying to open up the campus. We are trying to make room for Temple 2020.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Lee, the City Planning Commission approved the Institutional Development District Master Plan Amendment for Temple University.

8) Zoning Bill No. 100003: Zoning remapping for the Tacony area
(Introduced by Councilmember Krajewski on January 28, 2010)

Larissa Klevan, of the Development Planning Division, stated this amends the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Marsden Street, Friendship Street, Keystone Street, and Tyson Avenue. The area addressed in this Bill includes the commercial district along Princeton Avenue. The purpose of this Bill is to change the zoning designations of certain parcels of land within these boundaries from "C-1" Commercial to "C-2" Commercial. The community has requested that the commercial properties on Princeton Avenue be upgraded to "C-2" Commercial. The community would like to maintain the commercial uses along the Princeton Avenue corridor. "C-2" Commercial offers more commercial opportunities than "C-1" which will help enhance and solidify the commercial corridor. The more restrictive uses allowed in "C-1" may lead to a residential conversion, whereas in "C-2" a commercial use on the first floor is required. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked where is it located at.

Mr. Kramer replied it is located between the river and Frankford Avenue, and just south of Cottman Avenue.

Upon motion by Mr. Bumb, seconded by Ms. Olson Urtecho, the City Planning Commission approved Zoning Bill No. 100003.

- 9) Zoning Bill No. 100062: Rezoning a parcel of land at 59th Street and Lancaster Avenue from G2 Industrial to C3 Commercial (Introduced by Councilmember Jones on February 4, 2010)

Mr. Gregorski stated the purpose of this Bill is to rezone a parcel (5901-09 Lancaster Avenue) on the northwest corner of 59th Street and Lancaster Avenue from a zoning designation of "G2" General Industrial to a new designation of "C3" Commercial. This property will be used for an approximately 9,400 sq. foot retail/commercial office building. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved Zoning Bill No. 100062.

- 10) Three Bills legalizing building and street alterations at the Oak Lane Diner, 6528 N. Broad Street (Introduced by Councilmember Miller on November 19, 2009)
 - a. Streets Bill No. 090880: Establishing a one way regulation on Old York Road, from 66th Avenue to N. 65th Avenue, southbound;
 - b. Streets Bill No. 090839: Authorizing the striking and vacating portions of beds of Old York Road and 66th Avenue between Old York Road and Broad Street, and by placing a curb bump-out at the northeastern corner of Old York Road and 65th Avenue;
 - c. Zoning Bill No.090840: Granting permission to ABEER, LP, to legalize a one-story concrete masonry building.

William Erickson, Development Planner, stated these Bills will allow revision to Old York Road and encroachment on Broad Street to legalize the expansion of the Oak Lane Diner at 6528 N. Broad Street. Specifically, Bill #090880 changes the direction of travel to southbound only. Bill #090839 will revise the lines and grades of Old York Road by removing the northbound lane and the removal of the northbound cutback. These revisions will also include a bump out at 65th Street and Old York Road to prevent any northbound through traffic. Bill #090840 will legalize an existing 1-story masonry structure projecting 7' onto the west sidewalk of Broad Street, which is 22' in width, leaving approximately 15' clear open space.

The Zoning Board of Adjustment (ZBA) on January 8, 2008, approved an application to legalize the existing building, canopy and vestibule. Also permitted was the erection of an elevated deck covered with a canvas tent with enclosed sides. This approval was accompanied by a proviso that "No Further Enclosures would be permitted."

The owner had received permission to build a sidewalk café and legalize an existing vestibule entrance authorized by Bill #080207 on April 10, 2008. However, the owner authorized additional construction beyond the scope of activities that were permitted in 2008 on ground that he does not own, and which is encumbered by existing underground utilities. These illegal actions resulted in the City issuing a Stop Work Order.

The Councilmember Miller is looking to assist the owner of the Oak Lane Diner by introducing a Streets Ordinance to revise the lines and grades of Old York Road (to allow for the legalization of a 1-story building addition with partial basement encroaching 7' within the westerly sidewalk of Broad Street and 11' within the easterly sidewalk of Old York Road). Old York Road is currently being studied to change the direction of travel to one-way southbound

from 66th Avenue to 65th Avenue. There is an additional slab extending from the building into the cart way of Old York Road that the owners of the diner have agreed to remove.

