

## **Tentative Agenda**

Tuesday, April 21, 2009 at 1:00 p.m.

1. Approval of the Minutes of the March 17, 2009 meeting.
2. Executive Director's Update.
3. Amendment of Regulations to Delegate Discretionary Authority to the Executive Director for Legislative Testimony and Other Actions in Accord with Previous Approvals or Policies.
4. Presentation of the Central Delaware Riverfront "Vision Plan" (Harris Steinberg, University of Pennsylvania).
5. Central Delaware Riverfront Zoning Bills:
  - a. Zoning Bill 090170: Central Delaware Riverfront Zoning Overlay (Introduced by Councilmember DiCicco on March 5, 2009; Presented by Alan Greenberger).
  - b. Zoning Bill 090169: Zoning remapping for the Old City/Northern Liberties/Fishtown section of the Central Delaware Riverfront (Introduced by Councilmember DiCicco on March 5, 2009; Presented by Paula Brumbelow).
6. Zoning Bill 090295: Amending the Philadelphia Zoning Maps by changing the zoning designations of the area bounded by 8<sup>th</sup>, 9<sup>th</sup>, Market, and Filbert Streets from C5 to CED; and the area bounded by 10<sup>th</sup>, 11<sup>th</sup>, Market, and Filbert Streets from CED to C5 (Introduced by Councilmember DiCicco on April 16, 2009; Presented by Martin Gregorski).
7. Zoning Bill 090294: Amending the Philadelphia Zoning Code by modifying the procedure for approving Plans of Development in Commercial Entertainment Districts, and modifying off-street loading requirements in the Market East District (Introduced by Councilmember DiCicco on April 16, 2009; Presented by Martin Gregorski).
8. Zoning Bill 090296: Re-enacting expired Bill 080253-A (approved May 14, 2008) amending the Philadelphia Zoning Maps by changing the zoning designation of the area generally bounded by Front, Lombard, Second, and Pine Streets from C2 to C4 (Introduced by Councilmember DiCicco on April 16, 2009; Presented by Martin Gregorski).
9. Zoning Bill 090246: Amending the Philadelphia Zoning Maps by changing the zoning of a parcel bounded by Orthodox Street, Large Street, and Adams Avenue from G2 General Industrial to C2 Commercial (Introduced by Councilmember Sanchez on March 26, 2009; Presented by Martin Gregorski).
10. Zoning Bill 090191: Amending the Zoning Code to prohibit the transfer of ZBA special approvals on subdivided lots (Introduced by Councilmember O'Neill on March 12, 2009; Presented by Martin Gregorski).

11. Zoning Bill 090265: Amending the Zoning Code to simplify the procedure for making revisions to Neighborhood Conservation Areas (Introduced by Councilmember DiCicco on April 2, 2009; Presented by Martin Gregorski).
12. Zoning Bill 090190: Amending the Zoning Code by adding a new subsection providing for bicycle parking (Introduced by Councilmembers Reynolds Brown, Kenney, and Jones on March 12, 2009; Presented by Martin Gregorski).
13. Property Bill 090263: Transferring ownership of the PA State Police Barracks at Belmont Avenue and Monument Road from the City of Philadelphia to the Commonwealth of Pennsylvania (Introduced by Councilmember Jones on 4/2/09; Presented by Michelle Webb).

# CITY PLANNING COMMISSION FACT SHEET

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## CATEGORY

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| <input type="checkbox"/> Zoning Code Amendment | <input type="checkbox"/> Zoning Board Case | <input type="checkbox"/> Street Bill   | <input checked="" type="checkbox"/> Administrative Policy |

## SUMMARY

**Administrative Action:** Amendment of regulations delegating authority to the Executive Director to act on behalf of the Commission for certain items in accord with previous policy.

### **Purpose:**

In November 2008, the Commission adopted regulations authorizing the Executive Director to make recommendations on certain types of bills before City Council, and to approve other actions in accord with previous Commission policy. These actions include the approval of minor changes to IDD plans and Preliminary Plats, to approve Final Plats when no changes are being made from the Preliminary Plat, and to make recommendations on Zoning Board of Adjustment cases.

The amended regulations would authorize the Executive Director to grant an extension of up to one year to comply with conditions imposed by the Commission, or in the case of a City Council ordinance requiring City Planning Commission approval, to extend the term in order to avoid the sunset provisions of an ordinance.

### **Additional Information:**

Since January 2008, the Commission has approved several "Plans of Development" in connection with legislated zoning changes. With the downturn in the national economy and its impact on development financing, a number of projects have not proceeded to construction within the one-year "sunset" period established by City Council. The City Planning Commission is authorized by City Council to approve a one-year extension to the sunset period if sufficient progress is being made toward construction. Amending these regulations would extend this authority to the Executive Director without requiring a formal action of the Commission.

### **Recommendation:**

Approval.

**CITY OF PHILADELPHIA  
CITY PLANNING COMMISSION**

**Amended and Restated Regulations Regarding Delegation Of  
Certain Commission Powers To The Executive Director And Regarding  
Encroachment Ordinances That Affect The City's Physical Development Plan**

**Adopted April 21, 2009**

**Section 1. Definitions**

*Commission:* The Philadelphia City Planning Commission.

*Executive Director:* The Executive Director of the Commission, or his or her designee.

**Section 2. Delegations With Respect to Recommendations Provided to City Council On Bills.**

A. The Executive Director is hereby authorized to provide, on behalf of the Commission, recommendations to City Council regarding the following types of legislation, in order to fulfill the Commission's duties pursuant to Sections 2-307, 4-603 and 4-604 of the Home Rule Charter:

1. Bills authorizing encroachments into the right-of-way that affect the City's Physical Development Plan;

2. Bills with respect to which the Commission, during the term or terms of the Mayor then in office and within the previous three years, has provided an approval or made a recommendation which encompasses the substance of the bill, as determined by the Executive Director.

3. The types of bills to which the rule set forth in subsection 2 may apply include:

- a. Bills affecting plans of streets, where the Commission has previously provided an approval or made a recommendation encompassing the substance of the change in the plan of streets;
- b. Bills to authorize an activity contemplated in a finally approved Plat;
- c. Bills extending the time for conditions to be met in order to make a bill effective, when the Commission had previously

provided an approval or made a recommendation in favor of the original bill;

- d. Bills authorizing the sale or purchase of real property that is the result of, or is necessary to carry out, other activities for which the Commission has previously provided an approval or made a recommendation; and
- e. Zoning bills, including map change bills, the regulation of uses, approvals pertaining to specialized districts, and zoning rule changes, that are substantially similar in content to a bill or other plan for which the Commission has previously provided an approval or made a recommendation.

