

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 RULES COMMITTEE

4 - - -
5 Room 400, City Hall
6 Philadelphia, Pennsylvania
7 Wednesday, June 10, 2009, time
8 - - -

9 Bill 090072 - City Ave. Regional Center, City
10 Ave. Village Center Special District Controls.
11 Bill 090071 - Held.
12 Bill 090191 - Prohibit transfer of special
13 approvals provided by ZBA.

14 Bill 090412 - Parking in Residential Districts

15 Bill 090413 - North Central Front Street
16 Special District Controls

17 COMMITTEE MEMBERS PRESENT:

18 Anna C. Verna, Chair
19 Blondell Reynolds-Brown
20 Darrell L. Clarke
21 Frank DiCicco
22 Wilson W. Goode, Jr.
23 Bill Green
24 William K. Greenlee
25 James F. Kenney
Donna Reed Miller

Also Present: Marian B. Tasco

26 - - -
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2 COUNCIL PRESIDENT VERNA: Good
3 afternoon. This is a public hearing of
4 the Rules Committee I would ask
5 Mr. Erekson to please read the title of
6 Bill No. 090071.

7 MS. EREKSON: Bill 090071, an
8 ordinance amending Title 14 of the
9 Philadelphia Code, entitled "Zoning and
10 Planning," by amending Chapter 14-1600,
11 entitled "Miscellaneous," by adopting a
12 new Section, entitled, "Overbrook Farms
13 Transit-Oriented Central Special District
14 Controls," under certain terms and
15 conditions.

16 (Witness comes forward.)

17 COUNCIL PRESIDENT VERNA: Good
18 afternoon. Kindly identify yourself for
19 the record.

20 MR. KRAMER: Good afternoon,
21 Council President Verna and members of
22 the Rules Committee. I am William
23 Kramer, Division Director of Development
24 of the Planning Division of the
25 Philadelphia City Planning Commission.

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2 I am here today to testify on
3 Bill No. 090071, which was introduced by
4 Councilmember Jones on February 5, 2009.
5 This bill amends Section 14-1600 of the
6 Philadelphia Zoning Code by creating a
7 new special control district for an area
8 fronting on 63rd Street between City
9 Avenue and Woodbine Avenue.

10 The bill would prohibit certain
11 uses in the district, most of which are
12 auto-related, such as auto sales, service
13 stations, and repair shops, as well as
14 restaurants with drive-through service
15 and dispensing windows on the sidewalk.

16 It also allows for office
17 commercial use to be allowed in
18 properties whose base zoning is
19 residential.

20 The bill also establishes
21 building standards for the district and
22 signing regulations to be applied in the
23 district.

24 The Philadelphia City Planning
25 Commission, at its meeting of March 17,

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2 2009, considered Bill No. 090071 and
3 recommended that the bill be approved,
4 with two amendments.

5 The first amendment would be
6 that Section 5-B.3 be removed from the
7 ordinance because it would require staff
8 of the Planning Commission to perform a
9 historic review for these properties,
10 which would encroach on the
11 responsibilities of the Historic
12 Commission. Additionally, it is expected
13 that such review would require the
14 expertise available only at the Historic
15 Commission.

16 Secondly, the Planning
17 Commission is recommending that the
18 portion of Section 5-A requiring the
19 Planning Commission to coordinate Art
20 Commission reviews in this area be
21 removed. It is believed that such
22 provision would complicate and likely
23 delay the process of the Art Commission
24 review.

25 The City's Law Department has

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2 reviewed this bill and has requested
3 certain technical language amendments be
4 made in addition to the recommendations
5 of the Philadelphia City Planning
6 Commission.

7 Normally, I would have those
8 amendments here. And this morning, at
9 10:30, I received an e-mail from the Law
10 Department that those amendments are not
11 ready at this time.

12 I'm not certain what else to
13 say. I did contact Councilman Jones's
14 office and made them aware of, and I have
15 heard no further comments from Councilman
16 Jones's office.

17 COUNCIL PRESIDENT VERNA: So
18 I'm assuming that we will hold the bills
19 until further notice -- that bill until
20 further notice?

21 Councilman Jones?

22 COUNCILMAN JONES: Yes, Madam
23 President. Thank you, Madam President.

24 We are prepared to hold the
25 bill, we would like you to hold the bill,

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2 in order for us to work out whatever
3 problems they have by way of logistics
4 for the legislation.

5 COUNCIL PRESIDENT VERNA: And I
6 think there may have been a few problems
7 with the following bill, too?

8 MR. KRAMER: We do have those
9 amendments from the Law Department. I
10 was under the understanding that
11 Mr. Cohen was going to be bringing copies
12 of those. I have only the one, but I
13 assumed you have them as well.

14 COUNCILMAN JONES: Sharon has
15 those.

16 MR. KRAMER: Okay.

17 COUNCILMAN JONES: Yeah, we
18 worked that through yesterday --
19 yesterday, was it?

20 MR. KRAMER: Yes, sir, correct.

21 COUNCIL PRESIDENT VERNA: Very
22 well. Thank you very much.

23 I would ask Mr. Erekson to
24 then, please read the title of Bill No.
25 090072.

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2 MS. EREKSON: Bill No. 090072,
3 an ordinance amending Title 14 of the
4 Philadelphia Code, entitled "Zoning and
5 Planning," by amending Chapter 14-1600,
6 entitled "Miscellaneous," by adopting a
7 new Section, entitled "City Avenue
8 Regional Center and City Avenue Village
9 Center Special District Controls," under
10 certain terms and conditions.

11 COUNCIL PRESIDENT VERNA:

12 Mr. Kramer?

13 MR. KRAMER: Good afternoon,
14 council President Verna and members of
15 the Rules Committee.

16 I am William Kramer, Division
17 Director of the Development Planning
18 Division of the Philadelphia City
19 Planning Commission. I am here today to
20 testify on Bill No. 090072, which was
21 introduced by Councilmember Jones on
22 February 5th of 2009.

23 This bill amends Section
24 14-1600 of the Philadelphia Zoning Code
25 by creating a new special control

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2 district, entitled "City Avenue Regional
3 Center and City Avenue Village Center
4 Special District Controls." These
5 controls would apply to properties along
6 City Avenue from the Schuylkill
7 Expressway to 53rd Street.

8 The bill would prohibit certain
9 uses in the district, most of which are
10 auto-related uses, such as auto sales,
11 service stations, and repair shops, as
12 well as restaurants with a drive-through
13 service.

14 It also establishes a list of
15 commercial uses to be allowed in the
16 district, notwithstanding the provisions
17 of the existing zoning designation.
18 These would include bakery, bank, grocery
19 store, laundry or dry-cleaning operation,
20 professional office medical building, and
21 radio or television broadcasting station.

22 The bill also establishes a
23 variety of setback provisions for front,
24 side, and rear yards, as well as
25 establishing impervious (indiscernible)

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2 signage for all sites in the district.

3 The district will establish
4 both minimum and maximum height standards
5 as well as bulk and spacing requirements.
6 It establishes both minimum and maximum
7 parking requirements.

8 Bill No. 090072 also
9 establishes design standards for sites,
10 parking lots, and building designs.
11 These would include provisions for
12 minimum public walkways in order to allow
13 for better pedestrian access to the
14 entire area.

15 The Philadelphia City Planning
16 Commission, at its meeting of June 9,
17 2009, considered Bill No. 090072 and
18 recommended that the bill be approved, as
19 amended.

20 The City's Law Department has
21 reviewed this bill and has requested
22 certain technical amendments to be made
23 in addition to the recommendations from
24 the Philadelphia City Planning
25 Commission, and these have been submitted

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2 for the consideration by Council.

3 This concludes my testimony.

4 If there's any questions, I would be
5 happy to answer them for you.

6 COUNCIL PRESIDENT VERNA: So
7 that the Law Department's amendments were
8 also included with what we received.

9 Mr. Kramer, is this in a
10 historic district?

11 MR. KRAMER: Not at this time,
12 although some -- this one is not. The
13 prior bill affects an area that is under
14 consideration for the creation of a
15 historic district, but one has not been
16 established as yet.

17 COUNCIL PRESIDENT VERNA: Okay.
18 And you don't have a problem with this
19 bill?

20 MR. KRAMER: I'm sorry?

21 COUNCIL PRESIDENT VERNA: You
22 don't have a problem with the bill as
23 it's written? I mean, are you telling
24 people what type of glass they would have
25 to use and the height?

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2 MR. KRAMER: The -- the --

3 COUNCIL PRESIDENT VERNA: I

4 mean, I thought that that was done in the
5 historic district, but if you feel that
6 you're going to be working on that --

7 COUNCILMAN JONES: If I may,
8 Madam President?

9 COUNCIL PRESIDENT VERNA:

10 Please.

11 COUNCILMAN JONES: The City
12 Avenue project was started before my
13 time; it was the prior councilman,
14 Councilman Nutter, who is now Mayor, who
15 established a working relationship with
16 the special services district.

17 What this will do is create a
18 couple of things: One, increase density,
19 a better look, and a more first-class
20 look for that avenue. I think a couple
21 of things are covered under there.

22 It is more pedestrian-friendly,
23 it calls for a little wider pedestrian
24 walkway, and it calls for pervious
25 surfaces where possible.

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2 So it is where -- in my
3 opinion, in my background with commercial
4 corridors -- where we should be going.
5 It is transit-oriented to development as
6 its best, and I think it's just a well-
7 thought-out, good look for that
8 particular commercial corridor.

9 MR. KRAMER: If I may?

10 COUNCIL PRESIDENT VERNA: Yes.

11 MR. KRAMER: Some of the
12 concerns that have been raised by the
13 Commission staff:

14 This is the first time we're
15 actually having significant design
16 controls put into an ordinance that
17 affects a rather limited area of the
18 City, rather than a citywide approach to
19 this. And, frankly, many of us would
20 like to have handled it as a rather
21 citywide ordinance or a citywide approach
22 to it rather than a piecemeal, individual
23 approach.

24 However, given the fact that
25 the Zoning Code Commission is undergoing

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2 its rewriting of the Zoning Code, and
3 some of these provisions may, in fact, be
4 incorporated into that rewriting, it
5 would then be allegedly or hopefully
6 addressed within another year.

7 And with the economy, we're not
8 necessarily overly concerned that it will
9 be overwhelmed with either reviews that
10 we have to do or that there's going to be
11 an influx of development that's going to
12 be unnecessarily negatively affected by
13 it.

14 And that's why we were willing
15 to let it go at this particular time.

16 COUNCIL PRESIDENT VERNA: Thank
17 you.

18 The Chair recognizes Councilman
19 Goode.

20 COUNCILMAN GOODE: Thank you,
21 Madam President.

22 I'm not sure where to start.
23 Councilman Jones, to some extent, talked
24 about the purposes of it. I guess I'll
25 start with the fact that this was

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2 recommended by the special services
3 district?

4 MR. KRAMER: This actually came
5 about as a result of a coordinated effort
6 between representatives of the Lower
7 Merion and the City Avenue people. It's
8 actually both a joint city and county
9 venture to address City Avenue concerns.
10 And City Avenue has half of it inside the
11 City and have of it inside Merion
12 Township.

13 There's a corresponding effort
14 along the same lines going on in Merion
15 Township, as I understand it. I think
16 we -- as I have been told, we're a little
17 bit ahead of them at this point in terms
18 of the actual legislative process, but it
19 is expected that similar legislation will
20 be in place on the Merion side as well.

21 COUNCILMAN GOODE: And the
22 end-goal of this is what?

23 MR. KRAMER: The end -- I'm
24 sorry, I didn't hear you.

25 COUNCILMAN GOODE: The end-goal

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2 of this is what?

3 MR. KRAMER: The end-goal is
4 twofold. It -- the primary consideration
5 is to address the pedestrian concerns and
6 make City Avenue a more pedestrian-
7 friendly place to be. And a large thrust
8 of the directions here have been for the
9 provision of sidewalks as part of -- and
10 doing so using the Zoning Code.

11 This has been something that
12 has caused some angst amongst my staff,
13 and we have gone around and around on
14 this thing. As late as even yesterday,
15 and even this morning, we've been
16 discussing it with the Law Department in
17 regards to how we do it.

18 I don't think that we're -- we
19 agree that the application is one thing,
20 and it's the "how-it's-getting-done"
21 that's bothering a lot of people.

22 COUNCILMAN GOODE: Well,
23 Mr. Kramer --

24 MR. KRAMER: Yes?

25 COUNCILMAN GOODE: -- it sounds

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2 good, but --

3 COUNCILMAN JONES: Point of
4 information, Madam President?

5 COUNCILMAN GOODE: It sounds
6 good in concept. Wait a second.

7 COUNCIL PRESIDENT VERNA: One
8 moment please.

9 COUNCILMAN GOODE: I'm sorry.
10 It sounds good in concept; I'm not sure
11 how you make City Avenue a more
12 pedestrian district.

