PHILADELPHIA CITY PLANNING COMMISSION MEETING MINUTES DECEMBER 10, 2019

PRESENT:	Anne Fadullon, Commission Chair
	Joseph Syrnick, Vice Chair
	Maria Gonzalez
	Garlen Capita
	Patrick Eiding
	Cheryl L. Gaston
	Nancy Rogo Trainer
	Duane Bumb, Representing Harold T. Epps
	Sarah DeWolf, Representing Rob Dubow
	Christopher Rupe, Representing Brian Abernathy
	Eleanor L. Sharpe, Executive Director

NOT PRESENT:

Ariel Vazquez

1. Action Item: Approval of the Meeting Minutes for November 19, 2019.

APPROVED

- 2. Executive Director's Update.
 - a. Items in Accord with Previous Policy
 - i. Property Bill No. <u>190892</u>: "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City, to convey to the Philadelphia Authority for Industrial Development all or a portion of certain parcels of land in and about the area bounded by University Avenue, Civic Center Boulevard, Hamilton Street and 34th Street, for further conveyance; and authorizing the Commissioner of Public Property, on behalf of the City, to enter into a lease agreement to lease back a portion of the property to the City; all under certain terms and conditions."
 - ii. Property Bill No. <u>190896</u>: "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Redevelopment Authority all or a portion of a parcel or parcels of land in and about the area bounded by South 50th Street, Pentridge Street, South 51st Street and Willows Avenue, for further conveyance, under certain terms and conditions."
 - Redevelopment Agreement with JR Complete Construction Inc (Deonisio Rocha and Higor G. Pereira) for 1824 E. Huntingdon Street in the New Kensington – Fishtown Redevelopment Area.
 - iv. Redevelopment Agreement with Coral Reef LLC (Jeffrey Tubbs) for 2514 Coral Street in the New Kensington – Fishtown Redevelopment Area.
 - Streets Bill No. <u>190900</u>: "An Ordinance authorizing the Pennsylvania Department of General Services ('Owner') to construct, own, and maintain a proposed set of non-standard bollards at 1503A-11 Arch Street, Philadelphia, PA 19102 ('Property'), all under certain terms and conditions."
 - vi. Streets Bill No. <u>190901</u>: "An Ordinance authorizing MMB Contractors, Inc. ('Owner') to construct, own and maintain hardscaped patios, an accessible ramp, and planter boxes at 2225 Spring Garden Street, Philadelphia, PA ('Property'), under certain terms and conditions."
 - vii. Streets Bill No. <u>190903</u>: "An Ordinance authorizing Aspen Operations, LLC ('Owner') to install, own, and maintain an open-air sidewalk café at 741 North 23rd Street, Philadelphia, PA 19130 ('Property'), all under certain terms and conditions."
- 3. Action Item: Far Northeast Overlay Amendments

a. Zoning Bill No. <u>190913</u>: "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by further providing with respect to uses permitted or prohibited in Commercial Districts, all under certain terms and conditions." Introduced by Councilmember O'Neill on November 14, 2019 (Presented by Gregory Waldman)

HELD FOR 45 DAYS

 Action Item: Zoning Bill No. <u>190914</u>: "An Ordinance amending Chapter 14-500 of The Philadelphia Code, entitled 'Overlay Zoning Districts,' by amending Section 14-514, entitled '/FNE, Far Northeast Overlay District,' all under certain terms and conditions." Introduced by Councilmember O'Neill on November 14, 2019 (Presented by Gregory Waldman)

HELD FOR 45 DAYS

4. Action Item: Zoning Bill No. <u>190889</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spring Garden Street, Lancaster Avenue, 38th Street, Hamilton Street, and 31st Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Nicole Ozdemir)

APPROVED

 Action Item: Zoning Bill No. <u>190890</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Chestnut Street, 45th Street, Ludlow Street, and 46th Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Nicole Ozdemir)

APPROVED

 Action Item: Zoning Bill No. <u>190893</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Ogden Street, 40th Street, Parrish Street, and Preston Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Brian Wenrich)

APPROVED

 Action Item: Zoning Bill No. <u>190897</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Haverford Avenue, 42nd Street, Powelton Avenue, Market Street, and 46th Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Brian Wenrich)

APPROVED

 Action Item: Zoning Bill No. <u>190917</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Broad Street, Snyder Avenue, 7th Street and Oregon Avenue." Introduced by Councilmember Squilla on November 14, 2019 (Presented by Ayse Unver)

