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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE THE COUNCIL COMMITTEE ON RULES

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- - -
Room 696, City Hall
Philadelphia, Pennsylvania
Wednesday, 5/29/02, 10:31 a.m.
- - -

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BILL 010424 - Held to call of sponsor.

BILL 020166 - Establishing PRIDE NID.

9

BILL 020183 - Re. Manayunk Special Services Dist.

BILL 020225 - RC-3 Residential Districts.

10

BILL 020226 - Amending Philadelphia Zoning Maps...

BILL 020278 - Recessed to 6/5/02 hearing.

11

BILL 020283 - " " " "

12

RES. 020205 - Appoint Robert Zuritsky Philadelphia
Municipal Authority Board.

13

RES. 020206 - Appoint James Baker to Hospitals and
Higher Ed. Facilities Authority Board of Phila.

14

(Complete text of all bills and resolutions attached
hereto.)

15

16

PRESENT: COUNCILMAN JAMES F. KENNEY, Vice Chair

17

COUNCILMAN DARRELL L. CLARKE

18

COUNCILMAN DAVID COHEN

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COUNCILMAN FRANK DICICCO

20

COUNCILMAN MICHAEL A. NUTTER

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COUNCILMAN BRIAN J. O'NEILL

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2 COUNCILMAN KENNEY: Good morning, ladies
3 and gentlemen. This is the Council Committee on
4 Rules. The quorum consists of Councilmember Cohen,
5 Councilmember Clarke, Councilmember DiCicco,
6 Councilmember Nutter, and myself as vice chairman,
7 Councilman Kenney.

8 First we will deal with two resolutions.
9 The first one is Resolution No. 020205, a resolution
10 appointing Robert Zuritsky to the Board of Directors
11 of the Philadelphia Municipal Authority; and

12 Resolution No. 020206, a resolution
13 appointing James P. Baker to the Board of Directors
14 of the Hospitals and Higher Education Facilities
15 Authority of Philadelphia.

16 And we ask that the Administration
17 witnesses to please come forward.

18 (Witness comes forward.)

19 COUNCILMAN KENNEY: I'd like to take the
20 opportunity to welcome back Secretary Clark -- not
21 to the best chambers in the building, but it will
22 serve the purpose nonetheless.

23 Welcome back and thank you for
24 testifying today.

25 SECRETARY CLARK: Oh, Thank you so much.

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2 I feel comfortable here too.

3 COUNCILMAN KENNEY: Good. Thank you.

4 SECRETARY CLARK: Although the room is
5 cramped.

6 SECRETARY CLARK: It is my pleasure,
7 sir, to testify.

8 My name is Augusta Clark, and I'm
9 Secretary of Agencies, Authorities, Boards, and
10 Commissions. I'm pleased to present before this
11 honorable body the name and qualifications of Robert
12 A. Zuritsky, Executive Vice President and Chief
13 Operating Officer of Parkway Corporation, for
14 appointment to the Philadelphia Municipal
15 Authorities Board.

16 Mr. Zuritsky is the third generation of
17 an outstanding family tradition of providing parking
18 facilities and services in Philadelphia. He began
19 working around the lots at age 10 and has since
20 progressed through the ranks to his present
21 leadership position where he oversees every aspect
22 of company operations from accounting and personnel
23 to business development. His background, training,
24 and experience have prepared him well to promote
25 Parkway's growth through the creation and

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2 in 1975 as the Equipment Leasing Corporation of
3 Philadelphia, pursuant to the Municipal Authority's
4 Act of 1945, and renamed by Council ordinance of
5 1983. Its business is leasing equipment to the City
6 of Philadelphia, managing disposable refuse, and
7 managing facilities and equipment for the Criminal
8 Justice Center system.

9 Thank you for this opportunity to share
10 the interests and experience of a man who would
11 enhance the Municipal Authority. I am personally
12 pleased to present his qualifications to you and
13 hope that you will concur and confirm him for
14 membership on the Philadelphia Municipal Authority.

15 COUNCILMAN KENNEY: Thank you very much
16 for your testimony.

17 Is Mr. Zuritsky here?

18 SECRETARY CLARK: Yes, he is here.

19 COUNCILMAN KENNEY: (Addressing
20 Mr. Zuritsky.) Would you like to present yourself,
21 or do you have anything to say? It's not necessary;
22 only if you'd like to.

23 (Mr. Zuritsky indicates no
24 desire to add to record.)

25 COUNCILMAN KENNEY: Okay.

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2 SECRETARY CLARK: For the sake of
3 members of City Council, this is Bob Zuritsky; you
4 know that name from his (indiscernible).