B. The Executive Director shall regularly provide the Commission with itemized lists of bills:

- 1. with respect to which the Executive Director intends to provide a recommendation to City Council pursuant to the authority set forth in this section; and
- 2. with respect to which the Executive Director has most recently provided a recommendation to City Council pursuant to the authority set forth in this section.

### **Section 3. Other Delegations.**

A. The Executive Director is hereby authorized, on behalf of the Commission, to:

- 1. Approve amendments to the plans of Institutional Development Districts (IDDs) that add less than 1,500 sq. ft. of gross floor area, provided that in any such instance all of the parking and area requirements of the IDD are met;
- 2. Approve a reduction in the number of lots and minor changes in layout for approved Preliminary Plats. The location or width of a street shall not be considered a minor change;
- 3. Approve Final Plats that contain no changes from approved Preliminary Plats; and
- 4. Review and make recommendations on all cases heard before the Zoning Board of Adjustment. Notwithstanding this authorization, the Chair of the

Commission may require review and recommendation by the full Commission in any particular case.

5. Grant an extension of up to one (1) year to comply with conditions imposed by the City Planning Commission or in the case of a City Council ordinance when City Planning Commission approval is required to extend the term in order to avoid the sunset provisions of an ordinance.

**Section 4. Guidance Regarding Delegations.**

In making recommendations pursuant to the delegations set out in this Regulation, the Executive Director shall use his or her discretion, based on review of the subject bill or matter and prior general consultation with the Commission, to determine whether the bill or matter is sufficiently similar to a past approval or recommendation, or of sufficiently minimal impact, as to make the Commission's further review unnecessary. Any approval or recommendation made pursuant to this Regulation shall expressly so note in the approval or recommendation itself

**Section 5. Encroachment Ordinances That Affect The City's Physical Development Plan**

A. Ordinances that approve the imposition of the following types of obstacles or obstructions in the right of way are deemed to affect the Physical Development Plan of the City, for purposes of the requirement of Commission review under Section 2-307 of the Home Rule Charter: Significant obstacles or obstructions including pedestrian bridges, newsstands, semi-permanent kiosks, sidewalk cafes, marquees, ground level building additions, retaining and other walls and fences, statues and utility vaults.

B. Ordinances that approve the imposition of the following types of obstacles or obstructions in the right of way are deemed not to affect the Physical Development Plan of the City, for purposes of the requirement of Commission review under Section 2-307 of the Home Rule Charter: awnings, balconies, bay windows, planters, benches and underground conduit.

## CATEGORY

Zoning Change

Zoning Code Amendment

Final Plat

Zoning Board Case

Property Bill

Street Bill

Redevelopment Authority

Informational

### **Item:**

**Bill No. 090170** – Amending Title 14 of the Philadelphia Code entitled, “Zoning and Planning” by adding a new Section 14-1636 entitled, “Central Delaware Riverfront Overlay District” and by amending Section 14-102, under certain terms and conditions. (Introduced by Councilmember DiCicco on March 5, 2009).

### **Location:**

The properties located in the area bounded by the south curblineline of Allegheny Avenue on the north, the Delaware River on the east, the north curblineline of Oregon Avenue on the south and the east curblineline of Interstate 95 on the west.

### **Purpose:**

This Bill creates the Central Delaware Riverfront Overlay District in the area described in an effort to act a stop gap measure to support the goals of the Penn-Praxis Vision Plan, until an overall are plan can be created, and the tenants of it, adopted.

This presentation will incorporate the amendments that are to be made to the Bill, which have come from comments and concerns from many stakeholders.

Regarding the change in the definitions of the Code, only one change is proposed. **Auto-share spaces** are now defined as:

*Auto-share space. A parking space reserved for vehicles owned by an organization that provides public access to a fleet of automobiles on an hourly basis, or in smaller intervals, and maintains said automobiles, which must be located at unstaffed, self-service locations (other than any incidental garage valet service) and generally available for pick-up by members 24 hours per day.*

The legislative findings have been re-worked in an effort to better serve as guiding principles for the entire Bill and to incorporate language that links this Bill to the Penn-Praxis Vision Plan.

This Bill then lists a number of **uses prohibited** within the area of this District including: Non-accessory signs, Private bus terminals, Regulated Uses, Buildings or structures with GFA in excess of 40,000 sq.ft. with a single retail store as a principal use, newly constructed parking garages as a main use (are permitted on west side of Delaware Avenue with PCPC approval), Parking lots as a main use, and Self-storage facilities.

**Active Use Requirements** are provided for. Buildings in commercially zoned districts with street frontage on either Delaware Avenue or Christopher Columbus Boulevard shall include such uses. Active Uses are considered any of the following: Retail sales areas and restaurants, Office/Hotel and Theater lobbies, Libraries, Museums, galleries and exhibition space, Places of worship, and Enclosed public space, gardens, rooms, through block connections and Entrances to public transit stations and/or public transit concourses.

Significantly, the Bill also contains provisions for a **Waterfront Setback**. In commercially zoned districts, and unencumbered setback shall be provided from the bulkhead line. The setback shall be 100 feet or 10 percent of the total lot area, whichever is less, except where the City Planning Commission determines that exigent circumstances exist, in which case the City Planning Commission shall determine the contours and dimensions of this setback.

Additionally, the City shall accept in writing the obligation for ongoing maintenance and security and for liability attendant to the use of the riverfront access by the public.

There are also provisions for **Waterfront Access**. Open air access points to the riverfront shall be provided at a width of 12 feet on piers and 25 feet at all other locations. The City Planning Commission may except properties where this situation is not feasible. These access points may be shared by two or more adjacent property owners, and if a property abuts a city street which provides direct access to the river, including a pedestrian walkway, that property may be exempted from this requirement.

The overlay then gives new **Front yard** requirements for properties which front on Delaware Avenue and Christopher Columbus Boulevard. No properties shall have a front setback greater than 25 feet, including the sidewalk, unless said front yards are landscaped or accessible to the public. Additionally, 75 percent of the building line shall be occupied by the façade of the main building.

All **open-air accessory parking lots** must comply with the landscaping provisions as if they were in a commercially zoned district, regardless of the actual district that the lots are in. This would put landscaping regulations on the many industrially zoned properties that exist in this area.

**Auto-share** provisions are also included. One auto-share space may replace 4 required parking spaces. However, in no case may the number of required parking spaces be reduced by more than 40 percent.

As a major point for design advocates, all properties east of Columbus Boulevard/Delaware Avenue and all commercially zoned properties must have a **Plan of Development (POD)** approval before any zoning permits are granted.

