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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE COUNCIL COMMITTEE ON RULES

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, 5/22/01
10:43 a.m.

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BILL 000548 - Amending Section 14-312, entitled
"Commercial District Rules and Exceptions for all
Districts," by excluding area between Dickinson
Street, Christopher Columbus Boulevard, Reed
Street, and Water Street from provisions requiring
a special-use permit for off-site parking.

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BILL 010069 - Adding to the district to be served
by the South Street/Headhouse District of
Philadelphia.

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BILL 010213 - Adding a new Section 14-1622,
entitled "North Broad Street Special District
Controls," under certain terms and conditions.

16

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BILL 010338 - Amending Section 14-508, entitled
"G-2" industrial district, by deleting certain
uses from the list of uses that are permitted in
the "G-2" Industrial District.

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PRESENT: COUNCIL PRESIDENT ANNA C. VERNA, Chair
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN FRANK DICICCO
COUNCILMAN BRIAN J. O'NEILL

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2 P R O C E E D I N G S

3 COUNCIL PRESIDENT Verna: Good morning,
4 everyone. This is the public hearing of the
5 Committee on Rules. I would ask Mr. Mezzaroba to
6 please read the title of Bill No. 000548.

7 MR. MEZZAROBA: Bill No. 000548, an
8 ordinance amending Title 14 of the Philadelphia
9 Code, relating to "zoning and planning," by
10 amending Chapter 14-300, entitled "Commercial
11 Districts," by amending Section 14-312, entitled
12 "Commercial District Rules and Exceptions for all
13 Districts," by excluding the area between
14 Dickinson Street, Christopher Columbus Boulevard,
15 Reed Street, and Water Street from provisions
16 requiring a special-use permit for off-site
17 parking, under certain terms and conditions.

18 COUNCIL PRESIDENT Verna: Good
19 morning. Please identify yourself for the
20 record.

21 MR. LOMBARDO: Good morning, Madam
22 President and members of the Rules Committee. My
23 name is Richard Lombardo. I am Director of
24 Development and Planning and Zoning for the City
25 Planning Commission. I'm here today to testify on

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2 Bill 548.

3 Councilmember Frank DiCicco introduced
4 this bill on September 14, 2000 as a bill on
5 behalf of one of his constituents. This bill
6 basically would amend the requirements of the
7 zoning code that deal with off-street parking
8 along the riverfront. If the Council is familiar,
9 the current provisions of the code requires that
10 restaurants and clubs along the riverfront between
11 the naval yard and Rhawn Street, even if they go
12 into existing buildings, are required to have
13 off-street parking either onsite or under their
14 control through a least interest for a period of
15 at least seven years. This bill was put in by
16 Councilman DiCicco and subsequently amended at a
17 hearing to expand the area of coverage a number of
18 years ago to deal with the clubs and restaurants
19 that were going along the riverfront and the
20 parking burden it was placing on the sounding
21 riverfront neighborhoods.

22 This particular bill deals with one
23 area along Christopher Columbus Boulevard, between
24 Christopher Columbus Boulevard and I-95 south of
25 Washington Avenue. The shopping center, I

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2 believe, is owned by Bart Blatstein. It has a
3 Staples and a number of other commercial uses.

4 And the problem there is that he has
5 adequate parking, but a lot of his parking is
6 under I-95 and is controlled by the Interstate
7 Land Management Corporation. They will not give a
8 seven-year lease for the use of the parking under
9 I-95. So what it puts him in a situation every
10 time he gets a restaurant or a commercial use or
11 someone comes in interested in leasing a use in
12 his shopping center, he has to tell them they have
13 to get variance because they don't meet the
14 requirements of the seven-year leasehold.

15 And what this bill would do, it would
16 exempt that property, that area of the riverfront,
17 from having to have that -- to meet this
18 requirement of the long-term leasehold arrangement
19 for parking. So that's all it does; it only
20 affects this one area between Dickinson Street
21 Reed Street and Christopher Columbus Boulevard and
22 I-95, one block, one block of the riverfront.

23 And the Commission has not considered
24 this bill; however, we are -- the commission will
25 be considering it this Thursday and the staff is

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2 recommending that the Commission support the
3 bill. And we are actually taking as a routine
4 items -- we don't even expect there would be much
5 discussion of it, and we would have -- you know
6 that's basically our testimony on this bill. I am
7 here to answer any questions.