13 MR. KRAMER: Well, the way that
14 they're intending to do it is to make a
15 requirement that the sidewalks be ten
16 foot. Now, that's only going to widen
17 your sidewalk and allow you to walk on
18 it, but if you don't do that, you're not
19 going to get anywhere anyway, so -- but
20 it's a start.

21 Councilman, I didn't want to
22 step on his toes either. I'm not sure --

23 COUNCIL PRESIDENT VERNA:
24 Councilman Jones.

25 COUNCILMAN JONES: Thank you,

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2 Madam President.

3 Point of information:

4 A, the Bala Cynwyd side is
5 already put in their legislation and
6 passed it; that's number one.

7 Number two, as a part of a
8 effort to have a more pedestrian-friendly
9 environment on City Avenue, it is not
10 just the sidewalks; it is the greening,
11 it is the calming effect in the middle
12 that we're trying to look for so that
13 people slow down, that people are more
14 comfortable because the sidewalks are so
15 narrow.

16 One of the things about the 4th
17 Councilmatic District is that we have the
18 highest number of assisted-living
19 facilities concentrated in one area in
20 any district, including people that need
21 wheelchairs to travel.

22 These small sidewalks have been
23 a impediment to them. They will protest
24 up at Belmont and City Avenue as to the
25 nature of the inability of people to

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2 comfortably move about City Avenue.

3 These are some of the things
4 that will address some of that.

5 COUNCIL PRESIDENT VERNA:

6 Councilman Goode?

7 COUNCILMAN GOODE: Councilman,
8 how is this going to affect the
9 businesses along City Avenue? What is
10 the intended effect for the businesses?

11 COUNCILMAN JONES: The intended
12 impact, one of them, is that right now,
13 if you look and take a snapshot, you have
14 a Jiffy Muffler and you have a 7-Eleven,
15 which are fine establishments.

16 But what we're looking to do is
17 create a incentive to do density, to
18 build closer to City Avenue. As opposed
19 to having the parking lots in the front
20 of City Avenue, we would like them, for
21 example, to put them in back of City
22 Avenue, to give them a little more
23 flexibility on the height in order to
24 create density so that people and
25 developers are incentivized to want to

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2 improve those properties along City
3 Avenue.

4 COUNCILMAN GOODE: Mr. Kramer,
5 maybe you can tell me, what is the
6 vacancy rate?

7 MR. KRAMER: I would have no
8 way of knowing that, sir. I don't know.

9 COUNCILMAN GOODE: You're
10 familiar with the area, though?

11 MR. KRAMER: Not personally,
12 no. I -- I have -- my daughter's working
13 out of one of the radio stations out
14 there, but that's as close as I get.

15 We do have in the audience
16 Mr. Terry Foley, who represents the City
17 Avenue District, and he very well may be
18 able to answer that question for you.

19 COUNCILMAN GOODE: If he could
20 come forward, please.

21 COUNCIL PRESIDENT VERNA:
22 Mr. Foley?

23 (Mr. Foley comes forward.)

24 COUNCILMAN GOODE: By way of
25 disclosure, I live a block-and-a-half of

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2 City Avenue. I live two blocks from one
3 assisted-living facility and two blocks
4 from the other.

5 MR. KRAMER: I will defer to
6 your knowledge of the area, sir.

7 COUNCILMAN GOODE: Okay, yeah.

8 MR. KRAMER: I will say, as
9 Mr. Foley comes forward, one of the
10 concerns was the type of uses that are on
11 City Avenue, the latest being a used-
12 motorcycle sales place, which is not
13 necessarily conducive to the type of
14 development that they wanted to see.

15 But Mr. Foley is here and I'm
16 certain that he can speak for himself.

17 COUNCIL PRESIDENT VERNA: Good
18 afternoon. Kindly identify yourself for
19 the record.

20 MR. FOLEY: Hi. My name is
21 Terry Foley. I'm the President and CEO
22 of the City Avenue Special Services
23 District. We are a multi-jurisdictional
24 special services district covering both
25 Lower Merion Township and the City of

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2 Philadelphia.

3 The district spans from 63rd
4 Street on the Philadelphia side down to
5 the Schuylkill Expressway. On the City
6 side, it also goes back to Overbrook
7 Avenue in many sections and as far back
8 as Ford/Conshohocken Road in the Monument
9 Road area.

10 COUNCILMAN GOODE: What is the
11 vacancy rate along City Avenue?

12 MR. FOLEY: I do not know
13 exactly the vacancy rate. There is not
14 published information on commercial
15 properties; there is on office
16 properties.

17 The office properties are
18 primarily on the Lower Merion side, and
19 that right now is about 87 -- the
20 occupancy is 87 percent.

21 COUNCILMAN GOODE: There is not
22 published information on it?

23 MR. FOLEY: No. I can tell you
24 that --

25 COUNCILMAN GOODE: So the

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2 special services district didn't actually
3 survey the area itself?

4 MR. FOLEY: We have not
5 surveyed the commercial properties in the
6 last two years for that information.

7 Anecdotally, I can tell you
8 that the Keystone Tire property that
9 Mr. Kramer referred to, at the corner of
10 Gulph and City Avenue, as been vacant for
11 several years, but, in the last two
12 weeks, has been occupied by a used-
13 motorcycle shop that has caused great
14 alarm for ourselves and the Wynnefield
15 Residents Association.

16 Unfortunately, under the
17 current zoning, they are allowed to be
18 there, and there's nothing we can do
19 about it. Under the zoning overlay, that
20 would be a prohibited use. It's right
21 next to the Jiffy Lube.

22 COUNCILMAN GOODE: I know
23 exactly where it is, and I've seen the
24 motorcycles sitting there. It's along my
25 walking route in the morning.

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2 MR. FOLEY: Okay.

3 COUNCILMAN GOODE: So you have
4 no idea whatsoever what the vacancy rate
5 is?

6 MR. FOLEY: (Shakes head.)

7 COUNCILMAN GOODE: I mean, can
8 you at least guess what the vacancy rate
9 may or may not be?

10 And the reason why I ask the
11 question is, I'm not sure whether there's
12 an opportunity in terms of zoning related
13 to -- I'm not sure how much new
14 development can happen there, period.

15 MR. FOLEY: Okay. If we take
16 the location that you walk by every
17 morning, that's a prime example where
18 what we'd like to see happen is that
19 entire block to be redeveloped.

20 But because of the challenging
21 lot sizes that exist today, it's not
22 economically feasible under the current
23 zoning, but the zoning we're putting
24 forward, first of all, would change the
25 setbacks and bring the properties to the

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2 street, get the parking in the rear, and

3 --

4 COUNCILMAN GOODE: I guess my
5 question is: Are you trying to make
6 zoning changes to change the retail mix,
7 the store mix there?

8 MR. FOLEY: Yes. We're trying
9 to revitalize its area.

10 COUNCILMAN GOODE: That's not
11 my question. The questions is: Are you
12 trying to change the store mix there?

13 MR. FOLEY: Yes.

14 COUNCILMAN GOODE: But there's
15 not a high vacancy rate.

16 MR. FOLEY: No, but the, um...
17 I'm trying to pick the right words to use
18 here.

19 COUNCILMAN GOODE: Well, let me
20 ask you another question before you
21 answer that one. Do you know what the
22 mix of ownership is?

23 MR. FOLEY: I don't understand
24 the question.

25 COUNCILMAN GOODE: The question

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2 is: Are the properties generally
3 originally owned, or are they owned by --
4 are there several properties owned by
5 one, two, or three companies? Or what's
6 the mix of ownership?

7 MR. FOLEY: Okay. The
8 ownership tends to be absentee and tends
9 to be individual. The Keystone property
10 that we just mentioned --

11 COUNCILMAN GOODE: You keep
12 referring to one property; I'm asking you
13 about the entire City Avenue.

14 MR. FOLEY: Well, the answer
15 is: It's diverse ownership, it's mostly
16 absentee, meaning they're located
17 elsewhere than this region, and they're
18 individually owned. There's not one
19 organization that owns many properties
20 other than the universities.

21 COUNCILMAN GOODE: And so, you
22 expect the owners to do what as a result
23 of this legislation?

24 MR. FOLEY: We -- we do not
25 expect the current owners to do much. We

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2 expect developers to become more
3 interested in the area and to come in and
4 acquire properties and then redevelop
5 them.

6 COUNCILMAN GOODE: So through
7 zoning changes -- through this
8 legislation, you're essentially trying to
9 take over properties that are currently
10 owned?

11 MR. FOLEY: No, we're not
12 trying to take over anything. We're
13 trying to encourage redevelopment of the
14 area. Among -- that's one part of it --

15 COUNCILMAN GOODE: The area's
16 not underdeveloped, there are not that
17 many nuisance properties there, although
18 there are some nuisance properties there.

19 I'm not -- I'm just not getting
20 it, to put it simply.

21 MR. FOLEY: Well, it's more
22 encompassing than just the redevelopment
23 of the properties. It's also to make it
24 more pedestrian-friendly, to encourage
25 transit use in the area. We have a very

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2 large number of bus lines, we have two
3 railroad stations, one of which is
4 greatly underutilized. That's all --
5 it's all a part of this legislation.

6 There's a lot of moving pieces
7 to it, as Mr. Kramer said, and we're
8 really -- we're trying to encourage
9 continual revitalization of the area,
10 both on the Philadelphia side and on the
11 Lower Merion side.

12 COUNCILMAN GOODE: And you are
13 a resident of the area?

14 MR. FOLEY: I live in the City
15 of Philadelphia; I do not live in that
16 area.

17 COUNCILMAN GOODE: Okay, thank
18 you.

19 Thank you, Madam Chair.

20 COUNCIL PRESIDENT VERNA:
21 You're welcome.

22 The Chair recognizes Councilman
23 Clarke.

24 COUNCILMAN CLARKE: Thank you,
25 Madam Chair.

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2 Good afternoon. I just want to
3 ask you one question, and I -- let me
4 preface this by saying that I support the
5 Councilman's bill and the proposed
6 amendments.

7 But at 54th and City Line
8 Avenue, there was recently, I think,
9 within the last year or so, St. Joseph's
10 constructed a building, and they moved
11 the building up to -- closer to the
12 property line.

13 MR. KRAMER: Yes, sir.

14 COUNCILMAN CLARKE: And my
15 question is: One, I thought -- it seems
16 like quiet an imposing building, and it
17 actually seem like it is not pedestrian-
18 friendly because it appears -- and maybe
19 that's just visual -- that it actually
20 shortened the sidewalk.

21 The proposed initiative, do
22 you -- is that what it's going to
23 replicate along the corridor?

24 MR. KRAMER: No, sir.

25 COUNCILMAN CLARKE: 'Cause I

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2 don't think that's --

3 MR. KRAMER: It would not, no.

4 COUNCILMAN CLARKE: You know
5 what I'm talking about, right?

6 MR. KRAMER: Yes, sir, I do.

7 COUNCILMAN CLARKE: Right.

8 MR. KRAMER: I was familiar
9 with it. The St. Joe's proposal came in
10 as an IDD master plan amendment, and I
11 was certainly involved in the approval of
12 that.

13 And you're absolutely right; it
14 does go right up to the sidewalk there
15 along 54th Street, if I remember
16 correctly.

17 COUNCILMAN CLARKE: Right.

18 MR. KRAMER: It's a combination
19 dormitory and parking garage, if I'm not
20 mistaken.

21 And it wasn't designed as a
22 pedestrian-friendly type facility. The
23 university at that point was trying to
24 maximize the available property to use on
25 its own.

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2 COUNCILMAN CLARKE: Correct.

3 MR. KRAMER: This particular
4 bill would wrap around that.

5 The effects of it or the
6 provisions go up to where that building
7 would start and then continue on 54th
8 Street for the small commercial strip on
9 54th.

10 This bill also has setback
11 requirements as a front yard. And in
12 that particular section of -- it's called
13 the Village Center part of this. It
14 would be a 20-foot setback from the
15 street. The other provision says that
16 you can't park in the setback.

17 The object is to move the
18 buildings back to allow you this space to
19 put your ten-foot sidewalk and, at the
20 same time, require that parking be
21 required in the rear of the building so
22 that you don't have curb cuts coming
23 through the lots.

24 As a practical matter, if you
25 have a lot in the middle of City Avenue,

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2 with no other access, I'm not quite sure
3 how you would do that, but that hasn't
4 been finally nailed down. It was one of
5 the concerns that we have. I'm not
6 certain that that's all been answered as
7 yet.