Such a POD shall be approved by the City Planning Commission only if the Commission has determined that the POD provides for development that is appropriate in scale, density, character and use for the surrounding community and is consistent with any applicable plans.

The City Planning Commission must approve, disapprove, conditionally approve, or table the POD proposal within 60 days of submission of complete plans. After 60 days, approval shall be presumed.

The Ordinance also mandates that within 180 days of the effective date of this Ordinance, the City Planning Commission shall adopt regulations providing for objective standards for such design review necessary for implementing these provisions.

Lastly, the **provisions of this Section shall expire** upon Council's enactment of an ordinance approving the Master Plan for the Central Delaware River that includes the boundaries of this District.

**Recommendation:**  
**Approval**



# PLANNING COMMISSION FACT SHEET

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## CATEGORY

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## SUMMARY

**Bill 090169 –Amends** the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Berks Street, Delaware River, Market Street and Interstate 95. (Introduced by Councilman DiCicco on March 5, 2009).

### **Location:**

The area bounded by Berks Street, Delaware River, Market Street and Interstate 95 and falls in the Old City, Northern Liberties and Fishtown neighborhoods in Planning Analyses Sections A and E.

### **Purpose:**

The purpose of this Bill is to remap a large section of land along the Delaware Riverfront in order to update the zoning designations of properties to match their current uses or to guide future development in the area.

### **Existing Zoning:**

Various residential, commercial and industrial designations

### **Proposed Zoning:**

Various residential, commercial, and industrial designations that are compatible with current land use and more restrictive classifications for vacant land.

### **Additional Information:**

This remapping was done in conjunction with the Councilman in order to address future development plans along the river that will encourage mixed use development and bring more vibrancy to the waterfront.

### **Recommendation:**

Approval

### **Justification for Recommendation:**

This Bill will encourage appropriate and compatible development in the area.

# PLANNING COMMISSION FACT SHEET

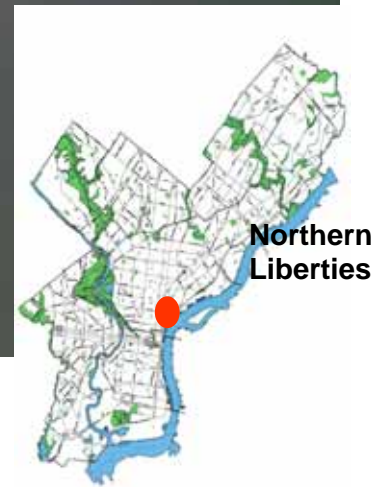
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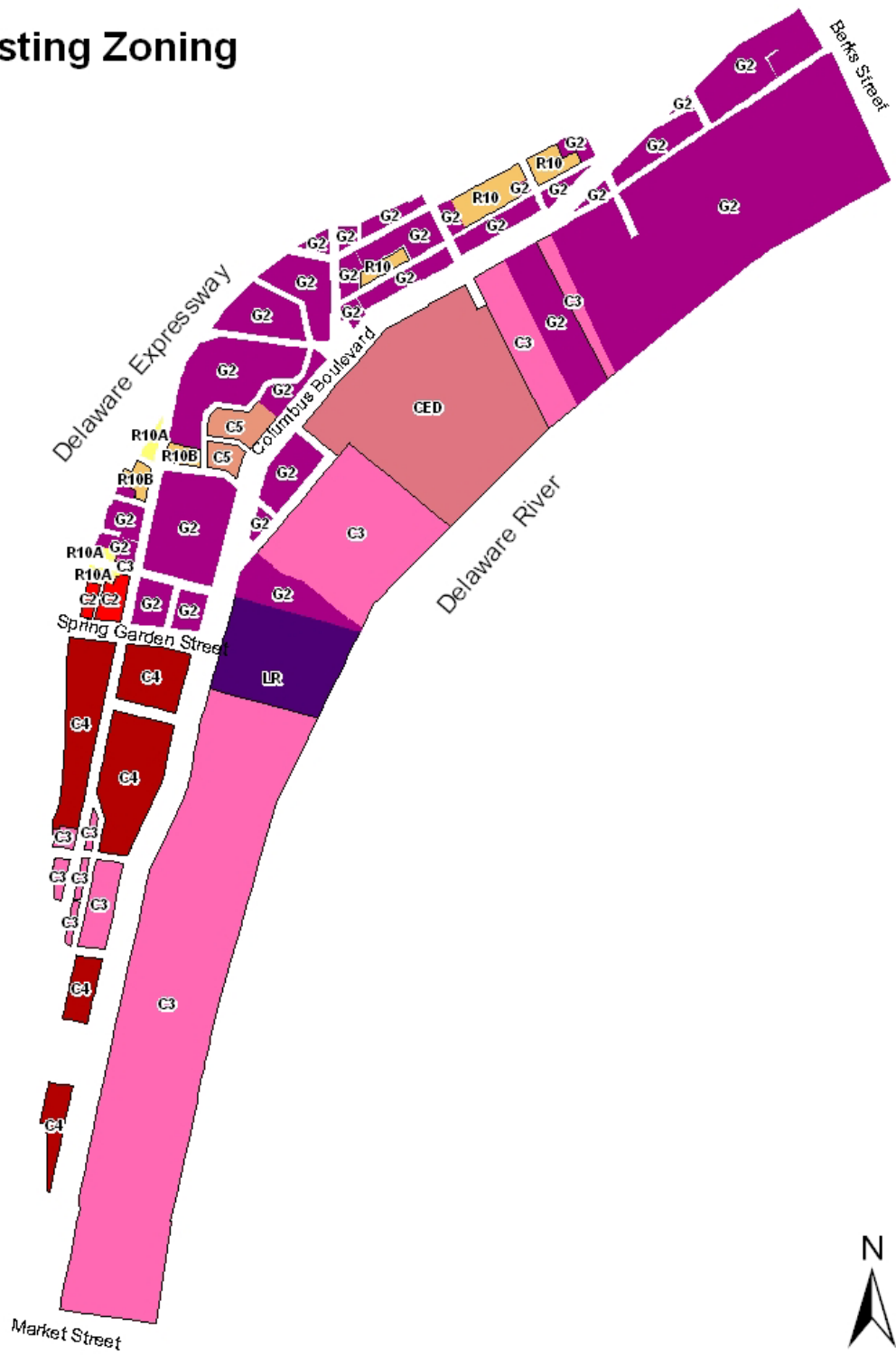
Market Street to Waterfront Square



