

PHILADELPHIA CITY PLANNING COMMISSION
July 15, 2008

PRESENT: Andrew Altman, Chair
Alan Greenberger, Vice Chair
Camille Cates Barnett
Patrick J. Eiding
Bernard Lee
Natalia Olson de Savyckyj
Joseph Syrnick
Peggy VanBelle, representing Rob Dubow

ABSENT: Nilda Ruiz

Acting Executive Director

Gary J. Jastrzab

Chair Andrew Altman gave instructions on how this meeting was going to be conducted. He explained that no action would be taken on 1800 Arch Street, that this was an information session for this item so that the public would have the opportunity to share comments, concerns or questions. This would be the procedure for early input for major projects in the City.

He convened the City Planning Commission Meeting of July 15, 2008 at 1:22pm.

1) Approval of the Minutes for June 17, 2008

Mr. Jastrzab stated that there was an error on the second page from the last meeting that had item number 6 as tabled. This item was approved by the Commission, and the proper change has been made on this page.

Upon motion by Mr. Greenberger, the City Planning Commission approved the minutes of June 17, 2008.

2) Executive Director's Update

Mr. Jastrzab welcomed a new staff member from the Destination Fellowship Program. Her name is Kimiko Doherty.

He provided the Commissioners with the PennPraxis plan, "ACTION PLAN FOR CENTRAL DELAWARE".

3) Information Only Presentation: Mantua HOPE VI development, vicinity of 35th Street, 36th Street, Wallace Street, and Fairmount Avenue.

Mr. Altman stated this is a significant development and proposal that we are interested in.

Michael Johns, Philadelphia Housing Authority, gave the history of Mantua. It is at least 100 years old. Mantua Hall was completed in 1960. It was the model for public housing at that time. PHA plans call for demolition to build 134 new housing units (101 new walkup style apartments and 33 homeownership) in the area between 35th St. and 38th St., from Brandywine St. on the south to Fairmount Ave. on the north. They plan to begin construction in 2009. It is currently zoned R-14", "R-5", "C-2", and "G-2" will need to be changed. They will need to acquire 21 properties. They received financing in 2007. Recently submitted a HOPE VI, we are hoping to get awarded the HOPE VI Grant. To satisfy HUD requirements in the HOPE VI application process, PHA needs to make the Commission aware of the zoning issue at this time. Final zoning variances or zoning changes will be processed at a later date.

Dr. Barnett asked in regard to several of the vacant lots, are you going to develop all of the vacant lots.

Mr. Johns replied they would love to develop on all of them, but it wouldn't be possible.

Mr. Syrnick asked if it was green space in the middle.

Mr. Johns replied it is private green space, it is not for the public.

Dr. Barnett asked about parking.

Mr. Johns replied yes,

Mr. Altman asked if there are other recreational areas.

Mr. Johns replied there is a management office.

Mr. Altman asked when do you expect to come forward for the zoning.

Mr. Johns replied they are working with the Philadelphia City Planning Commission in the next month of or so.

- 4) Bill No. 080575 – Amends Title 14 of the Philadelphia Code, entitled “Zoning and Planning,” by adding a new definition for “Mechanical Access Parking Garage” and adding it as a permitted use in certain residential, commercial, and industrial districts, under certain terms and conditions. (Introduced by Councilmember Kelly on June 12, 2008.)

Paula Brumbelow, of the Development Planning Division, stated the purpose of this Bill is to define Mechanical Access Parking Garage and add it as a permitted use in the Zoning Code. This Bill will be applied citywide. The Bill provides the definition for Mechanical Access Parking Garage as a private or public garage, whether open or enclosed at grade, above grade or below grade that employs parking machines, lifts, elevators or other mechanical devices for vehicles moving from and to the street level. The bill then includes definitions for Automated Valet, Self Park and Tandem Parking to address the three primary types of mechanical parking.

The Bill also places the term Mechanical Access Parking Garage in Sections 14-1402, 14-1403 and 14-1404 which address parking in Residential, Commercial and Industrial Districts respectively. We feel this will decrease parking facilities.

The definition for Mechanical Access Parking Garage is a private or public garage, whether open or enclosed at grade, above grade or below grade that employs parking machines, lifts, elevators or other mechanical devices for vehicles moving from and to the street level. There are three different types of mechanical access parking garages:

- 1) Automated valet: Mechanical parking lifts where the car is driven on to a pallet and the pallet moves the car to a parking slot where the driver is not in the car and cannot access the space. This garage classification is exempt from any aisle, driveway width and parking space size requirements, but will still meet the required reservoir spaces.
- 2) Self Park: Mechanical parking lifts where the parking space is accessed and operated directly by the driver and no cars are removed from another space for access. This garage classification is exempt from parking space size requirements, but will still meet any aisle and driveway width requirements.

