

PHILADELPHIA CITY PLANNING COMMISSION
May 19, 2009

PRESENT:

Andrew Altman, Chair
Joseph Syrnick, Vice Chair
Camille Cates Barnett
Patrick J. Eiding
Anuj Gupta, representing Camille Cates Barnett
Bernard Lee
Natalia Olson de Savyckyj
Nancy Rogo Trainer
Nilda Ruiz
Peggy VanBelle, representing Rob Dubow

ABSENT:

Executive Director:

Alan Greenberger

Deputy Executive Director:

Gary J. Jastrzab

Vice Chair Joseph Syrnick convened the City Planning Commission Meeting of May 19, 2009 at 1:14pm.

- 1) Approval of the Minutes of the April 21, 2009 meeting.

Upon motion by Ms. Olson, the City Planning Commission approved the minutes of April 21, 2009.

- 2) Executive Director's Update

Mr. Greenberger stated that he has several items for his update.

- 1) The next Philadelphia City Planning Commission meeting is scheduled for Tuesday, June 9, 2009. It is a week in advance of what we usually do. We are going to do this routinely in June because we have come to see that Council loads us up with things to do in June. So in order to make the timing work we have advanced the meeting by a week. The meeting will be at the Academy of Natural Sciences Auditorium at 1pm. We are expecting a large agenda that might draw a lot of public interest.
- 2) There is a RFP that has been out on the street for Phase II work of the Zoning Code Commission. It is the actual code rewrite that is the way the process has been set-up. Originally where there was a Phase I that was doing the analysis of the community outreach recommendations in what amounts to a draft table of contents that we will be getting this summer. Phase II will be the actual rewrite that will go about a year. Next summer we will have a rewritten code. Pre-bid meeting was held on May 6. Deadline for proposals is May 26. The Zoning Code Commission will review and approve the consultant at their next meeting on June 10.
- 3) The Central Delaware River Master Plan RFP was released yesterday. It's online at the DRWC (Delaware River Waterfront Corporation) website. The Philadelphia City Planning Commission will have a link on our website to it. The pre-proposal meeting is scheduled for June 4, 2009 at 10am at Delaware River Waterfront Corporation, and the proposal due date is June 19 at the close of business.
- 4) Related to the Central Delaware River Master Plan RFP, we have received 27 applications, 22 from individuals and 5 from firms, to be the project manager to oversee the Delaware River Master Plan. We will create a short list and then start interviewing people possibly as early as next week.
- 5) 2116 Chestnut Street was pulled from this Agenda at the last moment. We want to have more meetings with various people, the stakeholders and the community regarding the issues. It may be on our agenda for our next meeting on June 9.

6) Items in Accord with Previous Policy:

- a) Bill 090290 is for the Sienna Place subdivision. This Bill was introduced by Councilmember Tasco for Council President Verna on April 16, 2009. This is making some minor revisions to the City Plan by placing 3 drainage right-of-ways required by stormwater management plan for this development. This Commission approved the Preliminary Plat on October 17, 2006.
- b) Redevelopment Agreement for the 1500 block of Poplar Street, It is an agreement between the RDA and Francisville East Limited Partnership to permit the development of 44 residential units. The primary site includes a 3-story, 27 unit apartment building for seniors. We approved the Streets Bill widening the street called Harmer Street to accommodate the development at our February 17, 2009 meeting.

3) Amendments to the Recommended FY2010-2015 Capital Program and FY2010 Capital Budget

Alan Urek, Director of Strategic Planning and Policy Division, stated there are two changes we are recommending to the FY2010-2015 Capital Program and FY2010 Capital Budget for your consideration. The first is to add State Funding in the amount of \$3 million for cultural facilities renovations in the Recreation Department. That is mostly for improvements to the amphitheater at the Robin Hood Dell East. The second is for Federal Stimulus money of nearly \$171 million to be spread among 4 separate projects within the Water Department by making improvements to the collector system, to storm flood relief/combined sewer overflow, to conveyance system, and to treatment facilities. Changes would add approximately \$174 million in Federal and State funds to the Recommended Five Year Capital Program and FY10 Capital Budget. These changes have already been introduced as amendments to City Council last week. The City Planning Commission staff is recommending approval.

Upon motion by Ms. Rogo Trainer, seconded by Ms. VanBelle, the City Planning Commission approved the Amendments to the Recommended FY2010-2015 Capital Program and FY2010 Capital Budget.

4) Review of the Philadelphia School District FY2010-2015 Capital Program and Budget

Jametta Johnson, Planner with the Strategic Planning and Policy Division, stated before the School District presents an overview of their FY 2010 -2015 Capital Budget and Program, I would like to provide some background on the Planning Commission's role in reviewing the School District's Budget and to address some broader planning issues as identified by Planning Commission staff. By City Charter mandate, the Planning Commission must review the Philadelphia School District's Capital Budget and Program before it is adopted at the end of May. This year the budget is scheduled for

adoption on May 27, 2009. The School District's fiscal year runs concurrent with ours, and will begin on July 1.

Section 12-304 of the Home Rule Charter specifies that:

"The capital program shall not be adopted, nor shall it be amended, until the Board of Education has requested the recommendations thereon of the City Planning Commission. The Board shall not be bound by such recommendations and may act without them if they are not received within 30 days from the date they were requested."

Although the Planning Commission does not have a fiduciary role in reviewing the School District's Capital Budget and Program (it is completely funded with bonds, and it's approval is not required,) today's review does provide the Commission and staff with the opportunity to understand the School District's capital needs and priorities, and to coordinate and leverage the City's capital investments in neighborhoods with the building of schools.

The City Planning Commission staff has reviewed the budget and is in agreement with the stated priorities. Our Community Planning Division which works with the School District and local communities on addressing educational needs has a number of goals for neighborhood schools: These include:

1. Increasing the Joint use of schools (having schools serve a wider population with longer hours);
2. Increasing the use Schools as community centers; and
3. Having Schools serve as community anchors for revitalization and investment.

The Strategic Planning and Policy Division looks forward to working with the School District as they embark on implementing their new Imagine 2014 plan. As part of the Master Facilities planning process we will explore the feasibility of incorporating city agency uses within schools. We also support the School District's efforts to incorporate sustainable design principles into the rehabilitation and new construction of school facilities, and we encourage them to continue programs that provide green recreational space within schools.

Mr. Patrick Henwood, Vice President for Capital Programs for the Philadelphia School District will now present the FY 2010-2015 Capital Budget and Program. She thanked the Commission.

Patrick Henwood, Senior Vice President for Capital Programs for the School District of Philadelphia, introduced Vincent Pagliaro, Jr. Program Director for the Capital Programs for the Philadelphia School Improvement Team. He stated they were there to present the Philadelphia School District FY2010-2015 Capital Program and Budget. He stated that normally they present a 5 year plan but this year they are going to do something different because of the 2014 imagine plan that was recently unveiled. They recognized that there are going to be many changes to the Capital Program over the next few years. He wanted to take the opportunity to take a look back to the original 5 year plan and 2 years with the projects that they have in the pipeline. He looks forward to working with the Planning Commission, Alan, Gary, and Jametta. We have worked closely with them. The current Capital Program, was a 6 year plan with a value of \$1.5 billion. The \$1.5 billion was recently executed and deposited in November. The 270 billion will continue to fund projects that are currently in construction such as the new

Fels and Lincoln High Schools, the new Willard Elementary School, and various capital cycle replacements. The fund will also partially finance projects currently in design such as the New West Philadelphia High School, and additions and renovations to the Bridesburg Elementary and Lankenau High Schools. The implementation of this aggressive CIP marked an end to years of disinvestments in the District's portfolio. From 1995 to 2003, the District average \$100 million in capital investment projects. It is also important to see from 2003 on that the capital investment doubled.

Accomplishments – first steps

1. pre-qualification programs: professional services; construction contractors
2. standards development: design standards for construction – “Now Green”; program of requirements for educational spaces
3. performed a full facilities assessment: developed assessment standards and cost data; surveyed and assessed facilities infrastructures
4. developed various processes to initiated projects: transfer package process; RFP process

Accomplished over 5 years:

1. the District's CIP team has completed 298 projects have to date
2. the value of the completed projects is in excess of \$874.1 million
3. Capital Improvement work has effected every facility
4. the value of work in place is in excess of 1.4 billion at this time

Completed projects:

- new construction of 3 new elementary schools (\$88.2 million); 4 new high schools (\$123.4 million)
- primary education centers: 2 stand alone PECs (\$19 million)
- additions and major renovations: 8 additions with major renovations (\$153.7 million)
- major renovations: 17 locations (\$185.8 million)
- athletic super sites; 4 locations (\$38.8 million)

Currently managing 40 projects values at \$387.8 million

Currently managing 53 design projects valued at \$210.2 million

Other accomplishments-professional service contracts:

- 53% M/WBE participation in their professional service contracts
- 30% of M/WBE participation in their construction contracts

Small contractors program – this is their third year. All of the firms have been successful in becoming signatory. A total of \$13.3 million award to date. They have 50 small contractors that they have bonded; graduated 3 small contractors and 2 pending

Project outreach team has conducted 1,057 school planning team meetings, and 202 community meetings.

From 2003 to 2010 we have completed the \$874 million in projects. We have 22% of the projects in current construction that will be completed by the end of the year. We will be awarding \$36 million worth of work through June, and we plan to bid \$4 billion by the end of the year. \$277 million in planning and design towards the end of the year.

Dr. Barnett asked Mr. Henwood that when he says the end of the year, did he mean end of the year or the fiscal year.

Mr. Henwood replied that he has 2 schools opening in September so that will be finished at the end of the fiscal year, the balance will be finished by the end of December.

Mr. Eiding asked about him to elaborated on the maintenance small contractors

Mr. Henwood replied that the School District has an agreement with the Building Trades that when we hired these folks that any personnel that they had in the employment would fall into the appropriate category within the building trade. The students would become journeymen or apprentices and they would become part of the unions.