8 COUNCIL PRESIDENT Verna: Thank you.

9 Are there any questions from members of
10 the committee?

11 (No questions.)

12 COUNCIL PRESIDENT Verna: Thank you.

13 Is there anyone else to testify on Bill
14 548?

15 (No response.)

16 COUNCIL PRESIDENT Verna: Seeing none,
17 I would ask that the title of Bill 010069 be read,
18 please.

19 MR. MEZZAROBBA: Bill No. 010069, an
20 ordinance amending an ordinance (Bill No. 494,
21 approved June 2, 1993) adopted pursuant to the
22 provisions of the "Municipalities Authorities Act
23 of 1945," P.L. 382, as amended (The "Act") in
24 order to add to the district to be served by the
25 South Street/Headhouse District of Philadelphia

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2 ("The Authority") certain properties ("The
3 Proposed Expansion") in the vicinity but
4 previously excluded from the district to be served
5 by the Authority, and amending an ordinance (Bill
6 No. 970275) approved December 29, 1997, adopted
7 pursuant to the provisions of the Act, in order to
8 substitute and approve a plan and budget for the
9 district that includes both the area previously
10 served by the Authority and the area of the
11 proposed expansion.

12 COUNCIL PRESIDENT VERNA: Mr.
13 Lombardo?

14 MR. LOMBARDO: Good morning, Madam
15 President and members of the Rules Council. My
16 name is Richard Lombardo. I am Director of
17 Development, Planning and Zoning for the
18 Philadelphia Planning Commission. I'm here to
19 testify on behalf of Bill No. 010069, which would
20 expand the boundaries of the South Street
21 Headhouse Square District of Philadelphia.

22 The Administration has no opposition to
23 the passage of this bill, and I thank you for the
24 opportunity to be here today and testify on the
25 bill.

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2 COUNCIL PRESIDENT VERNA: Thank you.

3 Are there any questions from members of
4 the committee?

5 The Chair recognizes Councilman
6 DiCicco.

7 COUNCILMAN DICICCO: Thank you, Madam
8 Chair.

9 Any members of the South Street
10 Headhouse wish to make a statement at this time?
11 Mr. Ostrander, I think what you might want to do
12 is just give a one-minute, two-minute synopsis of
13 what took place if there's any issue that we need
14 to --

15 MR. OSTRANDER: Yes.

16 (Witness comes forward.)

17 COUNCILMAN DICICCO: Thank you. Please
18 identify yourself for the record.

19 MR. OSTRANDER: Madam President, thank
20 you. I am Dick Ostrander, the Executive Director
21 of the South Street Headhouse District.
22 Accompanying me are the chairman of the board and
23 a couple of our other officers. We are very
24 pleased to be here today and this is hopefully the
25 culmination of a two-year process in which we have

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2 explored, done all of the necessary steps we
3 believe under the Municipal Authorities Act to
4 achieve a requested expansion of the district. We
5 look forward to implementing that following
6 Council action. And if there are any questions
7 for us, we would be more than glad to respond to
8 them.

9 I just am here to say thank you and
10 we've been looking forward to this day.

11 COUNCIL PRESIDENT Verna: You're
12 welcome, and we certainly appreciate your presence
13 this morning.

14 Are there any questions of this
15 witness?

16 (No questions.)

17 COUNCIL PRESIDENT Verna: Again, thank
18 you very much.

19 MR. OSTRANDER: Thank you.

20 PRESIDENT Verna: Do we have anyone
21 else to testify on this bill?

22 (No response.)

23 COUNCIL PRESIDENT Verna: Seeing none,
24 I would ask Mr. Mezzaroba to please read the title
25 of Bill No. 010213.

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2 MR. MEZZAROBBA: Bill No. 010213, an
3 ordinance amending Title 14 of the Philadelphia
4 Code, relating to "zoning and planning," by
5 amending Chapter 14-1600, entitled
6 "Miscellaneous," by adding a new Section 14-1622,
7 entitled "North Broad Street Special District
8 Controls," under certain terms and conditions.