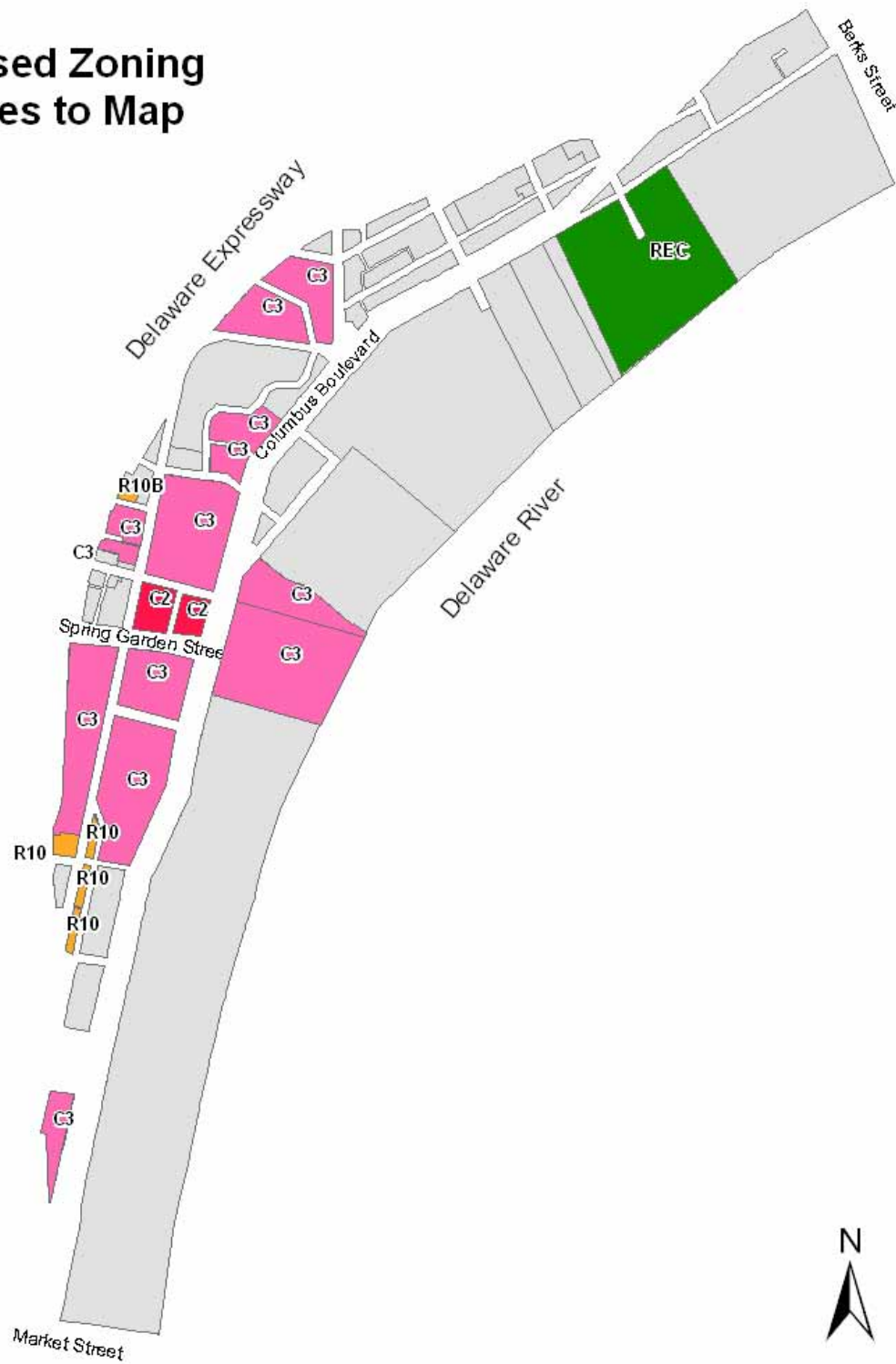
Waterfront Square to Berks Street



# Existing Zoning



# Proposed Zoning Changes to Map



# PLANNING COMMISSION FACT SHEET

## CATEGORY

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### **Item:**

Bill No. 090295 – To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 11<sup>th</sup> Street, Filbert St., 8<sup>th</sup> Street and Market St. (Introduced by Councilman DiCicco on April 16, 2009).

### **Location:**

11<sup>th</sup> Street, Filbert Street, 8<sup>th</sup> Street and Market Street in Planning Analysis Section A.

### **Purpose:**

This Bill rezones two parcels in the area described in an effort to permit the Foxwoods Casino group to re-location off of the riverfront to the old Strawbridge and Clothier Building.

The Bill changes the zoning designation of the block bounded by 11<sup>th</sup> Street, Filbert Street, 10<sup>th</sup> Street and Market Street, from an existing designation of “CED” Commercial Entertainment District to a new designation of “C5” Commercial. This site at the Gallery was contemplated to be the home for the Foxwoods Casino, before the new site was chosen.

This Bill then changes the zoning designation of the block bounded by 9<sup>th</sup> Street, Filbert Street, 8<sup>th</sup> Street and Market Street, from the existing “C5” Commercial to a new designation of “CED” Commercial Entertainment District.

### **Existing Zoning:**

“CED” Commercial Entertainment District and “C5” Commercial.

### **Proposed Zoning:**

The same but with the “CED” zoning moved to the new location.

### **Planning Issues:**

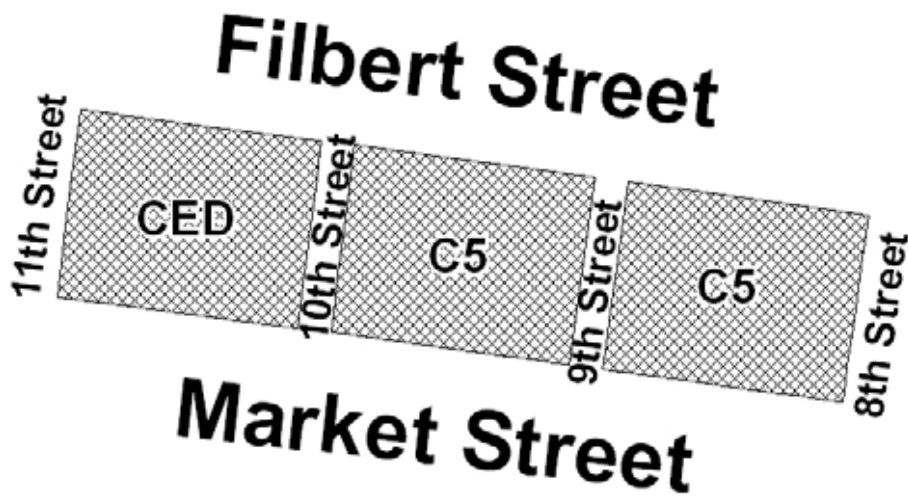
The “CED” zoning is a necessary first step in moving the Foxwoods Casino from its current location along the waterfront. This zoning will allow the developers to pursue further approvals, including a Plan of Development (POD) approval from the City Planning Commission.

There will be a number of venues for public comment, as this Bill will need to have hearings at City Council, and the POD approval will have to be vetted through the City Planning Commission’s public process.



### **Recommendation:**

**Approval.**

# Map A -Existing Zoning

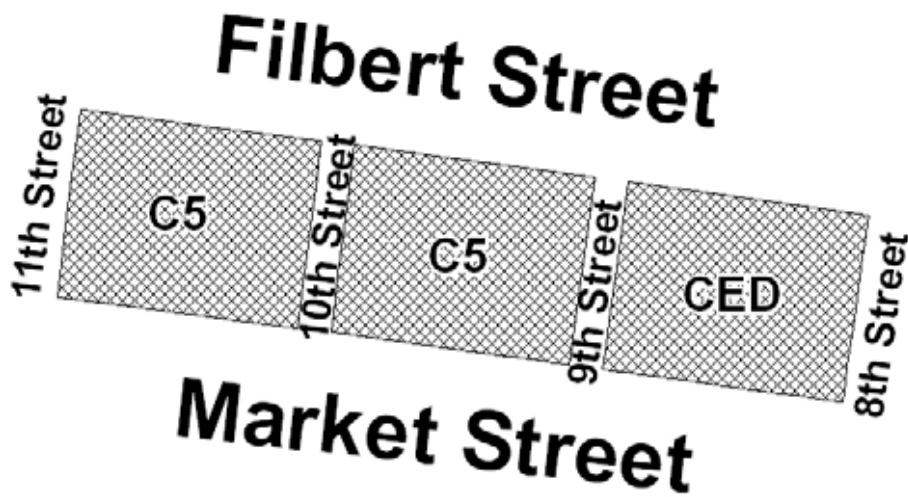


## Legend



-  C5 Commercial
-  Commercial Entertainment District



# Map B -Proposed Zoning

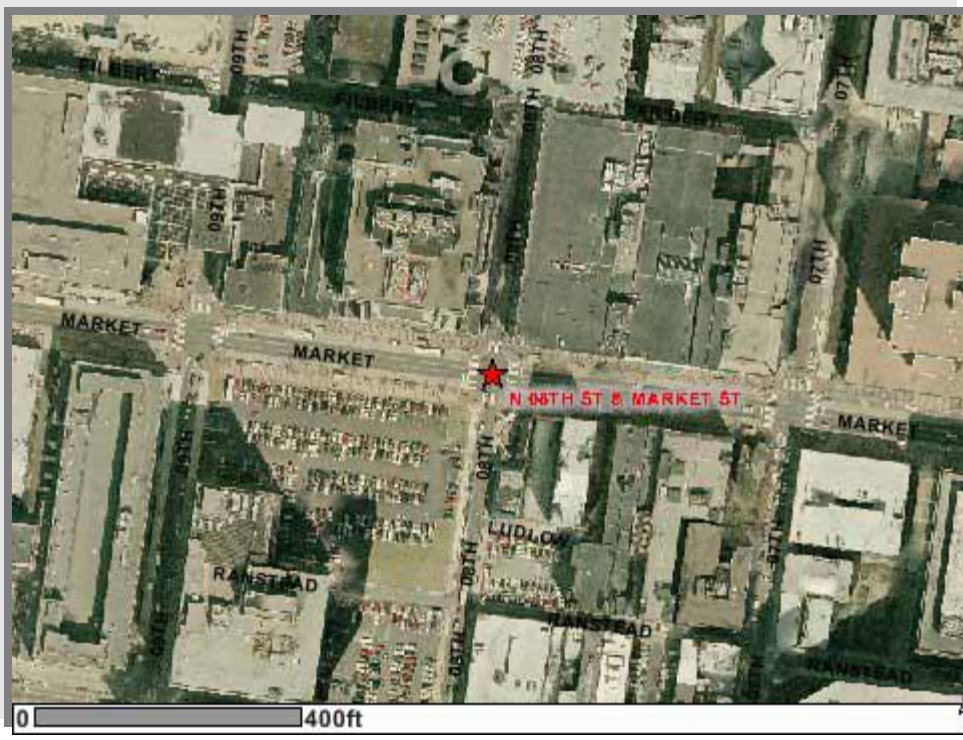
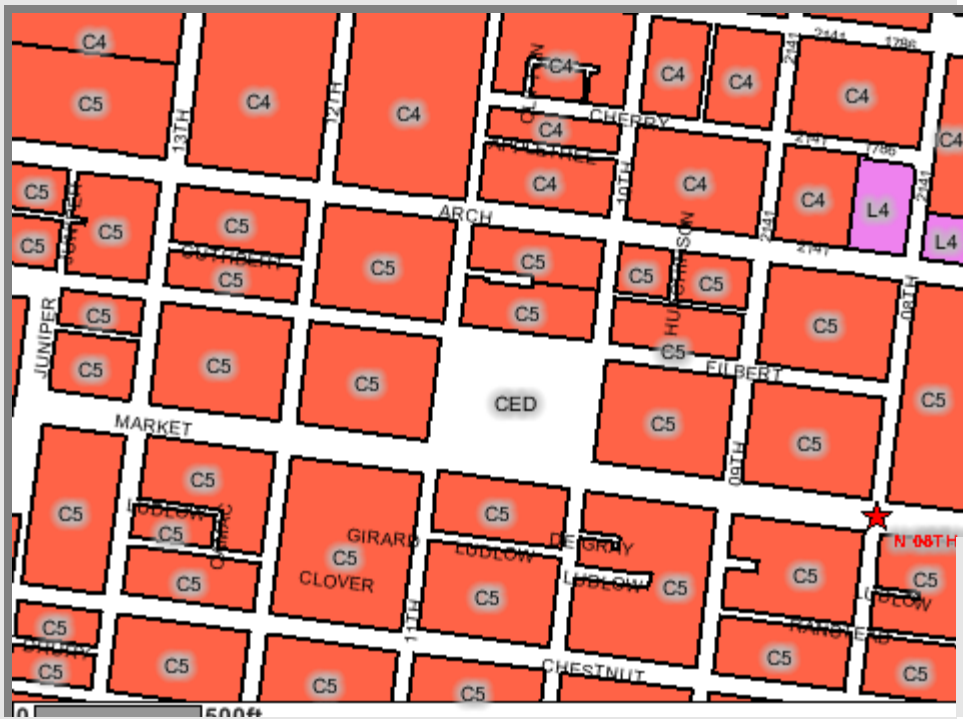


