

PHILADELPHIA CITY PLANNING COMMISSION  
MEETING MINUTES FOR SEPTEMBER 17, 2019

PRESENT: Joseph Syrnick, Vice Chair  
Garlen Capita  
Cheryl L. Gaston  
Duane Bumb, Representing Harold T. Epps  
Nancy Rogo Trainer  
Ariel Vazquez  
Peilin Chen, Representing Rob Dubow  
Christopher Rupe, Representing Brian Abernathy  
Martine DeCamp, Representing Eleanor L. Sharpe

NOT PRESENT: Anne Fadullon, Commission Chair  
Patrick Eiding  
Maria Gonzalez

*Vice Chair, Joseph Syrnick convened the Philadelphia City Planning Commission meeting on Tuesday, September 17, 2019 at 1:00 p.m.*

1. **Action item:** Approval of the Meeting Minutes for July 15, 2019 and August 20, 2019.

*Upon the motion made by Commissioner Rupe, seconded by Commissioner Bumb, the Philadelphia City Planning Commission approved.*

2. **Executive Director's Update**

#### **PCPC AND CDR MEETING UPDATE**

- Next scheduled CDR meeting: Tuesday, October 1, 2019 at 1:00 p.m.
- Next scheduled PCPC meeting: Tuesday, October 15, 2019 at 1:00 p.m.
- Final Historic Preservation Task Force meeting: Thursday, December 13, 2018.

#### **Complete Streets**

Going to AIA Philadelphia's Forum for Architecture + Design this October? Consider attending our "Complete Streets and Vision Zero Training" session! Staff from the City Planning Commission together with staff from the Office of Transportation, Infrastructure and Sustainability (oTIS) will be presenting Philadelphia's Complete Streets and Vision Zero policies and how Complete Streets are built in practice.

#### **Larissa Klevan**

This week, the Planning Commission is saying good-bye to one of our planners Larissa Klevan. She began her career at PCPC over ten years ago as an intern in the Executive Office. After this she joined the Development Division and later became a community planner in the Northeast where she has moved forward on a number of projects with Northeast communities. She is leaving Philadelphia to move to DC and she will be greatly missed. Thank you, Larissa, for all of your work and dedication to PCPC.

A Memorial Fund has been created in memory of Kyle Shenandoah, a pedestrian who was killed in a car crash in his neighborhood. Contributions will go toward CPI Scholarship Funds or other donor designated uses.

Kyle was a graduate of the CPI program, he also served the city in many capacities including:

- Treasurer on the Mayor's Millennial Advisory Committee,
- SEPTA Citizen's Advisory Committee,
- DVRPC's citizen task force;
- Tasker-Morris and Grays Ferry Neighborhood Associations,

And other organizations that were touched by his dedication.

Kyle was a selfless public servant, a community activist and an inspiration to many. He will be greatly missed.

*This concludes the Executive Director's Update. Thank you.  
Martine DeCamp*

**3. Action Item: Designation of the Overbrook Historical District (Presented by Megan Schmitt)**

Bounded at the north to City Avenue, the east by N. 58<sup>th</sup> Street, the south by the property line of the properties facing onto Woodbine Avenue, and the west by N. 66<sup>th</sup> Street.

Designate Overbrook Farms as a historic district and list it on the Philadelphia Register of Historic Places.

Existing Zoning: RSD-1, RSD-3, RSA-2, RSA-3, RMA-4, CMX-2.5

Present Use: Residential, commercial, and institutional.

Pursuant to Section 14-1004(4) of the Philadelphia Code, during the 60 days prior to a Historical Commission hearing on designation of a particular historic district, the Planning Commission shall review and comment on creation of the district and transmit its comments to the Historical Commission to assist the Historical Commission in making its determination.

**4. Action Item: Zoning Board of Adjustment Calendar No. 36763, 2157 E Lehigh Avenue. (Presented by David Fecteau)**

The purpose is to provide a recommendation to the Zoning Board regarding three use variances:

- Residential uses are prohibited in ICMX zoning districts;
- Two loading spaces are required, while this proposal has zero spaces; and
- The maximum height allowed in ICMX is 60 feet, while the proposal requests 75 feet in height.

This is Zoning Board Calendar #36763, scheduled for a hearing on September 25, 2019.

Site Area: 80,816 square feet, just under two acres.

Existing Zoning: ICMX Industrial Commercial Mixed-Use

Present Use: Auto scrapyard

Proposed Use: Residential and commercial mixed-use: 13,325 square feet of commercial will be split between Buildings 1 and 2 on the ground floor while Buildings 3 and 4 will have "tucked under" parking on the ground level. All four buildings propose residential units above the ground floor, totaling 278 dwelling units at just under 235,000 square feet. There are 132 vehicular parking and 124 bicycle spaces proposed.

The Commission recommended against proposal for 153 dwelling units and 9,500 square feet of commercial spaces at 2035 E Lehigh Avenue in February 2018. That lot was also zoned ICMX. The Zoning Board granted those variances.

The City wrapped the Lehigh viaduct into a zoning bill for Kensington North of Lehigh, Bill No. 170310 (enacted 5/11/2017). The City rezoned East Kensington with two zoning bills, No. 170310 (enacted 5/22/2017) and No. 160715 (enacted 9/8/2016). Rezoning of Olde Richmond followed with Bill No. 170803 (enacted 9/21/2017). The Commission recommended approval for these Bills.

Staff worked with the neighborhood associations and the 1<sup>st</sup> Council District to remove former I-2 Medium Industrial zoning and replace it with ICMX Industrial Commercial Mix zoning on Lehigh Avenue to encourage business development. At that time, staff did not consider, and still does not consider, parcels near active freight lines as appropriate places for residential or related activity.

The National Research Council's Transportation Research Board recommends a 100-foot setback between residential development and branch rail lines to ensure safety. Canada has more detailed standards, *Guidelines for New Development in Proximity to Rail Operations*. These recommend at minimum: a security fence, a 13-foot tall noise attenuation barrier (the applicant for this case is not proposing a sound wall), possibly a berm, and a setback for residential buildings of 50 feet from a spur or branch line. The guidelines recommend larger setbacks for mitigating noise.

For 2157 E Lehigh Avenue, the applicant's closest residential units appear to be at least 180 feet away from the nearest rail. But the setback between the property line of this proposal, and the main tracks on the viaduct, is entirely within the Conrail right-of-way. Conrail has a right to build new track or other facilities when it chooses to. And the chemicals carried by these rail cars are hazardous to human health.

Staff agrees that the proposal is further than 100 feet away from the freight rail line. However, there has been no effort to mitigate noise from the active freight rail, nor has there been any acknowledgement by the applicant of the hazardous chemicals carried by the adjacent freight rail.

The commercial component of this project represents an attempt to comply with the requirements of the ICMX Zoning District. However, the proposed residential units pose a significant safety hazard and do not attempt to comply with the requirements of ICMX. Until and unless the residential units are removed, we recommend against these variances.

Staff recommendation is not for approval.

*Upon the motion made by Commissioner Capita, seconded by Commissioner Gaston, the Philadelphia City Planning Commission approved staff recommendation of not for approval.*

*Opposed by Commissioner Bumb*

5. **Action Item: Bill No. 190655: Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” to revise certain provisions of Chapter 14-502, entitled “/CTR, Center City Overlay District,” by amending the Supplemental Use Controls for the Old City Residential Area; all under certain terms and conditions.” Introduced by Councilmember Squilla on September 12, 2019. (Presented by Ian Litwin)**

Old City, on the following street frontages:

- Front Street, between Walnut Street and Arch Street;
- 2nd Street, 3rd Street, or 4th Street, between Walnut Street and Florist Street;
- 5th Street, between Walnut Street and Race Street; or
- Walnut Street, Chestnut Street, Market Street, Arch Street, or Race Street, between Front Street and 5th Street.

Purpose:

- Promote active ground floor uses in Old City on lots zoned CMX-3
- First 30’ of depth must be a use other than residential or parking for 100% of ground floor frontage
- Applies to primary frontage (as determined by PCPC staff)

Existing Zoning: CMX-3

Proposed Zoning: CMX-3 with ground floor active use requirements

Staff recommendation is for approval.

*Upon the motion made by Commissioner Gaston, seconded by Commissioner Trainer, the Philadelphia City Planning Commission recommended to table item until the next staff meeting.*

*Motion to conclude the meeting by Commissioner Rupe, seconded by Commissioner Trainer, meeting adjourned at 1:50 p.m.*

The next City Planning Commission Meeting is scheduled for **Tuesday, October 15, at 1:00 p.m.**

SUMMARY

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1. Action item: Approval of the Meeting Minutes for July 15, 2019 and August 20, 2019.

**APPROVED**

2. Executive Director's Update.

3. Action Item: Designation of the Overbrook Historical District (Presented by Megan Schmitt)

**FOR REVIEW AND COMMENT ONLY**

4. Action Item: Zoning Board of Adjustment Calendar No. 36763, 2157 E Lehigh Avenue. (Presented by David Fecteau)

**STAFF RECOMMENDATION NOT FOR APPROVAL WAS APPROVED**

5. Bill No. 190655: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," to revise certain provisions of Chapter 14-502, entitled "CTR, Center City Overlay District," by amending the Supplemental Use Controls for the Old City Residential Area; all under certain terms and conditions." Introduced by Councilmember Squilla on September 12, 2019. (Presented by Ian Litwin)

**COMMISSION RECOMMENDED TO TABLE ITEM UNTIL NEXT STAFF MEETING**