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COUNCIL OF THE CITY OF PHILADELPHIA

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COMMITTEE ON RULES

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6

Monday, April 24, 2006

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12:01 p.m.

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Room 400, City Hall

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Philadelphia, Pennsylvania

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BILLS NO. 060088, 050341, 060260, 051062,  
060140, 060142, 060162, 060115, 060182

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PRESENT:

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ANNA C. VERNA, Chair  
DARRELL L. CLARKE, Vice-Chair  
JACK KELLY  
JAMES F. KENNEY  
FRANK DiCICCO  
DONNA REED MILLER  
BRIAN J. O'NEILL

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2 PRESIDENT Verna: Good morning,  
3 everyone. I do sincerely apologize for the  
4 delay.

5 This is the Public Hearing of the  
6 Committee on Rules, and I would ask Mr.  
7 McPherson to please read the title of Bill No.  
8 050341.

9 MR. McPHERSON: An ordinance  
10 amending Title 14 of the Philadelphia Code  
11 entitled, "Zoning and Planning," by amending  
12 Chapter 14-1600 entitled, "Miscellaneous," by  
13 adding a new section entitled "Lower and  
14 Central Germantown Special District Controls,"  
15 all under certain terms and conditions.

16 PRESIDENT Verna: Good morning.  
17 Kindly identify yourself, for the record, and  
18 proceed with your testimony.

19 MR. WILLIAM KRAMER: Good morning,  
20 Madam President and members of the Rules  
21 Committee. My name is William Kramer. I am  
22 the Senior Zoning Planner in the Development  
23 Planning Division of the city Planning  
24 Commission.

25 I am here today to testify on Bill

1 BILL NO. 050341 - 4/24/06  
2 No. 050341, which was introduced by  
3 Councilwoman Miller on April 28, 2005.

4 Bill No. 050341 is a bill which  
5 creates another zoning overlay in the Zoning  
6 Code. This area would be bounded by Morris  
7 Street, Berkley Street, Baynton Street, and  
8 High Street.

9 The following uses would be  
10 prohibited in all commercially zoned  
11 districts: Barber and beauty shops,  
12 check-cashing establishments, manicure/nail  
13 salons, retail sale of beauty products and/or  
14 wigs, sale of electronic equipment, retail  
15 sales of variety store merchandise, and  
16 take-out restaurants.

17 The Planning Commission at its  
18 meeting of May 12, 2005, recommended that Bill  
19 No. 050341 be tabled so that discussions could  
20 be held with the District Council member to  
21 obtain a better solution to the issues raised  
22 in the ordinance.

23 The Planning Commission staff has  
24 met with Council member Miller and her staff  
25 several times to determine the most efficient

1 BILL NO. 050341 - 4/24/06

2 way to address the district's concerns. It  
3 was determined that the creation of an overlay  
4 may be the only way to address those concerns.

5 As a product of the discussions, it  
6 was recommended that the ordinance be amended  
7 with a refinement of some of the language used  
8 in the creation of this overlay district. I  
9 submit the amendments at this time for  
10 consideration.

11 I would be happy to answer any  
12 questions of the committee.

13 PRESIDENT VERNA: Okay. Any  
14 questions or comments from members of the  
15 committee regarding this bill and/or the  
16 amendment?

17 The Chair recognizes Councilwoman  
18 Miller.

19 COUNCILWOMAN MILLER: Thank you,  
20 Madam President.

21 The Planning Commission and my staff  
22 and the local CDC that has oversight in the  
23 Central Germantown business area have been  
24 meeting and talking for a number of months  
25 regarding what would best suit the needs of

1 BILL NO. 050341 - 4/24/06

2 this district.

3 And they went out, the Planning  
4 Commission went out, did a survey, and was  
5 trying to look for other avenues or other  
6 things that we could do.

7 We all agreed -- I mean, I knew it  
8 simply because I was born and raised in  
9 Germantown, seen how the district has changed  
10 over the years, have constantly complained  
11 about the large number of dollar stores and  
12 general merchandizing stores.

13 And I always felt that the only  
14 thing that we could do to help revive this  
15 district was to do an overlay. And the  
16 Planning Commission actually agrees, after  
17 going out and looking around. We looked at  
18 remapping, looked at a couple of different  
19 avenues.

20 So this is a bill that I support. I  
21 support the amendments. And I think it will  
22 just bring good things for the Germantown and  
23 Cheltenham business area. Thank you.

24 PRESIDENT VERA: Okay. Any other  
25 comments or questions regarding this bill?

1 BILL NO. 060260 - 4/24/06

2 Seeing none, I thank you, Mr.  
3 Kramer.

4 I would ask Mr. McPherson to please  
5 read the title of Bill No. 060260.

6 MR. MCPHERSON: An ordinance  
7 amending Title 14 of the Philadelphia Code  
8 entitled, "Zoning and Planning," by amending  
9 Section 14-104 entitled, "Nonconforming  
10 Structures and Uses," by amending provisions  
11 relating to the reconstruction of  
12 nonconforming structures, all under certain  
13 terms and conditions.

14 PRESIDENT VERNA: The Chair  
15 recognizes Councilwoman Miller.

16 COUNCILWOMAN MILLER: Madam  
17 President, I would like to withdraw this bill.  
18 Councilman O'Neill has a bill that, actually,  
19 would basically do the same thing citywide.  
20 So we are going to withdraw this bill.

21 PRESIDENT VERNA: Okay. Thank you.

22 It is my understanding, Councilwoman  
23 Miller -- wait a minute.

24 COUNCILMAN O'NEILL: Make sure we  
25 have the right bill being withdrawn.

1 BILL NO. 060260 - 4/24/06

2 PRESIDENT Verna: 262, I have a note  
3 here that the bill is going to be held at the  
4 request of the sponsor. 260 is --

5 (Discussion off the record.)

