

**Commissioners:**

**Frances Burns**, Department of Licenses and Inspections

**Graciela Cavicchia**, The Reinvestment Fund

**Councilman Bill Green**, City Council

**Michael Hnatkowsky**, Electrical Workers, IBEW Local 98

**Gary Jastrzab**, Philadelphia City Planning Commission

**Peter Kelsen**, Blank Rome LLP

**Greg Pastore**, Bella Vista Town Watch

**Guy Pigliacelli**, Local 1050 Carpenters and Joiners Union

**Glenn Romano**, Northeast Philadelphia Chamber of Commerce

**Stella Tsai**, Archer & Greiner, PC

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**Agenda Item: Call to order**

Chairman Greenberger called the meeting to order at approximately 8:15 a.m.

**Agenda Item: Chairman's Report**

- Chairman Greenberger reviewed with the Commission the next steps in our process.
- These include City Council hearings on the Zoning Code Proposals, as well as work on the sign controls chapter of the new code.
  - Resolution # 110459, calling for hearings on the Zoning Code Proposals, was introduced into City Council on May 26<sup>th</sup> by Councilman DiCicco, and adopted unanimously on June 2<sup>nd</sup>
  - The next steps in the process, as set forth by the Home Rule Charter are:
    - The Home Rule Charter calls for Council to hold hearings within 45 days of the proposals being issued. The Law Department has determined that the last day for hearings would be July 8<sup>th</sup>. The ZCC does not yet have a date for the hearing, but anticipates that it will be either next Monday or Wednesday, June 13<sup>th</sup> or June 15<sup>th</sup>.
    - The ZCC expects that City Council will recess the hearing and resume in the fall.
    - Within 30 days of the close of the hearings, Council may provide recommendations to the Commission through a resolution. The ZCC anticipates receiving important input from City Council, whether or not Council chooses to put it in the form of a resolution.
    - Clearly, at this point in the process, the ZCC will need to work diligently to review and respond to the input from City Council, and members of the public who participate in the public hearings.
    - Within 60 days of the close of the hearings, the ZCC must produce a Final Report to send to City Council.
    - Within 5 sessions, or 60 days, whichever is greater, Council must take action on the Final Report, which is a vote in support, against, or to table the Report.
  - With the submission of the Final Report, the Zoning Code Commission officially "goes out of business," and can only be reconvened if called for by a resolution of City Council no less than five years later.
- Eva Gladstein will provide a little more detail on the distribution of the Zoning Code Proposals and an update on the progress of the Working Group on Sign Controls.

**Agenda Item: Executive Director's Report**

- Executive Director Gladstein made her report to the Commission
- Copies of the Zoning Code Proposals were delivered to the office of each member of City Council on May 25<sup>th</sup>.
  - The proposals included:

- the draft legislation,
  - the text as reviewed on May 4<sup>th</sup> with the addition of: a) two-family district (RTA-1); and 2) an index;
  - the Preliminary Report and the Minority Report;
  - Table of Contents of Regulations important to the implementation of the new zoning code
  - Graphic Design draft of the Zoning Administrative Manual.
- A copy was posted on the City's main website, [www.phila.gov](http://www.phila.gov) and [www.zoningmatters.org](http://www.zoningmatters.org).
- Copies were also provided to the Free Library for distribution to each of its 57 branches.
- Copies were also sent to each of the appointing authorities, including the Mayor's Office and the Chambers of Commerce.
- Ms. Gladstein provided a brief update on the early sign controls work.
  - The internal working group has been meeting for nine months to review the current sign controls and to provide a framework for new sign controls.
  - The working group includes several ZCC members or their representatives, ZCC staff, and representatives of L&I, Planning, Law Department, Commerce Dept., Art Commission, and Streets Dept.
  - The working group has had guests, each of whom has attended one meeting, including several sign-makers and CDC representatives who work on commercial corridors, as well as SCRUB.
  - The working group has extended an invitation to representatives of the outdoor advertising industry, and they are scheduled to attend one of the group's next meetings.
  - The group is creating a draft framework that includes the types of accessory signs, and characteristics of signs, that the controls should address.
  - Over the summer, the consultants will begin to work on a draft of the sign controls, a revised Chapter 9 of the proposed new code.
  - The ZCC's goal will be to present this report to City Council in the spring of 2012, hopefully in time to have it go into effect at the same time as the rest of the new code.
- Chairman Greenberger noted that three non-accessory signage bills recently considered by the Rules Committee of the City Council, took up more than 3 hours of discussion time. This highlights the important economic and cultural issues behind signs.