Mr. Eiding asked if there were any obstacles.

Mr. Henwood replied each firm needed to put up bonds. It was not an easy process.

Mr. Eiding stated he knew about this program, but felt everyone else needed to understand.

Mr. Henwood said this is one of the most successful programs that he has seen in the country.

Dr. Barnett asked if he could explain what the relationship is between the Federal Recovery Act and this Capital Program?

Mr. Henwood replied he is still working on that. He knows that there is money available, and that there is not much money as he would like. He has not been given the information. He know that most of the money they are going to get is for education purposes.

Dr. Barnett said you mean operating not capital money.

Mr. Henwood replied that he is waiting to see how this works out. This is why he only went one year now instead of four years. The District has not defined it.

Dr. Barnett stated she would like to offer our cooperation for that Recovery Act Funds for the School District. The City is in the act of managing and keeping track of it. There are a lot of uncertainties, but it is certain that the right hand knows what the left hand is doing. She suggested that they do a follow-up on that so that they know what the City is doing, and the City knows what the School District is doing.

Ms. Ruiz asked how much of this has actually gone into the classroom through technology and books.

Mr. Henwood replied everything but what comes under the "other" category.

Ms. Ruiz replied so the technology is for students.

Ms. Olson stated that she wanted to make a statement that the School District is building green.

Mr. Henwood replied we lead the country in green buildings. The school in the future is quite a job. We started it in February 2006 and opened the building in September 2006. We had crews working around the clock. It was their first green building.

Mr. Greenberger asked the Managing Director to give us some information regarding the American Recovery Act.

Dr. Barnett replied the Recovery money is coming from the Federal government. We received several grants, and that is the reason why we have seen the action to revise our Capital Program so that we can actually receive the money. She didn't think this will be the last time that we will be modifying our Capital Program. We will be back with more amendments. It is not all Capital funding some of it is operation funding. But the majority of the work will be getting through the City government is Capital funding. It is not funding that we can use to balance the Operating Budget. There are several types of programs, and each program has its own set of restrictions that are posted on their separate sites. Such as community development and energy project funds. There is a whole series of grants that are specific to the Recovery objectives. They are handled by different departments of the Federal Government. We have compiled a list of the things that are likely to be available for the City of Philadelphia, organized the applications so that they are in on time and to identify projects manages so that when we get the money we can actually spend it wisely. In addition there are two requests for proposals that we have developed and posted. The first one is for a Recovery Officer, that proposal deadline was yesterday, to provide firms or individuals to help us manage it. All Recovery Funds have to be accounted for, coded into a system separately, and reported separately. Federal Agencies were required by the Office of Management to report on the projects, so we expect from the State and the Federal Government the kinds of funds will be substantial. In addition to the recording of responsibilities, there is great interest in transparency so we have set-up a website so that the people can track what we are doing. Most of the things that we are sending to Federal Government will also be posted on the website. There is a lot going on in this area. The RFP that we just posted today is for Consultant Assistant. She would be happy to bring to the Planning commission additional information as one of the things that we can do now is to send the Planning Commission copies of the weekly status reports so that you can see all the things that we are doing. She told Mr. Greenberger that he can forward those to the Planning Commission for the last several months to update them, and then you will get them every week. If you have any questions, just let us know.

Mr. Greenberger replied that what you saw in the Capital amendment is just the tip of the iceberg. This is a rolling process. As different proposals are taken by the Federal Government and approved for us, we are going to have to keep amending one Capital Budget or the other until we have accounted for all of the changes in it. Those things are going to have to back to Council and we are going to try to bundle as many of them as we can within their working deadlines. After the summer recess in June, there will be a lot more. It will be happening right through the fall. This is a pretty complicated machinery that we will organize to make sure that we keep track properly but also to make sure that it is placed in the Capital Budget. It can get confusing.

Ms. Olson replied the Mayor has developed this partnership with the other five counties to go after Federal funding/stimulus as a region. This is one of the first times that this has actually happened to us.

5) Institutional Development District Master Plan Amendment for the University of Pennsylvania

Martin Gregorski, of the Zoning Division, stated this is an amendment to the Institutional Development District Master Plan is for the University of Pennsylvania. The area generally bounded by Walnut Street, the Schuylkill River, South Street and a railroad right-of-way. This proposal would permit the construction of several athletic fields, seating for the fields, the tennis courts, restrooms, a softball pavilion press box, a small utility building, and a seasonal air structure or bubble structure, as well as, a parking for 339 cars. This has to come before the Commission because all total this brings us to 96,115 sq. ft. gross floor area, with a new total of over a million sq. ft. gross floor area. The fields will only be for institutional use only. Although they are considering opening up to the public in time. The City Planning Commission staff recommendation is approval.

Mr. Greenberger asked what was this site before.

Mr. Gregorski replied it was random parking lots, which are legal or paved where construction vehicles are parked there. There really is nothing there now.

Tom Walsh, reporter with PlanPhilly, asked if this site will be open to the public.

Mr. Gregorski replied the pedestrian area will be open to the public; the fields will be for the school's use.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved the Institutional Development District Master Plan Amendment for the University of Pennsylvania.

6) Preliminary Plat: Gateway townhouse development, Aramingo Avenue and Church Street

Sarah Chiu, planner of the Development Planning Division, stated this item was considered by the Commissioners last November, which you tabled. They recently received conceptual approval for the stormwater management plan from the Water Department. It is located in the Frankford Valley neighborhood in Northeast Philadelphia. The site is bounded by Aramingo Avenue to the south, Church Street to the west, Duncan Street to the east, and Sepviva Street to the north. The 3.25 acre parcel of land is primarily occupied with a vacant industrial use building and small asphalt paving area. It is zoned G2. This area is predominately industrial. The area is surrounded by Northeast Window products warehouse, Stainless Steel Services, a self-storage, gas station, and other industrial businesses. The stormwater facility is at the center of the lot that is underground. It has been changed to 60 townhouses, previously it was 65. The City Planning Commission staff recommendation is disapproval because

the recommended rowhouse has rear driveways, and this plan has parking in the front, as well as land use conflicts. The land use conflicts are as follows:

1. Residential use is inappropriate at this location given the following reasons:
 - a) Existing zoning map shows that the large area surrounds the Betsy Ross Bridge and the Frankford Creek area and, are zoned for industrial or area shopping center uses.
 - b) The proposal has significant conflicts with The Interim Guidelines for Determination of Exceptions to Industrial Use on the following points:
 - The viability of the specific site for future industrial use
 - The level of demand for industrial uses in the surrounding area
 - The compatibility between residential uses and the surrounding area
 - The proposed residential use will generate vehicular and pedestrian conflicts with industrial activities
 - The proposed residential uses will be sensitive to noise, hours of operation of industry
 - c) Recent land transaction activities in this area indicate there is continued interest for industrial use investment.
2. Conflict with PennDOT's Bridge Street to Betsy Ross Bridge Interchange (BRI) Plan
 - Aramingo Avenue and Church Street currently carry high volumes of truck, bus and commuter traffic. PennDOT's plan to rebuild I-95 Section BRI and BSR calls for improving, reconstructing and widening Aramingo Avenue and I-95. This will generate more volume of traffic and noise on Aramingo Avenue.
3. Development plan issues
 - The proposed 16 foot wide townhouses with front garages don't provide the opportunity for a walkable and livable urban environment. This is in conflict with the Commission's policy of recommending rear driveways for rowhouse type developments.

Future traffic impact in this area will have negative impact for residential use. We want to preserve this area for industrial use or commercial use.

Arsen Kashkashian, Esq., attorney for the developer, stated Sepviva Street is the dividing line that has industrial use but does not have any businesses on it. The corner of Sepviva and Church is the only spot that has industrial uses. We have met with the Bridesburg and Frankford communities, Representative Taylor, and Councilman DiCicco. They support residential use. The developer of this site has had the property for 4 years and has tried to keep it industrial. There has been at least 13 years without any use at this site. The only interest we have for this site is residential development. Councilman DiCicco said he will introduce it to City Council to rezone it to R10A. These are townhouses have a very Philadelphia look. We have reduced it to 60 townhouses with green areas and backyards, and parking in the front with another space for parking another vehicle. We like your support. We think it is a very important project.

Rick Stewart, owner of Stainless Steel Services, stated he purchased his site 5 years after having his business for 28 years in Feltonville. He needed bigger space and moved to this building. His family has been in the business since 1925. When he decided to move, he could have moved out of the city but decided not to. He has a tenant next to his business, another business is next to his tenant that is a carbon steel small business called A&S Steel, next to that is a property that was just purchased by a contractor to renovate the building to put his contracting business in there. Northeast Windows has been a good citizen of industrial use. He pointed out another business that has industrial use, as well as, the gas station. This is an island sitting in an area of a total industrial complex. Everyone on Sepviva Street is depending on the 65 ft. for the tractor trailers that deal with their businesses. Mr. Kashkasian's plan of taking the street would put everyone out of business. People who buy a townhouse expect a certain quality of life. He sees a level of discontent by two innocent parties, the industrial users and the residential users simply because we want to enjoy our environments in entirely different ways. These are not empty buildings and they employ people. He has 11 employees; Northeast Windows have about 150; and he believes that there are a total of 35 employees on the whole street of Sepviva most of which are the residents of Philadelphia. When he bought the buildings 5 years ago, if he thought that he would possibly be put out of business by a residential development, he would not have bought the properties.

Mr. Greenberger asked what is the legal status of Sepviva Street.

Ms. Chiu replied Sepviva Street is on the City Plan but no record of it being legally opened. They use it as a travel way.

Mr. Greenberger asked her to explain it.

Ms. Chiu replied they have to take Councilmatic action to open the street in the City. I believe they have to work with City Council to open the street to this development.

Ms. Olson asked about the utilities.

Ms. Chiu replied that tentatively the developer have to pay for it as planning costs for the developer with the Water Department.