8 But you're right. The object
9 was to create a setback in the Village
10 Center that is 20 feet, and I believe
11 it's greater than that in what they're
12 calling the Regional Center, which is
13 further towards the Schuylkill
14 Expressway, the Channel 6 site, and a
15 number of buildings that target that area
16 was a bigger setback.

17 They are recommending that if
18 you have a property that's more than 600
19 foot in width, that you put a city street
20 through the property. Originally, there
21 was a bone of contention about putting
22 that in, and the language, as amended,
23 recommends it. Originally, it was
24 required.

25 I don't -- that becomes an

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2 issue in terms of the way to deal with
3 that. If you want a city street, there's
4 a whole city streets process to put it on
5 the City Plan and have it dedicated, and
6 that's what we were recommending.

7 If someone wants to put a city
8 street in, we'll certainly work with them
9 to do that, if you have enough area or
10 enough street frontage on any street, in
11 order to increase the circulation both
12 vehicularly and pedestrian-wise, because
13 a part of that would require sidewalks on
14 any new street.

15 MR. FOLEY: Excuse me.

16 COUNCILMAN CLARKE: Go ahead,
17 sir.

18 MR. FOLEY: Could I also help
19 with that answer?

20 If go around the corner from
21 the dormitories to the parking facility
22 with the retail on the first floor, that
23 is what we're looking for. And when
24 St. Joe's went to do that, they came to
25 us and said, We know you guys are working

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2 on something, and we explained to 'em
3 where we were in the process with our
4 committees and such.

5 So what you have there is
6 there's -- it's a parking facility, and
7 it has retail on the first floor, so
8 there's an a active use. And then the
9 facility is screened on the upper floor
10 so you don't see the garage levels.

11 COUNCILMAN CLARKE: That's on
12 what street?

13 MR. FOLEY: It's on 54th.

14 COUNCILMAN CLARKE: 54th?

15 MR. FOLEY: It has the adequate
16 setback, it has the verge, which, in this
17 case, is paved stones with trees, then
18 the passageway. And then there's room
19 there for some outdoor seating as well.

20 COUNCILMAN CLARKE: But in
21 retrospect, the City Avenue side is not
22 something that --

23 MR. FOLEY: That's done?

24 COUNCILMAN CLARKE: Yeah.

25 MR. FOLEY: That's done and

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2 there's nothing we can do.

3 But if you look --

4 COUNCILMAN CLARKE: All right.

5 MR. FOLEY: -- at the parking
6 facility, that's where we're going.

7 COUNCILMAN CLARKE: Oh, okay.
8 All right. I just wanted to make sure.

9 Thank you.

10 COUNCILWOMAN BROWN: Madam
11 Chair?

12 COUNCIL PRESIDENT VERNA: The
13 Chair recognizes Councilwoman Brown.

14 COUNCILWOMAN BROWN: Thank you,
15 Madam President.

16 Good afternoon, gentlemen.

17 So can we safely assume, then,
18 that the residents of that community will
19 not again see a building set out in the
20 way that Councilman Clarke has just
21 described on City Avenue?

22 MR. FOLEY: If you're referring
23 to the current dormitory, it's -- my
24 understanding was that they did not
25 appreciate that at that time. That

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2 community association -- it went through
3 a residence association, and their
4 president, Peter (indiscernible) and the
5 group is in support of this. They've
6 worked with us -- I'm sorry, I
7 misunderstood.

8 COUNCILWOMAN BROWN: Please
9 don't misunderstand me. I'm very much
10 aware of the organization. And in the
11 interest of full disclosure, I'm a member
12 of that organization and can say that the
13 community was deeply disturbed by the
14 building being so far out on City Avenue.

15 So the question is: Moving
16 forward with the legislation, as proposed
17 by my District Councilperson that I
18 support, can we assume that the residents
19 of that community will not again have to
20 be accepting of a circumstance with the
21 building so far out near the curb?

22 MR. KRAMER: That is correct.
23 Based on the provisions of this overlay,
24 the setbacks would be required; and,
25 therefore, you wouldn't have a building

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2 immediately up on the sidewalk. That --
3 you're absolutely right; they would not
4 be faced with that unless someone wanted
5 to do due process and go before the
6 Zoning Board of Adjustment. So it would
7 require community notification and a
8 visit to the Zoning Board of Adjustment
9 for such approval.

10 COUNCILWOMAN BROWN: Even if it
11 is an...

12 COUNCILMAN CLARKE: IDD.

13 COUNCILWOMAN BROWN: ... IDD?

14 MR. KRAMER: The IDDs are not a
15 part of this particular provision. And
16 the IDD does have a master plan
17 provision, which is going to, at a
18 minimum, require approval of this Council
19 as well as the City Planning Commission.

20 And if the community has
21 objections, they -- when we did the
22 dormitory for St. Joe's, we were
23 certainly aware that there were community
24 concerns in opposition, and there were a
25 number of different issues, as I remember

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2 it, that were being dealt with.

3 And there were a number of
4 different communities -- not just the
5 overall community group, but immediate
6 neighbors meeting with the architects and
7 representatives for St. Joe's to deal
8 with it. And it was our understanding
9 that at that time, they came to an
10 understanding amongst themselves, and we
11 then let it go at that point.

12 COUNCILWOMAN BROWN: The only
13 friendly amendment that I would offer to
14 that is that it was not a community
15 concern; there was strong community
16 opposition to the university building an
17 eight-story building in a community where
18 you have single-family homes of only two
19 and three stories.

20 And after much work over four
21 or five years, the community worked
22 closely with St. Joseph's University to
23 reach an agreement to alleviate 75
24 percent of the concerns raised by
25 neighbors. So that's why I raised the

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2 question.

3 Is this instance an anomaly,
4 that never again will we have to reckon
5 with a situation that, you know, some
6 might argue, was ultimately less than a
7 compromise?

8 MR. FOLEY: Well, again, we do
9 not have anything to do with the IDD
10 district, but I just have to go again
11 with the example of the newest St.
12 Joseph's has built in the community,
13 which is that parking facility, and they
14 did go along with the guidelines that we
15 gave them.

16 And I haven't found anyone in
17 the community that dislikes that
18 building. I think everyone's very
19 pleased with how it turned out.

20 COUNCILWOMAN BROWN: Well,
21 again, for the record, we're extremely
22 pleased because it took all of the
23 parking off of 52nd Street and 54th
24 Street, Church Road, and Rexford Road,
25 when they couldn't even park in front of

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2 their own and in front of their own
3 garages.

4 So it was a great outcome, but
5 getting us there was -- was awful.

6 MR. FOLEY: Right.

7 COUNCILWOMAN BROWN: Thank you,
8 Madam President.

9 COUNCIL PRESIDENT VERNA:
10 You're welcome.

11 Are there any other questions
12 or comments from members of the
13 committee?

14 (No further questions.)

15 COUNCIL PRESIDENT VERNA: Thank
16 you. Thank you, Mr. Foley.

17 Oh, I'm sorry, Mr. Foley. One
18 moment please.

19 The Chair recognizes Councilman
20 Goode.

21 COUNCILMAN GOODE: Just,
22 Mr. Kramer, one time: Can you explain
23 what the Planning Commission's concerns
24 were?

25 MR. KRAMER: There were many

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2 concerns with it. Largely, the first
3 concern had to do with certain things
4 that had been amended out of the bill at
5 this point, so we'll leave those aside.

6 The other concern that the
7 Planning Commission had, it had to deal
8 with the establishment of design controls
9 and design standards being put into the
10 Zoning Code in, let's call it, a
11 piecemeal fashion.

12 In other words, the design
13 controls that are associated with this
14 bill only have control and issues dealing
15 with the avenue, City Avenue, and its
16 environs. It's not a design standard
17 that's being applied citywide.

18 And the concern that we had was
19 that we didn't want to necessarily
20 approach design standard approvals in
21 that fashion; we would much rather have
22 dealt with it as a citywide design
23 standard bill and organization.

24 However, the reason that we let
25 it -- part of this bill and let it

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2 continue forward without fighting it was
3 because we understand that a lot of the
4 concerns and design standards that are in
5 this bill are not bad and they're not
6 necessarily ideal, but they're not
7 necessarily going to cause harm, either.

8 We believe that that will be
9 in -- subsumed by a new zoning code that
10 we're working on in relation with the
11 Zoning Code Commission work.

12 COUNCILMAN GOODE: Mr. Kramer,
13 is it fair to say -- and I'm not against
14 the legislation, per se; I'm thinking
15 about unintended consequence.

16 Is it fair to say that because,
17 as the testimony has been presented, of
18 there being absentee landlords who don't
19 necessarily live within the area, that
20 those landlords will not necessarily
21 redevelop their properties and may not
22 have interest in -- if they lose a
23 tenant, fill in the vacancy at all?

24 MR. KRAMER: I don't know that
25 this bill would affect tenancy one way or

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2 another. What this bill is more likely
3 to affect is someone going in and
4 rehabilitating a building such as tearing
5 it down and replacing. It is either more
6 or less likely to occur, depending on
7 probably economic conditions way above
8 what the zoning would be.

9 COUNCILMAN GOODE: But -- but

10 --

11 MR. KRAMER: But it wouldn't

12 change the tenancy --

13 (Indiscernible; parties talking
14 over each other.)

15 COUNCILMAN GOODE: Mr. Kramer,

16 these are two simple questions I'm
17 asking.

18 MR. KRAMER: Go ahead.

19 COUNCILMAN GOODE: One, could

20 this cause the underdevelopment of the
21 City side versus the suburban side?

22 And then, two, is this actually
23 an incentive for those landlords to
24 develop their properties anymore than
25 they've developed them already?

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2 MR. KRAMER: The answer to your
3 question is twofold.

4 The first one I can't really
5 answer because I don't know enough about
6 the other side of the street to tell you
7 whether this is going to give an
8 advantage or a disadvantage to our side
9 of the City Avenue side; I just don't
10 know what the other side is, to give you
11 a comparative answer.

12 With regard to the second
13 component, is this going to be a
14 incentive to drive on? I don't think
15 it's going to be a incentive to drive on
16 or -- it's setting a framework upon which
17 to do it, so I don't know if it's an
18 incentive to build.

19 COUNCILMAN GOODE: So it's not
20 necessarily an incentive for anyone to
21 redevelop their properties at all, one.

22 And then, two, when you put in
23 design controls on both sides of the
24 street that possibly create additional
25 costs to redeveloping properties and the

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2 cost of development is cheaper on one
3 side than the other.

4 MR. KRAMER: That would depend
5 on the design standards that you put in.
6 If they're both the same, the cost would
7 be the same.

8 But it would, indeed, add to
9 your cost in terms of upfront costs to
10 develop; yes, it would.

11 COUNCILMAN GOODE: Thank you.

12 COUNCIL PRESIDENT VERNA: The
13 Chair recognizes Councilman Jones.

14 COUNCILMAN JONES: Well, for
15 full disclosure, one of the most
16 difficult districts is one where you have
17 the Mayor lives, Councilman Goode lives,
18 Councilmember Blondell Reynolds-Brown
19 lives, Senator Hughes lives, and Louise
20 Bishop lives one mile within that
21 district. So we better get it right, and
22 I understand that.

23 (Laughter.)

24 COUNCILMAN JONES: But to
25 answer your questions, which I think are

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2 good questions, is that currently, you
3 have a limit on how much of acreage can
4 be developed under the current process by
5 way of density that you -- and what we
6 are trying to do is get an existing owner
7 to be able to be incentivized to say, All
8 right, I'm going to build more building
9 on this parcel than I have before -- a
10 little more height, a little -- you know,
11 a little more girth. And we can also
12 talked about esthetics by moving some of
13 those parking lots that are out front in
14 back.

15 And I just think that if we're
16 talking about expanding our way out of
17 this recession and creating development
18 and incentivizing development, this is
19 the kind of zoning that we need to have.

20 And I just think that, by way
21 of your concern, the membership of the
22 special services district, the
23 dues-paying members have all weighed in
24 on this, and they have said that this is
25 something that they want to do.

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2 And so, if it's good enough for
3 their judgment on development, then I
4 think that it's something that this
5 Council needs to support.

6 COUNCIL PRESIDENT VERNA: Thank
7 you very much.

8 COUNCILMAN GOODE: I won't go
9 much further with this.

10 The question, Councilman,
11 simply is: What is incentive? One.

12 And, two, are the dues-paying
13 members of the special services district
14 the same as the absentee landlords, that
15 the special services district talked
16 about?