9 MR. LOMBARDO: Good morning, Madam
10 Chairwoman and members of the Rules Committee. My
11 name is Richard Lombardo and I'm Director of
12 Development and Planning and Zoning for the
13 Philadelphia City Planning Commission. I am here
14 today to testify in support of Bill 010213.

15 This bill was introduced by
16 Councilmember Tasco on April 5, 2001. This bill
17 amends Title -- Chapter 14-1600 of the
18 Philadelphia Code by adding a new Section 14-1622,
19 entitled "North Broad Street Special District
20 Controls." This new section of the zoning code
21 would establish certain use and zoning control for
22 commercially zoned properties fronting on Broad
23 Street on both the east and west sides of Broad
24 Street, between Cambria Street and Cheltenham
25 Avenue.

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2 And what this bill would do would be
3 prohibit the following uses along the Broad Street
4 corridor: automobile repair shop, service
5 station, installation of automobile parts, and
6 sale of automobile parts, automobile sales lot,
7 drive-through restaurant, beer distributors, and
8 any regulated use.

9 The following zoning controls would
10 also be established for this area of Broad
11 Street. Newly erected buildings would be required
12 to be constructed to the street line of Broad
13 Street. That would be no setback from the Broad
14 Street sidewalk. A newly erected building would
15 be required and constructed to a minimum height of
16 25 feet. And lastly, parking would not be
17 permitted between the building line and the street
18 line. In other words, again, you would have no
19 parking along the Broad Street sidewalk. As I
20 said -- add parenthetically, this would cover the
21 area between Cambria Street and Cheltenham Avenue.

22 There is another bill that will be
23 following up that Councilman Clarke introduced
24 that would cover the area down to Spring Garden
25 Street with the same self-controls.

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2 The purpose of this bill basically is
3 to enable more choices of retail commercial
4 serving the area residents of North Philadelphia
5 to go into Broad Street. What has been happening
6 along this corridor of Broad Street is most of the
7 new uses going in have been auto repair type uses,
8 gas stations, stop-and-go's, quick shopping,
9 drive-in shopping type of places, all
10 automobile-related. They've been losing the
11 buildings. They've been getting just basically an
12 opportunity to upgrade the level of retail that's
13 going along Broad Street between Center City and
14 the county line up at Cheltenham Avenue.

15 For the record, the Planning Commission
16 has not considered this bill. It is scheduled to
17 consider it this Thursday. However, the staff is
18 recommending the approval of this bill and also
19 the approval of Councilman Clarke's bill. I'd be
20 happy, which is-- I'm sorry, that bill number is
21 10 --I'm sorry, 100717 is the other bill that
22 hasn't had a hearing yet that's Councilman
23 Clarke's bill.

24 I didn't mean to confuse that, but I
25 just wanted to put that on the record since he is

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2 here and we are considering -- but we're
3 considering them both as a unit, the Commission
4 is.

5 I'm happy to answer any questions.

6 COUNCIL PRESIDENT VERNA: Thank you.

7 Are there any other questions from
8 members of the committee?

9 The Chair recognizes Councilman Clarke.

10 COUNCILMAN CLARKE: Thank you, Madam
11 Chair.

12 Just one request with respects to auto
13 repairs. This needs some clarity. In the event
14 that there's an automobile accessory sales
15 facility such as a -- I don't want to give anybody
16 any free advertisement, but such as a Pep Boys or
17 a --

18 MR. LOMBARDO: Royal Auto, yeah.

19 COUNCILMAN CLARKE: Where the primary
20 part of the operation is the sales of accessories
21 and auto parts but in some instances, they have a
22 bay or two where they actually repair cars.
23 Does that fall under the category of auto
24 repairs?

25 MR. LOMBARDO: Yeah, if they have any

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2 onsite auto, it would cover it. But, I mean, the
3 option would be as they go to the board and if
4 that's something the surrounding community wants
5 to support, then they would support it at the
6 Zoning Board.

7 COUNCILMAN CLARKE: Okay, all right.
8 Thank you.

9 Thank you, Madam Chair.

10 COUNCIL PRESIDENT Verna: Thank you.

11 Are will there any other questions from
12 members of the committee? Yes?

13 MR. CHAPMAN: Good morning, Madam
14 President and members of the Committee. I was
15 just asked by Councilwoman Tasco's office to
16 request a suspension of the rules for this bill.