Mr. Syrnick replied that if a street is not legally opened, then the City does not have the right to open it as a right to have a street there, essentially it is private property. Having said that, Sepviva Street has been there physically for 21 years, it could possibly be opened by affidavit. Someone would have to certify that it is open for public use for 21 years, then the City could accept that as an open street.

Mr. Stewart replied easement in perpetuities

Mr. Syrnick replied a City surveyor could do it.

Mr. Greenberger asked could an affidavit could provide it for the people who use the street or for anybody.

Mr. Syrnick replied it would be for anybody who has personal knowledge that could attest that it has been there, if it is possible that someone like the City Surveyor that it has been in there for some time.

Mr. Greenberger asked the proposal retains what kind of street width.

Ms. Chiu replied 50 ft., but in order to meet all the utilities they would have to open it to 54 ft., building to building.

Mr. Greenberger asked is that 54 ft. a residential street with sidewalks and curbs. So in order to do a street it would be rezoned a residential sidewalk curbs. Would that eat into the curbs that are there now.

Mr. Stewart replied that when he walked off that he has front the front of his building to here, which is just about 60 ft.

Mr. Greenberger asked if the sidewalk and curb encroached into that 60 ft.

Ms. Chiu replied it would happen within that 60 ft., the 2 sidewalks would have to be within the 60 ft.

Mr. Syrnick replied that 54 ft. would fit between the 60.

Mr. Kashkashian replied the plan calls for property line or the actual building calls for it not to go past where the building is right now. It would not encroach on where Sepviva Street is right now.

Ms. Chiu replied the Streets Department did a deed search, and they are showing that the owner on each side owns it.

Mr. Kashkashian replied that is correct but we are not using it right to where the building is, and that is what the plan calls for.

Mr. Syrnick replied if you build a street, it would most likely be a 34 and 10

Mr. Greenberger asked if the street is taken from the City Plan, is it taken to the street by affidavit, does that also obligate every body to put in normal city street.

Mr. Syrnick replied that it in and of itself it does not. Are you planning to build that street as part of that development?

Mr. Kashkashian replied they are planning to build the street, but are not planning to put in sidewalks on the other side of the street.

Mr. Syrnick asked if there would be utilities serving your side of the development.

Mr. Kashkashian replied yes.

Mr. Eiding asked if that would be the front door to the residences.

Mr. Kashkashian replied the front would be the houses facing Sepviva.

Ms. Ruiz replied the houses would be facing the industrial businesses.

Mr. Stewart replied the street parking on Sepviva Street would reduce the size of the street.

Mr. Kashkashian replied it would not change the street at all.

Ms. VanBelle asked Mr. Stewart what hours of operations do you have.

Mr. Stewart replied 6am to midnight, he runs two shifts a day. And Northeast Windows has long hours as well.

Ms. Olson replied that we are doing a study that PIDC is leading right now. We don't see this changing from industrial use.

Upon motion by Mr. Eiding, seconded by Ms. Olson, the City Planning Commission disapproved the Preliminary Plat for the Gateway townhouse development at Aramingo Avenue and Church Street.

- 7) Zoning Bill 090412: Remapping the former Wanamaker School, 11th Street and Cecil B. Moore Avenue (Introduced by Councilmember Clarke on May 14, 2009)

Mr. Gregorski stated the purpose of this Bill is to permit the phased construction of new student housing on the site of the former Wanamaker School. The block is bounded by Cecil B. Moore Avenue, 12th Street, Montgomery Avenue, and 11th Street. It would rezone it from G2 and C2 to a new zoning classification of C4. It includes an amendment that includes quad units. Additional FAR in the block would be moved to 650% of the block. This Bill also amends Section 14-1402 by removing any parking requirement for this block. They don't expect much student parking. There is a sunset clause that expires on December 13, 2013. The approval is for three phases.

Phase I has three stages. They are as follows:

- 1A) Includes the renovation of half of the existing school into apartments and a 3-story overbuild with a total of approximately 180 units with 600 beds.
- 1B) Includes the addition of two retail units at the corner of 12th Street and Montgomery Avenue which will frame the entrance.
- 1C) Includes the renovation of the southern half of the existing school building for use as the Green Construction Center/Arts and Education Forum.

Phase II will include retail at the southern and northern extremes along 12th Street, 28 underground parking spaces and 12-stories of apartments. There will be an additional 305 units with 922 beds.

Phase III, then adds retail along Montgomery Avenue with 20-stories of apartments. There will be 345 units and 1178 beds added in this stage.

All told, there will be approximately 830 units with approximately 2,700 beds when all three phases are completed. The City Planning Commission staff recommendation is approval.

Ron Patterson, Esq., attorney for the Goldenberg Group who is the owner and developer of the property, stated this regards the site of the former John Wanamaker Middle School, which was closed in the year of 2000. It consists of a little over 4 acres and has an existing building. We are here for the zoning. It is located in 2 zoning districts G2 Industrial and C2 Commercial. In this situation the Zoning Code would not permit residential use. Goldenberg purchased the school from the School District of Philadelphia with some restrictions. Some of the restrictions were the following: begin construction within 2 years or August 2010; we cannot speculate or resell the property within 5 years, which we don't intend to do. Goldenberg's desire is to provide student apartments, create a green construction technology training center in one of the large buildings to the south. It would be use for building and dismantling the projects.

Mr. Greenberger asked Mr. Patterson if the buildings he is referring to are existing buildings.

Mr. Patterson replied that is correct.

Mr. Goldenberg stated the 2 buildings that Mr. Patterson is referring to are the existing 2 gymnasiums. We would take the area and convert the area to a green technology. We would show the trades how to take their existing trade such as carpentry and use it to make green technology. It would also show the residents in Philadelphia how to take an existing home and insulated glass, and put in solar panels, and maybe in certain areas used geothermal heat to grasp how to use an existing building without tearing it down.

Mr. Patterson replied that in Phase I we would use an existing building and turn it into 180 residential units. As part of their community outreach and community participation, they brought in the Bright Hope Baptist Church, which is 25 % owner. Through which the community benefits will flow through the civic groups and the community. They met with civic groups, State Representatives, and City Councilman Clarke. We are requesting C4 with some adjustments. We looked at C3 and the FAR might have worked, but it does not permit multiple structures on it. We are not looking for benefits.

Mr. Eiding asked who is going to maintain the technology school and who is it going to be available to.

Mr. Goldenberg replied Bright Hope Baptist Church, or we will bring in management.

Mr. Eiding replied it sounds like a technical school. Is there a cost?

Mr. Goldenberg replied it will be available to anyone who wants to use it. It is there for trade groups to show them what to do with existing homes using green technology. There is no cost to someone who attends a lecture; but there will be a cost to a company who starts it.

Mr. Patterson stated that we didn't touch on the retail.

Mr. Goldenberg replied the retail will come at the latter part in conjunction with Phase II and III. It would be geared to the community and students.

Ms. Olson asked when do you think you will be breaking ground.

Mr. Goldenberg replied their goal was in the early part of 2010, but they have clean up and abatement issues. They want to break ground in 2010 and be ready in 2011. We were trying to be ready for August 2010.

Ms. Rogo Trainer asked will there be parking on site.

Mr. Goldenberg replied there will be parking for the management and the users at the center.

Mr. Patterson replied that the neighbors have issues with parking by students. This is meant to discourage students from parking there and bringing their cars.

Mr. Goldenberg replied that they have letters of support from Yorktown and Jefferson Manor.

Ms. Ruiz asked if they have talked with Temple on how it would impact on their development.

Mr. Goldenberg replied that Temple told them that they wanted student beds as soon as possible.

Mr. Eiding asked if the retail is for residents rather than outsiders due to the parking.

Mr. Goldenberg replied they expected people within walking distance.

Mr. Greenberger replied the level of support and the academic level, it has substantial impact.

Dr. Barnett asked about the construction.

Mr. Goldenberg replied it is a substantial project.

Dr. Barnett asked if the construction is going to be environmentally sensitive as well.

Mr. Goldenberg replied yes. It will be green and they are hoping for LEED certification.

Upon motion by Mr. Eiding, seconded by Ms. Olson, the City Planning Commission approved Zoning Bill 090412.

Mr. Greenberger made an announcement that item #16, which is the zoning change to the Recreational District Uses, has been pulled from the agenda by Councilmember Krajewski.

- 8) Zoning Bill 090348: Amending the Tacony/Mayfair Special District Controls (Introduced by Councilmember Krajewski on April 30, 2009)

Ms. Brumbelow stated this Bill will amend Title 14 of The Philadelphia Code entitled, "Zoning and Planning" by amending Section 14-1619 entitled, "Frankford Avenue Special District Controls" by changing the boundaries of the area subject to the controls of the District, by changing the name of the District and by adding provisions with regard to signs. The new name will be the Tacony/Mayfair Special District Controls. The current overlay is Frankford from Harbison to Solly and a bit of Cottman from Leon to Erdrick Streets. This boundary is expanding. This overlay will now be bound from Frankford Avenue, Harbison Avenue, Tacony Street, New State Road, State Road, and Ashburner Street. The new boundaries will cover 3 neighborhoods in the City: Mayfair, Tacony, and Holmesburg. This new area will allow signs which have been affixed to or printed on awnings and are accessory to a permitted use to be allowed. This will allow additional signage on the property, if the owner places awnings on their property throughout the entire overlay boundary. This provision applies to all commercially zoned properties as well as to properties which have been authorized for commercial use by the Zoning Board of Adjustment. Concerns are that the Zoning Board of Adjustment currently is the only body that can grant relief to the Zoning Code on the amount of signage that is not permitted by Code or if an applicant seeks more than what is permitted. This Bill does not address what classifies as an awning. There are several different types, styles and sizes, which are not addressed in this Bill. Additionally, the Bill does not specify if text, business name or logos are intended for the awning signs. This Bill will allow businesses that are in the newly defined area that are commercially zoned to have additional signage in the form of awnings that are printed. The Bill does not specify what is considered an awning sign or what type of text, images or information will be on the awning. Any awning that extends over the right-of-way of any street will still require Art Commission approval, but the Bill does not address any size or location limitations.