APPROVED

9. Action Item: Streets Bill No. <u>190915</u>: "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 195 by striking from the City Plan and vacating a

dead end portion of Cumberland Street extending from Beach Street to a terminus southeastwardly therefrom, reserving and placing on the City Plan a right-of-way for sewer and drainage purposes within a portion of Cumberland Street being stricken, and plotting on the City Plan a right-of-way for sewer and drainage purposes extending from the said terminus of Cumberland Street to the Pierhead Line of the Delaware River and authorizing acceptance of the grant to the City of the said right-of-way being reserved, under certain terms and conditions." Introduced by Councilmember Squilla on November 14, 2019 (Presented by Sarah Chiu)

APPROVED

 Action Item: Streets Bill No. <u>190918</u>: "An Ordinance authorizing Coscia Massimo ('Owner') to own and maintain an existing exterior building ramp at 2723 East Cumberland Street, Philadelphia, PA 19125 ('Property'), all under certain terms and conditions." Introduced by Councilmember Squilla on November 14, 2019 (Presented by Sarah Chiu)

NOT RECOMMENDED FOR APPROVAL

11. Action Item: Streets Bill No. <u>190941</u>: "An Ordinance authorizing Charles Peruto, DBA Peruto Development LLC, to construct, own, and maintain a proposed exterior stairway at 1640-42 Fitzwater Street, Philadelphia, PA 19146, all under certain terms and conditions." Introduced by Councilmember Johnson on November 21, 2019 (Presented by Sarah Chiu)

NOT RECOMMENDED FOR APPROVAL

12. Action Item: Property Bill No. <u>190940</u>: "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City, to convey to the Philadelphia Authority for Industrial Development all or a portion of a parcel of land situated at 2401 Chestnut Street, for further conveyance, and authorizing the plotting upon City Plan No. 307 a right-of-way for sewer, drainage and bridge purposes, all under certain terms and conditions." Introduced by Councilmember Greenlee for Council President Clarke on November 21, 2019. (Presented by Ian Litwin)

APPROVED

Commission Chair, Anne Fadullon convened the Philadelphia City Planning Commission meeting on Tuesday, December 10, 2019, at 1:03 p.m

1. Action Item: Approval of the Meeting Minutes for November 19, 2019.

Upon the Motion made by Commissioner Eiding and seconded by Commissioner Capita, the Philadelphia City Planning Commission approved the minutes from the November 19, 2019 meeting.

- 2. Executive Director's Update.
 - a. Items in Accord with Previous Policy
 - i. Property Bill No. <u>190892</u>: "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City, to convey to the Philadelphia Authority for Industrial Development all or a portion of certain parcels of land in and about the area bounded by University Avenue, Civic Center Boulevard, Hamilton Street and 34th Street, for further conveyance; and authorizing the Commissioner of Public Property, on behalf of the City, to enter into a lease agreement to lease back a portion of the property to the City; all under certain terms and conditions."
 - ii. Property Bill No. <u>190896</u>: "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Redevelopment Authority all or a portion of a parcel or parcels of land in and about the area bounded by South 50th Street, Pentridge Street, South 51st Street and Willows Avenue, for further conveyance, under certain terms and conditions."
 - Redevelopment Agreement with JR Complete Construction Inc (Deonisio Rocha and Higor G. Pereira) for 1824 E. Huntingdon Street in the New Kensington – Fishtown Redevelopment Area.
 - iv. Redevelopment Agreement with Coral Reef LLC (Jeffrey Tubbs) for 2514 Coral Street in the New Kensington – Fishtown Redevelopment Area.
 - Streets Bill No. <u>190900</u>: "An Ordinance authorizing the Pennsylvania Department of General Services ('Owner') to construct, own, and maintain a proposed set of non-standard bollards at 1503A-11 Arch Street, Philadelphia, PA 19102 ('Property'), all under certain terms and conditions."
 - vi. Streets Bill No. <u>190901</u>: "An Ordinance authorizing MMB Contractors, Inc. ('Owner') to construct, own and maintain hardscaped patios, an accessible ramp, and planter boxes at 2225 Spring Garden Street, Philadelphia, PA ('Property'), under certain terms and conditions."

 vii. Streets Bill No. <u>190903</u>: "An Ordinance authorizing Aspen Operations, LLC ('Owner') to install, own, and maintain an open-air sidewalk café at 741 North 23rd Street, Philadelphia, PA 19130 ('Property'), all under certain terms and conditions."