17 COUNCIL PRESIDENT Verna: Thank you.
18 We will consider that.

19 MR. CHAPMAN: Thank you.

20 COUNCIL PRESIDENT Verna: Are there any
21 other questions from members of the committee?

22 (No further questions.)

23 COUNCIL PRESIDENT Verna: Anyone else
24 to testify on this bill?

25 Please approach the witness table.

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2 (Witnesses come forward.)

3 COUNCIL PRESIDENT Verna: Good
4 morning.

5 MS. STEVENSON: Good morning.

6 COUNCIL PRESIDENT Verna: Please
7 identify yourself for the record.

8 MS. STEVENSON: Good morning President
9 Verna and the Committee on Rules. My name is
10 Shirley Stevenson and I'm Executive Director for
11 the Fern Rock Ogontz Bellfield Community
12 Development Corporation, which is located at 1201
13 West Olney Avenue.

14 And I'm here this morning in support of
15 Bill 010213, because my organization was founded
16 six years ago to help to stem the deterioration
17 and disinvestment that was beginning in the
18 community. What I have witnessed over the past
19 two years has been a proliferation of used-car
20 dealerships along the Broad Street corridor. We
21 view that area as what we are calling now the
22 "northern gateway" into the City of
23 Philadelphia. And what we're witnessing is that
24 that gateway has become a used-car auto mall on
25 the north sides.

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2 Between the 5800 and 6600 blocks of
3 Broad Street, there are eight used-car
4 dealerships. And if you will do the math there,
5 that's only eight blocks. So we're looking at one
6 used-car dealership per block, which is in many
7 ways going to impact the economic development
8 along that corridor, because many of those parcels
9 of land that are lending themselves to used-car
10 dealerships could also be used to bring in more
11 upscale retail.

12 And I'm also a resident of that area.
13 I have lived in that community for over 27 years.
14 So I have seen the changing that has occurred
15 along that corridor. So I truly ask that you
16 would support this bill for us to be able to
17 control what is happening there.

18 Thank you.

19 COUNCIL PRESIDENT Verna: Thank you.

20 Good morning.

21 MS. WATTS: Good morning, President
22 Verna and the Committee on Rules. My name is
23 Phyllis Watts. I'm the President of the Oak Lane
24 Community Action Association that was founded in
25 1970. I represent the East Oak Lane community,

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2 which we now call ourselves "Old East Oak Lane"
3 because we have areas that are claiming to be us
4 but they're not.

5 I have with me Denise Stones, who is a
6 resident in the 6800 block of Broad Street. She
7 also is a bored member, a recent elected board
8 member to our organization.

9 I'm pleased to be here to testify on
10 behalf of this bill that I think is very
11 important, Bill No. 010213. The East Oak Lane
12 community is constantly fighting problems that we
13 consider to affect the quality of life in East Oak
14 Lane. Years ago as a youngster, it was known that
15 Broad Street was the grand lady of Philadelphia;
16 now it's becoming to look like a bag woman. . And
17 I resent that very much.

18 We have here in the southern part of
19 Broad Street, they're fixing up, cleaning up and
20 it's a beautiful thing that's being done. As you
21 travel going north on Broad Street, that's where
22 the problem starts happening. You can actually
23 see it's a difference. It wasn't like that years
24 ago; I can't understand now why it has become that
25 way. We have a proliferation, as Shirley

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2 Stevenson said, of these used-car lots. We just
3 can't take any more.

4 The recent car lot located in the 6600
5 block of North Broad is close to a residential
6 property. Many times, you know, I have gone there
7 to tell them that their cars are parked on that
8 neighbor's property. And, sure, they'll move it.
9 I can't understand why the neighbor is not asking
10 that themselves; maybe they're intimidated, I
11 don't know. But I will go across the street and
12 tell them that you're encroaching on this
13 particular person's property.

14 So I appreciate the support that you
15 can give us. And I thank you for listening.

16 COUNCIL PRESIDENT VERNA: Thank you
17 very much.

18 Denise, were you going to testify
19 also? No?

20 MS. STONE: I would say the same thing.

21 COUNCIL PRESIDENT VERNA: Fine, thank
22 you.

23 I certainly want to applaud your
24 interest in your community. I think we need more
25 people to do what it is you're doing.