17 MR. FOLEY: The answer to the
18 question is: Yes, the property owners
19 are the folks who pay the assessments.
20 We have an 18-member board, and nine
21 people on that board represent the City
22 side, that are all priority owners on the
23 Philadelphia side. And they are local
24 property owners. As I said before, the
25 vast majority of property owners are out

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2 of the reasons.

3 And, Councilman, I would like
4 to address your question about unfair
5 advantage of one side over the other.

6 The ordinances in Lower Merion
7 Township are mirror images of what we're
8 doing on the Philadelphia side. Our
9 consultant on this is (indiscernible)
10 Kladner, and they have written and
11 fashioned both sides' ordinances.

12 So we want everything to be the
13 same and to eliminate any advantages that
14 may exist today for one side.

15 COUNCILMAN GOODE: But you do
16 agree that there are advantages to one
17 side versus the other?

18 MR. FOLEY: Personally, I think
19 there's advantages to the Lower Merion
20 side today.

21 COUNCILMAN GOODE: Okay. Thank
22 you.

23 COUNCIL PRESIDENT VERNA: Thank
24 you.

25 Are there any further questions

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2 or comments by members of the committee?

3 (No further questions.)

4 COUNCIL PRESIDENT VERNA: Thank
5 you, Mr. Foley.

6 Do we have anyone else to
7 testify on this bill?

8 (No response.)

9 COUNCIL PRESIDENT VERNA: Thank
10 you.

11 Before we proceed, I would like
12 the record to indicate that we do have a
13 quorum. To my extreme left is
14 Councilwoman Brown, Councilman Clarke,
15 and Councilman Greenlee. To my extreme
16 right are Councilman DiCicco,
17 Councilwoman Miller, Councilman Goode,
18 and Councilman Kenney.

19 I would ask Mr. Erekson to
20 please read the title of Bill No. 090191.

21 MS. EREKSON: Bill 090191, an
22 ordinance amending Title 14 of the
23 Philadelphia Code, entitled "Zoning and
24 Planning" to prohibit the transfer of
25 special approvals provided by the Zoning

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2 Board of Adjustment.

3 MR. KRAMER: Good afternoon,
4 Council President Verna and members of
5 the Rules Committee. I'm William Kramer,
6 Division Director of the Planning
7 Division of the Philadelphia City
8 Planning Commission.

9 I'm here today to testify on
10 Bill No. 090191, which was introduced by
11 Councilmember O'Neill on March the 12th
12 of 2009.

13 This bill amends Section
14 14-1801 of the Philadelphia Zoning Code
15 by prohibiting the transfer of special
16 exemptions, certificate of variance, or
17 special-use permit when granted by the
18 Zoning Board of Adjustment from one
19 parcel to another.

20 Under the current provisions of
21 the code, a property that receives a
22 variance from the Zoning Board of
23 Adjustment can be subdivided and have the
24 relief applied to the new lot. This
25 ordinance prohibit this condition by

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2 allowing zoning relief for the original
3 lots and not for newly-created ones.

4 The Philadelphia Planning
5 Commission, at its meeting of April 21,
6 2009, considered Bill No. 090191 and
7 recommended that the bill be approved.

8 This concludes my testimony.

9 COUNCIL PRESIDENT VERNA: Thank
10 you.

11 The Chair recognizes Councilman
12 Kenney.

13 COUNCILMAN KENNEY: Thank you,
14 Madam President.

15 I understand the issue relative
16 to subdividing the property and having
17 the special approvals not be
18 transferable, but if it transfers from
19 owner to owner, does the approval
20 transfer if it's the same use.

21 For example, if it's a
22 commercial property that receives certain
23 approvals and the person retires and
24 sells their business, do the approvals
25 follow the business?

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2 MR. KRAMER: If the variance
3 was granted, the approvals would stay
4 with the land. So that if you had a
5 business and sold it to me, I could then
6 go in and use it without further
7 acknowledgment of the board.

8 COUNCILMAN KENNEY: You can't
9 just subdivide it, though, and then do
10 another operation --

11 MR. KRAMER: Right. I could
12 not then take that property, subdivide
13 it, and then apply the same variance to
14 both new properties.

15 COUNCILMAN KENNEY: Okay, thank
16 you.

17 COUNCIL PRESIDENT VERNA: Thank
18 you.

19 Any further questions from
20 members of the committee?

21 (No further questions.)

22 COUNCIL PRESIDENT VERNA: Do we
23 have anyone else to testify on this bill?

24 (No response.)

25 COUNCIL PRESIDENT VERNA:

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2 Seeing no one, I would ask Mr. Erekson to
3 please read the title of Bill No. 090412.

4 MS. EREKSON: Bill No. 090412,
5 an ordinance to amend the Philadelphia
6 Zoning Maps by changing the zoning
7 designations of certain areas of land
8 located within an area bounded by Cecil
9 B. Moore Avenue, 11th Street, Montgomery
10 Avenue, and 12th Street; amending Section
11 14-1402 of the Philadelphia Code,
12 entitled "Parking in Residential
13 Districts" and by amending Section 14-305
14 of the Philadelphia Code, entitled "C-4
15 Commercial and C-5 Commercial Districts,"
16 all under certain terms and conditions.

17 COUNCIL PRESIDENT VERNA: Thank
18 you.

19 Mr. Kramer?

20 MR. KRAMER: Good afternoon,
21 Council President Verna and members of
22 the Rules Committee. I am William
23 Kramer, Division Director of the
24 Development and Planning Division of the
25 Philadelphia City Planning Commission.

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2 I'm here to today to testify on Bill No.
3 090412, which was introduced by
4 Councilmember Clarke on May 14, 2009.

5 Bill No. 090412 is to allow for
6 the construction of student housing on
7 the site of the former Wanamaker School
8 site. The block is bounded by Cecil B.
9 Moore Avenue, 12th Street, Montgomery
10 Avenue, and 11th Street.

11 This development is expected to
12 occur in three phases. The first will
13 renovate the existing school into
14 apartments and a three-story overbuild
15 containing 180 residential units and 600
16 beds. In addition, two retail units will
17 be created at the corner of 12th and
18 Montgomery Avenue. Also, the southern
19 half of the existing school building will
20 be renovated for use as the Green
21 Construction Center Arts and Education
22 Forum.

23 Phases II and III each involve
24 the construction of apartment towers, one
25 containing 12 stories and the other

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2 containing 20 stories. There will be a
3 retail component in each of the buildings
4 located along 12th Street and the second
5 tower located along Montgomery Avenue.

6 The tower along 12th Street
7 will have 305 units with 922 beds, while
8 the tower along Montgomery Avenue will
9 have 345 units, with 1178 beds. In
10 total, the project expects to develop 830
11 units, with about 2700 beds.

12 As part of this project, 28
13 underground parking spaces will be
14 constructed. It is anticipated that
15 these units will be for the provision of
16 student housing for students of Temple
17 University.

18 Bill No. 090412 contains two
19 components. The first is a rezoning
20 component, which changes the zoning
21 designation of the property from an
22 existing zoning designation of parking
23 C-2 commercial and partly G-2 industrial
24 to a single designation of C-4
25 commercial. The second component revises

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2 several sections of the Zoning Code in
3 order to facilitate this development.

4 Section 14-305 will be amended
5 to allow individual units in this block
6 to house four persons in a unit.
7 Further, it will be amended to allow for
8 accessory parking lots in this block, and
9 certain side yard restrictions will be
10 removed from this block only.

11 Additionally, the base floor
12 area ratio allowed in this block will be
13 raised to allow 650 percent of the lot to
14 be developed; however, the ability to
15 apply for any additional bonus floor area
16 ratio will be removed.

17 Under the provisions of C-4
18 commercial sections of the Code, the base
19 floor area ratio would be 500 percent;
20 that normally could be raised to 1300
21 percent under certain criteria.

22 This bill would also amend
23 Section 14-1402 of the Philadelphia Code
24 Zoning Code to remove any parking
25 requirement for the block.

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2 Bill No. 090412 has a sunset
3 provision which indicates that the
4 ordinance will lapse on December 13,
5 2013, unless a building permit has been
6 secured. The Philadelphia City Planning
7 Commission can extend the provisions of
8 the bill by certifying that substantial
9 progress has been made towards the
10 completion of the proposed development.

11 The City Planning Commission,
12 at its meeting of May 15, 2009,
13 considered Bill No. 090412 and
14 recommended that the bill be approved.

15 I have been made aware that
16 there will be amendments to this bill
17 that will establish a parking
18 requirement. We are -- that is
19 consistent. It may, in fact, change some
20 of the development that was originally
21 presented to the Commission, making it
22 lesser of a development than what was
23 originally proposed to the Commission.
24 And in such case, we would be supportive
25 of such changes.

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2 That concludes my testimony.

3 If there's any questions, I'd be happy to
4 try to answer them.

5 COUNCIL PRESIDENT VERNA:

6 Mr. Kramer, I was distracted
7 when you were testifying. Can you tell
8 us how many parking spaces there will be
9 available?

10 MR. KRAMER: The plans that we
11 saw had 28 underground parking spaces,
12 and we understand that there were in
13 total 2700 beds. The reason we were
14 comfortable with that is, this was
15 supposed to be student housing for Temple
16 University; and, therefore, Temple
17 University would be providing, we would
18 assume, parking for their students, those
19 that would require it, student parking.

20 This is consistent with a bill
21 that we did for a tower development on
22 the other side of Broad Street at Cecil
23 B. Moore that -- wherein there was a
24 proposal for additional dormitory space
25 to be built there, and this is consistent

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2 with the policies that we did at that
3 point.

4 But I understand that the
5 proposal has changed a little bit since
6 we had seen it. And in dealing with the
7 community and Councilman Clarke -- may
8 have more information on that than I do,
9 and I know that their representatives are
10 here as well and could probably address
11 that at this time 'cause it has changed.

12 There may be more parking than
13 I'm aware of, is my point.

14 COUNCIL PRESIDENT VERNA: Thank
15 you.

16 Any questions?

17 Councilman Clarke.

18 COUNCILMAN CLARKE: Thank you,
19 Madam President.

20 Real briefly, with respects to
21 the parking, that was actually one of the
22 final issues that remained on the table.
23 And while I understand traditionally,
24 students traditionally don't have
25 vehicles, although we've experienced a

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2 number of students who have had vehicles
3 in certain other locations, this
4 particular development actually has an
5 auditorium, for lack of a better term,
6 that there will be events onsite
7 periodically.

8 So there was a need to have
9 some parking strategies for that
10 particular development, in addition to
11 which, it is a neighborhood that there
12 have already been some significant
13 challenges as it relates to parking and
14 some of the other things associated with
15 the student housing.

16 So, therefore, we had asked the
17 development team to put together an
18 amendment that essentially requires that
19 for every three students, they will
20 provide one parking space onsite. The
21 reason why we insisted on having it
22 onsite was because we did not want the
23 parking to be identified offsite, which,
24 frankly speaking, is a part of the
25 problem that we've experienced in that

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2 part of the community, 'cause, for
3 whatever reason, students feel the need,
4 regardless of how cheap the parking that,
5 quote/unquote, Temple provides, they will
6 find a parking space in the adjacent
7 neighborhood before they will spend 50
8 cents to park on the lot.

9 So we want to have free parking
10 onsite as a part of the development, and
11 the development team has agreed to that
12 amendment.

13 MR. KRAMER: We gladly support
14 that.

15 COUNCIL PRESIDENT VERNA: Thank
16 you.

17 COUNCILMAN CLARKE: Oh, and one
18 other thing. I understand that the
19 development team is in conversations with
20 the property owner who has a parking lot
21 immediately across the street -- I
22 believe owned by Mr. Nicoletti -- to have
23 arrangements when you have events -- when
24 they have events onsite, that they will
25 have opportunities to park, event parking

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2 for those purposes, separate and aside
3 from the onsite parking facilities.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 Mr. Kramer, will the university
7 own the property?

8 MR. KRAMER: No, ma'am, they
9 will not.

10 COUNCIL PRESIDENT VERNA: Oh,
11 who will own it?

12 MR. KRAMER: It's my
13 understanding the Goldenberg Group is the
14 development company and --

15 COUNCIL PRESIDENT VERNA: I'm
16 sorry?

17 MR. KRAMER: The Goldenberg
18 Group, is my understanding, but I may be
19 wrong. Mr. Patterson is representing
20 them and may have more information on
21 that than I have.

22 COUNCIL PRESIDENT VERNA: Thank
23 you.

24 And is there any assurance that
25 the use as a multi-occupancy dwelling

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2 unit will be limited to student

3 occupancy?

4 MR. KRAMER: That is not
5 something we could put in the code
6 legally; we could not differentiate in
7 that way.

8 It is our that's the proposal,
9 and other than that, I don't know that I
10 have any assurances that I can have
11 legally in the code that would do that.

