

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING AND PUBLIC MEETING
4 BEFORE THE COUNCIL COMMITTEE ON RULES

5 - - -
6 Room 400, City Hall
7 Philadelphia, Pennsylvania
8 Tuesday, April 21, 1998
9 11:26 a.m.
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11 BILL NO. 970592 - An ordinance to amend the
12 Philadelphia Zoning Maps, by changing the zoning
13 designation of certain areas of land located
14 within the block bounded by Glenwood Avenue,
15 Second Street, Tioga Street, and Phillips Street

16 BILL NO. 970692 - An ordinance amending an
17 ordinance approved June 25, 1997, Bill No. 970047,
18 entitled "An Ordinance granting permission to
19 National Fiber Network, a Delaware Corporation,
20 registered to do business in Pennsylvania, and its
21 successors, assignees, and agents, to construct,
22 maintain, and operate and replace and remove a
23 telecommunications system in, under, and across
24 the public rights-of-way on City streets and/or to
25 place such telecommunications system within the
existing facilities owned by Bell Atlantic-PA,
PECO Energy Company, Southeastern Pennsylvania
Transportation Authority, Consolidated Rail
Corporation, CSX Corporation, or other entity
holding a grant pursuant to other City ordinances,
all under certain terms and conditions" by listing
additional permitted locations for such
telecommunication system, under certain terms and
conditions.

26 PRESENT: COUNCILMAN JAMES F. KENNEY, Chair
27 COUNCILMAN DAVID COHEN
28 COUNCILWOMAN ANNA CIBOTTA VERNA
29 COUNCILMAN RICHARD T. MARIANO
30 COUNCILMAN W. THACHER LONGSTRETH

31 - - -
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I N D E X

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Bill No. 970592

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Richard Lombardo. 3
Philadelphia City Planning Commission.

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Andrew Toy. 5
City's Commerce Department

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Bill No. 970692

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Michael Longshore, Chief Permit Officer . . 7
Philadelphia Streets Department

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1 RULES COMMITTEE - BILL NO. 970592

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

3 COUNCILMAN KENNEY: Good morning. The
4 Council Committee on Rules is now in session to
5 hear testimony on -- first Bill No. 970592, which
6 is an ordinance to amend the Philadelphia Zoning
7 Maps, by changing the zoning designation of
8 certain areas of land located within the block
9 bounded by Glenwood Avenue, Second Street, Tioga
10 Street, and Phillips Street.

11 Before you start, we're going to make
12 sure that people in the room know that Bill No.
13 970567 will be held, and we will hear testimony on
14 Bill 970592 and 970692.

15 Please identify yourself for the record
16 on Bill No. 970592.

17 MR. LOMBARDO: Yeah, good morning Mr.
18 Chairman and Members of the Committee.

19 COUNCILMAN KENNEY: Good morning.

20 MR. LOMBARDO: My name is Richard
21 Lombardo. I'm from the Philadelphia City Planning
22 Commission. I'm here today to speak on Bill
23 970592.

24 This bill was introduced by Councilman
25 Mariano on September 25, 1997 on behalf of Erie

1 RULES COMMITTEE - BILL NO. 970592

2 Steel. It involves a small site bounded by
3 Glenwood, Second, Tioga, and Phillips Street. The
4 site is approximately 6700 square feet in area.
5 It is proposed to be rezoned from Class R-10
6 Residential to Class G-2 Industrial.

7 This site is made up of a series of
8 properties that have been acquired by Erie Steel,
9 either directly or through sheriff's sale or
10 through the Redevelopment Authority. The site was
11 a series of vacant buildings and vacant lots. It
12 is all vacant today.

13 They propose to -- along with an
14 agreement with surrounding neighbors, to pave and
15 fence this lot and use it as part of their
16 business.

17 Andrew Toy, from the Commerce
18 Department, is also at the table, who can speak to
19 the business of how long it's been here, the
20 number of employees, and its relationship with the
21 surrounding neighbors.

22 For the record, in the Planning
23 Commission's meeting of September 4, 1997, it
24 recommended approval of Bill 970592.

25 COUNCILMAN KENNEY: Thank you very

1 RULES COMMITTEE - BILL NO. 970592

2 much.

3 Mr. Toy, please identify yourself for
4 the record.

5 MR. TOY: Sure. Good morning. My name
6 is Andrew Toy, and I'm here representing the
7 City's Commerce Department. I'm here in support
8 of Bill No. 970592, the proposed zoning change for
9 an area located within the block bounded by
10 Glenwood Avenue, Second Street, Tioga Street, and
11 Phillips Street.

12 The proposed zoning change will allow
13 Erie Steel, a long-standing company within the
14 American Street Enterprise Zone to finally develop
15 the lots across the street from its factory over
16 the past ten years, the City has been working with
17 Erie Steel and its neighbors to improve these
18 vacant lots.

19 Erie Steel, with the support of its
20 neighbors and Councilman Mariano, is now ready to
21 pave and secure the lots for truck and car
22 parking. The final parcels of ground comprising
23 the lot were acquired by Erie Steel last year
24 through the Redevelopment Authority and were
25 approved by City Council.

1 RULES COMMITTEE - BILL NO. 970692

2 By changing the zoning of these lots,
3 we allowed and encouraged the improvement of this
4 site for the benefit of Erie Steel and its
5 neighborhood.

6 Again, we support the passage of Bill
7 970592, which helps to us retain and grow a local
8 enterprise-zone business while improving the area.

9 Thank you for your consideration on
10 this matter.

11 COUNCILMAN KENNEY: Thank you very much
12 for your testimony.

13 Are there any questions of these
14 witnesses?

15 (No response.)

16 COUNCILMAN KENNEY: Seeing none, thank
17 you very much.

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

20 (No response.)

21 COUNCILMAN KENNEY: Seeing none, we
22 will move to Bill No. 970692, which is an
23 ordinance amending an ordinance approved June 25,
24 1997, Bill No. 970047, entitled "An Ordinance
25 granting permission to National Fiber Network, a

1 RULES COMMITTEE - BILL NO. 970692

2 Delaware Corporation, registered to do business in
3 Pennsylvania, and its successors, assignees, and
4 agents, to construct, maintain, and operate and
5 replace and remove a telecommunications system in,
6 under, and across the public rights-of-way on City
7 streets and/or to place such telecommunications
8 system within the existing facilities owned by
9 Bell Atlantic-PA, PECO Energy Company,
10 Southeastern Pennsylvania Transportation
11 Authority, Consolidated Rail Corporation, CSX
12 Corporation, or other entity holding a grant
13 pursuant to other City ordinances, all under
14 certain terms and conditions" by listing
15 additional permitted locations for such
16 telecommunication system, under certain terms and
17 conditions.

18 Please identify yourself for the record
19 and proceed with your testimony.

20 MR. LONGSHORE: Good morning,
21 Councilman.

22 COUNCILMAN KENNEY: Good morning.

23 MR. LONGSHORE: My name is Michael
24 Longshore. I'm the Chief Permits Officer,
25 representing the Streets Department. I'm here to

1 RULES COMMITTEE - BILL NO. 970692

2 testify today on Bill No. 970692.

3 This is not an administration ordinance
4 but an ordinance requested by National Fiber
5 Network Incorporated, currently known as "Metro
6 Media Fiber Network Incorporated," located at One
7 North Lexington Avenue, White Plains, New York,
8 10601.

9 The purpose of this ordinance is to
10 acquire from City Council the legal authority and
11 permission to construct and maintain a fiber
12 optics network and telecommunications system at
13 three additional locations that were omitted in
14 the original route, which was approved by Council
15 on June 25, 1997.

16 This ordinance is supported by the
17 Department of Streets, and is recommended to your
18 committee for favorable action.

19 COUNCILMAN KENNEY: Thank you very much
20 for your testimony.

21 Are there any questions for this
22 witness?

23 (No questions.)

24 COUNCILMAN KENNEY: Is there any
25 urgency to have this bill done?

1 RULES COMMITTEE - BILL NO. 970692

2 MR. LONGSHORE: I would ask, Mr.
3 Chairman, that the rules be suspended on this
4 bill.

5 COUNCILMAN KENNEY: I mean, what's the
6 purpose? Can you elaborate on the need for the
7 urgency?

8 MR. LONGSHORE: Sure. This company has
9 been working with the Streets Department for at
10 least the last two years to try to get this
11 telecommunication system started basically in
12 Center City, and then moving to the South
13 Philadelphia area.

14 Due to unforeseen telecommunications
15 laws that are pending, there has been quite a few
16 holdups. And at this point right now, they're
17 waiting for approval.

18 COUNCILMAN KENNEY: Okay, hold on.
19 Is there anyone else to testify on this
20 bill?

21 (No response.)

22 COUNCILMAN KENNEY: Seeing none, thank
23 you very much for your testimony.

24 MR. LONGHSORE: Thank you.

25 COUNCILMAN KENNEY: That will conclude

1 RULES COMMITTEE - PUBLIC MEETING

2 the business of the Rules Committee public
3 hearing.

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5 COUNCILMAN KENNEY: We will now convene
6 a public meeting.

7 And the Chair recognizes Councilmember
8 Verna for a motion on Bill No. 970592, with a
9 rules suspension.

10 COUNCILWOMAN VERNA: Thank you. Mr.
11 Chairman.

12 I move that Bill No. 970592 be reported
13 out of committee with a favorable recommendation.
14 Also a recommendation that the rules of Council be
15 suspended to as to permit first reading at our
16 next session of Council.

17 (Duly seconded.)

18 COUNCILMAN KENNEY: Moved and seconded.

19 All in favor?

20 There are none opposed. Bill No.
21 970592 will be reported out of this committee with
22 a favorable recommendation, and a request will be
23 made for rules suspension to allow for a first
24 reading the next session of Council.

25 The Chair recognizes Councilmember

1 RULES COMMITTEE - PUBLIC MEETING

2 Verna for a motion on Bill No. 970692.

3 COUNCILWOMAN VERNA: Mr. Chairman, I
4 move that Bill No. 970692 be reported out of this
5 committee with a favorable recommendation.

6 COUNCILMAN KENNEY: Second.

7 All in favor, say aye.

8 There are none opposed. Bill No.
9 970692 will be reported out of this committee
10 favorably.

11 That will conclude the business of the
12 Rules Committee. Thank you very much for your
13 attendance.

14 Again, as read before, Bill No. 970567
15 will be held.

16 (Adjourned at 11:30 a.m.)

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RE: COUNCIL COMMITTEE ON RULES

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BILL NO.'S 970592 and 970692

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JOSEPHINE CARDILLO, RPR