6 PRESIDENT Verna: Okay.  
7 Councilwoman, would you withdraw your motion,  
8 please.

9 COUNCILWOMAN MILLER: Madam  
10 President, withdraw my motion to withdraw Bill  
11 No. 060260.

12 PRESIDENT Verna: Thank you.

13 I would ask Mr. McPherson to please  
14 read the title of that Bill.

15 MR. McPHERSON: 260?

16 PRESIDENT Verna: 260, yes.

17 MR. McPHERSON: An ordinance  
18 amending Title 14 of the Philadelphia Code  
19 entitled, "Zoning and Planning," by amending  
20 Section 14-104 entitled, "Nonconforming  
21 Structures and Uses," by amending provisions  
22 relating to the reconstruction of  
23 nonconforming structures, all under certain  
24 terms and conditions.

25 PRESIDENT Verna: Thank you. Mr.

1 BILL NO. 060260 - 4/24/06

2 Kramer.

3 MR. WILLIAM KRAMER: Good morning,  
4 Madam President, members of the Rules  
5 Committee. My name is William Kramer. I am  
6 the Senior Zoning Planner in the Development  
7 Planning Division of the City Planning  
8 Commission.

9 I am here today to testify on  
10 060260, which was introduced by Council  
11 Members O'Neill, Miller, Blackwell, Kelly,  
12 Tasco, Kenney, DiCicco, Rizzo, and Clarke, on  
13 April 6, 2006.

14 This bill amends Section 104 of the  
15 Philadelphia Zoning Code by allowing for the  
16 reconstruction of nonconforming structures  
17 when they are less than two-thirds destroyed  
18 by fire or act of God or legally condemned, or  
19 in the case of single-family, duplex, or  
20 multiple-family dwellings where at 75 percent  
21 of the structures are in place on the block,  
22 regardless of the amount of the structure  
23 destroyed.

24 The bill would also allow for the  
25 reconstruction without need to comply with



1 BILL NO. 051062 - 4/24/06

2 parking requirements, to the extent that such  
3 requirements did not previously apply to this  
4 structure prior to its destruction.

5 The Planning Commission at its  
6 meeting of April 20, 2006, considered this  
7 bill and recommended its approval.

8 I would be happy to answer any  
9 questions of the committee.

10 PRESIDENT VERNA: Thank you.

11 Are there any questions or comments  
12 from members of the committee regarding this  
13 bill?

14 Okay. Seeing none. We will then go  
15 back to Bill No. 051062.

16 Councilwoman Miller, I believe  
17 that's your bill.

18 COUNCILWOMAN MILLER: Thank you,  
19 Madam President.

20 I move to withdraw Bill No. 051062.  
21 It is similar to the bill that we just heard  
22 that Councilman Brian O'Neill introduced.

23 PRESIDENT VERNA: Thank you very  
24 much.

25 We will now consider Bill No.

1 BILL NO. 060088 - 4/24/06

2 060088.

3 MR. MCPHERSON: An ordinance to  
4 amend the Philadelphia Zoning maps by changing  
5 the zoning designations of certain areas of  
6 land located within an area bounded by Broad  
7 Street, Lehigh Avenue, 24th Street, Fox  
8 Street, Hunting Park Avenue, and Erie Avenue.

9 PRESIDENT VERNA: All right. Mr.  
10 Kramer.

11 MR. KRAMER: Good morning, Madam  
12 President, members of the Rules Committee. My  
13 name is William Kramer. I am the Senior  
14 Zoning Planner in the Development Planning  
15 Division of the City Planning Commission.

16 I am here today to testify on Bill  
17 060088, which was introduced by Council Member  
18 Reed Miller on February 9, 2006.

19 This bill is a zone remapping bill  
20 for the Tioga area of the city. It affects an  
21 area bounded by Broad Street, Lehigh Avenue,  
22 24th Street, Fox Street, Hunting Park Avenue,  
23 and Erie Avenue.

24 It covers approximately 655 acres  
25 that contain a large percentage of

1 BILL NO. 060088 - 4/24/06

2 industrially zoned properties surrounded by  
3 properties zoned either residentially ally or  
4 commercially.

5 The primary industrial  
6 classification of this area is G-2 general  
7 industrial, and we would be recommending that  
8 that be rezoned to an L-3 limited industrial  
9 one. This is being done because of the  
10 proximity of the residential properties in the  
11 area.

12 The bill also changes the  
13 residential zoning designations to better  
14 reflect the existing housing stock and the  
15 single-family nature of much of the area.

16 Several large institutions currently  
17 zoned C-3 commercial are currently located in  
18 the boundaries of this bill and will retain  
19 the C-3 commercial classification.

20 This bill is as a result of a  
21 collaborative effort between the Tioga United  
22 Community, Councilwoman Miller's staff, and  
23 the Planning Commission staff, who have worked  
24 together on this project since June of 2005.

25 It has been presented to the Tioga

1 BILL NO. 060088 - 4/24/06

2 Neighborhood Civic Association at their  
3 meeting of February 23, 2006.

4 The Planning Commission, at its  
5 meeting of March 30, 2006, considered and  
6 recommended approval of this bill.

7 I would be happy to answer any  
8 questions of the committee.

9 PRESIDENT VERNA: Thank you, Mr.  
10 Kramer.

11 As your testimony states, the  
12 primary change reflected in the ordinance is  
13 the conversion of the G-2 general industrial  
14 classification to an L-3 limited industrial  
15 one.

16 Are these changes related to any  
17 actual proposed development or are they simply  
18 what the Planning Commission believes should  
19 be the proper use, if there is any future  
20 developments?

