

PHILADELPHIA CITY PLANNING COMMISSION
November 20, 2012

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

ABSENT:

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

Chairman Alan Greenberger convened the City Planning Commission Meeting of November 20, 2012 at 1:05pm.

- 1) Approval of the Minutes for the October 16, 2012 meeting.

Upon motion by Ms. Miller, the City Planning Commission approved the minutes for the October 16, 2012 meeting.

- 2) Executive Director's Update

Mr. Jastrzab stated there are a number of items to report.

- **CIVIC DESIGN REVIEW COMMITTEE APPOINTEES**

The first meeting of the CDR Committee was held on November 6. Members were appointed at the end of October. Their members are Nancy Rogo Trainer, Chair, Michael Johns, Anita Toby Lager, Dan Garofalo, Cecil Baker, and Anne Fadullon. There will be no CDR meeting on November 27. The next regularly-scheduled CDR meeting is for Tuesday, January 8, 2013. Submissions for this meeting are due at the PCPC office by Wednesday, December 26, 2012.

- **GREG PASTORE**

Greg Pastore, former Zoning Code Commission member, was recently appointed to the ZBA.

- **NILDA RUIZ TO NATIONAL LISC BOARD**

Local Initiatives Support Corporation (LISC) has elected Nilda Ruiz, to its national board of directors. LISC is a national nonprofit that combines corporate, government, and philanthropic resources to help nonprofit community development corporations revitalize distressed neighborhoods. Since 1994, LISC support has leveraged nearly \$40 billion in total development activity. Congrats to Nilda.

- **RICK REDDING "CIVIC LEADERSHIP" AWARD**

On October 30th, Business Association of West Parkside conferred upon Rick Redding their "Civic Leadership" award, which celebrates an elected or government official who has provided critical leadership for the West Parkside community and Business Association.

ITEMS IN ACCORD WITH PREVIOUS POLICY – LEGISLATIVE BILLS RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

1. **Streets Bill 120817** (Introduced by Councilmember Johnson on October 18, 2012). Time extension for Bill #110436, which authorized the Kimmel Center to operate various encroachments in the right of way of Spruce Street. The PCPC recommended approval for Bill #110436 at its meeting of June 14, 2011.

2. **Zoning Bill 120875** (Introduced by Councilmember Blackwell on November 1, 2012). Identical in content to Bill 120386, a corrective rezoning action recommended in the West Park District Plan for the Conestoga Rec Center at 52nd and Master Streets (to "REC"). PCPC approved on June 6, 2012. Bill 120875 was introduced with zoning classifications that are in the new zoning code – SPP-OP-A (Special Purpose – Parks & Open Space – Active).
3. **Zoning Bill No. 120920** (Introduced by Councilmember Squilla on November 15, 2012) Identical in content to Bill 110563 which would authorize Wall Wrap for Electric Factory at 7th and Willow. At meeting of October 18, 2011, PCPC recommended that Bill 110563 not be approved. It was passed by Council and vetoed by Mayor. It was not presented for further action by Council.

REDEVELOPMENT AGREEMENTS IN ACCORD WITH REDEVELOPMENT AREA PLANS AND RECOMMENDED FOR ADMINISTRATIVE APPROVAL

1. Redevelopment Agreement with Wesley Cascone for a residential side yard at 2023 E. Susquehanna Ave. in the New Kensington-Fishtown Redevelopment Area.
2. Redevelopment Agreement with BMK Properties LLC for construction of two single-family homes at 1415 and 1419 N. 4th Street in the North Philadelphia Redevelopment Area.

3) Report of the Civic Design Review Committee

Nancy Rogo Trainer, Chair of the Civic Design Review Committee, stated the Committee reviewed 1917-1945 E. Hagert Street for St. Francis Villa Senior Housing, in the East Kensington Neighborhood. The Committee gave feedback to the developer.

Mr. Greenberger asked how was the development response to CDR.

Ms. Rogo Trainer replied it was very positive. It was early in the design for the recommended changes.

4) Action Item: Adoption of the City Planning Commission and Civic Design Review Committee Meeting Calendars for 2013.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Eiding, the City Planning Commission adopted the City Planning Commission and Civic Design Review Committee Meeting Calendars for 2013.

5) Staff Presentation: Update on the *Philadelphia2035* Central and University/Southwest District Plans.

Jennifer Barr, Community Planner, stated she was presenting an update of the Central District Plan for Laura Spina. They are over half way through the Central District Plan. We will have 2 to 3 months for public comments. At the second round of public meetings, we used

maps and play money. The participants worked in teams to determine from a list of selected capital projects which they thought should be given the highest priority. Given a budget of approximately half of the total amount of all the projects, teams had to work together to determine which projects to fully fund, partially fund or not fund at all. The results provide staff with a fairly good understanding on what specific projects residents desire and what they believe are needed to make the Central District a better place in which to live, work and visit. The topics were transportation and parks and recs. There is a summary online that will be more in-depth. Under Thrive, there were 2 popular projects: 1) new buildings for the Police Districts; and 2) arts and cultural institutions. They also support a 3rd project for Rec Centers. There were a couple of big ticket items that got support. Under Connect, the projects were for bike lanes, pedestrian lanes, real time signage, updating the City Hall station, and public transit. Under Renew, the projects were for the Schuylkill River Trail, the Delaware River Trail, and the Reading Viaduct. During the Lightning Round, we asked them to finish the following statements:

- 1) "I would visit and use public space more if they had:" The overwhelming response was "food vendors and cafes".
- 2) "I would sacrifice an on-street parking space for:" They responded for "bike corral" or "pedestrian space".
- 3) "City-owned property that is vacant should be:" The responses were 36% said it "should be sold to the highest bidder for money", and 30 % said it "should be used as a community garden".
- 4) "A visitor's experience would best be improved by:" The response was "real time information for transit".

The next few months we will refine recommendations. The last round of public meetings will be the end of February with an open house, and then presenting the draft plan in March. In June, it will be presented to the Commission for adoption.

Ms. Rogo Trainer replied she loves the way they got public feedback.

Ms. Barr replied we have been trying to do more questions focusing on children and family.

Andrew Meloney, West Philadelphia Planner, stated the University/Southwest District Plan is west of Center City, and goes all the way down Cobbs Creek Parkway. There are a good amount of green spaces. There have been significant changes in population over the years. Good amount of growth around the university. They try to keep homeownership at a reasonably level. Land Use in the area – large amount of residential and civic duty uses. Industrial uses are 5%. Industrial zoning is 18.3%. As for Economic Development, it is very good use for jobs in the City. They are seeing a significant amount of development around University City. We see a large number of people walking or riding bikes here. Some of the largest public transit is here with the Market Frankford El, Route 34 and 15 Buses. They had the highest turn out for a District Plan. At 40th and Walnut there is a fresh grocer and a theater. They also have the Kingsessing Rec Center. The barriers are the superblocks R3 and R1.

6) Information Only: Lower Schuylkill Master Plan

Tom Dalfo, PIDC, stated for the past year they have been working closely with the City on the Lower Schuylkill Master Plan. Why issues looking at Lower Schuylkill? Two years ago, his organization looked at this site for industrial. The *Philadelphia2035* also marks this area as industrial. It has been overlooked for a long time. The Lower Schuylkill is bordered by University and Woodland Avenues to the north, I-95 to the south, the Schuylkill Expressway to the east, and Island Avenue and Lindbergh Boulevard to the west. This area is about 95% industrial uses. The goals they established, coming out of this plan, are: 1) jobs; 2) opportunities to extend the trail; 3) improve environmental conditions and development potential through site remediation, new open space and stormwater infrastructure; and 4) physically and thematically connect to nearby growth areas in University City, the refinery complex and the airport. There are 3,700 acres of historically industrial land. Most is zoned industrial. Primary uses are: refining, utilities, freight rail, transportation and scrapyards. There is limited residential. They have broken it into 3 sections; Innovation District, energy corridor, and Logistics Hub. The south and west portions are closer to airport. There was one adjustment in August from Sunoco. Sunovo and Carlyle formed a joint venture called Philadelphia Energy Solutions. PES will operate refinery and develop new business. Major interventions are: new circulator roads, integrated trails and open space network, and comprehensive approach to stormwater management. There are 3 river crossings, use river road concept. Long term period can dramatically improve this area. Next major intervention is the trails start at north end. Grays Ferry to Fort Mifflin. They are working with Parks and Recs. Pilot Program to address a more comprehensive plan to improve 34th Street connection for I-76, and refinery; explore new bridge at 58th Street. The Innovation District is working with PennDot. Twenty-five plus year plan: initial focus on Innovation District; Logistics Campus, and energy corridor. He noted Kate McNamara and Danielle DiLeo Kim for all of their work.

Mr. Greenberger asked when would it come back to the Philadelphia City Planning Commission.

Mr. Dalfo replied in January.

