

CDAG Board Meeting Minutes – 2012

Central Delaware Advocacy Group (CDAG) – May 10, 2012
Edward O. Malley Center 6:00 PM– Recorded Attendance Attached

I. Approval of the Minutes

Minutes of CDAG Board meeting of April 12th, approved

II. Chairman's Report – Matt Ruben

We had hoped that for this meeting we would have gotten a copy of the traffic study for the Central Delaware River from DRWC. Apparently, it's not officially finished. We are trying to see what information we can get from them, now, even if it's not done. We need to look at it internally and then give it to Richard, who knows a professional, in the area, who could review the data and give us his opinion. Sarah always calls me back right away so I am guessing that she is away. I wanted you to know that and therefore we can't have a discussion or comments until we get an update.

Legislatively there is nothing new to report. Many of you have read or have heard about Kelly Gates article on PlanPhilly today. It's about a very large development over 6 to 10 blocks from North Delaware Avenue and Northern Liberties to Fishtown. Michael Samshick, the developer, is moving forward with an extremely large proposal of over 1.5 million square feet composed of mixed use, commercial, entertainment, and residential. He has retained a planning firm Interface Studio to do a quick master plan for that area. He has been in dialog with Tom Corcoran, DRWC. He has been in informal dialog with a couple of people from Fishtown and Northern Liberties and we are not sure exactly what it is going to be.

Some of you may be familiar with the residential rehab condo project that used to be called Water View Grande and is now called Penn Treaty Village Penthouses. These are on the west side of Delaware Ave. at Fairmont and Brown. They were old industrial buildings just past Spring Garden Ave. There are two of them with a high foot bridge. One of them is done and the other is being worked on. This is the southern tip of this development and will extend as far north to across the street from Sugar House and perhaps a little further. The only indications we have so far is that a good bit of it is envisioned as rehabbing instead of knocking everything down. As far as we know there is no proposal for what we would call high rise. So much of it is the re-using of industrial buildings. He has been in discussions with Tom Corcoran about the trail and the goals of the Master Plan. He seems to be cognizant of that. He has done a few projects in Northern Liberties. He is very cagey about details, has a lot of balls in the air and wants to do it all at once. There also has been informal dialog with Alan Greenberger, the head of the Planning Commission. The property that is already open was

approved for 192 units with one to one off street parking. Keeping in mind that the rear of these units will back up to I-95 I think he plans parking to be under I-95. Intended development goes to Frankford Ave and maybe a little beyond. His plans should be revealed by this summer and we need to keep our eye on this. Entertainment uses may contain alcohol and food and be for family uses. No adult entertainment.

III. Committee Reports

1. Treasurer's Report - Rene Goodwin

It has been an odyssey to get the signature changes to be made at TD Bank; however, I am delighted to announce we have finally accomplished our goal. I will be picking up the counter statement from the bank this week and will be able to write and send out checks as fast as possible. Interestingly the gentleman at the bank asked about CDAG and I gave him the web site He asked me if I knew about the Mission Program of TD Bank. It's a little complicated but here's how it works: If friends of CDAG have depositors in the bank each household that wishes to support CDAG can fill out a form and once you get 50 households in any year filling out that form CDAG will get at least \$500. You may get more. The amount comes from the bank not from the depositors' accounts but it's based on a miniscule percentage of what they have in their accounts. Rene will mail the Board all the information needed so that we know how to go forward. There are still questions that need to be asked. We will check with other banks to see if they have a similar program.

To date we have \$3412.38 in the bank, however, this is before I three invoice payments are made totaling about \$860. This was the statement for March. The April statement will be the last one going to Dave Hammond's house. The May statement that goes out the first week of June will go to the post office box.

2. Secretary's Report - Richard Wolk

We talked about reading the minutes. You should read the minutes, especially those who are reporting, because it does make the minutes more accurate. This is important because we then put the minutes on the CDAG web site. I try to get it out early so that corrections can be made. Our reporting, conversation, questions and answers make up our report for public consumption and represent our body of work.

