

PHILADELPHIA CITY PLANNING COMMISSION
September 16, 2014

PRESENT:

Alan Greenberger, Chairman
Joseph Syrnick, Vice Chairman
Manny Citron, representing Richard Negrin
Patrick J. Eiding
Bernard Lee, Esq.
Elizabeth K. Miller
Nancy Rogo Trainer
Nilda Ruiz

ABSENT:

Saskia Thompson, representing Rob Dubow

Executive Director:
Deputy Executive Director:

Gary J. Jastrzab
Alan Urek

Chair Alan Greenberger convened the City Planning Commission Meeting of September 19, 2014 at 1:06pm.

- 1) Approval of the Minutes for the August 19, 2014 meeting.

Upon motion by Mr. Citron, the City Planning Commission approved the minutes for the August 19, 2014 meeting.

- 2) Executive Director's Update

Mr. Jastrzab stated he has a number of dates he wants to call your attention to:

- **DISTRICT PLAN MEETING**
The third and final meeting of the Lower Northwest District Plan will be held on September 18, 2014 from 5 to 8pm at the River Club, Manayunk Brewing Company, 4120 Main Street.
- **PARKING DAY**
Parking Day is Friday, September 19 from 8am to 3pm at 1601 Arch Street (outside of Starbucks at the Phoenix). This year's theme is "*PARKING SPACE AS LUNCHBOX*". Our entry will demonstrate the value of land the size of a parking space used for agricultural production. A plot of this size can grow enough food to produce 22 peanut butter & jelly sandwiches, 22 servings of potato chips and carrots, and 22 glasses of lemonade. Our parking space will be "planted" with these crops (wheat, grapes, peanuts, etc.) in the proportions they would require to produce 22 servings, to show that a plot of land that generally viewed as too small for anything else is actually capable of much greater things.
- **FRANKFORD CREEK BROWNFIELDS AREA-WIDE PLAN PUBLIC MEETING**
On Tuesday, September 23, the staff will be the 2nd community meeting for the *Frankford Creek Brownfields Area-Wide Plan* project. The PCPC received funding for this project through the US EPA. The meeting will be from 6:30 to 8:00pm at Edgemont Caterers, 4311 Edgemont Street in Bridesburg.
- **CPI APPLICATIONS**
The 9th semester of CPI is about to begin. Fall 2014 Application deadline is September 25. Classes run from October 8 to November 19 on Wednesday evenings, from 6 to 9pm.
- **CDR**
The next scheduled CDR Committee meeting is Tuesday, October 7th.

REDEVELOPMENT AGREEMENTS RECOMMENDED FOR ADMINISTRATIVE APPROVAL

All of the redevelopment agreement items listed below are consistent with their respective redevelopment area plans (the redevelopment area is shown in parentheses):

1. Redevelopment Agreement with Diamond Street Housing Partnership II, LP, for the rehabilitation of a vacant structure into two units of affordable rental housing at 3146 Diamond Street (North Philadelphia).
2. Redevelopment Agreement with Gryphon Webb LLC for the construction of a kitchen and outdoor eating area at 1531 Cecil B. Moore Avenue (North Philadelphia).
3. Redevelopment Agreement with Owl Realty LLC, for the construction on 1800 and 1804 Cecil B. Moore Avenue of structures with ground floor commercial and two upper floor rental units (North Philadelphia).

Mr. Greenberger announced that item #3 on the agenda has been removed at the request of the developer.

- 3) Action Item: ZBA Calendar No. 23503 for the construction of a 54-unit senior residential development at 1412-26 W. Dauphin Street (ZBA Hearing Date: September 24, 2014).

David Fecteau stated this site is located at 1412-26 W. Dauphin Street. The applicant proposed to build a 54-unit apartment building for low to moderate income senior citizens. No parking is required or proposed. They will need variances for the following:

- Not providing ground floor retail in a CMX-2 zoning district;
- Proposing 54 dwelling units, when only 22 are permitted based on the size of the parcel. Note: CMX-2 requires 360sq.ft. of lot area per dwelling unit for the first 1,440sq.ft. of lot area, and 480sq.ft. per unit thereafter;
- Proposing a height of 61 feet when a maximum of 38 feet is allowed;
- Occupying 84% of the lot when only 80% is allowed;
- Proposing no rear yard depth when nine feet is required.

