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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING - COMMITTEE ON RULES

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Room 400, City Hall
Philadelphia, Pennsylvania
Monday, December 6, 2004, 10:35 a.m.

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BILL 040972 - An Ordinance amending Title 14 of
The Philadelphia Code, relating to "Zoning and
Planning," by amending Chapter 14-1600, entitled
"Miscellaneous," by adding a new Section 14-1629,
entitled "Yorktown Special District Controls"; all
under certain terms and conditions.

9

BILL 040780 - An Ordinance to amend the
Philadelphia Zoning Maps by changing the zoning
designations of certain areas of land located
within an area bounded by the Frankford Creek,
Aramingo Avenue, Wheatsheaf Lane, Sepviva Street,
Butler Street, Frankford Avenue, Valetta Street,
Coral Street, Vici Street and Frankford Avenue.

13

BILL 040937 - An Ordinance to amend the
Philadelphia Zoning Maps by changing the zoning
designations of certain areas of land located
within an area bounded by Delaware Avenue, Penn
Street, Ellen Street (extended), the Delaware
River and Spring Garden Street (extended).

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN DARRELL L. CLARKE
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN BRIAN J. O'NEILL

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1 040972, 040780, 040937, Rules, 12/6/04
2 with regard to that Bill, Madam President. I
3 was not advised.

4 COUNCIL PRESIDENT VERNA: I'm sorry.
5 You're going to have to approach the witness
6 table.

7 MR. KRAMER: Good morning, Madam
8 President.

9 My name is William Kramer. I'm the
10 Senior Zoning Planner for the City of
11 Philadelphia Planning Commission.

12 We have not -- We were not advised
13 that this bill had a hearing today, and
14 subsequently we do not have any testimony
15 with regard to this Bill.

16 COUNCIL PRESIDENT VERNA: All right.
17 If you'll just stay at the witness table, if
18 you will.

19 MR. KRAMER: Certainly.

20 COUNCIL PRESIDENT VERNA: Councilman
21 Clarke, is there a statement you'd like to
22 make, since it's your Bill?

23 COUNCILMAN CLARKE: Thank you, Madam
24 President. Good morning.

25 Madam President, briefly, I would

1 040972, 040780, 040937, Rules, 12/6/04
2 just like to give an opening statement.
3 First I would like to thank the members from
4 the Yorktown community that worked on this
5 Bill who, actually, to a large degree crafted
6 the Bill and forwarded it to our office for
7 support.

8 They've been working for some time
9 dealing with the problem that has existed,
10 not only in the Yorktown community but around
11 the perimeter of Temple University.

12 We will be addressing that later on
13 in the hearing, offering a couple of
14 amendments to incorporate a couple of
15 additional areas.

16 Essentially, this problem has arisen
17 as a result of an aggressive marketing
18 strategy on behalf of Temple University, in
19 bringing additional students.

20 And their ability to house their
21 students on campus has not been realized by
22 the number of units they have on campus. So,
23 we have this phenomenon where people in
24 surrounding communities are selling their
25 homes or converting their homes into

1 040972, 040780, 040937, Rules, 12/6/04
2 multi-family units to accommodate student
3 housing.

4 We think that is a real problem, as
5 the residents in the surrounding community.
6 And it's created a change in the fabric of
7 that neighborhood, and we would like to stem
8 that tide.

9 So, we offer this Bill today in the
10 hopes that we can get the support of the
11 Committee.

12 COUNCIL PRESIDENT VERNA: Okay. Do
13 we have any witnesses to testify on this
14 Bill? Would you please approach the witness
15 table?

16 You know, while you're there, let me
17 ask a question. Why does it take so long for
18 City Planning to render a recommendation on
19 bills that are introduced in Council?

20 MR. KRAMER: Primarily because most
21 bills are not considered by the Planning
22 Commission itself until a hearing has been
23 scheduled.

24 The Planning Commission itself meets
25 once a month, so subsequently, there are gaps

1 040972, 040780, 040937, Rules, 12/6/04
2 wherein the hearing date scheduled here does
3 not coincide with what the Planning
4 Commission's dates are.

5 Additionally, we don't generally
6 take items to the Commission until they are
7 closer to a hearing date because the history
8 has told us many of the bills are amended
9 between the time they are introduced and the
10 time they are considered.

11 And to allow for that, those
12 amendments to go through so that we
13 understand and are talking the same Bill,
14 essentially, we do hold onto them.

