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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
Wednesday, May 31, 2000
2:25 p.m.

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BILL 000081 - Amending Title 14 of the
Philadelphia Code, entitled "Zoning and Planning,"
by amending Chapter 14-200, entitled "Residential
Districts," by amending Section 14-226, entitled
"RC-6 Residential Districts," and adding new
requirements to allow for the preservation of
historically significant buildings and structures
and for the establishment and amendment of the
District, under certain terms and conditions.

16

PRESENT: COUNCIL PRESIDENT ANNA C. VERNA, Chair
COUNCILMAN JAMES F. KENNEY, Vice Chair
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN DAVID COHEN
COUNCILMAN FRANK DICICCO
COUNCILMAN MICHAEL A. NUTTER

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2 I N D E X

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5	* Richard Lombardo, City Planning Commission Chief of Project Planning	3
6	Terry Gillen, Ward Leader, 30th Ward.	21
7	Andrew Terhune, Project Manager Toll Brothers	25
8		
9	(* - Also provided attached written testimony.)	

10

11 Attached Letters in Support of Bill 000081 By:

12 - Robert Gittler, Zoning Chairperson, SOSNA

13 - Alex Soroka, Democratic Committee Person
30th Ward, 16th Division

14 - Barbara Failer, 30th Ward, 16th Division

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

3 COUNCIL PRESIDENT Verna: Good

4 afternoon. This is the public hearing of the
5 Committee on Rules. I would ask Mr. McPherson to
6 please read the title of Bill No. 81.

7 MR. MCPHERSON: Bill No. 000081,
8 amending Title 14 of the Philadelphia Code,
9 entitled "Zoning and Planning," by amending
10 Chapter 14-200, entitled "Residential Districts,"
11 by amending Section 14-226, entitled "RC-6
12 Residential Districts," and adding new
13 requirements to allow for the preservation of
14 historically significant buildings and structures
15 and for the establishment and amendment of the
16 District, under certain terms and conditions.

17 COUNCIL PRESIDENT Verna: Good
18 afternoon. Kindly identify yourself for the
19 record and proceed with your testimony.

20 MR. LOMBARDO: Good afternoon, Madam
21 Chair and members of the committee. My name is
22 Richard Lombardo, Chief of Project Planning. I'm
23 here to testify in support of Bill No. 81.

24 As the clerk read, this bill indicates
25 -- it amends the RC-6 residential district by

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2 allowing some changes. These changes are
3 basically geared towards making it a more usable
4 tool for preserving historical properties and
5 historically significant and culturally
6 significant institutions within the community.

7 This bill came about through the desire
8 of Toll Brothers, who are the owners and
9 developers of the former Naval Home on Grays Ferry
10 Avenue, at Bainbridge Street through to Schuylkill
11 Avenue, to revise their latest master plan to
12 respond to community comments and issues regarding
13 the height and magnitude of their earlier proposed
14 development, and they came in to lower the height
15 and scale of those buildings because they ran
16 afoul of the underlying requirements of the RC-6
17 district, and asked us to assist them in resolving
18 that, because, in fact, they could not meet the
19 Zoning Code and meet the desires of the community
20 to have lower-scale development.

21 We took the opportunity at that time
22 not only to revise the district to comply with
23 their needs, but also to make it, as I said, a
24 more usable tool to use in other communities as a
25 way of allowing properties to be developed or

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2 redeveloped while still encouraging the retention
3 of existing buildings or existing structures.

4 The changes in this bill are the
5 following:

6 That it proposes to reduce the minimum
7 lot size for an RC-6 district from 5 acres to 2
8 acres, and I'll point out that that has nothing to
9 do with the Toll Brothers project because their
10 project is more than 5 acres, but more driven by
11 the desire to make it more usable in other
12 places.

