

PHILADELPHIA CITY PLANNING COMMISSION
MEETING MINUTES FOR JULY 16, 2019

PRESENT:

Anne Fadullon, Commission Chair

Joseph Syrnick, Vice Chair

Duane Bumb, Representing Harold T. Epps

Peilin Chen, Representing Rob Dubow

Cheryl L. Gaston

Maria Gonzalez

Nancy Rogo Trainer

Christopher Rupe, Representing Brian Abernathy

Ariel Vazquez

Eleanor L. Sharpe, Executive Director

NOT PRESENT:

Patrick Eiding

Garlen Capita

Chair, Anne Fadullon convened the Philadelphia City Planning Commission meeting on Tuesday, July 16, 2019 at 1:03 p.m.

1. **Action item:** Approval of the Meeting Minutes for June 11, 2019.

Upon the motion made by Commissioner Rupe, seconded by Commissioner Chen, the Philadelphia City Planning Commission approved.

2. **Executive Director's Update.**

Previous Policy

- i. Bill No. [190552](#): "An Ordinance amending Section 2 of an Ordinance (Bill No. 170002) approved May 22, 2017, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 269 by relocating the easterly houseline of University Avenue, from a point approximately five hundred forty five feet north of Curie Boulevard to a point approximately two hundred thirty six feet further northwardly therefrom, a variable distance eastwardly, thereby widening said University Avenue, under certain terms and conditions, including the dedication to the City, without cost and free and clear of all encumbrances, of the bed of the said widened portion of University Avenue," by extending the period for compliance with the terms and conditions stated therein." Introduced by Councilmember Blackwell on June 13, 2109.
- ii. Bill No. [190556](#): "An Ordinance amending Section 2 of an Ordinance (Bill No. 120903) approved January 14, 2013, entitled 'An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 156 by striking from the City Plan Fourth Street from Allegheny Avenue to Lippincott Street, striking from the City Plan Lippincott Street from Fourth Street to its terminus westwardly therefrom, reserving and placing on the City Plan a right-of-way for sewer and drainage purposes within the lines of Lippincott Street being stricken, placing on the City Plan a right-of-way for sewer and drainage purposes extending from the intersection of Fourth Street and Lippincott Street eastwardly to the intersection of American Street and Lippincott Street, and placing on the City Plan a right-of-way for sewer and drainage purposes extending from the intersection of Clearfield Street, Fourth Street, and Gurney Street northeastwardly to the intersection of American Street and Lippincott Street and authorizing the acceptance of the grant to the City of the said rights-of-way for sewer and drainage purposes, all under certain terms and conditions,' by extending the period for compliance with the terms and conditions stated therein." Introduced by Councilmember Quiñones Sánchez on June 13, 2019.
- iii. Bill No. [190554](#): "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City, to acquire fee simple title or a lesser interest, by purchase, dedication, donation, condemnation, agreement in lieu of condemnation or otherwise, in parcels of land generally bounded by South Street, the Bulkhead Line of the Schuylkill River and Grays Ferry Avenue for public recreational purposes, under certain terms and conditions.

Redevelopment Agreements

- i. 5508-14 Haverford Avenue: Redevelopment Agreement with Haverford Apartments, LP for a garden and community area.
 - ii. 4300 Ridge Avenue: Revised Redevelopment Agreement with CRP/GO Ridge Flats Owner, LLC to build 142 rental housing units, 10,872 square feet of retail, and 118 parking spaces.
3. **Action Item: Bill No. 190601: “An Ordinance amending Title 14 of The Philadelphia Code, entitled ‘Zoning and Planning,’ to revise certain provisions of Chapter 14-200, entitled ‘Definitions’ and Chapter 14-600, entitled ‘Use Regulations,’ by creating the use category ‘Smoking Lounge’ and related changes; all under certain terms and conditions.” Introduced by Councilmember Henon on June 20, 2019. (Presented by Andrew Meloney)**

The purpose of this bill is to create a new zoning use entitled “Smoking Lounge” where the smoking of tobacco products, electronic cigarettes, or other substances is permitted. Examples of smoking lounges include, but are not limited to, cigar loungers, hookah lounges, vape lounges, tobacco clubs, tobacco bars, etc.

The new “Smoking Lounge” use is a sub-use of the Assembly and Entertainment category and is allowed in CMX-4 and CMX-5 districts as well as requiring a special exception in CMX-2, CMX-2.5, CMX-3, CA-1, CA-2, IRMX, ICMX, SP-INS, SP-ENT, SP-STA, and SP-AIR districts. “Smoking Lounges” are subject to the regulation of 10-602 (Smoking) of the Philadelphia Code and allow the sale of accessory products and devices as well as entertainment in the form of dancing or live or recorded music.

Staff recommendation is for approval.

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

4. **Action Item: Bill No. 190551: “An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Baring Street, Saunders Avenue, Powelton Avenue, 38th Street, Filbert Street, Sloan Street, Powelton Avenue, and 39th Street, all under certain terms and conditions.” Introduced by Councilmember Blackwell on June 13, 2109. (Presented by Nicole Ozdemir)**

This bill would rezone the Penn Presbyterian Medical Center to an appropriate zoning designation, CMX-4, Center City Commercial Mixed-Use, that allows for their further development/expansion of their services on site, as well as correctively rezones Saunders Park to SP-PO-A, Parks and Open Space Special Purpose District, across the street to ensure future use of the site as a park that is open to the neighborhood and greater public.

There have been on-going conversations between Penn Presbyterian and the surrounding neighborhood regarding the expansion of services and further development of the medical site. This rezoning will allow for Penn Presbyterian to accommodate growth within their site, and with the corrective rezoning of Saunders Park, make a commitment to the neighborhood that the park will remain for public use.

Staff recommendation is for approval.

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

5. **Action Item: Bill No. 190511: “An Ordinance authorizing the City of Philadelphia to enter into lease agreements with the Philadelphia Authority for Industrial Development under which the City would lease to PAID on a project-by-project basis certain land and facilities in the Fairmount Park system, recreations centers, playgrounds, and branches in the Free Library of Philadelphia system, and which would permit PAID to sublease such Facilities on a project-by-project basis to other organizations in conformity with the Economic Development Financing Law, Act 1967-102 (P.L. 251), as amended, all under certain terms and conditions.” Introduced by Councilmember Bass for Council President Clarke on June 6, 2019. (Presented by David Fecteau)**

The purpose of this bill follows a leasing process, lease terms and a list of 64 facilities approved by City Council and the Mayor by Bill No. 180108 in June 2018. This bill adds an additional ten facilities to the previously approved 64 facilities.

Staff recommendation is for approval.

Upon the motion made by Commissioner Syrnick, seconded by Commissioner Rupe, the Philadelphia City Planning Commission approved staff recommendation for approval.

6. **Action Item: Bill No. 190560: “An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to Philadelphia Authority for Industrial Development all or a portion of a parcel or parcels of land in and about the area bounded by Frankford Avenue, East Butler Street, Wheatsheaf Lane and the railroad right-of-way of the former Philadelphia and Trenton Railroad, for further conveyance, under certain terms and conditions.” Introduced by Councilmember Squilla on June 13, 2019. (Presented by David Fecteau)**

The purpose of this bill is to expand a current business located at 2610 N. American Street. This property abuts Amtrak’s Northeast Corridor rail line and their Frankford Junction rail yard. Amtrak has long-term plans to straighten the curve in this rail line.

Staff recommendation is for approval.

Upon the motion made by Commissioner Syrnick, seconded by Commissioner Rupe, the Philadelphia City Planning Commission approved staff recommendation for approval.

7. **Action Item: ZBA Calendar 37198, 1600 Carpenter Street. Permit for the complete demolition of all structures on the lot; for the relocation of lot lines to create two**

lots from one lot; for erection of three semi-detached structures with roof decks accessed by stairs for a total of 44 dwelling units. Hearing date is July 24, 2019. (Presented by Ayse Unver)

The Commission is asked to send a recommendation to the Zoning Board of Adjustment for this case which will be heard on July 24, 2019. The applicant has subdivided the parcel into two parts. This proposal is for rear parcel only. The developer has applied to demolish an existing shopping center and has applied to build single- and multi-family dwellings where no residential use is permitted. The project will also require a variance to waive a required ADA van-accessible space. The parcel is currently zoned I-2, Medium Industrial.

This project was seen at the June 4, 2019 Civic Design Review meeting. The CDR committee had minor comments about the design and the project was not asked to come back for a second CDR meeting. As a note, the CDR committee does not review or make recommendations on zoning.

Design considerations aside, the project is not consistent with either the existing zoning, I-2, or the proposed zoning for the site, IRMX. Bill 180973 proposed a change to IRMX and was recommended for approval by the Planning Commission in November of 2018. The bill has not been scheduled for a Rules Committee hearing at this time. The rezoning to IRMX is to support mixed-used development along Washington Avenue while still supporting existing industrial and commercial users. IRMX requires a commercial component, which the current project omits.

The Planning Commission has seen numerous development proposals along Washington Avenue in the past year. Each time, the Commission has advocated for projects designed in alignment with IRMX or the spirit of IRMX, even if a parcel is zoned industrially. This project does not align with either the current zoning or IRMX. The project also removes an active commercial use that is an employer for community members and for whom this center is a resource for affordable, healthful, and culturally-appropriate foods. Staff are concerned about the loss of a shopping center that serves members of an underserved local community whose voices are typically underrepresented.

Commission staff have also been hesitant to approve projects that involve the subdivision of parcels along Washington Avenue into front and rear lots. These projects do not address how the rear parcel will interface with the Washington Avenue facing parcel, which works against the goal of creating a vital corridor. Staff are concerned this is another project that fails to address future Washington Avenue development.

Lastly, staff does not find that the project proves that there is the necessary hardship to grant a variance. Hardship requires the owner to show that they cannot obtain a reasonable return or use from their property as it is currently zoned. This is clearly not the case as the site is an active shopping plaza with no commercial vacancy.

To summarize, staff recommendation is to oppose the granting of variances for the site:

- 1) There is no hardship given the active current use.
- 2) The project proposal is not in the spirit of either the current or proposed zoning.

- 3) The project subdivides the parcel and does not address the future development site on Washington Avenue.
- 4) The project displaces existing businesses and jobs.

Staff recommendation is to oppose.

Upon the motion made by Commissioner Gonzalez, seconded by Commissioner Syrnick, the Philadelphia City Planning Commission approved staff recommendation to oppose.

Motion to conclude the meeting by Commissioner Syrnick, seconded by all commissioners present, meeting adjourned at 1:55 p.m.

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

SUMMARY

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APPROVED

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STAFF RECOMMENDATION TO OPPOSE WAS APPROVED