3. Action Item: Far Northeast Overlay Amendments

a. Zoning Bill No. <u>190913</u>: "An Ordinance amending Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by further providing with respect to uses permitted or prohibited in Commercial Districts, all under certain terms and conditions." Introduced by Councilmember O'Neill on November 14, 2019 (Presented by Gregory Waldman)

The purpose of this bill is to create greater setback requirements for Visitor Accommodations from residential zoning districts if the proposed use is within an Auto-Oriented Commercial 2 (CA-2) zoning district. The bill would apply to 97% of CA-2 areas throughout the City. It would require that the parcel line of any parcel with Visitor Accommodations in a CA-2 district be at least 1,000 feet from any residential zoning district as the crow flies. There is one existing visitor accommodations use within a CA-2 zoning district in Philadelphia. The Planning Commission staff has not had an opportunity to work with the Councilmember on this bill. Restricting alternative uses to retail could make it more difficult for commercial areas to fill vacancies and could reduce tax revenue to the City. Zoning is not the appropriate avenue to discourage poorly managed visitor accommodations uses.

Staff recommendation is to hold the bill for 45 days to analyze the potential impacts of this zoning change citywide.

Comments: There were no comments by the public or the commission about this bill.

b. Action Item: Zoning Bill No. <u>190914</u>: "An Ordinance amending Chapter 14-500 of The Philadelphia Code, entitled 'Overlay Zoning Districts,' by amending Section 14-514, entitled '/FNE, Far Northeast Overlay District,' all under certain terms and conditions." Introduced by Councilmember O'Neill on November 14, 2019 (Presented by Gregory Waldman)

The purpose of this bill is to Amend the Far Northeast Overlay. This change would do three things:

- 1) Use: Prohibits Visitor Accommodations in "CA-2" districts if within 1,000 feet of a residential zoning district
- 2) Roof decks: Prohibits roof decks and roof deck access structures in all residential zoning districts
- 3) Height: Sets a maximum height of all buildings in the "RSD, RSA, RTA-1, or RM-1" residential zoning districts to 35 ft.

This Bill was amended to include a modified version of Bill No. 190913 and a modified version of Bill No. 190914. This Bill would apply to all "CA-2" areas in

the Overlay area. It would require that the parcel lines of any lot with Visitor Accommodations in a "CA-2" district be at least 1,000 feet from any residential zoning district. There are no existing visitor accommodations uses within a "CA-2" zoning district within the Overlay area. Height restrictions would impact 51 percent of all area in the Overlay. Roof deck and height restrictions would apply to non-residential uses in residential zoning districts, including schools and hospitals.

Staff recommendation is for approval with the amendments

Comments: Commissioner Eiding asked about the motivation for this bill. Commissioner Gaston asked why roof decks would be allowed in other districts but not this one. She also asked about the motivation of decreasing maximum building height from 38' to 35'. Commissioner Trainer about the rationale for amending the overlay as this would keep adding more layers to the zoning code.

Upon the Motion made by Commissioner Trainer and seconded by Commissioner Gonzalez to hold Bills 190913 and 190914 for 45 days, the Philadelphia City Planning Commission approved the motion to hold the bills for 45 days.

Commissioner Eiding opposed the motion.

4. Action Item: Zoning Bill No. <u>190889</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spring Garden Street, Lancaster Avenue, 38th Street, Hamilton Street, and 31st Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Nicole Ozdemir)

The purpose of this bill is to correctively rezone single-family homes to single-family zoning. This remapping arose from discussions between Powelton Village Civic Association (PVCA) and the Councilmember's Office during rezoning discussions for another bill. PVCA identified a number of properties they felt were priorities to be rezoned to RSA-5, Residential Single-Family Attached. PCPC staff reviewed the existing land use for the properties and this bill comprises all of the parcels that PCPC staff, PVCA, and the Councilmember's office can agree on to be correctively downzoned

Staff recommendation is for approval.

Comments: Commissioner Trainer confirmed that Drexel University does not own any property in the area being rezoned.

Upon the Motion made by Commissioner Capita and seconded by Commissioner Gaston to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval Action Item: Zoning Bill No. <u>190890</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Chestnut Street, 45th Street, Ludlow Street, and 46th Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Nicole Ozdemir)

The purpose of this bill is to remap West Catholic High School's parking lot so they can sell the land at a higher value. The school is struggling and is looking for ways to make money to support itself. The school and the Archdiocese are in discussions with Spruce Hill Civic Association as to conditions, use restrictions and deed restrictions that all parties would be amenable with in the case that this remapping bill goes forward. Currently, there is not an official agreement yet between the parties and the Councilmember has agreed to pull this bill if the parties cannot come to an agreement.

Staff recommendation is for approval

Comments: Commissioner Trainer asked if the agreement between the property owner and Spruce Hill Civic Association was enforceable. Response from staff stated it was not, but if deed restrictions are agreed, then the Department of Licenses and Inspections will confirm. Commissioner Trainer asked if the building was on the Philadelphia Registry of Historic Places and it was confirmed that it is not.

Upon the Motion made by Commissioner Syrnick and seconded by Commissioner Eiding to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval.

 Action Item: Zoning Bill No. <u>190893</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Ogden Street, 40th Street, Parrish Street, and Preston Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Brian Wenrich)

The purpose of this bill is to rezone to RM-1 to legalize two multi-family dwellings in RSA-3 as well as the District Plan recommendations for corrective rezoning along the 40th Street frontage to remove CMX-2 and replace with RM-1. This remapping is in response to a request from the council office with the District Plan recommendations added on.

Staff recommendation is for approval.

Comments: There were no comments from the public or the commission about this bill.

Upon the Motion made by Commissioner Eiding and seconded by Commissioner Syrnick to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval Action Item: Zoning Bill No. <u>190897</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Haverford Avenue, 42nd Street, Powelton Avenue, Market Street, and 46th Street." Introduced by Councilmember Blackwell on November 14, 2019 (Presented by Brian Wenrich)

The purpose of this bill is to rezone to CMX-4 to support PHA's disposition of land as well as corrective rezoning recommended in the University Southwest District Plan to RSA-5 and ICMX. This remapping is in response to a request from the PHA/council office. The Philadelphia Housing Authority (PHA) is selling a portion of one of the agency's older sites with plans to use the sales proceeds toward rebuilding the remaining part of the site. The West Park Apartments, built in 1964, sit on a nearly 12-acre, increasingly valuable parcel on the perimeter of University City.

There are currently three buildings on site with a total of 327 apartments. Making the necessary electrical, plumbing, HVAC, elevator, masonry and other repairs would cost upwards of \$50 million. Those repairs would make the buildings serviceable but would not bring them up to modern standards. In addition, in keeping with older style public housing, the site is separated from the surrounding neighborhood, with only one vehicle entrance onto the property.

Under PHA's redevelopment plan one high-rise will remain standing and be completely rehabilitated as senior housing. The other two towers will be sold and replaced on another section of the property by an equal number of townhomes and stacked apartments (flats). The land being sold – covering an area between 44th and 45th Streets just north of Market Street - covers the eastern portion of the property.

Staff recommendation is for approval.

Comments: There were no comments from the public or the commission about this bill.

Upon the Motion made by Commissioner Eiding and seconded by Commissioner Bumb to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval.

Commissioner Trainer recused herself from this item.

 Action Item: Zoning Bill No. <u>190917</u>: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Broad Street, Snyder Avenue, 7th Street and Oregon Avenue." Introduced by Councilmember Squilla on November 14, 2019 (Presented by Ayse Unver)

This bill changes the zoning designations of 74 parcels in the Lower Moyamensing neighborhood.

The goal of the remapping is:

1) To up-zone certain properties along South Broad Street to CMX-2, 2.5 and 3 to allow for future, more dense development close to transit

- 2) To correctively zone certain blocks adjacent to Broad Street to RM-1 to allow for additional housing density and partially correct existing nonconformities.
- To correctively rezone defunct or struggling commercial zoning to residential. This also serves to strengthen existing commercial along Broad St, Snyder Ave, South 7th St, Moyamensing Ave and Oregon Avenue.
- 4) To transition auto-oriented commercial zoning off of Snyder Avenue where there is an abundance of auto-serving and auto-focused uses (1 gas station, 1 7-11 with parking lot, 2 auto repair shops with more right off of Snyder to north and south, strip mall with laundromat and dollar store, bank with an abundance of parking)
- 5) To correctively rezone the old Paintbrush Factory at 12th and Jackson to IRMX to reflect and support its redevelopment
- 6) To rezone the South Philly High School site to allow for current and future community school uses

These changes are supported by recommendations in the South District Plan.

A portion of this neighborhood along the 7th Street commercial corridor was rezoned through Bill 190415 and was reviewed at the Planning Commission meeting on June 11, 2019.

