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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE ON RULES

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6

Room 401, City Hall
Philadelphia, Pennsylvania
Thursday, February 25, 1999
2:10 p.m.

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10 BILL NO. 980895 - An Ordinance amending the
11 Philadelphia Zoning Maps by changing the zoning
12 designations of certain areas of land in the Fifth
13 Ward and located with an area bounded by Spring
14 Garden Street, Eighth Street, Vine Street and
15 Eleventh Street.

16 BILL NO. 980901 - An Ordinance amending the
17 Philadelphia Maps, by changing the zoning
18 designations of certain areas of land located in the
19 Fifty-seventh Ward within an area bounded by Grand
20 Avenue, Academy Road, Holme Avenue, Willits Road, a
21 railroad right-of-way and Bluegrass Road.

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18 PRESENT:

19 COUNCIL PRESIDENT ANNA VERNA
20 COUNCILWOMAN AUGUSTA CLARK
21 COUNCILMAN DAVID COHEN
22 COUNCILMAN FRANK DI CICCIO
23 COUNCILMAN JAMES KENNEY

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1 BILL NUMBER 980985

2 COUNCIL PRESIDENT Verna: Good afternoon
3 this is the Committee of Rules public hearing. We
4 have two bills to consider today. I would ask Mr.
5 DeMarco to please read 980985, please.

6 MR. DE MARCO: An Ordinance amending the
7 Philadelphia Zoning Maps by changing the zoning
8 designations of planned certain areas of land in the
9 Fifth Ward and located within an area bounded by
10 Spring Garden Street, Eighth Street, Vine Street,
11 and Eleventh Street.

12 COUNCIL PRESIDENT Verna: Please
13 identify yourself for the record and proceed with
14 your testimony.

15 And I would like the record to reflect
16 that we have a quorum to my extreme Councilwoman
17 Clark, Councilman Cohen. To my right is Councilman
18 Kenney, Councilman DiCicco, and Councilman O'Neill.

19 Please proceed.

20 MR. RICHARD LOMBARDO: Good afternoon,
21 Madam President and Members of the Rules Committee.
22 My name is Richard Lombardo of the Philadelphia
23 Planning Commission here today to speak on behalf of
24 this bill.

25 Before I begin, I would like to mention

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2 we had testimony on this same subject under the
3 auspices of Bill 970549 and then there was an error
4 in the short title and the bill was reintroduced. I
5 don't know if you want to go through all the
6 testimony a second time. The only reason I bring it
7 up is there are some issues that have come up in the
8 intervening time having to do with amendments. If
9 you want to go through the whole thing, I will. I
10 just wanted to -- I didn't know if you needed to
11 save time or not.

12 COUNCIL PRESIDENT VERNA: I'm sorry, are
13 you saying amendments to this bill or were there
14 amendments to the previous bill?

15 MR. LOMBARDO: There are some people
16 here who are asking for amendments to this bill.
17 But we had a whole testimony on the same subject
18 matter which was a re-mapping of the same area and
19 the bill had to be introduced because there was an
20 error in the short title. I was bringing up to you
21 that I thought when we ended the hearing last time
22 we said when this bill came back we would just
23 incorporate the testimony. I was offering the
24 opportunity if you wanted to save the time.

25 COUNCIL PRESIDENT VERNA: That would be

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2 fine. Does anybody have any objection to that?

3 Are you in agreement with the
4 amendments?

5 MR. LOMBARDO: We had a meeting -- I
6 assume we've taken care of everyone who raised
7 issues unless there's someone here who I don't know
8 about.

