

February CDAG Board Meeting Minutes – 2012

Central Delaware Advocacy Group (CDAG) – February 16, 2012
NLNA Offices 8:00 AM – Recorded Attendance Attached

I. Approval of the Minutes

Minutes of CDAG Board meeting of December 12, 2011, approved

II. Chairman's Report – Matt Ruben

The Chair deferred his report and instead introduced our special guests, Eva Gladstein, Chair of the Philadelphia City Planning Commission (PCPC), and Sarah Thorpe of the Delaware River Waterfront Corporation (DRWC). They were present to review with us the proposed Amendments to Title 14 regarding The Central Delaware Riverfront Overlay District. Ms. Gladstein was assisted by Natalie Shieh and Ms. Thorpe by Karen Thompson. Matt suggested we keep our questions to a minimum since we will have a chance to go over the proposal in depth at our March meeting. We will then have an opportunity to present our opinions and/or suggestions to the PCPC at a later date. He then asked the Board to introduce ourselves to our guests.

Sarah Thorp, DRWC, suggested she was there to hand out copies of the Master Plan Summary Report and as a back-up of information on the Master Plan for Eva. However what is presented today was the work of the PCPC.

III. Proposed amendments to Title 14 - Eva Gladstein

Secretary's note: All interjected comments, questions and answers appear italicized and in blue

Ms Gladstein distributed the following draft document marked:

"DRAFT FOR DISCUSSION PURPOSES ONLY"

Amending Title 14 of the Philadelphia Code, entitled "Zoning and Planning" by amending section 14-507 entitled "/CDO, Central Delaware Riverfront Overlay District" and by amending Section 14-203 entitled "Definitions," under certain terms and conditions.

TITLE14. ZONING AND PLANNING.

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CHAPTER 14-200. DEFINITIONS.

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§14-203. Definitions.

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(97.1) Dock

A structure extending from dry land or a pier over a waterway providing boat access. Docks are typically accessory to marinas

(234.1) Pier

A structure supported by piles, posts, pillars, or fill extending from dry land over a waterway.

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CHAPTER 14-500. OVERLAY ZONING DISTRICTS.

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§14-507. /CDO, Central Delaware Riverfront Overlay District.

{RESERVED}

(1) Purpose

The Central Delaware Riverfront Overlay District is intended to encourage and renew the connection of the city's residents and visitors with the Central Delaware Riverfront and to promote the development of walkable mixed-use neighborhoods, as consistent with the Comprehensive Plan.

(2) District Boundaries

The Central Delaware Riverfront Overlay District shall consist of all lots located in the area bounded by the south side of Allegheny Avenue on the north, the pierhead line of the Delaware River, as established by the Secretary of War on September 10, 1940, on the east, the north side of Oregon Avenue on the south, and the east side of Interstate 95 on the west.

(3) Riverview Streets

For the purposes of this §14-507, "riverview streets" shall include the portions of the following streets that are east of Interstate 95¹:

Connector streets are now called "river-view streets". Because they are acknowledged in different terminology in the Zoning Code. It is confusing and we didn't want to define each one differently.

- (a) Mifflin Street and its extension to Christopher Columbus Boulevard then to the Delaware River along a line perpendicular to Christopher Columbus Boulevard.**
- (b) Dickinson Street and its extension to the Delaware River.**
- (c) Washington Avenue.**
- (d) Christian Street.**
- (e) Race Street.**
- (f) Spring Garden Street.**

¹ includes a subset of connector streets identified by the *Master Plan for the Central Delaware* as essential for pedestrian connectivity (see p. 240-243 of the *Master Plan*).

- (g) Germantown Avenue and its extension to Delaware Avenue.
- (h) Columbia Avenue.
- (i) Berks Street and its extension to the Delaware River.
- (j) Cumberland Street and its extension to the Delaware River.
- (k) Lehigh Avenue and its extension to the Delaware River.

(4) Prohibited Permanent Structures

I'm sure you are familiar these streets do not exist now. The Master Plan talks about protecting the usage so that there will be no building that will interfere with those streets from reaching the river.

No structure shall be constructed such that it blocks the extension of any of the following existing streets²:

- (a) Dickinson Street to the Delaware River;
- (b) Washington Avenue to the Delaware River;
- (c) Germantown Avenue to Delaware Avenue;
- (d) Columbia Avenue to the Delaware River;
- (e) Cumberland Street to the Delaware River; and
- (f) Lehigh Avenue to the Delaware River.

