

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, December 2, 2014
10:10 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

BILLS 140804, 140831, 140857, 140858, 140859,
140864, 140887, 140888, 140889, 140895,
140901, and 140906

- - -

1
2 COUNCILMAN GREENLEE: Good
3 morning, everyone. Can I have
4 everybody's attention, please. We want
5 to get started, because we have a long
6 agenda here.

7 This is the Committee on Rules.
8 We have a quorum: Councilman Kenney, the
9 Vice Chair of the Committee; Councilman
10 Goode; Councilman Squilla; Councilwoman
11 Bass; Councilman O'Brien; and myself,
12 Bill Greenlee.

13 For the record, Bill No. 140906
14 will be held at the request of the
15 sponsor to the call of the Chair.

16 Ms. Marconi, will you please
17 read the title of the first bill before
18 us today.

19 THE CLERK: Bill No. 140831, an
20 ordinance amending Title 14 of The
21 Philadelphia Code, entitled "Zoning and
22 Planning," by revising regulations
23 relating to home occupations, making
24 conforming amendments to other provisions
25 of Title 14, and making technical

1 12/2/14 - RULES - BILL 140804, etc.
2 changes, all under certain terms and
3 conditions.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 Mr. Gregorski, good morning.
7 (Witness approached witness
8 table.)

9 COUNCILMAN GREENLEE: Please
10 identify yourself and proceed.

11 MR. GREGORSKI: Good morning,
12 Councilman Greenlee, members of the Rules
13 Committee. I'm Marty Gregorski, a member
14 of the Development Division of the City
15 Planning Commission. I'm here to testify
16 on Bill No. 140831, which was introduced
17 into Council on October 23rd, 2014 by
18 Councilmember O'Neill.

19 Bill No. 140831 amends the
20 Philadelphia Zoning Code by amending the
21 Use Regulations set forth in Section
22 14-604 for Home Occupations. The first
23 change is to prohibit accessory signs for
24 Home Office classification, which permits
25 a home occupation conducted solely by the

1 12/2/14 - RULES - BILL 140804, etc.
2 residents. The second change is that
3 Home Business-General, which allows
4 non-resident partners, employees or
5 customers to engage in the business
6 within the premises, will be prohibited
7 in residential and residential mixed-use
8 zoning districts.

9 The Philadelphia City Planning
10 Commission considered Bill No. 140831 at
11 its meeting of November 18th, 2014 and
12 requested an additional 45 days to
13 review. The bill will be reconsidered by
14 the City Planning Commission at its
15 meeting of December 9th, 2014.

16 I'd be happy to answer any
17 questions at this time.

18 COUNCILMAN GREENLEE: Thank
19 you, Mr. Gregorski. I know from
20 Councilman O'Neill he would like this
21 bill moved today, but he did say he would
22 engage in further discussion on it if the
23 Committee does move it out today.

24 Any questions for Mr. Gregorski
25 on this bill?

1 12/2/14 - RULES - BILL 140804, etc.

2 Yes, Councilman Kenney.

3 COUNCILMAN KENNEY: Are we
4 aware of what type of businesses they're
5 trying to prohibit or to get special
6 approval for? Can you give me examples
7 of what concerning this?

8 MR. GREGORSKI: If you were to
9 have a barber shop or beauty salon in
10 your home, that's really kind of the
11 focus. There is some collateral damage
12 to personal instruction. So that's one
13 of the reasons the Planning Commission
14 asked for more time.

15 COUNCILMAN KENNEY: Okay.
16 Thank you.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilman.

19 Any other questions?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, anyone else here to testify on Bill
23 No. 140831?

24 (No response.)

25 COUNCILMAN GREENLEE: Seeing

1 12/2/14 - RULES - BILL 140804, etc.

2 none, Ms. Marconi, our next bill, please.

3 THE CLERK: Bill No. 140859, an
4 ordinance to amend the Philadelphia
5 Zoning Maps by changing the zoning
6 designations of certain areas of land
7 located within an area bounded by South
8 Street, Schuylkill Avenue, Christian
9 Street (Extended), and the Schuylkill
10 River.

11 COUNCILMAN GREENLEE: Thank
12 you.

13 Mr. Gregorski.

14 MR. GREGORSKI: Good morning,
15 Councilman Greenlee and members of the
16 Rules Committee. I'm Marty Gregorski, a
17 member of the Development Division of the
18 City Planning Commission. I'm here to
19 testify on Bill No. 140859, which was
20 introduced into City Council on October
21 30th, 2014 by Councilmember Johnson.

22 The purpose of Bill No. 140859
23 is to rezone portions of the block
24 bounded by South Street, Schuylkill
25 Avenue, Christian Street (Extended), and

1 12/2/14 - RULES - BILL 140804, etc.
2 the Schuylkill River from the existing
3 I-2 Industrial classification to a new
4 CMX-3 Commercial classification. This
5 change is consistent with the CHOP
6 Schuylkill Avenue project that was
7 approved by the Zoning Board of
8 Adjustment.

9 Bill No. 140859 is a corrective
10 zoning action that will allow CHOP to
11 construct a research facility, which will
12 also house some commercial space, as
13 negotiated with the community.

14 The City Planning Commission at
15 its meeting of November 18th, 2014
16 recommended Bill No. 140859 for approval
17 as an item in accord with previous
18 policy.

19 I'd be happy to answer any
20 questions at this time.

21 COUNCILMAN GREENLEE: Thank
22 you, sir.

23 Any questions for Mr. Gregorski
24 on this bill?

25 (No response.)

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, anyone else here to testify on Bill
4 No. 140859?

5 (Witnesses approached witness
6 table.)

7 COUNCILMAN GREENLEE: Please
8 identify yourself and proceed.

9 MR. GROLLMAN: Good morning.
10 My name is Peter Grollman. I'm Vice
11 President for Government Affairs,
12 Community Relations and Advocacy at The
13 Children's Hospital of Philadelphia.
14 Thank you very much for the opportunity
15 to testify.

16 Children's Hospital of
17 Philadelphia respectfully requests the
18 Committee's support for rezoning our
19 property on 2716 South Street from
20 Industrial 2 to Community Commercial
21 Mixed Use 3. The property consists of
22 approximately eight acres of land along
23 the Schuylkill River that was long
24 occupied by the vacant John F. Kennedy
25 Vocational School. Demolition of that

1 12/2/14 - RULES - BILL 140804, etc.
2 building is underway so that CHOP can
3 redevelop the property to include in the
4 first phase of development an office
5 building that will support both clinical
6 research and administrative services. No
7 medical care will be provided in the
8 facility. Planning for future phases has
9 not commenced, but will occur
10 commensurate to the growth of the
11 organization.

12 Rezoning this property will
13 permit CHOP to include commercial uses
14 that can meet the needs of both the
15 community and CHOP employees. Please
16 know that the hospital has a longstanding
17 partnership with the community that dates
18 back as far back as October 2009 when
19 plans to purchase the property were first
20 made public. It was and remains
21 important to CHOP that our project
22 integrates well into the community, and
23 over the course of the last year we have
24 addressed a number of priorities,
25 including a desire to have the property

1 12/2/14 - RULES - BILL 140804, etc.
2 rezoned.

3 Note that the project currently
4 underway is fully approved and will
5 proceed without regard to Council's
6 disposition of this ordinance. However,
7 passage of the ordinance will permit
8 retail use, which has been requested by
9 the community.

10 As part of a \$4 billion
11 expansion spanning over a decade, CHOP
12 views this particular project as one that
13 will be transformative and that it will
14 invigorate the waterfront and include
15 welcoming features that can be shared
16 with our community. It will complement
17 other investments being made by the
18 Hospital, including the expansive Buerger
19 Center for Advanced Pediatric Care on our
20 main campus and the nationally
21 significant Community Health and Literacy
22 Center under construction in South
23 Philadelphia, both opening in 2015.

24 Thank you.

25 COUNCILMAN GREENLEE: Thank

1 12/2/14 - RULES - BILL 140804, etc.

2 you.

3 Would you want -- just here for
4 support? Okay. Very good.

5 Any questions?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, anyone else here to testify on Bill
9 No. 140859?

10 (No response.)

11 COUNCILMAN GREENLEE: Seeing
12 none, thank you very much.

13 (Thank you.)

14 COUNCILMAN GREENLEE:
15 Ms. Marconi, our next bill, please.

16 THE CLERK: Bill No. 140887, an
17 ordinance to amend the Philadelphia
18 Zoning Maps by changing the zoning
19 designations of certain areas of land
20 located within an area bounded by 33rd
21 Street, Cumberland Street, 22nd Street,
22 Glenwood Avenue, Dauphin Street, Sedgley
23 Avenue, 25th Street, Dauphin Street, 29th
24 Street, and Diamond Street.

25 COUNCILMAN GREENLEE: Thank

1 12/2/14 - RULES - BILL 140804, etc.

2 you.

3 Mr. Gregorski.

4 MR. GREGORSKI: Good morning,
5 Councilman Greenlee, members of the Rules
6 Committee. Marty Gregorski, a member of
7 the Development Division of the
8 Philadelphia City Planning Commission
9 here to testify on Bill No. 140887, which
10 was introduced into City Council on
11 November 13th, 2014 by Councilmember
12 Greenlee on behalf of Council President
13 Clarke.

14 Bill No. 140887 amends the
15 Philadelphia Zoning Maps by rezoning an
16 area bounded by 33rd Street, Cumberland
17 Street, 22nd Street, Glenwood Avenue,
18 Dauphin Street, Sedgley Avenue, 25th
19 Street, Dauphin Street, 29th Street, and
20 Diamond Street. It contains corrective
21 changes to match the existing land use in
22 the Strawberry Mansion neighborhood. The
23 bill's primary objective is to revise the
24 zoning of blocks of single-family houses
25 to prevent their conversion to

1 12/2/14 - RULES - BILL 140804, etc.
2 multi-family uses. The bill also does
3 the following:

4 Removes obsolete commercial
5 zoning in areas where commercial activity
6 is no longer conducted, and it
7 reintroduced commercial zoning on one
8 block of 29th Street across from
9 Strawberry Square Shopping Center. And
10 it removes General Industrial zoning and
11 replaces it with Industrial Commercial
12 Mixed zoning.

13 On blocks which are
14 predominantly multi-family, the current
15 zoning allowing multiple dwelling units
16 will remain unchanged.

17 Bill No. 140887 follows the
18 recommendations of the Lower North Plan.

19 The Philadelphia City Planning
20 Commission staff at its meeting of
21 December 9th will recommend approval for
22 Bill No. 140887.

23 I'd be happy to answer any
24 questions at this time.

25 COUNCILMAN GREENLEE: Thank

1 12/2/14 - RULES - BILL 140804, etc.

2 you, sir.

3 Any questions for Mr. Gregorski
4 on this bill?

5 (No response.)

6 COUNCILMAN GREENLEE: Seeing
7 none, please let the record also reflect
8 Councilman Henon, a member of the
9 Committee, is present.

10 Anyone else here to testify on
11 Bill No. 140887?

12 (No response.)

13 COUNCILMAN GREENLEE: Seeing
14 none, thank you.

15 Ms. Marconi, our next bill,
16 please.

17 THE CLERK: Bill No. 140888, an
18 ordinance to amend the Philadelphia
19 Zoning Maps by changing the zoning
20 designations of certain areas of land
21 located within an area bounded by 33rd
22 Street, Lehigh Avenue, 18th Street,
23 Glenwood Avenue, 22nd Street, and
24 Cumberland Avenue.

25 COUNCILMAN GREENLEE:

1 12/2/14 - RULES - BILL 140804, etc.

2 Mr. Gregorski.

3 MR. GREGORSKI: Good morning,
4 Councilman Greenlee and members of the
5 Rules Committee. I'm Marty Gregorski, a
6 member of the Development Division of the
7 Philadelphia City Planning Commission.
8 I'm here to testify on Bill No. 140888,
9 which was introduced into City Council on
10 November 13th, 2014 by Councilmember
11 Greenlee on behalf of Council President
12 Clarke.

13 Bill No. 140888 amends the
14 Philadelphia Zoning Maps by rezoning an
15 area bounded by 33rd Street, Lehigh
16 Avenue, 18th Street, Glenwood Avenue,
17 22nd Street, and Cumberland Street. It
18 contains corrective changes to match the
19 existing land use in the Strawberry
20 Mansion neighborhood. The bill's primary
21 objective is to revise the zoning of
22 blocks of single-family houses to prevent
23 their conversion to multi-family uses.

24 The bill also does the following:

25 Removes obsolete commercial

1 12/2/14 - RULES - BILL 140804, etc.
2 zoning in areas where commercial activity
3 is no longer conducted; removes all
4 General Industrial zoning and replaces it
5 with Industrial Commercial Mixed Use
6 zoning; and rezones the Cecil B. Moore
7 Recreation Center from RM-1 Residential
8 to the Active Parks and Recreation
9 District.

10 On blocks which are
11 predominantly multi-family, the current
12 zoning allowing multiple dwelling units
13 will remain unchanged.

14 Bill No. 140888 follows the
15 recommendations of the Lower North Plan.

16 Philadelphia City Planning
17 Commission staff at its meeting of
18 December 9th will recommend approval for
19 Bill No. 140888.