9 We had a meeting earlier this week at
10 the offices of the Philadelphia Chinatown
11 Development Corporation who are the sponsors of this
12 bill with owners of a chemical company that's
13 located at the corner of Tenth and Callowhill in the
14 old Hesslinger Brewery who basically are in a
15 chemical-mixing business and have been there for
16 years. They have a hundred employees. They are
17 concerned that what we were proposing to rezone them
18 to which was L4, Limited Industrial, does not permit
19 the use that they have there. They're really
20 concern if they would want to expand in the area or
21 make some changes they'd wind up having to go to the
22 Zoning Board. They were being asked to be left out
23 of the re-mapping. And we're talking about the
24 block bounded by Ninth Street, Tenth Street,
25 Callowhill, and Noble, as well as they also have

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2 property in the block to the north, Hamilton, Percy,
3 Noble and Tenth Street, as well as a small -- and we
4 have maps showing all this, I'll give you the
5 amendment. There's a small parcel at the northwest
6 corner of Tenth and Noble and the property at the
7 southwest corner of Tenth and Callowhill. They're
8 asking all of their property to be left out of the
9 re-mapping and keep its G2 zoning.

10 We had a meeting with the Philadelphia
11 Chinatown Development Corporation at their offices.
12 It was agreed to after the meeting that the
13 Chinatown community would support leaving the
14 zoning -- apparently this company is a good
15 neighbor. They've never had any complaints about
16 their activity and they don't want to do anything to
17 hurt them. There are a hundred employees. So that
18 would address that series of amendments.

19 One other minor amendment is the Work
20 College of Art leases a building at the corner of
21 Hamilton and Buttonwood which is a warehouse for the
22 storage of art. They were concerned about having
23 their designation to C3, Commercial. They'd rather
24 be L4, Limited Industrial. And the Chinatown
25 community also agreed to that change. And I think

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2 that's all the complaints and amendments that I'm
3 aware of unless there's someone else there.

4 I believe one of the representative of
5 the chemical company is here and I think he would
6 like to make a statement to the Council.

7 COUNCIL PRESIDENT VERNA: Do you have a
8 written amendment?

9 MR. LOMBARDO: We have a new change map
10 which we will make available to the Members and we
11 will also make it available to the Clerk's Office
12 should you choose to adopt the amendment. You
13 already have the amendments. It's a new Map B, it
14 says "Proposed Zoning."

15 COUNCIL PRESIDENT VERNA: Councilman
16 DiCicco, are you in favor of the amendments?

17 COUNCILMAN DI CICC0: Yes. I believe
18 Mr. Pollock would like to say a few words on behalf
19 of his company as to why they are requesting the G2
20 classification, so if you would come forward.

21 COUNCIL PRESIDENT VERNA: Good
22 afternoon, gentlemen. Please identify yourselves
23 for the record and proceed with your testimony.

24 MR. MARK SILOW: I'm a Mark Silo, I'm a
25 partner at Fox, Rothschild, O'Brien & Frankel. With

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2 me is Mr. Alfred Pollock, President of National
3 Chemical Laboratories of PA and Kenneth Pollock who
4 is the vice president of that same company.

5 Mr. Lombardo, I think, completely
6 expressed our concerns about the original proposed
7 re-zoning map. We have met with representatives in
8 Chinatown Development Council. We've met with
9 Councilman DiCicco. We've met with other neighbors,
10 and I think we have everybody in agreement that we
11 are a good neighbor, an available resource to the
12 City, and that it's very important for us to be able
13 to keep our present expansion plans in place by
14 having the contiguous properties zoned or kept as G2
15 rather than to be re-zoned as either C3 or L4.

16 I don't know that there's additional
17 testimony that's necessary. Mr. and Mr. Pollock are
18 here to answer any questions about their business.
19 We appreciate the efforts of the Planning Commission
20 and Mr. DiCicco's office to keep our zoning.

21 COUNCIL PRESIDENT VERA: Thank you.

22 Are there any questions or comments from
23 Members of the Committee?

24 The Chair recognizes Councilman DiCicco.

25 COUNCILMAN DI CICC0: Thank you, Madam

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2 President.

