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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PARKS, RECREATION

4

AND CULTURAL AFFAIRS

5

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, June 11, 2008
2:50 p.m.

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PRESENT:

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COUNCILWOMAN BLONDELL REYNOLDS BROWN, CHAIR

12

COUNCILMAN DARRELL L. CLARKE

13

COUNCILMAN CURTIS JONES, JR.

14

COUNCILWOMAN MARIA QUINONES-SANCHEZ

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BILL 080427 - An ordinance amending Chapter
15-200 of The Philadelphia Code, entitled
"Fairmount Park," by removing 5100 Pennypack
Street from the areas under the care and
jurisdiction of the Fairmount Park
Commission...

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BILL 080540 - An ordinance authorizing the
Commissioner of Public Property and the
Executive Director of Fairmount Park to enter
into an air rights license agreement...

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- - -

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V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
215.561.2220 215.567.2670

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COUNCILWOMAN BROWN: Good

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afternoon, everyone. The City Council

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Committee on Parks, Recreation and

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Cultural Affairs is now in a public

6

hearing to hear testimony on two bills,

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in this order: 080540 and Bill No.

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080427.

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Councilmembers in attendance

10

are Vice-Chair of this Committee,

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Councilman Curtis Jones representing the

12

4th Councilmanic District, and Councilman

13

Darrell Clarke representing the 5th

14

Councilmanic District.

15

Thank you, members.

16

We will now ask our Clerk to

17

read the title of our first bill, which

18

will be 080540.

19

THE CLERK: An ordinance

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authorizing the Commissioner of Public

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Property and the Executive Director of

22

Fairmount Park to enter into an air

23

rights license agreement with Main Street

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Partners, LP allowing Main Street

25

Properties, LP to construct a deck over a

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 certain portion of the Manayunk Canal
3 Towpath at 2 Rector Street, under certain
4 terms and conditions.

5 COUNCILWOMAN BROWN: We want to
6 thank our Clerk, and we want to alert the
7 testifiers that the first testifiers up
8 will be the leadership and the Executive
9 Director of the Fairmount Park
10 Commission, Mark A. Focht, and he will be
11 followed by the elected officials, Lower
12 Merion Commissioner, Brian A. Gordon,
13 Esquire, and the representative for
14 Congressman Chaka Fattah's office.

15 (Witness approached witness
16 table.)

17 COUNCILWOMAN BROWN: Welcome
18 back.

19 MR. FOCHT: Thank you.

20 COUNCILWOMAN BROWN: Good
21 afternoon.

22 MR. FOCHT: Good afternoon.

23 COUNCILWOMAN BROWN: Proceed
24 with your testimony.

25 MR. FOCHT: Thank you.

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Chairwoman Reynolds Brown and Committee
3 members, Mark Focht, Executive Director
4 of Fairmount Park. Very pleased to
5 appear before you today on behalf of
6 Fairmount Park in support of Council Bill
7 080540 authorizing Fairmount Park to
8 enter into a license agreement for
9 certain air rights adjacent to a property
10 located at 2 Rector Street in Manayunk.
11 The proposed ordinance will enable the
12 property owner of 2 Rector Street to
13 construct an outdoor deck along the
14 southwest side of the property adjacent
15 to the Manayunk Canal and Towpath.

16 This license agreement for air
17 rights is desirable to the City of
18 Philadelphia and the neighborhood of
19 Manayunk. A 2005 design study by the
20 Manayunk Development Corporation provided
21 that decks and balconies along the Canal
22 and Towpath will activate and enliven
23 this historic stretch of the Canal. The
24 development corporation further believes
25 that the opening of businesses to the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Canal is the future of Manayunk's revival
3 and sustenance. The Canal and Towpath
4 are under the jurisdiction of Fairmount
5 Park, and we support the findings of this
6 study.

7 The business terms of this air
8 rights license have been evaluated
9 closely by Fairmount Park staff in
10 consultation with the Law Department and
11 were approved by the Fairmount Park
12 Commission on June 2, 2008. We have
13 worked closely with Main Street
14 Properties, LP, the property owner of 2
15 Rector Street, to ensure that the initial
16 license fee and fee escalations for the
17 air rights are consistent with market
18 rates in Manayunk.

19 The current tenant of 2 Rector
20 Street is the restaurant Bourbon Blue.
21 Through the air rights license agreement,
22 the deck will be contractually limited in
23 use solely for the purpose of dining. No
24 amplified music, cooking or commercial
25 displays will be allowed on or below the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 deck, and the tenant will be responsible
3 for daily inspection and cleaning
4 underneath the deck.

5 Fairmount Park staff and our
6 partners at the Manayunk Development
7 Corporation will monitor use of the deck
8 and ensure that the deck space is used in
9 an appropriate and non-disruptive manner
10 and in accordance with all applicable
11 laws.

12 Fairmount Park's ten-year
13 strategic plan issued in June 2004
14 recommended that Fairmount Park become
15 more entrepreneurial in order to enhance
16 its ability to maintain and manage the
17 park and drive the City's economic
18 development. This ordinance advances
19 this goal of the strategic plan by
20 promoting the economic development and
21 continued revitalization of Manayunk
22 through an agreement with solidly
23 negotiated business terms which are
24 beneficial to the park, the property
25 owner and the City.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 I appear before you today to
3 pledge the support of Fairmount Park for
4 this legislation and respectfully ask
5 that this Committee favorably recommend
6 Bill 080540.

7 Thank you and I'd be pleased to
8 answer any questions.

9 COUNCILWOMAN BROWN: Any
10 questions from members of the Committee?

11 (No response.)

12 COUNCILWOMAN BROWN: Let me
13 ask, is this a first, sir? Is this a
14 first, Mr. Focht?

15 MR. FOCHT: As far as an air
16 rights license agreement, yes. This is
17 the first time the Commission has done an
18 air rights agreement and it's the first
19 such agreement on the Manayunk Canal,
20 which we hope working with our partners
21 there will be more in the future.

22 COUNCILWOMAN BROWN: Okay.
23 Very well. We thank you for your
24 important testimony.

25 MR. FOCHT: Thank you.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 COUNCILWOMAN BROWN: We want to
3 acknowledge the presence of Councilwoman
4 Maria Quinones-Sanchez, also a member of
5 this Committee.

6 Now if we could please hear
7 from our Lower Merion Commissioner, Brian
8 A. Gordon, Esquire, and the
9 representative of Congressman Chaka
10 Fattah's office, Solomon Jones, in that
11 order.

12 (Witnesses approached witness
13 table.)

14 COUNCILWOMAN BROWN: Good
15 afternoon.

16 COMMISSIONER GORDON: Thank you
17 very much, Councilwoman, Councilpersons.
18 It's truly a pleasure to be here today.
19 It's a pleasure in that a member of
20 Council in the suburbs is joining with
21 you. But it's not really the beginning
22 of our cooperation. I understand our
23 Department of Parks and Recreation has
24 been working in consult or communications
25 with your Department of Parks and

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 Recreation to look at the development of
3 Schuylkill River on both sides of the
4 river already. So it's really a
5 continuation of a good process that's
6 already gotten started.