20 I will be happy to answer any
21 questions at this time.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 Any questions from members of
25 the Committee?

1 12/2/14 - RULES - BILL 140804, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none -- Councilman Henon.

5 COUNCILMAN HENON: Thank you,
6 Mr. Chairman.

7 Good morning.

8 MR. GREGORSKI: Good morning.

9 COUNCILMAN HENON: Just a quick
10 question or a statement. I understand
11 the need for the zoning changes in this
12 particular case. Just out of curiosity
13 from a department standpoint, was there
14 any collaboration with the Office of
15 Manufacturing and Industry or PIDC when
16 you deal with changing "I"-designated
17 zonings to commercial or residential?
18 Because it has been a City standpoint
19 right now that we're taking a look at --
20 we just held hearings -- taking a look at
21 land preservation when it comes to
22 industrial and mixed-use industrial land,
23 and from what I understand, we're also
24 taking a look at remapping or taking a
25 look at the new -- well, it's fairly new

1 12/2/14 - RULES - BILL 140804, etc.
2 and untested IRMX zoning classification,
3 seeing the opportunities or seeing how
4 restricted it may be or seeing how it
5 seems to be a little broad and some
6 changes may be coming in line within the
7 next year.

8 So is there any collaboration
9 when it comes to industrial land and
10 IRMX's?

11 MR. GREGORSKI: There is with
12 PIDC. I don't know about the Office of
13 Manufacturing. But the Planning
14 Commission, in conjunction with PIDC, did
15 a study of industrial land in the City,
16 and basically we identified areas where
17 it was important to keep the heavier
18 industrial zoning, like the I-2 or the
19 I-3 zoning, and then --

20 COUNCILMAN GREENLEE: Speak a
21 little closer in the mic, please.

22 MR. GREGORSKI: Sorry. And we
23 identified areas where it was more
24 important to keep industrial zoning like
25 the I-2 Medium Industrial or the I-3

1 12/2/14 - RULES - BILL 140804, etc.
2 Heavy Industrial zoning, and there was
3 also an idea of where it should be
4 changed.

5 In this case, we're talking
6 about Strawberry Mansion area. The I-2
7 zoning in this case is going to be going
8 to ICMX. ICMX is an Industrial
9 Commercial Mixed Use category, which is a
10 little more heavy of a use than the IRMX,
11 because you're really converting these
12 buildings into most likely warehouses,
13 construction equipment storage, that kind
14 of thing.

15 COUNCILMAN HENON: And I just
16 wanted to ask the question generally
17 because in the series of these bills --
18 and I understand that the situation in
19 the neighborhood and the ability for a
20 marketable and realistic use and highest
21 and best use for the zoning
22 classifications needs to change in this
23 case. In the hearings that we had last
24 week, it was mostly all -- took part of
25 most of Friday, PIDC and I think some of

1 12/2/14 - RULES - BILL 140804, etc.
2 the other agencies did recognize that we
3 may be losing some of the industrial land
4 that we're trying to preserve, but there
5 also needs to be a relook at how we in
6 some of the "I" designations to see if
7 they could be a little more restrictive
8 in the ICMX's and the IRMX's as opposed
9 to a blatant just kind of entire mixed
10 use. So those conversations are
11 continuing?

12 MR. GREGORSKI: They are.

13 COUNCILMAN HENON: Okay. Thank
14 you very much.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilman.

17 Any other questions?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, anyone else here to testify on Bill
21 No. 140888?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, thank you.

25 Ms. Marconi, our next bill,

1 12/2/14 - RULES - BILL 140804, etc.
2 please.

3 THE CLERK: Bill No. 140889, an
4 ordinance to amend the Philadelphia
5 Zoning Maps by changing the zoning
6 designations of certain areas of land
7 located within an area bounded by 33rd
8 Street, Diamond Street, 29th Street,
9 Dauphin Street, 25th Street, Diamond
10 Street, Glenwood Avenue, Oxford Street,
11 and Railroad Right-of-Way.

12 COUNCILMAN GREENLEE: Mr.
13 Gregorski.

14 MR. GREGORSKI: Good morning,
15 Councilman Greenlee, members of the Rules
16 Committee. I'm Marty Gregorski, a member
17 of the Development Division of the
18 Philadelphia City Planning Commission.
19 I'm here to testify on Bill No. 140889,
20 which was introduced into City Council on
21 November 13th, 2014 by Councilmember
22 Greenlee on behalf of Council President
23 Clarke.

24 Bill No. 140889 amends the
25 Philadelphia Zoning Maps by rezoning an

1 12/2/14 - RULES - BILL 140804, etc.
2 area bounded by 33rd Street, Diamond
3 Street, Dauphin Street, 25th Street,
4 Diamond Street, Glenwood Avenue, Oxford
5 Street, and the Northeast Corridor
6 Railroad Right-of-Way. It contains
7 corrective changes to match the existing
8 land use in the Strawberry Mansion
9 neighborhood. The bill's primary
10 objective is to revise the zoning of
11 blocks of single-family houses to prevent
12 their conversion to multi-family uses.
13 The bill also does the following:
14 Rezones blocks of 33rd Street
15 to try to encourage the reuse of large
16 former mansions, including the historic
17 John Coltrane House; removes obsolete
18 commercial zoning in areas where
19 commercial activity is no longer
20 conducted; reintroduces one block of
21 commercial zoning on Ridge Avenue where
22 the community would like to see
23 businesses develop; it removes all
24 General Industrial zoning and replaces it
25 with Industrial Commercial Mixed Use

1 12/2/14 - RULES - BILL 140804, etc.
2 zoning.

3 On blocks which are
4 predominantly multi-family, the current
5 zoning allowing multiple dwelling units
6 will remain unchanged. Bill No. 140889
7 follows the recommendations of the Lower
8 North Plan.

9 The Philadelphia City Planning
10 Commission staff at its meeting on
11 December 9th will recommend approval for
12 Bill No. 140889.

13 I'd be happy to answer any
14 questions at this time.

15 COUNCILMAN GREENLEE: Thank
16 you, sir.

17 Any questions?
18 (No response.)

19 COUNCILMAN GREENLEE: Please
20 let the record reflect that Councilwoman
21 Brown, a member of the Committee, is
22 present.

23 Anyone else here to testify on
24 Bill No. 140889?
25 (No response.)

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, before we move to the next bill, I
4 should put on the record, not this bill
5 but a number of the bills we already
6 considered - 140831, 887, and 888 - have
7 amendments I think that were agreed upon
8 by the Planning Commission and the
9 sponsors, and they will be offered at the
10 subsequent Rules Committee meeting that
11 we have.

12 MR. GREGORSKI: Correct.

13 COUNCILMAN GREENLEE: Ms.
14 Marconi, the next bill, please.

15 THE CLERK: Bill No. 140895, an
16 ordinance to amend the Philadelphia
17 Zoning Maps by changing the zoning
18 designations of certain areas of land
19 located within an area bounded by Tacony
20 Street, Bridge Street, Frankford Creek,
21 Delaware River, and Walbach Street.

22 COUNCILMAN GREENLEE:
23 Mr. Gregorski.

24 MR. GREGORSKI: Good morning,
25 Councilman Greenlee, members of the Rules

1 12/2/14 - RULES - BILL 140804, etc.

2 Committee.

3 COUNCILMAN GREENLEE: Hold on
4 one second.

5 Can I have everybody's
6 attention, please. I know you all are
7 trying to talk low, but when 18 people
8 talk low, it's not low anymore. So if
9 you have conversations, could you please
10 just go outside, please. We'd really
11 appreciate it, because it's hard to hear.
12 This room is a beautiful room, but it's
13 not made to hear anything.

14 So, Mr. Gregorski, please.

15 MR. GREGORSKI: I'm Marty
16 Gregorski, a City Planner with the
17 Development Division of the Philadelphia
18 City Planning Commission. I'm here to
19 testify on Bill No. 140895, which was
20 introduced into City Council on November
21 13th, 2014 by Councilmember Henon.

22 Bill No. 140895 amends the
23 Philadelphia Zoning Maps in the area
24 bounded by Tacony Street, Bridge Street,
25 Frankford Creek, Delaware River, and

1 12/2/14 - RULES - BILL 140804, etc.
2 Walbach Street by changing the
3 designation of the property known as the
4 Arsenal Business Center from I-2 Medium
5 Industrial to IRMX Industrial Residential
6 Mixed Use. The owners, Hankin Management
7 Company, requested this change in zoning
8 in order to reflect their leasing focus
9 to permit office, educational facilities,
10 artist studios, live-work units, and
11 household living.

12 The Philadelphia City Planning
13 Commission will consider Bill No. 140895
14 at its meeting of December 9th, 2014,
15 with a staff recommendation that the bill
16 be approved.

17 I'll be happy to answer any
18 questions at this time.

19 COUNCILMAN GREENLEE: Thank
20 you, Mr. Gregorski.

21 Any questions for
22 Mr. Gregorski?

23 Councilman Henon.

24 COUNCILMAN HENON: Thank you.

25 One of the things I think I had

1 12/2/14 - RULES - BILL 140804, etc.
2 mentioned on the previous bill with some
3 of the zoning designations with "I" to
4 commercial and mixed use, ICMX and IRMX,
5 one of the things I noticed in your
6 testimony -- and I know for a fact that
7 it was a staff recommendation, not a
8 Planning Commission recommendation. What
9 is the difference there and how does that
10 differ?

11 MR. GREGORSKI: The staff
12 recommendation is, we give a
13 recommendation to the City Planning
14 Commission proper at their meeting next
15 week. They'll then take an official
16 position on it. So they could take our
17 recommendation and go the other way.
18 They could make amendments to it. They
19 could table it. So it's really just what
20 the staff is considering at this point.
21 We won't know what the Planning
22 Commission does until next Tuesday.

23 COUNCILMAN HENON: Okay. All
24 right. Thank you.

25 COUNCILMAN GREENLEE: Thank

1 12/2/14 - RULES - BILL 140804, etc.

2 you.

3 Any other questions for

4 Mr. Gregorski on this bill?

5 (No response.)

6 COUNCILMAN GREENLEE: Anyone

7 else here to testify on 140895?

8 Please come forward.

9 (Witness approached witness

10 table.)

11 COUNCILMAN GREENLEE: Good

12 morning. Please identify yourself for

13 the record and proceed.

14 MR. HANKIN: Yes. My name is

15 Mark Hankin from Arsenal Associates. We

16 own the majority of the condominium units

17 in the southern portion of the Arsenal

18 now known as the Arsenal. We

19 respectfully request that the Board

20 consider approving this amendment.

21 The Arsenal Business Center, as

22 it used to be called, contains

23 approximately 42 buildings, over 60

24 condominium units on slightly more than

25 40 acres of ground. It is our goal to

1 12/2/14 - RULES - BILL 140804, etc.
2 preserve all of these historical
3 buildings in their as-is condition,
4 subject to slight modifications that may
5 be approved by the Pennsylvania
6 Historical Museum Commission and the
7 Advisory Commission on Historic
8 Preservation.

9 These buildings are older
10 buildings, going back as old as 1828.
11 The most current buildings are World War
12 II vintage buildings. They were used by
13 the Department of the Army for
14 residential, industrial, office,
15 research, and recreational. This new
16 zoning will permit us to have that kind
17 of integrated use of the buildings to
18 have these buildings used to their best
19 potential.

20 Some of the older buildings are
21 not usable as industrial buildings as
22 they used to be, and we look to convert
23 them to office or residential and artist
24 communities and artist apartments and the
25 like. We think this would allow us to

1 12/2/14 - RULES - BILL 140804, etc.
2 continue to develop this area as an
3 integral portion of old Northeast
4 Philadelphia, creating hundreds of jobs
5 and increased tax ratables and make this
6 a viable part of the Northeast community.

7 COUNCILMAN GREENLEE: Thank
8 you. Thank you, sir.

9 Councilman Henon.

10 COUNCILMAN HENON: Mr. Hankin,
11 thank you for coming in. As one of -- I
12 would consider your place of business and
13 the properties that you have as a good
14 neighbor, not just to the district, but
15 the City of Philadelphia.

16 One of the things that we're
17 finding out through zoning is, sometimes
18 it unintentionally could impede the
19 highest and best use for some properties.
20 The City needs and has continued to
21 address some of the issues as the new
22 Zoning Code that it took three years to
23 put in place. So we continue to take a
24 look at and monitor the zoning
25 classifications on the best uses, where

1 12/2/14 - RULES - BILL 140804, etc.
2 it's at, and how it conforms with the
3 neighborhood and the City of Philadelphia
4 as far as marketing and opportunities.

5 IRMX, which is this zoning
6 classification, this is a unique, I
7 think, rezoning situation that we have
8 here and it would be kind of fitting. It
9 gives you a little bit of wiggle room
10 when it comes to trying to find out --
11 trying to put the best use for your
12 properties as they are.

13 You are not doing away with the
14 potential opportunities for industrial,
15 light industrial uses; is that correct?

16 MR. HANKIN: Absolutely not,
17 sir. Our goal is to get as much
18 industrial in as possible.
19 Unfortunately -- we've owned the property
20 since December 1983, and unfortunately
21 the industrial base in Philadelphia and
22 in our area has continued to drop, but we
23 continue to market these properties first
24 as industrial, second as office, and then
25 third the additional uses that might be

1 12/2/14 - RULES - BILL 140804, etc.
2 permitted under the IRMX zoning, such as
3 residential, because some of the
4 buildings -- where our office is in the
5 old parade grounds, they were all
6 residential buildings.

