

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, April 4, 2013
2:20 p.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BOBBY HENON
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILLS 120635, 130136, 130137, and 130162

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COUNCILMAN GREENLEE: Can I
have everybody's attention, please.

This is the Committee on Rules.
Sorry we got started a little late. Just
for the record, we have a quorum with
Councilman Goode, Councilman Henon,
Councilman O'Brien, and Councilwoman
Reynolds Brown and myself, Bill Greenlee.

For the record, Bill No. 120635
will be held to the call of the Chair at
the request of the sponsor.

Ms. Marconi, will you please
read the title of the first bill before
us today.

THE CLERK: Bill No. 130162, an
ordinance amending Title 14 of The
Philadelphia Code, entitled "Zoning and
Planning," by amending Section 14-405,
entitled "SP-ENT Entertainment (Special
Purpose) District," by revising certain
provisions relating to setback, parking
requirements, parking lots, and
off-street loading, all under certain
terms and conditions.

1 4/4/13 - RULES - BILL 130136, etc.

2 (Witness approached witness
3 table.)

4 COUNCILMAN GREENLEE: Good
5 afternoon. Please identify yourself and
6 proceed.

7 MR. GREGORSKI: Good afternoon,
8 Councilman Greenlee and members of the
9 Rules Committee. I'm Marty Gregorski, a
10 Zoning Planner with the City of
11 Philadelphia Planning Commission. I'm
12 here to testify on Bill No. 130162, which
13 was introduced into City Council on March
14 7th of this year.

15 The content of Bill No. 130162
16 was previously made law by Bill No.
17 110717 on December 14th, 2011. However,
18 due to an oversight in the drafting of
19 the new code, the content of Bill No.
20 110717 was excluded. Given that the
21 SugarHouse Casino obtained approvals
22 based on these provisions, it is
23 important that the content of Bill No.
24 130162 be added to the Philadelphia
25 Zoning Code.

1 4/4/13 - RULES - BILL 130136, etc.

2 If Council desires, I can list
3 the specific changes that are being
4 reinstated, but the Philadelphia City
5 Planning Commission at its meeting of
6 March 19th, 2013 recommended that Bill
7 No. 130162 be approved as an item in
8 accord with previous policy.

9 I'll be happy to answer any
10 questions at this time.

11 COUNCILMAN GREENLEE: Just so
12 I'm clear, when you say the content of
13 the bill, can you -- you don't have to go
14 over everything. Just so I'm clear.

15 MR. GREGORSKI: The bill was
16 passed. When the new code was passed, it
17 didn't include the new content. So the
18 SugarHouse proposal was approved based on
19 this content, which was in the code at
20 the time of approval but, moving forward,
21 wasn't added to the code. It would be
22 difficult for them to get permits without
23 this.

24 COUNCILMAN GREENLEE: A whole
25 lot going on with the code there, I know.

1 4/4/13 - RULES - BILL 130136, etc.

2 So we're just kind of catching up a
3 little bit, right?

4 MR. GREGORSKI: Correct.

5 COUNCILMAN GREENLEE: And I
6 understand from Councilman Squilla, the
7 sponsor of the bill, there's been no
8 concern raised about this.

9 So does the Committee have any
10 questions about that?

11 Councilman Goode.

12 COUNCILMAN GOODE: Were there
13 any attachments to the previous bill?

14 MR. GREGORSKI: No.

15 COUNCILMAN GOODE: Okay. So
16 this is the identical language?

17 MR. GREGORSKI: Absolutely
18 identical, correct.

19 COUNCILMAN GOODE: Thank you.

20 COUNCILMAN GREENLEE: Any other
21 questions?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, thank you, sir.

25 Is there anyone else here to

1 4/4/13 - RULES - BILL 130136, etc.

2 testify on Bill No. 130162?

3 (No response.)

4 COUNCILMAN GREENLEE: Seeing
5 none, Ms. Marconi, our next bill, please.

6 THE CLERK: Bill No. 130136, an
7 ordinance to amend the Philadelphia
8 Zoning Maps by changing the zoning
9 designations of certain areas of land
10 located within an area bounded by Spring
11 Garden Street, 22nd Street, Pennsylvania
12 Avenue, Hamilton Street, and 21st Street.

13 COUNCILMAN GREENLEE: While the
14 Planning Commission is coming up, let me
15 just put on record, this is for the
16 zoning for a land that's going to be,
17 among other things, a Whole Foods Market.
18 The Whole Foods Market right now is just
19 a couple blocks away from this. I'm very
20 familiar with this site since I live very
21 close. I can go on the record as saying
22 I, along with Council President Clarke,
23 attended a community meeting that was
24 well attended I think around mid February
25 where the general issues were discussed.

