PHILADELPHIA CITY PLANNING COMMISSION
November 15, 2011

PRESENT:	Alan Greenberger, Chairman Joseph Syrnick, Vice Chairman Brian Abernathy, representing Richard Negrin Bernard Lee, Esq. Elizabeth K. Miller Nancy Rogo Trainer Saskia Thompson, representing Rob Dubow
ABSENT:	Patrick J. Eiding Nilda Ruiz

Executive Director:	Gary J. Jastrzab
Deputy Executive Director:	Eva Gladstein

Chairman Alan Greenberger convened the City Planning Commission Meeting of November 15, 2011 at 1:08pm.

1) Approval of the Minutes for the October 18, 2011 meeting.

Upon motion by Ms. Rogo Trainer, the City Planning Commission approved the minutes for the October 18, 2011 meeting.

2) Executive Director's Update

Mr. Jastrzab reported on the following items:

- **ZONING CODE COMMISSION**
  He was pleased to report that last Wednesday, November 9, the Zoning Code Commission voted to adopt and transmit to City Council its *Final Report.* We expect that a new bill introducing the ZCC-recommended Zoning Code based on this Final Report will be introduced this Thursday, November 17, with a public hearing scheduled on December 5, and final passage projected for Thursday, December 15. There is an item on our agenda today regarding a previously introduced Zoning Code bill (#12, Bill #110766) that we will address.

- **REVISED TIMING FOR PHILA2035 DISTRICT PLANS**
  As we near the completion of the first set of *Philadelphia2035* District Plans, we have reviewed our initial timeline and need to make some scheduling adjustments. When we reviewed the time spent on land use and vacancy surveys, research on existing conditions, and the public engagement and review process, the time it takes to complete a District Planning is actually closer to ten months than the six months we previously projected.
  As a result, we have adjusted our timeline for District Plans. We are looking to build scheduling efficiencies into the process, including overlapping District Plans so that the next plans in the pipeline can get started while the present ones are in the public comment and adoption phase.

- **PHILA2035 GOALS AND OBJECTIVES**
  Now that the Commission has adopted the *Citywide Vision* of the Philadelphia2035 Comprehensive Plan as a framework to guide the City's overall physical development, we want to begin to show how our staff recommendations comport with the Plan goals and objectives. So, for items requiring Commission action today, we will also report how our recommendations "sync" with major Plan goals and objectives. We think this will demonstrate how the Commission's adopted development policies provide a clear rationale for staff recommendations on agenda items.

- **FY2013-2017 CAPITAL PROGRAMMING PROCESS**
  We have begun the process of preparing the City's FY2013-17 Capital Program and Budget. During the past month, Departments have submitted project requests for the fiscal year that begins next July. We have begun meeting with the Departments, Budget Office, and Department of Public Property to review funding requests. We expect to present a proposed Capital Program to you before the end of February.

ITEMS IN ACCORD WITH PREVIOUS POLICY:

We have 6 items in accord with previous policy: 4 Redevelopment Items & 2 Streets Bills.

- **Redevelopment Agreement with Sarah and Alvin Williams for 3738 N. 10th St.** Purpose: rehabilitation of vacant structure for single family residential use. In accord with the Redevelopment Area Plan for West Fairhill/ East Tioga/ Hunting Park.

- **Redevelopment Agreement with Raise of Hope, Inc. for 1737 Belfield Ave. in Logan.**
  Purpose: 3 new units of affordable rental housing. Lot acquired through Act 94 Condemnation and not in a redevelopment area. The vacant lot will be sold to the redeveloper and combined with adjacent properties for redevelopment. In accord with existing R-9 Residential zoning.

- **Redevelopment Agreement with Church of the Living God, Inc. for 3127-29 W. Cumberland Street**. Purpose: Side yard and community sitting area. In accord with Strawberry Mansion Redevelopment Area Plan.

- **Redevelopment Agreement with Anna Plitt for 2219 Frankford Ave.**
  Purpose: side yard as part of the New Kensington Open Space Management Program. In accord with New Kensington & Fishtown Redevelopment Area Plan.

- **Streets Bill #110795:** to strike and vacate Ridge Ave from Vine Street to the intersection of Eighth & Race, and reserve its right-of-way. The same exact bill (#100681) was recommended for approval because it was consistent with the Center City Redevelopment Area-Fourth Amended Redevelopment Proposal in November 2010. Unfortunately, RDA failed to pay for the $200 fee to pick up the bill, it was lapsed.

- **Streets Bill #110797:** to strike and vacate Race street from Columbus Blvd to Water Street, and reserve as a right-of-way. This is for the Fringe Festival property disposition, approved by Commission in December 2010.

3) Adoption of PCPC Meeting Calendar for 2012.

The 2012 meetings will be held on the third Tuesday of each month, except for June and December meetings.

Upon motion by Mr. Syrnick, seconded by Ms. Rogo Trainer, the City Planning Commission adopted the PCPC Meeting Calendar for 2012.

4) Review and Comment on the Proposed Overbrook Farms Historic District.

Erin Cote, Philadelphia Historical Commission, stated this item is for review and comment. The City's Historic Preservation Ordinance, Section 14-2007 of the Philadelphia Code, requires the City Planning Commission to comment on all proposed historic districts

prior to the Historical Commission's consideration. The Historical Commission will consider the creation of the Overbrook Farms Historic District at its monthly meeting on December 9, 2011. Before we do that we are required to have the Philadelphia City Planning Commission review and comment to ensure that the Historical Commission's actions are compatible with the City Planning Commission's plans and policies. Overbrook Farms is in West Philadelphia. There are approximately 500 properties along the western edge of the City of Philadelphia and centered on the Main Line of the former Pennsylvania Railroad. It was established in the 1890's and 1920's. Overbrook Farms are disconnected from the urban, commercial, and industrial sections of the City, yet remained inextricable linked to them by the Pennsylvania Railroad line. Overbrook Farms warrants the Philadelphia Historical Commission's designation, protection, and preservation. The Philadelphia Historical Commission respectfully requests that the Philadelphia City Planning Commission recommend that the creation of the Overbrook Farms Historic District is compatible with the City Planning Commission's long range plans for the area.

Ms. Rogo Trainer asked what the residents would have to go to the Historical Commission for.

Ms. Cote replied the residents would have to go to the Historical Commission for the outside exterior changes.

Mr. Greenberger asked about the boundaries.

Ms. Cote replied our staff is part of the review process.

Mr. Greenberger asked what level of communication you needed to have with the homeowners.

Ms. Cote replied they sent out letters to the property owners on September 30, 2011 to notify them.

Mr. Greenberger asked if they received comments back.

Jon Farnham, Executive Director of the Historical Commission, replied the Historical Commission staff has gone out in 2002 and 2003. They have placed posters on every block to reach every interested party to allow the owners to comment.

Mr. Syrnick asked what the numbers are for it.

Mr. Farnham replied 20 or 30 form letters stating they are opposed. We have meet with 50 people. Historical Commission is charged with protecting all historical properties for all Philadelphians.

Mr. Greenberger replied this is a district with pretty strong housing stock. They are not under pressure to do new construction.

Mr. Farnham replied near the rail line we have taken out some houses. There is a very important housing stock here that should be protected.

Mr. Greenberger asked is it fair to say that the primary impact on this will be home exterior renovations.

Mr. Farnham replied we have no jurisdiction on the interior of the houses.

Kevin Maurer stated his is a resident at 6344 City Avenue and President of Overbrook Farms. He moved there 10 years ago. The historic designation was already there before he moved in. He has been running all of those meetings. Quarterly newsletters are sent out, and the status of the historic designation, have been updated in them. They are virtually intact houses as per the turn of the century. The area, that is not included, has had demolition by neglect. This designation makes the neighborhood less attractive to developers, who would come into the neighborhood.

John Gallery, of the Preservation Alliance, stated the Historical Commission staff has determined that this area has met 7 criteria for historical designation. Overbrook Farms has been listed as a class town. Most people don't realize the economic value. In 2009 Econsult Corp. prepared a report for them on historical designation property values, and found it increased property values – immediate and ongoing, immediate 2% increase of value. The district designation will not only increase the value of the neighborhood and the City.

Ms. Rogo Trainer replied she would vote on it.

Mr. Greenberger would add his support on it too. It is important to get the boundaries correct.

5) *Information Only: ZBA Case No. 15624 for the residential redevelopment of the 2400 block of South Street (Presented by Carl Primavera for Toll Brothers).*

Brad Feldman, representing Toll Brothers, gave the history of the site. In 2006 the Zoning Board of Adjustment granted a variance. They revised the height and density to a much smaller process. The boundaries are South, Bainbridge, Bambrey, and 24th Streets. It is zoned "R10" Residential, and across the street they have garages. West on Bambrey, it is zoned "R10" without parking. East at 24th and Bainbridge Streets it is split zoned "R10" and "C2" Commercial. It has been used overtime as industrial. The last use was a parking garage for the hospital. Toll Brothers purchased this property a number of years ago. Naval Square is one of the most successful projects in Philadelphia. Back in 2006 after 18 month process worked on redevelopment of this site, add stories taking it to 9 with a total of 207 units, over time that project has not been built. We chose a 5-storu condominium building with 59 units and townhouses along South Street. It is critical to add parking to the site.

Mr. Syrnick asked about the size of the street.

Ms. Rogo Trainer asked about tree wells.

Mr. Feldman replied 4 ft. On 24th and Bainbridge, there will be landscaping and lights on the building. The traffic report no negative impacts.

Ms. Rogo Trainer asked about parking underground.

Mr. Feldman replied yes. The project in 2006 was entirely residential. They didn't feel this is a space for retail/commercial. President Verna supports this project. He did meet with

Deputy Mayor. They will go back to the ZBA on December 14, 2011, perhaps to incorporate the changes suggested from the Deputy Mayor and his staff.