7 COUNCILMAN HENON: It's a
8 beautiful, beautiful business center that
9 you have there. I mean, the historic
10 buildings, I think it's absolutely
11 attractive, and some of the things that
12 we are doing here in the City is, when it
13 comes to marketing in industrial and
14 artisan type of community who are willing
15 to take some chances in some of these
16 buildings I think have really taken hold,
17 and I do see an uptick on that. So the
18 success of your place of business there
19 is a success of Philadelphia. So we
20 continue to take a look at these zoning
21 designations like IRMX and ongoing
22 conversations and discussions to see
23 which is best for you and the City at
24 large.

25 So I appreciate you coming in.

1 12/2/14 - RULES - BILL 140804, etc.

2 Thank you.

3 MR. HANKIN: Thank you, sir.

4 COUNCILMAN GREENLEE: Thank
5 you, Councilman.

6 Any other questions?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, anyone else here to testify on Bill
10 140895?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, Ms. Marconi, our next bill, please.

14 THE CLERK: Bill No. 140901, an
15 ordinance to amend the Philadelphia
16 Zoning Maps by changing the zoning
17 designations of certain areas of land
18 located within an area bounded by Adams
19 Avenue, Castor Avenue, Roosevelt
20 Boulevard, Cheltenham Avenue, Harbison
21 Avenue, Aramingo Avenue, the Northeast
22 Corridor Railroad Right-of-Way, Orthodox
23 Street, Torresdale Avenue, and Ruan
24 Street.

25 COUNCILMAN GREENLEE:

1 12/2/14 - RULES - BILL 140804, etc.
2 Mr. Gregorski, before you start, let me
3 just put on record a letter from
4 Councilwoman Sanchez supporting this
5 bill, saying it's supported by both
6 neighborhood and community groups and
7 reflects their input in this
8 comprehensive plan.

9 So with that, Mr. Gregorski,
10 please.

11 MR. GREGORSKI: Good morning,
12 Councilman Greenlee, members of the Rules
13 Committee. I'm Marty Gregorski, a member
14 of the Development Division of the
15 Philadelphia City Planning Commission.
16 I'm here to testify on Bill No. 140901,
17 which was introduced into City Council on
18 November 13th, 2014 by Councilmember
19 Sanchez.

20 Bill No. 140901 amends the
21 Philadelphia Zoning Maps by rezoning an
22 area bounded by Adams Avenue, Castor
23 Avenue, Roosevelt Boulevard, Cheltenham
24 Avenue, Harbison Avenue, Aramingo Avenue,
25 the Northeast Corridor Railroad

1 12/2/14 - RULES - BILL 140804, etc.
2 Right-of-Way, Orthodox Street, Torresdale
3 Avenue, and Ruan Street. It contains
4 corrective changes to match the existing
5 land use in the Frankford area. The
6 bill's primary objective is to revise the
7 zoning of blocks of single-family houses
8 to prevent their conversion to
9 multi-family uses and to rezone areas of
10 Frankford Avenue to neighborhood
11 commercial or residential where
12 appropriate. The bill also does the
13 following:

14 Rezones areas of Frankford
15 Avenue from CMX-3 Commercial to the more
16 appropriate CMX-2 Commercial. It
17 corrects much of the inappropriate RM-1
18 Multi-Family zoning to RSA-5
19 Single-Family Zoning. Any existing
20 multi-family uses will be grandfathered.
21 It removes obsolete commercial zoning in
22 areas where commercial activity is no
23 longer conducted, and it rezones some of
24 the existing sports fields from their
25 current residential zoning

1 12/2/14 - RULES - BILL 140804, etc.
2 classifications to new Active Parks and
3 Recreation zoning classification.

4 Bill No. 140901 follows the
5 recommendations of the Lower Northeast
6 Plan and is the third bill in a series
7 that rezones this vicinity.

8 The Philadelphia City Planning
9 Commission staff at its meeting of
10 December 9th will recommend approval for
11 Bill No. 140901.

12 I'd be happy to answer any
13 questions at this time.

14 COUNCILMAN GREENLEE: Thank
15 you, Mr. Gregorski.

16 Any questions?
17 (No response.)

18 COUNCILMAN GREENLEE: Seeing
19 none, anyone else here to testify on Bill
20 No. 140901?

21 (No response.)

22 COUNCILMAN GREENLEE: Seeing
23 none, thank you. That will also have an
24 amendment that will be presented at the
25 meeting.

1 12/2/14 - RULES - BILL 140804, etc.

2 Ms. Marconi, our next bill,
3 please.

4 THE CLERK: Bill No. 140864, an
5 ordinance amending Title 14 of The
6 Philadelphia Code, entitled "Zoning and
7 Planning," by creating a new Central
8 Roxborough /NCO for the area generally
9 bounded by Henry Avenue, Acorn Street,
10 Ridge Avenue, Hermitage Street,
11 Silverwood Street, Leverington Avenue,
12 Fleming Street, Monastery Avenue, Dexter
13 Street, Roxborough Avenue, Manayunk
14 Avenue, Rector Street, Mitchell Street,
15 Roxborough Avenue, Ridge Avenue, Green
16 Lane, Jannette Street, Monastery Avenue,
17 and Henry Avenue.

18 COUNCILMAN GREENLEE: Mr.
19 Gregorski.

20 MR. GREGORSKI: Good morning,
21 Councilman Greenlee and members of the
22 Rules Committee. I'm Marty Gregorski, a
23 member of the Development Division of the
24 Philadelphia City Planning Commission.
25 I'm here to testify on Bill No. 140864,

1 12/2/14 - RULES - BILL 140804, etc.
2 which was introduced into City Council on
3 October 30th, 2014 by Councilmember
4 Jones.

5 Bill No. 140864 amends the
6 Philadelphia Zoning Code by creating a
7 new Central Roxborough /NCO Overlay
8 district, the requirements of which shall
9 apply to all properties in the area
10 generally bounded by Gates Street (both
11 sides), Ridge Avenue, Hermitage Street,
12 Manayunk Avenue (both sides), Dupont
13 Street, Fleming Street, Lyceum Street,
14 Manayunk Avenue (both sides), Roxborough
15 Avenue (both sides), Ridge Avenue, Dupont
16 Street (both sides), and Henry Avenue,
17 excluding the parcels located in the
18 existing Ridge Avenue /NCA Overlay.

19 This new Neighborhood
20 Conservation Overlay will create massing
21 and form regulations for new residential
22 and commercial development. The overlay
23 is intended to protect the existing
24 development patterns and the walkable
25 character of the Central Roxborough

1 12/2/14 - RULES - BILL 140804, etc.
2 section of Philadelphia. Walkability
3 serves the health, safety, and general
4 welfare of the citizens by providing
5 human-scaled design, interesting and
6 pedestrian-friendly facades, and eyes on
7 the street, all in close proximity to
8 useful commercial destinations, parks,
9 and transit. The blocks of streets
10 within the overlay were selected for
11 their relatively intact historic pattern.
12 The design of new buildings should be
13 consistent with the character-defining
14 features of this overlay district in
15 terms of massing, vertical and horizontal
16 articulation, fenestration proportions,
17 and building materials.

18 The City Planning Commission
19 staff shares the Central Roxborough
20 community's desire to maintain
21 neighborhood character and walkability in
22 the face of heavy development pressure.
23 This overlay addresses the quality of new
24 construction while complementary Zoning
25 Map changes contained in Bill No. 130632

1 12/2/14 - RULES - BILL 140804, etc.
2 and acted on December 4th, 2013 will help
3 to prevent the demolition of large lot
4 homes for further subdivision. Together,
5 these bills will help the community
6 achieve their goals.

7 The Philadelphia City Planning
8 Commission at its meeting of November
9 18th, 2014 recommended Bill No. 140864
10 for approval.

11 I'd be happy to answer any
12 questions at this time.

13 COUNCILMAN GREENLEE: Thank
14 you, Mr. Gregorski.

15 The record will reflect that
16 Councilman Jones, the sponsor of this
17 bill and the Majority Leader, is also
18 present.

19 Did you want to say anything?
20 Councilman Jones.

21 COUNCILMAN JONES: Thank you,
22 Mr. Chairman. I'll be brief. I want to
23 thank you and this Committee for all of
24 the work you've done for the 4th
25 District. Whether it's Manatawna Farms

1 12/2/14 - RULES - BILL 140804, etc.
2 overlay and this bill that you have
3 before you, it has helped to stabilize a
4 predictable growth pattern in a very
5 popular area of my district. It is one
6 of the best small towns in the City of
7 Philadelphia.

8 COUNCILMAN GREENLEE: Next to
9 Fairmount, right?

10 COUNCILMAN JONES:
11 Mr. Chairman, I would never argue with
12 you.

13 COUNCILMAN GREENLEE: You get
14 yourself in trouble.

15 COUNCILMAN JONES: I get myself
16 in trouble.

17 But I appreciate your
18 consistent support for our neighborhoods,
19 and because of it, we've had such
20 phenomenal but planned growth, and we
21 appreciate all of which this Committee
22 does.

23 Thank you so much.

24 COUNCILMAN GREENLEE: Thank
25 you. And we know how hard you and your

1 12/2/14 - RULES - BILL 140804, etc.
2 staff work on making things right up
3 there, and Roxborough is a great section
4 of the City, among the other great
5 sections of Philadelphia, I say as a
6 Councilman at-large.

7 Any other questions or comments
8 for Mr. Gregorski?

9 (No response.)

10 COUNCILMAN GREENLEE: Anyone
11 else here to testify on Bill No. 140864?

12 Please come forward.

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN GREENLEE: Good
16 morning. Please identify yourself.

17 MR. SIMON: Good morning. My
18 name is Don Simon. I'm the President of
19 the Central Roxborough Civic Association.
20 Mr. Chairman, members of the Rules
21 Committee, I wish to express my support
22 for Bill 140864, the proposed
23 neighborhood conservation overlay for the
24 Central Roxborough District.

25 For some time now, Roxborough

1 12/2/14 - RULES - BILL 140804, etc.
2 has been under considerable development
3 pressure. Developers have been erecting
4 townhomes in almost every available empty
5 space of land and have begun looking at
6 some of our older 19th century homes on
7 large lots, with plans to demolish them
8 and put up more townhomes. A lot of this
9 new construction has diminished the very
10 characteristics of our neighborhood that
11 attracted us to Roxborough in the first
12 place.

13 Typical is the blank front
14 construction with a front-facing garage.
15 And I have some pictures. There's one.
16 Let's do this one.

17 COUNCILMAN GREENLEE: Thank
18 you.

19 MR. SIMON: Blank front
20 construction with a front-facing garage
21 that is almost never used for parking,
22 parking a vehicle, which instead is
23 usually parked in front of the building,
24 often blocking the sidewalk and isolating
25 the property. The result is a structure

1 12/2/14 - RULES - BILL 140804, etc.
2 that has no connection with the street
3 where eyes on the street is an important
4 safety component.

5 On the other hand, design
6 elements in the NCO such as porches, for
7 example, serve to humanize the
8 streetscape and increase the sense of
9 belonging, community, and safety. This
10 conservation overlay will help to ensure
11 that future development will be
12 appropriate to the context and will help
13 to protect and preserve those unique
14 qualities that attract people to
15 Roxborough and help to make it livable.

16 I would like to express my
17 thanks, our thanks to Matt Wysong of the
18 Planning Commission whose expertise and
19 guidance was instrumental in the
20 development of this project. I would
21 also like to thank Marty Gregorski and
22 other members of the Planning Commission
23 who assisted us, and I would like to
24 thank Councilman Curtis Jones for his
25 support and assistance in sponsoring this

1 12/2/14 - RULES - BILL 140804, etc.
2 bill, as well as members of his staff,
3 Josh Cohen and Al Spivey. I would also
4 like to thank community and CRCA members
5 Kay Sykora, Sandy Sorlien, and Celeste
6 Hardester, who devoted considerable time
7 and effort to the development of this
8 project, and I thank you for your
9 consideration.

10 COUNCILMAN GREENLEE: Whoever
11 would like to go next. And both of you
12 are looking to testify too?

13 (Yes.)

14 COUNCILMAN GREENLEE: All
15 right. Please.

16 MS. SORLIEN: My name is Sandy
17 Sorlien, Roxborough resident. Thank you
18 to Councilman Jones for introducing this
19 bill on behalf of the Central Roxborough
20 Civic Association. I'm here to express
21 support for its passage. I've lived in
22 Roxborough for 22 years and over the past
23 two years have contributed to the
24 drafting and photography of the
25 Neighborhood Conservation Overlay.

1 12/2/14 - RULES - BILL 140804, etc.

2 As you know, Roxborough is a
3 vast and varied section of the City. It
4 ranges from woodsy rural areas to
5 post-war suburban developments with wide
6 streets designed for cars to older urban
7 rowhouse blocks and skinny streets that
8 are safe for pedestrians. Central
9 Roxborough is the urban portion.
10 Walkability is important to us.