- 3) Tandem Parking: A parking space that is used by two or more cars, where a car must be removed for ingress and egress of another car. This garage classification is exempt from parking space size requirements, but will still meet any aisle and driveway width requirements. In calculating the number of parking spaces, each lift shall only count as one space, regardless of the number of cars that the lift can hold.

The City Planning Commission staff recommendation is approval.

Mr. Greenberger asked if this is only in enclosed buildings.

Ms. Brumbelow replied yes only enclosed; only for inside a structure.

Mr. Greenberger asked why is the legislation talking about tandem stacking cars.

Ms. Brumbelow replied it is 1 space under License and Inspection requirements.

Mr. Greenberger asked would the building have less volume of parking.

Ms. Brumbelow replied they would be sharing key; this is not for valet parking.

Mr. Greenberger stated that he wants it to be amended.

Mr. Syrnick asked what would happen if someone came in today for this kind of proposal.

Ms. Brumbelow replied they would have to come in for variances for it.

Mr. Greenberger asked if the legislation address quing space.

Ms. Brumbelow replied the code does require cuing reservoir space.

Leonard Cornick, resident of the Kennedy House, asked if they would have to apply to License and Inspection.

Ms. Brumbelow replied that if you would want to convert your garage you would have to.

Upon motion by Mr. Eiding, seconded by Ms. Olson, the City Planning Commission approved Bill No. 080575.

- 5) Bill No. 080548 – Amending Section 2 of Bill No. 050510, approved November 17, 2005, entitled “An Ordinance to amend the Philadelphia zoning maps by changing the zoning designations of certain areas of land located within an area bounded by Allegheny Avenue, Collin Street, Westmoreland Street, and Tulip Street, by extending the period of compliance. (Introduced by Councilmember DiCicco on June 5, 2008.)

Ms. Brumbelow stated that the purpose of this Ordinance is to amend Section 2 of Bill No. 050510 which will now read “This Ordinance shall not become effective unless the sum of Two Hundred Dollars (\$200) towards costs thereof, is paid into the City Treasury by December 31, 2008”. When an Ordinance changes the zoning of an area for private interest,

a fee of Two Hundred Dollars (\$200) is assessed. The Ordinance does not become effective unless that amount is paid, which is due within sixty days after the approval of the Ordinance. The previous zoning change was approved November 17, 2005 and that fee deadline is being extended in this Ordinance. The zoning change was previously approved by City Council and this is a technical change to address payment to the City Treasury. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Eiding, seconded by Mr. Greenberger, the City Planning Commission approved Bill No. 080548.

- 6) Bill No. 080585 – Authorizing the Commerce director and the Commissioner of Public Property to acquire an approximately 17-acre property in the vicinity of Island Avenue, Penrose Avenue, and Escort Street, and to extinguish a deed restriction on the property, all under certain terms and conditions. (Introduced by Council President Verna on June 19, 2008.)

Martine Decamp, of the Development Planning Division, stated the purpose of this Bill authorizes the City to purchase 17 acres of land for long-term expansion needs of the Philadelphia Airport. The removal of the deed restriction, that was placed by PIDC in the 1980's, will allow the Parking Authority to operate an economy parking lot to serve the Airport in the short-term until expansion under the Airport's Master Plan is completed. It is zoned "LR" Least Restricted Industrial. It is a vacant parcel surrounded by industrial uses. This acquisition will help fulfill the Airport's Master Plan for Expansion under both build alternatives that are currently being reviewed by the FAA. The goal of the Airport is to help address FAA's concerns that Philadelphia has the 5th highest rate of delay in the country, and contributes to delays throughout the nation's airport system. In the short-term, the parcel will serve to fill the gap between the need and availability of economy parking for the Airport, while producing revenue to the City's General Fund in the form of parking tax. The parcel will be acquired through Aviation funds, and no General Fund dollars will be expended. The City Planning Commission staff recommendation is approval.

Upon motion by Dr. Barnett, seconded by Mr. Synchronick, the City Planning Commission approved Bill No. 080585.

- 7) Bill No. 080588 – American Commerce Center (1800 block of Arch Street) Zoning Remapping Ordinance and related amendments to the C-5 Commercial District classification of the Zoning Code and special height limits of the Benjamin Franklin Parkway Controls. (Introduced by Councilmember Clarke on June 19, 2008.)