Ms. Ruiz asked if the access to the Schuylkill refinery is public access.

Mr. Dalfo replied that is an issue.

7) Action Item: ZBA Calendar No. 19048: Development of a 7-story medical building at Penn Presbyterian Medical Center, 3800 Powelton Avenue.

Larissa Klevan, Development Planning Division, stated the ZBA heard this on October 24, 2012. It is bounded by Powelton Avenue, N. 38th, Filbert, and N. Sloan Streets. It is zoned "R-9" Residential. Penn Presbyterian Medical Center proposes to construct the Penn Presbyterian Advanced Care Hospital Pavilion Project, a seven-story building, approximately one hundred and twenty-three feet tall, with a helipad with two loading areas and a new patient and ambulance drop off area. The new structure will house expanded and upgraded emergency services and increased critical care and surgical services. The ambulance drop-off will be on Powelton. It is in line with our goals in the *Philadelphia2035* Plan. The City Planning Commission staff recommends support the granting of the certificate.

Ms. Klevan replied that overall the community has responded positive to this issue.

Mr. Greenberger replied this came in relative to the new Zoning Code. We asked ZBA to delay it. He apologizes on their behalf.

Ms. Rogo Trainer asked if it is street friendly.

Ms. Klevan replied they have some elements to make it more street friendly. They added additional windows.

Ms. Rogo Trainer asked do these renderings reflect those final changes.

Richard Fay, University of Penn Health System's Project Manager for Real Estate Design and Construction, stated we made that street come more alive to open it for the public. We set-back the corner and used greening. We did this with the community.

Mr. Greenberger told him don't let this process get backward again.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved ZBA Calendar No. 19048.

- 8) Action Item: Zoning Bill 120878: Remapping the area bounded by Kensington, Torresdale, and Hunting Park Avenues, and Jasper and Pike Streets from RSA-2 to CMX-3 for the development of 52 affordable senior housing units (Introduced by Councilmember Squilla on November 1, 2012).

Ms. Klevan stated this bill proposes to rezone the property within the block bounded by Torresdale Avenue, East Hunting Park Avenue, Jasper Street, East Pike Street and Kensington Avenue from "RSA-2" Residential to "CMX-3" Commercial. This site contains the building that was previously used as North Catholic High School and the accessory rectory. The developer proposes to reuse the rectory for 52 affordable senior housing units. There will also be approximately 20 parking spaces allocated on site for the senior housing units. We feel that this zoning is in line with our *Philadelphia2035* Plan. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked about the parking spaces required by the code.

Ms. Klevan replied they will be sharing the parking lot with the school.

Jeffrey Long, Director of Development for Ingerman, stated it will be 50 to 52 low income affordable housing units for age 62. It will be for all senior units, whose incomes are 20%.

Ms. Ruiz asked what is in the area.

Mr. Long replied there are Walgreens and a CVS nearby, the Erie/Torresdale El stations, Dunkin Donuts, McDonalds, and retail on Kensington Avenue. The larger building is being redeveloped to be a Charter School.

Upon motion by Ms. Miller, seconded by Ms. Thompson, the City Planning Commission approved Zoning Bill 120878.

- 9) Action Item: Zoning Bill 120879: Remapping the area bounded by Reed Street, Christopher Columbus Boulevard, the former Washington Avenue centerline, and the Delaware River from I-2 and I-P to CMX-3 (Introduced by Councilmember Squilla on November 1, 2012).

Martin Gregorski, Development Planning Division, stated this bill is for 1301 S. Christopher Columbus Boulevard., in the area bounded by Reed Street, Christopher Columbus Boulevard., the former Washington Avenue centerline and the Delaware River. It is the Metal Workers Union Hall site, and Comcast is on the southern edge. It is zoned "I-2" Medium Industrial and "I-P" Port industrial zoning to a new designation of "CMX3" Community Commercial Mixed-Use. We don't have any site plans. The Philadelphia City Planning Commission has looked at numerous sites along this area. Once it becomes Industrial, it will need POD approval. It is supported by *Philadelphia2035* Plan. The City Planning Commission staff recommendation is approval.

Mr. Greenberger replied they have support from the Sheet Metal Works for the Central Delaware Master Plan. Is CMX-3 consistent along Delaware Avenue.

Mr. Gregorski replied yes.

Mr. Eiding asked if there are piers there.

Mr. Gregorski replied yes, it is included in the rezoning.

Mr. Greenberger replied he doesn't remember which one is which. Most of these piers are in very sorry shape.

