

PHILADELPHIA CITY PLANNING COMMISSION
February 17, 2009

PRESENT: Joseph Syrnick, Vice Chair
Patrick J. Eiding
Bernard Lee
Nancy Rogo Trainer
Nilda Ruiz
Peggy VanBelle, representing Rob Dubow

ABSENT: Andrew Altman, Chair
Camille Cates Barnett
Natalia Olson de Savyckyj

Executive Director: Alan Greenberger
Deputy Executive Director: Gary J. Jastrzab

Vice Chair Joseph Syrnick convened the City Planning Commission Meeting of February 17, 2009 at 1:13pm.

- 1) Executive Director's Update
 - 1) Market East Area Plan. There will be a meeting on 2/24/09 at Thomas Jefferson University, Dorrance Hamilton Hall on the 1000 block of Locust Street. This meeting is purely related to the Market East Plan, not on the proposed Gallery casino.
 - 2) Zoning Code Commission Update. ZCC members and the ZCC and PCPC staff continue to meet with the community in each of the Council Districts.
 - 3) Rowhouse Manual: We have won an award from the Philadelphia Rowhouse Manual by the Preservation Alliance's Grand Jury Awards Panel. I'd like to congratulate Laura Spina and Rachel Shade for all of their hard work.
 - 4) Mayor's Civic Design Institute: This group is meeting in Philadelphia, and is funded by several private groups. A reception at the Academy of Natural Sciences will be on Friday.
 - 5) Design Review. We are extending the deadline to meet and discuss with critical stakeholders.
 - 6) Capital Program and Budget: The City Planning Commission is responsible for recommending a Capital Program and Budget to the Mayor. As a result, we will be having a special meeting before the Mayor's Budget Address on March 19.
 - 7) Bill No. 090096 is a minor dimensional revision to an ordinance that we have approved for a site at "B" Street and Tioga. We have recommended approval and testified in favor of this bill at the staff level.
 - 8) Joe Syrnick reported that Alan Greenberger has been named a fellow of the American Institute of Architects. Fellowship is an honor bestowed by the American Institute of Architects on architects who have made outstanding contributions to the profession through design excellence, contributions in the field of architectural education, or to the advancement of the profession. Congratulations, Alan! (clapping.)
- 2) Approval of the Minutes of the January 20, 2009 meeting.

Upon motion by Mr. Eiding, the City Planning Commission approved the minutes of January 20, 2009.

Mr. Greenberger left at 1:30pm.

3) PCPC Staff Presentation: Transit-Oriented Development Planning Initiatives

Richard Redding, Division Director for the Community Planning Division, stated this is an overview of Transit-Oriented Development planning at the Philadelphia City Planning Commission. Transit Oriented Development is development that is well-served by and close to transit. It is characterized by density, and oriented to transit users, as well as pedestrians and bicyclists. Shopping centers with large parking lots are not TOD. Auto-oriented strip malls are not TOD. TOD promotes transit, and by Executive Order we are to promote transit-oriented development.

Several organizations are promoting TOD locally, such as DVRPC. Much of the PCPC's work fits under TOD planning: the North Delaware Riverfront Plan, the Germantown and Nicetown Transit-Oriented Neighborhood Plan, and the new plan underway for Broad and Erie.

We support TOD in concept, but it is not a "one size fits all" solution. We can adjust zoning for each site with overlays, or with a new zoning classification. We will also be reviewing TOD bills coming out of Council; we have two such bills on the Agenda today. TOD can inform our long range planning efforts and the Zoning Code Commission.

Mr. Syrnick stated that was very good presentation. He asked if we are moving on any specific recommendations.

Mr. Redding replied that he wanted to present the TOD concept, talk about how it might be applied, and wanted this presentation to tie everything together.

Ms. Ruiz asked if he was proposing to change the "C-2" classification at this time.

Mr. Redding replied "no, that he just wanted to show how it could fit in."

Mr. Jastrzab replied we don't have a definite proposal yet, but we do have two bills before us for creating these districts. As Mr. Redding said, "it's not one size fits all."

Ms. Ruiz asked if he has looked at other cities.

Mr. Redding replied that he has attended several meeting with Neighborhood Now, and he has seen what they have done in Portland, OR.

4) Zoning Bill No. 080130: Amending the Zoning Code to create "Transit-Oriented Development District" controls to promote higher density, mixed-use development near transit stations (Introduced by Councilmember Greenlee on February 7, 2009)

Martin Gregorski, planner for the Development Planning Division, stated this Bill is to amend the code to create a new TOD classification. We have a problem with some of the language used in this bill. We are asking you to table this bill, so that we can continue to work with the Councilman.

Mr. Syrnick asked “was this just introduced, without time constraints?”

Mr. Gregorski replied this Bill was introduced a year ago.

Ms. Rogo Trainer asked how does this tie in with the Zoning Code Commission?

Mr. Gregorski replied it does not tie in at this time. We are hoping that a final version of this legislation might inform the ZCC in its work.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission tabled Zoning Bill No. 080130.

- 5) City Avenue Area Special Districts (Introduced by Councilmember Jones on February 5, 2009)
 - a. Zoning Bill No. 090071: Amending the Zoning Code to create “Overbrook Farms Transit-Oriented Center Special District” controls and remapping an area in the vicinity of City Avenue between the Schuylkill Expressway and Stout Road.
 - b. Zoning Bill No. 090072: Amending the Zoning Code to create “City Avenue Regional Center and Village Center Special District” controls and remapping an area along 63rd Street between City Avenue and Woodbine Road (R5 Overbrook Station vicinity).

Mr. Gregorski stated that we are asking for a 45 day extension of time to review these bills. Both Bills are 30 pages in length. He has been working with consultants and the Councilman’s office to improve the bills.

Bill No. 090072 is an overlay Bill that creates design controls. The Philadelphia City Planning Commission is asking for an additional 45 days extension to get comments from stakeholders.

Mr. Syrnick asked who is the consultant’s client?

Mr. Gregorski replied they are the business folks on both sides of City Avenue, Lower Merion and Philadelphia.

Mr. Syrnick asked if they are a part of the City Avenue Special Services District.

Mr. Jastrzab replied yes, as well as Lower Merion Twp., who received a TCDI grant to fund this work.

Upon motion by Mr. Eiding, seconded by Ms. Rogo Trainer, the City Planning Commission approved staff’s recommendation for the 45 days extensions for Zoning Bill Nos. 090071 and 090072.

- 6) *Information Only: Proposed hotel at 1222 Locust Street (Presented by Ronald Patterson, representing Lincoln on Locust LP)*

Ms. Decamp stated this is an information only presentation for a 93-unit hotel. This may be the only time we get to see it.

Ron Patterson, attorney with Klehr Harrison Harvey Branzburg & Ellers, stated that this site is the former Lincoln Hotel, which is on the Historic Registry. He explained the history of the site. It was destroyed by fire. It had 46 apartments. It is zoned "R10" Residential. We received Historic Designation for the façade. We filed the zoning application for a hotel and received refusal. There is no loading dock or space; and no on site parking or street parking.

Mr. Syrnick said this has a hearing for March 25. We still have time to see it in time for a Commission action.

Mr. Patterson stated it is a 5 ½ story building, which was originally built in 1896. It is in a mixed-use neighborhood with "R10" surrounded by "C5". The entrance will be off of Locust with a new addition on the top floor.

Mr. Eiding stated there is parking at 13th and Locust.

Ron Gilbert replied there are 5 different parking sites in the area: 2 ground parking sites, and 3 enclosed parking sites.

Ms. Ruiz asked why don't they have loading docks.

Mr. Patterson replied they would load on Locust Street with a small alleyway. You cannot drive a vehicle down the alley.

Mr. Syrnick asked if they had discussions with the Streets Department regarding the loading.

Mr. Patterson replied "no."

Ms. Rogo Trainer asked if there will be a kitchen.

Mr. Patterson replied there will be a small café/coffee shop along Camac Street.

Mr. Lee asked if they have met with the neighborhood association.

Mr. Patterson replied they will be meeting with Washington Square West next week.

- 7) Redevelopment Agreement with the Philadelphia Housing Authority (PHA) allowing site assembly for the Mantua Hall redevelopment in the vicinity of 35th and Wallace Streets (City Council District 3 – Councilmember Blackwell)

Mr. Lee recused himself.

Andrew Meloney, Community Planner, stated the consideration will be nominal for these properties. It consists of the entire block of 35th and 36th Street along Fairmount Avenue. Multiple variances will be required. This will include a 3-story building where Mantua Hall use to stand, and a few scattered properties. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked if housing along Fairmount will be similar to the surrounding area..

Mr. Meloney replied "yes, it will be similar."

Mr. Syrnick asked if there will be off street parking and gated for people who live there.

Mr. Meloney replied "yes."

Gabriel Gottley, resident, stated it was his understanding that there will be retail along Fairmount Avenue.

