PHILADELPHIA CITY PLANNING COMMISSION
MINUTES
June 17, 1986

PRESENT:
Graham S. Finney, Chairman
William W. Batoff
David W. Brenner
Lee G. Copeland
Carlo R. Gambetta
Donald Kligerman, representing James S. White
Rev. Willie G. Williams

ABSENT:
Joseph W. Egan, Jr.
Mamie Nichols

Executive Director:
Deputy Executive Director:
Barbara J. Kaplan
David A. Baldinger
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Chairman Pinney called the meeting to order at 11:25 a.m. The Chairman stated that the Commission does not ordinarily meet in the Mayor's Reception Room nor does it usually meet on Tuesdays. However, due to the continuing problem with asbestos contamination in the City Hall Annex, the Commission has been forced to meet wherever it can find space. Chairman Pinney stated that the reason for an earlier meeting date was to bring items before the Commission before they go to City Council. Since City Council's summer recess is in another two weeks, it is imperative to hear these proposals at today's meeting. Mr. Finney also cited that an impending change in the Federal tax code was an important factor in bringing development items before the Commission at this time.

1) Minutes of the Meeting of June 5, 1986.

ACTION: Upon motion by Mr. Batoff, seconded by Rev. Williams, the Commission voted to approve the Minutes of the Meeting of June 5, 1986.

2) CENTRAL GERMANTOWN URBAN RENEWAL AREA; Parcel 13 - 5600-06 Germantown Avenue. To approve a Redeveloper's Agreement for the Pletcher Building to develop 5 retail stores and 16 apartment units. Size: 24,000 sq. ft. Zoning: "C-3 Commercial." Disposition: $45,000. (Rouse Urban Housing, Inc. and DEVCO, II, Inc.)

PRESENTATION:

Mr. Brian Clater, Community Planner, addressed the Commission on this item. Mr. Clater stated that the Commission was being asked to approve a Redeveloper's Agreement between the Redevelopment Authority and the development team of Rouse Urban Housing, Inc. and DEVCO, II, Inc. for Parcel 13 in the Central Germantown Urban Renewal Area.

Mr. Clater stated that this proposal is to redevelop a three-story structure, the Pletcher Building, on Parcel 13, for mixed use occupancy of five retail stores on the ground floor fronting on Germantown Avenue and Maplewood Mall and 16 apartment units on the second and third floors.

The building's facade will be restored to meet the requirements of the Historical Commission and all work performed will be in conformance with the Urban Renewal guidelines.

The located of this development is 5600-06 Germantown Avenue, which is in the Central Germantown Urban Renewal Area. The building area is 24,000 sq. ft. and the parcel size is 9,347 sq. ft. The zoning is Commercial (C-3) and the urban renewal plan and land use is commercial. The disposition price is $45,000 and the total development costs are estimated at $1,616,891.

Mr. Clater stated that this property is located within the Germantown Historic District and its proposed redevelopment is in accordance with local zoning ordinances of the Philadelphia Zoning Code and land use controls and specifications of the Urban Renewal Plan subject to the approval of site plans to the Historical Commission and the Redevelopment Authority.

Mr. Clater stated that this proposal was approved by the Technical Evaluation Committee and the Redevelopment Authority Board and has received some community support. Mr. Clater recommended staff approval.
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Mr. Scott, Executive Director of the Central Germantown Council, then addressed the Commission. He stated that he was glad that the project had reached this point and added his support to its approval.

ACTION: Upon motion by Mr. Batoff, seconded by Mr. Brenner, the Commission approved the Redeveloper's Agreement for Central Germantown Urban Renewal Area; Parcel 13 - 5600-06 Germantown Avenue.

3) MODEL CITIES URBAN RENEWAL AREA - NORTH PHILADELPHIA REDEVELOPMENT AREA - Parcel I-I5 - To approve a Redeveloper's Agreement to develop 32 single-family housing units and 32 parking spaces on the former Dolly Madison Site at 4th Street and Orianna. Size: 1.22 acres. Existing use: Vacant land. Zoning: "L-4". Disposition price: $96,000. (Rouse Urban Housing Group).

PRESENTATION:

Mr. Gihon Jordan, Area Planner, then addressed the Commission. Mr. Jordan stated that this action is a request by Rouse Urban Housing, Inc. to approve a Redeveloper's Agreement for the North Philadelphia Redevelopment Area, Parcels I-I5 (formerly known as the Dolly Madison Site). This proposal would provide for the development of 32 units of sales housing for families. Two and three-bedroom homes, with 32 parking spaces. The houses are being designed to be compatible with the architecture in Northern Liberties. The location of this proposal is on 829-71 North 4th Street, between 4th Street and Orianna Street, just south of Poplar Street.

Mr. Jordan stated that the existing use is vacant land, the zoning is "L-4". Since the use will be residential, a zoning variance will be required. The disposition price is $96,000 and the development cost is $2,265,461. Mr. Jordan stated that the houses will sell for $76,000. Financing will be provided by an Equibank Construction loan for $2,200,000.

