

PHILADELPHIA CITY PLANNING COMMISSION

MEETING VIA ZOOM

MINUTES NOVEMBER 17, 2022

PRESENT:

Joseph Syrnick, Vice Chair

Maria Gonzalez

Cheryl L. Gaston

Charlotte Castle

Marisa Waxman

Garlen Capita

Michael Johns

Garlen Capita

Ximena Valle

Dawn Summerville

Michael Johns

Eleanor Sharpe

NOT PRESENT:

Patrick Eiding

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

*Brian Wenrich, 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](mailto:Planning@phila.gov). This meeting will be recorded and posted to our website.*

*Mr. Wenrich turned the meeting over to the Commission Chair, to begin the meeting.*

**1. Action Item: Approval of the Meeting Minutes for June 9, 2022.**

Seeing no questions or comments from the Commission, Chair Fadullon asked for a motion at the minute mark in video (00:02:49:).

*Motion duly made by Commissioner Gonzalez and seconded by Commissioner Syrnick to approve the June Minutes. Motion carried to approve the Minutes with no nays.*

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

Next Civic Design Review Meeting

- Tuesday, December 6<sup>th</sup> at 1pm

Next City Planning Commission Meeting

- Thursday, December 8<sup>th</sup> at 1:00 p.m.

Item in Accord with Previous Policy

- i. Streets Bill No. 220904: Authorizing the installation, ownership, replacement, and maintenance of various encroachments in the vicinity of 1700-1720 Arch Street, Philadelphia, PA 19103, under certain terms and conditions. Introduced by Councilmember Thomas on behalf of Council President Clarke on November 3, 2022.

The owner proposes to install additional security bollards to prevent unauthorized intrusion of motor vehicles into the pedestrian plaza and sidewalk areas surrounding the Comcast Center and proposes to enhance the protection of the Comcast Center by adding additional bollards in unprotected areas and by replacing certain existing security bollards with ones similar in effectiveness to those protecting Comcast Technology Center at 1800 Arch Street.

Staff recommendation is for approval.

*Questions and comments from the Commission (00:05:17).*

There was brief discussion about the bollards between Chair Fadullon, Commissioner Gaston, Commissioner Johns, and Eleanor Sharpe followed by the announcement of Commissioner Castle last day, with the Planning Commission (00:07:31).

3. **Action Item: Bills Nos. 220866 and 220867: Capital Budget and Capital Program Amendments. Introduced by Councilmember Jones, for Council President Clarke, on October 27, 2022. (Presented by John Haak)**

Staff recommendation is for approval.

The Capital Program is the City's six-year plan for investing in its physical and technology infrastructure, community facilities, and public buildings. The Capital Program aligns with the Mayor's priorities and reflects the City's and partners' long-term commitments and plans, through efforts such as the Philadelphia2035 Comprehensive Plan, to maintain and improve public assets throughout Philadelphia. The first year of this plan is the Capital Budget.

The Capital Program and Budget amendments consist entirely of additional FY23 appropriations of City operating funds (CR) and repurposed funds from prior-year authorizations (CA). The large increases in both CR and CA funding are due to demonstrated need and are made possible by a larger than expected General Fund balance and a concerted effort to reprogram previously appropriated but unspent funds. No additional increases in City general obligation debt appropriations (CN) are proposed.

Overall, the capital amendments introduced on October 27th would:

- Increase the amount of Operating Revenue (CR) appropriated to the FY23 Capital Budget from \$258.716 million CR to \$334.416 million CR

- Increase the amount of Prefinanced Loans (CA) appropriated to the FY23 Capital Budget from \$3.491 million CA to \$19.872 million CA
- Increase total appropriated funds in FY23 from \$3.567 billion to \$3.659 billion.

*Questions and comments from the Public (00:20:10).*

Stephanie Booker expressed concerns and the need of affordable housing for Veterans, which Chair Fadullon addressed.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:23:48).