The Civic Design Review Committee reviewed this proposal on September 3, 2014. Here are their comments:

- Senior Socialization Space at the Building Front – senior citizens tend to prefer socialization space at the front of their residences to maximize social contact with neighborhood residents and those walking by on the sidewalk. The CDR Committee encourages open areas and social spaces to be located adjacent to the building's main entry.
- Providing Parking – CDR Committee asked for clarification about any off-site parking arrangement on adjacent blocks or lots. The developer is pursuing off-street parking, and other vacant parcels on Dauphin Street.
- Rooftop Mechanical Units – the development team stated that rooftop mechanical units will be provided in accordance with the sustainable design requirements of PHFA. CDR Committee requested the screening of these units so that they are not visible to the street.

- Bicycle Parking – The CDR Committee noted that the development team intends to provide bicycle parking, even though this was not shown on the site plan. The committee reminded the development team that bicycle racks on the sidewalk must comply with Complete Streets guidelines, providing for a clear walking zone meeting City standards.
- On-Street Loading and Drop-off Zones – the CDR Committee recognizes that resolving loading with a lay-by-lane on either Dauphin or Carlisle Street would narrow the existing sidewalk too much. The CDR Committee recommended that the development team work with the Streets Department to secure a striped, curbside loading space along Dauphin Street.
- Entry on Dauphin Street – make it more transparent. The CDR Committee recommended a stronger connection between a passenger drop-off zone and the main building entry by having this entry face Dauphin Street. It also recommends relocating a proposed tree away from the line of travel between a drop-off vehicle and the entry.
- Blank Wall Facing Dauphin Street – the CDR Committee recommended “livening up” the 5-story solid wall at the eastern edge of the façade facing Dauphin Street. This might be accomplished by exploring additional fenestration and/or exterior surface treatments that would help the façade to have a more significant impact at the corner of Dauphin and Carlisle Streets.

Here are the Philadelphia City Planning Commission’s staff comments to the CDR Committee:

- Building Height – it is appropriate. The proposed building height of 61 feet is not a public realm concern.
- Dauphin Street Ground Floor – Dauphin Street is an important pedestrian thoroughfare for the neighborhood. The development team should attempt to put more publicly accessible and publicly engaging functions on the ground floor facing Dauphin Street. The development team should also find ways of providing greater privacy to ground floor dwelling units that face Dauphin Street through means such as raising the floor level in comparison to the sidewalk level.

PCPC staff recommends support for the higher-density residential use variance, as well as the other requested variances, with the proviso that the project be developed for senior housing only, and the applicant should try to get 6 off site parking spaces. It is consistent with our Vision for Philadelphia2035 to provide wide mix of housing.

Michael Youngblood replied he is an owner of a property in the 1300 block of Dauphin Street. He didn’t hear anything about a community meeting about this project. This group he has never heard of. They have to advertise it. How did they advertise it? Because this is something that he keeps track of. His daughter’s mother is a committee person there, and she hasn’t heard about it. If there is just a select group of people that only know, and you are going to meet like this student housing that they put there, and then they make a lot of promises and no sticks to anything. They come in here, and this is his first meeting here. He usually doesn’t come unless he is right. He respects the Commission, but there is enough student housing. And now you want to put a senior complex, and we don’t know what you stick to and what you don’t. The community doesn’t know what is going on. Nobody knows. When something gets to here, the only time you know about something is when it gets to zoning, and it usually too late. You have the power and wither withal to inform people of what. Now everybody knows that you have form these RCOs, pay a couple of dollars and get what you want; or get your own community group of 3 or 4. There is hardly any community there but students. If you look around there, there are only a few residents left. And they are trying to buy them out to put