We have amendments to this Bill. Only signs on awning will be permitted outside the main entrance; the top of the awning signs would be no higher than the bottom of the second story or 14 ft. from the street. Awnings must be placed over a doorway or window and not occupy the entire primary wall (like a wrap around awning). Signs must be on a fix, flat surface. It must be 3 ft. from the sidewalk; all awnings will be non-illuminated; all awnings must be ??? or canvas. We have set some limitations on it. If an applicant wants more than what is permitted in this section, they will still have to go to the Zoning Board. The City Planning Commission staff recommendation is approval with these amendments to the Bill.

Ms. Rogo Trainer stated she didn't understand the background or the reason for the change. It would be helpful to understand.

Ms. Brumbelow replied they have a business grant given to them for Business Corridors for items such as awning signage. The community said they have this money

for awnings and they would like to make it easier for businesses to get into the process and go get awnings. They didn't specified what they wanted.

Ms. Rogo Trainer asked if there were consequences for extending this district.

Mr. Greenberger replied good intentions may have strange consequences. We got nervous that without limitations they would have gotten more than they bargained for. There are a lot of historic buildings in this district.

Dr. Barnett asked they don't have to be uniformed.

Ms. Brumbelow replied no, we didn't want to take away their First Amendment.

Mr. Greenberger replied it often happens that we get legislation that intends to solve one problem but makes more. This was a well intended item that needed more details.

Upon motion by Mr. Eiding, seconded by Mr. Lee, the City Planning Commission approved the staff recommendations for Zoning Bill 090348.

- 9) Zoning Bill 090381: Remapping of "Southport" and the eastern portion of the Navy Yard on the South Delaware Riverfront from G2 and PI to LR (Introduced by Councilmember Tasco for Council President Verna on May 7, 2009)

Ms. Brumbelow stated we saw a presentation on this item at our March 17, 2009 meeting. The purpose of this Bill is to remap a large section of land along the Delaware Riverfront in order to create a modern port. And taking certain parts of "PI" Port Industrial and "G-2" General Industrial zoning districts and making them "LR" Least Restricted. The area bounded by Broad Street, the Delaware Expressway, Pattison Avenue, Packer Avenue, Delaware River and League Island Boulevard and falls in the area known as Southport and the Naval Business Center. This will allow PIDC and the State more flexibility to who they can market this property to. The City Planning Commission staff recommendation is approval.

Mr. Greenberger asked her to explain what that flexibility would be.

Ms. Brumbelow replied this is a condition in the PI Port Industrial that you can move items from a ship to land, bus, truck, or train. But for Port Industrial use you cannot move it from a truck to a train or a train to a train. Port Industrial only involves ship transferring. Least Restrictive allows you more flexibility and leeway.

Ms. Ruiz asked why have we only stopped at Piers 122 and 124.

Paul Deegan, from PIDC, replied that is the extent of the Southport project. North of that is the existing Packer Marine Terminal, and the Food Distribution Center. This is the extent of the improvements.

Upon motion by Ms. Olson, seconded by Ms. VanBelle, the City Planning Commission approved Zoning Bill 090381.

Mr. Lee abstained.

- 10) Zoning Bill No. 090328: Reauthorizing the Queen Village Neighborhood Conservation District until June 2011 (Introduced by Councilmember DiCicco on April 23, 2009)

Mr. Gregorski stated this Bill extends the Queen Village Neighborhood Conservation District expiration date to June 30, 2011. We have had only one application come before this Commission. The Councilman believes that more time is necessary to really gain an understanding of the impacts of this program. The City Planning Commission staff recommendation is approval.

Jeff Rush, President of the Queen Village Neighborhood Association, stated last month we supported on a case where the developer needed a variance for his project, which is in a badly blighted section of Queen Village. Despite his proposal's bid that it did not fully meet the standards set forth in the NCD, we supported the variance. This Board, in our opinion, voted to grant the variance despite the concerns they had. Because of the concerns that development would not be impeded, we considered making changes to the boundary. After much discussion, we decided to leave it as is. We strongly support the approval of this Bill.

Mr. Syrnick replied that it would be safe to say that since you did not change the NCD guidelines, that if another case comes before us regarding something that doesn't comply.

Mr. Rush interrupted we supported that variance because he would not have built his proposal on that property. We would like to see it on a case by case basis. We feel that the guidelines are still important area.

Mr. Syrnick replied that it might not be wrong that the Commission took the action that it did, or else that individual developer get the appropriate guidelines. We do know what those rules are.

Mr. Rush replied that we can change the boundaries if we find out that that is needed. That is the main reason that we left it as is. We wanted to have that flexibility. He said he would love to say that was a special case and it will not happen again. We appreciate the forbearance of the Board in making the decision to vote on the variance in that blighted area. We don't anticipate addition problems, but you never know. These regulations will have quantify concerns and give guidelines.

Mr. Syrnick replied that was a very uncomfortable vote for many of us.

Mr. Gregorski replied this Bill only extends it. There is another Bill that made changes in the process either to shrink the boundary. He is not for sure where it is right now.

Ms. Rogo Trainer said it is not in this Bill right now.

Mr. Gregorski replied it is not in this Bill.

Upon motion by Mr. Eiding, seconded by Mr. Lee, the City Planning Commission approved Zoning Bill 090328.

Ms. Olson advised Mr. Rush to inform your community.

- 11) Zoning Bill 090349: Creating a new North Delaware River Conservation District (Introduced by Councilmember Krajewski on April 30, 2009)

Larissa Klevan, Development Division, stated the area is bounded by the south side of Allegheny Avenue, on the north by the Bucks County Line, on the east by the western Bulkhead line of the Delaware River (or the top of the west bank) and a line fifty feet west of the eastern boundary. The purpose of this Bill is to create a fifty foot buffer along the North Delaware Riverfront. In addition to a property's underlining zoning, it also outlines permitted uses that will require Planning Commission approval for the uses, such as, recreational trails, parks and open space intended for recreational purposes, as well as, outdoor furniture and fixtures. With the Philadelphia City Planning Commission approval, dock and port related activity, private marinas, boat storage, pipelines and conveyors, as well as, city owned facilities of any type will also be allowed. Freestanding accessory advisory signs and non accessory advertising signs will be prohibited in the buffer. The ordinance also requires owners and developers to set aside land for the buffer within these boundaries when proposing new construction, improvements or major alterations. It restricts all such activity unless the owner or developer's plans conform to "The Design Criteria of the North Delaware Trail." The Philadelphia Industrial Development Corporation will hold the land until the buffer is assembled and then it will be transferred to Fairmount Park. The Delaware River City Corporation currently has plans to raise funds for the construction and operation of the East Coast Greenway. Before a zoning permit is issued within these boundaries the Philadelphia City Planning Commission must review the application and plans. If it is found that the application is in compliance with the ordinance as of right, it will be forwarded to the Department of Licenses and Inspections for further review and issuance of permits. If the Philadelphia City Planning Commission feels the application is consistent with those uses which must receive Philadelphia City Planning Commission approval, the Chief Clerk of City Council, as well as the applicant, will be informed. The Planning Commission's determination will become final if City Council does not adopt an ordinance to deny the proposal within 45 days after the recommendation was issued. At that time, the Department of Licenses and Inspections will review the application. All decisions made by the Philadelphia City Planning Commission concerning this matter may be appealed to the Zoning Board of Adjustment. This Bill is intended to protect the current amenities along the waterfront, and should also help to create the East Coast Greenway. The City Planning Commission staff recommendation is approval in context.

Mr. Greenberger stated we are looking at this one and the Central Delaware Overlay, there are certain things that they are doing that are similar in nature, and then there are things that are distinctive. We have been working with the Councilwoman's office and Paul Lonie of the Delaware River City Corporation.

Paul Lonie, consultant of the Capital Program Director of DRCC, replied that it is his responsibility to basically build a Capital Program for the North Delaware trails. It is an 11 mile trail that goes from Allegheny Avenue all the way up to the Bucks County line.

Some of the trail is not on public rights property, and it might be acquired in the future. When this Bill was first proposed for the Central Development on the North Delaware, 2,000 houses were built along the North Delaware. This was done as a guideline for them to say this is going to be one of the amenities for the community. Another Bill is coming up today to purchase land along the North Delaware. It is not their intention to take any land away from anybody or do anything that makes them uncomfortable for the current uses that are already there. What they want to do, with the help of the Planning Commission, is to keep in mind the guidelines for the future. We don't want to take industry away from the area, we don't want to hurt any industry that is already there. We just want to do the best we can. There is already an overlay called the Delaware River Waterfront District that has a 50 ft. setback.

Mr. Syrnick asked him is there anywhere that a 50 ft. setback doesn't fit.

Mr. Lonie replied that there is one, that we are negotiating with now. The 50 ft. would take the business's main driveway. We are working with them.

Ms. Olson asked him how much do we own.

Mr. Lonie replied that we own 80% of the land. Because it is in a right-of-way much of that land is along the Allegheny Avenue and also along State Road at Linden and Pennypack. We can't go behind the Water Treatment Plant and they felt it was a security issue that they didn't want the trail to go right over the water that the City's supply.

Mr. Eiding asked what happens when you get up to Linden Avenue.

Mr. Lonie replied that will have to be seen. We may have to stop at Linden, and then take it back to State Road up to the County Line.

Mr. Eiding asked wouldn't you have to take property there.

Mr. Lonie replied that we may take a lane. We will have to study it.

Mr. Eiding replied there is a lot of studying.

Mr. Greenberger replied one size doesn't fit all. You will have to negotiate everyone. It will be a decade's process. It is a desire to get this in place so that we can work on it. We hope to bring it back in June under Items in Accord with Previous Policy.

