

PHILADELPHIA CITY PLANNING COMMISSION

MEETING VIA ZOOM

MINUTES NOVEMBER 18, 2021

PRESENT:

Anne Fadullon, Chair

Joseph Syrnick, Vice Chair

Maria Gonzalez

Cheryl L. Gaston

Garlen Capita

Michael Johns

Charlotte Castle

Catherine Lamb

Dawn Summerville

Eleanor Sharpe

NOT PRESENT:

Patrick Eiding

Ximena Valle

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

David Munson, 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. Munson turned the meeting over to the Commission Chair Anne Fadullon, to begin the meeting. For the record, Commissioner Summerville represented the Commerce Department.

1. Approval of Minutes from October 21, 2021

The October Minutes weren't ready impending the December Planning Commission.

2. Executive Director's Update.

The next Civic Design Review Meetings

- Tuesday, December 7th at 1:00 p.m.

Next City Planning Commission Meeting

- Thursday, December 9th at 1:00 p.m.

A. Item in Accord with Previous Policy

i. Streets Bill 210828: Amending Section 2 of an Ordinance (Bill No. 170086) approved May 22, 2017, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 269 by relocating portions of the houselines and curblines of Convention Avenue, from Thirty-Fourth Street to Health Sciences Drive, and placing on the City Plan two rights-of-way for drainage purposes within the vicinity of the intersection of Convention Avenue and Health Sciences Drive and authorizing acceptance of the grant to the City of the said rights-of-way for drainage purposes, all under certain terms and conditions, including the dedication to the City of the beds of the areas proposed to be placed on City Plan as portions of Convention Avenue," by extending the period for compliance with the terms and conditions stated therein.

The purpose of this Bill is to extend the term for compliance with the original bill, Bill No. 170086, which facilitated the construction of Penn Medicine's new hospital facility, The Pavilion Building. The proposed reconfiguration of Convention Ave, moving the bus lay-by lane approximately 50-100 feet north, will prevent conflicts with through traffic. The Planning Commission approved Bill 170086 on February 21, 2017.

B. Redevelopment Agreement for Administrative Approval

ii. Agreement with Alma Xhepaj for 2236 and 2238 E William Street for use as a side yard. Selection of Alma Xhepaj, as redeveloper, proposing to develop both parcels into a side yard for her property at 2240 E. William Street. The property at 2238 E. William Street will be conveyed as a side yard through a 30-year mortgage at \$35,000 and the property at 2236 E. William Street, which was won through a competitive bid, will be sold for \$10,500. The City Planning Commission staff finds that this Agreement is in accordance with the Kensington North of Lehigh (Auburn) Redevelopment Area Plan adopted by the City Planning Commission in 2016. This approval is in compliance, with the City Planning Commission policy for items that are consistent with previously approved plans.

Staff recommendation is for approval.

3. **Action Item: 2022 Commission meeting dates**

The proposed meeting dates will be the third Thursday of the month, except for June and December beginning, January 20th.

Seeing no questions or comments from the Commission, Chair Fadullon asked for a motion and did a consensus vote of the Commission at the minute mark in video (00:05:51).

Motion duly made by Commissioner Johns and seconded by Commissioner Gonzalez to accept staff recommendation for approval of the 2022 Commission meeting dates. Motion carried unanimously to approve (8-0).

4. **Action Item: Capital Program and Budget Bill 210782: An Ordinance amending Bill No. 210320 (approved June 28, 2021), entitled 'An Ordinance to adopt a Capital Program for the six Fiscal Years 2022-2027 inclusive,' by adding, revising, and/or removing certain projects, amounts and sources, for the purpose of providing Safe Play Zone security cameras, under certain terms and conditions. Introduced by Councilmember Bass for Council President Clarke on September 30, 2021. (Presented by John Haak)**

Staff recommendation is for approval.

Questions and comments from the Commission at the minute mark in video (00:09:17).

Commissioner Syrnick asked if it was clear going into OIT budget, that the cameras are for Parks & Rec that could be used for something else. From John Haak understanding, the budget would be funded under the current OIT managed camera and surveillance systems that OIT does in cooperation with the Police Department. Eleanor Sharpe added, that hopefully in working with the budget office, OIT and Parks & Rec to ensure that funding lands where it's supposed to land. Further discussion continued on the subject, including questions and comments from Commissioner Johns, who wanted to know how the sites are going to be selected and Commissioner Summerville, who wanted to know where the cameras would be placed, the use going towards it, and why was it just for the FY 2022 or if it was a specific amount of recreation centers that City Council were targeting (00:10:09).

Eleanor Sharpe responded that the request came from City Council, doesn't know which particular one that they're looking to address, and weren't present for how they determined the amount. Ms. Sharpe explained how they made sure the program was aligned with OIT existing program and that they were jointly working with the police to ensure that the cameras were part of the entire system and not a stand-alone.

