

PHILADELPHIA CITY PLANNING COMMISSION  
September 15, 2009

PRESENT: Joseph Syrnick, Acting Chair  
Duane Bumb  
Anuj Gupta, representing Camille Cates Barnett  
Bernard Lee  
Natalia Olson Urtecho  
Nancy Rogo Trainer  
Nilda Ruiz  
Peggy VanBelle, representing Rob Dubow

ABSENT: Patrick J. Eiding

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

Acting Chair Joseph Syrnick convened the City Planning Commission Meeting of September 15, 2009 at 1:12pm.

- 1) Approval of the Minutes of the June 24, 2009 and July 21, 2009 meetings.

Upon motion by Ms. Rogo Trainer, the City Planning Commission approved the minutes of June 24, 2009 and July 21, 2009.

- 2) Executive Director's Update

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

- 1) **Budget Plan C Impact:** You received a letter from me which details the potential effects of Plan C the budget plan, that will take effect this Friday if the state legislature does not yet approve House Bill 1828, which is the additional sales tax for Philadelphia. We sent this letter to nearly 600 stakeholders (developers, law firms, major institutions, utility companies, architectural/planning firms, community organizations, as well as, interested individuals) and broadcast it along with other City agencies. It made its way to the Philly Blog at Phillynews.com. The letter states that, if the Pennsylvania General Assembly fails to approve the necessary measures for resolving the City's budget crisis, all City Planning Commission, Commerce Department, Historic Commission, and Art Commission activity will cease operations as of October 2. This means that the entirety of the people who work for these agencies will be laid off. Those notices are going to go out on Friday, if the State hasn't resolved this by Friday. They don't take effect on Friday; they take effect on October 2. It has had an effect on moral. If we have to send out these notices, even if it gets recalled, it will have an adverse effect on all. If we have to cease operations, it will have an effect on development in the City. If there is no Commission, nothing will get done. This includes subdivision, site plans, and environmental reviews; zoning remapping; redevelopment actions mandated by State Law; comprehensive and neighborhood planning; design review for building façades, above-ground parking garages, and Neighborhood Conservation Districts; and the other mapping and public information functions performed by the Planning Commission. Fran Burns has estimated that 15% of all permits from License and Inspections require regulatory approval from someone else, either us, the Historic Commission or the Art Commission. We will have to wait and see.

Ms. Ruiz asked even if they were to approve the budget this week, would you still be able to keep your doors open.

Mr. Greenberger replied it is a complicated matter. This is critical legislation for Philadelphia. Once that is approved it enables the City take Plan C off of the table, and we will be back to Plan B, that was approved by the PICA Board. The budget itself is an issue too because the State reimburses some agencies. The City does not have the funds to carry them like social services and health. That's the one where the Governor said he doesn't like it and needs to be rewritten. The scary part is now that the deadline is in place; we really have to do it. We are required to have a balance budget that has the approval of the PICA Board.

- 2) **Distribution of Integrated Planning and Zoning Process Brochure:** We have been preparing our own plans to set forward the intergrated planning and zoning process. You don't have to do anything at this time. We will see it at our City Planning Commission meeting on October 20. It will intergrate several threads of the planning process as the City Planning Commission works on a comprehensive plan for the City; that involves 2 major steps. The first step is parallel with the zoning code rewrite; and the second is this Commission will have the job of remapping the new zoning code, area by area of the City. This plan starts to define a kind of geography of these districts. We will call them districts. We have to have broad plans on how to start this remapping. We would look at a comprehensive start of the entire city, trying to come to terms with the big transformation in the next 30 years; such as re-categorizing zoning like R1 and R2, but the conditions of what they are don't change. We will look at Transit Orient Development, and look carefully at commercial corridors, which have tended to grow when this City had more people. We will need a plan for each part of the City in order to do that remapping. The Citizens Planning Institute will be managed by the Philadelphia City Planning Commission to provide community groups and citizens with some basic education of the new code. It is a way to get people familiar with the new code. People don't really see the legality until it becomes an issue.

Ms. Ruiz said there is a lot of community development groups, and it would be good if the staff worked with them. Eva Gladstein has been informing the CDCs about zoning, and Wachovia has given money to several groups for planning these areas.

Mr. Greenberger replied that Wachovia, and our staff, such as Eva Gladstein, Rick Redding, and our Community Planning Division goes out of thier way to work with the groups where the funds are. The Penn Praxis plan for the Waterfront Plan on public policy. Those distinctions are lost on the public. We are trying to make available to the development corporations.

Ms. Ruiz replied some times the CDCs are tripping over each other, and it would be helpful to them.

Mr. Greenberger said in the Community Planning section of our website, there is a list of all of the community groups in the City. There are some areas of the City where the boundaries are tidy, and others are overlapping.