13 It no longer would require -- the
14 current provisions of RC-6 require not more than
15 25 percent of the district be occupied by
16 buildings or structures, and not more than 50
17 percent of the district be occupied by building
18 structures and parking. We're proposing to allow
19 that to increase to 50 percent coverage of
20 buildings and 75 percent coverage of buildings and
21 parking when the plan encompasses the retention of
22 significant historic buildings or structures or
23 significant neighbor cultural resources.

24 One of the reasons why Toll Brothers
25 can't meet the underlying requirements of RC-6 now

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2 is because of their desire to retain the existing
3 historic structures on the lot, which is the
4 former Naval Home and the former Surgeon General's
5 mansion and the former Commanding Officer's
6 mansion, as well as the parade ground and formal
7 setting along Grays Ferry Avenue, but this would
8 only be applicable when someone has an RC-6
9 project that would be rezoned by City Council, so
10 it wouldn't apply to any -- there are no other
11 RC-6 districts in the City that have historically
12 significant buildings right now, except for the
13 Naval Home, so this is only for the future, and
14 they would have to come through Council at that
15 time.

16 The bill would also amend the parking
17 requirements to allow parking to be located within
18 1,000 feet, as opposed to the current 550 feet, of
19 the building it serves. And this, again, is
20 driven by this particular plan, but also a desire
21 just to give more flexibility in building
22 structured parking, for sort of the whole complex
23 rather than have a bunch of surface parking lots.
24 It will allow more flexibility in designing the
25 layout.

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2 It also would allow parking in the
3 future to be located outside the district, and
4 that is just to bring it in conformance with the
5 other master plan district we have, an
6 institutional development district, which does
7 allow parking to be outside of the district
8 itself, as long as it's within the spatial
9 requirements of 550 feet or 1,000 feet from the
10 existing buildings.

11 These amendments all were requested as
12 a result of the Toll Brothers request. I want to
13 point out one other series of amendments that are
14 in here that were suggested to us by the Law
15 Department. There's a series of amendments that
16 would give the Planning Commission some
17 flexibility in finding plans to be in compliance
18 with the master plan of record.

19 The reason for it is -- we have always
20 adopted this policy, and it really generally comes
21 into play when someone comes in with a master plan
22 that says we need to put in handicapped ramps, or
23 we need to -- that we decided to put decks instead
24 of patios, and it changes their numbers, it
25 changes the amount of coverage, it changes the

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2 location of buildings. And we've done that
3 administratively rather than kick that back to
4 City Council to see a new set of steps, or a new
5 driveway, or whatever changes those numbers.
6 We've always held that it has to be less than a 1
7 percent change to the plan.

8 We ran afoul of this, an appeal was
9 taken to court, and Commonwealth Court said that
10 since Council never gave us the authority to
11 approve anything but the plan of record, that we
12 can't approve any kind of modification unless we
13 come back to City Council. And the Law Department
14 said that could be an unworkable thing if, in
15 fact, we wind up coming back to City Council for
16 every time a fire tower or air-conditioning or
17 anything that's not on the original plan you
18 approve. And so we were trying to come up with a
19 -- to codify what we've been doing as policy for
20 about 20 years.

21 I'm pointing that out because I know
22 that some people may have a problem with that, and
23 I'm explaining why it's there. Toll Brothers
24 didn't ask for that. You know, doesn't have to be
25 in there to help the Toll Brothers plan; I'm just

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2 explaining to you how it got into this particular
3 ordinance and why it's there.

4 And for the record, the Planning
5 Commission, at it meetings of March 9, 2000,
6 recommend approval of Bill No. 000081.

7 Also, I guess, for the record, as you
8 know this is a master plan district, so we, the
9 Planning Commission, and the Council have to
10 approve the master plan once we make this change
11 to the RC-6. And I just want to put on the record
12 that at the time we approved this bill, we did
13 have before us their new master plan. It is our
14 intention that as soon as Council approves this
15 bill to take the master plan and approve it as a
16 previous policy item, I'm putting that out to you
17 because you will also have to, under the RC-6 law,
18 approve the master plan, and I know you're running
19 up against the end of the Council session, so I
20 wanted to give you a heads up that in the next
21 week or two, we will be sending you letter saying
22 we've approved the master plan.