3 I would like to state for the record
4 after my meeting with the Pollock family in my
5 office this past week, either Monday or Tuesday of
6 this week, I had the opportunity to meet with the
7 Residents Association of the Bozarts Lofts
8 Apartments at 13th and Callowhill which is about
9 three blocks away from the Tenth and Callowhill
10 location. And as result of that meeting, the
11 residents group fully supports the amendments to
12 this application and they have all said very nice
13 things about the Pollock family. Mr. Pollock,
14 Senior, to the right of us had a very interested
15 story. I won't burden the record with his
16 interesting story, but he's a former South
17 Philadelphian who, as a young man, got into the
18 business of chemicals by making hair shampoo in his
19 mother's basement and is now a very successful
20 business person, has been a part of the Philadelphia
21 community, and the reason he came in to talk to me
22 is they have five-year expansion plans and they very
23 much want to stay in Philadelphia. If we were not
24 able to accommodate them with these amendments, they
25 would probably have to look elsewhere, so it will be

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2 good for economic development going forward. And
3 they're an institution here and we'd like to keep
4 them. I want to thank you for your commitment to
5 Philadelphia.

6 COUNCIL PRESIDENT VERNA: Thank you, and
7 we want to see you here.

8 MR. POLLOCK: After 50 years, we've
9 decided we like it here in Philadelphia. We're in
10 this present location over 30 years now as a result
11 of having a place on Lombard Street originally after
12 the war we set up there and it turned into, as you
13 know, Society Hill. And we had an opportunity
14 looking for other buildings and the Brewery was
15 satisfactory, but we had to have room for expansion.
16 That's why we took the brewery so we could expand
17 there. So that's the culmination of over 50 now.

18 COUNCIL PRESIDENT VERNA: Wonderful. I
19 hope you come to us in 50 years and that we're all
20 here and we're going to tell us about wanting to
21 expand again.

22 MR. POLLOCK: I have a few sons to carry
23 on and the rest of the family. With seven
24 grandchildren, I'm sure they'll be here.

25 COUNCIL PRESIDENT VERNA: The Chair

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2 recognizes Councilman O'Neill.

3 COUNCILMAN O'NEILL: Without getting
4 into how fine a counsel you've chosen, being
5 affiliated with the same firm, even though I don't
6 think there's a conflict, I'm going to abstain on
7 this day and talk to the City Solicitor just to be
8 safe. Thank you.

9 COUNCIL PRESIDENT Verna: Any other
10 questions or comments from Members of the Committee?

11 Does anyone else wish to testify on this
12 bill?

13 Seeing none, we will now consider our
14 second bill. Thank you very much.

15 Mr. DeMarco will please read the title
16 of Bill No. 980901.

17 MR. DE MARCO: An Ordinance amending
18 Philadelphia Zoning Maps by changing the zoning
19 designations of certain areas of land located in the
20 57th Ward within an area bounded by Grant Avenue,
21 Academy Road, Holme Avenue, Willits Road, a railroad
22 right-of-way and Bluegrass Road.

23 MR. RICHARD LOMBARDO: Good afternoon,
24 Madam President and Members of the Rules Committee.
25 My name is Richard Lombardo of the Philadelphia

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2 Planning Commission today to speak on behalf of the
3 Bill 980901.

4 This area involves approximately 400
5 acres of area in Northeast Philadelphia bounded by
6 Bluegrass Road on the west, Grant Avenue in the
7 north, Academy Road on the east, and Willits Road on
8 the south.

9 This bill is part of the ongoing zoning
10 re-mapping program. It was prepared in conjunction
11 with the Ashton Civil Association in Councilman
12 O'Neill's office. The principal changes on this map
13 are represented by a change to a property along
14 Grant Avenue from office commercial -- I apologize.

15 COUNCIL PRESIDENT VERNA: We all have
16 days like that.

17 MR. LOMBARDO: Let me try it again. The
18 principal changes represent are on the south side of
19 Grant Avenue changing from R2 Residential to Office
20 Commercial which is a vacant credit union building.
21 This is done to recognize the fact that it is built
22 as a bank and hopefully this will ease finding --
23 the bank is no longer in business, the credit union
24 is no longer in business there. Finding a suitable
25 re-use for that site and that building. The