student housing. Imagine a bunch of students living on your block, you wouldn't like it. They constantly move people out. If you go there during the summer time, it is abandoned. They come in here, and figured that you would just say okay it's done. He will do whatever he has to do to get his point across. He has been doing this since 1988, and he has been around a while and he has seen it all and knows all of those foolish games. Now they are coming where he lives at. He doesn't like it. He doesn't want student housing there. He has nothing against them putting a senior complex there. They want to know who the group is. The few people, who are left, were not included. So if you met with the community. How? With students, who only changed quarterly. It doesn't make sense to him. They come in here and "BS" you with all of that crazy stuff. They think that you are stupid or not intelligent enough to know; that you are supposed to just paper shuffle. You are supposed to go along with whatever they say. They just bring it in here. Darwin will get you all the right answers. Darwin will get a lot of billable hours out of this one.

Darwin Beauvais, attorney for the development team, replied we have some of the community leaders here today that organized that community meeting that someone alleged never took place. We had 3 community meetings that were organized by a coordinated effort by several community organizations. The last meeting was on September 9, one in mid-August, and one is early July. He questioned that the last time he saw Mr. Youngblood protesting a case was with the same developer. So he does understand the need to reach out to the community, but in this case it was clearly done, and we followed every process that was put forth or outlined under the Code.

Mr. Youngblood replied to just produce a flyer is not enough. You cannot just sit around and notified your little select group; and that's it. Where did this meeting take place? You could have left a flyer in my daughter's door or on her car.

Mr. Beauvais replied he wants the minutes to reflect that his daughter lives there, not him.

Mr. Syrnick replied you said you have 3 meetings. Did anybody attend these meetings?

Mr. Beauvais replied yes.

Mr. Syrnick asked him to give him a rough number.

Mr. Beauvais replied at the last meeting we had 20 people. We have the leader of the Uptown Entertainment Development Corporation here today.

Mr. Syrnick replied before she comes up he would like to ask Mr. Youngblood a question. He told Mr. Youngblood that he heard his testimony, and everything he said. He replied it sounds like your main bone of contention is the notice provision, but he also heard him saying that he doesn't have a problem with senior housing in this location. He heard him talking about the students and he understands that completely. Putting aside whether people were notified or not. The "it" we are talking about here today was senior housing. Is that okay with you? Because he sort of heard Mr. Youngblood saying that it was.

Mr. Youngblood replied as long as community input is in it, and the trades get their part, he has no problem. Meaning that people get paid for the work they do. That means that the trades are not getting skimmed out of theirs. As long as you are not being a bunch of people from out of town; they don't pay anything into it, like they did with these student housings, working at night and sneaking in and doing this and doing that. It will be the same thing.

Nobody from the community gets a job. They take care of a few people and give them a few dollars and very body is happy. Now if they can't provide where people get fair wages of what they are supposed to, like when they are doing brick work. There are people they that have trades. Have them working. Have union people working. He is satisfied with that.

Linda Richardson stated she is the President of Uptown Entertainment Development Corporation, and she does not get paid for this work. She is transparent. They had over 24 people at the first meeting; and 15 at the second plus residents from both side of the block of the proposed development and people from across the street. The revised plans to drop the height, and add a roof terrace, community room, and medical office accessed by tenants and the public was approved by the RCO and the residents. She sent produced a letter dated September 22, 2104 (see Exhibit "3A"). We suggested the following: the planting of trees that will not have roots that will upset the adjacent properties or the cement. We suggested the developer should contact the Philadelphia Horticultural Society about this. Add security precautions for the 3 foot fence, and if it is higher, and at the terrace level and make it attractive from the street. Provide security swipe access to the laundry room entrance, and also consult other stakeholders for planning for parking. They support the project as planned with those recommendations.

Mr. Greenberger asked regarding the notifications that the RCO did and the developer did, are they consistent with the requirements in the code.

Mr. Beauvais replied that's correct.

Mr. Citron asked is the 3 feet fence screening for the mechanical equipment on the roof.

Mr. Fecteau replied I believe it is the back yard, the open space. Is that correct?

Mr. Beauvais replied it is for the terrace. There were discussions that seniors may not have the best of footing, and it is also for security reasons to put up a 3 ft fence.