Mr. Jordan stated that Dolly Madison Ice Cream went out of business and the City acquired the land in the 1970's. The land was advertised and this was the only proposal submitted. The City has funded residential rehabilitation on the facing and surrounding streets which supports this new residential development. Mr. Jordan stated that both the surrounding community and the staff are in favor of this proposal.

Ms. Mary Dankanis, Community Coordinator for Northern Liberties Neighbors Association, Inc., then addressed the Commission. Ms. Dankanis stated that her organization is strongly supporting this proposal.

ACTION: Upon motion by Mr. Batoff, seconded by Rev. Williams, the Commission voted to approve the Redevelopment Agreement for the Model Cities Urban Renewal Area - Parcel I-I5; 4th and Orianna Streets.

4) UNIVERSITY CITY URBAN RENEWAL AREA; Unit #3 - Parcel 38 - NWcor 34th & Chestnut Streets. To approve a Redeveloper's Agreement for 450 residential units, 340 structured parking spaces and 25,000 sq. ft. of retail. Zoning: "C-4 Commercial." (Developer: Chestnut Commons Ltd.)
PRESENTATION:

Mr. Richard Redding, Area Planner, then addressed the Commission. Mr. Redding stated that the Commission is being asked to approve a Redeveloper's Agreement between the Redevelopment Authority and the Chestnut Commons, Ltd. for construction of a residential and retail development in University City at the NWC or of 34th and Chestnut Streets. Mr. Redding stated that this proposal calls for three apartment buildings of 12, 15, and 18 stories constructed over 2 levels of underground parking. The size of this parcel is 2.58 acres and the re-use designation is mixed use, predominantly residential. Mr. Redding stated that 340 structured parking spaces will be provided in the basement of the building in addition to a free-standing parking lot on the site.

Mr. Redding stated that the developer of this project is a partnership, Chestnut Commons, Ltd. which is made up of Danico, Inc. (an affiliate of Daniel J. Keating Construction Company) which has an 85% interest, and Renaissance Investment Corporation (a for-profit subsidiary of O.I.D. Community Revitalization, Inc.), which has a 15% interest in the partnership. The University of Pennsylvania will own the property and lease it to Chestnut Commons, Ltd. under a long-term lease.

Mr. Redding stated that the land price of this development was a total of $2.3 million, to be paid in two installments with $1.8 million paid initially, and $0.5 million paid at the commencement of the second phase of construction. Phase I will consist of the easternmost apartment buildings plus about 2/3 of plazas and parking. However, the two buildings will be built consecutively in Phase I, not simultaneously. Phase II will include the third apartment building, the free-standing retail building, and the remainder of one plaza area and the structured parking.

Mr. Redding stated that this proposal will require a zoning variance because the code's requirement for one-to-one parking will not be met. This plan shows parking at a ratio of about 8 spaces for every 10 units. This exceeds the urban renewal requirements of 7 to 10, but it does not conform to zoning controls.

Mr. Redding stated that staff recommended approval.

Ms. Kaplan stated that the City development agencies approve of this Redeveloper's Agreement with Chestnut Commons, Ltd. and the Redevelopment Authority. However, Ms. Kaplan stated that some technical details still had to be worked out and she was recommending that the Commission approve this Agreement upon condition that the Executive Director verify that the final Agreement approved by the Redevelopment Authority Board is substantively equivalent to the Agreement being approved today.

ACTION: Upon motion by Mr. Kligerman that the Commission approve this Redeveloper's Agreement contingent upon the final action by the Redevelopment Authority and a review of the agreement by Ms. Kaplan, the Commission voted to approve University City Urban Renewal Area; Unit #3 - Parcel 3B - NWC or 34th & Chestnut Street. Mr. Brenner seconded the motion; Mr. Copeland abstained.

5) UNIVERSITY CITY URBAN RENEWAL AREA; Unit #3 - Parcels #'s 3A, 3B, 3C. To approve a Redeveloper's Agreement to allow for the rehabilitation of 16 structures to contain 16 commercial units, 35 apartment units and 32 off-street parking spaces. (Developer: Lancaster News Associates).
PRESENTATION:

Mr. Cornell Pankey, Area Planner, then addressed the Commission. Mr. Pankey stated that this proposal is to approve a Redeveloper's Agreement between the Redevelopment Authority and Lancaster Mews Associates allowing for the rehabilitation of 16 structures on three parcels in University City Urban Renewal Area - Unit No. 3. The three parcels are Parcel 3A at the NWcorner of 36th & Warren Streets; Parcel 3B at 3600-30 Lancaster Avenue and Parcel 3C at the NECor of 37th & Warren Streets. Mr. Pankey stated that Parcel 3A, 3B and 3C are for Mixed-Use Commercial/Residential (Rehabilitation). At the present time Parcel 3A is vacant cleared land, Parcel 3B is vacant existing buildings and Parcel 3C is vacant cleared land.

Mr. Pankey stated that the existing zoning is Parcel 3A - R-10A Residential and Parcels 3B and 3C C-4 Commercial. The proposed developer is Lancaster Mews Associates, a joint venture with the principals being Susan E. Rabinovitch (owning 85%) and Marianna Thomas (owning 15%). The architect is Marianna Thomas.