1 4/4/13 - RULES - BILL 130136, etc.

2 As we stated at that meeting, there's
3 still some issues like traffic flow and
4 things like that, curb cuts, if you will,
5 that we're still going to do some work
6 on, but it was clear and we have heard
7 from the community loud and clear that
8 they wanted a Whole Foods to stay in that
9 community, and where it is now, it has to
10 move. So we all tried to work together
11 to make sure that happened, and this is
12 hopefully going to come to fruition with
13 the passage of this bill.

14 So, sir, please. Identify
15 yourself again and proceed.

16 MR. GREGORSKI: Good afternoon,
17 Councilman Greenlee, members of the Rules
18 Committee. I'm Marty Gregorski, a Zoning
19 Planner with the City of Philadelphia
20 Planning Commission here to testify on
21 Bill No. 130136, which was introduced
22 into City Council on February 28th of
23 this year.

24 Bill No. 130136 will rezone the
25 site located at 501 North 22nd Street,

1 4/4/13 - RULES - BILL 130136, etc.
2 the former location of the Best Western
3 Hotel, from its current zoning
4 designation of "RM-4" Residential
5 Multi-Family to a new zoning designation
6 of "CMX-4" Center City Commercial Mixed
7 Use.

8 This will allow the owners of
9 the site to seek permits for the erection
10 of a new Whole Foods grocery store with
11 accessory underground parking for 170
12 cars, a cafe, neighborhood service
13 retail, a residential development with
14 accessory parking. The current Whole
15 Food location will close and will be
16 moving to this larger 55,000 square foot
17 footprint.

18 Given the size of this
19 development and before any permits are to
20 be obtained, a review by the Civic Design
21 Review Committee will be necessary.
22 Additionally, this area is covered by a
23 125 foot height limit, so any development
24 above that height would require zoning
25 relief from the Zoning Board of

1 4/4/13 - RULES - BILL 130136, etc.

2 Adjustment.

3 The Philadelphia City Planning
4 Commission at its meeting of March 19th,
5 2013 recommended that Bill No. 130136 be
6 approved.

7 I'll be happy to answer any
8 questions at this time.

9 COUNCILMAN GREENLEE: Thank
10 you. And I should add again, being very
11 familiar with this site, one of the
12 numerous positives of this is, it's going
13 to be able to hold many more cars than
14 the other one held. As one who has
15 shopped, and my wife particularly, at
16 Whole Foods now, it is a challenge to get
17 in and out of that parking lot and find
18 parking and not get hit by a car of
19 somebody who was trying to park and all
20 that good stuff. So this -- and it also,
21 with all due respect to the Best Western
22 that is there now, I think this is going
23 to be a much more positive addition to
24 this community, and it's obviously a
25 large site. It's right as you almost

1 4/4/13 - RULES - BILL 130136, etc.
2 enter the Parkway.

3 So, again, I think the
4 community overall, knowing that we're
5 going to get back to them with more info,
6 are very excited about this.

7 Councilman Henon.

8 COUNCILMAN HENON: Thank you,
9 Mr. Chairman.

10 You stated in your testimony
11 that it's subject to Civic Design Review.

12 MR. GREGORSKI: Correct.

13 COUNCILMAN HENON: Which also
14 has community participation; is that
15 correct?

16 MR. GREGORSKI: As a
17 requirement, correct.

18 COUNCILMAN HENON: Great.
19 That's all. Thank you.

20 COUNCILMAN GREENLEE: Again, as
21 I stated, we know there's going to be
22 some issues with traffic flow. That's
23 kind of a -- particularly when you get to
24 around 22nd and Pennsylvania Avenue,
25 Hamilton Street, it gets a little tricky.

1 4/4/13 - RULES - BILL 130136, etc.

2 So we're probably going to have to do
3 some things there, but Council President,
4 and certainly whatever support I can
5 give, I think will certainly work that
6 out to the community's favor.

7 The record should reflect
8 Councilman Kenney, the Vice Chair of the
9 Committee, is also present.

10 Any other questions for the
11 Planning Commission?

12 (No response.)

13 COUNCILMAN GREENLEE: Seeing
14 none, Mr. Sklaroff is here, along with
15 the developer. I don't know if you want
16 to add anything. I think I kind of
17 stated the position, but if you'd like
18 to --

19 MR. SKLAROFF: I think it's
20 well covered, and if there are any
21 questions, we'd be happy.

22 COUNCILMAN GREENLEE: So are
23 there any questions?

24 (No response.)

25 COUNCILMAN GREENLEE: Seeing

1 4/4/13 - RULES - BILL 130136, etc.