Mr. Eiding stated he is concerned that we are doing things in concept. He is concerned about the businesses.

Mr. Greenberger replied where we can't do it. We won't supersede any businesses.

Mr. Lonie replied that he sent letters to every business and community groups.

Mr. Syrnick asked how many responded to you.

Mr. Lonie replied one.

Mr. Lee asked who make the determination what is advisable or not.

Mr. Lonie replied he identified two properties that they don't own, and we are in negotiations with them. One is an active business, and one is land that is being held. We don't want to tie this up in litigations.

Mr. Eiding asked is there any way of impeding anyone from working at it in the near future.

Mr. Lonie replied the riparian rights.

Mr. Eiding replied Representative O'Brien would have the answer. He is afraid that we may be two steps ahead of ourselves.

Mr. Altman arrived at 3:15pm.

Mr. Lonie replied we have control of all of the rest. That is all the money we have right now.

Mr. Lee asked if one of those businesses wanted to make improvements, what would they have to do.

Mr. Lonie replied that they would have to come to the Philadelphia City Planning Commission, and we would be concerned with the 50 ft. at the river.

Michael Sklaroff asked a question about the procedure. It sounds like it is fairly consensual permitted as right. When they have the Philadelphia City Planning Commission approval, then they go to City Council.

Ms. Klevan replied no. When it has the Philadelphia City Planning Commission's approval, it goes to License and Inspection. The City Council has 45 days to override the Philadelphia City Planning Commission.

Mr. Sklaroff replied the Philadelphia City Planning Commission, License and Inspection, and City Council are involved.

Patrick Starr, Pennsylvania Environmental Council, stated from 2002 to 2005 we created the North Delaware Greenway Master Plan, and this Commission accepted it in 2007. Specific properties are impeding this process. We have respected and accommodated property owners. It makes sense to be clear about public policy. He hopes the Commission will see that a 50 ft. buffer is odd when we want a 100 ft. buffer on the Central Delaware.

Mr. Eiding replied that he appreciates all of the work that has been done. His question is whether we have done enough work. His vote earlier was to save jobs. He is really concerned what begets what. His brother took him to Penn Treaty Park when he was a little kid, and he loved it. Once something is laid down it is hard to remove.

Ms. Olson replied that when we were first looking at the Central Delaware we looked at the North Central Delaware Plan. A lot of effort and work was done on the North Delaware Plan. How long do we have to keep planning and planning?

Maya van Rossum, Delaware Riverkeeper, stated Mr. Eiding you do send a message when you adopt a proposal – what kind of developer you want in the community. Set the standard you would like to achieve. Consistently she hears “Tell me the rules, but don’t tell me one set of standards and then change them on me”.

Mr. Eiding replied what we had here on the discussion of that housing development, we need to decide what would be best there. We have to think of the overall. My concern is that we don’t have it here. We have thousands of people who don’t have a job to enjoy it.

Dr. Barnett left at 3:34pm. Anuj Gupta replaced her.

- 12) Property Bill 090289: Authorizing the acquisition of the former K&T Railroad (Introduced by Councilmember Krajewski on April 16, 2009)

Ms. Klevan stated the purpose of this Bill is to authorize the Commissioner of Public Property, on behalf of the City, to acquire fee simple title, or a lesser interest in real estate, in parcels of land along the Delaware River and the K & T Trail; under certain terms and conditions. The first parcel is within the right-of-way of the former Kensington and Tacony Railroad bounded by the Old Frankford Creek Bridge and Princeton Avenue, including the spur that starts between Knorr Street and Princeton Avenue and terminates at Milnor Street. The second parcel is bounded by Unruh Street, the Pennsylvania State Fish and Boat Commission Property, the Bulkhead Line of the west side of the Delaware River on the east and a line fifty feet west of the eastern boundary. The City of Philadelphia has previously accepted a quit claim deed from Conrail for the K & T right-of-way. The acquisition of these properties will settle any resulting title questions, as well as, acquire additional parcels owned privately. The City Planning Commission staff recommendation is approval.

Mr. Lonie stated the Bill gets us two parcels. K&T is only 1.2 or 1.8 miles. Al’s Auto is a junkyard at Unruh and Knorr Streets. He made an offer today on a 10 year term, that would give us the right to put in a trail but they don’t give up their rights. Land north of the Tacony Palmyra Bridge, Morrissey purchased it for future use. We do have Federal money to purchase them.

Craig Schelter, Executive Director of the Developer’s Workshop, asked if any appraisals have been done.

Mr. Lonie replied no appraisals have been done, but he does have a certain amount of money for acquisitions.

Upon motion by Ms. VanBelle, seconded by Ms. Rogo Trainer, the City Planning Commission approved Zoning Bill 090349.

Upon motion by Ms. Olson, seconded by Ms. Rogo Trainer, the City Planning Commission approved Zoning Bill 090289.

13) Central Delaware Riverfront Zoning Bills:

- a. Zoning Bill 090170: Central Delaware Riverfront Zoning Overlay (Introduced by Councilmember DiCicco on March 5, 2009)

Mr. Gregorski stated this Bill creates the Central Delaware Riverfront Overlay District in the area described in an effort to act a stop gap measure to support the goals of the Penn-Praxis Vision Plan, until an overall are plan can be created, and the tenants of it, adopted. The 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. This Bill then lists a number of uses prohibited within the area of this District including: non-accessory signs, private bus terminals, regulated uses, buildings or structures with GFA in excess of 40,000 sq.ft. with a single retail store as a principal use, newly constructed parking garages as a main use (are permitted on west side of Delaware Avenue with PCPC approval), Parking lots as a main use, and Self-storage facilities. Set back – don't know what it will be – it will be used by public access. We are still negotiating with City Council. The overlay then gives new Front yard requirements for properties which front on Delaware Avenue and Christopher Columbus Boulevard. No properties shall have a front setback greater than 25 feet, including the sidewalk, unless said front yards are landscaped or accessible to the public. Additionally, 75 percent of the building line shall be occupied by the façade of the main building. This is an Overlay District. The zoning will still be in effect. Auto share – one replaces 4. The Plan of Development approval is required by the Philadelphia City Planning Commission. Within 60 days, we need to approve, disapprove, or table it. After 60 days, approval shall be presumed. The Ordinance also mandates that within 180 days of the effective date of this Ordinance, the City Planning Commission shall adopt regulations providing for objective standards for such design review necessary for implementing these provisions. It would expire as soon as a master plan is adopted by City Council. The City Planning Commission staff recommendation is approval in concept. We need to decide what the set back is and where to measure it. Work with developers and City Council. Developers have right too, we don't want to infringe on it.

Mr. Synchron and Mr. Lee recused themselves.

Ms. Olson what is the tower zoned.

Mr. Gregorski replied C4.

Harris Steinberg urged the Commission to follow staff recommendation. We are extremely pleased and find it is a necessary process as Commissioner Eiding said for long term planning and development.

Marilyn Taylor, University of Pennsylvania School of Design and Planning Committee Member of DRWC, stated she understands that later versions may have been drafter, they have not had the opportunity to review them. She hoped that the

intention of their comments will be clear even when applied to later drafts. These comments are based on the DRWC's dual role as a property owner within the proposed overlay and as a public interest corporation with responsibilities both in and beyond the overlay district.

1. Clarifying the Purpose of the Overlay. It would be much clearer to state the purpose of the zoning amendment in Section 14-1636 (1) (h). A sentence could be added to state that "The purpose of the overlay is to protect the existing characteristics of the built and natural environment that are essential to achieving the working guidelines of the Civic Vision, while the Master Plan and Zoning for the Waterfront are being developed and approved." Do No Harm.
2. Protecting the Continuity of Waterfront Access. The recent revisions to Section 14-1636 (c) weaken an essential provision of the overlay: the continuity of the public waterfront pathway. It is necessary to reinstate the first sentence: "Developing a continuous recreational experience along the riverfront, allowing continuous waterfront access, will enhance public space and the economic vitality of the area." The next 2 previous sentences can be replaced by the new fourth sentence, as indicated in the draft received on May 4.
3. District Boundaries, Section (2). In reviewing this provision of the overlay, it is important to keep in mind that the SugarHouse Casino Project is exempted from the provision of the overlay. The DWRC Planning Committee urges that the general working guidelines of the Civic Vision, including but not limited to continuous waterfront access and limitations on parking, be applied to this site through design review, DRWC urges that surface parking be kept to the minimum required, particularly in the area between the initial casino building and Delaware Avenue, using permeable surfaces and occupying these spaces for overflow rather than for everyday use. In addition we urge that a time limit be placed on the surface parking agreed to as interim, pending the construction of the parking garage; we would suggest a period of three years from the completion of those spaces. The use of nearby DRWC parking spaces should also be strongly considered. The quality, materials, and experience of the waterfront trail on the SugarHouse site must be designed to be the same as, or similar to, those of the trail to the north and south. An early implementation of the proposed north-south Delaware River water ferry service is desired, with a first phase originating from a dock at the SugarHouse Casino project.
4. Prohibited Uses, Section (3). It would be clearer to list the other prohibited uses from Section 14-1605 here, to assure consistency with the intent of the Civic Vision, and to prevent subsequent modifications to that Section from adversely affecting the overlay district.
5. Active Use Requirement, Section (4). The ground floor active use requirements should apply to buildings in all zoned districts, not just in commercial districts. In addition the ground floor uses should be required to have a transparency requirement for 75% of their frontage. Sidewalk cafes in front yards should be approved without separate application, in accordance with standards similar to those for Center City and as established by the Planning Commission for the overlay district.
6. Waterfront Setback, Section (5). The intent of the working guidelines to be derived from the Civic Vision for the overlay district is that no new

encumbrances should be created in the waterfront setback zone that would make the implementation of continuous waterfront access more difficult to accomplish that it is today. This continuous setback must be applied to all properties in all zoning districts, not just commercially zoned ones. The intent is not to preclude on-going and allowed industrial activities but to avoid further encumbrances to the future continuous waterfront paths. The point of measurement for the waterfront access should be from the bulkhead line, with the Planning Commission determining from existing information and/or survey where that bulkhead line is located. The continuous walkway need not be of continuous width. It must, however, have a minimum of approximately 50 ft. in order to accommodate emergency access, safe pedestrian circulation, separated bikeway, and seating and planting areas as well as the ability to protect the natural river edges; less dimension may be required in selected areas of special existing conditions. These should be identified in the regulations that the Commission is required to adopt within 180 days of the effective date of this Ordinance. These regulations must also specify the requirements for regular public access to the continuous waterfront pathway. It is the opinion of DRWC that the reference to Pennsylvania DOT and the US Army Corps of Engineers is not appropriate in this section. Further, the DWRC is working separately to clarify the obligations for maintenance, security and liability, so these matters are not address in this paper.