3. Communications/Outreach- Dianne Mayer

We had a very successful table event at the Shad Festival. Mary, a friend and I worked the table. I had 50 booklets and it's clear we need to do more outreach because some of the people didn't have a clue as to what CDAG does. Something that would help me greatly would be to have a power point presentation available. However, I would a projector. Some groups have a

projector but most don't. I would like the board to consider buying a projector. Top of the line is about \$1200 and the low end is about \$700 dollars. It was suggested that the Outreach committee should put together a proposal for buying or renting and email to Matt. In the meantime the committee would like to do a presentation for Dickenson Narrows. Fishtown has also requested a presentation. Dianne has two pages of emails names that need to be added to update our mailing list.

Marsha Bacal commented that she has been to all the Shad Fests since CDAG has been in existence and from nobody knowing who we are today there are so many people aware of what we are doing this is due to our outreach efforts.

Kelly has being so nice in allowing us to post our future membership meetings on PlanPhilly We will post the dates and locations of our future meetings. Lastly Dianne handed out 20 copies of our new brochure to each member for distribution to their civic association. The Chair thanked Dianne, Joe and Rene for their work from the brochure's inception to this latest version.

IV. Discussion Current Overlay Draft- Joe Schiavo, Matt Ruben

You will recall at our last meeting we circulated two sheets with highlights in red of additions that we felt were needed to build a better Overlay Draft. Then at the Board meeting of April 12th we prepared a blue line version of the Overlay that they had dated March 20th. We prepared this and met with Eva Gladstein and other members of the Planning Commission to discuss the blue line version. That meeting was on April 23rd. There were about seven Board members there. Councilman Squilla also participated in that meeting. We went through each page and each point of every blue line edit. To date we don't know where we stand, as to these points, because they haven't responded to us with a document we can compare to our edits.

I contacted Eva Gladstein last week and asked if there was going to be an edited version of the document that they could share with us prior to this Board meeting. She did respond that as soon as it was done they were going to share with us but it was not yet finished and it wasn't going to be blue lined. If so, we would then have to look at it word for word to identify what changes were made. But, more importantly, given the schedule this is on I am concerned that we may not have a second shot at this. That is, they might be showing us this but I'm not sure they are showing us this with the intention for our input. I don't know when they intend to get this to Council. Add to that the public advertising that is required for this sort of legislation which must be done so that it can be passed by Council to go into effect on August 22nd. The same time the new Zoning will go into effect. This is why I am now concerned as to whether or not we will get another shot at this.

Matt: It's my understanding that In order for the legislation to pass by June 21st the legislation has to be introduced to the Council by May 17th.

We have continued to push for a clause in the Overlay prohibiting non-accessory sign legislation. That still seems to us to be very important. We are not sure we have that commitment. Traction we got that day is that they showed us a map where non-accessory signs would be allowed, or at least a preliminary map they made, and of where some these places were and they were relatively few. But the places where they would be allowed did include distance restrictions from other existing signs. So some of the little areas that were colored in where they would be allowed were solid but in reality there were already some there. It seemed to me their response was not to do a blank prohibition because they think only a few new ones would be allowed. The areas they would be in are far north and far south. There were some parcels that qualified but they are city owned and the city has no history on their land for that sort of use. In conclusion I feel we are a little bit in the dark. We had a good meeting. I just feel in the dark until they release the next edited version of the document.

One thing about signage is how high the signs will be and of course based on the roadway. If the permitted area is more than 25 feet away from the roadway then that roadway doesn't count. So any area where non-accessory signage is permitted which is more than 25 feet east of I-95 the height reference point is ground level, Delaware Avenue, not I-95 which would make it less attractive for anyone who would want to put a sign there. The main billboard motivation is I-95.

On another level there is reason for prohibition of non-accessory signs because not all non-accessory signs are billboards. A lot of them are store window level as an example. We need to keep pushing for a prohibition of non-accessory signs.