2 none, very good. That's what we like,
3 nice and easy.

4 But, again, I think this will
5 be a positive addition.

6 The record should reflect we
7 have an agreed-upon economic opportunity
8 plan, and that will be put in as an
9 amendment to this bill, and I understand
10 everybody has a copy of it. And from
11 what I understand from people who have
12 seen it, it's certainly in order.

13 Okay. If you'd like,
14 Mr. Sklaroff, just obviously put your
15 name on the record.

16 (Witness approached witness
17 table.)

18 MR. SKLAROFF: My name is
19 Michael Sklaroff, the attorney for
20 Mr. Rodin and his company. I just wanted
21 to say that we very much appreciate all
22 the support Council President and
23 Councilman Greenlee have given to this
24 project. We're going to be back to the
25 community. There'll be a lot of input,

1 4/4/13 - RULES - BILL 130136, etc.
2 and we're very optimistic that this is
3 going to be a great benefit to the
4 community and to the City.

5 COUNCILMAN GREENLEE: And as
6 Mr. Sklaroff knows and I know, those two
7 communities that border that, Spring
8 Garden and Logan Square, will have an
9 opinion. So some discussion, but I think
10 we'll all work it out.

11 Thank you.

12 MR. SKLAROFF: Thank you.

13 COUNCILMAN GREENLEE: Michael,
14 please, one second.

15 Councilman Kenney.

16 COUNCILMAN KENNEY:
17 Mr. Sklaroff, is this a tax-abated
18 property project?

19 MR. SKLAROFF: In all
20 likelihood, yes.

21 COUNCILMAN KENNEY: What's the
22 strength of the factor of having it
23 available relative to this project being
24 undertaken?

25 MR. SKLAROFF: Well, without it

1 4/4/13 - RULES - BILL 130136, etc.

2 being --

3 COUNCILMAN KENNEY: We've been
4 having discussions in Council, important
5 discussions, on how long we've had it,
6 where it's at, that kind of thing, and I
7 know a lot of Councilmembers are
8 interested in trying to determine what's
9 equitable for everyone, at the same time
10 not wanting to retard the growth in
11 Center City or in other parts of the
12 City. So I'm just trying to determine at
13 this particular point in time in our
14 history, after we've had it this long,
15 what element of importance is it.

16 MR. SKLAROFF: I won't speak
17 directly to this project but generally,
18 if I might, because your question is
19 totally apt and really important.

20 Without the ten-year tax
21 abatement, Philadelphia would not have
22 grown the way it has. We wouldn't have
23 had the increase in population. We
24 wouldn't have the jobs we've had.

25 COUNCILMAN KENNEY: We all

1 4/4/13 - RULES - BILL 130136, etc.
2 agree to that. Even folks who are more
3 skeptical about the tax abatement than
4 others, we all agree, we all stipulate to
5 the fact that it's done all that. The
6 question now is, is that at this
7 particular point in our history, how
8 important is it to getting a project
9 done.

10 MR. SKLAROFF: It's urgent.
11 And recently we were at a meeting of the
12 members of the development community and
13 we polled them as to this particular
14 question. The development community,
15 including developers, appraisers, and
16 architects and so forth, were a hundred
17 percent that we need in Philadelphia the
18 full ten-year tax abatement.

19 COUNCILMAN KENNEY: Have you
20 had any discussions relative to the
21 potential of the kind of sliding rollback
22 or anything like that?

23 MR. SKLAROFF: Yes, but I would
24 say this: I think when this is discussed
25 at Council, we would come back with more

1 4/4/13 - RULES - BILL 130136, etc.
2 concrete information on that. I'd rather
3 not speculate at this time.

4 COUNCILMAN KENNEY: As we
5 formulate our opinions on these things,
6 especially in light of AVI and some of
7 the other issues vis-à-vis commercial
8 property getting a break and the
9 residential picking up the burden, all
10 that complicates everything. I mean, I
11 was obviously an initial supporter of the
12 abatement back when Councilman DiCicco
13 was successful in getting it done and
14 still understand its merits. I'm just
15 trying to, in the scope of the entire
16 conversation about real estate and real
17 estate taxes, I'm just trying to get
18 different perspectives.

19 MR. SKLAROFF: I think it needs
20 to be addressed, and I think there was
21 some discussion in our development
22 workshop group that there were
23 neighborhoods which were more challenged,
24 and in those neighborhoods, we thought
25 extending the tax abatement to 15 or 20

1 4/4/13 - RULES - BILL 130136, etc.
2 years to stimulate development and to
3 bring jobs and people to the City was
4 something worth considering.