7. Waterfront Access, Section (6). There may be some locations where pier conditions and existing or proposed uses on piers cannot allow waterfront access. These conditions should be identified as part of the regulations the Commission will be adopting within the 180 day period.
8. Front Yard, Section (7). We agree with the intention of this section but suggest that it be clarified to confirm the objective of allowing a future public sidewalk of 25 ft. in width.
9. Public Input During Design Review, Section (10). DWRC urges that the Planning Commission incorporate full notice and review opportunities to the public during the review and approval of Plans of Development.

Lastly, urged that there be good robust discussions on the overlay.

Rachel Vassar, Philadelphia Outreach Coordinator for Citizens for Pennsylvania's Future (PennFuture), stated PennFuture works to create a just future where nature, communities and the economy thrive. We enforce environmental laws and advocate for the transformation of public policy, public opinion and the marketplace to restore and protect the environment and safeguard public health. In line with our mission, PennFuture works as the lead organization behind The Next Great City initiative, which is dedicated to creating a positive future for Philadelphia by advocating for common sense, cost effective policies that enhance environmental quality, strengthen neighborhoods and increase our economic competitiveness. Next Great City has identified ten affordable actions that the city must undertake to revitalize Philadelphia's neighborhoods. Among the ten agenda items is a recommendation to create public riverfronts. We seek the establishment of a high urban quality, continuous, connected, publicly accessible greenway along the Schuylkill and Delaware Rivers. She applauded the Commission for taking the first step towards creating such greenways by accepting the Civic Vision for the Central Delaware as the framework for future planning. The greenway that the Vision imagines, with a 100 ft. setback along the bank of the river, will create a network of green public space that will connect neighborhoods and bring residents and tourist alike to the riverfront. It will be an aesthetic, cultural, and

ecological resource, contributing to the health, vibrancy, and economic development of our city. These benefits should not be limited to one portion of the city along; we should aim for consistency and apply the same standards to all of our riverfronts. If the city is going to provide a desirable amenity, it is only equitable to do so for every segment of our rivers. But for now I will focus on the matter at hand and urge you to take the next step in implementing the Civic Vision by giving your full support to interim zoning along the Central Delaware Riverfront. An interim zoning overlay is the way to ensure that the principles of the Civic Vision are met in the future. We need interim zoning to make sure that a riverfront greenway and trail can eventually be developed and that intervening development will not impede or obstruct continuous access to and along the Delaware River before a complete riverfront master plan and permanent zoning is put into place. Others will tell you that there is no need for interim zoning and that you should wait until a Master Plan for the area is complete, but there is no time to wait. A full expression of the Civic Vision will enable the Delaware riverfront to finally live up to its enormous cultural, economic and ecological potential, but between now and when the Master Plan for the Central Delaware is completed, the wrong type of development could seriously undermine the possibility of complete implementation. The City's support for SugarHouse Casino development makes adjacent parcels more susceptible to change, reinforcing the need to enact interim zoning now. She urged the Commission to take this immediate action to support well thought out development on the Central Delaware Riverfront and beyond, and to allow the momentum of the Civic Vision to continue. She looked forward to hearing the Commission's position on this proposal. She thanked them for their consideration.

Brian Glass, staff attorney for PennFuture, stated that he would like to take a few moments to address the taking concerns that some have raised in connection with the creation of a greenway. Taking is a word that gets thrown around a lot but a concept not widely understood. It is derived from our Federal and State Constitutions, both of which contain similar language to the effect that private property cannot be taken for public use without just compensation. Certainly, the government cannot allow for the physical invasion of private property for public use without compensating the owner of that property. But that does not mean that the government cannot regulate the permissible uses of private property without providing such compensation. As the United States Supreme Court has noted, "the government would quickly bankrupt itself if, every time it made a rule that affected private property rights, it had to purchase the property." Government can regulate the permissible uses of private property without compensating the owner of that property when the regulation advances legitimate state interests and does not deny the owner of all economically viable uses of his or her land. The Pennsylvania Supreme court has explained that a taking does not necessary result even when a regulation deprives an owner of the most profitable use of his or her property. The United States Supreme Court has explained further that government can condition the granting of permits for a proposed development on the dedication of private land for public use if the permit condition advances a legitimate state interest, or in other words, if government can demonstrate that the required dedication is related both in nature and extent to the impact of the proposed development. Philadelphia can posit a number of legitimate interests in support of any regulation that it might enact to create a 100 ft. greenway. PennPraxis has identified several such interests in the Civic Vision and the Action Plan and other corresponding materials. Moreover, Philadelphia can take steps to ensure that any sure regulation is not susceptible to a takings challenge. Again, PennPraxis has identified several methods to ensure that no regulation will deny an owner of all economically viable uses of his or her land. Given the strong public support

for, and the absence of any insurmountable legal obstacle to, the creation of a 100 ft. greenway along the edge of the Delaware River, PennFuture respectfully requests that the Philadelphia City Planning Commission to support the overlay.

Matt Ruben read the following testimony for Steven Weixler:

“Good Afternoon, Mr. Chairman and Member of Commission. My name is Steven Weixler and I am Chairman of the Central Delaware Advocacy Group, a coalition of 20 riverfront community associations and Philadelphia organizations charged with promoting the Civic Vision for the Central Delaware. CDAG fully supports an interim overlay for the Central Delaware and thanks Councilman DiCicco for introducing the necessary legislation. An overlay is essential to create basis ground rules and set expectations while the Planning Commission creates a Master Plan for the area. For an overlay to be effective, it must put rules into place that allow for the realization of the vision in a way that is practical but effective. The Ordinance before you will require several amendments, but in general gives the Commission clear guidelines. One area of substantive concern to us is in the provision for a 100 ft. setback from the river’s edge, not to exceed 20% of the land area. It creates a riverfront trail, public recreational space, and ecologically responsible development. It is a central principle of an unprecedented public process and consensus. It is important to understand that 100 ft. is not a minimum or an average in this legislation; it is the maximum. If a site cannot accommodate it, and this is true of a handful of properties, then the provisions of the Bill allow the Commission discretion to reduce the set back. There is absolutely no reason for this Commission to recommend anything other than the 100 ft. number with the 20% alternative, as recommended in the Civic Vision this Commission formally accepted at its last meeting. Other amendments to this legislation are essential, including ensuring access through perpendicular connections; ensuring industrially zoned parcels become subject to the overlay if they seek commercial or residential variances; ensuring all properties east of Columbus Boulevard/Delaware Avenue, not just ones adjacent to the river or commercially zoned, must submit a Plan of Development; and further extending the deemed appropriate review time from 60 days to at least 75 days, to guarantee this Commission can have adequate time for a second hearing if and when necessary. Finally, I leave you with one principle we feel should guide all your recommendations. We cannot create an overlay, or plan the riverfront, simply by trying to split the difference between different opinions. We can compromise on the legal language, but only when there is a compelling, evidence based reason to do so. We cannot compromise our responsibility to the riverfront and to the people of Philadelphia.”

Janice Woodcock thanked the Commission. She stated she was fortunate to serve during the process of the creation of the Central Delaware Plan and would like to call the Commissioners attention to the opportunity the Civic Vision represents for the waterfront. Admittedly, the planning process for the Central Delaware was not perfect. The need for the plan rose out of a reaction to state mandated gaming, making the process contentious to say the least. The plan was not led by local government, instead

rising out of the generosity of private foundations, preventing the plan from becoming public policy immediately. But there is a silver lining. Citizens from the neighborhoods came together in a populist movement not seen in recent memory. The plan attracted the attention of civic groups, the media, and even our partners in state and federal agencies, who in the case of gaming thought so little of Philadelphia's land use practices they decided to do our planning for us. And what about our land use practices? As many of you know, property owners along the water have simply selected the zoning classification to best fit their project, often choosing a commercial classification that has little to do with the complexity of waterfront parcels. None of the zoning classifications in the Philadelphia Zoning Code, even the recent WRD (Waterfront Redevelopment District) addresses the complex nature or the environmental sensitivity of waterfront lots. Worse, as you know the use of the WRD, the zoning chapter reserving public access is optional. You must also know that the process used to regulate land puts the Philadelphia City government in a severely compromised position. For elected officials, constituents expect to be served. They ask their elected representatives to solve financial challenges generated by their own investments, investments which have been based on what was possible before. For appointed officials and civil servants, the coordination of policy is difficult at best, as the flurry of rezones, new zoning provisions, and variances must be addressed simultaneously. Here too, there are as many different agendas for the waterfront as there are agencies with jurisdiction; PIDC and the Water Department to name just two. There must be a better way. If the City continues to avoid the practice of urban design, as it has over the last 20 years, not only will our waterfront be at risk, but every other place in the city with an amenity to offer. On the waterfront we have recently dodged a bullet. A number of projects, sporting all manner of blank walls, towers, garages, gates, and private decks to the water; remain un-built. The lull in the marketplace provides an opportunity to revisit these proposals and use urban design to promote and market our assets. The City's design and planning staff have the values and capacity to counter recent trends; they just need legal standing and resources to perform. Interim zoning will provide a placeholder while an urban design plan is prepared. Once this zoning overlay has passed and protections are in place, I hope the Commission will monitor the progress on the creation of a true master plan and advocate for the resources to implement it. Let's not waste the sea change suggested by the Civic Vision. This is an opportunity we can't afford to miss.