(5) Uses

- (a) At least one of the uses provided in §14-507(3)(b), below, shall occupy 75% of the ground floor frontage facing:
 - (.1) A riverview street, as set forth in §14-507(3), above;
 - (.2) Delaware Avenue in the area between Washington Avenue and Spring Garden Street; or
 - (.3) The Delaware River in the area between Washington Avenue and Spring Garden Street.
- (b) Required Ground Floor Uses
 - (.1) Retail sales;
 - (.2) Commercial services;
 - (.3) Eating and drinking establishments;
 - (.4) Lobbies of hotels, live theaters or cinemas;
 - (.5) Libraries, museums, galleries, or exhibition space;
 - (.6) Post offices;
 - (.7) Enclosed public space, enclosed gardens, public rooms, through-block connections.
 - (.8) entrances to public transit stations or transit concourses.

² The purpose of this provision is to prevent the construction of structures on future planned streets. Identifies Germantown Ave, Columbia, Ave and the streets labeled as view corridors on pp. 102-116 of the *Master Plan* that have not yet been platted. Platting some streets, particularly streets that may differ from the existing street alignment, prior to effective date of the overlay may reduce the need for this provision.

(6) **Open Area**

The minimum open area for lots greater than 5,000 sq. ft. with frontage on the Delaware River shall be 40% of the total lot area.³ Any waterfront setback required by this Zoning Code shall count as open area.⁴

While Master Plan asked for 30% open space we settled on 25% Where a lot is 5000 ft. we bumped it up to 40%. The fifty ft. set back would be part of that area...

Q: Is a parking lot considered part of that open space?Eva: Certain parcels have an exclusion. I'll have to look that up. It certainly is not a good use of open space. In the current zoning code it is considered part of open space.

(7) **Front Yard Requirements⁵**

For all new construction on properties fronting on Delaware Avenue or Christopher Columbus Boulevard, front yards shall be permitted; provided, that such front yard is landscaped or accessible to pedestrians. However, in no case shall any building be constructed so that the front yard when combined with the width of the sidewalk exceeds 25 feet. Seventy-five (75) percent of the building line shall be occupied by the façade of the principal building.

This is to protect the streetscape of Delaware Ave. and Columbus Blvd. and to prevent parking.

Q: If a street isn't along Delaware Ave or the Blvd what is considered the front yard?

Eva: That would be an East-West river view street and we would have to plat it first.

(8) **Building Height**

(a) The minimum building height shall be 25 ft.

(b) The maximum building height shall be 100 ft.⁶, except the Commission may permit buildings exceeding 100 ft. if the Commission determines that all of the following criteria have been met:⁷

We changed number of floors stated in the Master Plan, 8, into a Height limit, 100 ft. May go higher where there is a large amount of open space, like a public park and can't be next to another tall building.

(.1) The lot on which the building is situated is adjacent to a public park of a

³ The *Master Plan* also recommends a 30% minimum open area for non-waterfront sites (p. 221). This will be accomplished through base zoning. Residentially-zoned lots require 30% open area already and CMX-2/2.5/3

⁴ The *Master Plan* calls for a 50' waterfront setback, measured from the top-of-bank, north of Spring Garden and south of Washington Avenue (p. 223). A setback along the entire length of the Delaware is required in a separate section §14-704(5) (Stream Buffers).

⁵ carried over from existing overlay.

4

⁶ The *Master Plan* limits building heights to 8 stories or 90 ft. (p. 224). The new code does not regulate height by stories. General rule of thumb that the code uses is 1 story = 12' to 13' height to allow for modern floor-to-ceiling heights, therefore an 8-story building could be 100 ft. tall.

⁷ The *Master Plan* includes additional criteria, such as markers of a significant intersection or waterfront event, sustainable construction criteria, and direct contributions to infrastructure/public space, which are not appropriate for a zoning code and should be implemented through other means.

minimum size of three acres.

- (.2) The building will not block sunlight to a public park.
- (.3) The building will not be located within 400 ft. of an existing building that is taller than 100 ft.

(9) **Off-Street Parking**

Prohibiting curb cuts on river view streets. Other cross streets could have driveways

In any Residential, Commercial, or Special Purpose district, vehicular ingress and egress

is

Prohibited to and from rierview streets as in 14-507.

(10) **Form and Design**

Single-story buildings containing at least 10,000 sq. ft. of gross floor area of which 75 percent is occupied by a single use shall comply with the following. For the purposes of this section, intermediate floor levels such as mezzanines shall not count as a story. Where a provision of this §14-507(10) conflicts with §14-703, this §14-507(10) shall govern.⁸

(a) Façade articulation is required for each building façade. Between the average ground level and a height of 25 ft., a minimum of 50% of the wall area must include one or more of the following features:

- (.1) Ornamental and structural detail;
 - (.2) Projections, recesses, or other variations in planes; or
 - (.3) Transparent windows or other transparent glazed area.
- (.2) For every 10,000 sq. ft. of building area, there shall be 500 sq. ft. of public plaza in proximity to at least one of the building entrances. Bicycle parking required by §14-804(1) (Required Bicycle Parking Spaces) shall be located in the public plaza. The public plaza(s) shall have a minimum of 1 bench and 1 tree per 250 sq. ft. of public plaza. Vehicular traffic and loading are prohibited from accessing required public plazas.

Q: Are we going to allow parking lots where there is a big commercial structure?

A: Ideally we would like people to bike, walk or take public transportation, but right now we have a bus running every half hour along Delaware Ave and the Blvd, therefore we have looked at a couple of temporary parking lots where big things may take place. Primarily at the Giraud Ave. Interchange. Couple of parcels are, near Penn treaty Park and the PECO Bldg.

In the short term surface parking is needed. In the long term when there is development there may be money for a developer to do a parking structure

Q: How are we going to provide for delivery trucks to deliver to commercial enterprises?

8

This is an alternative to prohibiting retail uses larger than 10,000 square feet (p. 220 of the *Master Plan*). It expands beyond the basic form and design requirements in the zoning code because it requires articulation on all 4 sides of the building and increases the percentage of articulated wall area from 30 to 50%. It also requires pedestrian plazas.

A: that's why we will have curve cuts in certain areas.

(11) Civic Design Review⁹

(a) Applicability

For any development that fronts on a riverview street, as set forth in §14-507(3), above, and is subject to civic design review under § 14-305(4)(b), the Civic Design Review Committee shall consider, in addition to the criteria set forth at §14-304(5)(f), the criteria set forth at §14-507(11)(b).

(b) Criteria

- (.1) Whether the building has transparent windows or other transparent glazed area covering at least 50% of the ground floor façade.**
- (.2) Whether the sidewalks widths on both sides of a riverview street are consistent with the *Philadelphia Pedestrian and Bicycle Plan*¹⁰.**

CHAPTER 14-700. DEVELOPMENT STANDARDS.

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§14-704. Open Space and Natural Resources.

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(5) Stream Buffers

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(b) General Standards

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(.2) The following activities and uses are prohibited within the stream buffer:

- (.a) Permanent or temporary structures, except for **docks, piers, and** structures accessory to public open space.**

Eva: The new zoning code was approved in December and will be in effect on August 22nd with no period of opt-in or opt-out. Right now, everything is being covered by the current zoning code which includes the overlay for the Central Delaware. August 22nd is designated as to when the new zoning code goes into effect. What's in that zoning code for Central Delaware under 14-507 is one word RESERVED and says there is an overlay protection. So it's our goal, along

⁹
227 of the *Master Plan*.

Addresses the ground-floor transparency and minimum sidewalk widths recommended on p.

¹⁰

The *Master Plan* calls for 15 ft. sidewalks on all riverview streets, however 15 ft. sidewalks may not be able to be accommodated on all streets. Instead, the overlay references the *Philadelphia Pedestrian Bicycle Plan* which takes into account street widths.

with a number of other amendments including a whole chapter on size controls, to get the Overlay to City Council and have them approve it so that it will go into effect on August 22nd. Therefore the Central Delaware is one of the key pieces of work on our plate right now. So what we want to do is to share with you a first draft of the Central Delaware Overlay. Designed to respond to the Master Plan and though it differs in some ways from the current overlay, it doesn't get away from the intent of the Overlay. We will have time to come back to you to answer your questions. Then, a second draft will be written. I think this first draft is a lot to digest, so I want to walk you through it. In May, a second draft will go to City Council. Once it's in the form of legislation, it has to be reviewed by the Planning Commission. They will take comments at a public meeting. We will also share this with the Development Workshop.

The intent of the Master Plan can be expressed in the Overlay but can also be expressed in other ways. One is by state zoning. For instance, the new zoning code may cover the intent of the Overlay. One example: we are now requiring a 50 ft. set-back on all major waterways and limiting development in that set-back. So some new zoning may be taking the place of what is the intent of the Overlay. The Master Plan has a number of items that are really design guidelines. They are standards but not hard and fast requirements and are subject to Planning Commission review. The new Zoning Code has a review process and guidelines that are regulations.