5 COUNCILMAN KENNEY: I assume
6 your group, if we have a more formal
7 discussion over legislation or
8 resolution, you'll weigh in with your
9 opinion.

10 MR. SKLAROFF: Yes, not
11 personally, but on behalf of the
12 community.

13 COUNCILMAN KENNEY: Okay.
14 Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you.

17 Councilman Goode.

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

20 Mr. Sklaroff, I understand your
21 need to take the opportunity to thank the
22 Council President and those who worked on
23 behalf of the project, but you did come
24 to the table and answered a question
25 about the ten-year tax abatement.

1 4/4/13 - RULES - BILL 130136, etc.

2 Therefore, let's have the discussion now.

3 The problem with development,
4 this particular project and other
5 projects that may be challenged by this
6 economic environment, the problem is not
7 actually with property taxes, is it?

8 MR. SKLAROFF: No. The problem
9 is with the market.

10 COUNCILMAN GOODE: And can you
11 define what you mean by "the market"?
12 When you say "the market," you mean the
13 cost?

14 MR. SKLAROFF: Yes. For
15 example --

16 COUNCILMAN GOODE: And what are
17 the costs?

18 MR. SKLAROFF: No, no, not the
19 costs just. It's the interplay between
20 the costs and the rents, and it's kind of
21 straightforward. So in projects in the
22 City of Philadelphia, it is very
23 difficult to build to the market, to the
24 rents, and the tax abatement makes it
25 possible.

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN GOODE: So the tax
3 abatement makes it possible, but the
4 issue is not property taxes. The issue
5 is the need for development subsidy; is
6 that correct?

7 MR. SKLAROFF: Well, they're
8 together, because --

9 COUNCILMAN GOODE: They're not
10 together. If the issue is a need for
11 development subsidy, then you can find
12 another vehicle to subsidize development.

13 MR. SKLAROFF: Well, I don't
14 think there are -- if you put it that
15 way, I don't know of general subsidies
16 that are available for private
17 development.

18 COUNCILMAN GOODE: What I'm
19 suggesting is we could create another
20 development subsidy. It could be a tax
21 credit. And if we did a development tax
22 credit to meet the same needs, then the
23 cost of that tax credit would be spread
24 among all taxpayers as opposed to raising
25 property taxes to subsidize developers

1 4/4/13 - RULES - BILL 130136, etc.

2 and to offer a tax abatement to
3 developers and/or new homeowners.

4 And so our fundamental
5 position, for those of us who think it
6 needs to be modified, is that it's simply
7 not fair. And it's not that it is not
8 needed. There is an argument to suggest
9 that it's not needed, but I'm not even
10 trying to make that argument. The
11 argument I'm trying to make is that to
12 the extent that it is needed, it's needed
13 as development subsidies. It does not
14 have to be in the form of a tax
15 abatement. It definitely doesn't have to
16 be in the form of a ten-year tax
17 abatement.

18 So we could discuss the need
19 for development subsidy, but to say that
20 during this whole discussion on Actual
21 Value Initiative that because developers
22 need subsidy for their projects and to
23 bring new homeowners to the City that we
24 should increase the rate on existing
25 homeowners, that's not a simple position

1 4/4/13 - RULES - BILL 130136, etc.
2 to take, to say that, of course, we have
3 to continue it. So we can have debate
4 about whether a development subsidy is
5 needed, but to say that the ten-year tax
6 abatement is the only vehicle because you
7 like it I don't think is fair.

8 MR. SKLAROFF: Well, I wasn't
9 saying nor suggesting that the ten-year
10 tax abatement is the only vehicle. What
11 I was saying is that the ten-year tax
12 abatement has been effective since it's
13 been introduced and really without it,
14 Philadelphia would be in very difficult
15 shape right now, so --

16 COUNCILMAN GOODE: So any
17 subsidy, tax credit, tax abatement that
18 is successful and/or is a failure still
19 may need to be modified. If it's
20 successful, there's a case to be made
21 that it should be modified because it's
22 done what it needed to do, in terms of
23 taking an area where there was not
24 investment and then stimulating
25 investment. At that point, if you're

1 4/4/13 - RULES - BILL 130136, etc.
2 successful, then maybe you still modify
3 it because you've reached your goal. If
4 it's not successful, then maybe you
5 modify it, as you said, to maybe even
6 extend it to 15 to 20 years in areas that
7 still experience disinvestment. But
8 simply because it's been successful from
9 its beginning point does not mean that
10 there's some point at which you don't
11 modify it.

12 MR. SKLAROFF: Councilman, you
13 make some good points, but I look at it a
14 little differently, if I may.

15 COUNCILMAN GOODE: Absolutely.

16 MR. SKLAROFF: This is about
17 the entire community, and the question
18 is, is new development growing the
19 population, creating jobs important for
20 everybody in the community.