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2 re-zoning have a number of properties, row homes
3 situated to the east of Ashton Road -- southeast
4 side of Ashton Road below Grant Avenue. That area
5 is presently all zoned R7 residential which allows
6 two-family dwellings is proposed to re-zone it to R6
7 residential which is a single family row house.
8 Everything else in that district is the same, same
9 spacial requirements, same yard, same setbacks.
10 It's just the use of the building is limited to
11 single family as opposed to two family. The last
12 major change is along Willits Road just west of
13 Ashton there's a large tract of ground that's
14 currently zoned R4 Residential. It was cause of a
15 number of Planning Commission meetings and also a
16 hearing at the Zoning Board involving the
17 development of that site and there's proposed to
18 re-zone this site from R4 Residential to L2, limited
19 Industrial, except for existing homes that have been
20 built along the Willits Road frontage and two older
21 homes that also have frontage on Willits Road. The
22 rest of the property is being re-zoned back to
23 Industrial. It was formerly Industrial before it
24 was changed by a bill a number of years ago. So
25 it's being put back to its industrial

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2 classification.

3 For the record, this afternoon the
4 Planning Commission considered this bill and
5 recommends its adoption to the Committee.

6 COUNCILMAN O'NEILL: Madam President,
7 if I may.

8 Did you mention the neighborhood
9 shopping center change from 2C7?

10 MR. LOMBARDO: There is also a change
11 right at the corner of Academy and Grant. The
12 existing a shopping center there is currently
13 zoned --

14 COUNCILMAN O'NEILL: It's actually two
15 separate businesses, it's a gas station and a bar
16 restaurant.

17 MR. LOMBARDO: Yes, they're currently
18 zoned -- neighborhood shopping center are being
19 re-zoned to C7 Commercial by this bill. C7, as a
20 Councilman described, the use of C7 is a more
21 appropriate classification than the neighborhood
22 shopping center.

23 COUNCILMAN DI CICCIO: Are these changes
24 in anticipation of a stadium being built?

25 (Laughter.)

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2 COUNCILMAN DI CICC0: Just joking

3 COUNCILMAN O'NEILL: I would just like
4 to mention that Monday evening of this week we had a
5 meeting at the 8th Police District in conjunction
6 with the Ashton Civic Association, and the meeting
7 went quite long and there was a lot of explanation
8 and the Planning Commission staff did a very good
9 job. But Mr. Baybendetti (ph) who chairs that civic
10 association, but is usually found at this time at
11 down at the lakes in South Philly with his boyhood
12 buddies. I told him we wouldn't need him today, but
13 there was a vote and the civic association. Those
14 present voted in favor of this. And also the vice
15 president of the civic association is in the
16 building, but he's in the Clerk of Quarter Sessions
17 and I wouldn't call him unless he were needed, the
18 57th Ward democratic ward leader, Frank
19 Connorway (ph) who was there at the meeting and is
20 the vice chair of the civic association. He was
21 there present for the vote.

22 COUNCILWOMAN CLARK: Could I ask a
23 question, probably of Councilman O'Neill.

24 COUNCILMAN O'NEILL: Sure.

25 COUNCILWOMAN CLARK: Is Academy Gardens

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2 a development that was built Denney in the early
3 sixties?

4 COUNCILMAN O'NEILL: Goes back further
5 than that. I believe Academy Gardens, it's a
6 Levittown-looking community. I don't know who built
7 it but I think it even -- well, it certainly
8 wouldn't precede Denney's time as a building, but
9 they're basically framed cape cods. You could put
10 them in Levittown and they would fit perfectly. But
11 I think more World War II.

12 COUNCILWOMAN CLARK: Well, Denney is the
13 son-in-law of Levitt.

14 COUNCILMAN O'NEILL: I think they may be
15 more World War II or just after World War II. They
16 precede most of the homes in the Northeast.

17 Is that fairly, correct, Mr. Kramer?

18 MR. KRAMER: Yes.

19 COUNCILMAN O'NEILL: But Denney, it may
20 have been one of his earlier jobs.

21 COUNCILWOMAN CLARK: Thank you.

22 MR. O'NEILL: Yorktown Norman Denney,
23 right?

24 COUNCILWOMAN CLARK: Yes.

25 COUNCIL PRESIDENT VERNA: Any other

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2 questions or comments from Members of the Committee?