Two other major issues are in the Draft. One being the river view connector streets. The original draft said, basically, where river streets hit Columbus Ave. /Delaware Ave. you cannot build a structure that would block that street from going through. Now the new draft doesn't say that it says where ever there is a river connector street if you are going to build you have to leave a 12 foot wide space to the river. Imagine 100 feet, then 100 feet, then 12 feet in the middle. We said this would destroy the entire idea of the Master Plan. They had two concerns. One concern they articulated, was Germantown Avenue at the Delaware Ave. would cut through at an extreme angle. The question was if you had to continue that street you would have to continue at an extreme angle across to the river and will cut through a whole huge sloth of land. We said we don't necessarily need the street to continue on its exact path. The point is we must have a view corridor and a walkway to the river that should be the same width as the street right away. They and the Councilman seemed very acceptable to that idea.

The second concern is they said they will absolutely write that in but I'm not sure how that change is going to fare when it goes to the Development Workshop and

to others. They expressed high responsibility for making the width proper to the River. They expressed some hesitation whether or not that language that they are going to put in will actually end up in the draft. We won't know until the next draft comes out.

The other concern is exceptions to the 100 foot rule. I want to make it clear it's not allowed everywhere on the Delaware. What the Overlay says is that if under base zoning it doesn't restrict the height then the height limit is 100 feet. So if there is a parcel in the Central Delaware and it is zoned residential then the height limit is 38 feet. If it's zoned C2 then the height limit is 38 feet. But if it is zoned CMX4 and not governed by a height limit the Overlay says even if there is no height limit there is a height limit of 100 feet. However the first Draft said you can go above 100 feet in the following circumstances or series of criteria: next to a park or public space it has to be on the north side, it would require a variance. Now they went and changed that and said that the Planning Commission can give a waiver from 100 feet based on the following criteria: it's for the good of the city, and the specific condition of the site. We felt that was too vague. We felt they could keep their format but add some more specific language. This also triggered a discussion of the Planning Commission's right to grant waivers. The Planning commission says their law department has assured them that they have the right to grant waivers. Previously only the ZBA could grant variances but in the new code the Planning Commission will have the right to grant waivers. With that waiver the applicant does not have to go to the ZBA for a variance. This is only where someone wants to go over 100 feet. For any other height exception, even where the Planning Commission supports it you still need to go to the ZBA for a variance.

V. Review of Sign Ordinance- Joe Schiavo

Some of our Board members participated in the Cross Town Coalition Group and have taken a strong lead on signage regulations. A few days before CDAG had their meeting with the Planning commission the Coalition had a meeting with them also to discuss signage controls. There were many comments on those controls sent with our recommendations. In the Cross Town Coalition's letter to PCPC they asked that there would be an Overlay for the Central Delaware prohibiting non-accessory signs. They raised ten points. A lot of changes from the first draft have now been made. For instance window signage has been a big issue for those attending the workshops. They wanted window signs controlled so that stores couldn't just plaster their windows with signage. The simple solution was that window signs would become part of the calculation of the total signs permitted at a specific location. If you were permitted, as an example, 100 sq. ft. of signage by the linear measurement of your frontage then whatever signage you put in the windows would be included in that calculation. At the start of the process it was detailed as such. In the most recent draft it is not. Window signs are a given. It was suggested that when a project comes before the ZBA they have to show outside and inside site plans of whatever work was to be

done. Signage in the windows that prevents you from seeing in is a security problem. Every single applicant before the ZBA is told to remove those signs from the windows. However the ZBA only sees cases where there is a variance involved. However the new code has a regulation in it that there can be no more than 20% of the window covered with signage. But now that area of window covered by 20% is not included in the total calculation.

Matt: Here's the challenge. Rob has done incredible work with the Coalition and the amount of data is great and overwhelming. I would love for Joe and Rob and anyone else who is interested to review the Cross Town Coalition's information sent to the Planning Commission and come up with a one page summary to see if CDAG wants to send a similar letter to the Planning Commission. One tailored to the Central Delaware. I know personally I can't digest all that information unless it is given to me boiled down and with an action item.

Joe: what I can share with you and I have discussed this with Steve Huntington who takes the lead in the Coalition, is the letter sent by the Coalition to the Planning Commission, a cover letter, only two pages with 10 bullet points. An appendix A: blue lining entire signage regulations incorporating all of our recommendations. Now, that is 70 pages. But it's pretty easy if you are only looking for the blue. Then an appendix B: recommended regulations for public property and public areas. A lot of people do not understand that all the signage regulations incorporated in Philadelphia only control signage on private property. Nothing to do with street signs, city owned property, whether its mobile owned city property, like buses, or parks, or City Hall itself. None of the regulations that apply to all of us apply to the city, state or federal property.