21 COUNCILMAN GOODE: And the
22 question is, who should pay for it.

23 MR. SKLAROFF: Well, if I may.
24 And I'm in a neighborhood in Spring
25 Garden where we're going -- where my

1 4/4/13 - RULES - BILL 130136, etc.
2 neighbors have owned their house since
3 1942. I've owned my house for 30 years,
4 but it's in our interest that there be
5 new development, that there be a lot more
6 work for City employees and that we grow
7 the population.

8 COUNCILMAN GOODE: I get all of
9 that. The question is, who should pay
10 for the development subsidy? Should it
11 automatically go to property taxpayers?
12 The answer is no. In other words, you
13 could spread it among sales taxpayers and
14 any number of people who actually don't
15 own homes within Philadelphia. I mean,
16 if you simply do it as a straight subsidy
17 that does not provide a tax abatement to
18 developers and to new homeowners at the
19 expense and costs to the existing
20 homeowners, there are other ways to do
21 this.

22 MR. SKLAROFF: And I just --
23 one more point. To those of us on my
24 block who are going to be paying twice as
25 much in property tax, I don't think that

1 4/4/13 - RULES - BILL 130136, etc.

2 we feel that we are subsidizing new
3 development by having the tax abatement.

4 COUNCILMAN GOODE: But for
5 those people who actually will even be
6 paying less who have been paying more for
7 years because they have been
8 overassessed, they feel that they've been
9 subsidizing people who were underassessed
10 and they also feel they've been
11 subsidizing people who received a tax
12 abatement.

13 MR. SKLAROFF: And that's a
14 point well taken, but a different issue.
15 So I see this on a Philadelphia citywide
16 basis that it is important for all of us,
17 even those who have not benefited from
18 the tax abatement, that there be more
19 development, and I think I and others and
20 all of us should be open to various ways
21 to achieve the same goal.

22 COUNCILMAN GOODE: But there's
23 nothing wrong with new tools.

24 MR. SKLAROFF: Absolutely. So
25 we're in agreement there.

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN GOODE: Thank you.

3 MR. SKLAROFF: Thank you.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 I have a feeling we'll have
7 some more discussion on this in the
8 future.

9 Anyone else here to testify on
10 this bill, 130136?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, Ms. Marconi, our final bill today,
14 please.

15 THE CLERK: Bill No. 130137, 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
20 Thompson Street, 9th Street, Girard
21 Avenue and Hutchinson Street and by
22 amending Section 14-803 of the Zoning
23 Code, entitled "Motor Vehicle Parking
24 Standards," and by amending Section
25 14-904, entitled "Signs," exclusively

1 4/4/13 - RULES - BILL 130136, etc.
2 with regard to the area bounded by
3 Thompson Street, 9th Street, Girard
4 Avenue and Hutchinson Street, all under
5 certain terms and conditions.

6 COUNCILMAN GREENLEE: Thank
7 you.

8 Before you testify, please let
9 the record reflect Councilwoman Bass, a
10 member of the Committee, is present.

11 Please.

12 MR. GREGORSKI: Good afternoon,
13 Councilman Greenlee, members of the Rules
14 Committee. I'm Marty Gregorski, a City
15 Planner with the City Planning
16 Commission. I'm here to testify on Bill
17 No. 130137, which was introduced by
18 Councilmember Greenlee for Council
19 President Clarke on February 28th of this
20 year.

21 Bill No. 130137 amends the
22 Philadelphia Zoning Maps by changing the
23 zoning designations for land bounded by
24 Girard Avenue, Hutchinson Street,
25 Thompson Street and 9th Street, along

1 4/4/13 - RULES - BILL 130136, etc.
2 with amending zoning text of Section
3 14-803 of the Zoning Code, entitled
4 "Motor Vehicle Parking Standards," and
5 Section 14-904, entitled "Signs."

6 The first part of this bill
7 will be to change the zoning of the block
8 from "CMX-2" Commercial Mixed Use and
9 "ICMX" Industrial Commercial Mixed Use to
10 the new district of "CMX-3" Commercial
11 Mixed Use. The bill also proposes to
12 make changes in the Zoning Code that
13 would apply only to the site and provide
14 relief from requirements limiting the
15 length of curb cuts to 24 feet, interior
16 landscape requirements for the parking
17 lot, and to allow signage on the site
18 that would double the amount normally
19 allowed for this zoning designation.

20 The developer, 9th Street
21 Market Place, would like to construct a
22 shopping center with 41,686 square feet
23 of leasable space, including a grocery
24 store over 18,000 square feet in area.
25 The proposal also shows 127 parking

1 4/4/13 - RULES - BILL 130136, etc.
2 spaces where none are required by the
3 code.