15 That's not coming from myself, but
16 rather is a policy that has been with the
17 Commission for many years, at least the
18 number of years that I've been with them.

19 COUNCIL PRESIDENT VERNA: Well, I
20 would think that when a Bill is introduced,
21 it would be given attention, so that when it
22 comes up for a public hearing we're not told
23 that they're going to meet on such and such a
24 date to give consideration to the Bill.

25 Why wouldn't it be considered at the

1 040972, 040780, 040937, Rules, 12/6/04
2 time the Bill is introduced, so that when a
3 public hearing does come up, you're prepared
4 to testify?

5 MR. KRAMER: I really don't have any
6 other adequate answer for you, other than
7 what I've already stated, that they are
8 trying to allow for the opportunity for bills
9 to be amended when necessary. And
10 subsequently, it is not -- I'm not involved
11 in that policy decision, so I really don't
12 have an answer.

13 COUNCIL PRESIDENT VERNA: But the
14 bill's not amended, not until we have a
15 public hearing. So, how would you have
16 knowledge of that?

17 MR. KRAMER: Many of the times we
18 work closely with the different Council
19 persons with regard to all these different
20 bills.

21 I personally drafted the number of
22 bills that are here, not this particular one;
23 but I have drafted the other two on the
24 schedule that we have today. I'm the author
25 of both of those, in terms of the actual

1 040972, 040780, 040937, Rules, 12/6/04

2 physical writing of the material.

3 So, certainly we knew about it. And
4 we know many things about it.

5 Regrettably, I don't have an
6 adequate answer to tell you why the
7 Commission doesn't necessarily consider items
8 prior to the time when it would be necessary.
9 That I don't have.

10 COUNCIL PRESIDENT VERNA: All right.
11 We'll hear from the first witness. Please
12 identify yourself for the record.

13 MS. SMITH: Good morning, esteemed
14 members of Council.

15 My name is Pamela Pendleton Smith.
16 I am a long-time resident of the Yorktown
17 community which is roughly bounded on the
18 north by Cecil B. Moore Avenue, on the south
19 by Flora Street, on the east by 10th Street,
20 and on the west by 13th Street.

21 In the early 1960's, Yorktown was
22 developed as -- and I'm quoting from a sales
23 brochure that was prepared by the
24 Redevelopment Authority of the City of
25 Philadelphia in 1959 -- Philadelphia's newest

1 040972, 040780, 040937, Rules, 12/6/04
2 community, under the shadow of Billy Penn's
3 hat.

4 Yorktown was marketed as a model
5 community -- again I'm quoting from the
6 brochure -- for family living and within easy
7 reach of all sections of the city.

8 Yorktown was always meant to be a
9 community of families, emphasis on community,
10 by nature of the layout of those houses, with
11 interlocking courts and cul-de-sacs, emphasis
12 on family.

13 By nature of the area being
14 originally, and still is, designated and
15 zoned as R9-A, single family residential
16 dwellings.

17 According to The Philadelphia Code,
18 Title 14-102, definitions, definition number
19 39 lists dwellings classes.

20 Class A. A single-family dwelling
21 shall be a dwelling occupied as the home or
22 residence of one family.

23 According to definition 44 under the
24 same title and section, family is defined as
25 a person living independently or a group of

1 040972, 040780, 040937, Rules, 12/6/04
2 persons living as a single household unit,
3 using housekeeping facilities in common, but
4 not to include more than three persons
5 unrelated by blood, marriage or adoption.

6 The earliest residents of Yorktown
7 recognized the need to preserve the
8 uniqueness of this community, and the
9 importance of maintaining its cohesiveness.

10 A group of residents formed the
11 Yorktown Community Organization to keep the
12 area quiet, safe and clean.

13 Their first order of business was to
14 establish covenants and restrictions
15 dictating what was allowed and not allowed
16 regarding activities perceived to be
17 detrimental to the community as a whole.

18 We have drifted away from
19 enforcement of the covenant but we have not
20 become apathetic to what happens in our
21 community.

22 speculators are assaulting our
23 community, determined to convert houses that
24 are still zoned as single family houses into
25 apartments, dormitories, tenement houses,

1 040972, 040780, 040937, Rules, 12/6/04
2 rooming houses, boarding houses.

3 The tenants targeted for these
4 properties are university students. In
5 instances where physical conversions are not
6 made, the housing arrangement is such that
7 there are more than three unrelated persons
8 living in one dwelling. This is in violation
9 of The Philadelphia Code, Title 14-100.

