

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Via Microsoft Teams
Philadelphia, Pennsylvania
Thursday, October 1, 2020
2:38 p.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILL 200349 - An ordinance amending Title 14
of The Philadelphia Code, entitled "Zoning and
Planning," to amend certain provisions of
Chapter 14-500, entitled "Overlay Zoning
Districts," by creating the "AME, American
Street Overlay District"...

- - -

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2 COUNCILMAN SQUILLA: Thank you.

3 Good afternoon, everyone, and welcome to
4 the Committee on Rules.

5 I understand that the state law
6 currently requires that the following
7 announcement be made at the beginning of
8 every remote public hearing as follows:

9 Due to the current public
10 health emergency, City Council committees
11 are currently meeting remotely. We are
12 using Microsoft Teams to make these
13 remote hearings possible. Instructions
14 for how the public may view and offer
15 public testimony at the public hearings
16 of Council committees are included in the
17 public hearing notices that are published
18 in the Daily News, Inquirer, and Legal
19 Intelligencer prior to the hearings, and
20 can also be found on PHLCouncil.com.

21 Will the Clerk please read the
22 roll to take attendance. Members that
23 are in attendance, please indicate that
24 by saying you're present when your name
25 is called. Also please say a few brief

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2 words when responding so your image will
3 be displayed on screen when you speak.

4 Clerk?

5 THE CLERK: David Oh.

6 COUNCILMAN OH: I am present.

7 Good morning -- good afternoon, Chair and
8 Council colleagues.

9 THE CLERK: Cindy Bass.

10 COUNCILWOMAN BASS: Good

11 afternoon. I am present. Thank you for
12 holding the hearing, Mr. Chairman. Thank
13 you.

14 THE CLERK: Katherine Gilmore
15 Richardson.

16 COUNCILWOMAN RICHARDSON: Good
17 afternoon. I'm here. Thank you so much.

18 THE CLERK: Bobby Henon.

19 (No response.)

20 THE CLERK: Maria
21 Quinones-Sanchez.

22 COUNCILWOMAN SANCHEZ: Good
23 afternoon. Thank you, everyone, for your
24 patience.

25 THE CLERK: And Brian O'Neill.

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2 COUNCILMAN O'NEILL: Good

3 afternoon, everyone.

4 COUNCILMAN SQUILLA: Thank you.

5 Thank you all.

6 A quorum of the Committee is
7 present and the hearing is now called to
8 order. This is the public hearing of the
9 Committee on Rules regarding Bill No.
10 200349.

11 Will the Clerk please read the
12 title of the bill.

13 THE CLERK: Bill No. 200349,
14 amending Title 14 of The Philadelphia
15 Code, entitled "Zoning and Planning," to
16 amend certain provisions of Chapter
17 14-500, entitled "Overlay Zoning
18 Districts," by creating the "American
19 Street Overlay District," all under
20 certain terms and conditions.

21 COUNCILMAN SQUILLA: Thank you.

22 Before we begin to hear
23 testimony from the witnesses we have for
24 today, everyone who has been invited to
25 the hearing to testify should be aware

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2 that this is a public hearing and is
3 being recorded. Because the hearing is
4 public, participants and viewers have no
5 reasonable expectation of privacy. By
6 continuing to be in the meeting, you are
7 consenting to being recorded.

8 Additionally, prior to
9 recognizing members for questions or
10 comments they have for the witnesses, I
11 will note for the record at this time
12 that we will be using the Chat feature
13 available in Microsoft Teams to allow
14 members to signify that they wish to be
15 recognized. In order to comply with the
16 Sunshine Act, the Chat feature must only
17 be used for this purpose.

18 Will the Clerk please call the
19 first panel for the bill.

20 THE CLERK: I believe
21 Councilwoman Sanchez would like to make a
22 statement.

23 COUNCILMAN SQUILLA:
24 Councilmember Sanchez.

25 COUNCILWOMAN SANCHEZ: Thank

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2 you, Mr. Chair. Thank you to all of my
3 colleagues for their patience in this
4 hearing.

5 The American Street zoning
6 overlay, as previously discussed in this
7 Committee, has become the most ambitious
8 affordable housing legislation on the
9 books. It is all about keeping the
10 corridor diverse, inclusive, mixed-use,
11 and mixed income.

12 The bill maintains a
13 prohibition on residential housing on
14 American Street. It will not by-right
15 allow housing on American Street. If,
16 and only if, residential housing is
17 permitted by our Zoning Board that has a
18 96 percent approval rate, as we've seen
19 happen so many times, this bill will then
20 require no less than 20 percent of that
21 housing be income restricted and that the
22 ground floor remain
23 commercial-industrial.

24 The amendment I'm introducing
25 today was based on many neighbors'

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2 feedback this summer. Additionally, it
3 requires that developers meet with the
4 community to discuss and submit to the
5 City and the RCOs a marketing and
6 occupancy plan and a diversity plan, as
7 we all know as an EOP. This requirement
8 applies not only to applicants seeking a
9 variance, it applies to permit applicants
10 that would otherwise be considered
11 by-right.