Capital Program Bill No. 220866

*Motion duly made by Commissioner Waxman and seconded by Commissioner Gonzalez to accept staff recommendation for approval for the Amended FY23-28 Capital Program Bill No. 220866.*

*Chair Fadullon polled the Commission for the vote: Commissioner Gonzalez, Commissioner Gaston, Commissioner Castle, Commissioner Waxman, Commissioner Capita, Commissioner Valle, Commissioner Summerville, and Commissioner Johns. Motion carried to approve staff recommendation for approval for Amended FY23-28 Capital Program Bill No. 220866 (8-0).*

Capital Budget Bill No. 220867

*Motion duly made by Commissioner Johns and seconded by Commissioner Summerville to accept staff recommendation for approval for Amended FY23 Capital Budget Bill No. 220867 (00:24:51).*

*Chair Fadullon polled the Commission for the vote: Commissioner Gonzalez, Commissioner Gaston, Commissioner Castle, Commissioner Waxman, Commissioner Capita, Commissioner Valle, Commissioner Summerville, and Commissioner Johns. Motion carried to approve staff recommendation for approval for Amended FY23 Capital Budget Bill No. 220867 (8-0).*

Commissioner Syrnick recused himself from these items.

**4. Action Item: Amend PCPC's Regulations Related to Energy Efficiency and Environmental Design in City Public Works Projects (Presented by David Fecteau)**

Staff recommendation is for approval to Amend PCPC's Regulations Related to Energy Efficiency and Environmental Design in City-Owned Public Works Projects.

The City Planning Commission was responsible for monitoring energy efficiency and environmental design standards for construction of large City-owned public works projects. In December 2021, Bill 210826-A transferred this responsibility from City Planning to the Office of Sustainability. Today's action removes language from PCPC's regulations (Chapter 13, Section 2) related to the same.

The Office of Sustainability published regulations on September 7, 2022. Those rules are now in effect.

*Questions and comments from the Commission (00:29:11).*

Commissioner Gaston inquired about the chapters and Planning regulations and Commissioner Gonzalez expressed the importance of providing a baseline for others to emulate, while moving forward to developing the city.

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:30:40).

*Motion duly made by Commissioner Gaston and seconded by Commissioner Gonzalez to accept staff recommendation for approval to Amend PCPC's Regulations Related to Energy Efficiency and Environmental Design in City-Owned Public Works Projects.*

*Chair Fadullon polled the Commission for the vote: Commissioner Gonzalez, Commissioner Gaston, Commissioner Castle, Commissioner Waxman, Commissioner Syrnick, Commissioner Capita, Commissioner Valle, Commissioner Summerville, and Commissioner Johns. Motion carried to approve staff recommendation for approval to Amend PCPC's Regulations Related to Energy Efficiency and Environmental Design in City-Owned Public Works Projects. (9-0).*

**5. Action Item: Zoning Bill No. 220843: Amending Section 14-529 of The Philadelphia Code, entitled "/VDO, Fifth District Overlay District," all under certain terms and conditions. Introduced by Councilmember Jones on behalf of Council President Clarke on October 20, 2022. (Presented by Mason Austin)**

Within the area of the map below, the Bill would introduce a requirement that all with 10 or more dwelling units set aside 20% of these units as affordable. Rental units would need to set aside as affordable at 60% of Area Median Income (AMI); ownership units would need to be set aside as affordable at 80% AMI. It also includes the requirement that affordable units be reasonably dispersed and comparable in size to market rate units.

While PCPC staff supports the apparent intent of this bill, which is to support the development of affordable housing along a major transit and commercial corridor, the bill as written has several major issues and deficits.

First, PCPC staff believes that this intent can be better addressed by expanding the existing /MIN, Mixed Income Neighborhoods overlay to include this area. Any necessary changes should instead be applied to all areas of that overlay.

Second, PCPC staff is concerned that, unlike in the /MIN, this would not offer any additional density to property owners required to include affordable units. Within the /MIN, this added density is intended to enhance the feasibility of projects that include these affordable units and, without such provisions, PCPC is concerned that the result of this Bill will be to simply stifle all medium- and large-scale residential development, leading to no additional affordable units being constructed.

Finally, there are several technical errors in the bill and critical details omitted from the Bill, which would make implementation of the Bill impossible.