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2 Councilman DiCicco?

3 COUNCILMAN DICICCO: Thank you, Madam
4 Chair. And thank you for coming in this morning.

5 And if I can share some of the
6 experiences I've had. I live in South
7 Philadelphia a couple blocks off of Broad Street.
8 The Council President lives directly on Broad
9 Street, South Broad Street. And one of the
10 witnesses testified about the improvements that
11 are going on on South Broad Street. But basically
12 those improvements really ended at Washington
13 Avenue.

14 And what we've done is we created a new
15 community group, another nonprofit that strictly
16 deals with Broad Street south of Washington
17 Avenue, although we don't have the number of
18 problems that you have with used-car dealerships
19 and things like that, but we did see some
20 deterioration, some of the property owners are not
21 maintaining their properties. So we've really
22 taken on a new initiative. We started out as the
23 South Broad Street Beautification Committee and
24 they changed the name of that, but we're
25 addressing some of those same issues.

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2 So I would suggest that even though you
3 have different civic associations that are around
4 and near the North Broad Street corridor, you
5 might want to look at establishing one in
6 particular community group or association that
7 would deal specifically with the issues along
8 North Broad Street.

9 I noticed about two weeks ago, I took a
10 ride out into the Bucks County, and I came back
11 into the City via North Broad Street, and I
12 noticed the deterioration and the blight, which
13 was very pathetic, if I can say it that way. It
14 was sad to see what has occurred up there.

15 And as another suggestion, this Council
16 passed an ordinance a couple years ago that it is
17 now a \$300 fine for sale of a vehicle on a public
18 highway. The Police Department may not even be
19 aware of that because the ticket books that were
20 written about a year ago did not include that. So
21 you may want to talk to the captain or captains
22 who patrol North Broad Street. It's a significant
23 fine.

24 MS. WATTS: Excuse me. I also chair
25 the 35th Police District Advisory Council and

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2 Shirley is the secretary of the 35th District
3 Advisory Council.

4 COUNCILMAN DICICCO: So you might want
5 to bring it to their attention. It's now a \$300
6 fine and the vehicles are subject to be towed.

7 MS. WATTS: Did you have a Bill No. on
8 that?

9 COUNCILMAN DICICCO: Not off the top of
10 my head, but you could stop in the Chief Clerk's
11 Office next door and you might want to, again,
12 address that with the Police Department or the
13 departments that handle that.

14 And the other thing I noticed is -- I'm
15 a fanatic about posters; I don't like political
16 posters. You have more political posters on North
17 Broad Street, I think, than the rest of the City
18 cumulatively has. It was a disgrace. So maybe
19 you ought to call some of the candidates -- the
20 winners and losers -- and see what they're going
21 to do for your community.

22 MS. WATTS: Well, we also attempted --
23 what, two years ago? -- we had tried to establish
24 a North Broad Street renaissance. We were trying
25 to address the problem from Broad and Cheltenham

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2 to -- oh I'm sorry, to Erie, to Broad and Erie.

3 You know, this is something that needs to be done.

4 COUNCILMAN DICICCO: Yeah, and I assume
5 you have on either side of Broad Street
6 established civic associations or community
7 groups. What we did was, we pulled from those
8 groups and just created another entity and we did
9 cleanups. There was a cleanup this Sunday, there
10 was a cleanup last Sunday. And it's starting to
11 generate a lot of interest. And what's happening
12 is people are now moving to Broad Street South and
13 they're paying -- the real estate values are
14 starting to go up and significant improvements
15 have been made as a result of that.

16 MS. STEVENSON: Some of what we do have
17 in the planning stages -- well, there is an
18 organization called the Broad and Olney Sanitation
19 Steering Committee that has been in place for
20 approximately ten years, and that group is
21 strengthening. Along with that, we are in the
22 process of creating what we're calling the
23 Northern Gateway Business Association that is
24 going to encompass from Olney Avenue up to about
25 Stenton Avenue, bringing in all of those

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2 businesses along there.

3 But, yes, I take all of those
4 suggestions. Thank you very, very much.

5 COUNCILMAN DICICCO: Thank you. Thank
6 you for your interest.

7 Thank you, Madam Chair.

8 COUNCIL PRESIDENT Verna: Thank you.

9 Any other questions or comments from
10 members of the committee?

11 (No questions.)