12 I am proud that my neighbors,
13 because this is the community in which I
14 raise my family, together all summer
15 worked on how we can shape the future of
16 American Street. I want to especially
17 thank Norris Square Community Alliance,
18 Asociacion Puertorriquenos en Marcha,
19 Norris Square Community Action Network,
20 South Kensington Community Partners, and
21 West Kensington Ministries for their
22 commitment this summer.

23 We've talked about the threat
24 of displacement and the need for a
25 comprehensive neighborhood plan. What

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2 you see here today is an "and" and an
3 "and" and an "and." We will do
4 corrective zoning, we will talk about
5 small business resources, affordable
6 housing resources, parking for long-term
7 residents, protection against
8 construction damage, and environmental
9 issues highlighted by some of the folks
10 who testified previously, streetscaping
11 issues on adjacent smaller blocks, public
12 and open spaces, which we've committed to
13 invest in in the entire area.

14 So while I'm proud that this is
15 the most ambitious affordable housing
16 legislation on the books, this is only
17 the beginning of a conversation that you
18 know, all of my colleagues know I've been
19 advocating for every neighborhood in the
20 City.

21 Thank you so very much,
22 Mr. Chairman, and members of this
23 Committee for your support when we
24 previously discussed this bill and for
25 your continued support as all of us work

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2 to find that soft spot between diversity,
3 development, and inclusion and ensure
4 minimal displacement of long-term
5 residents and our growing neighborhoods.

6 Thank you, Mr. Chair.

7 COUNCILMAN SQUILLA: Thank you,
8 Councilmember.

9 And we see that Ms. Brumbelow
10 Burns is ready to testify. Good
11 afternoon. Are you connected and ready
12 to proceed?

13 MS. BRUMBELOW BURNS: I should
14 be.

15 COUNCILMAN SQUILLA: Okay.
16 Just state your name for the record and
17 then proceed with your testimony.

18 MS. BRUMBELOW BURNS: I just
19 want to note that there is a slight
20 amendment to the testimony that we turned
21 in yesterday.

22 So good afternoon, members of
23 the Rules Committee. I am Paula
24 Brumbelow Burns, City Planner with the
25 Development Division of the Philadelphia

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2 City Planning Commission. I am here to
3 testify on Bill No. 200349, which was
4 introduced into City Council on June 4th,
5 2020 by Councilmember Quinones-Sanchez.

6 Bill No. 200349 amends Title 14
7 of The Philadelphia Code, entitled
8 "Zoning and Planning," to amend certain
9 provisions of Chapter 14-500, entitled
10 "Overlay Zoning Districts," by creating
11 the "/AME, American Street Overlay
12 District," all under certain terms and
13 conditions.

14 This bill creates a zoning
15 overlay on American Street from Oxford
16 Street to Lehigh Avenue. The amendment
17 maintains that multi-family housing is
18 prohibited on properties that are zoned
19 "ICMX" Industrial-Commercial Mixed-Use,
20 and subjects any permitted housing to the
21 requirement that ground floor areas along
22 American Street must contain uses that
23 are not residential or parking for the
24 first 30 feet in depth and have ceiling
25 heights of 14 feet. This bill would also

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2 require that a minimum of 20 percent of
3 the on-site residential units be
4 affordable.

5 The City Planning Commission
6 presented testimony at the June 17th,
7 2020 Rules hearing regarding Bill No.
8 200349. In August, the City Planning
9 Commission voted to recommend approval
10 for Bill 200349. Since that meeting, the
11 bill has been amended to include -- the
12 bill has been amended.

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

15 COUNCILMAN SQUILLA: Thank you.
16 Are there any questions from
17 the Committee?

18 (No response.)

19 COUNCILMAN SQUILLA: Seeing
20 none, is there anyone else here to
21 testify on this bill?

22 (No response.)

23 COUNCILMAN SQUILLA: I don't
24 hear anybody, so I guess --

25 COUNCILWOMAN SANCHEZ: No. We

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2 had one person scheduled, but they have
3 since said they were not testifying. As
4 I stipulated in my presentation, we met
5 several times with all the RCOs, so
6 everybody is okay.

7 COUNCILMAN SQUILLA: Thank you.
8 Thank you, Councilmember.

9 At this time, no individuals
10 have signed up for public comment for
11 this bill.

12 If there are any individuals
13 who were not able to testify or would
14 like to have their written testimony
15 included in the record, please send it to
16 Councilmember Johnson's office, who is
17 the Chair of the Rules Committee, and it
18 will be distributed to the Committee
19 members. It can be sent to
20 brett.nedelkoff@phila.gov, B-R-E-T-T,
21 N-E-D-E-L-K-O-F-F, @phila.gov.