3 Do we have anyone else that would like
4 to testify on the bill.

5 MR. MC MURTRIE: I would like to request
6 a few questions.

7 COUNCIL PRESIDENT VERNA: Approach the
8 table, please.

9 The Chair recognizes Councilwoman Clark.

10 COUNCILWOMAN CLARK: Madam Chair, I
11 respectfully request permission to leave this
12 hearing and to be recorded as voting aye on both
13 bills that have been considered today, the first one
14 as amended and this one in whatever form it gets
15 reported out.

16 COUNCILMAN O'NEILL: Excuse me. Do we
17 have any amendments on the second bill?

18 MR. KRAMER: The original bill
19 introduced was amended. I gave that to the Chief of
20 Staff.

21 COUNCILMAN O'NEILL: Do you have the
22 amendment with you now?

23 MR. KRAMER: I'm sorry?

24 COUNCILMAN O'NEILL: We haven't amended
25 it at the hearing yet, right?

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2 MR. KRAMER: NO.

3 COUNCILMAN O'NEILL: So it needs an
4 amendment.

5 MR. KRAMER: Yes.

6 COUNCILMAN O'NEILL: You don't have the
7 amendment with you?

8 MR. KRAMER: No.

9 COUNCILMAN O'NEILL: There will be
10 amendment before we leave on the second bill, a
11 minor amendment.

12 There's a funeral home that is R2 and
13 we're going to leave it that way.

14 COUNCILWOMAN CLARK: Madam Chair, please
15 record me as voting aye on both bills as amended.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 COUNCILWOMAN CLARK: And may I be
18 permitted to leave?

19 COUNCIL PRESIDENT VERNA: Please do.

20 COUNCILWOMAN CLARK: Thank you.

21 COUNCIL PRESIDENT VERNA: Thank you very
22 much, Councilwoman.

23 (Councilwoman Clark excused.)

24 COUNCIL PRESIDENT VERNA: Yes, sir?
25 Please identify for the record.

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2 MC MURTRIE: My name is Richard
3 McMurtrie. I work for Metropolitan Management
4 Corporation which manages the community located next
5 door to the credit union. It's an apartment
6 community, it's 204 apartments.

7 Basically, our concern is, first of all,
8 we weren't notified of this, as a friend, as a
9 neighbor.

10 COUNCIL PRESIDENT VERNA: Why don't you
11 wait until Councilman O'Neill comes back to the
12 table because it's his district and he would
13 certainly be more much knowledgable.

14 COUNCILMAN O'NEILL: I heard the
15 question.

16 COUNCIL PRESIDENT VERNA: Please
17 proceed.

18 MR. MC MURTRIE: Basically, a neighbor
19 actually brought a notice of the hearings and the
20 zoning changes into our rental office last Friday.
21 That was the first we heard of any proposed change
22 to the zoning to the property. The property was
23 posted, I believe, Monday afternoon stating there
24 was going to be a hearing held today. If you've
25 ever be on Grant Avenue, not too many people have a

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2 tendency walk on the sidewalks on Grant Avenue.

3 Usually you're going 50, 60 miles an hour down the
4 road, so the chances of anyone seeing the sign is
5 highly unlikely.

6 We don't have, basically, a problem with
7 the use of the property being changed as long it
8 will be user-friendly to our apartment community.
9 Now, I've heard different stories. I've tried to
10 find out what exactly it is that is going to go in
11 there. No one's been able to tell me. I heard that
12 a credit union was going in there from, I believe, a
13 representative in Mr. O'Neill's office, a guy by the
14 name of Al who was on the phone with probably for
15 about 20 minutes arguing with basically, waiting to
16 get on the phone with Rich who was supposedly
17 handling all the complaints.

18 Now, granted we had our constituents
19 from our community contact Mr. O'Neill's office
20 regarding this proposed change because it came as a
21 shock to us, basically. So my question is to Mr.
22 O'Neill or to whoever could answer the question,
23 what is exactly -- what is going to into this
24 building?

25 COUNCILMAN O'NEILL: I have no idea.

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2 That's not what we're here for today. Let me
3 explain to you, first of all, the notification.