William Kramer, Division Director of Development Planning, gave an overview of the zoning provisions of the "C-4" and "C-5" sections of the code. They are one of the very complicated of the code. The FAR (floor area ratio) of the code, under the "C-4" base floor ratio of 5; under "C-5" floor ratio of 12. You could receive street frontage; 30% of the building be open space to obtain an 8 FAR. With public garden, public room you can obtain an incentive bonus. The way the maximum of 4 FAR is given to you – underground parking, etc. That is how the code is structured. The Philadelphia City Planning commission's Urban Design Division did a study and came up with this study.

Martin Gregorski, Zoning Planner for the Development Planning Division, stated this Bill is in regards to the American Commerce Center. There are a number of amendments

for this to be built. This Bill was introduced by Councilmember Clarke to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land bounded by Arch Street, 18th Street, Cuthbert Street and 19th Street, and amending Section 14-305 of the Zoning Code entitled, "C-4" Commercial and "C-5" Commercial District and by amending Section 14-1611 of the Zoning Code entitled, "Benjamin Franklin Parkway Controls". This Bill would take the block out of the 125 foot height control.

The City Planning Commission staff recommendation is table.

Mr. Greenberger replied that as he understands it, the Bill would do the following:

1. site rezoned from "C-4" to "C-5"
2. site be exempted from the 125 foot height
3. site be incentive FAR
4. rezoned to "C-5" would also be included in geographic area for FAR incentive
5. maximum lot coverage

Peter Kelsen, attorney for the applicant, stated that the City Planning Commission saw this item at it's April information session. We had the opportunity to work with staff and the community. Remapping of the site to "C-5" Commercial. This is located in Center City, and it is a vacant site. K is a world class developer. The of mixed use project that is unique and allow for the extension of the Concourse to be used by the public. FAR of of this site. We are building on it as a design. This is an action item that City Council is looking to approve. Where the Concourse is extended, bonus of 2 times the FAR, 120 sq. ft. of additional FAR. Finally the building incorporates open space, as well as, open space above grade. Cultural program through open space.

Senator Fumo thanked the developers for letting him go out of ten. He is not against this building per se but he is against this building at this location. He is here as a representative and as a Philadelphian. It is a great city, a historic city, and it is time to embrace their individuality. Center City is one of the greatest in the country. Why build the tallest building in America? Some city will embrace the tallest city development. He is not against tall buildings; he was for the Comcast Building. If we plot down a tall building on a parking lot, we will look ridiculous. Do we want to emulate Lower Manhattan? He spoke with Mayor Nutter, who assured him that this City Planning Commission will not be like the city Planning Commissions in the past. We will have a Master Plan for this section from 18th Street and west to the river will look in the future. Governor Rendell agrees. As governor, he will not allow any building over feet tall to receive tax credit. He has been a senator for 30 years. He has spoken with other departments, who said if only the Philadelphia City Planning Commission would do planning. He has given money to this community. There will be more money for this community to fight in court.

Gene Kohn, architect, who has worked on a number of projects in the city. It is important to care about the city and its growth. He remembered when the height limit was William Penn. In the 1980's Liberty Place and the Mellon Building became the tallest buildings in the city. This city was a colonial city that has changed. This city has a population reduction and the Mayor wants growth. Future cities will have to be dense in order to survive.

His partner, Bill Louie, stated their intent is to create a synergy at this site with hotel, office, retail, above and below ground. Public benefits are 8 points:

1. active retail above and below
2. public plaza space on the 3rd and 6th floors
3. extension of the Concourse

4. public museum on the 5th floor
5. public restrooms along the Concourse closed off street loading
6. below ground parking
7. LEED certification.

Shanta Tucker stated the sustainability goals have 6 main areas: healthy building with optimum daylight, indoor air quality, energy conservation, water resources and conservations, material resources, and travel.

Mr. Kelsen stated that the way the Ordinance is written it will be a legal requirement for the building to be sustainability.

Mr. Kohn stated one of the advantages of a super tall building is that it attracts people. Great spaces bring people together.

Richard Orth, of Orth Rodgers Associates, stated they did the transportation plan. He gave an overview of the traffic. Public access to transportation is well located, 370 on site parking spaces; from the study they found 1200 parking spaces exist in the area. He stated that 25% of the people will drive to the center, and the offices will generate most of the traffic. Service and truck traffic would be held via enclosed dock on Cuthbert Street, and that the supermarket will generate most of the truck traffic. They are working on Cuthbert between 18th and 19th as a service only street.

Mr. Syrnick asked is that sketch different than the report.

Mr. Orth replied it may be.

