

# **SOUTH KENSINGTON COMMUNITY PARTNERS FEEDBACK FOR THE PCPC DRAFT LOWER NORTH DISTRICT PLAN**

**3.31.2014**

## **INTRODUCTION**

South Kensington Community Partners, on behalf of the South Kensington community bounded by Front, 6<sup>th</sup>, and Berks Streets and Girard Avenue [also known as Old Kensington], feels the need to voice concerns regarding a number of issues related to the Lower North 2035 District Plan process, as the rezoning of properties in this area will have a formative influence on the direction of development—or lack thereof—in the coming years.

The high level of vacancy among formerly industrial properties in South Kensington creates considerable public realm and quality of life impacts on the neighborhood and its residents. Some of these conditions are further exacerbated by the fact that the majority of active industrial uses have not participated along with families and businesses in community-wide efforts to improve the neighborhood, as well as by the fact that most industrial businesses have not demonstrated sensitivity to their neighborhood context and the many ways in which their operations create problems for the community.

These issues persist generally in the neighborhood wherever zoning and land use conflicts are found, but they are particularly pronounced along the American Street Corridor. Those of us who work and reside in the neighborhood and those of us who are investing our time, energy and resources into the life of the neighborhood, consider American Street to be a part of—in fact a central corridor and opportunity within—the neighborhood, not as a boundary between neighborhoods. Our community traverses American Street despite the rift it creates in our neighborhood fabric: it is crossed by school catchments, family relationships, crossed and traveled everyday by residents, workers, and those whose place of worship requires them to do so.

The land use policies that have been in place for over 50 years—pumping public resources into and engineering public interventions toward the recruitment and relocation of traditional industrial users to American Street, many of whom have since moved on without any public benefit to justify the subsidies they received—have failed to deliver the vision of a thriving industrial corridor, and they have failed to acknowledge or respect the community's needs. It is time for a new model that unites the two halves of a revitalizing neighborhood while also accomplishing job growth and economic impact—an achievable vision for American Street that embraces the a more modern form of industrial productivity that can coexist with a wider range of uses and harmonize with adjacent neighborhood streets. The vision outlined in this statement is embraced by South Kensington community members, including some of American Street's business owners themselves. It is not our intent to suggest any relocation of existing industrial businesses—we would simply like to see things evolve in a different direction that allows for some acceptable compromise between the agendas of external forces and the residents who are forced to live with the consequences of them.

We feel this planning process is a critical and long-awaited opportunity to put in place land use policies promoting continued neighborhood revitalization and reinvestment in South Kensington that will strengthen our neighborhood. However, the plan recommendations we have seen so far from the Planning Commission have fallen well short of our expectations and we are very concerned that these decisions will serve to further fragment our neighborhood and impose serious quality of life issues on our community. Long-time residents have been waiting for decades for our neighborhood's fallow industrial lots to be rezoned to allow for other uses and

many new residents have come to the neighborhood with the same anticipation. Our hope is that this process will bring an end to one-sided land use policies that favor external influences and agendas at the cost of neighborhood health, safety, and vitality. We expect to see some revisions made to the draft planning document and urge the Planning Commission to consider the following position:

- 1. High vacancy rate and existing industrial users in the greater American Street area impose considerable negative impacts on adjacent neighborhood fabric.**
- 2. The persistent high vacancy rate is a strong indicator of the corridor's failure as an industrial district.**
- 3. Current zoning is holding back new development that would enhance neighborhood resiliency.**

## **BACKGROUND**

- 1. High vacancy rate and existing industrial users in the greater American Street area impose considerable negative impacts on adjacent neighborhood fabric.**

American Street, as a distinct concentration of vacant land and industrial users not compatible with adjacent neighborhood fabric, attempts to divide our neighborhood in half with a vast corridor of desolation, neglect, and ambivalence to the strengthening community around it. More than ambivalent, it is a significant obstacle to neighborhood reinvestment and resilience. Zoning as a concept exists partially to avoid incompatible land use adjacencies, and it is difficult for our community to understand why this purpose isn't being carried through. Instead, land use policies allowing manufacturers and warehouse distribution centers to locate next to homes are being proposed. The negative impacts are felt in a number of ways:

- > The appearance and desolation of South Kensington's areas zoned for industry—particularly on American Street—do not encourage investment in adjacent neighborhood areas. Prevalent vacancy, lack of property maintenance, and poor condition of public infrastructure are major constraints to the otherwise steadily strengthening neighborhood. Beyond their existence as eyesores, existing industrial users and vacant formerly industrial properties have serious implications for real estate values and desirability for properties nearby. The negative effects of the historically I-2 zoning have bled into adjoining neighborhood areas in a visible pattern of vacancy: there is a very alarming vacancy rate among residential-zoned properties that are adjacent to industrial zoning. Neighbors have watched these conditions advance over the years and we feel strongly that these conditions will persist and worsen if land use regulations and leadership in public policy and resource allocation fail to provide adequate solutions in addressing these issues directly—by removing single use district industrial zoning policies and directing public resources towards making American Street an asset to the community rather than a liability.
- > Crime is an issue generally in some parts of the neighborhood, and safety and perception of safety is of great concern specifically along American Street and the desolate industrial areas nearby. As a single use district that is only partially active in parts during weekdays, at night and on weekends the area has no users whatsoever and feels quite unsafe. At the end of 2013, there were four shootings on or near American Street in one month. It's an area that tends to attract illicit behaviors because criminals know that no one is around at night to call the police and there are no residences or other active nighttime uses nearby to provide natural surveillance. Most of these buildings are designed as fortresses with no visual

connection to adjacent streets, so the degree to which they invite illicit behaviors during the day as well is another question. For this reason, we can only assume that crime rates in this area are much higher than crime data would suggest, as this is a record of reported crimes only.

Obviously, crime and perception of safety must be addressed through a number of ways unrelated to zoning, but the concentration of scattered industrial land uses within this swath of vacant land created by industrial zoning exacerbates this very serious problem. Some residents are leaving or considering leaving the neighborhood because they don't feel safe. As this continues, social fabric continues to unravel and the neighborhood therefore becomes less safe.

- > Existing industrial buildings are not designed in a way that is sensitive to neighborhood aesthetics or active engagement of the street. Windowless, monolithic structures sheathed in a monotonous sheet metal and surrounded by razor wire are sited cheek by jowl with homes. Many of the examples of this typology within our neighborhood, especially the larger scale ones, are not compatible with residential character just across the street. The large footprints of many of these buildings are out of scale with neighborhood context and their complete absence of active street frontage on any side along vast stretches creates safety issues. It's simply unthinkable that these mistakes of the past would be repeated, especially given the improved market position of the neighborhood, but now we are presented with the impending construction of Veyko Inc.—a development made possible through considerable public subsidy—which offers no windows at street level and relentlessly harsh facades with no consideration for how this building relates to the public realm or nearby neighbors. This use [small scale creative production/craft manufacturing] is in line with the types of industry that might be compatible within a residential context, but unfortunately the building design reinforces the negative connotations this community has with industry and its disruption of neighborhood fabric.
- > Southbound semi-trailer trucks on American Street attempt to access Girard Avenue via 2<sup>nd</sup> Street, a route that presents two difficult turns [onto Thompson from American and onto 2<sup>nd</sup> from Thompson] that have repeatedly resulted in trucks colliding with parked cars and sidewalk infrastructure. We are aware that the Commerce Department has engaged a traffic engineering firm to evaluate ways of better accommodating truck routes to serve businesses and industries on American Street, and it is our hope that this study and subsequent decisions result in ways of accommodating truck routes that place priority on the local community's interests. For some time, solutions were being considered that proposed to widen intersections to accommodate truck turning radii along this route, but this decision would be in conflict with the great need to improve American Street's streetscapes for pedestrian accessibility. More generally, as a vast right of way that is regularly traveled and crossed by pedestrian and bike traffic, American Street needs to be better designed to accommodate them safely.

In addition to the roadway issues, an increase in truck traffic that could result from preserving traditional industrial zoning would also be in conflict with the neighborhood's public transit assets, walkability, and transit oriented development.

With these issues already at hand, preserving I-2 zoning in South Kensington condemns our neighborhood to continued suffering from the impacts of vacancy and neglect, with the slight and distant possibility that someday new industrial users will locate here, bringing with them their own particular negative impacts on the neighborhood and, we believe, resulting in fewer new jobs and less local economic impact than would result from our own vision. Our community does not believe

these to be sound planning principles and does not believe that PCPC has the community in mind in making these decisions.

## **2. The persistent high vacancy rate is a strong indicator of the corridor's failure as a traditional industrial district.**

One of our concerns regarding the methodology used in this planning process is that we have not been presented with any analysis addressing whether or not the land currently zoned for industrial uses in our neighborhood are truly appropriate or desirable locations for future industrial uses—and if so, what indicators exist to suggest this?

As part of the analysis, maps and figures were generated showing the high vacancy rate among properties zoned for commercial uses in the Lower North planning area. This point was used to illustrate the concept that commercial corridors that once existed decades ago are no longer suitable for attracting commercial uses and that this would form the basis of rezoning underperforming commercial corridors to accommodate other uses. A considerable share of land zoned for industrial uses is vacant. However, unlike the analysis used for vacant former commercial corridors, the fact that these properties have failed to attract new industrial users hasn't triggered a reconsideration of the appropriateness of this zoning for these properties.

Despite the many subsidies and support available to draw potential new industrial users to the greater American Street area, the corridor has for the most part remained unattractive to industrial investment since the process of attrition began in the 1960s. As for those few new industrial users that have arrived or are in the process of establishing a new location in the area, we must ask whether the subsidies used to achieve this is a fair use of public resources, given that no resources are directed to our neighborhood to help offset the negative effects of incompatible land use adjacencies.

We understand and appreciate the need for preserving land for traditional industrial uses, but clearly American Street isn't competing well with other districts that have been able to attract new industrial users and we haven't been presented with any reason to believe that the next three decades will prove any different than the previous three.

Aside from the community's perspective that Lower American street is not suitable for industrial investment, the City's own city-wide comprehensive industrial strategy has already recommended a transition away from exclusively industrial zoning in this area. As part of the 2010 Philadelphia Industrial Land Use and Market Study—sponsored jointly by the Philadelphia City Planning Commission, PIDC, and the Commerce Department—the Lower American Street corridor was found to have experienced significant industrial attrition and presents very limited opportunity for future development of medium or heavy industrial uses. This led to the land use policy recommendation that industrial zoning in the greater lower American Street area—comprising the majority of the area within SKCP's boundaries—be rezoned to facilitate development and enable a transition to “industrial residential mixed use.”

Even if continued industrial development were more viable on American Street, our community feels strongly that many types of industry are not compatible with the adjacent neighborhood fabric. Those that are compatible must be designed in a way that is sensitive to the neighborhood context.

## **3. Current zoning is holding back new development that would enhance neighborhood resiliency.**

Between 1950 and 2010, South Kensington lost 65% of its population. Thankfully, the rate of loss has leveled off in recent years and the community is hopeful that the coming years will repopulate the neighborhood and strengthen fragmented blocks. Partially as a result of the improved market position of both Northern Liberties and Fishtown in residential and commercial real estate, South Kensington is starting to see a considerable increase in reinvestment—both in the form of new development and rehabilitation/adaptive reuse—especially in the American Street area. Many of the zoning variance approvals process requests fielded by our Planning and Zoning Committee have been seeking use variances to allow mixed use [residential and commercial] development on properties that are currently zoned industrial, but which have sat vacant for a decade or longer. Not allowing American Street to transition away from a single-use industrial district to accommodate a broader mix is a lost opportunity to strengthen the market position of South Kensington and could potentially drive away investment from areas nearby that are zoned for residential or commercial development. Given the community's hope to preserve affordable housing in South Kensington and welcome new residential development to serve a mix of incomes, it is important to also note that both residents of market rate and subsidized housing suffer from the same impacts of the industrial blight.

The neighborhood has long looked forward to the revitalization of Girard Avenue as a neighborhood-serving commercial corridor and there is great concern that the renewal of a single-use industrial land use policy on American Street will deter businesses and the potential increase in truck traffic could pose counterproductive to the vision of Girard Avenue as a walkable commercial corridor.

Furthermore, preserving I-2 zoning in our neighborhood will place an undue hardship on South Kensington Community Partners staff and community volunteers, who have limited time and resources available to manage planning and zoning issues. Use variances will continue to be requested for properties with industrial zoning and we are required to oversee community review as per our role as an RCO.

## **REVISIONS AND ADDITIONS REQUESTED**

Rather than persisting as a liability to our community and barrier to its vitality, American Street has great potential to become its centerpiece. We embrace a vision for American Street that will activate this major neighborhood corridor with a wider range of active uses throughout the day, nights, and weekends; soften this windswept hardscape with opportunities for green stormwater infrastructure and street trees; promote context-sensitive development that harmonizes with and strengthens adjacent neighborhood fabric; and accommodate job growth and entrepreneurial activity.

### **1. Use IRMX base zoning in place of currently proposed I-2 and ICMX to invite a diverse range of uses.**

After reviewing the Planning Commission's new zoning classifications, we feel that IRMX zoning comes closest to what the community would like to see on American Street and on most properties currently zoned I-2. IRMX would also allow for economic development opportunities and job growth along the corridor.

#### **> COMMERCIAL**

Neighborhood-serving retail uses and offices would be welcomed by the community. Big box retail or strip mall style development would not be supported.

> **RESIDENTIAL**

American Street is an opportunity to diversify South Kensington's housing options and allow for the creation of live-work options to promote small business development and creative entrepreneurialism.

> **INDUSTRIAL**

We encourage job growth and entrepreneurialism in a way that strengthens neighborhood integrity. Though there is a perception that transitioning away from I-2 zoning would mean a reduction in potential job capacity, we believe our vision includes the opportunity for as many, if not more jobs than would be accommodated by I-2 zoning. The community's vision welcomes small-scale artisanal production and craft manufacturing as well as light industrial uses that have a low impact on neighboring residential streets and non-industrial businesses nearby.

IRMX zoning allows for the following industrial uses as of right:

(a) **Artist Studios and Artisan Industrial.**

Spaces used by artists for the creation of art or the practice of their artistic endeavors, as well as uses that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading.

These uses are well aligned with the community's vision. IRMX also allows for the following by Special Exception from the ZBA:

(b) **Limited Industrial.**

Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosive or petroleum materials. This subcategory does not include the assembly of large equipment and machinery and has very limited external impacts in terms of noise, vibration, odor, hours of operation, and traffic.

These uses are adaptable to neighborhood context, with the exception of uses that are exclusively single-use warehouses, uses within the transportation and logistics cluster, and uses that pose environmental or health hazards such as heavy metals or VOCs. These non-supported uses should be prohibited through the proposed district overlay described below. We feel that imposing the limitation of a Special Exception from the ZBA creates a necessary and appropriate opportunity for the community to review potential impacts of light industrial uses through its regular zoning variance approvals process.

**2. Establish a district overlay and guidelines to make new development harmonize with existing neighborhood character**

IRMX zoning could result in some outcomes that would not be embraced by the community and there is a need to create a more refined set of land use regulatory measures tailored to allow for development that meets the needs of multiple stakeholders. The current PCPC draft Lower North plan proposes the following district overlay controls:

1. Maintain drive aisles for consistent truck traffic access.
2. Add curb bump outs to shorten crosswalks at prominent intersections.
3. Place parking and loading facilities along American Street and away from residential streets.

4. Create buffers of parking and/or landscaping between industrial and residential uses.
5. On East-West connecting streets, restore street walls and allow infill housing on existing residential streets.
6. On East-West connecting streets, create architectural scales and use materials complementary to existing residential uses.

We request further clarification from the Planning Commission staff on the specifics of these overlay controls. At face value, some of these may resonate with the community, but others may not.

We propose the following controls be included in the South Kensington IRMX overlay district:

#### 1. LIMIT RESIDENTIAL DENSITY

It is understood that the IRMX zoning classification was created to enable adaptive reuse of existing formerly industrial buildings, rather than to allow for new development of residential buildings. The development regulations specified in IRMX zoning, therefore, employ 150 year old industrial building standards for new residential development. In addition to addressing lot coverage standards, the number of residential units developable needs to be regulated by the size of the parcel, as it is with classifications less dense than CMX3/RMX3. Given the large size of many of the formerly industrial vacant lots, the 500 FAR, and no maximum on the number of units, there is a need to ensure that new residential development within IRMX zones doesn't result in an intensity of residential density that is not appropriate for the neighborhood context.

#### 2. ENFORCE DESIGN GUIDELINES TO APPLY TO ALL IRMX OVERLAY DISTRICT DEVELOPMENT REGARDLESS OF USE

The following design guidelines are proposed:

- > To promote eyes on the street and engagement with the public realm, each building elevation should include a minimum percentage of windows. For facades with street frontage, windowsills should be placed below eye level relative to a person on the sidewalk.
- > The expansive width of American Street would be exacerbated by front setbacks. A required zero setback on American Street would make buildings engage the street; exceptions could be made for shallow setbacks for landscaping, but *not* for surface parking.
- > Any surface parking should feature well-maintained green buffer areas around the perimeter. We would request that some controls be put in place to ensure that surface parking is kept at a minimum and is in proportion to the size of the building.
- > Façade lighting should be required on any façade with street frontage.
- > Any perimeter fencing should be screened by planted areas. Razor/barbed wire should not be permitted.
- > High quality, durable, variable materials must be integrated into façade designs to prevent monolithic treatments that would be eyesores for neighboring residences.

- > Grounds visible from the public realm or neighboring properties must be well maintained and not kept in an unsightly manner.

### **3. Market South Kensington as a place where creative culture thrives**

Many potential industrial users whose businesses aren't appropriate for this neighborhood context could nevertheless establish themselves in South Kensington as of right. Branding and marketing strategies could be used to promote sites and attract industrial users who are interested in being a part of this community and the vision for American Street. The City's "Destination Frankford" website is an example of how identity branding and marketing could draw the right mix of businesses to American Street:

<http://destinationfrankford.com/>

### **4. Make right of way improvements to serve all users**

As an excessively wide right of way, American Street presents a foreboding challenge to pedestrians and cyclists. With so many decisions having been made over the years to accommodate trucks and industries rather than local residents, the community would like to see the City acknowledge that South Kensington's streets should be designed to serve its residents first and foremost.

In the coming few years, a \$7m TIP capital grant will be directed towards improving the American Street right of way. A specific streetscape design for American Street should be in place in advance and created through a process that engages the community in discussing the specifics of the design. Generally speaking, the community would like to see the roadway significantly narrowed, bike lanes, bump outs at corners to reduce crossing distance, streetscape greening, and pedestrian scale lighting.

Truck traffic should be rerouted towards Lehigh rather than towards Girard in order to avoid turning radius conflicts on Thompson Street and 2<sup>nd</sup> Street. Signage should be installed to direct trucks along a new truck route. The route can also be enforced through redesign roadways to deter truck traffic where it is not desired and cannot be accommodated.

We have noted that the Planning Commission envisions a northbound bike lane on 5<sup>th</sup> Street and southbound on 2<sup>nd</sup> Street. From the neighborhood's perspective, being closely familiar with motorist habits on these streets, these are not advisable routes for safe biking. Riding bikes on these streets would be equally hazardous with or without a bike lane—and providing a bike lane on either of these streets may belie the danger of using it and mislead cyclists into thinking they will be safe. American Street's excessive right of way offers a much more sensible solution for a central north-south bike route through the neighborhood.

### **5. Address community health and safety concerns**

The city should provide resources for independent [not controlled by entities who have an interest in preserving industry on American Street] environmental testing to ensure that existing industrial users aren't creating hazardous conditions for nearby residents, schools, and other community uses. The community supports the preservation of existing industrial users that aren't threats to the health and safety of our residents. Given the neighborhood's history of intense industry, formerly industrial vacant lots should also be



tested to ensure that contaminants aren't migrating from vacant land onto occupied adjacent properties.

#### **6. Preserve land for open space on American Street**

To complement the vast amount of public resources that have gone toward industrial businesses in our neighborhood, public resources should be dedicated to offset the negative impacts that incompatible land use adjacencies and blight have imposed on our community over the years. On American Street, an appropriately sized and located piece of vacant public land should be preserved as an opportunity for a neighborhood open space amenity. An American Street open space would not only be centrally located in South Kensington, it would also help buffer the industrial character of American Street from residences nearby and could be tied in to green stormwater infrastructure.