Questions and comments from the Public at the minute mark in video (00:13:35).

Mark Zachary expressed that the city should consider increasing its inventory of cameras. The cameras give an objective way to help solve and prevent violent crimes. Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:15:53).

Motion duly made by Commissioner Syrnick and seconded by Commissioner Johns to accept staff recommendation for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (8-0).

Questions and comments from the Public at the minute mark in video (00:17:34).

Herb Powers had concerns about the location of the cameras. Ms. Sharpe added that the cameras would be around recreational centers.

5. **Action Item: Capital Program and Budget Bill 210783: An Ordinance amending Bill No. 210321 (approved June 28, 2021), entitled 'An Ordinance to adopt a Fiscal 2022 Capital Budget,' by adding, revising, and/or removing certain projects, amounts and sources, for the purpose of providing Safe Play Zone security cameras, under certain terms and conditions. Introduced by Councilmember Bass for Council President Clarke on September 30, 2021. (Presented by John Haak)**

Staff recommendation is for approval.

Chair Fadullon called the question on Bill No. 210783 at the minute mark in video (00:18:48).

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

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (8-0).

6. **Action Item: Zoning Bill 210829: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Section 14-502, entitled "/ CTR, Center City Overlay District," to create a new subarea of the Old City Residential District, all under certain terms and conditions. Introduced by Councilmember Squilla on October 14, 2021. (Presented by Ian Litwin)**

Staff recommendation is for approval.

This Bill was requested by the Old City District to encourage active ground floors for new infill development within Old City by removing parking minimums.

The idea of removing minimum parking requirements from the Old City District (OCD) was part of OCD's *Vision2026* Plan. This planning process had multiple public meetings and digital engagement. The *Vision2026* plan was not presented to the Commission for acknowledgment, but PCPC staff participated in the process.

OCD staff met with PCPC staff on August 19, 2021. OCD staff toured Old City with PCPC staff on November 4, 2021.

Questions and comments from the Public at the minute mark in video (00:26:00).

Mr. Joe submitted a written testimony to be circulated by Mr. Litwin. Old City District is in support of Zoning Bill No. 210829.

Mark Zachary expressed support of the Bill and suggested height limit and requirement in Old City.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:29:54).

Motion duly made by Commissioner Johns and seconded by Commissioner Capita to accept staff recommendation for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (8-0).

- 7. Action Item: Zoning Bill 210861: To amend the Philadelphia Zoning Maps by changing the zoning designations of certain portions of land located within an area bounded by Berks Street, Memphis Street, Wilt Street, and Tulip Street, all under certain terms and conditions. Introduced by Councilmember Parker for Council President Clarke on October 28, 2021. (Presented by Greg Waldman)**

Staff recommendation is for approval.

The intent of the proposed zoning map amendment is to match the affected property's zoning with the surrounding blocks.

The former St. Laurentius Church at 1600-06 E. Berks Street, which was built by the Archdiocese of Philadelphia and financed through donations from Polish immigrants, was added to the Philadelphia Register of Historic Places in 2015. A development proposal for adaptive reuse of the church was approved by the Zoning Board of Adjustment in 2016, granting a variance for 23 units.

Neighbors who opposed the project appealed the decision to the Court of Appeals. In 2019, Council President Clarke introduced Bill No. 190058, changing the zoning from RSA-5 to RM-4, which would make the adaptive reuse project by-right and make the appeal moot. However, during those years the building grew more unstable, with massive stones falling into the street, which was especially dangerous for the adjacent school. When the declining structural integrity of the church made reusing the building less feasible, the developer sold the property.

In April 2020, the Historical Commission heard and granted a petition to allow demolition, based on a determination by L&I that the building was unstable, following structural reports from engineers. A demolition permit was issued on September 30 of this year.

Because there is no project associated with the building, the Council President introduced this bill to ensure that redevelopment of the site is consistent with the rest of the block. The River Wards District Plan recommended no change to the RSA-5 zoning, which is what the property was zoned at the time the plan was completed.

It should be noted that Bill No. 190613 changed the Zoning Code to allow non-residential, locally registered historic properties access to more by-right land uses. So, in the unlikely chance that the church is not demolished, it can still be reused for uses other than single-family, including the previous proposed multi-family use, without needing a variance from the Zoning Board of Adjustments.

Questions and comments from the Commission at the minute mark in video (00:36:00).

Given the history, Commissioner Gonzalez asked if a development plan was in place the zoning would be changed to RSA-5. Mr. Waldman responded yes, changing the proposed zoning back to the original zoning before the rezoning Bill in 2019.

Questions and comments from the Public at the minute mark in video (00:36:49).

Mark Zachary expressed how much of a tragedy the project was and doesn't support the Bill.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:40:07).