Mr. Redding replied that Fairmount Avenue will have some limited retail. The zoning approval is the next step.

Mr. Jastrzab replied that several meetings ago, we saw a street closure for this project. Site assembly is the next step. The third step is for the Philadelphia Housing Authority will require several variances to obtain permits to begin construction.

Mr. Eiding asked if this is a Redevelopment Authority project with retail.

Mr. Jastrzab replied it is a Philadelphia Housing Authority project. The Redevelopment Authority owns the properties, and the Philadelphia Housing Authority needs to acquire the properties from the Redevelopment Authority. It will be residential with some retail use.

Mr. Syrnick said this will come back to us, and we will know more specifically if retail is on Fairmount Avenue.

Upon motion by Ms. VanBelle, seconded by Mr. Eiding, the City Planning Commission approved the Redevelopment Agreement with the Philadelphia Housing Authority (PHA) allowing site assembly for the Mantua Hall redevelopment in the vicinity of 35th and Wallace Streets.

- 8) Redevelopment Agreement with Brown Street Associates for 806-26 and 820 N. 47th Street in West Philadelphia to permit an existing supermarket to expand its site with a new driveway (City Council District 3 – Councilmember Blackwell)

Mr. Meloney stated this is located within the 44th and Aspen Redevelopment and Urban Renewal Areas. Brown Street Associates is the party-at-interest. They will pay

fair market value. This site will be used as a driveway for the supermarket. It will require a zoning variance. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked why it is being proposed.

Mr. Meloney replied it is vacant and unused land, and the supermarket owners want to incorporate it into their development, using part of it as driveway access.

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved the Redevelopment Agreement with Brown Street Associates for 806-26 and 820 N. 47th Street in West Philadelphia to permit an existing supermarket to expand its site with a new driveway.

- 9) Preliminary Plat: Lawrence Court Homeownership Development, 46 single-family attached unit subdivision and 4 infill dwellings in Planning Analysis Section F

Sarah Chiu, of the Development Planning Division, stated this is in the St. Hugh neighborhood. It is bounded by Westmoreland, Ontario, N. Lawrence Streets, and a former railroad right-of-way. It is zoned "G2" Industrial and "R10" Residential. The propose use is for 46 single-family dwellings, fronting on City streets and two proposed new streets. This new Streets Bill will be introduced in City Council shortly. All of the buildings will be accessed from the rear. The City Planning Commission staff recommendation is approval in concept.

Ms. Ruiz asked why are we approving it in concept?

Ms. Chui replied they do have funding. We approve in concept so that they can solve a legislative issue.

Mr. Syrnick asked who controls this land.

Ms. Chiu replied the Redevelopment Authority.

Bill Salas replied that the rest of the land was acquired by the Redevelopment Authority.

Mr. Eiding asked what materials will be used.

Mr. Salas replied Energy Star materials, brick with stucco façade.

Upon motion by Ms. Ruiz, seconded by Ms. Rogo Trainer, the City Planning Commission approved in concept the Preliminary Plat: Lawrence Court Homeownership Development, 46 single-family attached unit subdivision and 4 infill dwellings in Planning Analysis Section F.

- 10) Zoning Bill No. 090027: Regulating the placement, installation, and maintenance of satellite dishes and antennas on building

Mr. Gregorski stated this Bill will affect the placement of satellite dishes and antennas in all residentially zoned properties. This Bill does a number of things. First it defines what shall be considered as a satellite dish or antenna”

“(c) For purposes of the foregoing subsections (a) and (b), a satellite dish or antenna shall include:

- (.1) A "dish" antenna that is one meter or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite.*
- (.2) An antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite.*
- (.3) An antenna that is designed to receive local television broadcast signals.”*

The Bill then gives conditions on the placement of said dishes:

“(a) Where an alternative location is available for placement of a satellite dish or antenna, at no material additional cost to the tenant or owner and with no material reduction in signal reception (including but not limited to a roof, rear yard or facade, or side yard or facade), no tenant or owner shall place, install or maintain a satellite dish or antenna between the facade of a building and the street.

(b) No tenant or owner shall place, install or maintain a satellite dish or antenna between the facade of a building and the street unless he or she has notified the Department, on such form as is provided by the Department, of such placement, installation or maintenance, no later than five (5) days after placement or installation.”

Finally, this Bill prohibits the placement of other antennas or dishes (those not as defined in the Bill) between the façade of the building and the street. The City Planning Commission staff recommendation is approval.

Mr. Lee asked does this allow large satellite dishes.

Mr. Gregorski replied “no.”