12 COUNCIL PRESIDENT VERNA: Thank
13 you.

14 Any further questions of
15 Mr. Kramer?

16 (No further questions or
17 comments.)

18 COUNCIL PRESIDENT VERNA: Thank
19 you.

20 Our next witness?

21 MS. EREKSON: Pamela Smith.

22 (Witnesses come forward.)

23 COUNCIL PRESIDENT VERNA:
24 Mr. Patterson.

25 MR. PATTERSON: Thank you.

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2 Good afternoon. My name is Ronald
3 Patterson. I represent the property
4 owner and developer, which is a joint
5 venture of the Goldenberg Group. With me
6 here today is Vice President Collin
7 Jones.

8 As you know, Golden Group has
9 developed -- or did develop the Ikea
10 shopping center and the Whitman shopping
11 center and the 52nd and Jefferson
12 shopping center.

13 Also, the other partners of
14 Bright Hope Baptist Church, and with me
15 today is Reverend Kevin R. Johnson.

16 Also with me today is Gil
17 Rosenthal from (indiscernible) Robertson
18 Todd Architects, who designed the
19 project, and Adrien Nyce, who's with
20 Rogers, the traffic engineer.

21 As a brief overview, this bill
22 regards a property located at 11th and
23 Cecil B. Avenue, the entire block. It is
24 4.6 acres. It is the site of the former
25 John Wanamaker Middle School. The

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2 building is still there, but we purchased
3 it from the School District last year.

4 Our joint venture group, the
5 Brighter Hope LP, proposes to reuse the
6 existing building and develop additional
7 structures onsite for a mixed
8 residential, community center, retail
9 project.

10 The property is actually
11 located in two zoning districts, being
12 G-2 general industrial and C-2
13 commercial. And as such, the
14 Philadelphia Zoning Code provides that
15 when you're located in a split zoning
16 district, the most restrictive district
17 applies, which, in this case, would be
18 G-2 general industrial, which would not
19 permit the last school use or any retail,
20 residential, or commercial use; and,
21 hence, that part of why we're here today.

22 So we requested a zoning map
23 change and a Zoning Code adjustment to
24 allow for a proposed project to move
25 forward. And, in summary, it consists of

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2 a few different phases, the first being
3 cleaning up and remediating the
4 environmental issues in the existing
5 building. And the environmental issues
6 include asbestos-containing material,
7 PCBs, and lead in the drinking water
8 pipes.

9 We propose to renovate the
10 existing building and add three
11 additional floors for use as a multi-use
12 center, one being a green-building
13 construction technology training center
14 in the existing auditorium and gym
15 building, an arts and education forum in
16 the same building, spaces for incubator
17 startup businesses, community spaces for
18 our empowerment village that we've
19 created, a leadership academy charter
20 school sponsored by Bright Hope Baptist
21 Church, retail commercial space, and 180
22 residential units in the first phase.

23 And the units would vary
24 between one and four bedrooms, depending
25 upon the design, but we've designed it

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2 such that each unit -- each bedroom in
3 each unit would have a window.

4 This is, as Mr. Kramer
5 mentioned, not a Temple University
6 project or partnership, but it recognizes
7 their study that there's a need for 5,000
8 future beds in that area. So we're
9 attempting in some respect to reduce that
10 deficit.

11 In our second phase, we're
12 proposing to construct a 12- to 14-story
13 tower with the height limited to the
14 Anderson Hall building nearby, we've
15 agreed to with the local neighbors, which
16 would have approximately 350 residential
17 units.

18 And then the third phase, which
19 will be another tower, having another 253
20 units, having a total of 800 residential
21 units.

22 The project construction costs
23 are estimated at \$250 million. We have
24 an agreement of sale that -- with the
25 School District that we must begin

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2 construction by August of 2010, and we
3 plan to start in the spring of 2010.

4 Also, to prove that this is a
5 real project, there's a provision in the
6 agreement of sale that we can't flip or
7 speculate this project for profit for at
8 least five years. And within five years,
9 we intend to be finished, hopefully, if
10 we have your approval today.

11 So what the ordinance does is
12 change the split zoning district to C-4
13 commercial. We had originally thought to
14 do it C-3, but C-3 does not permit
15 multiple structures on the lot, and we
16 have more than one building here.

17 C-4 allows 500 FAR, which is
18 the amount of gross floor area you can
19 build times the area of your lot. So
20 we're asking and for a slight increase to
21 give us a buffer, so to speak, because we
22 may have to build parking, which we're
23 proposing, up to 650 percent.

24 And that also is -- and in
25 connection with that, we've offered to

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2 the Planning Commission, as Mr. Kramer
3 stated that, we will forego the right to
4 seek any bonus FAR, which, under the
5 code, if you meet certain criteria, you
6 can get another 800 percent bonus.

7 We're also asking for an
8 adjustment in the definition of "family"
9 to allow for up to four persons unrelated
10 by blood or marriage, where the code
11 currently says three.

12 In the original version of the
13 bill, we had removed any parking
14 requirement. And in C-4, for each
15 residential unit, you would be required
16 one space for each residential unit. So
17 if we build 800 units, we would be
18 required to an build 800-space parking
19 garage or parking lot.

20 And we understood the Planning
21 Commission's goal of discouraging driving
22 and parking, and we did conduct a parking
23 study that showed that for the students
24 that live onsite, less than 20 percent of
25 them actually drive. The problem in the

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2 neighborhood primarily, as we saw it, are
3 the commuters who are parking in the free
4 parking. So we feel that this project
5 will draw the students out of the
6 neighborhood into our location.

7 And so, after meeting with
8 Councilman Clarke and recognizing the
9 parking concerns, we agree and we support
10 the amendment to the ordinance to provide
11 parking in a ratio of one space for every
12 three units.

13 So in Phase I, we can provide,
14 because we're doing two phases, up to 250
15 parking spaces onsite on the surface. As
16 we go through the phases and we reach 800
17 residential units, we are able -- we
18 would be required to provide, under that
19 ratio, 267 spaces; we can provide 300,
20 which will be accomplished by surface
21 parking in several locations and
22 structure parking, which that means that,
23 as we are building the new tower
24 structures, we can accommodate parking
25 beneath the building.

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2 It's hard to retrofit an
3 existing building to put in sub or
4 below-grade parking. But on the new
5 buildings we've been able to design them
6 quickly so that we can provide up to 300
7 spaces.

8 So the committee also should
9 know that we have prepared an equal
10 opportunity plan. The Office of Equal
11 Opportunity has reviewed it and which we
12 have adjusted to reflect Councilman
13 Clarke's concerns, which is a part of the
14 record.

15 Also, we have met with and
16 secured the approval for the project --
17 for the bill, I'm sorry, from State
18 Senator Shirley Kitchen, State
19 Representative Curtis Thomas, Yorktown,
20 Jefferson Manner, and hopefully TRAY.

21 Finally, the community benefit
22 services and interaction will be
23 orchestrated and funneled through the
24 community by the Bridge of Hope CDC that
25 Pastor Johnson has created.

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2 And with that said, I'd like to
3 introduce Pastor Johnson.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 Just a moment, please.

7 Reverend Johnson? Thank you
8 and welcome.

9 REVEREND JOHNSON: Thank you so
10 much. Good afternoon, Council President
11 Anna Vernon [sic]; our councilman,
12 Mr. Darrell Clarke; and all of the
13 members of the Rules Committee.

14 I'm Reverend Kevin R. Johnson,
15 Senior Pastor of Bright Hope Baptist
16 Church and President of the Bridge of
17 Hope Community Development Corporation.

18 I'm here this afternoon with
19 our development partner Mr. Collin Jones
20 of the Goldenberg Group, and also with a
21 host of Philadelphia and North
22 Philadelphia residents and also members
23 of Bright Hope Baptist Church.

24 And if you don't mind, I would
25 like for those persons to stand.

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2 (Above-cited individuals stand
3 for recognition.)

4 REVEREND JOHNSON: Thank you.

5 (Applause.)

6 COUNCIL PRESIDENT VERNA: We
7 welcome you. Welcome.

8 REVEREND JOHNSON: Madam
9 President and the Rules Committee, I
10 speak before you today not only as a
11 pastor and a community leader, but as a
12 student of history and one who
13 understands Bright Hope's rich legacy in
14 North Philadelphia and commitment to
15 community and economic empowerment. In
16 February of 2010, Bright Hope will
17 celebrate 100 years of Christian witness
18 and community empowerment in our beloved
19 North Philadelphia community.

20 When I was called as Bright
21 Hope's pastor to succeed my predecessor,
22 former Congressman Reverend William H.
23 Gray, III, I accepted because my family
24 and I wanted to live in a city and be a
25 part of an urban community striving to

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2 become all that God intends for her to
3 be.

4 As you may know, Bridge of Hope
5 Community Development Corporation, along
6 with the Goldenberg Group, acquired the
7 former John Wanamaker School in August of
8 2008. Bridge of Hope Community
9 Development Corporation was founded in
10 the fall of 2006 by Reverend Gray,
11 members of the Bright Hope Baptist
12 Church, the residents of Yorktown
13 Association, as well as Jefferson Manor
14 Residents Association, and the State
15 Representative of the 181st District and
16 the State Senator for the 3rd district.

17 Bright Hope is a community
18 economic development corporation that is
19 sponsored by the church but also has
20 strategic interests in looking at our
21 community as a whole. Specifically, we
22 have been concerned about John Wanamaker
23 School, which sits directly in front of
24 our church.

25 By partnering with the

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2 Goldenberg Group, the Bridge of Hope
3 Community Development Corporation intends
4 to joint-venture the development project.
5 We are looking for ways to develop the
6 project that will be a mixed-use
7 facility, including our empowerment
8 village for a leadership academy, but
9 also green jobs, including that
10 technology, and also residential housing
11 for students who live there, in the area.
12 The project promises to be a blessing to
13 our community.

14 As pastor, I must say to you,
15 Council, that I am quite sensitive to the
16 needs of our communities. Growing up in
17 Texas, where I was born, I lived just two
18 blocks away from my church, so I
19 recognize the importance of the church's
20 responsibility to its community.

21 For that reason, I am
22 personally committed to ensuring that the
23 needs of those of the Yorktown and
24 Jefferson Manor communities are addressed
25 and that economic empowerment is truly

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2 realized for those who live, breathe,
3 walk, and enjoy life in Yorktown,
4 Jefferson Manor, Temple, and Brighter
5 Hope Village. If this project is to be
6 successful, we need your support.

7 The last thing I want to share
8 with the committee, I remember a man
9 saying to me -- he asked me, what did I
10 do? And I said, "I'm a pastor." And he
11 said where? And I said, "in North
12 Philadelphia." And he said, "Where is
13 your church located?" I said, "12th and
14 Cecil B. Moore." He said, "It's pretty
15 blighted over there." I said, "It may be
16 blight to you, but it's a treasure to
17 me."

18 So we are here today to really
19 bring about that treasure and make this
20 diamond really shine from the rough.

21 Thank you.

22 COUNCIL PRESIDENT VERNA: Thank
23 you, Reverend.

24 (Applause.)

25 COUNCIL PRESIDENT VERNA: Good

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2 afternoon.

3 MR. JONES: Madam President,
4 members of the Council, I just wanted to
5 reinforce what our partner Reverend
6 Johnson has said from Bridge of Hope CDC
7 and Bright Hope Baptist Church, and to
8 share with you some of things that the
9 Goldenberg Group have done over the years
10 since 1984.

11 We have, in fact, developed
12 close to 5.7 million square feet in and
13 around the City of Philadelphia,
14 including projects such as the West
15 Philadelphia project at Parkside, South
16 Philadelphia Columbus Commons, on
17 Roosevelt Boulevard, in Northeast
18 Philadelphia.

19 And all of these projects
20 involved community outreach programs,
21 where we engaged with the local community
22 groups. We pride ourselves on being able
23 to complete projects and involve all
24 members of the community in resolving any
25 issues both upfront and during the

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2 process.

3 I think if you speak to our
4 partners at Parkside, at West
5 Philadelphia Financial Services
6 Institute, they would tell you that we go
7 above and beyond what we are asked to do
8 in the beginning to try and accommodate
9 all of the requirements.

10 So with that being said, I'd
11 like to echo the Reverend's request for
12 you to support us in this endeavor to
13 turn the John Wanamaker School into a
14 wonderful mixed-use facility that could
15 encourage growth in the community and
16 provide some of the beds that Temple has
17 said that they need.

18 COUNCIL PRESIDENT VERNA: Thank
19 you very much.

20 The Chair recognizes Councilman
21 Kenney.

22 COUNCILMAN KENNEY: Thank you,
23 Madam President.

24 I think Temple probably owes
25 you a debt of gratitude also. I can't

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2 think of a better way of breaking down
3 the town and gown confrontations than
4 having actual development in the
5 community with community involvement and
6 having an additional way of bringing some
7 of these students out of the
8 neighborhoods and into these concentrated
9 places, where they won't conflict with
10 the neighbors as much as they have been.

11 I assume from the rendering
12 that there must be some sustainable or
13 LEED type of issues relative to the
14 project. And maybe for the record, it
15 would be good if you could explain or
16 describe some of the sustainable features
17 of the project and maybe the LEED -- some
18 LEED qualities if they're there. I
19 assume, from looking at all of the glass
20 and other things, that that's its case.

21 MR. JONES: Thank you,
22 Councilman.

23 Yes, we are striving to make
24 this a LEED-certified project from start
25 to finish. One of the good things about

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2 that is to be able to use an existing
3 building is actually a good first step
4 towards that.

5 But in addition to that, we
6 intend to have certain green roofs in the
7 project, use solar power as much as
8 possible, and to promote the use of
9 sustainability both during construction
10 and after, such that we can monitor how
11 successful the use of energy is and
12 promote the use of sustainable living
13 once the project is complete.

14 MR. PATTERSON: And, Collin, I
15 think it's a good segue. Maybe you could
16 explain about the Green Construction
17 Technology Center.

18 MR. JONES: Some of the ideas
19 that we are formulating as we speak
20 actually is to, in the areas that are the
21 gymnasiums today, to do such things as
22 build from scratch a townhouse or a
23 rowhome within the gymnasium, showing the
24 (indiscernible) that exists and also the
25 community how you could, using today's

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2 technology, build a rowhome with using
3 all green technology, geothermal heat
4 pumps, solar panels on the roof,
5 insulated glass.

6 And also to show community
7 members how to insulate their own
8 windows; to actually use, wherever
9 possible, instant heat, which means that
10 you would have, rather than the big tank
11 that's constantly heated and constantly
12 uses energy, we would have instant heat,
13 which is a smaller panel unit. You only
14 heat the water as you use it, and so,
15 it's a much more efficient way to go and
16 do whatever we can to encourage
17 sustainable living in the City of
18 Philadelphia.

19 COUNCILMAN KENNEY: Thank you.

20 It's a very exciting project.

21 COUNCIL PRESIDENT VERNA: Thank
22 you very much.

23 Any other questions or comments
24 from members of the committee?

25 The Chair recognizes

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2 Councilwoman Brown.

3 COUNCILWOMAN BROWN: Thank you,
4 Madam President.

5 Good afternoon, gentlemen.

6 I do want to follow up on
7 Councilman Jim Kenney's observation that
8 you are what I would call "leading by
9 example" in building a green building and
10 have chosen, opted to do this, without
11 the incentives that government oftentimes
12 wants to do to move people in a new and
13 different direction. So I do need to
14 commend you for that.

15 Secondly, the pastor was not
16 able to be a part of our meetings, but it
17 is important to acknowledge that
18 Goldenberg, when presented with wrinkles,
19 worked diligently to simply iron them out
20 and in a couple of the other projects,
21 and that matters when -- recognizing that
22 no project is a hundred percent in terms
23 of movement and flow through the process,
24 but when presented with hurdles, they
25 weren't even hurdles; they were wrinkles.

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2 Goldenberg did all it needed to do to
3 keep everyone whole. So that needs to be
4 stated on the record as well.

5 Thank you.

6 MR. JONES: Thank you.

7 COUNCIL PRESIDENT VERNA: Thank
8 you.

9 The Chair recognizes Councilman
10 Tasco it was.

11 COUNCILWOMAN TASCO: Thank you,
12 Madam President.

13 First, let me disclose that I
14 am a member of Bright Hope Baptist
15 Church, the best church in the world.

16 (Applause.)

17 COUNCILWOMAN TASCO: But also,
18 let me say that those of us who come, who
19 are members of Bright Hope Baptist
20 Church, and who may not live directly in
21 the community where this development is
22 being proposed, we come because we
23 support the church and we support the
24 mission of the church in bringing
25 projects to the community that can be

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2 beneficial to the community.

3 And also, Bright Hope has been
4 an anchor in that community for many,
5 many, many years, and was certainly very
6 intimately involved with the development
7 of the Yorktown community back in the
8 days when it was developed.

9 So those of us who are here,
10 there are many of them who do live in the
11 Yorktown area in that Cecil B. Moore
12 area, but many of us don't, but we belong
13 to that church because we like the
14 mission of the church, what they're
15 trying to do, and at the end of the day,
16 have to provide the financial support for
17 this project.

18 So we come, seeking the support
19 of this board and the members of the
20 community to support this project, 'cause
21 we believe it would be most beneficial to
22 the North Philadelphia community.

23 And we certainly thank our
24 Council colleague Darrell Clarke for
25 navigating and working to try to come to

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2 a resolution on this project. It is not
3 easy. I've done this before when we were
4 trying to develop the Temple University
5 land up on Cheltenham Avenue. We went
6 through many, many proposals, and it
7 ended up with Eli Baptist Church, which
8 has been a benefit to that community.

9 So I say to the residents of
10 the Yorktown community, know that Bright
11 Hope is working to be a beacon and to be
12 a strong anchor in the community to bring
13 programs, which it certainly does now
14 with this enrichment program, summer
15 camp, the survival program for people who
16 are homeless and hungry. So many
17 programs go on in that church and in that
18 community.

19 And that's why I'm offering my
20 support and am asking you for your
21 support. And, more importantly, to those
22 people who are not necessarily members of
23 Bright Hope Baptist Church, to know and
24 understand what we're trying to do and be
25 supportive of this project.

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2 Thank you very much.

3 COUNCIL PRESIDENT VERNA: Thank
4 you. Thank you very much.

5 (Applause.)

6 COUNCIL PRESIDENT VERNA: Any
7 other questions or comments from members
8 of the committee?

9 (No further questions or
10 comments.)

11 COUNCIL PRESIDENT VERNA:
12 Gentlemen, thank you very much.

13 Yes, Councilman Clarke?

14 COUNCILMAN CLARKE: Maybe I
15 missed it. Did you address the issue
16 with respects to the height?

17 MR. PATTERSON: We were
18 prepared to give you an architectural
19 presentation, but I think we'll move on.

20 But, Collin, do you want to
21 address the height issue?

22 MR. JONES: Yes. It was
23 brought to our attention that -- as we
24 developed the plans, it became clear that
25 the residents in the various community

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2 groups have a fear that we would create
3 this monster tower right in their
4 backyard.

5 And we agreed -- once we
6 started looking at the plans ourselves,
7 we met with members of the community, and
8 we've agreed to limit the height of the
9 building so that there will be no --
10 no -- none of the buildings that we're
11 building will be higher than the height
12 above Anderson Hall, which is adjacent.

13 We think that's a good measure,
14 we think it's a fair compromise, and
15 we're delighted to be able to restrict
16 the height of the building.

17 MR. PATTERSON: And, Collin,
18 those -- the taller buildings are pushed
19 towards the rear away from --

20 MR. JONES: The original
21 design, even when it was 20 stories, was
22 to put that flanking Montgomery Avenue
23 and to have the shorter building along
24 11th Street.

25 But we've agreed that the

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2 tallest building will be no higher than
3 Anderson Hall.

4 MR. PATTERSON: And our
5 commitment to that appears in our Exhibit
6 2 that we've handed to the committee.

7 MR. JONES: And we created the
8 exhibit text here that I've articulated
9 in e-mail and in this room so that we can
10 address the community's fears that we say
11 one thing and do another.

12 COUNCIL PRESIDENT VERNA:
13 Gentlemen, thank you very much. And good
14 luck. It looks like a very lovely
15 project.

16 MR. JONES: Thank you.

17 COUNCIL PRESIDENT VERNA: We
18 wish you success.

19 Thank you.

20 Our next witness?

21 MR. EREKSON: Pam Smith.

22 COUNCIL PRESIDENT VERNA:
23 Please approach witness table.

24 (Witness comes forward.)

25 MS. SMITH: Good afternoon,

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2 Madam Chair and to this esteemed body. I
3 am Pam Pendleton-Smith, trustee of The
4 Resolute Alliance In Yorktown, also known
5 as TRAY. We are an autonomous,
6 unincorporated association of Yorktown
7 homeowners.

8 If I may, I'd like to ask the
9 Yorktown residents that are here to stand
10 to see who are -- just to see who's here
11 from Yorktown.

12 (Yorktown residents stand for
13 recognition.)

14 MS. SMITH: Thank you.

15 In light of the comments made
16 by the previous panel, my comments
17 regarding this project are somewhat
18 obsolete, but I still want to go on
19 record because there are a total of five
20 developments similar that would be
21 building student housing units in the
22 next few years; and rather than
23 revisiting the issue, I just wanted to
24 have the opposition on record at this
25 time.

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2 Bill No. 090412, at face value,
3 seems to be a remedy of sorts to the
4 problems created by students who are
5 housed in single-family homes. But the
6 passage of this bill, as written, with
7 parking not required for the site, will
8 exacerbate the problem related to student
9 parking in the community.

10 There are a total of
11 approximately 6,700-plus resident
12 students already in the area, including
13 students living in rowhomes, yet the
14 developers are looking to construct a
15 proposed housing unit with no parking
16 space requirement to handle the
17 additional 6,000 students, who are
18 expected to live in the area once the
19 proposed developments are completely
20 completed.

21 When you look holistically at
22 the new development plan for the impact
23 area of Girard Avenue to Susquehanna
24 Avenue, Ninth Street to 16th Street, this
25 is what you have: The Edge II, student

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2 housing proposed with no parking required
3 already granted, and for an increase of
4 1,100 students. The Wanamaker project
5 student housing proposed an increase of
6 2,700 students, which, I'm pleased to
7 say, we have come to an amicable
8 agreement on that.

9 Temple Towers, student housing,
10 under construction, increase of 600
11 students.

12 Tenth and Diamond Streets,
13 student housing proposed, increase of 600
14 students.

15 Temple student housing, Broad
16 and Oxford, proposed increase of 1,000
17 students.

18 Temple Science Research
19 Building, proposed decrease of 300
20 parking spaces that are there on a dirt
21 lot now being used.

22 Fresh Grocer Progress Plaza
23 under construction. Increase in retail
24 traffic, a decrease of at least 40
25 spaces. These spaces are on the street

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2 that will no longer be available because
3 there will be no parking in the 1300
4 block of West Oxford because that block
5 is coming two-way.

6 At the same time, there are
7 entire blocks in the area that the
8 Streets Department has marked "no parking
9 any time" such as:

10 1500 North 11th Street, west
11 side.

12 1600 North 11th Street, west
13 side.

14 1400 North 12th Street, east
15 side.

16 1800 North 12th Street, both
17 sides.

18 1900 North 12th Street, both
19 sides.

20 1300 North 13th Street, both
21 sides.

22 1800 North 13th Street, both
23 sides.

24 1900 North 13th Street, both
25 sides.

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2 1200 West Montgomery Avenue,
3 both sides.

4 Now, we welcome the idea of
5 creating student housing units on the
6 Wanamaker site as a way to responsibly
7 mitigate the illegal tendency and their
8 related problems in our community, but it
9 is irresponsible to allow any plan that
10 intends to develop new housing units
11 without creating the parking that the
12 Zoning Code dictates in Section 14-1402,
13 "Parking in Residential Districts."

14 It is also irresponsible and
15 arrogant of the developers to apply for
16 parking not required when the underlying
17 assumption is that students that live on
18 campus don't have cars; or, if they do
19 have cars, any resulting problems for the
20 community can just be addressed by
21 converting the community to a permit
22 parking district.

23 Quoting the College Prowler's
24 take, on Page 108 -- this is the College
25 Prowler (holding up book). This is

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2 compiled by students advising students.

3 And in their section on parking -- this
4 particular issue is specific to Temple
5 University. On Page 108, students are
6 advising other students saying, "There
7 are a lot of students who live on campus
8 that also own cars, so that's twice
9 struggle to find a space."

10 If the developers don't have to
11 adhere to the law and do their part to
12 mitigate the parking situation, then the
13 permit parking fees virtually serve as a
14 back door tax on the community, without
15 the intended relief.

16 It is our intention to preserve
17 the community as it was zoned and to
18 protect our peaceful and quiet enjoyment
19 therein.

20 On Thursday, June 4, 2009,
21 Mr. Collin Jones and Mr. David McCurris
22 of the Goldenberg Group, on behalf of
23 Brighter Hope LP, met with members of
24 TRAY. We had a very amicable meeting,
25 and all concerns were shared, including

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2 TRAY's opposition to erecting a 20-story
3 tower. TRAY insisted on opposing the
4 ordinance as long as the no-parking-
5 required was included and as long as the
6 20-story tower remained a part of the
7 development plan.

8 In the spirit of not throwing
9 the proverbial baby out with the bath
10 water, TRAY agreed to accept Mr. Jones's
11 offer to create parking for the new
12 housing units at a ratio less than
13 required by the code.

14 There was also an agreement for
15 TRAY to support the project as long as
16 the towers erected were no higher than
17 the current highest building in the
18 community, which is Temple University's
19 Anderson Hall, 1118 West Berks Street.

20 As a result of that meeting,
21 the Wanamaker development project
22 received the support of The Resolute
23 Alliance in Yorktown, TRAY, on the
24 condition that the following proviso is
25 officially recorded as an actionable

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2 addendum to Bill 090412:

3 Remove the parking not required
4 from Bill 090412. Instead, reference the
5 agreement, the Goldenberg Group, on
6 behalf of Brighter Hope LP and Bridge of
7 Hope CDC made with TRAY.

8 They agreed to include and
9 execute the following in their
10 development and construction plans:

11 To create parking, Phase I, one
12 space for every two units onsite.

13 Phase II, one space for every
14 three units.

15 Phase III, one space for every
16 three units.

17 And to also build no higher
18 than Temple University's Anderson Hall at
19 1118 West Berks Street.

20 If these measures in their
21 entirety cannot be enforced, then maybe
22 the development baby needs to be thrown
23 out with the bath water in a mercy
24 killing. In that case, TRAY accordingly
25 rescinds its support of the project.

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2 The Resolute Alliance wants to
3 see City Council amend the ordinance to
4 reject the parking-lot-required rider for
5 this development project and for all
6 future development projects creating
7 student housing units and to accept the
8 creation of parking at the ratios agreed
9 to by the Goldenberg Group as fulfilling
10 the parking requirement.

11 Thank you for allowing me to
12 address this body.

13 COUNCILMAN KENNEY: Thank you
14 very much for your well-prepared
15 testimony. Are you an attorney?

16 MS. SMITH: No kern.

17 COUNCILMAN KENNEY: You ought
18 to consider becoming one 'cause you're as
19 good as the guy sitting next to you.

20 Do you have something in
21 response relative to her testimony?

22 MR. PATTERSON: Just to mention
23 that we heard their concerns and, as I
24 mentioned earlier, that we did propose
25 the amendment to the ordinance to get rid

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2 of the parking issue.

3 I think the committee probably
4 recognizes that we are caught in a
5 fundamental land-use disagreement between
6 Planning, who believes, in some respect,
7 that we don't need parking for this type
8 of use, and if you don't build it, then
9 they won't use it.

10 But the other part is the
11 reality, and the neighbors live with it,
12 that they know that there is a parking
13 (indiscernible). And I think, you know,
14 to (indiscernible) the suggestion by
15 Councilman Clarke that we provide
16 parking, and the lady here, I think is
17 relevant. And that's why, you know, we
18 agreed to both reducing the height and
19 providing the parking.

20 COUNCILMAN KENNEY: Councilman
21 Clarke.

22 COUNCILMAN CLARKE: Thank you.
23 Thank you, Mr. Chair.

24 Yeah, I just wanted to add to
25 that, for the record, that as a result of

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2 this and other proposed developments in
3 the ongoing situation in and around the
4 Temple University area on both sides of
5 the street, I've actually talked to
6 Deputy Mayor Rina Cutler about convening
7 a series of discussions to come up with a
8 parking plan and a circulation plan
9 because we do have issues with respects
10 to events and in and out and the times
11 associated with the events in the
12 adjoining neighborhoods.

13 And we will be shortly starting
14 our first series of discussions
15 internally and with the adjacent
16 communities and Temple University. And
17 hopefully by -- my understanding, by the
18 end of August, there will be some
19 recommendations on a broader -- and I
20 don't know if it would be in parking
21 overlay to talk about all of the types of
22 parking associated with the Temple
23 University.

24 The good thing is that there is
25 a lot of activity in that neighborhood.

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2 The downside is, activity sometimes
3 creates congestion.

4 But I can tell you that on a
5 Friday and Saturday night, when there is
6 an event at the Liacouras Center or a
7 first-run movie coming out at the Pearl
8 Theater -- and then shortly, by December,
9 I understand the new supermarket will be
10 open, and there's going to be a lot of
11 activity in that community.

12 And it's a good thing, but
13 there also are some drawbacks associated
14 with that activity, so we want to make
15 sure that we get ahead of the curve and
16 put in place the necessary regulations to
17 make sure that it is not a negative
18 experience up in the adjacent community.

19 And I concur with Councilman
20 Kenney. I've seen you in action before,
21 but you're your usual stellar self today.

22 MS. SMITH: Thank you, sir.

23 COUNCILMAN CLARKE: And I just
24 want to say to the other community
25 leaders who are not speaking today, I

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2 want to thank you for your encouragement
3 and sometimes give me a little kick in
4 the rear-end to make me step to the plate
5 to make sure that your interests are met
6 in the appropriate way. I want to thank
7 you all for your participation and being
8 able to work with you, and we look
9 forward to working with you in the
10 future.

11 Thank you.

12 MS. SMITH: Thank you.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 Any other questions or comments
16 from members of the committee?

17 COUNCILWOMAN BROWN: Madam
18 President, just a quick follow-up.

19 COUNCIL PRESIDENT VERNA:
20 Councilwoman Brown.

21 COUNCILWOMAN BROWN: Your
22 testimony for me raises a follow-up
23 question that I would like to pose to the
24 legal counsel.

25 For the record, share with us,

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2 what are the reporting provisions after
3 each phase so that all stakeholders are
4 aware that you're about to complete and
5 ready to move to the next phase?

6 MR. JONES: What we've
7 committed to, and I'm prepared to say
8 again today, is that before we would
9 commence a subsequent phase, we would
10 show how we would park it, and we
11 wouldn't build any more than we can park
12 at the ratios that we've discussed.

13 We've also, at the request of
14 the community and as part of our studies,
15 we have commissioned parking studies for
16 the entire area that will go as far north
17 as (indiscernible), as far south as
18 Girard, from 17th to 10th, and it will
19 show the parking restrictions, how it's
20 currently parked, and whatever parking
21 lots and parking garages are available.

22 And we will share that,
23 obviously, with Councilman Clarke's
24 office and any other office that requires
25 it.

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2 MR. PATTERSON: And I think the
3 bottom line also is that we would be
4 unable to get a certificate of occupancy
5 from the Department of Licenses and
6 Inspections for each phase unless we show
7 the parking that complies with the zoning
8 permit we have to pull that's in
9 accordance with this ordinance.

10 COUNCILWOMAN BROWN: I see.

11 MR. PATTERSON: So we have to
12 justify and look at the number of units
13 that would be built and then get
14 certified in that CO at that phase, and
15 if there is an equivalent number of
16 parking spaces (inaudible).

17 COUNCILWOMAN BROWN: Okay, that
18 drives.

19 MR. PATTERSON: Correct.

20 COUNCILWOMAN BROWN: Okay. So
21 the long view end-date is speculated to
22 be when?

23 MR. JONES: I would say that
24 we'd --

25 COUNCILWOMAN BROWN: Of all

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2 three phases.

3 MR. JONES: I'd say that we'd
4 like to get started tomorrow, but we
5 realize that we have some permit issues
6 to go through in the abatement. And I
7 would say that our goal is to be finished
8 all three phases by 2015, all things
9 considered.

10 COUNCILWOMAN BROWN: Thank you.

11 Pastor?

12 REVEREND JOHNSON: Given the
13 economy, we pray that we'll be done.

14 (Laughter.)

15 COUNCILWOMAN BROWN: Thank you
16 all very much. Good luck to you.

17 COUNCIL PRESIDENT VERNA: Thank
18 you again. Thank you, gentlemen.

19 Mr. Erekson, our next witness?

20 MR. PATTERSON: May I ask that
21 the committee consider suspending the
22 rules?

23 COUNCIL PRESIDENT VERNA: We
24 will certainly consider that. Thank you.

25 Do we have anyone else to

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2 testify on this bill?

3 Please approach the witness
4 table.

5 (Witness comes forward.)

6 COUNCIL PRESIDENT VERNA: Good
7 afternoon. Please identify yourself for
8 the record and proceed with your
9 testimony.

10 MS. WOODS: Good afternoon,
11 Chairwoman Verna and members of the
12 Committee on Rules. I am Priscilla
13 Woods, a member of Bright Hope Baptist
14 Church, a resident of the Yorktown
15 community, and the Executive Director of
16 the Yorktown COMMUNITY Development
17 Corporation.

18 I too -- well, I just want to
19 say that I respectfully submit the
20 following comments on behalf of the
21 Yorktown Community Development
22 Corporation on Bill No. 090412, and I
23 want to preface my remarks by making it
24 clear that the Yorktown Community
25 Development Corporation is not

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2 withdrawing our previous-stated support
3 for the development of the Yorktown
4 school site.

5 We considered the restoration
6 or development of any area of blight in
7 the community by community-based sponsors
8 and developers a victory for all who are
9 committed to the preservation and
10 sustainability of our neighborhood.

11 I listed in my testimony that I
12 will just submit, so that it will be a
13 matter of record, similar concerns
14 regarding height and the parking issue.
15 They've already been stated.

16 And, Councilman Clarke, it
17 appears as though you've adequately
18 represented us in addressing the issues
19 and in amending the legislation. It's
20 good to hear that the parking issue has
21 been addressed adequately and also the
22 height restrictions.

23 I just want to add that
24 Yorktown and Jefferson Manor were
25 referenced as communities that are

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2 affected. The Ludlow 1 through 5
3 developments are also impacted -- would
4 also be impacted by these -- the
5 development, the height of these towers,
6 the proposed height of the towers, and
7 also the lack of off-street parking.

8 I'm just going to read as a
9 matter of record that we are requesting
10 that your amendment establish a
11 restriction on the height so that these
12 towers will not be -- exceed 13 stories
13 from the ground level.

14 I've heard you reference
15 Anderson Hall; I'm not quite sure how
16 high Anderson Hall is, but we've asked
17 that.

18 And, also, just as a matter of
19 record, the proposed multi-use
20 development of the site, which includes
21 housing, retail, training and education,
22 and other community benefits, I commend
23 Reverend Johnson and the team on thinking
24 of the community and providing some
25 benefits as far as the needs of the

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2 community is concerned.

3 However, the traffic burden on
4 Yorktown and the neighboring communities
5 has already been exacerbated by the Fox
6 School coming online, the Tyler School of
7 Art coming online, and so we're really
8 grateful that the considerations of those
9 projects and your reality in addressing
10 those issues have been addressed.

11 And so, therefore, Councilwoman
12 Verna Chairman -- Chairperson and
13 members, we do ask that you approve this
14 bill, with the recommended provisions
15 that amend the bill to address the two
16 issues that our community is concerned
17 about.

18 COUNCIL PRESIDENT VERNA: Thank
19 you very much.

20 Do we have anyone else to
21 testify?

22 (Witness comes forward.)

23 COUNCIL PRESIDENT VERNA:
24 Please identify yourself for the record.

25 MS. JONES: My name is Donna

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2 Jones. I'm on the Board of Directors of
3 the Jefferson Manor Home Owners
4 Association, and I'm here to speak on
5 behalf of Roberta Faisson, who is our
6 president; she's unable to come today
7 because she had surgery.

8 Jefferson Manor Homeowners
9 Association is in support of the passage
10 of the bill. We think that it is a good
11 thing, that it brings -- it's good for
12 the community as far as relieving some of
13 the housing pressures within both
14 Yorktown, Jefferson Manor, and other
15 surrounding communities where students
16 are now living in houses. It will
17 relieve some of that pressure.

18 It is also would benefit Temple
19 because it's helping them to provide
20 student housing where they had not had
21 sufficient student housing before.

22 And, thirdly, it benefits
23 Bright Hope Baptist Church. It brings --
24 because they will not only be able to
25 move forward with the entire plan with

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2 not just student housing, but it also is
3 a economic bonus for them also since they
4 will benefit from the rental of the
5 properties.

6 So Jefferson Manor Homeowners
7 Association is in support of the passage
8 of this bill, with the amendments.

9 One thing that I did want to
10 bring up, since Ms. Smith had brought up
11 the issue of parking in the areas and how
12 we have certain streets that have no
13 parking allowed that -- especially in
14 Jefferson Manor, the 1500 block of North
15 11th Street, on the west side, the 1000
16 block of Jefferson Street on the north
17 side, where there's no parking permitted,
18 that those no-parking signs be removed so
19 that residents would be able to park.