5 COUNCILMAN KENNEY: Yes, sir.

6 SECRETARY CLARK: And he will be
7 certainly willing to answer any questions about his
8 qualifications and willingness to serve in this
9 important spot.

10 COUNCILMAN KENNEY: Are there any
11 questions for this witness about Mr. Zuritsky?

12 (No questions.)

13 COUNCILMAN KENNEY: Seeing none, we
14 thank you.

15 And we will be happy to hear testimony
16 on Mr. Baker now.

17 SECRETARY CLARK: Thank you.

18 Good morning, Mr. Kenney.

19 COUNCILMAN KENNEY: Good morning.

20 SECRETARY CLARK: My name is still
21 Augusta Clark, and I'm still Secretary of AABC --
22 Agencies, Authorities, Boards, and Commission.

23 I'm happy to appear before this
24 honorable body to support the appointment and
25 confirmation of James P. Baker, Jr. to a five-year

1 5/29/02 RULES - RES. 020205, 020206
2 term beginning 2002 and ending 2007 on the Board of
3 Hospitals and Higher Education Facilities Authority.

4 This authority is a body which was
5 incorporated under the Pennsylvania Municipal
6 Authorities Act of 1945, PL 382 as amended and
7 supplemented, and by an ordinance of Philadelphia
8 City Council approved on January 28, 1974.

9 The purpose of the Hospitals and Higher
10 Education Facilities Authority is to acquire, hold,
11 construct, finance, improve, maintain, and lease in
12 the capacity of either lessor or lessee projects
13 including hospitals, certain not-for-profit subacute
14 health-care facilities and certain higher-education
15 institutions. Its role is to issue tax-exempt bonds
16 on behalf of such 501(c)(3) institutions.

17 Mr. Baker is, by training, experience,
18 and interest, an excellent candidate for board
19 membership to join Chairman Bob Vogel, a newspaper
20 publisher, physicians Maurice Clifford and Theodore
21 Burden, and Manuel Stamitakis, business and civic
22 leader. He's well educated, has received his MBA
23 degree from Wharton School University of
24 Pennsylvania, and his BS in electrical engineering
25 with high honors from Drexel.

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2 He held responsible positions in the
3 medical supplies and equipment industry, working his
4 way up to leadership of one of the giants in the
5 field, Johnson and Johnson. Since 1988, Jim Baker
6 has been the principal at James P. Baker &
7 Associates, a management-consulting firm which
8 specializes business development, start-up, and
9 problem-solving for a wide range of clients, from
10 government agencies, not-for-profit organizations,
11 and political campaigns.

12 His civic involvement includes
13 leadership and causes to fight drug addiction and
14 promoting programs for the improvement of children's
15 services. A hard-working, thinking man, James P.
16 Baker would be an asset to this board, and I am
17 personally pleased to present his qualifications to
18 you in the hope that you would concur and confirm
19 him for the Board of Hospitals and Higher Education
20 Facilities.

21 Thank you.

22 COUNCILMAN KENNEY: Thank you very much.

23 SECRETARY CLARK: I'd be happy to
24 answer any questions.

25 COUNCILMAN KENNEY: Thank you for your

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2 testimony. Mr. Baker, if there's anything you would
3 like to add? I think it's all been said.

4 MS. CLARK: Stand up so they can see
5 you.

6 COUNCILMAN KENNEY: Hello. We all know
7 you. Thank you.

8 Any questions for this witness?

9 (No questions.)

10 COUNCILMAN KENNEY: Seeing none, we
11 thank you for coming in and for your testimony.

12 SECRETARY CLARK: Thank you. And thank
13 you for your courtesies.

14 COUNCILMAN KENNEY: You're welcome. Our
15 pleasure.

16 SECRETARY CLARK: All right. Let's get
17 out of here.

18 (Laughter.)

19 COUNCILMAN KENNEY: While the getting's
20 good.

21 SECRETARY CLARK: While the getting's
22 good -- I know what happens at this table.

23 COUNCILMAN KENNEY: We will now hear
24 testimony on proposed Ordinance 020424, which is an
25 ordinance amending Title 14 of the Philadelphia Code

1 5/30/02 RULES - BILL 010424

2 entitled "Zoning and Planning."