Upon motion by Mr. Eiding, seconded by Ms. Ruiz, the City Planning Commission approved Zoning Bill No. 090027.

- 11) Zoning Bill No. 090004: Remapping an area bounded by Allegheny Avenue, Hurley Street, Clearfield Street, and Boudinot Street from "G2" to "C3" (Introduced by Councilmember Sanchez on January 22, 2009)

Mr. Gregorski stated the purpose of this Bill is to rezone the property located at 426 E. Allegheny Avenue from an existing zoning designation of "G2" General Industrial, to "C3" Commercial. This Bill will permit the reuse of this large industrial building for a new mixed residential and commercial use. It is vacant at this time. While this zoning classification seems out of character for this neighborhood, we believe that this change is supportable given the current buildings on the lot. We believe that it would be prohibitively expensive to tear down the structures, so we are comfortable with the developers plan to reuse the building. The City Planning Commission staff recommendation is approval.

Mr. Eiding stated he is concerned with the mixed use.

Ms. Ruiz asked why now and not when they have a plan.

Mr. Gregorski replied this will let them know that they can proceed.

Mr. Eiding replied that he still doesn't like not knowing what specific uses they plan for this building.

Upon motion by Mr. Eiding, seconded by Ms. VanBelle, the City Planning Commission approved Zoning Bill No. 090004.

- 12) Zoning Bill No. 090005: Remapping an area bounded by Erie Avenue, "K" Street, Venango Street, and "I" Street from "G2" to "G2" and "C2" (Introduced by Councilmember Sanchez on January 22, 2009)

Mr. Gregorski stated the purpose of this Bill is to change the zoning designation of this property from "G2" General Industrial to "C2" Commercial in order to permit the expansion of the Community Academy Charter School, which is located adjacent to this parcel at 1100 E. Erie Avenue. This zoning change is supportable as it is consistent with the zoning of the parcels on the opposite side of Erie Avenue. It will allow the school to expand, while giving up zoning the ground for future development. The City Planning Commission staff recommendation is approval. This request came directly from the Councilwoman.

Upon motion by Ms. Ruiz, seconded by Mr. Eiding. the City Planning Commission approved Zoning Bill No. 090005.

- 13) Zoning Bill No. 090069: Remapping an area bounded by Roosevelt Boulevard, Grant Avenue, Blue Grass Road, and a Railroad right-of-way from L2 to ASC (Introduced by Councilmember Krajewski on February 5, 2009)

Mr. Gregorski stated the purpose of this Bill is to change the zoning designation of this property from "L2" Limited Industrial to "ASC" Area Shopping Center in order to permit the construction of a supermarket with accessory uses. The City Planning Commission staff recommendation is approval.

Ms. Rogo Trainer asked if this is an existing structure.

Mr. Gregorski replied they will remove the existing building.

Ron Patterson, attorney, replied that he represents the owners of the property at Blue Grass Road. He had to go to the Zoning Board of Adjustment several times for his client.

Upon motion by Ms. VanBelle, seconded by Mr. Eiding, the City Planning Commission approved Zoning Bill No. 090069.

- 14) Streets Bill No. 090076: Widening Harmer Street between 15th and 16th Streets and authorizing its opening (Introduced by Councilmember Clarke on February 5, 2009)

Michelle Webb, Development Planning and Zoning Division, stated this item is located in the Francisville section of the City. Harmer Street is a very narrow, one-way street. The purpose of this Bill is to widen Harmer Street to accommodate a new housing development with five single-family houses and a three-story apartment building with 27 apartment units that will front on Poplar Street, and have a parking lot. The City Planning Commission staff recommendation is approval.

Mr. Syrnick asked who will be using the parking lot.

Ms. Webb replied it is for the apartment for senior citizens.

Ms. Ruiz asked if it is new construction.

Ms. Webb replied "yes."

Upon motion by Ms. VanBelle, seconded by Mr. Eiding, the City Planning Commission approved Streets Bill No. 090076.

- 15) Zoning Bill No. 080954: Zoning change for a parcel between Broad Street, 15th Street, Cecil B. Moore Avenue, and Oxford Street from C2 to C4; amending 14-1402 regarding parking; amending 14-305 regarding C4 and C5 Commercial; and amending 14-1620 regarding the Avenue of the Arts North Special Controls District (Introduced by Councilmember Clarke on December 11, 2008)

Mr. Gregorski stated we expect an amendment of this Bill. This Bill does a number of things. It rezones a part of a property from "C2" to "C4"; amends parking 1 space per dwelling; changes the rule to permit quad units; and changes a section of the

code for "Avenue of the Arts North". It will be a residential hall to house students. Since the introduction of this Bill, the staff of the Philadelphia City Planning Commission has been working with the developer to craft amendments that would permit the construction of this development, while not adversely impacting the rest of the City. We believe that this area is specially suited for student housing and believe that the synergy between the housing and the existing retail will activate this corner. The City Planning Commission staff recommendation is approval.