22 There will be no one from the
23 public comment. We will move directly
24 into our public meeting. That will
25 conclude our hearing and we'll now go

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2 into the public meeting.

3 There being no further
4 questions from members of the Committee
5 and no other witnesses to testify, I will
6 ask if there is anyone else present in
7 this hearing whose name we have failed to
8 call and that wish to offer testimony on
9 any of the bills being considered today.

10 (No response.)

11 COUNCILMAN SQUILLA: Hearing
12 none, I want to thank you all and the
13 panel of witnesses for their
14 participation today. We value your
15 input. I now invite all panelists and
16 witnesses to please disconnect from the
17 meeting before we go into our public
18 meeting. We will now pause the
19 proceedings briefly as the participants
20 leave.

21 I don't think we have any
22 participants, so I think we're ready to
23 go.

24 This concludes the public
25 hearing of the Committee and we will now

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2 go into a public meeting to consider the
3 action to be taken on this bill before
4 the Committee today.

5 We will now convene the public
6 meeting. Will the Clerk please call the
7 roll to take attendance. Members that
8 are being called, say your name and say a
9 few words.

10 THE CLERK: David Oh.

11 COUNCILMAN OH: Present. I am
12 here, Mr. Chairman.

13 THE CLERK: Cindy Bass.

14 (No response.)

15 THE CLERK: Cindy Bass.

16 COUNCILWOMAN BASS: I am
17 present. Thank you very much. I'm
18 sorry. I'm having some technical
19 difficulties. Thank you.

20 THE CLERK: Katherine Gilmore
21 Richardson.

22 COUNCILWOMAN RICHARDSON: Good
23 afternoon. I'm present. Thank you so
24 much.

25 THE CLERK: Bobby Henon.

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2 (No response.)

3 THE CLERK: Maria

4 Quinones-Sanchez.

5 COUNCILWOMAN SANCHEZ: Present.

6 Thank you all very much for your
7 patience.

8 THE CLERK: And Brian O'Neill.

9 COUNCILMAN O'NEILL: Present.

10 COUNCILMAN SQUILLA: Thank you.

11 We will now go into our public
12 meeting. The Chair recognizes
13 Councilmember Sanchez for a motion on the
14 amendment to Bill No. 200095 [sic].

15 COUNCILWOMAN SANCHEZ: That was
16 wrong on the script, so let me correct
17 that. It's Bill 200349.

18 COUNCILMAN SQUILLA: Yes. I
19 see that now. I'm sorry. Can you please
20 offer the amendment on Bill No. 200349.

21 COUNCILWOMAN SANCHEZ: Thank
22 you. And before I do so, I just want to
23 thank the team at the Planning Commission
24 who worked in my office with Eric Bodzin
25 and Sloane Folks on this. We really

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2 appreciate all your help and support in
3 this.

4 So thank you, Mr. Chair. I
5 offer an amendment to Bill No. 200349. A
6 copy of the amendment has been circulated
7 to all members, and I move that the
8 amendment be approved.

9 (Duly seconded.)

10 COUNCILMAN SQUILLA: All right.
11 Councilmember Gilmore Richardson has
12 seconded the motion.

13 It has been moved and properly
14 seconded the amendment to Bill No. 200349
15 be approved.

16 All those in favor of the
17 motion will signify by saying aye.

18 (Aye.)

19 COUNCILMAN SQUILLA: Any
20 opposed?

21 (No response.)

22 COUNCILMAN SQUILLA: The ayes
23 have it and the motion carries, and the
24 amendment to Bill No. 200349 has been
25 approved.

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2 Councilmember Sanchez for a
3 motion on the bill, as amended.

4 COUNCILWOMAN SANCHEZ: Thank
5 you, Mr. Chair. I move that Bill No.
6 200349, as amended, be reported from this
7 Committee with a favorable
8 recommendation. Further move that the
9 rules of Council be suspended to permit
10 first reading of this bill at our next
11 Council session.

12 (Duly seconded.)

13 COUNCILMAN SQUILLA: Councilman
14 Oh seconded.

15 It has been moved and properly
16 seconded that the Bill No. 200349, as
17 amended, be reported from this Committee
18 with a favorable recommendation and
19 further moved that the rules of Council
20 be suspended to permit the first reading
21 of this bill at the next session of
22 Council.

23 All those in favor of the
24 motion will signify by saying aye.

25 (Aye.)

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2 COUNCILMAN SQUILLA: Any
3 opposed?

4 (No response.)

5 COUNCILMAN SQUILLA: The ayes
6 have it. Bill No. 200349, as amended,
7 with a suspension of the rules to be read
8 at the next session of Council has been
9 passed.

10 This will conclude the business
11 before the Committee on Rules today.

12 Thank you very much. Thank you
13 for your attendance and time.

14 COUNCILWOMAN SANCHEZ: Thank
15 you, everyone. Thank you all.

16 (Committee on Rules concluded
17 at 2:51 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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