Mr. Eiding replied when Mayor Rendell proposed riverboat gambling. It was one of these sites.

Mr. Gregorski replied gaming is not permitted here.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved the Zoning Bill 120879.

- 10) Action Item: Zoning Bill 120889: Amending the Zoning Code by changing the requirements for the establishment of Registered Community Organizations (CROs), the parameters and expectations of RCO notification, and the composition of the Civic Design Review Committee (Introduced by Councilmember Blackwell on November 14, 2012).

Eva Gladstein, Deputy Director of the Philadelphia City Planning Commission, stated Bill 120889 is for the RCO in the new Zoning Code. The new Zoning Code, which was approved in December 2011, and went into effect on August 22, 2012. We reported to you on the RCO process this past June. The first change deals with content in the Zoning Code and also the Philadelphia City Planning Commission's regulations. The second set of changes is for

near neighbors. The applicants would give not just to RCOs, but also to near neighbors, good faith written notification. The same would be repeated to RCOs for their public meetings, if the area expands 2 blocks on each side. The next change is requirement of public meetings. We have several areas in the City that have more than 1 RCO in the area. Councilperson should determine whether the applicant should meet with 1 RCO or both RCOs in the area. Changes would say if more than 1 RCO, then each would get a seat on CDR Committee. This has seen several forms of changes. This Bill is scheduled for a Rules Committee hearing on December 4 at 9am. Rather than have Philadelphia2035, we had referred to the Home Rule Charter. The Administration is required to provide a one-year report to City Council in which we will note issues raised by the new code and recommend changes. We would prefer to be able to monitor the RCO system over a longer period of time prior to making such dramatic changes. Some of these provisions upset the careful balance that the new zoning code strikes between the desire of developers for a predictable and efficient process with the desire of residents for notice and input. It is important to keep in mind that the RCO system is a supplement to an enhanced system of public notice required by the new zoning code. In addition, we believe that it is beneficial to encourage the local RCOs to coordinate their efforts. Finally, we believe that some of the requirements will pose logistical difficulties. The majority of zoning applicants are ordinary homeowners seeking to make improvements to his or her home, and the new notice requirements and potential for multiple meetings with RCOs could pose an undue burden. The City Planning Commission staff recommendation is not to approve this Bill.

Mr. Greenberger replied we are talking to Councilmember Blackwell, and trying to see what we can accommodate.

Ms. Rogo Trainer replied that is what we are trying to do with CDR.

Mr. Greenberger replied having a representative on the Committee is better than being part of the audience.

Ms. Gladstein replied there was a 2 hour meeting at City Council. Notification to the public is a concern.

Mr. Greenberger replied Councilmember Greenlee has big clean-up Bills.

Craig Schelter, Development Workshop, replied regarding Bill 120889, the Development Workshop has accepted it the same time Councilmember Blackwell. We have asked the Philadelphia City Planning Commission to streamline this process. It would be very hard to know about 50% vacancy. It creates an unwieldy CDR Committee, as we witnessed. The RCO member gave insights. Finally, it would leave the applicant out of the RCO process. We would like to see this tabled. We would not be in favor of this Bill, if you feel that staff has done all they could.

Ms. Gladstein asked him if he was suggesting 45 day extension.

Mr. Schelter replied yes.

Mr. Syrnick replied if we tabled it, Council could still pass it; with 45 days they couldn't.

Mr. Jastrzab replied the Bill could not be passed with the 45 day extension.

Mr. Lee replied we could disapprove it, and let Council take it up.

Ms. Gladstein replied when we were looking at this as a clean-up Bill, we asked her to wait. We don't know what the problems are, and we would like to wait.

Ms. Ruiz asked if you get the extra 45 days, will you have enough time to talk about it.

Mr. Greenberger replied we do understand the concerns.

Ms. Miller asked could we hold it.

Mr. Greenberger replied yes.

Upon motion by Ms. Rogo Trainer, seconded by Mr. Abernathy, the City Planning Commission disapproved Zoning Bill 120889.

Mr. Greenberger stated that we are going to skip over item 11 and go right to item 12. Then we will go back to item 11.

- 12) Zoning Code Amendments for Neighborhood Commercial Corridors (Introduced by Councilmember O'Neill on November 14, 2012):
 - a. Action Item: Zoning Bill 120916: Creating a new commercial mixed-use district, CMX-2.2, with uses consistent with the Code as adopted in December 2011;
 - b. Action Item: Zoning Bill 120917: Removes twelve uses in CMX-2.5, and replaces them with standards consistent with the old Zoning Code, reducing the height limit from 55 ft. to 38 ft., and removing the requirement that buildings be built to the front lot line.