21 MR. KRAMER: The reason that we made  
22 or recommended the change to L3 was largely --  
23 and most of the ones that we changed to L-3  
24 were either vacant land or vacant industrial  
25 buildings.

1 BILL NO. 060088 - 4/24/06

2 The concerns the community had was  
3 the reuse of those properties. And with a G-2  
4 general industrial classification, you would  
5 be allowed to do rather extensive industrial  
6 uses that permit the outdoor use -- or an  
7 outdoor changing of natural materials. Blast  
8 furnaces and the like are permitted in G-2.

9 The L-3 classification is more of a  
10 classification that requires that you put two  
11 parts together, kind of a thing, where I buy  
12 one part from Company A, and Company B  
13 supplies another part, and I manufacture them  
14 in an L-3 setting. And that was the nature of  
15 why we were requesting or recommending that  
16 change.

17 And the community wanted it, so that  
18 they did not want to see commercial  
19 development permitted as a matter of right.  
20 And that was the recommendation that we made.

21 PRESIDENT Verna: Thank you.

22 Is this area contiguous to or does  
23 it overlap any proposed site for casino  
24 gambling? If so, to what extent?

25 MR. KRAMER: The Budd site, which is

1 BILL NO. 060088 - 4/24/06

2 immediately adjacent, and one block of which  
3 comes into this area, is being considered, as  
4 I understand it, one of the casino sites,  
5 amongst other development proposals for the  
6 Budd site.

7 It is my understanding, as well,  
8 that Councilman Nutter has introduced a  
9 rezoning bill for that particular property. I  
10 believe he just introduced that last week.  
11 And that's going to be considered separately.

12 This is adjacent. And the block of  
13 that particular -- the Budd site that, as an  
14 overall thing, could be considered part of the  
15 casino, is -- one block of that is in. But  
16 the portion of that Budd site that's within  
17 this area is to be used as part of a Temple  
18 University facility.

19 PRESIDENT VERA: Does this present  
20 any problem regarding the Commonwealth's  
21 continuing attempts to preclude the city from  
22 having any zoning control over the site of a  
23 casino?

24 MR. KRAMER: This would have no  
25 bearing on it, in that the casino site is not

1 BILL NO. 060088 - 4/24/06

2 included in this bill at all.

3 PRESIDENT Verna: Very good.

4 Questions, comments?

5 And I would like the record to  
6 reflect that we indeed have a quorum. To my  
7 immediate left, Councilman Kelly, Councilman  
8 Brian O'Neill; to my extreme right is  
9 Councilman Kenney, Councilwoman Miller, and  
10 Councilman Clarke.

11 At this time the Chair recognizes  
12 Councilwoman Miller.

13 COUNCILWOMAN MILLER: Thank you.

14 Actually, the remapping in this part  
15 of Philadelphia is something that generated  
16 out of the community's interests. This is,  
17 evidently, prior to me becoming Council  
18 member.

19 Years ago this was a heavily  
20 industrial area, lots of manufacturing plants  
21 that are now closed and vacant. And even  
22 though we have used Keystone Opportunity Zones  
23 and other kinds of state or city programs, we  
24 have had some manufacturers come, and there  
25 has been some development. But this is an

1 BILL NO. 060088 - 4/24/06

2 effort by the community.

3 And, actually, they were not  
4 thinking about the casinos at all; they just  
5 wanting to make sure that, if development  
6 happens in their neighborhood, people just  
7 can't come in and use G-2 and do anything,  
8 just as a matter of right.

9 So this is just part of our ongoing  
10 work with the Tioga United Community to  
11 revitalize that entire area. And, again, it  
12 has nothing to do with the Budd site and the  
13 casino that's been proposed.

14 Thank you.

15 PRESIDENT VERNA: Glad you put that  
16 on the record. Thank you.

17 No one indicated whether a -- the  
18 Chair recognizes Councilman Kelly.

19 COUNCILMAN KELLY: Mr. Kramer, I  
20 just want to note, what are the institutions,  
21 or the large institutions, that are currently  
22 zoned C-3 in that area?

23 MR. KRAMER: There, essentially, are  
24 two. One is a shopping center that was at  
25 Broad and -- just a little north of or a



1 BILL NO. 060088 - 4/24/06

2 little -- excuse me, west of Lehigh Avenue, a  
3 major shopping center for the community.  
4 That's currently zoned C-3, and will remain  
5 that.

6 Additionally, further north on --  
7 further west on Broad Street is -- on one side  
8 of the Broad Street is Temple University, and  
9 it extends onto the other side of Broad  
10 Street.

11 And it is those institutional uses  
12 that are going to be -- remain C-3, having to  
13 do all in connection with Temple University  
14 Hospital.

15 Mostly parking garages at the  
16 moment; but there are also medical offices  
17 within those structures, I believe.

18 COUNCILMAN KELLY: Okay. So that  
19 would probably remain C-3, then, with Temple.  
20 Okay. Thank you

21 PRESIDENT VERA: The Chair  
22 recognizes Councilman Clarke.

23 COUNCILMAN CLARKE: Thank you, Madam  
24 President.

25 Mr. Kramer, did you say on both

1 BILL NO. 060115 - 4/24/06

2 sides of Broad Street?