For instance, there is no indication of how long the compliance period would be for the affordable units and no reference to enforcement mechanisms. Further, while there is a requirement to limit the rents and sales prices in these units, there's no reference to limits on the incomes of occupants, meaning that, even if developed, the affordable units would be unlikely to serve the intended households.

Staff recommendation is not for approval.

*Questions and comments from the Commissioner (00:37:28).*

Chair Fadullon commented on the compliance period and requirements to the Bill. Mr. Austin addressed Commissioner Capita inquiry about North Broad, as well as the boundaries, and Commissioner Johns query about further discussion between the Planning Commission and Councilmember office. Additional comments were made by Commissioner Gonzalez and the Chair regarding income limits, existing overlays, and negotiations with Council President Office, that would support development and provide affordability (00:42:29).

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion at the minute mark in video (00:44:57).

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

*Chair Fadullon polled the Commission for the vote: Commissioner Gonzalez, Commissioner Gaston, Commissioner Castle, Commissioner Waxman, Commissioner Synchron, Commissioner Capita, Commissioner Valle, Commissioner Summerville, and Commissioner Johns. Motion carried to approve staff recommendation of not for approval (9-0).*

6. **Action Item: Property Bill No. 220841: Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to accept a historically designated building from 2000 Arch Associates LP, which will move and reinstall the building in Aviator Park, 200 North 19th Street, to become part of the Fairmount Park system, under the jurisdiction of the Department of Parks and Recreation, under certain terms and conditions. Introduced by Councilmember Jones on behalf of Council President Clarke on October 20, 2022. (Presented by Sarah Banh)**

Property Bill No. 220841 was announced as stricken from the November agenda to be revised and introduced at a future Planning Commission Meeting at the minute mark in video (00:08:42).

Seeing no further questions and comments from the Commission or Public, Chair Fadullon asked for a motion to adjourn at the minute mark in video (00:46:12).

*Motion duly made by Commissioner Gaston and seconded by Commissioner Johns to adjourn the November Planning Commission. This concluded the November Planning Commission.*

*The next Planning Commission was scheduled for December 8, 2022, at 1:00 p.m.*

## SUMMARY

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1. Action Item: Approval of the Meeting Minutes for June 9, 2022.

**APPROVED**

2. Executive Director's Update.

### Item in Accord with Previous Policy

- i. Streets Bill No. 220904: Authorizing the installation, ownership, replacement, and maintenance of various encroachments in the vicinity of 1700-1720 Arch Street, Philadelphia, PA 19103, under certain terms and conditions. Introduced by Councilmember Thomas on behalf of Council President Clarke on November 3, 2022.

3. Action Item: Bills Nos. 220866 and 220867: Capital Budget and Capital Program Amendments. Introduced by Councilmember Jones, for Council President Clarke, on October 27, 2022. (Presented by John Haak)

**APPROVED**

4. Action Item: Amend PCPC's Regulations Related to Energy Efficiency and Environmental Design in City Public Works Projects (Presented by David Fecteau)

**APPROVED**

5. Action Item: Zoning Bill No. 220843: Amending Section 14-529 of The Philadelphia Code, entitled "/VDO, Fifth District Overlay District," all under certain terms and conditions. Introduced by Councilmember Jones on behalf of Council President Clarke on October 20, 2022. (Presented by Mason Austin)

### **STAFF RECOMMENDATION OF NOT FOR APPROVAL, WAS APPROVED**

6. Action Item: Property Bill No. 220841: Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to accept a historically designated building from 2000 Arch Associates LP, which will move and reinstall the building in Aviator Park, 200 North 19th Street, to become part of the Fairmount Park system, under the jurisdiction of the Department of Parks and Recreation, under certain terms and conditions. Introduced by Councilmember Jones on behalf of Council President Clarke on October 20, 2022. (Presented by Sarah Banh)

**PROPERTY BILL NO. 220841 WAS STRICKEN FROM THE NOVEMBER AGENDA TO BE REVISED AND INTRODUCED AT A FUTURE PLANNING COMMISSION MEETING**

