

PHILADELPHIA CITY PLANNING COMMISSION
MEETING VIA ZOOM

MINUTES OCTOBER 20, 2020

PRESENT:

Anne Fadullon, Commission Chair

Joseph Syrnick, Vice Chair

Cheryl L. Gaston

Duane Bumb

Nancy Rogo Trainer

Christopher Rupe

Garlen Capita

Patrick Eiding

Maria Gonzalez

Peilin Chen

Eleanor Sharpe

NOT PRESENT:

Ariel Vazquez

Commission Chair, Anne Fadullon, called the Philadelphia City Planning Commission to order at 1:00 p.m.

Ian Litwin, of the Philadelphia City Planning Commission, (PCPC) – introduced the Zoom platform and remote City Planning Commission process. We are hosting this meeting on Zoom. We may also have some people join us by phone.

During today’s meeting, each agenda item will be presented by a member of the staff. Following each presentation, the Chair will ask the Commissioners for questions or comments. The Chair will then ask the audience for questions and comments. After that, the Commissioners will finish their discussion and vote.

Those of you who are joining us on Zoom will have two options to ask questions and comment. If you would like to speak, click or tap on the “RAISE HAND” button on the menu bar on the bottom of your screen at any time during the agenda item. You will be called on and have the opportunity to speak to the Commission and the audience.

If you prefer to type your question or comment, click or tap on the “Q&A” button on the menu bar at the bottom of your screen at any time during the agenda item. Once all attendees have had an opportunity to speak, I will read out loud any written questions and comments that have been posted to the Q&A.

For those joining by phone, we’re unable to take spoken testimony, however, you can email your questions and/or comments to the Commission at Planning@phila.gov.

This meeting will be recorded and posted to our website.

Mr. Litwin turned the meeting over to Chair Fadullon, the Commission Chair to begin the meeting.

1. Action Item: Approval of the Meeting Minutes for September 15, 2020.

At the minute mark (00:02:45) in video, Chair Fadullon began the meeting by asking for a motion, then polled the Commission.

Upon the motion made by Commissioner Gonzalez and seconded by Commissioner Syrnick. Approved by Commissioner Trainer, Commissioner Gaston, Commissioner Syrnick, Commissioner Chen, Commissioner Rupe, Commissioner Capita, Commissioner Gonzalez, Commissioner Bumb and Commissioner Eiding. The Commission approved the minutes from September 15, 2020 meeting. Unanimous consent with no nays. Motion carried unanimously (9-0)

2. Executive Director's Update.

The Civic Design Review will hold two meetings October 13th and October 22, 2020, then November 10, 2020.

The next City Planning Commission Meeting will be held November 17, 2020.

Broad, Germantown & Erie Survey for improvements for the two triangles, streets and sidewalks last day – October 20, 2020. To learn about improvement ideas, visit www.phila.gov/bge.

Item in Accord with Previous Policy for approval

- i. Bill No. 200259 Authorize the construction, installation, ownership, use and maintenance of an open-air sidewalk cafe at 901-25 North Delaware Avenue, all under certain terms and conditions. Introduced by Councilmember Squilla on March 12, 2020.
- ii. Bill No. 200423 Authorize Keystone Property Group ('Owner') to construct, own, and maintain a proposed exterior building ramp at 100 South Independence Mall West. Introduced by Councilmember Squilla on September 10, 2020.
- iii. Bill No. 200481 Authorize the Churchview Commons Condominium Association ("Owner") to own and maintain street lighting Encroachments along the One Hundred (100) Block of Church Street in the City of Philadelphia, all under certain terms and conditions. Introduced by Councilmember Squilla on September 17, 2020.
- iv. Bill No. 200499 Authorize Mark Capriotti to install, own, and maintain a proposed sidewalk café at 310 W Master Street. Introduced by Councilmember Thomas for Council President Clarke on September 24, 2020.
- v. Bill No. 200537 Amend Section 2 of an Ordinance (Bill No. 180560) approved July 10, 2018, entitled "An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 250 by striking from the City Plan and vacating the legally open portion of Montour Street from Adams Avenue to Foulkrod Street, under certain terms and conditions," by extending the period for compliance. Introduced by Councilmember Parker on October 8, 2020.
- vi. Bill No. 200542 Authorize DSW1, LLC d/b/a Nifty Fifty's ("Owner") to install, own, and maintain a proposed sidewalk cafe at 2700 South 10th Street, Philadelphia, PA 19148 ("Property"), all under certain terms and conditions. Introduced by Councilmember Johnson on October 8, 2020.
- vii. Bill No. 200543 Authorize Stephen Garafolo ("Owner") to construct, own, and maintain a proposed exterior stairway at 3000 South 15th Street, Philadelphia, PA 19145 ("Property"), all under certain terms and conditions. Introduced by Councilmember Johnson on October 8, 2020.

This concludes the Executive Director's report.

I. Information Only – Shopping Centers in Philadelphia (Presented by Greg Waldman)

PCPC staff composed an internal technical report analyzing characteristics of shopping and strip centers and trends in the retail market. The report examines best practices for redesigning these centers in ways that improve multimodal accessibility, integrate into surrounding communities, and meet 21st Century consumer needs. Finally, the report recommends ways best practices can be implemented, including through public and private investments and changes to the Philadelphia code.

The report has three goals:

- 1) identify shopping centers that are susceptible to market changes
- 2) recommend policies to encourage redevelopment that incorporates best practices
- 3) serve as a design guide for developers, community groups, and policy makers

Since shopping and strip centers are private property, recommendations developed by staff seek to encourage adoption of best practices through a combination of regulations and incentives. Some recommendations include:

- Update parking requirements to reduce the size and number of parking stalls in surface parking lots
- Update parking standards to have a greater focus on pedestrian circulation and stormwater management
- Update the zoning code to create form-based requirements and allow mixed-use residential and light-industrial development at shopping centers
- Create a density bonus for shopping centers that include certain public amenities
- Coordinate Capital investments to adjacent streets and facilities with private investment to shopping and strip centers
- Pair incentives to shopping and strip centers with City programs that help local businesses, particularly ones that are owned by and serve low to moderate-income residents and immigrant communities, so that they can afford to remain and thrive in an updated center.