These three Bills are part of one package and to avoid any additional complications will all be addressed one project:

Bill # 090840 will legalize an existing 1-story masonry structure projecting 7' onto the west sidewalk of Broad Street, which is 22' in width leaving approximately 15' clear open space. No mention is made that this encroachment has a basement at this location. This Bill does not have specific language which makes this encroachment temporary. The usual language would indicate that the applicant at his cost would remove the encroachment by 90 or 180 days upon written notification from the Streets Department.

This action does not exempt the applicant from first obtaining all required licenses and permits. Furthermore, if the building remains and any permits are not obtained, the building would then have to be removed. The staff of the City Planning Commission feels that the structure should be removed and the applicant can then follow the established process to get his building permit for expansion. (The application for a Zoning and Building permit should only be obtained prior to construction. This action is designed to ensure the applicant knows all the requirements and can estimate the cost prior to construction. DISAPPROVAL, no encroachment on Broad Street should be allowed.

Bill #090839 will revise the lines and grades of Old York Road by removing the northbound lane and the northbound cutback. In short, this Street Bill will legally change the status of the street and allow the owner to purchase the former bed of the street; under certain conditions. The important part of this Bill is under certain conditions, which means it does not become effective until it is confirmed by the Board of Surveyors. The Board of Surveyors will insure that all the other affected parties have signed the legal agreements required for this action. Furthermore, they must receive the required bond to ensure that all street and water improvements are done to the City's satisfaction; including a bump out at 65th Avenue and Old York Road to prevent any northbound through traffic. Due to the method of initially acquiring the street, the applicant will be required to have an appraisal done and pay fair market value for the ground he is acquiring. (These actions must be completed to allow the applicant to own the ground he is trying to have his diner occupy) This will transfer ownership to the Party at Interest, the required step of ownership which will allow them to follow the established procedures to get a Zoning and Building permit for any additions. DISAPPROVAL, the applicant will incur significant cost associated with private cost contract and appraisal fees and purchase of the bed of the street that must be paid prior to confirmation.

Bill #090880, which makes Old York Road one-way south bound for the block of 66th Avenue to 65th Avenue: normally the Philadelphia City Planning Commission would defer comments on the directions of streets to Streets Department and Traffic Engineering Unit. DISAPPROVAL

The City Planning Commission staff recommendation is disapproval.

Ms. Ruiz asked if financing available.

Mr. Erickson replied it is all over the map.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission disapproved Streets Bill No. 090880, Streets Bill No. 090839, and Zoning Bill No. 090840.

- 11) Streets Bill No. 100015: Authorizing a sidewalk encroachment at 3653 Germantown Avenue (Introduced by Councilmember Clarke on January 28, 2010)

Mr. Erickson stated the purpose of this Bill will allow for a 12 ft. x 75 ft. expansion to an existing restaurant on the southerly sidewalk of Erie Avenue (28 ft. wide) while maintaining a 16 ft. clear sidewalk. A Streets Bill should have been written to strike and vacate. A Bill needs to be reintroduced. The Streets Department didn't write No Ability to Remove. The City Planning Commission staff recommendation is disapproval. Either strike and vacate the street for the block or included a clause, which would allow the building addition to be removed at the written request of the Streets Department.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Lee, the City Planning Commission disapproved Streets Bill No. 100015.

- 12) Preliminary Plat: To subdivide 2.3-acre tract of land to allow for the construction of 32 single-family attached dwellings and flats for Phase I of the Paschall Village Revitalization project.

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. The City Planning Commission staff recommendation is approval.

Upon motion by Ms. Ruiz, seconded by Ms. Rogo Trainer, the City Planning Commission approved the Preliminary Plat: To subdivide 2.3-acre tract of land to allow for the construction of 32 single-family attached dwellings and flats for Phase I of the Paschall Village Revitalization project.

- 13) Zoning Bill No. 100014: Amending provisions of the Central Delaware Riverfront Overlay (Introduced by Councilmember DiCicco on January 28, 2010)

Mr. Abernathy recused himself.