11 My profession includes writing
12 codes just like this NCO to protect
13 walkable urban neighborhoods from being
14 negatively affected by new development
15 designed around the car. The new
16 Philadelphia Zoning Code is a big
17 improvement, but it doesn't entirely
18 protect our area. My neighbors were
19 highly motivated to produce this NCO for
20 more protection, so I volunteered to help
21 craft the code language. As I see it,
22 the biggest problem has been the
23 proliferation of garage fronts and paved
24 front yards. This makes blocks less
25 walkable, less pleasant, and less safe.

1 12/2/14 - RULES - BILL 140804, etc.

2 The safety issue comes in because when a
3 garage occupies the entire first floor of
4 a rowhouse, there are no eyes on the
5 street from windows or porches. In
6 addition, every garage or curb cut
7 removes a shared community parking space
8 on the street. The street parking
9 provides a buffer for pedestrians on the
10 sidewalk. Since garages are often used
11 for storage or workshops, the homeowner
12 may end up parking on the street anyway
13 or across the sidewalk. Even so,
14 developers compete to provide this
15 private amenity to the detriment of the
16 public streetscape. The NCO would
17 prohibit such frontages.

18 Our house is two blocks outside
19 the Civic Association's boundary, but we
20 care about the overlay because we, like
21 many of our neighbors, frequently walk
22 through the overlay district and consider
23 it part of our neighborhood. We're
24 walking our dogs, getting exercise,
25 walking to the 9 or the 27 bus, visiting

1 12/2/14 - RULES - BILL 140804, etc.
2 friends, and patronizing local businesses
3 on Ridge Avenue. That's what walkable
4 Philadelphia is all about.

5 I ask City Council to support
6 our efforts to protect Central Roxborough
7 with these few simple rules.

8 Thank you for your
9 consideration.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 Are you all testifying in favor
13 of --

14 (Yes.)

15 COUNCILMAN GREENLEE: Okay.
16 All right. We just ask try to be as
17 brief as possible, because we do have a
18 long list here, and we're with you on
19 this one.

20 MS. HARDESTER: I'll be brief.
21 Thank you. I'm Celeste Hardester, 368
22 Green Lane in Roxborough. As an active
23 member and long-term resident of this
24 neighborhood, I'm a member of the group
25 who has worked to help create this

1 12/2/14 - RULES - BILL 140804, etc.
2 overlay. A significant component of
3 making this legislation possible was the
4 need for photographic documentation of
5 every property within the overlay. The
6 task of photographing nearly 1,825
7 properties spanning 22 different streets
8 was divided among seven people whose
9 homes are widely dispersed across the
10 overlay. They each photographed several
11 hundred properties and then labeled and
12 organized every photograph into files, as
13 requested by the Philadelphia City
14 Planning Commission.

15 This task took several months
16 and was the "make or break" component
17 necessary to make this legislation
18 possible. The commitment to do this work
19 is, in and of itself, a strong statement
20 of neighborhood support for this
21 legislation. An added benefit of doing
22 the photography was that it provided many
23 opportunities for residents to inquire
24 why the photographs were being taken.
25 When told that it was part of a project

1 12/2/14 - RULES - BILL 140804, etc.
2 to establish some guidelines around
3 development in the neighborhood, the
4 response was consistently very
5 supportive.

6 This entire effort has been
7 very positive and constructive from
8 beginning to end with neighbors, local
9 civics, the Planning Commission,
10 Councilman Jones' office. It's been an
11 optimal example of healthy civic process
12 at work, and we thank you.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 MS. HUMBER: Good morning. I'm
16 Prudence Humber. I am a resident of the
17 neighborhood at 327 Green Lane, and it is
18 a privilege to stand in support of this
19 bill, which many of my neighbors have
20 labored long hours to craft over almost
21 two years. I want to thank Councilman
22 Jones for introducing this on November
23 18th and his assistance and Josh Cohen
24 and Al Spivey, and I want to thank also
25 Matt Wysong of the City Planning

1 12/2/14 - RULES - BILL 140804, etc.
2 Commission.

3 My participation has been
4 rather peripheral, but it may interest
5 you to know that close to 34 years ago my
6 husband and I have owned -- for 34 years
7 have owned a home built in 1892 and first
8 owned by Philadelphia Councilman Isaac
9 Wilde. Mr. Wilde owned a wool mill in
10 Manayunk and participated in directing
11 the development of public transportation
12 in the communities of Roxborough and
13 Manayunk. Today I used the 27 bus from
14 SEPTA to come to this hearing. It
15 follows in part a route instituted by the
16 Wissahickon Electric Railway Company. It
17 flows through some very interesting
18 streets.

19 In January of 2013, some of the
20 neighbors most involved in bringing this
21 bill to you alerted our neighborhood to
22 some of the challenges facing us as our
23 communities' roomy plots of land were
24 attracting people who wanted to subdivide
25 lots and raise a much higher density of

1 12/2/14 - RULES - BILL 140804, etc.
2 housing. In some cases, some significant
3 historical homes were at risk for
4 demolition. New units were being
5 constructed of inferior materials and
6 frequently lacking any sense of
7 connection to the historicity and/or
8 visual context of neighboring homes.
9 Whereas this provided quick and sure
10 profit for builders, it provided
11 significant disruption for the community.
12 This conservation overlay is the last
13 phase of a threefold project to preserve
14 the character of our community, while at
15 the same time welcoming upgrades in
16 housing. The first phase was rezoning,
17 which was achieved a year ago. The
18 second phase is validating the
19 historicity and inherent characteristics
20 of architecture during associated
21 periods. This phase is ongoing, but it
22 contributes to the requirements contained
23 in the overlay.
24 It has been an interesting
25 project, which started by asking us to

1 12/2/14 - RULES - BILL 140804, etc.
2 consider what characteristics we most
3 appreciate in the architecture of our
4 community. We have focused on aspects
5 that make it enjoyable to walk such as
6 space for gardens, unique facade porches,
7 artistic fences, trees, et cetera; to
8 make it safe such as porches occupied by
9 people, windows, and doors at or close to
10 street level, yards occupied by people;
11 and, finally, cohesiveness; that is,
12 compatibility and height and setbacks and
13 porch fronts. Much attention has been
14 given to bringing people out of their
15 houses and together for the betterment of
16 the City as a whole. It has been an
17 enlightening process.

18 I urge you to recommend that
19 City Council of Philadelphia pass Bill
20 No. 140864, Central Roxborough
21 Conservation Overlay.

22 Thank you for your time and
23 consideration.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 12/2/14 - RULES - BILL 140804, etc.

2 MS. SYKORA: This will be very
3 short.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 MS. SYKORA: I'm just going to
7 read the section that --

8 COUNCILMAN GREENLEE: Just
9 identify yourself first, please.

10 MS. SYKORA: My name is Kay
11 Sykora and I'm a resident of 445 Green
12 Lane.

13 I just want to add that this
14 was a massive public effort, that there
15 were several public meetings, there were
16 committee meetings and then the
17 photography of the entire district. So
18 this has been ongoing for a long time.
19 There's been no negative feedback in any
20 of the meetings about this particular
21 concept.

22 So we thank you very much for
23 considering, for Councilman Jones for
24 working with us, and for City Planning
25 Commission for working with us.

1 12/2/14 - RULES - BILL 140804, etc.

2 Thank you.

3 COUNCILMAN GREENLEE: Thank you
4 very much.

5 Before you leave, Councilman
6 Kenney.

7 COUNCILMAN KENNEY: Thank you
8 very much.

9 Is your community now an
10 historic district and are you intending
11 at some point to apply for that
12 designation?

13 MS. SYKORA: We're considering
14 it. All of these things are very work
15 intensive. That's the only kind of
16 drawback.

17 COUNCILMAN KENNEY: It seems
18 like you got everything done, including
19 the photography, which would lead you to
20 that next step, which would give you even
21 more protection when it comes to --

22 MS. SYKORA: Well, there's two
23 types of districts. You either go
24 national, which doesn't have the
25 protections but has incentives, or local.

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN KENNEY: Local is
3 what I meant.

4 MS. SYKORA: Right.

5 COUNCILMAN KENNEY: But I'm
6 saying since you've done all that legwork
7 already, it seems the next logical step
8 would be that.

9 MS. SYKORA: That's scary for
10 some folks, but we're certainly going to
11 look at individual houses.

12 COUNCILMAN KENNEY: Thank you.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 MS. SYKORA: So here's
16 testimony here.

17 COUNCILMAN GREENLEE: Great.
18 Thank you. Thank you to everybody.
19 Thank you for all you do in the
20 community.

21 Anyone else here to testify on
22 140864?

23 (No response.)

24 COUNCILMAN GREENLEE: Seeing
25 none and, again, the record will reflect

1 12/2/14 - RULES - BILL 140804, etc.

2 there will be an amendment placed at the
3 meeting of the Committee.

4 Ms. Marconi, our next bill,
5 please.

6 THE CLERK: Bill No. 140804, an
7 ordinance amending Title 14 of The
8 Philadelphia Code, entitled "Zoning and
9 Planning," by revising the Center City
10 East Overlay use regulations for Personal
11 Credit Establishments, under certain
12 terms and conditions.

13 COUNCILMAN GREENLEE:
14 Mr. Gregorski.

15 MR. GREGORSKI: Good morning,
16 Councilman Greenlee, members of the Rules
17 Committee. I'm Marty Gregorski, a member
18 of the Development Division of the
19 Philadelphia City Planning Commission.
20 I'm here to testify on Bill No. 140804,
21 which was introduced into City Council on
22 October 16th, 2014 by Councilmember
23 Squilla.

24 Bill No. 140804 amends the
25 Philadelphia Zoning Code by revising the

1 12/2/14 - RULES - BILL 140804, etc.
2 Center City East Overlay use regulations
3 for Personal Credit Establishments. This
4 bill will address the expansion or
5 relocation of existing Personal Credit
6 Establishments within the area bounded by
7 the Delaware River, Spring Garden Street,
8 Broad Street, and Spruce Street.

9 Such an establishment may
10 expand only if it was established prior
11 to May 8th, 2014.

12 Such an establishment may
13 relocate within the district only if it
14 was established prior to May 8th, 2014;
15 is located 650 feet or less from a
16 property that would be granted a Category
17 2 gaming license, a casino; and the
18 relocation site is more than 650 feet
19 away from the gaming site and is in the
20 area bounded by 6th Street, Vine Street,
21 Broad Street, and Walnut Street.

22 This overlay was created by
23 Bill No. 140416 which created the Center
24 City East /NCA Overlay that prohibited
25 the location of Personal Credit

1 12/2/14 - RULES - BILL 140804, etc.

2 Establishments within the district.

3 The Philadelphia City Planning
4 Commission reviewed this bill at their
5 May 2014 meeting and City Council voted
6 to pass Bill No. 140416 on June 12th,
7 2014. The Philadelphia City Planning
8 Commission considered Bill No. 140804 at
9 its meeting of November 18th, 2014 and
10 recommended approval of this bill as an
11 item in accord with previous policy.

12 I'd be happy to answer any
13 questions at this time.

14 COUNCILMAN GREENLEE: Thank
15 you, sir.

16 Any questions for Mr. Gregorski
17 on this bill?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, again, this bill also will have an
21 amendment that will be presented at the
22 meeting.

23 Anyone else here to testify on
24 Bill No. 140804?

25 (No response.)

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, rolling right along, two more
4 bills, but we'll be a little longer on
5 these two.

6 Ms. Marconi, if you could read
7 the title of our next bill, please.

8 THE CLERK: Bill No. 140857, an
9 ordinance to amend the Philadelphia
10 Zoning Maps by changing the zoning
11 designations of certain areas of land
12 located within an area bounded by South
13 Street, 15th Street, Kater Street, and
14 16th Street, by amending Section 14-500
15 of the Zoning Code, entitled "Overlay
16 Zoning Districts," under certain terms
17 and conditions.

18 COUNCILMAN GREENLEE: Mr.
19 Gregorski.

20 MR. GREGORSKI: Good morning,
21 Councilman Greenlee and members of the
22 Rules Committee. I'm Marty Gregorski, a
23 member of the Development Division of the
24 Philadelphia City Planning Commission.
25 I'm here to testify on Bill No. 140857,

1 12/2/14 - RULES - BILL 140804, etc.
2 which was introduced into City Council on
3 October 30th, 2014 by Councilmember
4 Johnson.

5 The purpose of Bill No. 140857
6 is to rezone portions of the block
7 bounded by South Street, 15th Street,
8 Kater Street, and 16th Street from the
9 current CMX-2 Commercial classification
10 to a new CMX-3 Commercial classification.

11 Bill No. 140857 also creates
12 the South Street West Area as a
13 subsection of the Center City Overlay to
14 modify the requirements for reservoir
15 spaces, off-street loading, and lot
16 coverage for lots zoned CMX-3 within the
17 South Street West Area.

18 The bill will allow for
19 by-right development of the Royal Theatre
20 with 45 apartments, 7,600 square feet of
21 ground-floor retail space, and 20
22 below-grade parking spaces.