- 3) **Zoning Code Commission Update: Draft Recommendations for the New Zoning Code:** We will our consultant have just published their rewrite on the work they have been doing for the past year. It will not only be text, but it will be augmented by graphics. There are 6 chapters of suggestions. It raises a whole series of questions on issues of usages. It's a terrific document. It was presented to the Zoning Code Commission last week. There will be a two month process of meetings in September and October, where we will be asking for comments. It will be brought back to the Zoning Code Commission in November.

Ms. Olson Urtecho stated it is on our website zoningmatters.org. If you have other civic meetings that you want the Zoning Code Commission to make a presentation please contact us.

Mr. Greenberger said Miami recently rejected its rewritten code. And Chicago has not remapped their newest code.

- 4) **State Grant Awards: PCTI Grants:** The City has received several grants from PennDot. The PCTI Grants are for the following:
  - \$2 ½ million to reconstruct sidewalks and provide pedestrian enhancements and lighting along 10<sup>th</sup> and Berks Streets past the Temple Regional Rail station to the corner of Germantown Avenue.
  - \$1.7 million to improve pedestrian safety and provide traffic calming in the Chinatown neighborhood along and around Vine Street between 9<sup>th</sup> and 11<sup>th</sup> Streets.
  - Philadelphia Safe Routes to School Program: The School District of Philadelphia will receive \$1 million to improve walking routes in the 37 District K-8 schools to increase safety for students who walk or bike to school.
  
- 5) **Item in Accord with Previous Policy:** The City Planning Commission staff approved a Redevelopment Agreement with Mary and Fred Buffalo for 8301 Chelwynde Avenue in the Eastwick Redevelopment Area for the construction of a single family home on vacant land. The land is zoned R-9 Residential, and is consistent with land use in accordance with the Eastwick Redevelopment Area Plan.

### 3) North Delaware Riverfront Greenway Design Guidelines

Michael Thompson, Northeast Philadelphia Community Planner, stated this item is for the North Delaware Riverfront Greenway Design Guidelines. The design guideline taskforce consists of Fairmount Park, Water Department, Streets Department, City Planning Commission, and Recreation. It is an 11 mile stretch from Allegheny Avenue to Glen Forde. These guidelines are for the Conservation District, which was approved on May 19, 2009 by this Commission. It has 14 trail entrances. The path will be 12ft wide on a 2-way path. The primary path has a 3ft wide shoulder for a total of 23ft. Fairmount Park will have final approval. It will be low maintenance. The City Planning Commission staff is recommending approval.

Paul Lonie said this is a wonderful document that we have been preparing over the past 2 years for developers.

Ms. Olson Urtecho asked does this tie into the East Coast Greenway.

Mr. Lonie replied yes.

Mr. Syrnick asked what will be the exceptions.

Mr. Lonie replied we have 1 issue that we will have to go down to 10ft, it goes over a small creek.

Mr. Lonie said that they have been contacted by 3 developers in the past month.

Craig Schelter said the Philadelphia City Planning Commission will be working on the standard. What would be the cost of the standard?

Mr. Lonie replied next year we will have a better idea of cost.

Mr. Greenberger replied the Central Delaware will be in a different situation due to the pier structure.

Upon motion by Ms. Rogo Trainer, seconded by Ms. Olson Urtecho, the City Planning Commission approved the adoption of the North Delaware Riverfront Greenway Design Guidelines.

4) Amendments to the FY2010-2015 Capital Program and FY2010 Capital Budget

Alan Urek, Division Director of the Strategic Planning and Policy Division, stated this amends the FY2010-2015 Capital Program and the FY2010 Capital Budget. Some changes, you will recall that you approved it in the early spring. Amendments to Bill #090212, FY2010-2015 Capital Program ordinance, and Bill #090213, FY2010 Capital Budget ordinance. There are 3 categories: 1) introduce with new funds; 2) sources of funds; 3) making technical corrections to FY10.

For Bill #090212 the first category: \$8.4 million Public Property – Communications. Grants we were made aware of. Second category: Water Department – reassign Federal Stimulus funds to City Self-sustaining New Loans.

For Bill #090213 Last budget ordinance only line 38 Health Facility Renovations; Line 60 Streets Department – Bridge Reconstruction & Improvements.

Together, these changes amount to an increase of \$10.4 million to the FY2010-2015 Capital Program and FY2010 Capital Budget ordinances, which now total \$7,964,491,000 and \$2,552,629,000, respectively. This will go to City Council next week for their approval. The City Planning Commission staff is recommending approval.

Upon motion by Ms. VanBelle, seconded by Mr. Gupta, the City Planning Commission approved amendments to the FY2010-2015 Capital Program and FT2010 Capital Budget.

5) Blight Certification: Point Breeze and Gray's Ferry

David Knapton, Community Planning Division, stated this is a blight certification for Point Breeze and Gray's Ferry in South Philadelphia. The two neighborhoods are contiguous: Point Breeze is located to the east of S. 25<sup>th</sup> Street, and Gray's Ferry is situated to the west of S. 25<sup>th</sup> Street. The purpose of this is to bring up to date. Grays Ferry was originally certified as blighted in 1968, and Point Breeze was certified in three phases between 1971 and 2004. Point Breeze is a candidate for federal Neighborhood Stabilization Program funds which could potentially be used for infrastructure improvements and acquisitions for housing and economic development.

In order to do a blight certification, we use Pennsylvania Redevelopment Law, which stipulates that only one of the criteria must be met in order for an area to qualify for blight. These are the 7 criteria for blight:

1. Unsafe, unsanitary, inadequate or overcrowded conditions
2. Inadequate planning
3. Excessive land coverage
4. Lack of proper light, air and open space
5. Faulty street and lot layout
6. Defective design and arrangement of buildings
7. Economically or socially undesirable land use

We are using two criteria, numbers 1 and 7. It is hard to find a block that has not been affected. Nearly 12% of the properties are vacant lots. The first criteria, unsafe, unsanitary, inadequate or overcrowded conditions: the quantity and distribution of vacant lots are evidence of unsafe and inadequate conditions; code violations: many properties in the study area exhibit signs of neglect and deferred maintenance; finally deteriorating infrastructure: the condition of the railroad viaduct at 25<sup>th</sup> Street is a major safety concern. The second criteria, economically or socially undesirable land use: such as code violations, vacant properties, low property values (less than the City median), and deteriorating infrastructure. The neighborhoods of Point Breeze and Grays Ferry do show signs of blight. The City Planning Commission staff recommendation is approval.

Mr. Syrnick asked what are we voting on.

Mr. Knapton replied you make a determination of blight. We use the State Redevelopment Laws for Development Review. The Redevelopment Area Plan is the next step; it may also indicate traffic patterns. Final step Urban Renewal Plan is a funded area that uses HUD money. Blight Certification and Redevelopment Area Plan are done by the Philadelphia City Planning Commission. The third step is the Urban Renewal Plan, which is done by the Redevelopment Authority (RDA).

Ms. Olson Urtecho said she lives 2 blocks away, and from 18<sup>th</sup> to Broad Streets people have been moving in. The blight in this section is like a poor third world country.

Ms. Ruiz asked if there is a community development corporation in this area.

Mr. Knapton replied yes, there are several.

Sylvia Wilkins asked how quickly do you go from step 1 to step 3.

Mr. Knapton replied we do step 1 and 2 in house. Step 3 is up to the Councilperson in the area. Step 3 is the hard part. It is out of our hands.

Ms. Wilkins asked is the presentation done through the CDCs.

Ms. Olson Urtecho asked where does PIDC come in at.

Mr. Knapton replied that PIDC holds the property.

Upon motion by Ms. Olson Urtecho, seconded by Ms. Ruiz, the City Planning Commission approved the Blight Certification for Point Breeze and Grays Ferry.

- 6) Redevelopment Agreement with Nicetown Housing Partners, L.P. for Parcels 44, 45, and 46 in the Nicetown Urban Renewal Area. Purpose: mixed-use development at Germantown Avenue and Dennie Street.

Jennifer Barr, Community Planner, stated the parties at interest are the Nicetown Housing Partners LP (Nicetown CDC, Universal Community Homes, Brandywine Nicetown LLC). Two parcels are not part of the Redevelopment Plan; they have the option to buy. The purpose is to build low-moderate income housing and retail space. It consists of 37 units of low housing rental units. It has \$14.7 million from public funding; subsidy house project with Federal and City funding. There will be some parking on Dennie Street and green space. Nicetown Court rendering shows brick and metal. First floor has commercial and some apartments. The City Planning Commission staff recommendation is approval.

Ms. Olson Urtecho replied there is money. Are there any energy efficient windows, etc?

Debby Stewart of Stewarts Architects replied all appliances, and lights are energy star. Without being LEED certified, we are using star energy equipment. It is as energy efficient as possible. We are using landscaping material that doesn't need irrigation.

Ms. Ruiz asked if she could get funding from other sources.

Bob Totaro, from Brandywine Financial, replied the funding sources are as Jen has outlines. HUD is providing the tax credit (American Recovery Green Act), PHFA has independently adopted these guidelines. There is \$1.8 through Investment Act funding, and many public funding.

Mr. Syrnick asked is parking being provided for residents.

Mr. Totaro replied yes, and providing for occupants and user of building. Your approval for the Germantown TOD had assisted us with funding.

Mr. Greenberger asked is there any thing that covers the noise with it being near Roosevelt Boulevard.