10 A special neighborhood problem
11 arises from having the transient environment
12 that goes with having rooming houses or
13 boarding houses for university students in
14 our area.

15 Our streets are overburdened with
16 the parking of extra cars. The tenants have
17 no vested interest in the community.
18 Therefore, improper trash or recycling
19 setout, lack of snow removal, lack of leaf
20 collection, and littering become issues.

21 At times the boisterous house
22 parties, loud stereos, T.V.'s, musical
23 instruments, and general rowdiness that is
24 characteristic of university students who are
25 away from the watchful eye of their parents,

1 040972, 040780, 040937, Rules, 12/6/04
2 become big problems.

3 A quote from a publication
4 distributed by the City of Philadelphia
5 Department of Licenses and Inspections,
6 called Partners for Good Housing, revised
7 April 2004, and produced by the
8 Commissioner's Office. My reference is Page
9 15, section on zoning, which says, sometimes
10 neighborhoods are harmed by the conversions
11 of houses into apartments or by undesirable
12 commercial or industrial uses.

13 The city has the zoning ordinance
14 that protects neighborhoods from these
15 conversions and harmful intrusions. End of
16 quote.

17 These conversions and housing
18 arrangements are unacceptable to the members
19 of the Yorktown community because it is
20 eroding the integrity of Yorktown as a proud,
21 stable community of single family homes
22 celebrating its 45th anniversary.

23 We seek the protection of the City
24 of Philadelphia's Code by appealing to this
25 esteemed body to pass into law Bill Number

1 040972, 040780, 040937, Rules, 12/6/04

2 040972.

3 It will not only establish the
4 Yorktown community's special district
5 controls, but will effectively enforce the
6 zoning ordinance R9-A already on the books.

7 We also ask that violators of this
8 law be subject to penalties that are strong
9 enough, that when enforced, they make the
10 risk associated with committing the violation
11 greater than the benefits.

12 We implore you to not allow any
13 variances, grandfathering or other
14 exemptions. Please: Sign this Bill into law
15 and help preserve our unique community.

16 Thank you.

17 (Applause.)

18 COUNCIL PRESIDENT VERNA: Thank you
19 very much.

20 Are there any questions from members
21 of the Committee?

22 (No response.)

23 COUNCIL PRESIDENT VERNA: Thank you
24 so much for your testimony.

25 Our next witness is Mary McCray.

1 040972, 040780, 040937, Rules, 12/6/04

2 Good morning.

3 MS. MCCRAY: Good morning.

4 To Councilwoman Verna and to all of
5 the officers that's here.

6 I guess I'm the person that got this
7 started, I've been told.

8 But I would like to say I'm very
9 concerned concerning our community. I have
10 been living there over 40 some years, and I
11 do not want to see our community go down.
12 And it's beginning to go down.

13 We're right next door to the
14 university. And we do -- Like Miss Smith
15 said, we have a problem with the parking, and
16 with the students moving in these homes as
17 rooming homes.

18 And, for instance, in my block is
19 where I mentioned about this house. And
20 that's how it all got started.

21 The gentleman bought the home, and
22 came in and made a five-room rooming house.
23 And it's unacceptable from my neighbors. We
24 don't want that. It's supposed to be at
25 least three bedrooms, but he made additional

1 040972, 040780, 040937, Rules, 12/6/04
2 room out of this house, and was charging big
3 bucks, four and five hundred dollars a room.
4 Yes, that's the truth, four and five hundred
5 dollars a room. So, my --

6 COUNCIL PRESIDENT VERNA: Miss
7 McCray, did you ever call Licenses and
8 Inspections, and ask them to go to the
9 property and inspect it?

10 MS. MCCRAY: Well, just lately. It
11 will come up, I guess, a little later on out,
12 when I came to Councilman Clarke concerning,
13 they were supposed to have been working on
14 it. They did make a few calls, but that was
15 in 2001.

16 And Licenses and Inspections didn't
17 do anything. So I took on, myself and Miss
18 Smith, and some other members of the
19 community, and we did get License and
20 Inspections did come out. But we -- I guess
21 it will come out today concerning the...

22 We did get a report from Licenses
23 and Inspections. But they sent the... I'll
24 let her explain that. But the house in my
25 block, the 1500 block of Dondill Place. This

1 040972, 040780, 040937, Rules, 12/6/04
2 is how it all got started. So -- And I
3 appreciate it.