Mr. Greenberger replied they had discussions. We want to see this redeveloped. They are concerned with height on S. 24th Street, and buildings on Bainbridge Street. They met with a group of a dozen people from SOSNA to hear their concerns.

Ms. Rogo Trainer replied the lack of buildings along Bainbridge Street is a concern. She is curious about why the internal space is focused.

Ms. Miller replied Bainbridge Street already has a large brick wall along it.

Mr. Feldman replied we are looking to see what we can do with it.

Steve Huntingdon, representative of SOSNA, South Street West Business Association, and Center City Residents Association, stated in 2009 they formed a task force. In early 2010 they meet with students from Penn. The students had meetings in January 2010 and May 2010 in the neighborhood in Grays Ferry. In 2011 the major landholders were there at the meeting. They called for mixed use, and vigorous street activity. The project presented by Toll Brothers doesn't come to terms with the task force. Strickland Building was saved at the request of the neighbors. The sales record for Toll Brothers is good, but the sales record for the other high uses in the area is not good.

Matthew Levinson, from South Street West Business Association, stated they are in opposition to this proposal. First, resident only; second, commercial corridor – any commercial along the first floor invests in our corridor. The lost of commercial along South Street loses.

Andrew Dalzell stated reinforces eyes on Bainbridge Street. Street level interaction, we would like to see it. Varying the parking would be better. Lastly, lot zoned L4, if we don't bury the parking, we can't go back later.

Mike Shea, from CCRA, stated although this is not in our area, we feel that it is important. They have already sent a letter to ZBA of support. It is a strong corner building on 24th Street. Alan has said that good residential can be done in the City.

Wendy Cece, resident, stated they have met with SOSNA. They have found that very few residents knew what this project entails. They were totally into tearing down the garage and didn't realize what else the plan entailed. Her board is concerned with unoccupied space and parking. They are fearful that without modifications to the plan, there will not be much change in the area. They feel the plan for 24th Street are going in the right direction.

Mr. Feldman replied this has been going on not only since 2005-2006, they have been meeting with SOSNA for a long time. They have met 4 times with the immediate neighbors. Most people think of South Street as the commercial blocks of south. At 23th Street there is no commercial. They are serious problems with parking and loading.

Mr. Greenberger replied we have a scheduled meeting at the end of the month. Our goal is to see something developed there as a positive solution. We would like to bring it back in December.

Ms. Rogo Trainer replied eyes on the street is very important, and also streetscape.

Mr. Greenberger thanked everyone.

6) IDD Amendment for the Aria Health System Torresdale Campus (Frankford Hospital).

Martin Gregorski, IDD supervisor, stated this is an amendment to the Old Frankford Hospital IDD Master Plan. Whatever is approved, this is the plan. It is located at Red Lion and Knights Roads. What is actually being approved is a 5-story addition for Emergency and Outpatient Services. The proposed expansion of the current facility will include a 5-story building addition located to the west of the existing main hospital structure. The addition will be used as the new Emergency Department, and will include a main entrance and reception lobby, an ambulance interface area, urgent care and trauma units, diagnostic imaging facilities, two stories of outpatient functions, lab space, and other accessory spaces. There may be future changes to this access slope. It is a 27- acre IDD. The new GFA will be 153,000 sq. ft. The required parking spaces are 182; they have a total of 1,712 spaces. This project will create approximately 40 new, full-time jobs, on top of more than the already existing 1,500 full-time positions. We are now incorporating our goals with the Philadelphia2035 plan. The City Planning Commission staff recommendation is approval.

Peter Tantella, who is working with Aria, and Christine Wynn, Executive Director of Aria are both here. Ms. Wynn submitted a copy of a letter to Councilmember O'Neill from Ronald Kumor, Chief Operating Office of Aria (see Exhibit "6A").

Upon motion by Mr. Syrnick, seconded by Ms. Ruiz, the City Planning Commission approved the IDD Amendment for the Aria Health System Torresdale Campus.

7) IDD Amendment for the University of Pennsylvania.

Brian Wenrich, Development Planning Division, stated the purpose of this IDD amendment is to allow for a 10,000 square foot addition to Steinberg Dietrich Hall on Locus Walk. The new construction will accommodate a small overhand at the entrance, 29 offices, 3 conference rooms, 2 classrooms and informal interaction areas. They are not adding additional parking spaces. We are in agreement with the Philadelphia2035 plan. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Syrnick, seconded by Mr. Abernathy, the City Planning Commission approved IDD Amendment for the University of Pennsylvania.

Ms. Rogo Trainer recused herself.

8) ZBA Case Nos. 16385 and 16386: Chinatown Eastern Tower Community Center (ZBA Hearing: 11/16/11).

Larissa Klevan, Development Planning Division, stated this item was presented to this Commission as an information only item at our September 2011 meeting. There are 2 ZBA numbers, but it is 1 project. The site is currently used as for surface parking. The proposal is for a 23-story detached structure with underground parking. There will be a Community Center

on the 2nd floor; floors 6 to 23 will be residential. There are 2 variances for this project: 1) parking; 2) loading. Staff will like you to know this is in coordination with the Comprehensive Plan. The City Planning Commission staff recommendation is approval.

Mr. Greenberger stated the 2nd variance about the loading dock, is an accident on how the parcel was cut up.

Ms. Klevan replied it is across the street.

Mr. Greenberger replied it is a pretty aggressive project.

Ms. Klevan replied it is 18 feet curb to curb.

Mr. Lee asked about public transportation.

Ms. Klevan replied it is close to public transportation, and would be used.

Mr. Greenberger replied it is 2 blocks from Market East.

John Chin replied the residents work within the community. They will be walking.

Upon motion by Mr. Lee, seconded by Ms. Rogo Trainer, the City Planning Commission approved ZBA Case Nos. 16385 and 16386: Chinatown Eastern Tower Community Center.

9) Zoning Bill Nos. 110762 and 110763: Remapping a portion of the area bounded by Germantown Avenue, Hartwell Lane, Shawnee Street, and Southampton Avenue to C2 Commercial and R10B Residential; and amending provisions of the "Germantown Avenue Special District Controls" (Introduced by Councilmember Miller on October 27, 2011).

Paula Brumbelow, Development Planning Division, stated Bill No. 110762 amends the zoning maps; and Bill No. 110763 amends the "Germantown Avenue Special District Controls". It is located in Chestnut Hill. It is zoned C7 Commercial and R5 Residential. Proposed zoning is for C2 and R10B. It is a 2.1 acre site for commercial, retail, and residential. The purpose is to rezone the properties, to encourage the development of a grocery store and residential dwellings. It will amend the zoning code as follows:

Mixed-use buildings along Germantown Avenue

Lot Requirements

- 200 feet of frontage on Germantown Avenue between Evergreen and Willow Grove Avenues
- 1.5 acres in area
- Not listed on any Historic Places or Registers

Building Requirements

- Minimum of ten dwelling units
- Minimum of 4,000 square feet of gross floor area

Special Controls

- Rear yards not required
- Gross Floor Area maximum is 150% of lot
- Building height may increase between 45 and 70 feet if it meets required setbacks. This height increase must happen within the first 100 feet from Germantown Avenue
- Private accessory parking lots are allowed to deviate from required screening if approved by the Philadelphia City Planning Commission staff in writing
- Sale of food and beverages that are prepared on premises and an eat-in area that are otherwise available for purchase for consumption off premises shall not be considered to be a delicatessen or a restaurant, provided that the food and beverage shall be for sale only during the hours that the main use is open for business.

The City Planning Commission staff recommendation is to table this item until the December 13, 2011 agenda, which will allow the developer to continue the community negotiations with Chestnut Hill Civic Association. We will ask City Council to hold for final passage.

Matt McClure, attorney with Ballard, Spahr, introduced Seth Shapiro and Richard Gelber (of SPG3). He stated Bowman Properties owns the properties. There is a real need for mixed-use properties. This will be the first store for Fresh Markets in Philadelphia. They will attract strong retail. It will cost $30 million with no public subsidy, and create 90 jobs. They have met with the Chestnut Hill Community Association in the summer, and they will continue to meet with the residents.

Mr. Gelber, architect, stated dealing with a mixed-use project, we are looking to pull shoppers in. There will be residential units at the entrance of Germantown and Hartwell. Along Germantown Avenue in Chestnut Hill, there are different heights, materials, etc. The unit design itself for the condominium is for 2 bedrooms plus sun porches and outside decks. They recognize that the buyers are use to a certain size and height in their rooms. Traffic and parking issues are important. From a design point of view, it was important to keep parking for commercial in the middle. The parking for residents will be in the basement levels. Their landscape plan is for a number of additional street trees along Germantown, Hartwell, and Shawnee. They are working with the Water Department on stormwater retention.

Mr. Lee asked about the size of the market.

Mr. McClure replied 20,000 sq. ft.

Mr. Syrnick asked about the entry to the parking.

Mr. McClure replied on Hartwell Lane.

Joyce Lenhardt, represents the Land Use Planning and Zoning Committee know as LUPZ of the Chestnut Hill Community Association, stated they created a subcommittee and are still in negotiations with the developer. The owner started work on the project 2 years ago. We support it, but it is the density that we are concerned with. Their concerns are the conversion – residential reduces 35% to 20%. Most important is the reduction on the Hartwell side. If the Shawnee side is zoned R10B; it is more intense residential. There is no need for a 5-story

residential in Chestnut Hill. The developer has reduced it. There are no setbacks or buffers. Regarding the public entity, we have asked for a development agreement. We don't have anything in writing at this time. They support the tabling at this time. (See Exhibit "9A").