Commissioner Gonzalez asked for confirmation on if a development plan was in place at the time because it would give the community an opportunity for their voice to be heard. Mr. Waldman stated that only the demolition of the site had been approved.

Motion duly made by Commissioner Syrnick and seconded by Commissioner Gonzalez to accept staff recommendation for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (8-0).

8. **Action Item: Zoning Bill 210863: To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Huntingdon Street, Howard Street, Susquehanna Avenue, American Street, Jefferson Street, and 6th Street. Introduced by Councilmember Quiñones Sánchez on October 28, 2021. (Presented by Dave Fecteau)**

Staff recommendation is for approval.

City Councilmember Request: The 7th Council District has been working with several non-profit housing organizations to assist with construction of affordable housing units in the 7th Council District. Under the proposal, Hispanic Association of Contractors and Enterprises (H.A.C.E.), Asociación Puertorriqueños en Marcha (APM), Esperanza and Norris Square Community Alliance (NSCA) will receive vacant lots from the Philadelphia Housing Authority and the Philadelphia Land Bank to build scattered affordable housing units. Some of these units will be duplexes. To allow the applicants to avoid seeking variances, this bill will rezone the blocks containing the approximately 300 scattered lots from RSA-5 Residential Single-Family to RM-1 Residential Multi-Family.

The 7th Council District assembled a group of civic association representatives to discuss this land transfer as part of a larger community development strategy.

Staff has discussed this Bill with the 7th District staff and Councilmember.

The Bill is consistent with the Comprehensive Plan.

This will allow more multi-family units in selected blocks of South Kensington and Norris Square.

This is a companion to Bill 200713, which the Commission recommended for approval in April 2021.

Questions and comments from the Commission at the minute mark in video (00:45:47).

Commissioner Capita asked if the selected blocks were only specific blocks that has PHA own scattered sites that would be turned over to the three non-profit organizations.

Mr. Fecteau confirmed that both, PHA and Landbank own sites. The Land Bank had recently authorized the transfer of ~~100~~ 46 lots. The rest will be coming from the Housing Authority. Further discussion continued on the subject.

Commissioner Johns expressed that it was a good opportunity for partnership with the Housing Authority and the City, with non-profits being able to gain good information on projects in these neighborhoods. Commissioner Capita and Mr. Fecteau discussed the process of potential sites and transfers. Chair Fadullon added that the Land Bank properties have been finalized.

Seeing no further questions and comments from the Commission, Chair Fadullon asked for a motion at the minute mark in video (00:49:49).

Questions and comments from the Public at minute mark in video (00:50:06).

Mark Zachary attended the Land Bank meeting, and wanted to congratulate everyone involved in the project, then mentioned the down zoning on Front Street.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:53:49).

Motion duly made by Commissioner Johns and seconded by Commissioner Capita to accept staff recommendation for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (8-0).

9. **Action Item: Zoning Bill 210865: Amending Section 14-514 of The Philadelphia Code, entitled “/FNE, Far Northeast Overlay District,” to prohibit eligibility for floor area, height, and dwelling unit bonuses and to increase minimum parking requirements, all under certain terms and conditions. Introduced by Councilmember O’Neill on October 28, 2021. (Presented by Matt Wysong)**

Staff recommendation is not for approval.

City Councilmember Request: To prevent the redevelopment of mixed-use development projects that are deemed to be incompatible with the character of the 10th Council District.

Public Engagement: None

Staff Interactions: Bill drafted by PCPC staff

The proposed amendments to the /FNE Far Northeast Overlay District will do the following:

- Prohibit the use of floor area, height, or dwelling unit density bonuses within any residential, CMX-1, or CMX-2 zoning districts
- Require a minimum of one parking space per one dwelling unit in the CMX-1 and CMX-2 zoning districts
- Amend the maximum height limit of 35 feet within the CMX-1 and CMX-2 zoning districts to also include a maximum of 3 stories.

Potential Impacts: Will reduce the size and scale of mixed-use development projects in the CMX-2 zoning district.

Staff **does not support** the proposed prohibition of bonuses. Bonuses support Citywide goals such as managing stormwater and supporting housing programs.

Staff **does not support** the proposed 1:1 parking requirement as it does not result in development that supports walkable commercial corridors (e.g., Fox Chase Town Center, Castor Ave, Bustleton Ave).

Staff **supports** the height requirement amendment to include a maximum of 3 stories.

As written, the current requirement allows a developer to squeeze 4 stories into 35 feet, which does not allow for a functional ground floor commercial space.

Questions and comments from the Public Commission at the minute mark in video (01:01:09).

Mark Zachary felt that the Bill was doing the opposite by reducing the ability to create density, which would be removing an affordability bonus, and was not in support of the Bill.

Tiffany Green expressed support of the Bill and would like to see a community process.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (01:06:05).