4 I don't know who else is going to
5 testify. We do not want this type of thing
6 going on in my community.

7 COUNCIL PRESIDENT VERNA: Thank you
8 very much.

9 MS. McCRAY: Thank you.

10 COUNCIL PRESIDENT VERNA: Are there
11 any questions from members of the Committee?

12 (No response.)

13 COUNCIL PRESIDENT VERNA: Thank you.

14 MS. McCRAY: She's going to let you
15 know about the License...

16 COUNCIL PRESIDENT VERNA: Miss
17 Smith, did you want to add something to Miss
18 McCray's testimony, about Licenses and
19 Inspections, what they found when they
20 inspected?

21 MS. SMITH: Yes. We did follow up
22 on the complaint that we filed at 1522
23 Dondill Place.

24 And they did send out an inspector.
25 And they found three violations. One briefly

1 040972, 040780, 040937, Rules, 12/6/04
2 said that the conditions found at the
3 premises were dangerous to human life and/or
4 public welfare, and they gave a section
5 number.

6 They said that someone was living in
7 the basement, and that was a violation.

8 The next one said, no person shall
9 operate a rooming house without first
10 obtaining a rooming house license.

11 The next violation says that...
12 This is also in regards to... Well, I guess
13 this is a cease and desist order. Cease
14 maintaining and/or operating a rooming house
15 without a use registration permit.

16 I went down to get copies of the
17 violations, and there was something that
18 disturbed me. The owner that is identified
19 on the violations is different from the owner
20 that is listed on the BRT records. And I
21 wasn't sure if this would go anywhere because
22 it didn't go to the owner of the current
23 owner of record.

24 COUNCIL PRESIDENT VERNA: When was
25 that citation issued?

1 040972, 040780, 040937, Rules, 12/6/04

2 MS. SMITH: September 27, 2004.

3 And it is my understanding that the
4 current owner of record has been on record
5 since 2003.

6 I took a second visit down to
7 Licenses and Inspections to talk to one of
8 the coordinators that handled the complaints.
9 And I looked at what he was looking at on his
10 computer.

11 And for each record there are five
12 pages or five screens. The first two screens
13 list owners, and the sixth screen lists an
14 owner.

15 The first two screens listed the
16 current owner as the owner of record, but on
17 the sixth screen, it listed the previous
18 owner which is the violations are addressed
19 to the previous owner. No one could tell me
20 why that was. So that's another matter that
21 we are pursuing.

22 COUNCIL PRESIDENT VERNA: So they
23 still are using this as a boarding house?

24 MS. SMITH: Yes.

25 COUNCIL PRESIDENT VERNA: Thank you.

1 040972, 040780, 040937, Rules, 12/6/04

2 Thank you very much.

3 Sam Dowling.

4 Would you prefer someone else
5 testify next, Sam?

6 MR. DOWLING: I'm coming. Good
7 morning, Madam President.

8 COUNCIL PRESIDENT VERNA: Good
9 morning. Welcome.

10 MR. DOWLING: And to other members
11 of Council, I am not -- I do not have a
12 detailed description of everything that has
13 been done. I was notified yesterday in the
14 evening of this hearing.

15 I happen to be the President of
16 Metamorphosis Community Development
17 Corporation.

18 We exist at People's Village and
19 Nelson Brown, basically, which are houses
20 between 11th and 12th Street -- excuse me --
21 13th and 11th, Diamond and Susquehanna, North
22 Philly. We also do work with Jefferson Manor
23 in the same area.

24 We all have the same problem that is
25 being discussed today in this Ordinance, in

1 040972, 040780, 040937, Rules, 12/6/04
2 this Bill. We applaud Yorktown for bringing
3 it to City Council.

4 We would like to be -- like to have
5 the Bill amended, if we could, to include the
6 areas of Jefferson Manor, People's Village
7 and Nelson Brown.

8 We have the same existing problem,
9 where our neighborhood is being turned into a
10 rental area. The rental area, like she says,
11 in her area they're going for two and four
12 hundred dollars. They're getting off cheap.
13 In my neighborhood they're going for six and
14 seven hundred per room. And we find it a
15 little hard at this time.

16 What we're asking Council to do and
17 Yorktown Association, to allow us to join
18 with them on this ordinance, to be included
19 in it.

20 COUNCIL PRESIDENT VERNA: Thank you.
21 I'm sure you've had discussion with
22 Councilman Clarke about this?

23 MR. DOWLING: Pardon me?

24 COUNCIL PRESIDENT VERNA: I'm
25 certain you have had discussion with

1 040972, 040780, 040937, Rules, 12/6/04

2 Councilman Clarke about the --

3 MR. DOWLING: Yes.

4 COUNCIL PRESIDENT VERNA: --

5 proposed amendments?