4 The Philadelphia City Planning
5 Commission considered Bill No. 130137 at
6 their meeting of March 19th, 2013. After
7 consideration, the Commission recommended
8 to approve the Zoning Map change, but to
9 amend the bill by removing text changes
10 to the Zoning Code. In recognition for
11 commercial and industrial sites, a 24
12 foot limit on curb cut width will require
13 almost all development to seek relief
14 from the Zoning Board of Adjustment.
15 Legislation has been drafted to remove
16 this restriction from the Zoning Code.

17 This concludes my testimony. I
18 appreciate the opportunity to appear
19 before you today and would be pleased to
20 answer any questions you may have.

21 COUNCILMAN GREENLEE: Thank
22 you, Mr. Gregorski. And just for the
23 record, a couple things. One is, that 24
24 foot limit issue was introduced today by
25 me for the Council President. So that's

1 4/4/13 - RULES - BILL 130136, etc.

2 going to be probably moving before this
3 Committee fairly soon.

4 MR. GREGORSKI: We appreciate
5 it.

6 COUNCILMAN GREENLEE: And
7 secondly, for the information of the
8 Committee and others, this site is
9 planned to be a Bottom Dollar
10 Supermarket. This is an area that has
11 been craving a supermarket for about as
12 long as I can remember. Even though I
13 don't live right there, I'm close enough
14 and I've been to meetings where they have
15 talked about a supermarket for a long
16 time, back when there was then Councilman
17 Street and now Council President Clarke.
18 So this is a welcomed addition. And I
19 should say because a Bottom Dollar opened
20 very close to me at 31st and Girard less
21 than a year ago, I have to give them
22 credit for coming into communities where
23 other supermarkets, for whatever reason,
24 have not and have provided a really
25 needed service. So I think this will,

1 4/4/13 - RULES - BILL 130136, etc.

2 again, be, from what I can see and from
3 what I know of the area, a positive
4 addition.

5 Any questions for
6 Mr. Gregorski?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, and for the record, we have an
10 amendment sent here by the Law
11 Department, and we also, as we did on the
12 other, we have an EOP that will be added
13 as an amendment at the meeting.

14 Councilman Goode.

15 COUNCILMAN GOODE: Yes. Is
16 there someone here representing the
17 project?

18 COUNCILMAN GREENLEE: Yes.

19 Would you like to come up. I
20 think the Councilman has a question, yes.

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN GREENLEE: Maybe
24 just first put your name on the record,
25 please.

1 4/4/13 - RULES - BILL 130136, etc.

2 MR. CHAPMAN: Good afternoon,
3 Mr. Chairman and members of the
4 Committee. My name is Tom Chapman,
5 attorney with Blank Rome. Here with me
6 today is Richard Soloff, who is President
7 of Soloff Realty, one of the partners in
8 the development.

9 COUNCILMAN GREENLEE:
10 Councilman.

11 COUNCILMAN GOODE: Real simple
12 question. The economic opportunity plan
13 is not signed. Do we have a signed copy
14 before we amend the bill?

15 MR. CHAPMAN: I'm sorry?

16 COUNCILMAN GOODE: The economic
17 opportunity plan is not signed by the
18 Office of Economic Opportunity. Do we
19 have a signed copy?

20 MR. CHAPMAN: Yes, sir.

21 COUNCILMAN GOODE: So that we
22 can amend the bill with a signed copy?

23 MR. CHAPMAN: Yes.

24 COUNCILMAN GREENLEE: Do you
25 have that with you?

1 4/4/13 - RULES - BILL 130136, etc.

2 MR. CHAPMAN: No. No. The
3 Office of OEO has the EOP that was
4 distributed today, but it has not been
5 signed yet by --

6 COUNCILMAN GOODE: They have
7 not approved it yet?

8 MR. CHAPMAN: We've signed it.

9 COUNCILMAN GOODE: OEO has not
10 approved it yet?

11 MR. CHAPMAN: Correct.

12 COUNCILMAN GOODE: So we can't
13 amend the bill if OEO has not approved
14 it.

15 MR. CHAPMAN: Right. Could I
16 suggest that you attach this plan to the
17 bill, if you decide to report it out of
18 Committee today, and then at the time of
19 first reading, I'm sure that I would have
20 the executed version. We could
21 substitute it at that point.

22 COUNCILMAN GOODE: That's fine
23 with me.

24 COUNCILMAN GREENLEE: Is that
25 all right?

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN KENNEY: Yes. Just
3 a question.