Carl Primavera, attorney for Bart Blatstein, replied it is apartments for students. It is a quad design; four students would share it.

Mr. Blatstein replied that Temple is looking for beds for their students.

Mr. Eiding asked are we approving the recommendation with the proposed amendments.

Mr. Gregorski replied "yes."

Mr. Primavera replied it amends from 3 to 4 people to share an apartment.

Mr. Eiding asked what about exceptions. Will the amendment say if it is not for students, it would be used for other people?

Mr. Gregorski replied there would be a sunset clause.

Upon motion by Mr. Eiding, seconded by Ms. VanBelle, the City Planning Commission approved as amended Zoning Bill No. 080954.

Mr. Syrnick adjourned the City Planning Commission Meeting of February 17, 2009 at 2:46pm.

SUMMARY

- 1) Executive Director's Update
 - a. Items in Accord w/Previous Policy
 1. Bill 090006: Dimensional Correction to Bill 080754.
 - b. Market East Area Plan.
 - c. Zoning Code Commission Update.
 - d. Other items.

- 2) Minutes of the Meeting of 1-20-09 Approved

- 3) PCPC Staff Presentation: Presented
Transit-Oriented Development
Planning Initiatives (Presented by
Richard Redding)

- 4) Zoning Bill #080130: Amending Tabled
Zoning Code to create "Transit-
Oriented Development District"
controls to promote higher density,
mixed-use development near
transit stations (Introduced by
Councilmember Greenlee on
2-7-09; Presented by Martin
Gregorski)

- 5) City Avenue Area Special Districts Requested
add'l 45 days
to continue to
review Bills
(Introduced by Councilmember
Jones on 2-5-09; Presented by
Martin Gregorski):
 - a. Zoning Bill #090071: Amending
the Zoning Code to create
"Overbrook Farms Transit-
Oriented Center Special District"
Controls & remapping an area in
The vicinity of City Ave. bet. the
Schuylkill Expressway & Stout Rd.
 - b. Zoning Bill #090072: Amending
the Zoning Code to create "City
Avenue Regional Center & Village
Center Special District" controls &
remapping an area along 63rd
St. bet. City Ave. & Woodbine Rd.
(R5 Overbrook Station vicinity)

- 6) *Information Only: Proposed hotel* Presented
at 1222 Locust St. (Presented by
Ronald Patterson, representing
Lincoln on Locust LP)

- 7) Redevelopment Agreement w/PHA allowing site assembly for the Mantua Hall redevelopment in the vicinity of 35th & Wallace Sts. (City Council Dist. 3 – Councilmember Blackwell; Presented by Andrew Meloney) Approved
- 8) Redevelopment Agreement w/Brown Street Assoc. for 806-16 & 820 N. 47th St. in W. Phila. to permit an existing supermarket to expand its site with a new driveway (City Council Dist. 3 – Councilmember Blackwell; Presented by Andrew Meloney) Approved
- 9) Preliminary Plat: Lawrence Court Homeownership Development, 46 single-family attached unit subdivision & 4 infill dwellings in Plan. Analysis Sect. F (Presented by Sarah Chiu) Approved
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- 11) Zoning Bill #090004: Remapping an area bounded by Allegheny Ave., Hurley St., Clearfield St., & Boudinot St. from G2 to C3 (Introduced by Councilmember Sanchez on 1-22-09; Presented by Martin Gregorski) Approved
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by Martin Gregorski)

14) Streets Bill #090076: Widening Harmer St. bet. 15th & 16th Sts. & authorizing its opening (Introduced by Councilmember Clarke on 2-5-09; Presented by Michelle Webb)

Approved

15) Zoning Bill #080954: Zoning change for a parcel bet. Broad St., 15th St., Cecil B. Moore Ave., & Oxford St. from C2 to C4; amending 14-1402 regarding parking; amending 14-305 regarding C4 & C5 Commercial; & amending 14-1620 regarding the Avenue of the Arts North Special Controls Dist. (Introduced by Councilmember Clarke on 12-11-08; Presented by Martin Gregorski)

Approved
as amended