

PHILADELPHIA CITY PLANNING COMMISSION
April 18, 2013

PRESENT: Alan Greenberger, Chairman
Joseph Syrnick, Vice Chairman
Manny Citron, representing Richard Negrin
Patrick J. Eiding
Elizabeth K. Miller
Nilda Ruiz
Saskia Thompson, representing Rob Dubow

ABSENT: Bernard Lee, Esq.
Nancy Rogo Trainer

Executive Director: Gary J. Jastrzab
Acting Deputy Executive Director: Alan Urek

Chair Alan Greenberger convened the City Planning Commission Meeting of April 18, 2013 at 1:11pm.

Mr. Greenberger stated this monthly meeting was changed to this date because of the APA Conference in Chicago. Gary Jastrzab is still in Chicago at O'Hare because of the weather. The Managing Director has a new Chief of Staff. She will be joining us later. Ms. Rogo Trainer is away for two months.

- 1) Approval of the Minutes for the March 19, 2013 meeting.

Upon motion by Ms. Thompson, the City Planning Commission approved the minutes for the March 19, 2013 meeting.

- 2) Executive Director's Update

Alan Urek, Acting Deputy Executive Director, stated we received the APA award on Tuesday for 2013 National Planning Excellence Award for a Best Practice for Philadelphia's Integrated Planning and Zoning Process. We also have a 2 minute film to show you that was shown in Chicago.

- Item #10 has been removed at the request of the applicant.
- **CPI SPRING SEMESTER #6**
We started the 6th semester of The Citizens Planning Institute last Wednesday. That class will graduate in June.
- The Central District Plan draft is available for comments. They are due by May 15.

ITEM RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

REDEVELOPMENT AGREEMENT RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

Redevelopment Agreement with Loonstyn Development, LP, for 530 N. 36th Street; it is in accord with the Mantua Redevelopment Area Plan.

- 3) Staff Presentation: Draft *Philadelphia2035* University/Southwest District Plan.

Andrew Meloney stated this is the draft of the Philadelphia2035 University/Southwest District Plan. We have been working on it since October of 2012. We will have our comment period until June 1, and have final adoption on June 11. We have had meetings with the community, CDC, and City agencies, and stakeholder meetings and exchange meetings in-house. We had 3 public meetings with a total of over 300 people. There are 4 focus areas:

- 1) 40th Street Station – the Market/Frankford El station has seen a lot of changes over the years. Large amount of activity around Lancaster. Good amount of population and activity on the street. At 38th and Lancaster – 2 schools: 1 close and 1 listed for

closing. There is a lot of development for density here. We could have pedestrian walkways and green space.

- 2) 46th Street Station - the Market/Frankford El station above ground – a lot of vacant property. Rezone to CMX3. Propose short term north side of Market and south side – Police Administration Building, low lying stormwater management, and open green space. Farragut Street runs south – needs lighting and fix/replace sidewalks.
- 3) Baltimore Avenue – one of the top destinations from the surveys. Potential development sites. At 53rd and Baltimore: Harrington School, expanding pedestrian plazas, and stormwater management.
- 4) Woodland Avenue – commercial corridor, University Science Center, and Kingessing Rec Center. Major connect to the Lower Schuylkill, roadway improvements, real potential for 49th Street for waterfront.

There are 10 priority recommendations: 5 THRIVE: 1) TOD from 30th to 48th – preserve single family in neighborhood; 2) creating a request for Redevelopment proposal on 58th Street; 3) Connect Cobbs Creek Parkway; 4) scattering of City owned property; updating and creating Redevelopment Area Plans; Potential for 4800 Woodland – roadways; 5) Lower Schuylkill Master Plan – zoning. CONNECT: bus routes to create more of a loop between the University City and Center City; bike friendly streets on Chestnut Street – create a bike land. RENEW: Bartram Mile; and Greenway – 31st and Powelton. We are looking at the passive open space on Market Street. There are some historic buildings in this area. Proposed zoning: single-family – West Powelton, Powelton Village, etc. strengthen the zoning to stay single-family; looking for homeownership; looking to increase density along el. Drexel, Penn, and University Science Center – IDD Districts. Kingessing is a large area. We are looking at re-mapping sections. TOD overlay would expand to 46th Street. East side of TOD overlay anything zoned C5-CMX5 would give it a bonus. Get comments to him at andrew.meloney@phila.gov by June 1. Plan adoption will be on June 11.

Mr. Greenberger replied very thorough presentation. He appreciates it. It is a very sensitive District. It used to be walkaway streets that were turned into roadways. For a city that is so walkable, we have failed to put more density in transit areas. He thanked Andy. They will work closely with Blackwell's office on it.

- 4) Action Item: ZBA Case 20192 for Drexel University, 3400 Lancaster Avenue for a 24-story, mixed-use dormitory structure containing 348 residential units (ZBA hearing date is April 24, 2013).