Ms. Gladstein stated basically we are dealing with 2 mixed-use Districts, and creating a third Industrial mixed-use District. A third of the City is zoned CMX-2. This Bill rolls back 15 of those uses, and makes it consistent with the old code. It would not be automatic as in the new Zoning Code. One of the examples is for animal services – they would not be able to have pet supply stores. There is a CMX-2.5 new District that we created. We were trying to simplify the Code. None of them are in the 10th Council District. The change to CMX-2.5 reduces the uses, height, and we had a requirement to build a lot line. We didn't see this legislation until Thursday. What we have seen previously was different. We haven't had the ability to discuss it. The City Planning Commission staff recommendation for a 45 day extension.

Mr. Greenberger replied we haven't had a chance to study or discuss it. It would affect the entire City. We think it does harm to what we were trying to do.

Ms. Gladstein re-plied this is citywide changes, and it would not greatly affect Councilmember O'Neill's District.

Mr. Abernathy asked did he give any concerns for these changes.

Ms. Gladstein replied he didn't give us feedback, but he is concerned with auto supply shops.

Mr. Eiding asked why don't we say disapproval.

Mr. Greenberger replied it has a December 4th hearing. They can't move it out of Committee. We don't want to move it out of Committee.

Upon motion by Ms. Ruiz, seconded by Mr. Eiding, the City Planning Commission approved Streets Bill 120649.

Sally McCabe, from the Horticulture Society, replied we help people establish community gardens. We would like to oppose Bill 120917, which would prohibit community gardens. This Bill threatens our neighborhood gardens.

Joyce, from the Public Interest Initiative, stated she wanted to register their objection to Bills 120916 and 120917. About one-third of the urban gardens would be impacted by these amendments. It would put a burden on the gardeners and small businesses.

Gabriel Gottlieb replied he disagrees with lowering the height limit.

Mr. Schelter replied back to item 10, the Ordinance was not considered pending until the Ordinance had a hearing. The thing that keeps Council from hearing, keep it out. But he doesn't know how long it runs.

Ms. Thompson left at 3:02.

- 11) Action Item: Zoning Bill 120897: Authorizing concurrent reviews for projects that require both Civic Design Review and Zoning Board approvals (Introduced by Councilmember Henon on November 14, 2012).

Ms. Gladstein stated L&I can accept the application and tell you to go to CDR and ZBA. You have to go to CDR to find out if you have to go to ZBA for variance. This gives the applicant the ZBA timeline to start it. This bill will help streamline the development approval process for projects that require both Civic Design Review and Zoning Board approvals by permitting the zoning applicant to initiate both types of reviews concurrently. The new zoning code currently prohibits the Department of Licenses and Inspections (L&I) from issuing an approval, refusal, or referral until the Civic Design Review (CDR) process has been completed. This bill would allow L&I, upon the request of the zoning applicant, to issue a refusal or referral prior to CDR completion. The issuance of the refusal or referral will allow the zoning applicant to complete an appeal and initiate the timeline for Zoning Board review. However, the Zoning Board will still have to wait for completion of the Civic Design Review prior to holding its hearing. This new provision complements several other existing processes that are available to the applicant to expedite the review. The applicant can request an expedited review by L&I; the standard for this review is five days, instead of the customary 30-day review period. In addition, the applicant can request an expedited hearing in front of the Zoning Board. This hearing is scheduled at the ZBA's first available date. While this latter practice has been operational for some time, and is frequently used, Bill 120897 adds language to the

Administrative Code regarding the timing of the ZBA hearing. We work with L&I and the Law Department. We believe it does support the Home Rule Charter, and it may help CDR. The City Planning Commission staff recommendation is approval.

Mr. Lee replied this sounds like a great idea. Is there a timeline for the developer after the CDR meeting?

Ms. Gladstein replied it would be up to the applicant.

Mr. Schelter submitted testimony (see "Exhibit 11") He replied the intent of the Bill is to streamline the development approval process for projects that require both Civic Design Review and Zoning Board of Adjustment approvals by permitting the zoning applicant to initiate the ZBA review early in the process, rather than waiting for the completion of the Civic Design Review process. We think this Bill is a step in the right direction, but it needs more work on it. Going back to June, there was a provision that said 150 days, but it doesn't state is it the day the applicant goes into L&I or the day of the CDR meeting. We would like to work with the Philadelphia City Planning Commission staff and Henon's staff on it.

