

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Remote location using Microsoft® Teams
Tuesday, November 1, 2022
10:00 a.m.

PRESENT :

COUNCILMAN MARK SQUILLA, VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL

BILLS: 220418, 220769, 220776

1 - - -

2 COUNCILMAN SQUILLA: Thank
3 you and welcome. Today is Tuesday,
4 November 1, 2022, and this is the
5 Committee on Rules.

6 I understand that the state
7 law currently requires that the
8 following announcement be made at the
9 beginning of every remote public
10 hearing as follows: Due to the
11 current public health emergency, City
12 Council Committees are currently
13 meeting remotely. We are using
14 Microsoft Teams to make this remote
15 hearing possible.

16 Instructions for how the
17 public may view and offer public
18 testimony at public hearings of
19 Council Committees are included in the
20 public hearing notices that are
21 published in the Daily News, Inquirer
22 and Legal Intelligencer prior to the
23 hearings and can also be found on
24 PHLCouncil.com.

25 Will the Clerk please call

1 the roll to take attendance. And,
2 Members, please state your name and
3 then say a few words so your picture
4 may appear on the screen. Clerk.

5 THE CLERK. Councilwoman
6 Gilmore Richardson.

7 COUNCILWOMAN GILMORE
8 RICHARDSON: Good morning, Mr. Chair
9 and colleagues. I am present.

10 THE CLERK: Councilmember
11 David Oh.

12 COUNCILMAN OH: Good morning,
13 Chair and colleagues. I am present as
14 well.

15 THE CLERK: Councilmember
16 Cindy Bass.

17 COUNCILWOMAN BASS: Good
18 morning, Mr. Chairman and colleagues.
19 I am present.

20 THE CLERK: Councilmember
21 Brian O'Neill.

22 COUNCILMAN O'NEILL: Good
23 morning, everyone. I am present.

24 THE CLERK: Councilmember
25 Curtis Jones, Jr.

1 COUNCILMAN JONES: Good
2 morning, Mr. Chair, colleagues. I am
3 present.

4 THE CLERK: And, Chair
5 Squilla.

6 COUNCILMAN SQUILLA: Good
7 morning. I am present. A quorum of
8 the Committee is present and the
9 hearing is now called to order.

10 This is a public hearing of
11 the Committee on Rules regarding Bill
12 Nos. 220418, 220769 and 220776. Will
13 the Clerk please read the titles of
14 the bills.

15 THE CLERK: Bill No. 220418,
16 an ordinance amending Title 14 of The
17 Philadelphia Code, entitled "Zoning
18 and Planning," by revising and
19 clarifying certain provisions and
20 making technical changes all under
21 certain terms and conditions.

22 Bill No. 220769, an ordinance
23 authorizing animal husbandry use on a
24 certain location within an area
25 bounded by Reservoir Drive, Fountain

1 Green Drive, Kelly Drive, Girard
2 Avenue and 33rd Street, all under
3 certain terms and conditions.

4 And finally Bill No. 220776,
5 an ordinance to amend the Philadelphia
6 Zoning Maps by changing the zoning
7 designation of certain areas of land
8 located within an area bonded by
9 Cottman Avenue, the Montgomery County
10 line, the Bucks County Line,
11 Interstate 95, Grant Avenue and
12 Roosevelt Boulevard.

13 COUNCILMAN SQUILLA: (Muted).

14 THE CLERK: Mr. Chair, you
15 are muted.

16 COUNCILMAN SQUILLA: Thank
17 you, Clerk. Appreciate it.

18 Before we begin hearing
19 testimony from the witnesses we have
20 for today, everyone who has been
21 invited to the meeting to testify
22 should be aware that this is a public
23 hearing and is being recorded.
24 Because the hearing is public,
25 participants and viewers have no

1 reasonable expectation of privacy. By
2 continuing to be in this meeting, you
3 are consenting to being recorded.

4 Additionally, prior to
5 recognizing Members for their
6 questions and their comments they have
7 for witnesses, I will note for the
8 record at this time that we will use
9 the chat feature available in
10 Microsoft Teams to allow Members to
11 signify that they wish to be
12 recognized in order to comply with the
13 Sunshine Act, and that chat feature
14 must only be used for this purpose.

15 Will the Clerk please call
16 panel for Bill No. 220418.

17 THE CLERK: For 220418, we
18 have Paula Brumbelow Burns.

19 COUNCILMAN SQUILLA: Thank
20 you, Paula. And before you begin your
21 testimony, I ask that you read a
22 summary of the amendments of the bill
23 while the Clerk displays the
24 amendments for the viewing public.
25 Please state your name for the record

1 and proceed with your testimony.

2 MS. BRUMBELOW BURNS: My name
3 is Paula Brumbelow Burns. I'm with
4 the Planning Commission. I'm just
5 waiting for Brett to get the
6 screenshare ready.

7 THE CLERK: Paula, if you
8 would like, you may read your
9 testimony first and then we can do the
10 summary afterwards.

11 MS. BRUMBELOW BURNS: I will
12 do our testimony then. Good morning,
13 members of the Rules Committee. I am
14 Paula Brumbelow Burns, Director of
15 Legislation for Philadelphia City
16 Planning Commission. I am here to
17 testify on Bill No. 220418, which
18 Councilmember Johnson introduced into
19 City Council on May 12, 2022.

20 Bill No. 220418 amends the
21 Philadelphia Zoning Code by revising
22 and clarifying specific provisions in
23 making technical changes to the text.
24 This bill contains an assortment of
25 minor technical changes that arose

1 from recommendations of the Zoning
2 Technical Committee, which includes
3 representatives from the Law
4 Department, Licenses & Inspections and
5 the Planning Commission.

6 The bill clarifies an
7 assortment of sections, including
8 split zoning, solar collectors, steep
9 slopes, loading requirements, overlay
10 districts, historic preservation and
11 language consistency. The majority of
12 the changes cover clarifications of
13 intent and process. There are no
14 substantive changes within this bill.

15 The Philadelphia City
16 Planning Commission considered Bill
17 No. 220418 at its meeting of September
18 15, 2022 and recommended approval of
19 this bill and is in support of the
20 proposed amendments presented today.