23 The City Planning Commission at
24 its meeting of November 18th, 2014
25 recommended to hold Bill No. 140857 for

1 12/2/14 - RULES - BILL 140804, etc.
2 an additional 45 days for review in order
3 to allow the developers of the proposed
4 Royal Theatre redevelopment project and
5 the community more time to work together
6 to improve the project. This will be
7 reconsidered by the City Planning
8 Commission at its meeting of December
9 9th, 2014.

10 I'd be happy to answer any
11 questions at this time.

12 COUNCILMAN GREENLEE: Thank
13 you, Mr. Gregorski.

14 Please let the record reflect
15 Councilman Johnson, who is the sponsor of
16 the next two bills, also is present.

17 Did you want to say something,
18 Councilman?

19 COUNCILMAN JOHNSON: Sure.

20 COUNCILMAN GREENLEE:
21 Councilman Johnson.

22 COUNCILMAN JOHNSON: Thank you,
23 Mr. Chair. Specifically for Bill 140857
24 regarding the rezoning of the Royal
25 Theatre, this has been a project that has

1 12/2/14 - RULES - BILL 140804, etc.
2 been in the works for quite some time.
3 Specifically, members of the community
4 have always advocated for some type of
5 development and revitalization of the
6 Royal Theatre, and so I introduced the
7 legislation. We tried to -- for the
8 rezoning, and we worked with the
9 developers to provide a level of
10 concessions in regards to some community
11 concerns. And I must say they have gone
12 over and beyond the call of duty to
13 address their issues and concerns.

14 So we do have letters of
15 support from two of the key neighborhood
16 organizations, one being the South of
17 South Neighborhood Association, which
18 should be inside your packet, as well as
19 the South Street West Business
20 Association as well.

21 I think this will be good for
22 bringing back life to that particular
23 part of the South Street corridor, and I
24 ask for an affirmative vote after we
25 listen to all of the testimony.

1 12/2/14 - RULES - BILL 140804, etc.

2 Thank you very much, Mr. Chair.

3 COUNCILMAN GREENLEE: Thank
4 you, Councilman. And as you said, I just
5 want to put on the record we have a
6 letter from the South Street West
7 Business Association saying they have a
8 unanimous consensus to support this bill.

9 First, any questions for
10 Mr. Gregorski on his testimony?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, Mr. Kelsen, you look all ready
14 there.

15 MR. KELSEN: I'm ready to go,
16 Mr. Chairman.

17 COUNCILMAN GREENLEE: Please
18 identify yourself and proceed.

19 MR. KELSEN: Good morning,
20 members of the Committee. Peter Kelsen
21 on behalf of the Universal Companies and
22 Dranoff Properties. I am pleased to
23 present our plan of development for the
24 Royal Theatre located on the 1500 block
25 of South Street.

1 12/2/14 - RULES - BILL 140804, etc.

2 Now, I believe that the members
3 of the Committee have booklets and EOP
4 plans supporting the project.

5 The Royal Theatre development
6 promises to be a game-changing
7 development on South Street. We will
8 create an adaptive reuse of this historic
9 property, which will reinvigorate this
10 important block of South Street.

11 The plan calls for the
12 preservation and restoration of the
13 historic facade of the Royal Theatre, and
14 I am certain that members of the
15 Committee are aware of the fact that
16 numerous proposals for the redevelopment
17 of the theatre have come and gone for 40
18 years. Obviously none of these plans
19 ever came to fruition, and unfortunately
20 the building has deteriorated to the
21 point where it no longer is salvageable.
22 We believe that the proposal before you
23 today constitutes an excellent reuse of
24 this historic property and will provide
25 for the preservation of its most

1 12/2/14 - RULES - BILL 140804, etc.

2 important aspect, its historic facade.

3 I point out to the Committee
4 that as a locally certified building and
5 property, our plans will be reviewed by
6 the Historical Commission for their
7 review and approval, assuming that the
8 zoning process moves forward.

9 The Royal proposal is a
10 mixed-use development which will include
11 45 apartments, underground parking for 20
12 cars, and retail commercial uses on South
13 Street. It's about 8,000 square feet of
14 retail commercial on South Street, which
15 is intended to continue the major impact
16 that retail has had on that block.

17 The mix of units includes 15
18 two-bedroom units, eight one-bedroom plus
19 den units, 18 bedroom units, and four
20 studio units. I should point out,
21 members of the Committee, that the unit
22 count was revised to include larger units
23 at the request of the immediate neighbors
24 and the community.

25 The residential units that face

1 12/2/14 - RULES - BILL 140804, etc.
2 Kater Street, as you see in your packet,
3 will have direct entrances from that
4 street. This is intended to complement
5 the residential character of that block.
6 These units have been designed with a
7 pedestrian-scale townhouse facade and our
8 improvements along the building frontage
9 on Kater Street will include
10 pedestrian-scale lighting, landscaping,
11 including planters.

12 Members of the Committee, this
13 plan, as the Councilman indicated,
14 represents a collaborative effort, and
15 the plan that you see before you
16 illustrates many of the design changes
17 that have been requested over the course
18 of time by the neighbors on Kater Street,
19 SOSNA, and South Business Association.
20 The list of changes, members of the
21 Committee, can be found in your booklet
22 and are identified in the back of your
23 booklet for ease of illustration.

24 Twenty parking spaces, as I
25 said, accessory to the residents will be

1 12/2/14 - RULES - BILL 140804, etc.
2 completely below grade accessed across
3 from Kater Street. All service loading
4 and unloading operations, including
5 trash, are going to be limited to South
6 Street at the request of the community.
7 Over 7,600 square feet of retail space,
8 which includes about 120 linear feet
9 along South Street, will be provided. As
10 I indicated, this will provide an
11 opportunity for even more significant
12 retail space to enhance the South Street
13 experience and augment the South Street
14 West business corridor. At the same
15 time, this proposal before you represents
16 the scale and the character of the
17 existing buildings both on South Street
18 and on Kater Street. The overall
19 development will contain about 66,000
20 square feet of above-grade construction.

21 Universal Companies and Dranoff
22 Properties are excited to continue their
23 partnership relationship and expand their
24 investment and development of residential
25 and commercial properties in Center City.

1 12/2/14 - RULES - BILL 140804, etc.

2 We're pleased to extend these
3 developments immediately west of Broad
4 Street.

5 Members of the Committee, in
6 order to accomplish this development, we
7 are requesting that City Council approve
8 a change to the zoning designation of
9 this property as well as certain text
10 changes to the Philadelphia Zoning Code.
11 These are required in order to allow the
12 proposed development to proceed.

13 We're requesting that the
14 property be remapped to CMX-3 Commercial
15 and amend the Center City Overlay to
16 eliminate parking garage reservoir
17 spaces, which are not needed for the
18 scope and scale of this project, and the
19 off-street loading requirements for this
20 development. We also ask for a
21 modification of the bulk and massing
22 controls to allow the proposal to occupy
23 100 percent of the site at this location.
24 In addition, amendments have been
25 offered. One of the amendments deals

1 12/2/14 - RULES - BILL 140804, etc.
2 with modifying the aisle requirements
3 from 24 feet to 20 feet to accommodate
4 setback considerations.

5 The development team has worked
6 closely with SOSNA, the South Street West
7 Business Association, and other area
8 residents and stakeholders in connection
9 with these plans, and as I indicated,
10 these plans do reflect many, many design
11 changes that have occurred over the
12 course literally of months of discussion.

13 The developer has entered into
14 an Economic Opportunity Plan with the
15 City of Philadelphia's Office of Economic
16 Opportunity. You have a fully executed
17 copy of that plan. And if I could
18 highlight some of the specifics
19 associated with the plan, I will do that
20 very briefly.

21 Our participation ranges have
22 been set for this project and include
23 minority participation for professional
24 services at 15 to 20 percent,
25 construction 25 to 30 percent,

1 12/2/14 - RULES - BILL 140804, etc.
2 female-owned business professional
3 services 10 to 15 percent, construction 5
4 to 10 percent. Employment goals for
5 local residents have been set at 32
6 percent. As I've indicated to the
7 Committee on previous occasions, we're
8 also pleased to provide apprentice and
9 journey person goals as follows:
10 Minority apprentices 50 percent of all
11 hours worked, minority journeymen 32
12 percent, female apprentices 7, female
13 journey persons 2 percent.

14 Members of the Committee,
15 subject to your approval, we anticipate
16 that construction of this project would
17 commence in July of 2015 and be completed
18 in approximately 18 months.

19 I thank you for your support,
20 and I'm happy to answer any questions the
21 Committee may have, as well as our
22 representatives here today.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Kelsen.

25 Councilman Johnson.

1 12/2/14 - RULES - BILL 140804, etc.
2 COUNCILMAN JOHNSON: Before you
3 commence to examining Peter Kelsen, I
4 just also wanted to also note for the
5 record and for all the members to --
6 there aren't any page numbers, but on
7 December 2nd -- well, actually that's
8 today. But if you go to -- it would be
9 great if there were page numbers, but
10 there's a section that says Royal Theatre
11 Design Changes Since Initial Neighborhood
12 Meeting and it gives a timeline of all
13 the concessions that were made, for the
14 exception of the additional concession
15 made last night, which was an additional
16 4 feet setback with a total of 6 feet,
17 all in the effort of transparency and
18 working and compromising and making sure
19 there's a win-win for everybody. I just
20 want everything to be stated for the
21 record in terms of how the good
22 Councilperson from the 2nd Councilmanic
23 District worked when it relates to
24 development. So I just want to put that
25 out there for the record.

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: You want
3 to make clear you do support the
4 development, right, sir?

5 COUNCILMAN JOHNSON: Yes, sir.

6 COUNCILMAN GREENLEE:
7 Absolutely. I understand.

8 Before I recognize Councilman
9 Goode, one quick question. I just want
10 to make sure I'm looking -- I assume on
11 the picture -- the photograph -- the
12 rendering on the right is South Street
13 and on the left is Kater Street; am I
14 correct?

15 MR. KELSEN: That is correct.

16 COUNCILMAN GREENLEE: All
17 right. Thank you. And I was going to
18 note for the record, as Councilman
19 Johnson did, in here there's a record of
20 many meetings, it seems like, that you
21 had with --

22 MR. KELSEN: Very productive
23 meetings.

24 COUNCILMAN GREENLEE: --
25 various people.

1 12/2/14 - RULES - BILL 140804, etc.

2 All right. Councilman Goode.

3 Please let the record reflect

4 Councilwoman Tasco, a member of the

5 Committee, is also present.

6 Councilman Goode.

7 COUNCILMAN GOODE: Thank you,

8 Mr. Chairman.

9 Good morning.

10 MR. KELSEN: Good morning.

11 COUNCILMAN GOODE: You

12 referenced in your testimony that we've

13 been looking at development projects for

14 this site for 40 years. I've actually

15 been familiar with this site for about 20

16 years. I met Mr. Dawan about 20 years

17 ago as Universal was beginning to form,

18 but my work with the Commerce Department

19 and Philadelphia Commercial Development

20 Corporation makes me very familiar with

21 this site.

22 I want to talk about the

23 Economic Opportunity Plan, and in your

24 discussion of it, you didn't go through

25 the whole plan.

1 12/2/14 - RULES - BILL 140804, etc.

2 MR. KELSEN: That's correct.

3 COUNCILMAN GOODE: You actually
4 stopped, and you stopped at an
5 interesting place. So I want to discuss
6 the equity ownership portions of the
7 plan. Who would like to respond to that?

8 MR. KELSEN: I think I would
9 ask Mr. Dawan to respond to that. That
10 would be on Page 5 of the --

11 COUNCILMAN GOODE: That's
12 correct.

13 MR. DAWAN: Good morning. My
14 name is Shahied Dawan, Executive Vice
15 President of Universal Companies. And
16 the reason why that area is blank,
17 because we haven't formally brought
18 together the partnership yet, but we
19 envision the partnership be a 50/50
20 partnership with Universal Companies --

21 COUNCILMAN GOODE: I was asking
22 for a discussion what's actually written
23 within the plan right now, which was
24 signed by OEO and signed by yourself.

25 MR. DAWAN: Oh, okay. Yes,

1 12/2/14 - RULES - BILL 140804, etc.

2 sir.

3 COUNCILMAN GOODE: So it says
4 that the equity ownership of the project
5 right now is 100 percent minority owned.

6 MR. DAWAN: That's correct.

7 COUNCILMAN GREENLEE:
8 Councilman, can I just ask, what page are
9 we on?

10 COUNCILMAN GOODE: Page 5 of
11 the Economic Opportunity Plan.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 COUNCILMAN GOODE: It is
15 currently owned by a non-profit; is that
16 correct?

17 MR. DAWAN: That's correct.

18 COUNCILMAN GOODE: There is no
19 for-profit ownership?

20 MR. DAWAN: That's correct.

21 COUNCILMAN GOODE: So there's
22 no for-profit minority ownership?

23 MR. DAWAN: That's correct.

24 COUNCILMAN GOODE: And you say
25 in terms of eventual ownership,

1 12/2/14 - RULES - BILL 140804, etc.

2 information is not available.

3 MR. DAWAN: Yes.

4 COUNCILMAN GOODE: You can
5 explain that.

6 MR. DAWAN: Because as I
7 beginning to say earlier, we haven't
8 formed our --

9 COUNCILMAN GREENLEE: Sir,
10 speak a little bit more in the mic. It's
11 hard to hear. Just pull it a little
12 closer to you; that's all. Thank you,
13 sir.