7 I am one of the Lower Merion
8 Township Commissioners. My ward is the
9 12th Ward, which is Merion, and I wish to
10 speak in favor of the steps you're
11 taking, the ordinance which will
12 revitalize the Manayunk Towpath.

13 The reason for my support is
14 that across the Schuylkill, we are taking
15 significant steps to revitalize our
16 waterfront. We're in the process of
17 converting the R6 rail line into a
18 multi-purpose bike riding and walking
19 trail. We are also opening up our
20 waterfront along the Schuylkill where you
21 once saw factories on the other side,
22 which we called our manufacturing
23 district, and we're opening up with new
24 overlay zoning to encourage both
25 residential -- actually, for the most

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2 part, residential and perhaps some office
3 development in that area. So whereas you
4 might see the Manayunk -- there's a movie
5 theatre in Manayunk. Across the way
6 you'll eventually see buildings coming up
7 on the other side, and they're being
8 designed very carefully to be stepped
9 back away from our river trail, which is
10 also a project on the other side. We're
11 still in the process of determining how
12 far along it's going to go, but
13 essentially you'll have a building
14 corridor and then right against the river
15 you're going to have a beautiful walking,
16 recreational path that's going to extend
17 essentially from, I guess, the City
18 Avenue Bridge on into Lower Merion along
19 the river.

20 There are also three
21 opportunities to connect Lower Merion
22 with Manayunk. There is the O'Neill
23 Connolly -- the Connolly Container bridge
24 now is owned by the O'Neill Property
25 Group, and that's the one that connects

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 closest to the movie theatre. Further
3 down there's a freight bridge, which my
4 Parks and Recs person took me over, sort
5 of walking over this wonderful freight
6 bridge, and it goes right sort of into
7 the heart of Manayunk behind many of the
8 stores. And then there's also the
9 beautiful viaduct bridge, and the neat
10 thing about the viaduct bridge -- it's
11 the one with all the arches going over to
12 Manayunk -- is that when we complete the
13 R6 Cynwyd -- the R6 trail, which will
14 become the Cynwyd trail, you'll be able
15 to walk from really kind of sort of deep
16 in Lower Merion down this beautiful
17 railroad track, which will now be a path,
18 which is in a valley between Laurel Hill
19 Cemetery and the other cemetery and it
20 connects up right to the viaduct bridge.
21 That bridge once was the rail bridge that
22 connected the train on its route to
23 Norristown. So folks will be able to
24 walk clear, if we can pull this together,
25 will be able to walk from Cynwyd Station,

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 which is at Conshohocken State Road at
3 the top of Bala Avenue, all the way and
4 around about two miles toward Manayunk
5 and then cross over. Then folks can come
6 down, as I did with my Parks and Rec, the
7 Assistant Director. We had dinner in
8 Manayunk and then we crossed one of the
9 bridges and came back. It was really a
10 neat experience. And when it's done,
11 people will be able to do this really by
12 bike, by walking, running, whatever.
13 They'll be able to -- we'll be connected
14 up.

15 So when we connect Manayunk
16 with these projects, we'll create a
17 wonderful amenity for both of our
18 communities and take a meaningful step
19 towards regional cooperation. As I
20 mentioned, people will be able to walk,
21 bike, run or roller blade across the
22 Schuylkill from a green trail to a
23 wonderful shopping and entertainment
24 district, which is also, of course, a
25 wonderful residential neighborhood, and

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 connect that residential neighborhood
3 with more green space on the other side.
4 So it seems like it's a great synergy and
5 I truly support it.

6 The last note that I have is,
7 it's sort of an historic irony here, is
8 that the Towpath that you're now working
9 on we believe was connected to the
10 Pencoyd Iron Works on our side of the
11 river by the Connolly bridge, so that
12 once the iron or steel was made, they had
13 probably animals take it across the river
14 and then load it into barges along the
15 Towpath. So as you're revitalizing your
16 ancient Towpath, we're revitalizing the
17 steel works on the other side for new and
18 interesting and wonderful uses.

19 That's it.

20 COUNCILWOMAN BROWN: Well,
21 thank you for your testimony.

22 Any questions of this witness?
23 Councilman Curtis Jones.

24 COUNCILMAN JONES: No. I just
25 want to thank you for taking time out to

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 come to the City of Philadelphia and give
3 this testimony as a good neighbor. We
4 had an opportunity on City Avenue to
5 light a bridge that had a long time not
6 been lit, and I think this is a
7 continuation of that reaching across
8 county lines that Mayor Nutter has
9 started that we want to continue in the
10 4th Councilmanic District to make sure
11 that vitality knows no boundaries and
12 economic development and quality of life
13 issues are addressed by both counties.

14 I want to thank you for coming
15 out.

16 COMMISSIONER GORDON: My
17 pleasure. Thank you.

18 COUNCILWOMAN BROWN: Let me
19 just underscore how your enthusiasm is
20 contagious. It shows. And the
21 collaboration is a win-win for all
22 parties. Thank you very much.

23 COMMISSIONER GORDON: Thank
24 you, Councilperson.

25 COUNCILWOMAN BROWN:

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2 Mr. Solomon Jones.

3 MR. JONES: Good afternoon,
4 Chairwoman Reynolds Brown and
5 Vice-Chairman Jones, Councilwoman
6 Quinones-Sanchez and Councilman Clarke.
7 My name is Solomon Jones and I'm the
8 Director of Community Relations for
9 Congressman Chaka Fattah, who represents
10 Pennsylvania's Second Congressional
11 District in the U.S. House of
12 Representatives. I am pleased to appear
13 today on the Congressman's behalf in
14 support of Council Bill No. 080540
15 authorizing Fairmount Park to enter into
16 a license agreement for certain air
17 rights adjacent to a property located at
18 2 Rector Street in Manayunk.

19 The proposed ordinance will
20 enable the property owner of 2 Rector
21 Street to construct an outdoor deck along
22 the southwest side of the property
23 adjacent to the Manayunk Canal and
24 Towpath.

25 The Congressman's interest in

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 waterways as both economic drivers and
3 natural resources has been a key element
4 of his work. He helped to secure funding
5 for waterways, including Cobbs Creek, the
6 Tacony Creek and the Schuylkill River.
7 He supported the installation of a fish
8 ladder at the Philadelphia Water Works,
9 and he is excited to offer his support
10 for the development of the Manayunk Canal
11 and Towpath.

12 As the Manayunk Development
13 Corporation found in its 2005 design
14 study, the development of the Canal and
15 Towpath will enliven this historic
16 stretch of the Canal and aid Manayunk in
17 moving toward the next stage of its
18 revival and sustenance. Congressman
19 Fattah believes in that future and would
20 urge both the Fairmount Park Commission
21 and this Committee support it.

22 The passage of Bill No. 080540
23 is but a first step toward helping
24 Manayunk to reach its full potential.
25 The Congressman believes that the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Manayunk Canal and Towpath, under the
3 guidance of the Fairmount Park Commission
4 and with the support of businesses and
5 elected officials at all levels of
6 government, can combine natural and
7 economic resources in a way that will
8 help the Canal and Towpath become a
9 neighborhood asset, a City asset and
10 indeed a regional asset. It can act as a
11 literal connector between Philadelphia
12 and its suburbs, improving business and
13 moving our regional economy forward in a
14 meaningful way.

15 I appear before you today to
16 offer Congressman Fattah's support for
17 this legislation and to ask that this
18 Committee favorably recommend Bill No.
19 080540.

20 Thank you.

21 COUNCILWOMAN BROWN: We thank
22 you for your presence and your testimony.

23 Any questions for this witness?

24 (No response.)

25 COUNCILWOMAN BROWN: Then we

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 thank you, gentlemen, very much.

3 We'll proceed then with our
4 next panel, the designers and developers
5 for the Manayunk Canal Towpath. Please
6 come forward Mark Keener, B&K Urban
7 Design; Fran Burns, Executive Director of
8 the Manayunk Development Corporation; and
9 Winnie Clowry, President of the Manayunk
10 Development Corporation.

11 Next up after this panel will
12 be the Main Street Partners.

13 (Witnesses approached witness
14 table.)

15 COUNCILWOMAN BROWN: Good
16 afternoon. If you would proceed with
17 your testimony in whatever order you
18 decide. Just please state your name for
19 the record.

20 MS. SECORA: Good afternoon.
21 My name is Kay Secora and I'm with
22 Manayunk Development Corporation and the
23 Schuylkill Project. The Schuylkill
24 Project is working on the waterfront from
25 East Falls through Manayunk. I'm going

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 to be reading testimony from Mark Keener,
3 who was here earlier but unable to stay.

4 We commissioned a study with
5 him in 2005 that was finished in 2005 to
6 give us building standards to look at the
7 backs of these buildings in hopes that we
8 would be able to foster this kind of
9 development. It's always been a dream
10 for this area that this would be the
11 future of Manayunk that would set it
12 apart. So I'm just going to read his
13 testimony.

14 In 2004, my firm was asked to
15 lead an effort to define the
16 opportunities for and obstacles to
17 enlivening Manayunk's waterfront. It was
18 a four-part task: assess and document
19 the physical qualities of the public
20 realm, we photographed, measured and
21 mapped the Main Street Towpath area.

22 Of special interest to us is
23 the way the buildings that front onto
24 Main Street turn their parks to the
25 Towpath and that Main Street is usually

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 at a higher elevation than the Towpath.
3 It means that if you enter a Main Street
4 shop or restaurant and walk through the
5 building to get to the waterfront, when
6 you get there, you are a story above. A
7 great view and a nice place to be, but
8 very rarely experienced because few
9 businesses open the backs of the
10 buildings to the other front, the
11 waterfront.

12 The second part was,
13 demonstrate the potential for Canal side
14 to be enjoyed like other urban waterways,
15 Milwaukee, Amsterdam, San Antonio. We
16 found that from an urban design and
17 architectural perspective, the varied
18 nature of the Canal side path and its
19 physical relationship to the adjacent
20 buildings and to Main Street means there
21 is no singular design solution that will
22 work for all or most of the 20 or so
23 places that back on the Canal.

24 So we documented a number of
25 typical situations and solutions that

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 could be adjusted to match conditions.

3 So we confirmed that, yes, there is a
4 great latent potential for a more lively
5 and enjoyable waterside place.

6 Define the specific measurable
7 standards for the Canal side space as if
8 they were to become provisions for an
9 overlay ordinance. These standards are
10 in the enlivening report, and you folks
11 have a copy of the report that was done.
12 And it sets common sense ratio between
13 the width of the Canal pathway and any
14 overhead encroachments, like a deck or a
15 balcony. Basically, there are three
16 rules: that no projection makes then
17 more than half the width of the pathway;
18 and the lower the projection, the less it
19 may project; and that any projection such
20 as a balcony must provide a minimum of
21 ten feet clearance above the path and
22 eight feet clearance above any cafe
23 dining setting between the 11-foot
24 pathway and the building edge.

25 The document illustrates how

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 the rules should be applied to balconies,
3 awnings, bay fronts, canopies, columns
4 and cafe seating. It also suggests
5 elementary architectural guidelines for
6 appropriate materials, windows and
7 overall aesthetics, as well as detailed
8 recommendations.

9 I can go on, but basically we
10 decided that wanting this was just the
11 first step, that we really needed to
12 quantify it in a way that when it was
13 implemented, it could be something really
14 good, and that is really what was borne
15 forth in the report.

16 Thank you.

17 COUNCILWOMAN BROWN: Thank you
18 for your testimony.

19 Please state your name for the
20 record.

21 MS. CLOWRY: Hi. My name is
22 Winnie Clowry.

23 COUNCILWOMAN BROWN: Proceed.

24 MS. CLOWRY: Good afternoon to
25 the City Councilmembers of the Committee

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 on Parks, Recreation and Cultural
3 Affairs. My name is Winnie Clowry and
4 I'm the owner of Winnie's Lebus and the
5 President of the Manayunk Development
6 Corporation. Thank you for the
7 opportunity to present testimony.

8 I'm testifying both as a
9 Manayunk business owner and President of
10 the Manayunk Development Corporation in
11 support of Bill No. 080540. The
12 ordinance authorizes the Commissioner of
13 Public Property and the Executive
14 Director of Fairmount Park to enter into
15 an air rights license agreement with Main
16 Street Partners, LP allowing Main Street
17 Partners, LP to construct a deck over a
18 certain portion of the Manayunk Canal
19 Towpath at 2 Rector Street.

20 This lease agreement symbolizes
21 the groundbreaking of a larger vision of
22 the Manayunk Canal and Towpath. In 2005,
23 Manayunk Development Corporation
24 commissioned a report entitled,
25 "Enlivening the Manayunk Canal Towpath."

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Various stakeholders, including the
3 Fairmount Park Commission, City of
4 Philadelphia Planning Commission,
5 business community and the Manayunk
6 Neighborhood Council, participated and
7 partnered in the development of the 2005
8 study. The study outlined suggested
9 guidelines for adding balconies, bays and
10 decks to the backs of buildings to open
11 business to the Canal. The lease
12 agreement that is before you today is
13 hopefully the first of many that will
14 come before you as the 2005 plan becomes
15 a reality.

16 Manayunk emerged as a
17 destination in the late 1990s and looks
18 to re-emerge in current history as a
19 destination for waterfront dining,
20 shopping and recreational activities.
21 The vision is extensive to include
22 operational locks and water flowing
23 through the Canal, boat trips, docks,
24 fishing, strolling, shopping and dining.
25 This lease agreement could turn into an

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 economic development generator that will
3 be monumental in proportion.

4 I thank Councilman Jones today
5 for his work with MDC on many fronts and
6 I thank this Committee for your
7 consideration. I ask you for your
8 support for Bill No. 080540.

9 COUNCILWOMAN BROWN: Councilman
10 Jones.

11 COUNCILMAN JONES: I'll let --

12 COUNCILWOMAN BROWN: We'll let
13 you finish first before we open it up for
14 questions.

15 MS. BURNS: Thank you. Good
16 afternoon. My name is Fran Burns. I'm
17 the Executive Director of the Manayunk
18 Development Corporation.

19 I'm going to read briefly a
20 written letter in support from one of our
21 business owners, Mike Rose, owner of the
22 Manayunk Brewery and Restaurant.

23 City Council members and
24 members of the Committee on Parks,
25 Recreation and Cultural Affairs, although

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2 I am unable to testify in person today
3 due to a previous commitment, I wanted to
4 provide this letter of support for Bill
5 No. 080540.

6 I feel that the development and
7 clean-up of the Canal are important steps
8 in revitalizing our district. Manayunk
9 has always been a popular destination for
10 both shopping and recreational
11 activities. Opening up businesses on the
12 Canal can only enhance and increase foot
13 traffic, which will provide another place
14 for both Philadelphians and tourists to
15 enjoy.

16 I thank Councilman Jones and
17 this Committee for your consideration. I
18 ask you for your support of Bill No.
19 080540.

20 Sincerely, Mike Rose, owner,
21 Manayunk Brewery and Restaurant.

22 Thank you.

23 COUNCILWOMAN BROWN: We thank
24 you all for your testimony.

25 Councilman Jones.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 COUNCILMAN JONES: I just
3 wanted to say -- and I know you'll stick
4 around, but I wanted to say while you're
5 here and on the record that I have lived
6 long enough and worked long enough, from
7 my days as head of PCDC, from the first
8 parking lot that was opened on the
9 avenue, is just amazing to me,
10 culminating in last Sunday's bike race,
11 to see where that corridor has come from.
12 The vitality, the mixture of young,
13 something old, something new, something
14 borrowed, something blue. It was amazing
15 that day, and I had a wonderful time, and
16 I really feel guilty, really feel guilty
17 about being paid to have that much fun
18 that day.

19 MS. CLOWRY: It is a lot of
20 fun.

21 COUNCILWOMAN BROWN: Just a
22 couple questions I have. What
23 opportunities or obstacles did you
24 encounter in your interface with
25 neighbors that live in that area,

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 residents of that community?

3 MS. BURNS: Actually, they're
4 here to testify. They're going to be one
5 of the panels following us. And in 2005,
6 the Manayunk Neighborhood Council worked
7 with the Manayunk Development Corporation
8 on the Canal study, and you'll hear from
9 them directly, but conceptually they were
10 in agreement with the opening of business
11 to the back of the Canal. So I'll let
12 them speak for themselves, but we have
13 worked historically on this together.

14 COUNCILWOMAN BROWN: Okay. And
15 what does that mean when you say you've
16 worked historically on this?

17 MS. BURNS: Well, that they had
18 input on design guidelines when they were
19 going through the 2005 study, that we
20 were at the same table hearing about what
21 their concerns are, which there are some
22 as it regards maintenance of the Canal
23 and Towpath, and, of course, if we want
24 to open business, we want people to also
25 still be able to use the path. So we're

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 very much, from the business owner
3 aspect, aware of that, and we've been, I
4 think, doing a good job of recognizing
5 each other's needs and working it
6 through.

7 COUNCILWOMAN BROWN: Okay. Any
8 other questions for this panel?

9 (No response.)

10 COUNCILWOMAN BROWN: Thank you
11 very much, ladies.

12 MS. CLOWRY: Thank you.

13 COUNCILWOMAN BROWN: We want to
14 now ask to come to the witness table Dan
15 and Rob -- please forgive me -- Neducsin,
16 owners of 2 Rector Street; Sean Coyle,
17 owner of Bourbon Blue Restaurant; and Jim
18 Campbell, partner with Campbell Thomas
19 and Company.

20 MR. DAN NEDUCSIN: Good
21 afternoon. My name is Dan Neducsin from
22 Main Street Properties. I'm the owner of
23 2 Rector Street.

24 COUNCILWOMAN SANCHEZ: Please
25 speak into the microphone.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 COUNCILWOMAN BROWN: And state
3 your name for the record.

4 MR. DAN NEDUCSIN: My name is
5 Dan Neducsin of Main Street Properties.
6 I'm the owner of 2 Rector Street, 4356
7 Main Street, 58 and 60 Main Street, 4386,
8 88 and 90 Main Street, 4400 through 4410
9 Main Street and 4444 to 4448 Main Street,
10 and also 1 Leverington Avenue. The
11 reason I mentioned those addresses, they
12 all overlook the Canal and the boardwalk,
13 and that's why I feel this is -- it's
14 very important that this goes through.

15 Twenty years ago, Kay Secora
16 and I went in front of Fairmount Park
17 Commission. At the time, Kay's name was
18 Kay Smith. We went in front of Fitz
19 Dixon. Everybody thought this was a
20 wonderful idea. That was 20 years ago.
21 And I'd like to commend Councilman Jones
22 for making this today happen, because
23 it's been a long time coming and it's
24 important for Manayunk.

25 I walk Main Street, and

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 actually just out in the hall, I was
3 asking people if they know where the
4 boardwalk is. Solomon Jones, who just
5 testified, he was never on the boardwalk
6 and he's been on Main Street many times.
7 And if you took a poll of the people who
8 were on Main Street, you would find that
9 probably 80, 90 percent, they don't even
10 know that there's a boardwalk there or a
11 towpath. This would hurt Councilman Al
12 Pearlman and Mayor Rizzo, because they
13 worked very hard at doing this.
14 Unfortunately, what happened was, it
15 wasn't really ever completed then
16 because, as Kay said, the stores that
17 back onto the Canal, it was not possible
18 for customers to get into those stores
19 from the Canal, and that's why today is
20 so important.

21 I personally think that this
22 could develop into a San Antonio type
23 neighborhood or Wilmington or Providence,
24 Rhode Island. And, again, that's why
25 today is so important. And I feel that

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 this bill could be the catalyst for
3 really the revitalization of Manayunk to
4 go up many notches from where it is
5 today.

6 So I want to thank everybody;
7 in particular, Councilman Jones, for
8 making this happen.

9 COUNCILWOMAN BROWN: Thank you
10 for your testimony.

11 Please, sir.

12 MR. COYLE: Hi. My name is
13 Sean Coyle. I'm the owner/operator of
14 Bourbon Blue.

15 Actually, I didn't prepare
16 anything today. I wasn't sure I was
17 supposed to, but hearing everybody in the
18 past panels discuss the hard work that's
19 happened to make this day happen, it's
20 been pretty impressive.

21 I've been the owner/operator
22 for five and a half years and have seen
23 committees go through Manayunk
24 Development Corporation and Councilman
25 Nutter, who was there prior to Councilman

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Jones, and it's just amazing that over
3 the past 18 months, with the help of
4 Fairmount Park Commission, Mark Focht,
5 who has done a lot of hard work, and
6 Councilman Jones, almost immediately it
7 seems -- it's just impressive how quick
8 it's happened and how -- at the first
9 five and a half years, it feels like it's
10 going on and on and on. I'm just looking
11 forward to seeing how it moves from here.

12 Thank you.

13 COUNCILWOMAN BROWN: Thank you
14 for your testimony.

15 MR. CAMPBELL: Good afternoon.

16 My name is Jim Campbell from Campbell
17 Thomas Architects. We're the architects
18 or designers for the proposed deck.

19 The deck is to be attached to
20 the side of Bourbon Blue and at the first
21 floor level. It will seat approximately
22 36 seats and look directly over the
23 Towpath as well as the Canal over to
24 Venice Island, giving additional security
25 and increasing the liveliness of the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 whole section of the Manayunk Canal at
3 that point.

4 Before you are drawings and
5 perspectives and photographs of what the
6 deck might look like. We are in the
7 process of applying for zoning. We need
8 to go to the Historical Commission as
9 well as the Art Commission for their
10 review, and we will, of course, be going
11 through a zoning process as well and then
12 applying for building permits.

13 It's taken us about two years
14 really to develop that set of plans and
15 get to this point. So we're very
16 grateful that we're here at this point
17 now.

18 COUNCILWOMAN BROWN: Any
19 questions for members of this panel?

20 (No response.)

21 COUNCILWOMAN BROWN: Then I'll
22 ask you the same question I asked the
23 preceding panel. In your view, what
24 opportunities or obstacles do you think
25 were overcome with regard to your

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 interface with folks who live in that
3 community?

4 MR. COYLE: Just as Fran Burns
5 stated, I think that how well we've
6 worked together, the communication that
7 we've had to make sure that each party's
8 needs are met. The concerns of the
9 neighborhood are concerns of mine as
10 well. I think that -- we actually had a
11 meeting yesterday to discuss things about
12 maintenance and lighting and bottles and
13 whatnot to make sure that they're happy
14 with what we're going to do. And as a
15 business owner, I love this idea for the
16 whole Towpath. I think it's great to be
17 the catalyst behind this development, and
18 I just want to make sure that the
19 neighbors and myself and the rest of the
20 Towpath are cohesive in moving along.

21 COUNCILWOMAN BROWN: Okay. Any
22 other comments, observations,
23 suggestions, answers?

24 (No response.)

25 COUNCILWOMAN BROWN: Thank you

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 very much for your testimony.

3 If we could please invite up

4 Mr. Kevin Smith, President of the

5 Manayunk Neighborhood Council.

6 (Witnesses approached witness
7 table.)

8 COUNCILWOMAN BROWN: Good

9 afternoon, sir. Thank you for being

10 here. Mr. Kevin Smith?

11 MR. SMITH: Yes.

12 COUNCILWOMAN BROWN: Okay. We
13 would please start with you. State your
14 name for the record, and then we'll be
15 delighted to hear from the other witness.

16 MR. SMITH: My name is Kevin
17 Smith. I'm the President of Manayunk
18 Neighborhood Council. And this is a
19 great opportunity. As been testified
20 before, this is precedent setting, and so
21 there are two particular points that I
22 want to highlight.

23 We did work very closely with
24 the Manayunk Development Corporation in
25 the development of these guidelines, and

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 we would like to see referenced in the
3 ordinance two things. One, that these
4 guidelines exist and that this
5 development was designed to meet the
6 guidelines and does meet the guidelines,
7 because we think these are very important
8 going forward with what will inevitably
9 be the next project and the next project
10 after that. So we would like to see
11 incorporated references to those
12 guidelines to also set a precedent for
13 the future development on the Canal.

14 The second point is, Manayunk
15 has a well-documented drinking problem,
16 we'll say. After 10:00 p.m. on the
17 weekends, the nature of the street
18 changes dramatically, and for those who
19 haven't seen it -- and I know Councilman
20 Jones recently did a tour on a Friday
21 night. This is a major concern and a
22 major problem in the community.

23 So we want this development to
24 go forward, but we want to make sure that
25 any extensions of restaurants, bars, any

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 development along those lines is done in
3 such a way that it does not expand or
4 make worse any of the problems we already
5 have.

6 So we have some additional
7 suggestions to the use restrictions that
8 we would like to see incorporated. I
9 have sort of a written summary of my
10 testimony and so I'll just highlight the
11 first one.

12 Basically, to make sure we have
13 basically a consistent restaurant-style
14 operation, is seated service only on the
15 deck, no standing, no high-top tables.
16 Hours of operation should be tied to the
17 kitchen. We're suggesting it should not
18 be open more than an hour after the
19 kitchen closes, and under no
20 circumstances open past midnight.

21 There should be no bottles
22 served on the deck that could end up in
23 the Canal or fall off the deck onto
24 someone below. There should be adequate
25 lighting underneath the deck for security

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 purposes, but minimum lighting with no
3 glare, no up-lighting.

4 We believe the capacity of the
5 deck should be clearly defined. I think
6 the plans and the testimony of
7 Mr. Campbell suggested 36 seats. We
8 would be glad to add a little flexibility
9 to that and say no more than 40 seats on
10 the deck. And we would like to suggest
11 that space underneath the deck should
12 include plants, bike racks and other
13 amenities to improve -- space not
14 otherwise used should provide amenities
15 to the Towpath users, such as planting,
16 bike racks and so on.

17 And so to finish off, we're in
18 full support. I think with some of these
19 additions, this could be a great asset to
20 the community and basically start opening
21 up the Towpath, and we're happy to
22 support it.

23 COUNCILWOMAN BROWN: Councilman
24 Jones.

25 COUNCILMAN JONES: Yes. Can we

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 ask the owners of Bourbon Blue to come
3 back up and maybe -- are these things --
4 these are not seemingly unreasonable
5 things, and one of the -- if you notice,
6 the Chair Lady has been consistent in her
7 questioning to each of the panels, and
8 that questioning was how have you
9 interacted with the community there.
10 Fortunately, although she is a
11 Councilperson-at-large, most recently we
12 took a tour of the area at night and had
13 an opportunity to feel the fun
14 atmosphere, but also listen to some of
15 the concerns of the community when it
16 came to issues of bottles and issues of
17 access for the residents in that area.

18 So he is raising legitimate
19 issues that as we go forward -- and we're
20 not just talking about you. We are
21 indeed setting a precedent. We open this
22 door, it is going to be difficult to
23 close it, and I think that is at the
24 spirit of our concern.

25 So having heard some of Kevin's

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 issues, is that something you can live
3 with? Are those things that you can live
4 with?

5 COUNCILWOMAN BROWN: Have they
6 been addressed at all?

7 MR. COYLE: They have all been
8 addressed. Actually, yesterday's meeting
9 we discussed bottles and hours. The
10 bottle issue that I had was if it's built
11 properly and there is no standing,
12 bottles can't fall. Originally I had
13 planned on not doing glassware at all
14 outside, but at the same time, it's
15 acting as a dining room more than
16 anything else, so I wanted to have the
17 option to serve you a glass of wine not
18 in a plastic cup.

19 COUNCILWOMAN BROWN: Sure.

20 MR. COYLE: Because I want it
21 to be consistent with the dining room and
22 not a party scene as much as any outside
23 seating is outside in Manayunk, I had no
24 issue with building it properly so it
25 maintains no issues with falling onto the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Towpath or hurting anybody or any glass
3 breaking.

4 In addition, speaking with Jim
5 and getting to this point, a lot of his
6 pictures, his drawings, his scapes are
7 based on hard wrought iron, underneath
8 having some sort of catch, if anything
9 were to fall, being built with, I
10 believe, recycled plastic where it won't
11 drip, and if it does, it's tight enough
12 to not mess up the Towpath at all, as
13 well as maintaining every night with my
14 staff, as well as MDC as the morning
15 staff, to make sure that in between the
16 hours of 2:00 a.m. to 6:00 a.m. when the
17 sun comes up, everything will be cleaned
18 by the time the first runners or bikers
19 come out there, to keep the integrity.

20 COUNCILWOMAN BROWN: Thank you
21 for that follow-up answer.

22 That addresses one of a series
23 of issues you raise. What about the
24 other guidelines you recommended,
25 Mr. Smith?

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 MR. SMITH: I think the list we
3 presented was basically a result of the
4 discussions with Sean yesterday. The
5 bottle thing I think can be expanded into
6 the more general description of
7 safeguards to ensure that spills and
8 dropped items cannot roll or run off the
9 deck, and I think that's the real concern
10 as opposed to bottles in particular.

11 COUNCILMAN JONES: Just one
12 other point, if I may, Madam Chair.

13 COUNCILWOMAN BROWN: Please.

14 COUNCILMAN JONES: In our tour
15 we saw a lot of traffic. The vitality of
16 the area is real, but in one man's
17 prosperity is another person's how do I
18 get to sleep.

19 Do you think by opening up the
20 back end, that we take some of the
21 congestion off of the Main Street and
22 that some of the noise volume will
23 actually go down?

24 MR. COYLE: As far as our
25 project goes, I think overall the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 development will do such. I mean, as Dan
3 stated, that 90 percent of the people
4 don't even know that there is a towpath,
5 except the people that jog and bike down
6 it. Our project is, I don't believe,
7 large enough -- 36 to 40 seats -- to have
8 that kind of impact.

9 COUNCILMAN JONES: No. I mean
10 over time.

11 MR. COYLE: But overall,
12 absolutely, especially going from Green
13 Lane to Shurs Lane. I mean, I can't
14 imagine it wouldn't.

15 COUNCILMAN JONES: Thank you.

16 COUNCILWOMAN BROWN: Mr. Smith,
17 what's your response to that?

18 MR. SMITH: Our consistent
19 position on Main Street is that the
20 problems from the excessive drinking and
21 so on are a problem of volume, and that's
22 one of the reasons for the safeguards.
23 What happens when the bars let out at
24 1:30, 2 o'clock, all these people then
25 mill through the neighborhood and so on.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 So in that sense and the guidelines and
3 the specifications to operate this as a
4 restaurant and the limitation on hours I
5 think all combine to really ensure that
6 this operates as a normal restaurant that
7 is in everybody's interest. I think it
8 will be enjoyed by the neighbors, the
9 visitors and everyone and would not
10 contribute to the nighttime problems.

11 COUNCILWOMAN BROWN: And so at
12 the end of that discussion, the handling
13 of guidelines was what? Complete the
14 sentence. How would they be addressed to
15 the satisfaction of Manayunk Neighborhood
16 Council?

17 MR. SMITH: I'm not clear.

18 COUNCILWOMAN BROWN: You asked
19 of the sponsor of this matter an
20 opportunity to include it in the
21 ordinance.

22 MR. SMITH: Yes.

23 COUNCILWOMAN BROWN: So is that
24 the wish of the collective group?

25 MR. SMITH: Yes. By

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 "collective group," I'm here representing
3 Manayunk Neighborhood Council.

4 COUNCILMAN JONES: I guess are
5 you satisfied with the discussions with
6 Bourbon Blue as to safeguarding some of
7 your issues?

8 MR. SMITH: Yes. I believe
9 he's agreed to all the important
10 conditions, and so the point is, we would
11 like to have them sort of codified in the
12 ordinance as to how they're understood
13 now so there's no questions later and it
14 becomes a model for the future
15 agreements.

16 COUNCILMAN JONES: I'm fine
17 with that.

18 You're fine with that?

19 MR. COYLE: I'm fine.

20 COUNCILWOMAN BROWN: Mr. Mark
21 Focht?

22 Mr. Mark Focht, state your name
23 for the record.

24 MR. FOCHT: Mark Focht,
25 Executive Director of Fairmount Park.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 Just one point I'd like to
3 clarify, because I'm hearing the
4 discussion and I think it's very
5 positive, but when we talk about
6 codifying more things into this
7 legislation as setting the template for
8 future legislation, I just wanted to
9 bring into the record one concern I have.

10 I heard a mention of the use of
11 the space under the deck, and I just want
12 to clarify that in our conversations and
13 agreement with the partnership, the space
14 underneath the deck would be well lit, so
15 we've very much taken that into concern,
16 and that it cannot be enclosed. So the
17 space underneath the deck cannot be
18 enclosed for any way and it can also not
19 be used for any commercial purpose. So
20 the restaurant can't use it for
21 additional seating.

22 The one thing I did hear from
23 the community was an interest in bike
24 racks and plantings under the deck. I
25 just wanted to comment on that, because I

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 don't -- knowing the space very well, I
3 don't think it's feasible to put
4 plantings underneath the deck, first of
5 all, just getting sunlight to them to get
6 them to grow, and also putting bike racks
7 there may result in bikes being tied up
8 in a fashion that would partially block
9 the jogging trail, the actual trail
10 itself.

11 So while I think those are
12 appropriate uses in some places where you
13 have enough light and enough land, just
14 when I just heard codifying this and
15 setting a standard for future decks, I
16 just wanted to have read into the record
17 my concerns that putting plantings and
18 bike racks underneath the deck is not
19 feasible at this site and may not be
20 feasible at all sites on the Canal.

21 COUNCILMAN JONES: So it is a
22 preferred option if we can manage the
23 space well. And I agree, we should not
24 write that part into the law, thus
25 mandating it for future development.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 Is that agreeable?

3 MR. SMITH: Yes, that's
4 agreeable.

5 COUNCILWOMAN BROWN:

6 Councilwoman Maria Quinones.

7 COUNCILWOMAN SANCHEZ: What we
8 may want to do is put the terminology
9 that we're going to maximize that space
10 for public usage, so that in future
11 developments, it's clear that that space
12 is for the public, to maximize that
13 public access.

14 MR. FOCHT: That would be very
15 good.

16 COUNCILMAN JONES: Agreed.

17 MR. FOCHT: Thank you.

18 COUNCILWOMAN BROWN: Thank you
19 very, very much.

20 Please, please. State your
21 name for the record.

22 MR. DAN NEDUCSIN: Again, I'm
23 Dan Neducsine from Main Street Properties.

24 I agree with what Mark just
25 said. It would be almost impossible to

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 put bike racks there. I think that we
3 have to realize that this is precedent
4 setting, and to codify something as to
5 the hours of operation, I think there's
6 other restaurants there. There's other
7 restaurants that are open until 2 o'clock
8 in the morning. There is other
9 restaurants that have table seating on
10 the street. They have cafe licenses.
11 And to say that those people have to
12 leave at 12 o'clock, whereas the people
13 on the street, they really -- they can
14 stay longer, I think that -- so it's a
15 problem restricting the hours.

16 I'm happy -- Sean said he's
17 fine with it, but, again, it's precedent
18 setting and there are a number of other
19 restaurants that aren't here today that
20 are kind of looking forward to doing the
21 same thing that Bourbon Blue is going to
22 do. So I think that you should look at
23 the hours of --

24 COUNCILWOMAN BROWN: Proceed
25 cautiously.

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 MR. DAN NEDUCSIN: Yes.

3 COUNCILWOMAN BROWN: Thank you,
4 sir.

5 Please, would you state your
6 name for the record.

7 MR. CROWNGOLD: Sam Crowngold.

8 Good afternoon, Chairwoman Reynolds
9 Brown, Councilman Jones, Councilwoman
10 Sanchez, and Councilman Clarke has gone.
11 Good afternoon, City Council members of
12 the Committee on Parks, Recreation and
13 Cultural Affairs. As I stated, my name
14 is Sam Crowngold. I'm President of
15 Propper Brothers Furniture and I'm also
16 the Treasurer of the Manayunk Development
17 Corporation. I thank you for this
18 opportunity to testify today.

19 Propper Brothers Furniture has
20 been a part of the City business
21 community since 1888. I have been at the
22 helm of Propper Brothers beginning in
23 1972. I have experienced Manayunk at its
24 low point and have been an active
25 participant in the growth and

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 redevelopment of this now vibrant
3 business and residential community.

4 I actively support City Council
5 Bill No. 080540. This ordinance will
6 authorize the Commissioner of Public
7 Property and the Executive Director of
8 the Fairmount Park to enter into an air
9 rights license agreement with Main Street
10 Partners, LP allowing them to construct a
11 deck over a certain portion of the
12 Manayunk Canal Towpath at currently No. 2
13 Rector Street.

14 The lease agreement before you
15 today is hopefully the first of many
16 opportunities to allow Manayunk business
17 development to open on the Canal side of
18 Main Street. The charm that created will
19 become a major attraction for visitors to
20 the City and Manayunk.

21 This requirement is an
22 outgrowth of a study performed in 2005
23 which was commissioned to determine the
24 best use of the Canal Towpath asset. The
25 study outlines suggested guidelines for

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 adding balconies, bays and decks to the
3 backs of buildings to open business, not
4 necessarily only restaurants, to the
5 Canal.

6 Your approval of this bill will
7 mark the beginning of a new progressive
8 era and utilization of the Canal Towpath,
9 a unique waterfront asset in the City.

10 This lease agreement will help
11 create economic development in Manayunk,
12 which we have not seen for some time, and
13 help create an atmosphere to foster
14 growth in our business community.

15 I take this opportunity to
16 thank Councilman Jones for his
17 contribution, his support and his
18 association with Manayunk Development
19 Corporation. I thank this Committee for
20 your positive consideration, and I thank
21 you for your support of Bill No. 080540.

22 Thank you.

23 COUNCILWOMAN BROWN: Councilman
24 Curtis Jones.

25 COUNCILMAN JONES: Yes. First

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 of all, thank you all for taking the time
3 out to testify today. I just want to say
4 for some of us, this is just a procedural
5 piece, a piece of legislation and a minor
6 procedural issue, but for the people of
7 the 4th District and Manayunk, this is
8 something really big and something really
9 special.

10 I'm proud to have used our
11 office to move this as a catalyst for
12 further development of Manayunk and, in
13 particular, the Towpath. This is an
14 opportunity we just can't pass up. It
15 expands on a regional manner, in a
16 regional way, the vibrant nature of this
17 area.

18 We had Commissioner Gordon come
19 in and testify today, a fact in how
20 important that cooperation on both sides
21 of the water is. His development of
22 Lower Merion on the riverfront is
23 directly linked to this particular piece
24 of progress, I'm going to call it.

25 As we look forward to the

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Canal's further development, we are
3 mindful, however, that we have to balance
4 economics with environment and with
5 quality of life issues, with the
6 environment and quality of life issues,
7 and I think we're approaching this in a
8 thoughtful manner in looking at all
9 three.

10 We took the tour a couple of
11 weeks ago just so that we had a better
12 sense of what was going on in the
13 nightlife in the area, and I believe, as
14 Councilperson for this area, that this is
15 a good step in the right direction. It
16 includes all of the interest groups, from
17 the environmentalist to the business
18 interest and to the residential interest.
19 So I'm grateful that all the stakeholders
20 came out today and I'm thankful that you
21 came out and offered your testimony.

22 MR. SMITH: I want to make
23 one -- I just want to reiterate a
24 follow-up to Mr. Neducsin, that
25 collectively it's all the establishments

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 open until 2:00 a.m. collectively that
3 are the problem in Manayunk, and I think
4 it is of particular importance that that
5 not be extended to the Canal side of the
6 operations.

7 Thank you.

8 MR. CROWNGOLD: And I would
9 like to add that I disagree with
10 Mr. Smith's comments. The difficulties
11 that we experience in Manayunk late at
12 night when the bars and restaurants let
13 out are caused by a very small number of
14 individuals. The vast majority of the
15 visitors to our community who come to
16 enjoy Main Street for shopping, dining,
17 drinking, utilizing the Canal for walking
18 their dogs, running, jogging, walking,
19 bike riding do so in a very law-abiding,
20 peaceful, quiet, friendly,
21 smile-on-their-face manner. We're
22 dealing with a very small number of
23 individuals.

24 The other side of the point I
25 would like to make is, I have spent a

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 good number of years in Manayunk and I
3 have spent a good number of hours
4 observing the activities, and I'd suggest
5 that while, yes, some of the difficulties
6 we experience with the late night crowd
7 does occur from people who live outside
8 of the community, many of the
9 difficulties are caused by people
10 filtering through the community after
11 they leave the bars at 2:00 a.m. and
12 going to their home two or three blocks
13 away from Main Street. It is not
14 necessarily a problem that is caused by
15 the establishments, but by society in
16 general and the way people act today.

17 Yes, it's an enforcement issue,
18 and we have tremendous support from
19 Captain Cerrone and the entire staff of
20 the 5th District Police. We cannot
21 stifle the development of our community
22 based on a few people.

23 COUNCILWOMAN BROWN: Councilman
24 Jones.

25 COUNCILMAN JONES: I want to

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 say that we're going to table what you
3 just said for a larger, wide-ranging
4 discussion of a number of things,
5 including town and gown issues. I think
6 this is a good project. I think it's in
7 the right direction and, therefore, I
8 offer my support for it. But I will
9 reserve the right to, as Councilperson
10 there, take a -- and I believe I'm joined
11 by my colleagues in saying -- take a
12 wider panoramic view of what's going on
13 and how it impacts folk and particularly
14 residents in that community.

15 So we're going to put a pin in
16 that discussion for a moment and we're
17 going to move on with the business at
18 hand as opposed to starting a whole
19 discussion about quality of life issues
20 in that area. But I think this is a good
21 project and, therefore, I'm in support of
22 it.

23 MR. CROWNGOLD: Thank you.

24 COUNCILWOMAN BROWN: Any other
25 questions for members of this panel?

1 6/11/08 - PARKS - BILLS 080427 and 080540

2 Mr. Smith.

3 MR. SMITH: I have some written
4 summary of my points in my testimony. I
5 can probably hand that to somebody.

6 COUNCILMAN JONES: Thank you.

7 COUNCILWOMAN BROWN: I will
8 simply underscore my colleague's comments
9 that you can be assured that there will
10 be broader discussion around the town and
11 gown issues, because there needs to be.

12 Thank you very much.

13 MR. CROWNGOLD: Thank you very
14 much.

15 COUNCILWOMAN BROWN: Anyone
16 else to testify on this bill?

17 (No response.)

18 COUNCILWOMAN BROWN: If we
19 could please now move to have the Clerk
20 please read the title of the next bill.

21 THE CLERK: Bill No. 080427, an
22 ordinance amending Chapter 15-200 of The
23 Philadelphia Code, entitled "Fairmount
24 Park," by removing 5100 Pennypack Street
25 from the areas under the care and

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2 jurisdiction of the Fairmount Park
3 Commission, under certain terms and
4 conditions.

5 COUNCILWOMAN BROWN: Anyone
6 here to testify on Bill No. 080427?
7 (Witness approached witness
8 table.)

9 COUNCILWOMAN BROWN: Please,
10 you want to state your name for the
11 record.

12 DEPUTY COMMISSIONER HERZINS:
13 John Herzins, Deputy Commissioner of
14 Public Property.

15 COUNCILWOMAN BROWN: Please
16 proceed with your testimony.

17 DEPUTY COMMISSIONER HERZINS:
18 Good afternoon, Chairwoman Reynolds Brown
19 and members of the Committee on Parks,
20 Recreation and Cultural Affairs. I am
21 here on behalf of the Commissioner to
22 testify in support of Bill No. 080427, an
23 ordinance amending Chapter 15-200 of The
24 Philadelphia Code, entitled "Fairmount
25 Park," by removing 5100 Pennypack Street

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 from the areas under the care and
3 jurisdiction of the Fairmount Park
4 Commission, under certain terms and
5 conditions.

6 The property was transferred to
7 the care and jurisdiction of the
8 Fairmount Park Commission last year and
9 this bill will allow Public Property to
10 re-assume the responsibilities for the
11 parcel.

12 The Department supports this
13 measure and, accordingly, I respectfully
14 ask that City Council approve Bill No.
15 080427 and also request that this
16 Committee vote the bill out of Committee
17 with a favorable recommendation and that
18 the rules be suspended to permit first
19 reading at the next Council session.

20 Thank you. I will be happy to
21 answer any questions you may have.

22 COUNCILWOMAN BROWN: Any
23 questions for this witness?

24 (No response.)

25 COUNCILWOMAN BROWN: Anyone

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 else to testify on Bill No. 080427?

3 (No response.)

4 COUNCILWOMAN BROWN: Thank you
5 very much.

6 DEPUTY COMMISSIONER HERZINS:
7 You're welcome.

8 COUNCILWOMAN BROWN: This
9 concludes our public hearing. We will
10 now move into a public meeting to take
11 action on Bill Nos. 080427 and 080540.

12 I'd like to call on Councilman
13 Jones for a motion on Bill No. 080540.

14 COUNCILMAN JONES: Thank you,
15 Madam Chair. I move for a motion for the
16 approval with a favorable recommendation
17 of 080540 and a suspension of the rules
18 allowing for a first reading.

19 (Duly seconded.)

20 COUNCILWOMAN BROWN: Okay.
21 Bill No. 080540 has been moved with a
22 favorable recommendation and seconded
23 such to permit first reading at our next
24 scheduled session of Philadelphia City
25 Council.

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2 Could I please, Councilwoman
3 Maria Quinones-Sanchez, have a motion on
4 080427.

5 COUNCILWOMAN SANCHEZ: I move
6 that we move Bill 080427 out of Committee
7 with a favorable recommendation and that
8 the rules of Council be suspended to
9 allow first reading at our next public
10 session.

11 (Duly seconded.)

12 COUNCILWOMAN BROWN: Bill No.
13 080427 has been moved with a favorable
14 recommendation out of Committee with a
15 favorable recommendation and rules of
16 Council be suspended so as to permit
17 first reading at our next scheduled
18 session of Philadelphia City Council.

19 All in favor?

20 (Aye.)

21 COUNCILWOMAN BROWN: Any
22 opposed?

23 (No response.)

24 COUNCILWOMAN BROWN: This
25 concludes the meeting of the Council

1 6/11/08 - PARKS - BILLS 080427 and 080540
2 Committee on Parks, Recreation and
3 Cultural Affairs.

4 Thank you for your interest.

5 (Committee on Parks, Recreation
6 and Cultural Affairs adjourned at 3:50
7 p.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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foregoing matter on June 11, 2008, 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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