Staff recommendation is for approval.

Comments: Albert Girard from the Lower Moyamensing Civic Association spoke in favor of this bill.

Upon the Motion made by Commissioner Gaston and seconded by Commissioner Trainer to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval

9. Action Item: Streets Bill No. <u>190915</u>: "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 195 by striking from the City Plan and vacating a dead end portion of Cumberland Street extending from Beach Street to a terminus southeastwardly therefrom, reserving and placing on the City Plan a right-of-way for sewer and drainage purposes within a portion of Cumberland Street being stricken, and plotting on the City Plan a right-of-way for sewer and drainage purposes extending from the said terminus of Cumberland Street to the Pierhead Line of the Delaware River and authorizing acceptance of the grant to the City of the said right-of-way being reserved, under certain terms and conditions." Introduced by Councilmember Squilla on November 14, 2019 (Presented by Sarah Chiu)

The purpose of this bill is to strike from the City Plan the 30' portion of existing dead-end Cumberland Street, south of Beach Street. This action is to facility the Beach Street residential development, which consists of 4 multi-family buildings for approximately 848 units, 248 townhomes with associated parking, 2 amenity buildings, landscaping areas and stormwater management areas.

Staff recommendation is for approval.

Comments: There were no comments from the public or the commission about this bill.

Upon the Motion made by Commissioner Gonzalez and seconded by Commissioner Bumb to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval

 Action Item: Streets Bill No. <u>190918</u>: "An Ordinance authorizing Coscia Massimo ('Owner') to own and maintain an existing exterior building ramp at 2723 East Cumberland Street, Philadelphia, PA 19125 ('Property'), all under certain terms and conditions." Introduced by Councilmember Squilla on November 14, 2019 (Presented by Sarah Chiu)

This purpose of this bill is to legalize an existing exterior stair and ramp on the sidewalk of Cumberland and Salmon Street. The configuration of the existing exterior building ramp leaves no ADA-compliant sidewalk pathway along Salmon Street.

Staff recommendation is not for approval.

Comments: There were no comments from the public or the commission about this bill.

Upon the Motion made by Commissioner Syrnick and seconded by Commissioner Capita to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of not for approval

11. Action Item: Streets Bill No. <u>190941</u>: "An Ordinance authorizing Charles Peruto, DBA Peruto Development LLC, to construct, own, and maintain a proposed exterior stairway at 1640-42 Fitzwater Street, Philadelphia, PA 19146, all under certain terms and conditions." Introduced by Councilmember Johnson on November 21, 2019 (Presented by Sarah Chiu)

The purpose of this bill is to permit the construction of exterior stairway on the sidewalk of 17th Street. The proposed use for this building is converting from a church use to a single-family use, the applicant is requesting a separate access to the basement from the public sidewalk. The existing ADA access ramp will be removed. This proposal has received support from the community group and the preservation alliance.

Staff recommendation is not for approval

Comments: There were no comments from the public or the commission about this bill.

Upon the Motion made by Commissioner Syrnick and seconded by Commissioner Gaston to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of not for approval. 12. Action Item: Property Bill No. <u>190940</u>: "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City, to convey to the Philadelphia Authority for Industrial Development all or a portion of a parcel of land situated at 2401 Chestnut Street, for further conveyance, and authorizing the plotting upon City Plan No. 307 a right-of-way for sewer, drainage and bridge purposes, all under certain terms and conditions." Introduced by Councilmember Greenlee for Council President Clarke on November 21, 2019. (Presented by Ian Litwin)

The purpose of this bill is to Transfer ownership of a leased asset from the City to PAID for further conveyance and add a 30' drainage right-of-way on City Plan for the existing sewer. The current 99 year lease from the City to the property owner is expiring. PennDOT is reconstructing Chestnut Street. The 30-foot wide easement for sewer, drainage, and bridge purposes will be retained. PAID is also required to obtain an Economic Opportunity Plan.

Staff recommendation is for approval.

Comments: There were no comments from the public or the commission about this bill.

Upon the Motion made by Commissioner Gaston and seconded by Commissioner Eiding to Accept Staff Recommendation of Approval, the Philadelphia City Planning Commission approved the recommendation of approval

Upon a motion made by all and seconded by all, the December 10, 2019 meeting of the Philadelphia City Planning Commission was adjourned by the Commission Chair at 1:50pm.

The next City Planning Commission Meeting is scheduled for **Tuesday**, **January 21**, **2020**, at **1:00** p.m.