12 COUNCIL PRESIDENT Verna: Thank you for
13 coming in again to testify.

14 Oh, I'm sorry. Councilman Clarke.

15 COUNCILMAN CLARKE: Thank you, Madam
16 Chair.

17 I'd also like to thank you very much
18 for coming down, and we are going to connect the
19 dots between the northern end of North Broad
20 Street and the southern end of North Broad Street.
21 So I commend you on your work. And when you're
22 ready to start working on that cleanup on North
23 Broad Street, not only the political posters, but
24 more recently, the trailers of the notifications
25 for these music groups that are coming in are

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2 sometimes pretty ridiculous, particularly in the
3 size. So I'd be willing to work with you on
4 that.

5 MS. STEVENSON: Thank you.

6 MS. WATTS: Thank you.

7 COUNCILMAN CLARKE: Thanks for coming
8 in.

9 COUNCILWOMAN VERNA: Thank you again.

10 Do we have anyone else to testify on
11 this bill?

12 (No response.)

13 COUNCIL PRESIDENT VERNA: Seeing none,
14 I would ask Mr. Mezzaroba to please read the title
15 of Bill No. 010338.

16 MR. MEZZAROBA: Bill No. 010338, an
17 ordinance amending Title 14 of the Philadelphia
18 Code, entitled "Zoning and Planning," by amending
19 Section 14-508, entitled "G-2" industrial
20 district, by deleting certain uses from the list
21 of uses that are permitted in the "G-2" Industrial
22 District, all under certain terms and conditions.

23 MR. LOMBARDO: Good morning, Madam
24 President and members of the Rules Committee. My
25 name is Richard Lombardo. I'm Director of

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2 Development, Planning and Zoning for the
3 Philadelphia City Planning Commission. I'm here
4 today to testify on Bill No. 010338.

5 This bill was introduced by
6 Councilmembers Brian O'Neill and Joan Krajewski on
7 May 10, 2001. The purpose of this bill is to
8 amend the G-2 industrial section of the zoning
9 code by removing certain uses as uses permitted as
10 a matter of right. Those uses are autobody and
11 fender work and painting, automobile service
12 station, automobile repairs, car washing
13 establishments, public or private garage as a main
14 use, public or private parking garage as a main
15 use, automobile sales lot, show room, and car
16 rental.

17 The Planning Commission has not yet
18 considered this bill. It is scheduled to consider
19 it at its meeting of May 24, 2001, which is this
20 coming Thursday. At that time, it is the
21 intention of the staff to recommend support of
22 this bill, but with the caveat that we think we
23 need to go further than this bill. We have been
24 discussing this matter with a number of
25 Councilpeople. And what we're dealing with here

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2 is, we're dealing with a District G-2 that exists
3 throughout the City. And generally the district
4 is found -- in a lot of instances, it's surrounded
5 by homes. But the district allows a lot of
6 noxious uses and outdoor uses.

7 And what we are suggesting is that
8 going beyond this bill, that we look on putting
9 performance standards on even some of the
10 industrial processes that are permitted in this
11 district. Specifically, this district with a
12 Zoning Board certificate, which is not a variance
13 and not a hardship issue. You can have junk
14 yards, you can have recycling facilities, you can
15 have outdoor processes that include not spray
16 painting cars but spray painting things that are
17 manufactured, spray painting equipment, just
18 various types of noise -- mill work, you know,
19 outdoor -- operating machinery outdoors.

20 So what we plan to do, as part of the
21 work we have been doing with the NTI is looking at
22 the zoning code and its affect upon quality of
23 life in residential neighborhoods. What we are
24 suggesting is that we will be looking over the
25 summer and hopefully coming back in the fall with

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2 a bill that maybe goes a little bit further than
3 this particular bill in controlling these uses in
4 general industrial districts.

5 This particular bill we do support, but
6 most of these uses are not industrial uses,
7 they're commercial uses and probably are
8 inappropriate to be industrial districts. It's
9 funny because you wouldn't allow any of these uses
10 in neighborhood commercial without a -- they're
11 not permitted in neighborhood commercial. So you
12 don't have the situation of an auto body shop
13 being able to go into C-2 or a area shopping
14 center or a neighborhood shopping center, but they
15 can go into G-2 as a matter of right. And in a
16 lot of neighborhoods of the City, there's just as
17 much G-2 industrial as there is shopping center
18 zoning.