Matt: Are any of the 10 bullet points addressing the private and also the public properties? Joe: They are entirely private except that we recommend regulations for public areas. So it sounds like we should review the Coalition's letter and the 2 ½ pages of recommendations and then decide if we want Joe and Rob to send out a CDAG version of that or not.

Matt: I mentioned it earlier, but are there any comments on the traffic study? As soon as we get the information I will forward it on to the Board and Richard will send it to his source for review so that we can form a position on it.

VI. Old Business

Could you give us a date you anticipate Council getting the Zoning bill? May 17th is the last day any legislation can be introduced and still have time for the process to have the bill passed by the 21st which is the last day of this council's session, unless they go into special session. August 22nd is when the new Zoning Code goes into effect. They may do it for the tax issue but probably not for anything else.

VII. New Business

Matt: I have heard that after the new Zoning Code goes into effect they still need to do remapping. Some of the communities that include portions of the Central Delaware are part of the earlier remapping. Center city and the extended city area from Northern Liberties to Queen Village at Washington Avenue will be in the first round that is supposed to happen this year and be passed by council. More recently I am hearing the Commission wants to do the remapping of the Central Delaware immediately. The area bounded by I-95 and the water from Allegany to Oregon. Remapping, so that it goes into effect by August 22nd at the same time as the Overlay. I have not heard this as a definite but it seems that they may want to move on this quickly. My response has been they cannot short circuit this without public input. They would review all the base zoning and see if it fits in with the new code. From our point of view as soon as you get the mapping done on the waterfront the better. This would be a good thing if done properly. Legally speaking it wouldn't become law until September because the Council would still have to approve it. Site work confirming usage of properties has been observed going on in the neighborhoods. These rumors may reflect the intensity going on by the city for waterfront development. The 1.5 million sq. ft. development may be what is pushing the Planning Commission. Some of the properties in the far north and in the far south are where most of the changes are likely to be made.

This is why Pennsport is so concerned because they have a whole bunch of properties that are available for development. My advice to them would be to have Jim Moylan write a letter to Alan Greenberger, of the Planning Commission or phoning the office to say he would like to chat with you.

Other new business. There was a project back in the days to build a high rise called Marina View Tower. It's in Old City just north of Ben Franklin Bridge on the Westside of Delaware Avenue and Summer St. That project has now risen and is now proposed to be a mid-rise rather than a high rise. I spoke to Alan Greenberger and he said it is basically over 100' about 123' He said the stone pier of the bridge is 130' and this is just below that. 11 stories, a rental building, proposed as a giant L covering Delaware Ave to vine St. with parking behind the L. One problem because of site conditions the ground level of the building is about 4-5' above where the sidewalk is and they are proposing a giant retaining wall or a grass berm. The architecture is not ready yet but it is something the communities will hear about. I told him that CDAG would also be interested in it. Old City met with them this past Tuesday. This is a project that doesn't require a variance. They will be meeting with River's Edge and as part of the plan of development process of the Central Delaware Overlay. 1468 provides plan of development process. Laura Spina, area city planner, sat in to the meeting of the Old City Civic Association with the developer because that is what is required. The architecture is uninspired with all internal parking. There is a reason for that 5' retaining wall. It is in the flood plain and the city's zoning code requires that the

building be built up to that point. It doesn't need a variance for being over 100' because the base zoning and the Overlay is not in effect yet. They are making application under the current code and it's a C4 parcel that is therefore allowed to exceed the height requirement. There is no height regulation under C4. Summer St. is the southern edge and Vine St. the northern edge Number of units is 130. It's a little denser than what the Master Plan is proposing but it is within present zoning. Old City's concern is going to be from a pedestrian prospective. CDAG can concur with Old City. Joe would send us a digital file of the project and a letter that they sent PCPC for us to review.

