

PHILADELPHIA CITY PLANNING COMMISSION
March 19, 2013

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

ABSENT: Patrick J. Eiding

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

Chair Alan Greenberger convened the City Planning Commission Meeting of March 19, 2013 at 1:07pm.

- 1) Approval of the Minutes for the February 19, 2013 and March 5, 2013 meetings.

Upon motion by Ms. Thompson, the City Planning Commission approved the minutes for the February 19, 2013 and March 5, 2013 meetings.

- 2) Executive Director's Update

Mr. Jastrzab stated he had a several items to report.

- **CPI SPRING SEMESTER #6**

We are starting the 6th semester of The Citizens Planning Institute. There will be 6 classes from April 10 through May 18. We are accepting applications through March 26. The form is on the CPI website (citizensplanninginstitute.org). There are 30 seats available.

- **HOLD THE DATES:**

1. The next CDR Committee Meeting is on Tuesday, April 2. There may be only 1 item on the agenda.
2. Reminder: Change of PCPC April Meeting date: from Tuesday, April 16 to Thursday, April 18 at 1:00pm in this room.
3. There are a series of public meetings - East Kensington Transportation and Community Development Plan Public Meetings. There will be three public meetings in March, April, and May. See flyer. The first meeting is on Thursday March 21 at the Visitation Community Center, 2646 Kensington Avenue, from 7 to 8:30 pm. It is funded by DVRPC's TCDI grant. It is a small grant that allows us to do a community plan.
4. The next set of public meetings will be for the 6 casino proposals. There will be three public open houses in South Philadelphia, Center City, and Old City/Delaware Riverfront on March 26, 27, and 28. See flyer.

ITEM RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

REDEVELOPMENT AGREEMENTS RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

There are 4 items for Redevelopment Agreements that are all in accord with the Redevelopment Area Plans:

- The first is for 4820 N. Fairhill Street. It was acquired under the Pennsylvania Act 94 process. The purpose is for the rehab for single-family homeownership. The Redeveloper is Linda Maldonado. There are no changes to the layout, just minor repairs.

- The second is for 1703-05 Cecil B. Moore Avenue in the North Philadelphia Redevelopment Area. The purpose is for new infill construction for multi-family residential. The Redeveloper is Jong Kim Do. The plans were revised to our satisfaction.
- The third is for 2039 E. York Street in the New Kensington and Fishtown Redevelopment Area. The purpose is for the rehab for single-family homeownership. The Redeveloper is Archetype Habitats, LLC. The plans were revised to our satisfaction.
- The fourth is for 2545 Wharton Street in the Gray's Ferry Redevelopment Area. The purpose is for multi-family rehab. The Redeveloper is TLC Jr. LLC. There are no changes to the layout, just cosmetic repairs.

LEGISLATIVE ITEMS RECOMMENDED FOR ADMINISTRATIVE APPROVAL:

Zoning Bill 130162 amends the "SP-ENT" Special Purpose-Entertainment District by revising technical provisions relating to the waterfront setback, parking requirements, and off-street loading. This Bill adjusts the SP-ENT District to conform to the CED designation under the old code, by including provisions that had been approved by the Philadelphia City Planning Commission on November 15, 2011, passed by City Council on December 14, 2011, and signed into law by Mayor Nutter on December 22, 2011, but not carried over into the new Code. This amendment will make SP-ENT equal to CED.

Mr. Greenberger stated the casinos eventually be coming to us later in the year. The licensee, who will be named by the Gaming Control Board, will need to come to us. These listening meetings are the first step. He congratulated Nancy and her committee for their work.

- 3) Action Item: Amendments to City Planning Commission Regulations in accordance with Zoning Bill 120889.

Richard Redding stated Bill 120889 affects RCOs. The Bill was passed over the Mayor's veto. The impacts of this Bill are:

- Makes it easier to qualify as an RCO.
- Renew every 3 years, not annually.
- Removes requirements for size of the geographic area.
- Allows for additional RCO and City Council representation on the CDR Committee.
- Requires applicant and RCO to deliver flyers to all households on nearby blocks.
- Additional provision, no impact on PCPC Regs, allows for multiple meetings between applicant and RCO.

In terms of making it easier to qualify as an RCO: Now RCOs must provide statement of purpose and schedule of meetings.

In terms of renewing: every 3 years in June, instead of yearly. Receive applications every 6 months in June or December.

The Bill removes requirements for size of the geographic area: Remove size requirements. And remove requirement for boundary to be consistent with governing documents. Previously, we required that members of the group live or do business in the area.