We created a new zoning district from the current code, a take-off on C-2, which is part of your Overlay standards for commercial areas, calling it CMX 2.5, promoting more active use and more pedestrian use. It requires a building to be built to the street line without a set-back. Parking will be in the rear. More restricted uses than C-2. East/West connector streets can benefit by this. Some cases will incur remapping. We want to get the remapping done and get it right.

Q: Do you have a time frame on re-mapping?

Eva: Our goal is six months from when the plan is approved by the Planning Commission. It may be staged. There may be larger particles that can be managed. Re-mapping requires legislation. The PCPC will work outside the plan where everyone agrees. As an example, where the property owner is supportive. Property owner has a lot to say about their land, but if he is in agreement with all other parties it can be done. The goal is six months after the Master Plan is adopted.

Q: Is there a role in re-mapping involving the civic associations? Our civic association is working on our own re-mapping. Thoughts?

Eva: Yes, we will have meetings with civics engaged in re-mapping. We can do that at their meetings or a special meeting if it overlaps with other civics. You have to understand ownership and various parcel lines. Absolutely.

Q: Since the Center City District is the next to be planned, but Central Delaware is not entirely in that district, will the Central Delaware be done separately or is there some portion to be done with the Center City District and another portion north and south?

Eva: We are thinking of jump-starting, doing some early work before the plan is completed, and for that we are looking at the entire plan.

Q: Is the Center City District exactly the same

Eva: Yes

Q: Joe Schiavo has looked over proposed district plans for the lower south and west, and reported that a review of the level of detail of those plans can be constructive and they should be helpful. Is it on line?

Eva: Yes, at www.phila2035.org.

Q: Will the multi-disciplinary committees work together with the communities? This is important because that would be a change.

Eva: Right, our disciplinary teams will work together with the communities. First the community planner, but as we

get further on, Zoning will take the lead. However, we will all be involved.

Q: Then it goes to Council, and they will approve or possibly make changes. Is that a fair statement?

Eva: What their appetite, I expect is, will be to accept as presented.

Q: Richard, were you satisfied with your answer as to delivery trucks?

A: Well, for now. We really have to re-visit this question, and parking, when we can visualize the plans better.

Q: I'm confused about the height of the buildings that are one story at 25 ft.

A: These buildings, like a Target, while only one story, like to show a massive presence as you approach their store

Q: I'm concerned about having a standard of 100 ft. What is to prevent everyone from building at 100 ft?

A: It has to be re-mapped, but lower density buildings in areas with 3-story residences will be capped at 38 ft. When you get to commercial development, that's capped at a floor/area-height ratio only in an area where they would do a tower.

Q: is there a draft re-mapping that has been formed by the Master Plan?

A: Is there is a zoning map in the Master Plan? There is a land-use map on page 21, .and what I have done informally is overlay what the proposed use is over the current use. So I see five parcels that should probably be re-mapped. The idea is to map the far north and far south Industrial because it already is. Farther south is also the Port.

8

Q: How would you like us to get back to you with our responses to our review of the Draft?

A: As a single CDAG response, please. Give us two weeks to look it over before we come back.

IV. Committee Reports.

1. Membership -- Laura Lanza

The most important thing is the Pew Grant we applied for is no longer available. We are now looking at other sources. The reformation of communications is now being headed up by Patrick Starr. Outreach, of course, is led by Diane. Phillip Soltzfus and others are working on our computer programming. Next month, we should have the by-laws as to the Friends and Advisory groups. Finally, we will be working with Richard on creating good contact lists.

2. Communications-- Dianne Mayer

I did send out an E-mail blast of the N.A.B.R's list and to PNA. I would like to ask everybody if you could put it in your newsletter or e-mail for individuals to get a group of people together for a presentation that we would be available for. My request to PNA for contributions that were not spent during its casino fight resulted in a check for \$950.56.

Also, as part of Communications, we are currently doing a draft of the latest version of the CDAG brochure that we all will be involved in soon.

3. Treasurer's Report -- Rene Goodwin

No changes from last month

4. Secretary's Report -- Richard Wolk

I am creating a form that will give us complete information on each civic's leadership. You only need to fill in your president/chair's name, the civic association's address with zip, the association telephone number, and e-mail address. If you can't pull up the form, please just send me this information as quickly as possible.

We also want to welcome Dickinson Narrows back as a voting member.