6 MR. DOWLING: Yes. We've also
7 notified L & I, and have come up with the
8 same -- As a matter of fact, Yorktown's a
9 little more advanced than we are in what
10 they're doing. Right now we're just trying
11 to jump on the bandwagon.

12 COUNCIL PRESIDENT VERNA: Fine.

13 Thank you very much.

14 Any questions?

15 The Chair recognizes Councilwoman
16 Brown.

17 COUNCILWOMAN BROWN: Could you share
18 with us the boundaries of the additional
19 developments you just referenced, please?

20 MR. DOWLING: Yorktown -- Well,
21 Yorktown -- People's Village and Nelson Brown
22 are two very close projects -- or not
23 projects but housing areas.

24 COUNCILWOMAN BROWN: Sure.

25 MR. DOWLING: And what it is, they

1 040972, 040780, 040937, Rules, 12/6/04
2 are 13th Street. North 13th, 2100 North 13th
3 to 2100 North 11th.

4 COUNCILWOMAN BROWN: Okay.

5 MR. DOWLING: From Diamond Street to
6 Susquehanna Avenue.

7 The other would be Jefferson Manor
8 from Master Street, I believe, to Jefferson
9 or -- It's Master to Jefferson.

10 And I believe Yorktown will have a
11 better description of their location. But
12 it's also between the same running areas,
13 11th Street over to 10th.

14 COUNCILWOMAN BROWN: Okay. That's
15 helpful, in terms of perspective of that
16 area.

17 MR. DOWLING: Yes.

18 COUNCILWOMAN BROWN: Thank you.

19 MR. DOWLING: Yes.

20 COUNCIL PRESIDENT VERNA: Thank you.

21 The Chair recognizes Councilman
22 Clarke.

23 COUNCILMAN CLARKE: Thank you, Madam
24 President.

25 Good morning, sir.

1 040972, 040780, 040937, Rules, 12/6/04

2 MR. DOWLING: Good morning.

3 COUNCILMAN CLARKE: Real briefly, a
4 quick question. Yorktown has obviously had a
5 little more time on having actually crafted a
6 substantial part of the Bill.

7 In this process, we can do a couple
8 of things. We can actually amend the Bill
9 today in the Committee hearing or we can
10 amend it on the second reading.

11 Would you be interested... And I'm
12 prepared to go either route... representing
13 Nelson Brown/People's Village? Would you be
14 interested in us offering the amendment in a
15 couple of weeks, to give you an opportunity
16 to talk to the residents of your area or
17 would you prefer we do this now?

18 MR. DOWLING: Well, actually, I
19 would prefer it now, as long as it does not
20 hinder the Yorktown's concern right now.

21 COUNCILMAN CLARKE: Okay.

22 MR. DOWLING: But we would prefer it
23 be done now because it's something that has
24 been discussed between People's Village and
25 the Jefferson Manor people.

1 040972, 040780, 040937, Rules, 12/6/04

2 COUNCILMAN CLARKE: Okay.

3 MR. DOWLING: So we're all aware.

4 It's just that we just found out about the
5 hearing late.

6 COUNCILMAN CLARKE: Okay. Great.

7 Thank you.

8 MR. DOWLING: Thank you.

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

11 Our next witness is Priscilla Woods.
12 Good morning. Welcome. And please identify
13 yourself for the record.

14 MS. WOODS: Good morning. I am
15 Priscilla woods, the Executive Director of
16 the Yorktown Community Development
17 Corporation.

18 Good morning, President Verna and
19 members of the Committee on Rules. Thank you
20 for this opportunity to comment on Bill
21 Number 040972, the Yorktown Special District
22 Controls Bill.

23 I also want to thank our Fifth
24 Council District Councilman, Darrell Clarke,
25 and of course Mrs. Mary McCray for her

1 040972, 040780, 040937, Rules, 12/6/04

2 outrage that started this whole process.

3 I just want to just add my support
4 to the Bill. My neighbors have basically
5 said what needs to be said here. Just wanted
6 the Yorktown Community Development
7 Corporation to be on record, and to say that
8 we fully support the Bill.

9 We have been disturbed also, along
10 with the rest of the community, and saw the
11 need for drafting such a Bill because of the
12 fact that these speculators who have come
13 into our neighborhood have no regard for the
14 neighborhood as it is, for the families in
15 the neighborhood.