The Bill allows for RCO and City Council to have multiple representations on the CDR Committee: If there is more than 1 local RCO whose boundaries include the project site, local RCOs may select up to 2 representatives. The District Council person can designate an additional CDR Committee member.

The Bill requires applicant and RCO to deliver flyers to all households on nearby blocks: Now the applicant and the RCO must notify all of the occupants on the nearby blocks. It must be done twice: 1st by the applicant; and 2nd by the RCOs. Our change is simply to delete the wording on the requirement.

The Bill allows for multiple meetings with RCOs. In the past we required 1 meeting. Upon request of any RCO, the District Councilmember, the Commission and the Zoning Board may determine whether there will be a single meeting with all interested RCOs or a separate meeting with each RCO within the 45 day period.

Mr. Greenberger replied we are not very happy with this. We have tried to compromise.

Ms. Ruiz replied the applicant can work the individual notifications into their budgets, but who funds the RCOs.

Mr. Redding replied they will have to find funding.

Mr. Greenberger replied they should contact their Council representatives of this problem.

Ms. Ruiz replied this is going to be a problem. Some of them are small volunteer groups, and don't have the manpower. Who is going to pay for that? It is an unfair mandate.

Mr. Redding replied we have been talking to the RCOs reminding them of their responsibilities.

Ms. Ruiz asked how does the ZBA do it.

Mr. Redding replied ZBA requires it to be posted.

Mr. Greenberger replied we expanded it, but this Bill expands it beyond the posting.

Mr. Johan Ali, representative for the Southwest Philadelphia District Services, replied it looks like its law. You have always been professional. We agree to disagree. The voice of the people has spoken.

Ms. Ruiz replied it's OK that the people want it; but there is a cost to it. Are the people going to pay for it?

Mr. Citron asked what will happen if they don't follow the requirements.

Mr. Redding replied ZBA will not hear it if the RCO doesn't follow it.

Ed Panek, Logan Square Neighborhood Association, replied we understand the ordinance is duplicative and creates many problems. We suggest that you take time to further amend this ordinance. This session shows a lot of unanswered questions.

Upon motion by Mr. Citron, seconded by Mr. Lee, the City Planning Commission approved the Amendments to City Planning Commission Regulations in accordance with Zoning Bill 120889.

4) Staff Presentation: Draft *Philadelphia2035* Central District Plan

Laura Spina, Community Planner for Center City, stated this is a draft of the Central District Plan. We will have public comment from now to May 15. E-mail the comments to her. In June it will be presented to the Commission. We had 9 steering meetings, 6 stakeholder groups, 6 Philadelphia exchange meetings, 3 sets of public meetings (total of 5 meetings), and a workshop. The area runs from Girard to Washington, and then blurs a little. The population has grown, and it is expected to gain 20,000 more by 2035. Fifty percent of all households are single person households. Under the age of 20 – the overall number of children have dropped. Commute modes: 30% walk, 6% cycle, and the majority drive to work. Here are the recommendations:

1. Unifying and energizing the Civic Center – the area around City Hall – Dilworth Plaza, streetscape improvements in the area, and add more bike spaces
 - a) Reybourn Plaza – unused space. It is a difficult space. We want to put a pavilion here.
 - b) City Hall Courtyard – Dilworth Plaza will be done, but we have 3 other sides.
 - c) Penn Center is not owned by the City. But we have ideas to use the space, such as a farmers market.
2. Ridge Avenue at N. Broad Street – the CMX5 zoning allows density. Stormwater management in the area with parks.
3. Callowhill – new investments happening with the Barnes opening. The Granary Building – 1200 units. There are 2 stations for cultural corridor: 1) behind the Rodin Museum; and the 2) 18th Street near Community College of Philadelphia.
4. Franklin Square – over 7 acres of surface parking – recommendation to create wider walkways.

There are 68 recommendations, but 14 are priority. Under Thrive: 1) build and combine new 6th and 9th Police Districts north of City Hall; 2) expand facilities for the Free Library; and 3) create a no use, new use task force to compel owners of high-profile vacant properties to improve or sell for development. Under Connect: 1) up grade 19th and 22nd Street trolley stations; 2) install real time and route information kiosks at transit stations and bus shelters; 3) rehabilitate City Hall/15th Street subway station; 4) create a cultural corridor transit line; 5) implement bike share plan; and 6) re-evaluate and institute parking classification. Under Renew: 1) install new neighborhood parks and recs in Callowhill/Chinatown; 2) rehabilitate City Hall; 3) rehabilitate Reading Viaduct; 4) put Noble Street back in as a super block; and 5) improve Franklin Square for pedestrian use. The land use and zoning: mix-use District. Land use doesn't change very much. Existing zoning is medium intensity, industrial doesn't exist anymore. In Callowhill/Chinatown – we are proposing residential/commercial. There are 2 types of zoning proposed: corrective, and zoning to advance the plan. First District where we are proposing TOD overlay – el stop at Spring Garden and the subway stop at Fairmount, and the Lombard