Mr. Altman thanked her for all of her work.

Alex Doty, of the Bicycle Coalition, stated he supports the plan. The City of Philadelphia has the opportunity to transform its riverfront into a bikable, walkable greenway that would radically alter public access and increase active transportation. As Philadelphia works towards Mayor Nutter's goal of becoming the "greenest city in America", trails are an essential part of changing the way people get around Philadelphia. Today, sixty percent of city commuters get to work by car, the vast majority in single occupancy vehicles. Trails can make our city greener by converting commuters to a bike, a single occupancy vehicle with zero emissions. We support the Interim Overlay as amended as an important measure laying the foundation for how we develop our riverfront going forward and urge you to approve it today. We have 3 recommendations for how the overlay could be improved to enhance how the greenway accommodates bicycling:

1. In Section (5) the right of way dedicated for pedestrian and bicycle traffic be specifically cited as being a minimum width of 14 ft.

2. To facilitate waterfront access, Section (6) would be improved if there was an acknowledgement that not all legally open streets are wide enough to accommodate a bicycle lane. Bicycle lanes should be 5 ft. wide, and if a street is 21 ft. wide or less, there will not be room for a bike lane. Therefore, we recommend that the provision require a 5 ft. wide bike path be provided if the legally open street is not wide enough to accommodate a bike lane.
3. There is a need for a stronger provision for ensuring that waterfront access is provided at reasonable intervals. We recommend that bicycle/pedestrian access point be provided at least every half mile, which takes an average person 10 minutes to walk, but preferable every 500 ft. As an example from Schuylkill Banks, the longest stretch between access points is between Race Street and the Market/Chestnut Street ramp, which is approximately 2000 ft. or nearly ½ mile.

Maya van Rossum, Delaware Riverkeeper, stated that regarding the 100 ft. buffer the language should make clear that the setback is to be vegetated with native trees, shrubs and ground covering plants. Turf grass should be prohibited within the 100 ft. setback as it is a source of pollution and runoff and is devoid of ecological value. To the extent the buffer includes public access the Ordinance should ensure that this access is not provided to the detriment of the River. To the extent the buffer areas include public paths these paths must be setback at least 50 ft. from the water's edge and be of limited width, perhaps 8 ft. The mandatory width of 25 ft. for access points seems excessive, we would like to see this revisited. With regards to waterfront access, we ask that there be a greater emphasis placed on quality of access rather than quantity of access. Providing automatic approval if the Commission fails to act within 60 days inappropriately burdens the public. If action is not taken by the Commission within 60 days then the presumption should be that of disapproval. If the presumption is to be that of automatic approval then the time frame provided needs to be greater, in addition there would need to be a mechanism whereby the public could take steps to prevent a lapse of the time without action.

Mr. Sklaroff stated there are a number of projects in the overlay. He is surprised that there are changes to the Bill. He doesn't know what they are. This is an Ordinance and you need to approve or disapprove, not approve in concept. Paul Lonie told you how to do it. You map the trail. Then you get the community involved. Then you budget for acquisition. Then you pay for the land you want to take. He has been practicing for 40 years. It would cost hundreds of dollars for engineering for this project. This Ordinance has defined 100 ft. set back. The result is this Ordinance threatens the tax base for the owners once this overlay is in place without the plotting; the owners are going to apply to BRT for a reduction in their real estate taxes. He sees several million dollars in taxes being lost. How many pools could we keep open? How many Police Officers could we pay? In 1982 the Philadelphia City Planning Commission did a comprehensive plan on the Riverwalk. In all of PennPraxis plan there is no reference on it. There is no pricing or funding. First engage each and every landowner; second definitive – opinion whether this will effect a taking; third what is it going to cost.

Mr. Schelter replied where Paul Lonie said he was dealing with two private owners, we have 58 private owners. Mr. Altman, Mr. Greenberger, Councilmember DiCicco, and Mr. Abernathy meet with them. For the Central Delaware Waterfront the 100 ft bulk head line – this can't be done. This is on the Philadelphia City Planning

Commission website for the NY riverfront. It took two years to do their plan and \$2 million.

Mr. Sklaroff thanked the Commission.

Matt Ruben, President of the Northern Liberties Neighborhood Association, stated they have completed two plans. He agrees with Mr. Sklaroff that this is not a concept; it is an overlay. He doesn't want anyone to be able to build there while this master plan is being created. This Commission would have leeway to choose the set back. Developers have been contacted, such as Bart Blatstein, and some of them do support it.

David Hammon, of South Street Headhouse District, stated since 1993 South Street Headhouse District has had an overlay. It is a misconception that the overlay shoots down businesses. We have testified at the ZBA on cases. It is extremely important for an Ordinance to be in place to do no harm.

Shawn Rairigh stated greetings. first, forgive me for smiling, but in my ten years as an urban planner, I've never heard anyone claim that bike trails and waterfront parks lower property values and discourage new residents. I represent Neighbors Allied for the Best Riverfront - NABR for short. We are a grassroots activist group that seeks better planning and ideas for the riverfront. We originally formed in Fishtown and Northern Liberties but now have membership throughout the city. Our group formed as a response to the Wild West atmosphere of development along the waterfront in 2006. At that time, dozens of speculation-driven projects were going after permits, led by teams of lawyers, expert in guiding projects through the then-shady zoning board of adjustment. There was minimal public input, and minimal input from the planning commission, and a complete lack of planning for the waterfront as a whole. As a result, the waterfront was quickly becoming a wall of gated condo towers, seas of surface parking, a canyon of garages along Delaware Avenue, and no public access to the waterfront. I want to remind the commission that this sad vision for the future is still in play. Thankfully, the Penn Praxis planning effort came to pass - easily the most ambitious and exciting planning done in Philadelphia since the Ed Bacon era. But unlike the Bacon era, this was a true civic vision. In addition to the usual city officials, engineers, planners, developers, lawyers, and other interests that do plan-making - residents - by the tens of thousands - involved themselves. The Vision that came from that effort successfully captured the values that the citizens of Philadelphia want for their waterfront. Today is the first step towards making that vision a reality. The first step in creating a legacy that Philadelphians have overwhelming approved of. A legacy that Philadelphia needs to remain competitive - to replace some of the hundreds of thousands of residents and their jobs that fled this city over the years. NABR asks you to approve the zoning overlay, and do it today. Any delay is a step back to 2006's Wild West Waterfront. NABR also would like the Commission to adopt several amendments to the overlay: One - require a 100' setback for all parcels, no matter their underlying zoning. 100' is an amount consistent with the central waterfronts of many other great cities, and it is crucial that continuous public access be allowed. Two - require a public process for any variance process, where community members can attend and testify. Three - add gaming and casinos to the list of prohibited uses. You may remember that the Gaming Board chose the original casino sites as - in their terms - "bookends" to a waterfront entertainment district. Sooner or later, the state will attempt to place additional casinos in Philadelphia, and we need to send a message now that it will not be on the waterfront. Thank you.

Ms. Olson asked what about economic development.

Lauren Bornfriend, Executive Director of the Philadelphia Parks Alliance, stated that she supports the interim overlay for the Central Delaware that will ensure that a continuous riverfront greenway and trail can ultimately be created. This much needed zoning will protect the civic vision that will enable the riverfront to reach its extraordinary economic, environmental, and cultural potential. She recently testified at City Council, Philadelphia's parks and recreation, its trails and riverfronts are an economic engine. If we invest in them, they stimulate growth. The economic value of Philadelphia's parks and recreation system is hundreds of millions of dollars annually. The ground breaking Trust for Public Land study, funded by The Lenfest Foundation and commissioned the Parks Alliance, for the first time ever quantifies this value. For instance, Philadelphia citizens already save nearly \$70 million dollars in medical expenses by using its parks. We generate \$40 million in tourist revenue. Our parks, rivers, trails, and open space provide over \$7 million worth of stormwater and air pollution control each year. And the City receives \$24 million in tax revenue every year as a direct result of parks and recreation. That's a great return on investment. But, just imagine if we invested more in our open space. Imagine a continuous, walkable, vital riverfront greenway treasured by citizens, workers, and visitors. A riverfront to rival other American cities, a riverfront that increases both our quality of life and our wealth. Healthy, vibrant urban parks, riverfronts, greenways, and recreation are now at the center of political, economic and policy discussions. They are recognized as essential tools for community and economic development; cultural and environmental revitalization; healthy, fit citizens; retention and attraction of residents, businesses and tourists; protection of land and water; crime prevention; education and quality of life. Public officials and experts from every discipline are embracing the unique role they play in the creation of sustainable 21st century cities. We must do everything we can to reap the benefits and protect the integrity of the redevelopment of the Central Delaware. An essential step in the process is to implement the interim overlay. She gave us copies for The Trust for Public Land.

Mr. Starr stated he thinks a zoning ordinance is appropriate. He said there are steps for hardships that they can use. Councilmember Krajewski introduced the Waterfront Redevelopment District zoned. It was not perfect. It was voluntary use. The WRD failed in numerous ways. No public improvements have been made and he urges us to do so. He urges us to support this Ordinance.

Jeff Rush, Vice Chair of CDAG, stated he is not here for the 50 ft. or 100 ft. buffer. He is here to discuss Queen Village is vibrant neighborhood, and the Central Delaware is like the Queen Village Neighborhood Conservation District.

Sarah Stuart, Schuylkill Riverfront Alliance, stated she supports this Bill and urges the Commission to approve it.

Tim Kerner, architect and planner of Design Advocacy Group, stated we urge the City to seek a generous right-of-way. We applaud the City for moving forward under the Philadelphia City Planning Commission.