3 Let me ask a question. On 424, how many
4 people are here to testify?

5 COUNCILMAN DICICCO: Four.

6 COUNCILMAN KENNEY: And how about on
7 020166, anybody? I'd rather take the public first.

8 This is 010424, an ordinance amending
9 Title 14 of the Philadelphia Code, entitled "Zoning
10 and Planning," by adding a new chapter providing for
11 the creation of neighborhood residential
12 preservation and revitalization overlay districts,
13 providing for the adoption of design guidelines for
14 properties within such districts, and requiring
15 special permits to alter the exterior of a building
16 within such a district or to construct a building
17 within such a district so as to ensure compliance
18 with the design guidelines, all under certain terms
19 and conditions.

20 Could we please have the Administration
21 testimony. Thank you.

22 (Witness comes forward.)

23 COUNCILMAN KENNEY: Councilmember
24 DiCicco.

25 COUNCILMAN DICICCO: Mr. Chairman, I

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2 just would like to read into the record a brief
3 statement as to the intent of the RPROD bill. Thank
4 you, Mr. Chairman.

5 The residential preservation and
6 revitalization district, known as "RPROD ordinance,"
7 creates a critical link between the efforts to
8 develop, revitalize, preserve and conserve the many
9 diverse and historic neighborhoods in the City. I
10 believe that this will go a long way in enhancing
11 opportunities to attract and retain residents,
12 employers, and employees, and to inspire civic
13 pride.

14 RPRODs, I believe, fit within the goals
15 of the Mayor's Neighborhood Transformation
16 Initiative, NTI. NTI shows how the public and
17 private sector can work together to offset decades
18 of decline and neglect.

19 The City of Philadelphia, as we know, is
20 a city of neighborhoods -- it probably is the city
21 of neighborhoods. It also is a city of homeowners,
22 and the homeowners, I believe, have a right to
23 protect their investment and engage in whatever
24 happens beyond their front steps -- or stoops,
25 depending on what neighborhood you live in.

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2 It is incumbent, I believe, upon the
3 City to encourage multi-individual acts of
4 reinvestment, maintenance, and improvements to
5 maintain our neighborhoods and sustain the
6 transformation efforts. I believe that RPRODs will
7 strengthen local resources, civic engagement, and
8 overall neighborhood commitment through community
9 participation and organization.

10 The underlying principle of NTI is
11 neighborhood preservation and restoration. RPRODs
12 provide an important tool for neighborhood groups
13 and civic associations to sustain these preservation
14 efforts. Residents can take matters into their own
15 hands to protect their investments and stimulate the
16 local investment. Those dedicated to improving
17 quality of place can now strengthen their commitment
18 to appreciating housing markets and personal
19 investments. NTI describes a continuum of housing
20 market types ranging from regional choice to
21 reclamation.

22 There has been much speculation
23 regarding the blight-reduction component of the
24 process. However, demolition, encapsulation, and
25 stabilization are strategies for more than

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2 reclamation of neighborhoods.

3 At the other end of the housing-market
4 spectrum are neighborhoods of regional choice. Such
5 neighborhoods are likely to be well-organized and
6 have established civic associations. And I believe,
7 in some instances, these neighborhoods have already
8 taken advantage of their local historical resources
9 and established historical districts to preserve and
10 protect local identity. But not all neighborhoods
11 are eligible for historical district status.

12 RPRODs offer an alternative for newly
13 emerging and established residents associations. In
14 many instances, throughout the City's 64
15 neighborhoods, housing market type falls somewhere
16 in between regional choice and reclamation.
17 Promoting civic engagement, individual residents and
18 business owners will be encouraged to lend
19 themselves to local associations in order to take a
20 stake in decisions regarding demolition,
21 encapsulation, and stabilization of their
22 neighborhoods.

23 I believe that overall, RPROD's
24 complement renewed dedication to neighborhoods
25 revitalization and the vision of neighborhood

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2 transformation. This new tool will join local
3 residents, City agencies, and other community-based
4 stakeholders in neighborhood reinvestment and
5 revitalization.

6 COUNCILMAN KENNEY: Thank you very much.

7 (Witness comes forward.)

8 COUNCILMAN KENNEY: Please identify
9 yourself for the record.

10 MR. CHAPMAN: Good morning, Mr. Chairman
11 and members of the Rules Committee.

12 COUNCILMAN KENNEY: Good morning.

13 MR. CHAPMAN: My name is Thomas Chapman
14 and I am the Director of the Development and
15 Planning Division of the City Planning Commission.
16 I'm here today to testify on Bill No. 010424.

17 This bill establishes a new Chapter
18 14-1200, entitled "Residential Preservation and
19 Revitalization Districts," also known as
20 "RPROD." This new section of the Zoning Code would
21 establish a process whereby community would be able
22 to codify community design guidelines through the
23 enactment of an overlay by ordinance of City
24 Council. All new construction and all facade
25 alterations would be the subject of a review for

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2 compliance under the desired guideline requirements.

3 This bill does not establish any
4 individual RPROD; it establishes the procedure to
5 create individual districts.

6 A community interested in establishing
7 an RPROD would initiate the process by filing a
8 petition to City Council signed by representatives
9 of at least 10 percent of the dwelling units in the
10 proposed RPROD area and 10 percent of all the
11 owner-occupied dwelling units. A petition of
12 51 percent of the dwelling units or owner-occupied
13 units of those living in a proposed RPROD would be
14 required to defeat a proposal. Additional minimum
15 requirements to establish an RPROD include:

16 A minimum proposed district area of two
17 blocks by two blocks;

18 At least 60 percent of the residential
19 buildings within the proposed RPROD must be at least
20 30 years old;

21 At least 60 percent of the residential
22 buildings within a proposed RPROD must be occupied.

23 The Planning Commission and the
24 Historical Commission are required to make staff
25 available to assist community groups in developing

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2 design guidelines. The Planning Commission and the
3 Historical Commission are given 30 days to review
4 and comment on the proposed guidelines.

5 Upon the enactment of an RPROD, the City
6 Planning Commission serves as the agency that
7 determines whether design guidelines have been
8 complied with when applications for new construction
9 or facade alterations are submitted to Licenses and
10 Inspections.

11 After careful consideration and
12 discussion, the Planning Commission, at its meeting
13 of May 22, 2002, recommended that this bill be
14 disapproved for the following reasons:

15 The Commission views this as another
16 barrier to development in the City and believes it
17 could lead to process that would result in no
18 as-of-right development.

19 COUNCILMAN COHEN: Mr. Chairman, could I
20 ask that that sentence be reread -- the one you're
21 reading now, the beginning of it.

22 COUNCILMAN KENNEY: Could you just go
23 back to the last sentence and please reread it.

24 MR. CHAPMAN: Sure.

25 After careful consideration and

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2 discussion, the Planning Commission, at its meeting
3 of May 22, 2002, recommended that this bill be
4 disapproved for the following reasons:

5 The Commission views this as another
6 barrier to development in the City and believes that
7 it could lead to a process that would result in no
8 as-of-right development within a particular
9 community.

10 The Commission believes that an RPROD
11 could be written so as to override the provisions of
12 the Zoning Code in that if the standards of an RPROD
13 are more restrictive than the requirements of the
14 underlying zoning, the RPROD restrictions would be
15 applicable. For example, an RPROD could require a
16 20-foot setback when the underlying zoning
17 designation of the property requires only an 8-foot
18 setback. It could require a two-story building,
19 when the designation of the property allows a
20 3-story building.

21 We believe that a process such as this
22 is contrary to our goal of making the development
23 process in the City easier. It adds another step in
24 this process.

25 Where you once might have been able to

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2 go to an L&I district office for a building permit,
3 at a minimum, you will also now have to come into
4 Center City for a review by the Planning Commission.

5 We believe that we are being asked to
6 approve a framework here without knowing exactly
7 what it will entail. It's impossible to tell the
8 impact that that legislation will have on the
9 Planning Commission's staff time in terms of
10 reviewing RPROD proposals, assisting communities in
11 drafting RPROD proposals, and reviewing submissions
12 upon the enactment of an RPROD.

13 There are no standards for those who
14 write the design guidelines for a community. While
15 the legislation does require the assistance of the
16 Planning Commission and the Historical Commission in
17 the drafting of an RPROD district, it does not
18 require that design standards be written by design
19 professionals.

20 I would be happy to answer any questions
21 of the committee.

22 COUNCILMAN KENNEY: Any questions of the
23 witness?

24 Councilman DiCicco.

25 COUNCILMAN DICICCO: Thank you,

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2 Mr. Chairman.

3 Typically, if an individual wants to
4 change the use of a building, they're now required
5 to apply for a variance, in most cases; I mean,
6 generally speaking; is that correct?

7 MR. CHAPMAN: I'm sorry. Did you say
8 they're not required?

9 COUNCILMAN DICICCO: They are required.
10 They would be required to go to the Zoning Board of
11 Adjustment and seek a variance. If the size -- you
12 mentioned in your testimony that if someone wants to
13 put a two-story building on a block where there are
14 three-story buildings or vice versa, that the RPROD
15 could be somewhat cumbersome or can prevent or slow
16 down the process for development.

17 MR. CHAPMAN: Correct.

18 COUNCILMAN DICICCO: So if I have a
19 building that is 35-foot in South Philadelphia, and
20 I want to put a deck on it -- which I did on my
21 house and had to go to the Zoning Board of
22 Adjustments. And there's a public notice and the
23 public is involved in that process.