4 When a re-mapping is done, every
5 property owner in the area that's re-mapped gets the
6 same notice. The Planning Commission handles that
7 and the Council Clerk's Office advertises in
8 newspapers, and this isn't just this re-mapping this
9 is the other one we had today and it's every one.
10 The Planning Commission staff actually is the people
11 who post the neighborhood. As you said, there was
12 posting done. The community hearing is not
13 required, but it's something I always insist on so
14 that people can find out about it. Ashton Civic
15 happens to be the only organization in the area that
16 meets. That's on the notification. I didn't make
17 up the rules; I'm just telling you what they are.

18 The second thing is I would like, as I
19 mentioned -- as I heard the other night from your
20 tenants who came to the meeting and I mentioned to
21 your colleague sitting next to you that I heard you
22 good things about you taking over the management a
23 year ago from the people that live there, and I
24 congratulate you for that. But in terms of a
25 building that is zoned residential that has been

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1
2 used for offices for 15 years, office commercial is
3 the recommendation of the Planning Commission, but
4 from a practical standpoint, I believe two things
5 happen when in this particular case or any case like
6 it. One is that there's a better chance of the
7 building being occupied if it's zoned as an office
8 which is what its interior is set up for rather than
9 as residential which it's just never going to
10 happen. So the community, the broader community is
11 very interested in the building being occupied.
12 Secondly though, in terms of someone coming in and
13 putting an undesirable non-office type use in there
14 and it was mentioned the other night a Pizza Hut or
15 something that would reek havoc at that location.

16 From a very practical standpoint, if
17 it's zoned office commercial and someone goes to the
18 zoning board and tries to have it changed, legally
19 speaking, it's very, very difficult for them to
20 claim that that's the proper designation for the
21 building and that a variance is required for
22 whatever use they would want and maybe you and
23 others would not be opposed to. If it were
24 residential, they have a very good argument and
25 there job gets easier and your job in opposition

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2 becomes more difficult because their position is
3 much more reasonable, that as a residential property
4 with just a variance for a credit union, which is
5 what it is right now, that it's very difficult to
6 use it that way. And particularly with the
7 neighbors on both sides. This is the highest single
8 family designation -- the second highest we have in
9 the city, but the predominant one in the Northeast,
10 the R2.

11 So you can look at it from one side or
12 the other as to what's an improvement, but no one is
13 before us ready to go in there. I mean, that
14 building's been vacant at least three years, if not
15 more. The credit union, the American Heritage
16 Federal Credit Union that used to be the Budd
17 Company Employees Credit Union and still owns the
18 building, they're located a few miles away in a
19 bigger building that they built on Red Lion Road.
20 But I'm not aware of any use going in there, and I'm
21 not aware of anything else except that I believe
22 this is a fair change and a fair recommendation by
23 the Planning Commission. I'd be more upset if they
24 were leaving it as R2 than them asking it to be
25 changed to office commercial, which does not allow

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2 retail, by the way, but it does allow office uses.

3 MR. MC MURTRIE: Basically, we're not
4 going to have a McDonald's in there.

5 COUNCILMAN O'NEILL: Absolutely.

6 MR. MC MURTRIE: We could have a school?

7 COUNCILMAN O'NEILL: Yes.

8 MR. MC MURTRIE: Which I heard there was
9 some talk about.

10 COUNCILMAN O'NEILL: You could have
11 that. We allow that in shopping centers so...

12 MR. MC MURTRIE: You know, the fact that
13 we're a neighbor and we're not notified -- granted
14 the City has their way of notifying people.

15 COUNCILMAN O'NEILL: And maybe we ought
16 to look at our notification. I sympathize with your
17 situation.

18 MR. MC MURTRIE: We pay a huge tax bill
19 out there and, you know, we find out about this from
20 a neighbor.

21 COUNCILMAN O'NEILL: Your point is well
22 taken.

23 MR. MC MURTRIE: That's our basic beef
24 here is that, you know, we weren't notified in time.
25 Even if we wanted to do something, the notice that

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2 we received is tardy. This ordinance, from the way
3 I look at it, and I'm not an attorney, it was
4 introduced in November of 1998 and it was passed,
5 and it was to take effect immediately. So, you
6 know, you had this hearings long after the fact of
7 this thing being put on the board and ran through
8 and you know.