14 MR. DAWAN: We have not formed
15 the partnership yet, but the partnership
16 to be formed will be between Universal
17 Companies and Dranoff Companies, and it
18 should be a 50/50 partnership. So
19 although --

20 COUNCILMAN GOODE: So it is 100
21 percent non-profit owned.

22 MR. DAWAN: Yes.

23 COUNCILMAN GOODE: Zero percent
24 for-profit owned. It will be 100 percent
25 for-profit owned eventually?

1 12/2/14 - RULES - BILL 140804, etc.

2 MR. DAWAN: Yes, because the
3 partnership will be a for-profit
4 partnership -- it will be a for-profit
5 partnership, that's correct.

6 COUNCILMAN GOODE: And so the
7 minority portion of that will be
8 somewhere between zero and 100 percent?

9 MR. DAWAN: That's correct.

10 COUNCILMAN GOODE: But there's
11 no guarantee that it will be 50/50?

12 MR. DAWAN: Not as I sit here
13 right now, but we have had different --
14 we have been involved with partnerships
15 with Dranoff before and we've been able
16 to --

17 COUNCILMAN GOODE: The whole
18 purpose of adding that requirement to the
19 Economic Opportunity Plan is as projects
20 come before us, we can look at the equity
21 ownership. And so we like to see in
22 these two boxes one who owns it now and
23 who is eventually going to own it.
24 That's the information that we're
25 requesting. There is a continued

1 12/2/14 - RULES - BILL 140804, etc.
2 reporting requirement, so eventually we
3 will know. You have to tell us on a
4 monthly basis and then on an annual basis
5 who owns it. So we will eventually know.

6 MR. DAWAN: Sure.

7 COUNCILMAN GOODE: I'm just
8 trying to get on the record now what you
9 do know. You say that you anticipate
10 it's going to be 50/50?

11 MR. DAWAN: A 50/50 partnership
12 is what we anticipate, that's correct.

13 COUNCILMAN GOODE: Thank you.

14 COUNCILMAN GREENLEE:
15 Councilman, if I can just ask you a
16 question. Is it normal that the OEO,
17 Office of Economic Opportunity, signs off
18 on something that has blank spaces like
19 that? Is that usual?

20 COUNCILMAN GOODE: This
21 actually -- equity ownership requirement
22 is a new requirement for EOPs just this
23 fall. So this is actually one of the
24 first plans that contains equity
25 ownership within it.

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: I got
3 you. Okay. Thank you.

4 Any other questions for anyone
5 at the table?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, thank you very much, but please
9 stay here. I know we're going to have
10 other testimony, and you may be asked to
11 come back up. Okay? Thank you.

12 MR. KELSEN: I won't go far.

13 COUNCILMAN GREENLEE: Okay.
14 You know how this works.

15 Ms. Marconi, I think you have
16 names of some other people that want to
17 testify.

18 THE CLERK: Marcus Iannozzi and
19 Lauren Vidas.

20 (Witnesses approached witness
21 table.)

22 MR. IANNOZZI: Good morning,
23 Councilman Greenlee and members of the
24 Rules Committee. My name is Marcus
25 Iannozzi. I am the Chair of the South

1 12/2/14 - RULES - BILL 140804, etc.
2 Street West Business Association and I'm
3 also the owner of a business and property
4 directly across the street from the Royal
5 Theatre at 1533 South Street. I'm first
6 going to submit comments that are
7 official, the official statement of the
8 Business Association, and then I have
9 some private comments as a business owner
10 as well.

11 So on behalf of the Business
12 Association, I'd like to let you know we
13 have come to a unanimous consensus to
14 support --

15 COUNCILMAN GREENLEE: Sir, we
16 have the copy. So that will be put in.
17 I referenced it earlier. That's kind of
18 long, so you don't have to read that.

19 MR. IANNOZZI: I'm not going to
20 read the entire thing, I promise. I'll
21 skip to the highlights.

22 Just for the record, we do
23 support the Royal Theatre project, the
24 design that was proposed by the Dranoff
25 team on November 17th, 2014. It was

1 12/2/14 - RULES - BILL 140804, etc.
2 reviewed by our body and it was
3 unanimously approved. We also do not
4 oppose the proposed ordinance to
5 correctively rezone this lot.

6 I just would like to quickly
7 state that we feel this is corrective
8 zoning. My property directly across the
9 street is a three-story row home that is
10 zoned as CMX-2, and this property, which
11 is far larger, much larger parcel, it is
12 not appropriate for this parcel. And in
13 addition, the existing building does
14 already cover 100 percent of the lot and
15 actually exceeds the 38 foot height limit
16 of CMX-2. So these are the factors that
17 reflect it's a unique parcel.

18 And also we'd like to point out
19 that the neighboring 1400 block of South
20 Street is zoned CMX-4, and corrective
21 rezoning of the 1500 block as well as
22 other blocks along South Street West is
23 being actively discussed with neighboring
24 RCOs, Councilman Councilman Johnson's
25 office, and the Philadelphia Planning

1 12/2/14 - RULES - BILL 140804, etc.
2 Commission. So we are discussing many
3 properties where the underlying zoning is
4 not acceptable. And we're also seeking
5 more CMX-2 and CMX-3 zoning designations.

6 We do feel that this property,
7 though, should be highlighted and should
8 be dealt with now, because there is
9 finally a viable plan. We have seen many
10 plans over the last 15 years, and we feel
11 this one actually has the potential for
12 success and it's going to bring
13 much-needed support to a corridor that
14 has been struggling. We are definitely
15 improving, but the retail businesses need
16 support. And it also, by passing this
17 ordinance, would help to reduce some of
18 the issues we've seen with other
19 large-scale developments on South Street
20 where litigation has held up the
21 projects, stalled them when they are half
22 developed, and we have serious blight.
23 We've had fires. We've had rodents.
24 We've had squatters. It really has
25 impacted our ability not only for the

1 12/2/14 - RULES - BILL 140804, etc.
2 businesses to do business but also to
3 attract additional investment.

4 COUNCILMAN GREENLEE: Thank
5 you, sir.

6 Ms. Vidas, you kind of know how
7 this place works.

8 MS. VIDAS: I do. Thank you,
9 Councilman. My name is Lauren Vidas. I
10 am Chair of the South of South
11 Neighborhood Association, and you do have
12 the letter from the community group, so I
13 will absolutely summarize my comments.

14 The main points that I want to
15 hit are twofold. The first is to the
16 process that the community went through
17 to get us to this point. This is a
18 process that started over the summer.
19 There's a lot of criticism sometimes
20 about zoning by ordinance, that there's
21 not a lot of community engagement, and I
22 can say other than the CHOP project,
23 which also came before you today, I have
24 not been associated with a project that
25 had more community meetings than the one

1 12/2/14 - RULES - BILL 140804, etc.
2 before you right now.

3 So we started meeting over the
4 summer in probably late August with near
5 neighbors, and you can see under Project
6 History, these are just the meetings that
7 SOSNA facilitated. We had our most
8 recent meeting, what we'll call our final
9 community meeting, last week, and this is
10 where the developers had an opportunity
11 to present to the community as a whole.
12 It was very well attended. About
13 approximately 50 folks showed up, and
14 neighbors and local business owners had
15 an opportunity to ask questions. The
16 minutes of those meetings are also
17 attached, and my letter before you simply
18 summarizes it.

19 But the main point is that of
20 the folks that were at the meeting, the
21 vast majority of them supported the
22 project. Almost 78 percent voted in
23 favor of the project. Of the eight folks
24 that voted against it, all eight said
25 that this was a project that they could

1 12/2/14 - RULES - BILL 140804, etc.
2 support pending modifications to the
3 plan.

4 As Marcus was very articulate
5 in mentioning, the Royal Theatre is
6 really holding back this corridor. This
7 is a corridor that has seen tremendous
8 growth over the last three or four years,
9 and this is really a large gap in that
10 growth. It's a blighting influence, and
11 notwithstanding the beautiful murals on
12 it, it's an empty shell of what that
13 building used to be.

14 So we as a neighborhood are
15 extremely excited to see this project
16 move forward. I am sure you'll hear from
17 them, but there are some near neighbors
18 that have outstanding concerns that I
19 know they've been working directly with
20 the developer to try to address, but at
21 the end of the day, I think this is
22 probably the best project proposal that
23 we've seen for this parcel of land at
24 least during my tenure of SOSNA, and
25 there's folks who have been around this

1 12/2/14 - RULES - BILL 140804, etc.
2 neighborhood far longer than I that would
3 agree with that.

4 So we're just very excited to
5 see the proposal go forward, and you have
6 the record of community support for the
7 project.

8 Thank you.

9 COUNCILMAN GREENLEE: Thank you
10 both.

11 Any questions?

12 Councilwoman Reynolds Brown.

13 COUNCILWOMAN BROWN: Good
14 morning. Having sat through a number of
15 these type of proceedings around new
16 development, I've learned to pay close
17 attention to this small issue, and I say
18 that tongue and cheek, called parking.
19 So when I read the language on Page 3, it
20 indicates that there will be 45
21 market-rate apartments and 20 parking
22 spaces. And when we know how congested
23 that community like many are with regards
24 to new development, how do professionals
25 arrive at those type of numbers?

1 12/2/14 - RULES - BILL 140804, etc.

2 MR. IANNOZZI: So I actually
3 have some statistics that I think are
4 going to shed light on those 20 parking
5 spots. So the ratio of 20 parking spots
6 to 45 rental units is 44 percent, and
7 it's in keeping with the rental
8 unit/vehicle parking ratio per the 2010
9 census for that area, for the 19146 area.

10 MS. VIDAS: And I'd also just
11 note that this is a block away from Broad
12 and South Street. So this is really --
13 this is the type of transit-oriented
14 development that we really encourage.
15 And in fact there were some comments at
16 the public meeting that there was too
17 much parking, that those spots --
18 obviously there are people who thought
19 there was too little, but you have -- we
20 have a neighborhood that has a very high
21 walkability score and tremendous access
22 to public transit. Obviously some
23 individuals have concerns about the lack
24 of parking, but I don't think that it was
25 an overwhelming concern at all from

1 12/2/14 - RULES - BILL 140804, etc.
2 folks. They thought that there was
3 adequate parking.

4 MR. IANNOZZI: From the
5 business perspective, a very large
6 majority of the business owners on South
7 Street West actually live in the
8 neighborhood and/or in Philadelphia, and
9 most of our employees commute, walk, use
10 public transportation or bike.

11 COUNCILWOMAN BROWN: Very
12 informative.

13 MS. VIDAS: Just to add on an
14 issue close to your heart, one of the
15 issues that was raised was whether they'd
16 be willing to accommodate a bike share
17 station. So they seemed -- they said if
18 the community supports that, we support
19 that. So I think we're looking to
20 provide alternate forms of transportation
21 other than car and really encourage that.

22 COUNCILWOMAN BROWN: Very good.
23 Thank you.

24 Thank you.

25 COUNCILMAN GREENLEE: Thank

1 12/2/14 - RULES - BILL 140804, etc.

2 you, Councilwoman.

3 Any other questions for these
4 two individuals?

5 (No response.)

6 COUNCILMAN GREENLEE: Seeing
7 none, thank you both very much. Thank
8 you for the work you do.

9 Ms. Marconi, I think we have
10 two panels of three people.

11 THE CLERK: Yes. Irvin German,
12 Alan Edmonds, and Jim Campbell.

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN GREENLEE: I heard
16 three names and I see two people.

17 Read the names again, Noelle,
18 please.

19 THE CLERK: Irvin German, Alan
20 Edmonds, and Jim Campbell.

21 MR. CAMPBELL: Mr. German is
22 for another bill.

23 COUNCILMAN GREENLEE: Oh, okay.
24 That was a mistake. So we got two.
25 Fine. Please identify yourself for the

1 12/2/14 - RULES - BILL 140804, etc.
2 record and proceed.

3 MR. EDMONDS: Good morning. My
4 name is Alan Edmonds and I live at
5 1520-22 Kater Street, which is directly
6 behind the proposed development for
7 Dranoff Properties. I'm here in support
8 of the ordinance, and I'd like to just
9 take a few minutes to give a history and
10 a human dimension to this project.

11 I moved to this neighborhood in
12 1977. In 1982 I moved my family into the
13 neighborhood. During the entire time,
14 the property has been vacant. With my
15 neighbor here to my left, Jim Campbell,
16 we worked to form the Royal Theatre
17 Preservation Association, because we
18 understood the historic value of the
19 property as it related to the African
20 American community in the area.
21 Eventually it was taken over by the
22 Preservation Alliance and then taken over
23 by Universal Properties.

24 In the time that I spent in the
25 neighborhood, I've seen four different

1 12/2/14 - RULES - BILL 140804, etc.
2 solid proposals produced, none of which
3 were able to receive the financial
4 backing that it needed to go forward. So
5 I say to you, I live directly behind it.
6 I have participated in five meetings,
7 three community meetings among my
8 neighbors on the block, two presentations
9 of the technical background and the
10 artistic aspects of the project. In
11 every meeting when an issue or concern
12 was raised, Dranoff Properties responded
13 in a positive, thoughtful way. They
14 addressed everyone. I subsequently
15 stopped attending those meetings because
16 the threshold just kept getting raised.

