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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PARKS, RECREATION

4

AND CULTURAL AFFAIRS

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, March 8, 2007
1:05 p.m.

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PRESENT:

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COUNCILWOMAN BLONDELL REYNOLDS BROWN, CHAIR

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COUNCILMAN FRANK DiCICCO

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COUNCILMAN W. WILSON GOODE, JR.

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COUNCILMAN JACK KELLY

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COUNCILMAN FRANK RIZZO

16

COUNCILMAN DARRELL CLARKE

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COUNCILWOMAN MARIAN TASCO

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BILL 070077 - An ordinance authorizing the
President of the Fairmount Park Commission and
the Executive Director of Fairmount Park to
enter into a lease agreement between the City
of Philadelphia as landlord and the Center
City District as tenant for a certain parcel
of land bounded by 16th Street, the Benjamin
Franklin Parkway and Cherry Street, commonly
referred to as Three Parkway Plaza, under
certain terms and conditions.

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1 3/8/07 - PARKS - BILL 070077

2 COUNCILWOMAN BROWN: Good
3 afternoon, everyone. The City Council
4 Committee on Parks, Recreation and
5 Cultural Affairs is called to order, and
6 we're now in a public hearing to hear
7 testimony on Bill No. 070077.

8 Joining us at this Council
9 Committee hearing are, to my extreme
10 left, Councilman Frank Rizzo, joined by
11 Councilman Jack Kelly, joined by
12 Councilmember Frank DiCicco and
13 Vice-Chair of this Committee, Councilman
14 W. Wilson Goode.

15 We will please ask the Clerk to
16 read the title of the bill.

17 THE CLERK: Ordinance 070077,
18 an ordinance authorizing the President of
19 the Fairmount Park Commission and the
20 Executive Director of Fairmount Park to
21 enter into a lease agreement between the
22 City of Philadelphia as landlord and the
23 Center City District as tenant for a
24 certain parcel of land bounded by 16th
25 Street, the Benjamin Franklin Parkway and

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2 Cherry Street, commonly referred to as
3 Three Parkway Plaza, under certain terms
4 and conditions.

5 COUNCILWOMAN BROWN: Thank you
6 very, very much.

7 May I please ask the Executive
8 Director of the Philadelphia Fairmount
9 Park to come forward, Mark A. Focht.

10 Good afternoon.

11 MR. FOCHT: Good afternoon.

12 COUNCILWOMAN BROWN: Please
13 state your full name for the record and
14 proceed with your testimony.

15 MR. FOCHT: Mark Alan Focht,
16 Executive Director of Fairmount Park.

17 Again, good afternoon,
18 Councilwoman and members of the
19 Committee. I'm Mark Focht, Executive
20 Director of Fairmount Park, and I am
21 pleased to provide testimony today in
22 support of Bill No. 070077.

23 This bill authorizes the
24 President of the Fairmount Park
25 Commission and the Executive Director of

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2 Fairmount Park to enter into a lease
3 agreement between the City of
4 Philadelphia as the landlord and the
5 Center City District as tenant for a
6 certain parcel of land bounded by 16th
7 Street, the Benjamin Franklin Parkway and
8 Cherry Street, commonly referred to as
9 Three Parkway Plaza, under certain terms
10 and conditions.

11 As a bit of background, the
12 staff and commissioners of Fairmount Park
13 have been working with the Center City
14 District for several years to improve the
15 public environment of the Benjamin
16 Franklin Parkway. As you know, the
17 Parkway is one of the leading cultural
18 corridors in the City and serves as a
19 "green" connection between Fairmount Park
20 and Center City.

21 Since 2005, one of the areas
22 that we have focused on jointly is Three
23 Parkway Plaza located at 16th Street at
24 the entrance of the Parkway. An
25 innovative three-way partnership

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2 involving the City, the Center City
3 District and the owners of the adjacent
4 Three Parkway office building have
5 allowed for significant capital
6 improvements to the park. These Phase I
7 improvements included new paving,
8 benches, trash receptacles, plantings and
9 an irrigation system. The park is
10 currently maintained through a
11 partnership between Fairmount Park and
12 the Center City District. Fairmount Park
13 provides services such as turf
14 maintenance, tree pruning, irrigation
15 maintenance, snow removal and the
16 installation and maintenance of seasonal
17 plantings. These planting areas are done
18 by contractors managed by the Park but
19 funded by the Center City District. The
20 District in turn empties the trash
21 receptacles, removes graffiti from the
22 park, power washes the sidewalks and
23 maintains the light fixtures.

24 The improvements have been well
25 received by the public since they were

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2 completed a little over a year ago, and
3 the maintenance partnership is working
4 very well.