9 COUNCILMAN O'NEILL: But the advertising
10 doesn't get done until there's going to be a
11 hearing. It doesn't get done based on introduction.
12 A lot of bills get introduced and never get
13 hearings.

14 MR. MC MURTRIE: I would say 99 percent
15 of the population --

16 COUNCILMAN O'NEILL: I take your point.

17 MR. MC MURTRIE: 99 percent of the
18 people that live in the city don't read these
19 notices. The print is so small that even with my
20 cheating glasses I wouldn't be able to read them if
21 I wanted to.

22 You know, you have an area that you're
23 going to re-zone so you notified the people that
24 live around the area. What's the big deal?

25 COUNCILMAN O'NEILL: Let me tell you

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2 something, and I mean this as a compliment. If
3 apartment owners/managers in my district showed any
4 interest in what was going on in their community, I
5 would hand deliver notice to them. And I compliment
6 you for your interest because that has not been the
7 history in the 20 years I've been here.

8 MR. MC MURTRIE: We've owned the
9 building for over four years. We just put about
10 \$300,000 into the building. We want to stay.

11 COUNCILMAN O'NEILL: I'm going to give
12 you a few more leads to look at some other
13 properties in the district.

14 MR. MC MURTRIE: Fine. I'll call you on
15 the phone and you can give us the leads. I'm sure
16 there's a lot of property up there we can pick up.

17 COUNCIL PRESIDENT VERNA: Are you only
18 interested in the Northeast?

19 (Laughter.)

20 MR. MC MURTRIE: No, we're interested in
21 all of them.

22 COUNCILMAN DI CICCIO: The McMurtrie
23 family has a long history of residential units. Mr.
24 McMurtrie's family is originally from Second
25 Street -- Third Street, Third and Tasker.

1 BILL NUMBER 980901

2 COUNCIL PRESIDENT VERNA: Oh, really.

3 MR. MC MURTRIE: I was from Garrett
4 Street myself.

5 COUNCILMAN DI CICCIO: Well, Garrett
6 Street, around the corner.

7 MR. MC MURTRIE: So I guess basically,
8 it's a done deal? If they put a peep show bar up at
9 the corner there, I'll have my constituents come in
10 by your office.

11 COUNCILMAN O'NEILL: I will have
12 resigned by then so...

13 (Laughter.)

14 MR. MURTRIE: I just don't want to clean
15 up everyone's trash and I don't want people parking
16 on my property, that's all.

17 COUNCILMAN O'NEILL: Can't blame you for
18 that.

19 MR. MC MURTRIE: I mean, if the credit
20 union wants to sell the building and make money, so
21 be it.

22 We looked at the building to buy. We
23 thought of putting like a little 7-Eleven up there
24 ourselves because there's nowhere for our residents
25 to go to shop without getting in the corner and

1 BILL NUMBER 980901

2 walking.

3 My friend Williams here, a friend that
4 owns the bank wanted too much for the building and
5 that's why we didn't buy it. End of discussion.

6 COUNCILMAN O'NEILL: I appreciate you
7 coming.

8 The amendment, I'm still waiting for it.

9 You have it there? Can you speak to it,
10 Mr. Chapman?

11 MR. THOMAS CHAPMAN: Madam Chair, for
12 the record, Thomas Chapman from the City Planning
13 Commission. One thing we neglected to mention as
14 part of our presentation was there was a minor
15 amendment to this bill. I had forgotten about it
16 myself until Councilman O'Neill mentioned it. It
17 concerns a property near the corner of Grant and
18 Academy. It's currently the Hollen Funeral home.
19 As introduced, this bill would have changed the
20 zoning of that property from R2 to C7. At
21 Councilman O'Neill's request, we are going to leave
22 the property zoned R2. And the amendment I believe
23 Mr. Bruno circulated to you that will show that.
24 That is the only change from the bill as introduced.

25 COUNCILMAN O'NEILL: In fact, let me

1 BILL NUMBER 980901

2 just for the record state if it had been become C7,
3 we would have the exact potential two doors away
4 that the gentleman just testified was concerned
5 about. It would have been a blanket for a
6 McDonald's or a Pizza Hut. Now the funeral home
7 will need a variance if anything else goes in there
8 beside the funeral home.