20 At one time, there was a bus
21 that ran down Jefferson Street, so that's
22 the reason why you could only park on one
23 side of the street, but there's no bus on
24 Jefferson Street any longer. And there's
25 no trolley that runs up 11th Street, so

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2 there's no reason not to allow parking in
3 the 1500 block of North 11th Street on
4 the west side of the street, 'cause now,
5 you have a city bus. They can negotiate
6 and the street is wide enough to
7 accommodate parking on both sides of the
8 street, 'cause on Sundays, the church
9 members are able to park on the street
10 without being ticketed.

11 COUNCIL PRESIDENT VERNA: Thank
12 you very much.

13 Any comments or questions from
14 members of the committee?

15 (No questions or comments.)

16 (Witness comes forward.)

17 COUNCIL PRESIDENT VERNA: Good
18 afternoon. Kindly identify yourself for
19 the record.

20 MR. FOOTES: Good afternoon. I
21 apologize. I didn't sign in because I
22 was out doing Yorktown business, and I
23 got here kind of late.

24 COUNCIL PRESIDENT VERNA:
25 That's fine.

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2 MR. FOOTES: But I want to say
3 good afternoon, Madam Chair, and good
4 afternoon to all of the City Councilmen.
5 Good afternoon, Darrell.

6 I'm here on behalf of the -- my
7 name is Brother Fred Tookes, T-O-O-K-E-S.
8 And I'm testifying -- I'm from the
9 Yorktown community, but I'm testifying on
10 behalf of something else today.

11 Of course, all of you have been
12 hearing about what's going on with the
13 contractors, the African-American
14 subcontractors in construction and the
15 general contractors, where we are not
16 getting awarded contracts.

17 And I was at the townhall
18 meeting where I did speak with Pastor
19 Kevin Johnson and the representative of
20 the Goldenberg Group.

21 Now, we've heard about the
22 Goldenberg Group and some of the things
23 they've done. They have met with us,
24 come to the table, and they have sat down
25 with us. It would be nice to see them do

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2 the same thing in the arena of
3 construction.

4 All of your major generals,
5 none of 'em come to the table. We have
6 to force their hand by boycotting,
7 shutting down sites, you know what I
8 mean, to try to get their attention.

9 Let's talk about a general
10 contractor that could help us all. He is
11 worth megamillions. Let's talk about
12 Keating. He could joint-venture with
13 African-American generals, bring them to
14 the table, sit 'em down and negotiate
15 with em. Contracts could be award so
16 that African-American subs and generals
17 can go in their communities and hire.

18 Now, if -- we can't talk about
19 the lack of jobs, and let me just tell
20 you something: There is a lack of jobs.
21 There's many African-American men
22 standing on the corners that would love
23 to work. I'm out in the street. I'm
24 involved with many organizations -- Men
25 United for a Better Philadelphia and

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2 Councilman Clarke and Jones. I'm all
3 over the place.

4 And it's amazing how we have so
5 many construction projects going on in
6 North Philadelphia and very few
7 African-American brothers working,
8 sisters working, very few
9 African-American contractors that are
10 being awarded contracts.

11 We can joint-venture. There's
12 things -- ways that you can do it where
13 you can joint-venture upfront and get
14 your money on the back end. It's all
15 types of programs that could be utilized
16 if they would just come to the table, sit
17 down, and make it happen.

18 This project is too close to
19 the community, North Philadelphia, for us
20 to allow any organization to come in and
21 do some of the same things that we're
22 being seen done in the community.

23 So I talked with the Pastor
24 about it and the gentleman that's heading
25 the Goldenberg Group assured me that they

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2 would -- but we need results, we need
3 action. We don't need no more lip
4 service, we don't need no more phony
5 percentages. We need them to get the job
6 done. And let someone step to the plate
7 and make an example out of others to show
8 that it can be done.

9 So this is why I'm sitting on
10 behalf of the contractors.

11 And I want to thank the
12 (indiscernible) Brother Ali being here,
13 which is also one of the contractors
14 that's been on the forefront fighting for
15 us to get our just due.

16 So I want to throw that out
17 there. In your negotiating, please
18 include that in also. What are you going
19 to do for the African-American
20 contractors to subcontractors and the
21 general? For then, we can go into the
22 community and we can hire. And instead
23 of young men on the street, getting
24 involved in wrong activities, they can
25 get involved in positive activities, and

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2 we can do something by getting some of
3 these young guys into all of the trade
4 unions, not just laborers.

5 We have enough laborers. We
6 need electricians, we need plumbers, we
7 need elevator guys, we need iron workers,
8 we need finishers, we need carpenters;
9 this is what we need.

10 And this is very important, and
11 I will stay in contact with the
12 Goldenberg Group and the Pastor to see
13 that this happens.

14 Thank you so much.

15 COUNCIL PRESIDENT VERNA: Thank
16 you very much.

17 Do we have anyone else to
18 testify?

19 (No response.)

20 COUNCIL PRESIDENT VERNA:
21 Seeing no one, I would ask Mr. Erekson to
22 kindly read the title of Bill No. 090413.

23 MS. EREKSON: Bill No. 090413,
24 an ordinance amending Title 14 of the
25 Philadelphia Code, entitled "Zoning and

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2 Planning," by amending Chapter 14-1600,
3 entitled "Miscellaneous," by adding a new
4 Section, entitled "North Central Front
5 Street Special District Controls," all
6 under certain terms and conditions.

7 COUNCIL PRESIDENT VERNA:

8 Mr. Kramer.

9 MR. KRAMER: Good afternoon,
10 council President Verna and members of
11 the Rules Committee. I'm William Kramer,
12 Division Director of the Development
13 Planning Division of the Philadelphia
14 City Planning Commission. I'm here today
15 to testify on Bill No. 090413, which was
16 introduced by Councilmember Clarke on May
17 14th of this year.

18 This bill adds a new Section to
19 the Philadelphia Zoning Code, entitled
20 "North Central Front Street Special
21 District Controls." The provisions of
22 this section of the Code will apply to
23 properties with frontage on both sides
24 Front Street between Girard Avenue and
25 Oxford Street.

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2 This bill place a height limit
3 of 55 feet, or four stories, for any
4 building. No setbacks will be permitted,
5 unless required by the underlying zoning
6 designation.

7 The bill will also establish a
8 number of prohibited uses, including
9 theaters and auditoriums, auto-related
10 uses, outdoor sales or storage, and
11 vending machines, takeout restaurants,
12 retail sale of beer, dispensing windows
13 on a public street, and accessory
14 speakers or audio devices reaching any
15 public space.

16 The Philadelphia City Planning
17 Commission, at its meeting of June 9,
18 2009, considered Bill No. 090413 and
19 recommended that the bill be approved.

20 That concludes my testimony.
21 I'll be happy to answer any questions you
22 may have.

23 COUNCIL PRESIDENT VERNA: Thank
24 you very much.

25 Are there any questions from

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2 members of the committee?

3 (No questions or comments.)

4 COUNCIL PRESIDENT VERNA:

5 Seeing none, do we have anyone else to

6 testify on this bill?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: This

9 will conclude our public hearing and we

10 will now go into -- yes, Councilman?

11 COUNCILMAN CLARKE: Mr. Kramer,

12 was there an amendment to this bill?

13 COUNCIL PRESIDENT VERNA: Yes.

14 It was just distributed.

15 COUNCILMAN CLARKE: Okay, I'm

16 sorry. All right.

17 COUNCIL PRESIDENT VERNA: We

18 will now go into our public meeting.

19 Bill No. 090117 is being held.

20 The Chair recognizes Councilman

21 Kenney for a motion on Bill No. 090072.

22 COUNCILMAN KENNEY: Thank you,

23 Madam Chair.

24 I move that Bill No. 090072 be

25 amended based on the amendment that was

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2 circulated prior.

3 (Motion duly seconded.)

4 COUNCIL PRESIDENT VERNA: It
5 has been moved and seconded that the
6 amendment, as submitted by Mr. Kramer, be
7 adopted.

8 All those in favor will say
9 aye.

10 Those opposed?

11 The ayes have it, and the
12 motion carries.

13 And, again, the Chair
14 recognizes Councilman Kenney.

15 COUNCILMAN KENNEY: Thank you,
16 Madam President I move that Bill No.
17 090072, as amended, be reported out of
18 this committee with a favorable
19 recommendation and a request made for a
20 rules suspension to allow for first
21 reading at our next Council session.

22 (Motion duly seconded.)

23 COUNCIL PRESIDENT VERNA: It
24 has been moved and seconded that Bill No.
25 090072 be reported out of committee, as

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2 amended, with a favorable recommendation
3 and, further, that the rules of Council
4 be suspended so as to permit first
5 reading at our next session of Council.

6 All in favor will say aye.

7 Those opposed?

8 The ayes have it, and the
9 motion carries.

10 The Chair recognizes Councilman
11 Kenney.

12 COUNCILMAN KENNEY: Thank you,
13 Madam President.

14 I move that Bill No. 090191 be
15 reported out of this committee favorably
16 and a request for a rules suspension to
17 allow for first reading at our next
18 Council session.

19 (Motion duly seconded.)

20 COUNCIL PRESIDENT VERNA: It
21 has been moved and seconded that Bill No.
22 090191 be reported out of committee with
23 a favorable recommendation and, further,
24 that the rules of Council be suspended so
25 as to permit first reading at our next

1 6/10/09 - RULES - BILLS 090072, 191, 412, 413

2 session of Council.

3 All in favor will say aye.

4 Those opposed?

5 The ayes have it, and the
6 motion carries.

7 Councilman Kenney.

8 COUNCILMAN KENNEY: Thank you,
9 Madam President.

10 I move that Bill No. 090412 be
11 amended accordingly, with the amendments
12 previously submitted.

13 (Motion duly seconded.)

14 COUNCIL PRESIDENT VERNA: It
15 has been moved and seconded that the
16 amendments Bill No. 090412 be adopted.

17 All those in favor will say
18 aye.

19 Those opposed?

20 The motion carries.

21 Councilman Kenney.

22 COUNCILMAN KENNEY: Thank you,
23 Madam President.

24 I moved that Bill No. 090412,
25 as amended, be reported out of this

1 6/10/09 - RULES - BILLS 090072, 191, 412, 413

2 committee with a favorable recommendation
3 and a request made for a rules suspension
4 to allow for first reading at our next
5 Council session.

6 (Motion duly seconded.)

7 COUNCIL PRESIDENT VERNA: It
8 has been moved and seconded that Bill No.
9 090412 be reported out of committee with
10 a favorable recommendation, as amended,
11 and, further, that the rules of Council
12 be suspended so as to permit first
13 reading at our next session of Council.

14 All those in favor will say
15 aye.

16 Those opposed?

17 The ayes have it, and the
18 motion carries.

19 COUNCILMAN KENNEY: Thank you,
20 Madam President.

21 I move that Bill No. 090143 be
22 hands according to the amendments
23 circulated previously in this hearing.

24 (Motion duly seconded.)

25 COUNCIL PRESIDENT VERNA: It

1 6/10/09 - RULES - BILLS 090072, 191, 412, 413

2 has been moved and seconded that the
3 amendment be adopted all in favor will
4 say aye.

5 Those opposed?

6 The ayes have it the motion
7 carries.

8 The Chair recognizes Councilman
9 Kenney.

10 COUNCILMAN KENNEY: Thank you,
11 Madam President.

12 I move that Bill No. 090413, as
13 amended, be reported out of this
14 committee favorably and a request made
15 for a rules suspension to allow for first
16 reading at our next Council session.

17 (Motion duly seconded.)

18 COUNCIL PRESIDENT VERNA: It
19 has been moved and seconded that Bill No.
20 090143 be reported out of committee with
21 a favorable recommendation, as amended,
22 and, further, that the rules of Council
23 be suspended so as to permit first
24 reading at our next session of Council.

25 All in favor will say aye.

1 6/10/09 - RULES - BILLS 090072, 191, 412, 413

2 Those opposed?

3 The ayes have it, and the

4 motion carries.

5 Thank you all very much.

6 And we will be starting the

7 Committee of the Whole very, very

8 shortly.

9 (Proceedings end at 2:56 a.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the proceedings of the City of Philadelphia Council Committee of the Whole are contained fully and accurately in the stenographic notes taken by me on Wednesday, June 10, 2009, and that this is a true and correct statement of same.

JOSEPHINE CARDILLO

Registered Professional Reporter

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