PHILADELPHIA CITY PLANNING COMMISSION

MEETING VIA ZOOM

MINUTES SEPTEMBER 23, 2021

PRESENT: Maria Gonzalez, Commission Acting Chair
Joseph Syrnick, Vice Chair
Garlen Capita
Patrick Eiding
Cheryl L. Gaston
Michael Johns
Ximena Valle
Marisa Waxman
Michael Rashid
Mary Horstman
Eleanor Sharpe

NOT PRESENT: Anne Fadullon, Chair
Commission Acting Chair, Maria Gonzalez, called the Philadelphia City Planning Commission to order at 1:03 p.m.

David Fecteau, 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 comments. 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 will 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. Fecteau turned the meeting over to Acting Chair Gonzalez to begin the meeting.

1. Approval of Minutes from July 2021

Acting Chair Gonzalez asked the Commission if there was a motion to approve the July Minutes. Upon the motion made by Commissioner Eiding and seconded by Commissioner Gaston to approve the July Minutes (00:02:29). Motion carried unanimously (6-0).

2. Executive Director’s Update.

A. Welcome to new Commissioners Marisa Waxman and Ximena Valle, AIA, LEED AP

Ms. Sharpe read a letter from Chair Fadullon stating in her absence, that Commissioner Gonzalez had been asked to serve as Acting Chair and Commissioner Eiding had been asked to serve as Vice Chair in the absence of Vice Chair Syrnick. Afterwards, Ms. Sharpe welcomed new Commissioner(s) Marisa Waxman and Ximena Valle to the Philadelphia City Planning Commission followed by the swearing in, performed by Acting Chair Gonzalez.
B. Redevelopment Agreement for Administrative Approval

   i. Agreement with Spectrum Health Services, Inc. for 5217-19 Haverford Avenue.
   ii. Agreement with 614-26 S 13th Street LLC to lease 614-26 S. 13th Street, including
       1306-10 Kater Street and 1309-13 Bainbridge Street.

The next Civic Design Review Meetings

   - Tuesday, October 5th at 10:00 a.m. & 1:00 p.m.

Next City Planning Commission Meeting

   - Thursday, October 21st at 1:00 p.m.

3. Amend the City Planning Commission’s regulations by adding Section 9.10 relating to
   submission requirements for zoning permit applications which require an earth moving
   plan. (Presented by Ian Hegarty)
   Staff recommendation is for approval.

   Questions and comments from the Commission at the minute mark (00:16:46).

Commissioner Gaston wanted to know if there’s going to be a form or person to go to with
the application, and if there’s going to be a set process. Mr. Hegarty stated that they are
currently reviewing applications referred by L&I and the current process involves applying
through Eclipse.

Commissioner Johns inquired about the map, watershed area, and the minimum square
feet of the lot. The regulation doesn’t have any bearing on the actual function or
parameters for approval of watershed projects. In the steep-slop protection area, the
threshold is 1400 square feet of earth disturbance and the Wissahickon Watershed area is
500 sq. ft. of earth disturbance. Mr. Hegarty added that this information is also available on
the website: atlas.phila.gov.

Seeing no further questions and comments from the Commission or Public, Acting Chair
Gonzalez asked for a motion at the minute mark in video (00:24:22).
Motion by Commissioner Eiding and seconded by Commissioner Capita to accept staff
recommendation for approval.

Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita,
Commissioner Eiding, Commissioner Gaston, Commissioner Johns, Commissioner Rashid,
Commissioner Waxman, and Commissioner Syrnick. Motion carried (7-0).

Commissioner Valle wasn’t available due to technical issues for this item.
Commissioner Rashid joined the meeting at this item.
4. Amend the City Planning Commissions regulations regarding Registered Community Organizations. (Presented by Jonathan Goins)

Staff recommendation is for approval.

Questions and comments from the Commission at the minute mark (00:30:10).

Commissioner Rashid asked if an RCO was a legal entity. Mr. Goins stated that they are an entity registered with the city and recognized as a registered community organization with the city but couldn’t speak to the specific questions about the legal status.

Seeing no further questions and comments from the Commission or Public, Acting Chair Gonzalez asked for a motion at the minute mark in video (00:31:29).

Motion by Commissioner Rashid and seconded by Commissioner Eiding to accept staff recommendation for approval.

Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita, Commissioner Eiding, Commissioner Gaston, Commissioner Johns, Commissioner Rashid, Commissioner Valle, Commissioner Waxman, Commissioner Horstman, and Commissioner Syrnick. Motion carried (9-0).

Commissioner Horstman joined the meeting at this item.

5. Action Item: Zoning **Bill 210689**: Amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Old York Road, Broad Street, and 65th Street. Introduced by Councilmember Bass on September 17, 2021. (Presented by Ian Hegarty)

Staff recommendation is not for approval.

Purpose

- Single-site zoning to facilitate development

Questions and comments from the Commission at the minute mark (00:38:58).

Commissioner Johns inquired about the maximum height for CMX-2.5. Mr. Hegarty stated that the height was 55 ft. Commissioner Waxman asked what was driving staff recommendation. Mr. Hegarty responded consistency with what was recommended in the comprehensive plan primarily and the scale of CMX-3 and range of usage that are permitted in CMX-3, are not consistence with what’s wanted in the community. Commissioner Capita expressed that she would be in line with staff recommendation not to approve.
Questions and comments from the Public at the minute mark (00:42:28).

Mr. Charles Richardson, of Councilmember Bass’ office asked to clarify how does this Bill request differ from previous legislative requests for this property and had a brief discussion with Mr. Hegarty about the existing and proposed zoning district and height limit.

Gabriel Gottlieb was in support of the proposed development and felt that the staff position was just a fear of change.

Teresa Brunson wanted to know what was going to be inside the building and objected to the zoning change for the neighborhood.

Seeing no further questions and comments from the Commission or Public, Commissioner Eiding made a motion to accept staff recommendation, not for approval, seconded by Commissioner Syrnick (00:50:48).

Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita, Commissioner Eiding, Commissioner Gaston, Commissioner Horstman, Commissioner Johns, Commissioner Rashid, Commissioner Valle, Commissioner Waxman, and Commissioner Syrnick. Motion carried (9-0).

6. Action Item: Zoning Bill 210633: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Chapter 14-500, entitled "Overlay Zoning Districts," by creating the "/MIH, Mixed Income Neighborhoods Overlay District"; by revising certain provisions of Chapter 14-702, entitled "Floor Area, Height, and Dwelling Unit Density Bonuses"; and by making related changes, all under certain terms and conditions. Introduced by Councilmembers Gauthier, Quiñones-Sánchez and Johnson on June 24, 2021. (Presented by Mason Austin)

Staff recommendation is for approval with amendments.

Areas Affected:
- In 3rd District: Areas targeted for increased affordability due to high market value/activity;
- In 7th District: Lots within a Transit-Oriented Development, (TOD) Overlay and/or within designated Opportunity Zones.

Proposed Amendments
- Remove option for off-site units
  - If off-site units not removed, refine guidance for comparability
- Refine definition of “government assistance”
- Remove or amend language for mandated Equal Opportunity Plan (EOP)
Questions and comments from the Commission at the minute mark (01:00:18).

Commissioner Capita asked for clarification of the percentage. Mr. Austin stated that the total percent was 20%. Of the 10%, there’s no options. Commissioner Johns needed clarification on removing the options from all sites and what the recommendation would mean if approved. Mr. Austin and Ms. Sharpe explained the proposed amendments.

Commissioner Waxman inquired about the economic analysis of how many units these changes could produce in the area versus leaving it alone. Mr. Austin said that this would be the first time being done in the city and they did not estimate the impact.

Questions and comments from the Public at the minute mark (01:05:45).

Yvonne Ellison wanted to know what the 10-20% meant for the units and why was it only 10-20%, it’s too little number of units.

Lisa Miello expressed the area that she lives in would like to see an elimination of the in lieu or off-site provision. She would like to see units on site.

Commissioner Gaston asked if the 10% was definite. Commissioner Valle asked about the modification on government assistance. Commissioner Johns inquired about how to manage that the units get built and that the developer doesn’t back out. Further discussion continued between Commissioner Capita, Mr. Austin, Ms. Sharpe, Commissioner Valle, Commissioner Eiding, and Acting Chair Gonzalez (01:13:41).

Seeing no further questions and comments from the Commission or Public, Acting Chair Gonzalez asked for a motion at the minute mark in video (01:17:18).

Commissioner Rashid asked if the Commission would be removing any language around mandated Equal Opportunity Plans. Ms. Sharpe stated that Planning staff were making proposed amendments to City Council it doesn’t mean that they’ll accept them. Further discussion continued.

Motion by Commissioner Capita and seconded by Commissioner Gaston to accept staff recommendation for approval with amendments.

Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita, Commissioner Eiding, Commissioner Gaston, Commissioner Horstman, Commissioner Johns, Commissioner Valle, and Commissioner Waxman.

Commissioner Rashid and Commissioner Syrnick opposed this item. Motion carried (7-2).
7. **Action Item: Streets Bill 210629**: Authorizing the revision of lines and grades on a portion of City Plan No. 120 by striking from the City Plan and vacating Nicholas Street and Turner Street, each from Twentieth Street to Twenty-First Street, and reserving and placing on the City Plan rights-of-way for various utility purposes within the beds of Nicholas and Turner Streets being stricken and authorizing acceptance of the grant to the City of the said rights-of-way, all under certain terms and conditions. Introduced by Councilmember Parker for Council President Clarke on June 24, 2021. (Presented by David Fecteau)

**Staff recommendation is for approval.**

*Questions and comments from the Commission at the minute mark (01:27:41).*

Commissioner Johns commented on the Philadelphia Housing Authority, (PHA) search for a building and given how PHA has managed, the facility will be developed properly and managed properly. Commissioner Eiding echoed Commissioner Johns comments.

Seeing no further questions and comments from the Commission or Public, Acting Chair Gonzalez asked for a motion at the minute mark in video (01:29:10). **Motion by Commissioner Eiding and seconded by Commissioner Johns to accept staff recommendation for approval.**

*Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita, Commissioner Eiding, Commissioner Gaston, Commissioner Horstman, Commissioner Johns, Commissioner Rashid, Commissioner Valle, Commissioner Waxman, and Commissioner Syrnick. Motion carried (9-0).*

8. **Action Item: Final Plat Amendment Philadelphia Naval Yard for lot line changes to 1 Crescent Drive and 150 Rouse Blvd.** (Presented by Brian Wenrich)

**Staff recommendation is for approval.**

**Subdivision Plat Process**

- Zoning applications that propose to create new lots without public street frontage triggers a subdivision plat review.

- Planning Commission must provide a binding decision of approval or disapproval prior to issuance of a zoning permit by L&I.

Seeing no further questions and comments from the Commission or Public, Acting Chair Gonzalez asked for a motion at the minute mark in video (01:34:53).
Final Plat
1 Crescent Drive

Motion by Commissioner Eiding and seconded by Commissioner Gaston to accept staff recommendation for approval.

Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita, Commissioner Eiding, Commissioner Gaston, Commissioner Horstman, Commissioner Rashid, Commissioner Valle, Commissioner Waxman, and Commissioner Syrnick. Motion carried (8-1).

Commissioner Johns abstained from this item.

Final Plat
150 Rouse Boulevard

Motion made by Commissioner Eiding and seconded by Commissioner Gaston to accept staff recommendation for approval.

Acting Chair Gonzalez polled the Commission for the vote: Commissioner Capita, Commissioner Eiding, Commissioner Gaston, Commissioner Horstman, Commissioner Rashid, Commissioner Valle, Commissioner Waxman, and Commissioner Syrnick. Motion carried (8-1).

Commissioner Johns abstained from this item.

Commissioner Syrnick was present for each item.

This concludes the September Planning Commission Meeting.

Acting Chair Gonzalez asked for a motion to adjourn at the minute mark in video (01:36:56).

Motion made by Commissioner Gaston. Commission vote, all in favor (9-0).

The next City Planning Commission Meeting will be Thursday, October 21, 2021 at 1:00 p.m. via Zoom platform.
SUMMARY

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APPROVED

2. Executive Director’s Update.

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STAFF RECOMMENDATION NOT FOR APPROVAL, WAS APPROVED
6. **Action Item: Zoning** [Bill 210633](#): Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Chapter 14-500, entitled "Overlay Zoning Districts," by creating the "/MIH, Mixed Income Neighborhoods Overlay District"; by revising certain provisions of Chapter 14-702, entitled "Floor Area, Height, and Dwelling Unit Density Bonuses"; and by making related changes, all under certain terms and conditions. Introduced by Councilmembers Gauthier, Quiñones-Sánchez and Johnson on June 24, 2021. (Presented by Mason Austin)

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   **APPROVED**
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<tr>
<td>Kyle Flood (PHA)</td>
<td>Kyle Flood (PHA)</td>
<td><a href="mailto:Kyle.flood@pha.Phila.gov">Kyle.flood@pha.Phila.gov</a></td>
<td>13:20</td>
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<tr>
<td>Patrick Gross</td>
<td>Patrick Gross</td>
<td><a href="mailto:pgross@preservationkitchen.com">pgross@preservationkitchen.com</a></td>
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<tr>
<td>Matt Wysong (PCPC)</td>
<td>Matt Wysong (PCPC)</td>
<td><a href="mailto:matt.wysong@phila.gov">matt.wysong@phila.gov</a></td>
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<td>Abdul-Rahim Muhammad</td>
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<td><a href="mailto:icpic@rcn.com">icpic@rcn.com</a></td>
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<td>Elizabeth Norton</td>
<td>Elizabeth Norton</td>
<td><a href="mailto:enorton@pennoni.com">enorton@pennoni.com</a></td>
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</tr>
<tr>
<td>Rob</td>
<td>Rob</td>
<td><a href="mailto:rjd97@drexel.edu">rjd97@drexel.edu</a></td>
<td>11:50</td>
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<tr>
<td>Michael Rivas</td>
<td>Michael Rivas</td>
<td><a href="mailto:michaelrivas@upenn.edu">michaelrivas@upenn.edu</a></td>
<td>13:00</td>
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</tr>
<tr>
<td>Donna Carney# (she/her)</td>
<td>Donna Carney# (she/her)</td>
<td><a href="mailto:donna.carney@phila.gov">donna.carney@phila.gov</a></td>
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<tr>
<td>Peter Barnard</td>
<td>Peter Barnard</td>
<td><a href="mailto:Peter.Barnard@Phila.gov">Peter.Barnard@Phila.gov</a></td>
<td>11:11</td>
<td>11:12</td>
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