Motion duly made by Commissioner Syrnick and seconded by Commissioner Gaston to accept staff recommendation of not for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve staff recommendation of not for approval (8-0).

- 10. Action Item: Zoning Bill 210869: Amending Section 14-525 of The Philadelphia Code, entitled "/SNM, South Ninth Street Market Overlay District," to clarify existing provisions, all under certain terms and conditions. Introduced by Councilmember Squilla on October 28, 2021. (Presented by Jonathan Goins)**

Staff recommendation is for approval.

This Bill clarifies the original bill intent by:

- Amending the boundary language to simplify administration of the overlay provisions
- Explicitly prohibiting vehicular ingress and egress to and from 9th Street, within the overlay boundaries

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (01:08:40).

Motion duly made by Commissioner Gonzalez and seconded by Commissioner Capita to accept staff recommendation for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (7-0).

Commissioner Johns did not cast a vote on this item.

- 11. Action Item: Streets Bill 210826: Authorizing the revision of lines and grades on a portion of City Plan No. 230 by striking from the City Plan Cresson Street from Osborn Street to Vassar Street and reserving and placing on the City Plan a right-of-way for sewer and drainage purposes within a portion of Cresson Street being stricken, under certain terms and conditions. Introduced by Councilmember Jones on October 14, 2021. (Presented by Matt Wysong)**

Staff recommendation is for approval.

Agency/Administration Request:

This ordinance will strike Cresson St, between Osborn St and Vassar St from the City Plan and replace it with a right-of-way for sewer and drainage purposes within a portion of the area being stricken. The action will allow for the Philadelphia Water Department (PWD) to improve sewer infrastructure in this area. The utility right-of-way is necessary for construction and ongoing sewer maintenance.

Currently, wastewater generated at the homes on the unit block of Osborn Street, is handled with private septic systems. PWD will connect these homes to a new sanitary sewer connection to address unsanitary conditions in this area. Concurrently, PWD will make separate stormwater connections to reduce stormwater load on the combined sewer system.

Questions and comments from the Commission at the minute mark in video (01:11:56).

Commissioner Syrnick wanted to know if the construction was still underway or completed on Osborn Street. The legislation has been considered and talked about for two-years and Mr. Wysong haven't been at the site to confirm.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (01:12:46).

Motion duly made by Commissioner Syrnick and seconded by Commissioner Johns to accept staff recommendation for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve (8-0).

- 12. Action Item: Zoning Bill 210899: Amending Chapter 14-1000 of The Philadelphia Code, entitled "Historic Preservation," to establish a temporary demolition moratorium with respect to properties in the area bounded by Henry Avenue, Roxborough Avenue, Silverwood Street, and Fountain Street; all under certain terms and conditions. Introduced by Councilmember Jones on November 4, 2021 (Presented by Ron Bednar)**

Staff recommendation is not for approval.

City Councilmember Request: To create a one-year demolition moratorium within the area to be known as Victorian Roxborough area generally bounded by Henry Avenue, Roxborough Avenue, Silverwood Street, and Fountain Street. It will apply to properties that are shown on the map and listed within Exhibit A of the Bill.

This will include the purpose of this moratorium is to allow for the application of the Victorian Roxborough Historic District. removal or partial removal of structural elements for the purpose of removal of an entire structure.

Public Engagement: None

Staff Interactions: Josh Cohen, City Council Staff

Plan Consistency: Action consistent with historic preservation objectives of the Comprehensive Plan

Potential Impacts: Temporary demolition moratorium to advance historic preservation
The Council office has been working directly with the Historic Commission on Exhibit A, which includes a full address list of impacted properties.

Questions and comments from the Commission at the minute mark in video (01:17:29).

Commissioner Capita asked if the demolition moratorium had been used successfully before in the city to stop demolition in historic areas, while the nominations go through. Mr. Bednar said yes and in the past, by Roxborough. Ms. Sharpe clarified and stated the concern, that if this continue to be used as a tool, then the prioritization of preservation gets diminished, because it forces exacerbation of the timeline confined to 12-months to get a district through and given staff capacity, this is a great concern. Further clarification was provided.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (01:19:02).

Commissioner Capita wanted to know if there were no public meetings, who was actually pushing the project forward. Mr. Bednar responded, Councilman Jones, Jr., and believes that he was also in contact with Central Roxborough CDC, RCO in the area.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (01:20:22).

Questions and comments from the Public at the minute mark in video (01:20:42).

Nancy Ponton expressed concerns about the 12-month timeline and mentioned that the demolition moratorium could be lengthened if staff was against it. Ms. Sharpe addressed Ms. Ponton concerns. Chair Fadullon added that the issue is, if this becomes the relevant tool, any place where the demolition moratorium immediately rises to the top of the pile, which means that those that may not have that and may have been in the que sometimes for years and keep going to the bottom of the pile.

Chair Fadullon further explained the issue, as well as staffing and resource level, fair process for nominations and designations.

Linda Bell wanted to know if staff was moving towards not utilizing the tool for the demolition moratorium. Chair Fadullon responded to Ms. Bell and explained preservation.

Eugene Dean spoke on the increased capacity of the Historical Commission staff, limitations, and priorities within the capacity and expressed appreciation.

Patrick Rossi recommended for the city to consider some form of demolition review, whether overlay or something much broader citywide that wouldn't be time dependence and more reactive. Mr. Rossi is supportive of increased staff capacity of the Historical Commission.

Louis wanted to know if there were any other tools besides the moratorium. Ms. Sharpe responded to Mr. Louis inquiry and mentioned that the Historical Commission is always considering additional tools. They're coping and doing as best as they can and are diligent about preservation. Further information was explained.

Chair Fadullon added that there's also been a lot of incentives put forth for the redevelopment of the existing structure, as opposed to the demolition. Some of them are allowing some ease of the zoning rules so it's easier to redevelop existing structures and also adaptive reuse will still be one hundred percent abatement to preserve. Further discussion continued on the subject.

A. Weiss suggested somehow transferring the properties listed on the national register, to the local register. Martha Cross responded to Ms. Weiss mentioning the cultural resources survey, that they're working on looking at buildings and cultural heritage. Ms. Cross provided further information, including incentives in historic districts e.g., increased dwelling units, additional by-rights usage, and reduced parking requirements.

Nina wasn't clear on the criteria of what will or could constitute a demolition moratorium that will be acceptable. Chair Fadullon stated that legally, moratoriums, must have a timeframe associated with it and cannot go on forever and stressed the issue, which is staff resources. Further discussion continued on the subject.

Adrian Fernandez suggested during the next round of budget hearings, the Historical Commission could have increased funding.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (01:48:22).

Motion duly made by Commissioner Gaston and seconded by Commissioner Summerville to accept staff recommendation of not for approval.

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, Commissioner Summerville, and Commissioner Lamb. Motion carried unanimously to approve staff recommendation of not for approval (8-0).

- 13. Action Item: Zoning Bill 210903: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning" by amending Section 14-303(15) to convey standing upon District Councilmembers to file appeals to the courts, all under certain terms and conditions. Introduced by Councilmembers Bass and Quiñones Sánchez on November 4, 2021 (Presented by Paula Brumbelow Burns)**

Staff recommendation is not for approval.

City Councilmember Request:

This Bill will grant individual standing to district councilmembers in appeals of decisions by the Zoning Board of Adjustment, by adding an additional Clause to Section 14-303 (15) (b), Common Procedures and Requirements and Appeals to the Courts of Zoning Board of Adjustment decisions.

The Code currently reads: "A final decision made by the Zoning Board or the Commission pursuant to this Zoning Code may be appealed to a Pennsylvania Court of Common Pleas by any aggrieved party, or by City Council pursuant to Act 193 of 2004 (Act of November 30, 2004, P.L. 1523, 53 P.S. § 13131.1.) within 30 days of the decision or such other time as may be provided by law."

The Bill will add the following clause, "by the District Councilmember whose Councilmanic District includes the subject property or by City Council."

Public Engagement: None

Staff Interactions: None

Plan Consistency: Legal standing in appeals of ZBA decisions is not addressed in the Comprehensive Plan.

City Council already retains the ability to appeal Zoning Board of Adjustment Cases and through resolution, has delegated the authority to Council President, who assigns Councilmembers to appeal upon their request.

This existing process effectively gives individual City Councilmembers the right to testify in appeals of ZBA decisions, without setting up a potential conflict with Pennsylvania court precedent. The Zoning Code is not the correct place to deliberate about this matter.

Questions and comments from the Commission at the minute mark in video (01:51:52).

Commissioner Gaston Act 193, of 2004, which gave City Council the standing to participate in zoning hearings and explained what the standing meant, then stated approval for staff recommendation, not to approve.

Questions and comments from the Public at the minute mark in video (01:53:45).

Mark Zachary spoke on how counter-productive the project was for the goals of the city and in terms of goals of the Planning Commission, and that he doesn't support the legislation.

Linda Bell applauded the Commission for pointing out that this item may not be a zoning situation, but they do need representation from the grassroots level.

Adrian Hernandez doesn't support this Bill and wanted the Commission to approve staff recommendation of not for approval.

Eugene Dean expressed his point-of-view.

Tiffany Green doesn't support this Bill.

Odessa Tate asked the Commissioners to protect their rights as community organizations and leaders. If the community doesn't want a specific development, especially when it involves a variance change, then it should not happen.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (02:12:37).

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

Chair Fadullon polled the Commission for the vote: Commissioner Capita, Commissioner Castle, Commissioner Johns, Commissioner Gaston, Commissioner Gonzalez, Commissioner Syrnick, and Commissioner Lamb. Motion carried unanimously to approve staff recommendation of not for approval (7-0).

Commissioner Summerville had to leave before this item.

PCPC Minutes
11/18/21

This concluded action items of the November 18, 2021, Planning Commission.

Chair Fadullon asked for a motion to adjourn at the minute mark in video (02:13:41).

Motion duly made by Commissioner Gaston and seconded by Commissioner Johns to adjourn. The Commission voted all in favor, to adjourn the November Planning Commission.

**The next Planning Commissioner will be held Thursday, December 9, 2021, at 1:00 p.m.
via Zoom Platform.**

SUMMARY

1. Approval of Minutes from October 21, 2021

IMPENDING DECEMBER PLANNING COMMISSION

2. Executive Director's Update.

- A. Item in Accord with Previous Policy i. Streets Bill 210828: Amending Section 2 of an Ordinance (Bill No. 170086) approved May 22, 2017, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 269 by relocating portions of the houselines and curblines of Convention Avenue, from Thirty-Fourth Street to Health Sciences Drive, and placing on the City Plan two rights-of-way for drainage purposes within the vicinity of the intersection of Convention Avenue and Health Sciences Drive and authorizing acceptance of the grant to the City of the said rights-of-way for drainage purposes, all under certain terms and conditions, including the dedication to the City of the beds of the areas proposed to be placed on City Plan as portions of Convention Avenue," by extending the period for compliance with the terms and conditions stated therein.

- B. Redevelopment Agreement for Administrative Approval i. Agreement with Alma Xhepaj for 2236 and 2238 E William Street for use as a side yard.

3. Action Item: 2022 Commission meeting dates

APPROVED

4. Action Item: Capital Program and Budget Bill 210782: An Ordinance amending Bill No. 210320 (approved June 28, 2021), entitled 'An Ordinance to adopt a Capital Program for the six Fiscal Years 2022-2027 inclusive,' by adding, revising, and/or removing certain projects, amounts and sources, for the purpose of providing Safe Play Zone security cameras, under certain terms and conditions. Introduced by Councilmember Bass for Council President Clarke on September 30, 2021. (Presented by John Haak)

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6. Action Item: Zoning Bill 210829: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending certain provisions of Section 14-502, entitled "/ CTR, Center City Overlay District," to create a new subarea of the Old City Residential District, all under certain terms and conditions. Introduced by Councilmember Squilla on October 14, 2021. (Presented by Ian Litwin)

APPROVED

7. Action Item: Zoning Bill 210861: To amend the Philadelphia Zoning Maps by changing the zoning designations of certain portions of land located within an area bounded by Berks Street, Memphis Street, Wilt Street, and Tulip Street, all under certain terms and conditions. Introduced by Councilmember Parker for Council President Clarke on October 28, 2021. (Presented by Greg Waldman)

APPROVED

8. Action Item: Zoning Bill 210863: To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Huntingdon Street, Howard Street, Susquehanna Avenue, American Street, Jefferson Street, and 6th Street. Introduced by Councilmember Quiñones Sánchez on October 28, 2021. (Presented by Dave Fecteau)

APPROVED

9. Action Item: Zoning Bill 210865: Amending Section 14-514 of The Philadelphia Code, entitled "/FNE, Far Northeast Overlay District," to prohibit eligibility for floor area, height, and dwelling unit bonuses and to increase minimum parking requirements, all under certain terms and conditions. Introduced by Councilmember O'Neill on October 28, 2021. (Presented by Matt Wysong)

STAFF RECOMMENDATION NOT FOR APPROVAL, WAS APPROVED

10. Action Item: Zoning Bill 210869: Amending Section 14-525 of The Philadelphia Code, entitled "/SNM, South Ninth Street Market Overlay District," to clarify existing provisions, all under certain terms and conditions. Introduced by Councilmember Squilla on October 28, 2021. (Presented by Jonathan Goins)

APPROVED

11. Action Item: Streets Bill 210826: Authorizing the revision of lines and grades on a portion of City Plan No. 230 by striking from the City Plan Cresson Street from Osborn Street to Vassar Street and reserving and placing on the City Plan a right-of-way for sewer and drainage purposes within a portion of Cresson Street being stricken, under certain terms and conditions. Introduced by Councilmember Jones on October 14, 2021. (Presented by Matt Wysong)

APPROVED

12. Action Item: Zoning Bill 210899: Amending Chapter 14-1000 of The Philadelphia Code, entitled "Historic Preservation," to establish a temporary demolition moratorium with respect to properties in the area bounded by Henry Avenue, Roxborough Avenue, Silverwood Street, and Fountain Street; all under certain terms and conditions. Introduced by Councilmember Jones on November 4, 2021 (Presented by Ron Bednar)

STAFF RECOMMENDATION NOT FOR APPROVAL, WAS APPROVED

13. Action Item: Zoning Bill 210903: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning" by amending Section 14-303(15) to convey standing upon District Councilmembers to file appeals to the courts, all under certain terms and conditions. Introduced by Councilmembers Bass and Quiñones Sánchez on November 4, 2021 (Presented by Paula Brumbelow Burns)

STAFF RECOMMENDATION NOT FOR APPROVAL, WAS APPROVED

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Country/Region Name
Yes	Martha Cross	mjc374@drexel.edu	11/18/2021 14:31	11/18/2021 14:36	5	United States
Yes	De Whitt	communityactiongroup.whitt58@gmail.com	11/18/2021 13:25	11/18/2021 15:15	110	United States
Yes	Samuel Hausner-Levine	shausner@upenn.edu	11/18/2021 13:10	11/18/2021 15:00	111	United States
Yes	Nicole Ozdemir	tul07913@temple.edu	11/18/2021 13:01	11/18/2021 15:15	134	United States
Yes	12156834775		11/18/2021 13:23	11/18/2021 15:15	112	United States
Yes	Letitia McNeil	letitia.mcneil@phila.gov	11/18/2021 13:17	11/18/2021 13:18	2	United States
Yes	Jametta Johnson	jametta.johnson@phila.gov	11/18/2021 13:07	11/18/2021 14:56	109	United States
Yes	12158435555		11/18/2021 13:28	11/18/2021 13:28	1	United States
Yes	mark	tw7780186@aol.com	11/18/2021 13:04	11/18/2021 13:42	39	United States
Yes	mark	tw7780186@aol.com	11/18/2021 13:47	11/18/2021 14:24	37	United States
Yes	Logan Young	lwy23@drexel.edu	11/18/2021 13:57	11/18/2021 15:15	79	United States
Yes	Nina Curlett	tbn@bigbluedyes.com	11/18/2021 13:34	11/18/2021 14:19	46	United States
Yes	Nina Curlett	tbn@bigbluedyes.com	11/18/2021 14:19	11/18/2021 15:15	56	United States
Yes	Renee	artbyr12@gmail.com	11/18/2021 13:01	11/18/2021 14:41	100	United States
Yes	Renee	artbyr12@gmail.com	11/18/2021 14:43	11/18/2021 15:15	32	United States
Yes	Marion Wilson	marion.wilson@net-centers.org	11/18/2021 13:07	11/18/2021 13:07	1	United States
Yes	Marion Wilson	marion.wilson@net-centers.org	11/18/2021 13:08	11/18/2021 14:31	84	United States
Yes	Jack C (Staff)	jack.conviser@phila.gov	11/18/2021 13:38	11/18/2021 13:43	5	United States
Yes	Jack C (Staff)	jack.conviser@phila.gov	11/18/2021 13:51	11/18/2021 15:15	84	United States
Yes	Martine.Decamp (she/her)	martine.decamp@phila.gov	11/18/2021 13:01	11/18/2021 15:15	134	United States
Yes	Cassidy Martin	cassidymartin00@gmail.com	11/18/2021 13:01	11/18/2021 13:32	32	United States
Yes	Cassidy Martin	cassidymartin00@gmail.com	11/18/2021 13:56	11/18/2021 15:00	65	United States
Yes	Kacie Liss (she/her)	katherine.liss@phila.gov	11/18/2021 13:08	11/18/2021 15:15	128	United States
Yes	Susan Nam	susan@susannam.com	11/18/2021 13:19	11/18/2021 14:44	85	United States
Yes	Kelly Yan	kyan@penrose.com	11/18/2021 13:54	11/18/2021 15:15	82	United States
Yes	Sarah Chiu# Planning Commission	sarah.chiu@phila.gov	11/18/2021 13:01	11/18/2021 15:12	131	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 13:02	11/18/2021 14:03	62	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:03	11/18/2021 14:37	35	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:37	11/18/2021 14:46	9	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:46	11/18/2021 14:49	4	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:49	11/18/2021 14:51	2	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:51	11/18/2021 14:52	2	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:52	11/18/2021 14:54	2	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:54	11/18/2021 14:55	1	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:55	11/18/2021 14:56	1	United States
Yes	SARAH MASSEY	snmassey@upenn.edu	11/18/2021 14:57	11/18/2021 15:15	18	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 13:02	11/18/2021 13:14	13	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 13:17	11/18/2021 13:29	13	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 13:31	11/18/2021 13:37	7	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 13:41	11/18/2021 13:51	10	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 13:55	11/18/2021 14:02	8	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 14:04	11/18/2021 14:54	50	United States
Yes	mark zachary	zachary587@gmail.com	11/18/2021 15:00	11/18/2021 15:15	15	United States
Yes	Job Itzkowitz	jobitzkowitz@gmail.com	11/18/2021 13:01	11/18/2021 14:56	116	United States
Yes	Lenora Jackson-Evans Strawberry Mansion Neighborhood Action Cent	lenorajackonevans@strawberrymansionnac.org	11/18/2021 13:30	11/18/2021 14:26	56	United States
Yes	Kate Esposito she/her	kmesposit@gmail.com	11/18/2021 13:03	11/18/2021 13:03	1	United States