Paula Brumbelow, Plan Review Division, stated this is a ZBA Case 20192 for Drexel University, 3400 Lancaster Avenue. It is located in University City. It is zoned CMX3 Commercial mixed-use. It is adjacent to Drexel University SP-INS District. They are proposing to construct a 24-story mixed-use tower containing 348 residential units with parking. They were refused for 3 variances: 1) occupy open space; 2) FAR: permitted 500%; proposed 746%; 3) Put in street trees: 27 permitted; 22 proposed. The proposal is to rezone to SP-INS to be part of Drexel. They are putting in a walkable pit around trees. CDR also asked them to put in bike parking on 34th Street. They are proposing 80 onsite parking spaces, loading and a restaurant; an amenity deck will open to the sky. At the March 5 CDR meeting included new graphic for us. CDR recommended to connect it to the street. The dining area is on the corner. There were 3 items from CDR: 1) parking program will serve everyone not just the students; 2) retail – applicant should reconsider the need for a 5-foot wide outdoor terrace above the proposed retail uses on Lancaster Avenue; 3) mid-block pedestrian walkway – connect to

tower. It is consistent with the Philadelphia2035 Plan. The University/SW District Plan recommends that this parcel become part of the Drexel University Master Plan SP-INS District. The City Planning Commission staff recommendation is approval at the ZBA. The applicant and representatives are here.

Jim Curtin, architect for project, describe how the building relates to the street. Lancaster Street façade has been addressed. Materials relate to properties along Lancaster. Great attention has been in widening the street. Terrace on the second floor – setback. Pedestrian movement on site - emphasis made to have safe sidewalk crossing.

Mr. Greenberger asked if the Streets Department didn't like the crossing.

Mr. Curtin replied the second one.

Mr. Syrnick asked what size are the trees you are putting in.

Mr. Curtin replied he doesn't have exact caliber.

Brian Keech, Vice President from Drexel University, replied we would be happy to have you want, and stay true with Parks and Recs.

Paul Boni, land use attorney representing Powelton Civic Association, replied the letter also had an item – why can't the project meet zoning? The Commission is meeting here today because the applicant is meeting with the ZBA. Staff recommendation "approval". What does that mean? Commission would not want variance granted if there is not a hardship. One way to do it is to say project does not have the neighborhood. Project does not meet criteria. The Philadelphia City Planning Commission recommendation is approval as long as all of the other criteria are met. There are issues with this building. Big issues.

Michael Johnson, Chair of the Powelton Civic Association, replied the membership voted on Monday to oppose it. It already has a zoning designation but does not meet it. This building may have 348 residential units. We are not opposed to residential growth. The University has grown. It has already added 2000. We are seeing it across of the residential neighborhood. CDR – balcony overscreen for retail. CDR is asking for a wider sidewalk. There will be 1,300 students, but providing less than parking spaces. There needs to be a provision that the students do no park their cars on my street so that he cannot park his car.

Gabriel Gottlieb, resident of Powelton Village, replied he walks through this intersection regularly. He approves this project. It is one block from Market/Frankford El and 2 blocks from trolley. This is exactly what will keep the students out of Powelton Village. Lancaster is mostly a dead zone at night. At 36th and Lancaster, the stores are closed. If you build this proposal, it will keep students out of Powelton Village. The area is mostly student housing.

Mr. Greenberger addressed the point Mr. Boni made, we are recommending something to the ZBA. He raised interesting question – when we wrote the code, we are not able to remap all of the neighborhoods, so there are going to be situations for things that ought to happen, but have not happened yet. His intentions are that we should tell the ZBA the situation is that we our recommendation is approval for the following reasons... He does believe that the Chair of Powelton Village sees it a different way – to keep the students out of the neighborhoods.

Mr. Johnson replied it is the heart of Powelton Village.

Mr. Greenberger asked are there restrictions for student parking.

Mr. Keech replied no there is not. One of the things we do is encourage them to purchase discount passes from SEPTA. We have an agreement.

Mr. Greenberger replied a better way to understand how parking works on campus. As an architect, a survey was done to find out how many had cars.

Mr. Keech replied he will take that back to President Frye. It is an important recommendation for us to consider.

Mr. Greenberger asked if there are provisions for drop off.

Mr. Keech replied we don't have it at this time, but we are willing to work on it.

Mr. Johnson replied meeting parking restrictions for residential parking.

Ms. Miller replied 351 units. Have you thought about adding additional spaces?

Mr. Keech replied we have parking lots in the area, and we may need to develop more. There are several surface lots in the area.

Ms. Miller replied you don't want to encourage surface parking lots on prime development land.

Mr. Keech replied the SP-INS District defines parking. The University has made a commitment not to build pass it.

Ms. Miller asked is that based on current zoning.