5 The bill before you today will
6 allow Fairmount Park, acting on behalf of
7 the City, to enter into a lease with the
8 Center City District for further
9 development and maintenance of Three
10 Parkway Plaza. The second and final
11 phase of these improvements include
12 further landscape enhancements to the
13 park and, most significantly, the design
14 and construction of an information and
15 cafe pavilion. This 1,200-square-foot,
16 architecturally distinctive pavilion will
17 activate the gateway to the Parkway and
18 provide amenities for residents, visitors
19 and employees of Center City. The
20 pavilion will include a cafe operation
21 and information displays about Fairmount
22 Park and the Parkway institutions.
23 Information will be made available
24 through the use of brochure racks and
25 flat-panel monitors, which will provide

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2 current information about Parkway
3 institutions or exhibits and programs,
4 such as the King Tut exhibit currently at
5 the Franklin Institute.

6 The cafe will be run by a
7 third-party operator under contract to
8 the Center City District. It is
9 envisioned that the cafe will be open
10 year round for business, offering light
11 fare for breakfast, lunch and dinner.
12 Revenues derived by the Center City
13 District from the cafe operation will be
14 dedicated to ongoing maintenance of Three
15 Parkway Plaza and other park and
16 streetscape amenities along the Benjamin
17 Franklin Parkway.

18 Execution of the proposed lease
19 and implementation of these further
20 improvements to Three Parkway Plaza
21 fulfills several of the goals and
22 strategies contained in the Park's
23 Strategic Plan, A Bridge to the Future,
24 which was completed in 2004.
25 Specifically, this project will result in

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2 a facility which will offer information,
3 services and amenities to park users and
4 offer a higher level of landscape
5 maintenance for the Parkway's public
6 environments.

7 In conclusion, I request this
8 Committee and the Council's full support
9 of this bill, and I am pleased to answer
10 any questions.

11 Thank you.

12 COUNCILWOMAN BROWN: The record
13 should reflect that Councilwoman Marian
14 Tasco has joined us for this bill and the
15 sponsor of this bill, Councilman Darrell
16 Clarke, has joined us as well.

17 Councilman Frank DiCicco.

18 COUNCILMAN DiCICCO: Thank you,
19 Madam Chair, and good afternoon.

20 Councilman Kelly and I were
21 doing a little sidebar. Is this that
22 piece of land, that little grassy area
23 where traditionally the homeless people
24 line up, wait to be -- Trevor's Friends
25 or whatever comes out and feeds them?

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2 MR. FOCHT: It is the triangle
3 piece of land used to be referred to as
4 Pennwalt Plaza when Pennwalt was in the
5 Three Parkway building, yes.

6 COUNCILMAN DiCICCO: Okay. I
7 just wanted to make sure we're talking
8 about the same piece. Thank you.

9 MR. FOCHT: Correct.

10 COUNCILWOMAN BROWN: Councilman
11 Frank Rizzo.

12 COUNCILMAN RIZZO: This isn't
13 directly about this project, but it's an
14 observation, and I don't know if Mr. Levy
15 can take care of it or the Department of
16 Public Property, but the center island,
17 which is just a hash-marked area on the
18 Parkway -- I think it's between 15th and
19 16th -- has become a parking lot for City
20 vehicles. You can do all of these good
21 things on the Parkway. Some of those
22 vehicles are even left there overnight.

23 So I really believe that
24 something has to be done if you want to
25 make that an attractive area. It is now

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2 a parking area.

3 MR. FOCHT: Thank you.

4 COUNCILWOMAN BROWN: Any other
5 questions, observations for this witness?

6 (No response.)

7 COUNCILWOMAN BROWN: Very well.

8 We thank you for your testimony.

9 MR. FOCHT: Thank you.

10 COUNCILWOMAN BROWN: We would
11 like to please invite Paul Levy, the
12 Executive Director of the Philadelphia
13 Center City District, to the table.

14 Good afternoon.

15 MR. LEVY: Good afternoon,
16 Councilwoman Blondell Reynolds. Thank
17 you for this opportunity, members of
18 Council. I will be very brief in my
19 testimony. I brought a longer copy of it
20 along here, but I think Mark Focht has
21 covered a great deal, so let me just
22 briefly add to that.

23 My name is Paul Levy. I'm the
24 President of the Center City District and
25 I, too, am here to testify in support of

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2 Council Bill 070077.

3 I simply want to add to what
4 Mark Focht indicated, that the
5 improvements to the park that have been
6 made to date, including the creation of
7 the cafe that we will be building, are
8 being done at no expense to the City of
9 Philadelphia. Through a competitive
10 selection process, we have selected a
11 woman-owned business who will operate the
12 cafe. And the cafe has been closely and
13 carefully designed in conjunction with
14 the Fairmount Park Commission and the Art
15 Commission to complement the Parkway.
16 But as Mark indicated, best of all, the
17 revenues that will be paid in rent by the
18 cafe operator will be pledged to the
19 maintenance not only of Three Parkway,
20 but as they increase, we will be able to
21 work with the Park Commission on enhanced
22 maintenance of other portions of the
23 Parkway.