19 So this is an attempt by the
20 Councilpeople and it relates to the same kind of
21 problem we have on North Broad Street is we're
22 seeing more and more -- we're not getting the
23 industrial occupants of these properties but we're
24 getting these sort of noxious uses that just go
25 to, you know, the place of least resistance where

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2 they have vacant industrial property that's been
3 on the market and they can go in there as a matter
4 of right.

5 So as I said, we will be recommending
6 the Commission support this bill this coming
7 Thursday, and I'm here to answer any questions.

8 COUNCIL PRESIDENT VERNA: Thank you.

9 Are there any questions from members of
10 the committee?

11 The Chair recognizes Councilman
12 O'Neill.

13 COUNCILMAN O'NEILL: Mr. Lombardo, I
14 appreciate your testimony and I have an amendment
15 that I have discussed with you that would place
16 autobody into LR, which this would otherwise take
17 out. And you're supportive of that?

18 MR. LOMBARDO: Yeah, absolutely. I'm
19 sorry, I neglected to testify that the one sort of
20 concern we have with this bill is, in the rush to
21 take this out of G-2, we still have to allow these
22 uses someplace as a matter of right. And what we
23 are suggesting and the Councilman is suggesting is
24 that we put that in the least restricted
25 industrial so that there is a place in the code

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2 where a body shop and an auto repair shop can go
3 as a matter of right.

4 And then this summer, we will also be
5 looking at the performance standards for least
6 restricted industrial also, we know there are
7 instances, especially along the waterfront, where
8 least restricted could be less than a hundred feet
9 away from a residential property.

10 COUNCILMAN O'NEILL: Thank you.

11 COUNCIL PRESIDENT VERNA: Does the
12 stenographer have a copy of the amendment?

13 THE STENOGRAPHER: Yes. Yes.

14 COUNCIL PRESIDENT VERNA: Thank you.

15 Is Mr. Vincent Dougherty present?

16 (Witness comes forward.)

17 COUNCIL PRESIDENT VERNA: Good morning.

18 MR. DOUGHERTY: Good morning, Madam
19 President and members of the Committee on Rules.
20 My name is Richard Dougherty. I am the Enterprise
21 Zone Manager for the Philadelphia Department of
22 Commerce. I'm here today on behalf of the
23 Commerce Department to testify in support of Bill
24 010338.

25 This bill amends the zoning code by

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2 deleting certain uses that are presently permitted
3 in areas zoned G-2. These uses include many that
4 would be considered retail in nature such as auto
5 repair facilities, gas stations, and non-accessory
6 parking lots.

7 Having worked primarily in the
8 industrial areas of the City for the last ten
9 years, I have experienced firsthand the problems
10 created when you mix commercial, industrial, and
11 residential uses in the same area. The problems
12 regarding industrial in particular is especially
13 severe in the older industrial areas, where
14 industrial buildings do not have the luxury of
15 off-street loading, off-street parking, and the
16 streets are often narrow surrounding these
17 companies. The result of the heavy traffic flow
18 created by retail operations often impedes the
19 operation of these industrial uses. It is for
20 these reasons that we feel that the retail uses
21 should be deleted as a permitted use under G-2.

22 This concludes my prepared testimony.
23 Thank you for the opportunity to testify on this
24 bill, and I'd be more than happy to answer any
25 questions you may have.

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2 COUNCIL PRESIDENT VERNA: Thank you.

3 Are there any questions from members of
4 the committee?

5 COUNCILMAN O'NEILL: I'd just like to
6 thank Mr. Dougherty for his initiative. He picked
7 this up on his e-mail and requested to come in and
8 testify. Thank you.

9 COUNCIL PRESIDENT VERNA: Wonderful.
10 Thank you.

11 Do we have anyone else to testify on
12 this bill?

13 (No response.)

14 COUNCIL PRESIDENT VERNA: Thank you.
15 This will conclude the public hearing of the Rules
16 Committee.

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1 5/22/01 - RULES - PUBLIC MEETING

2 COUNCIL PRESIDENT Verna: We will now
3 go into our public meeting, and the Chair
4 recognizes Councilman DiCicco regarding Bill No.
5 000548.