Mr. Pankey stated that this proposal is to rehabilitate 16 existing vacant buildings to contain 16 commercial units on the ground floors and 35 apartment units on the upper floors and in the rear additions. There will be 5 one-bedroom units, 21 two-bedroom units and 9 three-bedroom units. A total of 32 off-street parking spaces and landscaping will be provided on the vacant cleared land parcels and at the rear of the structures.

Mr. Pankey stated that the disposition price is $155,000 and the estimated development cost is $3,200,000, part of which is a UDAG (Urban Development Action Grant) award of $515,000 given in the Spring of 1986.

The Planning Commission approved a modification to the Urban Renewal Plan at its meeting in July 1985. This modification allowed for rehabilitation with mixed-use Commercial/Residential, instead of clearance for residential. The Board of the Redevelopment Authority approved this Redeveloper's Agreement at its meeting of July 3, 1985.

Mr. Pankey noted that a zoning variance will be needed for parking on Parcel 3A as its zoning is R-10A Residential. He stated that staff would support this request at the Zoning Board of Adjustment. He also stated that community opinion is favorable and recommended approval of this Redeveloper's Agreement.

ACTION: Upon motion by Mr. Copeland, seconded by Mr. Brenner, the Commission voted to approve the Redeveloper's Agreement for University City Urban Renewal Area; Unit #3 - Parcels 3A, 3B and 3C.

6) WASHINGTON SQUARE WEST URBAN RENEWAL AREA; Unit #2 - Parcel #50 - 246-50 So. 9th Street. To approve a Redeveloper's Agreement for the construction of 17 residential units and an underground parking structure of 47 spaces. Size: 18,800 sq. ft. Zoning: "R-10". Disposition: $560,000. (Developer: French Village Associates).
PRESENTATION:

Ms. Mary Kay Noyallis, Area Planner, then addressed the Commission. Ms. Noyallis stated that this item concerns the Redeveloper's Agreement for Parcel #50 in the Washington Square West Urban Renewal Area; Unit #2. This parcel is located at 246-54 South 9th Street.

Ms. Noyallis stated that this proposal provides for the construction of 17 single-family units and an underground parking garage with 47 spaces. The zoning is "R-10" (multi-family residential). The developer is French Village Associates and the architects are Reichert-Facilides Associates. Ms. Noyallis stated that the minimum bid price was $550,000 and the disposition price is $560,000. The estimated cost of construction is $2.1 million.

Ms. Noyallis noted that variances will be needed because 6 of the residences do not have street frontages and the 9th Street facade is 40' and 4 stories. While the additional height is not a problem, other issues involving the design of the facades should be resolved through the Commission staff's participation in the Advisory Board of Design.

Ms. Noyallis stated that this proposal was selected from three which were received. The Technical Evaluation Committee of the Redevelopment Authority recommended approval of this developer on June 2, 1986, and Redevelopment Authority approval was given on June 13, 1986. The boards of the Washington Square Civic Association and P.A.C. recommended in favor of this proposal. Ms. Noyallis stated that the community was in favor of this proposal due to the low density of development and the creation of additional parking spaces which will be available to the community. Ms. Noyallis stated that staff recommended in favor of this proposal.

Ms. Kaplan stated that there are still some questions about the design of the facade, but she felt that the Advisory Board of the Redevelopment Authority was the appropriate place, with Planning Commission staff participation, to discuss this matter.

ACTION: Upon motion by Mr. Kligerman, seconded by Mr. Batoff, the Commission voted approval of this Redeveloper's Agreement for Washington Square West Urban Renewal Area; Unit #2 - Parcel #50.

7) WASHINGTON SQUARE EAST URBAN RENEWAL AREA; Unit #1 - Parcel A-27 - 130-32 Delancey Street. To approve a Redeveloper's Agreement for the rehabilitation of an existing 2 and 2 and 1/2 story structure, and the construction of a 4-level addition in the rear. Size: 2,766 sq. ft. Zoning: "R-10A". Disposition price: $286,000. (M and PL Associates).

PRESENTATION:

Ms. Noyallis stated that this item concerns the Redeveloper's Agreement for Parcel #A-37 in Washington Square East Urban Renewal Area; Unit #1. The parcel is located at 130-32 Delancey Street in the Society Hill section of the City. This address is located between 2nd and Front Street just below Pine Street.
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Ms. Noyallis stated that this proposal provides for the development of a private residence by rehabilitating an existing 2 1/2 story historically certified structure in front, and the construction of a 4-level (35' high) addition in the rear. The zoning is "R-10A" (single-family residential). The developer is M and PL Associates. The architects are Schwam Associates. Ms. Noyallis stated that the minimum bid price was $130,000. The disposition price is $286,000. ($154,000 higher than the other submission). The estimated cost of construction is $646,460. This proposal is in compliance with both zoning and urban renewal plan requirements.

