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COUNCIL OF THE CITY OF PHILADELPHIA

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COMMITTEE ON RULES

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, May 23, 2006
10:10 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILMAN DARRELL L. CLARKE

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COUNCILMAN FRANK DiCICCO

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COUNCILMAN JACK KELLY

14

COUNCILMAN JAMES F. KENNEY

15

COUNCILWOMAN DONNA REED MILLER

16

COUNCILMAN MICHAEL NUTTER

17

BILLS 060205, 060263, 060288, 060312, 060313,
050268 and 060285

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COUNCIL PRESIDENT VERNA: Good morning, everyone. This is the public hearing of the Committee on Rules.

I would like the record to reflect that Bill No. 060312 is being held at the request of the sponsor.

I would ask Mr. McPherson to please read Bill No. 060205.

MR. MCPHERSON: An ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adding a new section, entitled "Off-Street Parking Control District," all under certain terms and conditions.

COUNCIL PRESIDENT VERNA: Good morning. Please identify yourself for the record and proceed with your testimony.

MR. KRAMER: Good morning, Madam President and members of the Rules Committee. My name is William Kramer. I am the Senior Zoning Planner in the

1 5/23/06 - RULES - BILL 060205, ETC.

2 Development Planning Division of the City
3 Planning Commission. I am here today to
4 testify on Bill No. 060205. This bill
5 was introduced by Councilmember DiCicco
6 and Council President Verna March 16th of
7 2006.

8 This bill amends Section
9 14-1632 of the Zoning Code by
10 establishing parking controls in three
11 separate areas of the City. The first is
12 the area bounded by Spruce Street, both
13 sides of the street, Oregon Avenue, both
14 sides of the street, the Delaware River
15 and the east side of Broad Street. The
16 second area is an area bounded by the
17 south side of Chestnut Street, Washington
18 Avenue, the west side of Broad Street and
19 the Schuylkill River. The third area is
20 bounded by Spring Garden Street, Girard
21 Avenue, the Delaware River and 6th
22 Street. In these areas, off-street
23 parking shall not be required or provided
24 for any one or two-family dwellings,
25 except for parking accessed by a common

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2 driveway easement that serves three or
3 more abutting properties.

4 A Zoning Board of Adjustment
5 certificate will be required for parking
6 as a main or principal use in the case
7 where off-street parking is serving
8 either a single or two-family dwelling
9 unit.

10 The Planning Commission at its
11 meeting of May 18, 2006 considered Bill
12 No. 060205 and recommended its approval.
13 The Commission noted that it would have
14 preferred to have a City-wide application
15 for this issue, but understands the
16 position of the bill sponsors.

17 I would be happy to answer any
18 questions of the Committee. And I have
19 also an amendment to the bill to be
20 introduced as well that modifies some
21 language with regard to the third area
22 bounded by Spring Garden Street, Girard
23 Avenue, Frankford Avenue, the Delaware
24 River and 6th Street.

25 COUNCIL PRESIDENT VERNA:

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2 Mr. Kramer, was it your office that
3 prepared the amendment?

4 MR. KRAMER: No, ma'am, it was
5 not.

6 COUNCIL PRESIDENT VERNA: Have
7 you seen the amendment?

8 MR. KRAMER: Yes, ma'am, I
9 have.

10 COUNCIL PRESIDENT VERNA: And
11 you approve the amendment?

12 MR. KRAMER: Yes, ma'am.

13 COUNCIL PRESIDENT VERNA: Thank
14 you very much.

15 Are there any questions from
16 members of the Committee?

17 (No response.)

18 COUNCIL PRESIDENT VERNA:
19 Seeing none, I thank you.

20 I would like the record to
21 reflect that to my extreme right
22 Councilwoman Miller is present. Next to
23 her is Councilman Kenney and we also have
24 Councilman Clarke, which gives us a
25 quorum.

1 5/23/06 - RULES - BILL 060205, ETC.

2 I believe we have a number of
3 people here regarding Bill No. 060285, so
4 I would ask Mr. McPherson to please read
5 the title of that bill.

6 MR. MCPHERSON: An ordinance to
7 amend the Zoning Maps by changing the
8 zoning designations of certain areas of
9 land located within an area bounded by
10 I-75 Schuylkill Expressway, a Railroad
11 right-of-way and Penrose Ferry Road.

12 COUNCIL PRESIDENT VERNA:
13 Mr. Kramer.

14 MR. KRAMER: Madam Chairman,
15 members of the Committee, my apologies.
16 I did forget this particular bill was on
17 this agenda and did not prepare testimony
18 for it. However, I do have this item and
19 I am prepared to testify. I just don't
20 have prepared testimony for you. If
21 you'd like me to proceed, I shall do so.

22 COUNCIL PRESIDENT VERNA: I
23 definitely want you to proceed.

24 MR. KRAMER: This bill, Bill
25 060285, is a zoning change bill changing

1 5/23/06 - RULES - BILL 060205, ETC.
2 the designation of land located in an
3 area bounded by the I-76 Schuylkill
4 Expressway, a Railroad right-of-way and
5 the Penrose Ferry Road. This bill was
6 introduced by Councilwoman Blackwell
7 April 20, 2006. It is a rezoning of land
8 that is currently partly zoned R-10A,
9 partly R-12 and partly G-2 General
10 Industrial to a classification of R-10A
11 Residential and partly L-4 Industrial in
12 order to develop a residential
13 subdivision of 313 residential lots and
14 the remaining area to be zoned to L-4
15 Limited Industrial, permitting industrial
16 uses and providing open space. The
17 purpose of the industrial classification
18 is to provide a central warehouse
19 building for the Philadelphia Housing
20 Authority supplies.

21 Primarily the uses on the
22 property is vacant land, with a few
23 industrial uses and even one commercial
24 use along Penrose Ferry Road.

25 The Penrose Park Associates LP

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2 is proposing this project as well as the
3 warehouse building for the Philadelphia
4 Housing Authority.

5 The Planning Commission
6 considered and approved this bill at its
7 meeting of May 18, 2006. I do recognize
8 that Mr. Mattioni, the attorney
9 representing the partnership, is here
10 today and they do have further
11 information should you need it.

12 COUNCIL PRESIDENT VERNA: And
13 do we have a chart showing the parcels in
14 question?

15 MR. KRAMER: I would defer to
16 Mr. Mattioni. He brought the exhibits
17 with him.

18 COUNCIL PRESIDENT VERNA: All
19 right. Before Mr. Mattioni comes up, I
20 just have a couple of questions that I
21 would like to refer to you, Mr. Kramer.

22 MR. KRAMER: Yes, ma'am.

23 COUNCIL PRESIDENT VERNA: For
24 the record, can you share with us why an
25 L-4 classification was chosen for this

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2 site since the surrounding neighborhood
3 is predominantly residential?

4 MR. KRAMER: There's two
5 reasons for it. Primarily the reason
6 that you choose an L-4 --

7 COUNCIL PRESIDENT VERNA:
8 Excuse me.

9 MR. KRAMER: Yes, ma'am.

10 COUNCIL PRESIDENT VERNA: I'm
11 having a second thought.

12 Mr. Mattioni, if you have the
13 chart, I would ask that you put it on the
14 easel so that members of the Committee
15 can understand what is being said and
16 perhaps you can point out the areas in
17 question.

18 All right. Mr. Kramer, if you
19 would proceed.

20 MR. KRAMER: I shall. The
21 portion of the site that's --

22 COUNCIL PRESIDENT VERNA: I'm
23 sorry. Can you bring it a little closer?
24 Thank you.

25 Can you see it now?

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2 COUNCILMAN KENNEY: Yes.

3 MR. KRAMER: The portion of the
4 site that's going to be zoned L-4 is
5 along the I-76 portion of the site, and
6 we're proposing it to be L-4 because its
7 proposed use is for a warehouse building,
8 which is by its nature an industrial
9 classification. While it would be
10 permissible in a G-2 classification, the
11 G-2 would also permit many activities and
12 uses that are not permitted in L-4 which
13 would be, shall we say, detrimental to
14 the residential components that are
15 proposed immediately adjacent to the
16 warehouse site. The L-4 classification
17 is a classification as limited
18 industrial. You're not working with
19 natural products. You're working with a
20 product from Mr. Smith and a product from
21 Mr. Jones and basically compiling them at
22 this location. It also permits the
23 warehousing, which is what the proposed
24 use is on the site.

25 Additionally, if in the future

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2 some commercial aspect were to be
3 required or needed at this site, it would
4 permit a commercial use under an L-4
5 classification. And those were the two
6 reasons that we were utilizing the L-4
7 here as opposed to a different
8 classification.

9 COUNCIL PRESIDENT VERNA: Okay.
10 Mr. Kramer, I was distracted. Maybe you
11 responded to this question and I just
12 didn't hear it. What about the two other
13 pieces for which an L-4 classification is
14 recommended? And I'm talking
15 specifically about the recreation
16 facility and the triangular piece of
17 vacant land. It was my understanding
18 that City Planning made that
19 recommendation, and I would like you to
20 indicate why.

21 MR. KRAMER: We made that
22 original recommendation because this was
23 going to be, while utilized as open space
24 and utilized as a recreation facility, it
25 is under the ownership of the limited

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2 partnership, and as such, under the
3 Zoning Code in order to rezone it to
4 recreational, it has to be taken
5 ownership by the city, state or federal
6 government. And that's why we were
7 recommending the L-4. Again, the L-4 was
8 because we -- the more pressure we felt
9 would have been develop it residentially,
10 and as a result, we didn't want a
11 residential component to be going in this
12 there as a matter of right leaving it
13 zoned limited L-4.

14 COUNCIL PRESIDENT VERNA: With
15 that being said, Mr. Kramer, given the
16 commercial nature of the Penrose Avenue
17 strip right across the street from these
18 two facilities, wouldn't it be
19 appropriate to rezone these two out
20 parcels to C-2 or C-3, if the parties
21 have no objection?

22 MR. KRAMER: You certainly
23 could do that, and in this instance, C-2
24 would probably be more appropriate than
25 C-3, but the L-4 classification also

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2 allows the commercial uses in C-2.

3 COUNCIL PRESIDENT VERNA: Oh,
4 it does?

5 MR. KRAMER: Yes, ma'am.
6 That's why we were picking the L-4.

7 COUNCIL PRESIDENT VERNA: Okay.
8 Would you point out the recreation
9 facility, please?

10 MR. MATTIONI: It's right here.

11 COUNCILMAN KENNEY: It's being
12 utilized by the PHA police?

13 MR. MATTIONI: Yes, it is.

14 COUNCILMAN KENNEY: But it's
15 not a recreation center?

16 MR. MATTIONI: No, it's not.

17 COUNCIL PRESIDENT VERNA: It
18 originally was a recreation center and,
19 of course, when PHA had to demolish, they
20 kept that building and they housed their
21 police there.

22 The Chair recognizes
23 Councilwoman Miller.

24 COUNCILWOMAN MILLER: Thank
25 you.

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2 This is the former Passyunk
3 Homes site?

4 MR. MATTIONI: Correct.

5 COUNCILWOMAN MILLER: And will
6 those homes be rental, homeowner or
7 mixed?

8 MR. MATTIONI: They're all
9 going to be for sale, market rate.

10 COUNCILWOMAN MILLER: For sale,
11 market rate. Okay. Thank you.

12 COUNCIL PRESIDENT VERNA:
13 Mr. Mattioni, I guess you could answer
14 this question while you're up there,
15 because I'm being asked up here.
16 Actually, the location where PHA is
17 proposing to erect their building, isn't
18 that the area where the plume is located?

19 MR. MATTIONI: Yes.

20 COUNCIL PRESIDENT VERNA: And
21 that having been said, did in fact
22 certain precautionary measures have to be
23 made before they decided to build the
24 building?

25 MR. MATTIONI: Yes. Council

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2 President, this large storefront -- and I
3 do have the environmental engineer here
4 as well, so if you need a little further
5 explanation, he can provide it. But what
6 we've done is, it basically segregates
7 the parcel and it comes down like this,
8 and that kept the vast majority of the
9 oil plume on this side. So you have less
10 restrictive building codes when you go to
11 build an industrial office-type building
12 than residences.

13 So what we proposed then is to
14 build the PHA building on this side where
15 the oil plume is, because it's much
16 easier to do an office/commercial-type
17 building, and to keep the residences
18 separate. There will be a ten-foot berm
19 here as well which will separate the
20 building from the residential community,
21 vegetation on top of that. It's a
22 one-story building. I believe it's 18
23 feet high at its tallest point, so you're
24 really not even going to see it unless
25 you're maybe standing on top of the roof

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2 trying to see it. You're just not going
3 to see it when you're in the street here
4 in the back driveway.

5 So, yes, this site is chosen
6 for a specific reason.

7 COUNCIL PRESIDENT VERNA: All
8 right. And I think the members of the
9 Committee have to be given a better
10 explanation. How many residential
11 properties will be erected?

12 MR. MATTIONI: 313 new homes.

13 COUNCIL PRESIDENT VERNA: And
14 is there an anticipated sale price?

15 MR. MATTIONI: It's the market
16 rate. When I looked last, The Reserve,
17 which is comparable, I looked on their
18 website last week. They were anywhere
19 from \$350,000 to about \$600,000. So it
20 will be comparable in price to those
21 houses.

22 COUNCIL PRESIDENT VERNA: Are
23 there any questions from members of the
24 Committee?

25 Councilman Clarke.

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2 COUNCILMAN CLARKE: Yes. Thank
3 you, Madam President.

4 I just had one question. This
5 used to be the former Passyunk Homes
6 public housing development?

7 MR. MATTIONI: Yes.

8 COUNCILMAN CLARKE: And it was
9 owned by the federal government or should
10 it be categorized as being owned by the
11 local Philadelphia Housing Authority?

12 MR. MATTIONI: We're buying it
13 from the Philadelphia Housing Authority.
14 I believe at one time it was owned by the
15 federal government. They transferred
16 title to PHA. I'm not exactly sure.
17 There are PHA representatives here if you
18 want to know the exact dates, but PHA
19 presently owns the site. It's about a
20 54-acre site.

21 COUNCILMAN CLARKE: What's the
22 purchase price?

23 MR. MATTIONI: I don't know.
24 It was subject to an RFP. It's public
25 record. I just don't know off the top of

1 5/23/06 - RULES - BILL 060205, ETC.

2 my head the number.

3 COUNCILMAN CLARKE: Any

4 representatives from PHA here?

5 COUNCIL PRESIDENT VERNA: Yes.

6 They should be.

7 MR. MATTIONI: Mr. DePaul is

8 here, too. He may know as well.

9 COUNCIL PRESIDENT VERNA: I

10 didn't see him.

11 MR. MATTIONI: Yes, Mr. DePaul

12 is here.

13 I was not part of that

14 negotiation. I apologize.

15 COUNCILMAN CLARKE: That's all

16 right.

17 COUNCIL PRESIDENT VERNA: Thank

18 you.

19 Good morning. Please identify

20 yourself for the record.

21 MR. JOHNS: Good morning, Madam

22 Chair and Chairmembers. Michael Johns,

23 General Manager, Philadelphia Housing

24 Authority, Planning and Design.

25 It was \$4.2 million.

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2 COUNCILMAN CLARKE: 4.2

3 million. Does that money get recycled
4 back into the local Housing Authority?

5 MR. JOHNS: Yes, it does, to be
6 used for more affordable housing
7 throughout the City.

8 COUNCILMAN CLARKE: Okay. And
9 it cannot be used for staff? Is it
10 designated solely for the purposes of
11 housing?

12 MR. JOHNS: Yes. For housing,
13 yes.

14 COUNCILMAN CLARKE: Okay.

15 Thank you.

16 COUNCIL PRESIDENT VERNA:

17 Mr. Johns, you might as well stay where
18 you are, and, Mr. Mattioni, just make
19 yourself available. You can sit there,
20 if you will.

21 Mr. Johns, when the request for
22 proposals on the former Passyunk Homes
23 property was let, can you tell us how
24 many responses there were?

25 MR. JOHNS: I believe we had

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2 two responses.

3 COUNCIL PRESIDENT VERNA: Two
4 responses?

5 MR. JOHNS: Yes. And we
6 selected the most favorable response in
7 terms of what we would get from the
8 proposal. That was the \$4.2 million,
9 along with at that time was a 40,000
10 square foot facility.

11 COUNCIL PRESIDENT VERNA: Okay.
12 I'm going to get to that, too.

13 And in that RFP, was there a
14 section that called for the construction
15 of a PHA maintenance warehouse facility
16 on the site?

17 MR. JOHNS: Yes.

18 COUNCIL PRESIDENT VERNA: There
19 was? So it came as no surprise to
20 anybody?

21 MR. JOHNS: Correct.

22 COUNCIL PRESIDENT VERNA: After
23 the RFP was let?

24 MR. JOHNS: Correct.

25 COUNCIL PRESIDENT VERNA: And

1 5/23/06 - RULES - BILL 060205, ETC.

2 did all of the respondents or the two
3 respondents of the RFP include that
4 building in their proposals?

5 MR. JOHNS: I know that the
6 respondent that we chose did. I can't
7 remember whether the other respondent
8 did.

9 COUNCIL PRESIDENT VERNA: And
10 it has been suggested or proposed that
11 PHA could lease office space at the old
12 Defense Center at 20th and Oregon rather
13 than go through the expense of building
14 this building and facility at this
15 location.

16 Can you tell us what your
17 response to that proposal was?

18 MR. JOHNS: Well, the
19 Philadelphia Housing Authority has no
20 desire to lease additional office space.
21 The reason why we need the 40,000, now
22 80,000 square foot office space building
23 here, is because we currently have leases
24 at other facilities throughout the City
25 of Philadelphia that are coming to an end

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2 and the fact of the matter is that these
3 leases are costing us mega dollars every
4 year and it only makes sense for the
5 Housing Authority to own its own
6 building.

7 COUNCIL PRESIDENT VERNA: And I
8 certainly would think that HUD would have
9 a little problem with PHA going out
10 leasing --

11 MR. JOHNS: Continuing to
12 lease, exactly.

13 COUNCIL PRESIDENT VERNA: --
14 when in fact they do have property of
15 their own.

16 MR. JOHNS: And we own the
17 land, yes.

18 COUNCIL PRESIDENT VERNA: And
19 for the sake of the record, I believe
20 when the RFP was let, it called for a
21 40,000 square foot building to be
22 erected.

23 MR. JOHNS: Correct.

24 COUNCIL PRESIDENT VERNA: It
25 was later changed to an 80,000 square

1 5/23/06 - RULES - BILL 060205, ETC.

2 foot building. Can you please give us
3 the reasoning for that?

4 MR. JOHNS: The reason, as I
5 sort of alluded to a minute ago, we have
6 several leases throughout the City and
7 each one of those leases are about to
8 terminate. We have a lease on Arch
9 Street, which houses some of our
10 management offices. We have a lease on
11 Broad Street, which houses more of our
12 offices, and we have a lease on Broad and
13 Lehigh. That is where we have our major
14 systems department.

15 So this new facility, this
16 80,000 square foot facility, would
17 include our ISM department, the executive
18 offices for our police, along with some
19 other general office space, because of
20 the leases that are terminating this
21 year. We do not have space.

22 COUNCIL PRESIDENT Verna: I
23 have a letter from Carl Greene dated
24 March 16, 2006 outlining very specific
25 uses for the office building maintenance

1 5/23/06 - RULES - BILL 060205, ETC.

2 facility.

3 Would PHA be willing to
4 stipulate in a deed restriction that it
5 is willing to confine itself or its
6 activities solely to those uses?

7 MR. JOHNS: I'm not prepared to
8 answer that directly at this time. I
9 don't have the authority to say that the
10 PHA would do a deed restriction, but,
11 clearly, what was stated in the letter is
12 what we intend to use the building for.

13 COUNCIL PRESIDENT VERNA: For
14 how long?

15 MR. JOHNS: For as long as we
16 have the building.

17 COUNCIL PRESIDENT VERNA: And
18 how many parking spaces are currently
19 anticipated at the site for use by PHA?

20 MR. JOHNS: 900.

21 COUNCIL PRESIDENT VERNA:
22 Pardon me?

23 MR. JOHNS: 900.

24 COUNCIL PRESIDENT VERNA: I
25 thought that was reduced.

1 5/23/06 - RULES - BILL 060205, ETC.

2 MR. JOHNS: The original --
3 you're exactly right.

4 COUNCIL PRESIDENT VERNA: I
5 thought it was reduced because you're
6 making a building erection.

7 MR. JOHNS: You're exactly
8 right. What happened was, when we
9 started the planning of the building and
10 we had 40,000 square feet, there was 900
11 parking spaces and then we reduced to
12 about 600 parking spaces, is our intent.

13 COUNCIL PRESIDENT VERNA: And
14 explain about the --

15 COUNCILMAN KENNEY: I'm just
16 curious as to why you need less parking
17 with a bigger building.

18 MR. JOHNS: Well, because if
19 you look at the plan, the plan
20 actually -- the building takes up more
21 square footage now. So although we do
22 need the amount of parking that we
23 originally decided that we needed,
24 because the building is twice as large,
25 we won't be able to put that amount of

1 5/23/06 - RULES - BILL 060205, ETC.

2 parking on the parcel.

3 COUNCILMAN KENNEY: How will
4 you accommodate the additional need?

5 MR. JOHNS: We're going to have
6 to find some off-site parking somewhere
7 in the City.

8 COUNCIL PRESIDENT VERNA: Okay.
9 Are there any further questions?

10 COUNCILMAN KENNEY: Yes.

11 COUNCIL PRESIDENT VERNA: Yes.
12 Councilman Kenney.

13 COUNCILMAN KENNEY: Thank you.
14 Madam President, we're both familiar with
15 this particular area. I just wanted to
16 make sure the record was clear.

17 The location of the office
18 facility, maintenance facility, police
19 office facility is not really in a
20 residential neighborhood per se. I mean,
21 as I look at the map, it's Interstate 76
22 and I believe there's some commercial
23 uses, I think a hotel and some other
24 things there, but there's no real
25 residential neighborhood that's in that

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2 vicinity. Is that fair to say?

3 COUNCIL PRESIDENT VERNA: Yes.

4 COUNCILMAN KENNEY: And I will
5 also assume that the developer and PHA
6 have had discussions as to the fact that
7 this particular building and its
8 configuration and some of the things done
9 to improve its look would not hurt the
10 sale prices of houses that are three to
11 six hundred thousand dollars. I mean, I
12 suspect that the developer --

13 COUNCIL PRESIDENT VERNA: I
14 suspect that the developer would never go
15 forward with this if he thought for a
16 fraction of a minute that it was going to
17 affect the sale of the residential
18 properties because of what PHA was
19 proposing. If anybody is taking a risk,
20 it's the developer.

21 COUNCILMAN KENNEY: Also, is
22 PHA paying for the building or is it part
23 of the development deal?

24 MR. JOHNS: It's part of the
25 development deal.

1 5/23/06 - RULES - BILL 060205, ETC.

2 COUNCILMAN KENNEY: So
3 basically you're getting a building
4 gratis as a result of that?

5 MR. JOHNS: Exactly.

6 COUNCILMAN KENNEY: Had you
7 estimated what the cost to PHA would be
8 to build something, if you had to build
9 it yourself? How much per square feet is
10 the going rate right now?

11 MR. JOHNS: Oh, God. Probably
12 about \$300 a square foot.

13 COUNCILMAN KENNEY: So you're
14 consolidating leases, saving money and
15 getting a new building.

16 MR. JOHNS: That's right.

17 COUNCILMAN KENNEY: Not for
18 free, but not at your cost.

19 MR. JOHNS: Right.

20 COUNCILMAN KENNEY: Thank you.

21 COUNCIL PRESIDENT VERNA:
22 You're welcome.

23 Mr. Mattioni, would you come up
24 to the chart again, please. I just want
25 the record to be eminently clear. Where

1 5/23/06 - RULES - BILL 060205, ETC.

2 is the berm going to be? How high will
3 the berm be? And certainly it will
4 separate --

5 MR. MATTIONI: Yes.

6 COUNCIL PRESIDENT VERNA: It
7 will separate PHA's facility from the
8 residential?

9 MR. MATTIONI: Correct. It's
10 approximately a six to eight foot berm
11 and it will run directly between the
12 parking lot of the PHA facility and the
13 residences.

14 COUNCIL PRESIDENT VERNA: And
15 can we talk about -- and as I said, all
16 of this I want for the record, please.

17 Can we talk about the mode of
18 traffic for PHA and also the residential?

19 MR. MATTIONI: Okay. For
20 PHA --

21 COUNCIL PRESIDENT VERNA: You
22 keep looking at somebody. Do you want
23 somebody else to come up?

24 MR. MATTIONI: Well, the
25 traffic engineer I'd like to come up.

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2 COUNCIL PRESIDENT VERNA: The
3 traffic engineer can come up. I just
4 want the record to be very clear.

5 MR. MATTIONI: Just because
6 he's a traffic engineer.

7 COUNCIL PRESIDENT VERNA: I
8 understand. You're the lawyer; he's the
9 traffic engineer.

10 MR. MATTIONI: But what we're
11 going to do is isolate as best we can the
12 residential community from the PHA
13 facility. We're going to have an exit
14 road coming out this way with a right
15 turn only going under the bridge and onto
16 the extension that goes to the Schuylkill
17 Expressway. You also have another exit
18 facility, a Schuylkill Expressway ramp
19 here.

20 Now, he can explain better the
21 exact traffic patterns. He studied them.

22 COUNCIL PRESIDENT VERNA:
23 That's great.

24 Good morning.

25 MR. MATTIONI: I'll turn it

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2 over to Frank Montgomery.

3 COUNCIL PRESIDENT Verna:

4 Please identify yourself for the record.

5 MR. MONTGOMERY: My name is
6 Frank Montgomery from Traffic Planning
7 and Design, Inc. Good morning, Madam
8 President, Councilmembers.

9 COUNCIL PRESIDENT Verna: Good
10 morning.

11 MR. MONTGOMERY: We were hired
12 by Judd Builders to take a look at this
13 site and prepare a traffic impact study,
14 and we had done that. The main points of
15 ingress and egress were studied, as well
16 as some of the adjacent intersections in
17 the area.

18 As you can tell, the PHA
19 building is backed up against the
20 Schuylkill and then you have the
21 residential component here. It was
22 brought out very early on to try and
23 segregate the traffic from both the
24 Housing Authority's from the residential
25 component, and that was done to have all

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2 of the office traffic come up Penrose
3 Ferry as well as a back access road out
4 to Hartranft.

5 Residential will take access to
6 Hartranft at two locations and then will
7 also take access down to Penrose at the
8 existing traffic light. So residential
9 folks essentially have a couple ways of
10 getting out of the site, whether it's
11 down towards the south at the traffic
12 signal there, out to Hartranft and
13 ultimately out to Penrose, and then also
14 you can take the back way out of
15 Hartranft out to Route 291, which
16 essentially gets you to Route 76
17 westbound and points west.

18 So I think overall we're
19 looking at -- the residential is really
20 not the main focus here. I think they're
21 going to have no trouble getting out.

22 With the PHA, the reason that
23 you have so many parking spaces is that
24 some of their fleet is going to be here.
25 So when folks come in, they need to park

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2 their car and then they pick up a car
3 that's already parked. So that kind of
4 double loads your parking for a good
5 portion of this. That also will increase
6 some of the amount of traffic you're
7 going to see during rush hour, both in
8 the morning and in the afternoon.
9 However, I think when we took a look at
10 the intersections, there's really some
11 good capacity out there. Although I
12 wouldn't say there's not a lot of
13 traffic, there's capacity for this
14 additional traffic, and we took a look at
15 those.

16 The one recommendation we made
17 in order to accommodate this additional
18 traffic is, there's currently a traffic
19 light. It's essentially a blinking red
20 light or an all-way stop at the bottom of
21 the ramp, and as many all-way stops in
22 Philadelphia, and I live in Roxborough,
23 not many folks stop at them, especially
24 when you're coming off an interstate. So
25 what we're looking to do is to propose a

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2 traffic light, actually turn the light
3 back on and utilize it as a full traffic
4 signal.

5 One thing we wanted to ensure
6 is that we don't back the traffic down
7 the ramp, because as folks come around
8 the curve, we want to ensure that that
9 traffic is moving. And we looked at it,
10 and essentially we showed that it can
11 work with the additional traffic load
12 and, again, not being your standard
13 office where everyone is going to come in
14 in the morning and then they're going to
15 leave in the afternoon. You have that
16 additional folks going out in the morning
17 and then coming back early in the
18 afternoon. We accommodated for that in
19 our numbers to ensure that we are taking
20 a very conservative approach.

21 That being said, we do want to
22 work with the Streets Department,
23 Mr. Charlie Denny. The study will be
24 submitted to the Streets Department.
25 We'll work with them to ensure that

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2 whatever happens here, they're satisfied
3 with it and that it's going to work fine.

4 COUNCIL PRESIDENT VERNA: And
5 you can assure us as you're standing
6 there that PHA's trucks and vehicles will
7 not have to go through the residential
8 areas?

9 MR. MONTGOMERY: That is
10 correct.

11 COUNCIL PRESIDENT VERNA: Okay.
12 Any questions?

13 COUNCILMAN KENNEY: Just one.
14 How does the number of exit and
15 entrance points in the residential
16 facility area compare with recent
17 development to the east, which I think is
18 The Reserve? Is there a similar pattern,
19 both kind of a ground pattern and also a
20 road pattern?

21 MR. MONTGOMERY: I did not work
22 on that project. I have worked with that
23 developer before. I'm currently working
24 with them in Schuylkill Falls project,
25 and that is actually limited to one full

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2 access point at Schuylkill Falls through
3 an existing PHA site as well as a right
4 in/right out. So when I look at this
5 scenario, where this is more -- it is
6 more homes, the full access down here at
7 the traffic light, another full access
8 here -- and this is sort of restricted to
9 a right in/right out only onto 291, I
10 think that's more than sufficient for
11 this number of residential.

12 COUNCILMAN KENNEY: Thank you.

13 COUNCIL PRESIDENT VERNA: Okay.

14 Any other questions from members of the
15 Committee?

16 (No response.)

17 COUNCIL PRESIDENT VERNA:

18 Seeing none, thank you. Thank you.

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

21 (No response.)

22 COUNCIL PRESIDENT VERNA:

23 Mr. Kramer, you did indicate that City
24 Planning has no objection --

25 MR. KRAMER: That is correct.

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2 COUNCIL PRESIDENT VERNA: -- if
3 in fact we did a C-2 for the recreation
4 facility and that triangular piece?

5 MR. KRAMER: The bill could be
6 amended to reflect that if you wish,
7 sure.

8 COUNCIL PRESIDENT VERNA: I
9 don't want to do that without Mr. Johns
10 checking and Mr. Mattioni. I'd like all
11 parties to agree.

12 Mr. Mattioni, do you have any
13 objection to that?

14 MR. MATTIONI: We have no
15 objection to that.

16 MR. JOHNS: PHA has no
17 objection to that.

18 COUNCIL PRESIDENT VERNA: You
19 have no objection?

20 MR. JOHNS: We have no
21 objection to that.

22 COUNCIL PRESIDENT VERNA: We're
23 finally all agreeing on something? I
24 can't believe it. Okay.

25 Do we have anyone else to

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2 testify? Do we have anyone from the
3 community to testify?

4 (No response.)

5 COUNCIL PRESIDENT VERNA: No?

6 Very well. Then, Mr. Kramer, would you
7 prepare or have prepared or somebody --

8 MR. KRAMER: I will prepare
9 that for you this afternoon. The
10 amendment to C-2? Yes, ma'am. I'll have
11 that done this afternoon.

12 COUNCIL PRESIDENT VERNA: And
13 we can approve it -- can't we do it now?

14 Charlie, would you have one of
15 our attorneys change it.

16 Okay. There's no one else to
17 testify on this bill?

18 Yes.

19 MR. ZAPELLI: If I may, Richard
20 Zapelli. I'm Chief of Police for the
21 Philadelphia Housing Authority. I just
22 wanted to make a comment, although it
23 won't add to the testimony.

24 My family and I invested about
25 a half a million dollars in the house at

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2 The Reserve, and it wasn't until I looked
3 at the deal that DePaul Brothers had done
4 and I felt that as a new resident there
5 and spending all that money, that this
6 deal was acceptable to me as a resident
7 of The Reserve. So I just wanted to add
8 my support to that.

9 COUNCIL PRESIDENT VERNA: Thank
10 you. Thank you very much.

11 We will now continue on, and I
12 would ask Mr. McPherson to, if he's back,
13 please read the title of Bill No. 060263.

14 MR. MCPHERSON: An ordinance to
15 amend the Philadelphia Zoning Maps by
16 changing the zoning designations of
17 certain areas of land located within an
18 area bounded by Bridge Street, Tacony
19 Street, a line 245 feet north of Sanger
20 Street, the Delaware River and the
21 Frankford Creek.

22 COUNCIL PRESIDENT VERNA: Thank
23 you.

24 Mr. Kramer.

25 MR. KRAMER: Good morning,

1 5/23/06 - RULES - BILL 060205, ETC.

2 Madam President and members of the Rules
3 Committee. My name is William Kramer.
4 I'm the Senior Zoning Planner in the
5 Development Planning Division of the City
6 Planning Commission and I am here today
7 to testify on Bill 060263. This bill was
8 introduced by Councilmember Krajewski
9 April 6, 2006.

10 This bill rezones 1.42 acres of
11 land located within the Frankford Arsenal
12 Business Center from the current zoning
13 designation of G-2 General Industrial to
14 a designation of C-3 Commercial. The
15 purpose of this rezoning is to allow for
16 the commercial development of this
17 property. The Frankford Arsenal
18 property, which was the subject of Bill
19 No. 030068, which rezoned approximately
20 46 acres of the 83-acre site to a zoning
21 designation of C-3 Commercial. The
22 subject bill would provide additional
23 area in the commercial development in
24 order to provide better loading and
25 circulation within the development.

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2 The current bill is a
3 reintroduction of Bill No. 050339, which
4 was passed by Council and signed by the
5 Mayor on June 5, 2005. However, the
6 condition of the bill, the paying of \$200
7 into the City Treasury within 60 days,
8 was not met and, therefore, the
9 provisions of the ordinance could not
10 take effect.

11 The Planning Commission at its
12 meeting of May 12, 2005 considered and
13 approved Bill No. 050339. Accordingly,
14 Bill No. 060263 is consistent with
15 previous policy of the Planning
16 Commission and we recommend that it be
17 approved.

18 I would be happy to answer any
19 questions of the Committee.

20 COUNCIL PRESIDENT VERNA:

21 Mr. Kramer, as I understand it, your
22 testimony is that the current bill is the
23 reintroduction of a previous bill signed
24 into law on June the 5th, 2005 which did
25 not become effective because \$200 was not

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2 paid into the City Treasury within the 60
3 days of its approval.

4 Does this mean that the first
5 bill was a private interest bill?

6 MR. KRAMER: Yes, ma'am. It
7 was done at the request of the Frankford
8 Arsenal Business Center. Hankin
9 Management was the private interest and
10 requested that we rezone the original 43
11 acres to the C-3 Commercial, and the
12 conditions of that bill were in fact met
13 and subsequently that bill was approved
14 and the conditions met and the property
15 was rezoned as C-3.

16 This additional acre and a
17 half, roughly, wanted to be added to the
18 C-3 Commercial to allow for better
19 development, and it was just a --
20 somebody dropped the ball and the \$200
21 fee was never paid and subsequently we
22 couldn't make it effective.

23 COUNCIL PRESIDENT VERNA: Is
24 the same party still interested in this
25 project?

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2 MR. KRAMER: Yes, ma'am.

3 COUNCIL PRESIDENT VERNA: If
4 so, why is it no longer considered as a
5 private interest bill?

6 MR. KRAMER: This was a meeting
7 that was held between the Executive
8 Director of the Planning Commission and
9 the Law Department. This is just one of,
10 I'm going to say, three or four bills
11 wherein the conditions of the bill were
12 not met, and as a result, it causes a
13 number of items of confusion as to what a
14 property is actually zoned. It provided
15 us with a number of instances where this
16 Council would approve a zoning change for
17 a particular piece of property, people
18 would get permits, then never bother to
19 pay for the bill and then the zoning
20 would revert, which causes all sorts of
21 problems for later homeowners, and the
22 instant developer is long since gone.

23 Subsequently, the Law
24 Department suggested that we simply
25 eliminate the \$200 fee on zoning change

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2 bills. We do have the authority to put
3 them back if the Council should so deem
4 that we need to do so.

5 COUNCIL PRESIDENT VERNA: Thank
6 you.

7 Are there any questions from
8 members of the Committee?

9 (No response.)

10 COUNCIL PRESIDENT VERNA:
11 Anyone else to testify on this bill?

12 (No response.)

13 COUNCIL PRESIDENT VERNA:
14 Seeing none, I would ask Mr. McPherson to
15 please read the title of Bill No. 060288.

16 MR. MCPHERSON: An ordinance to
17 amend the Philadelphia Zoning Maps by
18 changing the zoning designations of
19 certain areas of land located within an
20 area bounded by Roberts Avenue,
21 Wissahickon Avenue, Hunting Park Avenue,
22 Crowell Street, Ontario Street, 22nd
23 Street, Westmoreland Street, Stokely
24 Street, 25th Street, Fox Street, Hunting
25 Park Avenue and Henry Avenue.

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2 COUNCIL PRESIDENT VERNA:

3 Mr. Kramer.

4 MR. KRAMER: Good morning,
5 Madam President and members of the Rules
6 Committee. My name is William Kramer. I
7 am the Senior Zoning Planner in the
8 Development Planning Division of the City
9 Planning Commission. I am here today to
10 testify on Bill No. 060288. This bill
11 was introduced by Councilmember Nutter
12 April 20, 2006.

13 This bill rezones approximately
14 77 acres of land located within an area
15 bounded by Roberts Avenue, Wissahickon
16 Avenue, Hunting Park Avenue, Crowell
17 Street, Ontario Street, 22nd Street,
18 Westmoreland Street, Stokely Street, 25th
19 Street, Fox Street, Hunting Park Avenue
20 and Henry Avenue, also known as the Budd
21 site, from the current zoning designation
22 of G-2 General Industrial to a
23 designation of C-3 Commercial.

24 The purpose of this rezoning is
25 to allow for the development of this

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2 property with several different uses in
3 several different buildings. This
4 includes a site to be developed by the
5 Salvation Army as a community center,
6 Temple University Center Health offices
7 and a dialysis center.

8 It should be noted that the
9 changing of the zoning designation of
10 this property to a designation of C-3
11 Commercial does not endorse or permit any
12 form of gaming establishments on any
13 portion of the property. Any such use
14 would still require both state approval
15 as well as a separate rezoning of the
16 property to a designation of CED, or
17 Commercial Entertainment District, a new
18 zoning category that was approved by
19 Council earlier this year.

20 The Planning Commission at its
21 meeting of May 18, 2006 considered Bill
22 No. 060288 and recommended it be
23 approved.

24 I would be happy to answer any
25 questions of the Committee.

1 5/23/06 - RULES - BILL 060205, ETC.

2 We do have boards up for the
3 Committee to review, and it does indicate
4 that it is just a portion of these blocks
5 are being rezoned from G-2 to C-3,
6 representative of the ownership of the
7 former Budd site currently by Preferred
8 Real Estate, which is the current owner.

9 COUNCIL PRESIDENT VERNA: Thank
10 you, Mr. Kramer. Can you tell us of the
11 approximately 77 acres of land to be
12 rezoned how many acres will be used for
13 the projects that you have mentioned in
14 your testimony?

15 MR. LONIO: I would say you're
16 probably about --

17 COUNCIL PRESIDENT VERNA:
18 You're going to have to --

19 MR. LONIO: I'm sorry. Mike
20 Lonio with Preferred Real Estate
21 Investments. And the three uses,
22 Fresenius and the Salvation Army and
23 Temple, the Salvation Army is only about
24 12 acres, Temple sits on about 13 or 14
25 acres and Fresenius probably with parking

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2 takes about four or five acres. So
3 you're probably about 30 acres.

4 COUNCIL PRESIDENT VERNA: Do we
5 know if there are any other further
6 development projects that will be
7 proposed in the near future?

8 MR. LONIO: There will be
9 others. There's still buildings on site
10 that are underutilized on the 70 acres.

11 COUNCIL PRESIDENT VERNA: You
12 state that if this site is to be used for
13 any form of gaming development or any
14 portion of the property, additional
15 zoning would be necessary. Would this
16 rezoning interfere with any proposed
17 gaming menus that you're aware of?

18 MR. KRAMER: No, ma'am, it
19 would not. Whether it's zoned G-2 or
20 C-3, neither classification would permit
21 any kind of gaming establishment.
22 Therefore, if you were to try to place a
23 gaming establishment anywhere on this
24 property, you'd still have to come back
25 and rezone it to CED. So as a result,

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2 whether it's going from C-3 or going from
3 G-2 really doesn't make very much
4 difference.

5 COUNCIL PRESIDENT VERNA: Sir,
6 can you tell us what are the projected
7 costs for the developments that you have
8 mentioned, how many construction and
9 permanent jobs will be created?

10 MR. LONIO: The Temple project
11 is about a \$50, \$60 million project.
12 They will have about a thousand jobs on
13 site. And basically what Temple has done
14 is taken all of their offices and they're
15 consolidating them from all of their
16 hospitals. It in itself would not create
17 new jobs, but what it will do is create
18 more space in all the Temple hospitals to
19 go back and add to their medical
20 facilities, and that will create new jobs
21 by consolidating. So that's about a
22 thousand jobs.

23 The Salvation Army project is
24 about a \$40 million project. That
25 project will probably have about 200 jobs

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2 on site as part of it. And Fresenius is,
3 I'm going to guess, probably about a
4 three and a half or \$4 million total
5 project. And there are representatives
6 from Fresenius here, but I'm going to
7 guess you're about 30 jobs or so -- about
8 45 jobs.

9 COUNCIL PRESIDENT VERNA: All
10 right. Does the proposed development
11 require the relocation of facilities and
12 personnel from other sites within the
13 City?

14 MR. LONIO: Yes. The Temple
15 facility does. They will pull office
16 employees out of current hospitals. They
17 will then grow the hospital on to those
18 what are now administrative floors. So
19 they'll do a consolidation of office
20 people. They will then replace those
21 people in those sites with medical uses.

22 COUNCIL PRESIDENT VERNA: Thank
23 you.

24 Any questions from members of
25 the Committee?

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2 The Chair recognizes Councilman
3 Clarke.

4 COUNCILMAN CLARKE: Thank you,
5 Madam President.

6 One question. The Council
7 President touched on it briefly. The
8 current zoning classification that the
9 City of Philadelphia has created for
10 casino operations, if somehow the state
11 were to preempt our ability to do that,
12 what would happen with this site? If the
13 casino operator was successful in his bid
14 for this site, would the state then come
15 in and classify it a particular zoning
16 category given the fact that what we're
17 currently zoning this site, casino
18 operations would be prohibited? It was a
19 long question, I know.

20 MR. KRAMER: If they supersede
21 our Zoning Code, it's not going to make a
22 difference what we've zoned the
23 particular property. If the state comes
24 in and supersedes the zoning, there's not
25 much that we can do about it.

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2 On the other hand, it's
3 currently zoned G-2 and being proposed to
4 go to C-3. Subsequently, if the state
5 doesn't pick this site in the future,
6 we're looking at it and saying the future
7 of this site is not one that's
8 necessarily going to be developed as a
9 G-2 General Industrial site but rather
10 has more potential as a C-3 site, as has
11 been requested by the property owner, and
12 we had no objection to that change, and
13 that's the context in which we've looked
14 at the bill.

15 We understand that it's the
16 800-pound gorilla in the corner that we
17 really haven't talked about, because the
18 casino isn't a permitted use under the
19 Zoning Code under any classification in
20 the Code, with the exception of the
21 Commercial Entertainment District.

22 But that's not on the table,
23 because that has not been approved by the
24 state in terms of giving a license, and
25 that sort of seems to be the first step

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2 in order to be able to locate it and then
3 subsequently map those particular sites
4 to the classification that we have put
5 into the Code to establish the guidelines
6 and procedures for that type of a
7 development.

8 COUNCILMAN CLARKE: What's the
9 status of the proposed state preemption
10 legislation?

11 MR. KRAMER: I have no idea.
12 If I could, it was passed by the House,
13 but it's been sitting ever since.

14 COUNCILMAN DiCICCO: Passed by
15 the House, sitting in the Senate.

16 MR. LONIO: Also, just to give
17 you a little perspective on the site, if
18 you look at the pictures, where all the
19 buildings are there's two and a half
20 million square feet on the site right
21 now. None of those are the area where
22 they're proposing to put a casino. The
23 casino is across the street on the area
24 where there are no buildings.

25 So the rezoning is significant

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2 because there are lots of uses we're
3 talking to continually on this site. Out
4 of the total 77 acres, 60 acres are not
5 impacted at all by the casino, and we
6 continue to work on leasing them, finding
7 users and bringing them in, 30 of which
8 are spoken for, 30 of which continue to
9 be marketed.

10 So there's a lot of uses, and
11 we'll continue to move and we'll continue
12 to try to create and get done here. The
13 17 acres is sort of across the street and
14 it's clear, and that's why the zoning is
15 so important.

16 COUNCILMAN CLARKE: Okay.

17 Thank you.

18 Thank you, Madam President.

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 The Chair recognizes Councilman
22 Nutter.

23 Oh, I'm sorry.

24 COUNCILMAN DiCICCO: It's okay.

25 COUNCILMAN NUTTER: I'll let

1 5/23/06 - RULES - BILL 060205, ETC.

2 the Committee members.

3 COUNCILMAN DiCICCO: Being

4 short, you know.

5 Thank you, Madam Chair.

6 COUNCIL PRESIDENT VERNA:

7 You're welcome.

8 COUNCILMAN DiCICCO: Could

9 someone just acclimate me with where the
10 proposed casino facility would be?

11 MR. LONIO: If you look at the
12 site, you see it here. That's the 17
13 acres. The casino is here on this 17
14 acres. Temple University's headquarters
15 is over on this site here. The Salvation
16 Army would be located up in here. And
17 then the remaining site that's available
18 for other uses is this building, which is
19 just under a million feet, and this whole
20 center part of the campus, which is about
21 another million feet. Fresenius is in
22 this building right here, this little
23 brick building.

24 COUNCILMAN DiCICCO: Thank you.

25 I think this is a great project from what

1 5/23/06 - RULES - BILL 060205, ETC.

2 I can see, but I was just curious as in
3 the project scheme or plan is there any
4 consideration anticipating the
5 possibility that the casino may be
6 granted a license on the Budd site, and
7 how would that impact on traffic patterns
8 and parking?

9 MR. LONIO: There's been a
10 significant traffic study done on the
11 area. And really our main access here
12 is, you're at Route 1 and the Schuylkill
13 Expressway that comes across. Mainly
14 they exit off at Wissahickon Avenue,
15 which comes right down here across our
16 site. It actually gets off at Fox
17 Street. You continue up currently and
18 you turn right on Wissahickon Avenue.
19 It's a one-way turn. So that
20 intersection right now is a tough
21 intersection for the current uses.

22 What the casino would do is
23 create a fly-over and come down Roberts
24 Avenue, which you can't see on here, but
25 it cuts right through the middle of our

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2 site and would bring you right into the
3 entrance to the casino. So you'd get off
4 the Boulevard up here, there would be a
5 fly-over, you'd come right down here on
6 Stokely and Roberts and enter here. That
7 would also clean up the access for Temple
8 and the other users that are here,
9 because it's quite a big investment that
10 they would make for that. That would
11 keep the traffic directly off the
12 Boulevard right into the site.

13 COUNCILMAN DiCICCO: Thank you.
14 No further questions. Thank you.

15 COUNCIL PRESIDENT VERNA: The
16 Chair recognizes Councilman Clarke.

17 COUNCILMAN CLARKE: No. I'm
18 fine.

19 COUNCIL PRESIDENT VERNA: The
20 Chair recognizes Councilman Nutter.

21 COUNCILMAN NUTTER: Thank you,
22 Madam Chair.

23 Madam Chair, members of the
24 Committee, I just wanted to put on the
25 record a couple items. One, this

1 5/23/06 - RULES - BILL 060205, ETC.
2 proposed rezoning has been a
3 collaborative effort between Councilwoman
4 Miller and myself, as well as an
5 extensive community process. Originally
6 the proposal for this site was C-5
7 Commercial. The community groups, in an
8 ongoing process back and forth with the
9 owner and other conversations, finally
10 agreed to C-3.

11 I'd like to put forward, Madam
12 Chair and members of the Committee,
13 letters of support from both the East
14 Falls Community Council on one side of
15 the site and Tioga United on the other
16 side of the site. There is complete
17 community support for this proposed
18 rezoning, and I appreciate the issues
19 that have been raised by Committee
20 members regarding another proposed
21 development. Of course, this rezoning
22 will have no impact, positive or
23 negative, on that particular proposal.
24 We'll wait and see what the Commonwealth
25 of Pennsylvania does.

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2 But it is an exciting
3 opportunity to take a 75-acre site, which
4 you won't find many 75-acre sites in the
5 City, the development that's already been
6 proposed, especially with the Salvation
7 Army having received a national grant
8 from the Kroc Foundation to put a new
9 facility at this location, it will
10 transform the community, notwithstanding
11 some of the other proposals that may be
12 out there. It's an exciting opportunity
13 for a series of neighborhoods that are
14 affected by a 75-acre site, and I'd
15 appreciate the support of my colleagues
16 for this particular bill.

17 Thank you, Madam Chair.

18 COUNCIL PRESIDENT VERNA:

19 You're welcome.

20 The Chair recognizes Councilman
21 Clarke.

22 COUNCILMAN CLARKE: Thank you,
23 Madam President.

24 I just have one question with
25 respect to the Salvation Army operation.

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2 Will it in any way impact -- I'll wait
3 until the gentleman comes up.

4 Good morning.

5 COMMISSIONER WATSON: Good
6 morning.

7 COUNCILMAN CLARKE: My question
8 is, will it have any impact on any of the
9 additional Salvation Army sites? I have
10 one on North Broad Street. Will there be
11 a consolidation of services at this
12 location; therefore, causing some of the
13 other facilities to close, or will it be
14 in addition to the current operations?

15 COMMISSIONER WATSON: We expect
16 that this operation --

17 COUNCILMAN CLARKE: State your
18 name for the record.

19 COMMISSIONER WATSON: I'm
20 sorry. I'm Commissioner Robert Watson.
21 I'm the Chairman of the Kroc project
22 planning team, this particular project,
23 which we envision putting on the
24 12.4-acre site at 4200 Wissahickon
25 Avenue.

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2 And thank you, by the way,
3 Madam Chairperson and members of Council,
4 Councilman Nutter, for introducing this
5 proposal.

6 We have just completed an
7 extensive program study for all Salvation
8 Army operations in the City of
9 Philadelphia. This includes ten
10 neighborhood-based core community centers
11 of the type that we envision putting on
12 Wissahickon Avenue, only that will be a
13 much larger and, of course, much more
14 up-to-date facility.

15 In addition, we have ten other
16 institutional-type services in the City
17 of Philadelphia for homeless people,
18 transitional housing and all of the basic
19 services, crisis intervention services,
20 which the Salvation Army has conducted
21 traditionally in the City of
22 Philadelphia.

23 We have tried to be very
24 careful in all of our planning to make
25 sure that this vision will enhance

1 5/23/06 - RULES - BILL 060205, ETC.

2 existing operations. So you ask a very
3 incisive question. Thank you for raising
4 it. There may be some relocation, some
5 amalgamation in a limited way, but the
6 sum total will be that we will serve more
7 people with more depth and quality and
8 will greatly enhance our service delivery
9 system.

10 COUNCILMAN CLARKE: Let me ask
11 you a little more detailed question.
12 Will the site on North Broad Street at
13 Broad and Fairmount be relocated?

14 COMMISSIONER WATSON: No. No.
15 The site at Broad and Fairmount is for
16 our divisional headquarters for the
17 eastern half of the State of Pennsylvania
18 and Delaware and also some basic services
19 on that one square block complex,
20 including the Red Shield residents. We
21 don't envision the relocation of those
22 operations.

23 COUNCILMAN CLARKE: Okay.

24 Thank you.

25 Thank you, Madam President.

1 5/23/06 - RULES - BILL 060205, ETC.

2 COUNCIL PRESIDENT VERNA:

3 You're welcome.

4 The Chair recognizes Councilman
5 Kenney.

6 COUNCILMAN KENNEY: Thank you,
7 Madam President.

8 I just wanted to state for the
9 record that I agree with Councilman
10 Nutter's assessment of this project. I
11 was involved early on before this site
12 was chosen in looking for sites around
13 the City, and I don't think people
14 recognize or realize yet the significant
15 opportunities in this development, in
16 this project. It's going to be one of
17 the most significant and influential
18 developments that the City has ever seen.

19 The center in San Diego is
20 phenomenal. I mean, all the things that
21 we've seen and researched about, it's
22 just had such a positive impact, and the
23 opportunities and the future there in
24 that neighborhood because of their
25 investment, the Kroc Foundation's

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2 generosity and the Salvation Army's
3 desire to stay in Philadelphia, I just
4 want to thank them personally. It's just
5 an amazing opportunity to rebuild the
6 neighborhood, and this is going to be one
7 of the main cornerstones of it. So
8 thanks for your faith in Philadelphia and
9 your continued mission.

10 COMMISSIONER WATSON: Thank
11 you, Councilman.

12 If I may respond to that, Madam
13 Chairperson, and to thank Councilman
14 Kenney for his efforts, as we have done a
15 total sweep of all potential sites in the
16 City of Philadelphia over a period of 18
17 months and we kept coming back to the
18 site on Wissahickon Avenue for a number
19 of reasons, not the least of which the
20 main arteries of transportation, access,
21 public transportation, the demographics
22 of the area, the size of the site. The
23 12 acres was exactly the range that we
24 were looking for.

25 We've done extensive focus

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2 groups in the area, and the whole concept
3 has been received with great, great
4 enthusiasm on the part of the community.
5 We're grateful for that.

6 If I may just add a further
7 word to this effect, that the Salvation
8 Army in Philadelphia -- and this is the
9 birth place of the Salvation Army in the
10 United States, right here in the City of
11 Philadelphia at 4th and Oxford Streets in
12 1879. So we think this has even more
13 significance for us and for the
14 community, and we're delighted because we
15 have been selected to receive a \$77
16 million grant from the estate of the late
17 Joan Kroc, whom I knew personally and
18 knew about her vision for that center,
19 that \$93 million center in San Diego.

20 Her vision was that in
21 providing these centers across the United
22 States on the model of the San Diego
23 center, the Army would provide
24 state-of-the-art facilities and services
25 targeting the underserved. Those were

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2 her restrictions. Another restriction in
3 the gift was that the estate would be
4 divided between capital funding and
5 endowment funding. So as Mike O'Neill
6 has indicated, we expect to raise a
7 facility costing in the range of \$40 to
8 \$42 million, and we're approved to
9 receive a \$41 million endowment grant as
10 part of our grant. That will be the lead
11 gift for a major operating endowment
12 campaign, which we expect to launch this
13 summer so that we can make sure that
14 we're enriching and funding this new
15 center, but also helping to fund the
16 existing operations in response to your
17 incisive question.

18 This will be about a 100,000
19 square foot facility, to include an
20 aquatic center, full-size gymnasium,
21 fitness center, performing arts center, a
22 child daycare center, a senior citizens
23 adult daycare center, case work services
24 and many different functions for job
25 training and job readiness woven into the

1 5/23/06 - RULES - BILL 060205, ETC.

2 entire fabric of the program design.

3 We are required, in order to
4 keep the \$77 million grant, to submit by
5 May 31st of 2006 our program design.
6 That is completed as of today. It will
7 be presented to our Mission Alignment
8 Council at 2:30 this afternoon.

9 We are required by July 31st,
10 in order to keep the \$77 million grant,
11 to submit our sustainability plan. We're
12 well down the road on that. We'll have
13 that in place.

14 By September 30th, we're
15 required to document site control of the
16 12.4-acre piece, and that's why I'm so
17 grateful for the opportunity to say these
18 few words before Council today on the
19 zoning change, because as one of the
20 provisions for entering into the
21 settlement on the purchase of the
22 property, we have to demonstrate that the
23 zoning change has taken place. That's
24 why we're so grateful to you for your
25 willingness to hear this request today.

1 5/23/06 - RULES - BILL 060205, ETC.

2 Thank you very much.

3 COUNCIL PRESIDENT Verna:

4 You're welcome.

5 The Chair recognizes

6 Councilwoman Miller.

7 COUNCILWOMAN MILLER: Thank

8 you. Thank you, Madam President.

9 I'd like to support Councilman
10 Nutter's request that this Committee
11 support this bill. Just for the Kroc
12 Center alone, this brings the opportunity
13 for an underserved portion of
14 Philadelphia -- and certainly it's in
15 Councilman Nutter's district, but right
16 across in my district it's an area that
17 just doesn't have good recreation, job
18 training. It doesn't have any types of
19 real facilities there. And people in the
20 neighborhoods are really looking
21 forward -- I think people in all
22 Philadelphia actually -- are looking
23 forward to the Kroc Center.

24 The Budd site's development is
25 important to that area as it relates to

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2 economic development, housing development
3 and the entire neighborhood
4 stabilization. That will certainly
5 happen as a result of the center.

6 The Temple site is currently
7 being developed. It looks to me like
8 it's almost finished, and that's
9 something that we truly supported. And I
10 just can't say enough that what the
11 development of this entire site will mean
12 to that portion of Philadelphia. So I
13 too want to urge our Committee members to
14 support this bill.

15 COMMISSIONER WATSON: Madam
16 Chairperson, if I may just thank
17 Councilwoman Reed for all the help she's
18 given us as well in moving this project
19 forward. Thank you.

20 COUNCIL PRESIDENT Verna: Thank
21 you.

22 I just want to applaud you and
23 the Salvation Army for the great work
24 that they're doing at the facility at
25 33rd and Reed. It's something that was

1 5/23/06 - RULES - BILL 060205, ETC.

2 sorely needed in the community, and I
3 think it's worked out beautifully.

4 COMMISSIONER WATSON: Thank you
5 very much.

6 COUNCIL PRESIDENT VERNA: Thank
7 you.

8 Do we have any other witnesses
9 to testify on this bill?

10 (No response.)

11 COUNCIL PRESIDENT VERNA:
12 Seeing no one, gentlemen, thank you.

13 I would ask Mr. McPherson to
14 kindly read the title of Bill No. 060313.

15 MR. MCPHERSON: An ordinance
16 amending Section 14-1619 of The
17 Philadelphia Zoning Code, entitled
18 "Frankford Avenue Special District
19 Controls," by adding parking requirements
20 for the district, all under certain terms
21 and conditions.

22 COUNCIL PRESIDENT VERNA:
23 Mr. Kramer.

24 MR. KRAMER: Good morning,
25 Madam President, members of the Rules

1 5/23/06 - RULES - BILL 060205, ETC.
2 Committee. My name is William Kramer. I
3 am the Senior Zoning Planner in the
4 Development Planning Division of the City
5 Planning Commission. I am here today to
6 testify on Bill No. 060313, which was
7 introduced by Councilmember Krajewski
8 April 27, 2006.

9 This bill amends Section
10 14-1619 of the Zoning Code, entitled
11 "Frankford Avenue Special District
12 Controls," by adding a parking
13 requirement for the district. This bill
14 would require any use that is
15 constructed, erected, expanded or
16 extended so that it occupies more than
17 10,000 square feet of gross floor area
18 would be required to provide off-street
19 parking at a ratio of one space per
20 thousand feet of gross floor area.

21 The district affects all
22 commercially zoned properties with
23 frontage along Frankford Avenue between
24 Harbison and Solly Avenues, as well as
25 all commercially zoned properties with

1 5/23/06 - RULES - BILL 060205, ETC.

2 frontage on Cottman Avenue between Leon
3 Street and Edrick Street.

4 As written, there is a concern
5 that an existing transportation street,
6 Frankford Avenue, would be transformed
7 from an urban setting to a suburban one,
8 undermining the existing urban fabric of
9 the commercial center of the Mayfair and
10 Holmesburg sections of the City.

11 The Planning Commission at its
12 meeting of May 18, 2006 considered Bill
13 No. 060288 (sic) and recommended that it
14 be approved with an amendment precluding
15 curb cuts on Frankford Avenue, requiring
16 that parking be provided in the rear of
17 the building and further requiring any
18 new buildings be constructed with no
19 setback from the street line.

20 I have that amendment available
21 if Council would so like to adopt that.

22 COUNCIL PRESIDENT Verna: Yes,
23 please.

24 MR. KRAMER: I would be happy
25 to answer any questions of the Committee.

1 5/23/06 - RULES - BILL 060205, ETC.

2 COUNCIL PRESIDENT VERNA: As of
3 4 o'clock yesterday, we had not received
4 testimony on this bill. However, I would
5 simply like to ask, is the provision of
6 one additional parking space for each
7 additional 1,000 square feet of gross
8 floor area sufficient?

9 MR. KRAMER: In this particular
10 instance, I believe so. The problem here
11 is, individual owners were going to
12 acquire storefronts, and not just one but
13 several storefronts that are currently
14 zoned C-2 and they were going to then
15 breach the walls and utilize them as one
16 large commercial operation and provide no
17 off-street parking as under the Code.
18 Subsequently, with an existing structure,
19 by having them required to provide one
20 space per thousand square feet of gross
21 floor area, we don't believe that they
22 will be able to meet that requirement
23 and, therefore, send the matter to the
24 Zoning Board of Adjustment, at which
25 point it gives the community an

1 5/23/06 - RULES - BILL 060205, ETC.

2 opportunity to express its opinions and
3 feelings on a particular project.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 Any questions from members of
7 the Committee?

8 (No response.)

9 COUNCIL PRESIDENT VERNA:
10 Anyone else to testify on this bill?

11 (No response.)

12 COUNCIL PRESIDENT VERNA:
13 Seeing none, I would ask Mr. McPherson to
14 please read the title of Bill No. 050268.

15 MR. MCPHERSON: An ordinance
16 amending Title 14 of The Philadelphia
17 Code, relating to "Zoning and Planning,"
18 by amending Chapter 14-500, entitled
19 "Industrial Districts," by amending
20 Section 14-504, entitled "L-2 Limited
21 Industrial District," by modifying the
22 conditions under which certain uses are
23 permitted, under certain terms and
24 conditions.

25 COUNCIL PRESIDENT VERNA:

1 5/23/06 - RULES - BILL 060205, ETC.

2 Mr. Kramer.

3 MR. KRAMER: Good morning,
4 Madam President, members of the Rules
5 Committee. My name is William Kramer. I
6 am the Senior Zoning Planner in the
7 Development Planning Division of the City
8 Planning Commission. I am here today to
9 testify on Bill No. 050268, which was
10 introduced by Councilmember O'Neill and
11 Council President Verna April 7, 2005.

12 Bill No. 050268 amends the
13 provisions of the L-2 Limited Industrial
14 section of the Zoning Code by removing a
15 5,000 square foot limitation on the
16 allowable gross floor area of
17 laboratories and assay offices. This
18 amendment to the Code has been requested
19 by the Philadelphia Industrial
20 Development Corporation as part of
21 efforts to market the former Philadelphia
22 Naval Base as a location for business and
23 industry. This limitation does not exist
24 in less restrictive classifications in
25 the Zoning Code.

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2 The City Planning Commission at
3 its meeting of April 14, 2005 considered
4 Bill No. 050268 and recommended its
5 approval.

6 I would be happy to answer any
7 questions of the Committee.

8 COUNCIL PRESIDENT VERNA: Thank
9 you. I would like to ask, are there
10 currently any proposed projects that will
11 benefit from the elimination of this
12 restoration? If so, what are they?

13 MR. DEEGAN: My name is Paul
14 Deegan and I represent PIDC.

15 We are marketing particularly
16 the research park at the Navy Yard for
17 high-tech laboratory-type uses. We don't
18 have any currently lined up. We did have
19 one building, Aptech, which was developed
20 about two years ago when the site was
21 zoned G-2 Industrial. Since then, we've
22 rezoned most of the Navy Yard to L-2. So
23 this restriction now applies to all the
24 land down there.

25 But currently I don't think we

1 5/23/06 - RULES - BILL 060205, ETC.

2 have any firm agreement or resolution or
3 agreement of sale with any company which
4 would be hampered by this restriction,
5 but we're constantly marketing, and
6 Liberty Property Trust, which is
7 developing much of the yard, is also
8 looking at bringing in high-tech
9 pharmaceutical, research companies to the
10 yard.

11 So we're trying to be a little
12 bit ahead of the curve rather than
13 waiting until we land the company and
14 then find out that we have a restriction
15 there that's going to give them a
16 problem.

17 COUNCIL PRESIDENT VERNA: Very
18 good.

19 The Chair recognizes Councilman
20 Kenney.

21 COUNCILMAN KENNEY: Thank you,
22 Madam President.

23 Mr. Deegan, will this action
24 involve any land or have any effect on
25 the food distribution center that's --

1 5/23/06 - RULES - BILL 060205, ETC.

2 MR. DEEGAN: No, Councilman.

3 In the rezoning we did last year, we did
4 a comprehensive rezoning at the Navy
5 Yard, and the eastern section of the yard
6 does remain G-2 Industrial, which permits
7 large warehouse-type uses.

8 COUNCILMAN KENNEY: Great.

9 Thank you.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 Any other questions from
13 members of the Committee?

14 (No response.)

15 COUNCIL PRESIDENT VERNA:

16 Seeing none, thank you very much.

17 MR. DEEGAN: We also have
18 written testimony, which Ms. Williams was
19 going to deliver, but if you don't see
20 the need for it, then we're fine with
21 that. We have submitted the testimony
22 for the record, though.

23 COUNCIL PRESIDENT VERNA: Well,

24 I think you know what the rule is.

25 Testimony should be received 48 hours

1 5/23/06 - RULES - BILL 060205, ETC.

2 prior to.

3 MR. DEEGAN: I think we did,

4 Council President.

5 COUNCIL PRESIDENT VERNA: We

6 have it?

7 Well, is there additional

8 information?

9 MR. DEEGAN: I just wanted to

10 note --

11 COUNCIL PRESIDENT VERNA: Why

12 don't you just introduce her and tell us

13 who she is.

14 MR. DEEGAN: I'd like to

15 introduce Krista Williams.

16 MS. WILLIAMS: It's okay. If

17 you don't need to hear it, that's quite

18 all right.

19 COUNCIL PRESIDENT VERNA: I'm

20 sorry. Your name?

21 MS. WILLIAMS: I'm sorry. My

22 name is Krista Williams and I represent

23 Philadelphia Industrial Development

24 Corporation.

25 COUNCIL PRESIDENT VERNA: We

1 5/23/06 - RULES - BILL 060205, ETC.

2 welcome you. We wish you every success.

3 MS. WILLIAMS: Thank you.

4 COUNCIL PRESIDENT VERNA: I'm

5 sure that we'll be seeing a lot of you.

6 MS. WILLIAMS: You will.

7 COUNCIL PRESIDENT VERNA: Good.

8 COUNCILMAN KENNEY: And hope

9 you're still smiling.

10 COUNCIL PRESIDENT VERNA: That

11 doesn't happen too frequently around

12 here, I'm afraid.

13 MS. WILLIAMS: I try.

14 MR. DEEGAN: Thank you, Council

15 President. In the, I guess, almost 30

16 years I've been coming over here, it's

17 always been a pleasure.

18 COUNCIL PRESIDENT VERNA:

19 You're still smiling.

20 MR. DEEGAN: I'm still smiling,

21 too.

22 COUNCIL PRESIDENT VERNA:

23 Great. Thank you very much.

24 MS. WILLIAMS: Thank you.

25 COUNCIL PRESIDENT VERNA: Thank

1 5/23/06 - RULES - BILL 060205, ETC.

2 you all very much.

3 Is there anyone else to
4 testify?

5 (No response.)

6 COUNCIL PRESIDENT VERNA:

7 Seeing no one, this will conclude our
8 public hearing. We will now go into our
9 public meeting, and I recognize
10 Councilman DiCicco regarding Bill No.
11 060205.

12 COUNCILMAN DiCICCO: Thank you,
13 Madam President. I believe that all
14 members of this Committee have received a
15 copy of the amendments, and at this time,
16 I would move for the approval of the
17 amendment to Bill No. 060205.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It
20 has been moved and seconded that the
21 amendment as distributed earlier be
22 adopted.

23 All in favor will say aye.

24 (Aye.)

25 COUNCIL PRESIDENT VERNA: Those

1 5/23/06 - RULES - BILL 060205, ETC.

2 opposed?

3 (No response.)

4 COUNCIL PRESIDENT VERNA: The
5 ayes have it and the motion carries.

6 Again, the Chair recognizes
7 Councilman DiCicco.

8 COUNCILMAN DiCICCO: Thank you,
9 Madam Chair. I move that Bill No. 060205
10 as amended be reported out of this
11 Committee with a favorable recommendation
12 and a further recommendation that the
13 rules of Council be suspended.

14 (Duly seconded.)

15 COUNCIL PRESIDENT VERNA: It
16 has been moved and seconded that Bill No.
17 060205 be reported out of Committee with
18 a favorable recommendation as amended;
19 further, that the rules of Council be
20 suspended so as to permit first reading
21 at our next session of Council.

22 All in favor will please say
23 aye.

24 (Aye.)

25 COUNCIL PRESIDENT VERNA: Those

1 5/23/06 - RULES - BILL 060205, ETC.

2 opposed?

3 (No response.)

4 COUNCIL PRESIDENT Verna: The
5 ayes have it and the motion carries.

6 The Chair recognizes
7 Councilwoman Miller regarding Bill No.
8 060263.

9 COUNCILWOMAN MILLER: Thank
10 you, Madam President. I move that Bill
11 No. 060263 be reported out of this
12 Committee with a favorable recommendation
13 and further move that the rules be
14 suspended so as to permit first reading
15 at our next session.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: It
18 has been moved and seconded that Bill No.
19 060263 be reported out of Committee with
20 a favorable recommendation. Also, a
21 recommendation that the rules of Council
22 be suspended so as to permit first
23 reading at our next session of Council.

24 All in favor will please say
25 aye.

1 5/23/06 - RULES - BILL 060205, ETC.

2 (Aye.)

3 COUNCIL PRESIDENT VERNA: Those
4 opposed?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: The
7 ayes have it and the motion carries.

8 It was moved and seconded that
9 Bill No. 060288 be reported out of
10 Committee with a favorable
11 recommendation --

12 COUNCILMAN CLARKE: We didn't
13 do that yet.

14 COUNCIL PRESIDENT VERNA:
15 That's what happens when you're
16 interrupted.

17 It was moved and seconded that
18 Bill No. 060263 be reported out of
19 Committee with a favorable
20 recommendation; further, that a
21 recommendation that the rules of Council
22 be suspended so as to permit first
23 reading at our next session of Council.

24 All in favor will please say
25 aye.

1 5/23/06 - RULES - BILL 060205, ETC.

2 (Aye.)

3 COUNCIL PRESIDENT VERNA: Those
4 opposed?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: The
7 ayes have it and the motion carries.

8 Mr. Kramer, I want to make sure
9 that we're doing the right thing. On
10 Bill No. 060285 we indicated that there
11 would be an amendment. The amendment has
12 been prepared. Do we have to go into our
13 public hearing in order to offer the
14 amendment? Is that very technical?

15 MR. KRAMER: I guess you --
16 that would be a rules of Council. I'm
17 not absolutely certain if that --

18 COUNCILMAN CLARKE: We already
19 referenced it in the hearing.

20 COUNCIL PRESIDENT VERNA: Okay.
21 The Chair recognizes Councilman Kenney
22 regarding Bill No. 060288.

23 COUNCILMAN KENNEY: Thank you,
24 Madam President. I move that Bill No.
25 060288 be reported out of Committee

1 5/23/06 - RULES - BILL 060205, ETC.

2 favorably and a request made for rules
3 suspension to allow first reading at our
4 next Council session

5 (Duly seconded.)

6 COUNCIL PRESIDENT VERNA: It
7 has been moved and seconded that Bill No.
8 060288 be reported out of Committee with
9 a favorable recommendation; further, a
10 recommendation that the rules of Council
11 be suspended so as to permit first
12 reading at our next session of Council.

13 All in favor will say aye.

14 (Aye.)

15 COUNCIL PRESIDENT VERNA: Those
16 opposed?

17 (No response.)

18 COUNCIL PRESIDENT VERNA: The
19 ayes have it and the motion carries.

20 As indicated earlier, Bill No.
21 060312 has been held at the request of
22 the sponsor.

23 Mr. Kelly, I would like a
24 motion from you regarding Bill No.
25 060313.

1 5/23/06 - RULES - BILL 060205, ETC.

2 COUNCILMAN KELLY: Madam Chair,
3 I move that Bill No. 060313 be reported
4 out of this Committee with a --

5 COUNCIL PRESIDENT VERNA: No,
6 no. There's an amendment.

7 COUNCILMAN KELLY: I move that
8 the amendment submitted to Bill No.
9 060313 be reported with a favorable
10 recommendation.

11 (Duly seconded.)

12 COUNCIL PRESIDENT VERNA: All
13 those in favor of adopting the amendment
14 as presented please say aye.

15 (Aye.)

16 COUNCIL PRESIDENT VERNA: Those
17 opposed?

18 (No response.)

19 COUNCIL PRESIDENT VERNA: The
20 ayes have it and the motion carries.

21 Again, the Chair recognizes
22 Councilman Kelly.

23 COUNCILMAN KELLY: Yes. Madam
24 Chair, I move that Bill No. 060313 as
25 amended be reported out of this Committee

1 5/23/06 - RULES - BILL 060205, ETC.

2 with a favorable recommendation and
3 further move for the suspension of the
4 rules in order that this bill may be
5 heard at the next session of Council.

6 (Duly seconded.)

7 COUNCIL PRESIDENT VERNA: It
8 has been moved and seconded that Bill No.
9 060313 be reported out of Committee with
10 a favorable recommendation as amended and
11 that the rules of Council be suspended so
12 as to permit first reading at our next
13 session of Council.

14 All in favor will please say
15 aye.

16 (Aye.)

17 COUNCIL PRESIDENT VERNA: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT VERNA: The
21 ayes have it and the motion carries.

22 The Chair recognizes Councilman
23 Clarke regarding Bill No. 050268, the
24 last one.

25 COUNCILMAN CLARKE: Thank you,

1 5/23/06 - RULES - BILL 060205, ETC.

2 Madam President. I move that Bill 050268
3 be reported out of Committee with a
4 favorable recommendation and a request
5 for a rules suspension as to allow
6 reading at the next session.

7 (Duly seconded.)

8 COUNCIL PRESIDENT VERNA: It
9 has been moved and seconded that Bill No.
10 050268 be reported out of Committee with
11 a favorable recommendation; further, that
12 a recommendation that the rules of
13 Council be suspended so as to permit
14 first reading at our next session of
15 Council.

16 We are going to recess our
17 public meeting, go back into our public
18 hearing, because I don't want to hear any
19 indication that this was done improperly,
20 because we have some people who want to
21 see that happen. So we are now in, as I
22 said, our public hearing, and the Chair
23 recognizes Councilman Clarke.

24 COUNCILMAN CLARKE: Thank you.
25 Thank you, Madam President. As indicated

1 5/23/06 - RULES - BILL 060205, ETC.

2 in earlier testimony, there is an
3 amendment circulated that will be offered
4 on Bill No. 060285.

5 MR. KRAMER: I can read the
6 amendment into the record, if you'd like.

7 COUNCIL PRESIDENT VERNA: That
8 would be fine.

9 MR. KRAMER: Madam Chairman,
10 members of the Rules Committee, my name
11 is William Kramer, City Planning
12 Commission. The amendment reads as
13 follows: To amend Map B Proposed Zoning
14 in Bill 060285 by changing the proposed
15 "L-4" "Limited Industrial Zoning" to
16 "C-2" Commercial within the area bounded
17 by 24th Street, Penrose Ferry Road and
18 the south side of Packer Avenue.

19 COUNCIL PRESIDENT VERNA: We
20 are now back into our public meeting, and
21 the Chair again recognizes Councilman
22 Clarke.

23 COUNCILMAN CLARKE: Thank you,
24 Madam President. Madam President, I move
25 for the adoption of the amendment to Bill

1 5/23/06 - RULES - BILL 060205, ETC.

2 060285.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It

5 has been moved and seconded that the

6 amendment just read be adopted.

7 All in favor will please say

8 aye.

9 (Aye.)

10 COUNCIL PRESIDENT VERNA: Those

11 opposed?

12 (No response.)

13 COUNCIL PRESIDENT VERNA: The

14 ayes have it and the amendment is

15 adopted.

16 Again, the Chair recognizes

17 Councilman Clarke.

18 COUNCILMAN CLARKE: Madam

19 President, I move for the adoption of

20 Bill 060285 as amended and move that that

21 bill be reported out of Committee with a

22 favorable recommendation and a request

23 for rules suspension as to allow reading

24 at the next session of Council.

25 (Duly seconded.)

1 5/23/06 - RULES - BILL 060205, ETC.

2 COUNCIL PRESIDENT VERNA: It
3 has been moved and seconded that Bill No.
4 060285 be reported out of Committee with
5 a favorable recommendation as amended and
6 that the rules of Council be suspended so
7 as to permit first reading at our next
8 session of Council.

9 All in favor will please
10 indicate by saying aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: Those
13 opposed?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The
16 ayes have it and the motion carries.

17 That concludes our public
18 meeting. Thank you all very much.

19 (Committee on Rules adjourned
20 at 11:35 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on May 23, 2006, and that

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this is a true and correct transcript of same.

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MICHELE L. MURPHY

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RPR-Notary Public

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