Ms. Barr replied it is covered under our Code. It is remarkably quiet.

Upon motion by Ms. Rogo Trainer, seconded by Ms. Ruiz, the City Planning Commission approved the Redevelopment Agreement with Nicetown Housing Partners, L.P. for Parcels 44, 45, and 46 in the Nicetown Urban Renewal Area. Purpose: mixed-use development at Germantown Avenue and Dennie Street.

- 7) Revised Preliminary Plat: 259 Cinnaminson Street, for the subdivision of one lot into 7 lots for the construction of 7 new single-family dwelling units. (Previously approved November 2007)

William Erickson, Development and Zoning Planner, stated this is an unusual proposal. The Philadelphia City Planning Commission at its meeting on November 20, 2007 approved a Preliminary Plat for this parcel to create 6 new lots to allow for the construction of 5 new single-

family detached dwellings and one existing dwelling. The existing building will be removed and 2 houses will be built to replace it. Silverwood does have 2 water mains on it. Cinnaminson Lane is open by the Court of Quarter Session, but not on the Plan. The streets status at this location is:

Silverwood Street (On City Plan 50' wide – Not legally open - It has water lines within the right of way.)

Cinnaminson Street (On City Plan 50' wide – Paved but not legally open – No utilities)

Cinnaminson Lane (Paved by not on City Plan- Open 20' wide by Court of Quarter Sessions – No utilities)

Streets for Zoning Purposes need to be on City Plan Only.

Streets for Subdivision Regulations need to be on City Plan and Legally Open.

Streets that are opened by court or affidavits are normally opened only with a travel lane or paved areas.

These properties have street frontage. City Planning Commission staff recommendation is approval with some provisos. The provisos are as follows:

- 1) That all lots have a deed restriction that requires owners to provide a deed of dedication to the City of Philadelphia at no cost for the beds of the streets adjacent to the lots.
- 2) That building lots are restricted to the maximum amount of coverage as approved in the Philadelphia Water Department conceptual approval.
- 3) All building, retaining walls, and stormwater structures must conform to the recommendation in the Geotechnical report
- 4) That all water pumps be equipped with a three hour electrical battery back-up.
- 5) That Cinnaminson Street be stricken from Silverwood Street westerly approximately 180' to a dead end.
- 6) Silverwood Street be placed on the City Plan as a right-of-way for water main and utility purposes.

Mr. Syrnick replied Cinnaminson Street is on the City Plan but not open.

Mr. Erickson replied recommend to strike the street.

Mr. Syrnick asked are you going to require them to dedicate it to open it.

Mr. Erickson replied require them to strike it because it doesn't go through.

Ms. VanBelle asked do you have a lot of property in the City where people pump it through the streets.

Mr. Erickson replied we have some in Chestnut Hill.

Ms. Rogo Trainer replied it was previously approved and we don't know the issues.

Mr. Erickson replied running a sewer

Ms. Rogo Trainer replied 1 more house and adding 2. She doesn't understand the original so far.

Mr. Erickson replied the land is zoned R5, and on each lot they are detached houses, matter of right development. We wanted to see how the developer was going to run their lines. They are now going to pump their stormwater and sanitary.

Mr. Greenberger replied the core issue is not the sewers but the re-plotting. The resulting 7 properties are still matter of right.

Mr. Erickson replied it is a matter of right as per zoning. We want the street on the City Plan opened.

Upon motion by Mr. Bumb, seconded by Ms. VanBelle, the City Planning Commission approved the staff recommendations with provisos for the Revised Preliminary Plat: 259 Cinnaminson Street, for the subdivision of one lot into 7 lots for the construction of 7 new single-family dwelling units.

Mr. Syrnick adjourned the City Planning Commission Meeting of September 15, 2009 at 2:49pm.

## SUMMARY

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- 1) Minutes of the Meetings of 6-9-09 Approved
- 2) Executive Director's Update
- 3) North Delaware Riverfront  
Greenway Design Guidelines  
(Presented by Mike Thompson) Adopted
- 4) Amendments to the FY2010-2015  
Capital Program and FY2010  
Capital Budget (Presented by  
Alan Urek) Approved
- 5) Blight Certification: Point Breeze  
& Gray's Ferry (Presented by  
David Knapton) Approved
- 6) Redevelopment Agreement  
w/Nicetown Housing Partners, L.P.  
for Parcels 44, 45, & 46 in the  
Nicetown Urban Renewal Area.  
Purpose: mixed-use development  
at Germantown Ave & Dennie St.  
(Presented by Jennifer Barr) Approved
- 7) Revised Preliminary Plat:  
259 Cinnaminson St., for the  
subdivision of 1 lot into 7 lots  
for the construction of 7 new  
single-family dwelling units.  
(Presented by William Erickson) Approved  
w/provisos