Mr. Syrnick replied this is for the roof terrace. Three feet sounds awfully low. Everywhere else It is usually 42 inches at a minimum. If you had a tall person that was leaning over their center of gravity could make them fall over the top of the rail.

Joe Salerno replied we do have a 42 inch rail around the terrace. During the discussion with the folks at Uptown, there was a concern about people climbing over that rail. And it was considered that perhaps we should make it higher. And then people started to think that may be it should be 3 feet higher. The rail around the terrace will be about 42 to 48 feet higher. There is also a screen around the equipment, which would be within the Zoning Code requirement of less than 3 feet.

Mr. Eiding replied references were made about local folks doing the work there. Is it going to be developed by a local contractor? It will not be outsiders.

Mr. Beauvais replied local people will be working there. The Mays Group Development has been in Philadelphia for 42 years. They have been working around the area and Temple.

Mr. Greenberger replied this item is for a zoning variance. He does think the proviso is only for senior housing is important.

Mr. Beauvais replied we are in the process of submitting an application for tax credits.

Upon motion by Mr. Eiding, seconded by Mr. Rogo Trainer, the City Planning Commission approved staff's recommendation to support with the proviso that the project be developed for senior housing only - ZBA Calendar No. 23503 for the construction of a 54-unit senior residential development at 1412026 W. Dauphin Street.

4) Action Item: Redevelopment Area Plan for 51st and Baltimore.

Martine Decamp, Community Planner for University Southwest and Lower Southwest, stated we are updating the 51st and Baltimore Redevelopment Area Plan of 1995. While we were working on the *Philadelphia2035* University Southwest District Plan, we found this to be outdated. The area of 51st and Baltimore Avenue was a focus area for the University Southwest District Plan. The area roughly bounded by 50th to 53rd Streets, and Catharine Street south to the SEPTA Regional Rail right-of-way. We have expanded the boundaries. This part of Baltimore Avenue is a predominantly commercial mixed-use corridor that currently suffers from high vacancy. The surrounding area consists of single- and multi-family residential dwellings, mixed with places of worship and large underutilized and vacant industrial structures. The existing zoning along Baltimore Avenue is largely neighborhood-oriented commercial (CMX-2). The surrounding zoning includes a mix of single- and multi-family residential, industrial, and commercial districts. The Redevelopment Area Plan supports commercial and mixed-use development along Baltimore Avenue with pedestrian-friendly streetscape improvements. The Plan also supports the reuse of large vacant industrial buildings for assisted multi-family and senior housing. This Plan supports the rezoning recommendations from the *Philadelphia2035* University Southwest District Plan. Among the changes recommended are rezoning areas that are not in keeping with current land uses, converting the site of a former industrial warehouse to commercial to match its permitted use, and a proposal to convert an underutilized block to IRMX industrial-residential mixed-use to accommodate a mix of very low-impact industrial uses. The Redevelopment Area Plan for 51st and Baltimore was prepared in 1995, and conformed to the City's Comprehensive Plan and West Philadelphia Plan at that time. The area was certified as blighted in 1995 and 1963 by the Philadelphia City Planning Commission. Conditions included:

- Unsafe, unsanitary, inadequate, or overcrowded conditions;
- Faulty street and lot layout, and;
- Economically undesirable land use.

The Philadelphia City Planning Commission staff reviewed current conditions, and concluded that these findings still apply. Sixty-four structures and lots are currently vacant in the study area. This amendment incorporates a review of current conditions and adopts revised goals for the area as reflected in the City's *Philadelphia2035* district planning process.

When we decided to update the area Plan, it started about a year ago, we attended a couple of meetings, and we heard a lot input from Cedar Park Neighbors and the Baltimore Business Association. There are some parcels held by RDA for a number of years that basically made it so that activity couldn't occur. There was a lot of coordination with the Council's office so that the community could let their perspectives be known. They wanted these parcels to be freed up, and they wanted new development. So there has been a lot of back and forth in the last year.

Mr. Greenberger asked is Councilwoman Blackwell on board with this.

Ms. Decamp replied the last she heard she was supportive of it. The Vacant Property Disposition Board is actually allowed now to move forward. This land has been held by Baltimore Avenue Revitalization Corporation since 1995. We have heard from the community that they want to free that up. And the last she heard was that City Council was going to get that released. We haven't talked to her about rezoning this area yet. The rezoning will come up when we have the proposal of the rezoning of this area. We are still in support of our plan.

Jahid Ali asked have you heard about the Southwest District Services. Were they invited to these meetings?

Ms. Decamp replied she was. The last meeting she attended was about 7 month ago, and they were in attendance.

Mr. Ali asked where did those meetings take place. In the basement?

Ms. Decamp replied yes.

Mr. Ali replied he was there and that didn't come up regarding the rezoning.

Ms. Decamp replied we support the District Plan.

Mr. Ali replied, Mr. Greenberger this is about transparency. When you come to these meetings, you need to tell us up front what it is you are going to do. Cedar Park was invited because someone was running for office. You need to follow it up with Council.

Mr. Greenberger asked is this a new iteration or a new plan.

Ms. Decamp replied it is an outdated Redevelopment Plan. It straps us in to something that we no longer agree with.

Mr. Greenberger replied there had previously been a smaller area plans. You are coming back and redoing something that is obsolete. Next steps are to talk to various Council people to keep them informed.

Ms. Decamp replied this is not something new. We are trying to bring what's there up to date.

Upon motion by Mr. Eiding, seconded by Mr. Citron, the City Planning Commission approved Redevelopment Area Plan for 51st and Baltimore.

- 5) Action Item: Zoning Bill 140519 amending the Center City Overlay District (Introduced by Councilmember Squilla on June 5, 2014).

Martin Gregorski, Zoning Planner, stated this Bill was introduced by Councilmember Squilla for the Building Industry Association of Philadelphia (BIA). The original bill proposed Spring Garden Street to Washington Avenue, from the Delaware to Schuylkill Rivers. The PCPC staff proposes amending the southern boundary to the south side of Pine Street. The purpose of this Bill, as amended, will create two new subareas in the existing Center /CTR City

Overlay district, and make other minor technical amendments. No changes are being proposed to the base zoning districts outside of this overlay area. Over the summer break, the staff of the City Planning Commission worked with the Building Industry Association (BIA) to craft an amendment to the original bill. The proposed changes include 1) a single-family use restriction on small subdivided lots; 2) a small increase in maximum height (from 38 to 42 feet) for the RSA-5, RM-1, and CMX-2 classifications (some CMX-2 corner lots can go to 55 feet), and; 3) an increase in base FAR (from 500% to 750%) for the RMX-3, CMX-3, and CMX-4 classifications. Our proposed amendments to Bill, we worked on it and reformatted that way this was done and added 2 more areas: Residential District Control Area and Commercial District Control Area.

*The **Residential District Control Area** shall include all properties within the area bounded by Spring Garden Street, the Delaware River, both sides of Pine Street, and the Schuylkill River.*

The RSA-5 and RM-1 districts, the minimum lot size shall be 960 sq.ft., except that a lot containing at least 1,000 sq.ft. of area may be subdivided into lots with a minimum size of 800 sq.ft., provided that:

- (.a) At least seventy five percent (75%) of any lots adjacent to the lot to be subdivided is 1,000 sq.ft. or less; and,*
- (.b) Each of the lots created is used for one single-family attached house.*

RSA-5, RM-1, and CMX-2 districts shall have a maximum height of 42 ft.

The maximum floor area ratio for lots zoned RMX-3 shall be seven hundred and fifty percent (750%) of the area of lot with allowable bonuses.

*The **Commercial District Control Area** shall include all properties within the area bounded by Spring Garden Street, the Delaware River, both sides of Pine Street, and the Schuylkill River.*

The maximum height for lots zoned CMX-2 shall be 42 ft., except that corner lots with frontage on at least three streets, two of which have a minimum width of 50 ft., the maximum height shall be 55 ft.

The maximum floor area ratio for lots zoned CMX-3 shall be seven hundred and fifty percent (750%) of the area of lot.

The maximum floor area ratio for lots zoned CMX-4 shall be seven hundred and fifty percent (750%) of the area of the lot with allowable bonuses.

We just finished drafting this Bill. BIA saw this final Bill today, but we haven't gotten feedback. Councilman Squilla will not be introducing it at this time. The City Planning Commission staff recommendation is approval with technical amendments. It is up to you if you want to approve it today, or if you want to wait to hear from the community.

Mr. Greenberger replied zoning and dimensional controls is always dive into a lot of arcane details pretty fast. Tell me if this narrative is correct. The proposal as originally made by the Councilman was a more extensive area that would change. And the changes would

generally be bigger, depending on the zone involved, higher heights or more density. The amendments that staff is recommending restrict the area from the originally proposed that was involved; restrict the FAR somewhat in some cases, certainly restrict where you can do this. He takes it that this is all coming about in response to the demand to redevelop in the area, the desire to go to four-story that can't be realistically done in 38 feet. Had a lot of discussions on how tall should be based on the people developing, and this all came about three-stories, four-stories, and two stackers of two four townhouses over two four townhouses. He doesn't think they were wrong about it being a height issue than a number of stories issue.

Mr. Gregorski replied we rewrote the Bill and it's in a completely different format, not that it matters in this setting. But it's going to look different than it did before. What was a page and a half is now five pages because we included these under the separate Center City overlay.

Craig Schelter, from the Development Workshop, respectfully asked the Commission to table this action today and not take any action on it. He follows the Zoning Code all of the time, and he couldn't keep up with all of the things, and he thinks that staff is very good at putting illustrations up to show you existing conditions and proposed conditions so that you can see the actual impact on any given street. He recommends cutting back the boundaries of this area where it has an effect. And if you look at the area below South Street down where Children's Hospital and the Naval Hospital and all that development is taking place; it is clearly any area where he thinks there has already been approvals in the area. Also on Broad Street from Pine Street, all the way down to Washington Avenue would be another area that would be appropriate with these concerns. And then on the east side along Columbus Boulevard, in that particular area, those are strong development areas where you have the process for the Civic Design Review now, and he thinks that putting a restriction on that at this time would be unfortunate. The Workshop has worked with BIA on these things, and we went to meet with them and found out that they just got these recommendations today, just seems to him this is premature to ask the Commission to act at this time.

Joe Schavio replied he first wanted to speak as a property owner and resident of Old City. He has not been informed. He knows it has nothing to do with the Commission's process. He is making a comment on a Bill he saw on the Agenda that was circulated. This is the first time he has saw it. The first time he has heard of it. And now today, we are hearing that there are amendments to that Bill being offered or recommended by the staff. He appreciates that but it does make this a little bit of a moving target in terms of making an appropriate and informed comment. As a resident in the Old City area, and as someone who participate in the process of the new Zoning Code, he had to say that this Bill seems to nullify the appeal of FAR bonuses that were incorporated in the new Zoning Code. It is basically giving away those things that we would others think a developer would develop a better project that has public amenities or a higher design standard in order to get those bonuses to give them a great developable area at the site. But this seems to give it away. He reminded the Commissioners that as we developed the new Zoning Code, we did adjust the standards for what was "C-3" and is not "CMX-3" from 450% to 500%. But also in accepting that new 500% standard, we are also accepting the potential for even greater density because the bonuses are now available to developers. And that still stands on top of what is being proposed by this Bill, in terms of increasing the FAR to 750% in "CMX-3". Specific to Old City, which use to be one of the areas that had the most "C-3" on the City's zoning map. There has recently been some remapping of the Central Delaware, Northern Liberties, the edge of Fishtown, and a little bit on the edge of Society Hill where we have increased the number of parcels that are now classified as "CMX-3". So this does affect a much larger area, but at the moment he was speaking about Old City.

The Bill doesn't seem to adequately consider the goals of the Old City Historic District and standards of the Code that were incorporated to preserve the character of that District. A substantial part of Old City is "CMX-3", nearly all or at least 90%, and in that area, this is a particular area that has a 65 ft. height limit. And that 65 ft. height limit is incorporated in the Code. It's there because it was considered there was an area of Old City that was particularly sensitive in terms of the historic fabric of that particular area of Old City. There is no provision to preserve that 65 ft. height limit, as you are considering raising the allowable density to 750%. The Bill doesn't seem to adequately consider the collateral pressure to demolish that might occur if this Bill were to become law. He mentioned that because as it is today you own a three or four or five-story structure, you might be satisfied with what you might get out of it in terms of its development opportunity, and revenue it might afford you as a property owner. But as you raise the FAR in the District to 750% and leave those bonuses intact, it does put pressure on the existing historic fabric in terms of someone deciding if I decide to demolish my building I can make more money by building a larger structure at the same height. In a historic district this is actually a consideration worth reviewing. This proposes a 50% FAR increase and by such the Bill basically dismantles the existing height limit. Right now the FAR of 500, that's allowed, and the 65 ft. height limit are very nicely balanced. People can build with that 65 ft. height limit envelope and use all of the FAR the Code allows them. It is working really well in terms of fitting Old City. But if you raise the FAR to 750% and leave the bonuses intact, he feels it will be difficult for the ZBA to deny any request for variance for additional height. When the applicant could clearly point out that there is an Ordinance in the Code that between the height limit in the Code and the FAR is allowed. You are allowed to build more projects than you can fit in that 65 ft. height limit. He thinks that would be a very good argument before the ZBA. Development in Old City that remains "CMX-3" district is progressing very nicely. It doesn't need this density boost that is proposed by this Bill. There is currently has 30 projects underway; that is a very nice number of projects for Old City to have. Frankly it is very difficult to walk any one block without having to cross to the other side of the street because there is some development project blocking the sidewalk. All of that is good. We welcome the development. What is being proposed here doesn't fit in Old City as a Historic District. And now as Vice Chair of CDAG, we have not been briefed on the Bill. And because we work in the area east of I-95, and between Oregon and Allegheny Avenues, there are a lot of newly reclassified "CMX-3" parcels. So this affects the Master Plan, which this Commission previously adopted, and Overlay for the Central Delaware Waterfront, which you previously supported. And because there is a height limit incorporated in that Overlay. He thinks there may be some difficulties managing this new density and managing that new height limit in the same area. And on behalf of the Crosstown Coalition, which he serves as Chair for the Zoning and Land Use Committee. They are very concerned with the fact that they haven't seen the Bill in advance; haven't had the opportunity comment, and use their network of community organizations to get appropriate feedback to help informed decisions about this Bill going forward. We understand that Councilman Squilla is not going to bring the Bill up for a vote. They think that is terrific, and it will provide them with an opportunity that thus far they haven't had that opportunity.

Michael Kihn, from the Center City Residents Association, respectfully asked them to table this Bill and the staff's recommendations until CCRA and the other civic organizations have had a chance to review the Bill and the recommendations, and then have the opportunity to make the appropriate comments.

Ed Patnek, attorney and Chair for the Logan Square Neighborhood Association, replied he would urge that you hold off any action on this matter today. We have had no notice, and he is saying that not only on behalf of the Logan Square Neighborhood Association but as

Treasury of the Crosstown Coalition, which consists of 20 different community organizations, and as President of the North Broad Street Coalition. We have had no notice; zero notice. A couple of years ago there was a Zoning Code Commission, ably chaired by you Alan, and with the assistance of Gary and others from the Planning Commission. And you did a terrific job frankly. He was there for most of those meetings, and this was one of those matters that was at least in part discussed; and indeed part of the recommendation was to raise the allowable height from 35 feet to 39 feet. Now we are going to 42 feet in a proposal that we have never even seen before. He has no idea why. Apparently there is some mushy type of argument being advanced that this is necessary to the development community. That may or may not be; it remains to be seen. He has never had any problem working things out with the developing community. If it was a good project and they needed 42 feet, we were going to say that's okay. If it's a bad project, we want them to talk to us. And we want them to go to the ZBA; and let the ZBA make that decision. This Bill would take that completely out of our hands with no public discussion about the matter whatsoever. He thinks this is very much of a rush job. And he finds himself actually agreeing in part with Craig Schelter, we think that you should withhold your judgment with respect to this matter until the public has had an opportunity to examine the full Bills as amended, and had an opportunity to discuss it.

Mr. Lee arrived at 2:15pm.

Loreena Katz, from Society Hill Civic Association, replied ditto to everything that everyone had already presented. She is here for the preservation issues in Society Hill. The overall character of the place, which she believes the new Code wants to protect. The open space would be greatly affected by half of their community because of the subdivision of plots; the smaller basic plots. We have had two in the interim of the new Code. We have had two applications for fourth floors both in historic buildings next to even more historic buildings. And the community came out through various conversations against one, and for another. Because of the very sensitive conceptual issues, and this should be left to the community to fine tune. We would like to look into it more fully, and we urge you to defer any kind of action on it until everybody can really look at this in a more detailed way.

Jahid Ali asked is Councilman Squilla the only Councilman for this entire area.

Mr. Gregorski replied no, he is not.

Mr. Ali replied it seems like each one for them represents different communities. And some communities historically the process has not reached out to them. For that matter because our elected official is the person we would hold to interact with you, and some of the elected officials you didn't mention, then he would ask this Commission to hold this until all of the proper elected officials are notified about this Bill.

Mr. Greenberger replied this needs to be held. It is engaging a whole bunch of issues, which he thinks are going to keep coming up again and again. We should take the time necessary both at staff level, working with various groups, talking to various Councilmembers, and actually some of this goes beyond this. When have been here at these meetings where we have talked about two-story and three-story neighborhoods, and we have carefully crafted an idea in the new Zoning Code. Not everybody likes it, but it was an idea about how to deal with that. This is some of the same stuff simply at a bigger scale. We need to be more careful about broad brush answers to things that may require a lot more specificity. And to think about issues liked this that are not in that zone.

Mr. Eiding replied we need to hold off on it. That whole footprint there is the heart and breath of the City; and it changes in a blocks walk. It really needs a whole lot of work before we can make a decision on it. And the input from those people is very important.

Mr. Greenberger asked can we ask for an extension of 45 days.

Mr. Gregorski replied no, it is already pass 30 days. You can table it.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Eiding, the City Planning Commission tabled Zoning Bill 140519.

Mr. Greenberger adjourned the City Planning Commission Meeting of September 16, 2014 at 2:21pm.

SUMMARY

- 1) Approval of the Minutes for the August 19, 2014 meeting. Approved
- 2) Executive Director's Update.
- 3) Staff Presentation: ZBA Calendar No. 23503 for the construction of a 54-unit senior residential development at 1412-26 W. Dauphin Street (ZBA Hearing date: September 24, 2014; Presented by David Fecteau).
Approved to support
w/proviso developed only for senior housing
- 4) Action Item: Redevelopment Area Plan for 51st and Baltimore (Presented by Martine Decamp). Approved
- 5) Action Item: Zoning Bill 140519 amending the Center City Overlay District (Introduced by Councilmember Squilla on June 5, 2014; Presented by Martin Gregorski) Tabled

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EXHIBIT "3A"



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Monifa LaGrone, Co-Chair
Sannii Crespina-Flores
Sharif Street

September 11, 2014

Re: 1412-14 Dauphin Street, Dauphin House Project

The Uptown Entertainment and Development Corporation RCO met at the request of the developer on Tuesday, September 9, 2014 to discuss revised plans for 1412-14 Dauphin Street.

The revised plans to drop the height and add a roof terrace, community room and medical office accessed by tenants and the public was approved by the RCO and residents . The RCO has some recommendations that include:

1. Developer contacting the Philadelphia Horticultural Society to plan trees that will not have roots that grow on adjacent properties or the cement
2. Add security precautions for the 3 foot fence if it is higher and at the terrace level and make it attractive from the street.
3. Provide security swipe access for laundry room entrance at no cost to residents
4. Consult other stakeholders for planning for parking.

Sincerely,


Linda Waters Richardson, President