21 THE CLERK: Paula, can you
22 confirm that you can see the
23 amendments?

24 MS. BRUMBELOW BURNS: Yes, I
25 can.

1 THE CLERK: Okay. Perfect.

2 MS. BRUMBELOW BURNS: So we
3 provided Council amendments to Bill
4 No. 220418, the Technical Omnibus
5 introduced in the spring. These
6 amendments are based on the
7 recommendations of the Zoning
8 Technical Committee as previously
9 mentioned in our testimony. As I
10 speak about technical amendments, I'm
11 having a technical challenge for a
12 minute.

13 All right. Our first one is
14 use regulations and it's a one
15 amendment. It amends Section 14-406
16 Sections 4 and 5, and they have been
17 updated, which will change the
18 terminology of the allowed use of
19 hotels and motels to visitor
20 accommodation and housing
21 accommodations to residential uses to
22 match the co-language created in 2012.

23 Our next section that we've
24 changed is parking and loading with
25 four amendments. Brett, that's going

1 to be Section 14-801, so it's farther
2 down towards the end.

3 THE CLERK: Okay. My
4 apologies.

5 MS. BRUMBELOW BURNS: Sorry.
6 I'm not doing this in the order that I
7 thought I was, so I apologize.

8 THE CLERK: That's okay.

9 MS. BRUMBELOW BURNS: So it's
10 14-801.

11 THE CLERK: Okay. Perfect.
12 Just want to make sure I'm not going
13 too fast. Section 14-801.

14 MS. BRUMBELOW BURNS: Okay.
15 So our first one is 14-801 Section
16 2(b)(.2), and it's addressing the
17 applicability. It has been updated,
18 which currently includes references to
19 the minimal parking and loading
20 requirements of this section, but
21 there is a lack of clarity in the text
22 over which requirements are included.

23 The amendment will provide
24 clarifying text to indicate that
25 minimal parking and loading

1 requirements are found only in
2 Sections 14-802, motor vehicle parking
3 ratios; 14-804 bicycle parking ratio
4 standards; and Section 14-806
5 offstreet loading.

6 The next parking amendment is
7 14-802, Section 9 -- or Subsection 9,
8 and addresses offstreet parking. So
9 this section will be removed from this
10 bill. The section was also included
11 in Bill No. 220414, which passed and
12 the Code language has already been
13 updated.

14 The next change is 14-803
15 5(e)(.3), interior landscape
16 requirements. We will remove an
17 illustration that was based on
18 previous requirements that were
19 changed with Bill No. 220414. The
20 illustration is no longer
21 representative of Code requirements.

22 The last parking requirement
23 is for the offstreet loading spaces in
24 Section 14-806. This amendment will
25 exempt square footage devoted to

1 non-accessory parking from the
2 calculation for required offstreet
3 loading spaces. The use does not
4 generate any additional need for
5 loading, so it just amends the charts.

6 We then will go to area
7 specific standards, Section 14-504,
8 Brett, where we have four amendments.
9 And I do apologize for not matching my
10 text with this amendment.

11 THE CLERK: I just don't want
12 to go too fast.

13 COUNCILMAN SQUILLA: That is
14 unforgivable.

15 MS. BRUMBELOW BURNS: I know.
16 I'm usually better at this and I have
17 failed you. It's because I've been
18 all-go sports for all of last week,
19 and there's so many sports to go
20 sports long. I'm including all teams
21 on that one.

22 The first section is 14-504
23 (1.1) for permits, demolition permits
24 and neighborhood conservation
25 overlays. The amended language will

1 add new text to clarify Licenses &
2 Inspections authority in demolishing
3 structures that pose imminent public
4 safety hazards. The next section is
5 14-518(3). It will remove specific
6 West Washington Avenue overlay
7 district provisions that expired in
8 2021. The building has been
9 constructed. 14-522 is the Frankford
10 Academy Overlay District, and this was
11 established and support specific
12 development project in the area that
13 has been completed.

14 The last area of specific
15 amendment is 14-533, the Mixed Income
16 Neighborhoods Overlay District, right
17 there. This will replace several area
18 illustrations for the 7th Councilmanic
19 District within the code. Several
20 SEPTA stations were added to the TMD
21 overlay in the spring, and these
22 updated illustrations will reflect the
23 boundary changes of the Mixed Income
24 Overlay District, so there are several
25 maps that are including stations.

1 And then as we finish those
2 maps, we have three more and it is
3 14-705 Section 1, Landscape and Trees.
4 These will amend technical errors that
5 related to grammar and technical
6 terminology that were in Bill No.
7 220414. So they are just grammar
8 changes that got put in a bill.

9 And then, Brett, our next one
10 will be 14-904(3)(A). And this is for
11 building identification signs. It
12 will remove a misleading example that
13 caused the text misinterpretation.
14 And then Section 14-1000, Historic
15 Preservation. We're requesting to
16 remove this section proposed in the
17 bill. The Law Department has
18 recommended that changes to this
19 section be a standalone bill due to
20 the amount of content. And those are
21 all of our amendments.

22 COUNCILMAN SQUILLA: Thank
23 you. Thank you, Paula, for that
24 explanation.

25 Is there anyone else to

1 testify on this bill?

2 (No response.)

3 COUNCILMAN SQUILLA: All
4 right. Hearing none, Clerk, can you
5 please call the panel for Bill No.
6 220769.

7 THE CLERK: 220769, we have
8 Paula Brumbelow Burns.

9 MS. BRUMBELOW BURNS: I'm
10 Paula Brumbelow Burns, Director of
11 Legislation for the Philadelphia City
12 Planning Commission. I'm here to
13 testify on Bill No. 220769, which was
14 introduced into City Council on behalf
15 of Council President Clarke on
16 September 29, 2022 by Councilmember
17 Jones.

18 Bill No. 220769 authorizes
19 City Council to permit the use of
20 animal husbandry within the SP-P0,
21 Special Purpose Park and Open Space
22 District, pursuant to Section
23 14-407(3)(A) of the Zoning Code. This
24 bill will facilitate the move of
25 Fletcher Street riding stables to

1 Fairmount Park. The stables will
2 continue serving the youth in
3 Strawberry Mansion while providing
4 more animal grazing space.

5 They are currently located at
6 26th and Fletcher Street. Stables are
7 listed under Animal Husbandry in the
8 Zoning Code. The Philadelphia City
9 Planning Commission considered Bill
10 No. 220769 at its meeting of October
11 20, 2022 and recommended for approval.
12 I will be happy to answer any
13 questions at this time.

14 COUNCILMAN SQUILLA: Thank
15 you, Paula, for your testimony.

16 Are there any questions from
17 anyone on the Committee?

18 Councilmember Jones.

19 COUNCILMAN JONES: Thank you,
20 Mr. Chairman.

21 I'm very familiar with the
22 old Fletcher Street Stables. And if
23 my memory serves me correctly, that
24 move will put them in my District in
25 the 4th; is that correct?

1 MS. BRUMBELOW BURNS: I
2 believe it will.

3 COUNCILMAN JONES: And --

4 MS. BRUMBELOW BURNS: And
5 it's right next to Smith's Playhouse.

6 COUNCILMAN JONES: Yes, there
7 you go. I'm very familiar with that
8 area.

9 How big a parcel are we
10 talking about using in that area?

11 MS. BRUMBELOW BURNS: You've
12 stumped the planner today. I do not
13 know the square footage. But if you
14 drive the driveway down between
15 Smith's Playhouse and the driving
16 range, there's a long driveway and
17 then it opens up to a large area. It
18 will be in that area.

19 COUNCILMAN JONES: So they
20 will resurrect a stable and use
21 grazing land in that area for a thing
22 called a paddock?

23 MS. BRUMBELOW BURNS: Yes.
24 So they don't have a larger paddock.
25 And I'm sorry, I do not have the

1 acreage on me today.

2 COUNCILMAN JONES: Can you
3 forward to my office the plans for
4 that?

5 MS. BRUMBELOW BURNS: Yes, I
6 can. I will forward you what I have.
7 Parks & Recreation have been the lead
8 on this, so I will have them also send
9 you what they have.

10 COUNCILMAN JONES:
11 Mr. Chairman, I do support the use of
12 that land for that purpose. If you
13 know about the Fletcher Street
14 Stables, all you have to do is look at
15 the movie Concrete Cowboy, and that is
16 where they kind of get the backdrops
17 and the history of urban cowboys from,
18 Fletcher Street. So I think it's a
19 worthwhile project and I support it,
20 Mr. Chairman.

21 COUNCILMAN SQUILLA: Thank
22 you, Mr. Councilmember.

23 Are there any other questions
24 from the Committee?

25 (No response.)

1 COUNCILMAN SQUILLA: Seeing
2 none, is there anyone else here to
3 testify on this bill?

4 (No response.)

5 COUNCILMAN SQUILLA: Hearing
6 none, will the Clerk please call the
7 panel for Bill No. 220776.

8 THE CLERK: For 220776, we
9 have Paula Brumbelow Burns.

10 MS. BRUMBELOW BURNS: I'm
11 Paula Brumbelow Burns, Director of
12 Legislation for the Philadelphia City
13 Planning Commission. I'm here to
14 testify on Bill No. 220776, which was
15 introduced into City Council on
16 September 29, 2022 by Councilmember
17 O'Neill.

18 Bill No. 220776 amends the
19 Philadelphia Zoning Map by changing
20 the zoning designations of certain
21 areas of land located throughout the
22 10th Councilmanic District. This bill
23 will amend the zoning maps by rezoning
24 Council District 10's CMX-2,
25 Commercial Mixed-Use zoned properties,

1 to CMX-1, Commercial Mixed-use. This
2 involves rezoning 446 parcels covering
3 96 acres.

4 Based on our conversations
5 with the Council Office, we understand
6 that the bill intends to address
7 commercial vacancies in the Council
8 District's CMX-2 zoned properties by
9 effectively removing the requirement
10 for ground floor commercial. While we
11 acknowledge that some CMX-2 properties
12 have had difficulty finding commercial
13 tenants, the rezoning would also have
14 the impact of dramatically limiting
15 the type of businesses that would be
16 permitted.

17 For example, all restaurants,
18 prepared food shops and child care
19 centers will be prohibited in those
20 cases. Medical office and personal
21 service would also be permitted. In
22 nearly all cases, the remapping would
23 also prohibit multi-family housing,
24 reducing both housing opportunities
25 and potential supports for the

1 businesses in these corridors. The
2 resulting prohibitions could
3 contribute to a decline in
4 neighborhood-serving commercial
5 corridors and would burden small
6 businesses seeking to operate in these
7 areas.

8 This is the contrary to the
9 Far Northeast and Central Northeast
10 District plans, which identified
11 mixed-use development and
12 pedestrian-oriented design as
13 necessary for realizing their shared
14 priority goal, a strengthening
15 neighborhood-serving commercial
16 corridors.

17 The Planning Commission had
18 concerns that this legislation is not
19 supportive of small businesses that
20 have already been significantly
21 hindered by COVID and this bill may
22 limit access to resources that could
23 help them complete recovery. The
24 Philadelphia City Planning Commission
25 considered Bill No. 220776 at its

1 meeting of October 20, 2022 and voted
2 to recommend against the bill. I will
3 be happy to answer any questions at
4 this time.

5 COUNCILMAN SQUILLA: Are
6 there any questions by anyone on the
7 Committee?

8 (No response.)

9 COUNCILMAN SQUILLA: Seeing
10 none, is there anyone else to testify
11 on this bill?

12 (No response.)

13 COUNCILMAN SQUILLA: Okay.
14 Hearing none, I want to thank all the
15 witnesses for their participation
16 today and we value your input. Now,
17 we invite all the panelists and
18 witnesses to please disconnect from
19 the meeting. Before we go into our
20 public meeting, we will now pause the
21 proceedings briefly as multiple
22 participants leave the hearing.

23 This will conclude our public
24 hearing of the Committee on Rules. We
25 will now convene the public meeting to

1 consider the action to be taken on the
2 bills before this Committee today.

3 Will the Clerk please call
4 the roll to take attendance. Members
5 in attendance, please indicate that
6 you are present when your name is
7 called and say a few brief words
8 responding so your image will display
9 on the screen.

10 THE CLERK: Councilmember
11 Katherine Gilmore Richardson.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Good morning, Mr. Chair
14 and colleagues. I am present.

15 THE CLERK: Councilmember
16 David Oh.

17 COUNCILMAN OH: Yes, I'm
18 still here. Thank you.

19 THE CLERK: Councilmember
20 Brian O'Neill.

21 COUNCILMAN O'NEILL: Present.

22 THE CLERK: Councilmember
23 Cindy Bass.

24 COUNCILWOMAN BASS: Good
25 morning. I am present.

1 THE CLERK: Councilman Curtis
2 Jones, Jr.

3 COUNCILMAN JONES: Good
4 morning again, Mr. Chair. I am
5 present.

6 THE CLERK: And, Chairman
7 Mark Squilla.

8 COUNCILMAN SQUILLA: Present.
9 Thank you. A quorum is present and we
10 will now go into a public meeting.

11 Chair recognizes
12 Councilmember Gilmore Richardson for a
13 motion on the amendment to Bill No.
14 220418.

15 COUNCILWOMAN GILMORE
16 RICHARDSON: Thank you, Mr. Chair.
17 I offer an amendment to Bill
18 No. 220418. A copy of the amendment
19 has been circulated to all members of
20 the Committee. I move that the
21 amendment to Bill No. 220418 be
22 approved.

23 COUNCILMAN JONES: Second.

24 COUNCILMAN SQUILLA: Chair
25 notes for the record that

1 Councilmember Jones seconds the
2 motion. It has been moved and
3 properly that the amendment to Bill
4 No. 220418 be approved.

5 All those in favor of the
6 motion will signify by saying aye.

7 (Aye.)

8 COUNCILMAN SQUILLA: Any
9 opposed?

10 (No response.)

11 COUNCILMAN SQUILLA: The ayes
12 have it and the motion carries. And
13 the amendment to Bill No. 220418 has
14 been approved.

15 Chair now recognizes
16 Councilmember Gilmore for a motion on
17 Bill No. 220418 as amended.

18 COUNCILWOMAN GILMORE

19 RICHARDSON: Thank you, Mr. Chair.

20 I move that Bill No. 220418
21 as amended be reported from this
22 Committee with a favorable
23 recommendation and further move that
24 the rules of Council be suspended to
25 permit first reading of this bill at

1 the next session of Council.

2 COUNCILMAN JONES: Second.

3 COUNCILMAN SQUILLA: Chair

4 recognizes for the record that

5 Councilmember Jones has seconded the

6 motion. It has been moved and

7 properly seconded that Bill No. 220418

8 as amended be reported from this

9 Committee with a favorable

10 recommendation and further move that

11 the rules of Council be suspended to

12 permit the first reading of this bill

13 at the next session of Council.

14 All those in favor of the

15 motion will signify by saying aye.

16 (Aye.)

17 COUNCILMAN SQUILLA: Those

18 opposed?

19 (No response.)

20 COUNCILMAN SQUILLA: The ayes

21 have it and the motion carries.

22 The Chair now recognizes

23 Councilmember Gilmore Richardson for a

24 motion on Bill No. 220769.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Thank you, Mr. Chair.

2 I move that Bill No. 220769
3 be reported from this Committee with a
4 favorable recommendation and further
5 move that the rules of Council be
6 suspended to permit first reading of
7 this bill at the next session of
8 Council.

9 COUNCILMAN JONES: Second.

10 COUNCILMAN SQUILLA: Chair
11 notes for the record Councilmember
12 Jones seconded the motion. It has
13 been moved and properly seconded that
14 Bill No. 220769 be reported from this
15 Committee with a favorable
16 recommendation and further move that
17 the rules of Council be suspended as
18 to permit the first reading of this
19 bill at the next session of Council.

20 All those in favor of the
21 motion will signify by saying aye.

22 (Aye.)

23 COUNCILMAN SQUILLA: Those
24 opposed?

25 (No response.)

1 COUNCILMAN SQUILLA: The ayes
2 have it and the motion carries.

3 Chair now recognizes
4 Councilmember Gilmore Richardson for a
5 motion on Bill No. 220776.

6 COUNCILWOMAN GILMORE

7 RICHARDSON: Thank you, Mr. Chair.

8 I move that Bill No. 220776
9 be reported from this Committee with a
10 favorable recommendation. I further
11 move that the rules of Council be
12 suspended to permit first reading of
13 this bill at the next session of
14 Council.

15 COUNCILMAN JONES: Second.

16 COUNCILMAN SQUILLA: Chair
17 notes for the record that
18 Councilmember Jones seconded the
19 motion. It has been moved and
20 properly seconded that Bill No. 220776
21 be reported from this Committee with a
22 favorable recommendation and further
23 move that the rules of Council be
24 suspended as to permit the first
25 reading of this bill at the next

1 session of Council.

2 All those in favor will
3 signify by saying aye.

4 (Aye.)

5 COUNCILMAN SQUILLA: Those
6 opposed?

7 (No response.)

8 COUNCILMAN SQUILLA: The ayes
9 have it and the motion carries.

10 That will conclude the
11 meeting for today. If there are no
12 additional remarks, this concludes the
13 business before the Committee on Rules
14 today. I want to thank you all very
15 much for your attendance and
16 participation. Everybody have a great
17 day.

18 COUNCILMAN O'NEILL: Thank
19 you.

20 COUNCILWOMAN GILMORE
21 RICHARDSON: Thank you. Thank you,
22 Mr. Chair. Have a good day.

23 COUNCILMAN SQUILLA: All
24 right. You too.

25 (Committee on Rules concluded)

1 at 10:40 a.m.)

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1 C E R T I F I C A T I O N

2

3 I, hereby certify that the
4 proceedings and evidence noted are contained
5 fully and accurately in the stenographic
6 notes taken by me in the foregoing matter,
7 and this is a correct transcript of the
8 same.

9

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12

TANEHA CARROLL
Court Reporter - Notary Public

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24 of the certifying reporter.)

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<u>WORD</u> <u>INDEX</u>	29 15:16 19:16	21 26:8 amending 4:16 amendment 9:15 10:23 11:6, 24 12:10 13:15 24:13, 17, 18, 21 25:3, 13 amendments 6:22, 24 8:20, 23 9:3, 6, 10, 25 12:8 14:21 amends 7:20 9:15 12:5 19:18 amount 14:20 and/or 31:23 animal 4:23 15:20 16:4, 7 announcement 2:8 answer 16:12 22:3 apologies 10:4 apologize 10:7 12:9 appear 3:4 applicability 10:17 apply 31:21 Appreciate 5:17 approval 8:18 16:11 approved 24:22 25:4, 14 area 4:24 5:8 12:6 13:12, 14, 17 17:8, 10, 17, 18, 21 areas 5:7 19:21 21:7 arose 7:25 assortment 7:24 8:7 attendance 3:1 23:4, 5 29:15 authority 13:2 authorizes 15:18 authorizing 4:23 available 6:9 Avenue 5:2, 9, 11 13:6 aware 5:22 aye 25:6, 7 26:15, 16	27:21, 22 29:3, 4 ayes 25:11 26:20 28:1 29:8 < B > backdrops 18:16 based 9:6 11:17 20:4 BASS 1:1 3:16, 17 23:23, 24 beginning 2:9 behalf 15:14 believe 17:2 better 12:16 bicycle 11:3 big 17:9 Bill 4:11, 15, 22 5:4 6:16, 22 7:17, 20, 24 8:6, 14, 16, 19 9:3 11:10, 11, 19 14:6, 8, 17, 19 15:1, 5, 13, 18, 24 16:9 19:3, 7, 14, 18, 22 20:6 21:21, 25 22:2, 11 24:13, 17, 21 25:3, 13, 17, 20, 25 26:7, 12, 24 27:2, 7, 14, 19 28:5, 8, 13, 20, 25 BILLS 1:1 4:14 23:2 bonded 5:8 Boulevard 5:12 boundary 13:23 bounded 4:25 Brett 7:5 9:25 12:8 14:9 BRIAN 1:1 3:21 23:20 brief 23:7 briefly 22:21 Brumbelow 6:18 7:2, 3, 11, 14 8:24 9:2 10:5, 9, 14 12:15 15:8, 9, 10 17:1, 4, 11,	23 18:5 19:9, 10, 11 Bucks 5:10 building 13:8 14:11 burden 21:5 Burns 6:18 7:2, 3, 11, 14 8:24 9:2 10:5, 9, 14 12:15 15:8, 9, 10 17:1, 4, 11, 23 18:5 19:9, 10, 11 business 29:13 businesses 20:15 21:1, 6, 19 < C > calculation 12:2 call 2:25 6:15 15:5 19:6 23:3 called 4:9 17:22 23:7 care 20:18 carries 25:12 26:21 28:2 29:9 CARROLL 31:12 cases 20:20, 22 caused 14:13 centers 20:19 Central 21:9 certain 4:19, 21, 24 5:3, 7 19:20 certification 31:20 certify 31:1 certifying 31:24 Chair 3:8, 13 4:2, 4 5:14 23:13 24:4, 11, 16, 24 25:15, 19 26:3, 22 27:1, 10 28:3, 7, 16 29:22 Chairman 3:18 16:20 18:11, 20 24:6 challenge 9:11 change 9:17 11:14	changed 9:24 11:19 changes 4:20 7:23, 25 8:12, 14 13:23 14:8, 18 changing 5:6 19:19 charts 12:5 chat 6:9, 13 child 20:18 CINDY 1:1 3:16 23:23 circulated 24:19 CITY 1:1 2:11 7:15, 19 8:15 15:11, 14, 19 16:8 19:12, 15 21:24 clarifications 8:12 clarifies 8:6 clarify 13:1 clarifying 4:19 7:22 10:24 clarity 10:21 Clarke 15:15 Clerk 2:25 3:4, 5, 10, 15, 20, 24 4:4, 13, 15 5:14, 17 6:15, 17, 23 7:7 8:21 9:1 10:3, 8, 11 12:11 15:4, 7 19:6, 8 23:3, 10, 15, 19, 22 24:1, 6 CMX-1 20:1 CMX-2 19:24 20:8, 11 Code 4:17 7:21 11:12, 21 13:19 15:23 16:8 co-language 9:22 colleagues 3:9, 13, 18 4:2 23:14 collectors 8:8 comments 6:6 Commercial 19:25 20:1, 7, 10, 12 21:4, 15 Commission 7:4, 16 8:5, 16 15:12 16:9
< 1 > 1 1:1 2:4 14:3 1.1 12:23 10:00 1:1 10:40 30:1 10's 19:24 10th 19:22 12 7:19 14 4:16 14-1000 14:14 14-406 9:15 14-407(3)(A 15:23 14-504 12:7, 22 14-518(3 13:5 14-522 13:9 14-533 13:15 14-705 14:3 14-801 10:1, 10, 13, 15 14-802 11:2, 7 14-803 11:14 14-804 11:3 14-806 11:4, 24 14-904(3)(A 14:10 15 8:18 < 2 > 2(b).(2 10:16 20 16:11 22:1 2012 9:22 2021 13:8 2022 1:1 2:4 7:19 8:18 15:16 16:11 19:16 22:1 220414 11:11, 19 14:7 220418 1:1 4:12, 15 6:16, 17 7:17, 20 8:17 9:4 24:14, 18, 21 25:4, 13, 17, 20 26:7 220769 1:1 4:12, 22 15:6, 7, 13, 18 16:10 26:24 27:2, 14 220776 1:1 4:12 5:4 19:7, 8, 14, 18 21:25 28:5, 8, 20 26th 16:6	< 3 > 33rd 5:2 < 4 > 4 9:16 446 20:2 4th 16:25 < 5 > 5 9:16 5(e).(3 11:15 < 7 > 7th 13:18 < 9 > 9 11:7 95 5:11 96 20:3 < A > a.m 1:1 30:1 Academy 13:10 access 21:22 accommodation 9:20 accommodation s 9:21 accurately 31:1 acknowledge 20:11 acreage 18:1 acres 20:3 Act 6:13 action 23:1 add 13:1 added 13:20 additional 12:4 29:12 Additionally 6:4 address 20:6 addresses 11:8 addressing 10:16 all-go 12:18 allow 6:10 allowed 9:18 amend 5:5 14:4 19:23 amended 12:25 25:17,	amending 4:16 amendment 9:15 10:23 11:6, 24 12:10 13:15 24:13, 17, 18, 21 25:3, 13 amendments 6:22, 24 8:20, 23 9:3, 6, 10, 25 12:8 14:21 amends 7:20 9:15 12:5 19:18 amount 14:20 and/or 31:23 animal 4:23 15:20 16:4, 7 announcement 2:8 answer 16:12 22:3 apologies 10:4 apologize 10:7 12:9 appear 3:4 applicability 10:17 apply 31:21 Appreciate 5:17 approval 8:18 16:11 approved 24:22 25:4, 14 area 4:24 5:8 12:6 13:12, 14, 17 17:8, 10, 17, 18, 21 areas 5:7 19:21 21:7 arose 7:25 assortment 7:24 8:7 attendance 3:1 23:4, 5 29:15 authority 13:2 authorizes 15:18 authorizing 4:23 available 6:9 Avenue 5:2, 9, 11 13:6 aware 5:22 aye 25:6, 7 26:15, 16	beginning 2:9 behalf 15:14 believe 17:2 better 12:16 bicycle 11:3 big 17:9 Bill 4:11, 15, 22 5:4 6:16, 22 7:17, 20, 24 8:6, 14, 16, 19 9:3 11:10, 11, 19 14:6, 8, 17, 19 15:1, 5, 13, 18, 24 16:9 19:3, 7, 14, 18, 22 20:6 21:21, 25 22:2, 11 24:13, 17, 21 25:3, 13, 17, 20, 25 26:7, 12, 24 27:2, 7, 14, 19 28:5, 8, 13, 20, 25 BILLS 1:1 4:14 23:2 bonded 5:8 Boulevard 5:12 boundary 13:23 bounded 4:25 Brett 7:5 9:25 12:8 14:9 BRIAN 1:1 3:21 23:20 brief 23:7 briefly 22:21 Brumbelow 6:18 7:2, 3, 11, 14 8:24 9:2 10:5, 9, 14 12:15 15:8, 9, 10 17:1, 4, 11,	business 29:13 businesses 20:15 21:1, 6, 19 < C > calculation 12:2 call 2:25 6:15 15:5 19:6 23:3 called 4:9 17:22 23:7 care 20:18 carries 25:12 26:21 28:2 29:9 CARROLL 31:12 cases 20:20, 22 caused 14:13 centers 20:19 Central 21:9 certain 4:19, 21, 24 5:3, 7 19:20 certification 31:20 certify 31:1 certifying 31:24 Chair 3:8, 13 4:2, 4 5:14 23:13 24:4, 11, 16, 24 25:15, 19 26:3, 22 27:1, 10 28:3, 7, 16 29:22 Chairman 3:18 16:20 18:11, 20 24:6 challenge 9:11 change 9:17 11:14	

19:13 21:17, 24 COMMITTEE 1:1 2:5 4:8, 11 7:13 8:2 9:8 16:17 18:24 22:7, 24 23:2 24:20 25:22 26:9 27:3, 15 28:9, 21 29:13, 25 Committees 2:12, 19 complete 21:23 completed 13:13 comply 6:12 concerns 21:18 conclude 22:23 29:10 concluded 29:25 concludes 29:12 Concrete 18:15 conditions 4:21 5:3 confirm 8:22 consenting 6:3 conservation 12:24 consider 23:1 considered 8:16 16:9 21:25 consistency 8:11 constructed 13:9 contained 31:1 contains 7:24 content 14:20 continue 16:2 continuing 6:2 contrary 21:8 contribute 21:3 control 31:23 convene 22:25 conversations 20:4 copy 24:18 correct 16:25 31:1 correctly 16:23 corridors 21:1, 5, 16 Cottman 5:9	COUNCIL 1:1 2:12, 19 7:19 9:3 15:14, 15, 19 19:15, 24 20:5, 7 25:24 26:1, 11, 13 27:5, 8, 17, 19 28:11, 14, 23 29:1 COUNCILMAN N 1:1 2:2 3:12, 22 4:1, 6 5:13, 16 6:19 12:13 14:22 15:3 16:14, 19 17:3, 6, 19 18:2, 10, 21 19:1, 5 22:5, 9, 13 23:17, 21 24:1, 3, 8, 23, 24 25:8, 11 26:2, 3, 17, 20 27:9, 10, 23 28:1, 15, 16 29:5, 8, 18, 23 Councilmanic 13:18 19:22 Councilmember 3:10, 15, 20, 24 7:18 15:16 16:18 18:22 19:16 23:10, 15, 19, 22 24:12 25:1, 16 26:5, 23 27:11 28:4, 18 COUNCILWO MAN 1:1 3:5, 7, 17 23:12, 24 24:15 25:18 26:25 28:6 29:20 County 5:9, 10 Court 31:13 cover 8:12 covering 20:2 COVID 21:21 Cowboy 18:15 cowboys 18:17 created 9:22 current 2:11 currently 2:7, 12 10:18 16:5 CURTIS 1:1 3:25 24:1 < D > Daily 2:21	DAVID 1:1 3:11 23:16 day 29:17, 22 decline 21:3 demolishing 13:2 demolition 12:23 Department 8:4 14:17 design 21:12 designation 5:7 designations 19:20 development 13:12 21:11 devoted 11:25 difficulty 20:12 direct 31:23 Director 7:14 15:10 19:11 disconnect 22:18 display 23:8 displays 6:23 district 13:7, 10, 16, 19, 24 15:22 16:24 19:22, 24 21:10 districts 8:10 District's 20:8 doing 10:6 dramatically 20:14 Drive 4:25 5:1 17:14 driveway 17:14, 16 driving 17:15 Due 2:10 14:19 < E > effectively 20:9 emergency 2:11 entitled 4:17 errors 14:4 established 13:11 Everybody 29:16 evidence 31:1 example 14:12 20:17 exempt 11:25 expectation 6:1 expired 13:7	explanation 14:24 < F > facilitate 15:24 failed 12:17 Fairmount 16:1 familiar 16:21 17:7 Far 21:9 farther 10:1 fast 10:13 12:12 favor 25:5 26:14 27:20 29:2 favorable 25:22 26:9 27:4, 15 28:10, 22 feature 6:9, 13 finally 5:4 finding 20:12 finish 14:1 first 7:9 9:13 10:15 12:22 25:25 26:12 27:6, 18 28:12, 24 Fletcher 15:25 16:6, 22 18:13, 18 floor 20:10 following 2:8 follows 2:10 food 20:18 footage 11:25 17:13 foregoing 31:1, 20 forward 18:3, 6 found 2:23 11:1 Fountain 4:25 four 9:25 12:8 Frankford 13:9 fully 31:1 further 25:23 26:10 27:4, 16 28:10, 22 < G > generate 12:4 GILMORE 1:1 3:6, 7 23:11, 12	24:12, 15 25:16, 18 26:23, 25 28:4, 6 29:20 Girard 5:1 go 12:6, 12, 19 17:7 22:19 24:10 goal 21:14 going 9:25 10:12 Good 3:8, 12, 17, 22 4:1, 6 7:12 23:13, 24 24:3 29:22 grammar 14:5, 7 Grant 5:11 grazing 16:4 17:21 great 29:16 Green 5:1 ground 20:10 < H > happy 16:12 22:3 hazards 13:4 health 2:11 hearing 2:10, 15, 20 4:9, 10 5:18, 23, 24 15:4 19:5 22:14, 22, 24 hearings 2:18, 23 help 21:23 hindered 21:21 historic 8:10 14:14 history 18:17 hotels 9:19 housing 9:20 20:23, 24 husbandry 4:23 15:20 16:7 < I > identification 14:11 identified 21:10 illustration 11:17, 20 illustrations 13:18, 22 image 23:8	imminent 13:3 impact 20:14 included 2:19 10:22 11:10 includes 8:2 10:18 including 8:7 12:20 13:25 Income 13:15, 23 indicate 10:24 23:5 input 22:16 Inquirer 2:21 Inspections 8:4 13:2 Instructions 2:16 Intelligencer 2:22 intends 20:6 intent 8:13 interior 11:15 Interstate 5:11 introduced 7:18 9:5 15:14 19:15 invite 22:17 invited 5:21 involves 20:2 its 8:17 16:10 21:25 < J > Johnson 7:18 JONES 1:1 3:25 4:1 15:17 16:18, 19 17:3, 6, 19 18:2, 10 24:2, 3, 23 25:1 26:2, 5 27:9, 12 28:15, 18 JR 1:1 3:25 24:2 < K > KATHERINE 1:1 23:11 Kelly 5:1 kind 18:16 know 12:15 17:13 18:13 < L > lack 10:21 land 5:7 17:21 18:12 19:21
--	---	--	--	--	--

landscape 11:15 14:3 language 8:11 11:12 12:25 large 17:17 larger 17:24 law 2:7 8:3 14:17 lead 18:7 leave 22:22 Legal 2:22 Legislation 7:15 15:11 19:12 21:18 Licenses 8:4 13:1 limit 21:22 limiting 20:14 line 5:10 listed 16:7 loading 8:9 9:24 10:19, 25 11:5, 23 12:3, 5 located 5:8 16:5 19:21 location 1:1 4:24 long 12:20 17:16 longer 11:20 look 18:14 < M > majority 8:11 making 4:20 7:23 Mansion 16:3 Map 19:19 Maps 5:6 13:25 14:2 19:23 MARK 1:1 24:7 match 9:22 matching 12:9 matter 31:1 means 31:22 Medical 20:20 meeting 2:13 5:21 6:2 8:17 16:10 22:1, 19, 20, 25 24:10 29:11 Members 3:2 6:5, 10 7:13 23:4 24:19 memory 16:23 mentioned 9:9	Microsoft 2:14 6:10 Microsoft® 1:1 minimal 10:19, 25 minor 7:25 minute 9:12 misinterpretati on 14:13 misleading 14:12 Mixed 13:15, 23 Mixed-Use 19:25 20:1 21:11 Montgomery 5:9 morning 3:8, 12, 18, 23 4:2, 7 7:12 23:13, 25 24:4 motels 9:19 motion 24:13 25:2, 6, 12, 16 26:6, 15, 21, 24 27:12, 21 28:2, 5, 19 29:9 motor 11:2 move 15:24 16:24 24:20 25:20, 23 26:10 27:2, 5, 16 28:8, 11, 23 moved 25:2 26:6 27:13 28:19 movie 18:15 multi-family 20:23 multiple 22:21 Muted 5:13, 15 < N > name 3:2 6:25 7:2 23:6 nearly 20:22 necessary 21:13 need 12:4 neighborhood 12:24 Neighborhoods 13:16 neighborhood-serving 21:4, 15	new 13:1 News 2:21 non-accessory 12:1 Northeast 21:9 Nos 4:12 Notary 31:13 note 6:7 noted 31:1 notes 24:25 27:11 28:17 31:1 notices 2:20 November 1:1 2:4 < O > October 16:10 22:1 offer 2:17 24:17 office 18:3 20:5, 20 offstreet 11:5, 8, 23 12:2 OH 1:1 3:11, 12 23:16, 17 Okay 9:1 10:3, 8, 11, 14 22:13 old 16:22 Omnibus 9:4 O'NEILL 1:1 3:21, 22 19:17 23:20, 21 29:18 Open 15:21 opens 17:17 operate 21:6 opportunities 20:24 opposed 25:9 26:18 27:24 29:6 order 4:9 6:12 10:6 ordinance 4:16, 22 5:5 overlay 8:9 13:6, 10, 16, 21, 24 overlays 12:25 < P > paddock 17:22, 24 panel 6:16 15:5 19:7	panelists 22:17 parcel 17:9 parcels 20:2 Park 15:21 16:1 parking 9:24 10:19, 25 11:2, 3, 6, 8, 22 12:1 Parks 18:7 participants 5:25 22:22 participation 22:15 29:16 passed 11:11 Paula 6:18, 20 7:3, 7, 14 8:21 14:23 15:8, 10 16:15 19:9, 11 pause 22:20 pedestrian-oriented 21:12 Perfect 9:1 10:11 permit 15:19 25:25 26:12 27:6, 18 28:12, 24 permits 12:23 permitted 20:16, 21 personal 20:20 PHILADELPH IA 1:1 4:17 5:5 7:15, 21 8:15 15:11 16:8 19:12, 19 21:24 PHLCouncil.co m 2:24 picture 3:3 planner 17:12 Planning 4:18 7:4, 16 8:5, 16 15:12 16:9 19:13 21:17, 24 plans 18:3 21:10 Playhouse 17:5, 15 please 2:25 3:2 4:13 6:15, 25 15:5 19:6 22:18 23:3, 5 pose 13:3 possible 2:15 potential 20:25 prepared 20:18	PRESENT 1:1 3:9, 13, 19, 23 4:3, 7, 8 23:6, 14, 21, 25 24:5, 8, 9 presented 8:20 preservation 8:10 14:15 President 15:15 previous 11:18 previously 9:8 prior 2:22 6:4 priority 21:14 privacy 6:1 proceed 7:1 proceedings 22:21 31:1 process 8:13 prohibit 20:23 prohibited 20:19 prohibitions 21:2 project 13:12 18:19 properly 25:3 26:7 27:13 28:20 properties 19:25 20:8, 11 proposed 8:20 14:16 provide 10:23 provided 9:3 providing 16:3 provisions 4:19 7:22 13:7 public 2:9, 11, 17, 18, 20 4:10 5:22, 24 6:24 13:3 22:20, 23, 25 24:10 31:13 published 2:21 purpose 6:14 15:21 18:12 pursuant 15:22 put 14:8 16:24 < Q > questions 6:6 16:13, 16 18:23 22:3, 6 quorum 4:7 24:9	< R > range 17:16 ratio 11:3 ratios 11:3 read 4:13 6:21 7:8 reading 25:25 26:12 27:6, 18 28:12, 25 ready 7:6 realizing 21:13 reasonable 6:1 recognized 6:12 recognizes 24:11 25:15 26:4, 22 28:3 recognizing 6:5 recommend 22:2 recommendatio n 25:23 26:10 27:4, 16 28:10, 22 recommendatio ns 8:1 9:7 recommended 8:18 14:18 16:11 record 6:8, 25 24:25 26:4 27:11 28:17 recorded 5:23 6:3 recovery 21:23 Recreation 18:7 reducing 20:24 references 10:18 reflect 13:22 regarding 4:11 regulations 9:14 related 14:5 remapping 20:22 remarks 29:12 Remote 1:1 2:9, 14 remotely 2:13 remove 11:16 13:5 14:12, 16 removed 11:9 removing 20:9 replace 13:17
--	--	--	--	---	--

reported 25:21 26:8 27:3, 14 28:9, 21	26:11 27:5, 17 28:11, 23 29:13, 25	Space 15:21 16:4	7:10	time 6:8 16:13 22:4	witnesses 5:19 6:7 22:15, 18
Reporter 31:13, 24	< S >	spaces 11:23 12:3	Sunshine 6:13	Title 4:16	words 3:3 23:7
representative 11:21	safety 13:4	speak 9:10	supervision 31:23	titles 4:13	worthwhile 18:19
representatives 8:3	saying 25:6 26:15 27:21 29:3	Special 15:21	support 8:19 13:11 18:11, 19	TMD 13:20	
reproduction 31:22	screen 3:4 23:9	specific 7:22 12:7 13:5, 11, 14	supportive 21:19	Today 2:3 5:20 8:20	< Y >
requesting 14:15	screenshare 7:6	split 8:8	supports 20:25	transcript 31:1, 21	youth 16:2
required 12:2	Second 24:23 26:2 27:9 28:15	sports 12:18, 19, 20	sure 10:12	Trees 14:3	< Z >
requirement 11:22 20:9	seconded 26:5, 7 27:12, 13 28:18, 20	SP-PO 15:20	suspended 25:24 26:11 27:6, 17 28:12, 24	Tuesday 1:1 2:3	zoned 19:25 20:8
requirements 8:9 10:20, 22 11:1, 16, 18, 21	seconds 25:1	square 11:25 17:13	< T >	type 20:15	Zoning 4:17 5:6 7:21 8:1, 8 9:7 15:23 16:8 19:19, 20, 23
requires 2:7	Section 9:15, 23 10:1, 13, 15, 20 11:4, 7, 9, 10, 24 12:7, 22 13:4 14:3, 14, 16, 19 15:22	SQUILLA 1:1 2:2 4:5, 6 5:13, 16 6:19 12:13 14:22 15:3 16:14 18:21 19:1, 5 22:5, 9, 13 24:7, 8, 24 25:8, 11 26:3, 17, 20 27:10, 23 28:1, 16 29:5, 8, 23	take 3:1 23:4	< U >	understand 2:6 20:5
Reservoir 4:25	sections 8:7 9:16 11:2	stable 17:20	taken 23:1 31:1	unforgivable 12:14	updated 9:17 10:17 11:13 13:22
residential 9:21	see 8:22	stables 15:25 16:1, 6, 22 18:14	talking 17:10	updated 9:17 10:17 11:13 13:22	urban 18:17
resources 21:22	Seeing 19:1 22:9	standalone 14:19	TANEHA 31:12	uses 9:21	usually 12:16
responding 23:8	seeking 21:6	standards 11:4 12:7	Teams 1:1 2:14 6:10 12:20	uses 9:21	
response 15:2 18:25 19:4 22:8, 12 25:10 26:19 27:25 29:7	send 18:8	state 2:6 3:2 6:25	technical 4:20 7:23, 25 8:2 9:4, 8, 10, 11 14:4, 5	usually 12:16	
restaurants 20:17	SEPTA 13:20	stations 13:20, 25	tenants 20:13	< V >	vacancies 20:7
resulting 21:2	September 8:17 15:16 19:16	steep 8:8	terminology 9:18 14:6	value 22:16	vehicle 11:2
resurrect 17:20	serves 16:23	stenographic 31:1	terms 4:21 5:3	VICE-CHAIR 1:1	view 2:17
revising 4:18 7:21	service 20:21	Strawberry 16:3	testify 5:21 7:17 15:1, 13 19:3, 14 22:10	viewers 5:25	viewing 6:24
rezoning 19:23 20:2, 13	serving 16:2	Street 5:2 15:25 16:6, 22 18:13, 18	testimony 2:18 5:19 6:21 7:1, 9, 12 9:9 16:15	visitor 9:19	voted 22:1
RICHARDSON 1:1 3:6, 8 23:11, 13 24:12, 16 25:19 26:23 27:1 28:4, 7 29:21	session 26:1, 13 27:7, 19 28:13 29:1	strengthening 21:14	text 7:23 10:21, 24 12:10 13:1 14:13	< W >	waiting 7:5 want 10:12 12:11 22:14 29:14
riding 15:25	shared 21:13	structures 13:3	Thank 2:2 5:16 6:19 14:22, 23 16:14, 19 18:21 22:14 23:18 24:9, 16 25:19 27:1 28:7 29:14, 18, 21	Washington 13:6	week 12:18
right 9:13 13:16 15:4 17:5 29:24	shops 20:18	stumped 17:12	thing 17:21	welcome 2:3	well 3:14
roll 3:1 23:4	significantly 21:20	Subsection 11:7	think 18:18	We're 14:15	West 13:6
Roosevelt 5:12	signify 6:11 25:6 26:15 27:21 29:3	summary 6:22	thought 10:7	we've 9:23	wish 6:11
RULES 1:1 2:5 4:11 7:13 22:24 25:24	signs 14:11		three 14:2		
	slopes 8:9				
	small 21:5, 19				
	Smith's 17:5, 15				
	solar 8:8				
	Sorry 10:5 17:25				