## Legend

-  C5 Commercial
-  CED Commercial Entertainment District



# PLANNING COMMISSION FACT SHEET





# PLANNING COMMISSION FACT SHEET

## CATEGORY

Zoning Change

Zoning Code Amendment

Final Plat

Zoning Board Case

Property Bill

Street Bill

Redevelopment Authority

Informational

## Item:

**Bill No. 090294** – Amending Chapter 14-400 of The Philadelphia Code entitled, “Commercial Entertainment District” by amending Section 14-403 of the Philadelphia Code entitled, “Procedures for the Establishment of a Commercial Entertainment District” by amending the procedure by which a Plan of Development is approved or amended; and amending Section 14-409 entitled, “Off-Street Loading” by adding provision to proposed projects in the Center City area; all under certain terms and conditions. (Introduced by Councilmember DiCicco on April 16, 2009).

## Location:

Sites that are zoned “CED” Commercial Entertainment District.

## Purpose:

This Bill changes the way Plans of Development (POD) are approved for sites zoned CED. There will only be two sites with this zoning designation, and both are zoned in this way to permit licensed gaming facilities.

Originally, all POD’s for Commercial Entertainment Districts (CED) required the approval of City Council. This Bill, adds new language which states, any proposed POD’s or any proposed amendment to an existing POD require only City Planning Commission approval to become effective.

The exact text changes are below. [brackets] indicate matter deleted, *italics* indicate matter added:

§ 14-403. Procedures for the Establishment of a Commercial Entertainment District.

(1) Council shall designate, by ordinance, such Commercial Entertainment Districts in such areas as Council deems appropriate. For each such District, such designations shall become effective upon the adoption of an ordinance designating the district boundaries; and the approval by [Council] *the Commission pursuant to subsection (2)* of a Plan of Development for the District. Upon the designation becoming effective, the underlying zoning classification for all lots within the District shall be superseded, and no permits shall issue for any use within the District other than as permitted by the approved Plan of Development and this Chapter.

(2) Review and approval of a proposed Plan of Development. The Commission shall *approve* [submit to the Council for its consideration] a proposed Plan of Development for a Commercial Entertainment District *or any proposed amendment to a previously approved Plan of Development* if the Commission finds that the Plan is consistent with the purposes of such a District, is in compliance with the provisions of this Chapter, and is otherwise appropriate in terms of scale, density, accessibility and design for the neighborhood.

\* \* \*

(4) [Council approval of a Plan of Development shall be presumed if Council fails to approve by ordinance, disapprove by ordinance, or table consideration of a proposed Plan by the later of (i) 45 days after submission by the Commission of a proposed Plan to the Council or (ii) the fifth Council meeting after submission by the Commission of a proposed Plan to the Council.] In the event the owner of a lot within a District submits a proposed Plan to the Commission and the Commission fails to approve, disapprove or table consideration of it within 45 days after submission, *it will be deemed approved by the Commission* [the proponent may submit the application directly to the Council and it will be deemed submitted to the Council by the Commission].

# PLANNING COMMISSION FACT SHEET

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Lastly, this Bill changes the Off-Street Loading requirements for the Commercial Entertainment District. Originally, all off-street loading areas were required to be designed in such a manner that all service vehicles enter and exit the facility in forward gear. This Bill excepts the area bounded by Sixth Street, Broad Street, Chestnut Street and Arch Street from this requirement, in effect permitting a loading vehicle to back out of a space in the event that a CED is finally located in the Center City area.

**Planning Issues:**

As with any legislation regarding licensed gaming facilities, this Bill will certainly undergo some amount of scrutiny. However, we believe that this Bill keeps the public hearing process intact. The City Planning Commission must still review and approve all POD's for licensed gaming facilities; this is a public process which will provide ample opportunity for community input.

**Recommendation:**

**Approval**

## CATEGORY

Zoning Change

Zoning Code Amendment

Final Plat

Zoning Board Case

Property Bill

Street Bill

Redevelopment Authority

Informational

### **Item:**

Bill No. 090296 – Amending the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Front Street, Lombard Street, Second Street and Pine Street, under certain terms and conditions. (Introduced by Councilman DiCicco on April 16, 2009)

### **Location:**

Certain areas of land located within an area bounded by Front Street, Lombard Street, Second Street and Pine Street in Society Hill which is located in Planning Analysis Section A.

### **Purpose:**

This Bill re-enacts the provisions of Bill No. 080253-A by placing a new sunset provision on the re-zoning of certain areas of land which lapsed on April 16, 2009. The new sunset provision shall lapse on June 30, 2010 unless a building permit has been issued or the City Planning Commission has granted an extension of up to one year upon a determination by the Commission that the applicant is making substantial progress toward completion of the approved Plan of Development.

Sections of this property were rezoned from “C-2” to “C-4” Commercial in the original bill in order to accommodate the Stamper Square Project.

### **Recommendation:**

Approval

# PLANNING COMMISSION FACT SHEET

## CATEGORY

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### **Item:**

**Bill No. 090246** – To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located in the area bounded by Orthodox Street, Large Street, and Adams Avenue. (Introduced by Councilmember Sanchez on March 26, 2009).

### **Location:**

The area bounded by Orthodox Street, Large Street, and Adams Avenue in Planning Analysis Section G.

### **Purpose:**

This Bill will rezone a parcel in the area described from an existing zoning designation of “G2” General Industrial to a new designation of “C2” Commercial. This change will permit the existing CORA facility to continue operations and to permit a future expansion.

The CORA facility would like to open an all day care center for approximately 50 children between the ages of 2 ½ and 5 years old. Additionally, they will continue their after school programs as well as their GED, job and career counseling programs; all currently taking place at this facility.

### **Existing Zoning:**

“G2” General Industrial

### **Proposed Zoning:**

“C2” Commercial

### **Present Use:**

CORA Counseling Center

### **Proposed Use:**

Same

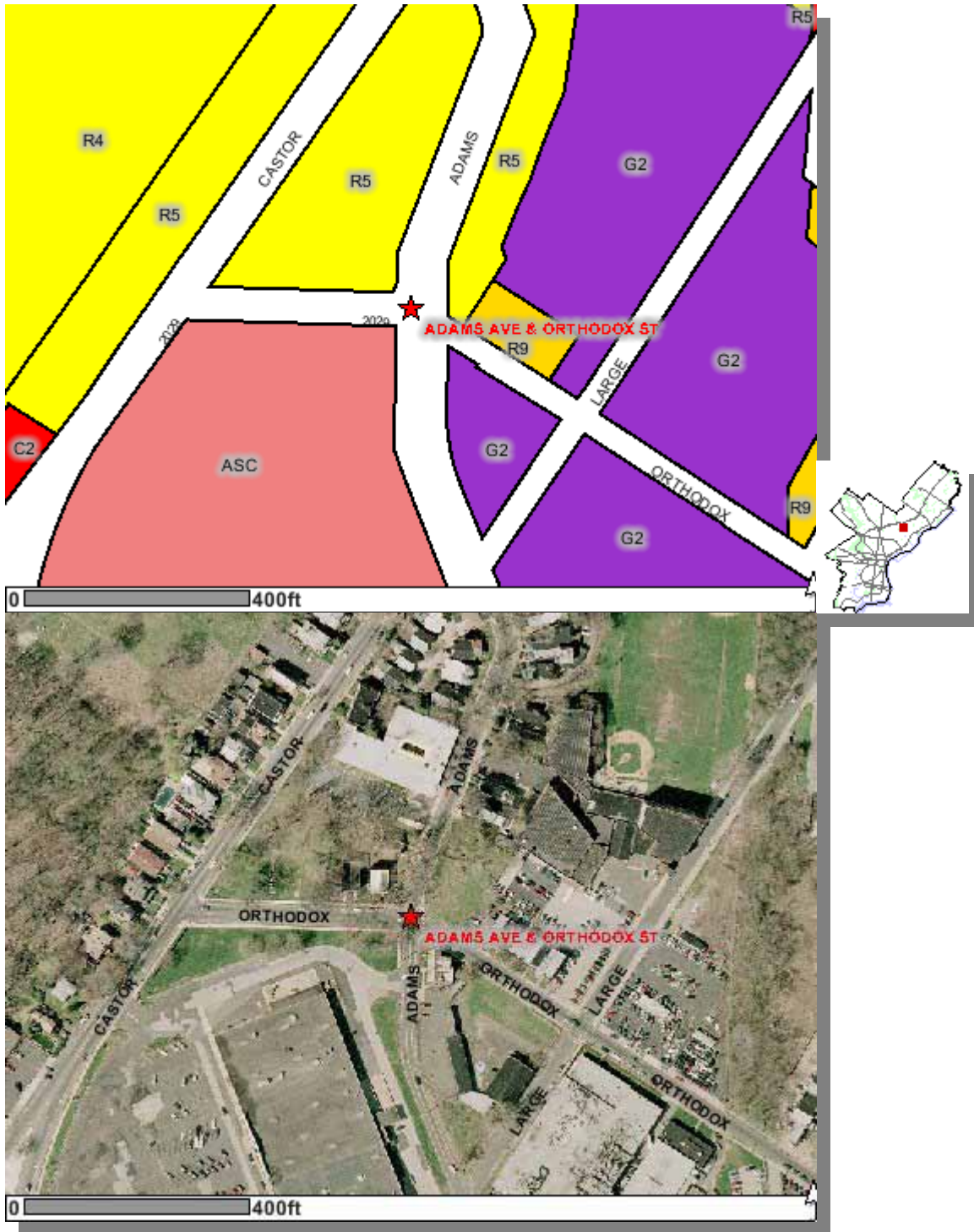
### **Planning Issues:**

While this facility is existing, the surrounding area is generally zoned for industrial use. However, given that this parcel would not necessarily be suited to industrial use, there is a large parcel zoned for Area Shopping Center across the street, its proximity to residents who use its services, and the fact that CORA is a long standing member of the community, we believe that the zoning change is warranted.

### **Recommendation:**

**Approval**

# PLANNING COMMISSION FACT SHEET



# PLANNING COMMISSION FACT SHEET

## CATEGORY

Zoning Change

Zoning Code Amendment

Final Plat

Zoning Board Case

Property Bill

Street Bill

Redevelopment Authority

Informational

### **Item:**

**Bill No. 090191** – Amending Title 14 of the Philadelphia Code entitled, “Zoning and Planning” to prohibit the transfer of special approvals of the Zoning Board of Adjustment. (Introduced by Councilmember O’Neill on March 12, 2009).

### **Location:**

This Bill will affect all properties which receive relief from the Zoning Board of Adjustment (ZBA).

### **Purpose:**

This Bill prohibits the transfer of a special exception, certificate, variance, or special use permit, when granted by the Zoning Board of Adjustment, from one parcel to another.

Presently, if a property is granted relief from the ZBA and the property owner subdivides the lot into two, the relief may be applied to the new lot. This Bill would prohibit this situation by allowing the zoning relief only for the existing lot (with the associated address), not for the newly created lot (with a new address).

### **Planning Issues:**

This situation occurs only infrequently, but when it does, it tends to cause confusion for the public as to what use is permitted on the new lot. If the owner of the new lot wanted the same zoning relief as the old lot (all things being equal), he would have to go back to the ZBA for approval.

Negatively, an owner must be certain to include all relevant addresses on their zoning applications in order to ensure that the relief requested covers all lots intended.

### **Recommendation:**

**Approval**

# PLANNING COMMISSION FACT SHEET

## CATEGORY

Zoning Change

Zoning Code Amendment

Final Plat

Zoning Board Case

Property Bill

Street Bill

Redevelopment Authority

Informational

### **Item:**

**Bill No. 090265** – Amending Chapter 14-900 of the Philadelphia Code entitled, “Neighborhood Conservation Districts” by amending the procedures for making revisions to neighborhood conservation districts and making certain technical changes. (Introduced by Councilmember DiCicco on April 2, 2009).

### **Location:**

This Zoning Code amendment will affect any property which is situate in a Neighborhood Conservation District (NCD).

### **Purpose:**

This Bill revises the process by which amendments to NCD’s are made. Previously, any amendment to an NCD would require the same process by which an NCD is created. This process included petitions, public meetings held by PCPC staff, mass mailings, and finally the City Council Bill process. Even the most minor amendments would have to go through this process.

This Bill permits some limited amendments to NCD’s (not including increasing the boundaries or revising the guidelines) without this arduous process and simply through a Bill of Council. This process would be faster for a situation where the boundaries of the NCD are to be reduced, for example.

### **Planning Issues:**

There are no significant planning issues with this Bill. While this does represent a change in process, there is only one existing NCD which would be affected. Making a change such as this now before too many are created would be preferable to a later date where many NCD’s could be affected.