Leroy Foulkrod, neighbor, stated there are 19 adjacent neighbors surrounding the property. The R10B zoning for Shawnee side brings denser, where there are single residential homes, with the commercial zoning next to it or adjacent to it. C2 is consistent with Germantown Avenue, but the height is not consistent. He is confused with this and the landscape plan is not in keeping with zoning – setback and height.

David Woo, Board of Directors and currently President of Weavers Way, stated they have an interest here. They will be actively collaborating. Is it really better when the proposal brings height and mass to the neighborhood? It negatively impacts it. He opposes it, and the new proposal to residential on Shawnee.

Thomas Beck stated he has been an architect for more than 32 years, a resident of Chestnut Hill, and a Professor of Architecture at University of Pennsylvania, Drexel, and Temple. He opposes this development. He agrees with the first woman's comments. He has concerns for the context of Chestnut Hill and surrounding neighborhoods. He cherishes the unique qualities of the neighborhood. He has been asked by several people, is it possible to remap this area. It is possible to put a grocery store here without changing the boundary. The neighborhood is a neighborhood of twins and single homes.

Mr. Greenberger stopped him and told him to keep to the proposal.

Michael Gonzales, resident, stated there are very few people opposed to this property being developed. It is the zoning and density that is the problem. It can be developed with a chain store and be supported by neighbors. The spot zoning, they are trying to get, would be permanent. If they sold it, that zoning would be in place for the next owner. If they didn't take over 85% of the lot to Shawnee, they would enjoy the support of the neighbors.

Daniel McElhatton stated this is a project that comes before the Commission. He would ask the Commissioners not to table it, but to ask for a 45 day extension. This Commission needs to check on spot zoning. It is being forced on the community.

John Gibbons replied he really doesn't have any concerns on the proposal, but he does have a concern on rezoning. You don't have to rezone it. There is no planning justification for R10B. All of these can be done through variances instead of rezoning with spot zoning. You could go through the normal zoning process instead of the special Ordinances.

Ms. Miller asked what is the usual procedure.

Mr. Greenberger replied it is zoned C7 for a car dealer. Left as is, you can put a WAWA and walk away. The zoning that is there would not benefit anyone. The rezoning would be beneficial right now. Site needs to be rezoned somewhere, somehow.

Ms. Rogo Trainer asked about the FAR.

Mr. McClure replied proposed FAR is105.

Mr. Greenberger replied C2 zoning doesn't come with FAR limits, it comes with height limits.

Ms. Rogo Trainer asked if there were any bonuses.

Mr. Greenberger replied no bonuses. Many of the comments were over building the site with the surrounding area on Shawnee.

Ms. Rogo Trainer replied what you see at eye level is helpful.

Mr. Syrnick asked with C7 and R5, does the proposed rezoning move the boundaries.

Ms. Brumbelow replied yes.

Ms. Rogo Trainer asked if there are windows on the second floor.

Mr. Gelber replied there are offices and breakrooms on the mezzamine.

Mr. Greenberger replied this can come back to us in December, instead of asking for 45 days. That would be killing it until the new term.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Lee, the City Planning Commission tabled Bill Nos. 110762 and 110763, which will allow the developer to continue the community negotiations with Chestnut Hill Civic Association.

10) Zoning Bill No. 110670: Remapping a portion of the area bounded by Juniper, Broad, Rodman, and South Streets from R10 Residential to C4 Commercial; and amending provisions of the C4 and C5 classification, "Parking in Residential Districts," and "Special Controls for the Center City Commercial Area" in this area (Introduced by Councilmember DiCicco on October 6, 2011).

Ms. Brumbelow stated this Bill remaps Juniper, Broad, Rodman, and South Streets. It is currently zoned C4 Commercial and R10 Residential. The proposed change would be C4. The party at interest is Dranoff Properties. You saw this last month as an information only item.

The Bill proposes several things for properties bounded by Rodman Street, Juniper Street, South Street and Broad Street.

- To amend the zoning designations from "R-10" Residential to "C-4" Commercial along South Street for 215 feet eastwardly from Broad Street.
- To amend Section 14-305 by:
  1. allowing for a garage to be limited to below grade for required accessory parking;
  2. that rear yards, side yards, and open court are not required to have a minimum horizontal distance from any point of the wall that must be maintained;
  3. The Floor Area Regulations are allowed to be five hundred and seventy-five percent (575%) of the area of the lot;
  4. allowing for a garage to be limited to below grade for required accessory parking;
  5. that rear yards, side yards, and open court are not required to have a minimum horizontal distance from any point of the wall that must be maintained;

6. The Floor Area Regulations are allowed to be five hundred and seventy-five percent (575%) of the area of the lot;
7. The minimum dimensions for any off street loading space shall be 15 feet wide by 30 feet wide.

- Section 14-1402 of Parking in Residential Districts will adjust the parking for dwellings containing twenty five or more families to have three parking spaces for every ten units.
- Section 14-1607 the Special Controls for the Center City Commercial Area are being amended to allow for the following uses on this block:
  1. Restaurants, cafes, coffee shops and other similar establishments;
  2. Retail sale of groceries;
  3. Retail sale of delicatessen goods;
  4. Retail sale and/or preparation of bakery items.

This meets the Philadelphia2035 Vision Plan. The Planning Commission staff recommendation is approval. The Planning Commission shall have an approved plan of development for the "C-4" Commercial Development and a Sunset Provision is to be included and will lapse on December 15, 2016.

Mr. Greenberger replied we have a situation here that have 2 different zones. At Council there were several property owners, who live on Rodman Street, were concerned. We support this. The Plan of Development approval ties it to a specific proposal, if not done then it will not happen.

Peter Kelsen, represents Carl Dranoff, replied they are asking the Philadelphia City Planning Commission to move on with the rezoning. This is a classic TOD. We are asking the Commission to approve the remapping. It would come back to the City Planning Commission on the Plan of Development. After meeting with the Rodman Street neighbors, we are cutting back 5 ft. This project had been reviewed extensively with PIDC and staff at the City Planning Commission.

Ms. Rogo Trainer asked about the wall between your property and the neighbor's property.

Mr. Kelsen replied at the request of the neighbors, we have relocated the loading dock to South Street. The treatment of the wall will change the next time you see it.

Ms. Rogo Trainer asked what will be under it.

Mr. Kelsen replied enclosed for cars with additional setback from rear yards.

Carl Engelke replied our Board voted unanimously to support this proposal. We will continue the negotiations to move it forward.

Angela Fante, resident, replied it will not meet opposition from the neighbors.

Mr. Greenberger replied we make the recommendation to Council but Plan of Development is the City Planning Commission.

Upon motion by Mr. Syrnick, seconded by Ms. Miller, the City Planning Commission approved Zoning Bill No. 110670.

Mr. Greenberger left at 4pm.

11) Zoning Bill No. 110761: Remapping properties at 1925-33 W. Venango Street to R9A Residential (Introduced by Councilmember Miller on October 27, 2011).

Ms. Brumbelow stated this item is for 1925-33 W. Venango Street. It is bounded by Broad Street, Lehigh Avenue, 24th Street, Fox Street, Hunting Park Avenue and Erie Avenue in the Tioga neighborhood. It would change the zoning from C2 to R9A. This property was part of a larger Zoning Remapping approved in May, 2006. The properties in this Bill were originally zoned "R-9A" Residential and were changed to "C-2" Commercial after the property was acquired by the Party at Interest. The new homes received Zoning Variances in May, 2008, but have been the subject of court appeals. The maps have been amended to reflect a change to only impact the properties listed above and not the entire area bounded by Broad Street, Lehigh Avenue, 24th Street, Fox Street, Hunting Park Avenue and Erie Avenue. The City Planning Commission staff recommendation is approval, with the amended maps that only change the zoning for properties on one block.

Mr. Robert R. G, attorney for Mr. Thomas, stated this is a project for 33 homes which 7 were not zoned appropriately. It received variance from ZBA. That appeal went from Commonwealth Court and Court of Appeals. The proposal to Councilmember Miller was to rezone those 7 houses so that they can stay.

Verna Tyner stated our organization has worked with the Philadelphia City Planning Commission and Council to rezone this area. We worked with Mr. Kramer and the late Cornell Pankey, who walked block by block with us. When Mr. Thomas said he had the correct zoning. They asked us to appeal it. We ask you to table it.

Mr. Abernathy replied the House has appealed it.

Ms. Tyner replied the day after it was appealed, he built it.

Mr. Abernathy asked since the house is already built, why are you appealing it.

Ms. Tyner replied it was built over a memorial, to replace our garden.

Mr. Robert R. G. replied we offered to buy it for them, we offer to buy a lot to put a garden in it.

Ms. Tyner replied we are a community group. We just received a proposal for a monetary settlement.

Mr. Abernathy asked the settlement on the table is for cash to accept for a building that is already built.

Mr. Greenberger replied yes, but we don't get involved with this.

Mr. Abernathy replied we should be careful on what we get involved in.

Mr. Greenberger replied we don't get involved.

Ms. Brumbelow replied this property was sold as a vacant property to Mr. Thomas.

Darryl Hollinger, resident at 1918 W. Pacific Street, replied the fact that the property was built, they were asked not to start building it until it was resolved. He gave the Commission background documents (see Exhibit "11A"). They are talking with the new Councilperson, that will be coming in to office in January regarding this subject. You need to table this so that we can have more discussions.

Upon motion by Mr. Syrnick, seconded by Mr. Abernathy, the City Planning Commission tabled Zoning Bill No. 110761.

12) Zoning Bill No. 110766: Repealing the City's Zoning Code and replacing it with a new Code (Introduced by Councilmember O'Neill on October 27, 2011).