24 If the Councilman wants to buy
25 me some tow trucks, I would take that

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2 issue on, but I'll take a pass on that.

3 What I've attached here very
4 simply are three letters of support, one
5 from the Friends Select School, who is
6 immediately adjacent to this park,
7 indicating their support; secondly, a
8 letter from the Parkway Council
9 Foundation representing all the Parkway
10 institutions and some of the apartment
11 buildings; and then, third, from the
12 Convention and Visitors Bureau, talking
13 about the importance of the visitor
14 services.

15 So I will stop there really and
16 just see if you have any questions in any
17 fashion on this.

18 COUNCILWOMAN BROWN: We thank
19 you.

20 Councilman Frank DiCicco.

21 COUNCILMAN DiCICCO: Thank you,
22 Madam Chair.

23 Good afternoon, Mr. Levy.

24 Could you describe what this cafe will
25 have? Is it indoor seating? Is it walk

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2 up to the counter?

3 MR. LEVY: I will. I meant to
4 bring pictures of this, which I will get
5 to people, but it will be both indoor and
6 outdoor. The way it will work is, there
7 will be indoor seating. No food will be
8 cooked on the site, so there will be no
9 exhaust. It will be pre-prepared food.
10 And there will be indoor seating, but it
11 will be designed like a lot of those
12 cafes you see where in the warmer months
13 the doors can go up.

14 There will also be outdoor
15 seating that will surround this in the
16 plaza area that surrounds it, which we
17 will maintain, as will the cafe operator.
18 So in cold months, you'll be able to go
19 inside, it will be heated. In warm
20 months, the doors will be open and you'll
21 be able to sit outside. And when it's
22 really hot, the air conditioning will be
23 functioning inside. So it will be --

24 COUNCILMAN DiCICCO: And there
25 will be toilet facilities?

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2 MR. LEVY: There is a toilet
3 facility within the building itself,
4 that's correct.

5 COUNCILMAN DiCICCO: Great.
6 Sounds like we're following Europe's lead
7 in using our parks for the public use.
8 Thank you. Great idea. Thanks.

9 COUNCILWOMAN BROWN:
10 Mr. McNally (ph), would you like to offer
11 testimony?

12 MR. McNALLY: No. I'm just
13 here as special counsel.

14 COUNCILWOMAN BROWN: Very well.

15 Any other questions for this
16 witness?

17 (No response.)

18 COUNCILWOMAN BROWN: Anyone
19 else to testify on this -- there's some
20 anxious enthusiasm up here in wanting to
21 know when the ground-breaking is.

22 MR. LEVY: Absolutely. Subject
23 to this approval, we hope to get the
24 ground-breaking for this by the spring
25 and look to be open in the fall. So we

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2 works were actually started in West
3 Philadelphia at the University of
4 Pennsylvania many years ago when I served
5 as the Executive Director of the West
6 Philadelphia Partnership. So we're glad
7 to see that you're having other parts of
8 the City benefit from your expertise.

9 MR. LEVY: Thank you very much.
10 I just want to emphasize, too, that we've
11 enjoyed a really good, close working
12 relationship with Mark Focht and the
13 Fairmount Park Commission. This has
14 really been a partnership effort
15 together.

16 COUNCILWOMAN BROWN: Very well.
17 This concludes our public
18 hearing. We will now move into our
19 public meeting.

20 I would like to ask Councilman
21 Goode to please provide a motion on Bill
22 No. 070077.

23 COUNCILMAN GOODE: Thank you,
24 Madam Chair. I move --

25 COUNCILWOMAN BROWN: And

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2 forgive me. The motion should take into
3 account suspension of the rules.

4 COUNCILMAN GOODE: Thank you,
5 Madam Chair. I move that Bill No. 070077
6 be reported out of Committee with a
7 favorable recommendation and that the
8 rules of Council be suspended so as to
9 permit first reading at our next Council
10 session.

11 (Duly seconded.)

12 COUNCILWOMAN BROWN: The bill
13 has been seconded by Councilwoman Marian
14 Tasco. Bill No. 070077 has been moved
15 and properly seconded.

16 All in favor will say aye.

17 (Aye.)

18 COUNCILWOMAN BROWN: All
19 opposed?

20 (No response.)

21 COUNCILWOMAN BROWN: Therefore,
22 Bill No. 070077 will be reported out of
23 Committee with a favorable recommendation
24 and further moved that the rules be
25 suspended so as to permit first reading

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2 at the next scheduled session of the
3 Philadelphia City Council.

4 This concludes the meeting of
5 the Committee on Recreation, Parks and
6 Cultural Affairs.

7 We thank you all for your
8 interest and your attendance.

9 (Committee on Parks, Recreation
10 and Cultural Affairs adjourned at 1:20
11 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 on March 8, 2007, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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