Ms. Noyallis stated that this proposal was selected from 2 which were received in for the property. Ms. Noyallis stated that the Technical Evaluation Committee recommended approval of this developer on June 2, 1986, and the Redevelopment Authority approval was given on June 13, 1986. Ms. Noyallis noted that the Society Hill Civic Association preferred the proposal which was not selected because it had slightly less density, but the Association was not against the proposal chosen. She stated that the staff recommended in favor of this proposal.

ACTION: Upon motion by Mr. Batoff, seconded by Rev. Williams, the Commission approved this Redeveloper's Agreement at 130-32 Delancey Street.

8) Certification of blight under Pennsylvania Urban Renewal Law, as amended by Act 1978-94, to allow City acquisition by eminent domain of 81 vacant properties for residential rehabilitation and development, with housing programs sponsored by the Office of Housing.

PRESENTATION:

Mr. Peter Denitz, Chief of Area Planning, then addressed the Commission on this item. Mr. Denitz stated that the City's Vacant Property Review Committee has asked the Commission, under the State Redevelopment Act known as Act 94, to allow spot condemnation of 74 properties to be acquired by the Philadelphia Housing Development Corporation for rehabilitation. Mr. Denitz stated that all but one of these properties is located in the eastern section of North Philadelphia, and all but one of these properties is part of a package of properties being rehabilitated by the Kensington Joint Action Council.

Mr. Denitz stated that Act 94 specifies 8 criteria of blight. If any two of these criteria are met, the condemnation is approved. In this instance, all of the 74 properties fall under these two following criteria: 1) any premises which, because of physical condition or use, is regarded as a public nuisance or has been declared a public nuisance; and/or 2) any unoccupied property which has been tax delinquent for a period of two years to the effective date of this act, and those in the future having a two-year tax delinquency. Mr. Denitz stated that all of these 74 properties have been certified to meet the criteria by the Department of Licenses and Inspections, and tax delinquency has been documented by the Revenue Department.

Mr. Denitz stated that the Commission has been asked to certify blight on these properties so that disposition of them can be made for residential or related use. Mr. Denitz stated that no single vacant lot shall be certified to the Redevelopment Authority on which more than ten dwelling units can be constructed under existing zoning regulations.

Mr. Denitz noted that the Vacant Property Review Committee will consider the Commission's recommendations at its meeting of June 24.
Chairman Finney asked Mr. Denitz if Commission approval of the blight certification would generate immediate rehabilitation efforts. Mr. Denitz replied that this would happen after a Council resolution to transfer the properties from the Vacant Property Review Committee to the Redevelopment Authority. Mr. Denitz stated that the earliest this could happen was when Council re-convened in the fall of this year.

**ACTION:** Upon motion by Mr. Batoff, seconded by Mr. Kligerman, the Commission voted to certify conditions of blight for the 74 properties under consideration.

9) **REVISION TO THE DIVINITY SCHOOL INSTITUTIONAL DEVELOPMENT DISTRICT PLAN - NWcor 42nd and Spruce Streets.** Amendment to permit the construction of 2 new additions (7,500 sq. ft. G. F. A. (gross floor area) to the Educational Complex.

**PRESENTATION:**

Mr. Martin Soffer, Project Planner, then addressed the Commission. Mr. Soffer stated that this item is a revision to the former Divinity School Institutional Development District Master Plan. He stated that the subject site, which is owned by the University of Pennsylvania, and is leased by the University partially to the City of Philadelphia and partially to a private institution, is located in West Philadelphia's Spruce Hill section. The area is bounded by 42nd Street, Spruce Street, 43rd Street and Locust Street.

Mr. Soffer stated that this revision is to allow for the construction of two new additions to the educational complex: 1) a performing arts high school, and 2) a middle years alternative school. Mr. Soffer stated that the site meets all zoning and technical design requirements of the Building Code. Mr. Soffer stated that the materials to be used were stucco, and that the architects are Cecil Baker and Associates.

Mr. Soffer stated that there was no community opposition to this proposal. He noted that building construction had begun on this project before the proper permits were issued by the City and that the Department of Licenses and Inspections had issued a cease work order until the matter could be properly approved. Notwithstanding this problem, Mr. Soffer stated that the staff recommended approval.

Ms. Kaplan stated that although this project might be desired by the neighborhood and the University, the fact that permits were not obtained could not be condoned by the City. Ms. Kaplan stated that there were no specifications submitted for the foundation work which is now already complete. It was Ms. Kaplan's opinion that a construction project of this type should never be undertaken without the proper permits from the Department of Licenses and Inspections. Ms. Kaplan stated that this is the improper way to proceed and there is no excuse for it to happen.

Mr. Copeland stated he wished to take his hat off as a Planning Commissioner and speak as a member of the Campus Design Committee of the University of Pennsylvania. Mr. Copeland stated that this is a piece of property which is owned by the University and he has had no idea of what was being done with it up until this moment. He stated he was very embarrassed by this incident and would strongly complain to the University of Pennsylvania about it.
Ms. Kaplan also noted that another point could be raised. She stated that this might be an addition to an historically certified building. Ms. Kaplan stated that if a permit had been sought from the Department of Licenses & Inspections, the University would have been informed of the historic status of the former Divinity School. If it were certified, then the University would have to go to the Historic Commission for approval as well.