Eva Gladstein, Executive Director of the Zoning Code Commission, stated this item which would have the effect on replacing the current Zoning Code and replaces it with a new zoning code. The purpose of this Bill repeals Title 14 of the Philadelphia Code and replaces it with Appendix A: (the text of the Zoning Code Commission's *Preliminary Report*, issued in May 2011), and Appendix B (the text of City Council Resolution 110741, which contains 40 recommended changes to the Preliminary Report). On November 9th, the Zoning Code Commission voted to approve its *Final Report*. The *Final Report* will be submitted to City Council for introduction on November 17th. The Charter calls for Council to approve, disapprove, or table (but not amend) the *Final Report*. The *Final Report* contains dozens of changes to the *Preliminary Report*, including but not limited to edits made in response to City Council Resolution 110741. While the Zoning Code Commission has accepted or partially accepted all of City Council's 40 recommendations, in a number of cases the recommendations are incorporated in the *Final Report* using different language than that recommended in City Council Resolution 110741. Bill No. 110766 provides City Council with a vehicle to reform the zoning code outside of the Charter-established process. Council would be able to amend Bill No.110766, but would not be able to amend the *Final Report* it receives from the Zoning Code Commission. The City Planning Commission staff recommendation is approval, subject to the condition that Appendices A and B are removed and replaced with the *Final Report* issued by the Zoning Code Commission and sent to City Council on or before November 17th.

The Zoning Code Commission met last Wednesday and approved that final report. We are sending on Thursday to City council. That final report had amendments that were made by stakeholders that were not City Council. It was introduced this Thursday in City Council. The way the City Charter works, the Council could amend it as they see fit. It will be a major tool for implementation of the 2035 Plan.

Mr. Greenberger replied the Zoning Code Commission has worked 4 years to make this happen. We believe it answers all of the questions. We want to get the code passed.

Craig Schelter, Executive director of the Development Workshop, submitted his testimony (See Exhibit "12A"). He stated his comments today were endorsed by the regular monthly meeting of DWI yesterday. He stated he is here to strongly recommend a one word amendment to the new code that they believe has enormous significance. That is removing the

"not" to change the meaning of sentence 14-303 (6)©(.3) on page 3-11 or (page 63/403 if viewing online.) He recommended the Commission's action today include this language modification and removing the word "no" in sparking the word "yes" for outside investment in the City.

Brian McHale stated the work that has been done by the Zoning Code Commission that comes under the Home Rule Charter, should be passed.

Stacy Graham, staff member of Councilmember Green, stated they worked very hard on Veteran's Day. We are very satisfied and Council is in full agreement with the changes. Please pass it.

James Lloyd, Planning Coordinator for CDC, stated they worked night and day to provide affordable housing. They support it.

Mr. Greenberger replied we are aware the point of Mr. Schelter brought up. The Zoning Code Commission is now out of business. We are happy to take this up before the Council in 8 months. We don't want to start to insert new ideas before it goes to Council. Don't get in the middle of it.

Upon motion by Mr. Syrnick, seconded by Ms. Thompson, the City Planning Commission approved Zoning Bill No. 110766.

13) Streets Bill No. 110765: Striking a portion of the 300 block of (paper) Markle Street (Introduced by Councilmember Jones on October 27, 2011).

Martine Decamp, Development Planning Division, stated this is in the northwest section of the City. It is on the City Plan, and it is not legally opened. It is a paper street. The developer proposes to build a new hardware store to the north and tear down the old one for a parking lot. It is consistent with the 2035 Plan. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Syrnick, seconded by Mr. Lee, the City Planning Commission approved Streets Bill No. 110765.

14) Proposed SugarHouse Casino Expansion
   a) Plan of Development Amendment.
   b) Zoning Bill No. 110717: Amending the waterfront setback, off-street parking, and off-street loading requirements of the CED Commercial Entertainment District (Introduced by Councilmember DiCicco on October 13, 2011).
   c) Zoning Bill No. 110719: Remapping the area bounded by North Delaware River, former Shackamaxon Street, and a line 260 feet north of Shackmaxon Street from C2 to CED Commercial Entertainment District (Introduced by Councilmember DiCicco on October 13, 2011).
   d) Street Bill No. 110718: Modifying the curbline of North Delaware Avenue from Frankford Avenue to Marlborough Street, and

relocating a utility right-of-way to permit casino expansion
(Introduced by Councilmember DiCicco on October 13, 2011).

Mr. Lee recused himself.

Mr. Gregorski stated SugarHouse Casino has its own CED. There are a number of items today. Streets Bill No. 110719 - rezoning of the property from C3 to CED. Streets Bill No. 110718 - modifying the curbline. Phase 1A of new proposal, changing the entrance to Shackmaxon. Streets Bill No. 110717 – may be amendment to language. POD is like a Master Plan. Phase 1A is the expansion of the parking garage. We need a text change to CED District – A 50 ft. setback is required for open spaces. What is being proposed is a terrace. Also change to off-street parking facility, and off-street loading. They need to be done before they can move on. POD – discussion on how they are going to run a bridge. The path will remain open space. In order to permit the expansion of the SugarHouse Casino, the official Plan of Development must be amended. The new plan will include the construction of a 7-story parking garage for 1500 parking spaces, an expansion of the gaming floor to include a poker room, a VIP lounge, expanded gaming positions, two new restaurants, a banquet hall, and other back of house facilities. Existing parking spaces are 1820; proposed 2440. Ground floor area is 81,000 sq. ft; proposed is 152,000 sq. ft. There are 1,696 gaming spaces; proposed 2,620 gaming spaces. There are 4 loading spaces; proposed is 6 spaces. Phase 1B further expansion of the casino hotel. The other phases will require a return to the PCPC and City Council for further review and approval. The City Planning Commission staff recommendation is approval for 1) amended zoning Bill; 2) Streets Bill; 3) text change to Bill; and 4) POD.
They will need other approvals: City Council, State Gaming Commission, and Highway. For Phase 1B, we are asking for POD approval. It will have to come back here for design review. We are asking for conceptual approval.

Cynthia Tedeski, from Mattoni Law Firm, stated she represents the bank for the property at 1143 N. Delaware Avenue, which is located 2 parcels north from SugarHouse. It is G2 Industrial site. Our client has a property zoned C3. No further action should be taken until we decide what uses should be there.

Paul Boni, resident and attorney, stated he is not with the Advisory Group. He wondered why the Philadelphia City Planning Commission would approve Phase 1B. The applicant has made some promises that have not come through. The last go around, the City said there would not be surface parking after the garage was built. That has not happened. The City needs to look at the number and look at the ratio. Minimize the number of parking spaces. Under the Zoning Code, we have adult only uses that should not be within 500 feet. Why do you need to move into the trail at all? Can they move 20 ft. west? He urged this Commission not to approve until you look into a health impact assessment. Casinos depend on gambling addicts for its revenue. The public health impacts, social cost, police costs, and loss of jobs. Defer approval of this proposal. The City needs to get serious about the health impact in the dense area of the City.

Tom Witt, attorney from Cozen O'Connor, replied the place to put the casino was the choice of the Gaming Control Board. Parking and traffic have been a great success here. The trail is very beautiful here, and we want to secure it to make it safe.

Mr. Greenberger replied the Delaware River Waterfront Corporation (DRWC) suggested the possibility of extending the trail that exists now to Penn Treaty Park. DRWC wants to have discussion with the 2 property owners to extend the trail. DRWC has a grant to extend a trail to

Penn Street. There is a channel at Shackmaxon, this proposal has a new idea for it. The essential parking is going to help the City. We need to use surface parking to meet CED zoning requirements. The trade off is a permanently shorter garage with surface parking. It is valuable for the City. He is use to surface parking and helps green space. We don't know what is going to happen with casinos in our state. This is a measured set of expansions.

Ms. Rogo Trainer replied she remembered that when the surface parking first came before us that the surface parking would go away after the garage was built. What is to say that they could come back again and say they want more land for parking.

Mr. Greenberger replied we did ask them to take away some parking to make it pedestrian friendly. The question is could they acquire the 2 properties to the north. They can't go south. What can we do on site? The footprint of the garage is an asset. A much smaller and shorter garage was an asset to the City.

Mr. Syrnick replied we are not approving unlimited parking in other areas.

Mr. Gregorski replied the height of the garage is 90 ft.

A brief discussion ensued between Mr. Greenberger and Ms. Rogo Trainer regarding parking.

Ms. Thompson asked why isn't there a better treatment on the garage. Maybe green? View corridor?

James Shobar, Jr, with Cope Linder, replied you only see 3 levels of the garage from the view on the Delaware River. View from Shackmaxon, we are looking to using a green design, a lively plant design that will change with the seasons.

A brief discussion ensued between Ms. Thompson, Mr. Greenberger, and Mr. Shobar regarding the treatment on the garage.

Upon motion by Mr. Abernathy seconded by Mr. Syrnick, the City Planning Commission approved the Proposed SugarHouse Casino Expansion: Plan of Development Amendment, Zoning Bill Nos. 110717 and 110719, and Streets Bill No. 110718.

Ms. Rogo Trainer opposed this proposal.

Mr. Greenberger adjourned the City Planning Commission Meeting of November 15, 2011 at 5:25pm.

SUMMARY

1) Approval of the Minutes of the October 18, 2011 meeting. Approved

2) Executive Director's Update.