### **Recommendation:**

**Approval**

# PLANNING COMMISSION FACT SHEET

## CATEGORY

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| <input type="checkbox"/> Zoning Change                    | <input type="checkbox"/> Final Plat        | <input type="checkbox"/> Property Bill | <input type="checkbox"/> Redevelopment Authority |
| <input checked="" type="checkbox"/> Zoning Code Amendment | <input type="checkbox"/> Zoning Board Case | <input type="checkbox"/> Street Bill   | <input type="checkbox"/> Informational           |

### Item:

Bill No. 090190 – Amending Title 14 of the Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-1400, entitled “Parking and Loading Facilities,” by adding a new subsection providing for bicycle parking. (Introduced by Councilmembers Reynolds Brown, Kenney and Jones on March 12, 2009)

### Location:

Citywide.

### Purpose:

This new subsection first defines three types of bicycle parking spaces based on how they protect against theft and weather, then provides regulations as to when and where bicycle parking is to be provided.

This Bill created three types of bicycle parking spaces, Class 1A, 1B and Class 2. Class 1A spaces are located in bicycle storage facilities (which are defined as a shed, storage room or locker designed to hold one or more bicycles, that complies with the standards established by L & I and the Streets Dept). Class 1B spaces are located under a permanent overhead building structure. Class 2 spaces are protected against theft, but are not protected against inclement weather.

The Bill then gives regulations on how the spaces are to be provided (racks shall support the bike frames at two points, and storage facilities shall provide tamper proof locks and provisions shall be made that bikes may be locked individually).

Next the Bill describes the uses that will require bicycle parking and the number of spaces to be provided.

### For all uses except single- and multiple-family dwellings, public parking lots and low occupancy facilities:

Gross Floor Area of:	
0 – 7,500 sq.ft.	0 spaces
7,501 – 20,000 sq.ft.	2 spaces
Over 20,000 sq. ft.	1 per every 10,000 sq.ft. or fraction thereof

### For multiple-family dwellings when 12 or more dwelling units are provided on a lot:

Number of Units:	
Less than 12	0 spaces
12	4 spaces
Over 12	1 per every 3 dwelling units or fraction thereof

### For Public Parking Lot:

Number of Auto Spaces:	
4 – 20	2 spaces
21 – 40	4 spaces
Over 41	1 per every 10 spaces or fraction thereof



# PLANNING COMMISSION FACT SHEET

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**For Low Occupancy Facilities** (Buildings with no customer contact and less than 1 employee per every 10,000 sq.ft. of GFA):

Number of Employees:

0 – 5	0 spaces
6 – 20	2 spaces
21 – 80	4 spaces
Over 80	1 per every 20 employees or fraction thereof

**The Bill then gives the conditions as to where the spaces can be located:**

- Spaces shall be on an accessible route as defined in Building Code
- Racks may be placed on public right-of-way provided that the owner enters into a maintenance agreement with the Streets Dept.
- All spaces on the exterior of a building must be located within 50' diameter of the building entrance, unless the Streets Dept. or L & I waives this requirement.
- Spaces located in attended parking facilities shall be adjacent to the attendant booth or in an area under constant surveillance.

Lastly, this Bill provides for a substitution of bicycle parking for auto parking. For every five (5) Class 1 bicycle spaces provided, the number of required off-street auto parking spaces (excluding handicapped spaces) may be reduced by one space.

However, the number of substituted auto parking spaces cannot exceed ten percent (10%) of the total required spaces.

The provisions of this Bill shall become effective on January 1, 2010.

**Planning Issues:**

Philadelphia has a shortage of bicycle parking facilities (racks). Although bicycling in Philadelphia has doubled over the past 3 years (between 2005 and 2008), the availability of bicycle racks both on the street, in parking lots and inside buildings has not kept up. Despite the recent addition of 1400 new bike racks through the City's Adopt-A-Rack program, the Philadelphia only has 2600 sidewalk bike racks. This number is a fraction of the Philadelphia 36,000 bike commuters or the 300,000 Philadelphians who bike once a month. A 2005 survey found that Delaware Valley bicyclists favor secure bike racks over other bicycle amenities and 70% of bicyclists said they would bike more if secure bicycle parking was available.

**Recommendation:**

**Approval.**

# PLANNING COMMISSION FACT SHEET

## CATEGORY

- |  |  |   |  |
|--|--|---|--|
| <input type="checkbox"/> Zoning Change         | <input type="checkbox"/> Final Plat        | <input checked="" type="checkbox"/> Property Bill | <input type="checkbox"/> Redevelopment Authority |
| <input type="checkbox"/> Zoning Code Amendment | <input type="checkbox"/> Zoning Board Case | <input type="checkbox"/> Street Bill              | <input type="checkbox"/> Informational           |

## SUMMARY

**Bill No. 090263:** Authorizing the Commissioner of Public Property on behalf of the City to execute and deliver to the Philadelphia Authority for Industrial Development a deed conveying fee simple title to all or part of a certain approximately 4 acre parcel of land with the buildings and improvements thereon located in the vicinity of the intersection of Belmont Avenue and Monument Road, for further conveyance to the Commonwealth of Pennsylvania for nominal consideration, under certain terms and conditions.

**Location:** Pennsylvania State Police Barracks at 2201 Belmont Avenue

**Neighborhood:** Wynnefield Heights in PAS D, West Philadelphia

**Party at Interest:** The property is being transferred from the City of Philadelphia to the Commonwealth of Pennsylvania.

**Purpose:** The Commonwealth owns the adjacent parcel which is currently used and occupied by the State Police Barracks. In order to build a modern State Police headquarters building at the current location, the Commonwealth wants to acquire approximately four acres of City owned land that is adjacent to the current headquarters building. The transaction between the City and the Commonwealth would be a no cost transfer of land to be used solely by the State Police for the furtherance of their law enforcement mission.

**Site Area:** 174,048 square feet or 3.9956 acres

**Existing Zoning:** R5 Residential

**Proposed Zoning:** No change in zoning is proposed at this time.

**Present Use:** The Commonwealth holds a nominal lease with the City for the site, which currently contains an impound lot and a communications tower.

**Proposed Use:** The Commonwealth will build a new State Police Headquarters building on the site.

**Recommendation:** Approval

# PLANNING COMMISSION FACT SHEET

## EXISTING CONDITIONS

Wynnefield Heights



# PLANNING COMMISSION FACT SHEET

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## RECOMMENDATION

Recommendation is approval. The Commonwealth owns an adjacent parcel which is occupied and used by the State Police. The conveyance of the City parcel would allow the expansion of the existing facility which has been located at this site since 1949. It would be in the best interests of the City to continue and strengthen the State Police presence in the area.