

RULES COMMITTEE
12/19/2022

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Remote location using Microsoft® Teams
Monday, December 19, 2022
10:00 a.m.

PRESENT:

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

BILLS: 220770, 220942

1 - - -

2 COUNCILMAN SQUILLA: Good
3 morning, everyone. Today is Monday,
4 December 19th of the Committee on
5 Rules.

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

25 Will the Clerk please call

1 the roll to take attendance. Members
2 that are in attendance, please
3 indicate that you are present when
4 their name is called and say a few
5 brief words so your image can be
6 displayed on the screen.

7 Brett.

8 THE CLERK: Councilmember
9 Cindy Bass.

10 COUNCILWOMAN BASS: Good
11 morning. I am present. How are you.

12 THE CLERK: Councilmember
13 Curtis Jones, Jr.

14 COUNCILMAN JONES: Good
15 morning, Mr. Chair, members of the
16 Committee. I am present.

17 THE CLERK: Councilmember
18 Brian O'Neill.

19 COUNCILMAN O'NEILL: Good
20 morning, everyone.

21 THE CLERK: Councilmember
22 Katherine Gilmore Richardson.

23 COUNCILWOMAN GILMORE
24 RICHARDSON: Good morning, Mr. Chair.
25 Good morning, colleagues. I am

1 present.

2 THE CLERK: And, Chairman
3 Squilla.

4 COUNCILMAN SQUILLA: Present.

5 Good morning. Thank you. A quorum of
6 the Committee is now present. The
7 hearing is now called to order. This
8 is a public hearing on the Committee
9 of Rules regarding Bill Nos. 220770
10 and 220943.

11 Brett, can you please read
12 the titles of the bills.

13 THE CLERK: Bill No. 220770,
14 an ordinance to amend the
15 Philadelphia's Zoning Maps by changing
16 the measurements of zoning
17 designations of certain areas of land
18 located within an area bounded by
19 Cottman Avenue, Oxford Avenue, Tyson
20 Avenue, Rising Sun Avenue, Glenview
21 Street, Bingham Street, Kerper Street,
22 Rising Sun Avenue, Unruh Avenue,
23 Martins Mill Road, City Boundary and
24 Hasbrook Avenue.

25 And Bill No. 220942, an

1 ordinance to amend the Philadelphia
2 Zoning Maps by changing the zoning
3 designation of certain areas of land
4 located within an area bounded by
5 Parkside Avenue, 49th Street,
6 Jefferson Street and 48th Street.

7 COUNCILMAN SQUILLA: Thank
8 you. Before we begin to hear
9 testimony from the witnesses we have
10 for today, everyone who has been
11 invited to the meeting to testify
12 should be aware that this is a public
13 hearing and is being recorded.
14 Because the hearing is public,
15 participants and viewers have no
16 reasonable expectation of privacy. By
17 continuing to be in the meeting,
18 you're consenting to being recorded.

19 Additionally, prior to
20 recognizing Members for the questions
21 or comments they have for witnesses, I
22 will note for the record at this time
23 that we will use the chat feature
24 available in Microsoft Teams to allow
25 Members to signify that they wish to

1 be recognized. In order to comply
2 with the Sunshine Act, the chat
3 feature must only be used for this
4 purpose.

5 Will the Clerk please call
6 the panel for Bill No. 220770.

7 THE CLERK: 220770, we have
8 Paula Brumbelow Burns.

9 COUNCILMAN SQUILLA: Thank
10 you. Paula, please state your name
11 for the record and then proceed with
12 your testimony.

13 MS. BRUMBELOW BURNS: Good
14 morning. I am Paula Brumbelow Burns.
15 I am the Director of Legislation for
16 the Philadelphia City Planning
17 Commission. I am here to testify on
18 Bill No. 220770, which was introduced
19 into City Council on behalf of Council
20 President Clarke on September 29, 2022
21 by Councilmember Jones.

22 Bill No. 220770 amends the
23 Philadelphia Zoning Map by changing
24 the measurements of zoning
25 designations of certain areas of land

1 located within an area bounded by
2 Cottman, Oxford, Tyson, Rising Sun
3 Avenues, Glenview, Bingham, Kerper
4 Streets, Rising Sun, Unruh Avenues,
5 Martins Mill Road, the City Boundary
6 and Hasbrook Avenue.

7 This bill will amend Zoning
8 Maps by making a measurement
9 correction to Bill No. 220445 passed
10 earlier this year. As the bill was
11 passed, issues with the measurements
12 on the corresponding zoning and parcel
13 maps were discovered that needed to be
14 corrected.

15 Bill No. 220770 addresses
16 these issues only, and there are no
17 other proposed changes to the zoning
18 designations. The Philadelphia City
19 Planning Commission considered Bill
20 No. 220770 at its meeting of October
21 20, 2022 and recommended for approval.
22 I will be happy to answer any
23 questions at this time.

24 COUNCILMAN SQUILLA: Thank
25 you.

1 Are there any questions from
2 the Committee for this bill?

3 (No response.)

4 COUNCILMAN SQUILLA: Hearing
5 none, is there anyone else here to
6 testify on this current bill?

7 (No response.)

8 COUNCILMAN SQUILLA: Hearing
9 none, will the Clerk please call the
10 panel for Bill No. 220942.

11 THE CLERK: Bill 220942, we
12 have Paula Brumbelow Burns.

13 COUNCILMAN SQUILLA: Do it
14 again, Paula.

15 MS. BRUMBELOW BURNS: I'm
16 Paula Brumbelow Burns, Director of
17 Legislation for the Philadelphia City
18 Planning Commission. I am here to
19 testify on Bill No. 220942, which was
20 introduced into City Council on
21 December 1, 2022 by Councilmember
22 Curtis Jones, Jr.

23 Bill No. 220942 amends the
24 Philadelphia Zoning Maps by changing
25 the zoning of certain areas of land

1 bounded by Parkside Avenue, 49th
2 Street, Jefferson Street and 48th
3 Street. This bill will change the
4 zoning district of 4862-72 Parkside
5 Avenue from CMX-3, Commercial
6 Mixed-Use, to ICMX, Industrial
7 Commercial Mixed-Use.

8 There is a proposal to build
9 a retail area at this site that will
10 include 20 shipping containers,
11 outdoor seating and onsite bathrooms.
12 The proposal also includes a stage for
13 assembly and entertainment, which
14 would require a special exception
15 approval from the Zoning Board of
16 Adjustment with the current CMX-3
17 zoning designation. The rezoning
18 would make the permissible use by
19 right.

20 While the Planning Commission
21 is supportive of the project, we do
22 not believe a permanent rezoning for
23 temporary use is the most appropriate
24 path forward, considering that the
25 Comprehensive Plan recommended the

1 current zoning and the primary use is
2 permitted by right.

3 We recommend that the bill
4 not be approved and that the applicant
5 seek a Special Exception for the
6 Assembly and Entertainment Use at the
7 Zoning Board of Adjustment. The
8 Philadelphia Planning Commission
9 considered Bill No. 220942 at its
10 December 8, 2022 meeting and did not
11 recommend for approval. And I will be
12 happy to answer any questions at this
13 time.

14 COUNCILMAN SQUILLA: Paula,
15 thank you for your testimony.
16 Any questions?

17 Councilmember Jones.

18 COUNCILMAN JONES: Yeah. I
19 appreciate the comments and
20 consideration of the Planning
21 Commission. However and nevertheless,
22 what we tend to do as a municipality
23 is use the analysis paralysis to often
24 kill deals. We took an abandoned
25 turnaround by the City of

1 Philadelphia's public property that
2 was used by SEPTA.

3 It was an eyesore over years,
4 overgrown a site where people
5 short-dumped, a site where people
6 stripped cars, and we found a new
7 purpose for it. In so doing, we
8 realized we needed to make some
9 changes because another City
10 department said we needed to, and that
11 was L&I.

12 And so, L&I said, here's what
13 you need to do to make it right. And
14 so, what we tend to do is play
15 ping pong with good ideas and watch
16 them suffer a slow death. So with
17 respect to my friends at City
18 Planning, I would like to move this
19 with a favorable consideration by the
20 Committee so that by Christmas we can
21 be open.

22 Thank you, Mr. Chairman.

23 COUNCILMAN SQUILLA: Thank
24 you. Thank you, Councilmember.

25 Are there any other

1 questions?

2 (No response.)

3 COUNCILMAN SQUILLA: Is there
4 anyone else to testify on Bill No.
5 220942?

6 (No response.)

7 COUNCILMAN SQUILLA: Hearing
8 none, I want to thank all the
9 witnesses for their participation
10 today. We value your input. I now
11 invite all panels and witnesses to
12 please disconnect from the meeting
13 before we go into our public meeting.
14 We will now pause the proceedings
15 briefly as all the participants leave
16 the hearing.

17 (Brief pause.)

18 COUNCILMAN SQUILLA: This
19 concludes our public hearing of the
20 Committee on Rules. We will now
21 convene the public meeting to consider
22 the action to be taken on the bills
23 before this Committee today.

24 Will the Clerk please call
25 the roll to take attendance. Thank

1 you. Brett.

2 THE CLERK: Councilmember

3 Cindy Bass.

4 COUNCILWOMAN BASS: I am

5 present.

6 THE CLERK: Councilmember

7 Curtis Jones, Jr.

8 COUNCILMAN JONES: Present.

9 THE CLERK: Councilmember

10 Brian O'Neill.

11 COUNCILMAN O'NEILL: Present.

12 THE CLERK: Councilmember

13 Katherine Gilmore Richardson.

14 COUNCILWOMAN GILMORE

15 RICHARDSON: Good morning, Mr. Chair

16 and colleagues. I am present.

17 THE CLERK: And, Chairman

18 Squilla.

19 COUNCILMAN SQUILLA: Present.

20 Thank you. We have a quorum. The

21 Chair now recognizes Councilmember

22 Jones for a motion on Bill No. 220770.

23 COUNCILMAN JONES: Thank you,

24 Mr. Chairman.

25 I move that Bill No. 220770

1 be reported from this Committee with a
2 favorable recommendation and further
3 move that the rules of Council be
4 suspended to allow first reading at
5 our next session of Council.

6 COUNCILMAN O'NEILL: Second.

7 COUNCILMAN SQUILLA: Chair
8 notes for the record that
9 Councilmember O'Neill seconds the
10 motion.

11 It has been moved and
12 properly seconded that Bill No. 220770
13 be reported from this Committee with a
14 favorable recommendation and further
15 move that the rules of Council be
16 suspended as to permit the first
17 reading of this bill at the next
18 session of Council.

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

21 (Aye.)

22 COUNCILMAN SQUILLA: Those
23 opposed?

24 (No response.)

25 COUNCILMAN SQUILLA: The ayes

1 have it and the motion carries.

2 The Chair now recognizes
3 Councilmember Jones for a motion on
4 the amendment to Bill No. 220942.

5 COUNCILMAN JONES: Thank you
6 again, Mr. Chair.

7 I offer an amendment to Bill
8 No. 220942. A copy of that amendment
9 has been circulated to members of this
10 Committee, and I move for its
11 adoption.

12 COUNCILMAN O'NEILL: Second.

13 COUNCILMAN SQUILLA: I note
14 for the record that it was seconded by
15 Councilmember O'Neill. It has been
16 moved and properly seconded that the
17 amendment to Bill No. 220942 be
18 approved.

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

21 (Aye.)

22 COUNCILMAN SQUILLA: Those
23 opposed?

24 (No response.)

25 COUNCILMAN SQUILLA: The ayes

1 have it and the motion is approved. I
2 move that the amendment to Bill No.
3 220942 has been approved.

4 The Chair now recognizes
5 Councilmember Jones for a motion on
6 Bill No. 220942 as amended.

7 COUNCILMAN JONES: Thank you
8 again, Mr. Chairman.

9 I move that Bill No. 220942
10 as amended be reported from this
11 Committee with a favorable
12 recommendation and further move that
13 the rules of Council be suspended to
14 permit first reading at our next
15 session of Council.

16 COUNCILMAN O'NEILL: Second.

17 COUNCILMAN SQUILLA: Chair
18 notes for the record that
19 Councilmember O'Neill seconds the
20 motion.

21 It has been moved and
22 properly seconded that Bill No. 220942
23 as amended be reported from this
24 Committee with a favorable
25 recommendation and further move that

1 the rules of Council be suspended as
2 to permit the first reading of this
3 bill at the next session of Council.

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

6 (Aye.)

7 COUNCILMAN SQUILLA: Those
8 opposed?

9 (No response.)

10 COUNCILMAN SQUILLA: The ayes
11 have it and the motion carries.

12 Thank you all. And if there
13 are no additional remarks for this
14 hearing, Councilmember Jones, do you
15 want to make --

16 COUNCILMAN JONES: Yes. I
17 want to thank you, Mr. Chairman and
18 members of this Committee, for your
19 swift action on this. And I wanted to
20 invite you all to a soft opening to a
21 Pre-Kwanzaa celebration, the 23rd of
22 this month at 49th and Parkside at the
23 Container Village. The next one we
24 hope to put in the 8th District up
25 there in Nicetown. So thank you all.

1 Hopefully, you can attend.

2 COUNCILMAN SQUILLA: Thank
3 you, Councilmember. And thank you,
4 Committee.

5 Since there are no additional
6 remarks, this concludes the business
7 before the Committee on Rules today.
8 Thank you all very much for your
9 attendance. Everybody have a happy
10 holiday season, healthy and
11 prosperous. Take care.

12 COUNCILWOMAN BASS: Thank
13 you.

14 COUNCILMAN JONES: Thank you,
15 Mr. Chair.

16 COUNCILMAN SQUILLA: All
17 right. Ciao.

18 COUNCILWOMAN GILMORE
19 RICHARDSON: Thank you, Mr. Chair.
20 And congrats, Leader Jones.

21 (Committee on Rules concluded
22 at 10:14 a.m.)

23

24

25

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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11

12

TANEHA CARROLL
Court Reporter - Notary Public

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

24

25

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