Yes	Kate Esposito she/her	kmesposit@gmail.com	11/18/2021 13:03	11/18/2021 14:41	99	United States
Yes	Brian Wenrich	brian.wenrich@phila.gov	11/18/2021 13:09	11/18/2021 14:26	78	United States
Yes	Patrick Grossi	patrick@preservationalliance.com	11/18/2021 13:01	11/18/2021 15:15	134	United States
Yes	Alex Smith	alex.smith@phila.gov	11/18/2021 13:07	11/18/2021 13:21	14	United States
Yes	Alex	alex.smith@phila.gov	11/18/2021 13:30	11/18/2021 14:16	47	United States
Yes	Alex	alex.smith@phila.gov	11/18/2021 14:21	11/18/2021 15:15	55	United States
Yes	Linda bell	lbell365@outlook.com	11/18/2021 13:11	11/18/2021 15:15	124	United States
Yes	Dawn Summerville	dawn.summerville@phila.gov	11/18/2021 13:01	11/18/2021 13:01	1	United States
Yes	Clark Dingman	clarkdingman@gmail.com	11/18/2021 13:01	11/18/2021 13:41	40	United States
Yes	Keith Davis	keith.f.davis@phila.gov	11/18/2021 13:06	11/18/2021 15:15	129	United States
Yes	Lester Emerson	lesphilly@gmail.com	11/18/2021 13:59	11/18/2021 15:15	77	United States
Yes	Mathen Pullukattu	mathenjp@gmail.com	11/18/2021 13:54	11/18/2021 14:30	36	United States
Yes	Mathen Pullukattu	mathenjp@gmail.com	11/18/2021 14:45	11/18/2021 15:15	30	United States
Yes	herb Powers	thghos@aol.com	11/18/2021 13:01	11/18/2021 13:28	27	United States
Yes	Call-In User_1		11/18/2021 13:10	11/18/2021 15:15	126	United States
Yes	Call-In User_2		11/18/2021 14:00	11/18/2021 15:15	76	United States
Yes		12158435555	11/18/2021 14:56	11/18/2021 15:15	20	United States
Yes	a weiss/SoLo	awfromhh5@gmail.com	11/18/2021 13:23	11/18/2021 14:56	93	United States
Yes	mina monavarian	mina.monavarian@phila.gov	11/18/2021 13:02	11/18/2021 15:15	133	United States
Yes	Lewis Baum	ljbaum@verizon.net	11/18/2021 13:50	11/18/2021 15:15	86	United States
Yes	Nancy Pontone	npontone@gmail.com	11/18/2021 14:09	11/18/2021 15:15	66	United States
Yes	Citizens Planning Institute	donna.carney@phila.gov	11/18/2021 14:39	11/18/2021 15:01	22	United States
Yes	Elaine Wells	vipewell@rcn.com	11/18/2021 13:02	11/18/2021 13:32	30	United States
Yes	odessa tate	odessatateprofessional@gmail.com	11/18/2021 13:03	11/18/2021 15:15	132	United States
Yes	Laura Spina	laura.spina@phila.gov	11/18/2021 13:02	11/18/2021 15:15	134	United States
Yes	Eugene Desyatnik	gene.desyatnik@gmail.com	11/18/2021 13:04	11/18/2021 13:29	25	United States
Yes	Eugene D	gene.desyatnik@gmail.com	11/18/2021 13:29	11/18/2021 15:15	107	United States
Yes	Lawrence Battle	lawrencebattlejr@gmail.com	11/18/2021 13:29	11/18/2021 15:15	107	United States
Yes	Darece Williford	dareceona@gmail.com	11/18/2021 13:15	11/18/2021 15:15	121	United States

#	Question	Asker Name	Asker Email	Answer(s)
1	Why is the line so long to have submissions heard? That seems to be a huge issue. Why won't this support the obvious need to add more staff?	Nina Curlett	tbn@bigbluedyes.com	The Commission has a legal process that they have to go through for every nomination, both of a single property and of a district.
2	my question about transferring all property on the national historic register to local phila register was not answered please respond why that is not considered	a weiss/SoLo	awfromhh5@gmail.com	Our understanding is that the list of properties on the National Register is not up to date so may need to be resurveyed. And, the City's public notice requirements would still have to apply to those properties. So we really wouldn't be saving any time.
3	if they are calling in they may need to know *6	a weiss/SoLo	awfromhh5@gmail.com	You can also contact preservation@phila.gov for more information.