V. New Business

Just a note on behalf of Matt that we will send a letter out to the Mayor and all other involved officials asking them to not indulge developers who may want to change their property's zoning classification, and a reminder that the zoning overlay is in effect until the time the new zoning is in effect.

9

VI. Old Business -- Honey Pertnoy

It has been suggested at the last meeting we would be interested in a pot luck supper social. I'm not going to take your time, but I will investigate the Old Pine St. Community Center as a venue. I think at this point that gives us time to know what we want to do, but I have a request of the Executive Committee to think about who CDAG should invite. I'd like to have some guidance because that will give us an idea of the size of venue required. The rest of the particulars I will put in an e-mail. I would suggest a weekend, probably a Saturday night or Sunday. You're all welcome to give me some feedback. I have not discussed dates with them, just price.

Meeting called for adjournment at 9: 30 AM

**Next regularly scheduled CDAG Board meeting is scheduled for March 8, 2012
6:00 PM, PENNS LANDING MUSEUM**

CDAG Board Member Organizations Roll Call:

	CDAG Board Member Organizations (N/V = non-voting Board Members)	Representatives Primary & Alternate	Present (X)	Quorum Count
N / V	Delaware River City Corp.	Tom Branigan (P)	N/V	N/V

1	Dickinson Narrows Civic Assoc.	Jeff Wiesner (P)	X	1
	Dickinson Narrows Civic Assoc.	Alan Sabel (A)	X	
2	Fishtown Neighbors Assoc.	Micah Hanson (P)		
	Fishtown Neighbors Assoc.	Matt Karp (A)	X	2
N / V	Franklin Bridge Neighbors North	----- (P)	N/V	N/V
3	Neighbors Allied Best Waterfront	Mary Stumpf (P)		
	Neighbors Allied Best Waterfront	Dianne Mayer (A)	X	3
4	New Kensington Development Corp.	Sandy Saltzman (P)	X	4
	New Kensington Development Corp.	Carla Castillo (A)	X	-
5	Northern Liberties Neighbors Assoc	Matt Ruben (P)	X	5
	Northern Liberties Neighbors Assoc	Ira Upin		
6	Old City Civic Association	Joe Schiavo (P)	X	6
	Old City Civic Association	Rob Kettell (A)	X	-
7	Old Swedes Court Homeowners Assoc.	Honey Pertnoy (P)	X	7
	Old Swedes Court Homeowners Assoc.	Bob Clark (A)	X	-
8	Olde Richmond Homeowners Association	Phil Stolfus (P)		
	Olde Richmond Homeowners Association	Travis Hanmer (A)		
9	Pennsport Civic Association	Tom Otto (P)		
	Pennsport Civic Association	Jim Moylan		
10	Penn Future	----- (P)		
	Penn Future	Christine Knapp (A)		
11	Pennsylvania Environmental Council	Patrick Starr (P)		

	Pennsylvania Environmental Council	Chuck Knolls (A)		
1 2	Pennsylvania Horticultural Society	Jennifer Mahar (P)	X	8
	Pennsylvania Horticultural Society	Tammy DeMent (A)		
1 3	Port Richmond on Patrol & Civic Assoc.	Laura Lanza (P)	X	9
	Port Richmond on Patrol & Civic Assoc.	Jeremy LeCompte (A)		
1 4	Queen Village Neighbors Association	Richard Wolk (P)	X	10
	Queen Village Neighbors Association	Jeff Hornstein (A)	X	-
1 5	River's Edge Community Association	John Scorsone (P)	X	
	River's Edge Community Association	Rich Stange (A)		
1 6	Society Hill Civic Association	Steven Weixler (P)		
	Society Hill Civic Association	Laura Saltzom (A)	X	<u>11</u>
1 7	Society Hill Towers Homeowners Assoc.	Marsha Bacal (P)		
	Society Hill Towers Homeowners Assoc.	Jim Moss (A)	X	12
1 8	South St. Head House Business District	Krystal Souvanlasy(P)	X	<u>13</u>
	South St. Head House Business District	Joette Adams		
1 9	Whitman Council	Rich Lazar (P)		
	Whitman Council	Mark Kapzcynski (A)		

(* 9 voting Board members required for a meeting quorum)

Friends and Guests of CDAG Present:

Eva Gladstein, Chair, ZCC
Kelly Thon, ZCC

Sara Thorpe, RWC
Natalie Sheih, DRWC

Patrick Gates, PlanPhilly
Bridget Keegan, PennPraxis