Ms. Brumbelow replied took all of Drexel SP-INS on campus (not all zoned SP-INS) took and added building and parking – they would be a total 8 spaces short.

Mr. Keech replied this project is to be added to our SP-INS District in the future.

Mr. Greenberger replied from his perspective, Drexel has some ambitious plans in the area. He is comfortable where you are now.

Another man replied that Powelton Village has been plagued with absentee landlords. There will be 25 employees on hand to take care of this property.

Mr. Greenberger replied if this terrace is a problem, Drexel and the Manager will take care of it.

Mr. Keech replied will be lock them.

Upon motion by Ms. Thompson, seconded by Mr. Eiding, the City Planning Commission approved ZBA Case 20192 for Drexel University, 3400 Lancaster Avenue.

Ms. Miller opposed it.

- 5) Action Item: ZBA Case 20196 for the University City Science Center, 3601 Market Street for a 27-story, mixed-use structure containing 362 residential units (ZBA hearing date is April 24, 2013).

Ms. Brumbelow stated this is for the University City Science Center, 3601 Market Street for a 27-story, mixed-use structure containing 262 residential units and parking lot for 119 cars. It is zoned CMX4. FAR is 500% with bonus earned. It is a 27-story building. Parking is for 199 vehicles onsite and bike racks. They received refusal. They didn't meet zoning requirements. Needed to be LEED gold; they are LEED silver. Permitted curb cut is 24 ft; proposed curb cut is for 35 ft. Permitted signage is 685 sq. ft; proposed signage is for 1,888 sq. ft. They will need a special exception for above ground parking. The entrance is on Market Street, retail fronting on Market Street, mostly on 36th Street), ingress and egress on Filbert. The proposed building was reviewed by the Civic Design Review on April 2, 2012 with the following recommendations:

1. Street trees should be planted along 36th Street, and the tree species should be chosen to be compatible with the poles that support catenaries for trolleys moving along 36th Street. An adequate sidewalk width in accordance with the City Planning Commission's *Pedestrian and Bicycle Plan* can be maintained by providing street trees with walkable grates. No planters should be placed along 36th Street;
2. Signs – the applicant must reduce the requested square footage of signs on the ground floor commercial elevations that appear to be duplicative. Too much additional square footage for signs is being requested by variance.

There is a motion from Civic Design Review to approve one level above parking, and two levels below parking, instead of 5 below parking. The City Planning Commission staff recommendation is approval with the provisos that the applicant reduces signage.

Neil Sklaroff, attorney, replied the units are 362 not 262. Regarding the street trees not planters, they have 39 designers on staff. They have agreed to work with the City to put appropriate trees in. Remove the signage but keep building logo. The CDR was looking at minimum amount of parking.

Mr. Downey replied the ground is about 220 spaces. We have done extensive survey on the street. This housing is for residents for market rate, not really for students. We have environmental issues at that site.

Mr. Downey, Jr. replied with the use for the past 150 years, we have contaminated soil.

Mr. Greenberger replied parking projecting out of the tower over retail.

Mr. Sklaroff replied we have it by the parking garage is wrapped. While there was a discussion for below ground, but code states it is for below ground.

Mr. Greenberger asked are you stating that retail gets you that.

Mr. Sklaroff replied no.

Mr. Citron replied I am very pleased that you are removing signage. One level below ground would be nice. He is comfortable about this.

Mr. Greenberger replied that he doesn't feel going one above and two below will make a difference. They have done a good job with it. His only continue anxiety is the width size. What is it from the building to the curb?

Mr. Downey, Jr. replied 12 feet. We were going to use walkable sidewalk trees. We may switch the notch on Market to 36th Street. We need a very interesting 36th Street. Their on hesitation is they are working with a retailer. It may or may not work.

Mr. Greenberger replied that's fine; we will work with that. Walkable trees are fine. You will need to talk to SEPTA.

Mr. Downey, Jr. replied we will talk with SEPTA.

Mr. Greenberger replied he was noticing in Chicago, this week on Michigan Avenue, how immaculate the tree planters were.

Upon motion by Mr. Eiding, seconded by Mr. Citron, the City Planning Commission approved ZBA Case 20196 for the University City Science Center at 3601 Market Street.

6) Action Item: SP-INS Amendment for the University of Pennsylvania

Ms. Brumbelow stated this is for Institutional (Special Purpose) District Master Plan amendment for the University of Pennsylvania to construct two new buildings; one to be used as a new dormitory, and the other to be used as an academic building. The Neural and Behavioral Sciences Building at 461 University Avenue is a 4-story, 57,689 square foot structure, which will contain academic classrooms, an auditorium, labs, offices and support spaces. This amendment will also reflect the demolition of the Mudd Building, Kaplan Wing, and the east wing of the Leidy Laboratory; as well as, other technical adjustments to accommodate this new building. The demolition of the old stone pavers will be new brick pavers. The New College House dormitory building at 3300 Chestnut Street is an 8-story, 182,533 square foot structure, which will house dormitory rooms, study areas, dining facilities, and mechanical spaces. This meets the Philadelphia2035 Thrive section. The City Planning Commission staff recommendation is approval of the amendment to SP-INS.

Representative from the University of Pennsylvania gave overview. The 34th Street end has a majority of housing above line – 2 over courtyard and 1 ½ over the street. There are large windows into social spaces. Westernmost end is transparent. There is a staircase inside. There is the block in archway paired with triple height lobby. The eastern end, we have elevated that portion to outdoor space, reading lounge, and library. There is a concern that a portion is being used for mechanical space. Existing sidewalk will be maintained. There are a series of low walls on property line. This is a characteristic of West Philadelphia. Tunnel, not gated, goes through the campus.

Gabriel Gottlieb replied he doesn't like this plan. It doesn't need a plan from 1960's. Drexel had retail on the next block. He doesn't see why Penn cannot put retail here. He feels Penn is blocking students off from the City.

Mr. Greenberger replied retail is not the only way to make the street accessible for people.

Upon motion by Mr. Eiding, seconded by Ms. Thompson, the City Planning Commission approved SP-INS Amendment for the University of Pennsylvania.

- 7) Philadelphia Redevelopment Authority Projects:
 - a. Redevelopment Agreement with People's Emergency Center CDC, for the development of seven new affordable residential units and four affordable rehabilitated residential units at 4226-32 Powelton Avenue.
 - b. Redevelopment Agreement with WesGold, LLC, for 5100-22 Merion Avenue for the construction of a new church.

Martine Decamp stated Redevelopment Agreement with People's Emergency Center CDC, for the development of seven new affordable residential units and four affordable rehabilitated residential units at 4226-32 Powelton Avenue. It is located in the West Powelton neighborhood. The Redevelopment Authority has selected the People's Emergency Center Community Development Corporation to redevelop the site as Bigham Place, an affordable multi-family development consisting of 7 new construction units and 4 rehabilitated units. A new 2-story structure facing Powelton Avenue will be constructed, and a building fronting on Filbert Street will be rehabilitated. The current and proposed zoning is RM1 Residential. It is consistent with the University Southwest District Plan, which calls for this corridor to be zoned for residential multi-family development. It is consistent with the Philadelphia2035 Plan – reuse structures. The City Planning Commission staff recommendation is approval.

Mr. Greenberger replied no variances or ordinances are involved.

Ms. Decamp replied that is correct. Kira Strong from the People's Emergency Center is here for questions.

Pamela Andrews replied we are looking forward to seeing something here. There are only 8 houses on the block. Her concerns are trash concerns, since there is only one way in or out. Also concerns about parking.

Kira Strong replied we had the pleasure of meeting with you. This is a small alley. The north side will be enclosed and residents will store trash there.

Mr. Greenberger asked what happens with trash trucks.

Ms. Andrews replied they go in and back out.

A man replied there are problems with animals.

Ms. Strong replied Filbert has an alley. Residents will closed access inside and bring it out for the City to pick it up. Powelton does not have City pick up, we will bring it out to the street.

Ms. Decamp replied is it subdivided.

Ms. Syrnick replied on Filbert Street, keep it in trash area and bring it out to the street.

Mr. Greenberger replied People's Emergency Center would like to be responsible. He told Andy Meloney to speak with the Streets Commissioner at License and Inspections regarding trash.

Ms. Andrews asked what about parking.

Mr. Greenberger replied 4 units on Filbert could have people with cars.

Ms. Andrews replied people come in and drop off groceries.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved Redevelopment Agreement with People's Emergency Center CDC, for the development of seven new affordable residential units and four affordable rehabilitated residential units at 4226-32 Powelton Avenue.

Brian Wenrich stated Redevelopment Agreement with WesGold, LLC, for 5100-22 Merion Avenue for the construction of a new church, which is replacing a church previously located on the site of the Park West Shopping Center in West Parkside. The party-at-interest is the First Born Church of God in Christ. Zoning is ICMX. This is consistent with the Philadelphia2035 Plan reusing vacant land. The City Planning Commission staff recommendation is approval.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved Redevelopment Agreement with WesGold, LLC, for 5100-22 Merion Avenue for the construction of a new church.

- 8) Action Item: Zoning Bill 130242 to amend curb cut widths in the Parking Design Standards section of the Zoning Code (Introduced by Councilmember Greenlee for Council President Clarke on April 4, 2013).

Ms. Brumbelow stated this bill amends Chapter 14-800 for Parking and Loading by amending 14-803(4)(a)(.5) relating to "vehicle access points" in the design requirements for surface parking lots. The current requirement for surface parking lot curb cuts is that there can be no more than one curb cut with a maximum width of 24 feet for two-way traffic along any street frontage. For one-way traffic streets, there can be no more than two curb cuts with a maximum width of 12 feet each. The amendment would remove the above requirements at shopping center, school, and/or industry. Any curb cut over 30 ft in width must be reviewed and approved by the Board of Highway Supervisors. As a result, the Streets Department reviews these wider curb cuts on a case-by-case basis. This issue was brought to the City Planning Commission's attention at the March 19th meeting for Bill 130137, concerning a zoning change at 9th Street and Girard Avenue. The City Planning Commission staff recommendation is approval, because it gives the Street Departments they authority.

Mr. Syrnick asked shouldn't the Philadelphia City Planning Commission be part of that review.

Ms. Brumbelow replied it is in the Streets Department's hands. Sarah Chiu is on the Board of the Highway Supervisors. She writes letters and gives feedback.

Mr. Citron replied part of the discussion was for more than one.

Ms. Brumbelow replied is just removes for the residential.

Mr. Greenberger asked what do you think of a curb cut over 30 ft. in commercial. Could it come back to the City Planning Commission?

Mr. Syrnick replied commercial strips make it tougher to walk.

Mr. Greenberger asked should recommendation be made to City Council that curb cuts over 30 ft and multiple curb cuts come back to this Commission.

Mr. Eiding agreed.

Mr. Syrnick replied he doesn't feel that the Streets Department cannot do their job. It is for checks and balances.

Upon motion by Mr. Citron, seconded by Mr. Eiding, the City Planning Commission approved Zoning Bill 130242.

Ms. Miller opposed it.

- 9) Action Item: Zoning Bill 130252 to remap the area bounded by Ford, Conshohocken, Country Club, Wadsworth, Lankenau, and Cranston Roads (Introduced by Councilmember Jones on April 4, 2013).

Mr. Meloney stated this Bill amends the zoning for an area bounded by Ford, Conshohocken, Country Club, Wadsworth, Lankenau, and Cranston Roads. There are 2 sites: 1) Salvation Army Facility; and 2) Conshohocken and Windemere Park. The Salvation Army is zoned CMX-2" Commercial Mixed Use, "RSD-3" Residential Single Detached, "RSA1" and "RSA-5" Residential Single Attached, and "RM-1" Residential Multi Family. The Rec is zoned RSA1. The proposed changes are to add "CMX-3" Commercial Mixed Use and "SP-PO-A" Special Purpose Parks and Open Space Active districts to the area. The Salvation Army will be enhancing their existing group housing and adding a daycare program to their existing site The City Planning Commission staff recommendation is approval. Anytime they go through changes, they will have to go through this. This recommendation is consistent with the West Park District Plan. The City Planning Commission staff recommendation is approval.

Mr. Greenberger replied the Salvation Army come to us that they wanted to expand their facilities. This is the only category that fits their uses. He is willing to trust the Salvation Army, he is considering asking City Councilman Jones that if the Salvation Army sells it, it goes back to zoning.

Mr. Citron asked what would happen if they sold it.

Mr. Greenberger replied they would be able to built CMX3.

Mr. Eiding replied by right.

Ms. Ruiz asked what about a lease.

Mr. Greenberger replied sale or lease to third party, zoning would revert back. Add a sunset clause to it.

Craig Schelter replied this constitutes contract zoning.

Mr. Greenberger asked is there a way to protect against development. Zoning sunset is legal, if not maybe POD.

Upon motion by Mr. Citron, seconded by Ms. Ruiz, the City Planning Commission approved Zoning Bill 130252.

- 10) Action Item: Zoning Bill 130255 to amend sections of the "/CTR" Center City Overlay District to apply special controls to an area bounded by the west side of I-95, Race, 4th, and New Streets (Introduced by Councilmember Squilla on April 4, 2013).

Natalie Shieh stated this is in the Center City Overlay District. This bridge encroachment sits in the overlay. They are not required to have side yards. The CMX3 base zoning has 500%. This Bill has a number of whereas clauses:

1. The boundary adjustment is set forth in Section 14-502(2)(b)(.17) by creating a new sub-area called "Bridge Approach", that covers the properties within the area bounded by Race Street, 4th Street, New Street, and the west side of I-95. The Bridge Approach area is entirely within the larger Old City Residential subarea.
2. The Bridge Approach area will be exempted from the 65 ft. height limit for the Old City Residential Area set forth in Section 14-502(3)(b).
3. The Bulk and Massing Controls for the Bridge Approach area will be set forth in Section 14-502(9) and are as follows for lots zoned CMX-3:
 - Floor Area Bonuses that are provided in 14-702 (Public Art, Public Space, Mixed Income Housing, Transit Improvements, Underground Accessory Parking and Loading, Green Building) up to an additional 250% of lot area;
 - Buildings may occupy 100% of the lot; and
 - No required side yards.

The City Planning Commission staff recommendation is approval.

Mr. Greenberger replied you all saw a proposal for 205 Race; and that is how this proposal came about. There is not a lot of stuff waiting to happen with these properties. It is difficult to develop.

Joe Schiavo replied the Bill seems to be sensitive that all of the parcels are in Old City. We have a variety of buildings that contribute and some that don't. There are 5 parcels that are vacant parking lots, including 205 Race. We have several historic buildings here.

A man replied there are several gateways to the City. One of the most significant one is the Ben Franklin Bridge. This proposal has the ability to build larger building on either side of the bridge. He thinks we should reject it outright.

Gram Copeland replied the Old City Economic Development reviewed it. To see a lot like this waiting to be developed, we would like to see it done. Our organization in general supports developments. We want to see projects. We are supportive of this legislation.

Rich Snyderman, resident and business owner, replied gateway is the correct term for this. It will activate the waterfront. The lighting has been upgraded here. This is a future project. We need to look forward. This is a project about the future of the City. In Old City, we have a diverse group of people, who will strengthen the City.

Mr. Greenberger replied we should ask Councilman Squilla about the 3rd and 4th Streets site. The Church will not be going anywhere. Practical reality is development is really hard. It would be a battle to remove buildings to do development. And the 205 Race Street development site. This does make a lot of sense.

Ms. Ruiz replied if it's not an issue, why are we doing this.

Mr. Greenberger replied to take on 205 Race Street as a zoning variance; it puts it at risk because it could take years in court. The Councilman recognizes that.

Mr. Citron replied he is OK with the blocks we are discussing. Would it make sense to put a setback provision in it?

Mr. Greenberger replied he is not feeling any urgency.

Mr. Syrnick replied suggesting to Councilmen to take out 3rd and 4th Streets. How would this happen?

Mr. Greenberger replied parking lot on southside of bridge has significant size. Is this a concern for him?

Mr. Syrnick replied action we take as a recommendation is.

Mr. Schiavo replied parcel east of Old Saint George's Church.

Upon motion by Mr. Syrnick, seconded by Mr. Eiding, the City Planning Commission recommended approval for Zoning Bill 130255, but suggested the block between 3rd and 4th Streets be taken out.

- 11) Action Item: Zoning Bill 130274 to repeal and replace Section 14-507 of the Zoning Code, the "CDO" Central Delaware Riverfront Overlay District, to provide for new special controls; and to amend Section 14-702, "Floor Area Bonuses," to provide for floor area and height bonuses for the CDO District (Introduced by Councilmember Squilla on April 11, 2013).

Ms. Shieh stated this Bill is to repeal and replace the section for the "CDO" Central Delaware Riverfront Overlay District. The main reason for this overlay is to implement components for the Central Delaware Master Plan that this Commission adopted last year in March. The zoning is mixed-use CMX-3 in the northern and southern portions, and CMX-4 in the central portion. The overlay doesn't include 50 ft. setback for the riverfront. The overlay is quite dense. Some of the zoning controls include:

- ground-floor active-use requirements;
- restrictions on curb cuts;
- controls for aboveground parking structures;
- height controls;
- open area controls;
- form and design requirements;
- prohibited permanent structures; and
- additional guidelines for Civic Design Review of projects in this area.

A 25 ft. building height bonuses can go to 244 ft. Big Box stores are 10,000 or more sq. ft. There is a provision for parking. However this section of the City, it is difficult for underground parking because of the flood zone. There are a number of controls that apply to the Waterfront, and additional CDR criteria. The overlay parcels are larger. Controls that apply for Delaware Avenue: curb cut for street frontage, controls for River access streets, prohibition of permanent structure, height bonuses available from 12 ft to 72 ft. Three new bonuses: trails, street extension, and ground retail. Some will also get it for transit improvement and green, also bonus for trails.

Mr. Syrnick asked does the developer need to build it and maintain it.

Ms. Shieh replied both. Or they build it and dedicate it to the City; and the City will maintain it.

There will be bonuses for streetscape and retail. You can't double dip. Modifications to existing bonuses: transit improvements, green building (change language to green building or site). Relationship to FAR less than 3 acres – height only. It is consistent with the Philadelphia2035 Plan. The City Planning Commission staff recommendation is approval.

Mr. Greenberger gave shout out to Natalie and Councilman Squilla. The Development Workshop has objections.

Gabriel Gottleib replied it's a good plan. He doesn't agree with having a height limit at the waterfront. This is an area that major high rise would work; economic and planning stand point. Within 10 to 15 years, developer might be begging for more height. Waterfront Square has several buildings, and he thinks some maybe over that limit.

Mr. Greenberger thanked Mr. Gottleib for coming to the meetings.