3 MR. KRAMER: Yes, sir.

4 COUNCILMAN CLARKE: So this bill --

5 MR. KRAMER: The bill does not

6 affect both sides of Broad Street. The

7 institution exists on both sides of Broad

8 Street.

9 COUNCILMAN CLARKE: Because that's a  
10 change in the district boundaries.

11 MR. KRAMER: Yes, sir.

12 PRESIDENT VERNA: Is there any need  
13 for a suspension of the Rules on this bill?

14 COUNCILWOMAN MILLER: Yes.

15 PRESIDENT VERNA: There is?

16 I would ask Mr. McPherson to please  
17 read the title of Bill No. 060115.

18 MR. MCPHERSON: An ordinance  
19 approving the third amendment of the  
20 Redevelopment Proposal for the Convention  
21 Center Renewal Area, being the area generally  
22 bounded by Market Street, Juniper Street,  
23 Commerce Street, 13th Street, Race Street,  
24 12th Street, and Vine Street, including the  
25 third amendment to the renewal plan and the

1 BILL NO. 060115 - 4/24/06  
2 second amendment to the relocation plan which  
3 provides for certain changes in the renewal  
4 plan; namely, a change in the permitted  
5 permanent land use, accessory uses, urban  
6 design, and architectural controls for the  
7 parcel located on the south side of Broad  
8 Street and the west side of 12th Street, the  
9 provision of certain relocation services as  
10 required by law and certain other minor  
11 revisions.

12 PRESIDENT VERNA: I have to say good  
13 afternoon. I am sorry you were kept waiting  
14 so long.

15 Please identify yourself for the  
16 record and proceed with your testimony.

17 MR. HERBERT E. WETZEL: My name is  
18 Herbert Wetzel. I am Executive Director of  
19 the Redevelopment Authority of the City of  
20 Philadelphia.

21 Madam President and members of the  
22 committee, I am here to speak in support of  
23 Bill No. 060115, which is the third amendment  
24 to the Redevelopment Proposal and Urban  
25 Renewal Plan for the Convention Center

1 BILL NO. 060115 - 4/24/06  
2 Redevelopment Area and the Convention Center  
3 Renewal Area.

4 There are no acquisitions included  
5 in this bill. However, the bill will amend  
6 the Urban Renewal Plan to allow for certain  
7 land use changes for the parcel located at the  
8 southwest corner of 12th and Arch Streets.  
9 The City Planning Commission on October 18,  
10 2005, approved these changes.

11 The bill will bring a proposal for a  
12 mixed-use development into conformity with the  
13 renewal plan. The development includes the  
14 construction of 65,000 square feet; about 135  
15 parking spaces in a multi-story garage; 10,000  
16 square feet of retail space; and approximately  
17 150,000 square feet, one-hundred-unit  
18 high-rise residential building. Total  
19 development costs is approximately \$34  
20 million.

21 No families or individuals will be  
22 displaced or relocated as part of this  
23 development plan.

24 Madam President, the members of the  
25 committee, I respectfully request favorable

1 BILL NO. 060115 - 4/24/06

2 consideration of Bill No. 060115, and would  
3 ask for the suspension of Council Rules to  
4 allow first reading on April 27, 2006.

5 Madam President, could I add  
6 something to this testimony?

7 PRESIDENT VERNA: Certainly.

8 MR. WETZEL: When a redevelopment  
9 proposal is adopted by the Board of Directors  
10 of the Redevelopment Authority, sometimes it  
11 contains controls in that for the specific  
12 site or sometimes it contains controls for the  
13 whole urban renewal area.

14 In this case this project initially  
15 started out being a site that was desirable  
16 for a Convention Center hotel. Over the  
17 years, it has become very clear that no more  
18 hotels, at least in the foreseeable future,  
19 are going to be built at this location.

20 When it was initially leased to --  
21 it was part of a two-part project there. One  
22 is the multi-story parking garage right behind  
23 the Marriott Hotel, and then this is the  
24 surface lot at the southwest corner of 12th  
25 and Arch.

1 BILL NO. 060115 - 4/24/06

2 An option was given to the Parkway  
3 Corporation initially to develop both sites.  
4 And they developed the parking, which is in  
5 use, and been in use for a number of years  
6 now.

7 They came back to us and had an  
8 option to exercise acquisition of the surface  
9 lot because we leased it to them, we didn't  
10 sell it to them. However, their belief is,  
11 they could not build or get any interest in  
12 financing of a hotel, but they could get  
13 financing for a residential structure at that  
14 site, including parking and retail space.

15 So what this essentially did, the  
16 initial proposal that was approved by  
17 ordinance of this Council, restricted the use  
18 of this site to commercial or hotel use. And  
19 this amendment now would allow for  
20 residential, as well as commercial use,  
21 including a multi-story parking garage.

22 So it is not to acquire -- it is not  
23 an amendment of a redevelopment proposal to  
24 acquire anything; we are just amending the  
25 controls and the use at that particular

1 BILL NO. 060115 - 4/24/06

2 location.

3 PRESIDENT VERNA: All right. Mr.

4 Wetzel, Section 7 in parens C of the bill

5 states that NTI funds can be used to forward

6 this project.

7 Are they being used? And, if so, in

8 what amount?

9 MR. WETZEL: No, they are not being

10 used. It is not necessary to use them.

11 PRESIDENT VERNA: Can you briefly

12 explain what the changes in the permitted

13 permanent land use, accessory uses, urban

14 design, and architectural controls are?

15 You state the total project cost is

16 \$34 million. Can you please state how much

17 goes to the parking garage, residential

18 development, et cetera.

19 MR. WETZEL: Let me answer the

20 second part of your question first. I will

21 get that information to you from the

22 developer. I do not have it with me.

23 The first thing is to change the

24 land use from -- essentially from commercial,

25 which would have limited it to hotel use, to

1 BILL NO. 060115 - 4/24/06

2 allow for commercial and residential.

3 This would allow for the  
4 construction of residential units and allow  
5 for the developer to construct the parking  
6 garage and the retail space at the site.

7 The second thing was that, we  
8 revised the land-use controls amending the  
9 setbacks, for example. The setbacks now will  
10 be 34 and four-fifths of a foot from 12th  
11 Street and 15.7 inches from the Arch Street  
12 curb line.

13 Probably the key one to their  
14 ability to build this was, there was a height  
15 limitation of 120 feet that we're amending  
16 that you can build beyond 120 feet, but not  
17 exceed 380 feet. And, if you do that, you  
18 will have a 15 foot setback from the next  
19 building on 12th Street.

20 There is a building with a ramp that  
21 goes up right next to that into the existing  
22 parking garage. And this requires that the  
23 new building continue to allow for a 12-foot  
24 separation between those two buildings on 12th  
25 Street.



1 BILL NO. 060115 - 4/24/06

2 Building materials and other things  
3 are always and have been subject to the  
4 Advisory Board of Review of the Redevelopment  
5 Authority, and they will continue to do so,  
6 reviewing the kinds of materials that are used  
7 in this particular area.

8 And then there is a maximum of 20  
9 foot width for any particular retail store  
10 that would be built at that site.

11 So those are the changes in the  
12 controls. And those would be subject to --  
13 the last two would be subject to the  
14 Authority's Advisory Board of Design.

15 PRESIDENT VERNA: Mr. Wetzel,  
16 currently what is the anticipated cost for the  
17 Convention Center expansion, do you know?

18 MR. WETZEL: I know that we will  
19 know soon what the land cost is going to be.

20 PRESIDENT VERNA: It would be  
21 interesting to know what the sources of  
22 funding will be.

23 COUNCILMAN DiCICCO: 700 million and  
24 rising.

25 PRESIDENT VERNA: 700 million and

1 BILL NO. 060115 - 4/24/06

2 rising.

3 MR. WETZEL: I know that we are  
4 probably at the peak of the land value.

5 One of the business owners, when we  
6 had meetings with the business owners, was  
7 very excited, believe it or not, that it was  
8 happening now, simply because he probably --  
9 he said there probably isn't a better time,  
10 for the purposes of his real estate being  
11 acquired, than it would be now.

12 So, it is not going to be  
13 inexpensive.

14 PRESIDENT VERNA: I guess not. 700  
15 million.

16 But does anybody know what the  
17 sources of funding will be?

18 Councilman DiCicco.

19 COUNCILMAN DiCICCO: Thank you,  
20 Madam President.

21 That is part of the ongoing debate.  
22 It is primarily going to be, the funding  
23 primarily will come from the state, the  
24 Commonwealth of Pennsylvania.

25 There is some discussion that has

1 BILL NO. 060115 - 4/24/06

2 been going on, and will continue to go on, as  
3 to what the city's portion may be required.  
4 There is a matching grant requirement. That  
5 is still being negotiated.

6 I suspect that probably in the next  
7 two months, a more definitive breakout of  
8 where that money will be coming from should be  
9 known to all of us. But, it goes back and  
10 forth.

11 But we are talking about \$700  
12 million. We originally started, I think,  
13 around 620 million, whatever. I don't know if  
14 we ever built it at \$700 dollars. It may be  
15 something that has to get scaled back and be  
16 built for less. It is very fluid at this  
17 time, the whole discussion on the actual cost.

18 They are looking at redesigning and  
19 other facets of the development to see exactly  
20 if they can nail down a specific number once  
21 and for all.

22 PRESIDENT VERNA: Thank you very  
23 much.

24 Are there any questions or comments  
25 from members of the committee?

1 BILL NO. 060182 - 4/24/06

2 Do we have anyone else that would  
3 like to testify on this bill?

4 I don't think so. Okay. I would  
5 ask Mr. McPherson to please read the title of  
6 Bill No. 060182.

7 MR. MCPHERSON: An ordinance to  
8 amend the Philadelphia Zoning Maps by changing  
9 the zoning designations of the following area  
10 of the city: An area generally bounded by  
11 Verree Road, Charette Road, Alicia Street,  
12 Alicia Street extended, and Marchman Road.

13 PRESIDENT VERNA: Mr. Kramer, please  
14 identify yourself for the record.

15 MR. WILLIAM KRAMER: Good morning,  
16 Madam President, members of the Rules  
17 Committee.

18 My name is William Kramer. I am the  
19 Senior Zoning Planner in the Development  
20 Planning Division of the City Planning  
21 Commission. I am here today to testify on  
22 Bill No. 060182, which was introduced by  
23 Councilman O'Neill March 9 of 2006.

24 This bill is a zoning change bill  
25 for the Bustleton area of the city. This is a

1 BILL NO. 060182 - 4/24/06

2 request to have the zoning designation for a  
3 property changed to reflect the development  
4 proposal for that property.

5 The subject property is a 4-acre  
6 parcel of land that's being subdivided to  
7 allow for the construction of 11 single-family  
8 dwellings.

9 This bill would change the zoning  
10 classification from a current R-2  
11 classification, to an R-1 classification.

12 The Planning Commission in its  
13 meeting of April 20, 2006, considered Bill No.  
14 060182, and recommended approval.

15 I would be happy to answer any  
16 questions of the committee.

17 PRESIDENT Verna: Mr. Kramer, I  
18 believe you stated that the subject property  
19 would be subdivided for the construction of 11  
20 single-family dwellings.

21 Just out of curiosity, how many  
22 single-family dwellings could be constructed  
23 without the zoning change?

24 MR. KRAMER: The R-2 to the R-1  
25 classification, just based on area, would

1 BILL NO. 060182 - 4/24/06  
2 allow you to probably double the amount of  
3 buildings you could build on this particular  
4 site; however, site constraints having to do  
5 with storm water management and placing on the  
6 street bills would make it a little more  
7 difficult to get an exact doubling of the  
8 number.

9 So it would be -- there would be a  
10 number of additional units allowed to be  
11 constructed under the R-2 classification. An  
12 exact number, I don't know.

13 PRESIDENT VERNA: Can you tell us  
14 who the developer for the 11 single-family  
15 dwellings is?

16 MR. KRAMER: The party at interest  
17 is an Amity Builders. Amity Builders, Inc.  
18 They are under the direction of an Andrew  
19 Kaye, K-A-Y-E.

20 PRESIDENT VERNA: What is the  
21 projected market cost for each of the  
22 dwellings?

23 MR. KRAMER: I do not have that  
24 information.

25 PRESIDENT VERNA: Any questions or

1 BILL NO. 060140 - 4/24/06

2 comments from members of the committee?

3 Is there any need for a suspension,  
4 to your knowledge?

5 MR. KRAMER: To my knowledge, no,  
6 ma'am.

7 Mr. McPherson, please read the title  
8 of Bill No. 060140.

9 MR. MCPHERSON: An ordinance  
10 amending Section 14-305 of the Philadelphia  
11 Code, entitled "'C-4' Commercial, and 'C-5'  
12 Commercial Districts," by deleting the  
13 provision that increased the permitted floor  
14 area of lots designated C-4 in the area  
15 bounded by Christopher Columbus Boulevard,  
16 Vine Street, Water Street, and Summer Street.

17 MR. WILLIAM KRAMER: We do not have  
18 any testimony with regard to this bill. The  
19 Planning Commission did not consider it.

20 PRESIDENT Verna: When was it  
21 introduced?

22 MR. KRAMER: February 23.  
23 Councilman DiCicco's office and I have  
24 discussed this, and we had told him that we  
25 were not going to consider this. And they

1 BILL NO. 060142 - 4/24/06

2 were aware of that at this point.

3 PRESIDENT Verna: While we are  
4 waiting, I would ask Mr. McPherson to please  
5 read the title of Bill No. 060142.

6 MR. McPHERSON: An ordinance to  
7 amend the Philadelphia Zoning Maps by changing  
8 the zoning designation of certain areas of  
9 land located within an area bounded by  
10 Southampton Road, a railroad right-of-way,  
11 Hornig Road, and the Roosevelt Boulevard.

12 MR. WILLIAM KRAMER: Good morning,  
13 Madam President, members of the Rules  
14 Committee. My name is William Kramer. I am  
15 the Senior Zoning Planning in the Development  
16 Planning Division of the city Planning  
17 Commission.

18 I am here today to testify on Bill  
19 060142, which was introduced by Councilman  
20 O'Neill February 23, 2006.

21 This bill is a zoning remapping bill  
22 for the Somerton area of the city. It affects  
23 an area bounded by Southampton Road, a  
24 railroad right-of-way, Hornig Road, and the  
25 Roosevelt Boulevard.



1 BILL NO. 060142 - 4/24/06

2 It covers approximately 102 acres  
3 that are currently zoned R-5 residential,  
4 which will be changed to a designation of R-1  
5 residential in an attempt to guide future  
6 development at this location. Currently the  
7 site is vacant land and recreational fields.

8 The Planning Commission at its  
9 meeting of March 30, 2006, considered this  
10 bill and recommended approval.

11 I would be happy to answer any  
12 questions of the committee.

13 PRESIDENT VERNA: Thank you.

14 To the best of your knowledge, is  
15 there any developer who wishes to build here  
16 based on the proposed zoning changes?

17 If so, do you know who that would be  
18 and for what purpose?

19 MR. KRAMER: To the best of my  
20 knowledge, I have seen no plans for  
21 development for this site.

22 PRESIDENT VERNA: Okay.

23 COUNCILMAN O'NEILL: Mr. Kramer, do  
24 you know when it was zoned R-5?

25 MR. KRAMER: When it was zoned R-5?

1 BILL NO. 060162 - 4/24/06

2 I'm not certain. I would have to look that  
3 up. I can tell you, if you need to know.

4 COUNCILMAN O'NEILL: Yes, if you can  
5 let me know. I know it hasn't been done since  
6 I was here. Okay.

7 PRESIDENT Verna: All right. Any  
8 other questions or comments on this bill from  
9 members of the committee?

10 I, therefore, would ask Mr.  
11 McPherson to please read the title of Bill No.  
12 060162.

13 MR. McPHERSON: An ordinance to  
14 amend the Philadelphia Zoning Maps by changing  
15 the zoning designations of certain areas of  
16 land located within an area bounded by  
17 Worthington Road, the Poquessing Creek Park,  
18 Carter Road, and Southampton Road.

19 PRESIDENT Verna: Mr. Kramer.

20 MR. WILLIAM KRAMER: Good morning,  
21 Madam President, members of the Rules  
22 Committee. My name is William Kramer. I am  
23 the Senior Zoning Planner in the Development  
24 Planning Division of the City Planning  
25 Commission. I am here today to testify on

1 BILL NO. 060162 - 4/24/06

2 Bill No. 060162, which was introduced by  
3 Councilman O'Neill March 2, 2006.

4 This bill is a zoning remapping bill  
5 for the Somerton area of the city. It affects  
6 an area bounded by Worthington Road, the  
7 Poquessing Creek, Carter Road, and Southampton  
8 Road.

9 This bill is rezoning a portion of  
10 the Somerton area in an attempt to maintain  
11 the existing character of the existing  
12 community in both density and in the quality  
13 of housing stock.

14 The Planning Commission at its  
15 meeting of April 20, 2006, considered this  
16 bill and recommended approval.

17 I would be happy to answer any  
18 questions of the committee.

19 PRESIDENT VERNA: Are there any  
20 development proposals for this area, to your  
21 knowledge?

22 MR. KRAMER: This area has been  
23 developed; it is a well-established  
24 residential community.

25 Part of the concerns in this area

1 BILL NO. 060162 - 4/24/06  
2 have been individuals who have purchased  
3 individual lots, torn down the buildings, and  
4 rebuilt with two or more structures in their  
5 place. And this bill is an attempt to address  
6 that concern. I.

7 Don't know of any specific ones in  
8 this particular bill, but there are -- that  
9 was the general concern in the area.

10 This is part of a consideration of  
11 the entire Somerton area, as well. So this is  
12 probably one of a series of bills that will  
13 address those concerns.

14 PRESIDENT VERNA: So no one will be  
15 adversely affected by this zoning change?

16 MR. KRAMER: To the best of my  
17 knowledge, no.

18 PRESIDENT VERNA: Thank you.

19 COUNCILMAN O'NEILL: Except maybe a  
20 developer. A developer might be, who wanted  
21 to buy a house and tear it down, and build  
22 three in its place that don't match anything  
23 in the neighborhood.

24 Mr. Kramer, how much of Somerton is  
25 still left? And will it be done in more than

1 BILL NO. 060140 - 4/24/06

2 one bill; for remapping purposes, that is?

3 MR. KRAMER: It is my understanding  
4 from my staff that there are probably four or  
5 five bills at least that will then be  
6 considered for this.

7 It depends on how much of an area at  
8 one time that's going to be done, and that I  
9 don't have specifics on.

10 COUNCILMAN O'NEILL: Could you get  
11 that to us?

12 MR. KRAMER: Will do.

13 PRESIDENT VERNA: Are there any  
14 other questions or comments from members of  
15 the committee?

16 Councilman DiCicco, Mr. Kramer. We  
17 called up Bill No. 060140, and Mr. Kramer  
18 indicated that he had been discussing this  
19 matter with you.

20 It is your desire, we are told, and  
21 I would like you to let us know, if you want  
22 this held or --

23 COUNCILMAN DiCICCO: No, we are not  
24 asking it to be held.

25 If you recall, Madam President, a

1 BILL NO. 060140 - 4/24/06  
2 few months ago there was a bill that related  
3 to the same site, where representatives of Old  
4 City and the Franklin Bridge Neighborhood  
5 Association came in in opposition to this  
6 project, which is just north of the Ben  
7 Franklin Bridge, almost up against the  
8 abutment.

9 And their concern was that bill  
10 would have, in their opinion, set precedent  
11 for three or four other sites that would allow  
12 for a greater amount of floor-to-area ratio  
13 being built on.

14 We have since worked out the details  
15 with the community. So we are repealing that  
16 bill and moving forward with this bill, which  
17 will allow the project to go forward with full  
18 support from the community.

19 Does that make sense?

20 PRESIDENT Verna: No.

21 COUNCILMAN DiCICCO: Do you remember  
22 that? We had a scale model up here, and they  
23 were concerned about the view of the abutment  
24 of the bridge, et cetera.

25 And it really had to do more with

1 BILL NO. 060140 - 4/24/06  
2 setting precedent than their opposition to the  
3 project itself.

4 PRESIDENT VERNA: Mr. Kramer, in  
5 view of what the Councilman has just said, do  
6 you have a statement to make?

7 MR. KRAMER: We have no objection to  
8 the passage of the bill, if that would assist  
9 Council.

10 PRESIDENT VERNA: Okay. Very well.  
11 Any questions from members of the  
12 committee? Thank you very much.

13 COUNCILMAN DiCICCO: We would ask  
14 for a suspension.

15 PRESIDENT VERNA: I believe that's  
16 it. This will conclude the Public Hearing of  
17 the Rules Committee.

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## COUNCIL OF THE CITY OF PHILADELPHIA

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## PUBLIC MEETING

4

of the

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## COMMITTEE ON RULES

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Monday, April 25, 2006

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9

Public Meeting conducted by the

10

Committee on Rules, held in Room 400, City

11

Hall, Philadelphia, Pennsylvania, on the above

12

date, to consider action on the following:

13

BILLS 060088, 050341, 060260, 060140, 060142,

14

060162, 060115, 060182

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- - -

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17

## PRESENT:

18

ANNA C. VERNA, Chair

19

DARRELL L. CLARKE, Vice-Chair

20

JACK KELLY

21

JAMES F. KENNEY

22

DONNA REED MILLER

23

BRIAN J. O'NEILL

24

25

26



1 PUBLIC MEETING - 4/26/06

2 PRESIDENT Verna: We will now go  
3 into our public meeting.

4 The Chair recognizes Councilman  
5 Clarke regarding Bill No. 050341.

6 COUNCILMAN CLARKE: Thank you, Madam  
7 President.

8 Madam President, I move for the  
9 adoption of the amendment to Bill No. 050341.

10 (Duly seconded.)

11 PRESIDENT Verna: It has been moved  
12 and seconded that the amendment be adopted.

13 All in favor will say aye.

14 Those opposed?

15 The ayes have it and the motion  
16 carries.

17 Again, the Chair recognizes  
18 Councilman Clarke.

19 COUNCILMAN CLARKE: I move that Bill  
20 No. 050341, as amended, be reported out of  
21 committee with a favorable recommendation and  
22 request for Rules suspension as to allow  
23 reading at the next session of Council.

24 (Duly seconded.)

25 PRESIDENT Verna: It has been moved

1 PUBLIC MEETING - 4/26/06

2 and seconded that Bill No. 050341 be reported  
3 out of committee with a favorable  
4 recommendation as amended and that the Rules  
5 of Council be suspended so as to permit first  
6 reading at our next session of Council.

7 All in favor will say aye.

8 Those opposed?

9 The ayes have it, and the motion  
10 carries.

11 The Chair recognizes Councilman  
12 Clarke.

13 COUNCILMAN CLARKE: I move that Bill  
14 No. 060260 be reported out of committee with a  
15 favorable recommendation and a request for  
16 Rules suspension as to allow first reading at  
17 our next session of Council.

18 (Duly seconded.)

19 PRESIDENT VERNA: It has been moved  
20 and seconded that Bill No. 060260 be reported  
21 out of committee with a favorable  
22 recommendation, further a recommendation that  
23 the Rules of Council be suspended so as to  
24 allow first reading at our next session of  
25 Council.

1 PUBLIC MEETING - 4/26/06

2 All in favor will say aye.

3 Those opposed?

4 The ayes have it, and the motion  
5 carries.

6 The Chair again recognizes  
7 Councilman Clarke regarding Bill No. 051062.

8 COUNCILMAN CLARKE: That's being  
9 withdrawn.

10 PRESIDENT VERNA: At the request of  
11 the sponsor, that bill has been withdrawn.

12 Councilman Clarke, again I recognize  
13 you regarding Bill No. 060088.

14 COUNCILMAN CLARKE: I move that Bill  
15 No. 060088 be reported out of committee with a  
16 favorable recommendation and request for Rules  
17 suspension so as to allow first reading at the  
18 next session of Council.

19 (Duly seconded.)

20 PRESIDENT VERNA: It has been moved  
21 and seconded that Bill No. 060088 be reported  
22 out of committee with a favorable  
23 recommendation, also a recommendation that the  
24 Rules of Council be suspended so as to permit  
25 first reading at our next session of Council.

1 PUBLIC MEETING - 4/26/06

2 All in favor will say aye.

3 Those opposed?

4 The ayes have it and the motion  
5 carries.

6 The Chair recognizes Councilman  
7 Clarke regarding Bill No. 060115.

8 COUNCILMAN CLARKE: I move that Bill  
9 No. 060115 be reported out of committee with a  
10 favorable recommendation and a request for  
11 Rules suspension as to allow first reading at  
12 our next session of Council.

13 (Duly seconded.)

14 PRESIDENT VERNA: It has been moved  
15 and seconded that Bill No. 060115 be reported  
16 out of committee with a favorable  
17 recommendation, further a recommendation that  
18 the Rules of Council be suspended so as to  
19 permit first reading at our next session of  
20 Council.

21 All in favor will indicate by saying  
22 aye.

23 Those opposed?

24 COUNCILMAN KENNEY: I would like to  
25 abstain.

1 PUBLIC MEETING - 4/26/06

2 PRESIDENT Verna: The record will  
3 indicate that Councilman Kenney is abstaining.

4 All in favor will indicate by saying  
5 aye.

6 Those opposed?

7 The ayes have it, and the motion  
8 carries.

9 Again, the Chair recognizes  
10 Councilman Clarke regarding Bill No. 060182.

11 COUNCILMAN CLARKE: I move that Bill  
12 No. 060182 be reported out of committee with a  
13 favorable recommendation and a request for  
14 Rules suspension so as to allow first reading  
15 at the next session of Council.

16 (Duly seconded.)

17 PRESIDENT Verna: It has been moved  
18 and seconded that Bill No. 060182 be reported  
19 out of committee with a favorable  
20 recommendation, further that the Rules of  
21 Council be suspended so as to permit first  
22 reading at our next session of Council.

23 All in favor will say aye.

24 Those opposed?

25 The ayes have it, and the motion

1 PUBLIC MEETING - 4/26/06

2 carries.

3 The Chair recognizes Councilman  
4 Clarke regarding Bill No. 060140.

5 COUNCILMAN CLARKE: Madam President,  
6 I move that Bill No. 060140 be reported out of  
7 committee with a favorable recommendation, and  
8 a request for Rules suspension so as to allow  
9 first reading at our next session of Council.

10 (Duly seconded.)

11 PRESIDENT VERNA: It has been moved  
12 and seconded that Bill No. 060140 be reported  
13 out of committee with a favorable  
14 recommendation, further that the Rules of  
15 Council be suspended so as to permit first  
16 reading at our next session of Council.

17 All in favor will say aye.

18 Those opposed?

19 The ayes have it, the motion  
20 carries.

21 We will now consider Bill No.  
22 060142, and the Chair recognizes Councilman  
23 Clarke.

24 COUNCILMAN CLARKE: I move that Bill  
25 No. 060142 be reported out of committee with a

1 PUBLIC MEETING - 4/26/06

2 favorable recommendation.

3 (Duly seconded.)

4 PRESIDENT VERNA: It has been moved  
5 and seconded that Bill No. 060142 be reported  
6 out of committee with a favorable  
7 recommendation.

8 All in favor will say aye.

9 Those opposed?

10 The ayes have it and the motion  
11 carries.

12 The Chair recognizes Councilman  
13 Clarke regarding Bill No. 060162.

14 COUNCILMAN CLARKE: I move that Bill  
15 No. 060162 be reported out of committee with a  
16 favorable recommendation.

17 (Duly seconded.)

18 PRESIDENT VERNA: It has been moved  
19 and seconded that Bill No. 060162 be reported  
20 out of committee with a favorable  
21 recommendation.

22 All in favor will say aye.

23 Those opposed?

24 The ayes have it, and the motion  
25 carries.

1 PUBLIC MEETING - 4/26/06  
2 Thank you all very much.  
3 (Public Meeting adjourned at 12:45  
4 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 Monday, April 24,  
2006, were reported fully and accurately by  
me, and that this is a correct transcript of  
same.

RE: COMMITTEE ON RULES

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DEBRA A. WHITEHEAD