Mr. Greenberger thanks everyone for their patience. He stated an enormous amount of commitment went into this Vision Plan. The first was to put in place an interim overlay. The master plan will probably take 14 to 16 months. As a commitment to the

public process, we should put in place some limitations on development in this area. Will this interim legislation be permanent? It will not. It will expire as soon as the Master Plan is approved. The taking of property is a concern. Mike Sklaroff said this is a no zoned area. This is not so. It is zoned and we will respect the zoning that is there now. We will not go in and say that set back must be in place especially if it is unsafe. There is not a condition that sets up no development. We think that this is an acceptable thing to do.

Ms. Olson asked why C3 and not C4.

Mr. Greenberger replied C3 has the capacity to have large development on it.

Mr. Eiding stated the very first time that he saw the PennPraxis design, he was concerned about it. He is concerned about jobs for the people who are already here. We don't want more condos on the riverfront. We want development that provides jobs.

Ms. Ruiz asked why the jobs along the river. Why not move it some place else?

Mr. Eiding replied it's not just the jobs.

Ms. Ruiz asked what kind of industry can we attract here.

Mr. Altman stated that he believes that industrial zoned parcel would remain industrially zoned. Councilmember DiCicco's office knows there are industrial uses there. There are huge parts of the river such as Southport. There is an industrial land use study being done now. Protecting what is there. What our future needs are? The Ordinance states that within 180 days the Philadelphia City Planning Commission will create/adopt it.

Henry Schwartz, attorney with the City of Philadelphia's Law Department, stated we have been working with the Councilman's office regarding the Bill's with taking.

Ms. Olson stated the lack of planning. We want to work with developers to bring everyone to the table.

Mr. Eiding replied we are doing a plan before we are hiring a consultant. The northern part had a consultant and that is why I voted for it.

Mr. Altman replied that an interim plan gives this Commission a case by case judgment. The guidelines give us what we want to accomplish. It gives the Commission a very important roll on the waterfront. It may not be perfect, but it is a guideline.

Upon motion by Mr. Gupta, seconded by Ms. Rogo Trainer the City Planning Commission approved Zoning Bill 090170.

- b. Zoning Bill 090169: Zoning remapping for the Old City/Northern Liberties/Fishtown section of the Central Delaware Riverfront (Introduced by Councilmember DiCicco of March 5, 2009)

Ms. Brumbelow stated you saw this Bill last month as an information only item. This Bill amends the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Berks Street, Delaware River, Market Street and Interstate 95. We have changed a number of parcels from C4, C5, and G2 to C3. They were all vacant lots. The FAR would be 500% with unlimited height, and would require open space on the lot. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked what are the existing uses.

Ms. Brumbelow replied everything is vacant except for Penn Treaty Park.

Shawn Rairigh, speaking for Matt Ruben, stated they were unhappy to see this for the first time.

Upon motion by Ms. VanBelle, seconded by Mr. Syrnick, the City Planning Commission approved Property Bill 090169.

- 14) Zoning Bill 090354: Amending the Zoning Code by revising permitted uses and parking requirements in Commercial Entertainment Districts (Introduced by Councilmember DiCicco on April 30, 2009)

Mr. Gregorski stated this Bill amends the Zoning Code by revising Exempts CED site from Central Delaware Overlay. Clears up ambiguous language Changes parking requirements

Allows for interim facilities

To move 1 mile away on Delaware Avenue during the time when they are building parking facilities.

Exempt interim facilities

The City Planning Commission staff recommendation is approval.

Mr. Lee recused himself.

Mr. Rairigh stated it goes against the Central Delaware Civic Vision Plan. You have to vote against it. Clearly, this bill is intended to facilitate the needs of one single project, yet it threatens entire sections of the city. I realize the city is in a predicament where it is required to let Sugarhouse build, but I want you to remind you that Sugarhouse's latest "redesign" and this bill that supports it goes against the most essential elements of the Civic Vision that you publicly supported just last month. Nowhere in the Civic Vision is there room for seas of surface parking, the city's largest parking garage, and stand alone buildings that are set back far from the street. Everyone here knows how easily "temporary" uses become permanent, and without a sunset clause, this bill will encourage the northern part of the waterfront to become nothing more than a permanent sea of parking lots. In fifty years, Philadelphians will hopefully look with pride at their beautiful waterfront as a whole, but ponder the weird area around Frankfort Avenue that is so unlike the rest of the waterfront. How did someone allow a

casino slot box and tons of surface parking here? Who let that happen? This vote is your legacy.

Joe Schiavo, Old City Civic Association, stated he is concerned about the parking. It does make mention of the Foxwoods site. It would seem that a traffic study would need to be done to make the correct decision. This would override the Old City overlay.

Tom Witte, council to SugarHouse, stated the Ordinance before you would allow parking immediately adjacent to the site. It allows us to go 1 mile directly on Delaware Avenue. A great deal of time has been lost, a great deal of tax revenue, and jobs have been lost. We made the change to the parking phase because that one is the longest.

Mr. Greenberger explained how this legislation came about. We are trying to balance where the best place for parking would be. He stated the interim site has 1,700 slots. There is no structure parking. It will be a piece of the permanent building. The garage will be built at that moment.

Mr. Witte replied timing but not generous.

Mr. Greenberger replied they are going to finance the garage out of the slot revenue.

Mr. Witte replied we have enormous incentive to do 3,000 slots.

Ms. Rogo Trainer asked anything over 1,700 has to have a garage built.

Mr. Greenberger replied yes.

Ms. Ruiz asked can this be approved without affecting the residents.

Maya van Rossum suggested a mandatory interim parking can be in place.

Mr. Greenberger replied a time limit would be wonderful, but it may not be practical with financing.

Mr. Eiding replied you cannot give it and then take it away.

Mr. Greenberger replied this is a whole new set of circumstances that we are dealing with.

Mr. Altman replied that the Plan of Development will be coming forward.

Upon motion by Ms. VanBelle, seconded by Mr. Eiding, the City Planning Commission approved Property Bill 090354.

Ms. Olson opposed.

- 15) Streets Bill 090359: Striking and vacating Shackamaxon Street from Delaware Avenue southeastwardly to a dead end, and placing a right-of-way for utility purposes (Introduced by Councilmember DiCicco on April 30, 2009)

Mr. Gregorski stated the purpose of the Bill is the striking and vacating of Shackamaxon Street. The party of interest is SugarHouse. It will be removing a dead end street, and extend the sidewalk. The City Planning Commission staff recommendation is approval.

Mr. Greenberger replied this does not change the pedestrian access.

Mr. Rairigh replied since we already approved the overlay, you shouldn't approve this.

Mr. Greenberger replied you are going to see public access along there.

Upon motion by Mr. Syrnick, seconded by Ms. Ruiz, the City Planning Commission approved Property Bill 090359.

Ms. Olson opposed.

Mr. Altman adjourned the City Planning Commission Meeting of May 19, 2009 at 6:05pm.

SUMMARY

- 1) Minutes of the Meetings of 4-21-09 Approved
- 2) Executive Director's Update
- 3) Amendments to the Recommended FY2010-2015 Capital Program & FY2010 Capital Budget (Presented By Alan Urek) Approved
- 4) Review of the Phila. School Dist. FY2010-2015 Capital Program & Budget (Presented by Jametta Johnson (PCPC) & Patrick A. Henwood, (School Dist. of Phila.)) Presentation
- 5) IDD Master Plan Amendment For the University of PA (Presented by Martin Gregorski) Approved
- 6) Prel. Plat: Gateway townhouse development, Aramingo Ave. & Church St. (Presented by Sarah Chiu) Disapproved
- 7) Zoning Bill 090412: Remapping The former Wanamaker School, 11th St. & CB Moore Ave. (Introduced by Councilmember Clarke on 5-14-09; presented by Martin Gregorski) Approved
- 8) Zoning Bill 090348: Amending the Tacony/Mayfair Special Dist. Controls (Introduced by Councilmember Krajewski on 4-30-09; presented by Paula Brumbelow) Approved
w/staff
recommendations
- 9) Zoning Bill 090381: Remapping of "Southport" & the eastern portion of the Navy Yard on the S. Delaware Riverfront from G2 & PI to LR (Introduced by Councilmember Tasco for Council President Verna on 5-7-09; presented by Paula Brumbelow) Approved

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| 10) Zoning Bill 090328: Reauthorizing the Queen Village Neighborhood Conservation District until June 2011 (Introduced by Council-Member DiCicco on 4-23-09; presented by Martin Gregorski) | Approved |
| 11) Zoning Bill 090349: Creating a new N. Delaware River Conservation Dist. (Introduced by Councilmember Krajewski on 4-30-09; presented by Larissa Klevan) | Approved
in concept |
| 12) Property Bill 090289: Authorizing The acquisition of the former K&T Railroad (Introduced by Councilmember Krajewski on 4-16-09; presented by Larissa Klevan) | Approved |
| 13) Central Delaware Riverfront Zoning Bills: | |
| a. Zoning Bill 090170: Central Delaware Riverfront Zoning Overlay (Presented by Martin Gregorski) | Approved
in concept |
| b. Zoning Bill 090169: Zoning remapping for the Old City/Northern Liberties/ Fishtown section of the Central Delaware Riverfront (Presented by Paula Brumbelow) | Approved |
| (Both Bills introduced by Councilmember DiCicco On 3-5-09) | |
| 14) Zoning Bill 090354: Amending the Zoning Code by revising permitted uses & parking requirements in CEDs (Introduced by Councilmember DiCicco on 4-30-09; Presented by Martin Gregorski) | Approved |

- 15) Streets Bill 090359: Striking & vacating Shackamaxon St. from Delaware Ave. southeastwardly to a dead end, & placing a right-of-way for utility purposes (Introduced by Councilmember DiCicco on 4-30-09; Presented by Martin Gregorski)

Approved