Joe Schiavo, CDAG, replied this overlay represents specific goals. It is important going forward. CDAG supports it with one exception to the north at Allegheny Avenue. Berks Street was included but it is not included here. If Berks cannot be included then some other street should be included as an access street.

Mr. Greenberger suggested Cumberland Street.

Karen Thompson, Planner with DRWC, replied DRWC is very pleased with overlay of the Master Plan. Make sure Master Plan is held to. She thanked PCPC staff, Natalie, and Eva Gladstein. This is a rational way to go over height limit. As Joe mentioned, we are concerned about the removal of Berks Street as a river access street, with PennDot's work, they may use Berks as a crossover.

Craig Schelter, Development Workshop, Inc. submitted letter for his testimony (see Exhibit 11A).

Mr. Greenberger replied there will probably be disagreement with this, but he didn't feel that this Commission should not move forward with this.

Ms. Ruiz asked where Cumberland and Columbia come in.

Mr. Greenberger replied he would be open to suggestion that Berks and/or Cumberland be added to this Bill.

Upon motion by Ms. Ruiz, seconded by Mr. Citron, the City Planning Commission approved Zoning Bill 130274 with amendment for Berks and Cumberland Streets added.

Mr. Eiding opposed – no height limit or higher limit.

- 12) Amendments to Navy Yard Plats:
 - a. 201 Rouse Boulevard, creating parcels "7KK" (4.4 acres for Liberty Property Trust) and "7LL" (4.3 acres remaining under PIDC's ownership) from Parcel 7.
 - b. Kitty Hawk Avenue and S. 19th Street, creating parcel "5T" for the relocation of Rhodes Industries to Building 57.

Mr. Wenrich stated these are amendments to the Navy Yard Plats. The first is located at 201 Rouse Boulevard. There are two new parcels, Parcels 7KK and 7LL, which are being created within the block bound by League Island Boulevard, Intrepid Avenue, Rouse Boulevard (formerly Diagonal Boulevard), and Normandy Place. The new parcels are currently part of PIDC-owned Parcel 7, and are being subdivided with the intent to sell to Liberty Property Trust. Parcel 7LL will remain under PIDC's ownership for future disposition. Parcel 7 will be reduced in size from 182.41 Acres to 173.66 Acres.

The second is located at Kitty Hawk Avenue and S. 19th Street. They are creating Parcel 5T for Rhodes Industries to relocate to building 57 from building 16. Urban Outfitters will buy Building 16 from Rhodes Industries, who will then purchase Building 57 from PAID/PIDC so Rhodes Industries can relocate. The City Planning Commission staff recommendation is approval of the amendments to the Navy Yard Plats.

Upon motion by Mr. Eiding, seconded by Ms. Thompson, the City Planning Commission approved the Amendments to the Navy Yard Plats.

Mr. Greenberger adjourned the City Planning Commission Meeting of April 18, 2013 at 4:35pm.

SUMMARY

1. Approval of the Minutes for the March 19, 2013 meeting. Approved
2. Executive Director's Update.
3. Staff Presentation: Draft *Philadelphia2035* University/Southwest District Plan (Presented by Andrew Meloney) Presented
4. Action Item: ZBA Case 20192 for Drexel University, 3400 Lancaster Avenue for a 24-story, mixed-use dormitory structure containing 348 residential units (ZBA hearing date 4/24/13; Presented by Paula Brumbelow). Approved
5. Action Item: ZBA Case 20196 for the University City Science Center, 3601 Market Street for a 27-story, mixed-use structure containing 362 residential units (ZBA hearing date 4/24/13; Presented by Paula Brumbelow). Approved
6. Action Item: SP-INS Amendment for the University of Pennsylvania (Presented by Paula Brumbelow). Approved
7. Philadelphia Redevelopment Authority Projects:
 - a. Redevelopment Agreement with People's Emergency Center CDC, for the development of seven new affordable units; and four affordable rehabilitated residential units at 4226-32 Powelton Avenue (Presented by Martine Decamp) Approved
 - b. Redevelopment Agreement with WesGold, LLC, for 5100-22 Merion Avenue for the construction of a new church (Presented by Brian Wenrich) Approved
8. Action Item: Zoning Bill 130242 to amend curb cuts widths in the Parking Design Standards section of the Zoning Code (Introduced by Councilmember Greenlee for Council President Clarke on April 4, 2013; Presented by Paula Brumbelow). Approved with an amendment that any curb cuts over 30-feet wide for properties zoned commercial or "ICMX" Industrial Commercial Mixed-Use also be subject to review by PCPC.
9. Action Item: Zoning Bill 130252 to remap the area bounded by Ford, Conshohocken, Country Club, Wadsworth, Lankenau, and Cranston Roads (Introduced by Councilmember Jones on April 4, 2013; Presented by Paula Brumbelow) Approved, provided that a reversion clause is added to the bill, so that in the event of the sale or lease of the Salvation Army

parcel, it would revert to its original "RSD-3" zoning.