Ms. Rogo Trainer replied there are other ways to work on this.

Mr. Schelter replied when our membership worked it out going through it, it could take up to 270 days, and that is too long. There are ways to make it shorter. There were some who were trying to get it down to 90 days. That can't be done.

Ms. Ruiz asked what happens if they go to the ZBA.

Ms. Gladstein replied they can't go to ZBA without the CDR.

Mr. Greenberger replied they could get a date, but they still need to go before CDR first.

Ms. Gladstein asked Mr. Schelter if he was aware of other projects that need both CDR and ZBA variances.

Mr. Schelter replied his sense is a developer and an architect, coming before you, would need to know.

Mr. Greenberger replied the things Craig is talking about, will be coming back.

Upon motion by Mr. Lee seconded by Ms. Ruiz, the City Planning Commission approved Zoning Bill 120897. Ms. Rogo Trainer opposed it.

- 13) Delaware River Trail:
 - a. *Information Only*: Overview of the Delaware River Trail
 - b. Action Item: Streets Bill 120661: Revising the lines and grades of Delaware Avenue from Spring Garden Street northwest to Ellen Street, and Penn Street from Delaware Avenue northwest to Ellen Street, for a pedestrian and bicycle trail (Introduced by Councilmember Squilla on September 13, 2012).
 - c. Action Item: Penn Street Sidewalk Trail from Delaware Avenue northwest to Ellen Street.

Mr. Lee recused himself.

Karen Thompson, DRWC, stated this is an information only item. We are working on the conceptual plan, and are planning to take it to the next level. This is the northern section from Spring Garden to Penn Street to SugarHouse.

Sarah Chiu, Development Planning Division, stated she had taken Streets Bill 120661 last month to the Planning Commission. This Bill revises the lines and grades of Delaware Avenue from Spring Garden Street northwest to Ellen Street and Penn Street. This Bill would reduce the cartway width to 33 feet wide, and the proposed sidewalk will be 28 feet on Delaware Avenue. The trail would continue northbound on Penn Street. Penn Street sidewalk would become 26 ft. wide for the pedestrian and bike trail. The City Planning Commission staff recommendation is approval.

Deborah Schaaf, Strategic Planning and Policy Division, stated the Penn Street Sidewalk Trail from Delaware Avenue northwest to Ellen Street. This sidewalk trail is different than the previous 2 sidewalk trails the Commission has seen. There would be 2 sections of the sidewalk to be converted to the sidewalk trail. They are: Delaware Avenue (east side) from Spring Garden Street to Penn Street; and Penn Street (south side) from Delaware Avenue to Ellen Street, would be for trucking for the brewery. We are recommending that the existing tree pits at pinch points in the middle of the Delaware Avenue sidewalk have tree grates installed to increase minimum clear width of the pedestrian path. The City Planning Commission staff recommendation is approval with the condition that tree grates be installed for the trees in center of the sidewalk.

Mr. Syrnick asked if the Streets Department seen it.

Charles Denny, Senior Engineer, replied yes, and we have approved it.

Upon motion by Mr. Syrnick, seconded by Mr. Eiding, the City Planning Commission approved Streets Bill 120661 and the Penn Street Sidewalk Trail.

- 14) Action Item: Streets Bill 120826: Authorizing Lucky 13 Pub, LLC to construct, own and maintain an open-air sidewalk café at 1820 S. 13th Street near Passyunk Avenue (Introduced by Councilmember Squilla on October 18, 2012).

Ms. Chiu stated this action the purpose of this Bill is to allow the owner to operate an open-air sidewalk café at 1820 S 13th Street. The developer is proposing an open air sidewalk café, including the following:

- 1) One (1) table and three (3) chairs will be located adjacent to the building and will encroach approximately four feet two inches (4'-2") onto the west footway of S. 13th Street;
- 2) One (1) table and two (2) chairs will be located along the curblineline and will encroach approximately four (4) feet onto the west footway of S. 13th Street leaving a minimum five (5) feet of clear unobstructed footway;
- 3) No rails will be used;

- 4) Curbside seating shall be in accordance with The Philadelphia Code and/or regulations.

The existing sidewalk width at this location is 11'-6", the closest distance between the existing cellar door and the table is approximately 5', which is less than the minimum pedestrian passageway that we would recommend for. The City Planning Commission staff recommendation is approval with the following amendment: to allow 2 tables and 4 chairs to be located adjacent to the building and to encroach approximately 5 feet onto the west footway of S. 13th Street, leaving 6 feet clear and unobstructed footway for pedestrians.

Upon motion by Ms. Ruiz, seconded by Mr. Abernathy, the City Planning Commission supports staff's recommendation for Street Bill 120826. Mr. Syrnick opposed it.

- 15) Action Item: Streets Bill 120856: Revising the lines and grades by striking Woodbine Avenue from Belmont to Hayes Avenues and 49th Street (Introduced by Councilmember Jones on October 25, 2012).

Ms. Chiu stated the purpose of this Bill is to strike and vacate Woodbine Avenue from Belmont to Hayes Avenues and 49th Street. It is a paper street. This block of Woodbine Avenue is neither currently paved nor open to public traffic. The developer is proposing to facilitate Inglis Housing's expansion proposal, which will include 2 new buildings of 80 residential dwelling units with accessory use. The City Planning Commission staff recommendation is approval.

Mr. Syrnick replied it goes through the golf course. Are they happy with this?

Ms. Chiu replied yes, they are working with them.

Kevin Kelly, management, replied we purchased this property when it had 110 units. We demolished it. Phase I is 4 units, and we would appreciate your approval.

Upon motion by Mr. Eiding, seconded by Mr. Abernathy, the City Planning Commission approved Streets Bill 120856.

- 16) Action Item: Streets Bill 120876: Striking a ten-foot wide portion of the west side of 21st Street, from Race to Spring Streets (Introduced by Councilmember Greenlee for Council President Clarke on November 1, 2012).

Ms. Chiu stated the purpose is to strike the unopened westerly 10 foot wide portion of 21st Street from the City Plan. This action will result in the City Plan conforming to existing physical conditions – the location of the existing curb and the line of the existing buildings as constructed will not change. It would clean it up. This action will facilitate plans for the construction of 8-single family dwelling development along the north side of Race Street, between 21st and Van Pelt Streets. This is the former Please Touch Museum site. The development proposal has had a hearing at ZBA. The City Planning Commission staff recommendation is approval.

Ron Patterson, Esq. representing Penn Realty stated they found out about it when they went to file the paperwork. It was established by a 1929 Ordinance.

Upon motion by Ms. Miller, seconded by Mr. Eiding, the City Planning Commission approved Streets Bill 120876.

Mr. Greenberger adjourned the City Planning Commission Meeting of November 20, 2012 at 3:45pm.

SUMMARY

1. Approval of the Minutes for the October 16, 2012 meeting. Approved
2. Executive Director's Update.
3. Report of the Civic Design Review Committee (Presented by Nancy Rogo Trainer) Reported
4. Action Item: Adoption of the City Planning Commission and Civic Design Review Committee Meeting calendars for 2013 Adopted
5. Staff Presentation: Update on the *Philadelphia2035* Central and University/Southwest District Plans (Presented by Jennifer Barr for Laura Spina and Andrew Meloney). Presented
6. Information Only: Lower Schuylkill Master Plan (Presented by Thomas Dalfo, PIDC).
7. Action Item: ZBA Calendar No. 19048: Development of a 7-story medical building at Penn Presbyterian Medical Center, 3800 Powelton Avenue (Presented by Larissa Klevan). Support the development as proposed & variance requests be given favorable consideration
8. Action Item: Zoning Bill 120878: Remapping the area bounded by Kensington, Torresdale, and Hunting Park Avenues, and Jasper and Pike Streets from RSA-2 to CMX-3 for the development of 52 affordable senior housing units (Introduced by Councilmember Squilla on 11-11-12; Presented by Larissa Klevan). Approved
9. Action Item: Zoning Bill 120879: Remapping the area bounded by Reed Street, Christopher Columbus Boulevard, the former Washington Avenue centerline, and the Delaware River from I-2 and I-P to CMX-3 (Introduced by Councilmember Squilla on 11-1-12; Presented by Martin Gregorski) Approved
10. Action Item: Zoning Bill 120889: Amending the Zoning Code by changing the requirements for the establishment of Registered Community Organizations (RCOs), the parameters and expectations of RCO notification, and the composition of the Civic Design Review Committee (Introduced by Councilmember Blackwell on 11-14-12; Presented by Eva Gladstein). Not be approved
11. Action Item: Zoning Bill 120897: Authorizing concurrent reviews for projects that require both Civic Design Review and Zoning Board approvals (Introduced by Councilmember Henon on 11-14-12; Presented by Eva Gladstein). Approved as amended

12. Zoning Code Amendments for Neighborhood Commercial Corridors
(Introduced by Councilmember O'Neill on 11-14-12; Presented by Eva Gladstein):
 - a. Action Item: Zoning Bill 120916: To create a new commercial mixed-use district, CMX-2.2, with uses consistent with the Code as adopted in December 2011; 45-day extension
 - b. Action Item: Zoning Bill 120917: To remove twelve uses in CMX-2.5, and replace them with standards consistent with the old Zoning Code, reducing the height limit from 55 ft. to 38 ft., and removing the requirement that buildings be built to the front lot line. 45-day extension

13. Delaware River Trail:
 - a. Information Only: Overview of the Delaware River Trail (Karen Thompson, DRWC) Presentation
 - b. Action Item: Streets Bill 120661: Revising the lines and grades of Delaware Avenue from Spring Garden Street northwest to Ellen Street, and Penn Street from Delaware Avenue northwest to Ellen Street, for a pedestrian and bicycle trail (Introduced by Councilmember Squilla on 9-13-12; Presented by Sarah Chiu). Approved
 - c. Action Item: Penn Street Sidewalk Trail from Delaware Avenue northwest to Ellen Street (Presented by Deborah Schaaf). Approved

14. Action Item: Streets Bill 120826: Authorizing Lucky 13 Pub LLC to construct, own, and maintain an open-air sidewalk café at 1820 S. 13th Street near Passyunk Avenue (Introduced by Councilmember Squilla on 10-18-12; Presented by Sarah Chiu). Approved as amended

15. Action Item: Streets Bill 120856: Revising the lines and grades by striking Woodbine Avenue from Belmont to Hayes Avenues and 49th Street (Introduced by Councilman Jones on 10-25-12; Presented by Sarah Chiu). Approved

16. Action Item: Streets Bill 120876: Striking a ten-foot wide portion of the west side of 21st Street, from Race to Spring Streets (Introduced by Councilmember Greenlee for Council President Clarke on 11-1-12; Presented by Sarah Chiu). Approved

"EXHIBIT 11"

Development Workshop Comments

Bill 120897

City Planning Commission

November 20, 2012

Craig Schelter

Good afternoon ladies and gentlemen.

Again for the record, I am here today on behalf of the Development Workshop to make brief comments about Bill 120897.

The intent of this bill is to streamline the development approval process for projects that require both Civic Design Review and Zoning Board of Adjustment approvals by permitting the zoning applicant to initiate the ZBA review early in the review process, rather than waiting for the completion of the Civic Design Review process.

We think the bill as drafted is a step in the right direction. However this bill as presently drafted is an over simplification of the process that requires more detail.

The procedure in the new zoning code is crafted much "more like a Swiss watch than an hourglass".

We need to continue working with the City Planning Commission staff and Council Henon's staff to detail that process.

Our objective is to hopefully reach a point where we codify "the Proposed Schedule for Accelerated Review Process for Projects Triggering Civic Design Review and Requiring a Variance or Special Exception" from the Zoning Board of Adjustment (ZBA).

Enclosed are copies of that timeframe that we have previously shared with the City Planning Commission staff and Councilman Henon and his staff.

The clearer the process, the sooner we are able to put people to work creating the jobs that this city needs to expand its tax base.

Thank you.

Proposed Schedule for Accelerated Review Process for Projects Triggering Civic Design Review and Requiring a Variance or Special Exception

- Day 1: Applicant files zoning application and request for acceleration with Department of Licenses and Inspections (“L&I”), along with certification that Civic Design Review applies, and pays applicable fees.
- **Day 10:** L&I determines whether zoning relief is required and whether Civic Design Review applies. If warranted, L&I issues a notice of refusal or referral and sets ZBA hearing date within 120 days of filing of application. Planning Commission schedules CDR meeting within 60 days of filing of application.
- Day 17: Applicant provides required notice to any applicable Registered Community Organization (“RCO”) and applicant and RCO meet thereafter.
- Applicant shall submit materials required for Civic Design Review in accordance with the Planning Commission requirements.
- Day 55: Applicant and the RCO provide written documentation of their meeting (or good faith efforts to meet) to the Civic Design Review Committee.
- Day 70: Civic Design Review Committee meets.
- **Day 90:** Civic Design Review Committee reports to Planning Commission (copies to applicant and RCO).
- Day 99: Applicant posts 21 day public notice of ZBA hearing at property.
- Day 105: ZBA provides 15 day web notice of ZBA hearing.
- **Day 120:** ZBA hearing occurs.