The research was largely completed prior to the COVID-19 pandemic. Many of the trends towards automation and online shopping described in the report have accelerated. Attending to changes in the retail environment are even more pressing.

Case Studies – Shopping and strip centers evaluated for best practices, including ones that have been repositioned into mixed-use retail centers, include University Village (Seattle, WA), Mashpee Commons (Mashpee, MA), King of Prussia Town Center (King of Prussia, PA), La Gran Plaza (Fort Worth, TX), a former Hobby Lobby repurposed as an international marketplace (Indianapolis, IN), Pacific Fair Shopping Center (Queensland, Australia), and Cross Country Shopping Center (Yonkers, NY).

Additionally, the report evaluated case studies within Philadelphia and around the country to develop recommendations for encouraging shopping and strip centers to implement best practices. These case studies include the updated “Planned Shopping Center” zoning district in Lexington, KY as well as Chestnut Hill Parking Foundation and Mayfair Business Improvement District (BID) in Philadelphia.

Plan Consistency – Improvements to shopping and strip centers have been recommended in Philadelphia2035 District Plans, including in several focus areas. For instance, recommendations to improve Cottman & the Boulevard, which includes the area of Roosevelt Mall, are being implemented in Central Northeast. The Far Northeast Districts Plan in particular calls for comprehensive guidelines for shopping and strip centers. This report builds on recommendations in those Districts Plans to create a Citywide plan for improving auto-oriented shopping areas. This report is also consistent with the 2005 DVRPC report, Redesigning Shopping Centers: From Greyfields to Community Assets.

There are 39 shopping centers or shopping center clusters in Philadelphia. This includes four malls and shopping centers with over 1 million square feet of commercial space. Philadelphia also has 110 commercial corridors with strip centers.

discussion and/or remarks began at minute mark (00:24:13) in video.

Commissioner Capita inquired about indoor recreation and other innovative uses as case studies for repositioning. The report, which would include reuse of existing structures will be available on PCPC website October 21, 2020. **Commissioner Gaston** added that they can have prizes and engage people in a way they could use the space and not necessarily shop. **Commissioner Gonzalez** wanted to know if staff was thinking about any potential next steps to advance the strategy across the city. The report outlines the vision and recommendations of how those conversations should start.

Public questions and comments via chat read by Mr. Litwin at the minute mark (00:30:21) in video.

Are there more ideas for more green spacing in vacant lots, as well as looking into other towns and examples such as, Stapleton and Colorado? Examples are provided in the report.

II. Information Only – Extension of Streets Departments Emergency Regulations regarding sidewalk cafes and right-of-way use. Streets Bills 200497 and 200498. Introduced by Councilmembers Domb, Henon, Johnson, Jones, Oh, Parker, Quinones Sanchez, Squilla and Thomas on September 20, 2020. (Presented by Dave Munson)

Streets Bill No. 200497 Short Title: An Ordinance amending Bill No. 200351, entitled ‘An Ordinance authorizing the operation of sidewalk cafes during the COVID-19 emergency until December 31, 2020 in areas of the City where such activity currently must be otherwise authorized by special ordinance, and allowing expanded activity by currently licensed sidewalk café operations,’ to extend the date Bill No. 200351 will remain in effect, all under certain terms and conditions. Sponsored By: Councilmembers Domb, Gauthier, Gilmore Richardson, Green, Henon, Johnson, Jones, Oh, Parker, Quiñones Sánchez, Squilla and Thomas Introduced on: September 24, 2020.

Streets Bill No. 200498 Short Title: An Ordinance amending Bill No. 200352, entitled 'An Ordinance amending Chapter 11-100 of The Philadelphia Code, entitled 'General Provisions,' to authorize the Streets Department to permit closure of the public right-of-way,' to extend the date Bill No. 200352 will remain in effect, all under certain terms and conditions. Sponsored By: Councilmembers Domb, Gauthier, Gilmore Richardson, Green, Henon, Johnson, Jones, Oh, Parker, Quiñones Sánchez, Squilla and Thomas Introduced on: September 24, 2020

Bill No. 200351 was passed by the City Council on June 25, 2020 and was signed by the Mayor on August 24, 2020. The bill authorized the use of sidewalk cafes throughout the city, whereas before they had been authorized only in certain parts of the city and required a bill to be built outside of those areas. It also allowed sidewalk cafes to extend in front of a neighboring property, waived fees, and authorized the Managing Director's Office to promulgate relevant regulations. The Bill was authorized to remain in effect until December 31, 2020.

Bill No. 200352 was passed by the City Council on June 25, 2020 and was signed by the Mayor on June 26, 2020. The Bill amended The Philadelphia Code to authorize the Streets Department to promulgate regulations for temporary right-of-way closures during a public health emergency, including for the operation of businesses that are unable to operate at full capacity indoors. This has allowed the Streets Department to establish an application process for dining spaces in parking lanes, or "streeteries," as well as a pilot program for full street closures for outdoor dining. The Bill was authorized to remain in effect until December 31, 2020.

Bill No. 200497 and Bill No. 200498 would extend the authorization of Bill No. 200351 and Bill No. 200352 (respectively) from their current end date of December 31, 2020 to a new date of December 31, 2021.

Commission discussion and/or remarks began at minute mark (00:39:00) in video.

Commissioner Gaston raised a question about Winter approaching and the tents. The City published new regulations for outdoor dining during the Winter on Thursday, October 15, 2020.

3. Action Item – Extension of City Planning Commissions Emergency Regulations (Presented by Mason Austin – Paula Brumbelow)

Emergency Regulations Brief Description – A three-month extension of emergency regulations for Registered Community Organizations previously adopted by the Commission on June 17, 2020. The emergency regulations would be amended to include the following provisions (changes in bold italics)

Affected Period

- These Emergency Regulations are ***extended to January 21, 2021***
- They would go into effect immediately upon approval by the Commission.
- Further extension of these Emergency Regulations beyond September would require further action by the Commission.

Notice from PCPC

- For any appeal filed during the affected period, PCPC will send notice to applicants as soon as practicable.

Neighborhood Meetings

- For the duration of the affected period, the date of notification from PCPC shall serve as the start of the 45-day period during which the Zoning Board of Adjustments (ZBA) cannot hear a case unless the applicant first attends a Neighborhood Meeting convened by the designated Coordinating Registered Community Organization(s) (RCOs).
- For any application where an appeal was filed prior to, but expired during, the affected period, the aforementioned 45-day period has expired
- If the Coordinating RCO(s) cannot host a public meeting in person or in a virtual setting, they must contact the Planning Commission, the ZBA, and the District Councilperson within ten (10) days of receiving notice from the applicant.
- In such cases, the Commission, may request that the District Councilperson choose another RCO whose boundaries include the subject property be chosen as the Coordinating RCO or may make an alternative recommendation that it deems in the best interests of the City of Philadelphia.

Staff recommendation is for approval of the regulations to January 31, 2021.

Commission discussion and/or remarks began at minute mark (00:41:48) in video.

Commissioner Gaston pointed out that the paperwork read January 21, 2021 in the summary. It was a typo. The date should be January 31, 2021. **Commissioner Capita** wanted to know what happens if the RCO cannot host a public meeting in person or virtual setting and they notify Council within the 10-days. Council office can designate another RCO group to be the designated. The RCO needs to let staff know that they're not able to.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (00:43:13) in video.

Upon the Motion made by Commissioner Trainer and seconded by Commissioner Gonzalez to accept staff recommendation. Chair Fadullon polled the Commission for the vote: approved by Commissioner Trainer, Commissioner Gaston, Commissioner Chen, Commissioner Syrnick, Commissioner Capita, Commissioner Bumb, Commissioner Eiding, Commissioner Gonzalez and Commissioner Rupe. Staff recommendation for approval of the regulations to January 31, 2021 was approved. Unanimous consent with no nays. Motion carried unanimously (9-0).

4. Action Item: Bill No. 200416 Amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Buckius Street (extended), the Delaware River, Orthodox Street (extended), and Richmond Street. Introduced by Councilmember Henon on September 10, 2020. (Presented by Dave Fecteau)

Present Use: Vacant Land

Existing Zoning: RMX-2, Residential Mixed-Use.

Purpose Intent: Rezone 10.2 acres of vacant land to allow for construction of a public park. This will be an approximately \$9 million project. The Department of Parks and Recreation and Riverfront North have secured half of this funding, enough to build phase one. Funding comes from public and private sources including the William Penn Foundation, the McLean Contributionship, the City and the Commonwealth. The park will connect residents of Bridesburg to the Delaware riverfront for the first time.

Proposed Land Use: Parks and Open Space

The impacts of this Bill will be positive as it will enable the creation of a new waterfront park. The park will ensure that residents of a low-income neighborhood will, for the first time, be able to access the Delaware Riverfront.

Consistency with Adopted Plans This bill is consistent with the River Wards District Plan, part of the City's Comprehensive Plan Philadelphia 2035. It will address RW Recommendation No. 29, Identify a site and create public waterfront parks in Bridesburg on the North Delaware Waterfront.

Public Outreach Effort: None for the rezoning. However, the Department of Parks and Recreation and Riverfront North held several design meetings with Bridesburg residents several years ago. Riverfront North also secured funding from the William Penn foundation to take residents from the Bridesburg Riverfront Park Committee on tours to other parks between August and October 2019. These visits helped residents to learn what lessons could be applied to the new Bridesburg Park.

Community Meetings: Public outreach for the park's design began in 2015 and continues through 2020.

The Council office has recently told us about a potential amendment to this bill. The amendment to either ICMX Industrial-Commercial Mixed-Use, I-1 Industrial or I-2 Industrial would accommodate a warehouse proposal for the remainder of the block. Therefore, this Bill might be amended.

Staff recommendation is for approval.

Commission discussion and/or remarks began at minute mark (00:51:20) in video.

Commissioner Trainer commented on making sure that the rest of the parcel gets rezoned and that there's a safe path for people to get on bicycles or on foot to get from the neighborhood to the park. PennDOT is working with the Streets Department to push Delaware Avenue through the site to figure out the intersection, including infrastructure for people riding bikes or on foot to get down to this parcel and to get through the new extension to Delaware Avenue, which are all part of the next planning phase. **Commissioner Gonzalez** asked if the Zoning Bill gets amended, it's still intended to have the park at this location. David Fecteau said, that's correct and that the park will remain and the warehouse is uncertain, but if the Zoning Bill gets amended, the park will still be there. The rest of the site will get rezoned to some kind of other industrial, so there will be two zoning districts, instead of one.

Commissioner Gaston inquired about the project being a little premature doing all of this now since everything is in flux about how this is all going to fit or work together. Mr. Fecteau stated that the park is going forward regardless, because they have half the funding for phase I and a Zoning Bill for the park has to be done, whether the amendment to the Bill to rezone the rest of the site or not.

Public questions and comments from the Q & A at the minute mark (00:53:54) in video.

Mr. Miguel was curious on how the waterfront park can possibly affect the suburban urban areas looking at Northwest of the proposed plan. The area was previously made on top of an industrial coke site. Does it have any environmental implications on those, who would want to go to the park. Is the area hazardous in some way? Mr. Fecteau said, that to his understanding, the pollution did not extend to where the park is proposed. The site has been cleaned, but not to a residential level, so there's still potential contamination that you would not want to be exposed to. It's okay for an industrial or commercial use, where it would be mostly paved or have a building on the site. Regarding the timeline, likely sometime within five-years hopefully, depending on state funding but doesn't know.

A. Weiss – technical issue (00:56:26). The question was read by Mr. Litwin at (00:56:56) regarding maintenance of the park. Mr. Fecteau replied with maintenance will be handled by Riverfront North Partnership.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (00:57:30).

Upon the Motion made by Commissioner Gonzalez and seconded by Commissioner Eiding to accept staff recommendation for approval. Chair Fadullon polled the Commission for the vote: approved by Commissioner Trainer, Commissioner Gaston, Commissioner Syrnick, Commissioner Chen, Commissioner Capita, Commissioner Bumb, Commissioner Eiding, Commissioner Gonzalez and Commissioner Rupe. Staff recommendation for approval was approved. Unanimous consent with no nays. Motion carried unanimously (9-0).

- 5. Action Item: Bill No. 200417 Amend Title 4 of The Philadelphia Code, entitled 'The Building Construction and Occupancy Code,' and Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by adding disclosure requirements with respect to certain applications, permits, and notices, all under certain terms and conditions. Introduced by Councilmember Johnson for Council President Clarke for Council President Clarke on September 10, 2020. (Presented by Mason Austin – Matt Wysong)**

Many permit applications are filed on behalf of an LLC. Some developers utilize multiple LLCs across multiple projects. The bill seeks to require a permit applicant that is not a natural person (e.g. an LLC) to provide, in addition to the owner of the property, the full names and addresses of each natural person (not to exceed two) who has an equity interest in such owner or owners of the property shall also be stated in the application, RCO notification letter, ZBA poster, posted permit, and work site signage.

L&I has identified the following issues with this Bill:

- The proposed change will require upgrades to eCLIPSE, L&I's permitting system, which will come at a cost without additional revenue generation
- The bill will be effective immediately, but upgrades to eCLIPSE will take months to implement.
- ZBA posters are generated by eCLIPSE. In the interim, applicants will be responsible for placing this information on ZBA posters, thus creating possible compliance issues if it is not provided.
- Additionally, the equitable owners of a project may change over the course of the permitting process, creating potential for further complications

Staff recommends that all provisions of this Bill become effective after changes to eCLIPSE are made.

Staff recommendation is for approval with amendments.

Commission discussion and/or remarks began at minute mark (01:01:56) in video.

Commissioner Gaston asked what L&I is supposed to do with this information. They don't keep their files based on property owners, they keep addresses of properties. This will have the effect of making Zoning permeating and variance for such, personal and that isn't legal. Zoning applies to the property, not to who owns the property, so there isn't transparency and doesn't have a Zoning purpose. **Commissioner Gonzalez** added that when corporations either for-profit, or nonprofit entities are owners of a property, it's concerning that you have to put the principals of the firm as the owners when technically, the principals are not, so it can be a little misleading. **Commissioner Capita** mentioned that while she could understand the concerns, she doesn't see the need to having some level of transparency if it can show throughout the process, who is responsible for the project. For the community sake, you're having projects happen that the groups who are controlling it are hiding behind an LLC and the community groups feel like they may not have a direct link and a direct group that they're speaking to in terms of dealing with the issues that may arise both, during the design and construction and an ongoing maintenance as well, especially when it's a LLC and there's no clear contact or connection. If there was a way to provide more transparency, it could be a good thing for communities as a whole. In recognition of the project information form that gets filled out when you do a Zoning project, which flushes out information, **Commissioner Gaston** suggested having that part of Zoning process read: this is the person who is responsible, in addition to, the applicant that this is the person who is responsible in some way.

Public questions and comments from the Q & A at the minute mark (01:08:48) in video by Sandra Woods.

Ms. Woods stated that she agreed with Commissioner Gaston and that she is in the process of currently renovating her property. Her Architect will most likely submit for permits and personally, she would not want her personal information on a poster or paperwork or whatever's needed to show the work that's been done at the property. That's Personal Identifiable Information, (PII) and don't think that it should be open in plain sight, then suggested that if people are interested in who the owner is or the work that's being done, maybe having the information online, as opposed to it being open for all to see.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (01:11:01).

Upon the Motion made by Commissioner Gaston and seconded by Commissioner Gonzalez not to accept staff recommendation for approval with amendments. Chair Fadullon polled the Commission for the vote: Approved by Commissioner Gaston, Commissioner Syrnick, Commissioner Chen, Commissioner Bumb and Commissioner Gonzalez. Staff recommendation for approval with amendments was not approved. Unanimous consent with two abstentions and two nays. Motion carried unanimously (5-4).

*Commissioner Trainer abstained unsure of how it might affect or not her employer.
Commissioner Capita abstained.
Commissioner Eiding and Commissioner Rupe voted nay on this item.*

6. Action Item: Bill No. 200418 Amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Bartram Avenue, the Delaware Expressway, Enterprise Avenue, and Island Avenue. Introduced by Councilmember Johnson on September 20, 2020. (Presented by Nicole Ozdemir)

Present Use: Existing land use is a mix of industrial, commercial business/professional, and vacant land.

Existing Zoning: Existing zoning districts are a mix of CMX-3, Commercial Mixed-Use, I-3, Heavy Industrial, and SP-AIR, Airport.

Purpose Intent: PHL has somewhat recently acquired these parcels and is requesting that they be remapped. PHL has a general policy to acquire any land that surrounds the existing airport whenever it becomes available for purchase.

Proposed Land Use: No change is expected currently.

Proposed Zoning: This bill proposes that some of the existing CMX-3 and I-3 districts are changed to SP-AIR.

Consistency with Adopted Plans

The Bill is consistent with both the Citywide Vision and the Lower Southwest District Plan.

- CW4.4.1a: Enhance the capacity of PHL to reduce delay by implementing the Capacity Enhancement Program (CEP).

- CW4.4.1a: Embark on longer-term land side improvements beyond the current PHL footprint.
- LSW25: Continue to implement the PHL CEP.

Staff recommendation is for approval.

Commission discussion and/or remarks began at minute mark (01:15:29) in video.

Commissioner Gaston requested clarification on the location and specific change.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (01:16:26).

Upon the Motion made by Commissioner Eiding and seconded by Commissioner Syrnick to accept staff recommendation for approval. Chair Fadullon polled the Commission for the vote: Approved by Commissioner Trainer, Commissioner Gaston, Commissioner Syrnick, Commissioner Chen, Commissioner Capita, Commissioner Bumb, Commissioner Eiding, Commissioner Gonzalez and Commissioner Rupe. Staff recommendation for approval was approved. Unanimous consent with no nays. Motion carried unanimously (9-0).

7. Action Item: Bill No. 200480 Amend Title 14 of The Philadelphia Code, entitled "Zoning and Planning," to revise certain provisions of Chapter 14-500, entitled "Overlay Zoning Districts," by creating the /MMP, McMichael Park Overlay District; all under certain terms and conditions. Introduced by Councilmember Jones on September 17, 2020. (Presented by Matt Wysong)

This Bill seeks to create an overlay that covers only McMichael Park, which is owned by the City of Philadelphia. The overlay regulates that no structure shall be constructed within the park.

McMichael Park is mostly a passive park with minimal improvements. The Department of Parks & Recreation will be constructing a playground, to the dismay of some nearby residents. This bill is intended to prohibit structures from being built in the future in order to retain the passive character of the park.

Staff feels that the proposed zoning restriction constrains the City's use of its own land. Furthermore, this bill may not achieve the community's desired results as not all structures require zoning permits.

Staff recommendation is for not for approval.

Commission discussion and/or remarks began at minute mark (01:19:18) in video.

Commissioner Gonzalez thinks that it would be a good thing if there were maybe bathroom facilities or some other type of storage structures that would be allowed and permissible within the park that usually lends itself to be more user friendly to future purposes.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (01:20:17)

Upon the Motion made by Commissioner Capita and seconded by Commissioner Gaston to accept staff recommendation of not for approval.

Public questions and comments from the Q & A at the minute mark (01:20:50) in video by Sandra Woods, Alexis Franklin and Cynthia.

Ms. Woods needed clarification on the Commission motion to accept staff recommendation. Chair Fadullon explained what the motion and staff recommendation meant. Ms. Franklin stated that the park was a passive 90-year-old park until this year. The park had a War Memorial built in 1945, a climbing turtle built in 1965, and now, they have a playground, which is less than five percent of the park. In light of the fact, that it's a residential area with three playgrounds within walking distance from McMichael Park. Ms. Cynthia has lived six houses from the park since 1968 and expressed concerns about equity, because they have three playgrounds within the community and many people have backyards; open space, upkeep, cost and the possibility of another playground for the older children a few years from now. East Falls needs green open space.

Chair Fadullon restated the motion, then polled the Commission for the vote at the minute mark (01:26:19): Approved by Commissioner Trainer, Commissioner, Gaston, Commissioner Chen, Commissioner Capita, Commissioner Bumb, Commissioner Eiding, Commissioner Gonzalez and Commissioner Rupe. Staff recommendation of not for approval was approved. Unanimous consent with one nay. Motion carried unanimously (8-0).

Commissioner Syrnick, voted nay on this item.

8. **Action Item: Bill No. 200516 Amend Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by creating an overlay district entitled '/WYN, Wynnefield Overlay District,' to include certain areas of land within the area bounded by City Avenue, Bryn Mawr Avenue, Parkside Avenue, 53rd Street, Jefferson Street, Upland Way, and Drexel Road, under certain terms and conditions." Introduced by Councilmember Jones on October 1, 2020 (Presented by Brian Wenrich)**

Boundaries. The /WYN, Wynnefield Overlay District shall consist of all commercially-zoned lots in the area bounded by City Avenue, Bryn Mawr Avenue, Parkside Avenue, 53rd Street, Jefferson Street, Upland Way, and Drexel Road,

Use Regulations. Principal uses are allowed within the /WYN, Wynnefield Overlay District in accordance with the use regulations of the underlying zoning district, provided that the following uses shall require a Special Exception, except where they are otherwise prohibited: (a) Consumer Goods; (b) Food, Beverages, and Groceries; (c) Sundries, Pharmaceuticals, and Convenience Sales; and (d) Drug Paraphernalia Sales

Section 2. This Ordinance will work in conjunction with Section 14-603(20)(a)(1)(j) regarding limitations on medical marijuana dispensaries.

Present Use: Wynnefield neighborhood

Existing Zoning: affects only commercially zoned properties

Purpose Intent: Describe why the bill has been requested.

Proposed Land Use: no change.

Proposed Zoning Overlay: The WYN, Wynnefield Overlay District shall consist of all commercially-zoned lots in the area bounded by City Avenue, Bryn Mawr Avenue, Parkside Avenue, 53rd Street, Jefferson Street, Upland Way, and Drexel Road.

Staff recommendation is not for approval.

Commission discussion and/or remarks began at minute mark (01:29:55) in video.

Commissioner Gaston asked if this would only affect the commercial properties covered by the overlay. Mr. Wenrich replied yes, it would require all commercial properties to go towards special exception in the categories that are listed. Further discussion continued.

Public questions and comments from the Q & A at the minute mark (01:32:04) in video by Ms. Woods.

Ms. Woods asked for clarification if she wanted to start a small business and sell tabaco and other products, then she would have to seek a special exemption to do that. Chair Fadullon clarified stating that she would have to get a special exception, which is something in the code. Normally, in your underlining Zoning district, you would be allowed to do that. From this Bill, you would now have to go to the Zoning Board and get a special exception, which means the use is allowed, but the community has to show that it would have an impact. Further discussion continued.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (01:34:25).

Upon the Motion made by Commissioner Eiding and seconded by Commissioner Capita to accept staff recommendation, not for approval. Chair Fadullon polled the Commission for the vote: Approved by Commissioner Trainer, Commissioner Gaston, Commissioner Syrnick, Commissioner Chen, Commissioner Capita, Commissioner Bumb, Commissioner Gonzalez, Commissioner Eiding and Commissioner Rupe. Staff recommendation, not for approval was approved. Unanimous consent with no nays. Motion carried unanimously (9-0).

- 9. Action Item: Bill No. 200539 Authorize the revision of lines and grades on a portion of City Plan No. 299 by striking from the City Plan Parker Avenue from a point approximately one hundred fifty-six feet southwest of Matthias Street to its terminus southwestwardly therefrom and reserving and placing on the City Plan a Right-of-Way for various utility purposes within a portion of Parker Avenue being stricken and authorizing acceptance of the grant to the City of the said Right-of-Way. Introduced by Councilmember Jones on October 8, 2020. (Presented by Sarah Chiu)**

This Bill is to authorize the revision of lines and grades by striking from the City Plan Parker Avenue from a point approximately one-hundred fifty-six feet southwest of Matthias Street to its terminus and to reserve and place on the City Plan a right-of-way for various utility purposes within a portion of Parker Avenue being stricken and authorizing acceptance of the grant to the City of the said right-of-way. This action is to facilitate a proposed 12 units residential development.

Present Use: vacant land, this portion of Parker Ave is on City Plan but has no record of legal opening.

Existing Zoning: RSD 3, RTA-1, with Wissahickon Watershed Overlay, Steep Slope Overlay

Purpose Intent: To authorize the revision of lines and grades by striking from the City Plan Parker Avenue from a point approximately one-hundred fifty-six feet southwest of Matthias Street to its terminus and to reserve and place on the City Plan a right-of-way for various utility purposes within a portion of Parker Avenue being stricken and authorizing acceptance of the grant to the City of the said right-of-way.

Proposed Land Use: This action is to facilitate a proposed a 12-dwelling unit residential development.

Proposed Zoning: To remain the same.

Staff recommendation is for approval.

Commission discussion and/or remarks began at minute mark (01:39:40) in video.

Commissioner Syrnick asked why the developer wouldn't want to keep it as a street and develop it as a public street. Further discussion continued.

Public questions and comments from the Q & A at the minute mark (01:41:50) in video by Bret Feldman

Mr. Feldman wanted to thank the Planning Commission staff, Streets Department, Councilperson's Office, the community and project engineer before mentioning that this is what the Streets Department required them to do, because they didn't want to build a street due to some of the other considerations that Ms. Chiu outlined.

Seeing no further questions or comments from the Commission or the public, Chair Fadullon asked the Commission if there was a motion at the minute mark (01:43:26).

Upon the Motion made by Commissioner Eiding and seconded by Commissioner Bumb to accept staff recommendation for approval. Chair Fadullon polled the Commission for the vote: Approved by Commissioner Gaston, Commissioner Chen, Commissioner Capita, Commissioner Bumb, Commissioner Eiding and Commissioner Rupe. Staff recommendation for approval was approved. Unanimous consent with three nays. Motion carried unanimously (6-3).

Commissioner Trainer, Commissioner Syrnick and Commissioner Gonzalez voted nay on this item.

Chair Fadullon asked for a motion to adjourn at the minute mark (01:44:30). Upon the motion made by Commissioner Eiding to adjourn the meeting, seconded by **Commissioner** ? Commission unanimously approved.

Ended at 2:48 p.m.

The next City Planning Commission Meeting is scheduled for **Tuesday, November 15, 2020 at 1:00 p.m.** via Zoom platform.

SUMMARY

1. Action Item: Approval of the Meeting Minutes for September 15, 2020.

APPROVED

2. Executive Director's Update.

I. Information Only – Shopping Centers in Philadelphia (Presented by Greg Waldman)

II. Information Only – Extension of Streets Departments Emergency Regulations regarding sidewalk cafes and right-of-way use. Streets Bills 200497 and 200498. Introduced by Councilmembers Domb, Henon, Johnson, Jones, Oh, Parker, Quinones Sanchez, Squilla and Thomas on September 20, 2020. (Presented by Dave Munson)

3. Action Item – Extension of City Planning Commissions Emergency Regulations (Presented by Mason Austin – Paula Brumbelow)

**STAFF RECOMMENDATION FOR APPROVAL OF THE REGULATIONS TO
JANUARY 31, 2021 WAS APPROVED**

4. Action Item: Bill No. 200416 Amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Buckius Street (extended), the Delaware River, Orthodox Street (extended), and Richmond Street. Introduced by Councilmember Henon on September 10, 2020. (Presented by Dave Fecteau)

APPROVED

5. Action Item: Bill No. 200417 Amend Title 4 of The Philadelphia Code, entitled 'The Building Construction and Occupancy Code,' and Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by adding disclosure requirements with respect to certain applications, permits, and notices, all under certain terms and conditions. Introduced by Councilmember Johnson for Council President Clarke for Council President Clarke on September 10, 2020. (Presented by Mason Austin – Matt Wysong)

**STAFF RECOMMENDATION FOR APPROVAL WITH AMENDMENTS WAS
NOT APPROVED**

6. Action Item: Bill No. 200418 Amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Bartram Avenue, the Delaware Expressway, Enterprise Avenue, and Island Avenue. Introduced by Councilmember Johnson on September 20, 2020. (Presented by Nicole Ozdemir)

APPROVED

7. Action Item: Bill No. 200480 Amend Title 14 of The Philadelphia Code, entitled "Zoning and Planning," to revise certain provisions of Chapter 14-500, entitled "Overlay Zoning Districts," by creating the /MMP, McMichael Park Overlay District; all under certain terms and conditions. Introduced by Councilmember Jones on September 17, 2020. (Presented by Matt Wysong)

STAFF RECOMMENDATION OF NOT FOR APPROVAL WAS APPROVED

8. Action Item: Bill No. 200516 Amend Title 14 of The Philadelphia Code, entitled 'Zoning and Planning,' by creating an overlay district entitled '/WYN, Wynnefield Overlay District,' to include certain areas of land within the area bounded by City Avenue, Bryn Mawr Avenue, Parkside Avenue, 53rd Street, Jefferson Street, Upland Way, and Drexel Road, under certain terms and conditions." Introduced by Councilmember Jones on October 1, 2020 (Presented by Brian Wenrich)

STAFF RECOMMENDATION OF NOT FOR APPROVAL WAS APPROVED

9. Action Item: Bill No. 200539 Authorize the revision of lines and grades on a portion of City Plan No. 299 by striking from the City Plan Parker Avenue from a point approximately one hundred fifty-six feet southwest of Matthias Street to its terminus southwestwardly therefrom and reserving and placing on the City Plan a Right-of-Way for various utility purposes within a portion of Parker Avenue being stricken and authorizing acceptance of the grant to the City of the said Right-of-Way. Introduced by Councilmember Jones on October 8, 2020. (Presented by Sarah Chiu)

APPROVED

PCPC Minutes
10/20/20

| # | Question | Asker Name | Asker Email | Answer(s) |
|----|--|-----------------|-------------------------|---|
| 1 | | Ian Litwin | ian.litwin@phila.gov | |
| 2 | | Ian Litwin | ian.litwin@phila.gov | |
| 3 | For Greg Waldmen on his Shopping center presentation, are there some ideas for more green spacing in these vacant lots/ as well as looking to other town orientated examples such as Stapleton Colorado? | Miguel Borbon | borbonm@go.stockton.edu | live answered |
| 4 | parks and rec is constantly adding additional parks/rec facilities while not maintaining existing parks and facilities. please maintain existing parks and facilities before adding others! | a weiss/SoLo | awfromhh4@gmail.com | |
| 5 | thank you -allison weiss 215 843 5555 | a weiss/SoLo | awfromhh4@gmail.com | This park will be maintained by the Riverfront North Partnership |
| 6 | For the amendment on BILL 200416, are there any possible external objectives that can hopefully positively affect the suburban and urban areas located north west of the proposed plan? And what of the environmental restrictions? The area was previously an industrial area so is this possibly hazardous to have a park made on the previous site? | Miguel Borbon | borbonm@go.stockton.edu | |
| 7 | i8 cannot speak i have no microphone | a weiss/SoLo | awfromhh4@gmail.com | |
| 8 | how much parks and rec money going into othe project? | a weiss/SoLo | awfromhh4@gmail.com | Park information can be foind here: https://riverfrontnorth.org/bridesburgpark-faq/ Also, you can email lindsay@riverfrontnorth.org for more information. |
| 9 | i have no microphone | a weiss/SoLo | awfromhh4@gmail.com | |
| 10 | Thanks, Planning Commissioners! | Courtney Voss | courtney@bobbyhenon.com | |
| 11 | I am in the process of renovating my property and my architect will submit permits. As the property owner, I do not want my personal information placed on onsite posters. | Sandra Woods | sandralww@gmail.com | Sandra, can you raise your hand to speak? |
| 12 | Are you saying not to be able to build things like a palyground? playground | Sandra Woods | sandralww@gmail.com | live answered |
| 13 | Can the bill be structi\ured to avoid playground creep or basketball courts. | Alexis_Franklin | Lexy3904@gmail.com | live answered |
| 14 | There are 3 other playground in the residential area. | Alexis_Franklin | Lexy3904@gmail.com | live answered |
| 15 | How does the city insure that playgrounds are installed where there is a need? | Cynthia | crk3114@msn.com | Cynthia, can you rasie your hand to speak? |

PCPC Minutes
10/20/20

| Attended | User Name (Original Name) | First Name | Last Name | Email | Registration Time | Approval Status | Join Time | Leave Time |
|----------|---------------------------|-----------------|------------|------------------------------|-------------------|----------------------|------------------|------------------|
| No | New Path | New | Path | billycollinsjr@gmail.com | 10/20/2020 12:45 | approved | -- | -- |
| Yes | Mike Tomasetti | Mike | Tomasetti | amichaeltomasetti@gmail.com | 10/20/2020 13:21 | approved | 10/20/2020 13:21 | 10/20/2020 14:45 |
| Yes | Jihad Ali | Jihad | Ali | jihad@jihadali.com | 10/20/2020 13:00 | approved | 10/20/2020 13:01 | 10/20/2020 14:45 |
| Yes | Miguel Borbon | Miguel | Borbon | borbonm@go.stockton.edu | 10/20/2020 12:55 | approved | 10/20/2020 13:00 | 10/20/2020 14:45 |
| Yes | Rustin Ohler | Rustin | Ohler | info@hdoarch.com | 10/20/2020 13:04 | approved | 10/20/2020 13:04 | 10/20/2020 14:01 |
| Yes | Sandra Woods | Sandra | Woods | sandralww@gmail.com | 10/20/2020 13:02 | approved | 10/20/2020 13:02 | 10/20/2020 14:45 |
| Yes | donnacarney | donnacarney | | donna.carney@phila.gov | 10/20/2020 13:20 | approved | 10/20/2020 13:20 | 10/20/2020 14:45 |
| Yes | Jametta#PCPC | Jametta,PCPC | | jametta.johnson@phila.gov | 10/20/2020 13:04 | approved | 10/20/2020 13:04 | 10/20/2020 14:44 |
| Yes | Andrew Burdick | Andrew | Burdick | andrew.burdick@macquarie.com | 10/20/2020 12:57 | approved | 10/20/2020 13:00 | 10/20/2020 13:16 |
| Yes | Alex Smith | Alex | Smith | alex.smith@phila.gov | 10/20/2020 13:00 | approved | 10/20/2020 13:01 | 10/20/2020 14:45 |
| Yes | Tom Friese | Tom | Friese | tfriese@pennoni.com | 10/20/2020 13:01 | approved | 10/20/2020 13:01 | 10/20/2020 13:19 |
| Yes | Letitia McNeil | | | Letitia.McNeil@phila.gov | 10/9/2020 14:28 | upgraded to panelist | 10/20/2020 13:27 | 10/20/2020 14:04 |
| Yes | Letitia McNeil | | | Letitia.McNeil@phila.gov | | | 10/20/2020 14:38 | 10/20/2020 14:45 |
| Yes | Letitia McNeil | | | Letitia.McNeil@phila.gov | | | 10/20/2020 14:05 | 10/20/2020 14:37 |
| Yes | Katelyn Kahn | Katelyn | Kahn | tui15994@temple.edu | 10/20/2020 13:40 | approved | 10/20/2020 13:40 | 10/20/2020 13:45 |
| Yes | Matt Wysong | | | Matt.Wysong@phila.gov | 10/9/2020 14:31 | upgraded to panelist | 10/20/2020 13:06 | 10/20/2020 13:09 |
| Yes | david kanthor | david | kanthor | david.kanthor@phila.gov | 10/20/2020 13:09 | approved | 10/20/2020 13:09 | 10/20/2020 14:27 |
| Yes | Margaret Nolan | Margaret | Nolan | margaretgracenolan@gmail.com | 10/20/2020 12:58 | approved | 10/20/2020 13:01 | 10/20/2020 13:48 |
| Yes | Cynthia | Cynthia | | crk3114@msn.com | 10/20/2020 12:42 | approved | 10/20/2020 13:01 | 10/20/2020 14:28 |
| Yes | Martine Decamp | Martine | Decamp | martine.decamp@gmail.com | 10/20/2020 13:17 | approved | 10/20/2020 13:17 | 10/20/2020 14:09 |
| Yes | Martine Decamp | Martine | Decamp | martine.decamp@gmail.com | | | 10/20/2020 14:09 | 10/20/2020 14:14 |
| Yes | John Mondlak | John | Mondlak | john.mondlak@phila.gov | 10/20/2020 13:34 | approved | 10/20/2020 13:34 | 10/20/2020 14:45 |
| Yes | Jonathan Goins | Jonathan | Goins | jonathan.goins@phila.gov | 10/20/2020 13:21 | approved | 10/20/2020 13:21 | 10/20/2020 13:37 |
| Yes | Jonathan Goins | Jonathan | Goins | jonathangoins@gmail.com | 10/20/2020 13:37 | approved | 10/20/2020 13:37 | 10/20/2020 14:37 |
| Yes | Brett Feldman | Brett | Feldman | bfeldman@klehr.com | 10/20/2020 12:28 | approved | 10/20/2020 13:01 | 10/20/2020 14:45 |
| No | South Phila | South | Phila | southphillybranch1@gmail.com | 10/20/2020 12:46 | approved | -- | -- |
| Yes | Courtney Voss | Courtney | Voss | courtney@bobbyhenon.com | 10/20/2020 13:48 | approved | 10/20/2020 13:48 | 10/20/2020 13:59 |
| No | Greg Waldman | Greg | Waldman | greg.t.waldman@gmail.com | 10/20/2020 12:58 | approved | -- | -- |
| Yes | Patrick Eiding | | | peiding@philafclio.org | 10/9/2020 14:31 | upgraded to panelist | 10/20/2020 13:02 | 10/20/2020 13:03 |
| Yes | Leonard Reuter | | | Leonard.Reuter@Phila.gov | 10/9/2020 14:28 | upgraded to panelist | 10/20/2020 14:01 | 10/20/2020 14:17 |
| Yes | Dave Munson | Dave | Munson | munsonmunson@gmail.com | 10/20/2020 12:47 | approved | 10/20/2020 13:01 | 10/20/2020 13:11 |
| Yes | Keith | Keith | | keith.f.davis@phila.gov | 10/20/2020 13:07 | approved | 10/20/2020 13:07 | 10/20/2020 13:59 |
| Yes | Arina Maier | Arina | Maier | maiera1@go.stockton.edu | 10/20/2020 12:57 | approved | 10/20/2020 13:01 | 10/20/2020 14:25 |
| Yes | Rena Pinhas | Rena | Pinhas | tul07033@temple.edu | 10/20/2020 13:00 | approved | 10/20/2020 13:01 | 10/20/2020 14:08 |
| No | New Path | New | Path | newpaths1aa@gmail.com | 10/20/2020 12:45 | approved | -- | -- |
| Yes | Martine Decamp | Martine | Decamp | martine.decamp@phila.gov | 10/20/2020 14:13 | approved | 10/20/2020 14:13 | 10/20/2020 14:45 |
| Yes | Ian Mccarthy | Ian | Mccarthy | imscarthy@gmail.com | 10/20/2020 12:56 | approved | 10/20/2020 13:00 | 10/20/2020 14:45 |
| Yes | mina monavarian | mina | monavarian | mina.monavarian@phila.gov | 10/20/2020 13:00 | approved | 10/20/2020 13:00 | 10/20/2020 14:45 |
| Yes | Kacie Liss | Kacie | Liss | katherine.liss@phila.gov | 10/20/2020 13:02 | approved | 10/20/2020 13:02 | 10/20/2020 14:24 |
| Yes | Kacie Liss | Kacie | Liss | katherine.liss@phila.gov | | | 10/20/2020 14:43 | 10/20/2020 14:45 |
| Yes | Brian Wenrich | | | Brian.Wenrich@phila.gov | 10/9/2020 14:31 | upgraded to panelist | 10/20/2020 13:02 | 10/20/2020 13:09 |
| Yes | a weiss/SoLo | a | weiss/SoLo | awfromhh4@gmail.com | 10/20/2020 12:57 | approved | 10/20/2020 13:01 | 10/20/2020 14:23 |
| Yes | a weiss/SoLo | a | weiss/SoLo | awfromhh4@gmail.com | | | 10/20/2020 14:30 | 10/20/2020 14:45 |
| Yes | a weiss/SoLo | a | weiss/SoLo | awfromhh4@gmail.com | | | 10/20/2020 14:26 | 10/20/2020 14:30 |
| Yes | a weiss/SoLo | a | weiss/SoLo | awfromhh4@gmail.com | | | 10/20/2020 14:24 | 10/20/2020 14:24 |
| Yes | Laura Spina | Laura | Spina | laura.spina@phila.gov | 10/20/2020 13:04 | approved | 10/20/2020 13:04 | 10/20/2020 13:45 |
| Yes | Stephanie Boggs | Stephanie | Boggs | sboggs@klehr.com | 10/20/2020 13:01 | approved | 10/20/2020 13:01 | 10/20/2020 14:18 |
| Yes | Kyle Dowdy | Kyle | Dowdy | kyle@ruggieroplante.com | 10/20/2020 12:51 | approved | 10/20/2020 13:01 | 10/20/2020 14:45 |
| Yes | Doug Fath | Doug | Fath | doug@legacycapitalpa.com | 10/20/2020 13:26 | approved | 10/20/2020 13:26 | 10/20/2020 13:37 |
| Yes | Doug Fath | Doug | Fath | doug@legacycapitalpa.com | | | 10/20/2020 14:05 | 10/20/2020 14:45 |
| Yes | Alexis_Franklin | Alexis_Franklin | | Lexy3904@gmail.com | 10/20/2020 12:58 | approved | 10/20/2020 13:01 | 10/20/2020 14:28 |