10. Action Item: Zoning Bill 130255 to amend sections of the "/CTR" Center City Overlay District to apply special controls to an area bounded by the west side of I-95, Race, 4th, and New Streets (Introduced by Councilmember Squilla on April 4, 2013; Presented by Natalie Shieh).

Approved with the recommendation of amending the western boundary of the Bridge Approach sub-area to North 3rd Street, rather than North 4th Street.

11. Action Item: Zoning Bill 130274 to repeal and replace Section 14-507 of the Zoning Code, the "CDO" Central Delaware Riverfront Overlay District, to provide for new special controls; and to amend Section 14-702, "Floor Area Bonuses," to provide for floor area and height bonuses for the CDO District (Introduced by Councilmember Squilla on April 11, 2013; Presented by Natalie Shieh).

Approved with amendments that add Berks Street and Cumberland Street as defined "river access streets."

12. Amendments to Navy Yard Plats (Presented by Brian Wenrich):
- a. 201 Rouse Boulevard, creating parcels "7KK" (4.4 acres for Liberty Property Trust) and "7LL" (4.3 acres remaining under PIDC's ownership) from Parcel 7. Approved
 - b. Kitty Hawk Avenue and S. 19th Street, creating parcel "5T" for the relocation of Rhodes Industries to Building 57. Approved

"EXHIBIT II A"

The Development Workshop, Inc.

1735 Market Street, 51st Floor, Room 5170
Philadelphia, PA 19103-7599
(215) 864-8700

April 18, 2013

Via Hand Delivery

Alan Jay Greenberger, AIA, Chairman
Philadelphia City Planning Commission
1515 Arch Street, 13th Floor
Philadelphia, PA 19102

Re: **Bill No. 130274.** An Ordinance, amending Title 14 of The Philadelphia Code entitled "Zoning and Planning," by repealing and replacing Section 14-507, entitled "CDO, Central Delaware Riverfront Overlay District and by amending Section 14-702 entitled "Floor Area Bonuses"

Dear Chairman Greenberger and Members of the City Planning Commission:

I am writing on behalf of the Development Workshop to comment on the above captioned zoning ordinance that is on today's agenda.

First, I would like to thank Councilmember Mark Squilla and the staff of the Commission for affording the Development Workshop the opportunity to participate in the effort, over the past year, to draft an ordinance to repeal and replace the Central Delaware Overlay District controls that were carried over into the new Zoning Code when it was adopted in December of 2011.

On April 9, when Natalie Shieh, Deputy Chief-of-Staff forwarded to us a "final draft" of the proposed ordinance, we were of the belief that there would still be an opportunity to comment on the draft before it was introduced into City Council and reviewed by the City Planning Commission.

From the beginning of this process, there have been a number of substantial compromises between the parties. Nevertheless, a number of basic issues in the ordinance have remained problematic and unchanged. We have participated diligently in an effort to see that Section 14-702 of this Bill (the new section of the code which introduces height bonuses in return for public concessions) is structured in a way to make Section 14-507 (the actual Central Delaware Overlay) workable in encouraging private investment for quality development to the Delaware waterfront. We currently believe, that when taken together, they still result in a system

Alan Jay Greenberger, AIA, Chairman
April 18, 2013

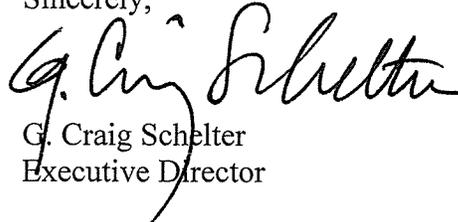
of controls that run counter to attracting development and new investment to the waterfront and to any meaningful growth in the population and economy of the City.

Also, given the large number of individual properties and property owners involved, we do not believe there has been adequate time for those not directly involved in the drafting process to understand and comment on this final draft before it was scheduled for review and comment by the City Planning Commission.

For these reasons, we will not be commenting specifically on these controls at this time and will reserve our comments for the City Council public hearing. We continue to be open to sharing those comments with the participants of the working sessions structured by Councilman Squilla. We strongly believe that another meeting of that group should take place before any public hearing is scheduled by City Council on Bill No. 130274.

We respectfully request that that this letter be made part of the minutes of today's meeting.

Sincerely,



G. Craig Schelter
Executive Director

Planning Commission Members:

Mr. Joseph Syrnick
Mr. Robert Dubow
Mr. Patrick Eiding
Bernard Lee, Esquire
Ms. Elizabeth K. Miller
Richard Negrin, Esquire
Ms. Nilda Iris Ruiz
Ms. Nancy Rogo Trainer
Mr. Gary Jastrzab

cc: Councilman Mark Squilla