Patrick had a meeting with his staff and DRWC about this project and in the potential linkage with the trail. He said the developer was prepared to help create the access that would go along the southern side of the bridge to 5th St. the proposed existing trail is not safe for anyone and if this didn't come up in your meeting you should ask about it. It is an amenity. We actually put a proposal in with Coopers Partners Group to look at the various connections to the Ben Franklin Bridge to be more affective with the river front. Joe: the conversation did not come up about that trail but did come up about the pedestrian trail. Folks that live at River's Edge do walk along the west edge of this parcel on the way to Second St. to get into the heart of Old City and in doing so they are actually crossing a ramp that accesses I-95. After they cross that ramp they are actually going past an edge that is intended as a service road only. So they were discussing that with the property owner who is listening but not responding. So if we are going to do a letter we should emphasis that as well.

Meeting called for adjournment at 7:40 PM

**Next regularly scheduled CDAG Board meeting is scheduled for
June 14, 2012
NLNA, Northern Liberties, 8:00 AM**

CDAG Board Meeting Attendance Record - May 10, 2012

	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) Jane Wykell		
	Dickinson Narrows Civic Assoc.	Alan Sabel (A)		

			X	1
2	Fishtown Neighbors Assoc.	Micah Hanson (P) HHHHHHHHhHanson nHanson (P)	X	
	Fishtown Neighbors Assoc.	Matt Karp (A)		
N / V	Franklin Bridge N. Neighbors	(P)	N/V	N/V
3	Neighbors Allied for the Best Riverfront	Mary Stumpf (P)	X	2
	Neighbors Allied for the Best Riverfront	Dianne Mayer (A)	X	
4	New Kensington Development Corp.	Sandy Saltzman (P)		
	New Kensington Development Corp.	Carla Castillo (A)		-
5	Northern Liberties Neighbors Assoc	Matt Ruben (P)	X	3
	Northern Liberties Neighbors Assoc	Ira Upin		
6	Old City Civic Association	Joe Schiavo (P)	X	4
	Old City Civic Association	Rob Kettell (A)	X	5
7	Old Swedes Court Homeowners Assoc.	Honey Pertnoy (A)		
	Old Swedes Court Homeowners Assoc.	Kathy Rush (P)	X	6
8	Olde Richmond Homeowners Association	Phil Stolfus (P)	X	7
	Olde Richmond Homeowners Association	Travis Hanmer (A)		
9	Pennsport Civic Association	Tom Otto (P)	X	8
	Pennsport Civic Association	Jim Moylan		
1 0	Penn Future	(P)		
	Penn Future	Christine Knapp (A)		
1 1	Pennsylvania Environmental Council	Patrick Starr (P)	X	9
	Pennsylvania Environmental Council	Chuck Knolls (A)		
1 2	Pennsylvania Horticultural Society	Jennifer Mahar (P)		10
	Pennsylvania Horticultural Society	Tammy DeMent (A)		

1 3	Port Richmond on Patrol & Civic Assoc.	Laura Lanza (P)		
	Port Richmond on Patrol & Civic Assoc.	Jeremy LaCompte (A)		
1 4	Queen Village Neighbors Association	Richard Wolk (P)	X	11 11
	Queen Village Neighbors Association	Jeff Hornstein (A)		-
1 5	River's Edge Community Association	John Scorsone (P)		
	River's Edge Community Association	Rich Stange (A)		
1 6	Society Hill Civic Association	Steven Weixler (P)	X	12
	Society Hill Civic Association	Laura Saltzom (A)		-
1 7	Society Hill Towers Homeowners Assoc.	Marsha Bacal (P)	X	13
	Society Hill Towers Homeowners Assoc.	Jim Moss (A)	X	
1 8	South St. Head House Business District	Krystal Souvanlasy(P)	X	14
	South St. Head House Business District	Joette Adams		
1 9	Whitman Council	Rich Lazar (P)		
	Whitman Council	Mark Kapzcynski (A)		

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

Total: 14 Voting

Friends and Guests of CDAG:

Rene Goodwin, Treasurer
 Kelly Patrick Gates, PlanPhilly
 Jeff Rush, Old Swedes Ct.

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