3) Adoption of PCPC Meeting Calendar for 2012 Adopted

4) *Review and Comment on the Proposed Overbrook Farms Historic District. (Jon Farnham and Erin Cote, Philadelphia Historical Commission)* Presented

5) *Information Only: ZBA Case No. 15624 for the residential redevelopment of the 2400 block of South Street (Presented by Carl Primavera for Toll Brothers).* Presented

6) IDD Amendment for the Aria Health System Torresdale Campus (Frankford Hospital) (Presented by Martin Gregorski). Approved

7) IDD Amendment for the University of Pennsylvania (Presented by Brian Wenrich). Approved

8) ZBA Case Nos. 16385 and 16386: Chinatown Eastern Tower Community Center (ZBA Hearing: 11/16/11; Presented by Larissa Klevan). Approved

9) Zoning Bill Nos. 110762 and 110763: Remapping a portion of the area bounded by Germantown Avenue, Hartwell Lane, Shawnee Street, and Southampton Avenue to C2 Commercial and R10B Residential; and amending provisions of the "Germantown Avenue special District Controls" (Introduced by Councilmember Miller on October 27, 2011; Presented by Paula Brumbelow). Tabled & hold final consideration of the Bills.

10) Zoning Bill No. 110670: Remapping a portion of the area bounded by Juniper, Broad, Rodman, and south Streets from R10 Residential to C4 Commercial; and amending provisions of the C4 and C5 classification, "Parking in Residential Districts," and "Special Controls for the Center City Commercial Area" in this area (Introduced by Councilmember DiCicco on October 6, 2011; Presented by Paula Brumbelow). Approved

11) Zoning Bill No. 110761: Remapping properties at 1925-33 W. Venango Street to R9A Residential (Introduced by Councilmember Miller on October 27, 2011; Presented by Paula Brumbelow). Tabled

12) Zoning Bill No. 110766: Repealing the City's Zoning Code and replacing it with a new Code (Introduced by Councilmember O)'Neill on October 27, 2011; Presented by Eva Gladstein). Approved

13) Streets Bill No. 110765: Striking a portion of the 300 block of (paper) Markel Street (Introduced by Councilmember Jones on October 27, 2011; Presented by Martine Decamp). Approved

14) Proposed SugarHouse Casino Expansion (Presented by Martin Gregorski):

a) Plan of Development Amendment. Approved
b) Zoning Bill No. 110717: Amending the waterfront setback, off-street parking, and off-street loading requirements of the CED Commercial Entertainment District (Introduced by Councilmember DiCicco on October 13, 2011). Approved
c) Zoning Bill No. 110719: Remapping the area bounded by North Delaware Avenue, the Pierhead line of the Delaware River, former Shackamaxon Street, and s line 260 feet north of Shackamaxon Street from C2 to CED Commercial Entertainment District (Introduced by Councilmember DiCicco on October 13, 2011). Approved
d) Streets Bill No. 110718: Modifying the curbline of North Delaware Avenue from Frankford Avenue to Marlborough Street, and relocating a utility right-of-way to permit casino expansion (Introduced by Councilmember DiCicco on October 13, 2011). Approved

EXHIBIT "6A"

ARIA HEALTH

10800 KNIGHTS ROAD
PHILADELPHIA, PA 19114
P: 215-612-4000
F: 215-612-4839
WWW.ARIAHEALTH.ORG

KATHLEEN KINSLOW, CRNA, EdD, MBA
PRESIDENT AND CEO

November 4, 2011

Councilman Brian J. O'Neill
City Hall, Room 562
Philadelphia, PA 19107

Dear Councilman O'Neill:

I appreciate your time and assistance over the last week regarding the New Emergency Department and Patient Tower Project at the Aria Health Torresdale Campus. As agreed, we will adhere to the following plan for ingress and egress onto and from the Torresdale campus:

- Once the new Knights Road point of ingress/egress is open we intend to close and discontinue regular use of the existing Red Lion Road entrance.

- During winter months, in the event of inclement weather which impacts the safe use of the Knights Road/Ellicott point of ingress/egress, we will temporarily reopen and utilize the Red Lion Road entrance to ensure safe campus access for staff, visitors and patients and ready community access to needed medical care.

- Prior to the 2012/2013 winter season, the new subsurface radiant heating system will be in place at the Knights Road/Ellicott point of ingress/egress. This system will further enhance safe ingress and egress, notwithstanding weather conditions and eliminate the need to temporarily reopen the Red Lion Road entrance.

- We will remove the Red Lion Road entrance at the time of the new Emergency Room opening.

We hope this meets your expectations and I will personally keep you posted on project progress to ensure the above strategy is achieved.

Sincerely,

Ronald Kumor, CRNA, MBA
Chief Operating Officer

EXHIBIT "9A"

Testimony of the Subcommittee of the Chestnut Hill Community Association
Regarding Zoning Bills 110762, 110763 and 110764

Presented to the Philadelphia City Planning Commission
November 15, 2011

My name is Joyce Lenhardt and I represent the Land Use Planning and Zoning Committee known as the LUPZ of the Chestnut Hill Community Association. Last summer, in response to Bowman Properties proposal to develop the 8200 block of Germantown Avenue, the LUPZ created a subcommittee comprised of community representatives and near neighbors. They include three registered architects, two certified planners (one of whom is a professor of planning at the University of Pennsylvania) and various other professionals and neighbor representatives. It is the responsibility of this subcommittee to make recommendations to the Community Association via the LUPZ regarding this development proposal. We are still in this negotiating process, which the developer has agreed to complete prior to seeking final approval of the proposed zoning changes. The CHCA Board will make the final statement of the Association's position.

The owner started work on his plan approximately 2½ years ago after the purchase of the property. The subcommittee first met with him and his team on July 25th of this year and six times since. The subcommittee's position from the outset has been to support the mixed-use program. However it is the intensity of the land use which is out of character with the surrounding community that is our primary concern. At the first meeting the subcommittee presented a list of our major concerns regarding the proposed plan and zoning changes. These concerns remain and are as follows:

1. **The conversion of residentially zoned land to commercial** – the rezoning proposal reduces residentially zoned land on the site from 35% to less than 20% and replaces it with commercial zoning next to adjacent homes. Not only are these ratios inconsistent with the rest of the community, they are a disturbing rule change for neighboring homeowners who purchased houses thinking they could count on the adjacent zoning. Importantly, this reduction in residential area places the property below the current trigger point that requires setbacks to extend from the residential along the Hartwell side of the property to Germantown Avenue.

2. **Mass, bulk and height on Shawnee Street** and the proposed change from R-5 to a more intense residential zoning R -10B is of great concern. R-10B zone district is designed for a different, more intense, type of residential development that exists nowhere else in this community.

	Current R-5	Proposed R-10B
Min. lot	2,250 SF	1,440 SF
Min. open area	50%	20%
Max. bldg. height	35'	50'
Max. stories	3	5

There is no precedent for 5 story single family homes in Chestnut Hill.

3. **Mass, bulk and height on Germantown Avenue** – When the developer presented the project back in July, the building was 5 stories. The subcommittee suggested that 4 stories, in keeping with the anticipated new zoning of CMX 2.5 with the Germantown Avenue Overlay which would permit 45 feet would be more appropriate. The developer's current proposal is 6 stories and 67 feet in height. This in an area characterized by 2 and three story buildings.

4. **Minimal or no setbacks or buffers** – the setbacks embedded in existing zoning will disappear with the proposal. The low density residential surrounding the site will not be buffered as current zoning guarantees.

5. **Minimal landscape** – the proposal shows, and the proposed zoning supports, minimal landscape in the neighborhood often characterized as the Garden District of Philadelphia. As a response to the request for more landscaping, the most recent proposal from the developer to our subcommittee proposes the reduction from 85 on site parking spaces to 75 spaces to allow for tree wells instead of parking spaces. This is less than is in his agreement with his tenant and he would like to community to advocate for the additional landscape. While the landscape is an improvement, we have great concerns about asking the adjacent property owners to take the burden of the additional 10 cars on already burdened parking situation.

6. **Public Amenity** - That there be adequate greenways, pedestrian ways and public spaces for such a large project.

7. **Community Development Agreement** – we have requested and the owner has agreed to address physical and environmental impacts of the development in a community development agreement. However, we do not have anything in writing at this time.

In summary, while there has been modest movement by the owner on smaller issues, the major issues apparent from our first meeting remain. The Committee is still trying to negotiate with the owner and therefore cannot make a recommendation to the Board at this time.

Ultimately, I think we all share the goal of bringing a high-quality, mixed-use development project to what is now a vacant car dealership at 8200 Germantown. But this is a complex and changing proposal – we saw changes as recently as last week and one that would benefit from measured negotiation. The entire proceeding could be simplified, and the City would not be asked to engage in spot zoning, if the site were subject to the new zoning ordinance (assuming its passage) under the CMX 2.5 category. This category was designed to address the complexities of mixed use on commercial corridors and their unit blocks. In any case, it would be extremely helpful if the Planning Commission could table consideration of the zoning change proposals in Bills 110762, 110763 and 110764 now before it so that mature discussion can take place and a development that benefits all taxpayers can proceed.