16 Some of them have changed the
17 character of the neighborhood by eliminating
18 driveways... eliminating lawns and creating
19 driveways, and then erecting signs, signs
20 that say no parking and tow signs, big Lou
21 Bloom tow signs in front of the properties.

22 So they're basically defacing the
23 neighborhood and putting out signs saying,
24 this is a commercial business area. It is no
25 longer a residential area. And that is truly

1 040972, 040780, 040937, Rules, 12/6/04

2 offensive to us.

3 The other thing that we want to go
4 on record to say is that once this Bill has
5 indeed become an ordinance, a City ordinance,
6 we are asking for enforcement.

7 We want to know that once Mrs.
8 McCray or one of the other neighbors picks up
9 the phone and calls Licenses and Inspections
10 to report or to inquire as to whether proper
11 zoning has occurred for the construction of
12 additions to properties, that we will be
13 responded to.

14 So again, I want to thank you, and I
15 encourage you to pass this Bill.

16 COUNCIL PRESIDENT VERNA: Thank you
17 very much.

18 Are there any questions of Miss
19 Woods?

20 (No response.)

21 COUNCIL PRESIDENT VERNA: Thank you
22 again for coming in to testify.

23 (Applause.)

24 COUNCIL PRESIDENT VERNA: Do we have
25 anyone else? Do we have anyone else that

1 040972, 040780, 040937, Rules, 12/6/04

2 would like to testify on this Bill?

3 (No response.)

4 COUNCIL PRESIDENT VERNA: Okay.

5 Miss Smith, it truly disturbs me that, you
6 know, you called L & I, made a complaint, and
7 they never followed through on it. I find
8 that very, very disturbing.

9 MS. SMITH: Very.

10 COUNCIL PRESIDENT VERNA: I'm sure
11 Councilman Clarke will be acting on that.

12 COUNCILMAN CLARKE: Absolutely.

13 COUNCIL PRESIDENT VERNA: Okay. I
14 would ask Mr. McPherson, then, to please read
15 the next Bill, Bill Number 040780.

16 MR. MCPHERSON: An Ordinance to
17 amend the Philadelphia Zoning Maps by
18 changing the zoning designations of certain
19 areas of land located within an area bounded
20 by the Frankford Creek, Aramingo Avenue,
21 Wheatsheaf Lane, Sepviva Street, Butler
22 Street, Frankford Avenue, Valetta Street,
23 Coral Street, Vici Street and Frankford
24 Avenue.

25 COUNCIL PRESIDENT VERNA: Please

1 040972, 040780, 040937, Rules, 12/6/04
2 identify yourself for the record and proceed
3 with your testimony.

4 MR. KRAMER: Good morning, Madam
5 President, and members of the Rules
6 Committee.

7 My name is William Kramer. I am the
8 Senior Zoning Planner for the Development
9 Planning Division of the City Planning
10 Commission.

11 And I'm here today to testify on
12 Bill 040780.

13 Councilman DiCicco introduced this
14 Bill on September 23, 2004.

15 Bill 040780 amends the Philadelphia
16 Zoning Maps by changing the zoning of
17 portions of the area bounded by the Frankford
18 Creek, Aramingo Avenue, Wheatsheaf Lane,
19 Sepviva Street, Butler Street, Frankford
20 Avenue, Valetta Street, Coral Street, Vici
21 Street and Frankford Avenue.

22 This rezoning would change the
23 zoning of the site from the current G-2,
24 general industrial classification to ASC,
25 area shopping center commercial.

1 040972, 040780, 040937, Rules, 12/6/04

2 The site is approximately 21.25
3 acres, which is approximately two-thirds the
4 size of the recently completed Whitman Square
5 Shopping Center on the Roosevelt Boulevard
6 and Grant Avenue.

7 The Planning Commission has not
8 considered this Bill at this time. It is
9 scheduled to be reviewed by the Commission at
10 its next meeting of December 14, 2004.

11 That concludes my testimony. I
12 would be happy to answer any questions from
13 the Committee.

14 COUNCIL PRESIDENT VERNA: The Chair
15 recognizes Councilman O'Neill.

16 COUNCILMAN O'NEILL: Seems like
17 there's very little street frontage. How
18 much street frontage is actually on Aramingo
19 Avenue? Or is there also access through the
20 back?

21 MR. KRAMER: The survey plan
22 indicates there's 69 foot of street frontage
23 along Aramingo Avenue. And additionally,
24 there is no street frontage, I believe, on
25 Wheatsheaf Lane. Well... Excuse me.

