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2 COUNCIL OF THE CITY OF PHILADELPHIA

3 COMMITTEE ON RULES

4

5 Room 400, City Hall
6 Philadelphia, Pennsylvania
7 Wednesday, May 12, 2010
8 11:10 a.m.

8

PRESENT:

9 COUNCILMAN JAMES KENNEY, CHAIR
10 COUNCILMAN DARRELL CLARKE
11 COUNCILMAN FRANK DiCICCO
12 COUNCILMAN W. WILSON GOODE, JR.
13 COUNCILMAN WILLIAM K. GREENLEE
14 COUNCILMAN JACK KELLY
15 COUNCILWOMAN DONNA REED MILLER
16 COUNCILWOMAN BLONDELL REYNOLDS BROWN

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BILLS 100013, 100092, 100156 and 100253

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2 COUNCILMAN KENNEY: Good
3 morning, ladies and gentlemen. The
4 Committee on Rules is now in session. We
5 have a quorum with myself, Councilman
6 Kenney, Councilman Clarke, Councilman
7 Greenlee, Councilman Goode and Councilman
8 DiCicco.

9 I have an announcement to make.
10 Bill No. 100013, dealing with Market
11 Street and an advertising district, will
12 not be heard today. The bill is being
13 held. So if you're here to testify on
14 that bill, for or against it, we'll be
15 taking no testimony today.

16 The first bill on the agenda is
17 Bill No. 100253, which is an ordinance
18 amending Title 14 of The Philadelphia
19 Code, relating to "Zoning and Planning,"
20 by amending Chapter 14-1600, entitled
21 "Miscellaneous," by amending Section
22 14-1611, entitled "Benjamin Franklin
23 Parkway Controls," by exempting certain
24 building features from being considered
25 as part of the height of a building

1 5/12/10 - RULES - BILL 100092, etc.
2 within a specified area subject to the
3 Benjamin Franklin Parkway Controls, under
4 certain terms and conditions.

5 (Witnesses approached witness
6 table.)

7 COUNCILMAN KENNEY: Please
8 identify yourself for the record.

9 MR. KRAMER: Good morning,
10 Councilman Kenney and members of the
11 Rules Committee. I am William Kramer,
12 Division Director of the Development
13 Planning Division of the Philadelphia
14 City Planning Commission. I am here
15 today to testify on Bill No. 100253,
16 which was introduced by Councilmember
17 Clarke April 15th, 2010.

18 Bill No. 100253 amends Section
19 14-1611 of the Philadelphia Zoning Code,
20 entitled "Benjamin Franklin Parkway
21 Height Controls," by exempting certain
22 building features from being considered
23 as part of the height of a building. The
24 proposed exemption would apply only to
25 the block bounded by Vine Street, 18th

1 5/12/10 - RULES - BILL 100092, etc.
2 Street, the former Wood Street and
3 Franklin Towne Boulevard. This bill
4 proposes to exempt monuments, belfries,
5 cupolas, minarets, pinnacles, gables,
6 spires or ornamental towers not intended
7 for human occupancy from the 125 foot
8 height restriction mandated by Section
9 14-1611 of the Zoning Code. This block
10 has a zoning designation of "C-4"
11 Commercial and the Commercial section of
12 the Zoning Code does not establish these
13 exemptions. They do exist in the
14 Residential section of the Code.

15 It is our understanding that
16 this bill is being proposed to allow this
17 site to be considered for the
18 construction of a new Mormon Temple.
19 However, to date, no plans for such
20 construction have been submitted to the
21 staff of the Planning Commission for
22 review or consideration.

23 The Philadelphia City Planning
24 Commission is scheduled to consider Bill
25 No. 100253 at their meeting of May 18th,

1 5/12/10 - RULES - BILL 100092, etc.
2 2010 and will be presented with a staff
3 recommendation for approval.

4 That concludes my testimony.
5 If there's any questions, I'd be happy to
6 answer them.

7 COUNCILMAN KENNEY: Any
8 questions for Mr. Kramer?

9 (No response.)

10 COUNCILMAN KENNEY: Seeing
11 none, please identify yourself for the
12 record.

13 MR. KELSEN: Good morning,
14 members of Council. Peter Kelsen on
15 behalf of the Church of the Latter-Day
16 Saints. With me is Ahmad Corbitt from
17 the church. We appreciate your
18 consideration and your time today.

19 This matter concerns the
20 property that's located at 18th and
21 Franklin Towne Boulevard, basically 18th
22 and Vine Street. It's about 1.6 acres.
23 This property has been used as an
24 open-air parking lot for decades, and we
25 are proud to bring for your consideration

1 5/12/10 - RULES - BILL 100092, etc.
2 a proposal to utilize the site as the
3 home of the Philadelphia temple for the
4 church.

5 The project would include
6 construction of a monumental temple --
7 and you're going to see illustrations of
8 that in a few moments -- meetinghouse,
9 ancillary facilities, underground parking
10 facility for 200 vehicles and other
11 supportive services. The lot itself will
12 be extensively landscaped. It will be an
13 anchor, in our opinion, for the Benjamin
14 Franklin Parkway.

15 It will constitute a
16 world-class institutional use that will
17 anchor the footway of the Parkway and
18 allow the prominence of the Parkway to
19 continue. It is consistent with other
20 religious and institutional uses along
21 the Parkway, most specifically the
22 Basilica.

23 The project will generate a
24 significant amount of positive economic
25 impact to the City. Our consultants from

1 5/12/10 - RULES - BILL 100092, etc.
2 Econsult will give you a briefing on
3 that, but let me give you a few numbers,
4 if I may.

5 The temple project will
6 generate about \$68 million in output
7 within the City during construction,
8 supporting 300 jobs and \$11 million in
9 earnings and create \$700,000 in local
10 taxes for that phase of the project
11 alone.

12 Ongoing expenditures will
13 generate 50 jobs and a million dollars in
14 earnings and additional significant local
15 taxes.

16 Finally, and probably most
17 importantly, the visitation that will be
18 attracted to Philadelphia solely as a
19 result of the temple and the related
20 complex will have an impact of \$20
21 million in terms of revenue to the City.
22 It will support 200 jobs, \$4 million in
23 earnings and approximately \$300,000
24 annually in taxes. So this will be a
25 significant economic generator to the

1 5/12/10 - RULES - BILL 100092, etc.

2 City and to the surrounding community.

3 I will tell you -- and I think

4 it's important to put out right in

5 front -- this project will also be

6 supported with an EOP plan. The church

7 has committed to it, and we are working

8 with Councilman Clarke and other members

9 of Council. That report will be

10 submitted to Council prior to enactment

11 of this ordinance, should Council see fit

12 to move this forward.

13 We would respectfully request

14 that if Council is disposed to act, that

15 the rules be suspended to allow for

16 passage as quickly as possible.

17 COUNCILMAN KENNEY: There's

18 also a proposed amendment.

19 MR. KELSEN: Yes, there is a

20 proposed amendment. Do the members to

21 Council have that?

22 COUNCILMAN KENNEY: Yes.

23 MR. KELSEN: We would ask that

24 the amendment be adopted, which would

25 create a maximum height of 209 feet for

1 5/12/10 - RULES - BILL 100092, etc.
2 the spires that we're speaking of. That
3 would be consistent with the height of
4 the top of the cross at the Basilica.

5 I will tell you that the
6 amendment as well as the change to the
7 Parkway -- to this height control only
8 deals with spires. The balance of the
9 building, as you'll see in a few moments,
10 cover the Parkway Control lines. We're
11 building the cornice line and the
12 shoulders of the building to match what
13 you see at the library and the courts,
14 and it will be in keeping with the
15 Parkway Control.

16 All of the uses that we are
17 contemplating are by-right in this
18 district, and we will be well below the
19 maximum FAR allowable on site.

20 Let me at this time introduce
21 to you Ahmad Corbitt, the representative
22 of the church, and then we will have Mike
23 Kihn and Econsult give brief testimony,
24 if that's okay.

25 COUNCILMAN KENNEY: Good

1 5/12/10 - RULES - BILL 100092, etc.
2 morning. Please identify yourself for
3 the record.

4 MR. CORBITT: Thank you. My
5 name is Ahmad Corbitt. I'm a
6 representative of the Church of Jesus
7 Christ of Latter-Day Saints.

8 Thank you, Peter.

9 It's my distinguished honor to
10 be here before you this morning. I bring
11 greetings on behalf of the presidency of
12 the church and also a couple of local
13 church members, who will actually use
14 this facility, should we be permitted to
15 go forward with it. Vai Sikahema could
16 not be here today, but sends his
17 greetings, as does Andy Reid.

18 We very much look forward to
19 providing whatever economic benefit this
20 project will engender here in
21 Philadelphia. We have great expectations
22 of our projects. It's not unusual for
23 our projects, our temple buildings, to
24 have a value of some \$500 to \$1,000 per
25 square foot in construction. So they're

1 5/12/10 - RULES - BILL 100092, etc.

2 exquisite buildings. They look very

3 good. The grounds are always good.

4 We also -- and we shared this

5 with the Logan Square near neighbors and

6 neighborhood association, as well as the

7 Parkway Council in our meetings with

8 them, that we would welcome people to use

9 the grounds, to take evening strolls or

10 whatever. So we very much look forward

11 to being part of the community and

12 appreciate your hearing us here this

13 morning.

14 COUNCILMAN KENNEY: Thank you

15 very much for your testimony. We do

16 appreciate your interest in the City and

17 your investment here.

18 Any questions for this witness?

19 (No response.)

20 MR. KELSEN: If I may give a

21 brief architectural presentation, if I

22 may.

23 COUNCILMAN KENNEY: Please.

24 Sir, could you please identify

25 yourself for the record.

1 5/12/10 - RULES - BILL 100092, etc.

2 MR. KIHN: I'm Michael Kihn.

3 I'm a principal in the architecture firm
4 of Perkins and Will, with offices at 1717
5 Arch Street here in the City.

6 I'd like to start our
7 presentation by just showing you the
8 location of the project here between 17th
9 and 18th and Vine, accessible by major
10 lines of public transportation, a number
11 of bus routes, SEPTA bus routes, the
12 Broad Street Line and the
13 Market-Frankford Line, and these circles
14 indicate a five- and ten-minute walking
15 distance to the site.

16 This is a photograph of the
17 existing site. It is, as Peter said,
18 right now an open-surface parking lot
19 with 18th, 17th and Vine Street and Wood
20 Street, which is an easement just to the
21 south of the water mark. This is the
22 Family Courts building.

23 This is an illustration of the
24 proposed treatment of the site in terms
25 of landscape, with the temple building

1 5/12/10 - RULES - BILL 100092, etc.
2 here, the ancillary building which
3 contains offices and some assembly space
4 and, as you can see, very extensive
5 landscaping, both soft landscape, trees,
6 and pavement, water features. So the
7 intention is to make this a very
8 beautiful and welcoming space, not only
9 for members of the church but for the
10 general public.

11 Once again, just to orient you,
12 Benjamin Franklin Parkway, 18th and Vine
13 Street.

14 This is an illustration, a
15 hypothetical illustration, using an
16 existing temple. The temple is still in
17 design, so this is not the actual design
18 of the temple, but this is a very
19 accurate representation of how the temple
20 would sit on the site, with the ancillary
21 building and with the landscape that you
22 just saw on the site plan. You can see
23 that the shoulder of the building matches
24 the 80 foot cornice line of the Family
25 Courts and the library to the west.

1 5/12/10 - RULES - BILL 100092, etc.

2 And this is, once again, a
3 hypothetical view of the building, of the
4 temple, from Logan Circle. You can see
5 the main spire and the spire to the west.

6 We do have a few illustrative
7 facts, as Peter said. The site is
8 roughly one and a half acres. The
9 temple, of course, is a religious
10 building, but also the project includes
11 an ancillary building, which will include
12 offices, classrooms, family services, a
13 family history function, and underground
14 parking for 200 cars. So there will not
15 be any on-site parking proposed.

16 The height of the temple, as I
17 mentioned, is -- the shoulder of the
18 temple is 80 feet, which matches the
19 courts and library building. The
20 ancillary building will be four floors,
21 which is slightly lower than that. The
22 proposed height of the spire in its
23 current iteration as designed is 208
24 feet, which matches the 209 foot height
25 of the cross atop the Basilica. The west

1 5/12/10 - RULES - BILL 100092, etc.

2 spire -- as you know, this is a two-spire
3 building -- is approximately 185 feet
4 tall. And the exterior materials will be
5 stone, granite and stained glass.

6 COUNCILMAN KENNEY: Thank you
7 very much for your description.

8 I would like to acknowledge the
9 presence of Councilmembers Miller and
10 Kelly to the Committee.

11 Are there any questions for any
12 of these witnesses?

13 Councilman Clarke.

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

16 Good morning. Mr. Corbitt, if
17 I can, just real quickly, just to give
18 you -- because I've actually learned
19 quite a bit about the Latter-Day Saints
20 over the last several months, and I
21 wasn't actually aware of the presence in
22 the City of Philadelphia. Can you just
23 very briefly, because we have a lot of
24 bills today, just talk about the existing
25 presence of the Latter-Day Saints and

1 5/12/10 - RULES - BILL 100092, etc.
2 some of the work that those facilities do
3 throughout the City?

4 MR. CORBITT: Absolutely.

5 There are tens of thousands of Latter-Day
6 Saints in the Greater Philadelphia area,
7 thousands in the City of Philadelphia. I
8 myself -- our church is broken up into
9 units called stakes, which are similar to
10 diocese. I am a Stake President. I
11 preside over a diocese of some 14
12 congregations of the church.

13 To my right -- to my left,
14 Keith Coast, standing in the back, is
15 another Stake President, who presides
16 over some 12 or so units of the
17 congregations of the church. And so
18 thousands of people in the City of
19 Philadelphia will be using -- would use
20 this facility, would get there in various
21 ways, either public transportation or
22 driving.

23 The ancillary building, to the
24 second part of your question, Councilman,
25 will have a number of features. One is,

1 5/12/10 - RULES - BILL 100092, etc.
2 it will have a church meetinghouse, which
3 will operate on Sunday. And the temple
4 incidentally will not operate on Sunday,
5 so there's sort of a staggered use there,
6 which is actually quite convenient in
7 terms of -- in many ways. But another
8 use for that ancillary building is that
9 it will contain a family history center.
10 You may know the LDS church has the
11 largest genealogical archive and puts it
12 online and makes it available to the
13 public as a public service, as it does
14 with its family history centers. So that
15 will be there. We expect the public to
16 be able to use that.

17 It will have an employment
18 center. It will have a family services
19 center. It will have a church education
20 system center. And so it will be a very
21 functional building.

22 The church also, without a lot
23 of fanfare or publicity about it, seeks
24 to alleviate the suffering of the poor.
25 So we have a very extensive welfare

1 5/12/10 - RULES - BILL 100092, etc.
2 program throughout the City of
3 Philadelphia. I myself, one of my
4 responsibilities is to oversee the use of
5 a regional storehouse, which is like a
6 grocery store without cash registers.
7 People access the storehouse simply with
8 a recommendation from their Bishop, who
9 presides over their congregation, and
10 then they bring that form to the
11 storehouse and they literally take home
12 groceries for free, depending on their
13 need as determined between themselves and
14 the Bishop. So that -- we administer
15 extensive welfare programs. That will
16 not be administered out of this
17 particular facility, but throughout the
18 City we have such facilities and
19 operations.

20 And, Mr. Councilman, I'm
21 conscious of time. If that answers your
22 question, I'll stop there or I can go on.

23 COUNCILMAN CLARKE: You're
24 pretty much there.

25 MR. CORBITT: Okay.

1 5/12/10 - RULES - BILL 100092, etc.

2 COUNCILMAN CLARKE: Thank you.

3 MR. CORBITT: But I'm happy to
4 answer any other questions.

5 COUNCILMAN CLARKE: Just one
6 thing that intrigues me when I met you.
7 I hate to ask you this in public, but
8 where did you grow up?

9 MR. CORBITT: That's an
10 interesting question. I was born at 22nd
11 and Diamond and lived for a few years in
12 the Raymond Rosen Housing Projects, which
13 are no longer there, but I grew up in
14 Philadelphia. I graduated from John
15 Bartram High School. Much of my family
16 stills lives in Philadelphia, and we are
17 Phillies, Flyers, Sixers, Eagles, on the
18 really important stuff, but we -- this
19 for us -- and let me maybe end on this
20 point. This is as much an emotional
21 investment for us Latter-Day Saints in
22 Philadelphia as it is an economic one.
23 We deeply, deeply love the City and we
24 deeply, deeply love our church, and this
25 temple project is sort of the confluence

1 5/12/10 - RULES - BILL 100092, etc.

2 of those two love affairs, if you will,

3 and we very much appreciate the

4 opportunity to be here.

5 COUNCILMAN CLARKE: I'm sorry.

6 I only asked you that question because we

7 grew up in the same era, literally three

8 blocks from each other.

9 MR. CORBITT: Yes, we did.

10 COUNCILMAN CLARKE: I didn't

11 know you then, and for me to meet you now

12 in this capacity and me in this capacity,

13 it's quite amazing. So two guys from

14 North Philadelphia did well.

15 Thank you.

16 MR. CORBITT: The pleasure is

17 all mine, Mr. Councilman.

18 COUNCILMAN CLARKE: Thank you.

19 COUNCILMAN KENNEY: Thank you

20 very much.

21 What's the busiest day for the

22 temple?

23 MR. CORBITT: Probably -- for

24 the temple will probably be Saturday.

25 For the ancillary building, probably

1 5/12/10 - RULES - BILL 100092, etc.

2 Sunday.

3 COUNCILMAN KENNEY: Will the
4 parking lot be utilized by the public or
5 it's solely for the use of the members of
6 the church?

7 MR. CORBITT: That's to be
8 determined. We are actually -- we've
9 actually commissioned a traffic study,
10 which will include a parking component,
11 so that we can look hard at that, as
12 we've promised the Logan Square
13 Neighborhood Association we would do. So
14 we've undertaken that to look at that.
15 As was mentioned, there are 200 subgrade,
16 below-grade parking stalls.

17 So we're still trying to figure
18 that out. It's still very conceptual at
19 this point, and as has been stated, the
20 design hasn't even been completed, so
21 we're pretty early.

22 COUNCILMAN KENNEY: Is it
23 accurate to represent that this temple
24 will serve as the Basilica serves for the
25 Archdiocese of Philadelphia as a similar

1 5/12/10 - RULES - BILL 100092, etc.
2 symbol of its location and its kind of
3 centralized position? Is that a safe
4 comparison?

5 MR. CORBITT: It is a fairly
6 safe comparison. It won't be -- there
7 won't be as much administration of the
8 church out of these facilities, but it
9 will be an iconic center, a religious
10 center and symbol of the faith in the
11 Greater Philadelphia area.

12 COUNCILMAN KENNEY: Thank you.
13 Councilman DiCicco.

14 COUNCILMAN DiCICCO: Are you
15 sure you want to be here and not in my
16 district? I was all set and ready to go.

17 MR. CORBITT: I've been advised
18 by counsel to be careful with my answer.

19 COUNCILMAN DiCICCO: Be
20 careful. Thank you.

21 COUNCILMAN KENNEY: Thank you
22 very much.

23 Any other questions for these
24 witnesses?

25 (No response.)

1 5/12/10 - RULES - BILL 100092, etc.

2 COUNCILMAN KENNEY: Seeing
3 none, we will ask Mr. Panek and
4 Mr. Little to please come forward.

5 Thank you very much.

6 MR. KELSEN: Councilman Kenney,
7 could we do a very brief presentation by
8 Econsult on the impact? Actually, we'll
9 hand up that testimony.

10 COUNCILMAN KENNEY: That would
11 be easier, because I think we're pretty
12 much all okay.

13 Councilman Goode.

14 Hold on one second.

15 COUNCILMAN GOODE: I was going
16 to wait for the Econsult presentation,
17 but I'll ask the question now.

18 Why is the Economic Opportunity
19 Plan not available for the hearing?

20 MR. KELSEN: Councilman, we had
21 been discussing the EOP plan with
22 Councilman Clarke. We have been talking
23 about it with the church from pretty much
24 inception of the introduction of the
25 ordinance, and it was our understanding

1 5/12/10 - RULES - BILL 100092, etc.
2 that like other EOP plans that have been
3 presented, that we would give it
4 deliberative thought and work with
5 Council, but have it available in a final
6 form prior to final passage.

7 COUNCILMAN GOODE: I would
8 prefer that it would be available at the
9 hearing. I would like to break you of
10 that habit. I've heard you say that
11 before at other hearings. It's more
12 appropriate that it's available at the
13 hearing where we can ask questions.

14 MR. KELSEN: I understand,
15 Councilman.

16 COUNCILMAN GOODE: So is the
17 plan 50 percent done, 75 percent done, 90
18 percent done? How much is it done?

19 MR. CORBITT: I know that we
20 have undertaken it. We're in the process
21 of doing it, and I can't speak to a
22 percentage of when it will be done, but
23 we can hustle and do whatever this body
24 requires of us. We're trying to go
25 forward with you.

1 5/12/10 - RULES - BILL 100092, etc.

2 COUNCILMAN GOODE: Well, can
3 you give me some hint of what's in the
4 plan?

5 MR. KELSEN: What we have done,
6 Councilman, is taken the ratios and the
7 commitments for various City projects,
8 such as the Barnes, Enon Baptist Church
9 and about four other projects, and have
10 circulated the ratios that are contained
11 within those plans to the church, and we
12 are working closely with Councilman
13 Clarke to determine what the proper ratio
14 would be.

15 Let me say emphatically that
16 the church is fully committed to the EOP
17 plan. There's no ambiguity there. The
18 only issue that we have to deal with in
19 terms of timing is the finalization of
20 the actual ratios and submission of the
21 plan.

22 COUNCILMAN GOODE: So what is
23 the final plan going to be based upon?

24 MR. KELSEN: We will --

25 COUNCILMAN GOODE: I mean, how

1 5/12/10 - RULES - BILL 100092, etc.

2 will the participation goals be set?

3 MR. KELSEN: Consistent with
4 other projects that have been either
5 funded by the City of Philadelphia or are
6 based on City of Philadelphia project
7 approvals.

8 COUNCILMAN GOODE: I'm not sure
9 what that means.

10 MR. KELSEN: We're going to
11 have ratios that are consistent with
12 projects that have been approved.

13 COUNCILMAN GOODE: First of
14 all, are the participation goals going to
15 be project specific?

16 MR. KELSEN: Yes.

17 COUNCILMAN GOODE: So how will
18 they be set?

19 MR. KELSEN: They would be set
20 in a manner that is virtually consistent
21 with those that have been set and
22 approved in other projects like I have
23 just mentioned, Barnes --

24 COUNCILMAN GOODE: Councilman
25 Clarke, can you elaborate on that?

1 5/12/10 - RULES - BILL 100092, etc.

2 COUNCILMAN CLARKE: Yeah.

3 Thanks, Councilman Goode. Thank you for
4 bringing that question up.

5 And I told them earlier that
6 Councilman Goode would be asking this
7 question, so I didn't ask it, because I
8 knew he would.

9 I think, Councilman, one of the
10 reasons why there might be a slight delay
11 is because of my request and requirement
12 to set a goal of 50 percent participation
13 on this project, which is extremely high,
14 higher than pretty much every project
15 that has happened in the City, and I
16 think that there's some difficulty in
17 reaching that goal, but I want to
18 basically make this a cornerstone of
19 participation.

20 Will it reach 50 percent? I'm
21 not sure, but that's the conversation
22 that I've had with counsel, and that
23 could in some way have something to do
24 with the delay in getting an EOP that
25 reflects that. But I've made it quite

1 5/12/10 - RULES - BILL 100092, etc.
2 clear that this bill will not pass until
3 an EOP is a part of the process in a
4 meaningful way with an opportunity for
5 members, if they're not comfortable or if
6 they are comfortable, to have subsequent
7 substantive conversations about the EOP
8 plan, and they have told me that they
9 will do that.

10 Councilman, if you're -- I'm
11 sorry.

12 MR. CORBITT: Mr. Councilman, I
13 was just going to say that it was our
14 understanding, the church's
15 understanding, that we had, just on a
16 procedural level, that we had more time
17 to do that. We would certainly want to
18 cooperate with this body. And let me
19 just reiterate that we are absolutely
20 committed to an EOP plan and to one that
21 mirrors the desire of this body as much
22 as possible.

23 COUNCILMAN GOODE: Thank you.

24 Thank you, Councilman.

25 Thank you, Mr. Chairman.

1 5/12/10 - RULES - BILL 100092, etc.

2 COUNCILMAN KENNEY: Thank you
3 very much.

4 Any other questions for these
5 witnesses?

6 (No response.)

7 COUNCILMAN KENNEY: Thank you
8 very much for your attendance and your
9 testimony.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN KENNEY: Mr. Panek,
13 Mr. Little, please identify yourself for
14 the record.

15 MR. LITTLE: Thank you for
16 hearing us this morning. My name is Sam
17 Little. I am the President of the Logan
18 Square Neighborhood Association, and with
19 me is Ed Panek, who is our Zoning Chair.
20 And I wanted to just say briefly but
21 really do look forward to the opportunity
22 not only to our neighborhood, which our
23 neighborhood includes from Broad Street
24 to the river and from Spring Garden to
25 Market Street. It's a big area, and this

1 5/12/10 - RULES - BILL 100092, etc.

2 kind of project is important.

3 We not only support the

4 project, but we really want to support

5 and underscore the process that the

6 church and various people have done to

7 bring this to our neighborhood, allow our

8 neighbors to become both educated,

9 informed, engaged and supportive of the

10 project.

11 And I would say, first of all,

12 that Councilman Clarke triggered this

13 well in advance of any meetings, but we

14 had a chance to use our own neighborhood

15 process, which includes a meeting with

16 the near neighbors, where we went over

17 many issues about traffic, really any

18 issues that the near neighbors had, and

19 then we have a larger and more finalized

20 Board meeting. They made a presentation

21 there.

22 But in the meantime, there's

23 been an interaction -- and an effective

24 one -- about whatever concerns then

25 became rotated into sort of support. And

1 5/12/10 - RULES - BILL 100092, etc.
2 it's really been the way we'd like to
3 have all projects, and I think that you
4 would too, when they're major and have an
5 effect and can be positive in the
6 community.

7 The one thing I would say is
8 that the continuation of our process and
9 we understand that there will be
10 continuing communication with the
11 community, and we also have what's called
12 a Neighborhood Development Agreement,
13 which will formalize and document some of
14 this good interaction and the results.

15 And with that, I'd just like to
16 say that the final point in our rather
17 lengthy review earlier was that we wanted
18 to welcome the Church of Jesus Christ of
19 Latter-Day Saints to the Logan Square
20 neighborhood.

21 I thank you for a chance to
22 talk.

23 MR. PANEK: My name is Ed
24 Panek. I'm the Zoning Chairman of Logan
25 Square Neighborhood Association in which

1 5/12/10 - RULES - BILL 100092, etc.
2 this project will hopefully ultimately be
3 built. We are here in support of Bill
4 No. 100253 introduced and recently
5 amended with a height limitation.

6 I must say that this is a great
7 example of how a neighborhood project
8 should work, certainly in our
9 neighborhood and in our trading area. It
10 was brought to our attention very early
11 by Councilman Clarke, who urged us to
12 find out what the people think regarding
13 the project. We held not only meetings
14 with the near neighbors in the
15 several-block area that would be affected
16 by the project where they could have all
17 their questions addressed, and they were,
18 and then we subsequently had a meeting of
19 our Board of Directors, with another
20 presentation by the church and by their
21 attorney, Mr. Kelsen, at which Board
22 members had additional questions, all of
23 which were answered to their
24 satisfaction. And there is unanimous
25 support for this project, and I think it

1 5/12/10 - RULES - BILL 100092, etc.

2 is because of the way that the matter

3 proceeded from beginning to end.

4 So I just want to say thanks to

5 everyone that's been involved in that

6 process. It's been very helpful to us as

7 Board members of Logan Square

8 Neighborhood Association, and I think

9 ultimately you wind up with getting a

10 better product.

11 MR. LITTLE: Thank you again.

12 COUNCILMAN KENNEY: Thank you

13 very much for your testimony.

14 I just love when this happens.

15 No one is mad. I appreciate it.

16 Have a good day. Thanks for

17 coming.

18 Is there anyone else to testify

19 on this bill?

20 (No response.)

21 MR. KELSEN: Let me just end by

22 thanking Council for your consideration

23 and giving us the honor to bring to you a

24 project that would be world class and

25 allow Philadelphia to enjoy a temple

1 5/12/10 - RULES - BILL 100092, etc.
2 structure like the other major cities of
3 the world, Washington, New York, Los
4 Angeles. So thank you for your
5 consideration, and I assure you, we will
6 be back to you to provide even more
7 economic benefit and plan to the City.

8 Thank you again for your
9 consideration.

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

13 That will conclude the
14 testimony on that bill.

15 By the way, I would like to
16 acknowledge the presence of Councilwoman
17 Blondell Reynolds Brown to the Committee.

18 The next bill for consideration
19 is Bill No. 100156. It's an ordinance
20 amending Section 14-304 of The
21 Philadelphia Code, entitled "C-3
22 Commercial District," amending Section
23 14-1402 of The Philadelphia Code,
24 entitled "Parking in Residential
25 Districts," and amending Section 14-1405

1 5/12/10 - RULES - BILL 100092, etc.
2 of The Philadelphia Code, entitled
3 "Off-Street Loading," all under certain
4 terms and conditions.

5 (Witnesses approached witness
6 table.)

7 COUNCILMAN KENNEY: Mr. Kramer,
8 please identify yourself for the record.

9 MR. KRAMER: Good morning,
10 Councilman Kenney, members of the Rules
11 Committee. I am William Kramer, Division
12 Director of the Development Planning
13 Division of the Philadelphia City
14 Planning Commission. I am here today to
15 testify on Bill No. 100156, which was
16 introduced by Councilmember Blackwell
17 March 11th, 2010.

18 Bill No. 100156 amends Section
19 14-304 of the Philadelphia Zoning Code,
20 entitled "C-3 Commercial" and Section
21 14-1402, entitled "Parking in Residential
22 Districts" and Section 14-1405, entitled
23 "Off-Street Loading" in order to
24 facilitate the development of an area
25 bounded by 42nd Street, Walnut Street,

1 5/12/10 - RULES - BILL 100092, etc.
2 Sansom Street and 41st Street. The
3 development is being proposed for an area
4 156 feet west of 41st Street and has two
5 phases. In Phase One, a ten-story
6 136-room extended-stay hotel is proposed
7 as project Homewood Suites. The parking
8 for this hotel is being provided at a
9 parking garage located at 4100 Walnut
10 Street and is part of the University of
11 Penn campus. Phase Two of the
12 development is called the Project Campus
13 Commerce Center and is comprised of an
14 11-story office building with retail
15 commercial space on the ground floor.
16 The project anticipates over 6,000 square
17 feet of open space in the form of a
18 garden court and further is proposing to
19 provide underground parking for the
20 office structure.

21 Bill No. 100156 will provide
22 the required zoning relief for this
23 development. The provisions of the bill
24 limit the impact of these zoning changes
25 to this specific portion of the block.

1 5/12/10 - RULES - BILL 100092, etc.

2 The zoning requirements will be changed
3 so that the legally required windows will
4 only be required to comply with building
5 code requirements. It will also permit
6 walls that do not contain legally
7 required windows to have a five foot
8 setback for side yards, open courts and
9 inner courts. The provisions of the bill
10 also allow for the Floor Area Ratio for
11 this parcel to be 800 percent of the area
12 of the lot as opposed to the current
13 allowable 550 percent of the area of the
14 lot. Parking requirements for the hotel
15 will be changed to permit off-site
16 parking within 1,000 feet of the hotel,
17 provided there are at least 75 spaces
18 provided. Lastly, the loading
19 requirements are removed from the site
20 and the size requirements for any
21 provided spaces is changed by reducing
22 the size of any provided loading space
23 from 11 by 60 feet to a smaller size, 10
24 feet by 40.

25 After discussion with both the

1 5/12/10 - RULES - BILL 100092, etc.
2 community and the Planning Commission
3 staff, the attorneys for the applicant in
4 this matter are proposing an amendment to
5 the bill. The original legislation
6 required the changing of a number of
7 sections of the Code, and the amendment
8 would make all the changes required to
9 allow this project to be done in Section
10 14-304, entitled "C-3 Commercial." This
11 amendment has been approved by the City
12 Law Department and was submitted to
13 Council staff earlier this morning.

14 The Philadelphia City Planning
15 Commission at its meeting of October
16 20th, 2010 considered Bill No. 100156 and
17 recommended approval as amended.

18 This concludes my testimony.
19 If there's any questions, I'd be happy to
20 answer them.

21 COUNCILMAN KENNEY: Thank you
22 very much.

23 Any questions for Mr. Kramer?

24 (No response.)

25 COUNCILMAN KENNEY: Seeing

1 5/12/10 - RULES - BILL 100092, etc.

2 none, please identify yourself for the
3 record.

4 MR. PRIMAVERA: Carl Primavera.

5 I'm the attorney for the applicant. To
6 my left is Warren Burke, who is
7 Vice-President of Campus Apartments.

8 Very briefly, the process to
9 identify an appropriate location for the
10 Homewood Suites has been going on for a
11 while, working with the Councilwoman's
12 office and with Spruce Hill and with Penn
13 and other stakeholders. We ultimately
14 determined that a site that was acquired
15 by Campus on Walnut Street would be an
16 appropriate site. It's already vacant.
17 And we looked at the rest of the block
18 facing the east and determined that there
19 was a larger opportunity, and we were
20 working with the Planning Commission to
21 do a phased development. Phase One, as
22 you heard, is the hotel. Phase Two would
23 be an office building, a large portion of
24 which would be used for Campus itself.
25 It's the largest privately owned owner

1 5/12/10 - RULES - BILL 100092, etc.
2 and operator of student housing in the
3 United States, and they want to
4 consolidate all their disparate offices
5 into one building, and then there would
6 be space left over for hopefully Penn or
7 Drexel.

8 So this has really been
9 something that's been in the works for a
10 while. It's especially important that we
11 are here today, because we've been
12 allocated tax credits through PIDC, which
13 require that we start the project very
14 quickly, the Phase One part of the
15 project, and that's why we're here today.

16 What I would like to do,
17 because I do know your time is in demand
18 and we have submitted both the packages
19 showing all the architectural
20 information, I would just like to have
21 Warren read a short letter into the
22 record.

23 COUNCILMAN KENNEY: Please
24 identify yourself.

25 MR. BURKE: Thank you. Good

1 5/12/10 - RULES - BILL 100092, etc.
2 morning again. My name is Warren Burke.
3 I'm Vice-President of Development for
4 Campus Apartments. I would also like to
5 say that today unfortunately David
6 Adelman, our CEO, could not be here due
7 to an emergency dental procedure.

8 Campus Apartments is one of the
9 nation's largest developers, owners and
10 operators of university-related real
11 estate, with more than 26,000 beds in 23
12 states serving over 60 colleges and
13 universities across the country.
14 Headquartered in University City for more
15 than 50 years, Campus Apartments is the
16 area's largest -- one of the area's
17 largest landlords, with over 134
18 properties and over 110 employees.

19 Over the last 50 years, we have
20 worked closely with Penn officials, City
21 planners, institutional partners, as well
22 as the community and political leaders to
23 improve the quality of life for all
24 stakeholders.

25 Campus Apartments was

1 5/12/10 - RULES - BILL 100092, etc.
2 instrumental to the founding and
3 development of the University City
4 District, a nationally recognized special
5 services district founded on a unique
6 partnership of institutional and private
7 interests.

8 I am here today requesting your
9 approval for this ordinance in order to
10 take advantage of the Federal New Market
11 Tax Credits committed to our project.
12 This extended-stay hotel will provide
13 patient families, consultants and
14 itinerant employees visiting the area's
15 institutions with a convenient and
16 cost-effective place to stay. Further,
17 the proposed office building will lure
18 new businesses to University City while
19 allowing Campus Apartments to continue to
20 grow in a state-of-the-art, sustainable
21 facility in the University District where
22 we've been located for many years.

23 I thank you for your time, and
24 we'd be happy to answer any questions.

25 COUNCILMAN KENNEY: Thank you

1 5/12/10 - RULES - BILL 100092, etc.

2 very much for your testimony.

3 I'd like to acknowledge in the
4 audience two labor unions that are here
5 today supporting the project, our
6 favorite tourism and hospitality union,
7 Philly Joint Board, and --

8 (Applause.)

9 COUNCILMAN KENNEY: -- and
10 members of the Building and Construction
11 Trades Council that have -- both
12 industries have been hit really hard in
13 the last 18 months, so this comes at a
14 wonderful time for both unions.

15 So thank you very much for your
16 testimony.

17 Are there questions for these
18 witnesses?

19 (No response.)

20 COUNCILMAN KENNEY: None.

21 Thank you very much.

22 MR. PRIMAVERA: Thank you.

23 We're going to be starting in the fall,
24 with your support, and ultimately this
25 could be a \$100 million development. So

1 5/12/10 - RULES - BILL 100092, etc.

2 we are very excited.

3 Thank you.

4 COUNCILMAN KENNEY: Good news.

5 Thank you.

6 (Applause.)

7 COUNCILMAN KENNEY: Is there
8 anyone else to testify on this bill?

9 (No response.)

10 MR. PRIMAVERA: There is the
11 amendment, which I believe --

12 COUNCILMAN KENNEY: It's been
13 circulated.

14 MR. PRIMAVERA: Thank you.

15 COUNCILMAN KENNEY: It will be
16 offered in our Committee meeting.

17 MR. PRIMAVERA: Thank you very
18 much.

19 COUNCILMAN KENNEY: Thank you.

20 No one else to testify on this
21 bill. The next bill for consideration is
22 Bill No. 100092, which is amending Title
23 14 of The Philadelphia Code, entitled
24 "Zoning and Planning," by amending
25 Section 14-1631, entitled "Off-Street

1 5/12/10 - RULES - BILL 100092, etc.
2 Parking Control District," by expanding
3 the boundaries to be included in one such
4 district and making certain technical
5 changes, all under certain terms and
6 conditions.

7 (Witnesses approached witness
8 table.)

9 COUNCILMAN KENNEY: Mr. Kramer,
10 if you just wait for a second until we
11 have a little quiet.

12 (Pause.)

13 COUNCILMAN KENNEY: Mr. Kramer,
14 please identify yourself for the record
15 and proceed.

16 MR. KRAMER: Good morning,
17 Councilman Kenney and members of the
18 Rules Committee. I am William Kramer,
19 Division Director of the Development
20 Planning Division of the Philadelphia
21 City Planning Commission. I am here
22 today to testify on Bill No. 100092,
23 which was introduced by Councilmember
24 Tasco for Council President Verna
25 February 25th, 2010.

1 5/12/10 - RULES - BILL 100092, etc.

2 Bill No. 100092 amends Section
3 14-1631 of the Philadelphia Zoning Code
4 by expanding the area covered by the
5 "Off-Street Parking Control District" to
6 include the area bounded by 25th Street,
7 Washington Avenue, Broad Street and Moore
8 Street. These controls currently apply
9 to an area bounded by Chestnut Street,
10 Schuylkill River, Broad Street, Oregon
11 Avenue and the Delaware River. The
12 provisions of this district provide that
13 for newly constructed single-family and
14 two-unit properties, no off-street
15 parking is required. Parking would be
16 permitted if being accessed from a common
17 driveway easement serving three or more
18 properties. In order to provide
19 front-loaded parking, a certificate will
20 be required from the Zoning Board of
21 Adjustment. This requirement will allow
22 such parking to be reviewed on a
23 case-by-case basis and approved only
24 where the provision of such parking would
25 be appropriate.

1 5/12/10 - RULES - BILL 100092, etc.

2 The Philadelphia City Planning
3 Commission at its meeting of March 16th,
4 2010 considered Bill No. 100092 and
5 recommended approval.

6 This concludes my testimony. I
7 appreciate the opportunity to appear and
8 will answer any questions you may have.

9 COUNCILMAN KENNEY: Thank you
10 very much for your testimony.

11 Are there any questions for
12 Mr. Kramer?

13 (No response.)

14 COUNCILMAN KENNEY: Seeing
15 none, please identify yourself for the
16 record and proceed.

17 MS. WILKINS: My name is Sylvia
18 Wilkins and this is Ms. Betty Buford and
19 Ms. Bonnie Walker.

20 COUNCILMAN KENNEY: Good
21 morning.

22 MS. WILKINS: We're here today
23 representing the Point Breeze of South
24 Philadelphia to ask that the boundaries
25 of Washington Avenue to Moore Street and

1 5/12/10 - RULES - BILL 100092, etc.
2 Broad Street to 25th be included in the
3 Off-Street Parking Control District. The
4 Point Breeze community, which is
5 surrounded by the other neighborhoods
6 already included in this bill, strongly
7 agrees with the legislative findings in
8 this bill and believe it is extremely
9 important that we be added, since recent
10 development in our area has yielded the
11 same safety, walkability and on-street
12 parking issues. We are experiencing all
13 the negative aspects associated with curb
14 cuts and the scarcity of on-street
15 parking when the off-street parking is
16 created.

17 Additionally, we have been
18 negatively impacted by non-use of the
19 off-street parking space. The space is
20 sometimes used for storage rather than
21 parking, or the resident owns an
22 oversized vehicle and it is left on the
23 sidewalk because it does not fit in the
24 space. When the oversized vehicle is
25 involved, it has resulted in an increase

1 5/12/10 - RULES - BILL 100092, etc.
2 in calls to 9-1-1 for assistance, because
3 our attempts at resolution have fallen on
4 deaf ears.

5 We trust that you will
6 recognize the necessity for the inclusion
7 of the Point Breeze boundaries and that a
8 favorable vote is received.

9 Thank you for your time and
10 allowing us to speak.

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

13 Are there any questions for
14 these witnesses?

15 (No response.)

16 COUNCILMAN KENNEY: Seeing
17 none -- so you do support the bill in its
18 current form?

19 MS. WILKINS: Yes, we do.

20 COUNCILMAN KENNEY: Thank you
21 very much.

22 Anyone else to testify on this
23 bill?

24 (No response.)

25 COUNCILMAN KENNEY: Seeing

1 5/12/10 - RULES - BILL 100092, etc.

2 none, that will conclude our public

3 hearing of the Rules Committee. We will

4 now go into our public meeting.

5 The Chair recognizes Councilman

6 Greenlee for a motion to approve the

7 amendment to Bill No. 100253.

8 COUNCILMAN GREENLEE: Thank

9 you, Mr. Chair. I move that Bill No.

10 100253 be amended as presented in the

11 public hearing.

12 (Duly seconded.)

13 COUNCILMAN KENNEY: Moved and

14 seconded.

15 All in favor?

16 (Aye.)

17 COUNCILMAN KENNEY: There are

18 none opposed. The bill will be amended

19 accordingly.

20 The Chair recognizes Councilman

21 Greenlee for a motion on the amended

22 bill.

23 COUNCILMAN GREENLEE: Thank

24 you, Mr. Chairman. I move that Bill No.

25 100253, as amended, be reported out of

1 5/12/10 - RULES - BILL 100092, etc.
2 this Committee with a favorable
3 recommendation and that the rules of
4 Council be suspended to allow for first
5 reading at our next session of Council.

6 (Duly seconded.)

7 COUNCILMAN KENNEY: Moved and
8 seconded.

9 All in favor?

10 (Aye.)

11 COUNCILMAN KENNEY: There are
12 none opposed. Bill No. 100253, as
13 amended, will be reported out of this
14 Committee with a favorable recommendation
15 and a request made for rules suspension
16 to allow for first reading at our next
17 Council session.

18 The Chair recognizes Councilman
19 DiCicco for a motion to approve the
20 amendment to Bill No. 100156.

21 COUNCILMAN DiCICCO: Thank you,
22 Mr. Chairman. I move that the amendment
23 to Bill No. 100156 be reported out of
24 this Committee with a favorable
25 recommendation.

1 5/12/10 - RULES - BILL 100092, etc.

2 (Duly seconded.)

3 COUNCILMAN KENNEY: Moved and
4 seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN KENNEY: There are
8 none opposed. Bill No. 100156 will be
9 amended accordingly.

10 The Chair recognizes Councilman
11 DiCicco on the amended bill.

12 COUNCILMAN DiCICCO: Thank you,
13 Mr. Chairman. I move that Bill No.
14 100156, as amended, be reported out of
15 this Committee with a favorable
16 recommendation and that the rules of
17 Council be suspended so as to permit
18 first reading at our next session of City
19 Council.

20 (Duly seconded.)

21 COUNCILMAN KENNEY: Moved and
22 seconded.

23 All in favor?

24 (Aye.)

25 COUNCILMAN KENNEY: There are

1 5/12/10 - RULES - BILL 100092, etc.
2 none opposed. Bill No. 100156, as
3 amended, will be reported out of this
4 Committee with a favorable recommendation
5 and a request made for rules suspension
6 to allow first reading at our next
7 Council session.

8 The Chair recognizes
9 Councilmember Miller for a motion to
10 approve and to suspend the rules for Bill
11 100092.

12 COUNCILWOMAN MILLER: Thank
13 you, Mr. Chair. I move that Bill 100092
14 be reported out of this Committee with a
15 favorable recommendation and further
16 request that the rules of Council be
17 suspended so as to permit first reading
18 at our next session.

19 (Duly seconded.)

20 COUNCILMAN KENNEY: Moved and
21 seconded.

22 All in favor?

23 (Aye.)

24 COUNCILMAN KENNEY: There are
25 none opposed. Bill No. 100092 will be

1 5/12/10 - RULES - BILL 100092, etc.
2 reported out of this Committee with a
3 favorable recommendation and a request
4 made for rules suspension to allow for
5 first reading at our next Council
6 session.

7 Thank you very much for your
8 attendance and your cooperation.

9 (Committee on Rules concluded
10 at 11:55 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 12, 2010, 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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