Signed,
Members of the Subcommittee
of the Chestnut Hill Community Association:

Joyce Lenhardt AIA, LEED AP
Chair
LUPZC and CHCA Board Member

John D. Landis, Professor of City and Regional Planning
LUPZC Co-Chair

Greg Woodring, AIA
CHCA Development Review Committee Co-Chair

Matthew Millan AIA, LEED AP
Chestnut Hill Historical Society
Historic District Advisory Committee Representative

Tom Hemphill
CHCA Traffic and Transit Committee Chair

John Beckman, AICP, PP
Neighbor Representative

Lee Foulkrod
Neighbor Representative

Maria Weimken
Neighbor Representative

EXHIBIT "11A"

City Planning Commission Meeting
Tuesday November 15, 2011

Objections to Bill #110761

1. Testimony document
2. June 2008 letter to CPC Mr. Jastrzab
3. June 2008 letter to L&I Chair
4. June 2008 letter to RDA Exec. Dir.
5. Feb. 2005 letter to CPC Mrs. Griffith
6. Apr. 2005 community meeting notice
7. May 2005 community meeting notice
8. List of Community members in attendance
9. Brief summary of zoning/remapping
10. Commonwealth Court Decision

City Planning Commission Meeting
Tuesday November 15,2011

Objections to Bill#110761

First of all, thank you for the opportunity to speak on this issue. You have been provided with some background documents relevant to the objections of bill#110761. This request to rezone 1925-33 W Venango should not be allowed to proceed as presented for several reasons:

1. There has been no proper community discussion concerning the impact of these changes.
2. The mapping documents provided show changes being made to more areas than 1925-33 W Venango.
3. It has not been determined that the R9 classification is the proper zoning classification for this area of land as it relates to an overall community plan. The current C-2 classification was made with the intention to create a community design discussion which would more closely compliment the existing adjacent commercial structure which houses an approved community entity. This lot contains 3 3-story rental properties placed squarely in the middle of an established block of approximately 25 2 story privately owned row-homes.
4. The background documents show that the developer sought and won a variance for this lot which was subsequently vacated by both the Common Pleas and Commonwealth Courts. This bill unfairly disregards the historical and hard work completed by members of the immediately affected community which was done in cooperation with some of your commission employees.
5. The background documents show that there was a request to your commission for assistance in this matter approximately 3 years ago which was not answered. The Tioga community is here again today asking for you to consider that our community has chosen to take an active role in creating a neighborhood of which we can be very proud. What we have learned with the help of your employees is that this accomplishment can be achieved if we are all committed to meet that end. The Tioga community has shown through our actions that we are committed. Other parties have submitted in words, but their actions speak differently. We are asking that this commission take action today and recommend that this bill be reconsidered and taken back to allow the proper community discussion to be held and decision to be made.
6. This bill unfairly disregards the very important process of community planning and design which your commission is charged to uphold.
7. This bill compromises the sincerity of the explanation of "the disregard and disrespect of the desires of the community" which had been previously been forwarded as unintentional. The Tioga community is asking this commission not to take its responsibility lightly and refer this bill back to its presenters with an unfavorable recommendation.

verizon
Verizon Message Center

Thursday, Jun 5 at 12:56 PM

From: "Mr. Hollinger" <ddaddyh@verizon.net>

To: Gary.Jastrzab@phila.gov

Subject: Vacant Property Issue

Monday June 2nd 2008

Gary J. Jastrzab
City Planning Commission
One Parkway 13th Floor
1515 Arch Street
Phila.Pa. 19102

Dear Mr. Jastrzab,

My name is Darryl Hollinger. I reside at 1918 W Pacific St in the Nicetown-Tioga section of the city. I am writing to request your urgent assistance in resolving a community question related to 1925-33 W. Venango St. here in Tioga. This is a lot which was mistakenly included in a current rental development project titled New Life Affordable Housing. The lot at 1925-33 W. Venango St. did not meet the definitions of a vacant lot according to Code 19-2502 section 5(a)(b). The lot does not meet all the criteria necessary for conveyance according to Code 16-404 section 3(a)(a.1) (a.2)(a.3) and section 5(a). The lot at 1925-33 W Venango should be returned to City ownership due to failure of compliance according to Code 16-404 section 6(a)(b).

Mr. Jastrzab, out of respect for your time and patience I will try to surmise the circumstances that beg the question at hand. The lot at 1925-33 W Venango served as a successful community garden but was transferred from The Redevelopment Authority to New Life Affordable Housing on 12/14/2006 under certain terms and conditions (see attached deed). According to the language of this agreement, it is stated that this lot must be improved within 1 year. The language also says that this time could be extended, but not more than 6months. This agreement has surpassed the stated time line and should revert back to City ownership and thus back to community control. There are a number of outstanding circumstances that require explanation and I would gladly elaborate, but I believe that this is the simplest place for you to apply your wisdom in helping to resolve the matter.

Mr. Jastrzab, I am one of a group of concerned and organized residents who do not believe that it is in our best interest to have the use of this lot taken from the community. We have tried to negotiate with the developer of this project TJ Properties for more than 1 year only to learn that these negotiations have appeared

to be mere stall tactics. There is a request before the ZBA requesting a variance change for this lot and I have attached some of the community's objection presented to the ZBA. We believe that even after the ZBA ruling has been rendered, that the question of compliance with Code 16-400 must be answered. I hope that my request is clear enough that you are able to see the purpose of my contacting you. Your most expedient response possible would be greatly appreciated. I can be reached for clarification by whichever of the methods indicated below that you find most appropriate.

Respectfully,
Darryl Hollinger
13th Ward Committeeman
1918 W Pacific St
Phila. Pa. 19140
267-250-8023(C)
ddaddyh@verizon.net

verizon
Verizon Message Center

Thursday, Jun 5 at 12:50 PM

From: "Mr. Hollinger" <ddaddyh@verizon.net>

To: Maria.Q.Sanchez@phila.gov

Subject: Licenses and Inspection Issue

Monday June 2nd 2008

Councilwoman Maria D. Quinones-Sanchez
Licenses and Inspections Committee Chairperson
City Hall Room 592
Phila.Pa.19107-3290

Dear Councilwoman Quinones-Sanchez,

My name is Darryl Hollinger. I reside at 1918 W Pacific St in the Nicetown-Tioga section of the city. I am writing to request your urgent assistance in resolving a community question related to 1925-33 W. Venango St. here in Tioga. This is a lot which was mistakenly included in a current rental development project titled New Life Affordable Housing. The lot at 1925-33 W. Venango St. did not meet the definitions of a vacant lot according to Code 19-2502 section 5(a)(b). The lot does not meet all the criteria necessary for conveyance according to Code 16-404 section 3(a)(a.1)(a.2)(a.3) and section 5(a). The lot at 1925-33 W Venango should be returned to City ownership due to failure of compliance according to Code 16-404 section 6(a)(b).

Councilwoman, out of respect for your time and patience I will try to surmise the circumstances that beg the question at hand. The lot at 1925-33 W Venango served as a successful community garden but was transferred from The Redevelopment Authority to New Life Affordable Housing on 12/14/2006 under certain terms and conditions (see attached deed). According to the language of this agreement, it is stated that this lot must be improved within 1 year. The language also says that this time could be extended, but not more than 6months. This agreement has surpassed the stated time line and should revert back to City ownership and thus back to community control. There are a number of outstanding circumstances that require explanation and I would gladly elaborate, but I believe that this is the simplest place for you to apply your wisdom in helping to resolve the matter.

Councilwoman Quinones-Sanchez, I am one of a group of concerned and organized residents who do not believe that it is in our best interest to have the use of this lot taken from the community. We have tried to negotiate with the developer of this project TJ Properties for more than 1 year only to learn that these negotiations have appeared to be mere stall tactics. There is a request before the ZBA requesting a variance change for this lot and I have attached some of the community's objection

presented to the ZBA. We believe that even after the ZBA ruling has been rendered, that the question of compliance with Code 16-400 must be answered. I hope that my request is clear enough that you are able to see the purpose of my contacting you. Your most expedient response possible would be greatly appreciated. I can be reached for clarification by whichever of the methods indicated below that you find most appropriate.

Respectfully,
Darryl Hollinger
13th Ward Committeeman
1918 W Pacific St
Phila. Pa. 19140
267-250-8023(C)
ddaddyh@verizon.net

verizon
Verizon Message Center

Thursday, Jun 5 at 12:30 PM

From: "Mr. Hollinger" <ddaddyh@verizon.net>

To: michael.koonce@phila.gov

Subject: 1925-33 W Venango

Monday June 2nd 2008

Michael Koonce
Executive Director
The Redevelopment Authority
1234 Market St
16th Floor
Phila.Pa.19107

Dear Mr. Koonce,

My name is Darryl Hollinger. I reside at 1918 W Pacific St in the Nicetown-Tioga section of the city. I am writing to request your urgent assistance in resolving a community question related to 1925-33 W. Venango St. here in Tioga. This is a lot which was mistakenly included in a current rental development project titled New Life Affordable Housing. The lot at 1925-33 W. Venango St. did not meet the definitions of a vacant lot according to Code 19-2502 section 5(a)(b). The lot does not meet all the criteria necessary for conveyance according to Code 16-404 section 3(a)(a.1) (a.2)(a.3) and section 5(a). The lot at 1925-33 W Venango should be returned to City ownership due to failure of compliance according to Code 16-404 section 6(a)(b).

Mr. Koonce, out of respect for your time and patience I will try to surmise the circumstances that beg the question at hand. The lot at 1925-33 W Venango served as a successful community garden but was transferred from The Redevelopment Authority to New Life Affordable Housing on 12/14/2006 under certain terms and conditions (see attached deed). According to the language of this agreement, it is stated that this lot must be improved within 1 year. The language also says that this time could be extended, but not more than 6months. This agreement has surpassed the stated time line and should revert back to City ownership and thus back to community control. There are a number of outstanding circumstances that require explanation and I would gladly elaborate, but I believe that this is the simplest place for you to apply your wisdom in helping to resolve the matter.

Mr. Koonce I am one of a group of concerned and organized residents who do not believe that it is in our best interest to have the use of this lot taken from the community. We have tried to negotiate with the developer of this project TJ Properties for more than 1 year only to learn that these negotiations have appeared

to be mere stall tactics. There is a request before the ZBA requesting a variance change for this lot and I have attached some of the community's objection presented to the ZBA. We believe that even after the ZBA ruling has been rendered, that the question of compliance with Code 16-400 must be answered. I hope that my request is clear enough that you are able to see the purpose of my contacting you. Your most expedient response possible would be greatly appreciated. I can be reached for clarification by whichever of the methods indicated below that you find most appropriate.

Respectfully,
Darryl Hollinger
13th Ward Committeeman
1918 W Pacific St
Phila. Pa. 19140
267-250-8023(C)
ddaddyh@verizon.net

CITY OF PHILADELPHIA
CITY COUNCIL

DONNA REED MILLER
Room 312 City Hall
Philadelphia, Pennsylvania 19107
(215) 686-3424 or 3425
Fax No. (215) 686-1937

COUNCILWOMAN - 8th DISTRICT

CHAIRWOMAN
Public Safety

Vice Chair
Public Property & Public Works
Public Health & Human Services

Member
Committee of the Whole
Appropriations
Commerce & Economic Development
Education
Housing & Homeless
Rules
Streets & Services
Transportation

TO: MAXINE GRIFFITH, EXEC. DIRECTOR
CITY PLANNING COMMISSION

FROM: DONNA REED MILLER
COUNCILWOMAN

DATE: FEBRUARY 3, 2005

SUBJECT: ZONING/REMAPPING OF A PORTION OF THE TIOGA URBAN RENEWAL AREA

As a result of substantial NTI activity in the Tioga area of my 8th Council District, I believe we need to revisit some of the long-existing zoning designations to determine if they are still appropriate as we move into the redevelopment of that area.

I am requesting that you assign someone from the City Planning Commission to work with my Council Office, the relevant community groups and other interested stakeholders to do a zoning/remapping of this area. There is a substantial amount of vacant industrial land which seems to no longer be the appropriate use.

Additionally, a large amount of demolition occurred in this area, and there has been a major effort to create a land bank which my Office is now preparing to redevelop. This zoning/remapping effort is intended to create some design and area guidelines which will allow the community to have substantial input and control over the redevelopment of this vacant land.

Thank you for your continuing cooperation in this important community matter.

CITY OF PHILADELPHIA
CITY COUNCIL

DONNA REED MILLER
Room 312 City Hall
Philadelphia, Pennsylvania 19107
(215) 686-3424 or 3425
Fax No. (215) 686-1937

COUNCILWOMAN - 8th DISTRICT

CHAIRWOMAN
Public Safety

Vice Chair
Public Property & Public Works
Public Health & Human Services

Member
Committee of the Whole
Appropriations
Commerce & Economic Development
Education
Housing & Homeless
Rules
Streets & Services
Transportation

TO: TIOGA RESIDENT

FROM: DONNA REED MILLER
COUNCILWOMAN

DATE: APRIL 20, 2005

SUBJECT: NOTICE OF COMMUNITY MEETING

The next meeting of TIOGA UNITED will be held on Wednesday, April 27th from 6:30 to 8:30 p.m. in the community room of the Venango House at 22nd & Venango.

Representatives from the City Planning Commission will be in attendance to assist with the process of strengthening and stabilizing the land use within the Tioga area. There have been many changes in our neighborhood over this past decade and many of the old parcel designations have been changed or are not longer appropriate. The City Planning Commission, working in conjunction with Tioga United and my City Council Office, is upgrading and modernizing the land use designations for Tioga.

We will take a physical inventory of what currently exists in Tioga and then use that information to better regulate the types of uses and density we allow into our neighborhoods. It is important that we use all available tools to retain community control over development in our neighborhoods.

I have also enclosed a recent article from the Philadelphia Business Journal which expresses some optimism about our community.

enclosure

CITY OF PHILADELPHIA
CITY COUNCIL

DONNA REED MILLER
Room 312 City Hall
Philadelphia, Pennsylvania 19107
(215) 686-3424 or 3425
Fax No. (215) 686-1937

COUNCILWOMAN - 8th DISTRICT

CHAIRWOMAN
Public Safety

Vice Chair
Public Property & Public Works
Public Health & Human Services

Member
Committee of the Whole
Appropriations
Commerce & Economic Development
Education
Housing & Homeless
Rules
Streets & Services
Transportation

TO: COMMUNITY LEADER

FROM: DONNA REED MILLER
COUNCILWOMAN

DATE: MAY 28, 2005

SUBJECT: ZONING/REMAPPING OF TIOGA

I am asking for your assistance with a project being developed in the Tioga Area. As a result of the Neighborhood Transformation Initiative (NTI) and some community dissatisfaction with certain land use options in this area, I have requested that the City Planning Commission, in conjunction with community leaders such as yourself, remap this neighborhood to better strengthen and stabilize the land use within the Tioga area.

At the Allegheny Business Center (2233 West Allegheny Avenue) next Wednesday, April 6th at 3:00 p.m., representatives from the City Planning Commission will begin a training to instruct interested community leaders how to participate in this planning process. If this seems to be something with which you might be interested in working, please plan to attend this session. There have been many changes in our neighborhood over the past two decades, and many of the old parcel designations have been changed or are no longer appropriate.

We will take a physical inventory of what currently exists in Tioga and then use that information to better regulate the types of uses and density we allow into our neighborhoods. It is important that we use all available tools to retain community control over development in our neighborhoods.

Thank you for your participation and support in this important community matter. For further information, contact Tioga United at 215/226-5385.

I have also enclosed a copy of ZONING REMAPPING IN PHILADELPHIA which will give you additional insight into this process.

DARRYL HOLLINGER
CARRRIE KEMP
ROSCOE GILL
BRENDA WILLIS
JAMES WHITE
ALISON GARDNER
DOROTHY BRAY
ALICE MARTIN
BENJAMIN MILLER
SISTER MARGERY LOWERY
C R ROBINSON
IRENE STEWART
EDWIN BROWN
SISTER ANN PROVOST
ESTELLE VAUGHN
ED FRANKLIN
BISHOP GREG MARTIN
VANESSA GRIGGS
GEORGE VAN NORTON
ELLEN DOUGLAS
GEORGEANN RUSSELL
ALBERTA HALL
AL STEWART
RON HINTON
BOBBY WILLIAMS
HERMAN WILLIAMS
VERNON REYNOLDS

ZONING/REMAPPING OF A PORTION OF THE TIOGA URBAN RENEWAL AREA

On February 3rd, 2005 Councilwoman Donna Reed Miller sent a letter to the Philadelphia City Planning Commission requesting that they assign the appropriate staff to work with the Council Office, the relevant community groups and other interested stakeholders to do a zoning/remapping of the Tioga area. This area had not seem any changes in zoning designations since the 1960's.

Several factors drove this process and made it a necessary undertaking.

1. Over 250 vacant properties had been demolished creating a potentially large land bank available for future development.
2. There existed approximately 55 acres of vacant or underutilized industrial land abutting both sides of the old Conrail corridor which comprises the southern boundary of Tioga. Most of these were old vacant factories or industrial land which had become gigantic junkyards with enormous environmental issues.
3. Because of the large size of the housing stock in Tioga, a large percentage of the redevelopment that did come was to convert single family use into multi-family rental. This was having an adverse impact on the type of community we wanted.
4. Several of the old commercial corridors and corner stores had fallen vacant, or were now inhabited by low-end or less desirable commercial uses.

City Planning Staff met with Tioga United on April 27th to explain the remapping process and to talk about the value of modernizing the land use designations for Tioga to give more community control over future redevelopment. A working committee of about 25 Tioga United members was formed, and this group then met to develop several key components that we felt were critical.

1. The vacant general industrial land is being converted to a limited industrial categorization which would still allow manufacturing uses, but would not permit the more egregious open air junkyard-style operations. Conversion to commercial or residential use would also require local zoning approval.
2. Multi-family uses will now be precluded in the old triplex style housing as a matter of right. Conversion to apartments would require local zoning approval.
3. Residential designations will be changed to require less density in any new construction on the now existing vacant land.
4. The majority of the vacant commercial storefronts will be changed to residential. Commercial uses at these locations will require local zoning approval.

Tioga United members did most of the physical inventory over the summer months and turned over this data to the City Planning Commission. After several months of work, City Planning came to the working committee with some proposed maps and recommendations. Numerous revisions were made, parcel by parcel in some cases, and the Legislation is currently being prepared for introduction this month. We will have another community meeting prior to the required January 2006 Public Hearing, and we are expecting final passage in early 2006.

the homes at issue. On September 14, 2007 New Life received conditional approval from PFHA. In December 2006 the City transferred the Property to the Redevelopment Authority who in turn transferred title to New Life. Thereafter, New Life discovered the rezoning and reached out unsuccessfully to the community in hopes of an amicable resolution.

The ZBA conducted public hearings on April 30 and May 21, 2008. Opponents expressed concerns about density and traffic as well as a number of other issues. The community had worked to change the zoning in this area and specifically worked to ensure that single family residential dwellings would be unattached buildings . Thereafter the ZBA granted the variance. Appellant filed this timely appeal.

New Life, through counsel, initially requested that this Court dismiss the appeal in that Appellant failed to follow the original Scheduling Order. In that all parties were given ample opportunity to submit written briefs and present oral argument this Court finds New Life was not prejudiced by the late filings of Appellant. Therefore the Court denies the request of New Life to dismiss this appeal for procedural errors.

DISCUSSION

The court will generally defer to the judgment of the ZBA, but may reverse, affirm, or modify its decision if the court finds that the board committed an abuse of discretion or an error of law. *POA Co. v. Findley Township*, 713 A.2d 70(1998). An abuse of discretion occurs when a material finding is not supported by substantial evidence. *Valley View Civil Assn. V. ZBA*, 462 A.2d 637 (Pa. 1983). Substantial evidence is defined as relevant evidence that a reasonable minds would accept as adequate to support the conclusion

reached. *Id.* If there are no facts to support the variance, then an error of law has been made, and the court may reverse the decision. *Imperial Asphalt Corporation of Pennsylvania Zoning Case*, 59 A.3d 121 (Pa. 1948).

In *East Torresdale Civic Ass'n v. Zoning Board of Adjustments*, 639 A.2d 446 (Pa. 1994), the Pennsylvania Supreme Court identified a three-prong test to determine if a variance should be granted to the applicant: 1. The current ordinance poses a *unique hardship;* 2. The proposed development poses no detriment to the public health, safety and welfare; and 3. The relief requested is the *minimum necessary* to afford relief, resulting in the least modification possible of the regulation at issue. The relief granted should not exceed what is necessary to cure the applicant's alleged hardship.

For a Board to determine that an unnecessary hardship exists, it must be proven with evidence that the property would otherwise be *practically useless. Larsen v. Zoning Board of Adjustment of Pittsburgh,* 672 A.2d at 291 (Pa. 1996). The party seeking the variance must also prove that the hardship is unique or peculiar to the property, as distinguished from a hardship arising from the impact of the zoning regulations on an entire district. *Valley View Civic Ass'n,* 462 A.2d at 640.

This is a classic case of the left hand and the right hand not speaking to each other until it is too late. Appellant is a community based organization and with the assistance of the District Councilperson, worked in conjunction with other groups to have this area rezoned. New Life, a developer hoping to bring affordable housing into the neighborhood, worked with the same City Councilperson to apply for and receive title to a City owned vacant land upon which to build. Although New Life had no written agreement of sale, it is clear from the testimony presented that when New Life began this process the area was zoned R-9. It is also true that the zoning change required public hearings, meetings and notices. Appellant argues that the ZBA made an error of law in granting the variance in that the evidence did not establish that the property was subject to an unnecessary hardship. New Life contends that the doctrine of vested rights should apply and it should not be subject to the C-2 zoning restrictions but allowed to build in accordance with an R-9 zoning. Vested rights is "a

judicial construct designed to provide individual relief in zoning cases involving egregious statutory or bureaucratic inequities....the equitable concept of detrimental reliance." *Highland Park Community Club v. Zoning Board,* 506 A.2d 887, 891 (1986). Appellant contends that the evidence presented by New Life is not sufficient to establish entitlement to a "vested right" and refers to *Whitpain Association v. Whitpain Township* 439 A.2d 13334 (1982), in which the Commonwealth Court found that neither a permit nor analogous permission had been granted and therefore there is no "vested right". In this case City Council approval was necessary only to transfer title to the Property; it did not approve the specifics of the development. After receiving City Council approval for the transfer of title, New Life took the next step: it applied for financing through PFHA. New Life's application with the PFHA referred only to the development of affordable housing. It was not specific in describing the plan to be "seven attached row home dwellings". According this Court finds that New Life failed to establish a "vested right" in the lot prior to the zoning change.

The ZBA found that New Life had established a unique hardship. The record contains substantial evidence upon which to base this conclusion. The Property is vacant and undeveloped. The property is in the middle of the block. Those homes adjacent to the Property are attached dwellings. These findings were based on substantial evidence.

The second prong is whether the proposal would be adverse to the public health, safety and welfare. Although the ZBA received testimony from a number of witnesses concerned about traffic and congestion, New Life presented more than ample evidence to support the ZBA's finding that this proposed development would promote the public health, safety and general welfare of the community. Although the Appellant expressed concern about congestion, the proposed homes would have individual parking and share a driveway. More importantly, Appellant is not against building affordable housing; they simple believe that the requirement to have these homes detached was part and parcel of the zoning change. This of course leads us to the third prong of the review.

ORDER

AND NOW, this day of January, 2010, upon consideration of the record, the Findings and Conclusions of the Board, the memorandum submitted by the parties, and oral argument it is hereby **ORDERED** and **DECREED** that the appeal from the decision of the Zoning Board of Adjustment is **GRANTED** and the decision of the Zoning Board of Adjustment is **VACATED.**

BY THE COURT:

IDEE C. FOX, J.

EXHIBIT "12A"

Nov 15, 2011

Comments to City Planning Commission

by Craig Schelter

Re: Zoning Bill No. 110766 – Repeal of existing Zoning Code and Replacement with new Zoning Code

Good afternoon, Mr. Chairman and members of the commission.

My name is Craig Schelter, here today as executive director of the Development Workshop, Inc. My comments today were endorsed by the regular monthly meeting of DWI yesterday.

I am here to strongly recommend a one word amendment to the new code that we believe has enormous significance. That is removing the word "**not**" to change the meaning of sentence **14- 303 (6) (c)(.3) on page 3-11 or (page 63/403 if viewing on line).**

Sentence currently reads:

(3.) L & I's decision on an application for a conditional zoning approval is not a final decision that may be appealed to the Zoning Board.

This sentence was part of the approval of the **Zoning Code Commission** at their **final meeting Nov 9, 2011.**

The ZCC resolution provided that Executive Director of the Commission, in consultation with the Law Department was authorized to make corrections , clarifications and edits to the Final Report (to City Council) before November 17, 2011.

Without this change, we believe that this new code fails one of its primary objectives and that is to be clear and transparent.

Without this word change this code is not an as–of-right code for any project that will require Civic Design Review. And please know we are not challenging CDR with this recommendation.

Such a condition is absolutely necessary if we, as a city, want to encourage outside investment in Philadelphia .

From the very beginning of this **two-year process, the Development Workshop has sought to balance the code encouraging outside investment and at the same time, protecting neighborhood character.** Similar comments were also made by the Bar Associations real estate committee.

What you may ask are the unintended consequences of the sentence as written?

Briefly, the **entire idea of a conditional permit was to allow a developer or investor to "vest" rights provided they comply with all the new code provisions of a given site's zoning designation in terms of:**

- **Use regulations**

- **Dimensional standards**
- **Applicable floor area bonus provisions**
- **Open space and natural resource protections**
- **Landscaping regulations**
- **Subdivision regulations**
- **Parking regulations**
- **Compliance with any Master Plan**

In other words, no variances from the new code.

To leave the sentence as-is creates **three problems:**

1. **Conditional approval does not vest rights beyond challenge since an appeal is not considered ripe until a final zoning approval is issued.**
2. **Should a zoning examiner refuse to issue the conditional permit, the landowner has no right to challenge the examiner to the Zoning Board of Adjustment. The landowner then, has the choice of whether to change his plan or risk final approval with all the associated costs and uncertainty.**
3. **This discourages outside investment in the city.**

As a compromise to convince the Work Plan Committee of the ZCC, it was suggested by the development community that any site receiving a conditional permit would be posted to give a neighborhood notice separate and apart from the notice and meeting requirements of Civic Design Review.

That change I'm told by two member of the Bar Association real estate committee was included in the approved draft. Removing the word **"no"** from the sentence provides the balance to encourage the outside investment which Philadelphia dearly needs.

Therefore we recommend the Commission's action today include this language modification and removing the word "no" in sparking the word "yes" for outside investment in the city.

Thank you for this opportunity to speak today. I would be happy to answer your questions on the matter.

CENTRAL DELAWARE
ADVOCACY GROUP

November 14, 2011

Via Email
Mr. Alan Greenberger, Chairman
Philadelphia City Planning Commission
One Parkway, 13th Floor, 1515 Arch Street
Philadelphia, Pennsylvania 19102

Re: City Council Bills No 110718/110719/Sugarhouse Casino Phase II Expansion

Dear Planning Commission:

The Central Delaware Advocacy Group would like to advise the Philadelphia City Planning Commission it is opposed to:

Bill No. 110719: "To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the southeasterly side of North Delaware Avenue, the centerline of former Shackamaxon Street, the Pierhead Line of the Delaware River and a line approximately parallel to the centerline of former Shackamaxon Street being a property line located on the southeasterly side of north Delaware Avenue approximately 260 feet north east of the southwesterly side of former Shackamaxon Street and extending from that point to the Pierhead Line of the Delaware River."

CDAG believes that this city council bill and the proposed expansion of the Sugarhouse Casino are contrary to the public good and the intention of the Civic Vision for the Central Delaware. We feel it is a dangerous precedent and misses an opportunity to influence and change the design to be consistent with the goals of the Central Delaware Waterfront Master Plan. Our specific issues of concern are:

Building Massing/Program Arrangement
The current proposals do not disperse the building program across Philadelphia city scale parcels or allow for through traffic within the site. The large structured parking garage and sea of surface parking create a single use of parking that dominates the site.

There is no active street frontage with ground floor retail and commercial uses to enliven Delaware Avenue. The secondary uses of the site currently cannot be accessed without passing through the primary use. Also, the addition of the garage does not appear to reduce the amount of surface parking on the site.

CENTRAL DELAWARE
ADVOCACY GROUP

Reconnect the city to the river's edge
The massing of the proposed designs creates a very large structure along the river, this eliminates the possibility of allowing view corridors through the site to the river and breaking up the mass. The view corridor to the river from Shackamaxon Street is completely blocked by a 95' tall parking structure.

Honor the river
Locating a loading a dock along the waterfront limits the potential for further uses along the river to activate the waterfront and trail.

The large parking garage at the river's edge is not a use that takes advantage of the views out over the river. Further, the ground floor of the garage structure is not animated with retail/commercial uses that would enhance the pedestrian experience while circumnavigating the parking structure via the trail.

Design with nature
The proposals make no note of storm water management or treatment on site. There are no obvious designated areas for regenerating the sites natural ecology and re-naturalizing the river's edge.

The spirit of Philadelphia's Master Plan for the Central Delaware Waterfront is to create a world-class waterfront that will attract Philadelphians and visitors from around the world for future generations, and the Central Delaware Advocacy Group takes the Plan very seriously.

Currently CDAG believes this project does not have acceptable conformance with the Civic Vision for the Central Delaware and is a missed opportunity.

We are asking the Planning Commission to vote against this plan, in its current form, and recognize the scale does not fit in with the Civic Vision and sets a serious precedent for development along the river.

Respectfully Submitted,

The Board of the Central Delaware Advocacy Group

Central Delaware Advocacy Group, P.O. Box 29274, Philadelphia, PA 19125 • 215.351.1122 • www.CentralDelawareAdvocacy.org