9 COUNCIL PRESIDENT VERNA: Does this map
10 reflect that it's R2, Mr. Chapman? I don't want to
11 make any mistakes on this.

12 (Discussion held off the record.)

13 COUNCIL PRESIDENT VERNA: Is there
14 anyone else to testify on Bill No. 980901?

15 This concludes the public hearing of the
16 Rules Committee. We will now go into our public
17 meeting.

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COUNCIL OF THE CITY OF PHILADELPHIA

PUBLIC MEETING

COMMITTEE ON RULES

- - -

Thursday, February 25, 1999

- - -

Public Meeting conducted by the
Committee on Rules, held in Room 401, City Hall,
Philadelphia, Pennsylvania, on the above date, to
consider action on the following:

BILLS 980895, 980901

- - -

PRESENT:

COUNCIL PRESIDENT ANNA VERNA
COUNCILWOMAN AUGUSTA CLARK
COUNCILMAN DAVID COHEN
COUNCILMAN FRANK DI CICCIO
COUNCILMAN JAMES KENNEY
COUNCILMAN BRIAN O'NEILL

- - -

1 BILL NUMBERS 980895, 980901
COUNCIL PRESIDENT VERNA: The Chair
2 recognizes Councilman DiCicco.
COUNCILMAN DI CICC0: Thank you, Madam
3 Chair. I move the adoption of the amendment to Bill
No. 980895.
4 (Duly seconded.)
COUNCIL PRESIDENT VERNA: It has been
5 properly moved and seconded. All in favor of the
motion will signify by saying aye.
6 The record will reflect the Councilwoman
Clark left her affirmative vote.
7 The chair recognizes Councilman DiCicco.
COUNCILMAN DI CICC0: Thank you, Madam
8 Chair. I move that Bill No. 980895 as amended be
reported out of Committee with a favorable
9 recommendation and that the Rules of Council be
suspended so as to permit first reading at the next
10 session of City Council.
(Duly seconded.)
11 COUNCIL PRESIDENT VERNA: It has been
properly moved and seconded that Bill No. 980895 be
12 reported out of Committee with a favorable
recommendation as amended and that the Rules of
13 Council be suspended so as to permit first reading
at our next session of Council.
14 All in favor will signify by saying aye.
Those opposed?
15 The ayes have it.
COUNCILMAN O'NEILL: Madam Chair, I
16 would like to have my vote recorded as abstaining.
COUNCIL PRESIDENT VERNA: Councilman
17 O'Neill will be abstaining.
And the record will reflect that
18 Councilwoman Clark did leave her vote in the
affirmative of that bill as amended.
19 So the ayes have it. The motion has
been carried.
20 The Chair recognizes Councilman O'Neill
regarding Bill NO. 980901.
21 COUNCILMAN O'NEILL: Madam Chair, I move
that the amendment to Bill No. 980901 be adopted.
22 (Duly seconded.)
COUNCIL PRESIDENT VERNA: Properly moved
23 and seconded that the amendment as proposed by the
City's Planning Commission regarding Bill No. 980901
24 be adopted.
All in favor will signify by saying aye.
25 Those opposed?

1 BILL NUMBERS 980895, 980901

Ayes have it. The motion is carried.

2 The Chair recognizes Councilman O'Neill.

3 COUNCILMAN O'NEILL: Madam Chair, I
move that Bill No. 980901 as amended be reported out
at the next session of council and the Rules of
4 Council be suspended to allow first reading at that
time.

5 (Duly seconded.)

COUNCIL PRESIDENT VERNA: Properly moved
6 and seconded that Bill No. 980901 be recorded out of
Committee with a favorable recommendation as amended
7 and that the Rules of Council be suspended so as to
permit first reading at our next session of Council.

8 All in favor will signify by saying aye.
Any nays?

9 The ayes have it. The motion is

carried.

10 Thank you very much. This concludes the
public meeting.

11 (Adjourned at 2:50 p.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of February 25, 1999, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: COMMITTEE OF RULES

Lisa C. Bradley, RPR
and Notary Public