Mr. Gregorski stated the purpose of this Bill will remove any height restrictions from the properties covered by the Central Delaware Riverfront Overlay District. This Bill would also remove any height restrictions that are legislated by any other overlay that covers this area, including the Old City Residential Area Special District Controls. The Central Delaware Riverfront Overlay District shall consist of all properties located in the area bounded by the south curblineline of Allegheny Avenue on the north, the Delaware River on the east, the north curblineline of Oregon Avenue on the south, and the east curblineline of Interstate 95 on the west. While many of larger parcels in this district use Floor Area Ratio (FAR) to determine their

massing and have no height controls, there are numerous properties which are controlled by height only. This Bill will also remove any height restrictions based on other overlay districts, of which there are few properties that fall under these other overlays. The City Planning Commission staff recommendation is approval with amendments.

Originally, this Bill removed the height limit from every property in the District, this included smaller parcels which had appropriate height limits. The new version of the Bill takes this into account and leaves the height limit, for residentially zoned properties and "C2" Commercially zoned properties, intact. It should also be noted that the time that the City Planning Commission was given to adopt Plan of Development regulations was extended to from 180 days to 240 days.

Ms. Rogo Trainer asked what is the impact.

Mr. Gregorski explained remove overlap overlays

Steve Wexler replied he opposes any changes while Master Plan is being written.

Mr. Abernathy replied the amendment addresses concern. The language removal removes redundant language not making changes to overlay.

Richard Thom, Old City, imposition of FAR alone is not enough. We have a lot of needle towers. There are no maps included in this Bill. The haste to pass this Bill is a concern.

Ms. Olson Urtecho replied plan of development is site by site.

Mr. Wexler replied without graphic representation of site in question is his concern. He is not opposed, but wishes some added information.

Ms. Ruiz replied she is not comfortable, not sure what we are approving. She wanted to table it.

Ms. Rogo Trainer replied language applies to whole area; only effects small area.

Mr. Bumb replied action to make technical correction to give plan of development time. Move forward for hearing.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Bumb, the City Planning Commission approved Zoning Bill No. 100014.

Mr. Syrnick adjourned the City Planning Commission Meeting of February 16, 2009 at 4:05pm.

SUMMARY

- 1) Minutes of the meeting 1-19-10. Approved
- 2) Executive Director's Update.
- 3) Phila2035 Plan Update Presented
(Presented by Alan Urek)
- 4) Adoption of Community Planning Guidelines (Presented by Richard Redding). Adopted
- 5) Acceptance of the LSNA & CCRA Neighborhood Plans (Presented by Laura Spina). Accepted
- 6) Nicetown Redevelopment Area Plan (Presented by Jennifer Barr) Approved
- 7) IDD Master Plan Amendment for Temple Univ. (Presented by Martin Gregorski). Approved
- 8) Zoning Bill #1000003: Zoning remapping for the Tacony area (Introduced by Councilmember Krajewski on 1-18-10; Presented by Larissa Klevan). Approved
- 9) Zoning Bill #100062: Rezoning a parcel of land at 59th St. & Lancaster Ave from G2 Industrial to C3 Commercial (Introduced by Councilmember Jones on 2-4-10; Presented by Martin Gregorski). Approved
- 10) Three Bills legalizing building & Street alterations at the Oak Lane Diner, 6528 N. Broad St (Introduced by Councilmember Miller on 11-19-09; Presented by Wm Erickson): Disapproved
 - a. Streets Bill #090880: Establishing A one way regulation on Old York Rd, from N. 66th Ave to N. 65th Ave, southbound;
 - b. Streets Bill #090839: Authorizing the striking & vacating portions of the beds of Old York Rd & 66th Ave bet. Old York Rd & Broad St, & by

- placing a curb bump-out at the northeastern corner of Old York Rd & 65th Ave;
- c. Zoning Bill #090840: Granting permission to ABEER, LP, to legalize a one-story concrete masonry building.

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|---|--------------------------|
| 11) Streets Bill #100015: Authorizing A sidewalk encroachment at 3653 Germantown Ave (Introduced by Councilmember Clarke on 1-28-10; Presented by Wm Erickson). | Disapproved |
| 12) Prelim. Plat: To subdivide 2.3-acre tract of land to allow for the construction of 32 single-family attached dwellings & flats for Phase 1 of the Paschall Village Revitalization project (Presented by Sarah Chiu) | Approved |
| 13) Zoning Bill #100014: Amending provisions of the Central Delaware Riverfront Overlay (Introduced by Councilmember DiCicco on 1-28-10; Presented by Martin Gregorski) | Approved
w/amendments |