Mr. Greenberger asked what about the vehicle access issue for taxis and small delivery trucks such as UPS.

Mr. Orth replied they would create it on the south side of Arch Street to accommodate them.

Mr. Kelsen replied that the drop off would be on 19th and Arch, that would make it available for UPS and FedEx trucks. The taxi zone would use a portion of Cuthbert Street.

Mr. Greenberger asked if widening of Cuthbert Street would be an option.

Mr. Kelsen replied we could, or striking and widening Cuthbert Street.

Mr. Greenberger stated that if you use the east side of 18th Street, the taxis would have to move across Arch to drop off passengers.

Mr. Kelsen asked what is going to happen to property values. Are the positives outweighing the negatives? The closer you are to the site the higher the values. Office market study show there is still room for office space. Probably more analysis needed to be done.

Mr. Altman thanked everyone for coming and giving a comprehensive presentation.

The following people made comments:

Ms. Andy Pisapco, vice president of commercial real estate developer - support for project

Gloria Levin, real estate developer – against project

John Stanley, resident of Philadelphia – support for project
Joe Beller, attorney for the residents of Kennedy House – against project
Jim McGrath, Chair of large project subcommittee of Logan Sq. community - wants more info
Ms. Gramham Pollock, resident of the Kennedy House – against project
Gray Smith, planner – against project
Ms. Jovita, resident and committee person – against project
Ed P , attorney & zoning chair of Logan Sq. – wants more info
Ron Patterson, land use attorney – his client is neighbor of proposed site – wants to be kept informed
Mr. Chris, resident of 1835 Arch – support for project
Mark Flood, resident of 1835 Arch – support for project
John Blickensderfer, Center City resident – against project
Mr. Gabriel Gobleib, resident of University City – support for project
Ms. Stephanie – support for project
David Kneff, 1737 Chestnut St – support for project
Jason Douglas – support for project
David Harrison, resident of Kennedy House – against project

Mr. Altman thanked everyone for their comments.

Dr. Barnett asked if as a team, could they respond to the questions.

Mr. Kelsen replied that they had meetings with the community. He said that when Jim McGrath asked about water, sewer, etc., they contacted the Water Department and asked them for information. However, we will get that information and share it.

Dr. Barnett stated they would have another information meeting and have it televise on Channel 64. She asked Mr. Altman to find time in the near future.

Mr. Eiding replied that he likes this project but he thinks there are questions that are hanging out there. He would like to send a message that we need jobs after the construction is completed.

Mr. Kelsen replied that they did the view studies, and the Kennedy House has no impact their view. We have continue to work with the Street Department on traffic.

Upon motion by Mr. Syrnick, seconded by Ms. Olson, the City Planning Commission tabled Bill No. 080588.

Mr. Altman adjourned the City Planning Commission Meeting of July 15, 2008 at 4:09pm.

SUMMARY

- 1) Minutes of the Meeting of 6-17-08 Approved
- 2) Executive Director's Update
- 3) Information Only Presentation:
Presentation
Mantua HOPE VI development,
Vicinity of 35th St., 36th St.,
Wallace St., and Fairmount Ave.
(Philadelphia Housing Authority)
- 4) Bill #080575 – Amends Title 14 of the Phila. Code, entitled “Zoning and Planning,” by adding a new definition for “Mechanical Access Parking Garage” & adding it as a permitted use in certain residential, commercial, & industrial districts, under certain terms & conditions. (Introduced by Councilmember Kelly on 6-12-08.) (Paula Brumbelow) Approved
- 5) Bill #080548 – Amending Section 2 of Bill #080510, approved 11-17-05, entitled “An Ordinance to amend the Phila. Zoning maps by changing the zoning designations of certain areas of land located within an area bounded by Allegheny Ave., Collins St., Westmoreland St., & Tulip St., by extending The period of compliance. (Introduced by Councilmember DiCicco on 6-5-08.) (Paula Brumbelow) Approved
- 6) Bill #080585 – Authorizing the Commerce Director & the Commissioner of Public Property to acquire an approx. 17-acre property in the vicinity of Island Ave., Penrose Ave., & Escort St., & to extinguish a deed restriction on the property, all under certain terms & conditions. (Introduced by Council President Verna on 6-19-08.) (Martine Decamp) Approved
- 7) Bill #080588 – American Commerce Center (1800 Block of Arch St.) Zoning Remapping Ordinance & related Amendments to the “C-5” Commercial District classification of the Zoning Code & special height limits of the Ben Franklin Pkwy Controls. (Introduced by Councilmember Clarke on 6-19-08.) (Martin Gregorski) Tabled