6 COUNCILMAN DICICCO: Thank you, Madam
7 Chair. I move that Bill 000548 be approved and
8 that the rules of Council be suspended so as to
9 permit first reading at our next session of City
10 Council.

11 (Duly seconded.)

12 COUNCIL PRESIDENT Verna: It has been
13 moved and properly seconded that Bill No. 000548
14 be reported out of committee with a favorable
15 recommendation and also a recommendation that the
16 rules of Council be suspended so as to permit
17 first reading at our next meeting.

18 All those in favor will signify by
19 saying aye.

20 Those opposed?

21 The ayes have it and the motion
22 carries.

23 The Chair recognizes Councilman DiCicco
24 regarding Bill No. 010069.

25 COUNCILMAN DICICCO: Thank you, Madam

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2 Chair.

3 I move that Bill No. 010069 be reported
4 out of this committee with a favorable
5 recommendation and that the rules of Council be
6 suspended so as to permit first reading at our
7 next session of City Council.

8 (Duly seconded.)

9 COUNCIL PRESIDENT VERNA: It has been
10 moved and seconded that Bill No. 010069 be
11 reported out of committee with a favorable
12 recommendation and also a recommendation that the
13 rules of Council be suspended so as to permit
14 first reading at our next Council session.

15 All those in favor will signify by
16 saying aye.

17 Those opposed?

18 The ayes have it and the motion has
19 been carried.

20 The Chair recognizes Councilman Clarke.

21 COUNCILMAN CLARKE: Thank you, Madam
22 Chair. Madam Chair, I move that Bill No. 010213
23 be reported out with a favorable recommendation
24 and a request for a suspension of the rules so as
25 to allow reading on the next calendar session.

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2 (Duly seconded.)

3 COUNCIL PRESIDENT VERNA: It has been
4 moved and seconded that Bill No. 010213 be
5 reported out of committee with a favorable
6 recommendation and also a recommendation that the
7 rules of Council of Council be suspended so as to
8 permit first reading at our next Council meeting.

9 All those in favor will signify by
10 saying aye.

11 Those opposed?

12 The ayes have it and the motion is
13 adopted.

14 The Chair recognizes Councilman
15 O'Neill.

16 COUNCILMAN O'NEILL: Thank you, Madam
17 Chair. I'd like to offer an amendment to Bill No.
18 010338 and read it into the record.

19 COUNCIL PRESIDENT VERNA: Please.

20 COUNCILMAN O'NEILL: The amendment
21 reads as follows: At the end of the Section 1,
22 add the following to least restricted industrial
23 district. 1. Use regulations. The specific uses
24 permitted in this district shall be the erection,
25 construction, alteration or use buildings and/or

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2 land for: a., the uses permitted in G-2 general,
3 industrial districts, with all use qualifications
4 removed except that when any use as herein
5 defined, listed or prohibited, the regulations of
6 this district shall apply.

7 And then the added language is under
8 new subsection a. 1: Auto machine or wagon repair
9 shop, including autobody and fender work and
10 painting.

11 That's the amendment. And I move the
12 adoption.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It has been
15 moved and seconded that the amendment be adopted.

16 All those in favor will signify by
17 saying aye.

18 Those opposed?

19 The ayes have it and the amendment has
20 been adopted.

21 The Chair recognizes Councilman
22 O'Neill.

23 COUNCILMAN O'NEILL: Thank you, Madam
24 Chair. I move that Bill No. 010338 be approved as
25 amended with a suspension of the rules to allow

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2 for first reading at our next session.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It has been
5 moved and seconded that Bill No. 010338 be
6 reported out of committee with a favorable
7 recommendation as amended and further that the
8 rules of Council be suspended so as to permit
9 first reading at our next Council session.

10 All those in favor will signify by
11 saying aye.

12 Those opposed?

13 The ayes have it and the motion has
14 been adopted.

15 This concludes our public meeting and
16 our public hearing.

17 Thank you.

18 (Adjourned 11:08 a.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of Tuesday, May 22, 2001, were
reported fully and accurately by me, and that this
is a correct transcript of same.

RE: COUNCIL COMMITTEE ON RULES

BILL NO.'S 000548, 010069, 010213, 010338

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter