

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, April 21, 2014
10:10 a.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
COUNCILWOMAN MARIAN B. TASCO

BILLS 130920, 140098, 140149, 140233, and
140234

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COUNCILMAN GREENLEE: Good morning, everyone. This is the Committee on Rules. We have established a quorum with Councilman Kenney, Vice Chair of the Committee; Councilwoman Tasco; Councilman O'Brien; and Councilman Goode and myself, Bill Greenlee.

Let me first note for the record that Bill No. 130920 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. 140098, an ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by creating a new Spring Garden /NCA Overlay District in the area bounded by Spring Garden Street, Broad Street, Callowhill Street, and 18th Street, and prohibiting Personal Credit Establishments within the District.

COUNCILMAN GREENLEE:

1 4/21/14 - RULES - BILL 140098, etc.

2 Mr. Kramer, good morning.

3 MR. KRAMER: Good morning,
4 Chairman Greenlee, members of the Rules
5 Committee. I am William Kramer, Division
6 Director of the Development Planning
7 Division of the Philadelphia City
8 Planning Commission. I am here today to
9 testify on Bill No. 140098, which was
10 introduced by Councilmember Greenlee for
11 Council President Clarke on February
12 20th, 2014.

13 Bill No. 140098 amends the
14 Philadelphia Zoning Code by creating a
15 new Spring Garden /NCA Overlay District
16 for an area bounded by Spring Garden,
17 Broad, Callowhill, and 18th Streets. The
18 provisions of the overlay would prohibit
19 Personal Credit Establishments, which
20 would include check cashing
21 establishments, pawn shops, and payday
22 lenders.

23 The bill is an effort to fill
24 the timing gap created by the
25 announcement of a possible gaming

1 4/21/14 - RULES - BILL 140098, etc.
2 establishment on North Broad Street and
3 the ordinance required to rezone that
4 site to "SP-ENT" Special Use
5 Entertainment. Once the zoning district
6 is placed on the site, personal credit
7 establishments are not permitted within
8 1,000 feet of the site.

9 Bill No. 140098 does no harm.
10 However, the City Planning Commission
11 believes a more effective and longer term
12 solution is to remap the "I-2" Medium
13 Industrial portions of the area to
14 "CMX-4" Center City Commercial Mixed Use,
15 as recommended in the adopted
16 Philadelphia 2035 Central District Plan.
17 Personal credit establishments are not
18 permitted in CMX-4 districts or the other
19 existing zoning classifications in the
20 area. Remapping these sites to CMX-4
21 would avoid creating a new and unneeded
22 overlay district in the Zoning Code and
23 accomplish a corrective zoning objective
24 in the Central District Plan by remapping
25 the industrial zone sites to a more

1 4/21/14 - RULES - BILL 140098, etc.
2 suitable designation.

3 The Philadelphia City Planning
4 Commission at its meeting of March 18th,
5 2014 recommended that a new bill to
6 rezone the area referenced rather than
7 create a new overlay district through
8 Bill No. 140098.

9 This concludes my testimony. I
10 appreciate the opportunity to appear
11 today and would be pleased to answer any
12 questions you may have.

13 COUNCILMAN GREENLEE: Thank
14 you, Mr. Kramer. I just want to note for
15 the record, I guess the thing I'll note
16 in your testimony, it says the bill does
17 no harm, and I think that's the idea
18 here. This is something that's
19 supported, I know, by both communities
20 that border this, Spring Garden and Logan
21 Square, and Council President as the
22 District Councilman thinks this is the
23 best procedure at this particular point.
24 And I should note for the record we're
25 going to have an amendment to the bill

1 4/21/14 - RULES - BILL 140098, etc.
2 that includes both sides of the street.
3 So, in other words, both the north side
4 of Spring Garden and the south side of
5 Callowhill will be included in the
6 amendment.

7 Any other questions?

8 Councilman Kenney.

9 COUNCILMAN KENNEY: Mr. Kramer,
10 could you give me the definition of a
11 "personal credit establishment" just so I
12 understand. I mean, I think I know what
13 it is. I just want to make sure I
14 totally understand it.

15 MR. KRAMER: Off the top of my
16 head, I don't have that entire definition
17 memorized. It does include things like
18 the pawn shops, check cashing, those type
19 of operations.

20 COUNCILMAN KENNEY: But it
21 wouldn't include a bank?

22 MR. KRAMER: No, sir.

23 COUNCILMAN KENNEY: Great.

24 Thank you.

25 COUNCILMAN GREENLEE: Thank

1 4/21/14 - RULES - BILL 140098, etc.
2 you, Councilman.

3 Any other questions?

4 (No response.)

5 COUNCILMAN GREENLEE: Anyone
6 else here to testify on 140098?

7 (No response.)

8 COUNCILMAN GREENLEE: Given
9 nobody else is here, I guess not.

10 Ms. Marconi, would you please
11 read the title of the next bill before
12 us.

13 THE CLERK: Bill No. 140149, an
14 ordinance to amend the Philadelphia
15 Zoning Maps by changing the zoning
16 designations of certain areas of land
17 located within an area bounded by Girard
18 Avenue, Front Street, Delaware
19 Expressway, Spring Garden Street, 3rd
20 Street, Brown Street, and 2nd Street.

21 COUNCILMAN GREENLEE:
22 Mr. Kramer.

23 MR. KRAMER: Good morning,
24 Chairman Greenlee, members of the Rules
25 Committee. I am William Kramer, Division

1 4/21/14 - RULES - BILL 140098, etc.
2 Director of the Development Planning
3 Division of the Philadelphia City
4 Planning Commission. I am here today to
5 testify on Bill No. 140149, which was
6 introduced by Councilmember Squilla March
7 6th of 2014.

8 Bill No. 140149 amends the
9 Philadelphia Zoning Map by amending the
10 zoning classifications of certain parcels
11 within an area bounded by Girard Avenue,
12 Front Street, the Delaware Expressway,
13 Spring Garden Street, 3rd Street, Brown
14 Street, and 2nd Street.

15 The proposed zoning is
16 consistent with the Central District Plan
17 and is the result of a joint effort of
18 the City Planning Commission and the
19 Northern Liberties Neighborhood
20 Association and Councilmember Squilla's
21 office. The proposed rezoning reflects
22 increased density along the commercial
23 corridors as well as increased
24 residential development within the area.
25 The rezoning also exhibits a lessening of

1 4/21/14 - RULES - BILL 140098, etc.

2 the intensity of the industrial
3 properties within the bounded area.

4 The bill proposes rezoning to
5 not only correct existing mismatches
6 between the existing zoning and land use,
7 but it will also aid in advancing the
8 vision for the area expressed in the
9 Central District Plan that was
10 extensively vetted by the community.

11 The City Planning Commission at
12 its meeting of March 18th, 2014
13 recommended that Bill No. 140149 be
14 approved.

15 That concludes my testimony.
16 I'd be happy to answer any questions you
17 may have.

18 COUNCILMAN GREENLEE: Thank
19 you, Mr. Kramer. For the record, we'll
20 have an amendment on this too that makes
21 some slight changes in the map.

22 Any questions for Mr. Kramer?
23 (No response.)

24 COUNCILMAN GREENLEE: Seeing
25 none, anyone else here to testify on

1 4/21/14 - RULES - BILL 140098, etc.
2 140149?

3 (No response.)

4 COUNCILMAN GREENLEE: Seeing
5 none, Ms. Marconi.

6 THE CLERK: Bill No. 140233, 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
11 Hermitage Street, Henry Avenue, Dupont
12 Street, Ridge Avenue, Monastery Avenue,
13 Dexter Street, Lyceum Avenue, Manayunk
14 Avenue, Leverington Avenue, and Ridge
15 Avenue.

16 COUNCILMAN GREENLEE:
17 Mr. Kramer.

18 MR. KRAMER: Good morning,
19 Chairman Greenlee and members of the
20 Rules Committee. I am William Kramer,
21 Division Director of the Development
22 Planning Division of the Philadelphia
23 City Planning Commission. I am here to
24 testify on Bill No. 140233, which was
25 introduced by Councilmember Jones March

1 4/21/14 - RULES - BILL 140098, etc.
2 27th, 2014.

3 Bill No. 140233 is an ordinance
4 to make dimensional corrections to Bill
5 No. 130632, which rezoned an area bounded
6 by Hermitage Street, Henry Avenue, Dupont
7 Street, Ridge Avenue, Monastery Avenue,
8 Dexter Street, Lyceum Avenue, Manayunk
9 Avenue, Leverington Avenue, and Ridge
10 Avenue. Bill No. 130632 was passed by
11 City Council on November 14th, 2013 and
12 signed into law by the Mayor on December
13 4th, 2013.

14 The current legislation makes
15 no changes to the areas that were rezoned
16 as part of the original bill, but
17 corrects some dimensional numbers used in
18 the original piece of legislation.

19 Since finding these errors, the
20 staff of the City Planning Commission has
21 instituted procedures to ensure more
22 quality control for future legislation.

23 The City Planning Commission at
24 its meeting of April 14th, 2014
25 recommended that Bill No. 140233 be

1 4/21/14 - RULES - BILL 140098, etc.
2 approved as an item in accord with
3 previous policy.

4 That concludes my testimony.
5 I'd be happy to answer any questions you
6 may have.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Kramer. First, let the record
9 reflect that Councilwoman Bass and
10 Councilwoman Reynolds Brown, members of
11 the Committee, are present.

12 Any questions?

13 Councilman Kenney.

14 COUNCILMAN KENNEY: Mr. Kramer,
15 from what I understand from your
16 testimony is that the only addition is
17 the actual size of the lots being added
18 to the new map?

19 MR. KRAMER: What happened was,
20 the shape files all stayed the same. I
21 don't want to get too technical, but when
22 you're pulling them up as shapes, they
23 were one thing. When they were drafted,
24 they put wrong dimensional numbers. In
25 other words, the distances between the

1 4/21/14 - RULES - BILL 140098, etc.
2 lines is the only thing that's changed.
3 Everything else stayed the same.

4 COUNCILMAN KENNEY: So the
5 distances of -- the size of the lots are
6 all the same; it's just the distance
7 between the parcels?

8 MR. KRAMER: The distance on
9 the legislation was changed. Somebody
10 basically pulled the wrong numbers from a
11 different format.

12 COUNCILMAN KENNEY: Thank you.

13 COUNCILMAN GREENLEE: Thank
14 you, Councilman.

15 Any other questions for
16 Mr. Kramer on this bill?

17 (No response.)

18 COUNCILMAN GREENLEE: Is there
19 anyone else here to testify on Bill No.
20 140233?

21 (No response.)

22 COUNCILMAN GREENLEE: Seeing
23 none, Ms. Marconi, our last bill today.

24 THE CLERK: Bill No. 140234, an
25 ordinance to amend the Philadelphia

1 4/21/14 - RULES - BILL 140098, etc.
2 Zoning Maps by changing the zoning
3 designations of certain areas of land
4 located within an area bounded by Dungan
5 Road, Napfle Avenue, Railroad
6 Right-of-Way, and Rhawn Street.

7 COUNCILMAN GREENLEE: Thank
8 you.

9 Mr. Kramer.

10 MR. KRAMER: Good morning,
11 Chairman Greenlee and members of the
12 Committee. I am William Kramer, Division
13 Director of the Development Planning
14 Division of the Philadelphia City
15 Planning Commission. I am here today to
16 testify on Bill No. 140234, which was
17 introduced by Councilmember O'Neill March
18 27th, 2014.

19 Bill No. 140234 amends the
20 Philadelphia Zoning Map by amending the
21 zoning classifications of certain parcels
22 within an area bounded by Dungan Road,
23 Napfle Avenue, Railroad Right-of-Way, and
24 Rhawn Street.

25 The bill proposes rezoning an

1 4/21/14 - RULES - BILL 140098, etc.
2 area of land within the boundary from
3 "I-2" Medium Industrial to "RSA-3"
4 Residential Single Attached. The
5 proposed rezoning will align the zoning
6 to match the current land use. There is
7 currently a twin-style residential
8 development that was platted in 1988 on
9 the site, and no changes to the existing
10 development are proposed. The bill is
11 also consistent with the Central
12 Northeast District Plan that included a
13 recommendation to rezone this area from
14 "I-2" Medium Industrial to "RSA-3"
15 Residential Single Attached.

16 The City Planning Commission at
17 its meeting of April 15th, 2014
18 recommended that Bill No. 140234 be
19 approved.

20 That concludes my testimony.
21 I'd be happy to answer any questions you
22 may have.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Kramer.

25 Any questions?

1 4/21/14 - RULES - BILL 140098, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none, anyone else here to testify on Bill
5 No. 140234?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, that concludes the hearing of the
9 Committee on Rules.

10 We will now go into our public
11 meeting, and the Chair recognizes
12 Councilman Kenney for an amendment.

13 COUNCILMAN KENNEY: Thank you,
14 Mr. Chairman. I move that Bill No.
15 140098 be amended to include both sides
16 of Spring Garden Street in the bill.

17 (Duly seconded.)

18 COUNCILMAN KENNEY: Callowhill.
19 I'm sorry.

20 COUNCILMAN GREENLEE: It's been
21 moved and seconded.

22 All in favor?

23 (Aye.)

24 COUNCILMAN GREENLEE: Opposed?

25 (No response.)

1 4/21/14 - RULES - BILL 140098, etc.

2 COUNCILMAN GREENLEE: Hearing
3 none, the amendment is approved.

4 Councilman Kenney.

5 COUNCILMAN KENNEY: Thank you,
6 Mr. Chairman. I move that Bill No.
7 140098, as amended, be reported out of
8 this committee favorably and a request
9 for rules suspension to allow first
10 reading at our next Council session.

11 (Duly seconded.)

12 COUNCILMAN GREENLEE: It's been
13 moved and seconded.

14 All in favor?

15 (Aye.)

16 COUNCILMAN GREENLEE: Opposed?

17 (No response.)

18 COUNCILMAN GREENLEE: Hearing
19 none, Bill No. 140098, as amended,
20 reported out favorably with a rules
21 suspension.

22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you,
24 Mr. Chairman. I move that Bill No.

25 140149 be amended accordingly to include

1 4/21/14 - RULES - BILL 140098, etc.

2 the map as described by Mr. Kramer.

3 (Duly seconded.)

4 COUNCILMAN GREENLEE: It's been

5 moved and seconded.

6 All in favor?

7 (Aye.)

8 COUNCILMAN GREENLEE: Opposed?

9 (No response.)

10 COUNCILMAN GREENLEE: Hearing

11 none, the amendment is approved.

12 The record will reflect

13 Councilman Henon, a member of the

14 Committee, is also present.

15 Councilman Kenney.

16 COUNCILMAN KENNEY: Thank you,

17 Mr. Chairman. I move that Bill No.

18 140149, as amended, be reported out of

19 this committee favorably and a request

20 made for rules suspension to allow first

21 reading at our next Council session.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been

24 moved and seconded.

25 All in favor?

1 4/21/14 - RULES - BILL 140098, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, Bill No. 140149, as amended,

7 reported out favorably with a rules

8 suspension.

9 Councilman Kenney.

10 COUNCILMAN KENNEY: Thank you,

11 Mr. Chairman. I move that Bill No.

12 140233 be reported out of this committee

13 favorably and a request made for rules

14 suspension to allow first reading at our

15 next Council session.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been

18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing

24 none, Bill 140233 reported out favorably

25 with a rules suspension.

1 4/21/14 - RULES - BILL 140098, etc.

2 Councilman Kenney.

3 COUNCILMAN KENNEY: Thank you,
4 Mr. Chairman. I move that Bill No.
5 140234 be reported out of this committee
6 favorably and a request made for rules
7 suspension to allow first reading at our
8 next Council session.

9 (Duly seconded.)

10 COUNCILMAN GREENLEE: It's been
11 moved and seconded.

12 All in favor?

13 (Aye.)

14 COUNCILMAN GREENLEE: Opposed?

15 (No response.)

16 COUNCILMAN GREENLEE: Hearing
17 none, Bill No. 140234 is reported out
18 favorably with a rules suspension.

19 This is officially a record of
20 the Rules Committee as far as time, and
21 this concludes the business for the Rules
22 Committee today.

23 Thank you all for your
24 participation.

25 (Committee on Rules concluded)

1 4/21/14 - RULES - BILL 140098, etc.
2 at 10:20 a.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

(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.)

A accomplish 4:23 accord 12:2 accurately 22:5 actual 12:17 added 12:17 addition 12:16 adopted 4:15 advancing 9:7 aid 9:7 align 15:5 allow 17:9 18:20 19:14 20:7 amend 7:14 10:7 13:25 amended 16:15 17:7,19,25 18:18 19:6 amending 2:17 8:9 14:20 amendment 5:25 6:6 9:20 16:12 17:3 18:11 amends 3:13 8:8 14:19 and/or 22:22 announcement 3:25 answer 5:11 9:16 12:5 15:21 appear 5:10 apply 22:20 appreciate 5:10 approved 9:14 12:2 15:19 17:3 18:11 April 1:7 11:24 15:17 area 2:20 3:16 4:13,20 5:6 7:17 8:11,24 9:3,8 10:10 11:5 14:4 14:22 15:2,13 areas 7:16 10:9 11:15 14:3 Association 8:20 Attached 15:4,15	Avenue 7:18 8:11 10:11,12,12,13 10:14,14,15 11:6,7,7,8,9,9 11:10 14:5,23 avoid 4:21 Aye 16:23 17:15 18:7 19:2,20 20:13 a.m 1:7 21:2 B B 1:13 bank 6:21 basically 13:10 Bass 1:10 12:9 believes 4:11 best 5:23 bill 2:8,10,14,16 3:1,9,13,23 4:1 4:9 5:1,5,8,16 5:25 6:1 7:1,11 7:13 8:1,5,8 9:1 9:4,13 10:1,6,24 11:1,3,4,10,16 11:25 12:1 13:1 13:16,19,23,24 14:1,16,19,25 15:1,10,18 16:1 16:4,14,16 17:1 17:6,19,24 18:1 18:17 19:1,6,11 19:24 20:1,4,17 21:1 BILLS 1:15 BLONDELL 1:13 BOBBY 1:11 border 5:20 boundary 15:2 bounded 2:21 3:16 7:17 8:11 9:3 10:10 11:5 14:4,22 Broad 2:21 3:17 4:2 Brown 1:13 7:20	8:13 12:10 business 20:21 C call 2:11 Callowhill 2:22 3:17 6:5 16:18 cashing 3:20 6:18 Center 4:14 Central 4:16,24 8:16 9:9 15:11 certain 7:16 8:10 10:9 14:3,21 CERTIFICATE 22:2 certification 22:19 CERTIFY 22:3 certifying 22:23 Chair 1:10 2:5,11 16:11 Chairman 3:4 7:24 10:19 14:11 16:14 17:6,24 18:17 19:11 20:4 changed 13:2,9 changes 9:21 11:15 15:9 changing 7:15 10:8 14:2 check 3:20 6:18 CINDY 1:10 City 1:2,6 3:7 4:10,14 5:3 8:3 8:18 9:11 10:23 11:11,20,23 14:14 15:16 Clarke 3:11 classifications 4:19 8:10 14:21 CLERK 2:16 7:13 10:6 13:24 CMX-4 4:14,18 4:20 Code 2:18 3:14 4:22	commercial 4:14 8:22 Commission 3:8 4:10 5:4 8:4,18 9:11 10:23 11:20,23 14:15 15:16 committee 1:3 2:3 2:6 3:5 7:25 10:20 12:11 14:12 16:9 17:8 18:14,19 19:12 20:5,20,22,25 communities 5:19 community 9:10 concluded 20:25 concludes 5:9 9:15 12:4 15:20 16:8 20:21 consistent 8:16 15:11 contained 22:5 control 11:22 22:22 correct 9:5 22:8 corrections 11:4 corrective 4:23 corrects 11:17 corridors 8:23 Council 1:2 3:11 5:21 11:11 17:10 18:21 19:15 20:8 Councilman 1:10 1:11,11,12,12 2:2,5,6,7,25 5:13,22 6:8,9,20 6:23,25 7:2,5,8 7:21 9:18,24 10:4,16 12:7,13 12:14 13:4,12 13:13,14,18,22 14:7 15:23 16:3 16:7,12,13,18 16:20,24 17:2,4 17:5,12,16,18 17:22,23 18:4,8	18:10,13,15,16 18:23 19:3,5,9 19:10,17,21,23 20:2,3,10,14,16 Councilmember 3:10 8:6,20 10:25 14:17 Councilwoman 1:10,13,13 2:6 12:9,10 create 5:7 created 3:24 creating 2:19 3:14 4:21 credit 2:23 3:19 4:6,17 6:11 current 11:14 15:6 currently 15:7 D December 11:12 definition 6:10,16 Delaware 7:18 8:12 DENNIS 1:12 density 8:22 described 18:2 designation 5:2 designations 7:16 10:9 14:3 development 3:6 8:2,24 10:21 14:13 15:8,10 Dexter 10:13 11:8 different 13:11 dimensional 11:4 11:17 12:24 direct 22:22 Director 3:6 8:2 10:21 14:13 distance 13:6,8 distances 12:25 13:5 district 2:20,24 3:15 4:5,16,22 4:24 5:7,22 8:16
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9:9 15:12 districts 4:18 Division 3:5,7 7:25 8:3 10:21 10:22 14:12,14 drafted 12:23 Duly 16:17 17:11 18:3,22 19:16 20:9 Dungan 14:4,22 Dupont 10:11 11:6	fill 3:23 finding 11:19 first 2:9,14 12:8 17:9 18:20 19:14 20:7 foregoing 22:7,19 format 13:11 Front 7:18 8:12 fully 22:5 future 11:22	hearing 16:8 17:2 17:18 18:10 19:5,23 20:16 held 2:10 Henon 1:11 18:13 Henry 10:11 11:6 Hermitage 10:11 11:6	12:19 13:8,16 14:9,10,12 15:24 18:2	16:11 member 18:13 members 3:4 7:24 10:19 12:10 14:11 memorized 6:17 MICHELE 22:14 mismatches 9:5 Mixed 4:14 Monastery 10:12 11:7 Monday 1:7 morning 2:3 3:2,3 7:23 10:18 14:10 move 16:14 17:6 17:24 18:17 19:11 20:4 moved 16:21 17:13 18:5,24 19:18 20:11 MURPHY 22:14
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