South stop on the subway. Proposing to change Chestnut Street to CMX4 not CMX5. In Southwest Center City – multi-family change to single-family. They are losing a lot of corner stores. On Market Street change CMX4 to CMX5. The next steps are: receive comments until May 15. We are proposing the Plan Adoption at our June 11 public meeting. Both the Draft and the Zoning are on our website.

George Moy, Philadelphia Chinatown Redevelopment Corp, replied the Vine Street Expressway opened in 1959. In the draft it was stated 1976. There is an effort to combine the 6th and 9th Police Districts; you should also add in to it the Police Administration Building. When the Police go home, the parking lot is empty. He thinks the community needs to be involved in the beginning of the planning stage. He talked about the PECO transformer and the casino proposal on Broad Street that will need power. The part that wasn't on the table was the Reading Viaduct. If the property is so valuable, then tax it. PCDC had done a lot of compromises. Every meeting we have there are 3 or 4 proposals.

Ms. Spina replied we talked to PECO on the Callowhill Plan.

Mr. Greenberger replied he got personally involved with trying to get the Reading Viaduct to the table. He thanked Ms. Spina.

- 5) St. Joseph's University Zoning Remapping Actions (Introduced by Councilmember Jones on January 31, 2013).
 - a. Action Item: Zoning Bill 130061 to remap the area bounded by Overbrook Avenue, 54th Street, Woodbine Avenue, Wynnefield Avenue, and 56th Street from "RSA-2" to "SP-INS".
 - b. Action Item: Zoning Bill 130062 to remap the area bounded by City, Cardinal, and Overbrook Avenues, and 59th Street from "RDS-3" to "SP-INS".
 - c. Action Item: Zoning Bill 130063 to remap the area bounded City Avenue, 52nd Street, Overbrook Avenue, and 54th Street from "CMX-2.5" to "SP-INS".

Martin Gregorski, supervisor for SP-INS District, stated this is for St. Joseph's University. These Bills will add three new parcels to the existing "SP-INS" Institutional (Special Purpose) District and approve of the Master Plan that incorporates the new parcels in the plan. No new buildings are proposed, however, on the property known as the Cardinal's Residence, a new parking lot with 135 spaces is proposed. Under the provisions of the Zoning Code, all zoning bills that propose a property to be rezoned into a Master Plan district designation, such as "SP-INS," must be reviewed by the Civic Design Review Committee. This meeting took place on March 5, 2013. While CDR approved it, they were concerned with the parking lot. The Philadelphia City Planning Commission staff and the University feel it is best placed across the street of the main campus. All meet the recommendations in the Thrive section of Philadelphia2035. There has been a change to the Master Plan. They are trying to make this driveway for emergency ingress only. The City Planning Commission staff recommendation is approval as amended. The incorporation of these satellite properties, owned by the University, into their campus Master Plan was a recommendation of the West Park District Plan.

Upon motion by Mr. Syrnick, seconded by Ms. Ruiz, the City Planning Commission approved Zoning Bill 130061, 130062, and 130063.

- 6) Action Item: Zoning Bill 130136 to remap the area bounded by Spring Garden Street, N. 22nd Street, Pennsylvania Avenue, Hamilton Street, and N. 21st Street to "CMX-4" Commercial Mixed-Use (Introduced by Councilmember Greenlee for Council President Clarke on February 28, 2013).

Mr. Gregorski stated this Bill will rezone this property from "RM-4" Residential to "CMX-4" Commercial. This zoning change will permit the construction of a new development that will include a Whole Foods grocery store, as well as additional neighborhood service retail, both underground and structured parking, and a future residential component. It is for a mixed-use development, including 12,000 sq.ft. of retail, a 55,000 sq.ft. supermarket, parking, and future residential units. It allows for truck traffic. The residential proponent hasn't been designed yet. It will come back to CDR for design. It will require relief for height. The cars will go to the underground parking. There will be 170 spaces for Whole Foods. It meets with the recommendations in Thrive in the Philadelphia2035 Plan. The City Planning Commission staff recommendation is approval for the rezoning to CMX-4.

Ms. Rogo Trainer asked if they we planning anything above the market.

Mr. Gregorski replied the store, mezzanine, and then residential.

Mr. Lee asked if there will be more retail besides Whole Foods.

Mr. Gregorski replied yes.

Mr. Greenberger replied the out phase premise is residential.

Mr. Citron asked is it single level of parking.

Mr. Gregorski replied 210 parking; over 170 for Whole Foods.

Mr. Sklaroff, attorney, replied he is here with Jim Balsky, architect for the site. We have been planning these for a long time, and working with Whole Foods. The residential parking is above grade on 21st Street.

Ed Panek, Logan Square Neighborhood Association, replied he is here with Jim McGrath. This was presented to us on February 13. We are happy to see Whole Foods here. Pennsylvania Avenue and Hamilton Street have tremendous truck problems now. The second concern is the residential proponent called for this site. We don't know what it is going to be. If you are going to CMX-4, they will have an increase FAR. He would like to have that discussed now. He thinks that they can build without the increase.

Mr. McGrath replied he feels like you are giving him a Trojan house. That they don't know what is inside. We would ask that the zoning be held up until we see what is being proposed.

Mr. Sklaroff replied this will be going through the CDR zoning process. We said it will not be high rise condos; it will be apartments. It is consistent with the new Center City Plan. It supports the Parkway.

Mr. Balsky replied Whole Foods with a café will be beneficial to everyone.

Mr. Sklaroff replied he takes issue with truck traffic problem. It backs up. We are committed to traffic study with the community.

Mr. Greenberger asked if this project proceeds as Whole Foods, residential and parking; that project will be a CDR project.

Mr. Gregorski replied yes.

Mr. Greenberger asked apartment will be CDR.

Mr. Gregorski replied yes, unless it's low units.

Mr. Greenberger asked about the RM4 zoning.

Mr. Gregorski replied it's for a tall residential tower.

Mr. Greenberger asked about the FAR controls.

Mr. Gregorski replied he didn't know what they were.

Mr. Greenberger asked what are the differences between CMX3 and CMX4.

Mr. Gregorski replied lot size and bonuses in 4 and 5.

Mr. Greenberger asked what is the maximum in CMX4.

Mr. Gregorski replied that he believed its 2.

Ms. Rogo Trainer replied this is for zoning not design.

Mr. Sklaroff replied Whole Foods come under green market. It makes sense for the neighborhood. It comes under the Philadelphia2035 Plan. We will deal with the height and traffic.

Ms. Rogo Trainer replied as an architect, it is not good enough to say that. We got a lot more information and renderings from another project.

Mr. Sklaroff replied we are asking you to trust the system and process that are now in place; not to trust the individuals.

Mr. Syrnick asked is the first part of development Whole Foods.

Mr. Sklaroff replied it will be more. We will take it to the ZBA for parking.

Mr. Greenberger replied 350% FAR CMX – based on 5. Our plan does want to extend commercial on Hamilton Street.

Ms. Rogo Trainer replied regarding FAR – residential doesn't mean it on top corner.

Mr. Greenberger replied site as a whole.

Mr. Citron asked how tall is the building to the left.

Mr. Sklaroff replied 200 ft.

Mr. Greenberger replied 13 to 14 stories.

Mr. Sklaroff replied CMX4 is really important, so we can have trash and parking entirely on site.

Upon motion by Mr. Citron, seconded by Ms. Ruiz, the City Planning Commission approved the staff's recommendation to rezone the site to "CMX4" for Zoning Bill 130063.

Mr. Syrnick and Ms. Rogo Trainer opposed it.

From Logan Square Neighborhood Association replied there is no need to approve it until we have more information.

- 7) Action Item: Zoning Bill 130137 to remap the area bounded by Thompson Street, N. 9th Street, Girard Avenue, and Hutchinson Street to "CMX-3" Commercial Mixed-Use, and amends parking and sign provisions (Introduced by Greenlee for Council President Clarke on February 28, 2013).

Paula Brumbelow, Plan Review Division, stated the property is located on Girard Avenue, and bounded by Hutchinson Street, Thompson Street, and North 9th Street. The party at interest is 9th Street Market Place. It is for a proposed shopping center with 41,686 square feet of leasable space, including a grocery store of over 18,000 square feet in area. The proposal also shows 127 parking spaces. The way CMX3 is written, no parking spaces are required. This Bill will change the rezoning of the block, and also make first zoning text change curb cut for ingress or egress. Proposed plan shows 3 curb cuts; 1 is for trucks. Ten percent of the parking lot should be landscaping. It will double the permitted CMX-3 signage on this block to allow a maximum area of free standing signs totaling 200 square feet per face from the current requirement of 100 square feet per face. The permitted height of the free standing sign shall increase to 27 feet high from 20 feet in height. It meets with the Thrive section of the Philadelphia2035 Plan for commercial corridors. This area does not have markets. The City Planning Commission staff recommendation is approval for CMX3, but amended text changes to the Bill.

Mr. Greenberger asked about the curb cuts.

Ms. Brumbelow replied showed 3 curb cuts over 24 ft. on Thompson Street; over 40 ft. curb cut for truck loading and unloading.

Mr. Greenberger asked about 9th Street.

Ms. Brumbelow replied elevated lines of rail.

Ms. Miller replied it has additional signage and reduction of landscaping.

Mr. Citron asked would the applicant need to go to the ZBA.

Mr. Greenberger replied yes, but it's also an Ordinance, and City Council could ignore our recommendations.

Engineering representative replied the main driveway is 30 ft. wide on Girard and Hutchinson. Regarding signage, we wouldn't be allowed 1 pillion sign because of the railroad overpass. Regarding the landscaping requirement, the maximum way to provide 10% landscaping while working with parking lot. We tried to maximize this and the parking.

Ms. Ruiz asked how big is the site.

Engineering representative replied 18,208 sq.ft. It will be a discount grocery store, like a Bottom Dollar Food Market.

Mr. Greenberger replied it is a difficult site.

Ms. Rogo Trainer asked 1 free standing sign.

Engineering representative replied Ordinance lets us have 2 free standing pillion signs of 100 ft. We want to put 1 into a 200 ft. pillion sign.

Ms. Rogo Trainer replied that's twice the size. Not following the interior landscaping is wrong.

Mr. Greenberger asked how many spaces involved in the extra landscaping.

Engineering representative replied it is a small space. He doesn't want to lose an entire row.

Ms. Rogo Trainer replied there are other ways of doing the 10%.

Engineering representative replied the site is very narrow.

Ms. Rogo Trainer asked how many sq. ft. of landscaping are you short of.

Engineering representative replied 2,400 sq. ft.; 15 parking spaces.

Ms. Miller replied this is the supermarket operator who is assuming that they need parking.

Mr. Greenberger replied 15 spaces. Take out the ones on Girard, and make it green there. The parking near the loading dock you want to keep.

Engineering representative replied yes, and parking on side for employees, and out front for customers.

Ms. Ruiz replied parking is important; so is landscaping.

Gabriel Gottlieb replied a lot of people who do shopping don't want to walk with their kids and carry \$100.00 of groceries. Security is a problem too. They would want parking spaces where people could see them. Put a window instead of a blank wall on Girard.

Mr. Greenberger replied his sense is that rezone is OK; curb cuts – only that we are doing something special. Landscaping is an issue; it shouldn't be so hard to do 10%. He said we could approve it with amendments B and C.

Upon motion by Ms. Miller, seconded by Mr. Lee, the City Planning Commission approved staff's recommendation for Zoning Bill 130137.

Mr. Greenberger adjourned the City Planning Commission Meeting of March 19, 2013 at 3:07pm.

SUMMARY

1. Approval of the Minutes for the February 19, 2013 and March 5, 2013 meetings. Approved
2. Executive Director's Update.
3. Action Item: Amendments to City Planning Commission Regulations in accordance with Zoning Bill 120889 Approved
4. Staff Presentation: Draft *Philadelphia2035* Central District Plan (Presented by Laura Spina) Presented
5. St. Joseph's University Zoning Remapping Actions (Introduced by Councilmember Jones on January 31, 2013; Presented by Martin Gregorski): Approved
 - a. Action Item: Zoning Bill 130061 to remap the area bounded by Overbrook Avenue, 54th Street, Woodbine Avenue, Wynnefield Avenue, and 56th Street from "RSA-2" to "SP-INS".
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6. Action Item: Zoning Bill 130136 to remap the area bounded by Spring Garden Street, N. 22nd Street, Pennsylvania Avenue, Hamilton Street, and N. 21st Street to "CMX-4" Commercial Mixed-Use (Introduced by Councilmember Greenlee for Council President Clarke on February 28, 2013; Presented by Martin Gregorski). Approved the rezoning of the site to "CMX-4"
7. Action Item: Zoning Bill 130137 to remap an area bounded by Thompson Street, N. 9th Street, Girard Avenue, and Hutchinson Street to "CMX-3" Commercial Mixed-Use, and amends parking and sign provisions (Introduced by Councilmember Greenlee for Council President Clarke on February 28, 2013; Presented by Paula Brumbelow). Approved
PCPC's staff recommendation