23 COUNCIL PRESIDENT VERNA: And would
24 that be by resolution?

25 MR. LOMBARDO: Yes, by a -- you've

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2 taken -- since you've been Council President,
3 you've taken the policy of doing the approvals by
4 resolution, yeah.

5 COUNCIL PRESIDENT Verna: Mm-hmm.

6 Thank you.

7 Are you finished with your testimony?

8 MR. Lombardo: Yes. And I'm here if
9 you have any questions.

10 COUNCIL PRESIDENT Verna: Yes. I
11 believe my staff previously discussed with you,
12 Mr. Lombardo, that perhaps you would think of
13 deleting Section 14-226, Subsection (2)(b) on
14 Page 2 of the pink copy of the bill, as it does
15 not pertain to the Naval Hospital site -- the
16 Naval Home site, rather.

17 MR. Lombardo: Yeah. That was the --
18 that was -- you're talking about giving us the
19 authority -- I'm sorry, the paragraph number was
20 what?

21 COUNCIL PRESIDENT Verna: Section
22 14-226, Subsection (2)(b).

23 MR. Lombardo: (b), oh, yeah.

24 COUNCIL PRESIDENT Verna: And .2?

25 MR. Lombardo: That's what I testified

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2 to. I explained to you that it was in there not
3 because of Toll Brothers and the Naval Homes
4 project, but it was suggested to us by the Law
5 Department, and it was just that we were amending
6 this.

7 COUNCIL PRESIDENT VERNA: Well, did you
8 check with the District Councilperson?

9 MR. LOMBARD0: No. I -- I -- well, I'm
10 --

11 COUNCIL PRESIDENT VERNA: Are you
12 asking that that be deleted?

13 MR. LOMBARD0: I'm explaining to you
14 that if you have a problem with us deleting it,
15 I'm not germane to -- yeah, we did discuss it with
16 your staff and we don't have a problem with you
17 deleting it because it's not germane to --

18 COUNCIL PRESIDENT VERNA: I think
19 you're going to ask that we delete it.

20 MR. LOMBARD0: I'll ask that you delete
21 it.

22 COUNCIL PRESIDENT VERNA: Thank you.

23 Can you please explain the changes in
24 this bill and what impact they have on the
25 proposed Naval Home development?

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2 MR. LOMBARD0: The changes of this
3 bill, in terms of the impact on the Naval Home
4 development, would allow them to cover more of the
5 site with buildings and parking than the original
6 RC-6 district allowed. This becomes an issue when
7 you go from building 20-story building to building
8 4-story building.

9 As you recall, the last plan they had
10 called for a number of high-rise and mid-rise
11 buildings as a result of the community comments
12 and comments at this Council hearing, and it
13 became clear to them -- and also because of their
14 marketing, I believe it became clear to them that
15 it would be more prudent to do three four-story
16 buildings. That means you spread out more of the
17 site. They couldn't do that under the present
18 RC-6 district, so they need to amend it to allow
19 them have more lot coverage.

20 COUNCIL PRESIDENT VERNA: Are there any
21 other properties in the City that will be affected
22 by the passage of this bill once it is amended?

23 MR. LOMBARD0: There are other RC-6's
24 in the City. They theoretically -- well, no, no.
25 Because there are other RC-6 districts in the

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2 City, but from my recollection, none of them
3 involved historically significant buildings, and
4 allowance to cover more of a site only kicks in
5 when you're preserving historically significant
6 buildings. And so it would not affect any other
7 RC-6's in the City.

8 If, however, somebody came back and
9 said, Well, we have this little whatever that's
10 historical and that applies to us, they still
11 would have to come back to both us and the Council
12 to amend their master plan to change it. So there
13 is -- this doesn't result in anybody being able
14 walk over to L&I and get a permit across the
15 counter to change their plan.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 Are there any questions from members of
18 the committee?

19 No? Yes?

20 Councilman Clarke.

21 COUNCILMAN CLARKE: Thank you, Madam
22 Chair.

23 Good afternoon. There no other RC-6's
24 that apply to this particular change as a result
25 of the historical buildings, is what you're

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2 saying?

3 MR. LOMBARDO: That's right. There are
4 none that I'm aware of. I can -- there are none
5 that have historical significance.

6 COUNCILMAN CLARKE: Okay. Are there
7 any other areas that are zoned where we're doing,
8 or planning to do, substantial development that
9 may not have an RC-6 zoning classification but
10 obviously has a different classification, but what
11 presented a problem for this particular location
12 could also be presented in another area where we
13 have historical buildings? As an example, such as
14 up in the Cecil B. Moore area, where we continue
15 to have problems with historical buildings and the
16 Commission, both City and State, as it relates to
17 our building to do development.

18 MR. LOMBARDO: Yeah. Well, what we're
19 trying to do is make something you could use as
20 this carrot to get developers to preserve historic
21 building by saying that you can -- you know, if
22 you preserve historic building, you could -- then
23 the site will have more land, that you could
24 develop up to 75 percent of that site with
25 buildings and parking in order to preserve the

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2 building.

3 What we're looking at is that we always
4 base the fact that someone comes in and they got
5 some nice old house sitting in the middle of a
6 site, and the first thing they want to do is clear
7 it and put in a street and re-subdivide or
8 redevelop it with new buildings, but they say,
9 Well, there's no reason for us to preserve the
10 existing building. This at least is an option we
11 can offer them and say, Well, you can go to
12 Council and rezone it to RC-6 and, you know, it
13 would transfer the development rights to other
14 places on the site.

15 COUNCILMAN CLARKE: Right, okay. Thank
16 you.

17 Thank you, Madam Chair.

18 COUNCIL PRESIDENT Verna: Are there any
19 other questions?

20 The Chair recognizes Councilman Cohen.

21 COUNCILMAN COHEN: Could you explain in
22 very simple language what the amendments do? I
23 don't mean in great detail. I just wonder, what's
24 basic purpose? Because I don't hear from you
25 anything about anything historically significant

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2 that they're dealing with.

3 What are these amendments intended to
4 do? There was some reference made to comments
5 made by the public at one point; what were the
6 public comments that these amendments were
7 intended to assure would be all right?

8 MR. LOMBARD0: These amendments are --
9 I said there was sort of a twofold -- there was
10 amendments that basically -- amendments that say
11 that the land containing historically significant
12 structures, buildings, or amenities, not more than
13 50 percent of the development plan should be
14 occupied by buildings or 75 percent occupied by
15 buildings and structures. That's the new
16 paragraph that would make this thing applicable,
17 not only to Toll Brothers, but the desire to
18 preserve historic buildings or community
19 resources, using the RC-6 as a tool. That's what
20 this bill does specifically related to historic
21 structures and the Toll Brothers.

22 The only thing that the district --
23 that these amendments do do is, they allow us to
24 use it on smaller properties, properties of 2
25 acres, where the current ordinance requires a

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2 minimum lot size of 5 acres. And we see that as a
3 mechanism of preserving, you know, basically
4 larger older homes in neighborhoods that people
5 like the looks of it and like to see retained, but
6 right now, when market forces come along, it makes
7 more sense for someone to tear that down and
8 replace it with two or three buildings.

9 COUNCILMAN COHEN: And these amendments
10 make more people happy about what's happening?

11 MR. LOMBARDO: Well, the people can
12 speak for -- I think there's someone here from the
13 community, but I think at least in the case of the
14 Toll Brothers Naval Home project, people want to
15 see something happen down there after all these
16 years, and will enable something to happen.

17 COUNCIL PRESIDENT VERNA: Councilman, I
18 believe that this has been in process for about
19 14, 15 years, to my memory.

20 COUNCILMAN COHEN: I remember the
21 hearings ten years ago.

22 COUNCIL PRESIDENT VERNA: And for the
23 record -- and I have given copies to the
24 stenographer -- we have any number of letters from
25 area residents who are strongly in favor of this.

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2 So the community has had meeting after meeting. I
3 think the greater majority of the people living in
4 that community are extremely, extremely anxious to
5 see construction happen. And I hope to see it
6 while we're still all here.

7 (Laughter.)

8 COUNCIL PRESIDENT Verna: I mean, I
9 hope it's not going to take another 14 years.

10 Councilman Kenney?

11 COUNCILMAN KENNEY: Thank you. Whose
12 idea was this to deal with the historic
13 preservation issue and the issue of height in this
14 way?

15 MR. LOMBARDO: Well, it was Toll
16 Brothers argued it as an issue, that because they
17 had to preserve so much of the site and meet the
18 community desire that they come down, they
19 couldn't meet --

20 COUNCILMAN KENNEY: But I think it's a
21 terrific idea, whose ever idea it was because what
22 I think you do is from what I understand you're
23 telling us is that for their giving up the height
24 and them taking on the responsibility of historic
25 preservation of the building and parade grounds,

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2 they're being given more space on the lot to make
3 their numbers work.

4 MR. LOMBARD0: That's right.

5 COUNCILMAN KENNEY: Which accommodates
6 the community's concerns about historic
7 preservation and density -- or height, at least --
8 and deals with their concerns about making this
9 project economically feasible. So it seems that
10 both parties have been served, and whoever's idea
11 it was, it was a terrific idea.

12 MR. LOMBARD0: And like I said, the
13 decision to make it more applicable by reducing
14 the size really was our idea because, you know,
15 we've seen what's been unworkable is that is a
16 district that doesn't have the yard requirements,
17 the setback requirements, and it's geared towards
18 preserving thing.

19 COUNCILMAN KENNEY: So we get the
20 preservation, we get the development, and both
21 sides work.

22 MR. LOMBARD0: And you don't tear down
23 the sort of things the community's value, whether
24 it's an old library or an old firehouse that you
25 may be able to work that into your plan, rather

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2 than have to tear it down.

3 COUNCILMAN KENNEY: It was a good idea.

4 COUNCIL PRESIDENT Verna: Are there any
5 other questions from members of the committee?

6 COUNCILMAN NUTTER: Madam Chair?

7 COUNCIL PRESIDENT Verna: The Chair
8 recognizes Councilman Nutter.

9 COUNCILMAN NUTTER: Thank you, Madam
10 Chair.

11 Madam Chair, I appreciate your raising
12 the issue of the concern in Section 14-226, No.
13 (2)(b)(.2). That is an issue that I was
14 confronted with in a project in my district, and I
15 appreciate the record being made clear that this
16 provision -- there will be a request to delete
17 this particular provision as this bill moves
18 forward. As you have well pointed out, it
19 apparently does not directly, or may not directly,
20 affect this particular project; it does, though,
21 potentially have an effect on other projects in
22 other RC-6 districts, of which I would be
23 affected, so I do appreciate that and hope that
24 the appropriate amendment is made at the
25 appropriate time.

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2 Thank you, Madam Chair.

3 COUNCIL PRESIDENT Verna: Thank you.

4 Are there any other questions or
5 comments from members of the committee?

6 (No further questions.)

7 COUNCIL PRESIDENT Verna: Mr. Lombardo,
8 would you just stay till the conclusion of the
9 hearing.

10 Does the representative from Toll
11 Brothers wish to testify or be heard?

12 MR. TERHUNE: If you want me to respond
13 to any questions, I will, but I don't think at
14 this point it's necessary for me to comment, if
15 that's okay.

16 COUNCIL PRESIDENT Verna: It's fine
17 with me.

18 Do we have anyone else to testify on
19 this bill?

20 (Witness comes forward.)

21 COUNCIL PRESIDENT Verna: The Chair
22 recognizes Miss Gillen.

23 And, again, I don't know whether
24 everybody got copies, but we do have copies of
25 letters from area residents who are strongly

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2 supporting this proposal.

3 Good afternoon. Kindly identify
4 yourself for the record and proceed with your
5 testimony.

6 MS. GILLEN: Sure. My name is Terry
7 Gillen, and I'm the Ward Leader of the 30th Ward,
8 which is the ward in which the Naval Home property
9 located. I'm here to testify on behalf of this
10 bill and this zoning change and the change to the
11 master plan.

12 In doing so I'm relying on two letters
13 that I have received from Toll Brothers addressing
14 a variety of issues that we have worked on in the
15 past months, the most recent letter being from
16 today, in which Toll Brothers agrees that they
17 will put a deed restriction in the deed
18 prohibiting their residents from applying for
19 permit parking in the neighborhood as a way of
20 alleviating what many residents were concerned
21 would be a parking problem in the neighborhood.
22 So I want to thank Council President Verna and
23 Kathy Murray for helping us to reach agreement on
24 that issue.

25 The other issue that was raised at our

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2 most recent neighborhood -- we have had now close
3 to a half a dozen meetings on this topic -- was
4 the neighborhood concern about taxes, and I have
5 assurance from SOSNA (The South of South
6 Neighborhood Association) that they will work with
7 us on that going forward. And we may have to work
8 with Council President Verna on that issue as
9 well, because if taxes go up in the neighborhood,
10 we'll have to work with residents to try to
11 minimize the impact on that.

12 But with those issues having been taken
13 care of, I want to say that we're all delighted to
14 welcome Toll Brothers to the neighborhood, and I
15 hope that we can have ground breaking this year.

16 Thanks.

17 COUNCIL PRESIDENT VERNA: Thank you.

18 Is there anyone else to testify on this
19 bill?

20 (No response.)

21 COUNCIL PRESIDENT VERNA: Anyone in the
22 audience who is in favor of the bill, if they
23 would stand so that we could recognize you.

24 (Audience members stand.)

25 COUNCIL PRESIDENT VERNA: I want to

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2 thank you for coming in. I know that your
3 neighbors and you live directly behind this
4 facility across the street from it, and I know how
5 anxious you are to have something constructed.
6 And we're equally pleased, as I said, after all of
7 these years to see something happening there.

8 And to think that Toll Brothers is not
9 asking the City for one dime or one dollar to do
10 what they are contemplating, I think, is just
11 wonderful. And we welcome you into our
12 neighborhood, and I know it's going to be a huge
13 success.

14 Mr. Lombardo, I want to thank you for
15 attending all of the meetings that you have, not
16 only in recent months, but throughout the years.
17 I really appreciate it. Thank you very much.

18 MR. LOMBARDO: You're very welcome.

19 COUNCIL PRESIDENT Verna: Does anyone
20 else want to be recognized at this point in time?

21 (No response.)

22 COUNCIL PRESIDENT Verna: Are there any
23 questions or comments from members of the
24 committee.

25 (No questions.)

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2 COUNCIL PRESIDENT Verna: Mr. Lombardo,
3 you wanted to say something?

4 MR. LOMBARDO: One last thing for this
5 record. For the record, I placed before you the
6 new site plan for the Naval Home project, and that
7 will be the plan we will be forwarding to you.

8 COUNCIL PRESIDENT Verna: How many
9 units are we talking about that you're going to --

10 MR. LOMBARDO: It's, uh --

11 MR. TERHUNE: It's roughly 1200.

12 COUNCIL PRESIDENT Verna: Sounds good
13 to me.

14 COUNCILMAN KENNEY: Madam Chair, what
15 is the -- I'm sorry, gentleman, could you just
16 come forward for a moment.

17 COUNCIL PRESIDENT Verna: Do you mind
18 coming to the witness table.

19 (Witness comes forward.)

20 COUNCIL PRESIDENT Verna: Just identify
21 yourself for the record, please.

22 MR. TERHUNE: Yes. I'm Andrew
23 Terhune. I'm the Project Manager with Toll
24 Brothers.

25 COUNCILMAN KENNEY: I'm curious as to

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2 what the average rental is, the monthly rental you
3 anticipate for the 1200 units on average.

4 MR. TERHUNE: Roughly for the
5 one-bedroom unit, it's about \$1100; for the
6 two-bedroom unit, probably in the range of
7 \$14-1500.

8 COUNCILMAN KENNEY: And do you have
9 your -- I'm sure you've done your demographic
10 studies. What type of income level are we talking
11 about, minimum income level, to be able to afford
12 an apartment of that cost?

13 MR. TERHUNE: Probably looking at
14 somewhere in the order of \$50,000, high 40s.

15 COUNCILMAN KENNEY: So it's high 40s
16 and up.

17 MR. TERHUNE: Yeah.

18 COUNCILMAN KENNEY: And all of those
19 people would be paying wage taxes, I would assume.

20 MR. TERHUNE: Absolutely.

21 COUNCILMAN KENNEY: Okay, thank you.

22 Thank you Madam Chair.

23 COUNCIL PRESIDENT VERNA: While you're
24 at the table, I think we always like to ensure
25 that the neighborhood residents receive an equal

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2 piece of the pie, so to speak, in terms of
3 employment opportunities. What steps will Toll
4 Brothers take to ensure that neighborhood people
5 are considered for positions with your
6 subcontractors?

7 MR. TERHUNE: Well, we've already
8 agreed with the neighborhood that we would hire at
9 least a few people ourselves -- undoubtedly, we're
10 going to have some of our own people on the site.
11 With respect to how we're going to hire the
12 subcontractors, we have not worked with the union
13 trades in the City before. So I'm going to be
14 frank with you: I don't know what arrangements
15 made certainly we would or could make, but we're
16 certainly not averse to doing so. We just have
17 not had that experience before.

18 COUNCIL PRESIDENT VERNA: I'm sorry.
19 Sidebar, sorry.

20 COUNCILMAN COHEN: Madam President, I
21 think it's good that the process is beginning.

22 COUNCIL PRESIDENT VERNA: Can I just
23 ask one more question.

24 Once all of the historic agencies have
25 signed off on this plan and the master plan

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2 revisions have been approved for Phase I, when do
3 you anticipate construction beginning?

4 MR. TERHUNE: I guess I'd like -- all I
5 can say is, as soon as possible. I don't have a
6 date when this is going to happen with all the
7 historic agencies. Unfortunately, it's a little
8 bit outside of our control because, you know, like
9 Council, they have their own schedules but I would
10 say within --

11 COUNCIL PRESIDENT Verna: You know, we
12 sit here not realizing what you have to go
13 through. For the record, would you just state
14 what historic agencies you have to get approval
15 from.

16 MR. TERHUNE: Sure, I'd be happy to.
17 First of all, there's the City's Historical
18 Commission that we're working with. Also, there's
19 the State Historic and Museum Commission, the
20 Federal Advisory Council on Historic Preservation,
21 and finally, the National Park Service that also
22 has jurisdiction. And all of them have it
23 independently. There's not a -- they're not tied
24 to each other in any particular way.

25 We are pursuing this diligently,

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2 Councilwoman but, you know, they work at their own
3 speed to some degree, and we're doing everything
4 that we can to move it. If we could, we would
5 start this tomorrow.

6 COUNCIL PRESIDENT VERNA: Oh, I wish
7 you could.

8 The Chair recognizes Councilman Cohen.

9 COUNCILMAN COHEN: I think you covered
10 the question I was going to ask. When do they
11 anticipate that this will really get underway?

12 What was your reference that this was a
13 new beginning for you in dealing with the labor
14 unions; was that what you were saying?

15 MR. TERHUNE: Yes. We have not built
16 downtown before, and the employment situation here
17 is different than it is in the suburbs and the
18 other states and municipalities where we work, so
19 I can't tell you with any great depth of knowledge
20 how exactly that would be structured, but we're
21 certainly very willing to work with people to, you
22 know, get neighborhood people involved, and we're
23 not averse to dealing with that in any way, shape,
24 or form, but I just can't give you the specifics
25 of that today.

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2 COUNCILMAN COHEN: Well, how does your
3 company build? Do you hire other contractors or
4 subcontractors, or do you remain in charge of the
5 building yourselves?

6 MR. TERHUNE: We manage, but we do hire
7 other contractors and subcontractors. That's the
8 way it's normally done in this business.

9 COUNCILMAN COHEN: You manage their
10 work.

11 MR. TERHUNE: Yes. We oversee the
12 whole thing and make sure it all comes together.

13 COUNCILMAN COHEN: All right. We wish
14 you well, and we're glad you're coming into the
15 City.

16 MR. TERHUNE: Thank you, Councilman.

17 COUNCILMAN COHEN: And I think all
18 members of the committee -- it's -- sometimes
19 there are new experiences for folks who have not
20 worked within the City, and I think the whole
21 Council will be available to be -- you know, in
22 the event you find there are problems that you
23 want to discuss with us. We'd like to learn from
24 experiences that people have in the City. Maybe
25 there are things we have to do to change laws to

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2 make certain accommodations. We're always
3 prepared to hear and we're also prepared to try to
4 help every side to move this project forward.

5 I know I was at one of the earliest
6 meetings in the Caucus Room that went on for
7 endless hours between the community -- I don't
8 remember the gentleman who then represented Toll
9 Brothers, I don't know whether he's still with you
10 or not now, but I know he worked very hard in
11 trying to put this together, and so we're all
12 delighted that this is all coming together under
13 the leadership of the President.

14 MR. TERHUNE: Thank you for your
15 comments.

16 COUNCILMAN COHEN: Thank you.

17 COUNCIL PRESIDENT Verna: Thank you.

18 Are there any other questions or
19 comments from other members of the committee?

20 (No further questions.)

21 COUNCIL PRESIDENT Verna: Thank you
22 very much.

23 We have no one else who's interested in
24 testifying?

25 (No response.)

1 05/31/00 - RULES - PUBLIC MEETING

2 COUNCIL PRESIDENT Verna: Okay. At
3 this time, we will conclude our public hearing and
4 go into our public meeting. And the Chair
5 recognizes Councilman Kenney.

6 COUNCILMAN KENNEY: Madam Chair, I move
7 to accept the amendment to Bill No. 81 removing
8 Section 14-226(2)(b)(.2).

9 (Duly seconded.)

10 COUNCIL PRESIDENT Verna: It has been
11 moved and seconded that the amendment be adopted.

12 All those in favor will signify by
13 saying aye.

14 Those opposed?

15 The ayes have it, and the amendment has
16 been adopted.

17 The Chair recognizes Councilman Kenney.

18 COUNCILMAN KENNEY: Madam Chair, I move
19 that Bill No. 000081, as amended, be reported out
20 of this committee with a favorable recommendation
21 and an additional request made for a rules
22 suspension to allow for first reading at our next
23 Council session.

24 (Duly seconded.)

25 COUNCIL PRESIDENT Verna: It has been

1 05/31/00 - RULES - PUBLIC MEETING

2 moved and properly seconded that Bill No. 000081
3 be reported out of committee with a favorable
4 recommendation, as amended, and also a
5 recommendation that the rules of Council be
6 suspended so as to permit first reading at our
7 next meeting.

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

10 Those opposed?

11 The ayes have it and the motion is
12 carried.

13 Thank you very much.

14 (Adjourned at 3:10 p.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 Wednesday, May 31, 2000, were
reported fully and accurately by me, and that this
is a correct transcript of same.

RE: COUNCIL COMMITTEE ON RULES
BILL NO. 000081

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter