

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 3, 2014
10:15 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILWOMAN MARIAN B. TASCO

BILLS 140277, 140311, 140315, 140338, 140407,
140408, 140410, 140413, 140416, 140435,
140436, 140437, 140438, 140439, 140442,
140444, and 140447

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COUNCILMAN GREENLEE: Good morning, everyone. Can I have your attention, please.

This is the Committee on Rules. We're going to be here for a while today. We have established a quorum with Councilman Kenney, Vice Chair of the Committee; Councilman Goode; Councilman Henon; and Councilwoman Tasco.

Let me just start off by saying before Ms. Marconi calls the first bill, we have many, many bills today, 17 bills listed for a hearing. So we just ask everybody that wants to speak, if they could be as brief as possible. If you have written testimony, that will be made part of the record. You don't have to read the entire testimony. If you can summarize it, that would be great, because we appreciate particularly for the people who are here for the bills that are listed as 16th or 17th on the list.

So with that, Ms. Marconi, will

1 6/3/14 - RULES - BILL 140277, etc.
2 you please read the title of the first
3 bill.

4 THE CLERK: Bill No. 140277, an
5 ordinance to amend the Philadelphia
6 Zoning Maps by changing the zoning
7 designations of certain areas of land
8 located within an area bounded by
9 Lindbergh Boulevard, Suffolk Avenue, and
10 Island Avenue.

11 COUNCILMAN GREENLEE: Thank
12 you.

13 Mr. Kramer.

14 MR. KRAMER: Good morning,
15 Chairman Greenlee, members of the Rules
16 Committee. I am William Kramer, Division
17 Director of the Development Planning
18 Division of the Philadelphia City
19 Planning Commission. I am here today to
20 testify on Bill No. 140277, which was
21 introduced by Councilmember Johnson April
22 3rd of 2014.

23 Bill No. 140277 amends the
24 Philadelphia Zoning Maps by changing the
25 zoning designation of a parcel of land

1 6/3/14 - RULES - BILL 140277, etc.
2 approximately 100,000 square feet bounded
3 by Lindbergh Boulevard, Suffolk Avenue,
4 and Island Avenue. The existing zoning
5 designation of "I-2" Medium Industrial
6 will be changed to a new designation of
7 "CMX-2" Neighborhood Commercial Mixed
8 Use.

9 The property is currently the
10 site of an existing neighborhood shopping
11 center and the proposed zoning is
12 corrective in nature. The change will
13 allow the center to more easily attract
14 and keep tenants at this location.

15 The Philadelphia City Planning
16 Commission at its meeting of April 15th,
17 2014 recommended that Bill No. 140277 be
18 approved.

19 This concludes my testimony. I
20 appreciate the opportunity to appear and
21 would be pleased to answer any questions
22 you may have.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Kramer.

25 Mr. Patterson, I know --

1 6/3/14 - RULES - BILL 140277, etc.

2 Mr. Patterson, why don't you go and then
3 if there's any questions.

4 MR. PATTERSON: Sure. Thank
5 you. Good morning. My name is Ron
6 Patterson with Klehr Harrison law firm,
7 1835 Market Street, Philadelphia, PA.

8 Thank you. As was mentioned,
9 this property, although located in an
10 industrial zoning district, was converted
11 to a shopping center over ten years ago.
12 Mr. Lee Brand to my left is the owner,
13 and over the years we've tested to see
14 whether it would be appropriate to have
15 it rezoned to match what the uses were.
16 And I've given you a couple exhibits to
17 show that on the corners it's surrounded
18 by shopping centers. There's the Penrose
19 area shopping center and the Staples
20 shopping center. So after meeting
21 with --

22 COUNCILMAN GREENLEE: Mr.
23 Patterson, could you speak a little bit
24 more in the mic. I think there's a few
25 people talking in here.

1 6/3/14 - RULES - BILL 140277, etc.

2 And if I could ask everyone, if
3 you are having conversations, I know
4 you're all trying to be soft, but when 20
5 people talk softly, it gets loud. So if
6 you want to have a conversation, please
7 go outside. Thank you.

8 I'm sorry.

9 MR. PATTERSON: As I mentioned,
10 the exhibits that I handed up show that
11 it's surrounded in an intersection of
12 large shopping centers, the Penrose area
13 shopping center and the Staples shopping
14 center. And this will enable Mr. Brand
15 to more easily attract tenants to the
16 property as opposed to having to go to
17 the Zoning Board for each commercial
18 tenant in his commercial property.

19 We did vet it through with the
20 Penrose Area Civic Association and the
21 Democratic Ward 40-A, who fully support
22 the application.

23 COUNCILMAN GREENLEE: I was
24 going to say, as far as I'm aware of,
25 there's no community opposition at all.

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. PATTERSON: That's correct.

3 COUNCILMAN GREENLEE: Okay.

4 Sir, were you going to add anything or
5 did he say it all?

6 MR. BRAND: I think he's pretty
7 much said it all. Especially in recent
8 years, it's been --

9 COUNCILMAN GREENLEE: Just put
10 your name on the record.

11 MR. BRAND: We're losing a
12 tenant right now -- Lee Brand. I'm the
13 managing member of the owner, 7700
14 Lindbergh Boulevard Associates.

15 So we're getting ready to lose
16 a tenant. That will give us three
17 vacancies. We have people that are
18 interested, but when we've had people
19 interested before, the whole process and
20 expense has kind of turned them off. So
21 we think it's more appropriate. It is a
22 shopping center and we want to maintain
23 it as a shopping center.

24 COUNCILMAN GREENLEE: Got you.

25 Thank you.

1 6/3/14 - RULES - BILL 140277, etc.

2 Any questions for any of the
3 witnesses here?

4 (No response.)

5 COUNCILMAN GREENLEE: Seeing
6 none, anyone else here to testify on Bill
7 140277?

8 (No response.)

9 COUNCILMAN GREENLEE: Seeing
10 none, Ms. Marconi, please, our next bill.

11 MR. PATTERSON: Thank you very
12 much.

13 COUNCILMAN GREENLEE: Thank you
14 all.

15 THE CLERK: Bill No. 140311, an
16 ordinance to amend the Philadelphia
17 Zoning Maps by changing the zoning
18 designations of certain areas of land
19 located within an area bounded by Lehigh
20 Avenue, Fairhill Street, Huntingdon
21 Street, and 5th Street.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 Mr. Kramer.

25 MR. KRAMER: Good morning,

1 6/3/14 - RULES - BILL 140277, etc.
2 Councilman Greenlee, members of the Rules
3 Committee. I am William Kramer with the
4 Philadelphia City Planning Commission.
5 I'm here to testify on Bill No. 140311,
6 which was introduced into City Council
7 April 10th, 2014.

8 Bill No. 140311 will amend the
9 Philadelphia Zoning Maps by rezoning an
10 area bounded by Lehigh Avenue, 5th
11 Street, Huntingdon Street, and Fairhill
12 Street. The bill will remove the "I-2"
13 Industrial Medium district designation
14 and replace it with the expanded "CMX-2"
15 Commercial Mixed Use district. The bill
16 will additionally adjust the boundaries
17 between the existing "CMX-2" and the
18 "RM-1" Residential Multi-Family district.

19 Taller Puertorriqueno -- excuse
20 my Latino -- requested the change in
21 zoning designation in order to facilitate
22 the development of a community arts
23 center of one story containing 25,000
24 square feet. The center will contain an
25 exhibit gallery, a cafe, bookstore, art

1 6/3/14 - RULES - BILL 140277, etc.
2 studios and labs, a stage, offices, and a
3 large multi-purpose room. The project
4 will also contain 86 on-site parking
5 spaces. Additionally, there as a
6 corrective rezoning of six residential
7 properties to "RM-1" Residential Mixed
8 Use.

9 The Philadelphia City Planning
10 Commission at its meeting of May 20th,
11 2014 recommended that Bill 140311 be
12 approved.

13 I'd be happy to answer any
14 questions at this time.

15 COUNCILMAN GREENLEE: Thank
16 you, Mr. Kramer.

17 Mr. Kelsen, you're up there, or
18 whoever else would like --

19 MR. KELSEN: Mr. Chairman,
20 members of the Committee, I know you have
21 a busy day, so we have prepared
22 testimony --

23 COUNCILMAN GREENLEE: A little
24 bit more into the microphone.

25 MR. KELSEN: We have prepared

1 6/3/14 - RULES - BILL 140277, etc.
2 testimony from Carmen Febo, who is here,
3 Executive Director.

4 This is a project that will
5 anchor this quadrant. It's vacant. It's
6 non-income producing. It is doing
7 nothing for the City of Philadelphia.
8 The City of Philadelphia will transfer
9 these properties to Taller. We will
10 develop a community facility, as
11 indicated in the materials I sent you.
12 We are cobbling together numerous funding
13 sources, including New Market Tax
14 Credits. This is an \$11 million project
15 that is shovel ready, and this
16 authorization, your approval of the
17 zoning bill, will allow this to proceed
18 on a by-right basis so we can begin the
19 project.

20 If you have any questions, I or
21 Carmen would be happy to answer them. We
22 also have our architect here if you have
23 any questions about the architecture.

24 Thank you for your time.

25 COUNCILMAN GREENLEE: Thank

1 6/3/14 - RULES - BILL 140277, etc.

2 you, Mr. Kelsen.

3 Any questions?

4 (No response.)

5 COUNCILMAN GREENLEE: Anybody
6 else want to say anything or just hear to
7 answer questions? Okay.

8 Please let the record reflect
9 also Councilwoman Bass, a member of the
10 Committee, is present and Councilwoman
11 Blackwell is also present.

12 MR. KELSEN: I just would ask
13 for a suspension of the rules to move
14 this thing.

15 COUNCILMAN GREENLEE: Sure.

16 Mr. Kramer, there's no
17 amendments on this or the previous one,
18 if I'm right?

19 MR. KRAMER: No, sir, there are
20 not.

21 COUNCILMAN GREENLEE: All
22 right. Seeing no questions, is there
23 anyone else here to testify on Bill
24 140311?

25 (No response.)

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, Ms. Marconi.

4 MR. KELSEN: Thank you very
5 much.

6 COUNCILMAN GREENLEE: Thank
7 you. Thank you all.

8 THE CLERK: Bill No. 140315, an
9 ordinance to amend the Philadelphia
10 Zoning Maps by changing the zoning
11 designations of certain areas of land
12 located within an area bounded by 7th
13 Street, Arch Street, 13th Street, and
14 Callowhill Street.

15 COUNCILMAN GREENLEE:
16 Mr. Kramer.

17 MR. KRAMER: Good morning,
18 Chairman Greenlee, members of the Rules
19 Committee. I am William Kramer, Division
20 Director of the Development Planning
21 Division of the Philadelphia City
22 Planning Commission. I am here to
23 testify on Bill No. 140315, which was
24 introduced into City Council April 3rd,
25 2014.

1 6/3/14 - RULES - BILL 140277, etc.

2 Bill No. 140315 will amend the
3 Philadelphia Zoning Maps by rezoning an
4 area bounded by 7th Street, Arch Street,
5 13th Street, and Callowhill Street. The
6 purpose of the remapping is to protect
7 residential uses on small neighborhood
8 streets from unwanted commercial
9 development and to rezone properties to
10 match their current land uses. The
11 remapping is a recommendation of the
12 Philadelphia 2035 Central District plan.

13 The Philadelphia City Planning
14 Commission at its meeting of May 20th,
15 2014 recommended that Bill No. 140315 be
16 approved.

17 I would be happy to answer any
18 questions at this time.

19 COUNCILMAN GREENLEE: Mr.
20 Kramer, I understand on this one we have
21 an amendment, which is the map, I assume.
22 Is that true? That's my understanding.

23 MR. KRAMER: Yes. I was not
24 given that, but that's fine.

25 COUNCILMAN GREENLEE: Okay.

1 6/3/14 - RULES - BILL 140277, etc.

2 All right.

3 The record will also reflect
4 Councilwoman Reynolds Brown, a member of
5 the Committee, is present.

6 I assume the community was, as
7 far as you know, was involved in this?

8 MR. KRAMER: Yes, sir. Not
9 only as part of the remapping bill, but
10 as well was part of the district plan
11 process.

12 COUNCILMAN GREENLEE: Great.
13 Great.

14 Any questions for Mr. Kramer on
15 this bill?

16 (No response.)

17 COUNCILMAN GREENLEE: Seeing
18 none, is there anyone else here to
19 testify on Bill No. 140315?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, moving right along. Ms. Marconi.

23 THE CLERK: Bill No. 140338, an
24 ordinance to amend the Institutional
25 Development District Master Plan of the

1 6/3/14 - RULES - BILL 140277, etc.
2 University of Pennsylvania, 3801 to 3803
3 Locust Walk for the construction of the
4 Perry World House Building.

5 COUNCILMAN GREENLEE: Mr.
6 Kramer.

7 MR. KRAMER: Good morning,
8 Chairman Greenlee and members of the
9 Rules Committee. I am William Kramer,
10 Division Director of the Development
11 Planning Division of the Philadelphia
12 City Planning Commission. I am here
13 today to testify on Bill No. 140338,
14 which was introduced into City Council
15 April 24th, 2014.

16 The purpose of Bill No. 140338
17 is to amend the Master Plan for the
18 University of Pennsylvania to allow for
19 the construction of a new Perry World
20 House at 3801 to 3803 Locust Walk.

21 The project will involve
22 partial demolition of the former Kappa
23 Alpha House and the erection of a new
24 building with a total of approximately
25 17,393 square feet. The new building

1 6/3/14 - RULES - BILL 140277, etc.
2 will include a World Forum space
3 accommodating 150 seats for lectures, a
4 classroom with up to 49 seats, a flex
5 space for 50 people, a conference room
6 for 49, and 14 offices.

7 The new Perry World House will
8 be a gathering place for faculty and
9 students to engage with eminent
10 international scholars and policymakers
11 on pressing global issues of the 21st
12 century.

13 The Philadelphia City Planning
14 Commission at its meeting of March 18th,
15 2014 approved this Master Plan amendment
16 for the University of Pennsylvania and
17 recommends that Bill No. 140338 be
18 approved as an item in accord with
19 previous policy.

20 I'd be happy to answer any
21 questions you may have.

22 COUNCILMAN GREENLEE: Thank
23 you, Mr. Kramer. On this one, I
24 understand we also have an amendment,
25 which seems to make some technical

1 6/3/14 - RULES - BILL 140277, etc.
2 changes and also includes the map also.

3 COUNCILWOMAN BLACKWELL: Mr.
4 Chairman?

5 COUNCILMAN GREENLEE: I'm
6 sorry. Councilwoman Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank
8 you. That is true. There are technical
9 changes, drawings that were not included
10 initially. So this is really technical
11 amendments, and we support them.

12 COUNCILMAN GREENLEE: Great.

13 COUNCILWOMAN BLACKWELL: Thank
14 you.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilwoman.

17 Any questions for Mr. Kramer?
18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, anyone else here to testify on Bill
21 No. 140338?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, Ms. Marconi.

25 THE CLERK: Bill No. 140408, an

1 6/3/14 - RULES - BILL 140277, etc.
2 ordinance to amend the Philadelphia
3 Zoning Maps by changing the zoning
4 designations of certain areas of land
5 located within an area bounded by Girard
6 Avenue, Taney Street, Poplar Street, and
7 27th Street.

8 COUNCILMAN GREENLEE: Mr.
9 Kramer.

10 MR. KRAMER: Good morning,
11 Councilman Greenlee and members of the
12 Rules Committee. I am William Kramer
13 with the Philadelphia City Planning
14 Commission. I am here today to testify
15 on Bill No. 140408, which was introduced
16 into City Council May 8th, 2014.

17 Bill No. 140408 will amend the
18 Philadelphia Zoning Maps by rezoning an
19 area bounded by Girard Avenue, Taney
20 Street, Poplar Street, and 27th Street
21 from its current zoning designation of
22 "CA-1" Commercial Auto to a proposed
23 zoning designation of "CMX-3" Commercial
24 Mixed Use.

25 The purpose of the bill is to

1 6/3/14 - RULES - BILL 140277, etc.
2 allow the developers, MM Partners and
3 ADCO, to develop the property as a
4 mixed-use development that will consist
5 of 92,000 square feet within two
6 buildings. The first building will house
7 68 apartments and 14,400 square feet of
8 first floor retail use along Girard
9 Avenue. The second building will front
10 onto 27th Street and house 10 three-story
11 townhomes. The proposed site plan also
12 proposes 68 parking spaces. Currently,
13 this site is a vacant lot that was
14 formerly a grocery store.

15 The Philadelphia City Planning
16 Commission at its meeting of May 20th,
17 2014 recommended that Bill No. 140408 be
18 approved.

19 I'd be happy to answer any
20 questions at this time.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 Mr. Mattioni, why don't you go
24 and then if we have any questions.

25 MR. MATTIONI: Michael

1 6/3/14 - RULES - BILL 140277, etc.

2 Mattioni.

3 This property is presently
4 zoned for a strip shopping center and
5 this neighborhood has changed. It's not
6 an appropriate use. We've worked
7 extensively with Council President Clarke
8 and the Planning Commission staff in
9 coming up with this plan. It was fully
10 supported at a community meeting,
11 virtually no opposition. So we believe
12 it's a proper, appropriate change to
13 allow this to proceed.

14 Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you. And just for the record and for the
17 members of the Committee, I'm very
18 familiar with this. I've been in a lot
19 of those meetings over many, many years.
20 After that Shop-N-Bag closed, I guess it
21 was the '90s -- it seems like a long time
22 ago. In fact, it was so long ago, the
23 District Council President was then
24 Councilman Street. That's how far back
25 it goes. And we've been struggling with

1 6/3/14 - RULES - BILL 140277, etc.
2 trying to get something on that lot. If
3 you're familiar with that strip of Girard
4 Avenue, having this vacant lot at 27th
5 and Girard is sort of like somebody
6 smiling with their two front teeth out.
7 It's missing that real core aspect there.
8 So this, I think, will be a very positive
9 aspect. I know everyone involved, the
10 CDCs, the community associations,
11 Brewerytown, Fairmount, Representative
12 Brownlee, we're all on board on this.

13 MR. MATTIONI: Thank you.

14 COUNCILMAN GREENLEE: The best
15 of luck. We look forward to it.

16 Any questions from members of
17 the Committee on this?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, again, thank you all. Good luck.

21 MR. MATTIONI: Thank you.

22 COUNCILMAN GREENLEE: Ms.
23 Marconi, please, the next bill.

24 I'm sorry. Is there anyone
25 else here to testify on this bill,

1 6/3/14 - RULES - BILL 140277, etc.
2 140408?

3 (No response.)

4 COUNCILMAN GREENLEE: Seeing
5 none, thank you.

6 Ms. Marconi.

7 THE CLERK: Bill No. 140413, an
8 ordinance to amend the Philadelphia
9 Zoning Maps by changing the zoning
10 designations of certain areas of land
11 located within an area bounded by the
12 Roosevelt Boulevard, Oxford Avenue, Dyre
13 Street, Frankford Avenue, and Bustleton
14 Avenue.

15 COUNCILMAN GREENLEE: Mr.
16 Kramer.

17 MR. KRAMER: Good morning,
18 Chairman Greenlee, members of the Rules
19 Committee. I am William Kramer, Division
20 Director of the Development Planning
21 Division of the Philadelphia City
22 Planning Commission. I am here today to
23 testify on Bill No. 140413, which was
24 introduced into Council on May 8th, 2014.

25 Bill No. 140413 amends the

1 6/3/14 - RULES - BILL 140277, etc.
2 Philadelphia Zoning Maps by changing
3 zoning designations within the area
4 bounded by Roosevelt Boulevard, Oxford
5 Avenue, Dyre Street, Frankford Avenue,
6 and Bustleton Avenue.

7 The proposed rezoning will
8 rezone the properties from an "RM-1"
9 Residential Multi-Family zoning
10 designation to a zoning designation of
11 "RSA-5" Residential Semi-Attached and
12 "SP-POA" Special Use Parks and Open Space
13 designations. This proposal is
14 consistent with the recommendations of
15 the Lower Northeast District Plan and
16 serves as corrective zoning for the
17 existing residential development and
18 preserves the McIlvain Recreation Center
19 as a neighborhood park and open space.

20 The Philadelphia City Planning
21 Commission at its meeting of May 20th,
22 2014 considered Bill No. 140413 and
23 recommended that it be approved.

24 This concludes my testimony.
25 If there's any questions, I'll be happy

1 6/3/14 - RULES - BILL 140277, etc.

2 to answer them.

3 COUNCILMAN GREENLEE: Thank

4 you, Mr. Kramer.

5 Councilman Henon.

6 COUNCILMAN HENON: Thank you,

7 Mr. Chairman.

8 Could you explain the special
9 detached zoning provisions, the change
10 that is being made? What purposes?

11 MR. KRAMER: Essentially this
12 is an area that historically when we had
13 a remapping program, which I did for a
14 very long time, it was community driven,
15 and this area in particular didn't have a
16 community group that represented it, so
17 there was nobody to come to ask us to
18 look at it. Many of the areas around
19 here were changed from multi-family
20 classification on row houses, which is
21 what was originally in place when they
22 were built, and then we changed it to
23 single-family classifications, and that's
24 what this bill is primarily proposing to
25 do.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN HENON: It

3 changes --

4 MR. KRAMER: It changes it from
5 multi-family row house classifications to
6 a single-family row house classification
7 or semi-attached, where appropriate.

8 COUNCILMAN HENON: Okay. Thank
9 you.

10 COUNCILMAN GREENLEE: Thank
11 you, Councilman.

12 Any other questions for
13 Mr. Kramer on this bill?

14 (No response.)

15 COUNCILMAN GREENLEE: Seeing
16 none, anyone else here to testify on Bill
17 No. 140413?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, Ms. Marconi.

21 THE CLERK: Bill No. 140416, an
22 ordinance amending Title 14 of The
23 Philadelphia Code, entitled "Zoning and
24 Planning," by creating a new Center City
25 East /NCA Overlay District in the area

1 6/3/14 - RULES - BILL 140277, etc.
2 bounded by the Delaware River, Spring
3 Garden Street, Broad Street and Spruce
4 Street, and prohibiting Personal Credit
5 Establishments within the District, all
6 under certain terms and conditions.

7 COUNCILMAN GREENLEE:

8 Mr. Kramer.

9 MR. KRAMER: Good morning,
10 Councilman Greenlee and members of the
11 Rules Committee. I am William Kramer,
12 Division Director of the Development
13 Planning Division with the Philadelphia
14 City Planning Commission. I am here
15 today to testify on Bill No. 140416,
16 which was introduced into City Council
17 May 8th, 2014.

18 Bill No. 140416 will create a
19 new zoning Center City East /NCA Overlay
20 District for the area bounded by the
21 Delaware River, Spring Garden Street,
22 Broad Street, and Spruce Streets. The
23 overlay will not generate any changes to
24 the current underlying zoning of the
25 area. However, the overlay will prohibit

1 6/3/14 - RULES - BILL 140277, etc.

2 Personal Credit Establishments within the
3 district. Personal Credit Establishments
4 include check cashing places, pawnshops,
5 and payday lenders.

6 The Philadelphia City Planning
7 Commission at its meeting of May 20th,
8 2014 considered Bill No. 140416 and
9 recommended that it be approved.

10 I'd be happy to answer any
11 questions you may have.

12 COUNCILMAN GREENLEE: Thank
13 you, Mr. Kramer.

14 Any questions?

15 (No response.)

16 COUNCILMAN GREENLEE: The
17 record will reflect Councilman O'Brien, a
18 member of the Committee, is present.

19 I'm sorry. Mr. Kessler.

20 MR. KESSLER: Thank you,
21 Mr. Chairman.

22 Mr. Chairman and members of the
23 Committee, we are here today on behalf of
24 Dollar Financial Group. It is a New York
25 Stock Exchange company with about 1,500

1 6/3/14 - RULES - BILL 140277, etc.
2 locations.

3 COUNCILMAN GREENLEE: Just
4 identify yourself for the record.

5 MR. KESSLER: I'm sorry. Alan
6 Kessler of Duane Morris, and with me is
7 my partner, Stephanie Costa.

8 COUNCILMAN GREENLEE: Say the
9 name of the company.

10 MR. KESSLER: Dollar Financial
11 Group.

12 So Dollar Financial, New York
13 Stock Exchange, 1,500 locations, a range
14 of financial services. I should mention
15 that it's got 12 employees, creates about
16 \$225,000 to the Philadelphia economy. We
17 were engaged, Mr. Chairman, a few weeks
18 ago when we first learned of this
19 proposed bill. We're here only to state
20 on the record that we met with Councilman
21 Squilla -- obviously it's in his
22 district -- about a week or two ago. We
23 agreed that although we have concerns
24 about the bill, the merits of it, the
25 breadth of the district, and the

1 6/3/14 - RULES - BILL 140277, etc.
2 prohibition on expansion/extension of
3 uses, that we would state that for the
4 record and then spend hopefully time over
5 the summer discussing the bill and some
6 possible amendments.

7 COUNCILMAN GREENLEE: And you
8 say discussing the bill. I mean, has
9 there been -- because obviously if we
10 pass it out of Committee today, it's
11 eligible to be passed before the summer.

12 MR. KESSLER: We understand it
13 will be probably passed out of Committee
14 today, but, again, that will give us --
15 Councilman Squilla said that he would
16 ensure that it's not fast tracked, that
17 we have time over the summer to discuss
18 it.

19 COUNCILMAN GREENLEE: Okay. I
20 appreciate that. Thank you.

21 Any questions?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, anyone else here to testify on Bill
25 No. 140416?

1 6/3/14 - RULES - BILL 140277, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none, thank you.

5 MR. KESSLER: Thank you very
6 much.

7 COUNCILMAN GREENLEE: Ms.
8 Marconi, the next one.

9 THE CLERK: Bill No. 140444, an
10 ordinance to amend the Philadelphia
11 Zoning Maps by changing the zoning
12 designations of certain areas of land
13 located within an area bounded by Spring
14 Garden Street, 5th Street, Girard Avenue,
15 2nd Street, Brown Street, and 3rd Street.

16 COUNCILMAN GREENLEE:
17 Mr. Kramer.

18 MR. KRAMER: Good morning,
19 Chairman Greenlee and members of the
20 Rules Committee. I am William Kramer,
21 Division Director of the Development
22 Planning Division of the Philadelphia
23 City Planning Commission. I am here
24 today to testify on Bill No. 140444,
25 which was introduced into City Council

1 6/3/14 - RULES - BILL 140277, etc.

2 May 15th, 2014.

3 Bill No. 140444 amends the
4 Philadelphia Zoning Maps by rezoning an
5 area bounded by Spring Garden Street, 5th
6 Street, Girard Avenue, 2nd Street, Brown
7 Street, and 3rd Street. This bill
8 rezones the portion of the Northern
9 Liberties neighborhood that lies in the
10 5th Council District. It contains a
11 number of corrective changes to match the
12 existing land use of the area as well as
13 changes which focus development towards
14 the commercial corridors and locations of
15 major transit stops.

16 As a result of community
17 discussions, we respectfully request the
18 bill be amended to reflect some changes
19 from the original legislation in order to
20 address some of the concerns from the
21 community.

22 The Philadelphia Planning
23 Commission at its meeting of June 10th,
24 2014 will hear Bill No. 140444 with a
25 staff recommendation of approval.

1 6/3/14 - RULES - BILL 140277, etc.

2 I'd be happy to answer whatever
3 questions you may have.

4 COUNCILMAN GREENLEE: Thank
5 you, Mr. Kramer. Could you just -- was
6 there something particularly out of these
7 community meetings that changed --

8 MR. KRAMER: Not anything that
9 was overarching. It was just one
10 property here, one property there, that
11 kind of a thing.

12 COUNCILMAN GREENLEE: I got
13 you.

14 MR. KRAMER: And they wanted
15 one thing and we agreed with them, so we
16 made the amendments that have been
17 submitted.

18 COUNCILMAN GREENLEE: Great.

19 Any other questions for
20 Mr. Kramer?

21 (No response.)

22 COUNCILMAN GREENLEE: Seeing
23 none, anyone else here to testify on Bill
24 No. 140444?

25 (No response.)

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, Ms. Marconi, please.

4 THE CLERK: Bill No. 140447, an
5 ordinance to amend the Philadelphia
6 Zoning Maps by changing the zoning
7 designations of certain areas of land
8 located within an area bounded by the
9 Frankford Creed, Kensington Avenue, Adams
10 Avenue, Griscom Street, Wakeling Street,
11 and the Northeast Corridor Railroad
12 Right-of-Way.

13 COUNCILMAN GREENLEE:
14 Mr. Kramer.

15 MR. KRAMER: Good morning,
16 Chairman Greenlee and members of the
17 Rules Committee. I am William Kramer,
18 Division Director of the Development
19 Planning Division of the Philadelphia
20 City Planning Commission. I am here
21 today to testify on Bill No. 140447,
22 which was introduced into City Council
23 May 15th, 2014 by Councilmember Sanchez.

24 Bill No. 140447 amends the
25 Philadelphia Zoning Maps by rezoning the

1 6/3/14 - RULES - BILL 140277, etc.

2 area bounded by Frankford Creek,
3 Kensington Avenue, Adams Avenue, Griscom
4 Street, Wakeling Street, and the
5 Northeast Corridor Railroad Right-of-Way
6 in the Frankford neighborhood. It
7 contains a number of corrective changes
8 to match the existing land use of the
9 area as well as changes which focus
10 development towards the commercial
11 corridors and locations of major transit
12 stops and rezones some former industrial
13 properties to more appropriate
14 designations compatible with surrounding
15 residential uses.

16 At the request of the Law
17 Department, we respectfully submit an
18 amendment to this legislation in order to
19 make technical changes for the purpose of
20 clarity for your consideration.

21 The Philadelphia City Planning
22 Commission at its meeting of June 10th,
23 2014 will consider Bill No. 140447 with a
24 staff recommendation of approval.

25 COUNCILMAN GREENLEE: Thank

1 6/3/14 - RULES - BILL 140277, etc.

2 you.

3 Any questions for Mr. Kramer on
4 this bill?

5 (No response.)

6 COUNCILMAN GREENLEE: Seeing
7 none, anyone --

8 COUNCILMAN HENON: I got a
9 question.

10 COUNCILMAN GREENLEE:
11 Councilman Henon.

12 COUNCILMAN HENON: Mr. Kramer,
13 I have a question. So in your testimony
14 you state that it is rezoning former
15 industrial properties that would be more
16 appropriate for the surrounding
17 residential uses. Is this an overlay or
18 is this a citywide zoning change?

19 MR. KRAMER: This is not a
20 change to the code nor is it -- it's
21 specific to this area in terms of
22 changing the base zoning. In other
23 words, what we're doing is taking the
24 Zoning Maps and taking parcels of land
25 that are currently industrial that may

1 6/3/14 - RULES - BILL 140277, etc.

2 have a vacant factory or may no longer be
3 viable as an industrial use and trying to
4 make it consistent with something that
5 will either get development within the
6 neighborhood or consistent with the
7 residential uses that are surrounding it.
8 It's very specific. This is not like an
9 industrial park that we're changing the
10 base zoning of an industrial park or any
11 of those components. These are on
12 smaller streets that were industries that
13 were, back in the 1920s and '30s, were
14 viable, and it was a different world back
15 then. And so time has moved on and we're
16 trying to facilitate it to something that
17 was more appropriate with uses today,
18 that's all.

19 COUNCILMAN HENON: And has the
20 Planning Commission worked with different
21 agencies within the City of Philadelphia
22 just to collaborate on --

23 MR. KRAMER: Absolutely. Yes,
24 sir.

25 COUNCILMAN HENON: -- making

1 6/3/14 - RULES - BILL 140277, etc.
2 these changes?

3 MR. KRAMER: Yes, sir. We work
4 with PIDC, especially when there's
5 industrial land involved. We're
6 concerned about making sure that there is
7 significant industrial land left for
8 their purposes, and they certainly aren't
9 shy about telling us when that would be
10 the case.

11 COUNCILMAN HENON: Thank you.

12 COUNCILMAN GREENLEE: Thank
13 you, Councilman.

14 Any other questions for
15 Mr. Kramer on this bill?

16 (No response.)

17 COUNCILMAN GREENLEE: Anyone
18 else here to testify on Bill No. 140447?

19 (No response.)

20 COUNCILMAN GREENLEE: Seeing
21 none, Ms. Marconi, the next bill, please.

22 THE CLERK: Bill No. 140439 and
23 Bill No. 140442, an ordinance to amend
24 Section 14-502 of the Zoning Code,
25 entitled "CTR, Center City Overlay," and

1 6/3/14 - RULES - BILL 140277, etc.

2 to amend Section 14-602 of the Zoning
3 Code, entitled "Use Tables," under
4 certain terms and conditions; and

5 Bill No. 140442, an ordinance
6 to amend the Philadelphia Zoning Maps by
7 changing the zoning designations of
8 certain areas of land located within an
9 area bounded by John F. Kennedy
10 Boulevard, 23rd Street, Cherry Street and
11 the Schuylkill River.

12 COUNCILMAN GREENLEE:

13 Mr. Kramer.

14 MR. KRAMER: Good morning,
15 Chairman Greenlee, members of the Rules
16 Committee. I am William Kramer with the
17 Philadelphia City Planning Commission. I
18 am here today to testify on Bill No.
19 140439 and 140442, which were introduced
20 into City Council May 15th, 2014.

21 Both bills deal with the same
22 proposal in an area bounded by John F.
23 Kennedy Boulevard, 23rd Street, Cherry
24 Street, and the Schuylkill River.

25 Bill No. 140439 will amend the

1 6/3/14 - RULES - BILL 140277, etc.
2 Philadelphia Zoning Code by creating
3 zoning exceptions within the Benjamin
4 Franklin Parkway height controls, which
5 currently has a height limit of 125 feet.
6 In the area bounded by 23rd Street, John
7 F. Kennedy Boulevard, the Schuylkill
8 River, and the SEPTA right-of-way, the
9 limit will be raised to a maximum of 500
10 feet in height. In the adjacent area
11 bounded by 23rd Street, the SEPTA
12 right-of-way, the Schuylkill River, and
13 Cherry Street, the limit will be raised
14 to a 300 foot maximum.

15 Additionally, Bill No. 140439
16 will amend the Philadelphia Zoning Code
17 by amending the Notes for Table
18 14-602-1(5) to allow retail sales and
19 commercial service uses not to exceed 25
20 percent of the total gross floor area and
21 to be located above the ground floor of a
22 building if they have a direct entrance
23 from the ground floor. This is being
24 done to accommodate the existing grade
25 changes and rail lines in these

1 6/3/14 - RULES - BILL 140277, etc.

2 particular blocks which would otherwise
3 impede development.

4 Bill No. 140442 will amend the
5 Philadelphia Zoning Maps by rezoning the
6 area bounded by John F. Kennedy
7 Boulevard, 23rd Street, Cherry Street,
8 and the Schuylkill River. The bill will
9 adjust the zoning boundary line between
10 the "CMX-5" Commercial Mixed Use and the
11 "RMX-3" Residential Mixed Use by
12 increasing the CMX-5 Commercial Mixed Use
13 area to approximately 24,000 square feet
14 and 61 feet in depth away from John F.
15 Kennedy Boulevard.

16 The purpose of both pieces of
17 legislation is to facilitate the
18 development of this site. I'll leave the
19 details of the development to the
20 attorneys.

21 The Philadelphia City Planning
22 Commission will consider both Bills No.
23 140439 and 140442 at their meeting of
24 June 10th, 2014 and will be presented
25 with a staff recommendation of approval.

1 6/3/14 - RULES - BILL 140277, etc.

2 It is my understanding that
3 this bill also needed maps amended and
4 should be up with the Chair.

5 COUNCILMAN GREENLEE: We have
6 those here, and I think that amends Bill
7 No. 140442.

8 MR. KRAMER: Yes, sir.

9 COUNCILMAN GREENLEE: That's
10 where the amendments are, right?

11 MR. KRAMER: Yes, sir.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 Gentlemen, please identify
15 yourself for the record.

16 MR. WITT: Chairman Greenlee,
17 members of the Committee. I'm Tom Witt
18 of Cozen O'Connor. With me is Brent
19 Reynolds of MP International, the
20 developer of this site.

21 Bill No. 140439 is the
22 result -- and 140442 are both the result
23 of months of work that Mr. Reynolds has
24 done with Logan Square Neighbors
25 basically to refashion the zoning in

1 6/3/14 - RULES - BILL 140277, etc.
2 relatively minor ways in order to allow
3 roughly the same degree of development
4 which would be permitted today but to
5 allow that development to occur with the
6 minimum of interference to existing
7 views.

8 And so, for instance, this
9 proposal puts its tallest building in the
10 area between Kennedy Boulevard and the
11 railroad and smaller buildings to the
12 north of the railroad. And the buildings
13 to the north of the railroad are proposed
14 to be taller than would be allowed under
15 zoning today, but much less bulky and
16 oriented east to west to minimize the
17 interference with existing views. And
18 that's really most of what is at work
19 here in 140439 with the height limits.

20 140439 also allows upstairs
21 retail in the RMX-3. The goal is to
22 permit a use like a supermarket at the
23 top of a building that would be a parking
24 garage wrapped partly with townhouses and
25 partly with smaller retail space.

1 6/3/14 - RULES - BILL 140277, etc.

2 Currently, RMX-3 does not allow the
3 retail to be above the ground floor.

4 COUNCILMAN GREENLEE: Okay.

5 MR. WITT: Mr. Reynolds has
6 written testimony which we can hand to
7 you.

8 COUNCILMAN GREENLEE: Please.

9 MR. WITT: And he's available
10 to answer any questions. The design team
11 is here as well.

12 COUNCILMAN GREENLEE: What kind
13 of development -- I know you said
14 possibly a supermarket. Is there
15 anything like more concrete in the works,
16 or just what kind of things are you doing
17 here?

18 MR. WITT: The tall building at
19 the north side of JFK is intended to be a
20 hotel and apartments.

21 COUNCILMAN GREENLEE: Hotel and
22 what? I'm sorry.

23 MR. WITT: Hotel and
24 apartments, rental or sale apartments.

25 The towers north of the

1 6/3/14 - RULES - BILL 140277, etc.

2 railroad are intended to be residential
3 buildings.

4 COUNCILMAN GREENLEE: I know
5 this is going to be a subject later. Do
6 you have any commitment from a hotel
7 chain yet?

8 MR. REYNOLDS: No.

9 COUNCILMAN GREENLEE: There
10 might be some people in the room
11 interested in that issue.

12 Okay. Very good. Any other
13 questions?

14 Yes. Councilman Kenney.

15 COUNCILMAN KENNEY: Thank you
16 very much.

17 I'm trying to get my brain
18 around the development itself. I mean,
19 it seems like a lot of speculative
20 development without a hotel chain. We
21 don't know if it's going to be a
22 supermarket. I mean, don't you need a
23 little more specificity in order to get
24 it financed?

25 MR. WITT: I would imagine so,

1 6/3/14 - RULES - BILL 140277, etc.
2 but one step at a time.

3 COUNCILMAN KENNEY: But how
4 well defined is the program for the
5 space?

6 MR. WITT: I'm going to defer
7 to Mr. Reynolds.

8 MR. REYNOLDS: The program is
9 very well defined --

10 COUNCILMAN GREENLEE: Just
11 identify yourself.

12 MR. REYNOLDS: I'm sorry.
13 Brent Reynolds with MP International.

14 The program is very defined in
15 terms of uses. The hotel has a specific
16 unit count and key count. We are in
17 discussions with three brands, if you
18 will. The specific brand has not been
19 selected to date. We need to go through
20 this process first.

21 The residential program is very
22 well defined as well as the retail. The
23 grocer is more of a higher end,
24 neighborhood-oriented facility. So the
25 uses are defined, but the specific tenant

1 6/3/14 - RULES - BILL 140277, etc.

2 and name is not defined at this date.

3 COUNCILMAN KENNEY: Because I
4 appreciate what you're saying and I
5 believe you because you're here saying
6 it, but sometimes when you do the zoning
7 before it's well defined, there's the
8 potential of having it flipped to someone
9 else that we don't know what they're
10 going to do with it.

11 MR. REYNOLDS: Right, and --

12 COUNCILMAN KENNEY: Because I
13 assume this zoning improves the value of
14 the property.

15 MR. REYNOLDS: The zoning
16 will --

17 COUNCILMAN KENNEY: The zoning
18 change will improve the value of the
19 property.

20 MR. REYNOLDS: Correct. As Tom
21 mentioned previously, the current zoning
22 change is to accommodate the local
23 neighborhood and modify the program
24 that's been in place from the beginning
25 to maximize the views and really

1 6/3/14 - RULES - BILL 140277, etc.

2 accommodate the interest of the Logan
3 Square Neighborhood Association.

4 COUNCILMAN KENNEY: All right.
5 Thank you.

6 COUNCILMAN GREENLEE: And I
7 know Logan Square is pretty thorough in
8 their investigation of all issues.

9 About how many meetings would
10 you say you had with the community?

11 MR. REYNOLDS: We had three
12 formal meetings with the larger community
13 and then what they call the near
14 neighbors and the executive branch, we
15 probably had another four meetings with
16 them. So we've been working with them
17 closely for about a year.

18 COUNCILMAN GREENLEE: All
19 right. Thank you.

20 Any other questions for this
21 panel?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, is there anyone else here to
25 testify on either Bill 140439 or 140442?

1 6/3/14 - RULES - BILL 140277, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none, thank you very much. Good luck
5 with the project.

6 Ms. Marconi.

7 THE CLERK: Bill No. 140435, an
8 ordinance amending Title 14 of The
9 Philadelphia Code, entitled "Zoning and
10 Planning," by revising certain use
11 regulations relating to the residential
12 uses allowed in industrial districts and
13 making technical changes, all under
14 certain terms and conditions.

15 COUNCILMAN GREENLEE:

16 Mr. Kramer.

17 MR. KRAMER: Good morning,
18 Chairman Greenlee and members of the
19 Rules Committee. I am William Kramer,
20 Division Director of the Development
21 Division of the Philadelphia City
22 Planning Commission. I am here today to
23 testify on Bill No. 140435, which was
24 introduced by Councilmember Kenney on May
25 15th, 2014.

1 6/3/14 - RULES - BILL 140277, etc.

2 Bill No. 140435 amends the
3 Philadelphia Zoning Code by amending
4 Section 14-602 of the Code, specifically
5 Table 14-602-3: Uses Allowed in
6 Industrial Districts. The table would be
7 amended so as to allow multi-family
8 residential use to be permitted in the
9 "ICMX" Industrial Commercial Mixed Use
10 districts and "I-2" General Industrial
11 districts.

12 As part of the creation of the
13 current Zoning Code, considerable thought
14 was given to which uses should be
15 permitted in the ICMX Industrial
16 Commercial Mixed Use zoning designation.
17 Additionally, the Mayor's Manufacturing
18 Task Force released its strategy this
19 past December and identified the
20 preservation of industrial zoning from
21 competing uses as a priority
22 recommendation for maintaining the City's
23 competitiveness for industrial commerce.
24 There are instances where the premature
25 introduction of residential uses into

1 6/3/14 - RULES - BILL 140277, etc.
2 otherwise healthy industrial corridors
3 has caused issues related to truck
4 traffic, noise, and hours of operation.
5 A blanket approval for by-right
6 residential uses on top of industrial
7 properties is likely to raise a number of
8 concerns for both businesses and
9 residences alike.

10 For these reasons, the
11 Administration supports the approach of
12 holding the bill in Committee, allowing
13 the Planning Commission, the Commerce
14 Department, PIDC, City Council, and
15 stakeholders to collaborate on a
16 strategic approach to rezoning industrial
17 properties that will permit residential
18 uses where appropriate.

19 I'll be happy to answer any
20 questions you may have.

21 COUNCILMAN GREENLEE: Thank
22 you, Mr. Kramer.

23 Councilman Kenney.

24 COUNCILMAN KENNEY: Thank you,
25 Mr. Chairman.

1 6/3/14 - RULES - BILL 140277, etc.

2 Mr. Kramer, when the new code
3 was created and adopted, it created a new
4 classification IRMX, otherwise known as
5 the Industrial Residential Mixed Use. It
6 seems that many of the parcels currently
7 zoned ICMX would be better placed into
8 IRMX. So how is this remapping going?

9 MR. KRAMER: It is an ongoing
10 project at this time.

11 COUNCILMAN KENNEY: How is it
12 going?

13 MR. KRAMER: How is it going?

14 COUNCILMAN KENNEY: I mean,
15 when will it be done? How much will it
16 cost in additional staff? How many
17 people are assigned to the project?
18 Because my overall concern and the reason
19 I introduced this bill was, we had these
20 large hulking industrial properties in
21 the middle of residential neighborhoods
22 that are vacant, eyesores, and dangers to
23 both residents and firefighters alike,
24 and we've had some tragic situations at
25 the Buck Hosiery fire and some of the

1 6/3/14 - RULES - BILL 140277, etc.
2 other issues we've been dealing with.
3 We're not talking about active industrial
4 and manufacturing sites where there's
5 ongoing commerce. We're talking about
6 areas of the City that used to be this
7 vibrant industrial complex that are no
8 longer.

9 I got two problems. Number
10 one, the length of time it's taking to
11 get it remapped. And I don't know the
12 resources that are being put into it,
13 number one. And, number two, I don't
14 know anybody who is going to want to put
15 a residential facility, residential
16 development in the middle of a port
17 industrial area or something that's an
18 ongoing concern.

19 I need to get these properties
20 off -- I need to get them either
21 demolished or put into a repurposed use
22 that will develop taxes and develop
23 people living in our neighborhoods. I
24 don't know what it is we are doing to
25 make that process go faster.

1 6/3/14 - RULES - BILL 140277, etc.

2 And the other problem, frankly,
3 is a lot of times at the Zoning Board
4 they're denied based on the current
5 Zoning Code. So in an effort to try to
6 address this in a quicker way, I
7 attempted to get the conversation started
8 with this. So what I really want is a
9 commitment from the Planning Commission
10 that before the last day to amend this
11 current budget you tell us what you need
12 and how much it's going to cost to get it
13 done, because district by district is
14 going to take too long.

15 So that's the whole purpose of
16 this bill.

17 MS. SHARPE: We can do that.

18 Eleanor Sharpe, Director of
19 Legislative Affairs of the Planning
20 Commission.

21 COUNCILMAN KENNEY: So by the
22 12th of June -- or before the 12th of
23 June, you will have a letter to the
24 Council President telling him that you
25 need X amount of dollars for the Planning

1 6/3/14 - RULES - BILL 140277, etc.

2 Commission to expedite this process of
3 remapping the entire City?

4 MS. SHARPE: We can do that.
5 We will do that.

6 COUNCILMAN KENNEY: Where have
7 you been?

8 MS. SHARPE: We will get you a
9 letter saying how much we know of what it
10 will cost.

11 COUNCILMAN KENNEY: Great
12 answer. I didn't expect it, so I
13 appreciate it.

14 But thank you, Mr. Chairman. I
15 just wanted to make sure we have a
16 clearcut process to get this done,
17 because I'm worried about it taking too
18 long. We're going to miss out on a lot
19 of development potential.

20 But thank you for your
21 cooperation.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilman.

24 Councilwoman Tasco.

25 COUNCILWOMAN TASCO: Thank you

1 6/3/14 - RULES - BILL 140277, etc.
2 very much.

3 And I have an appreciation for
4 what Councilman Kenney is trying to do.
5 I certainly think that the District
6 Councilmembers have to be involved in the
7 process.

8 MS. SHARPE: We agree.

9 COUNCILMAN KENNEY:
10 Mr. Chairman, my intention was to, is to
11 talk to each District Councilperson and
12 try to figure out what they need that
13 fits their district and what needs to be
14 amended in to make sure that we meet the
15 needs of each district. But, again,
16 these large formerly industrial buildings
17 that are empty, vacant and could be used
18 as residential need to jump through hoops
19 in order to get something done.

20 So I appreciate your help.

21 MS. SHARPE: Okay.

22 COUNCILMAN GREENLEE: Thank
23 you. Councilman, your wishes on this
24 bill is to hold to the call of the Chair?

25 COUNCILMAN KENNEY: Yeah, to

1 6/3/14 - RULES - BILL 140277, etc.

2 hold to the call of the Chair.

3 COUNCILMAN GREENLEE: No date
4 certain, okay.

5 At the end of the hearing --
6 I'm sorry. Before that, Councilman
7 Henon.

8 COUNCILMAN HENON: Thank you,
9 Mr. Chairman, and thank you for your
10 testimony. I just want to state for the
11 record I appreciate the sponsor of the
12 bill, Councilman Kenney's, I guess,
13 tactics in trying to speed up the process
14 to a lot of our blighted properties that
15 continue to lie in delinquency and
16 blighting our neighborhoods. As you well
17 know, there has been a new Office of
18 Manufacturing and Industry, and I find it
19 very important to the City for the growth
20 of our neighborhoods and creating jobs.
21 So I think further discussion and
22 collaboration with this is greatly
23 appreciated, and I want to thank the
24 sponsor for holding the bill here today
25 pending more resources for the Planning

1 6/3/14 - RULES - BILL 140277, etc.
2 Commission, for PIDC, and for the Office
3 of Manufacturing to really set good
4 policies to make sure that our
5 neighborhoods revitalize themselves. So
6 thank you.

7 COUNCILMAN GREENLEE: Thank
8 you. Thank you, Councilman.

9 Anyone else here to testify on
10 Bill No. 140435?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, at the request of the sponsor, Bill
14 No. 140435 will be held to the call of
15 the Chair.

16 Ms. Marconi, our next bill,
17 please.

18 THE CLERK: Bill No. 140407, an
19 ordinance amending Title 14 of The
20 Philadelphia Code, entitled "Zoning and
21 Planning," by providing that zoning
22 permits, issued as of right, be posted on
23 the Department of Licenses and
24 Inspections official website, that copies
25 of such permits be provided to the

1 6/3/14 - RULES - BILL 140277, etc.
2 district councilmember whose district
3 includes the permit holder's property,
4 and making technical changes, all under
5 certain terms and conditions.

6 COUNCILMAN GREENLEE: Mr.
7 Kramer, you have company this time.

8 MR. KRAMER: Yeah. Welcomed
9 company, I'm sure.

10 Good morning, Chairman
11 Greenlee, members of the Rules Committee.
12 I am William Kramer, Division Director of
13 the Development Division of the
14 Philadelphia City Planning Commission. I
15 am here today to testify on Bill No.
16 140407, which was introduced into City
17 Council by Councilwoman Blackwell May 8th
18 of 2014.

19 Bill No. 140407 amends the
20 Philadelphia Zoning Code by amending
21 Section 14-303 of the Code to require
22 that the Department of License and
23 Inspections post zoning permits on its
24 website no later than 5:00 p.m. the next
25 business day following the date of

1 6/3/14 - RULES - BILL 140277, etc.
2 issuance of the permit. The legislation
3 also requires the Department to provide
4 both an electronic copy and a written
5 copy of the zoning permit to the District
6 Councilperson in which the property is
7 located.

8 The Department of License and
9 Inspection has some concerns about being
10 able to meet all of the requirements of
11 this legislation, but has since resolved
12 some of the issues with the sponsor. As
13 such, proposed amendments have been
14 drafted to remove the requirements to
15 provide written permits to Council staffs
16 because this would place a significant
17 burden on the limited resources of the
18 Department. Additionally, the Department
19 has asked that implementation be delayed
20 for 18 months to allow for the
21 implementation of their new computer
22 system which would provide Council staffs
23 with the ability to search for issued
24 permits in realtime.

25 The Philadelphia City Planning

1 6/3/14 - RULES - BILL 140277, etc.

2 Commission is scheduled to consider this
3 bill at its meeting of June 10th, 2014.

4 I'll be happy to answer any
5 questions. There is a representative
6 from L&I to also provide testimony.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Kramer.

9 Why don't we hear from
10 Ms. Swanson first and then we'll have
11 questions.

12 MS. SWANSON: Good afternoon,
13 Chairman Greenlee and members of the
14 Committee on Rules. My name is Rebecca
15 Swanson. I am the Policy and
16 Communications Officer for the Department
17 of Licenses and Inspections. Today I am
18 here to provide testimony on Bill No.
19 140407, as amended, which was introduced
20 by Councilwoman Blackwell and seeks to
21 regulate the Department's posting and
22 sharing of zoning permits.

23 The Department of Licenses and
24 Inspections is happy to comply with the
25 requirement of the bill that the

1 6/3/14 - RULES - BILL 140277, etc.
2 Department post copies of all issued
3 zoning permits on the Department's
4 website no later than 5:00 p.m. of the
5 business day following the issuance of
6 the permit. The website will allow
7 permits to be searched by various
8 criteria, including property address,
9 date of permit issuance, and Council
10 district. Moreover, the permits will be
11 posted in realtime and available to
12 Councilmembers and the public 24 hours a
13 day. While this functionality is not
14 available with the Department's current
15 data system and website, it will be
16 available with our new, under
17 construction data system, Project
18 eCLIPSE. Therefore, we ask that this
19 requirement be given an 18-month
20 implementation period to allow for the
21 completion of Project eCLIPSE and the
22 full integration of our data onto the
23 website. This request is being made in
24 the proposed amendments, which have been
25 agreed to by the sponsor.

1 6/3/14 - RULES - BILL 140277, etc.

2 Both prior to and subsequent to
3 this online posting, the Department will
4 continue its current practice of
5 delivering a daily electronic report of
6 all zoning permits issued on that day to
7 all Councilmembers. This e-mail provides
8 full details on each zoning permit,
9 including property address, property
10 owner name, work description, and Council
11 district. The Department believes that
12 this e-mail communication is sufficient
13 to satisfy the bill's requirement for
14 electronic delivery of all zoning permits
15 to Councilmembers by the next business
16 day after issuance and thanks the sponsor
17 for their agreement on this issue.

18 Finally, the Department
19 appreciates the sponsor's agreement to
20 remove the requirement that a written
21 copy of zoning permits be delivered to
22 all Councilmembers by the next business
23 day after issuance. This requirement
24 would be unduly burdensome on the
25 Department's already strained resources.

1 6/3/14 - RULES - BILL 140277, etc.

2 The Department would also like
3 to point out a potential unintended
4 consequence of the bill that could have
5 an effect on zoning permit appeals.
6 Because no data system or website is
7 immune to technical glitches, there is a
8 possibility that such mistakes could
9 cause the posting of permits to be
10 delayed beyond the requirement of 5:00
11 p.m. the next business day after
12 issuance. Therefore, the Department does
13 not propose an amendment clarifying that
14 any failure on the part of the Department
15 to comply with the timing requirement
16 will not extend the time period for
17 filing an appeal related to the granting
18 of the permit. This amendment has been
19 agreed to by the sponsor.

20 The Department offers a
21 proposed amendment that incorporates
22 these changes, with the agreement of the
23 sponsor.

24 Thank you for the opportunity
25 to provide the Department's testimony on

1 6/3/14 - RULES - BILL 140277, etc.

2 Bill No. 140407. I will be happy to
3 answer any questions at this time.

4 COUNCILMAN GREENLEE: Thank
5 you. Before I recognize Councilman
6 Kenney, Councilwoman Blackwell is the
7 sponsor, and not that I'm doubting
8 anything that the two witnesses said, if
9 you could go on record just saying if you
10 are in agreement with everything.

11 COUNCILWOMAN BLACKWELL: Thank
12 you, Mr. Chairman. We have agreed to it.
13 Of course, we wanted it yesterday. And
14 this was in response to all the RCO and
15 those issues we formed to try to -- that
16 I didn't support -- to try to make
17 business development more user-friendly
18 for developers. We changed the law so
19 that people do development and get
20 approval and we don't know. So I have
21 people contacting me, as you District
22 Councilpeople do too, saying, How did you
23 start a project? You have a hole in the
24 ground and you're all ready to go and I
25 don't know. It's because we changed the

1 6/3/14 - RULES - BILL 140277, etc.
2 law and Council supported us changing the
3 law to make it more user friendly for
4 businesses.

5 So at least this legislation's
6 aim was to at least have us have
7 notification within 24 hours if a
8 developer is coming in to do something so
9 we can get in front of it for our
10 communities. And we try to work with --
11 of course, the Commissioner said he
12 couldn't do all that, he didn't have the
13 staff and wouldn't make it -- it would be
14 too hard to get it all done. So we tried
15 to work with him and compromise with him
16 so that we can receive notification.
17 That's the point of it.

18 So we are happy to work with
19 him on this part of it and certainly in
20 18 months have it fully implemented the
21 way we would like it to be.

22 Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilwoman.

25 Councilman Kenney.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN KENNEY: Thank you,
3 Mr. Chairman.

4 Could you explain to me what
5 will be available on eCLIPSE when it is
6 up and running?

7 MS. SWANSON: Yes. All public
8 data will be available on our website.
9 So everything from Project eCLIPSE will
10 be put on our website in realtime, all
11 public data. So copies of permits,
12 copies of licenses will be available in a
13 searchable format. The PDF will come up,
14 so you can search the PDF using the Adobe
15 function.

16 But for Council -- and I
17 believe the Commissioner has had this
18 discussion. We can build you guys
19 customized dashboards on your computer so
20 that any records that you want on a daily
21 basis can pop right up. You can define
22 the fields of what you want to see and we
23 can have those pop right up on your
24 computer on a daily basis rather than
25 having to search for them.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN KENNEY: When it
3 comes to licenses that are issued, will
4 the information also include the general
5 contractor and the subcontractors that
6 are intended to be on a particular
7 construction job?

8 MS. SWANSON: You mean on the
9 permits?

10 COUNCILMAN KENNEY: Yeah. For
11 example, if I am an expediter, which I
12 have problems with to begin with, but
13 that's another whole conversation, if I
14 go in, I'm a developer, I go in to get a
15 permit and the permit is granted across
16 the desk and I want to build a building,
17 do I have to provide the information as
18 to who is building the building and what
19 other subcontractors I'm hiring as a
20 result -- in an effort to get the
21 building completed? So will I know who
22 is on the job site?

23 MS. SWANSON: Yes. You'll be
24 able to pull up the exact permit itself.
25 So all of the information that was

1 6/3/14 - RULES - BILL 140277, etc.
2 provided at the time of permit
3 application, with the exception of
4 building plans because those are not
5 public, those will all be available on
6 the website.

7 COUNCILMAN KENNEY: Are we
8 asking them at the time of the issuance
9 of the permit who is going to be doing
10 the work?

11 MS. SWANSON: I believe so.

12 COUNCILMAN KENNEY: And their
13 City business activity license number?

14 MS. SWANSON: Yes. All the
15 subcontractors that they know at the time
16 will have to be listed, and then my
17 understanding is that when you -- if you
18 hire new subcontractors along the line --

19 COUNCILMAN KENNEY: I think
20 it's 72 hours.

21 MS. SWANSON: -- they have to
22 be added to that permit with contacts.

23 COUNCILMAN KENNEY: Will they
24 be able to add it to that list
25 electronically themselves from off-site?

1 6/3/14 - RULES - BILL 140277, etc.

2 MS. SWANSON: I believe that
3 the functionality is going to be there.
4 We haven't built the online permitting
5 section yet, so this was something else I
6 wanted to add: Keep a wish list of all
7 the things that you want to see and you
8 can work with our IT and with the
9 Commissioner. If anything that's
10 feasible that Council wants to see on the
11 website as we're building, we can build
12 all of that in.

13 COUNCILMAN KENNEY: The other
14 question I have relative to the license
15 holder, the business license holder and
16 the subcontractor license holders and
17 their tax ID numbers, will they be
18 cross-referenced before the issuance of
19 the permit for the project so that we
20 make sure that they're tax compliant?

21 MS. SWANSON: They have to
22 bring in a copy of their tax compliance
23 when they apply for the permit.

24 COUNCILMAN KENNEY: Or they're
25 not given the permit?

1 6/3/14 - RULES - BILL 140277, etc.

2 MS. SWANSON: Or they are not
3 given the permit. And that is something
4 that's already in place.

5 COUNCILMAN KENNEY: That's in
6 place now?

7 MS. SWANSON: Yes.

8 COUNCILMAN KENNEY: Have we
9 found that there's problems with Revenue
10 in providing the tax compliance
11 certificate?

12 MS. SWANSON: Not that I'm
13 aware of. They have to go on their own.
14 The contractors go get it and then come
15 back to us.

16 COUNCILMAN KENNEY: So no
17 permits are issued without that
18 certificate?

19 MS. SWANSON: Yes, that is
20 correct.

21 COUNCILMAN KENNEY: Perfect.
22 Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilman.

25 Councilman Henon.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN HENON: Thank you.

3 Good morning. And just to
4 follow up a little bit. I think Project
5 eCLIPSE is well welcomed. So we hope
6 that it is in place sooner rather than
7 later.

8 But just to follow up on some
9 of the line of questioning. Seventy-two
10 hours of reporting subcontractors or
11 contractors. So currently a lot of this
12 is already law; is that correct?

13 MS. SWANSON: I'm sorry?

14 COUNCILMAN HENON: Most of this
15 conversation is already law?

16 MS. SWANSON: Yes.

17 COUNCILMAN HENON: Or a
18 bulletin regulation within the
19 Department?

20 MS. SWANSON: Yes.

21 COUNCILMAN HENON: And are you
22 currently posting permits as they come
23 in? What's your time lapse between
24 having a permit issued and posting it
25 online?

1 6/3/14 - RULES - BILL 140277, etc.

2 MS. SWANSON: The permit --

3 COUNCILMAN HENON: With the law
4 that requires the contractors to be
5 listed.

6 MS. SWANSON: So the permit
7 themselves do not get posted online
8 currently. It's kind of a data pull from
9 our system. If you search by property
10 history, you can pull up permits and then
11 have all the permit information,
12 including the applicant and the general
13 contractor and the contractors and the
14 work description. Those are posted by
15 the next business day at 5:00 p.m.

16 COUNCILMAN HENON: So you're
17 posting that now?

18 MS. SWANSON: Yes. It's just
19 not a copy of the permit itself. It's
20 just the information from the permit in
21 electronic form.

22 COUNCILMAN HENON: Okay. So
23 there is no real time lapse then
24 reporting it online and --

25 MS. SWANSON: No.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN HENON: -- it being
3 issued?

4 MS. SWANSON: As soon as it's
5 issued from our system, if it's issued
6 today, it will show up on our website
7 tomorrow. It's updated every night.

8 COUNCILMAN HENON: And the
9 permit is -- what I'm getting to is, just
10 because a permit is listed doesn't mean
11 the work is performing, right? Permits
12 have expiration dates?

13 MS. SWANSON: They do. So it
14 would be uploaded as soon as the permit
15 is issued, which is obviously after the
16 application date. That doesn't mean that
17 it has been -- that work has begun. It's
18 just that's the issuance date. And I
19 believe the expiration date of the permit
20 also shows up online, but I can't say
21 that a hundred percent.

22 COUNCILMAN HENON: And how
23 often do we check the tax compliance of a
24 license holder or contractor that is a
25 part of the permit?

1 6/3/14 - RULES - BILL 140277, etc.

2 MS. SWANSON: At the time of
3 application, you have to show your tax
4 clearance certificate.

5 COUNCILMAN HENON: I understand
6 the time of application, but when you
7 have a permit that is being posted
8 whenever it is, if it's posted within 24
9 hours or 5 o'clock the next day, is there
10 any additional check? So if a permit and
11 work hasn't begun in a year and has an
12 expiration date, do we periodically check
13 for compliance?

14 MS. SWANSON: Yes. We have a
15 new compliance division that is actually
16 launching July 1st of this year that will
17 do things like check to make sure that
18 the tax compliance continues, that
19 insurance, general liability and auto and
20 workers' comp all continues. I believe
21 you have to show the insurance once a
22 month, and the tax compliance checking
23 will be throughout the time that you have
24 the permit, especially for permits that
25 are held for longer or that don't start

1 6/3/14 - RULES - BILL 140277, etc.
2 work right away.

3 COUNCILMAN HENON: Right. How
4 do you give extensions on permits?

5 MS. SWANSON: Well, there's a
6 state law that you have -- so everything
7 is until July 2015 that we have to
8 extend -- they can come back in and
9 reactivate the permit. All permits have
10 an expiration date when they're issued.
11 If they don't begin work, the permit
12 is -- technically we expire it, but you
13 can come back and reactivate it under the
14 state law.

15 COUNCILMAN HENON: Okay. Thank
16 you.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilman.

19 Councilwoman Reynolds Brown.

20 COUNCILWOMAN BROWN: Good
21 morning.

22 MS. SWANSON: Good morning.

23 COUNCILWOMAN BROWN: Access to
24 the information around licenses, will it
25 be spread across the system, including

1 6/3/14 - RULES - BILL 140277, etc.
2 the childcare community?

3 MS. SWANSON: I believe all
4 licenses will be available on the
5 website.

6 COUNCILWOMAN BROWN: You say "I
7 believe."

8 MS. SWANSON: Yes. It's still
9 being built, and super technical
10 questions I can go back and check with
11 our IT department and send Council a
12 definitive answer, but the goal with
13 Project eCLIPSE is to have every single
14 thing we do, every permit, every license,
15 every violation on our website by the
16 next day in realtime for the public and
17 for Council to see.

18 COUNCILWOMAN BROWN: So that
19 was my next question, will the public
20 have access.

21 MS. SWANSON: They will have
22 access to everything that is public
23 record, which is the majority of what we
24 do, what we have. The only things that
25 are not public record, I think phone

1 6/3/14 - RULES - BILL 140277, etc.
2 numbers aren't on there and building
3 plans, because they're protected by
4 copyright.

5 COUNCILWOMAN BROWN: And so at
6 what point will you know for sure that
7 the childcare community is included in
8 this new initiative?

9 MS. SWANSON: They will be.
10 All licenses -- and I know the childcare
11 license, that will be available online.
12 Everything will be available. I can't
13 speak technically exactly how that will
14 be and how the search function would
15 work, but the license information and the
16 license itself will be available online.
17 I just can't speak technically to how you
18 would find it.

19 COUNCILWOMAN BROWN: Okay,
20 then. Thank you very much.

21 MS. SWANSON: I wish I could.

22 COUNCILWOMAN BROWN: Thank you.
23 Thank you, Mr. Chairman.

24 COUNCILMAN GREENLEE: Thank
25 you, Councilwoman.

1 6/3/14 - RULES - BILL 140277, etc.

2 First, the record will reflect
3 that Councilman Jones, Majority Leader,
4 is present at the hearing.

5 Councilman Kenney.

6 COUNCILMAN KENNEY: Thank you.

7 Just one followup. In a
8 scenario where a license is issued,
9 everyone is compliant and the license is
10 given to the contractor or the developer,
11 and your folks show up a month later on
12 the site and no one on the list is on the
13 job, what is the regulatory cure for that
14 situation?

15 MS. SWANSON: So if a building
16 permit is issued and then we go to the
17 site, whether for a code-required
18 inspection or our construction task force
19 which visits them, and sees that the
20 people working are not listed on the
21 permit, the likely outcome would be a
22 stop work order --

23 COUNCILMAN KENNEY: They will
24 stop work?

25 MS. SWANSON: -- until

1 6/3/14 - RULES - BILL 140277, etc.

2 everything can be sorted out, and likely
3 new permits would need to be obtained.

4 COUNCILMAN KENNEY: Could you
5 confirm that? I know I'm putting a lot
6 on you for definitive answers, but can
7 you confirm that the job will be stopped?

8 MS. SWANSON: I will do that
9 and I can get back to you. I'm 90
10 percent sure. And, again, we wouldn't --
11 if it's in a dangerous -- if stopping it
12 would be dangerous, we would allow them
13 to get the site into a condition where it
14 wouldn't be dangerous. We'd allow them
15 to do that, but if it's not a permitted
16 contractor there, we would stop the job.

17 COUNCILMAN KENNEY: For
18 example, we've had in the past alleged
19 contractors who are licensed in a
20 particular trade who will pull a license
21 under their name; for example, we had one
22 guy who was -- I don't think he's even
23 allowed in the building anymore, but was
24 a company of one. He pulled 172
25 electrical contracting permits in a year.

1 6/3/14 - RULES - BILL 140277, etc.

2 Obviously he was either very fast getting
3 around job to job or he was handing them
4 over to somebody else.

5 MS. SWANSON: That's a very
6 busy man.

7 COUNCILMAN KENNEY: So you're
8 telling me that that scenario of that
9 kind of individual pulling and then
10 handing it off is now going to be a lot
11 less likely than it was before this
12 project started?

13 MS. SWANSON: That's a huge
14 priority of the Commissioner, and with
15 the expanded construction site task force
16 and compliance division, we're getting 27
17 new inspectors for those units and that
18 will be a huge focus of what they do.

19 COUNCILMAN KENNEY: Let me just
20 say for the record, because I can be
21 critical of the Administration from time
22 to time, Carlton Williams and you guys
23 have done a tremendous job in turning
24 that place around. I am a lot more
25 comfortable and a lot more happy and

1 6/3/14 - RULES - BILL 140277, etc.

2 comfortable with the way in which stuff
3 is being done. We have a few odds and
4 ends we were talking about with Carlton
5 just over the weekend relative to
6 sidewalk closures and things like that,
7 but that's a Streets Department also
8 related issue. But as far as the
9 response and the effectiveness since he's
10 taken over, it's awesome. I mean -- and
11 considering the amount of people you have
12 to work with -- I know you're getting 27
13 more, and we all applaud that, but what
14 you've been able to do before the new 27
15 has just been wonderful, and I just want
16 to just compliment the Department for
17 their work.

18 MS. SWANSON: Thank you. I
19 will pass that along to the Commissioner.

20 COUNCILMAN KENNEY: You do
21 that. Thank you.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilman.

24 The record will reflect that
25 Councilman Kenney said he was happy on

1 6/3/14 - RULES - BILL 140277, etc.
2 the record.

3 Councilwoman Reynolds Brown.

4 COUNCILWOMAN BROWN: Given
5 Councilman Kenney's remarks, it's a
6 trigger for me to ask a follow-up
7 question around childcare.

8 Prior to Carlton Williams'
9 arrival, there was a unit designed
10 specifically to assist childcare
11 providers or prospective childcare
12 providers in meeting the numerous
13 regulations at the City level, separate
14 from what happens at the state. I know
15 as I sit here that that unit is no longer
16 in place. Thus, those who want to
17 provide those kind of services to
18 children have to jump a lot of hoops and
19 hope that they check off all the
20 regulations.

21 So are there any discussions
22 under the new leadership with Carlton
23 Williams to reactivate or re-establish
24 that particular division?

25 MS. SWANSON: Not that I'm

1 6/3/14 - RULES - BILL 140277, etc.
2 aware of, but it could very well be
3 happening. I can follow up with the
4 Commissioner and with our Deputy
5 Commissioner for Operations and get back
6 to you on that.

7 COUNCILWOMAN BROWN: Please.

8 MS. SWANSON: I'm writing a
9 note right now.

10 COUNCILWOMAN BROWN: Please.
11 Because that unit really served as a
12 link, if you will, in helping childcare
13 providers be on task and meeting the
14 regulations so that they don't have to go
15 across departments to meet all the
16 stipulations that come with opening up a
17 childcare center. You follow me?

18 MS. SWANSON: Yes.

19 COUNCILWOMAN BROWN: Okay,
20 then. So if you would circle back, that
21 would be helpful.

22 MS. SWANSON: I will definitely
23 circle back on that.

24 COUNCILMAN GREENLEE: Thank
25 you, Councilwoman.

1 6/3/14 - RULES - BILL 140277, etc.

2 Any other questions for these
3 witnesses?

4 (No response.)

5 COUNCILMAN GREENLEE: Anyone
6 else here to testify on Bill No. 140407?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, thank you both very much.

10 MS. SWANSON: Thank you,
11 Council.

12 COUNCILMAN GREENLEE:
13 Mr. Kramer, you got to stay.

14 Ms. Marconi, our next bill.

15 THE CLERK: Bill No. 140436, an
16 ordinance to amend the Philadelphia
17 Zoning Maps by changing the zoning
18 designations of certain areas of land
19 located within an area bounded by 50th
20 Street, Spruce Street, 45th Street, and
21 Market Street.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 Mr. Kramer.

25 MR. KRAMER: Good morning,

1 6/3/14 - RULES - BILL 140277, etc.
2 Chairman Greenlee, members of the Rules
3 Committee. I am William Kramer, Division
4 Director of the Development Division of
5 the Philadelphia City Planning
6 Commission. I am here today to testify
7 on Bill No. 140436, which was introduced
8 into City Council May 15th, 2014 by
9 Councilmember Blackwell.

10 Bill No. 140436 amends the
11 Philadelphia Zoning Maps by rezoning an
12 area bounded by 50th Street, Spruce
13 Street, 45th Street, and Market Street.
14 The bill primarily focuses on
15 correctively updating the zoning of the
16 area to match the current land uses.
17 This includes zoning single-family homes
18 to a more appropriate single-family
19 zoning classification and zoning a former
20 high school to allow for its
21 redevelopment.

22 The Philadelphia City Planning
23 Commission at its meeting of June 10th of
24 2014 will hear and consider Bill No.
25 140436 with a staff recommendation of

1 6/3/14 - RULES - BILL 140277, etc.
2 approval.

3 I'd be happy to answer any
4 questions you may have.

5 COUNCILMAN GREENLEE: Thank
6 you.

7 Gentlemen, Mr. Beauvais,
8 Mr. Bank.

9 MR. BEAUVAIS: Good morning,
10 Mr. Chairman, members of the Committee.
11 It's always a pleasure to be in front of
12 you. My name is Darwin Beauvais. I'm an
13 attorney at Zarwin Baum and I am here
14 with my client, Mr. Andrew Bank, the
15 developer.

16 We are in support of this bill.
17 And particularly part of the remapping
18 also includes a parcel at 4700 Walnut
19 Street. It is commonly known as West
20 Philadelphia High, and we're just here to
21 acknowledge that we have not only the
22 support of the community but we also, in
23 conjunction with the Councilwoman, have
24 actually amended our Economic Opportunity
25 Plan to add additional provisions. I

1 6/3/14 - RULES - BILL 140277, etc.

2 believe we have copies that's been
3 submitted to the Committee.

4 COUNCILMAN GREENLEE: That's
5 correct.

6 MR. BEAUVAIS: And just to go
7 over briefly what the provisions will
8 include, we are looking to have community
9 inclusiveness by having an advisory board
10 that will be in existence even after the
11 project is completed; that we have
12 restated our hiring goals in this
13 addendum that was executed and agreed to
14 in the Economic Opportunity Plan; that we
15 are looking to give preferences to
16 community businesses; and that we're also
17 looking to support education efforts in
18 the community and, of course, we're also
19 looking to increase safety with our
20 project by lighting and enlivening the
21 streetscape.

22 With me, like I mentioned
23 before, we have Mr. Andrew Bank. I just
24 would like for him to make a few comments
25 as to who he is and how he's come about

1 6/3/14 - RULES - BILL 140277, etc.
2 to Philadelphia.

3 MR. BANK: Good morning. My
4 name is Andrew Bank. My company is
5 Strong Place Partners. We are currently
6 based in New York, although I'm
7 originally from Philadelphia. We came
8 upon this project primarily as a result
9 of a desire to build a business in
10 Philadelphia. I still have many family
11 relations here.

12 Our primary experience is in
13 mixed-use urban-related development, and
14 we've completed projects of similar scale
15 in New York, Boston, and some other
16 cities in the Southeast.

17 COUNCILMAN GREENLEE: Thank
18 you, sir.

19 Thank you, gentlemen.

20 Councilwoman Blackwell.

21 COUNCILWOMAN BLACKWELL: Thank
22 you.

23 Everybody knows the old West
24 Philadelphia High site. This has been a
25 long time coming. We had a meeting with

1 6/3/14 - RULES - BILL 140277, etc.
2 all the groups as recently as Friday
3 night to see if they were -- to make sure
4 in my presence that everybody was on
5 board. They are. Mr. Bank has agreed to
6 our community benefits addendum to the
7 EOP to make sure the groups are included
8 going forward, and so we're happy to
9 support this legislation.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 COUNCILWOMAN BLACKWELL: Thank
13 you.

14 COUNCILMAN GREENLEE: Thank
15 you, Councilwoman.

16 Any questions for the panel
17 here?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, thank you all very much. Good luck
21 with the project. Thank you for
22 cooperating with everyone here.

23 MR. BEAUVAIS: Thank you. And
24 we just ask for a suspension of the
25 rules.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: Sure.

3 Absolutely.

4 Is there anyone else here to
5 testify on Bill No. 140436?

6 Sir, please approach and state
7 your name and proceed.

8 (Witness approached witness
9 table.)

10 DR. ROGERS: Good morning.

11 Dr. Rodney Rogers, Senior Pastor of
12 Christ of Calvary Covenant Church.

13 COUNCILMAN GREENLEE: Pastor,
14 please, just a little closer to the
15 microphone. It's a little hard to hear
16 sometimes in here.

17 DR. ROGERS: Sure. Resident at
18 46th and Spruce Street.

19 A couple concerns that was
20 spoken about on Friday in this past
21 meeting was a concern for parking. This
22 developer seems to -- where he has said
23 he has done his research regarding
24 parking, as a resident of 14 years on
25 Spruce Street, I have seen an increase in

1 6/3/14 - RULES - BILL 140277, etc.
2 the number of cars and the unavailability
3 of parking. I pay taxes. I should be
4 able to park somewhere.

5 With this proposal, what is
6 clear is that there are a number of
7 options that should be considered. The
8 gymnasium as part of the attachment of
9 this building, it's going to be vacant
10 until someone is found to find some use
11 for it. I'm asking City Council to
12 consider having this structure amended to
13 include a parking space. It is important
14 for the residents, the longtime
15 residents, of that community to be able
16 to park.

17 I have -- I currently pay for
18 permits to park my vehicles, but even
19 with that, we're going to have serious
20 issues in relationship to parking, and I
21 would hope that City Council would
22 consider the longtime residents, not only
23 myself but others, who have lived in the
24 community and will suffer the fate of not
25 being able to park our vehicles.

1 6/3/14 - RULES - BILL 140277, etc.

2 With over 200 residents or
3 dwellings being added, it's going to add
4 a considerable amount of cars to our
5 community. It's real simple. We're just
6 asking that he develop a parking garage
7 for that residence. We welcome the
8 opportunity to see West Philadelphia High
9 School developed into something
10 productive, but give us consideration.

11 The other thought is that many
12 residents like myself who have a
13 four-story home will be somewhat
14 landlocked. If in fact and when our
15 children begin to leave out for college
16 and start their new lives, we will not be
17 able to use our properties for investment
18 property under this new zoning, and I
19 don't think that that is fair at all.
20 That is ingest for us to be locked into
21 single-family homes that have four
22 stories and capable of being rented out
23 or used for other uses. We purchased
24 that property in 2000, recognizing that
25 it had the potential to be an investment

1 6/3/14 - RULES - BILL 140277, etc.
2 property for us in our retirement. There
3 are a number of aging residents in that
4 community that have the same aspirations,
5 and I want City Council to know that we
6 expect you to look out for us.

7 One of the things that
8 hopefully that can come from this
9 conversation is the potential for some of
10 these residents to be grandfathered as an
11 amendment to this proposal, to be
12 grandfathered in and even considered for
13 tax credits. Certainly we want to
14 welcome new developers and new
15 development in our community. They get
16 the tax credits. Our taxes go up. We
17 get inconvenienced, and there should be a
18 consideration for tax credits for
19 residents. Let's be fair about this.

20 Thank you.

21 COUNCILMAN GREENLEE: Thank
22 you, sir. Thank you for your comments.

23 Any questions or comments?

24 Councilwoman Reynolds Brown.

25 COUNCILWOMAN BROWN: Yes. If

1 6/3/14 - RULES - BILL 140277, etc.

2 we could please ask the developer and/or
3 representative to come back to the
4 witness table.

5 (Witnesses approached witness
6 table.)

7 COUNCILWOMAN BROWN: And maybe
8 I should have a point of information from
9 the Council Lady as well. What were the
10 parking provisions under West
11 Philadelphia High School, former
12 scenario?

13 COUNCILWOMAN BLACKWELL: This
14 site will allow -- we're talking about
15 265 apartments, up to 135 parking spaces.
16 So the developer said then -- and he will
17 speak for himself -- that he's willing to
18 consider that. They want to see how many
19 people move in initially, because there
20 are no plans yet for either auditorium or
21 the gym, and they want to start off to
22 see how many people are willing to move
23 in and deal with parking as they need to.

24 It's a legitimate issue. It's
25 an issue everywhere in the City. So

1 6/3/14 - RULES - BILL 140277, etc.
2 they're not ignoring it. They're not
3 saying that they're not willing to
4 consider that. And that's one of the
5 reasons why we asked for a community
6 benefits agreement with every community
7 group represented so that we can meet and
8 monitor that as we move forward.

9 COUNCILWOMAN BROWN: To the
10 developer, what is your past experience?
11 How long have you been in the business
12 you're in?

13 MR. BANK: Let's see. I'm not
14 going to reveal my age. But since 1987
15 I've been in real estate
16 development-related and
17 construction-related activities.

18 COUNCILWOMAN BROWN: So it's
19 fair to assume there are not too many new
20 hurdles you've encumbered or faced that
21 you didn't figure out?

22 MR. BANK: I would say
23 Philadelphia has provided some
24 challenging ones, but, no, it's all --
25 there's nothing new under the sun.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILWOMAN BROWN: So to the
3 issue of parking, what has been your past
4 experience in resolving parking issues?
5 Because we know neighborhoods across the
6 City, Mantua included, on a daily basis
7 face the issue of local residents being
8 able to come home 1, 2, 3, 4 o'clock in
9 the morning and find a space in front of
10 or close to their home.

11 MR. BANK: So this is what we
12 found from developments that we've done
13 where we're serving a similar
14 demographic, which is that people tend
15 particularly early in their careers not
16 to want to own a car. And so, for
17 instance, in Cambridge, we own a
18 mixed-use development where we had
19 originally included structured parking
20 for 30 percent of our residents and we
21 have -- and that facility, although it
22 serves MIT as well as general public, is
23 primarily -- has a general population.
24 We use less than 15 percent of the
25 parking spaces allocated.

1 6/3/14 - RULES - BILL 140277, etc.

2 At the West Philadelphia High
3 School, we have an unusual opportunity in
4 that there is land available in front of
5 the building, although my program -- and
6 I've worked extensively with the Walnut
7 Hill Neighbor Association with this -- is
8 to do a mixed-use development, and it
9 becomes a question of priority, because
10 the access to the street is critical if
11 you're going to have other uses,
12 commercial uses, at some point. So it's
13 a tradeoff. You can have parking and
14 then the activity level on the street
15 goes way down because there are cars
16 there instead of people, but there's less
17 inconvenience. Or you can have social
18 uses, more people on the street, safety
19 and what ultimately we think and they
20 think is a better lifestyle. So in the
21 end, we can't rent apartments if people
22 come and have cars and need to have them
23 parked. We'll be in a position where we
24 have to provide the parking. So if the
25 market demands parking, we're ultimately

1 6/3/14 - RULES - BILL 140277, etc.

2 going to have to provide it. Our
3 assessment so far is that we'll be able
4 to do a combination of uses. We'll have
5 some parking for sure, but we'll also
6 have other street frontages that aren't
7 parking to create a balance. If it turns
8 out that the demand is -- the demand for
9 cars is much higher than we thought, we
10 actually have the space to accommodate
11 more cars.

12 COUNCILWOMAN BROWN: State that
13 last part again.

14 MR. BANK: So we're doing a
15 phased implementation of the program. I
16 mean, to be perfectly candid with you,
17 I've been to six commercial brokers and
18 haven't been able to get a substantial
19 level of interest in the
20 commercial space.

21 COUNCILWOMAN BROWN: You say
22 have not been able to?

23 MR. BANK: Have not been able
24 to. So what I've been told is that bring
25 the residents and the commercial will

1 6/3/14 - RULES - BILL 140277, etc.

2 follow.

3 So we are doing it on a phased
4 basis. We have the land available for
5 parking should it be required, and we're
6 definitely going to have parking. It's
7 just a question of how much parking.

8 COUNCILWOMAN BROWN: How much.

9 MR. BANK: And that's going to
10 be based on the demand of our residents
11 versus what I work out with the
12 neighborhood in terms of the mixed-use
13 component.

14 COUNCILWOMAN BROWN: I see. I
15 think that's it on the parking issue.

16 Help me understand the last
17 statement wherein you stated residents
18 will not be in the -- I think this may be
19 a question for City Planning. The zoning
20 issue where residents cannot at some hour
21 that they choose to be able to rent out
22 any piece of their property because of
23 the zoning regulation. Walk that through
24 with me. Help me understand that.

25 MR. KRAMER: The zoning of a

1 6/3/14 - RULES - BILL 140277, etc.
2 property does not necessarily dictate
3 that you can or cannot rent it out. It
4 directs what you can do with the
5 property. So that if I wanted to take my
6 home, buy a second one and rent it out, I
7 could do that as a matter of right. What
8 I can't do would be to put multiple units
9 in or to take a portion of my residential
10 home and rent it out as a commercial
11 space. That's where you're going to run
12 afoul of zoning laws itself. But the
13 ownership and whether you're a renter or
14 whether you're a homeowner, the code is
15 blind to it. It doesn't address that.
16 It's a number, how many units are you
17 having in this particular property, is
18 there open space. There's a number of
19 different components of it, but in terms
20 of renting a space out, it doesn't
21 address that as a consideration under the
22 code. You can rent your home out if
23 that's what you want to do. That's your
24 property. You can do what you want, but
25 you couldn't -- if it's a single-family

1 6/3/14 - RULES - BILL 140277, etc.

2 zoned property, you couldn't rent it out
3 or cut it into three or four units and
4 rent it. That's where you would have a
5 zoning violation.

6 COUNCILWOMAN BROWN: Does that
7 currently exist in the community where
8 you live, sir? Do you currently live in
9 a community where homes have two or three
10 units within --

11 DR. ROGERS: Absolutely. This
12 is a four-story -- my home is a
13 four-story home, nine bedrooms. We are
14 probably three -- one of three families
15 remaining on our block. All of the rest
16 of the homes have been turned into
17 multi-use facilities, which makes perfect
18 sense. With urbanization, families are
19 getting smaller.

20 COUNCILWOMAN BROWN: Indeed.

21 DR. ROGERS: And so we have to
22 have that same flexibility for the other
23 families, for us and the other families,
24 to be able to chop it up, make four units
25 out of it or five units, whatever it is

1 6/3/14 - RULES - BILL 140277, etc.

2 we choose. We purchased that property
3 with a vision of being able to retire and
4 having income coming in, and I'm not
5 going to sacrifice that for this
6 gentleman and his vision for our
7 community, for bringing in people who are
8 not paying taxes. I'm sorry. I'm just
9 not going to do that. I'm paying taxes,
10 and my taxes are rising and I have a
11 retirement plan, and my home includes my
12 retirement plan, and with this zoning, it
13 will stop me and my retirement plans, and
14 I'm not going to sit here and let that
15 happen, because it doesn't make sense.

16 I'm willing to do some
17 grandfather stuff. We can propose or
18 amend to have some grandfathering happen,
19 but it is absolutely not tolerable for me
20 to sit here and allow this kind of thing
21 to happen without my voice being heard.
22 Not just for me but for other residents.
23 These are four-story homes. These are
24 some of the biggest homes in West
25 Philadelphia on Spruce Street.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILWOMAN BROWN: I have a
3 followup, but I see that a member of the
4 table, witness table, wants to comment.

5 COUNCILMAN GREENLEE: Okay.

6 MR. BEAUVAIS: If I may, Darwin
7 Beauvais again. I commend the pastor for
8 speaking passionately, but, again, you
9 mentioned something and I want the
10 Committee to understand. It is a balance
11 with development. We're looking at West
12 Philadelphia High that has been closed,
13 that through an RFP, through the
14 consideration of the Councilperson's
15 office, that everyone understands that an
16 adaptive reuse project will make a
17 difference in this neighborhood. So it's
18 a balancing act.

19 The developer, he did indicate
20 that he can provide parking. Zoning
21 doesn't provide one-to-one parking as it
22 used to. So we are trying to balance
23 parking with residents by keeping a
24 building alive in this city. So the
25 Committee should understand that.

1 6/3/14 - RULES - BILL 140277, etc.

2 DR. ROGERS: I'm going to --

3 COUNCILMAN GREENLEE: Sir, can
4 I just interrupt for a second? Right now
5 how many units would you be allowed to
6 have in your building? As we sit here
7 today, how many units are you allowed to
8 have?

9 DR. ROGERS: I would have to
10 say anywhere between three to four.

11 COUNCILMAN GREENLEE: Three to
12 four, okay. Thank you.

13 Councilwoman --

14 DR. ROGERS: Can I add this one
15 thing? The one thing that is not being
16 considered here is the continual growth
17 of the University of Pennsylvania, the
18 University of Sciences in our area. It
19 is becoming more dense, and we're talking
20 about bringing more folks in as the
21 University City area grows. You're
22 squeezing out the residents there.
23 You're squeezing us out. Don't do that.

24 COUNCILMAN GREENLEE:
25 Councilwoman, you had another followup?

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILWOMAN BROWN: I think I
3 do.

4 So under this new zoning map --
5 I'm really trying to get my head around,
6 you're prohibited under this new zoning
7 map from converting your --

8 DR. ROGERS: Exactly.

9 COUNCILWOMAN BROWN: So where
10 is the resolution, City Planning? I
11 mean, is grandfathering an option?
12 Because there are residents in -- I get
13 the retirement vision piece fully, and we
14 need to figure out a way as a government
15 to meet the balancing act in the way that
16 Mr. Darwin has articulated and still
17 capture longtime residents who are
18 taxpayers and deserve to be able to honor
19 whatever retirement vision they have.

20 MR. KRAMER: Yes, ma'am.

21 COUNCILWOMAN BROWN: So help us
22 out.

23 MR. KRAMER: Let me try to help
24 you out here. When you look at what is
25 being the existing zoning and what is

1 6/3/14 - RULES - BILL 140277, etc.
2 proposed -- now, let me back up just a
3 second and say there are different zoning
4 classifications, some of which would
5 allow a multi-family use in a property.
6 Currently RM-1 qualifies as that, and
7 there is a significant amount of RM-1 in
8 this neighborhood, both in the existing
9 zoning proposals as well as in the
10 proposed zoning proposal. There may be
11 individual instances where that's not the
12 case, where you have an RSA-3
13 classification, but it's currently an
14 RSA-3 classification, which stands for
15 Residential Semi-Attached building.

16 COUNCILWOMAN BROWN: Talk into
17 the mic so I can follow you.

18 MR. KRAMER: Which is a
19 Residential Semi-Attached building, which
20 is in general -- and I'd have to
21 double-check and I did bring the code
22 with me to make sure -- that it would
23 require a single-family classification,
24 but it is already -- this bill doesn't
25 change those. It's leaving those in

1 6/3/14 - RULES - BILL 140277, etc.
2 place.

3 So there are instances where
4 the pastor is correct, you can in fact
5 take a four-story structure. It's not
6 based on the height of the building.
7 It's based on the lot size in terms of
8 how many units you can do, and it's
9 somewhat of a complicated math thing that
10 we do with lot size and compare it to
11 what the lot size is to allow for the
12 subdivision or multi-use in a property,
13 but do so in an adequate fashion so that
14 you're not putting people into closets
15 basically is what they're trying to do.
16 And that's what basically this bill is
17 also doing, is recognizing that there are
18 many places in this area which exist as a
19 four-story, as he says, largest
20 single-family four-story structures. As
21 a zoning remapping officer and have been,
22 I wouldn't make that change. I wouldn't
23 say, Oh, change that. It's appropriate
24 to leave the big buildings to allow for
25 the reuse of them in multi-family

1 6/3/14 - RULES - BILL 140277, etc.
2 capacity. If you don't do that, if you
3 were to instantly change it to
4 single-family classification, you put not
5 only future retirement components at risk
6 but additionally you create a condition
7 where the property, he can't maintain it.
8 And this isn't necessarily true here, but
9 in other areas where you have larger
10 homes, they can't maintain them. And so
11 in order for it to be financially or
12 economically viable, they do allow for it
13 to be multi-family. But that's, in
14 essence, what this does. And I can go
15 over all the details with you if you'd
16 like, but that's what -- and individually
17 there may be property here or there that
18 has been changed from a multi-family
19 classification to a single-family
20 classification, but on Spruce Street, I
21 don't see that. That's not part of the
22 changes in this bill.

23 COUNCILWOMAN BROWN:

24 Mr. Chairman?

25 COUNCILMAN GREENLEE: Just so

1 6/3/14 - RULES - BILL 140277, etc.

2 I'm clear, because I'm sorry, I got
3 distracted there for a minute. I was
4 under the impression from the pastor that
5 his building is zoned multi-family now.
6 That's not true?

7 MR. KRAMER: No; that is true.
8 He's an RM-1 classification. It's the
9 primary classification on Spruce Street.
10 There are sections of Spruce Street and
11 other sections within the area
12 encompassed by the bill that are
13 currently zoned single-family
14 classifications, not all but some, and
15 there are some that are zoned for
16 multi-family classifications. And then
17 it depends on how big your lot size is as
18 to exactly how many units you can put in.

19 COUNCILMAN GREENLEE: And this
20 bill would -- would that change his
21 zoning?

22 MR. KRAMER: I don't believe it
23 would.

24 COUNCILMAN GREENLEE: You don't
25 believe --

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. KRAMER: It depends on
3 exactly where on Spruce Street his
4 property is. Most of the RM-1 stayed as
5 RM-1.

6 MR. BEAUVAIS: If I may, if you
7 refer to the bill, if you look on Page 4,
8 here is West Philadelphia High zoned
9 RS-3, Restrictive Single-Family
10 Residential classification. It is now
11 being proposed to be CMX-3. Spruce
12 Street is right below it. Actually,
13 that's Locust and then Spruce. If his
14 property is along this street, I believe
15 there are no changes being proposed right
16 now.

17 COUNCILMAN GREENLEE: Sir,
18 Pastor, what gave you the impression that
19 your building was being changed? Did
20 anybody tell you that?

21 DR. ROGERS: Sir, it says
22 remapping.

23 COUNCILMAN GREENLEE: But that
24 doesn't mean everything was remapped,
25 just to be clear.

1 6/3/14 - RULES - BILL 140277, etc.

2 DR. ROGERS: But it included my
3 block, from 45th to 50th to Walnut to
4 Spruce. So it included my area.

5 COUNCILMAN GREENLEE: But it
6 didn't mean everything was remapped.

7 DR. ROGERS: These gentlemen
8 are saying "I believe." They're not
9 sure. So let's be clear about this.
10 Let's be clear. If there's no problem,
11 then we have no problem.

12 COUNCILMAN GREENLEE: I got
13 you.

14 COUNCILMAN KENNEY: Is there an
15 existing map and a proposed map?

16 MR. BEAUVAIS: That's correct.

17 COUNCILMAN KENNEY: And in the
18 proposed map, does his property change?

19 MR. BEAUVAIS: No, it's not.

20 COUNCILMAN GREENLEE: That's
21 the answer.

22 DR. ROGERS: So 46th and Spruce
23 Street, from 46th to 47th, is not
24 included in the remapping?

25 MR. BEAUVAIS: Right.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: When the
3 bill was made, it gives a general area in
4 the title, but it doesn't mean that every
5 single property necessarily is changed.

6 DR. ROGERS: Okay.

7 COUNCILMAN GREENLEE: So
8 that's -- because when you first started
9 testifying, I thought you already knew it
10 was being changed. Now we're being told
11 that it looks like it is not being
12 changed.

13 DR. ROGERS: Well, that wasn't
14 clear in the community meeting.

15 COUNCILMAN GREENLEE: Okay.

16 DR. ROGERS: So clarity is what
17 I'm here for.

18 COUNCILMAN GREENLEE: I
19 understand. I understand.

20 Before we -- Councilwoman.

21 COUNCILWOMAN BLACKWELL: You
22 are correct, Mr. Chairman, and
23 unfortunately the pastor came late to the
24 meeting, so we had kind of gone through a
25 lot of it. But we're trying to work with

1 6/3/14 - RULES - BILL 140277, etc.
2 everybody, all the community groups, and
3 they're in the community benefits
4 agreement, and hopefully the pastor will
5 come to every meeting and be involved,
6 and we'll try our best to please him and
7 address his concerns.

8 COUNCILMAN GREENLEE: All
9 right. Thank you, Councilwoman.

10 Okay. Thank you.

11 COUNCILMAN KENNEY: I'm glad he
12 came in. I mean, it's better for you to
13 come in, get clarity and then feel that
14 you're whole, because I don't understand
15 how we would legally be able to reverse
16 his existing zoning into something that's
17 less valuable. Isn't that a taking? If
18 we were doing it, if we were being asked
19 to do it, would that be a taking?

20 MR. KRAMER: If in fact we were
21 rezoning the property from a multi-family
22 classification to a single-family
23 classification and it was already being
24 used as a multi-family classification, it
25 would then be considered a pre-existing

1 6/3/14 - RULES - BILL 140277, etc.
2 non-conforming use. He'd be able to do
3 it as a matter of right. So, therefore,
4 it wouldn't be a taking. But you're
5 right, it would be if he hadn't, and
6 that's what happens frequently, where we
7 see a lot of stuff that comes to the
8 Zoning Board because after the change
9 happens, people then suddenly go to get
10 permits and then they find out they can't
11 do it as a matter of right. And in this
12 instance, just to clarify the record, the
13 reason that we have boundaries on these
14 things is so that it can be easily
15 identified. It does include, as you've
16 pointed out, many areas that aren't
17 necessarily changed, but we have to put
18 the boundaries so that everybody knows
19 what area we're discussing.

20 COUNCILWOMAN BROWN: Yes.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 Anything else?

24 (No response.)

25 COUNCILMAN GREENLEE: Thank

1 6/3/14 - RULES - BILL 140277, etc.

2 you.

3 DR. ROGERS: Please, please,
4 would you please consider amending this
5 bill, especially concerning parking and
6 making sure -- because what I heard from
7 this gentleman on Friday, he was
8 commiserating with the idea of having to
9 create parking. And it's important for
10 us as residents to get him to consider
11 more seriously the need for parking in
12 that area, especially when there's retail
13 space that will not be used. Please
14 consider that.

15 COUNCILMAN GREENLEE: I
16 understand, sir, but as the Councilwoman
17 said, there is -- because of this
18 community benefits agreement, there will
19 be ongoing dialogue and Mr. Bank has
20 committed to, as is needed, to change.
21 And in fairness -- and I understand
22 your -- you have every right to have your
23 position, but I believe the civic
24 associations in the area have agreed to
25 this too. So I think it's going to be

1 6/3/14 - RULES - BILL 140277, etc.
2 the Committee's position to move forward,
3 and we certainly trust the District
4 Councilperson to work on this issue and
5 make sure it is worked out -- and I'm
6 sure it will -- to the best that they can
7 for the community.

8 DR. ROGERS: I will be
9 following up with the civic associations
10 as well.

11 COUNCILMAN GREENLEE: Very
12 good. Thank you, sir.

13 DR. ROGERS: Thank you.

14 COUNCILMAN GREENLEE: Any other
15 questions?

16 (No response.)

17 COUNCILMAN GREENLEE: Seeing
18 none, anyone else here to testify on Bill
19 No. 140436?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, thank you all very much.

23 Ms. Marconi, our next one,
24 please.

25 THE CLERK: Bill No. 140437, an

1 6/3/14 - RULES - BILL 140277, etc.
2 ordinance to amend the Philadelphia
3 Zoning Maps by changing the zoning
4 designations of certain areas of land
5 located within an area bounded by
6 Powelton Avenue, Lancaster Avenue, 37th
7 Street, Warren Street, 36th Street,
8 Filbert Street and 38th Street, and by
9 revising use and dimensional regulations
10 in that area of the City, under certain
11 terms and conditions.

12 COUNCILMAN GREENLEE: Got a lot
13 of people on this one.

14 Mr. Kramer, you start.

15 MR. KRAMER: Good morning,
16 Chairman Greenlee, members of the Rules
17 Committee. I am William Kramer, Division
18 Director of the Development Division of
19 the Philadelphia City Planning
20 Commission. I am here today to testify
21 on Bill No. 140437, which was introduced
22 into City Council May 10th, 2014 by
23 Councilmember Blackwell.

24 Bill No. 140437 amends the
25 Philadelphia Zoning Maps by rezoning an

1 6/3/14 - RULES - BILL 140277, etc.
2 area bounded by Powelton Avenue,
3 Lancaster Avenue, 37th Street, Warren
4 Street, 36th Street, Filbert Street and
5 38th street, and by revising use and
6 dimensional regulations in that area of
7 the City, under certain terms and
8 conditions. The bill rezones the site of
9 the former University City High School,
10 Drew Elementary School, and the Walnut
11 Center for its redevelopment from an
12 existing zoning designation of "RM-1"
13 Residential Multi-Family to a proposed
14 designation of "CMX-4" Commercial Mixed
15 Use. Additionally, the legislation adds
16 zoning controls to establish height and
17 massing controls on the site area.

18 The Philadelphia City Planning
19 Commission at its meeting of June 10th,
20 2014 will consider Bill No. 140437 with a
21 staff recommendation of approval.

22 I'd be happy to answer any
23 questions you may have at this time.

24 COUNCILMAN GREENLEE: Who else
25 wishes to -- Mr. Kelsen, you want to go

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2 and then we'll have questions.

3 MR. KELSEN: Yes, if I may.

4 Good morning, members of the
5 Committee, Mr. Chairman. My name is
6 Peter Kelsen. I'm here on behalf of
7 Drexel University-Wexford joint venture
8 and I'd like to offer brief testimony in
9 support of Bill No. 140437.

10 COUNCILMAN GREENLEE:

11 Mr. Kelsen, talk a little bit more in the
12 mic, please.

13 MR. KELSEN: And to present to
14 you our proposed concepts for the
15 redevelopment of the former University
16 City High School site.

17 We are handing out to you
18 copies of my testimony as well as
19 illustrative plans that accompany the
20 request for proposals for the School
21 District. There will be some amendments
22 and a fully signed and approved EOP that
23 we'll hand up in a moment.

24 COUNCILMAN GREENLEE: I think
25 we have the EOP already, but go ahead.

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2 MR. KELSEN: The Drexel-Wexford
3 joint venture has been selected by the
4 School District as the purchaser of the
5 former University City High School site.
6 The property consists of a 14-acre site
7 that's bounded by Filbert, 36th, Warren
8 Street, 37th Street, Lancaster Avenue,
9 Powelton Avenue, and 38th Street. The
10 site is currently zoned RM-1 Residential
11 and the bill before you today, members of
12 the Committee, would rezone the site to
13 CMX-4 zoning classification, which will
14 support the proposed development as well
15 as to provide for a number of
16 modifications to the Zoning Code
17 necessary to support the intended uses
18 and the proposed development floor area
19 for this project.

20 The concept plan, which formed
21 the basis of the joint venture's bid for
22 the property, creates a number of
23 separate parcels, and you can see that in
24 the illustrative materials I've given you
25 previously.

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2 This project would be
3 implemented by Drexel University and
4 Wexford as a joint venture. Wexford, you
5 may be aware, is affiliated with the
6 Science Center developments in the
7 immediate area.

8 Included in the contemplated
9 development of the site is a public
10 school. The School District reserves an
11 option in their purchase to develop a
12 public school on the property for up to
13 five years at the election of the School
14 District.

15 Members of the Committee, it is
16 envisioned that the scope of the project
17 would include uses at the following
18 approximate levels of density: About 2.7
19 million square feet in total, and it
20 would consist of 132,000 square feet of
21 retail space, community-oriented retail;
22 approximately 670,000 square feet of
23 residential use; 800,000 square feet of
24 office and research space; a school
25 reserved property of about 93,000 square

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2 feet; and Drexel's academic innovation
3 space at about 460,000 square feet.
4 Sufficient off-street parking for
5 approximately 1,400 cars would be
6 provided in structured parking
7 facilities.

8 The anticipated redevelopment
9 of this site, members of the Committee,
10 will produce significant economic
11 benefits to the City of Philadelphia,
12 School District, and the Commonwealth of
13 Pennsylvania both during the construction
14 period and upon completion and operation.
15 As indicated in the economic impact study
16 provided to the board, illustrative
17 examples of the economic impact are as
18 follows:

19 The total project is
20 anticipated to be in excess of \$1 billion
21 when all phases are built out. The
22 project will generate \$57 million in
23 local and state tax revenue during the
24 construction period and approximately
25 \$55.5 million in local and state tax

1 6/3/14 - RULES - BILL 140277, etc.
2 revenues annually upon completion and
3 full build-out.

4 Let me be specific about the
5 job creations that we're talking about if
6 this project moved forward. Construction
7 will support 4,300 jobs and generate
8 \$11.2 million in City of Philadelphia tax
9 revenues during the construction period.
10 Ongoing operations will support 3,700 new
11 jobs, generating \$20 million in local tax
12 revenues on an annual basis. The project
13 will generate to the City of Philadelphia
14 1.6 million in real estate transfer
15 taxes. And a more detailed analysis of
16 these benefits are contained in the full
17 report that I've submitted to the
18 Committee.

19 The development team has also
20 submitted an Economic Opportunity Plan
21 that has been approved by the Office of
22 OE0, and a copy of that approved document
23 has been provided to the Committee. And
24 I want to make sure you have that because
25 the document you have, Mr. Chairman, has

1 6/3/14 - RULES - BILL 140277, etc.
2 not been approved by OEO. The document
3 that is attached to the ordinance is not
4 executed by OEO. This document is.

5 COUNCILMAN GREENLEE: I see
6 Ms. Dowd-Burton's signature on this, the
7 one I have.

8 MR. KELSEN: Then you do have
9 it. In fact, you're way ahead of me.
10 You have the full document.

11 So let's be specific about the
12 participation goals that is provided by
13 the project and by the EOP plan.

14 Specifically, minority, women,
15 and disabled business enterprise
16 participation ranges at professional
17 services between 15 and 20 percent;
18 construction at 25 to 30 percent;
19 female-owned businesses and professional
20 services at 5 to 15 percent; construction
21 10 to 15 percent; and best efforts for
22 disabled-owned businesses. I think
23 significantly employment goals for local
24 residents have been set at 50 percent.
25 We have also established the following

1 6/3/14 - RULES - BILL 140277, etc.
2 construction goals, and I think you've
3 heard me provide this testimony in other
4 projects. We're happy to do it in this
5 project.

6 Minority apprentices, 50
7 percent of all hours worked; minority
8 journeymen, 32 percent of hours worked;
9 female apprentices, 7 percent; female
10 journey persons, 2 percent of hours
11 worked.

12 One of the critical elements of
13 the project, members of the Committee,
14 and a reason for the request for
15 remapping and additional gross floor area
16 potential for the site is because we are
17 intending to eliminate the super block
18 status of this site. What do I mean by
19 that? We are creating a number of points
20 of access and connectivity throughout the
21 property -- right now that doesn't
22 exist -- including the reestablishment of
23 37th Street as a public street running in
24 the area where it was previously
25 stricken. That's between Warren Street

1 6/3/14 - RULES - BILL 140277, etc.
2 and Filbert Street. Implementation of
3 this connectivity, pedestrian access
4 points as well as new streets, reduces
5 the amount of lot area that we are able
6 to utilize for development purposes.
7 Therefore, the ordinance would grant us
8 the ability to have additional floor area
9 in this specific overlay district to make
10 up for the loss of area.

11 In addition, after we did our
12 initial offer to the School District, we
13 found that there is a large City
14 interceptor sewer currently existing in
15 the area of the former Warren Street.
16 That sewer is 50 feet wide by 500 feet in
17 length. What that does, members of the
18 Committee, is prevent us from building in
19 that area of the lot. We get to utilize
20 the lot, but it creates a serious
21 impediment to development and, therefore,
22 this ordinance is intended to assist in
23 rectifying the loss of that development
24 in that area as well as what I've said
25 before.

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2 While the joint venture has not
3 prepared an actual building design
4 plan -- we've given illustrative plans
5 and concept plans -- I can assure City
6 Council and the Councilwoman's office
7 that we recognize the importance of
8 neighborhood based and oriented retail as
9 part of this redevelopment. Earlier I
10 said we have a hundred plus thousand
11 square feet of retail proposed. We can
12 also state that we recognize that
13 Lancaster and Powelton Avenues are
14 critical locations for the placement of
15 retail commercial development supportive
16 of the community and actually requested
17 and embraced by the community.

18 I'd also have Council note that
19 there were a number of existing
20 requirements available which are designed
21 to ensure a community-involved design
22 review process prior to the issuance of
23 final permits for the project. Existing
24 provisions of the Zoning Code require
25 that any building on the site that

1 6/3/14 - RULES - BILL 140277, etc.
2 exceeds a hundred thousand square feet of
3 area requires public consideration by the
4 City's Civic Design Review Committee, and
5 that involves a public RCO and
6 neighborhood process.

7 I can assure Council and the
8 community that Drexel and Wexford, as
9 they have in the past on other projects,
10 will fully embrace the community and
11 commit to meaningful outreach. We've
12 done that in other projects. We've
13 actually initiated it in this project
14 through the auspices of the
15 Councilwoman's office.

16 In order to effectuate the
17 development, we are requesting that City
18 Council approve certain changes to the
19 existing Zoning Code. Let me be very
20 specific and very brief.

21 We would ask you to remap this
22 property to CMX-4 Commercial. We would
23 ask you to establish a west overlay
24 district for this area of the property
25 that we're describing today and only that

1 6/3/14 - RULES - BILL 140277, etc.
2 area. Again, Filbert, 36th, Warren,
3 37th, Lancaster, Powelton, and 38th,
4 those would be the property -- that is
5 the property within the overlay. In that
6 overlay, the University City High School
7 site, the gross floor area would be
8 permitted to be seven and a half times
9 the lot area. CMX-4 is a base lot area
10 of five. So we're asking for two and a
11 half times what is currently available in
12 CMX-4. No other floor area bonuses would
13 be permitted under the ordinance,
14 otherwise allowed pursuant to the code.
15 We would not require a special exception
16 approval to create the above-ground
17 parking garages, and we would ask that
18 those parking garages be permitted by
19 right so as to support the parking needs
20 on site, not flow it into the community,
21 which has been a concern.

22 One of the other issues in the
23 ordinance reflecting and respecting
24 adjacent properties, we're asking for
25 height limitations that's contained in

1 6/3/14 - RULES - BILL 140277, etc.
2 the ordinance for the barrier areas on
3 the northerly edge of the site, limiting
4 height, by way of example, to 75 feet for
5 the first 50 feet of depth of the
6 property. That is to respect the lower
7 rise buildings across Lancaster,
8 Powelton. On Warren Street, members of
9 the Committee, we want to respect the
10 lower level. That's set at 65 feet.

11 I've given you a lot of
12 information. We're happy to answer any
13 questions you may have. I will end by
14 saying that our commitment to work with
15 the community is ongoing and it will
16 continue to be ongoing throughout this
17 discussion period of the ordinance but,
18 more importantly and equally importantly,
19 throughout the design development and
20 collaborative effort to put this plan
21 into reality. We think this is a
22 win-win, frankly. The School District
23 desperately needs the revenue from the
24 sale. We're committed to move forward,
25 but the zoning is a critical element of

1 6/3/14 - RULES - BILL 140277, etc.

2 our ability to move forward, and
3 unfortunately the School District has set
4 a closing date of June 16th, three days
5 before you go out of recess.

6 I would ask for a suspension of
7 the rules. If the Committee has any
8 questions, our team is available. Let me
9 introduce my co-counsel, Neil Sklaroff on
10 behalf of Wexford, our joint venture
11 partner in the project.

12 Thank you.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 Mr. Sklaroff, do you have
16 anything to add or are you just here for
17 questions?

18 MR. SKLAROFF: I will not add
19 to Mr. Kelsen's well-stated presentation.

20 COUNCILMAN GREENLEE: Thank
21 you.

22 Councilwoman Blackwell.

23 COUNCILWOMAN BLACKWELL: Thank
24 you, Mr. Chairman.

25 We were in here yesterday with

1 6/3/14 - RULES - BILL 140277, etc.
2 several groups all day, Powelton Village
3 Civic Association, who has Paul Boni, who
4 is here to testify as their lawyer; West
5 Powelton Citizens Concerned -- West
6 Powelton Community Concerned; West
7 Powelton/Saunders Park; LA-21; MCIC. All
8 these groups, six entities, were in here
9 all day yesterday. We've been in here
10 today, as all of you have been, and we've
11 tried to be available to meet with
12 everybody from Drexel, including the
13 President. To come here this morning
14 with no notification, nobody came to us,
15 said they want to do more amendments, I
16 am not prepared to support us moving
17 forward on this. For this more than a
18 billion-dollar project, for us not to
19 have all the information, for these
20 gentlemen to have not come to us even
21 before this hearing even to give us this
22 testimony, which I'm just receiving,
23 means that I do not know what's going on.
24 The community groups don't know, and
25 therefore, we are asking that the

1 6/3/14 - RULES - BILL 140277, etc.
2 Committee hold this bill until we are
3 sure what the information is, until we
4 have been apprised of amendments and such
5 before we can move forward.

6 COUNCILMAN GREENLEE: Mr.
7 Kelsen, there has not been communication
8 with the District Councilperson?

9 MR. KELSEN: I'm very
10 surprised. I never would doubt the
11 District Councilwoman, and I'm surprised
12 because, number one, we've had ongoing
13 dialogue --

14 COUNCILMAN GREENLEE: Can you
15 talk a little louder. I'm sorry. You
16 are a little hard to hear.

17 MR. KELSEN: We have had at
18 least four or five public meetings with
19 the community. I know that the
20 Councilwoman's office had been involved.
21 We certainly have been, respectfully,
22 communicating through to the
23 Councilwoman's office regarding this
24 project, the parameters of the zoning
25 bill and any changes to the bill that

1 6/3/14 - RULES - BILL 140277, etc.

2 would be required.

3 It is our sincere commitment,
4 as I said before, both Drexel's as well
5 as Wexford's, to continue the dialogue
6 with the community to reach an
7 understanding of community benefits as
8 well as process. And as recently as last
9 Wednesday, we had a meaningful meeting
10 with representatives of the Powelton
11 Village Community Association to explore
12 those opportunities. The week before
13 that we had an open community meeting
14 that was attended by all of the RCOs or
15 representatives of RCOs as well as
16 general membership in the community, and
17 we thought that was a positive meeting.
18 There were issues discussed but, frankly,
19 I think it's fair to say, no overwhelming
20 opposition to this project.

21 Now, obviously we will continue
22 to work through the Councilwoman's office
23 and with the community and with City
24 Council, but, again, we don't have the
25 luxury of the time to not pursue the

1 6/3/14 - RULES - BILL 140277, etc.
2 zoning process. What I would suggest is
3 that during the period of time that this
4 bill moves forward out of committee into
5 City Council for first reading and second
6 reading and final passage that we
7 continue and we are prepared to continue
8 to explore the issues with the
9 Councilwoman's office as well as with the
10 community.

11 COUNCILWOMAN BLACKWELL: Mr.
12 Chairman, how could they come in with
13 testimony I haven't seen and put in
14 amendments that I have not seen and say
15 they're willing to work with me? How
16 insulting is that? It's too big a
17 project.

18 You came in with another
19 amendment today. I haven't seen it.
20 We've been in all morning. I got this
21 after the Committee. If you can't work
22 with me in advance of that with this
23 community on a project this major, then
24 we need to hold up until we work
25 together. It doesn't go one way. That's

1 6/3/14 - RULES - BILL 140277, etc.
2 why we are elected officials. You have
3 to work with us in advance so that the
4 community is assured that they are being
5 represented. You can't come in here
6 today, hand us an amendment and say
7 you're happy to work with me in the
8 future. Yeah, I'm happy to work with you
9 in the future too after we hold this
10 bill.

11 We were prepared to move the
12 Drexel bills as long as you worked with
13 the community, but you're not even trying
14 to work with any of us. You come in and
15 you hand an amendment out and you say
16 you're happy to work with me. You didn't
17 come with any community agreement. Even
18 West Philly came up with a little
19 community agreement. What do you think
20 this is? Who do you think we are?

21 We are not prepared to move
22 this bill forward until we have an
23 understanding of where it is you're
24 trying to go and what amendments you want
25 to propose.

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2 MR. KELSEN: Mr. Chairman, if I
3 may clarify the record. We did not offer
4 any amendments today.

5 COUNCILMAN GREENLEE: The
6 Councilwoman mentioned a community
7 benefits agreement, which is kind of
8 common in these kind of things. Has
9 there been any discussion about a
10 community benefits agreement, and if not,
11 I guess why not?

12 MR. SKLAROFF: Well, let me
13 just give some context here. And we
14 certainly are very respectful of the
15 Councilwoman. Wexford has worked with
16 the Councilwoman --

17 COUNCILMAN GREENLEE: If I
18 could ask you, Neil, to come a little
19 closer too.

20 MR. SKLAROFF: -- in its
21 Science Center projects in the past. I
22 have been in contact with Mr. Cabry often
23 in the last few weeks, and if we have
24 failed to do anything, it was not out of
25 disrespect for the Councilwoman but in an

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2 effort to try to move this along. And if
3 the Councilwoman has not been satisfied
4 with the actions of Wexford, then I
5 extend her my personal apology.

6 But this project has been
7 reviewed in the public over the last year
8 or more. It was not under our control
9 until February when the School Reform
10 Commission awarded the RFP to the
11 Wexford-Drexel joint venture. Since that
12 time, we've had a number of meetings with
13 the community, but we've also had to look
14 to our project. In our due diligence we
15 discovered a number of things that have
16 made portions of the project been
17 altered. You've heard about the
18 discovery which was not made clear before
19 of the rather large sewer right-of-way on
20 the former Warren Street that runs
21 through a significant part of the
22 project. We have not talked about other
23 major expenses that we're finding that
24 were much greater than we thought with
25 regard to the demolition of the existing

1 6/3/14 - RULES - BILL 140277, etc.
2 buildings.

3 So in this very short amount of
4 time, we've not only had to meet with the
5 community but try to get an idea of how
6 we can reconfigure the project. There
7 was a bid made, and the bid of \$25
8 million to the School District is based
9 on being able to develop a certain amount
10 of property. Wexford Science and
11 Technology is a division of Biomed
12 Corporation, a publicly traded REIT which
13 is in the business of state-of-the-art
14 biotech and life science buildings, has
15 an inventory of 16.3 million square feet,
16 and we intend to in this project build
17 the best that can be done, as we hope we
18 have shown in our track record, and we
19 are committed, as we have in the past, to
20 work with the community. We have
21 committed this morning to work through
22 the weekend, if necessary, to try to come
23 to an agreement, but without an
24 understanding that we'll be able to build
25 what we've bid for, there may not be an

1 6/3/14 - RULES - BILL 140277, etc.
2 ability to go forward with settlement
3 before June 16th.

4 Drexel has committed to the
5 school. We're committed to meeting, as
6 does Drexel, with meeting with the
7 community and work through a process
8 where there is meaningful community input
9 as the development goes on. But there is
10 no specific plan of development at this
11 point, and we've explained why that has
12 not taken place. This is going to be a
13 wonderful ten-year project.

14 Again, if we have not
15 communicated adequately with the
16 Councilwoman, we certainly apologize, but
17 we think there is time yet to be able to
18 come to those understandings, which we
19 would have hoped to come to before today,
20 but we do need the Rules Committee to go
21 forward for there still to breathe life
22 into the project.

23 COUNCILMAN GREENLEE: Let me
24 ask this: I know -- and there will be
25 community representatives testifying.

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2 Have you gotten the support of any
3 community group on record as yet? I
4 know, Mr. Kelsen, you said that you
5 didn't feel that there was significant
6 opposition, but has there been --

7 MR. KELSEN: There has been no
8 letter, no written document of support
9 from any community group, but throughout
10 the five meetings that we've had so far
11 and the process that's going on now with
12 Powelton Village Civic Association, one
13 of the RCOs, we've had ample opportunity
14 for individuals and RCOs to say to us, We
15 have opposition, we have -- we do not
16 want you to move forward, we have
17 specific concerns. And we've asked for
18 their support as part of this process.

19 So the simple answer is, there
20 is nothing in writing that commits anyone
21 to support it. However, if I may be bold
22 and blunt, the room is not filled with
23 opposition. The room is not filled with
24 individuals from the community, from the
25 RCOs -- there are about five separate

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2 RCOs -- coming to Council as you've seen
3 before if there were significant or major
4 concerns that they felt should prevent
5 this legislation from moving forward.

6 COUNCILMAN GREENLEE: All
7 right.

8 MR. KELSEN: Members of the
9 Committee, we've got a dilemma here.

10 COUNCILMAN GREENLEE: I hear
11 you, but the community -- there will be
12 community representatives, I assume,
13 testifying, so we're going to hear what
14 they have to say one way or the other.

15 MR. KELSEN: You'll hear from
16 PVCA.

17 COUNCILMAN GREENLEE: All
18 right.

19 MR. KELSEN: And maybe it would
20 be helpful to hear from where Powelton
21 Village is coming from.

22 COUNCILMAN GREENLEE: But, Mr.
23 Kelsen, Mr. Sklaroff, you all know how --
24 we have the District Councilperson who I
25 know works very closely on all these

1 6/3/14 - RULES - BILL 140277, etc.
2 projects. This isn't something that she
3 let's go. I think we're concerned if
4 she's concerned obviously, because, look,
5 we -- I'll speak for myself. I want to
6 see this move. I've been one, as many
7 have here, that say we want these schools
8 sold. We want the money to go to the
9 schools. We're all there on that, but it
10 does concern us that the District
11 Councilperson feels that there hasn't
12 been proper communication. Now, I wasn't
13 in those. I'm not saying --

14 MR. KELSEN: Mr. Chairman, the
15 concern that you feel I feel a hundred
16 fold, because the last thing that Drexel
17 University has ever done with regard to
18 the Councilwoman is to not have a
19 meaningful dialogue and preemptive
20 discussions before anything we do. The
21 President, John Fry, is in regular
22 communication and would never, never move
23 a process forward without full
24 information flow.

25 So we are as disturbed as the

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2 Councilwoman. We're upset because she's
3 upset. We are concerned that there's a
4 perception that we have not been good
5 corporate citizens, because that's not
6 who Drexel and Wexford are, and we'll do
7 everything we can to remedy that
8 situation. But I think it's important
9 that the Committee and the Councilwoman
10 realize and recognize when we got the
11 approval from the School District, it was
12 about two and a half months ago. We went
13 full-court press to the community at that
14 time. This has been a very abbreviated
15 process. In fact, the School District
16 didn't sign the agreement of sale until
17 May 19th, about two weeks ago.

18 But perhaps it would be helpful
19 to hear from Powelton.

20 COUNCILMAN GREENLEE: We will,
21 and I think there's some questions.

22 Councilwoman Tasco?

23 COUNCILWOMAN TASCO: No. I'm
24 good.

25 COUNCILMAN GREENLEE:

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2 Councilwoman Reynolds Brown and then
3 Councilman Kenney.

4 COUNCILWOMAN TASCO: Oh, I do
5 have a question.

6 COUNCILMAN GREENLEE:
7 Councilwoman Tasco.

8 COUNCILWOMAN TASCO: I noticed
9 in the bill that the school would have to
10 be demolished. What happens to the
11 school? Where would that relocate if
12 there has to be demolition of the
13 existing facility?

14 COUNCILMAN GREENLEE: It's
15 closed.

16 MR. KELSEN: Councilwoman
17 Tasco, I'm not as up to speed on the
18 School Reform Commission's plans, but my
19 understanding is that this school has
20 been closed and that once the
21 infrastructure is demolished, I don't
22 believe, except for Drexel's commitment
23 to retain a portion of the property to
24 make it available for a public school
25 should the School District want, this is

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2 not intended to be a relocated school.

3 COUNCILMAN GREENLEE: Right. I
4 think those students have already been
5 dispersed to other schools.

6 I'm sorry. Is that it,
7 Councilwoman?

8 COUNCILWOMAN TASC0: That's it.

9 COUNCILMAN GREENLEE:
10 Councilwoman Reynolds Brown.

11 COUNCILWOMAN BROWN: Yes.
12 Thank you.

13 Good morning, gentlemen.

14 (Good morning.)

15 COUNCILWOMAN BROWN: So in
16 underscoring Chairman Greenlee's point
17 with regards to Council's strong interest
18 in selling these schools, we were all for
19 that. That's Chapter A. Chapter B
20 becomes the process for development, and
21 the critical aspect of that, we've
22 learned the hard way, is having in place
23 community benefits agreements.

24 Please speak to your track
25 record with regards to crafting community

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2 benefits agreements in the past, because
3 there's that old adage, the best
4 predictor of future behavior is past
5 behavior. So give us some perspective
6 and content on that.

7 MR. KELSEN: Councilwoman
8 Reynolds Brown, I'd be happy to answer
9 that. On behalf of Drexel University, I
10 could tell you that I personally
11 participated in at least three community
12 benefits agreements in the last year with
13 the community. One involved Powelton
14 Village Civic Association associated with
15 the construction of student housing at
16 3400 Lancaster as part of the zoning
17 process. It was a meaningful discussion
18 and it resulted in support from Powelton
19 Village.

20 There are a number of other
21 community benefits agreements or
22 memorandums of understanding between
23 Drexel and the community beyond Powelton
24 Village Civic Association. I can't list
25 every one of them, but I know personally

1 6/3/14 - RULES - BILL 140277, etc.
2 that there are multiple projects. Going
3 back in time at least into the '80s,
4 there have been a series of community
5 benefits and development agreements
6 between the University and
7 representatives of the community.

8 COUNCILWOMAN BROWN: That your
9 firm has participated in actively?

10 MR. KELSEN: My firm recently,
11 but representatives of Drexel University
12 are here today and can tell you about all
13 of the other agreements that have been
14 struck over the course of time going back
15 at least to the 1980s and perhaps before.

16 COUNCILWOMAN BROWN: All right.
17 Define "support," because that means
18 different things to different people.
19 When you say we got support.

20 MR. KELSEN: These were
21 community benefit types agreements and/or
22 memorandums of understanding that led to
23 the community either not opposing or
24 supporting the grant of zoning approvals
25 to develop various aspects of the

1 6/3/14 - RULES - BILL 140277, etc.

2 University.

3 COUNCILWOMAN BROWN: Okay.

4 Fast forward to once the hurdles that you
5 will have to resolve with Council Lady
6 Blackwell, speak again about the parking.
7 I know that community well and have seen
8 the development, which is a great thing,
9 but as Mr. Darwin spoke before, it's not
10 a balancing act, it's a fragile balancing
11 act in wanting to do the development,
12 which brings all the good things that we
13 know, but still try to hold harmless, to
14 the extent possible, residents who are
15 there forever and feel sometimes
16 disenfranchised.

17 MR. KELSEN: Well, that's a
18 great question. In fact, at the general
19 community meeting that I was personally
20 in attendance at several Wednesdays ago,
21 it was held at the Metropolitan Church, I
22 believe, and one of the residents,
23 members of an RCO, indicated concern
24 about taking away parking from the
25 community. As I mentioned in my

1 6/3/14 - RULES - BILL 140277, etc.
2 testimony and as part of the plans
3 submitted, there are going to be about
4 1,400 on-site parking spaces provided as
5 part of this development. The intention,
6 Councilwoman, is to remove the need to
7 have people parking on the streets and in
8 the community by centralizing it.

9 COUNCILWOMAN BROWN: Very well.

10 MR. KELSEN: That's one of the
11 reasons the bill calls for the permission
12 to build parking garages in this district
13 on a by-right basis.

14 COUNCILWOMAN BROWN: I see.
15 Okay, then. Thank you very much for your
16 testimony.

17 MR. KELSEN: Thank you for your
18 question.

19 COUNCILMAN GREENLEE: All
20 right. Just let me ask one question. I
21 do want to hear from the community. This
22 date that you're saying the School
23 District gave you --

24 MR. KELSEN: I'm sorry.

25 COUNCILMAN GREENLEE: The date

1 6/3/14 - RULES - BILL 140277, etc.
2 you said the School District gave you, I
3 mean, obviously this is a big project. I
4 assume there's nobody from the School
5 District here to verify this. I don't
6 know.

7 MR. KELSEN: I know there are
8 people from PIDC here, but I don't know
9 about the School District.

10 COUNCILMAN GREENLEE: Well, I
11 guess -- and I'm just throwing this out
12 as a suggestion -- obviously the District
13 Councilperson is not happy right now. We
14 try to work those things out.

15 This date, it just seems off
16 the top that the School District is not
17 going to let this deal go because of a
18 June 16th date, and I guess my question
19 would be, if they're saying it is, why?
20 I mean, if we're at this point and we're
21 trying to work some stuff out, I can't
22 believe the School District would just
23 say, Oh, well, June 16th came, sorry
24 guys, we're tearing all this up. I mean,
25 it doesn't make sense to me.

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. KELSEN: Chairman Greenlee,
3 I can't give you a better answer than the
4 following answer: We, throughout the due
5 diligence period and with the agreement
6 of sale negotiations, have requested that
7 the School District extend closing. We
8 have been told repeatedly that the
9 closing date is firm. The due diligence
10 date is firm. The purchase price is
11 firm, and should we elect not to
12 proceed -- this is my statement -- then
13 the deadline for exercising our rights
14 not to proceed pursuant to the agreement
15 of sale is June 9th, coming Monday.

16 They seem to be firmly
17 entrenched in the position of these dates
18 being viewed as sacrosanct by the seller,
19 in this case the School District.

20 MR. SKLAROFF: We have
21 attempted to negotiate to have those
22 extended with all the reasons -- putting
23 forth all the reasons that you might
24 imagine that makes more sense to move it.
25 Those negotiations have been

1 6/3/14 - RULES - BILL 140277, etc.
2 unsuccessful. We have a due diligence
3 date closing of Monday, at which time
4 real money must be deposited, and then
5 closing a week thereafter.

6 COUNCILMAN GREENLEE: Okay. I
7 mean, obviously Council wouldn't be able
8 to pass it in the best interest by June
9 9th.

10 MR. KELSEN: June 12th would be
11 the earliest possible date assuming --
12 but at least the purchaser would have the
13 comfort of knowing that the zoning
14 process is moving forward, Mr. Chairman.

15 You're absolutely right. We
16 are willing as purchasers to take the
17 risk that final passage may not occur
18 until the 19th. We were hoping we don't
19 get to that point, that it would be the
20 12th for final passage to give us that
21 comfort. That's a critical comfort for
22 \$25 million full money without any
23 understanding that this project could be
24 developed because it's RM-1 zoning.

25 But we do understand your

1 6/3/14 - RULES - BILL 140277, etc.
2 question. We respectfully answer your
3 question to say that it does not seem at
4 this time -- and it's been probed and
5 pressed and pushed throughout the process
6 to the highest levels of the School
7 Reform Commission -- that an extension is
8 going to happen.

9 COUNCILMAN GREENLEE: You said
10 PIDC is here. And I'm sorry. I
11 apologize to the community, but I'd like
12 to -- who is representing PIDC here? I
13 thought you said they were here.

14 MR. KELSEN: I know they're in
15 the room.

16 COUNCILMAN GREENLEE:
17 Mr. Grady, if he could come up. I'd just
18 like to get this date thing settled.
19 Again, I apologize to the community. I
20 know you want to come up too, but I'm
21 just trying to figure this out. Is PIDC
22 involved in this sale? I don't want to
23 get you up here if it's...

24 (Witness approached witness
25 table.)

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: I heard
3 PIDC mentioned, Mr. Grady, so I thought
4 maybe you'd be able to help a little bit
5 on this.

6 Have you been involved in the
7 University City sale?

8 MR. GRADY: We have been.
9 We've been staffing the sales process for
10 the School District over the last few
11 months. So we are managing the process
12 on behalf of the District.

13 COUNCILMAN GREENLEE: Okay.
14 The question that came up -- I don't know
15 if you've heard this. The District
16 Councilperson doesn't feel that this is
17 ready to be moved forward. The
18 representative of the buyer is basically
19 saying the School District has indicated
20 this absolute date of June 9th that this
21 has to start moving forward. My question
22 is, if you can answer it, if we can't
23 work this out, if we can't work this out
24 right away, is the School District
25 willing to extend that date a little bit?

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. GRADY: I think that's
3 really a question for the School
4 District.

5 COUNCILMAN GREENLEE: I was
6 afraid you'd say that.

7 MR. GRADY: I think the
8 position has been communicated
9 appropriately, which is the School
10 District has said that there's a schedule
11 in place. The schedule stays in place.
12 I think the issue for them is that
13 they're trying to close on these sales by
14 June 30th. So I think that's the issue
15 driving it.

16 COUNCILMAN GREENLEE: Look, you
17 can't answer this. I get this. I guess
18 the concern I have is -- I'm sorry, but
19 the School District didn't seem to be
20 moving that fast for a while, and now all
21 the sudden we got this drop-dead date,
22 and it just confuses me. Now, again, I
23 know you can't answer for the School
24 District, but I just want to put that on
25 record, because I think a lot of us had

1 6/3/14 - RULES - BILL 140277, etc.
2 indicated before that we were a little
3 concerned that the School District didn't
4 seem to be moving fast enough, and now we
5 have this we're going to blow the whole
6 thing up if it doesn't happen by this
7 certain date. That doesn't seem
8 consistent to me, but...

9 COUNCILMAN GOODE: Point of
10 information.

11 COUNCILMAN GREENLEE:
12 Councilman Goode.

13 COUNCILMAN GOODE: Thank you,
14 Mr. Chairman.

15 Mr. Grady, it's my
16 understanding that if the sales didn't go
17 through, that the City is on the hook for
18 the money; is that correct?

19 MR. GRADY: I think that's a
20 discussion probably between the City's
21 Finance Director and the School District.

22 COUNCILMAN GOODE: I'm talking
23 about by law, that the City is on the
24 hook for the money to the School
25 District. Therefore, the School District

1 6/3/14 - RULES - BILL 140277, etc.

2 has no reason to not do the deal at any
3 point, because they're going to get paid
4 one way or the other, either from the
5 City and/or from the project.

6 MR. GRADY: Again, I don't know
7 what the law requires on that.

8 COUNCILMAN GOODE: So a matter
9 of a day or a week is not going to make
10 difference, because there's not going to
11 be a new project that comes in before we
12 make the School District whole anyway.

13 MR. GRADY: I can't really
14 answer that question. I apologize.

15 COUNCILMAN GOODE: Thank you.

16 COUNCILMAN GREENLEE:
17 Councilman Kenney.

18 COUNCILMAN KENNEY: Thank you,
19 Mr. Chairman.

20 Since you have staffed this for
21 the School District, how many -- you
22 don't have to tell us who, but how many
23 other buyers are out there for this
24 building? How many other groups have
25 expressed interest in purchasing the

1 6/3/14 - RULES - BILL 140277, etc.
2 building?

3 MR. GRADY: I believe when we
4 did the sales process on this property,
5 there were five properties being
6 marketed. This was being one of those.
7 I believe there were at least three
8 offers from credible buyers for this
9 parcel, and the Drexel proposal was
10 selected as the most competitive.

11 COUNCILMAN KENNEY: And I think
12 the Drexel proposal is probably, without
13 seeing the others, probably is a very
14 strong proposal, but we're not
15 necessarily in want for other buyers. I
16 mean, there are other folks out there
17 interested that if Drexel should decide
18 to walk away, that someone else would buy
19 it.

20 MR. GRADY: There were other
21 proposals, yes.

22 COUNCILMAN KENNEY: Thank you.

23 COUNCILMAN GREENLEE: If I can
24 just ask Mr. Kelsen again just so I'm
25 clear. You had indicated, I believe, in

1 6/3/14 - RULES - BILL 140277, etc.

2 your testimony that it's the School
3 District that is basically saying if it
4 does not happen by a certain date, it's
5 done. Is that their position or is that
6 your position that you need it done by
7 that date?

8 MR. KELSEN: That is the
9 position that's taken by the agreement of
10 sale executed with the School District
11 and it's the School District's position
12 that the closing is to occur on or before
13 June 16th.

14 COUNCILMAN GREENLEE: If the
15 School District, if again, was willing to
16 move that date back as we try to work
17 some things out here, would you be
18 willing to move that date?

19 MR. KELSEN: Yes. We said
20 that. However, we do want to make it
21 perfectly clear and transparent that we
22 do need to have a clear understanding of
23 the zoning status of the site before
24 Council goes out of recess on the 19th,
25 because that is our due diligence, and if

1 6/3/14 - RULES - BILL 140277, etc.

2 we have to terminate the agreement and
3 move on because we can't use the site
4 because it's not zoned for it before
5 putting up the deposit monies as well as
6 before Council goes out of summer recess,
7 we need to know that.

8 COUNCILMAN GREENLEE: Okay.

9 All right.

10 Unless there's other questions,
11 I'd like to hear from the community
12 because I'd like to hear where they're
13 coming from on this, but obviously please
14 stand by. Thank you. Thank you all.

15 MR. KELSEN: We'll be very
16 close at hand.

17 COUNCILMAN GREENLEE: Okay.

18 THE CLERK: Paul Boni.

19 COUNCILMAN GREENLEE: Yes,
20 please.

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN GREENLEE: Good
24 afternoon now. Please identify yourself
25 and proceed.

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. BONI: Good afternoon,
3 Mr. Chairman. My name is Paul Boni. I'm
4 a land use attorney here in Philadelphia
5 and I represent the Powelton Village
6 Civic Association. Next to me is
7 Mr. John Phillips, who is the
8 President-elect of the civic association.
9 Good afternoon to you and members of the
10 Committee. Thank you for the opportunity
11 to speak.

12 First, I'd like to mention that
13 we are generally supportive of the
14 redevelopment of this property and we're
15 encouraged and looking forward to it. We
16 have a two-part position. The first part
17 is that we oppose this bill as it's
18 currently drafted. The second part is
19 that we, along with other community
20 groups, are working with the buyers to
21 try and resolve the community concerns,
22 and we hope to accomplish that within the
23 next couple of weeks. We believe that
24 would likely result in hopefully
25 amendments to the bill before final

1 6/3/14 - RULES - BILL 140277, etc.
2 passage.

3 And, lastly -- and we're happy
4 to take questions -- we want to thank the
5 Councilwoman for her efforts and her
6 staff's efforts to help this process
7 along and for everything that she does
8 for the community and all the
9 stakeholders.

10 COUNCILMAN GREENLEE: Mr. Boni,
11 I'm sorry. A lot of things going on up
12 here. You're representing whom now?

13 MR. BONI: The Powelton Village
14 Civic Association.

15 COUNCILMAN GREENLEE: All
16 right.

17 Sir, do you have anything to
18 add to that?

19 MR. PHILLIPS: No. I think
20 this is a process that we've worked on --

21 COUNCILMAN GREENLEE: Just
22 identify yourself.

23 MR. PHILLIPS: I'm John
24 Phillips. I'm the President-elect of
25 Powelton Village Civic Association and

1 6/3/14 - RULES - BILL 140277, etc.

2 I've been part of the negotiations.

3 COUNCILMAN GREENLEE: And
4 you're saying, in your opinion, there
5 could be things worked out, but as we
6 speak right now, you're opposed. Is that
7 a fair statement?

8 MR. BONI: We're opposed as
9 it's currently drafted. There's a lot of
10 issues and a lot of things to be worked
11 on, but we're committed to working as
12 fast as we can with the buyer. We've
13 already started that process, but there's
14 a lot to do and a little bit of time.

15 I also want to mention there's
16 a representative of a neighboring
17 community group here also who would like
18 to make a statement.

19 COUNCILMAN GREENLEE: Sure.
20 Absolutely. Why don't we have that
21 statement and then we'll ask questions
22 after that.

23 (Witness approached witness
24 table.)

25 COUNCILMAN GREENLEE: Good

1 6/3/14 - RULES - BILL 140277, etc.

2 afternoon, ma'am. Please identify
3 yourself and proceed.

4 MS. ESTHER: Good afternoon.

5 My name is Lucia Esther and I'm the Chair
6 of the adjoining RCO, West
7 Powelton/Saunders Park, and we have been
8 working with Powelton Village and they
9 have included us in some of these
10 meetings with the developers and as --
11 the version that we have is May 15th, and
12 that we do not support, that we do want
13 to work with them. We want to continue
14 the dialogue. And we think that with
15 your help, that will come to pass,
16 because we want a fair and equitable
17 solution for both the neighbors and the
18 developers.

19 Thank you.

20 COUNCILMAN GREENLEE: Okay.

21 Thank you.

22 And just without going into a
23 lot of detail, is there a particular
24 issue that is troublesome to you, like in
25 a general sense?

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. BONI: Sure. There's a few
3 categories. I'll start with one, which
4 is that the way this deal is structured
5 is that there's a certain amount of
6 acreage that is going to be held for a
7 period of time to give the School
8 District the opportunity to build a new
9 school. I think that right now the
10 understanding is that it's going to be
11 held back for five years, and that for
12 those five years, people are going to
13 work to try and find the funding to build
14 the school and all of the other things
15 that need to be done in order for the
16 school to be built and operated. And
17 what we'd like to have as community
18 members is a process in place and at
19 least some commitments by the
20 stakeholders that they're going to roll
21 up their sleeves, that we'll have
22 milestones met, not to give us a
23 commitment today that a school will
24 definitely be built, because no one knows
25 whether the school will definitely be

1 6/3/14 - RULES - BILL 140277, etc.
2 built or not, but that sufficient efforts
3 will be made to explore the possibility,
4 that it won't be for lack of trying over
5 those periods of years.

6 Other categories generally
7 are -- I mean, this bill we think is very
8 generous. It creates zoning that's
9 unlike anywhere else in the City of
10 Philadelphia. And we're being asked to
11 put faith in drawings and concept plans
12 that are not being committed to. So we
13 understand that, because this is a
14 hurried process. The School District is
15 really putting pressure on the developer
16 to move forward and maybe they don't have
17 their plans in place yet, but what we
18 need is a process so that this property
19 gets developed in a way that doesn't
20 involve surprises to us, that we have
21 proper input, all these types of things.
22 Height limits, where the street is going
23 to go, where the parking is going to go.

24 Generally, Mr. Chair, I don't
25 really see this as necessarily a

1 6/3/14 - RULES - BILL 140277, etc.
2 community benefits agreement. We're not
3 trying to get anything out of it. We're
4 really just trying to manage the
5 development process, but this bill we
6 fear too much gives a blank check of just
7 you can build anything you want, and we
8 want to have some things in writing.

9 COUNCILMAN GREENLEE: How many
10 meetings have you actually had on this or
11 have you, like face to face with the --

12 MR. BONI: Well, the buyers
13 have made a number of presentations to
14 community groups in the recent past. I
15 was retained fairly recently and then
16 things really kicked up into gear since
17 then. So we've had one face-to-face
18 meeting. We've had an exchange of
19 documents. One face-to-face meeting last
20 week. But we're committed and the buyer
21 tells us that they're committed to
22 continue this process over the next few
23 days.

24 COUNCILMAN GREENLEE: I'll just
25 repeat for the record -- I think other

1 6/3/14 - RULES - BILL 140277, etc.
2 people here on the Committee agree -- I'm
3 just mystified by all the sudden this
4 drop-dead date by the School District.
5 It took them a heck of a long time to get
6 to movement, and I'm just mystified by
7 that. I know I'm repeating myself.

8 MR. BONI: We wish we were not
9 under these time constraints.

10 COUNCILMAN GREENLEE: That's
11 not your issue, but I'll just state that
12 for the record.

13 MR. BONI: We're feeling that
14 pain also.

15 COUNCILMAN GREENLEE: And I
16 don't think either -- the developer is
17 not set on that date and the community is
18 not. It just -- I don't get the School
19 District all the sudden making its
20 hard-core demand, if that's accurate.

21 Councilwoman Reynolds Brown.

22 COUNCILWOMAN BROWN: Yes. I
23 have a similar question. More
24 specifically, how many meetings have been
25 had with the Council Lady and the

1 6/3/14 - RULES - BILL 140277, etc.
2 developers and the community all in one
3 room at the same time to hear the same
4 content?

5 MR. BONI: Not yet. Last week
6 we had a meeting with the developer, just
7 the Powelton Village Civic Association
8 and the buyer, Drexel and Wexford. And
9 then yesterday we had a meeting in the
10 Councilwoman's office with a number of
11 other community groups and a Planning
12 Commission representative in order to
13 help our process coalesce, which we think
14 we made a lot of good progress yesterday,
15 thanks to the Councilwoman. We
16 appreciate that.

17 COUNCILWOMAN BROWN: So in --

18 MR. BONI: But not with
19 everybody at the table. I'm not actually
20 sure that's -- it may be necessary, maybe
21 not. We'll have to see. Any help the
22 Councilwoman can give us would be greatly
23 appreciated.

24 COUNCILWOMAN BROWN: So of all
25 the concerns that you are aware of, what

1 6/3/14 - RULES - BILL 140277, etc.

2 percentage, what number of them -- if the
3 number is 10, where are you on that scale
4 of resolution, consensus?

5 MR. BONI: Well, I don't think
6 we're -- we're nowhere. They know our
7 position, and I don't think we've really
8 started to draft the joint document yet,
9 but I believe that that will be happening
10 very soon.

11 COUNCILWOMAN BROWN: Well, that
12 gives us a clearer picture. Thank you
13 very much.

14 MR. BONI: Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilwoman.

17 Councilman Kenney.

18 COUNCILMAN KENNEY: Thank you,
19 Mr. Chairman.

20 Mr. Kelsen's testimony on Page
21 5 says in order to effectuate this
22 development, we're requesting that City
23 Council approve certain amendments to the
24 Philadelphia Zoning Code which are
25 required to allow the proposed

1 6/3/14 - RULES - BILL 140277, etc.
2 development to proceed. We are
3 requesting that Council Bill No. 140437,
4 as introduced by Councilwoman Blackwell,
5 to allow the following zoning changes,
6 and there are six areas of proposed
7 amendment. Were all of these
8 discussed -- are any of these surprises?
9 I'm asking -- I probably need Mr. Kelsen
10 back. Are any of these -- this was for
11 Mr. Kelsen's testimony. I need him to --
12 my question is, have any of the bullet
13 points in this testimony, including the
14 issues relative to height limitations,
15 all of this has been chewed and thought
16 over and nothing is surprising on here?

17 MR. KELSEN: Everything that is
18 in the Council ordinance that was
19 introduced has been briefed to the
20 community. There are no changes.

21 COUNCILMAN KENNEY: But there
22 are amendments requested.

23 MR. KELSEN: Requested but not
24 introduced today, because we were told
25 not to put them in. What those

1 6/3/14 - RULES - BILL 140277, etc.
2 amendments would do is actually reduce
3 the height parameters in the rear portion
4 of the site.

5 COUNCILMAN KENNEY: So why then
6 was it in the testimony? If the sponsor
7 of the bill requested that the amendments
8 not be dealt with at this particular
9 moment, why were they in the testimony?

10 MR. KELSEN: Because I was not
11 aware that the amendments were not to be
12 put in until five minutes into my
13 presentation.

14 COUNCILMAN KENNEY: I want to
15 make sure that -- so none of those --
16 none of those bullet point issues were a
17 surprise to anybody?

18 MR. KELSEN: No. We've told
19 the community --

20 COUNCILMAN KENNEY: Including
21 the Councilperson?

22 MR. KELSEN: That's right. Not
23 a surprise, because this ordinance that
24 you have in front of you was introduced
25 by City Council on May 15th. It remains

1 6/3/14 - RULES - BILL 140277, etc.
2 unchanged.

3 COUNCILMAN KENNEY: Correct,
4 but you're asking it to be changed in six
5 different categories.

6 MR. KELSEN: No, no, no, no.

7 COUNCILMAN KENNEY: It says
8 we're requesting that City Council
9 approve certain amendments to the code
10 which are required to allow the proposed
11 development to proceed. So if they're in
12 the original bill, why do they need to be
13 amended in?

14 MR. KELSEN: What we're asking
15 for is an amendment to the existing
16 zoning classification of RM-1, remapping,
17 and to change the parameters of the
18 currently existing CMX-4 designation to
19 allow amendments or if I may, Councilman
20 Kenney, call them deviations from what is
21 in the current CMX-4 category.

22 COUNCILMAN KENNEY: So your
23 contention is these issues are already in
24 that bill?

25 MR. KELSEN: Correct.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN KENNEY: So why do
3 they need to be amended?

4 MR. KELSEN: The only thing
5 that was going to be amended today from
6 the introduction version that has been in
7 place is a reduction in the maximum
8 height permitted to be in the rear area
9 of the site. Let me be very specific.

10 COUNCILMAN KENNEY: This is the
11 height -- bottom of Page 5 and continued
12 on Page 6, there's a number to paragraphs
13 dealing with height.

14 MR. KELSEN: Exactly.

15 COUNCILMAN KENNEY: Are none of
16 those surprises?

17 MR. KELSEN: None of those are
18 surprises. And, in fact, they're
19 consistent with discussions we've had
20 with the community groups going back to
21 June of last year. Councilwoman Brown
22 left for a second. We started the
23 process in June before we even had this
24 project contemplated under contract.
25 There was a charrette that occurred

1 6/3/14 - RULES - BILL 140277, etc.
2 approximately two months ago with the
3 community at which Drexel representatives
4 attended to talk about how to mass and
5 develop the site. I personally attended
6 five meetings of various community groups
7 and, in fact, community groups that we
8 requested be sponsored by the requisite
9 RCOs in the last six weeks. In fact, we
10 were having one community meeting,
11 Councilman Kenney, a week since this --
12 prior to the bill's introduction and
13 since it was introduced, most recently,
14 as I mentioned, last week with PVCA
15 representatives.

16 There are no surprises. We've
17 been fully transparent with the community
18 and with others, including the
19 Councilwoman's office and the Planning
20 Commission, about what we were seeking in
21 terms of the remapping and amendments to
22 the existing Zoning Code to allow the
23 development.

24 COUNCILMAN KENNEY: And that
25 again is not a surprise?

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. KELSEN: No, sir.

3 COUNCILMAN KENNEY: So why the
4 testimony from the community groups and
5 the consternation of the Councilmember
6 relative to things that they either
7 didn't know about or not happy with?

8 MR. KELSEN: I don't think
9 Mr. Boni said he didn't know about them.
10 He may not agree with them and they may
11 want further changes to the development
12 plans such as a definition of process,
13 how many meetings, what we will do, what
14 information will be changed, and we told
15 him verbally we'll agree to that. And,
16 in fact, if we want to do this today, we
17 sent out yesterday framework for guiding
18 principles. I'd be happy to provide
19 that, but I think that would get me in
20 more trouble. But I will tell you that
21 none of this has been done behind closed
22 doors without the sunlight of the
23 community, the Planning Commission, and
24 unfortunately I don't believe I
25 understand why with the knowledge of the

1 6/3/14 - RULES - BILL 140277, etc.

2 Councilwoman.

3 COUNCILMAN KENNEY: Okay.

4 Thank you.

5 Mr. Chairman.

6 COUNCILMAN GREENLEE: First of
7 all, is there anybody else that wants to
8 testify on this bill, Bill 140437?

9 MR. ALI: Yes, I do.

10 COUNCILMAN GREENLEE: All
11 right. And then I'm going to have a
12 suggestion to make.

13 (Witness approached witness
14 table.)

15 COUNCILMAN GREENLEE: Sir, good
16 afternoon. Please identify yourself for
17 the record.

18 MR. ALI: Good afternoon,
19 Chairman Greenlee and other members of
20 City Council. My name is Jihad Ali. I'm
21 here on behalf of the Contractors
22 Roundtable as well as Southwest
23 Philadelphia District Services and I'm a
24 citizen in Philadelphia.

25 You know, it's interesting I

1 6/3/14 - RULES - BILL 140277, etc.
2 was listening to the testimony earlier
3 when the attorney, representative Kelsen,
4 when he looked around the room and he
5 said, well, he doesn't see a lot of
6 opposition. But when you look around the
7 room, you see some powerful men here.
8 You see some powerful men in business and
9 industry that represent other powerful
10 men. And what the citizens don't see
11 here is who is standing up for the little
12 guy.

13 We have a Councilwoman who is
14 standing up for the little guy. She's
15 standing up against big business, because
16 that's what this is. And as the
17 Councilperson said, listen, this can
18 change lives in West Philly, and when you
19 have somebody like the university -- you
20 know, I've been down here numerous times
21 before testifying about EOP plans. When
22 you look at these EOP plans, there's
23 always one clause that says if the entity
24 hires a third-party consultant, that that
25 consultant will keep those records until

1 6/3/14 - RULES - BILL 140277, etc.
2 requested by the Administration. And
3 what happens is, you, our elected
4 leaders, you don't get that information,
5 because the information is held by the
6 representative. So when the attorneys
7 cited all the accomplishments that
8 they've done in regards to African
9 Americans and the hiring of contractors,
10 so forth and so on, one thing that they
11 don't put in there, you don't ever see
12 how bad it really is. So citizens who --
13 you never hear them. They don't come to
14 Councilman Greenlee, Councilman Henon,
15 Councilman O'Brien. They go to
16 Councilwoman Blackwell and they say,
17 Well, look, how come I don't see
18 representation here? How come we don't
19 have contractors? How come we don't have
20 this? And it's really because you don't
21 hear our voices, but she does.

22 The Councilwoman appeared on
23 our radio show, WURD, which is a radio
24 show in the African American community,
25 and she caught hell. You know what she

1 6/3/14 - RULES - BILL 140277, etc.
2 caught hell for? Because the community
3 accused her of selling those buildings
4 too cheap. She had nothing to do with
5 the sale of those buildings or setting
6 the price of it, but she took the heat
7 for that. And then some of you, you come
8 down here to City Council and you're
9 at-large. You represent all the
10 citizens. So it's not just geographic
11 areas. It's not just the people around
12 that university. It's people throughout
13 Philadelphia, and we need a benefit. And
14 when the other lawyer said, Oh, it's not
15 about community benefits, it is about
16 community benefits. It's about how does
17 the community benefit when a university
18 like Drexel -- I'm always reminded when
19 these people that are universities with
20 all these degrees, when they come down
21 here, I've always got the picture of
22 Dr. Martin Luther King sitting in that
23 cell in Alabama when they said to him,
24 Now is not the time. Don't come down
25 here for that. All those high degree

1 6/3/14 - RULES - BILL 140277, etc.
2 personnel, all the high priests. And
3 when these universities come down here, I
4 always look at where they're located.
5 What do they do for the community that
6 they surround? How many programs, how
7 many graduate students do they give each
8 one of y'all to come down here to help
9 the community? What's the answer to
10 that? What do they do to empower the
11 community with all that intellectual
12 knowledge they have? Absolutely nothing.
13 And then they come down here and
14 everything -- look, if you are on this
15 side of the aisle, you can come down here
16 and always assured you're going to hear
17 one time: Time is of the essence. We
18 got to pass this. And those of you --
19 Councilwoman Tasco is always on the
20 record saying, I'm sick and tired of
21 being told I got to do something right
22 away.

23 So, look, you can't be a leader
24 and don't make tough decisions.

25 Now, Councilman Henon, you know

1 6/3/14 - RULES - BILL 140277, etc.

2 the rules. I know you know. You came up
3 through the field. You make tough
4 decisions and you can pull the trigger.

5 You got to be able to pull the
6 trigger and sometimes you got to chuck
7 something. So when somebody tests you
8 and they say, Oh, well, we got to do this
9 and if we don't do it, we're going to
10 lose, you have to be able to say, Look,
11 you're going to lose, because ultimately
12 you're shooting yourself in the foot.

13 If you go along with these
14 guys, these most powerful people on this
15 side, and you don't stand with the people
16 on this and the Councilwoman, then you're
17 shooting yourself in the foot, because
18 you're getting your power. This is all
19 about power. It's not just money that's
20 power in life. It's power. And these
21 seats here, they're filled by the voters.
22 So you're the representatives. You're
23 the elected representatives of the
24 people.

25 Now, I will admit, not all

1 6/3/14 - RULES - BILL 140277, etc.
2 representatives are leaders, but some of
3 you are leaders and some of you have the
4 strength to make the decisions. All
5 we're asking -- we can all win, because
6 you know when it comes to the building
7 trades, the building trades are going to
8 win. But it's not the building trades
9 personnel, it's not their base that says
10 diversity. That's just not their point.
11 That has to be the Councilwoman's base to
12 say diversity. So we have to have some
13 leverage to get what we all want. We can
14 all win. It shouldn't be that we got
15 to -- somebody got to lose, and most of
16 the time it's the black males that lose.
17 So, look, I'm here to say what
18 some of you won't say. I'm here to get
19 benefits for black males and black people
20 that live near these universities, and
21 especially this deal. And don't forget,
22 I think it was Councilman Kenney said,
23 What happens to the deal? This is one of
24 the most sought after areas in the City.
25 It's said that the rent per square foot

1 6/3/14 - RULES - BILL 140277, etc.

2 on that land in that area is higher than
3 anywhere else in the City. So if Drexel
4 doesn't buy it, you can best be assured
5 somebody else will buy it.

6 So all y'all have to do is
7 stand with the Councilwoman. Let's all
8 get what we want, but don't shoot
9 yourself in the foot in order to move
10 this project along.

11 But, look, I'd like to thank
12 you for giving me the opportunity.
13 Councilman Henon, I didn't want to put
14 you on the spot, but I know that you came
15 up from the streets and I know you're a
16 strong leader and you understand what I'm
17 saying. So thank you all for letting me
18 come down here today and testify.

19 Thank you.

20 (Witness approached witness
21 table.)

22 COUNCILMAN HENON: How you
23 doing? You may approach the testimony
24 table. State your name for the record
25 and begin with your testimony.

1 6/3/14 - RULES - BILL 140277, etc.

2 MS. LAUD-HAMMOND: My name is
3 Folassshade Laud-Hammond. I work at the
4 University of Pennsylvania and I am the
5 Director of the Agatston Urban Nutrition
6 Initiative, and I'd like to say that I
7 generally oppose this bill and stand in
8 partnership with community members who
9 are asking for Drexel, or whichever
10 entity purchases the property, to move
11 forward with a respectful community
12 process.

13 We are currently managing the
14 green space. There's a farm on the
15 garden where we employ local youth who
16 grow food and sell their food to the
17 local community. I would like for the
18 purchaser to consider preserving that
19 green space at the site. I was a part of
20 one community meeting where Councilwoman
21 Blackwell was there, and everybody
22 recommended that we had a public green
23 space. And I know that in the plan that
24 Drexel presented today, that was not
25 included. And so I respectfully ask for

1 6/3/14 - RULES - BILL 140277, etc.
2 that to be reintroduced into the planning
3 process.

4 That's what I have to offer
5 today.

6 The space where the farm is
7 located currently is the space where the
8 gentleman noted was a sewer space that
9 was going to impede building. And so,
10 again, I'd just like to note that
11 utilizing top soil in a greenhouse, we're
12 able to preserve and utilize that space
13 for supporting community development and
14 ensuring that local community members who
15 are currently in a food desert and don't
16 have access to healthy food options have
17 extended access currently. And so I
18 would encourage and say that as a member
19 of the community, I have not been a part
20 of this extenuating community agreement
21 that Drexel is mentioning, and I had
22 actually reached out to a lot of
23 representatives at Drexel to forge
24 relationships to think about how to work
25 together to maintain that space. So I

1 6/3/14 - RULES - BILL 140277, etc.
2 would encourage Drexel lawyers and
3 representatives to continue to engage
4 with community members in a respectful
5 way to develop the plan and ensure that
6 the community and the University can work
7 together to make sure that the community
8 is viable for the residents that live
9 there currently.

10 Thank you.

11 COUNCILMAN HENON: Thank you
12 for your testimony.

13 Is there anyone else here that
14 wishes to testify on Bill No. 140437?

15 Please approach the desk.

16 State your name for the record and begin
17 your testimony.

18 MR. DOVER: Don Dover, Jr.,
19 resident of 41st Street. I currently am
20 the farm manager for the site behind
21 University City High and I would like to
22 remind the Council of the history of the
23 site. Part of our site there, our farm,
24 is in remembrance of the Black Bottom
25 neighborhood that stood before the

1 6/3/14 - RULES - BILL 140277, etc.

2 University City High School was there, a
3 neighborhood that was razed by the
4 University of Pennsylvania with no input
5 from the community. And here we have
6 another university poised to raze the
7 garden remembering the community that was
8 there, effectively erasing the Black
9 Bottom community from the history of the
10 space without community input, and as a
11 community member, I oppose this bill.

12 Thank you.

13 COUNCILMAN HENON: Thank you
14 for your testimony.

15 Is there anyone else here that
16 wishes to testify on Bill No. 140437?

17 (No response.)

18 COUNCILMAN HENON: Well, thank
19 you all for your testimony. We're going
20 to have a short recess.

21 (Short recess.)

22 COUNCILMAN GREENLEE: Can I
23 have your attention. Can I have
24 everybody's attention again, please.
25 Hello.

1 6/3/14 - RULES - BILL 140277, etc.

2 I'm sorry for the delay, but
3 obviously this was a difficult situation.
4 What we're going to do -- I'm going to
5 recognize Councilman Kenney in a
6 minute -- we're going to recess this
7 bill, the bill dealing with the
8 University City, until next week, and we
9 hope that everything is going to be and
10 we're urging everyone, underline
11 "everyone," to work diligently to get
12 this worked out. We obviously do not
13 want to endanger any money for the
14 schools, but we want the community and
15 everyone concerned as satisfied as
16 possible.

17 So with that, I recognize
18 Councilman Kenney for a motion.

19 COUNCILMAN KENNEY: Thank you,
20 Mr. Chairman. I make that motion to move
21 the consideration of this bill to June
22 9th at 3 o'clock.

23 (Duly seconded.)

24 COUNCILMAN GREENLEE: It's been
25 moved and seconded that the hearing on

1 6/3/14 - RULES - BILL 140277, etc.

2 Bill No. 140437 be recessed until Monday,
3 June 9th at 3 o'clock.

4 All in favor?

5 (Aye.)

6 COUNCILMAN GREENLEE: Opposed?

7 (No response.)

8 COUNCILMAN GREENLEE: Hearing
9 none, again, Bill No. 140437 will be
10 recessed until Monday, June 9th at 3
11 o'clock.

12 Now, we still have two more
13 bills to do.

14 MR. KELSEN: Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you. Please, how about like right now
17 start that negotiation. They're right
18 there. Go ahead.

19 Ms. Marconi, will you please
20 read the title of the next bill, please.

21 THE CLERK: Bill No. 140438, an
22 ordinance to amend the Institutional
23 (Special Purpose) District Master Plan of
24 Drexel University, in the vicinity of
25 33rd Street and Chestnut Street, for the

1 6/3/14 - RULES - BILL 140277, etc.
2 construction of a new hotel with retail
3 space.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 Mr. Kramer, before you start.

7 I do want you negotiating, but
8 how about outside, because it's hard to
9 hear in here.

10 Mr. Kramer, please.

11 MR. KRAMER: Good afternoon,
12 Chairman Greenlee and members of the
13 Rules Committee. I am William Kramer,
14 Division Director of the Development
15 Division of the Philadelphia City
16 Planning Commission. I am here today to
17 testify on Bill No. 140438, which was
18 introduced into City Council May 15th,
19 2014.

20 The purpose of Bill No. 140438
21 is to amend the Master Plan for Drexel
22 University to permit the construction of
23 a 212-room "study" hotel with a
24 restaurant and retail space located in
25 the vicinity of 33rd and Chestnut

1 6/3/14 - RULES - BILL 140277, etc.
2 Streets. There will be accessory meeting
3 and banquet space in the building that is
4 125 feet tall and will have approximately
5 145,000 square feet of space. Off-street
6 parking for 37 cars will be provided on a
7 Drexel-owned lot at 34th and Market
8 Streets.

9 This Study Hotel will be
10 operated by Hospitality 3 LLC, who has
11 more than 75 years of experience in such
12 projects. A Study Hotel is conceived to
13 accommodate the needs of university
14 markets by offering high-quality,
15 full-service lodging with strong
16 relevance to its surroundings. It is
17 anticipated there will be green roofs on
18 Floors 2, 3, and 4 and a blue roof on the
19 main building rooftop. Blue roofs are
20 designed to store water, typically
21 rainfall, in order to mitigate runoff.

22 The Philadelphia City Planning
23 Commission at its meeting of May 20th,
24 2014 approved the Master Plan for Drexel
25 University and recommended that Bill No.

1 6/3/14 - RULES - BILL 140277, etc.
2 140438 be approved.

3 I would be happy to answer any
4 questions at this time.

5 COUNCILMAN GREENLEE: Thank
6 you, Mr. Kramer.

7 Are there any questions for
8 Mr. Kramer? I know, Councilwoman
9 Blackwell, you want to make a statement?

10 COUNCILWOMAN BLACKWELL: Thank
11 you. This is like we were going to try
12 to do the other bill, report it out, with
13 the agreement that Drexel submits its
14 community benefits plan along with the
15 EOP, and we were asking them to do this
16 and also work with these folks who are
17 talking about labor and jobs and to
18 testify to those issues before the
19 Committee ultimately passes it. It's
20 what we wanted to do the last one as
21 well. So we're asking someone from
22 Drexel to make that commitment.

23 COUNCILMAN GREENLEE: Please.
24 Could representatives please approach.

25 (Witnesses approached witness

1 6/3/14 - RULES - BILL 140277, etc.
2 table.)

3 COUNCILMAN GREENLEE: I'm
4 sorry. Councilwoman, did you have a
5 question beforehand of Mr. Kramer?

6 COUNCILWOMAN BROWN: As a part
7 of a followup to Councilwoman Blackwell.

8 COUNCILMAN GREENLEE: You want
9 them to speak first?

10 COUNCILWOMAN BROWN: No, no,
11 no. Let me ask the question so they can
12 include the answer in their response to
13 Council Lady Blackwell.

14 COUNCILMAN GREENLEE: Please.
15 Go ahead.

16 COUNCILWOMAN BROWN: Good
17 morning, gentlemen.

18 COUNCILMAN GREENLEE:
19 Unfortunately it's afternoon already.

20 COUNCILWOMAN BROWN: Afternoon
21 it is. Long day.

22 So the ask is, Council Lady
23 Blackwell has indicated that you will
24 provide details for EOP activity going
25 forward. I would ask that you submit to

1 6/3/14 - RULES - BILL 140277, etc.
2 the Chair and to the District
3 Councilperson the last five years a
4 record of what -- not goals but what
5 actually happened with regards to MBE/WBE
6 activity over the last five years and
7 submit that as a part of any and other
8 documents that you'll be providing on
9 this project.

10 MR. KEECH: Council Lady and
11 Chairman Greenlee, we'd be happy to go
12 back and --

13 COUNCILMAN GREENLEE: Just
14 identify yourself for the record.

15 MR. KEECH: Brian Keech. I'm
16 the Senior Vice President of Government
17 and Community Relations at Drexel
18 University.

19 We'd be happy to go back as far
20 as we can for those records. As you
21 know, recently the City has required EOP
22 plans, so we have them on a number of
23 previous projects that are already
24 complete, like the LeBow College of
25 Business, the Chestnut Square project

1 6/3/14 - RULES - BILL 140277, etc.
2 that just completed, the Lancaster Square
3 project that's being developed now and,
4 of course, we've submitted an EOP plan
5 with this project as well as a diversity
6 statement. So we'll go back as far as we
7 can to get you that information.

8 COUNCILWOMAN BROWN: Okay. So
9 that I'm clear, goals are important, but
10 in the information that you send, we want
11 to know ultimately what the yield was,
12 what the outcome was, what the results
13 were.

14 MR. KEECH: That's correct.
15 And some of those projects which were
16 required, we have those and we've been
17 working with the Office of Equal
18 Opportunity to collect that information
19 and data, and we've submitted it to the
20 City.

21 COUNCILWOMAN BROWN: Thank you.
22 Thank you, Mr. Chairman.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilwoman.

25 COUNCILWOMAN BLACKWELL:

1 6/3/14 - RULES - BILL 140277, etc.

2 Mr. Chairman, this EOP, we also had a
3 community benefits part to that. So even
4 if you go back and submit the EOPs, we
5 want the community benefits part
6 submitted before we vote on this. We're
7 happy to report it out today. Before we
8 vote, we want that, and also your plan
9 for labor and for the workers who would
10 be affected in this hotel.

11 MR. KEECH: Sure. Well, we've
12 been working on some guiding principles
13 related to Councilwoman Blackwell's
14 concerns about community benefits and
15 have that drafted and ready to submit.

16 COUNCILMAN GREENLEE: Okay.

17 COUNCILMAN GOODE: Point of
18 information.

19 COUNCILMAN GREENLEE:
20 Councilman Goode.

21 COUNCILMAN GOODE: Thank you,
22 Mr. Chairman.

23 For the record, the Economic
24 Opportunity Plan actually requires that
25 you submit a diversity track record.

1 6/3/14 - RULES - BILL 140277, etc.

2 That is already the law.

3 MR. KEECH: Right. That's
4 correct.

5 COUNCILMAN GOODE: And what you
6 submitted does not necessarily comply.

7 MR. KEECH: For the equal
8 opportunity plan?

9 COUNCILMAN GOODE: For the
10 diversity track record portion. What you
11 called your diversity statement, there's
12 actually a law that defines that.

13 MR. KEECH: Right. And we've
14 included that as required by the law.

15 COUNCILMAN GOODE: You've
16 included some information, and
17 Councilwoman Blondell Reynolds Brown
18 asked you to include going back five
19 years. What the plan requires is that
20 you go back in terms of your whole track
21 record.

22 MR. KEECH: I understand. So
23 Bob --

24 COUNCILMAN GOODE: So what I'm
25 trying to make clear is, that is not an

1 6/3/14 - RULES - BILL 140277, etc.
2 additional request. That's already a
3 requirement.

4 MR. KEECH: That we go back
5 five years. And we'll provide as much
6 data as we can going back five years.
7 I've committed to that.

8 COUNCILMAN GOODE: Thank you.

9 COUNCILMAN GREENLEE: The
10 Councilwoman mentioned the workforce
11 issue too. When/if the hotel is built,
12 who can talk about that?

13 MR. KEECH: Well, I'll bring up
14 the owner and operator of the hotel.

15 COUNCILMAN GREENLEE: Please.

16 (Witness approached witness
17 table.)

18 COUNCILMAN GREENLEE: Do you
19 have a question? I'm sorry. Councilman
20 O'Brien.

21 COUNCILMAN O'BRIEN: No. I'd
22 just like to state for the record that
23 Billy Kramer is celebrating his 35th
24 anniversary with the City at the end of
25 business today and we should all

1 6/3/14 - RULES - BILL 140277, etc.
2 recognize his wonderful achievement.

3 COUNCILMAN GREENLEE: Thank
4 you, sir.

5 (Applause.)

6 COUNCILMAN GREENLEE: And he
7 told me earlier after this hearing, he
8 feels like he's been here 65 years.

9 But, sir, please identify
10 yourself for the record. Again, you
11 heard my question regarding workforce
12 issues.

13 MR. FORTE: Good afternoon,
14 Mr. Chairman and members of the
15 Committee. My name is Anthony Forte with
16 the law firm of Saul Ewing and I'm here
17 with my client today, Paul McGowan, who
18 is with the developer, Hospitality 3, and
19 the operator of the hotel which will be
20 Study Hotels. And I just wanted to give
21 you a little background on the project in
22 addition to what Mr. Kramer gave.

23 First of all, we've met
24 extensively with the community on this
25 project. We've met with Powelton Village

1 6/3/14 - RULES - BILL 140277, etc.

2 Community Association and other members
3 of the community. We've met with Drexel,
4 of course, and the Councilwoman's office.
5 The current design for the project
6 reflects all of those consultations.

7 The project has been designed
8 to comply with the Zoning Code. So once
9 the Master Plan is amended, it will not
10 require any additional zoning variances
11 or anything of that nature. It's a
12 project that has completely private
13 investment. We're not asking for any
14 public subsidy as part of the project.
15 We anticipate 250 construction jobs as
16 part of this project and 160 permanent
17 jobs as well. It will be constructed
18 completely with union labor. We have
19 also negotiated with the Office of
20 Economic Opportunity an Economic
21 Opportunity Plan, which has been
22 submitted as Exhibit C to this ordinance,
23 as well as the Statement of Diversity
24 Practices which Drexel has prepared, and
25 I think that's Exhibit B to the

1 6/3/14 - RULES - BILL 140277, etc.
2 ordinance. I understand there's been a
3 request for Drexel to amend that
4 Statement of Diversity Practices to add
5 some additional information and I'm sure
6 they will work to do that as well.

7 But in terms of the Economic
8 Opportunity Plan, the developer has
9 worked very closely with Drexel and with
10 the Office of Economic Opportunity. We
11 basically agreed to all of
12 Ms. Dowd-Burton's requests of what the
13 EOP should include, including 50 percent
14 local hiring, and that's both in the
15 construction and the ongoing operations
16 of the hotel.

17 As I said, we're here with Paul
18 McGowan from Hospitality 3 and Study
19 Hotels, and there are also numerous
20 people from Drexel University if there
21 are questions regarding that.

22 COUNCILMAN GREENLEE: One thing
23 that we're always concerned about is once
24 the hotel is built, the workers' wages,
25 that kind of thing. Can you speak to

1 6/3/14 - RULES - BILL 140277, etc.
2 that at all and what your plan is at
3 least generally, what you have done in
4 the past.

5 MR. MCGOWAN: Sure. My name is
6 Paul McGowan, principal of Hospitality 3.

7 COUNCILMAN GREENLEE: A little
8 closer to the microphone, please.

9 MR. MCGOWAN: And I operate a
10 hotel currently on the Yale University
11 campus in New Haven. It's been a very
12 successful operation. It's been open
13 five years. We operate in a very
14 supportive environment. We hire people
15 from the community. Eighty-five -- or
16 I'm sorry; 70 percent of our employees
17 live within five miles of the hotel. We
18 have a very high ratio of minorities
19 within our employee ranks. We take pride
20 in the way that we -- in our employee
21 interaction. We have a very high
22 employee satisfaction index within the
23 company. We spend a lot of time
24 cross-training, promoting from within,
25 and offering opportunity to workers

1 6/3/14 - RULES - BILL 140277, etc.
2 within the facility.

3 We're also well known within
4 the community for our outreach through
5 various organizations within New Haven,
6 literacy initiatives and others where
7 members of our staff in the hotel are
8 frequently engaged in volunteer
9 activities to improve relations with the
10 community. So we take pride in our
11 interaction both within the hotel with
12 our own employees and also within the
13 broader community as well.

14 COUNCILMAN GREENLEE: All
15 right. Thank you for that. That's
16 encouraging. Wages and benefits for your
17 workers, where do they stand?

18 MR. MCGOWAN: By comparison to
19 other hotels in the market, we would fall
20 on the higher end of the spectrum. We
21 have for the past three years, which is
22 very unusual within the hotel industry,
23 we have actually extended bonus
24 compensation to all employees that have
25 been with us for more than one year,

1 6/3/14 - RULES - BILL 140277, etc.
2 which is a very unusual practice. We
3 believe in rewarding people for their
4 efforts and have maintained, as I said,
5 very strong relations with our employee
6 ranks.

7 COUNCILMAN GREENLEE: Thank
8 you.

9 Councilwoman Reynolds Brown.
10 Thank you for that.

11 COUNCILWOMAN BROWN: Good
12 afternoon. Welcome to the City of
13 Brotherly Love and Sisterly
14 Effectiveness.

15 MR. MCGOWAN: Thank you.

16 COUNCILWOMAN BROWN: You state
17 in your testimony that you have a large
18 number of minorities in your workforce.
19 What grade would you give yourself with
20 regards to women and people of color
21 being in positions of management and
22 leadership?

23 MR. MCGOWAN: You know,
24 statistically I wouldn't be able to quote
25 direct numbers, but I will tell you that

1 6/3/14 - RULES - BILL 140277, etc.

2 50 percent of our employees are women.

3 Three of our key management members are
4 women within the organization and, you
5 know, we do everything we can to promote
6 growth and encourage people to learn
7 different aspects of the business and
8 grow with us.

9 So I wouldn't be able to give
10 you exact numbers, but our ratios are
11 very high.

12 COUNCILWOMAN BROWN: What does
13 your management -- how many are in your
14 management team?

15 MR. MCGOWAN: We have key
16 management people five.

17 COUNCILWOMAN BROWN: And of
18 that, how many are women?

19 MR. MCGOWAN: Two.

20 COUNCILWOMAN BROWN: And of
21 that, how many are people of color?

22 MR. MCGOWAN: We have one key
23 person of color, yes.

24 COUNCILWOMAN BROWN: Thank you
25 very much for your testimony.

1 6/3/14 - RULES - BILL 140277, etc.

2 Thank you, Mr. Chairman.

3 COUNCILMAN GREENLEE: Thank
4 you, Councilwoman.

5 Councilman Kenney.

6 COUNCILMAN KENNEY: Thank you,
7 Mr. Chairman.

8 Is your hotel property
9 considered an extended stay type of
10 hotel --

11 MR. MCGOWAN: No.

12 COUNCILMAN KENNEY: -- or is it
13 a nightly?

14 MR. MCGOWAN: It's a transient
15 hotel use. It is not an extended stay
16 product.

17 COUNCILMAN KENNEY: So you
18 would have calculated and would be
19 eligible to pay the hotel tax that would
20 go to the marketing arms of the City,
21 stores, and hospitality industry?

22 MR. MCGOWAN: That's correct.

23 COUNCILMAN KENNEY: Have you
24 been able to calculate what that
25 contribution might be?

1 6/3/14 - RULES - BILL 140277, etc.

2 MR. MCGOWAN: I do not have
3 that.

4 COUNCILMAN KENNEY: I didn't
5 think you'd have it off the top of your
6 head.

7 The other question is, is there
8 an industry-wide prevailing wage standard
9 based on region by region for hotels?

10 MR. MCGOWAN: There is.

11 COUNCILMAN KENNEY: Is that
12 something that you follow?

13 MR. MCGOWAN: We follow within
14 the community that we're operating in.

15 COUNCILMAN KENNEY: I'm saying
16 the prevailing wage for that particular
17 region.

18 MR. MCGOWAN: Yes.

19 COUNCILMAN KENNEY: So you
20 would be expect to be paying the
21 prevailing wages of hotel workers who
22 work at hotels in Philadelphia and the
23 surrounding region?

24 MR. MCGOWAN: In the
25 competitive working environment, yes.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN KENNEY: Thank you.

3 COUNCILMAN GREENLEE: Thank

4 you.

5 Councilman Henon.

6 COUNCILMAN HENON: Good

7 afternoon. Thank you, Mr. Chairman.

8 Just to follow up on the last
9 two of my colleagues when it comes to
10 workers. So you made a statement saying
11 that you treat your employees above the
12 average in the industry. So I guess that
13 would be fair to say that they have good
14 benefit packages, you provide healthcare
15 and respectful pension opportunities?

16 MR. MCGOWAN: Yes. We have 99
17 full-time employees at our hotel in New
18 Haven. Sixty-eight percent of those
19 employees participate in our medical and
20 dental plan. Fifty percent participate
21 in our vision plan. So I think that's a
22 good participation rate accounting for
23 members of our workforce that have
24 spouses that also have benefits from
25 other sources.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN HENON: So it would
3 also be fair to say -- and I know that
4 there is a prevailing wage set for the
5 industry in the hospitality community.
6 Would you be paying your employees above
7 the prevailing wage or equal?

8 MR. MCGOWAN: Equal or above in
9 many cases.

10 COUNCILMAN HENON: Equal or
11 above.

12 MR. MCGOWAN: Yes.

13 COUNCILMAN HENON: You could
14 provide that information to the Chair of
15 this committee?

16 MR. MCGOWAN: I can certainly
17 do that, yes.

18 COUNCILMAN HENON: If you could
19 provide a breakdown of the employee
20 status, the benefit package, the wage
21 package, and the units of the hotel,
22 whether it's housekeeping, it's
23 bartending, it's restaurant, it's a
24 catering facility and renting out spaces
25 like that, if you could just provide a

1 6/3/14 - RULES - BILL 140277, etc.

2 little breakdown of what the hotel has to
3 offer and who would be staffing them,
4 we'd appreciate it. You can get that to
5 the Chair.

6 COUNCILMAN GREENLEE: Is that
7 okay?

8 MR. MCGOWAN: Okay.

9 COUNCILMAN GREENLEE: That's a
10 yes? And as you see, I think where you
11 see all these questions are going is, we
12 obviously want people -- we want things
13 built, we want people to have jobs, and
14 we want them to have quality jobs too and
15 quality benefits and pay. So that's the
16 reason behind all these statements.

17 I think Councilman Goode and
18 then Councilman Jones.

19 COUNCILMAN GOODE: Just a
20 little bit more directly, what do you
21 expect the wage and benefit package to
22 be?

23 MR. MCGOWAN: I don't have that
24 information in front of me. We have --

25 COUNCILMAN GOODE: You said

1 6/3/14 - RULES - BILL 140277, etc.
2 that you were familiar with what the
3 market dictates, that you would pay at or
4 above what the market dictates, but you
5 don't know what that is?

6 MR. MCGOWAN: No. I was
7 answering a question that I thought
8 related to our existing operation and how
9 we pay within that marketplace.

10 COUNCILMAN GOODE: There's a
11 separate question by Councilman Henon
12 about what you expected to pay and
13 whether you knew what the prevailing wage
14 within this market was and whether you
15 expected to pay the prevailing wage or
16 better based upon this market. So I'm
17 going to ask a simple question. Do you
18 or do you not know what the prevailing
19 wage within this market is?

20 MR. MCGOWAN: We have a good
21 sense for what the competitive wage in
22 this market is, yes.

23 COUNCILMAN GOODE: So what do
24 you think it is?

25 MR. MCGOWAN: I don't have that

1 6/3/14 - RULES - BILL 140277, etc.
2 information. We've built pro formas that
3 support our development. I'm focused on
4 getting the hotel developed. We have
5 made assumptions --

6 COUNCILMAN GOODE: So you
7 didn't think we were going to ask
8 questions about wages and benefits?

9 MR. MCGOWAN: I was not
10 prepared for this level of questioning on
11 wages and benefits.

12 COUNCILMAN GOODE: Thank you,
13 Mr. Chairman.

14 COUNCILMAN GREENLEE: Thank
15 you.

16 Councilman Jones.

17 COUNCILMAN JONES: Did I
18 understand -- good afternoon. Did I
19 understand you to say you have a hotel
20 here?

21 MR. MCGOWAN: Not here, no. In
22 New Haven.

23 COUNCILMAN JONES: In New
24 Hampshire?

25 MR. MCGOWAN: New Haven.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN JONES: New Haven.
3 What are the wages and benefits level in
4 New Haven?

5 MR. MCGOWAN: At or about
6 prevailing wage.

7 COUNCILMAN JONES: What is the
8 prevailing wage?

9 MR. MCGOWAN: I don't have that
10 information. I'm sorry. I wasn't
11 prepared to speak numbers in relation to
12 wages today.

13 COUNCILMAN JONES: What is the
14 size of the project that you're
15 proposing?

16 MR. MCGOWAN: Two hundred and
17 twelve keys.

18 COUNCILMAN JONES: Okay. All
19 right. You will provide that to the
20 Chair, that information?

21 MR. MCGOWAN: We will, yes.

22 COUNCILMAN JONES: Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you.

25 Councilwoman Reynolds Brown.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILWOMAN BROWN: Track
3 record is always one tool we can use to
4 get a picture of any project or person,
5 professional. So speak, if you will, to
6 what your involvement or performance has
7 been with regards to MBE/WBE initiatives
8 in the past.

9 Mr. McGOWAN: As I said, we
10 have not been governed by such specific
11 requirements in the past. We are a
12 private entity making a private
13 investment as we did in New Haven. We
14 consider ourselves to be very fair. We
15 know we maintain a very harmonious and
16 productive work environment. We know
17 that people are very happy. We hire
18 people on personality. We are in the
19 hospitality business. We train them. We
20 encourage them to grow, and we create an
21 environment that people want to be part
22 of. We share in the profitability of our
23 business. We extend benefits that are
24 good and reasonable, and we absorb on an
25 annual basis increases in those benefit

1 6/3/14 - RULES - BILL 140277, etc.

2 costs, oftentimes much higher than we
3 expect them to be. We have been able to
4 ride through very difficult economic
5 times without passing that burden onto
6 our employees and, in return, we get
7 productivity and a very positive
8 environment that is often thought of and
9 spoken of within the Yale community as an
10 example as being exemplary. And that's
11 our mission. Our goal is to put good
12 products on the ground, give good people
13 an opportunity to grow and to work and be
14 paid well and to see the benefits of
15 their success and, in turn, provide a
16 comfortable environment for our guests as
17 they come to the community, engage with
18 the surroundings, spend money in the
19 city, and prosper as an entity.

20 COUNCILWOMAN BROWN: Well, we
21 certainly understand the value and
22 importance of tourism given that that's
23 the number two industry here in the City
24 of Philadelphia.

25 What hurdles or impediments did

1 6/3/14 - RULES - BILL 140277, etc.

2 you have to overcome in the project you
3 built in New Haven?

4 MR. MCGOWAN: Well, let's start
5 by saying we opened in 2009. So there
6 was probably no greater hurdle than to be
7 opening a hotel at probably the worst
8 economic time in my lifetime. So we
9 endured that pain. We built our
10 business. We're an independent operator.
11 We're not driven by any large
12 distribution system. We build our
13 business on reputation and on service and
14 on treating our employees well. And so
15 that was -- there were many hardships
16 along that road and it has proven to be
17 successful. We're now looking at
18 Philadelphia to be our second hotel.

19 COUNCILWOMAN BROWN: So this
20 will be your second?

21 MR. MCGOWAN: This will be our
22 second in a market that we think is
23 underserved and in a market that aligns
24 very well with our mission, which is to
25 take the culture and diversity of the

1 6/3/14 - RULES - BILL 140277, etc.
2 community, we've got a number of
3 different institutions with distinct
4 personalities and we look to blend all of
5 that and bring it together to create an
6 environment that is reflective of the
7 space that it's in, and that's our goal
8 here.

9 COUNCILWOMAN BROWN: What types
10 of work did you do to prepare for this
11 hearing?

12 MR. MCGOWAN: We have been
13 diligently working at creating a very
14 thoughtful design. We've been reaching
15 out to the community. We've been
16 communicating at every level possible to
17 make sure that we are sensitive to the
18 needs of the community and making sure
19 that we build a building that is
20 respectful of the location that it's in,
21 and that has been our main focus, is to
22 make sure we can achieve that with an
23 economic feasibility that makes sense,
24 that can be financed, that can move
25 forward and absorb the common risks of

1 6/3/14 - RULES - BILL 140277, etc.
2 opening a new business, and that's really
3 where we've been.

4 MR. FORTE: And we've also been
5 obviously working with the Office of
6 Economic Opportunity on that aspect of
7 the piece. We've been working with
8 Drexel University regarding their
9 Statement of Diversity Practices. We've
10 been working with the Councilwoman's
11 office, all to put the pieces together
12 for the hearing today.

13 COUNCILWOMAN BROWN: Very well.
14 Thank you for your testimony.

15 Thank you, Mr. Chairman.

16 COUNCILMAN GREENLEE: Thank
17 you, Councilwoman.

18 Are there any other questions
19 for any of the witnesses that have
20 appeared so far?

21 (No response.)

22 COUNCILMAN GREENLEE: Seeing
23 none, gentlemen, thank you very much.

24 MR. FORTE: Thank you very
25 much.

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2 COUNCILMAN GREENLEE: I know
3 there are other people who have asked to
4 testify. Ms. Marconi, could you please
5 call the names you have.

6 THE CLERK: Anna-Thea Woods,
7 Corinne Holloway, Dominique Mobley, and
8 Rosslyn Wuchinich.

9 COUNCILMAN GREENLEE: If you
10 could all -- if the names who were called
11 could come forward. Please all come at
12 the same time so we can keep moving,
13 please.

14 (Witnesses approached witness
15 table.)

16 COUNCILMAN GREENLEE: Good
17 afternoon.

18 (Good afternoon.)

19 COUNCILMAN GREENLEE: Please
20 identify yourself and proceed. And talk
21 right in the microphone. For some reason
22 we're having trouble hearing people
23 today.

24 MS. MOBLEY: Good afternoon,
25 members of the Committee. My name is

1 6/3/14 - RULES - BILL 140277, etc.

2 Dominique Mobley. I live at North 52nd
3 Street in West Philadelphia, and I
4 believe in Philly's future.

5 I work as a retail salesperson
6 at Aramark -- for Aramark at Citizens
7 Bank Park and I'm proud to serve as a
8 member of the executive board of my
9 union, Unite Here, Local 274. To me the
10 promise zone is an exciting opportunity
11 for West Philadelphia, a breath of fresh
12 air and a chance to turn the page to a
13 new vision.

14 Mantua and other neighborhoods
15 in West Philadelphia have suffered for so
16 long. We must make the most of this
17 opportunity for the families and longtime
18 residents. I know firsthand. I have
19 lived in West Philadelphia my whole life
20 and my family has lived there for over 60
21 years.

22 My main concern is housing.
23 How do we support current homeowners and
24 renters who want to stay where they live?
25 My sister still lives in the house we

1 6/3/14 - RULES - BILL 140277, etc.

2 grew up at at 59th and Spruce.

3 Growing economic opportunities

4 and many business constructions can be a

5 double-edged sword if property values

6 grow faster than families' income.

7 Undoubtedly, the Study Hotel will be a

8 valuable amenity to the Drexel campus and

9 mission, but how will it affect the

10 property values in the neighborhood? You

11 might say that this is only one

12 development out of many, but seldom do

13 large developments come before City

14 Council as a group.

15 These questions need to be

16 considered for each new construction

17 project when they come before Council,

18 and I personally have yet to hear any

19 good answers on these questions.

20 Please don't support this bill

21 until we know how it will affect

22 homeowners and renters in Mantua.

23 Thank you.

24 COUNCILMAN GREENLEE: Thank

25 you, ma'am.

1 6/3/14 - RULES - BILL 140277, etc.

2 Please identify yourself and
3 proceed.

4 MS. HOLLOWAY: My name is
5 Corinne Holloway, and thank you for
6 letting me speak today. I live at 55th
7 in West Philadelphia and I work at the
8 Radisson Hotel. I am the recording
9 secretary for the union, Unite Here,
10 Local 274, and I believe in Philly
11 future.

12 I am very concerned about this
13 proposing zone there developed in West
14 Philadelphia. It changing the life of
15 hundreds of families, and I feel that we
16 haven't had a conversation about what the
17 consequences would be.

18 I would like to trust that
19 Drexel have studied the problem in-depth,
20 but I don't know for sure, and this is
21 too important a question to be unsure
22 about.

23 Please don't vote this bill
24 until the question about the effect of
25 this development are answered.

1 6/3/14 - RULES - BILL 140277, etc.

2 Thank you.

3 COUNCILMAN GREENLEE: Thank
4 you, ma'am. Thank you both for your
5 testimony.

6 (Applause.)

7 COUNCILMAN GREENLEE: I believe
8 there were two other names called. Are
9 they here? No? Okay.

10 Is there anyone else here to
11 testify on this bill?

12 (No response.)

13 COUNCILMAN GREENLEE: Seeing
14 none, we'll move forward.

15 Our final bill, final bill, Ms.
16 Marconi, please.

17 THE CLERK: Bill No. 140407, an
18 ordinance amending Title 14 of The
19 Philadelphia Code, entitled "Zoning and
20 Planning," by providing that zoning
21 permits, issued as of right, be posted on
22 the -- excuse me. I'm sorry. That's the
23 wrong one.

24 Bill No. 140410, an ordinance
25 to amend the Philadelphia Zoning Maps by

1 6/3/14 - RULES - BILL 140277, etc.
2 changing the zoning designations of
3 certain areas of land located within an
4 area bounded by 18th Street, Wood Street,
5 19th Street, and Vine Street.

6 COUNCILMAN GREENLEE: Thank
7 you.

8 Mr. Greenberger, you're first
9 up here.

10 Maybe folks can all come up,
11 developer, owner, proposer can come up at
12 the same time, sure, or applicant,
13 whatever he is. It's been a long day.

14 (Witnesses approached witness
15 table.)

16 DEPUTY MAYOR GREENBERGER: I
17 will try --

18 COUNCILMAN GREENLEE:
19 Mr. Greenberger, why don't you --

20 DEPUTY MAYOR GREENBERGER: I
21 will summarize the testimony.

22 COUNCILMAN GREENLEE: Please.
23 I appreciate that.

24 DEPUTY MAYOR GREENBERGER: I
25 thought you'd like that.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: I
3 appreciate that.

4 DEPUTY MAYOR GREENBERGER: Good
5 afternoon, Mr. Chairman and members of
6 the Rules Committee. I'm Alan
7 Greenberger, Deputy Mayor for Economic
8 Development and Director of Commerce,
9 here today to testify in support of Bill
10 140410, which was introduced by
11 Councilman Greenlee for Council President
12 Clarke on May 8th.

13 This bill has a companion, Bill
14 No. 140409, that will be heard at Public
15 Property Committee tomorrow. It
16 authorizes the transfer and rezoning of
17 the Family Court Building located at 1801
18 Vine to a zoned CMX-3 for the
19 redevelopment as a 199-room hotel
20 developed by the Peebles Corporation, and
21 Don Peebles is here with me today, in
22 partnership with P&A Associates, and I'm
23 joined by Alan Casnoff and Peter Shaw
24 from P&A.

25 I'll give you a quick

1 6/3/14 - RULES - BILL 140277, etc.
2 background on this landmark project, but
3 then I'll ask them to speak and provide
4 some detail.

5 Peebles Corporation is a
6 partnership with P&A and was selected
7 through a competitive and open process
8 that was managed by PIDC with a City
9 selection committee on the City's behalf
10 to identify the best development team and
11 the best reuse for this prominent
12 historic asset made available as a result
13 of the Family Court's new building at
14 15th and Arch.

15 The process began in October
16 2012 with a request for qualifications.
17 There were nine responses, five of which
18 proposed hospitality-based uses. The
19 remainder had other kinds of uses. Based
20 on our preference for hospitality use and
21 the quality of those proposals, PIDC
22 issued an RFP in April 2013 at the City's
23 direction to the five developers who had
24 proposed the reuse of the building as a
25 hotel. Teams recombined themselves, and

1 6/3/14 - RULES - BILL 140277, etc.
2 that resulted in three proposals that
3 were submitted to us in July 2013, and
4 they were evaluated on the basis of the
5 quality and feasibility of the
6 development, the preservation of
7 historically significant features,
8 fixtures, and objects -- the building is
9 a landmark building, including some
10 interior spaces that are landmark -- and
11 a demonstrated capacity to finance and
12 execute the project in a timely manner
13 and, of course, overall public benefit.

14 We had three extremely good
15 proposals, strong developers, meaningful
16 Economic Opportunity Plans, excellent
17 hotel flags and operators, and the
18 proposal by Peebles and P&A was selected
19 because, one, it represents the most
20 feasible development opportunity both in
21 terms of its treatment to the building's
22 key historic preservation issues and an
23 achievable operating and financing plan.

24 Two, the team had all of the
25 required equity fully committed to the

1 6/3/14 - RULES - BILL 140277, etc.
2 project.

3 Three, it was the only proposal
4 that required no direct investment by the
5 City or PIDC.

6 And, four, the acquisition
7 price of \$4.5 million was competitive on
8 a per-room basis with other proposals and
9 exceeded the fair market value of the
10 proposed development program.

11 We were very fortunate to
12 receive these three strong proposals for
13 the sale and development of the property,
14 which reflects the continued interest we
15 see in Philadelphia from investors,
16 developers, and hotel operators. And
17 although other proposals offered large
18 room counts and related large investment
19 and job creation projections, the
20 Peebles-P&A project clearly presented the
21 most feasible financing development,
22 historic preservation, and operating
23 strategy all based on no public-sector
24 investment and purely private marketplace
25 economics. The Planning Commission has

1 6/3/14 - RULES - BILL 140277, etc.

2 likewise reviewed the proposal and
3 recommended its approval.

4 We believe that this proposal
5 represents a superior project from a
6 highly experienced local and national
7 development team featuring the most
8 sensitive approach to preservation of the
9 landmark building, a very strong hotel
10 operating partner with a demonstrated
11 record of success in Philadelphia and
12 nationally, and no extraordinary public
13 investment in financing the project. In
14 addition, the development team has made a
15 strong commitment to disadvantaged
16 businesses and persons in the City as an
17 executed and Economic Opportunity Plan
18 approved by OEO, and it's attached to
19 Bill 140409.

20 We are very excited about this
21 opportunity, and at this point, I would
22 like to turn the presentation over to Don
23 Peebles together with Alan Casnoff and
24 Peter Shaw to describe the project in
25 greater detail, but of course I'll take

1 6/3/14 - RULES - BILL 140277, etc.
2 questions before that if you'd like.

3 COUNCILMAN GREENLEE: Why don't
4 we hear from Mr. Peebles and then we'll
5 do it together. Thank you.

6 MR. PEEBLES: Great.
7 Mr. Chairman and members of the
8 Committee, I appreciate the opportunity
9 to be here today.

10 If the Chairman would indulge
11 me for a moment, I'd like to just give
12 you the vision of what we have in mind
13 for 1801 Vine and why I'm here and why
14 our team is here.

15 I have a long history in the
16 hotel business, and it's very
17 interesting, I was asked a few months ago
18 why we develop hotels. My grandfather
19 was a doorman at the Wardman Park
20 Marriott Hotel for 41 years. The
21 hospitality industry is an industry of
22 limitless opportunities. So the promise
23 of the hospitality industry is that you
24 can start off at the front door or as a
25 bellman or a busboy and you can work your

1 6/3/14 - RULES - BILL 140277, etc.

2 way up to running a hotel one day.

3 Now, that is a theoretical
4 dream for some and an actual dream for
5 many. It's theoretical when it comes to
6 diversity. And so I go back to a time
7 when my grandfather worked for 41 years
8 as a doorman. He moved up to Washington,
9 DC from the segregated south looking for
10 a better life for his young family. He
11 and my grandmother had five children,
12 five daughters. They grew up in
13 Washington, DC. My grandfather -- my
14 grandmother got ill, subsequently died
15 when my mother was a teenager. My
16 grandfather had to raise his five
17 daughters and he had to educate them and
18 give them a better life. So he worked
19 two shifts. My grandfather back then
20 worked two shifts. So he worked 16 hours
21 a day. He slept for about four hours and
22 he was a parent and husband for another
23 four hours of his day.

24 So I grew up in that
25 environment, and all of my -- my mother

1 6/3/14 - RULES - BILL 140277, etc.

2 and her four sisters all went to college.

3 They all got degrees, and three of them

4 have advanced degrees, and then their

5 children, my grandfather's grandchildren,

6 we went out into a society in this

7 country to look for that promise of

8 limitless opportunity. And so my mother

9 got into the real estate business as a

10 sales broker and an appraiser. And so I

11 learned the real estate business growing

12 up.

13 My parents were divorced when I

14 was 5 years old. So I was raised by a

15 single parent in a single parent

16 household, and I watched my mother as a

17 black woman try to break barriers in an

18 industry that, again, offered limitless

19 mobility. You can start off as a trade

20 member or a laborer and you could work

21 your way up to building buildings and

22 become a real estate developer. And so

23 that wasn't the case when it came to

24 someone like my mother. In fact, my

25 mother had a business. She opened up a

1 6/3/14 - RULES - BILL 140277, etc.
2 brokerage business in Detroit in the
3 1970s, moved to Washington, DC. She had
4 gotten a job. The market in Detroit had
5 gone down, so she applied for a job by
6 mail. We didn't have technology back
7 then. And she was hired based on her
8 credentials. She went to work and was
9 told that they were not ready to hire an
10 African American and back then a black
11 woman to work there. So she had to go
12 back in business for herself. So she
13 made me promise that I would never be in
14 that position and that I would build a
15 business that created an environment of
16 limitless opportunity. So I did that,
17 and I went out and I built a business.
18 It's a national real estate development
19 business, and right now we have about \$5
20 billion of development opportunities.

21 At the same hand, though, I
22 watched my grandfather, and so while I
23 have no -- I'm not a hospitality person
24 per se. I'm not a proprietor per se.
25 I'm not into restaurants other than to go

1 6/3/14 - RULES - BILL 140277, etc.
2 and have a nice meal. That wasn't my
3 passion for hotels. But what I did
4 decide is that I was going to start
5 righting the wrong that I saw happen to
6 my grandfather and his friends. And so I
7 was going to get into the hotel business,
8 and my hotels would be different. And
9 they are. And I'll tell you a story
10 about one of them.

11 I own the Washington Loan and
12 Trust Building in Washington, DC at 9th
13 and F Street. It is in a similar
14 building to the building at 1801 Vine
15 Street. And that was a historic
16 building. I renovated it through the
17 Department of Interior, got tax credits
18 to do it. I was convinced and committed
19 that I was going to create an environment
20 of opportunity.

21 So one of my development
22 partners had another hotel in the city,
23 and there was a young busboy who grew up
24 in public housing in Southeast
25 Washington, one of six kids, went to DC

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2 public schools, and he worked as a
3 busboy, and they put him on the fast
4 track for management. So he worked as a
5 busboy, then front desk, and then worked
6 his way up. Well, he is now the general
7 manager of my hotel. He's in his mid
8 30's. He's a general manager of the
9 Courtyard by Marriott, and that is one of
10 the top five performing Courtyards in the
11 system worldwide since it was opened in
12 1999. And when it was opened, it was
13 managed by an African American woman as
14 the general manager.

15 So Thomas Penny, who I'm
16 talking about now, he is in his mid 30's.
17 He is currently the Chairperson of the
18 Greater Washington DC Hotel Association.
19 He is the second African American in the
20 100-year history of that organization.
21 He was named in 2010 Minority Business
22 Person of the Year. Two of our key
23 employees, both African American, have
24 been named Marriott Marketing Leader and
25 Manager of the Year and Human Resources

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2 of the Year. I entrust my hotel to
3 Thomas, and I entrust it to him because
4 he's a person that's committed, as I am,
5 to create an environment of limitless
6 opportunity.

7 And so today marks an
8 opportunity for us to do something
9 special in Philadelphia, something that I
10 actually tried to do back in 1998 when
11 Mayor Rendell had his 2,000 Rooms By the
12 Year 2000 program. We came here to
13 Philadelphia and looked for an
14 opportunity to do that. Unfortunately,
15 we were not able to do it. The TIF
16 financing had run out and there were many
17 hotels coming to Philadelphia, as
18 exciting as they are now today. So when
19 I got the opportunity to come and visit
20 with the Deputy Mayor and with the Mayor
21 to look at Philadelphia again two years
22 ago, I was excited. So we came here.
23 Mr. Greenberger gave me a tour of the
24 City. I brought my daughter, who at the
25 time was 9. And so we had a chance to

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2 look around the City and then looked at
3 other sites and then happened -- several
4 months later or maybe a year later, this
5 opportunity came about to bid on this
6 property, and we proposed doing something
7 special. One, to, of course, address the
8 historical character and nature of the
9 hotel in the community, but also to
10 create something that hasn't been done
11 here. There's not a major hotel in the
12 City owned by an African American. There
13 is not an environment that I can think of
14 that would create and foster an
15 environment of upward mobility in the
16 manner in which we want to do it. So we
17 see this as an opportunity to do this,
18 not by talk, not by goals but by action.

19 Our general contractor is
20 Cheryl McKissack, someone I've known over
21 30 years. She's a child, but I've known
22 her a very long time. And so we are
23 looking to do transformational steps at
24 every step of the way and, at the same
25 hand, build one of the best hotels in the

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2 United States.

3 And with that, I'd like my
4 partner, Alan, to talk a little bit about
5 the details of our hotel and then I'd
6 like Cheryl to come in and talk to you
7 about what kind of environment we're
8 going to create on construction
9 opportunities on our project as well.

10 MR. CASNOFF: Thank you, Don.

11 Our plan for the reuse of the
12 Family Court Building calls for the
13 creation of a 199-room boutique luxury
14 hotel where pretty much the entire first
15 level of the now existing Family Court
16 Building, which has really amazing,
17 beautiful historic and luxurious spaces,
18 will continue to exist as they do today
19 in their existing form and they will be
20 used for meeting spaces, restaurants,
21 bar, lobby, and also we plan to have a
22 large fitness center/spa, which will also
23 be open to the public.

24 The idea here is that
25 ordinarily a luxury boutique hotel, a

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2 small hotel, it wouldn't be economic if
3 it was a new construction project to
4 build this level of space devoted to
5 public functions and functions that
6 people who attend the hotel would like to
7 have. It just wouldn't be economic. But
8 in this case, we have all these spaces,
9 and they are beautiful, and they will
10 attract people to this space. And so we
11 think it will become sort of a new social
12 center for Philadelphia where people will
13 want to hold events and weddings and
14 meetings in this hotel, even though there
15 may not be a huge number of rooms.

16 The building will not have any
17 additions made to it. That was mentioned
18 before. So the building itself will
19 stand on the Parkway in its existing
20 beauty, completely refurbished so it will
21 be able to continue forward for a number
22 of years into the future, existing in its
23 landmark status. And because of its
24 location, it will enhance the entire
25 Logan Circle area. We hope to have

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2 outdoor events in the Logan Circle area
3 across the street from the hotel, which
4 will enliven that area.

5 And that's pretty much the
6 summary of what we plan to do.

7 MS. MCKISSACK: Thank you.
8 It's a pleasure to be here today. I'm
9 Cheryl McKissack, President of McKissack
10 and McKissack, the nation's oldest
11 African American-owned construction
12 company in the country. We were
13 incorporated in 1905 in Tennessee, and we
14 opened our doors in New York in 1990 and
15 here in Philadelphia in '93. Since that
16 time, I have served on several of the
17 Mayor's transition teams with respect to
18 M/WBE, and I have worked with the African
19 American Chamber, PIDC, several agencies
20 around town, and very familiar with the
21 struggles of African American and
22 women-owned minority businesses here.

23 For many years, we chartered
24 our course by being a sub-consultant and
25 learning clients that particular way and

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2 then transforming that into becoming
3 joint venture partners and then
4 ultimately primes. But we've never seen
5 an opportunity that's been presented to
6 us with this particular project, in that
7 the owner is saying to us, I want 100
8 percent minority, women-owned contractors
9 and businesses working on my project. In
10 all the times that I have run McKissack
11 and McKissack -- and that's been since
12 about '85 -- I have never had a client
13 tell me that.

14 So this particular project to
15 me is extremely important to the City of
16 Philadelphia and the livelihood of our
17 contractors, minority and women-owned
18 contractors here. We are going to make a
19 special effort to get as many contractors
20 as possible on this project. It is not
21 20 percent. It's not 30 percent. The
22 goal is as many as you can. And so with
23 that, the thought that this is on top of
24 just being a substantial \$70 million
25 project, it's a private project. This is

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2 not even a government project where there
3 are goals put in place. This is a
4 private project where the developer, the
5 owner is saying this is what I want. And
6 that is significant for us when we're
7 dealing with smaller contractors who may
8 not have the track record that other
9 contractors may have, but we know that
10 they're good, they're solid, and that
11 they can perform. So we need an owner
12 that says, Okay, I'm going to take a
13 chance on this because we believe that
14 you know your business and you know these
15 contractors and you're going to bring
16 them in. And so to have the stars align,
17 so to speak, the way they are on this
18 particular project, I am sure and excited
19 about the fact of what we can achieve.

20 I also want to say, as Don
21 said, Don Peebles, that we met over 30
22 years ago. So this is not a project of
23 convenience of us coming together just
24 for this. We are working on several
25 projects, and some are in New York. But

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2 when I met him over 30 years ago, he did
3 say, I'm going to do something
4 transformational, and when I do, I'm
5 going to help minority and women-owned
6 businesses. And I have seen him do that.
7 I am a witness for him in that regard
8 here today.

9 So thank you very much.

10 COUNCILMAN GREENLEE: Thank you
11 all very much. Thank you for the
12 presentation.

13 Mr. Greenberger, just one quick
14 question for you. I assume from your
15 testimony one of the -- I mean, there's
16 others, but one of the things that really
17 attracted you was the non-public money
18 that had to be put into this project,
19 that it's privately done. Is that a fair
20 statement?

21 DEPUTY MAYOR GREENBERGER:
22 That's always attractive. Yes. Yes,
23 sir.

24 COUNCILMAN GREENLEE: I thought
25 so.

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2 Mr. Peebles, or whoever would
3 like to answer this, but -- and I
4 certainly appreciate the presentation you
5 had as far as addressing jobs and the
6 contracts and all that. That is great.
7 Obviously you heard the questions we
8 asked of the previous witnesses on the
9 other hotel. As far as the wages and
10 benefit packages for the permanent
11 workers in the hotel, can you make any
12 kind of statement regarding that and what
13 your goals, plans are for that, please.

14 MR. PEEBLES: Yeah.
15 Councilmember Goode indicated that he
16 wanted to see support for or commitment
17 for us to comply with the new ordinance
18 for a living wage. We are comfortable
19 doing that. Our employees would be
20 getting paid those levels anyway, and
21 we're committed to doing that. So we're
22 solidly there, and we will accept an
23 amendment to that effect. I've signed a
24 letter, and that's been delivered to
25 Councilmember Goode and I think the

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2 Committee has that.

3 COUNCILMAN GREENLEE: We have
4 that. It's what I was alluding to. I
5 figured you were going to go there, so I
6 appreciate that.

7 Just one more question as far
8 as Councilwoman Reynolds Brown brought up
9 again to the previous witnesses track
10 record. Can you talk at all about your
11 other hotels and what your relationship
12 has been as far as your benefit packages
13 have been, that kind of thing.

14 MR. PEEBLES: Sure. One, we
15 have -- I've been in the development
16 business -- I've been in the real estate
17 business since 1979, started my business
18 in '83, started working on my first
19 project in '86, and from that point,
20 we've always -- the first building and
21 every building we've built always pays
22 prevailing wage, most often it will be
23 union. Even in Florida where it's a
24 right-to-work state, many of our subs,
25 our major subs, are union subs because

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2 we're getting quality.

3 So we always pay prevailing
4 wage. In our properties we pay above the
5 market in terms of hospitality because
6 we're looking for the best and the
7 brightest. And so we don't want our
8 employees worrying about making ends
9 meet, working very hard and still not
10 getting a living wage. I'm a big
11 believer from a personal perspective. So
12 we're fully committed.

13 COUNCILMAN GREENLEE: All
14 right. I appreciate that answer.

15 Councilwoman Reynolds Brown.

16 COUNCILWOMAN BROWN: Good
17 afternoon, and thank you for your story.
18 They matter when we know from whence a
19 person has come.

20 You've answered the question
21 around track record, and it's clear, as
22 is evidenced by your team there, that
23 women and people of color get their
24 opportunity. Speak, if you will, to
25 another issue brought up with another few

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2 bills, this issue of parking, your
3 considerations around that, how you have
4 met those hurdles in the past and how
5 you've handled them.

6 MR. PEEBLES: Yeah. In
7 historic buildings, generally speaking,
8 they don't have parking built because
9 they were built before the automobiles
10 were around or prevalent. So our
11 Courtyard, for example, downtown. One of
12 the good things is hotels, the vast
13 majority of your hotel guests are taking
14 taxis, and so there's not a demand for
15 your guests on a daily basis. There
16 generally is a demand for restaurant
17 activity and event activity. And what
18 our plan is is to valet. We've done a
19 survey of the available parking in the
20 immediate area, and we are planning to
21 valet there.

22 I met with -- one of the things
23 that I heard earlier was about meeting
24 with community groups. I have personally
25 attended meetings with the Logan Square

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2 Civic Association, and one of the things
3 that they recommended was there was a
4 public property that was used for parking
5 and they wanted to work out some
6 arrangement to where a developer would
7 develop that into a park and parking
8 under it. We certainly would be
9 receptive to doing something like that.
10 But most of our properties on the
11 renovation side don't have parking and so
12 we valet, and that can be very efficient.
13 And then you valet, you have a broader
14 universe when it comes to peak events.

15 The property we have in Miami
16 Beach, which is a private club, country
17 club essentially on the ocean, it has no
18 parking other than for employees. So we
19 valet within about a four-block radius
20 and it's very efficient. So we're
21 comfortable being able to do this with
22 minimal impact in the residential
23 community, because that's another aspect
24 that -- we try to be good neighbors and
25 have been able to do that for essentially

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2 all of our projects.

3 COUNCILWOMAN BROWN: Thank you.

4 Thank you very much.

5 MR. PEEBLES: Sure.

6 COUNCILMAN GREENLEE: Thank

7 you.

8 Just one quick one. When you
9 talk about the civic association, have
10 they actually gone on record -- I know
11 you've had positive conversations. Have
12 they actually gone on record in support?

13 MR. PEEBLES: I don't know if
14 they did. We came to them -- the last
15 meeting we had with them, we at that
16 point had been selected, and they have
17 been supportive of the designation
18 efforts for the historic designation.
19 And we've been working together and
20 giving us good feedback on some of the
21 things that they thought would be helpful
22 on the design side.

23 COUNCILMAN GREENLEE: Okay.

24 And I know you've had positive relations
25 with them, because I've talked to some of

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2 the members over there too.

3 Councilman Henon.

4 COUNCILMAN HENON: Thank you,
5 Mr. Chairman.

6 Good afternoon, everybody,
7 almost good evening.

8 COUNCILMAN GREENLEE: We are
9 getting there.

10 COUNCILMAN HENON: We are
11 getting there. If you were open, maybe
12 we'd have to stay overnight.

13 MR. PEEBLES: That would all be
14 good.

15 COUNCILMAN HENON: I'm going to
16 start off with Deputy Mayor regarding the
17 proposals. How many rooms is the Kimpton
18 proposal?

19 DEPUTY MAYOR GREENBERGER: One
20 hundred ninety-nine.

21 COUNCILMAN HENON: How about
22 the other proposals that were in the mix?

23 DEPUTY MAYOR GREENBERGER: They
24 varied as high as -- I may have this
25 number not exactly right, but it was

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2 around 350 was the highest number and
3 there was a middle proposal that was in
4 the 200's somewhere.

5 COUNCILMAN HENON: And I'm a
6 layman to this, but does the number of
7 rooms -- is there a direct correlation to
8 how many jobs they create? So one room
9 creates X amount of jobs?

10 DEPUTY MAYOR GREENBERGER: I
11 don't know a rule of thumb, but certainly
12 just intuitively you'd know that bigger
13 hotels command -- of the same caliber
14 would command higher employment. That's
15 true. The one thing you should know
16 about in this case, particularly about
17 this very high number, those aren't rooms
18 that can fit into this building as it
19 exists today. That proposal involved
20 fairly extensive renovations that
21 included the insertion of several new
22 floors and some very tall floor-to-floor
23 spaces, as well as some construction on
24 the roof to achieve that number of rooms.
25 That's a substantial amount of change to

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2 this historic building, and all of the
3 proposals that we saw rely to some degree
4 on historic tax credits, and our
5 experience has been -- this is a debate
6 point, I admit, but our experience has
7 been that getting these historic tax
8 credits given the extensive change that
9 needed to happen made the higher
10 proposals much iffier.

11 COUNCILMAN HENON: And I was
12 going to lead -- go ahead.

13 MR. PEEBLES: I could answer
14 your question on the jobs.
15 Theoretically --

16 COUNCILMAN HENON: Construction
17 and permanent.

18 MR. PEEBLES: Let's talk about
19 permanent jobs, because I think that's an
20 important aspect and we can clarify that
21 pretty quickly.

22 Historically, if you're going
23 to build from scratch, you're going to
24 build ground up, so then you're going to
25 scale the hotel up in terms of food and

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2 beverage operations, banquet and other
3 function space. You're going to scale it
4 up as the scale of your rooms go up, for
5 example. So 1801 Vine has a large amount
6 of public space because of the historic
7 space that you can't touch for a 200-room
8 hotel. So adding a few floors is not
9 going to increase the size of your
10 banquet hall. So it's not going to
11 create -- the incremental jobs that get
12 created by adding a few floors, if that
13 were theoretically possible, would be
14 you'd add some housekeeping jobs, a few
15 more room service jobs, but the
16 incremental increase would not be that
17 significant.

18 COUNCILMAN HENON: So I was
19 going to lead into the one proposal that
20 had the roof addition. Would the roof
21 addition, in the City's best
22 guesstimate -- obviously you chose
23 another proposal, but would the roof
24 addition get even approved? Because I
25 know we have timelines.

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2 DEPUTY MAYOR GREENBERGER:

3 There's two different approvals. One is
4 the Historical Commission itself, and the
5 answer to that is I think we had some
6 confidence that there was a way to
7 approve it as a kind of just a visual
8 change to the building. The parapet up
9 there is extremely high. If it was one
10 story, probably wouldn't be seen. The
11 bigger problem was that the reliance on
12 the historic tax credits flows through
13 federal approvals, and what we have seen
14 the last couple of years is that those
15 federal approvals are getting harder and
16 harder to get -- this is through the
17 Department of the Interior -- harder and
18 harder to get as changes occur to the
19 buildings. Things that many of us,
20 including myself, might think are not
21 that big a change to the historic
22 character of the building have been
23 really hitting barriers in Washington,
24 and that said to us that the risk level
25 of getting those higher end -- not higher

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2 end, but higher construction proposals
3 done was diminishing quickly made us very
4 nervous.

5 COUNCILMAN HENON: With the
6 roof and the other kind of modifications,
7 would it require other regulatory or
8 zoning approvals in addition to federal
9 Department of Interior?

10 DEPUTY MAYOR GREENBERGER: I
11 don't think it would have required
12 additional zoning approvals given what
13 this zoning bill is proposing. This is
14 not -- but it would require Historical
15 Commission approval and Department of the
16 Interior.

17 COUNCILMAN HENON: So what are
18 the characteristics in the Kimpton
19 proposal that outweighed the others?

20 DEPUTY MAYOR GREENBERGER: I
21 would characterize it as this,
22 Councilman: We felt that this was the
23 absolute straightest path to success in
24 terms of time, in terms of public
25 financing, and in terms of quality of

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2 development. We had three really good
3 proposals. There was never any doubt in
4 our minds that all three developers, all
5 three flags were top quality, which was a
6 nice sort of dilemma to have, I guess.
7 But this one was the straightest path to
8 success, and as we heard presentations
9 from the development team, it was very
10 clear to us that they had strategically
11 positioned their proposal to be that
12 path, and that meant to us that this will
13 happen faster and this will be more
14 assured of happening than the other
15 proposals. That was very compelling to
16 us.

17 COUNCILMAN HENON: And this
18 proposal has its investment or has its
19 financing in place where the other
20 proposals --

21 DEPUTY MAYOR GREENBERGER: Its
22 equity is in place.

23 COUNCILMAN HENON: -- required
24 significant public financing or
25 investment?

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2 DEPUTY MAYOR GREENBERGER:

3 Right. It did not require our
4 participation in any serious way. It
5 didn't require state participation.
6 There are historic tax credits, and the
7 proposal that was put forward was one
8 that was very consistent with how those
9 tax credits get approved.

10 COUNCILMAN HENON: And the RFP
11 calls for in the proposal that would spur
12 additional development. Can you explain
13 what additional development would be for
14 the -- and how Kimpton is going to
15 achieve this.

16 DEPUTY MAYOR GREENBERGER:
17 Well, I think it happens in two ways.
18 One is that just the continued growth of
19 the hospitality industry in Philadelphia
20 with considerably more offerings of
21 places to stay, places to have events,
22 places to dine simply makes a more robust
23 hospitality environment, obviously
24 increases employment, but it also acts in
25 coordination with the other hospitality

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2 assets in the City, the Convention
3 Center. Because of where this hotel is
4 located, the relationship to the art
5 institutions up and down the Parkway. So
6 we think it reinforces that, and
7 certainly this was a building that was
8 going to be vacated, so I mean at a very
9 practical level, we need to come up
10 with -- we need to have an answer for it.

11 I think we will find if you
12 think about the kinds of things that will
13 be going on around the Logan Circle area,
14 this project, renovations to the library,
15 the Barnes, the Mormon temple, the
16 private development that the Mormon
17 church is doing, this is actually a
18 rather extraordinary change to a piece of
19 the City that I think many of us did not
20 see as happening as fast as it's
21 happening.

22 COUNCILMAN HENON: So this is
23 consistent with the trend of the hotel
24 rooms in growth and visitor opportunities
25 and in the hospitality industry.

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2 DEPUTY MAYOR GREENBERGER: It
3 is, and this was always part of our
4 commitment to the hospitality industry to
5 the Convention Center Authority and to
6 the Hotel Association, that we would be
7 looking for -- this was now several years
8 ago -- looking for an additional
9 2,000-plus rooms in the City to support
10 the expanded Convention Center. By the
11 time this project came on, we already had
12 a thousand of them in place and we had
13 said fairly publicly on several occasions
14 we were looking at three projects - this
15 one, another small hotel, and then a
16 large kind of headquarter hotel, which is
17 the one that is proposed at 15th and
18 Chestnut. That's where we focused our
19 energy.

20 Subsequent to that, we've seen
21 a number of smaller hotels that have been
22 proposed for particular reasons. We just
23 saw one at Drexel, but we're aware of a
24 Comcast development that includes a small
25 hotel and the Dranoff development on

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2 South Broad that also includes a small
3 hotel, says to us that developers think
4 there is a real market for this.

5 COUNCILMAN HENON: I'll yield.

6 COUNCILMAN GREENLEE: Thank
7 you, Councilman.

8 Councilman Kenney.

9 COUNCILMAN KENNEY: Thank you,
10 Mr. Chairman.

11 Initially when the award was
12 made, I was quite skeptical as to
13 Kimpton's ability to do this project in
14 this particular location. Not because
15 the Kimpton is a bad product. It's a
16 terrific product. Just what I've seen of
17 the two great Kimpton projects here
18 didn't seem to fit into that building.
19 And if we had the opportunity I think
20 earlier to meet folks like Don, I think
21 we all would have come around a lot
22 sooner, because the hour that I spent
23 with him in my office convinced me that
24 this is the guy to do this project,
25 because he said it's not just Kimpton, he

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2 says it's my building, I own it, it's
3 going to look and act and produce the way
4 I want it to. So I'm in charge. And I
5 think if we had that kind of interaction
6 prior to announcements, things are done a
7 little easier.

8 But I just want to -- I think
9 it's not only a terrific project. I
10 think it's terrific that you're here and
11 investing in our city. I think your
12 personality, your history, and your
13 commitment I think is something we
14 haven't had -- we have had over the
15 years, but we haven't had a fresh
16 approach to it lately, and I think that
17 we're lucky not only to have this
18 project, but to have you doing it,
19 because I think that you're the type of
20 image and message we would like to send
21 to every person in every community in the
22 City. And I'm really -- I'll be very
23 happy to be voting on this and wish I had
24 the opportunity, again, earlier to know
25 about all that went into it and all the

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2 people involved in it, because it makes
3 it much clearer that it's a good choice,
4 great choice as a matter of fact. And I
5 just want to thank you for your private
6 investment in the City of Philadelphia.

7 MR. PEEBLES: Thank you very
8 much. Thank you.

9 COUNCILMAN GREENLEE: Thank
10 you, Councilman.

11 Councilman Jones, then
12 Councilwoman Tasco.

13 COUNCILMAN JONES: Thank you,
14 Mr. Chairman.

15 I actually sat in this seat all
16 afternoon to say what I'm about to say.
17 I had an opportunity to work in the -- I
18 go as far back as the Green
19 Administration when we worked with the
20 Commerce Department and one of the goals
21 was to get a minority-owned, female-owned
22 hotel. I worked with the first African
23 American Mayor, Wilson Goode, Sr., and
24 worked to try to look at this possibility
25 and always felt that at the end of his

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2 term, that this was one of the things
3 that we left undone.

4 I worked through the Street,
5 Rendell, and worked with the Nutter
6 Administration, and I've known Ms.
7 McKissack for -- she's very young, but a
8 couple of years, and I know her work and
9 I know the pride she takes in completing
10 a task above expectations.

11 But I could tell you that when
12 I go to other cities, whether it's
13 Atlanta, whether it's Washington, DC --
14 and I know, Marian, you do a lot of those
15 kind of traveling around with your
16 colleagues -- it always eluded us to be
17 able to say that we had a hotel that
18 people like the Prince Hall Masons could
19 go to and actually feel a sense of pride
20 and ownership.

21 So with saying that, I support
22 this, as my colleague Jim Kenney said. I
23 just had one question and I will take you
24 at your word. You see the people
25 standing behind us, right? And they're

1 6/3/14 - RULES - BILL 140277, etc.

2 looking for a better life and a living
3 wage. Look me in the face on the record
4 and say that you're going to provide that
5 for them.

6 MR. PEEBLES: I'm going to
7 provide an environment of exceptional
8 opportunity to them and everybody else in
9 the City who comes to work there. This
10 place will be a place of opportunity.

11 COUNCILMAN JONES: I have
12 nothing else to say, Mr. Chairman, and
13 you know that's rare for me.

14 COUNCILMAN GREENLEE:
15 Councilwoman Tasco.

16 COUNCILWOMAN TASCO: Good
17 afternoon, everyone. Thank you all for
18 your testimony. I am extremely proud to
19 know that you're coming to Philadelphia.
20 I don't know you personally, but I know
21 of your record and your involvement in
22 other parts of this country and the
23 cities in other parts of the United
24 States and your ability to get things
25 done.

1 6/3/14 - RULES - BILL 140277, etc.

2 I do know Cheryl McKissack very
3 well. I know her family has built
4 colleges, Fisk, colleges down in North
5 Carolina. Their family is well known for
6 the quality of work that they've done.
7 And I've watched her as a young woman in
8 Philadelphia in the whole area of
9 construction and she's very ethical, and
10 I know that things will go well, and I'm
11 pleased that you've come to Philadelphia
12 and that you're going to be here and
13 you're going to provide good jobs for the
14 people sitting in this room, and also not
15 just entry-level, but give them an
16 opportunity to move up into other levels
17 of the business, train them so that they
18 will get the good training they need and
19 they can stay with you or feel
20 comfortable to go some place else and
21 earn a good wage. So thank you very
22 much.

23 MR. PEEBLES: Thank you very
24 much.

25 COUNCILMAN GREENLEE: Thank

1 6/3/14 - RULES - BILL 140277, etc.

2 you, Councilwoman.

3 Councilman Henon.

4 COUNCILMAN HENON: Thank you,
5 Mr. Chair.

6 I wanted to close but didn't
7 get the opportunity because I was
8 speaking too much, but what I wanted to
9 do was have our Deputy Mayor draw the --
10 or state publicly some of the differences
11 in the proposals and how you are welcomed
12 here in the City of Philadelphia, not
13 just -- you're unique. You and the team
14 that you have here that has been selected
15 that's in front of this body has
16 exemplified what Philadelphia is, who we
17 are and how we operate. So you are
18 making history here. We are making
19 history together. And what I wanted to
20 say was not only do we welcome you here,
21 we welcome the job creations in the
22 construction industry and the
23 professional development industry and the
24 professional services industry, but also
25 in the longer term permanent jobs, as

1 6/3/14 - RULES - BILL 140277, etc.

2 Majority Leader had just said.

3 So as you have history of
4 including the community, you have the
5 community wearing red shirts behind you.
6 I hope those discussions continue and
7 that they could be a fabric of who you
8 are, who your team is, and who we
9 represent and where we want to go as a
10 city. So I would encourage that
11 conversations continue, with full support
12 of this body and your commitment to
13 community and your commitment to making
14 sure that the visitors and hospitality
15 industry get what they deserve, and
16 that's first-class visitor and
17 hospitality hello.

18 Thank you.

19 MR. PEEBLES: Thank you.

20 COUNCILMAN GREENLEE: Thank
21 you, Councilman.

22 Councilwoman Reynolds Brown.

23 COUNCILWOMAN BROWN: I want to
24 put on the record that I concur 2,000
25 percent with the remarks shared by

1 6/3/14 - RULES - BILL 140277, etc.

2 Councilwoman Tasco and Councilman Bobby
3 Henon and further make it clear that I
4 didn't have to ask about track record
5 because it is clear in who you are what
6 that track record looks like. We know
7 well already of Cheryl McKissack's work
8 here in Philadelphia over the past
9 decade, and it speaks volumes on what's
10 possible when you have people in position
11 who feel it, get it, and do it.

12 So thank you very much.

13 MR. PEEBLES: Thank you.

14 COUNCILMAN GREENLEE: Thank
15 you, Councilwoman.

16 Any other questions?

17 Councilwoman Blackwell.

18 COUNCILWOMAN BLACKWELL: Thank
19 you.

20 I just wanted to say,
21 Mr. Peebles and our friend Cheryl
22 McKissack, you do us all proud. God
23 bless you.

24 MR. PEEBLES: Thank you.

25 COUNCILMAN GREENLEE: Thank

1 6/3/14 - RULES - BILL 140277, etc.

2 you.

3 Any other questions for the
4 panel?

5 (No response.)

6 COUNCILMAN GREENLEE: Seeing
7 none, thank you all very much. Good
8 luck, sir.

9 Is there anyone else here that
10 wishes to testify?

11 Ma'am, please approach.

12 After this witness, is there
13 anyone else here who wishes to testify?
14 All right.

15 (Witness approached witness
16 table.)

17 COUNCILMAN GREENLEE: Please,
18 go ahead.

19 MS. THOMAS: Good afternoon.
20 I'm sorry. I don't think I was on the
21 agenda.

22 COUNCILMAN GREENLEE: That's
23 okay.

24 MS. THOMAS: My name is
25 Shalimar Thomas. I'm the Executive

1 6/3/14 - RULES - BILL 140277, etc.
2 Director for the African American Chamber
3 of Commerce of Pennsylvania, New Jersey,
4 and Delaware, and I just needed to come
5 up here and make sure I put on the record
6 how much we support this effort of this
7 project that's taking place.

8 As an advocate for African
9 American businesses, we work hard to make
10 sure our members are afforded
11 opportunities to help their business
12 grow. Like Cheryl indicated, many of our
13 members are prepared for the opportunity
14 and only need the chance to contribute.

15 Of the more than 19,000
16 businesses in this region, many operate
17 as a start-up. The more we can grow and
18 provide opportunities like Mr. Peebles is
19 providing, the more that we can make sure
20 we grow businesses and the more that we
21 can make sure we provide employment for
22 people, especially in the African
23 American community.

24 So we, again -- I just wanted
25 to go on record just to say how much we

1 6/3/14 - RULES - BILL 140277, etc.

2 strongly support this project.

3 COUNCILMAN GREENLEE: Thank

4 you. Thank you very much.

5 Any questions, comments?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing

8 none, thank you all. Thank you, ma'am,

9 very much.

10 Ms. Marconi, I think we do

11 have -- I apologize. We did have other

12 people who already were on the list. So

13 please read the names.

14 THE CLERK: Jermaine Smith,

15 Justin Haley, Harriet Staples, Loretta

16 Mobley, Rosslyn Wuchinich, Omar

17 Wakefield, and Reverend Gregory Holston.

18 COUNCILMAN GREENLEE: Whoever

19 those names that are here, please just

20 come up and maybe some of you can sit in

21 the black chairs first, but just all come

22 up, please, so we can keep moving here.

23 (Witnesses approached witness

24 table.)

25 COUNCILMAN GREENLEE: Whoever

1 6/3/14 - RULES - BILL 140277, etc.

2 would like to speak first, please.

3 MS. WUCHINICH: Good afternoon.

4 COUNCILMAN GREENLEE: A little
5 closer to the microphone. Thank you.

6 MS. WUCHINICH: My name is
7 Rosslyn Wuchinich. I'm the President of
8 Unite Here, Local 274, which is the union
9 of hotel, stadium, and airport workers in
10 Philadelphia. Our union believes and I
11 believe in Philadelphia's future, and
12 this project has important implications
13 for the future of the City.

14 We want to express our
15 concerns. We are excited about the
16 project and have had conversations with
17 the folks that are developing this
18 project, but we have some concerns that
19 we want to share with the Committee
20 today.

21 It's my understanding that the
22 City has failed to meet the reporting
23 requirements for economic impact
24 statements, and we as a union do not feel
25 comfortable moving forward with the sale

1 6/3/14 - RULES - BILL 140277, etc.
2 of the Family Court Building until
3 certain questions are answered.

4 Economic impact statements
5 require analysis of the economic impact
6 of the project on the City, including,
7 but not limited to, the impact of the
8 project on City and School District tax
9 revenues, School District -- as well as
10 the impact of the project on City
11 services.

12 We'd like to know before this
13 bill goes through final passage, we want
14 to make sure that we know and City
15 Council knows what will be the impact
16 unemployment of Philadelphia residents on
17 the permanent jobs, what are the hotel's
18 projections for wage tax revenue
19 generated by the project, how many
20 permanent full-time jobs will be created
21 by this project.

22 We share the excitement about
23 this project. We think it could be a
24 very positive thing for the City, but we
25 ask that it not move forward into final

1 6/3/14 - RULES - BILL 140277, etc.

2 passage until these questions are
3 answered.

4 Thank you.

5 COUNCILMAN GREENLEE: Thank
6 you.

7 Please identify yourself and
8 proceed.

9 MR. HALEY: Good afternoon.
10 Hello. My name Justin Haley. I work at
11 the student safety staff at Motivation
12 High School, and I see the future -- I
13 believe in Philadelphia future.

14 The reason why I chose to get
15 involved with my union is because I saw
16 firsthand with the disadvantage of the
17 school systems. With the lack of funds,
18 schools were not able to provide updated
19 books, technology, and also staff.

20 If this building should be sold
21 to this developer below the market price
22 value, we understand that the schools
23 will receive less money. However, we are
24 asking the City Council to please ensure
25 that the developer provides specifics on

1 6/3/14 - RULES - BILL 140277, etc.

2 how many jobs will be created, starting
3 wages for each position before the
4 building is sold to the developer.

5 Thank you.

6 COUNCILMAN GREENLEE: Thank
7 you.

8 MS. MOBLEY: Hello. My name is
9 Loretta Mobley. I work as a housekeeper
10 at the Sheraton Center City. I live in
11 West Oak Lane, and I believe in Philly's
12 feature.

13 I am here today to discuss
14 Kimpton's record on job creation. I am
15 not talking about proposed Family Court
16 hotel, though. I'd like to set the
17 record straight on a number of jobs that
18 Kimpton created at Hotel Monaco.

19 At the Hotel Monaco, Kimpton
20 promised the creation of 1,013 permanent
21 jobs and they relied upon the kind of
22 loan called an EB-5. That required
23 creation of at least 900 jobs. Let me
24 repeat that. They claim that a 268-room
25 hotel created over a thousand jobs,

1 6/3/14 - RULES - BILL 140277, etc.

2 according to the City. The Hotel Monaco
3 created only 177 direct jobs. Where are
4 the other 836 permanent jobs?

5 Now Kimpton is making a new set
6 of promises about the Family Court, but
7 can we trust their numbers? I don't
8 think we can trust their numbers without
9 a final analysis. Are they promising
10 direct permanent full-time jobs or are
11 they making empty promises?

12 Please make sure we have a full
13 analysis and understanding on job numbers
14 before proceeding.

15 Thank you.

16 COUNCILMAN GREENLEE: Thank
17 you, ma'am.

18 Please identify yourself and
19 proceed.

20 MR. SMITH: Good afternoon. My
21 name is Jermaine Smith. I work as a
22 houseman at the Latham Hotel Center City
23 and I'm a proud -- I am proud to serve as
24 a shop steward for the union Unite Here,
25 Local 274, and I believe in Philly's

1 6/3/14 - RULES - BILL 140277, etc.

2 future.

3 I am concerned about the price
4 that the City plans to sell the Family
5 Court Building for. The City Office of
6 Property Assessment says the Family Court
7 Building is worth \$65 million, but the
8 City is asking Mr. Peebles to pay only 4
9 and a half million. That's a \$60 million
10 discount. Meanwhile, the School District
11 is selling off schools to help close the
12 budget gap. This year the District has
13 sold six properties for \$37 million. The
14 Family Court deal could all but erase any
15 gains made by selling those schools. I
16 cannot decide whether it's worth it until
17 I know more about the overall impact this
18 project will have on our city, how much
19 tax revenue will the project create, how
20 many jobs, what will those jobs pay, will
21 they provide benefits and sick days. How
22 can the City decide whether to sell the
23 property so cheap if we don't know the
24 answers to these questions?

25 Thank you.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, sir.

4 Please identify yourself and
5 proceed.

6 MR. HICKS: Hello. My name is
7 Eli Kemya Hicks. I am a recent graduate
8 of El Centro de Estudiantes. I would
9 like to first say thank you for help
10 keeping my accelerated school open so me
11 and other people like me can graduate.
12 Thank you.

13 I believe in Philadelphia's
14 future.

15 While a new luxury hotel would
16 be exciting, here I want to make sure
17 some things does not get lost into
18 details. Like, for instance, our
19 families. How many of our families are
20 suffering because of the facts of a slow
21 economy? Some has been without work for
22 many years, while others have been able
23 to balance two to three jobs in order to
24 make ends meet.

25 My family depends on me to

1 6/3/14 - RULES - BILL 140277, etc.
2 actually have a steady income as well.
3 Meanwhile, young men and young women are
4 having hard times finding jobs. And for
5 students and children like me first time
6 looking for jobs, we are unable to find
7 jobs because of our lack of experience
8 and also our lack of job references.

9 I'm here to say for today to
10 refocus the discussion and on real
11 numbers on, on real commitment to our
12 Family Court hotels. How many new jobs
13 will the hotel create? How many
14 positions are full-time positions? What
15 public commitments are the Peebles
16 Corporation willing to make, the numbers
17 of jobs -- the Peebles Corporation
18 willing to make, the number of jobs.
19 Please make sure that we get these
20 numbers and these questions answered.

21 Thank you.

22 COUNCILMAN GREENLEE: Thank
23 you, sir.

24 Please identify yourself and
25 proceed.

1 6/3/14 - RULES - BILL 140277, etc.

2 REVEREND HOLSTON: I'm Reverend
3 Gregory Holston, a pastor of New Vision
4 United Methodist Church at 3259 North
5 Broad Street. Members of the Rules
6 Committee, thank you for providing the
7 opportunity to testify today.

8 I believe that the arc of the
9 universe is long, but it bends towards
10 justice. I believe in a God that stands
11 up for the poor and that it's our
12 responsibility to join him in doing so.
13 I believe that God's kingdom is near, and
14 I believe in Philly's future. And I know
15 that our Councilman, Councilman Darrell
16 Clarke, shares and all of you share that
17 vision and that belief in Philly's future
18 too.

19 The project in front of you has
20 tremendous potential, dozens of new jobs,
21 dozens of families that can make ends
22 meet, dozens of families who will be able
23 to quit their second job and maybe even
24 get to church on Sunday, dozens of
25 families who can see the doctor and can

1 6/3/14 - RULES - BILL 140277, etc.
2 rely upon their benefits, dozens of
3 families who can afford to repaint their
4 porch and plant a garden on their block,
5 dozens of families, or at least that's
6 what the developer says and would like us
7 to believe.

8 But in my neighborhood, we have
9 seen a history of empty promises. We
10 have been promised the moon and many
11 times have just received crumbs. Who is
12 going to ensure, who is going to ensure
13 that once this bill has been transferred,
14 that the jobs don't become low wage or no
15 benefit jobs, creating more poverty
16 instead of lifting people out of poverty?

17 We need good jobs in our
18 neighborhoods, but please, please pass
19 this bill only when you believe that all
20 these questions raised here today have
21 been answered.

22 Thank you very much for your
23 time.

24 COUNCILMAN GREENLEE: Thank
25 you, Reverend. Thank you.

1 6/3/14 - RULES - BILL 140277, etc.

2 Just we'll note for the record,
3 as was stated before, as far as the
4 wages, there will be an amendment offered
5 that does acknowledge that Mr. Peebles is
6 committing to the Philadelphia 21st
7 Century Minimum Wage and Benefits
8 standard. So that will be part of the
9 law.

10 REVEREND HOLSTON: Well,
11 certainly we appreciate that, but there
12 are other means to be able to enforce
13 standards in the future and we want you
14 to think about all of those
15 opportunities.

16 COUNCILMAN GREENLEE: Okay. I
17 appreciate that, Reverend.

18 Mr. Peebles, could you come up
19 one more second, please.

20 MR. PEEBLES: Sure.

21 (Applause.)

22 (Witness approached witness
23 table.)

24 COUNCILMAN GREENLEE: Quite
25 frankly, this is something I meant to ask

1 6/3/14 - RULES - BILL 140277, etc.

2 and it got away from me, and it was
3 brought up by a number of the witnesses
4 that just came up.

5 Could you provide to me and to
6 all of Council the projections on the
7 jobs, both the construction jobs, which
8 are not the permanent jobs obviously, but
9 also the permanent jobs that are expected
10 in the hotel. I assume you have to have
11 some discussions with Kimpton on that,
12 but --

13 MR. PEEBLES: Absolutely. We
14 estimate on the development side, which
15 is our business, about 300 construction
16 jobs. We're estimating -- and it will
17 fluctuate upward, but on the conservative
18 and minimum threshold, it's going to be
19 135 jobs, inclusive of F&B that will be
20 permanent positions. So those would be
21 the two.

22 One thing I wanted to mention
23 also, we intend to partner with a public
24 school here to create a hospitality
25 entrepreneurial academy, as we've done in

1 6/3/14 - RULES - BILL 140277, etc.
2 Washington, DC, to teach young minority
3 kids the benefits of entrepreneurship
4 within the hospitality industry as well.
5 So we're going to engage aggressively --
6 and I fund that out of my own company's
7 foundation, where we invest in academies
8 and also we endow scholarships in some of
9 the top hospitality colleges in the
10 country for African American students. I
11 endowed one in Washington, DC in my
12 mother's memory for women who graduate
13 public high schools in DC who are
14 interested in entrepreneurship. So that
15 will be a big part of what we do as well
16 as the jobs.

17 COUNCILMAN GREENLEE: I
18 appreciate that, sir. Thank you. I just
19 wanted to get that on record, please.
20 Thank you.

21 Anyone else to testify?
22 MR. ALI: Me.
23 (Witness approached witness
24 table.)

25 COUNCILMAN GREENLEE: Please

1 6/3/14 - RULES - BILL 140277, etc.

2 identify yourself and proceed.

3 MR. ALI: Good afternoon,
4 members of the Committee. My name is
5 Jihad Ali. I'm here on behalf of the
6 Contractors Roundtable, which is a
7 sub-group of African American
8 contractors, both general and
9 subcontractor, both union and non-union.
10 I'm also here as a citizen.

11 I'm here to support this bill.
12 I'm here to support -- I'm familiar with
13 the GC involved in this project. She is
14 a wonderful person. She's been committed
15 to the clause to inclusion. Her whole
16 life has been about inclusion. She was
17 recently given an Image Award by one of
18 the leading African American
19 organizations in the country.

20 So I'm here to support this.
21 And this, as you all know, members of the
22 Committee, this is a different project,
23 and it's different because of the
24 principals involved. As I said during my
25 earlier testimony, this room is full of

1 6/3/14 - RULES - BILL 140277, etc.
2 powerful people. On this side of the
3 aisle we mostly have a lot of powerful
4 businessmen, and on this side we have
5 you, as our elected leaders and
6 representatives. And I've made the
7 distinction because some of you are
8 proven leaders.

9 One thing I would urge the
10 developer to do is to take the time to
11 work with Councilman Henon, because what
12 he's trying to do, he's going to be the
13 first guy on that level to do it at that
14 level, and he's going to need friends,
15 because it's hard to come into a
16 community when you don't have people from
17 the community on your side.

18 I also would like to say to the
19 developer, you know, we have an excellent
20 organization here, OIC, that has been
21 doing hospitality for years. I would
22 recommend you before you start that, go
23 talk to OIC. And also there's a
24 possibility to do something really great
25 if you work with PHA, because they have a

1 6/3/14 - RULES - BILL 140277, etc.

2 bunch of money dedicated to scholarships
3 in lieu of Section 3 participation that
4 we might be able to work on something
5 together.

6 So I think this is a tremendous
7 opportunity. I support this project. I
8 think the developer should be welcomed
9 into the City, and I support you, our
10 leaders. And I recommend, Mr. Bobby
11 Henon, Councilman Henon, I always call
12 you out because you're a little guy that
13 started like me and you never -- you are
14 always there for me. I mean, you all are
15 there, but he's never turned his back on
16 me. Sometimes when I come down here,
17 you're the only one that listens to me.
18 But I support you for that, and I really
19 thank you.

20 Thank you. I thank you all. I
21 thank you all, but --

22 COUNCILMAN GREENLEE: You're
23 going to get yourself in trouble singling
24 people out now. You know that.

25 MR. ALI: I especially thank

1 6/3/14 - RULES - BILL 140277, etc.

2 Marian Tasco.

3 Let me stop while I'm ahead.

4 COUNCILMAN GREENLEE: You'd
5 better stop while you're ahead, you're
6 right.

7 MR. ALI: Thank you.

8 COUNCILMAN GREENLEE: Anyone
9 else to testify?

10 (No response.)

11 COUNCILMAN GREENLEE: Seeing
12 none, before we go to our public meeting,
13 again, for the record, Bill No. 140435
14 will be held to the call of the Chair and
15 Bill No. 140437 is continued until this
16 Monday, June 9th, 2014 at 3:00 p.m.

17 That completes our hearing of
18 the Committee on Rules. We will now go
19 into a public meeting.

20 The Chair recognizes Councilman
21 Kenney.

22 COUNCILMAN KENNEY: Thank you,
23 Mr. Chairman. I move that Bill No.
24 140277 be reported out of this Committee
25 with a favorable recommendation and a

1 6/3/14 - RULES - BILL 140277, etc.
2 request for rules suspension to allow for
3 first reading at our next Council
4 session.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?
11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, Bill No. 140277 reported out of
14 this Committee favorably with a rules
15 suspension.

16 Councilman Kenney.

17 COUNCILMAN KENNEY: Thank you,
18 Mr. Chairman. I move that Bill No.
19 140311 be reported out of this Committee
20 favorably and a request made for rules
21 suspension to allow for first reading at
22 our next Council session.

23 (Duly seconded.)

24 COUNCILMAN GREENLEE: It's been
25 moved and seconded.

1 6/3/14 - RULES - BILL 140277, etc.

2 All in favor?

3 (Aye.)

4 COUNCILMAN GREENLEE: Opposed?

5 (No response.)

6 COUNCILMAN GREENLEE: Hearing

7 none, Bill No. 140311 is reported out

8 favorably with a rules suspension.

9 Councilman Kenney.

10 COUNCILMAN KENNEY: Thank you,

11 Mr. Chairman. I move that the amendment

12 to Bill No. 140315 be approved.

13 (Duly seconded.)

14 COUNCILMAN GREENLEE: It's been

15 moved and seconded.

16 All in favor?

17 (Aye.)

18 COUNCILMAN GREENLEE: Opposed?

19 (No response.)

20 COUNCILMAN GREENLEE: Hearing

21 none, the amendment is approved.

22 Councilman Kenney.

23 COUNCILMAN KENNEY:

24 Mr. Chairman, Bill No. 140315, as

25 amended, be reported out of this

1 6/3/14 - RULES - BILL 140277, etc.

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

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?
11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, Bill No. 140315, as amended,
14 reported out of this Committee favorably
15 with a rules suspension.

16 Councilman Kenney.

17 COUNCILMAN KENNEY: Thank you,
18 Mr. Chairman. I move that we approve the
19 amendment to Bill No. 140338.

20 (Duly seconded.)

21 COUNCILMAN GREENLEE: It's been
22 moved and seconded.

23 All in favor?

24 (Aye.)

25 COUNCILMAN GREENLEE: Opposed?

1 6/3/14 - RULES - BILL 140277, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Hearing

4 none, the amendment is approved.

5 Councilman Kenney.

6 COUNCILMAN KENNEY: I move that

7 Bill No. 140338, as amended, be reported

8 out of this Committee favorably and a

9 request made for rules suspension to

10 allow for first reading at our next

11 Council session.

12 (Duly seconded.)

13 COUNCILMAN GREENLEE: It's been

14 moved and seconded.

15 All in favor?

16 (Aye.)

17 COUNCILMAN GREENLEE: Opposed?

18 (No response.)

19 COUNCILMAN GREENLEE: Hearing

20 none, Bill No. 140338, as amended,

21 reported out favorably with a rules

22 suspension.

23 Councilman Kenney.

24 COUNCILMAN KENNEY:

25 Mr. Chairman, I move that Bill No.

1 6/3/14 - RULES - BILL 140277, etc.

2 140408 be reported out of this Committee
3 favorably and a request for rules
4 suspension to allow for first reading at
5 our next Council session.

6 (Duly seconded.)

7 COUNCILMAN GREENLEE: It's been
8 moved and seconded.

9 All in favor?

10 (Aye.)

11 COUNCILMAN GREENLEE: Opposed?

12 (No response.)

13 COUNCILMAN GREENLEE: Hearing
14 none, Bill No. 140408 reported out
15 favorably with a rules suspension.

16 Councilman Kenney.

17 COUNCILMAN KENNEY:

18 Mr. Chairman, I move that Bill No. 140413
19 be reported out of this Committee
20 favorably and a request made for rules
21 suspension to allow first reading at our
22 next Council session.

23 (Duly seconded.)

24 COUNCILMAN GREENLEE: It's been
25 moved and seconded.

1 6/3/14 - RULES - BILL 140277, etc.

2 All in favor?

3 (Aye.)

4 COUNCILMAN GREENLEE: Opposed?

5 (No response.)

6 COUNCILMAN GREENLEE: Hearing

7 none, Bill No. 140413 is reported out

8 favorably with a rules suspension.

9 Councilman Kenney.

10 COUNCILMAN KENNEY: I move that

11 Bill No. 140416 be reported out of this

12 Committee favorably and a request made

13 for rules suspension to allow first

14 reading at our next Council session.

15 (Duly seconded.)

16 COUNCILMAN GREENLEE: It's been

17 moved and seconded.

18 All in favor?

19 (Aye.)

20 COUNCILMAN GREENLEE: Opposed?

21 (No response.)

22 COUNCILMAN GREENLEE: Hearing

23 none, Bill No. 140416 is reported out

24 favorably with a rules suspension.

25 Councilman Kenney.

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN KENNEY: I move that
3 we approve the amendment to Bill No.
4 140444.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?
11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, the amendment is adopted.

14 Councilman Kenney.

15 COUNCILMAN KENNEY: I move that
16 Bill No. 140444, as amended, be reported
17 out of this Committee favorably and a
18 request made for rules suspension to
19 allow first reading at our next Council
20 session.

21 (Duly seconded.)

22 COUNCILMAN GREENLEE: It's been
23 moved and seconded.

24 All in favor?

25 (Aye.)

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: Opposed?

3 (No response.)

4 COUNCILMAN GREENLEE: Hearing

5 none, Bill No. 140444, as amended,

6 reported out favorably with a rules

7 suspension.

8 Councilman Kenney.

9 COUNCILMAN KENNEY: I move that

10 Bill No. 140447 be amended -- the

11 approval of the amendment to that bill.

12 (Duly seconded.)

13 COUNCILMAN GREENLEE: It's been

14 moved and seconded.

15 All in favor?

16 (Aye.)

17 COUNCILMAN GREENLEE: Opposed?

18 (No response.)

19 COUNCILMAN GREENLEE: Hearing

20 none, the amendment is approved.

21 Councilman Kenney.

22 COUNCILMAN KENNEY: I move that

23 Bill No. 140447, as amended, be reported

24 out of this Committee favorably and a

25 request made for rules suspension to

1 6/3/14 - RULES - BILL 140277, etc.

2 allow first reading at our next Council
3 session.

4 (Duly seconded.)

5 COUNCILMAN GREENLEE: It's been
6 moved and seconded.

7 All in favor?

8 (Aye.)

9 COUNCILMAN GREENLEE: Opposed?
10 (No response.)

11 COUNCILMAN GREENLEE: Hearing
12 none, Bill 140447, as amended, reported
13 out favorably with a rules suspension.

14 Councilman Kenney.

15 COUNCILMAN KENNEY: I move that
16 Bill No. 140439 be amended --

17 COUNCILMAN GREENLEE: No; no
18 amendment to that. It's only 42.

19 COUNCILMAN KENNEY: I move that
20 Bill 140439 be reported out of this
21 Committee favorably and a request made
22 for rules suspension to allow first
23 reading at our next Council session.

24 (Duly seconded.)

25 COUNCILMAN GREENLEE: Moved and

1 6/3/14 - RULES - BILL 140277, etc.

2 seconded.

3 All in favor?

4 (Aye.)

5 COUNCILMAN GREENLEE: Opposed?

6 (No response.)

7 COUNCILMAN GREENLEE: Hearing

8 none, Bill No. 140439 is reported out

9 favorably with a rules suspension.

10 Councilman Kenney.

11 COUNCILMAN KENNEY: Thank you,

12 Mr. Chairman. I move that we accept the

13 amendment to Bill No. 140442.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: It's been

16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN GREENLEE: Opposed?

20 (No response.)

21 COUNCILMAN GREENLEE: Hearing

22 none, the amendment is approved.

23 Councilman.

24 COUNCILMAN KENNEY: I move that

25 Bill No. 140442, as amended, be reported

1 6/3/14 - RULES - BILL 140277, etc.
2 out of this Committee favorably and a
3 request made for rules suspension to
4 allow for first reading at our next
5 Council session.

6 (Duly seconded.)

7 COUNCILMAN GREENLEE: It's been
8 moved and seconded.

9 All in favor?

10 (Aye.)

11 COUNCILMAN GREENLEE: Opposed?

12 (No response.)

13 COUNCILMAN GREENLEE: Hearing
14 none, Bill No. 140442, as amended,
15 reported out favorably with a rules
16 suspension.

17 Councilman Kenney.

18 COUNCILMAN KENNEY: I move we
19 approve the amendment to Bill No. 140407.

20 (Duly seconded.)

21 COUNCILMAN GREENLEE: It's been
22 moved and seconded.

23 All in favor?

24 (Aye.)

25 COUNCILMAN GREENLEE: Opposed?

1 6/3/14 - RULES - BILL 140277, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Hearing

4 none, the amendment is approved.

5 Councilman.

6 COUNCILMAN KENNEY: I move that

7 Bill No. 140407, as amended, be reported

8 out of this Committee favorably and a

9 request made for rules suspension to

10 allow first reading at our next Council

11 session.

12 (Duly seconded.)

13 COUNCILMAN GREENLEE: It's been

14 moved and seconded.

15 All in favor?

16 (Aye.)

17 COUNCILMAN GREENLEE: Opposed?

18 (No response.)

19 COUNCILMAN GREENLEE: Hearing

20 none, Bill No. 140407, as amended,

21 reported out favorably with a rules

22 suspension.

23 Councilman Kenney.

24 COUNCILMAN KENNEY: I move that

25 we approve the amendment to Bill No.

1 6/3/14 - RULES - BILL 140277, etc.
2 140436.

3 (Duly seconded.)

4 COUNCILMAN GREENLEE: It's been
5 moved and seconded.

6 All in favor?

7 (Aye.)

8 COUNCILMAN GREENLEE: Opposed?

9 (No response.)

10 COUNCILMAN GREENLEE: Hearing
11 none, the amendment is approved.

12 Councilman Kenney.

13 COUNCILMAN KENNEY: I move that
14 Bill No. 140436, as amended, be reported
15 out of this Committee favorably and a
16 request made for rules suspension to
17 allow first reading at our next Council
18 session.

19 (Duly seconded.)

20 COUNCILMAN GREENLEE: It's been
21 moved and seconded.

22 All in favor?

23 (Aye.)

24 COUNCILMAN GREENLEE: Opposed?

25 (No response.)

1 6/3/14 - RULES - BILL 140277, etc.

2 COUNCILMAN GREENLEE: Hearing
3 none, Bill No. 140436, as amended,
4 reported out favorably with a rules
5 suspension.

6 Councilman Kenney.

7 COUNCILMAN KENNEY: I move that
8 Bill No. 140438 be reported out of this
9 Committee favorably and a request made
10 for rules suspension to allow first
11 reading at our next Council session.

12 (Duly seconded.)

13 COUNCILMAN GREENLEE: It's been
14 moved and properly seconded.

15 All in favor?

16 (Aye.)

17 COUNCILMAN GREENLEE: Opposed?

18 (No response.)

19 COUNCILMAN GREENLEE: Hearing
20 none, Bill No. 140438 is reported out
21 favorably with a rules suspension.

22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you,
24 Mr. Chairman. I move that we accept the
25 amendment to Bill No. 140410.

1 6/3/14 - RULES - BILL 140277, etc.

2 (Duly seconded.)

3 COUNCILMAN GREENLEE: It's been
4 moved and seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN KENNEY: I move the
8 amendments, plural, to Bill No. 140410 be
9 approved.

10 (Duly seconded.)

11 COUNCILMAN GREENLEE: It's been
12 moved and seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN GREENLEE: Opposed?

16 (No response.)

17 COUNCILMAN GREENLEE: Hearing
18 none, the amendments are approved.

19 Councilman Kenney.

20 COUNCILMAN KENNEY: I move that
21 Bill No. 140410, as amended, be reported
22 out of this Committee favorably and a
23 request made for rules suspension to
24 allow for first reading at our next
25 Council session.

1 6/3/14 - RULES - BILL 140277, etc.

2 (Duly seconded.)

3 COUNCILMAN GREENLEE: It's been
4 moved and seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN GREENLEE: Opposed?

8 (No response.)

9 COUNCILMAN GREENLEE: Hearing
10 none, Bill No. 140410, as amended, is
11 reported out of this Committee favorably
12 with a rules suspension.

13 That completes the business of
14 the Rules Committee today. Thank you all
15 very much.

16 (Committee on Rules concluded
17 at 3:15 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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direct control and/or supervision of the
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