

PHILADELPHIA CITY PLANNING COMMISSION  
June 9, 2009

PRESENT: Joseph Syrnick, Vice Chair  
Patrick J. Eiding  
Anuj Gupta, representing Camille Cates Barnett  
Bernard Lee  
Nancy Rogo Trainer  
Nilda Ruiz  
Peggy VanBelle, representing Rob Dubow

ABSENT: Andrew Altman, Chair  
Natalia Olson de Savyckyj

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

Vice Chair Joseph Syrnick convened the City Planning Commission Meeting of June 9, 2009 at 1:09pm.

- 1) Approval of the Minutes of the May 19, 2009 meeting.

Upon motion by Ms. Rogo Trainer, the City Planning Commission approved the minutes of May 19, 2009.

- 2) Executive Director's Update

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

- 1) We will be having a special meeting of the Planning Commission on Wednesday, June 24 at 1pm at the Academy of Natural Sciences. It is specifically to look at the revised plan of development for the SugarHouse casino. We may have 1 or 2 other things on the agenda. Today we received the formal revised plan of development for the SugarHouse casino.
- 2) Public Viewing of SugarHouse Plan of Development - We are taking the PDF version of it and posting it on our website. Next week we are also making the entire POD submission available for viewing from 9am to 5pm in our Library, and on June 16 from 5 to 8pm. No appointment will be necessary for anyone to come in to see it.
- 3) The Zoning Code Commission is scheduled to review and approve the selected consultant for Phase 2 at their public meeting tomorrow at 8am in this room.
- 4) The Central Delaware River Master Plan – There was a pre-proposal meeting last week and about 120 people showed up. We are taking proposals on June 19 at the close of business. During the summer we will be whittling down the list to a short list and conducting interviews.
- 5) Central Delaware River Master Plan Project Manager - Relating to that, we also short listed 4 candidates for the Project Manager position, which will be within the Philadelphia City Planning Commission, that will oversee the day to day of the overseeing of this Master Plan project. We are in the process of checking the references of the four candidates, and we should have a decision by the end of this month. Hopefully that person will be available to sift through the Master Plan Proposals.
- 6) Update on the new plan for the Hunting Park West. We have received a grant from the State for \$165,000 to prepare a plan for this former industrial district. This is the area that is generally thought of as the Budd Plant and Tasty Cakes. It is where the Kroc Center is going up at the Eastern Pennsylvania Psychiatric Institute (EPPI), where the Juvenile Justice Center has been housed temporarily. It is a very big area, which

is zoned between Nicetown, Tioga, Germantown and East Falls, where Roosevelt Avenue comes through. This plan will be specifically for the entire area to see if we can project some kind of sensible future for it. We did send out an RFP, and 17 consultant teams have responded to the RFP. Based on the committee with input from the community, we have a short list of 4 finalists. They are Wallace Roberts & Todd, Perkins Eastman, Field Operations and Ehrenkrantz Eckstut & Kuhn Architects. The interviews are scheduled for Friday, June 19. We hope that planning work can commence in July.

- 7) Update on Station Square - You may remember the Urban Design Division of the Planning Commission put together an idea in conjunction with the Brandywine Realty Trust, and working cooperatively with Amtrak, the Streets Department, and anybody who has anything to say about the area around 30<sup>th</sup> Street including the Schuylkill River Development Corporation. He asked Mr. Syrnick if the 30<sup>th</sup> Street Task Force is also involved.

Mr. Syrnick replied the 30<sup>th</sup> Street Task Force is basically chaired by the City and includes anybody who has anything to do with anything out there.

Mr. Greenberger said if you can picture the 3000 block of Market between 30<sup>th</sup> Street Station and the old Post Office. Post Office building – the 2 streets in between will be sidewalk. Brandywine will build their side of it, and PennDot has agreed to build the other side based on Urban Design Division's concept design. We think this will be a tremendous improvement to the 30<sup>th</sup> Street area.

- 8) Update on Market East Plan. We are heading towards the final draft plan. They may have already posted the public meeting on June 23 at the Center for Architecture. We hope you can all attend that meeting. You will start seeing public notices for it.

- 9) Items in Accord with Previous Policy:

- a) Streets Bill 090442 which puts on the City Plan 4<sup>th</sup> Street from Westmoreland to Ontario, and from Westmoreland to Lawrence to 4<sup>th</sup> Street. Places streets on the City Plan in conformance with a preliminary plat for Lawrence Court Homeownership Development for 46 single-family attached unit subdivision and 4 infill dwellings in North Philadelphia. This Commission approved it on February 17, 2006.

- 9) He stated he was a guest speaker this past weekend at a national conference called the Association of Community Design Centers in Rochester. He gave a public lecture, where there were 120 people in attendance, the theme was called "Shrinking Cities and Growing Communities". He was also a speaker at the Center City Resident's Association's annual meeting last month.

Mr. Syrnick stated regarding Station Square, that Rick Redding and Dave Schaaf are the two lead people at the Planning Commission working on that. They have taken something that was very, very undefined and turned it into something that's really exciting. They did a good job.

3) ZBA Case 9227: 1213-19 Walnut Street (Developer: U<sup>3</sup> Ventures)

Paula Brumbelow, Development Planning Division, stated this site is located in Center City. It is bounded by Walnut, Sansom, 12<sup>th</sup>, and 13<sup>th</sup> Streets. It's going to be fitting in on Sansom Street; there is a vacant parking lot currently. It will be built between Walnut and Sansom on the vacant parking lot. The proposed use is for a 30-story attached structure, which would be 323 ft in height, and have 152 hotel rooms and 299 dwelling units. The building will also have 375,000 sq. ft. with ground floor retail. It will have a long passageway that runs from Walnut Street to Sansom Street. They will not be asking for lay by lane. Seeking variances for take-out restaurant; they are required to have 226 off street parking spaces, none are being provided on site, but there are several sites for large parking garages within a 2 or 3 block area. They also need a Floor Area Ratio, require 12, but they are proposing 16.05 FAR; open area above the ground floor maximum of 50%, proposing 55%; they are required height, 325 ft. The distance from the property line, they are required 25 ft., they are proposing 0 ft. There is an existing restaurant that they are going to build around the restaurant. They will get a variance for it.

Center City Height Controls District in the overlay section of 14-1609: The purpose is to protect the historic skyline of the City Hall tower. Accordingly to the view corridor, the northeast corner cannot be above 296 ft. in height. This building is above 296 ft. in this view corridor. They are seeking a variance for it.

The City Planning Commission staff is recommending approval for all except for the requested exceeded height limit as stated in the Center City Height Controls District section 14-1609.

Ms. Rogo Trainer asked do you intend to lease space in the nearby garage.

Mr. Palmar stated we are intending to have agreements with the parking garages around us. We have 3,500 parking spaces around us within 3 or 4 minutes of walking distance. As soon as the project moves forward, we will see who is interested in parking.

Ms. Rogo Trainer asked regarding the restaurant that you are building around. Is it separate ownership?

Ms. Brumbelow replied yes. It is Fergi's.

Ms. Rogo Trainer has if the owners have raised any objections to it.

Mr. Palmar replied that they have been working with them.

Mr. Syrnick said in regards to the recommendation not to approve the height. What would be the solution to it? Reduce it by 4 stories?

Ms. Brumbelow replied we looked at several options, but because this is in the view corridor that we dearly want to protect.

Mr. Palmar replied we think there are several solutions to view corridor, part of their difficulty was that there was 3 or 4 floors. We are planning to work with the Philadelphia City Planning Commission staff over the next few weeks before we come back to the ZBA. We would like to resolve that problem.

Mr. Gupta asked why are we holding so dearly to that view corridor.

Ms. Brumbelow replied there are 4 or 5 view corridors specifically in a hub, when you look at it you can a panoramic view of the City. It is to keep such a space between the City Hall tower.

Mr. Greenberger replied the view corridor was initially set-up after the introduction of the buildings taller than City Hall. So there were a really limited number of them that are intending to make sure that these critical views are simply kept in tact for the respect to the importance of City Hall.

Ms. Rogo Trainer asked if there are solutions that are acceptable to the developer and to City Planning staff that would allow the view corridor to remain.

Mr. Palmar replied we don't have those solutions in hand, but we think that the problem can be solved.

Mr. Eiding asked how many hotel rooms.

Ms. Brumbelow replied 152 hotel rooms and 299 residential units.

Mr. Greenberger asked them to explain the reason for using other parking facilities.

Mr. Palmar replied surplus parking is the highest around the city. There are a lot of institutional uses. This is an extremely central location, and young professionals would rather use Philly carshare and Zipcar than own cars. Many hotels in the City have used parking as valet. Our study has shown that if we had all parking on our site, we will create more parking jams.

Mr. Greenberger replied there is a robust transit network. We don't want to be building more garages than is absolutely necessary. Economically, it is very expensive to build.

Mr. Syrnick asked will the cab pull up front there.

Mr. Palmar replied access by public

Ms. Ruiz replied she likes the wall. What green elements are in there?

Mr. Palmar stated there are green roofs and water storage tanks underground, and circulating heating and cooling. They are working on LEED certification.

Upon motion by Mr. Eiding, seconded by Ms. VanBelle, the City Planning Commission approved the ZBA Case 9227: 1213-19 Walnut Street.

- 4) Bill 090444: Amending Sidewalk Behavior (Title 10-611) and Bicycle Regulations and Penalties (Title 12-800) provisions of the Philadelphia Code (Introduced by Councilmember DiCicco on May 21, 2009)

Deborah Schaaf, Planner with the Strategic Planning and Policy Division, stated This Bill is to allow for the designation of trail segments on sidewalks outside of Fairmount Park. The current law is governed by both State and City laws. Pennsylvania State laws prohibit bicycles on sidewalks in business districts. In Philadelphia, like many other big cities, takes the more restrictive approach. Our codes are for age 12 years or older are not allowed on sidewalks in the City. This rule is to protect pedestrians in a densely developed city. Sidewalk bicycling is dangerous to other bicyclists, and is the cause of a high percentage of accidents. We feel the code for sidewalk bicycling needs to be preserved. However there are limited instances where sidewalk bicycling may be the only way for traveling. One of these is the plan for the Delaware Riverfront trail, where sections will be on the sidewalk. City law already grants an exception in Fairmount Park for sidewalk bicycles. The Fairmount Park commission offers bicyclists the sidewalk for them to ride. This Bill will amend the Traffic Code to allow the Streets Department to designate certain sidewalks for shared use by pedestrians and bicyclists. Such sidewalks must be posted with signs to clearly distinguish them from the majority of sidewalks, where bicycling will remain prohibited to those 12 and older. Before adopting regulations permitting bicycling on any sidewalk, the Streets Department must first receive a recommendation from the Philadelphia City Planning Commission, and must consider factors such as pedestrian safety and comfort, bicycle rider safety, existing and expected density of use by pedestrians and bicyclists, motorist safety, traffic flow, and the free ingress and egress to and from surrounding buildings. Other provisions to the Bill, the fine to increase from \$10 to \$50, and the Sidewalk Behavior section of Chapter 10 of the Code will be amended to make it consistent to the Traffic Code. The City Planning Commission staff is recommending approval.

Mr. Greenberger stated you are not going to see proliferations of recommendations from the Philadelphia City Planning Commission's staff of bicycle on sidewalks. This is specifically to understand the sidewalks on Delaware Avenue because the intended recreation of the trail and the speed of the traffic along Delaware Avenue will make the sidewalk the most sensible option. We can think of a couple of them in the City.

Mr. Eiding stated he is a little concerned. He is picturing this on the Delaware Plan and in Center City. This is trying to make this a traffic free City. How do you make any accommodations at all from us for any areas at all that does not have bike lanes?

Mr. Greenberger replied what the City has been doing is putting bicycle lanes in designated places. There have been discussions for one east and one west streets. He asked Mr. Syrnick if it is it Spruce Pine that is being considered.

Mr. Syrnick replied yes.

Mr. Greenberger replied they are trying to designate real bike lanes. Our sense is that not only children but adults need to be in the street and ideally in designated bike lanes. Hopefully one of the things that come out of this is a renewed cooperation on everybody's part.

Ms. Schaaf stated she is working very closely with the Streets Department on bicycle transportation.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved Bill 090444.

- 5) Zoning Bill 090072: Amending the Zoning Code to create "City Avenue Regional Center and Village Center Special District" controls for an area along City Avenue between the Schuylkill Expressway and 54<sup>th</sup> Street (Introduced by Councilmember Jones on February 5, 2009)

William Kramer, Division Director of the Development Planning and Zoning Division, stated you have seen this before and we requested an additional 45 days to study it. The 45 days have long come and gone. This is an overlay Bill that would create two different overlays for the Village Center from 53<sup>rd</sup> Street to Belmont, and then from Belmont to off of the expressway for the Regional Center. There is a mixture of different zoning classifications. The use overlays, that are being provided, are being treated like a TOD, even if it's not one. Auto related uses are prohibited, take-out restaurants with windows and beer distributors. This is a Bill with a lot of moving parts. The Law Department is working on certain language. We have an agreement with regard to most of the major provisions, as some of this is just language consideration at this point. It does require setbacks. In the Village Center portion of the proposals, this would be more of the C2 components along City Avenue. We are talking maximum and minimum heights for buildings, minimum of 25 ft. and a maximum of 300 ft. One of the good parts of this is that it establishes impervious cover for each of the properties by the Water Department creating 80 and 85% impervious coverage for these lots. Buffer standards to increase set back areas to use as sidewalks. There are also provisions for FAR ratios. The object is to get the controls into place and then subsequently make amendments afterwards. A lot of this is still under discussion. The other major component for this is the institution of development design standards. Basically it has 3 components: parking Section 14-1400 of the Code; designed standards for sidewalks; and building design standards. Most of it has been written to be as flexible as we can. We are still working on the language as to what will stay or not stay. This Bill has a hearing in front of the Rules Committee tomorrow at 1pm.

The City Planning Commission staff recommendation is conditional approval or conceptual approval in the final language that comes out of the Law Department. If they cannot meet the deadline for tomorrow, we are hoping or expecting that this Bill maybe held so that we have an opportunity to analyze the language to see exactly what will stay or not stay.

Mr. Greenberger replied it is an interesting situation for us. It is a good idea about creating a more walkable environment. Over the years, City Avenue was widened and the sidewalks taken out. The key provision of the Bill is to bring them back. This will be for

new development. We will see more of these kinds of provisions for density. The concern that we have is that now and before the rewriting of the Zoning Code, we need to have some regulations in place, both related to uses and dimensional conditions. Put some provisions in the Bill to allow it sunset or change as the Zoning Code itself starts to reflect the changes here.

Mr. Pauley, with the City Line Avenue Special District, replied this process started well over a year ago. It's a joint effort between the City and Delaware Township. John Gibbons is our Principal. We have some areas that have some improvements.

Ms. Rogo Trainer asked him to describe the public process.

Mr. Pauley replied they created a Steering Committee of individuals with professional backgrounds in architect, planners, real estate attorneys and heads of the community associations. Then there was a larger group of 25 people including the Steering Committee, there were representatives from each of the 2 community groups. They held public meetings of these groups.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved staff recommendation for Zoning Bill 090072.

- 6) Zoning Bill 090392: Remapping the are bounded by Wyoming Avenue, Ramona Avenue, Adams Avenue, and Castor Avenue (Introduced by Councilmember Jones on February 5, 2009)

Martin Gregorski, of the Zoning Division, stated this item does two things. It rezones the area of the old Parkview Hospital and part of the Greenwood Cemetery, from various existing designations to a new designation of "IDD" Institutional Development District. The Bill also would approve the Master Plan for the site, which will house the Cancer Treatment Centers of America. This Bill will take C3 and some C2 and change it to IDD. Creating an IDD for this site will allow the Cancer Treatment Center of America to expand, update and move the permitted uses around as the need arises, while controlling the overall development of the property through the Master Plan process. The downside, they will have to come in and get approval from Council and the Philadelphia City Planning Commission.

**Lot Area**

Existing IDD total;      Approximately 15.3 acres.

**Gross Floor Area**

Proposed total GFA:                      564,315 sq.ft.

Existing Structures:                      241,460 sq.ft.

New Structures:                              322,855 sq.ft.

**Occupied Area**

Permitted:                                      70.0% (10.72 acres)

Proposed:                                        32.2% (4.93 acres)

**Parking**

IDD total: 1,131 spaces.  
Spaces Required: 188 spaces.

The City Planning Commission staff recommendation is approval.

Mr. Syrnick asked what will happen above it.

Mr. Gregorski replied it is the Greenwood Cemetery and there will be relocations.

Mr. Eiding asked how much of that footprint is in the cemetery where the C3 is the hospital. Are the families concerned about their family gravesites?

Mr. Gregorski replied it is very old. A search is on to find out who owns them.

Mr. Greenberger asked if there is any debate between the Cancer Treatment Center and Greenwood.

Mr. Gregorski replied they are working cooperatively.

Upon motion by Mr. Eiding, seconded by Ms. VanBelle, the City Planning Commission approved Zoning Bill 090392.

- 7) Zoning Bill 090408: Remapping the area bounded by Cumberland Street, Berks Street, and the Delaware River (Introduced by Councilmember DiCicco on May 14, 2009)

Ms. Brumbelow stated the purpose of this Bill is to remap sections of land along the Delaware Riverfront in order to create a more marketable property in the Central Delaware Riverfront. The area bounded by a line located approximately 220 feet north of Cumberland Street, the Delaware River, a line located approximately 328 feet south of Berks Street, Beach Street, Richmond Street, Schiarra Drive, Beach Street and Cumberland Street. The existing zoning is "G2" General Industrial, and the proposed zoning is for "C3" Commercial. This remapping request comes from the applicants, Dyott Street Corporation and Beach Street Corporations, who created the legislation. This proposal is within the Central Delaware Riverfront area, but was not included in the Central Delaware Remapping Bill 090196 that was approved last month. This Bill was reported favorably out of the Rules Committee, with the rules suspended, on June 3, 2009. This Bill will encourage appropriate and compatible development in the area. The City Planning Commission staff recommendation is approval.

Bernard Lee arrived at 2:04pm.

Mr. Eiding asked it is to change if from Industrial to Commercial.

Mr. Greenberger replied that is correct.

Mr. Eiding asked how many acres.

Mr. Kramer replied 60 acres.

Mr. Greenberger replied it is the largest.

Mr. Eiding asked the owner is not looking to build.

Tom Chapman, attorney with Blank Rome representing the owner, stated his client is not a developer. He is in construction. In the PennPraxis Vision Plan, it is a site for mixed use.

Mr. Greenberger replied you are also suggesting not just a mixed use but industrial if it comes along.

Mr. Chapman replied if industrial does come along, he doesn't see why it can't be here.

Mr. Greenberger replied it is clearly an industrial site

Mr. Gupta asked is the change for this use to make it more marketable.

Mr. Greenberger replied yes.

Mr. Gupta asked would it make it harder if we change it.

Mr. Chapman replied we believe it is consistent with the last meeting, where the remapping changes a number of sites along the waterfront.

Ms. Rogo Trainer replied it is an unusually large site. Without having an idea in sight, we have to look at the consequences. What about the ability to subdivide?

Mr. Chapman replied there are three separate parcels. Regarding due to the Waterfront and development we would approve on this site, we would have to come back to the Philadelphia City Planning Commission.

Mr. Greenberger replied in theory it should attract a developer. It is a big parcel it may attract a developer signal to broader field of development

Mr. Eiding replied he has concerns about it. This parcel of land caught his eye during the first presentation of PennPraxis. He pictures a big storage place in this space that only has two people working here.

Mr. Greenberger replied mixed use probably would do better.

Tom Walsh, reporter for PlanPhilly, asked is this kind of zoning change unusual. Isn't that only when you have a plan of development?

Mr. Greenberger replied zoning changes work in both ways.

Mr. Walsh replied is this going to be a trend.

Mr. Greenberger replied only if this is successful.

Upon motion by Ms. VanBelle, seconded by Ms. Ruiz, the City Planning Commission approved Zoning Bill 090408.

- 8) Zoning Bill 090413: Amending the Zoning Code by adding "North Central Front Street Special District Controls" (Introduced by Councilmember Clarke on May 14, 2009)

Ms. Brumbelow stated this Bill will amend the Zoning Code by adding "North Central Front Street Special District Controls". The North Central Front Street Special controls shall apply to all properties with frontage on both sides of Front Street between Girard Avenue and Oxford Street in the Kensington neighborhood. The purpose of this Bill is to create an overlay to reverse declining property values, protect and promote the area's economic development potential, and enhance residential uses. Prohibited uses shall include: assembly halls which include drill, dance, catering, theaters, and auditoriums; auto related uses, car wash, car parts, auto/truck rentals; bath houses; outdoor food dispensers and vending machines; drive-in or take out restaurants; retail sales of beer; dispensing windows on a public street, such as a water ice stand; and accessory speakers or audio devices reaching any public space, such as a public arcade. A few more have been added: prohibition of building setback: except when required by the underlying zoning classification, newly erected buildings shall have no set-back from the street line of Front Street; and height regulations: the maximum height of a building shall be 55 feet above the average ground level at the base of the structure, but in no case over 4 stories. The City Planning Commission staff recommendation is approval but would like to note it is only for new uses. The old uses will be grandfathered.

Mr. Greenberger replied it will make the Zoning Board of Adjustment case load even higher. Some problems that come out of these uses are because it is due to behavior, which is hard to enforce the code.

Mr. Eiding asked isn't the section mostly commercial.

Ms. Brumbelow replied yes it is along Frankford/Market El.

Mr. Eiding replied it's an area that he is familiar with when he was growing up.

Mr. Greenberger replied that he doesn't feel there is any great concern for not approving it.

Brian McHale asked what happens when the Zoning Code Commission rewrites the code. Will all of these laws be thrown out? What will City Council do?

Mr. Greenberger replied that is a good question. This shows up consistently throughout the city. The Zoning Code Commission and the Philadelphia City Planning Commission will have to struggle with it.

Upon motion by Ms. Ruiz, seconded by Mr. Eiding, the City Planning Commission approved the staff recommendations for Zoning Bill 090413.

- 9) Property Bill 090434: Disposition of 14 E. Pattison Avenue (Introduced by Councilmember Tasco for Council President Verna on May 12, 2009)

Michelle Webb, Planner for the Development Planning Division, stated this Bill conveys 3 acres of a parcel of land from the City of Philadelphia to PAID to East Pattison Associates, LLC. The site is currently vacant. The parcel is bordered to the north by Pattison Avenue, to the east by a vacant parking lot, and to the south and west by rail lines and driveways to CSX's Greenwich Terminal. East Pattison Associates, LLC intends to develop the site as a parking lot for trailers that are transporting goods between the Packer Marine Terminal and the Food Distribution Center. This use will support the expansion of the Food Distribution Center and will in turn add jobs to the City's economy. The sale price is \$750,000, which will be deposited into the City's General Fund. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved Property Bill 090434.

- 10) Property Bill No. 090439: Disposition of 1402-12 W. Erie Avenue (Introduced by Councilmember Reed Miller on May 21, 2009)

Ms. Webb stated this Bill conveys 1402 to 1412 W. Erie Avenue from the City of Philadelphia to PAID to the Community Legal Services. This site is located at Broad and Erie. It is a vacant lot. They are working with the Community Design Collaborative. Their intention is to use green building materials with a green roof. The Philadelphia City Planning Commission staff is currently doing a plan for this area. It is located at the Broad and Erie transit hub. The sale price is \$165,000, which will be deposited into the City's General Fund. Community Legal Services are currently located at 3638 N. Broad Street. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved Property Bill 090439.

- 11) Property Bill 090435: Authorizing a restrictive covenant for the conservation of tidal wetlands located within the Bartram's Garden (Introduced by Councilmember Tasco for Council President Verna on May 21, 2009)

Mr. Gregorski stated this Bill creates Restrictive Covenants for Conservation in an effort to protect the native flora, fauna, soils, water table and drainage patterns in perpetuity. This covenant include prohibitions on structures, removal or excavation of soils, storage or dumping of wastes and debris, planting of non-native species, the use of herbicides and insecticides, removal of vegetation, and conversion of the area to agricultural use. The purpose of this Bill is to preserve the land area in its natural vegetative state in perpetuity. The City Planning Commission staff recommendation is approval.

Mr. Syrnick asked are you talking about the wetlands. Does anyone know if there is a proposed bike trail?

Mark Focht, from Fairmount Park, replied it is based upon a 4 party agreement. It was his understanding that the covenant would only cover the wetlands.

Ms. Rogo Trainer asked what are we approving.

Mr. Gregorski replied it is the wetlands.

Upon motion by Ms. Rogo Trainer, seconded by Ms. Ruiz, the City Planning Commission approved Property Bill 090435 (only the wetlands).

- 12) Property Bill 090443: Extending a master lease agreement between the City and the Philadelphia Authority for Industrial Development to preserve Fairmount Parke historic houses and other properties (Introduced by Councilmember Reynolds-Brown on May 21, 2009)

Mr. Gregorski stated the purpose of this Bill is to extend a master lease between the City and PAID that permits the sublease of Fairmount Park historic houses and other properties to Fairmount Park Historic Preservation Trust, Inc. This lease extension will continue the mechanism by which historic Fairmount Park properties have been preserved using funding from private non-profit sources. This Bill extends it to 2055. The City Planning Commission staff recommendation is approval.

Upon motion by Ms. Ruiz, seconded by Ms. Rogo Trainer, the City Planning Commission approved Property Bill 090443.

- 13) Property Bill 090447: Disposition of 2216-40 N. 9<sup>th</sup> Street (Introduced by Councilmember DiCicco on March 5, 2009)

Larissa Klevan stated the purpose of this Bill is to transfer the property at 2216-40 N. 9<sup>th</sup> Street from PAID to Truth Baptist Church. It is zoned R10 and G2. It is a vacant lot. It is entirely contained within 9<sup>th</sup> Street, Susquehanna Avenue, Delhi Street, and Dauphin Street. It will be sold at fair market value, which will be deposited in the City's General Fund. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked is there no neighborhood opposition.

Ms. Klevan replied no.

Upon motion by Mr. Eiding, seconded by Ms. VanBelle the City Planning Commission approved Property Bill 090447.

- 14) Streets Bill 090436: Authorizing a sidewalk café at 2201 Christian Street (Introduced by Councilmember Tasco for Council President Verna on May 21, 2009)

William Erickson stated this Bill is for the sidewalk café called the Sidecar Bar and Grille at 2201 Christian Street. This Bill will authorize a sidewalk café with nine tables and eighteen chairs on the west sidewalk of 22nd Street with eight feet of clear space, and will allow four tables and eight chairs on the north sidewalk of Christian Street with 7' 6" of clear space. It was reported out favorably by the Rules Committee. It will require the removal of a tree. The City Planning Commission staff recommendation is approval with provisos to regulate the hours of the sidewalk café. It is in a R10A Residential on Christian Street. The sidewalk café could stay open until 10pm from Sunday through Thursday, and 11pm on Friday and Saturday. Also reduce the tables on 22<sup>nd</sup> Street from 9 to 6 tables; and reduce the tables on Christian Street from 4 to 2 tables. We received a letter from the Ward Leader. We feel it would be a good inclusion to the neighborhood, but reduce the hours and the tables.

Ms. VanBelle asked what did Council rule out as. Did they vote for your recommendations?

Mr. Erickson replied they ruled out without adopting our recommendations.

Brian Lawson stated he is a resident who lives a block away from the café. He said there were approximately 94 people in support and 8 not in support at City Council. Mr. Ritter operated as a sidewalk café. He said his wife is in a wheel chair and they have never had a problem using the sidewalk. He really loves having the eyes and ears on the street. It has had a reduction in crime.

Laura Blank, Block Captain and resident at 2041 Christian Street, said change is good. Regarding the butting tables, large parties come together here.

Mr. McQuinn, resident at 2207 Fitzwater Street, said a lot of people are in favor of the sidewalk café. He has never had an issue with walking on the sidewalk.

Mr. Greenberger read the letter from the Ward Leader:

- “ 1 – opposition of the Sidecar sidewalk without permits
- 2 – she supports sidewalk café with some restrictions
- 3 – The Philadelphia City Planning Commission comes up with standards for all sidewalk cafés

Mr. Lee asked how many are out there.

Mr. Erickson replied he doesn't know. When he did a site visit, it was not operating. They have 7 ½ ft. clear on Christian and 7 ft. clear on 22<sup>nd</sup>. There really should be some time limit in a residential area.

Mr. Lee asked if there is any reaction to your proponents of time.

Mr. Erickson replied as you can see they are against a time restriction.

Mr. Gupta asked if it is primarily a restaurant or a bar/

Mr. Syrnick replied the body language is restaurant.

Mr. Gupta asked when do the people usually leave.

Mr. Erickson replied 2:30am on Friday and Saturday, and 1:30am on Sunday.

Mr. Greenberger replied that he was at the City Council hearing, and it was mostly fans of this place. It was a bad bar that became a good bar. It could become a good bar going back to a bad bar.

Mr. Gupta stated we have not set time limits on other restaurants except in Manayunk.

Mr. Lee replied sometimes with community agreement.

Ms. VanBelle left at 3:10pm.

Mr. Gupta asked did Council vote it out without time restrictions.

Mr. Erickson replied yes.

Mr. Eiding asked do these two trees need to come out.

Mr. Erickson replied one tree needs to come out. He would like to save the tree.

Mr. Eiding said he would like to save the tree too.

Mr. Erickson replied people said they could get by. He feels that they have squeezed as many tables as they could.

Mr. Gupta replied not approve the hours of business.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved Streets Bill 090436 with not tree removal.