17 And so I say to you, one of the
18 things that I value about the
19 neighborhood is its diversity, its ethnic
20 socioeconomic diversity, its long-term
21 residents like myself, and the
22 contributions being made by Generation X
23 and young families moving in and raising
24 their kids. I think that on a certain
25 scale, this project adds to that

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2 diversity and will continue to make the
3 neighborhood vibrant, reflective of its
4 history and reflective of today. So I
5 totally support it.

6 Thank you.

7 COUNCILMAN GREENLEE: Thank
8 you, sir.

9 Please identify yourself and
10 proceed.

11 MR. CAMPBELL: Mr. Chairman,
12 James Campbell, Campbell Thomas
13 Architects, 1504 South Street through to
14 1505 Kater Street, and I also live at
15 1609 South Street, one block away.

16 I've been in the neighborhood
17 for 30 years. I've seen any number of
18 proposals for the Royal Theatre. In my
19 opinion, this is the best proposal that
20 we've seen to date, and I ask that the
21 Council support the Councilman's proposal
22 for rezoning.

23 Thank you.

24 COUNCILMAN GREENLEE: Very
25 good.

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2 Sir, just a quick question as
3 I'm looking at Kater Street there. I
4 know there was some -- and I guess we'll
5 hear from some concerns of the residents
6 on Kater Street. Just as a resident
7 right behind it, I know one of the issues
8 is apparently the setback. Right now I
9 don't believe there's any setback for the
10 Royal Theatre, is that right, for the
11 building itself?

12 MR. EDMONDS: There isn't, and
13 they propose to go 10 feet higher. The
14 issue here is, I mean, if you understand
15 the physical aspects of the street, which
16 is a narrow street, and the height of the
17 building, if you walk the street, you
18 wouldn't be able to see, with the
19 setback, you won't see the fifth floor.
20 So it still stands basically on the
21 street. Its presence on the street is
22 that of a four-story building. My
23 building is four-story. I would lose
24 access to certain light and sight.
25 That's not my concern. I did not buy the

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2 property. I do not control it. I only
3 control what I own. And so I've been
4 very accommodating to people that want to
5 build something that is appropriate.
6 And, you know, as I said, I've been in
7 the neighborhood for a long time. I've
8 been involved with South Street West
9 Business Association, with SOSNA when it
10 first started. Jim and I even formed the
11 Royal Block Association years ago. I
12 can't see any aspect of this that would
13 provide a negative impact on the
14 neighborhood if you understand the
15 physicality of the neighborhood. So the
16 mass of the building, the way it's
17 constructed, one of the main things on
18 the left, which is the Kater Street
19 perspective, we requested that the back
20 have a residential presence, and they did
21 that. A lot of things that we requested,
22 Dranoff Properties, as previous speakers
23 have said, they've tried to accommodate
24 every aspect. And I think that in
25 conversation with the Dranoff Properties,

1 12/2/14 - RULES - BILL 140804, etc.
2 to reduce it any more in scale would tend
3 to make it less financially feasible.
4 And as Marcus said, there's been a lot of
5 projects that because of lack of
6 feasibility and lack of correct
7 partnerships never got built. And as
8 SOSNA also quoted, this neighborhood has
9 really grown up. As it has grown up,
10 though, I value the fact that through
11 homesteading act and other things that
12 City Council has put in place, we've been
13 able to keep long-term owners in the
14 neighborhood, keeping a certain degree of
15 racial, socioeconomic, and gender
16 diversity. This is what makes the
17 neighborhood vibrant. This is what makes
18 the neighborhood a model for other
19 neighborhoods in Philadelphia, and I
20 think the Dranoff property only
21 progresses that work.

22 COUNCILMAN GREENLEE: Thank
23 you, sir.

24 Councilman, did you want to add
25 something?

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN JOHNSON: Just a
3 point of information.

4 COUNCILMAN GREENLEE: Put
5 Councilman Johnson's microphone on,
6 please. Thank you.

7 COUNCILMAN JOHNSON: Just a
8 point of information. In terms of,
9 again, the compromising and the
10 concessions and even talking about the
11 economic feasibility of changing a
12 project, my last conversation with the
13 actual developers was as late as last
14 evening on behalf of the near neighbors,
15 going from a 2 foot setback to an
16 additional 4 foot setback, which is now a
17 6 foot setback on behalf of the near
18 neighbors, separate and apart from
19 focusing on the economics of the actual
20 project. And so, again, we want to make
21 sure that that's noted for the record.

22 COUNCILMAN GREENLEE: Thank
23 you, sir. Thank you.

24 Any other questions, comments?
25 (No response.)

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2 COUNCILMAN GREENLEE: Seeing
3 none, thank you both very much.

4 Ms. Marconi, I think we have
5 one more panel.

6 THE CLERK: Matt Levinson,
7 Barney Richardson, Paul Toner.

8 COUNCILMAN GREENLEE: After
9 these three gentlemen, is there anyone
10 else here to testify on this bill? One
11 more person? Okay.

12 (Witnesses approached witness
13 table.)

14 COUNCILMAN GREENLEE: Once
15 again, I heard three names. I see one
16 person sitting at the table. Who else --
17 okay. We got one more. I heard three
18 names.

19 MR. TONER: And my client is
20 going to join me.

21 COUNCILMAN GREENLEE: Okay.
22 Please come forward.

23 Sir, if you'd like to start,
24 please identify -- sir, you might as well
25 come up too. Come on up.

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2 Sir, please identify yourself
3 and proceed.

4 (Witnesses approached witness
5 table.)

6 MR. LEVINSON: My name is Matt
7 Levinson. I'm the owner of The Quick
8 Fixx Restaurant and property located at
9 1511 South Street. I'm also a resident
10 and owner at 1515 Rodman Street, just a
11 half a block north of South Street. So
12 this is obviously very pertinent to where
13 I am located.

14 I moved to Philadelphia four
15 years ago and invested in starting a
16 small business there. I believe that
17 this particular corridor when I started
18 had the remnants of something that could
19 be viable, but still was in the actual
20 works there.

21 In the last three years, I've
22 seen tremendous growth, and I've noticed
23 just through my own business volumes how
24 this business has continued to proceed,
25 and I think many business owners on the

1 12/2/14 - RULES - BILL 140804, etc.

2 corridor would echo my sentiments.

3 The Royal Theatre has obviously
4 been something of conversation for my
5 whole time since being here, and
6 obviously we're all well versed with the
7 actual history there, and I am very much
8 in support of this project and what it
9 will do to kind of finish off the 1500
10 corridor and really become that major
11 anchor that we need.

12 As both a property owner and a
13 business owner, I believe that this is
14 something that would tremendously
15 appreciate the value of all the real
16 estate in the actual area there and is
17 why people like myself and others who are
18 very owner-operator business owners chose
19 to invest because of the actual
20 potential.

21 We have seen, as others have
22 alluded to, other projects come through.
23 This is by far and away the most viable.
24 They've been very respectful for the
25 needs of South Street and what we need in

1 12/2/14 - RULES - BILL 140804, etc.
2 terms of a large commercial space there
3 to really anchor and finish off this
4 particular block.

5 Thank you very much.

6 COUNCILMAN GREENLEE: Thank
7 you, sir.

8 Sir, if you'd like to identify
9 yourself and proceed.

10 MR. TONER: Good morning. My
11 name is Paul Toner. I'm an attorney --

12 COUNCILMAN GREENLEE: Little
13 closer to the mic.

14 MR. TONER: Good morning. My
15 name is Paul Toner. I am an attorney. I
16 represent the near neighbors who are at
17 this point opposed to this project, and
18 I'd like to address some procedural
19 issues concerning our claims regarding
20 process, but before that, I would like to
21 have my client or one of my clients
22 summarize the position of the near
23 neighbors. And during the process of
24 reaching out, working with Councilman
25 Johnson, working with the local RCOs, my

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2 clients did present a petition to
3 Councilman Johnson that included
4 approximately 80 percent of the near
5 neighbors on the 1500 block of Kater
6 being opposed to the project as it's
7 currently configured. And before I hand
8 the mic over to Mr. Gross, I'd also like
9 to say we're not in any way opposed to
10 what SOSNA has done, what South Street
11 West Business Association has done, what
12 any of the individual neighbors and
13 community activists have done. This
14 project has been improved immensely. In
15 particular, the front setbacks are
16 extremely important to the South Street
17 corridor. The greening elements at the
18 front of the building are extremely
19 important. The preservation of the
20 historic facade is important.

21 That being said, this is a
22 case -- and this is really a zoning
23 case -- this is a case where there's a
24 divergence between the interest and
25 concerns of the near neighbors and the

1 12/2/14 - RULES - BILL 140804, etc.
2 more macro level interest and concerns of
3 the neighborhood as a whole.

4 So with that, I would like to
5 hand it off to my client, Mr. Gross.

6 COUNCILMAN GREENLEE: Before
7 you do that, just so the record is clear,
8 how many residents on Kater Street do you
9 actually represent?

10 MR. TONER: Our group has
11 varying classes of members. We have a
12 core group of members, four senior
13 members, and then B class members that
14 aren't direct supporters, but -- aren't
15 direct financial supporters, but --

16 COUNCILMAN GREENLEE: How many
17 people do you represent? I'm not trying
18 to be technical here.

19 MR. TONER: So we had the
20 petition.

21 Michael, how many names were on
22 the petition?

23 MR. GROSS: We have 80 percent,
24 about 17 --

25 COUNCILMAN GREENLEE: You're

1 12/2/14 - RULES - BILL 140804, etc.

2 going to have to speak in the mic.

3 Identify yourself.

4 MR. GROSS: Thank you, Mr.

5 Chairman. I'm going to cover this in my
6 remarks anyway, if you don't mind. Okay?

7 COUNCILMAN GREENLEE: I just
8 want to be clear, how many --

9 MR. GROSS: Seventeen residents
10 signed, out of 20, signed the petition
11 opposing the magnitude of the project.

12 COUNCILMAN GREENLEE: And you
13 represent 17 out of those 20?

14 MR. TONER: I represent the
15 organization.

16 COUNCILMAN GREENLEE: All
17 right. Go ahead, please.

18 MR. GROSS: Good morning, Mr.
19 Chairman and Committee. Thank you very
20 much for the opportunity to address you
21 this morning. My name is Michael Gross
22 and I'm speaking as a representative of
23 the Friends of Kater Street, an LLC
24 established for the betterment of the
25 1500 block of Kater Street.

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2 I would like to read a
3 statement into the record concerning the
4 ordinance proposed by Councilman Johnson
5 to change the zoning classification of
6 the parcels involved in the redevelopment
7 of the Royal Theatre from CMX-2 to CMX-3
8 and the efforts we have made to reach a
9 compromise with the Dranoff Properties
10 development team since it approached us
11 about this project.

12 As we have stated elsewhere, we
13 believe that the proposed ordinance
14 constitutes spot zoning. We intend to
15 give Dranoff Properties and Universal
16 Companies the ability to build what is
17 otherwise described by the zoning
18 guidelines.

19 I live at 1532 Kater Street,
20 directly behind the Royal Theatre. I
21 have lived there for seven years facing
22 the back wall of a crumbling building.
23 Along with a number of residents on the
24 block, we are active in maintaining our
25 street as a hospitable and comfortable

1 12/2/14 - RULES - BILL 140804, etc.
2 place to live. Working with City
3 government to maintain the character and
4 livability of the block, we have been
5 successful on some other things, in
6 having abandoned properties torn town and
7 having longstanding wall braces removed
8 from the rear wall of the Hotel
9 Brotherhood, which faces the back wall of
10 the Royal Theatre.

11 Eighty percent of the families
12 on the block contribute to a fund that
13 supports monthly street cleanings. We
14 hold semi-annual barbecues, and we
15 periodically meet as a group to discuss
16 block issues, most recently the
17 redevelopment of the Royal Theatre.

18 We were first approached by
19 Dranoff Properties about this project in
20 August. Only two meetings were held with
21 the Kater Street neighbors, both during
22 the month of August. In October, 80
23 percent, 17 out of 21 of the residents'
24 homes on our block, signed a petition
25 which was given to Councilman Johnson and

1 12/2/14 - RULES - BILL 140804, etc.
2 expresses our collective desire to scale
3 back the magnitude of the plan to
4 redevelop the Royal Theatre property and
5 its adjacent lots to a single 50 foot,
6 140 foot wide structure containing 45
7 rental apartments and 20 parking spaces.
8 This large building would have a minimal,
9 at least at the time, 2 foot setback from
10 the property line.

11 The proposal planned to include
12 almost 100 percent lot coverage, would
13 change the character of our block and
14 provide no transition from the proposed
15 dense commercial multi-family use to our
16 traditional row home neighbors, producing
17 a canyon effect on our block.

18 Our main concerns with the
19 project are the height of the building,
20 50-plus feet; the lack of appropriate
21 setback, 2 feet currently, possibly 4 as
22 we heard today; the number of parking
23 spaces, 20; and the presence of balconies
24 overhanging Kater Street. We have
25 repeatedly outlined our four main

1 12/2/14 - RULES - BILL 140804, etc.
2 concerns to the development plan for
3 Dranoff Properties' attorney, and we did
4 that on November the 12th, and we have
5 been repeatedly advised by Dranoff
6 representatives that there was room for
7 compromise on many of the issues and they
8 would like to meet with us to present
9 some of the ideas on how to reach a
10 compromise.

