



CDAG Plan of Development review summary

The below briefing document summarizes the changes recommended in the attached mark-up of the Plan of Development (POD) review guidelines by Society Hill Civic Association, and reflects the staff review of PennPraxis in its role as technical assistance provider to CDAG. The mark-up and the below summary represent the collaborative efforts of SHCA, PennPraxis and CDAG board in an effort to ensure the recommendations of the Civic Vision, planning best practices, and transparency are applied to the guidelines.

Key Messages and Recommendations:

1.) **Process:** The review process needs definition and transparency. The current guidelines draft does not provide sufficient notice of review and enough time for community review.

Recommendations:

- Notice of the scheduling of the review should be posted online at PCPC's website 30 days prior to Commission hearing.
- POD submission from developer should be in electronic format, and available online 30 days prior to Commission meeting.
- PCPC staff review should also be available online 3 days prior to meeting.
- Process should prohibit application changes after submission without restarting review process (would disallow alterations too close to hearing date).
- Empower the commission to administer oaths, subpoenas, testimony and cross-examination: using language from the Municipal Planning Code (MPC)
- Council should consider amending the overlay to require the Planning Commission to review POD's rather than allowing plans which haven't been reviewed in 75 days to be granted automatic approval.
- Appeals process should be clarified

2.) **Standards:** The Overlay requires the regulations to include objective standards for:

- "Design standards" to help guide the PCPC's discretion in determining whether the project is "appropriate in terms of scale, density, character and use for the surrounding community."
- Objective standards to help guide the PCPC's discretion in determining whether the waterfront setback is infeasible.



Recommendation: Because the city lacks a current master plan or a city-wide comprehensive plan, the *Civic Vision for the Central Delaware* and *Action Plan for the Central Delaware* should guide development of these standards.

3.) **Standing:** The guidelines are vague in defining standing for who may participate as parties in the consideration of the plan of development at the public hearing.

Recommendation: Because CDAG is vested party (a ‘partner’ in the words of the city and the DRWC, and specifically mentioned in the overlay) in the development of the waterfront, CDAG should advocate for citizens to have standing as parties in POD reviews. Revisions recommend using language from the Municipalities Planning Code (the “MPC), which includes standing for “any person affected” and “civic or community groups.” Also, should include other groups, such as non-profits focused on historic preservation, environmental and anti-blight, etc.

4.) **Submission requirements:** should be more detailed so that the scope of review is further defined and the submission is more easily understood by non-planners.

Related Recommendations:

Provide clarity in the POD application documents:

- Applicant to include a site plan of existing conditions
- Applicant to include a demonstration of compliance with waterfront setback, trail, public access and continuous sidewalk on Columbus Boulevard.
- Applicant to include a demonstration of compliance with whether project is “appropriate in terms of scale, density, character and use for the surrounding community,” which is the relevant language in the Overlay.
- Applicant to include a demonstration of feasibility with waterfront setback (the Overlay says that all projects need to comply with the waterfront setback “except where not feasible, as determined by the Commission” “pursuant to regulations adopted by regulation.”)

Provide additional information:

- Phase I archaeological investigation (a Phase I is a non-invasive desktop review)
- Phase I environmental site assessment (again, this is non-invasive)
- A plan for managing any historic and cultural resources encountered during construction
- A certification that landowner is current on taxes or has a payment plan with the City (i.e., the pending bill sponsored by Councilman Rizzo)
- Payment of an application fee