1 040972, 040780, 040937, Rules, 12/6/04
2 Wheatsheaf Lane turns into Sepviva, and then
3 changes back into it.

4 Approximately... Excuse me. 215
5 foot of street frontage along Wheatsheaf Lane
6 just to the west of Sepviva Street.

7 COUNCILMAN O'NEILL: What is across
8 the street on Sepviva and Wheatsheaf?

9 MR. KRAMER: I do not know.

10 COUNCILMAN O'NEILL: Okay. Thank
11 you.

12 COUNCIL PRESIDENT VERNA: Okay. Any
13 other questions from members of the
14 Committee?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: Do we have
17 anyone else to testify on this Bill?

18 (No response.)

19 COUNCIL PRESIDENT VERNA: Seeing
20 none, I would ask Mr. McPherson to please
21 read the title of Bill Number 040937.

22 MR. MCPHERSON: An Ordinance to
23 amend the Philadelphia Zoning Maps by
24 changing the zoning designations of certain
25 areas of land located within an area bounded

1 040972, 040780, 040937, Rules, 12/6/04
2 by Delaware Avenue, Penn Street, Ellen Street
3 (extended), the Delaware River and Spring
4 Garden Street (extended).

5 COUNCIL PRESIDENT VERNA: Please
6 identify yourself again.

7 MR. KRAMER: Good morning, Madam
8 President and members of the Rules Committee.

9 My name is William Kramer. I am the
10 Senior Zoning Planner of the Development
11 Planning Division of the Philadelphia City
12 Planning Commission, and I'm here today to
13 testify on Bill 040937.

14 Councilman DiCicco introduced this
15 Bill October 28, 2004.

16 Bill 040937 amends the Philadelphia
17 Zoning Maps by changing the zoning of a
18 portion of the area bounded by Delaware
19 Avenue, Penn Street, Ellen street, the
20 Delaware River and Spring Garden Street.

21 This rezoning would change the
22 zoning of a portion of that area from the
23 current G-2 general industrial
24 classification, to C-3 commercial.

25 This rezoning would allow for the

1 040972, 040780, 040937, Rules, 12/6/04
2 expansion of a current development site which
3 was the subject of Bill 990847.

4 That Bill, which the Planning
5 Commission considered and approved at its
6 meeting on December 2, 1999, changed the
7 zoning designation of the parcel of ground
8 immediately to the north of the subject site
9 to permit the development of the currently
10 under construction waterfront square.

11 This rezoning will allow for the
12 expansion and extension of that mixed use
13 development.

14 The Planning Commission has not
15 considered the Bill at this time. It is
16 scheduled to be reviewed by the Commission at
17 its next meeting on December 14, 2004.

18 That concludes my testimony. I
19 would be happy to answer any questions from
20 the Committee.

21 COUNCIL PRESIDENT VERNA: Can you
22 please explain what are the mixed uses in the
23 waterfront square development?

24 MR. KRAMER: I do not have the total
25 of the mixed uses.

1 040972, 040780, 040937, Rules, 12/6/04

2 It is our understanding that it is a
3 commercial -- both a residential and
4 commercial development. The specific
5 commercial I do not have the specifics on.

6 COUNCIL PRESIDENT VERNA: And this
7 rezoning will allow for the expansion and
8 extension of that mixed use development?

9 MR. KRAMER: Correct, Madam Chair.

10 COUNCIL PRESIDENT VERNA: Thank you.

11 Any questions?

12 (No response.)

13 COUNCIL PRESIDENT VERNA: Do we have
14 anyone else to testify on this Bill?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: Seeing
17 none, this will conclude our public hearing.

18 (Public hearing concluded at 11:08
19 a.m.)

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1 040972 - Rules - 12/6/04

2 - - -

3 P R O C E E D I N G S

4 - - -

5 COUNCIL PRESIDENT VERNA: We will
6 now go into our public meeting.

7 And again, sir, you know, I see that
8 a Bill is introduced, I believe, in
9 September.

10 MR. KRAMER: I will refer your
11 comments back to my bosses.

12 COUNCIL PRESIDENT VERNA: You know,
13 and it comes to us in December, telling us.

14 Now, was this listed before City
15 Planning on December the 14th because the
16 Bill was listed for a public hearing today?

17 MR. KRAMER: I believe that is
18 correct, yes.

19 COUNCIL PRESIDENT VERNA: I think
20 there has to be a better way of doing this.
21 I really do.

22 MR. KRAMER: I understand that.

23 COUNCIL PRESIDENT VERNA: I wish you
24 would express my feelings.

25 MR. KRAMER: I shall.

1 040972 - Rules - 12/6/04

2 COUNCIL PRESIDENT VERNA: Thank you.

3 We are now in our public meeting,
4 and the Chair recognizes Councilman Clarke
5 regarding Bill Number 040972.

6 COUNCILMAN CLARKE: Thank you, Madam
7 President.

8 Madam President, as referenced in
9 the public hearing, we are offering an
10 amendment to Bill Number 040972, that's been
11 circulated.

12 It essentially adds the new
13 boundaries, incorporating them into this
14 Bill, the Bill for Yorktown. But it also
15 adds Jefferson Manor and People's
16 Village/Nelson Brown.

17 (Applause.)

18 COUNCILMAN CLARKE: So I would like
19 to -- Thank you, Mr. Dowling.

20 I would like to make a motion that
21 the amendment to Bill Number 040972

22 UNIDENTIFIED COUNCILPERSON: Second.

23 COUNCIL PRESIDENT VERNA: It has
24 been moved and seconded that the amendment be
25 adopted. All in favor will say aye.

1 040972 - Rules - 12/6/04

2 (Chorus of "ayes.")

3 COUNCIL PRESIDENT VERNA: Those
4 opposed?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: The ayes
7 have it, and the amendment is adopted.

8 The Chair again recognizes
9 Councilman Clarke.

10 COUNCILMAN CLARKE: Thank you, Madam
11 President.

12 Madam President, I make a motion
13 that Bill Number 040972 as amended be
14 reported out of this Committee with a
15 favorable recommendation, and a request for a
16 suspension of the rules, as to allow reading
17 at the next session of Council.

18 COUNCILMAN O'NEILL: Second.

19 COUNCIL PRESIDENT VERNA: It has
20 been moved and properly seconded that Bill
21 Number 040972 as amended be reported out of
22 Committee with a favorable recommendation,
23 also a recommendation that the rules of
24 Council be suspended so as to permit first
25 reading at our next Council session.

1 040972 - Rules - 12/6/04

2 All in favor will indicate by saying

3 aye.

4 (Chorus of "ayes.")

5 COUNCIL PRESIDENT VERNA: Those

6 opposed?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: The ayes

9 have it, and the motion carries.

10 (Applause.)

11 COUNCIL PRESIDENT VERNA: The Chair

12 again recognizes Councilman Clarke, regarding

13 Bill Number 040780.

14 COUNCILMAN CLARKE: Thank you, Madam

15 President.

16 Make a motion that Bill Number

17 040780 be reported out of Committee with a

18 favorable recommendation and a request for

19 rules suspension so as to allow reading at

20 the next session of Council.

21 COUNCILMAN O'NEILL: Second.

22 COUNCIL PRESIDENT VERNA: It has

23 been moved and seconded that Bill Number

24 040780 be reported out of Committee with a

25 favorable recommendation, also a

1 040972 - Rules - 12/6/04
2 recommendation that the rules of Council be
3 suspended so as to permit first reading at
4 our next Council session.
5 All in favor will indicate by saying
6 aye.
7 (Chorus of "ayes.")
8 COUNCIL PRESIDENT VERNA: Those
9 opposed?
10 (No response.)
11 COUNCIL PRESIDENT VERNA: The ayes
12 have it, and the motion carries.
13 Again, the Chair recognizes
14 Councilman Clarke regarding Bill Number
15 040937.
16 COUNCILMAN CLARKE: I move that Bill
17 Number 040937 be reported out of this
18 Committee with a favorable recommendation,
19 and a request for rule suspension so as to
20 allow reading at our next session of Council.
21 COUNCILMAN O'NEILL: Second.
22 COUNCIL PRESIDENT VERNA: It has
23 been moved and seconded that Bill Number
24 040937 be reported out of Committee with a
25 favorable recommendation, also a

1 040972 - Rules - 12/6/04
2 recommendation that the rules of Council be
3 suspended so as to permit first reading at
4 our next Council session.

5 All in favor will say aye.

6 (Chorus of "ayes.")

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The ayes
11 have it, and the motion carries.

12 This concludes our public meeting.
13 And I thank all of you for your patience.

14 (Meeting concluded at 11:13 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public hearing and meeting of The Philadelphia City Council, taken on December 6, 2004, and that this is a true and correct transcript of same.

DAVID A. DEIK, RPR and
Commissioner of Deeds

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)