

PHILADELPHIA CITY PLANNING COMMISSION
MEETING MINUTES FOR AUGUST 20, 2019

PRESENT:

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

NOT PRESENT:

Maria Gonzalez

Chair, Anne Fadullon convened the Philadelphia City Planning Commission meeting on Tuesday, August 20, 2019 at 1:03 p.m.

1. **Action item:** Approval of the Meeting Minutes for July 16, 2019.

Item was held by the Philadelphia City Planning Commission until the September 17, 2019 meeting.

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

Citizens Planning Institute Fall Course

The application period is currently open and will close on September 9th. Classes will run from October 2nd to November 13th. There will be special topic classes that include Zoning 2.0; Asset and Power Mapping; and Telling Your Neighborhood's Story- How to Have A Voice in Local News

Redevelopment Agreements

- i. 1543 N 7th Street and 1532 N Marshall Street

3. **Action Item: Bill No. 190506: "An Ordinance amending Section 14-303 of The Philadelphia Code, entitled 'Common Procedures and Requirements,' by allowing certain letters submitted to the Zoning Board to serve as an entry of appearance; all under certain terms and conditions." Introduced by Councilmember Greenlee for Council President Clarke on June 6, 2019. (Presented by Ron Bednar)**

The purpose of this bill is to allow certain letters submitted to the Zoning Board to serve as an entry of appearance. Amending Common Procedures and Requirements to permit certain letters submitted by RCO's, as well Council members and staff to have standing at the Zoning Board of Adjustment without their physical presence.

For purposes of providing notices of the ZBA's decisions, this will suffice, but the Bill may give RCOs a false impression that the entry of appearance alone satisfies the requirements for standing to appeal ZBA decisions to the courts. The courts will look to whether an appellant actually appeared at the hearing, regardless of whether an entry of appearance was accepted. Additionally, this Bill suggests that RCOs will be receiving preferential treatment over individuals who are also unable to attend hearings.

Staff recommendation is not for approval.

Upon the motion made by Commissioner Syrnick and seconded by Commissioner Gaston, the Philadelphia City Planning Commission approved staff's recommendation of not for approval.

4. **Action Item: Bill No. 190612: "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' to revise certain provisions of Chapter 14-600, entitled 'Use Regulations,' by amending standards for accessory dwelling units and making related changes; all under certain terms and conditions."**

Introduced by Councilmembers Bass and Squilla on June 20, 2019. (Presented by Mason Austin)

This bill is part of a package of three bills introduced in June to help incent Historic Preservation in Philadelphia.

Only two changes are made to the Code as a consequence of this legislation:

1. Accessory Dwelling Units (already defined in the Code, but not currently permitted anywhere) are permitted by right “within any building or structure that... has been designated as [locally] historic; or that is located in a district that has been designated as [locally] historic and that contributes, in the Historical Commission's opinion, to the character of such district.”
2. Accessory Dwelling Units, which are normally limited to a maximum square footage of 800 square feet, do not have any size limit when placed in historic structures/districts, as defined above.

Other requirements for Accessory Dwelling Units remain unchanged, as below:

1. Accessory dwelling units are allowed only on lots occupied by a single-family use contained in a detached or semi-detached building in the permitted areas described in § 14-604(11)(d) (Permitted Areas). Accessory dwelling units must be located within the interior of the principal building or within the interior of a detached accessory building, such as detached garages, that are in existence as of the effective date of this Zoning Code.
2. The principal dwelling unit or the accessory dwelling unit must be occupied by the owner of the subject lot. Before final occupancy of the accessory dwelling unit, the property owner shall record an affidavit and deed restriction, stating that the property owner will reside on the property, in either the principal or accessory dwelling unit. Once recorded, the deed restriction (requiring owner occupancy) may not be removed or modified without Zoning Board approval.
3. No more than one accessory dwelling unit is allowed per lot.
4. No additional land area is required for the accessory dwelling unit beyond the minimum lot size required in the subject zoning district.
5. Only one entrance to a detached or semi-detached house containing an accessory dwelling unit may be located on the front facade that faces a street, unless the house contained an additional street-facing entrance before the accessory dwelling unit was created.

Staff recommendation is for approval.

Upon the motion made by Commissioner Bumb and seconded by Commissioner Eiding, the Philadelphia City Planning Commission approved staff's recommendation of approval. Commissioner Gaston was opposed, and Commissioner Trainer abstained.

5. **Action Item: Bill No. 190611: “An Ordinance amending Title 14 of The Philadelphia Code, entitled ‘Zoning and Planning,’ to revise certain provisions of Chapter 14-800, entitled ‘Parking and Loading,’ by amending parking standards for historically designated properties and making related changes; all under certain terms and conditions.” Introduced by Councilmembers Bass and Squilla on June 20, 2019. (Presented by Andrew Meloney)**

Bill 190611, part of a package of three Bills, lowers the minimum parking requirement for properties that are locally designated historic or that contribute to a local historic district. This means that in existing historic structures uses that are not allowed by-right, will not require a minimum amount of parking. Also, for additions or expansions to historic structures the base zoning district required minimum parking requirement will be reduced by 50%.

This item is a recommended incentive for historic preservation as recommended by the report of the Historic Preservation Task Force. The task force was created in April of 2017 to address concerns around preservation of landmarks in the City and to promote the use of both incentives and regulation to encourage preservation. The report, issued in March of 2019, recommended a number of incentives including to “reduce parking requirements for reuse of historic buildings.” Mayor Jim Kenney and Councilman Squilla, who served on the task force, promised to support these regulations and incentives at the time of release.

Staff recommendation is for approval.

Upon the motion made by Commissioner Trainer and seconded by Commissioner Capita, the Philadelphia City Planning Commission approved staff's recommendation of approval.

6. Action Item: Bill No. 190613: “An Ordinance amending Title 14 of The Philadelphia Code, entitled ‘Zoning and Planning,’ to revise certain provisions of Chapter 14-600, entitled ‘Use Regulations,’ by amending use standards for historically designated properties and making related changes; all under certain terms and conditions.” Introduced by Councilmembers Bass and Squilla on June 20, 2019. (Presented by Marty Gregorski)

This Bill will allow local historic properties zoned Residentially or “CMX-1,” “CMX-2,” or “CMX-2.5” commercial that meet certain criteria to have the uses as permitted in the “CMX-3” Community Commercial District. The existing buildings must be used for one of the following, to be eligible for the “CMX-3” upgrade:

Public, Civic, and Institutional Use; Office Use; Retail Sales; Commercial Service; Wholesale, Distribution, and Storage use; or an Industrial use.

This new section will only apply to existing principle structures that meet the criteria, not to new structures or expansions of existing structures. Regulated uses would not be permitted and none of the new uses could be used to earn any other zoning bonuses.

This Bill is the result of the recommendations of the Historic Preservation Task Force. This would expand the number of uses that a historic property could house, in an effort to make keeping the building more appealing to developers as opposed to demolishing the structure for a new use. Because so many uses would now be available, the staff believes that it would be very difficult for an owner to use a financial hardship argument before the Historical Commission regarding proposed demolitions of locally designated structures.

Staff recommendation is for approval

Upon the motion made by Commissioner Eiding and seconded by Commissioner Gaston, the Philadelphia City Planning Commission approved staff's recommendation of approval along with the understanding to continue the conversation to amend the bill to clarify the permitted uses.

7. Information Only Presentation: Lower Eastwick Public Land Strategy (Ashley Di Caro from Interface Studio)

The Lower Eastwick Public Land Strategy is a planning and feasibility study to assess the potential redevelopment of nearly 200 acres of vacant land and buildings owned by the Philadelphia Redevelopment Authority and the School District of Philadelphia.

Eastwick, once an integrated rural community, was the largest urban renewal area in the United States in the 1950's. The 1957 urban renewal plan called for a multi-million-dollar redevelopment that would make Eastwick a "city within a city." Thousands of people were displaced, development plans were never fully completed, and in 2013 the two schools in the area were closed. The Lower Eastwick Public Land Strategy is a two-year process that engaged the community, assessed current market and environmental conditions, and created a plan for redevelopment that addressed community needs, economic development, and the sensitive environmental conditions of the area. The Philadelphia Redevelopment Authority will use the findings to guide its redevelopment plans going forward.

8. Staff Presentation: Island Ave Shared Use Path Application (David Kanthor)

The presentation will look at the shared-use path alignment proposed by the Streets Department/PennDOT in conjunction with their Island Avenue reconstruction project. Much of the shared-use path is adjacent to existing sidewalk facilities, but there are a couple segments that fill in the sidewalk gaps. The project is currently at the 50% design stage with final design complete in Spring 2020 and construction is expected to take place in 2021. Connections will be made to the proposed Cobbs Creek Trail and existing bicycle network.

The shared use path is designed to allow bicyclists and pedestrians to share a sidepath for recreational and commuting purposes. Following the guidelines pursuant to Section 12-808 of the Philadelphia Code, any proposed shared use paths must be presented to the Planning Commission for consideration. The shared use path that will be presented to the commission is included as proposed trail segments in the Philadelphia Trail Master Plan, which was originally released in 2013 and has been updated annually. Staff recommendation is for approval.

Upon the motion made by Commissioner Syrnick and seconded by Commissioner Gaston, the Philadelphia City Planning Commission approved staff's recommendation of approval.

Motion to conclude the meeting by Commissioner Eiding, seconded by all commissioners present, meeting adjourned at 2:06 p.m.

PCPC Minutes
8/20/19

The next City Planning Commission Meeting is scheduled for **Tuesday, September 17,**
at 1:00 p.m.

SUMMARY

1. Action item: Approval of the Meeting Minutes for July 16, 2019.

HELD

2. Executive Director's Update.

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3. Bill No. 190506: "An Ordinance amending Section 14-303 of The Philadelphia Code, entitled 'Common Procedures and Requirements,' by allowing certain letters submitted to the Zoning Board to serve as an entry of appearance; all under certain terms and conditions." Introduced by Councilmember Greenlee for Council President Clarke on June 6, 2019. (Presented by Ron Bednar)

STAFF RECOMMENDATION OF NOT FOR APPROVAL WAS APPROVED

4. Bill No. 190612: "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' to revise certain provisions of Chapter 14-600, entitled 'Use Regulations,' by amending standards for accessory dwelling units and making related changes; all under certain terms and conditions." Introduced by Councilmembers Bass and Squilla on June 20, 2019. (Presented by Mason Austin)

APPROVED

5. Bill No. 190611: "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' to revise certain provisions of Chapter 14-800, entitled 'Parking and Loading,' by amending parking standards for historically designated properties and making related changes; all under certain terms and conditions." Introduced by Councilmembers Bass and Squilla on June 20, 2019. (Presented by Andrew Meloney)

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6. Bill No. 190613: "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' to revise certain provisions of Chapter 14-600, entitled 'Use Regulations,' by amending use standards for historically designated properties and making related changes; all under certain terms and conditions." Introduced by Councilmembers Bass and Squilla on June 20, 2019. (Presented by Marty Gregorski)

APPROVED along with the understanding to continue the conversation to amend the bill to clarify the permitted uses

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