

PHILADELPHIA CITY PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 20, 2018

PRESENT:

Anne Fadullon, Commission Chair  
Joseph Syrnick, Vice Chair  
Garlen Capita  
Patrick Eiding  
Cheryl L. Gaston  
Maria Gonzalez  
Nancy Rogo Trainer  
Ariel Vazquez  
Duane Bumb, Representing Harold T. Epps  
Peilin Chen, Representing Rob Dubow  
Christopher Rupe, Representing Michael DiBerardinis  
Eleanor L. Sharpe, Executive Director

NOT PRESENT:

*Commission Chair, Anne Fadullon convened the Philadelphia City Planning Commission meeting on Tuesday, February 20, 2018, at 1:10 p.m.*

1. **Approval of the Meeting Minutes for January 16, 2018.**

Upon the motion made by Commissioner Gaston, seconded by Commissioner Gonzalez, the City Planning Commission voted to approve the meeting minutes for January 16, 2018.

2. **Executive Director's Update**

a) PCPC AND CDR MEETING UPDATE

- Next scheduled CDR meeting: **Tuesday March 6, 2018 at 1:00 p.m.**
- Next scheduled PCPC meeting: **Tuesday March 20, 2018 at 1:00 p.m.**

b) PUBLIC MEETINGS

The Upper Northwest district plan held a meeting on January 29, 2018, which was one of the largest turnout. The next public meeting is March 26, 2018 at Germantown Friends School.

c) WEST DISTRICT PLAN

The deadline for any comments regarding the West District Plan is March 30, 2018; and, the plan will be presented to the Commission for Adoption in April 2018.

d) HISTORIC PRESERVATION TASK FORCE

The next public meeting is scheduled for March 15, 2018 at 9:30 p.m.

e) LEGISLATIVE BILL RECOMMENDED FOR ADMINISTRATIVE APPROVAL

Streets Bill No. 180014: "An Ordinance amending Section 5 of an Ordinance (Bill No. 170474-A), approved June 27, 2017, entitled 'An Ordinance authorizing 1338 Inc., ('Owner') to install and maintain an open-air sidewalk café at 1338-40 South 10th Street, Philadelphia, PA 19147 ('Property'), under certain terms and conditions,' by removing language related to the automatic expiration of the Ordinance nine (9) months after the Owner has entered into the Agreement as required by the Ordinance." Introduced by on January 25, 2018. (Presented by Sarah Chiu)

f) ADDITIONAL ITEMS

- Citizens Planning Institute: *Do You Love Where You live* (6) week course on City Planning, Zoning and Development, where participants can learn how they can make a difference in their neighborhoods. The public can apply on the website from February 21, 2018 to March 21, 2018 or call (215) 683-4648 for a printed application.

The classes will be held once a week beginning **Wednesday, April 11, 2018** until **Wednesday, May 23, 2018** at 1515 Arch Street, 18<sup>th</sup> Floor, PCPC Room – 18029. The cost is \$100.00, which includes dinner. Scholarships will be available.

- *The Capital Program item was stricken from the agenda, but, will be heard at a special meeting on Tuesday, February 27, 2018.*

This concludes the Executive Director's report.

3. **Staff Presentation: Scrapyards and Auto Wrecking – White Paper (Presented by Martine Decamp)**

During the *Phila2035 District Plan* process, it was noted in several plans that there was a need to address the impacts of scrap and salvage facilities on the neighborhoods that surround them. This white paper takes those recommendations a step further by examining the issues, regulations, and alternatives for making these businesses operate as better neighbor. The purpose of the plan is to reduce conflicts between scrap and salvage operations, neighborhoods, and planned improvements.

Scrap and salvage yards are necessary industrial uses that support the recycling of materials, create jobs and revenue, and provide a cost-effective secondary market for consumers; however, the management and siting of these facilities is sometimes at odds with other city goals. Facilities have sprawled adjacent to waterways, along changing industrial corridors, and even within residential neighborhoods, creating conflicts with greenway plans, plans for improvements to industrial corridors, and real and perceived environmental issues with nearby residents.

This white paper examines the existing physical and regulatory environment within which scrap and salvage yards operate, and considers alternatives to help modernize the facilities, reduce conflicts, and protect the quality of life of residents, especially for within close proximity of a facility. Planners met with individuals from the community, city agencies, and elected officials to explore issues and opportunities for improvement. This paper documents these findings and creates a base for future conversations.

#### EXISTING CONDITIONS

I. Context

- 43 licensed facilities
- 160 acres
- Lower Southwest, North, Riverwards and North Delaware

II. Issues/Economic Impact

- Revenue
- Recycling
- Jobs
- Supplies

III. Issues/Environmental Impact

- Soil
- Water

- Air
- Regulations

IV. Issues/Community Impact

- Appearance
- Health
- Crime
- Environmental Justice

V. Issues/Land Use Conflicts

- Residential
- Industrial
- Waterways and Trails

VI. Alternatives

- Rezoning, relocation, environmental grants and programs, legislation, best management practices, education and outreach, compliance, modernization and incentives.

VII. Next Steps

- Mayor's Zero Litter and Waste Cabinet, Scrap Yard Task Force, locations, review environmental regulations, programs and incentives, community engagement, education and compliance officers.

4. **Staff Presentation: Upper Northwest District Plan Update (Presented by Ian Hegarty)**

Upper Northwest District [Germantown, East and West Mount Airy, Chestnut Hill, Blue Bell Hill, Cliveden Hills] is roughly bounded by SEPTA's Chestnut Hill East Line, Wister Street, Stenton Avenue, Northwestern Avenue, The Wissahickon Creek/Wissahickon Avenue, and Roosevelt Expressway. The purpose is for District Plan of Philadelphia2035: The Comprehensive Plan.

Land use is 59% residential, 21% park/open space/recreation/culture/amusement, 10% civic and institutional, 4% commercial and mixed-use, 2% transportation, and 1% industrial.

The Upper Northwest District plan is in its outreach phase, which began with a public meeting on January 29<sup>th</sup>. Over 350 attendees viewed a presentation on existing conditions and participated in small group exercises to identify strengths, weaknesses, opportunities, and barriers within the district. On February 2<sup>nd</sup>, PCPC staff used this feedback to select the Focus Areas for the district plan.

The second public meeting is scheduled for March 26, 2018 at Germantown Friends School. The third public meeting is scheduled for June 4, 2018, with location TBD. Staff expects to present this plan for adoption at the August 21, 2018 City Planning Commission meeting.

For updates, visit the plan page at [www.phila2035.org](http://www.phila2035.org).

*\*Commissioner Capita added that she had attended the Upper Northwest Plans and the staff did an amazing job.*

5. **Action Item: Street Type Designation Amendments (Presented by David Kanthor)**

The Complete Streets Handbook was adopted in 2013. This included street type designations from the Pedestrian and Bicycle Plan of 2012. Street types were updated in 2017 as a first attempt to address some of the street type changes that have happened through or in anticipation of new development proposals or character changes. This effort is presenting known street types that need to be changed due to development proposals that have gone through the CDR process.

Some of the changes that are proposed were identified from TIGER street reconstruction projects or through complete street reviews for the CDR process.

<https://beta.phila.gov/documents/complete-streets-design-handbook/>

2018 Proposed Street Type Designation Changes				
Street	From	To	Current Type	Proposed Type
American Street	Girard Avenue	Indiana Avenue	Auto Oriented Commercial/Industrial	Urban Arterial
23rd Street	Jefferson Street	W Oxford Avenue	None	City Neighborhood Street
Reed Street	Columbus Blvd	Delaware River	Local (Catch All)	City Neighborhood Street
Dickinson Street	Columbus Blvd	Delaware River	Local (Catch All)	City Neighborhood Street
Tasker Street	Columbus Blvd	Delaware River	Local (Catch All)	City Neighborhood Street

Staff recommendation is for approval.

Upon the motion made by Commissioner Capita, seconded by Commissioner Gaston, the Philadelphia City Planning Commission approved the revision.

6. **Action Item: Zoning Bill No. 180003: “An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Girard Avenue, 5th Street, Spring Garden Street, 8th Street, Brown Street, and 9th Street, all under certain terms and conditions.” (Presented by Ian Litwin)**

Bill No. 180003 - Amending the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Girard Avenue, 5th Street, Spring Garden Street, 8th Street, Brown Street, and 9th Street, all under certain terms and conditions. Introduced by Councilmember Greenlee for Council President Clarke on January 25, 2018.

The Bill remaps an area of the Poplar neighborhood bounded by Girard Avenue, 5th Street, Spring Garden Street, 8th Street, Brown Street, and 9th Street, referred to as East Poplar.

The area between 5th Street and 6th Street is within the Northern Liberties Neighborhood Association’s RCO boundaries.

- West Poplar was remapped in 2016 (Bill No. 170140).

- Northern Liberties (east of 5th Street) was remapped in 2013 and 2014 (Bills No. 130727, 140149, and 140444).

This Bill consists of corrective zoning remapping as proposed in the Central District Plan and expanded upon through meetings with the 14th Democratic Ward RCO.

Staff recommendation is for approval.

Upon the motion made by Commissioner Gonzalez, seconded by Commissioner Chen, the Philadelphia City Planning Commission voted to approve staff recommendation.

7. **Action Item: 180005: “An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Euclid Street, 53rd Street, Morse Street, and Georges Lane.” Introduced by Councilmember Jones on January 25, 2018 (Presented by Brian Wenrich).**

This remapping will allow for the redevelopment of the vacant Dimner Beeber Middle School. The developer, (Iron Stone Real Estate Partners - 1818 N. 53<sup>rd</sup> Street) would like to reuse the building for private Active Recreation and Group Medical together. They are in active discussions with the Councilperson about the site redevelopment.

- Existing Zoning: Residential Single-Family Attached (RSA-5).
- Proposed Zoning: Commercial Mixed-Use (CMX-3).

Staff recommendation is for approval.

Upon the motion made by Commissioner Rupe, seconded by Commissioner Eiding, the Philadelphia City Planning Commission voted to approve staff recommendation.

Opposed by Commissioner(s) Gaston, Gonzalez and Vazquez (Motion still carried)

8. **Action Item: Zoning Bill 180075: “An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Ashton Road, Old Ashton Road, Welsh Road, Axe Factory Road, Winchester Avenue, Holme Avenue, and Holme Circle.” Introduced by Councilmember Henon on February 1, 2017 (Presented by Greg Waldman).**

This Bill proposes to amend the zoning designation of certain areas of land located in the Holme Circle and Winchester Park neighborhoods to match with the existing land use.

- Existing Zoning: RSA-3
- Proposed Zoning: RM-1

The proposed zoning changes were recommended in the *Philadelphia2035 Far Northeast Districts* plan that was approved by the City Planning Commission in April of 2017.

Staff recommendation is for approval.

Upon the motion made by Commissioner Syrnick, seconded by Commissioner Gonzalez, the Philadelphia City Planning Commission voted to accept staff recommendation for approval.

9. **Action Item: ZBA Calendar #32187 for 2035 E Lehigh Street (CDR Review: February 6, 2018; ZBA Hearing Date: February 21, 2018 (Presented by David Fecteau)**

The purpose is to provide a recommendation to the zoning board regarding use variances. This is zoning board Calendar #32187, Application #825352. Scheduled for ZBA on February 21, 2018. The party of interest is: River Wards Group LLC.

- Site Area: 4.04 Acres
- Existing Zoning: Industrial Commercial Mix (ICMX)
- Present Use: Auto storage / surface parking
- Proposed Use: Residential and commercial mixed use: 60 single-family dwellings, 12 two-family dwellings, 71 multi-family dwellings for a total of 155 units plus four commercial spaces.

The City of Philadelphia rezoned East Kensington with two zoning bills, #170310 (enacted 5/22/2017) and #160715 (enacted 9/8/2016). The Commission recommended approval for both bills.

Staff worked with the local civic associations and the 1<sup>st</sup> Council District to remove former I-2 Medium Industrial zoning and replace with ICMX Industrial Commercial Mix zoning to encourage business development. At the time of the rezoning, staff did not consider, and still does not consider, parcels at the same grade, and near active freight lines, as appropriate places for residential or related activity.

The Transportation Research Board recommends a 100-foot setback between residential development and branch rail lines to ensure safety.

Canada has more detailed standards, *Guidelines for New Development in Proximity to Rail Operations*. These recommend at minimum: a security fence, a 13-foot tall noise attenuation barrier (the applicant for this case is proposing a sound wall), possibly a berm, and a setback for residential buildings of 50 feet from a spur or branch line.

The guidelines recommend larger setbacks for mitigating noise. For this proposal, the applicant's closest residential units appear to be about 42 feet away from the nearest rail.

The staff agrees that the proposed mix-use buildings on Lehigh Avenue are far enough away from the freight rail lines and do represent an attempt to comply with the requirements of the ICMX Zoning District; they include some options for business development, and represent an increase in commercial space over the applicant's initial proposal.

However, we believe that the proposed units at the back edge of the site and the single-family homes along Lehigh Avenue pose a significant safety hazard and do not attempt to comply with the requirements of ICMX. Until and unless the back two-family units are removed or relocated elsewhere on the site, we recommend against this use variance and proposal.

Existing Conditions

This was the site of the old Coral Street Freight Station for the Reading Railroad Company. The site is bounded by Frankford Avenue, Lehigh Avenue, a railroad embankment and active freight lines. The closest freight line appears to be about 25 feet away from the rear property line.

Staff recommendation is not for approval.

Upon the motion made by Commissioner Trainer, seconded by Commissioner Rupe, the Philadelphia City Planning Commission voted to accept staff recommendation not for approval.

Commissioner Syrnick opposed approval to not to approve.

The Developer, Architecture and Lawyer were present and commented on the project.

10. **Action Item: Zoning Bill No. 180008: “An Ordinance amending Section 14-513 of The Philadelphia Code, entitled ‘TOD, Transit-Oriented Development Overlay District,’ to revise requirements and to designate several Transit-Oriented Development Transit Stations, all under certain terms and conditions.” Introduced by Councilmember Quiñones Sánchez on January 25, 2018 (Presented by Mason Austin).**

The location is: Lower North, North, and River Wards Planning Districts, Kensington, Juniata.

This Bill designates the Berks, York-Dauphin, Allegheny, and Erie-Torresdale Market-Frankford Elevated Stations as TOD Stations, thus mapping the /TOD overlay to cover all lots that lie partly or entirely within 500 feet of any exit or entrance of these stations. The /TOD overlay includes a variety of provisions intended to increase development potential, encourage better pedestrian environments, provide greater incentives for public benefits, and reduce parking requirements. Parcels within the overlay would be subject to the following restrictions:

All Parcels

- Vehicle and vehicular equipment sales and services uses; wholesale, distribution, and storage uses; non-accessory surface parking; and drive-throughs are prohibited
- The minimum building height is 25 feet.
- New buildings must be built to the street line at ground level.
- The location of accessory surface parking and curb cuts is limited.
- The maximum parking provided for residential uses may not exceed 1 space per 2 units

RSA-5, IRMX, ICMX, I-2, and SP-PO-A

- No additional changes

Parcels Zoned CMX-3

- Maximum Base FAR is increased to 650%



2/20/18

- FAR bonuses are available for mixed income housing; public space; public transit improvements; underground accessory parking and loading; and green building
- Active ground-floor uses are required
- Minimum required parking is reduced by 5 spaces
- Non-accessory parking garages require a special exception

RM-1, CMX-1, CMX-2, and CMX-2.5

- The maximum number of dwelling units permitted is increased by 50%.

RM-1, CMX-1, and CMX-2

- The maximum height is increased to 45 feet.

Staff recommendation is for approval.

Upon the motion made by Commissioner Capita, seconded by Commissioner Gaston, the Philadelphia City Planning Commission accepted staff recommendation for approval.

11. **Action Item: Bill Summary Streets Bill No. 180004: “An Ordinance legalizing an existing retaining wall encroachment at 289 Osborn Street, Philadelphia, PA 19128, under certain terms and conditions.” Introduced by Councilmember Jones on January 25, 2018 (Presented by Sarah Chiu).**

Neighborhood: Wissahickon - Party of Interest: Barbara Carol Gorka, *Owner*

The purpose is to legalize an existing precast interlocking block retaining wall at the southwest corner of Vicaris Street and Lauriston Street, extending into the public right-of-way for a total length of approximately 40’.

Present Use

- The retaining wall in the right-of-way, no public sidewalk available along this property.

Not for approval for the following reasons:

- 1) The encroachment results in the stop sign being placed in the travel lane at the intersection
  - 2) The street lights is located behind the retaining wall, it is difficult for the city to maintain
  - 3) The encroachment prohibits the city to build a legal footway that is in accord with the City Plan.
- Staff recommendation is not for approval.

Upon the motion made by Commissioner Syrnick, seconded by Commissioner Vazquez, the Philadelphia City Planning Commission accepted staff recommendation, which is not for approval.

Opposed by Commissioner Gaston.

12. **Action Item: Streets Bill No. 180009: “An Ordinance authorizing The Capital Group II, (‘Owner’) to install, own and maintain a proposed retaining wall and existing fence encroachment at 2000 McKinley Street, Philadelphia, PA 19149 (‘Property’), under certain terms and conditions.” Introduced by Councilmember Sanchez on January 25, 2018 (Presented by Sarah Chiu).**

Neighborhood: Mayfair - Party of Interest: The Capital Group II

The purpose is to legalize an existing fence along the property at Bustleton Ave & McKinely Street, as well as to permit the construction of a retaining wall with railings for the proposed ramp at the rear garage, which is to be converted to a commissary and catering service use.

- 1) The retaining wall and the ramp will encroach 5'-1" into the footway on Bustleton Ave.
- 2) The existing fence encroached 4'-2" into McKinley Street, and 7'-10" into Bustleton Ave.

Bustleton Ave's footway is 20' in width on City Plan; McKinley Street's footway is 12' in width on City Plan. The property at this location is a 3-family dwelling with an attached garage in the rear. The garage is proposed to be converted to commissary and catering service, the variance was granted by ZBA in December 2016.

This proposal has received supports from the local community and the local council office.

Not for approval for the following reasons:

- 1) The Complete Street Policy recommend a minimum 10' clear walking zone for Bustleton Avenue.
- 2) The proposed 5'-4" walking zone space created by the fence and the proposed retaining wall Does not comply with this recommendation.

Staff recommendation is not for approval.

Upon the motion made by Commissioner Trainer, seconded by Commissioner Capita, the Philadelphia City Planning Commission accepted staff recommendation for not for approval.

13. **Action Item: Streets Bill 180080: “An Ordinance authorizing the relocation of the lines and the striking and abandonment of certain portions of a right-of-way reserved for drainage purposes and water main purposes extending from Meade Street to Gravers Lane, southwest of Shawnee Street on City Plan No. 165, thereby reducing the width of the said right-of-way, under certain terms and conditions.” Introduced by Councilmember Bass on February 1, 2018 (Presented by Sarah Chiu).**

Neighborhood: Chestnut Hill - Party of Interest: Peter R. Farnum.

This is a proposal to reduce the width of a right of way for drainage and water main purposes reserved within the bed of former Crefeld Street from Meade Street to Gravers Lane. No existing active utility lines have been reported as being within the right of way. 15 feet on either side of the right of way will be abandoned, resulting in a reduction of the width from 60 feet to 30 feet.

Present Use

2/20/18

- Currently being used as side yards by the abutting neighbors on both sides.

Staff recommendation is for approval.

Upon the motion made by Commissioner Gonzalez, seconded by Commissioner Gaston, the Philadelphia City Planning Commission accepted staff recommendation for approval.

The Philadelphia City Planning Commission meeting was adjourned by the Commission Chair Anne Fadullon at 3:14 p.m.

The next City Planning Commission Meeting is scheduled for **March 20, 2018 at 1:00 p.m.**