**Agenda Item: Civic Engagement Committee Report**

- Commissioner Stella Tsai gave the report.
- The Civic Engagement Committee has taken a short hiatus, but will meet again in August to begin working on sign controls, and in advance of the anticipated Council hearings in the fall.
- Tsai encouraged other commissioners to join in with the committee.
- Tsai noted there will be two rounds of civic engagement on sign controls, one in the fall to review the first draft of the sign controls, and a second in the late fall or early winter to review the second draft of the sign controls.
  - The Committee is going to reach out to the constituencies that have a specific issue in this aspect of the zoning code and have up to six "focus group" meetings in the fall.
  - For the second round of civic engagement, the Committee will have six community-based meetings.
- Those planned meetings will be reported on further in September.

**Agenda Item: Work Plan Committee Report**

- Commissioner Peter Kelsen gave the report.
- The Work Plan Committee has met once since its May 11<sup>th</sup> ZCC meeting.

- The Committee has reviewed a handful of recommendations that came from the public, and will be doing more research on most of the issues before making recommendations to the full ZCC.
- Kelsen proposed that during this period of time, the ZCC maintain the Zoning Code Proposals as sent to the City Council as a static document.
- The ZCC will continue to gather comments and questions from Council and the public. Any changes that have the support of the Commission would be integrated into the Final Report that is sent to Council.

**Agenda Item: Discussion of Next Steps**

- Commissioner Bill Green noted a suggestion from his staff (Stacey Graham) to create an obvious process for community development corporations, residents, and developers to determine what new regulations would apply to a specific property after the new code conversion. Having this service may take some of the mystery out of the new code for those with concerns
- Chairman Greenberger thought this was a good idea, but noted the operational issues that might be present. How will the project be funded? How long will it take to get it implemented? What is the best way to get the message out?
  - Green mentioned the extensive ZCC mailing list as a potential communication outlet.
  - Gladstein also noted that the Planning Commission has a number of ways to reach the public...
  - Gladstein stated that staff would work over the summer to develop a system for providing the recommended service to the public.
- Green also mentioned the Germantown overlay, specifically how concerned residents did not know if their current overlay would be preserved in the new code and if not, how much autonomy they would have in their neighborhood planning activities.
- Irv Ackelsberg of Germantown Community Connections gave the ZCC a detailed description of the origins and functions of the group. Their main concern was and how the new CMX 2.5 zoning district would apply and the distinction between CMX2.5 and their existing overlay. Ackelsberg pointed out the variety store is a use of particular concern, stressing that while an individual use is not necessarily bad, but that a concentration of such uses could impede their revitalization efforts.
  - Commissioner Pastore did not see a substantial issue with variety stores and questioned whether the variety store was the real issue, or if it was specifically dollar stores
  - Greenberger noted that the variety store concern raises questions about how a community can or cannot get the types of uses it wants. Prohibition of one use does not necessarily encourage the development of another. Banning broad store categories can keep out viable businesses, even those you may want. He also asked if zoning is the right tool to achieve the aims of the community group in this case.
- Ed Panek of the Logan Square Neighborhood Association asked the ZCC to consider, given the three non-accessory signage bills pending in City Council, requesting council to place a moratorium on sign legislation until the Zoning Code Commission finishes its own revisions to the sign chapter in spring 2012.
- Bryan McHale asked to see more public involvement in the process of creating the new sign controls, so that the public does not have to play "catch up" with the Commission. McHale also asked how the transition period to the new code would affect existing overlays.
  - Andrew Ross of the Law Department and a member of the internal working group on sign controls clarified that the group's work to-date has focused on accessory signs. The group will begin to focus on non-accessory signs this summer.

- Gladstein said a summary of the group's accessory sign recommendations would be posted to the website.
- Chairman Greenberger responded to McHale's transition period question by stating that applicants would not be able to "mix-and-match" the existing and new code provisions. If an applicant elects to use the existing code and an overlay applies to the subject property, then (s)he must comply with the overlay even if that overlay has not been carried over into the new code.
- Lorna Katz of the Society Hill Civic Association and the Crosstown Coalition was unclear as to why the Historic Commission had no representation on the internal working group on sign controls. Is the group evaluating the impact of "animated, blinking" signs?
  - Ms. Gladstein and Mr. Greenberger said that the ZCC could reach out to the Historical Commission chair John Farnham to see if the Historical Commission had an interest in joining the group.
  - Gladstein stated that the group is evaluating animated signs.

**Adjournment**

- Chairman Greenberger adjourned the meeting at 9:10 am.
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