4 COUNCILMAN GREENLEE:
5 Councilman Kenney.

6 COUNCILMAN KENNEY: Since we're
7 talking about OEO and economic
8 opportunity and the new supermarket in an
9 underserved neighborhood, could you talk
10 about the employment levels a little bit.

11 MR. SOLOFF: Sure. I'd be
12 happy to talk about the employment level.
13 Both on the construction side as well as
14 the full-time jobs?

15 COUNCILMAN KENNEY:
16 Construction site is fine. I'm just at
17 this point concerned about who is going
18 to be working there full time.

19 MR. SOLOFF: Sure. This is
20 actually the fifth Bottom Dollar food
21 store I'll be building in the City of
22 Philadelphia. Typically Bottom Dollar
23 hires between 45 and 50 employees for
24 each store. Ninety percent or more of
25 those employees are located within one

1 4/4/13 - RULES - BILL 130136, etc.
2 mile of that store. The store that
3 Councilman Greenlee spoke about before at
4 31st and Girard, I think about 95 percent
5 of the employees in that store are from
6 the local neighborhood within a mile, and
7 we did work with the local neighborhood
8 groups and actually had a job fair, and
9 we will do the same here to hire local
10 folks.

11 COUNCILMAN KENNEY: Obviously
12 in addition to the accessibility of fresh
13 food and vegetables, the transformation
14 of 50 families working is even more
15 important, I think. So thank you.

16 COUNCILMAN GREENLEE: And the
17 interesting thing I think, as Mr. Soloff
18 knows, he was at that meeting -- the
19 Council President was late, so I kind of
20 ran the meeting -- there was almost no
21 concern about the supermarket itself.
22 Everybody was very happy with that. I
23 think every question we had was about
24 what kind of jobs, how many jobs, when
25 are you taking job applications, that

1 4/4/13 - RULES - BILL 130136, etc.

2 kind of thing. So that kind of
3 illustrated. And they were very, very
4 open. I know from going there, most of
5 the people that work there live in that
6 community.

7 COUNCILMAN KENNEY: Was there a
8 Bottom Dollar Food controversy? Did we
9 have a problem up in like Chestnut Hill
10 or something?

11 COUNCILWOMAN BROWN: Yes.
12 Councilwoman Bass' district last term.

13 COUNCILMAN KENNEY: Some folks
14 came in to complain about the store
15 itself or they didn't want that
16 particular store, which I thought was
17 insane at the time. I think it's insane
18 now.

19 COUNCILWOMAN BASS: It's not in
20 Chestnut Hill. It's in Germantown.

21 COUNCILMAN KENNEY: What's
22 that?

23 COUNCILWOMAN BASS: It's in
24 Germantown, on Chew Avenue, Chew and
25 Washington Lane.

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN KENNEY: I was kind
3 of shocked at the opposition.

4 COUNCILWOMAN BASS: It's a very
5 small but vocal group.

6 COUNCILMAN KENNEY: Yeah.

7 MR. CHAPMAN: And we eventually
8 worked that out with those folks. There
9 was --

10 COUNCILMAN KENNEY: I don't
11 really care you worked it out with them.
12 They were nuts. I mean, a nice --

13 COUNCILMAN GREENLEE: That's a
14 technical description.

15 COUNCILMAN KENNEY: A nice
16 supermarket in a neighborhood that needs
17 it with 50, 60 jobs, what's the downside?
18 I don't get it.

19 So thank you.

20 COUNCILMAN GREENLEE:
21 Absolutely. I think people have seen
22 this as a very positive addition to 31st
23 Street, and, again, I'd be shocked if the
24 reaction wasn't the same over at 9th
25 Street, as the community has waited for

1 4/4/13 - RULES - BILL 130136, etc.

2 something that long.

3 Councilwoman Reynolds Brown.

4 COUNCILWOMAN BROWN: Good

5 afternoon, gentlemen. I simply want to

6 go on the record as well, along with

7 Councilman Jim Kenney and Councilman

8 Goode, in saying thank you for getting

9 it, for actually showing up at the table

10 knowing that these questions are going to

11 be asked more and more. Those who want

12 to do business with the City recognize

13 that these questions are becoming a part

14 of our standard practice. And so when

15 you show up recognizing that the value of

16 knowing the importance of hiring right

17 where you're going to be located, that

18 matters to us. So know that it does not

19 go unnoticed.

20 Thank you.

21 COUNCILMAN GREENLEE:

22 Absolutely. And Bottom Dollar has been

23 one that has stepped up when others

24 haven't. I think that's a key issue.

25 Any other questions for these

1 4/4/13 - RULES - BILL 130136, etc.

2 witnesses?

3 (No response.)