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name
Yes	Jacquelyn Sims		11/17/2022 13:01	11/17/2022 13:47	47	Yes	United States
Yes	Evan Hall		11/17/2022 13:04	11/17/2022 13:47	43	Yes	United States
Yes	Francesco Cerrai PPR		11/17/2022 13:03	11/17/2022 13:47	44	Yes	United States
Yes	Dee Dukes		11/17/2022 13:17	11/17/2022 13:47	30	Yes	United States
Yes	Jon Farnham (Historical Commission)		11/17/2022 13:01	11/17/2022 13:43	43	Yes	United States
Yes	Crystal B Morris		11/17/2022 13:03	11/17/2022 13:46	44	Yes	United States
Yes	novilette		11/17/2022 13:21	11/17/2022 13:47	26	Yes	United States
Yes	Letitia McNeil	letitia.mcneil@phila.gov	11/17/2022 13:03	11/17/2022 13:04	1	Yes	United States
Yes	Laura Spina		11/17/2022 13:01	11/17/2022 13:47	47	Yes	United States
Yes	mina monavarian		11/17/2022 13:07	11/17/2022 13:47	40	Yes	United States
Yes	Dave-tpece		11/17/2022 13:02	11/17/2022 13:47	45	Yes	United States
Yes	Ron Bednar (PCPC Staff)		11/17/2022 13:01	11/17/2022 13:47	46	Yes	United States
Yes	Aparna Palantino		11/17/2022 13:02	11/17/2022 13:47	46	Yes	United States
Yes	Ethan J. Rhodes		11/17/2022 13:01	11/17/2022 13:47	47	Yes	United States
Yes	Dan Farrell		11/17/2022 13:01	11/17/2022 13:47	46	Yes	United States
Yes	Aaron Holly		11/17/2022 13:02	11/17/2022 13:47	46	Yes	United States
Yes	Kacie Liss		11/17/2022 13:11	11/17/2022 13:47	37	Yes	United States
Yes	Brianna Thornhill		11/17/2022 13:09	11/17/2022 13:47	39	Yes	United States
Yes	Stephanie Booker		11/17/2022 13:05	11/17/2022 13:47	42	Yes	United States
Yes	Beige Berryman		11/17/2022 13:04	11/17/2022 13:22	18	Yes	United States
Yes	Jack Conviser		11/17/2022 13:09	11/17/2022 13:47	38	Yes	United States
Yes	Matt Wysong		11/17/2022 13:01	11/17/2022 13:46	46	Yes	United States
Yes	Ian Litwin		11/17/2022 13:06	11/17/2022 13:47	41	Yes	United States
Yes	Sarah Chiu		11/17/2022 13:01	11/17/2022 13:47	46	Yes	United States
Yes	Keith Davis_ PCPC Staff		11/17/2022 13:13	11/17/2022 13:47	35	Yes	United States
Yes	Ben Schmidt# PCPC		11/17/2022 13:00	11/17/2022 13:21	21	Yes	United States
Yes	Ben Schmidt# PCPC		11/17/2022 13:34	11/17/2022 13:47	14	Yes	United States
Yes	Kelly Yan		11/17/2022 13:25	11/17/2022 13:46	21	Yes	United States
Yes	Jametta Johnson		11/17/2022 13:02	11/17/2022 13:47	45	Yes	United States
Yes	Peter Barnard (PCPC Staff)		11/17/2022 13:06	11/17/2022 13:47	42	Yes	United States
Yes	Ian Hegarty		11/17/2022 13:01	11/17/2022 13:47	47	Yes	United States
Yes	Del Briggs		11/17/2022 13:06	11/17/2022 13:47	42	Yes	United States
Yes	Nicole Ozdemir		11/17/2022 13:01	11/17/2022 13:47	47	Yes	United States
Yes	Meredith Ferleger		11/17/2022 13:07	11/17/2022 13:46	40	Yes	United States



#	Question	Asker Name	Asker Email	Answer	Question Time	Answered Time
1	Why is the buget so low with the Office of Homeless Services when we have three major affordable housing closing? We will have an influx of homeless veterans, families, and youth that will be homeless by December 2022.	Stephanie Booker	'-	Please raise your hand and address your question to the Commissioners.	11/17/2022 13:18	11/17/2022 13:19