Mr. Copeland stated that if he were just sitting in the audience, he would urge the Commission to table or defeat this item at this time and that he, personally, would abstain.

**ACTION:** Upon motion by Rev. Williams, seconded by Mr. Batoff, the Commission voted to table this item.

10) **REVISION TO THE UNIVERSITY OF PENNSYLVANIA INSTITUTIONAL DEVELOPMENT DISTRICT MASTER PLAN.** NEcor of University Avenue and Tri-Institution Service Drive. To allow construction of a new one-story 2400 sq. ft. "Central Consolidated Waste Holding Facility".

**PRESENTATION:**

Mr. Soffer then addressed the Commission on this item. This is a revision to the University of Pennsylvania Institutional Development District Plan. The site location is at the NEcor of University Avenue and Tri-Institutional Service Drive in the University City section of West Philadelphia. It is approximately an acre in size.

Mr. Soffer stated that this is a request to allow the construction of a new one-story 2400 sq. ft. solid waste holding facility. Mr. Soffer stated that at the present time these materials are being stored at various sites within the I.D.D. Mr. Soffer stated that the University is currently licensed to store hazardous material of low-level radioactivity and non-hazardous research related materials such as corrosive and ignitable materials. Presently, the University has made contact with the City of Philadelphia's Health Department with regard to continuing its license in this new facility. Mr. Soffer stated that the project would cost $250,000. The architects are Francis Cauffman Wilkinson & Pepper.

Mr. Kligerman asked Mr. Soffer if the Department of Licenses & Inspections and the Fire Department had been consulted about this project, particularly with regard to the Fire Department's access route to the site and the surrounding area.

Mr. Soffer stated that he did not have specifics on this matter.

Because of this, Mr. Batoff made a motion to table this item until the Department of Licenses & Inspections and the Fire Department could be consulted. Chairman Finney interjected that if they could be consulted, could not this motion be amended?

**ACTION:** Mr. Batoff moved to amend his previous motion to table. Mr. Batoff moved to approve this project contingent upon approval by the Fire Department and the Department of Licenses & Inspection. Mr. Kligerman seconded this motion. The motion was carried by all Commission members. Mr. Copeland abstained from the vote.
11) TEMPLE UNIVERSITY INSTITUTIONAL DEVELOPMENT DISTRICT (Bell Computer Center Parking Garage). To permit the construction of a 5-story 237 space parking facility at the NEcor of 12th & Montgomery Streets.

PRESENTATION:

Mr. Soffer then addressed the Commission on this item. Mr. Soffer stated that this item is the third District Development Master Plan Change to the Temple University Institutional Development District. The site location for this proposed change is at the NEcor of 12th & Montgomery Streets in the Lower North Philadelphia area.

Mr. Soffer stated that the proposal before the Commission is for the construction of a 5-story, 237 space parking facility which would be 40 feet high and cover roughly 10 acres. This facility would accommodate the Bell Computer Center. At the present time, the site is occupied by an 84-space surface parking lot.

Mr. Soffer stated that the staff had no objection to this project in regard to its use, design and technical use, but did have one concern. This concern was that perhaps this project was being brought before the Commission prematurely since members of the surrounding community had only been notified of its existence several days ago.

Ms. Kaplan noted that in matters of amendments to Institutional Development District plans, they come to the Commission and then the Commission's action is forwarded to City Council. The Council has 45 days to concur, disapprove or ask for more time to consider their action. It is not necessary for Council to be in session for this process to take place. Ms. Kaplan said that the staff felt that since the community had not been notified until a few days before the meeting, and there are concerns in the community, that perhaps this item should be deferred to a later meeting.

Chairman Finney asked if any community members were present who wanted to speak. Ms. Shirley Kitchen, 20th Ward Leader, then addressed the Commission. Ms. Kitchen stated that the community did not have adequate time to consider this proposal. She noted that two schools are across the street from the proposed site; a Junior High School and an Elementary School. According to Ms. Kitchen, the first time the community heard about this was the Friday preceding this Tuesday meeting.

Mr. John Higgins, Director of Planning for Temple University, then spoke. Mr. Higgins stated that he did not think this would impact upon the community at all since it was merely replacing a surface parking lot with a parking garage.

Chairman Finney then summed up the comments made. He stated that the Commission had to either approve without comment, or, as had been suggested, hold it over until the next meeting. Mr. Finney stated that Council could begin its 45-day consideration without necessarily being in session. The Chairman stated that there were no staff objections on the basis of planning or technical grounds to what is being proposed.

Ms. Kaplan stated that it was true that the staff did not have any technical objections to this project. The staff, however, did wish to emphasize that it is desirable that the community be notified in advance of such an item being on the agenda so that this input can be considered when the Commission makes its decision.
Chairman Finney recommended to the Commission that one alternative was to approve this proposal on technical grounds, making it clear in the transmittal to City Council that because of Council's impending summer recess the Commission moved up its meeting time by several days. In so doing, the Commission did not have the necessary input by the community that it usually does on an item of this importance. The Commission would recommend that Council weigh these factors when it received the Commission's opinion.

ACTION: Upon motion by Mr. Batoff, who recommended endorsing the suggestions made by the Chairman to approve this item only on technical grounds while asking City Council to consider community reaction and take time to fully consider the proposal. Chairman Finney called for a vote on this motion. Mr. Batoff and Rev. Williams voted in the affirmative; Mr. Brenner and Mr. Kligerman opposed this motion. Chairman Finney stated that the motion was defeated.

Since this motion did not carry, Chairman Finney asked for another motion to be made.

At this time, Chairman Finney recognized several members of the audience who were from the Temple University surrounding community. These representatives of several civic groups also expressed their concern regarding the impact of this parking garage on the traffic patterns in the area and the traffic around the Junior High School and Elementary School. The members of the community groups urged that the Commission allow them more time to consider the ramifications of this project.

ACTION: Mr. Kligerman made a motion to table this item until the next Commission meeting on July 17, 1986; Mr. Batoff seconded the motion. Chairman Finney stated that this item was tabled.

Ms. Kaplan noted that if this item were to be approved at the July 17 meeting, then the clock would begin the 45 days for Council consideration as soon as Counsel is notified of the Commission's decision.

12) ZONING BOARD OF ADJUSTMENT CASES 86-0857-64; General vicinity of I-95 and South Broad Street. To allow the construction of 8 non-accessory outdoor advertising signs. Zoning: "G-2 Industrial" and "L-R Least Restricted Industrial". Hearing: June 24, 1986.

PRESENTATION:

Mr. Thomas Chapman, Projects Planner, then addressed the Commission on this item. Mr. Chapman stated that this proposal was located in the general vicinity of I-95 and South Broad Street, near the Stadium Complex. Mr. Chapman stated that this is an application from Interstate Outdoor Advertising Company allow the construction of 8 non-accessory signs to be erected within 500 feet of existing non-accessory signs in the vicinity of I-95 and South Broad Street. The zoning at this location is G-2 Industrial and LR Least Restricted Industrial.
Mr. Chapman stated that the Philadelphia Beltline Railroad Company cancelled the leases of several sign companies with existing signs in order to lease the land to Interstate. The other sign companies then negotiated leases on adjacent parcels and have secured zoning permits to erect new signs. The existing leases end as of July 1, 1986.

Mr. Chapman stated that if the other companies erect their signs on the adjacent land, and if the subject variances are granted, as many as 16 or more signs would be at this location at one time. Mr. Chapman stated that the staff recommendation was disapproval for this application. He stated that the staff would further recommend that the Department of Licenses and Inspections establish a policy whereby zoning and/or building permits would not be issued based on plans indicating the removal of an existing sign which is within 500' of a proposed sign until that existing sign is removed.

Ms. Kaplan noted that Interstate has leases, but no permits for this site and the other sign companies involved have permits which give them the right to erect these signs on adjacent parcels but they have lost their leases with Beltway.

Mr. Arnold Cohen of the Krain Outdoor Advertising Company, Inc. then addressed the Commission. He stated that he is the owner of several of the existing signs on Beltway's property. Mr. Cohen stated that his lease was cancelled with only 30 days' notice. He stated that he negotiated new leases with adjacent property owners and agreed to move his signs. However, Interstate is proposing erecting signs on the Beltway property which would be too close to his and thus in opposition to Section 14-604 of the Zoning Code. Mr. Cohen stated he had received a letter from Mr. Henry Herling, Commissioner of the Department of Licenses & Inspections, stating that his permits were valid, but suggesting he yield in this matter. Mr. Cohen stated that his company did not wish to comply with this request and were advocating that the Commission turn down Interstate's application for a variance.

Mr. Clayton, representing Interstate Outdoor Advertising, then addressed the Commission. Mr. Clayton stated that the Krain Company's lease has been cancelled so they are obligated to remove their signs since they were not the lessor of this property anymore.

Mr. Krain stated that the lease expires August 1, 1986 and under the Zoning Code, his company is only required to move its signs 500 feet over from other signs. The problem is with another company erecting signs too close to his company's signs.

Ms. Kaplan asked Mr. Paul Rucci, Deputy City Solicitor, for an opinion on this matter. Mr. Rucci replied that he felt that as long as existing signs are erected in the first place, no permit can be issued unless person shows a lease. When the lease is shown, then a plan should be presented for the former sign company to remove its signs. Mr. Rucci stated that what intrigued him in this matter was whether the Department of Licenses and Inspections has had, at any one time, issued more than one permit. Mr. Rucci stated that no permit should have been issued for any additional signs when and until the first sign was gone. Mr. Rucci stated that a variance would be needed to allow a second permit.
Ms. Kaplan suggested that if a policy of issuing a permit, depending on the removal of the other parties' signs had been followed, then no permit could have been issued to Krain. However, in this case, Interstate is put in the position of seeking a variance to erect their signs in the newly leased space.

Mr. Rucci stated that the Planning Commission has to accept the matter as it has been presented to the Zoning Board of Adjustment in all its elements. It now seems to be a question of whether or not the ZBA will decide that a variance should be granted. Mr. Rucci stated that the Planning Commission can only base its decision on how this matter will impact on the planning for the area.

**ACTION:** Upon motion by Mr. Brenner that the Commission support the staff recommendation to oppose the granting of these variances because there are already valid permits to allow the appropriate number of signs in the area. The motion was seconded by Mr. Batoff and the Commission voted to recommend against this application.

13) **Bill #989** - To accept from the Commonwealth of Pennsylvania title and interest for land situated between the bulkhead line of the Delaware River and the anticipated new easterly right-of-way line of Delaware Avenue opposite Pier 12 through Pier 24 North. To be developed in conjunction with these piers. Hearing: June 18, 1986 (This bill was introduced June 12 and information for a fact sheet was not available at this time for inclusion in Commissioner's packages).

**PRESENTATION:**

Mr. Thomas Chapman, Projects Planner, then addressed the Commission on this item. Mr. Chapman stated that Bill #989 authorizes the City to accept from the Commonwealth of Pennsylvania a parcel of land located between the bulkhead line of the Delaware River and Delaware Avenue. The size of this parcel is 26,222 sq. ft. Mr. Chapman stated that this parcel will be leased by the City to the Port Corporation to be used for fuel storage in conjunction with the development of the Marina at Piers 12 through 24 North. Mr. Chapman noted that the fuel itself will be stored underground.

Chairman Finney inquired if all the appropriate City departments (Fire, Public Property and the Department of Licenses and Inspections) had been consulted about this fuel storage. Ms. Kaplan stated that this was in the process of being done.

**ACTION:** Upon motion by Rev. Williams, seconded by Mr. Kligerman, the Commission voted to approve Bill #989 with the caveat that all appropriate City departments give their approval.

14) **Bills #'s 992, 993, 994, 995, 996, 997 & 998** - Block bounded by Arch Street, 13th Street, Filbert Street and Juniper Street. Proposed action is to authorize the City to purchase in lieu of condemnation, or to select and appropriate 1306 Arch Street, 1308 Arch Street, 1310 Arch Street, 1312-16 Arch Street, 1318 Arch Street and 1320-22 Arch Street and authorizes the striking from the City Plan and vacating of Cuthbert Street from Juniper Street to a point 60' west of 13th Street. Zoning: "C-5 Commercial". (City of Philadelphia).
PRESENTATION:

Mr. Chapman addressed the Commission on this item. He stated that these bills involve the block bounded by Arch Street, 13th Street, Fillbert and Juniper Streets. The proposed action is to authorize the City to purchase in lieu of condemnation, or to select and appropriate 1306 Arch Street, 1308 Arch Street, 1310 Arch Street, 1312-16 Arch Street, 1318 Arch Street and 1320-22 Arch Street and authorizes the striking from the City Plan and vacating of Cuthbert Street from Juniper Street a point 60' west of 13th Street.

Mr. Chapman stated that the purpose of these bills was to acquire an additional 28,952 sq. ft. for the construction of a new Criminal Justice Center. Mr. Chapman noted that this may be the only time the Commission would have the chance to review the plans for the new facility. Mr. Chapman recommended that these bills be approved by the Commission, with the caveat that the staff be involved in the design of the facility.

Chairman Finney stated that he believed that not only the staff, but the Commission as well, should be involved with the design of this facility. Mr. Finney stated that this was the next step toward building the Justice Center. He stated that these bills would authorize the taking of these properties, but because of the changes in the tax laws, it was necessary to take today's action to begin the implementation process. However, Chairman Finney stated that this was not sufficient reason for the Commission to abdicate its interest in the design, the cost of the facility, and the cost of operating the facility. Mr. Finney stated that he desired that this be made a caveat to approval so that the Commission could continue to comment on this project.

ACTION: Upon motion by Mr. Copeland to recommend approval of Bills #’s 992, 993, 994, 995, 996, 997 & 998 with the recommendation that the staff and the Commission be involved in the timely review of the design and development of the Justice Center, especially that the staff and Commission review the disposition of the corner properties before any purchase or taking is executed. This motion was seconded by Mr. Kligerman. Chairman Finney wished to be recorded as voting yes on these bills.

15) To approve a Resolution Authorizing Selection of the Philadelphia Development and Mortgage Assistance Corporation as the Redeveloper of Seventy-Nine (79) Redevelopment Authority owned properties.

PRESENTATION:

Mr. Peter Denitz, Chief of Area Planning, then addressed the Commission on this item. Mr. Denitz stated that under this Resolution, the Commission was being asked to select the Philadelphia Mortgage and Assistance Corporation as the redeveloper for 79 Redevelopment Authority-owned properties located in 14 Urban Renewal Areas in Philadelphia.

These 79 properties were selected from nearly 7,000 properties which were publicly advertised as eligible for rehabilitation under the Redevelopment Authority’s Small Rental Properties Program on November 27, 1985. Mr. Denitz stated that the Program utilizes a non-profit corporation known as the Philadelphia Development and Mortgage Assistance Corporation (PMAC) as a conduit to transfer eligible properties from the seller (Redevelopment Authority) to the final developer under Internal Revenue Service regulations.
Mr. Denitz stated that most of the properties are located in North, West and South Philadelphia. The disposition price to designated redeveloper is $500 per property. Mr. Denitz stated that the staff recommends approval.

**ACTION:** Upon motion by Rev. Williams, seconded by Mr. Copeland, the Commission approved this Resolution.

16) **Routine:**

   a) Bill No. 978 - Authorizes the City to convey to P.A.I.D. a parcel of land on the northeast corner of 50th Street and Willows Avenue. Purpose: development of a farmer's market. Zoning: "C-2" Commercial. (W. Phila. Firehouse Community Market, Inc.)

**PRESENTATION:**

Mr. Chapman addressed the Commission on this item. He stated that this bill authorizes the City to transfer to P.A.I.D. (Philadelphia Authority for Industrial Development) a parcel of land at the northeast corner of 50th Street and Willows Avenue. This property is zoned "C-2" Commercial and was formerly a City firehouse.

P.A.I.D. will convey this parcel to the West Philadelphia Firehouse Community Market, Inc. which is a group consisting of representatives from Cedar Park Neighborhood, Inc. and The West Philadelphia Partnership to use the site as a farmer's market.

Mr. Chapman noted that the funds for the development of this market are in the amount of $125,000 and are anticipated from the Pennsylvania Department of Agriculture Urban Market Grant Program. He stated that staff recommends approval.

**ACTION:** Upon motion by Mr. Brenner, seconded by Rev. Williams, the Commission approved Bill No. 978.

   b) Bill No. 980 - Authorizes the City to convey to P.A.I.D. a parcel of land at the SEcor of 3rd and Somerset Sts. Purpose: Marketing for commercial or industrial development. Zoning: "G-2" Industrial.

**PRESENTATION:**

Mr. Chapman presented this item to the Commission. He stated that Bill No. 980 authorizes the City to transfer to P.A.I.D. a parcel of land at the southeast corner of Third and Somerset Streets. This parcel is currently a vacant lot, 62,250 sq. ft. in size and is zoned "G-2" Industrial. The purpose of this bill is to allow P.A.I.D. to market this property for commercial or industrial development as part of the inner-city industrial park program.

Mr. Chapman stated that staff recommended approval of this bill. He added at this time no interested parties have been found to purchase this parcel.
ACTION: Upon motion by Mr. Brenner, seconded by Mr. Kligerman, the Commission voted to approve Bill No. 980.

At this time, Mr. Copeland asked to be recognized by the Chair.

The Chair recognized Mr. Copeland. Mr. Copeland stated that the University City Associates who are the owners of the property which was formerly the Divinity School have a question about the tabling of their request for a revision to the I.D.D. Mr. Copeland stated that University City Associates have an obligation to provide this facility in time for the opening of school in the fall of 1986. Mr. Copeland stated that the University is asking that the Commission reconsider the tabling action.

Mr. Kligerman stated that the Managing Director's Office has a problem with this. He felt that the University City Associates had not applied for the proper permits to begin construction. Mr. Kligerman felt that the group had not complied with the law in this respect.

Mr. Christoper R. van de Velde, representing University City Associates, then addressed the Commission. Mr. van de Velde stated that the University believed that it would get the permission of the Planning Commission and City Council in this matter. He stated that construction was begun several weeks ago when the decision was made to build an addition, and applications were submitted at that time to the proper City department. Mr. van de Velde stated that the University had involved the community and other nearby schools in this decision. He stated that in respect to Mr. Copeland's Fine Arts Committee (since the former Divinity School was owned by a subsidiary of the University), that University City Associates did not feel it had to go through a submission to the Committee on this matter. Mr. van de Velde stated that now the matter had become a very serious problem because of the time factor. He stated that if this was not approved now, there may not be another meeting of the Rules Committee of City Council until fall.

Mr. Copeland asked Mr. van de Velde why construction was started without a building permit.

Mr. van de Velde stated that the construction was started with the understanding that University City Associates would be applying for a permit as soon as possible. He stated that he recognized that University City Associates took a risk in this matter. Mr. van de Velde stated that the project was reviewed and it was felt that the building construction was in compliance with the Building Code.

Ms. Kaplan addressed Mr. van de Velde. She stated that if the City had been aware of the time pressures of the developer, then it might have been possible for the Department of Licenses and Inspections to have issued a foundation permit. If there had been a foundation permit, then at least an Licenses and Inspection inspector would have been on site to inspect the pouring of the foundation. Ms. Kaplan stated that when a major City institution fails to follow the proper legal procedures, it sets a poor example.

ACTION: Mr. Copeland moved that this item be reconsidered and removed from the table. Hearing no second, the motion failed.
Chairman Finney adjourned the meeting at 12:45 p.m.

Respectfully submitted,

Dolores Techner

Dolores Techner
Recording Sec'y