4 COUNCILMAN GREENLEE: Anyone

5 else here to testify on Bill 130137?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing

8 none, that will conclude our public

9 hearing and we'll go into the public

10 meeting.

11 Before we do, I want to

12 recognize over to the left-hand side

13 here, about an hour or so ago, Councilman

14 Kenney and I met with a group of students

15 from LaSalle University Advanced English

16 Language class, as they take a class to

17 hopefully eventually matriculate into

18 LaSalle or maybe to other universities.

19 So we welcome them. They are accompanied

20 by a teacher who I happen to have met

21 once or twice. Her name is Leslie

22 Greenlee. She's my wife.

23 So we're glad to have you back.

24 We kind of gave you the tour of City Hall

25 and now they're back. So, again, welcome

1 4/4/13 - RULES - BILL 130136, etc.
2 again to City Hall.

3 We will now go into the public
4 meeting of the Committee on Rules.
5 Again, for the record, Bill No. 120635 is
6 continued to the call of the Chair, and
7 the Chair recognizes Councilman Kenney
8 regarding Bill No. 130162.

9 COUNCILMAN KENNEY: Is there an
10 amendment, Mr. Chair?

11 COUNCILMAN GREENLEE: On that
12 one, no.

13 COUNCILMAN KENNEY: Thank you.
14 I move that Bill No. 130162 be reported
15 out of Committee with a favorable
16 recommendation and a request made for
17 rules suspension to allow first reading
18 at our next Council session.

19 And I must have to say for the
20 record I think it is extremely
21 interesting that the casino legislation
22 has an acronym of SP-ENT Special
23 Entertainment District.

24 COUNCILMAN GREENLEE: I didn't
25 even notice that.

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN KENNEY: Which
3 speaks to its operation.

4 So I make that motion. Thank
5 you.

6 (Duly seconded.)

7 COUNCILMAN GREENLEE: It's been
8 moved and seconded.

9 All in favor please say aye.

10 (Aye.)

11 COUNCILMAN GREENLEE: Opposed?

12 (No response.)

13 COUNCILMAN GREENLEE: Hearing
14 none, Bill No. 130126 is reported out of
15 this Committee favorably with a rules
16 suspension.

17 Councilman Kenney, the
18 amendment for Bill No. 130137.

19 COUNCILMAN KENNEY: Thank you,
20 Mr. Chairman. I move that we approve the
21 amendment offered to Bill No. 130137.

22 (Duly seconded.)

23 COUNCILMAN KENNEY: Let me
24 amend my motion. Mr. Chairman, I move
25 that the two amendments to Bill No.

1 4/4/13 - RULES - BILL 130136, etc.
2 130137, including the unsigned EOP, which
3 will be replaced at the appropriate time,
4 be approved.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It has
7 been moved and seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?
11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, the amendments are approved.

14 Councilman Kenney.

15 COUNCILMAN KENNEY: Thank you,
16 Mr. Chairman. I move that Bill No.
17 130137, as amended, be reported out of
18 this Committee favorably and a request
19 made for rules suspension to allow first
20 reading at our next Council session.

21 (Duly seconded.)

22 COUNCILMAN GREENLEE: It's been
23 moved and seconded.

24 All in favor?

25 (Aye.)

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN GREENLEE: Opposed?

3 (No response.)

4 COUNCILMAN GREENLEE: Hearing

5 none, Bill No. 130137, as amended,

6 reported out of this Committee favorably

7 with a rules suspension.

8 Councilman Kenney, the

9 amendment to 130136.

10 COUNCILMAN KENNEY: Thank you,

11 Mr. Chairman. I move that 130136 be

12 amended accordingly as the amendment was

13 offered. I make that motion.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: And for

16 the record, that is the EOP.

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. 130136, as amended,

24 reported out favorably with a rules

25 suspension --

1 4/4/13 - RULES - BILL 130136, etc.

2 COUNCILMAN KENNEY: I didn't
3 make that motion yet.

4 COUNCILMAN GREENLEE: I'm
5 jumping ahead. Sorry about that, sir.
6 Please.

7 COUNCILMAN KENNEY: Thank you,
8 Mr. Chairman. I move that Bill No.
9 130136, as amended, be reported out of
10 this Committee with a favorable
11 recommendation and a request made for
12 rules suspension to allow first reading
13 at our next Council session.

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, now I'm ready for this. Bill
23 130136, as amended, reported out of this
24 Committee favorably with a rules
25 suspension.

1 4/4/13 - RULES - BILL 130136, etc.

2 Being no other business before
3 this Committee, the Rules Committee
4 stands in recess.

5 Thank you all very much.

6 (Committee on Rules concluded
7 at 2:55 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
certifying reporter.)

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