11 While Dranoff has addressed
12 comments and requests from local
13 community associations, to date we have
14 yet to be presented with a substantial
15 change that addresses our concerns and
16 the concerns of our immediate near
17 neighbors.

18 Members of our group attended a
19 meeting with representatives of Dranoff
20 Properties on November the 17th, but no
21 proposal that addressed any of our four
22 concerns was forthcoming. Rather,
23 Dranoff's representative presented us
24 with the latest iteration of their plan,
25 which was largely unchanged from the

1 12/2/14 - RULES - BILL 140804, etc.
2 previous version. It still provided for
3 almost 100 percent lot coverage and a 50
4 foot building height with no reasonable
5 transition from their high-density
6 proposal. The plan also ignored specific
7 recommendations of SOSNA Architectural
8 Review Committee for additional setback
9 at grade level and green space to soften
10 the appearance of the large building and
11 aid its transition on our block.
12 Dranoff's attorney, Mr. Kelsen, stated
13 that Dranoff Properties was unwilling to
14 make further changes.

15 On November 18th, members of
16 our group attended the Philadelphia City
17 Planning Commission meeting and read a
18 statement containing the group's
19 position, raising once again our four
20 main objections to the plan. After
21 Dranoff Properties made its presentation
22 and our representatives spoke in
23 opposition to the plan detailing our
24 legal argument on spot zoning,
25 Commissioner Alan Greenberger stated that

1 12/2/14 - RULES - BILL 140804, etc.
2 the parties needed more time in which to
3 negotiate a compromise and, accordingly,
4 the Commission unanimously voted to
5 postpone the vote for a period of 45
6 days, up to 45 days, in order to let the
7 process occur.

8 We have been attempting to do
9 that in good faith, with little
10 cooperation from Dranoff Properties since
11 that time. Although Mr. Kelsen advised
12 the Commission at the meeting that he
13 intended to reach out to the group and
14 continue the discussions, which he
15 characterized as being fruitful and had
16 already resulted in a much-improved
17 development plan, no substantial proposal
18 was presented to address our concerns.

19 At the November 20th SOSNA
20 zoning meeting, many members of our group
21 and our neighbors spoke up and again we
22 raised our four objections to the plan.
23 After the meeting concluded, Dranoff's
24 representative stated publicly that he
25 was committed to reaching a resolution

1 12/2/14 - RULES - BILL 140804, etc.
2 with us and that Dranoff was prepared to
3 make some changes to the plan which he
4 thought would be satisfactory to us.
5 Nevertheless, on November the 26th, we
6 were advised by counsel for Dranoff that
7 his client was prepared to discuss only
8 the balconies with us, but no other
9 issues. Then last evening Dranoff, for
10 the first time, finally presented us with
11 a substantial offer which addressed only
12 one of our four issues. Our group
13 quickly evaluated the offer and made a
14 counteroffer that same evening.

15 We are working in good faith to
16 try to come to a mutually acceptable
17 compromise. Our group has been clear and
18 consistent about our four main concerns
19 with the project and they have not
20 changed since August when we first
21 learned the details of the plan. We have
22 and remain willing to discuss
23 alternatives and compromises with Dranoff
24 Properties and Universal Companies.
25 However, despite numerous representations

1 12/2/14 - RULES - BILL 140804, etc.
2 from Dranoff's counsel that he intends to
3 meet with us and that he has proposed
4 changes to offer us, Dranoff Properties
5 has yet to propose substantive changes
6 with respect to the height, number of
7 parking spaces or balcony, and only last
8 evening addressed the issue of setback in
9 a form that is currently inadequate.

10 Notwithstanding Dranoff's claim
11 that he has made numerous change to the
12 plan as a result of discussions with
13 various groups, the basic dimensions of
14 the building have not changed from its
15 initial meeting -- since the initial
16 meeting with neighbors. Dranoff's
17 strategies appears to be a
18 run-out-the-clock strategy and make no
19 concessions to the near neighbors. In
20 light of the significant zoning changes
21 being sought, Dranoff is still unwilling
22 to address our clearly stated concerns,
23 which must be stressed arise primarily
24 from the very zoning changes that are
25 sought through the proposed legislation.

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: Sir, can
3 I just interrupt you a second, because I
4 know there's a lot --

5 MR. GROSS: I'm just about
6 done.

7 COUNCILMAN GREENLEE: I know.
8 You can finish.

9 MR. GROSS: Okay. Thank you.

10 COUNCILMAN GREENLEE: But
11 there's a lot of people here waiting for
12 the next bill. You don't have to wait
13 any longer. I just want to go on record
14 at the request of the sponsor, Bill No.
15 140858, which is the proposed hotel at
16 17th and Chancellor, will be held to the
17 call of the Chair. It will not be heard
18 today. Okay? 858.

19 I'm sorry, sir, but I figured
20 no point having these people sit here if
21 they're not going to --

22 MR. GROSS: I understand.

23 Given Dranoff's and Universal
24 Companies' refusal to make meaningful or
25 substantive changes to the plan, we must

1 12/2/14 - RULES - BILL 140804, etc.
2 continue to oppose this legislation and
3 we --

4 COUNCILMAN GREENLEE: Sir, I'm
5 sorry to interrupt you again.

6 Please, I gave you a break to
7 leave early. Please leave quietly.
8 Please. Thank you.

9 Sir, I'm sorry.

10 MR. GROSS: That's okay.

11 Given Dranoff Properties' and
12 Universal Companies' refusal to make
13 meaningful or substantive changes to the
14 plan, we must continue to oppose the
15 legislation, and we reserve the right to
16 seek appropriate relief from passage of
17 what we believe is improper spot zoning.
18 We remain hopeful that the parties can
19 negotiate a mutually acceptable
20 compromise so that the project can
21 proceed.

22 The Kater Street neighbors
23 favor the redevelopment of the Royal
24 Theatre and its adjacent lots, but we
25 want this to occur in a responsible

1 12/2/14 - RULES - BILL 140804, etc.
2 manner that is respectful to the
3 character of our block.

4 Thank you for the opportunity
5 to speak to you this morning.

6 COUNCILMAN GREENLEE: Thank
7 you, sir.

8 No questions? Thank you.
9 Thank you very much.

10 MR. TONER: If I can just
11 follow up with a few more additional
12 points. What we saw here today was a
13 master plan. This is a comprehensive
14 plan for the redevelopment of the Royal
15 Theatre. The Zoning Code in the RMX
16 districts allows for adoption of master
17 plans that will hold the developer to the
18 proposal that he actually presents with
19 the ordinance. The problem here is,
20 Mr. Dranoff, should he decide to sell
21 this project, abandon this project, can
22 walk away, and we'll be left with a
23 parcel that is now zoned with a zero
24 requirement for open area. There is
25 nothing to hold Mr. Dranoff to any of the

1 12/2/14 - RULES - BILL 140804, etc.

2 representations he's made concerning his
3 intent on the development of this plan.

4 So we believe if this is going
5 to move forward as a rezoning, it should
6 be done as an RMX master plan, where City
7 Council and the Planning Commission would
8 both have to approve a master plan that
9 then could not easily be changed or
10 abandoned by a specific developer, but
11 would be left intact to protect the
12 integrity of this parcel.

13 In terms of comments on
14 corrective zoning, corrective zoning is
15 not what we're talking about here. This
16 is spot zoning. Corrective zoning takes
17 place when there is a parcel like a
18 corner commercial use that happens to be
19 zoned residential, and as the zoning is
20 updated, it's corrected to reflect the
21 actual usage of that parcel and a
22 comprehensive plan.

23 Here the Central District Plan
24 has been approved by the Planning
25 Commission a mere two years ago. It

1 12/2/14 - RULES - BILL 140804, etc.
2 called for the zoning of this parcel to
3 be CMX-2. Right now we're moving far
4 outside the normal zoning process. At
5 its core, this is an open area variance.
6 They want 100 percent lot coverage. This
7 belongs before the Zoning Board of
8 Adjustment. Right now to have this body
9 consider what is in its essence a vanilla
10 bean open area variance is not an
11 appropriate use for a rezoning. We're
12 not talking about correcting an improper
13 designation of the Royal parcel. We're
14 talking about rezoning to allow a
15 particular use, a particular use that
16 won't stay with the developer or won't be
17 guaranteed for this parcel but could
18 change at the whim.

19 Again, we just ask that this
20 proposal be put forward and processed
21 like any other basic variance
22 application. This belongs before the
23 Zoning Board of Adjustment. And we'd
24 like to see this case -- this property
25 developed, developed in a responsible

1 12/2/14 - RULES - BILL 140804, etc.
2 way, and developed in a manner that
3 addresses not just the global concerns of
4 the neighborhood but the immediate
5 concerns of the near neighbors.

6 And one final point. I have a
7 map here of --

8 COUNCILMAN GREENLEE: You got
9 to speak -- she can't record it if you're
10 not at the microphone.

11 MR. TONER: I've shown Council
12 a Google map of the immediate area that
13 includes the current Royal parcel and
14 also the 1700 block of Kater Street and
15 includes 100 percent -- mostly 100
16 percent lot coverage parking garage that
17 was developed. Noticeably, the type of
18 transition that my clients are requesting
19 is seen two blocks to the west. There
20 was a community garden built to allow a
21 reasonable transition between a
22 high-density use and the smaller
23 single-family homes on the adjacent
24 block. What we're asking for is exactly
25 what was done two blocks to the north.

1 12/2/14 - RULES - BILL 140804, etc.

2 COUNCILMAN GREENLEE: Okay.

3 Thank you. Thank you, sir. Thank you
4 for your presentation.

5 Is there anyone else here to
6 testify?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, that will conclude the Rules
10 Committee hearing for today.

11 Councilman, you wanted to add
12 something?

13 COUNCILMAN JOHNSON: I just
14 wanted to add something. I'm moving
15 forward with an affirmative request for a
16 vote on the bill, but I will continue to
17 still address these issues and concerns
18 to the near neighbors, again, for the
19 record, as late as last night on the
20 phone with the actual principal owner and
21 developer of the project. And so we will
22 continue those discussions moving forward
23 to try to still alleviate whatever
24 concerns we can moving forward, just for
25 the record.

1 12/2/14 - RULES - BILL 140804, etc.

2 Thank you very much.

3 COUNCILMAN GREENLEE: Thank
4 you, Councilman. Thank you.

5 MR. TONER: Thank you.

6 COUNCILMAN GREENLEE: Thank you
7 all very much. Thanks for everybody's
8 participation.

9 That concludes the hearing of
10 the Committee on Rules. We will now go
11 into our public meeting, and the Chair
12 recognizes Councilman Kenney.

13 COUNCILMAN KENNEY: Thank you,
14 Mr. Chairman. I would like to move the
15 amendments that have been presented today
16 to Bills No. 140831, 140887, 140888,
17 140901, 140804, 140864, 140857. Is there
18 a second?

19 (Duly seconded.)

20 COUNCILMAN GREENLEE: It's been
21 moved and seconded for the adoption of
22 the amendments.

23 All those please say aye.

24 (Aye.)

25 COUNCILMAN GREENLEE: Opposed?

1 12/2/14 - RULES - BILL 140804, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Hearing
4 none, the amendments of the bills read by
5 Councilman Kenney are adopted.

6 Once again, Councilman Kenney.

7 COUNCILMAN KENNEY: Thank you,
8 Mr. Chairman. I would like to now move
9 the voting of these bills out of
10 Committee to the full floor: Bill No.
11 140831 as amended, Bill No. 140859,
12 140887 as amended, 140888 as amended,
13 140889, 140901 as amended, 140804 as
14 amended, 140864 as amended, 140857 as
15 amended, and all of these bills will be
16 requested to have a rules suspension.

17 (Duly seconded.)

18 COUNCILMAN GREENLEE: It's been
19 moved and seconded.

20 All in favor?

21 (Aye.)

22 COUNCILMAN GREENLEE: Opposed?

23 (No response.)

24 COUNCILMAN GREENLEE: Hearing
25 none, the bills read by Councilman Kenney

1 12/2/14 - RULES - BILL 140804, etc.
2 are reported out of this Committee with a
3 favorable recommendation and with a rules
4 suspension.

5 Councilman Kenney, we got one
6 more bill.

7 COUNCILMAN KENNEY: Thank you,
8 Mr. Chairman. I move that Bill No.
9 140895 be reported out of this Committee
10 with a favorable recommendation.

11 (Duly seconded.)

12 COUNCILMAN GREENLEE: It's been
13 moved and seconded.

14 All in favor?

15 (Aye.)

16 COUNCILMAN GREENLEE: Opposed?

17 (No response.)

18 COUNCILMAN GREENLEE: Hearing
19 none, Bill No. 140895 is reported out of
20 this Committee with a favorable
21 recommendation.

22 That concludes the meeting of
23 the Committee on Rules.

24 Thank you all for your
25 participation.

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1 12/2/14 - RULES - BILL 140804, etc.
2 (Committee on Rules concluded
3 at 11:50 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

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