- 15) Streets Bill 090464: Revising the lines and grades of the Benjamin Franklin Parkway (Introduced by Councilmember Clarke on June 14, 2009)

Mr. Erickson stated the purpose of the Bill is to make City Plan changes that will implement circulation changes recommended in the *Benjamin Franklin Parkway Circulation, Parking and Transit Study*, prepared for the PCPC and Commerce Department in January 2007, and will follow the Fairmount Park Commission landscape design guidelines. Callowhill Street will be stricken and be retained as a right of way for drainage and water main purposes. As well as, bumping the curb line here, and expanding the islands. This will make it pedestrian and bike friendly by widening the sidewalks and reducing the traveling lanes. The parking lane will become a travel land during rush hour. The City Planning Commission staff recommendation is approval.

Mr. Syrnick replied Callowhill is not physically there.

Mr. Erickson replied it is a paper street.

Mr. Focht replied the 2100 and 2200 block. The 2000 block is the future Barnes Museum site. Start working on it in 2011 running through 2015.

Mr. Greenberger asked do you see any problems at 21<sup>st</sup> Street.

Mr. Focht replied the signage and shift bike lanes for one block. It was presented to the Art Commission last week.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved Property Bill 090464.

Mr. Syrnick adjourned the City Planning Commission Meeting of June 9, 2009 at 3:20pm.

## SUMMARY

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- 1) Minutes of the Meetings of 5-19-09 Approved
- 2) Executive Director's Update
- 3) ZBA Case 9227: 1213-19 Walnut St (Developer U<sup>3</sup> Ventures; presented by Paula Brumbelow) Approved
- 4) Bill 090444: Amending Sidewalk Behavior (Title 10-611) & Bicycle Regulations & Penalties (Title 12-800) provisions of the Phila. Code (Introduced by Councilmember DiCicco on 5-21-09; presented by Deborah Schaaf) Approved
- 5) Zoning Bill 090072: Amending the Zoning Code to create "City Avenue Regional Center & Village Center Special District" controls for an area along City Ave bet. the Schuylkill Expressway & 54<sup>th</sup> St (Introduced by Councilmember Jones on 2-5-09; presented by William Kramer) Approved in concept
- 6) Zoning Bill 090392: Remapping the area bounded by Wyoming Ave, Ramona Ave, Adams Ave, & Castor Ave (Introduced by Councilmember Jones on 2-5-09; presented by Martin Gregorski) Approved
- 7) Zoning Bill 090408: Remapping the area bounded by Cumberland St, Berks St, & the Delaware River (Introduced by Councilmember DiCicco on 5-14-09; presented by Paula Brumbelow) Approved
- 8) Zoning Bill 090413: Amending the Zoning Code by adding "North Central Front Street Special District Controls (Introduced by Councilmember Clarke on 5-14-09; presented by Paula Brumbelow) Approved

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|---|---------------------------------|
| 9) Property Bill 090434: Disposition of 14 E. Pattison Ave (Introduced by Councilmember Tasco for Council President Verna on 5-21-09; presented by Michelle Webb)   | Approved                        |
| 10) Property Bill 090439: Disposition Of 1402-12 W. Erie Ave. (Introduced by Councilmember Reed Miller on 5-21-09; presented by Michelle Webb)  | Approved                        |
| 11) Property Bill 090435: Authorizing A restrictive covenant for the conservation of tidal wetlands located within Bartram's Garden (Introduced by Councilmember Tasco for Council President Verna on 5-21-09; presented by Martin Gregorski) | Approved                        |
| 12) Property Bill 090443: Extending a master lease agreement bet. the City & the PAID to preserve Fairmount Park historic houses & other properties (Introduced by Councilmember Reynolds-Brown on 5-21-09; presented by Martin Gregorski)    | Approved                        |
| 13) Property Bill 090447: Disposition of 2216-40 N. 9 <sup>th</sup> St (Introduced by Councilmember Clarke on 5-21-09; presented by Larissa Klevan)   | Approved                        |
| 14) Streets Bill 090436: Authorizing a sidewalk café at 2201 Christian St (Introduced by Councilmember Tasco for Council President Verna on 5-21-09; presented by Bill Erickson)  | Approved<br>w/o tree<br>removal |
| 15) Streets Bill 090464: Revising the lines & grades of the Ben Franklin Parkway (Introduced by Councilmember Clarke on 6-4-09; presented by Bill   | Approved                        |

PCPC Meeting  
6-9-09

Erickson)