24 MR. CHAPMAN: Correct, I would agree
25 with that.

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2 COUNCILMAN DICICCO: All right. What
3 RPROD to me says is that it just might add to the
4 public process, which, I think, is more important
5 here than anything else to say, Well, it's one thing
6 if you want to change the size and/or use of the
7 property, but in doing so, we expect that you do it
8 manner that is complementary, if you will, to the
9 other properties in the immediate vicinity.

10 And I'll use South Broad Street, south
11 of Washington Avenue, in South Philadelphia as an
12 example, and there are many examples throughout the
13 City -- you could take Strawberry Mansion, Girard
14 Estates, Northeast Philadelphia. Every neighborhood
15 has its own unique characteristic, in most cases, in
16 the facade treatment of that neighborhood.

17 There are many, many brownstone
18 buildings on South Broad Street in South
19 Philadelphia south of Washington Avenue, which is
20 probably one of the bigger reasons that I decided to
21 do this bill was, I have watched the decimation, if
22 you will, for lack of a better word, of these
23 beautiful brownstone when people who may not even be
24 residing there but bought these properties as
25 investment properties, made conversations to

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2 multi-family dwellings, and wanted to do it "on the
3 cheap," as I refer to it, and not have to deal with
4 restoring or repairing the brownstone which, I will
5 admit, can be expensive, and I'm picking probably
6 the most expensive restoration that you have to do,
7 so they decided to cover the brownstone facade with
8 aluminum siding.

9 And on a block that has maybe 60
10 properties, 30 on each side, on the east side and
11 west side, so it's a community of 60 properties, and
12 you now have one or two properties that are kind of
13 like right in the middle of the block with aluminum
14 siding. And it just really detracts, I think, from
15 not only the style of the facades but the character
16 of the community. And in doing so, I believe it
17 has -- it causes devaluation of the properties, not
18 only of the property that has the aluminum siding,
19 but of the properties as well.

20 And what I'm getting at is, we go
21 through these processes all the time, where someone
22 wants to build a new home on a block, and a notice
23 gets posted. The community, if there's a community
24 association, and in most neighborhoods, there are in
25 the City of Philadelphia, and we're fortunate to

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2 have that. People are involved in the process.

3 And I see David O'Donnell from Queen
4 Village is here. I know that there's a gentleman
5 who lives in Queen Village, has lived there for a
6 number of years, has done a lot of great work, but
7 he wants to take a building and tear it down because
8 he says he can't save the building, and there's a
9 conflict between the people in the community as to
10 whether it should remain because it has historical
11 significance, even though, according to the
12 developer, he can't save the building in its present
13 form, and it needs to be demolished.

14 So what I'm saying is, I don't think
15 that this is something that is -- that would in any
16 way be impeding development. I think, if anything,
17 this could enhance it by maintaining the integrity
18 of what that community people find attractive about
19 that community.

20 Some people find rowhouses with red
21 brick, pointed brick attractive, and I was telling
22 my colleague Councilman Clarke yesterday that at the
23 corner of 12th and Titan in South Philadelphia,
24 there was this beautiful red-brick building with
25 these kind of arch-shaped brownstone headers. The

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2 owner of the building decided to paint the building
3 gray. And the entire block of Titan Street, the
4 1100 block, a lot of new young people have moved in
5 and they like the character of the neighborhood and
6 the facades and the kind of -- it almost looks
7 historical, the street, and the man comes along and
8 decides to paint the building gray.

9 Well, under RPROD, I don't think he
10 would be able to do that as quickly and as easily as
11 he. And it's not because we're trying to take away
12 the rights of people who own their properties to do
13 things that they may want to do with their property,
14 but really what it does is, it sets some guidelines
15 and says, Well, if you're going to paint the
16 building, maybe you can't do it gray, but you have
17 to do something that is complementary to the rest of
18 the building.

19 And if you're going to change the
20 windows, replace the windows, you know, you can't
21 take the five-foot high window and replace it with a
22 two-and-a-half-foot or three-foot high window and
23 cinder-block up the bottom and paint the cinder
24 block or just put a coat of cement across it because
25 it does something that I think is almost criminal

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2 when you see what some people do to these buildings.

3 We have historical preservation, we have
4 historical districts, which we encourage. Why not
5 for those neighborhoods and those communities that
6 don't qualify, or can't qualify, as historical
7 neighborhoods, to give them some ability to maintain
8 and protect the investment that they have and to
9 continue to keep that community as a unique
10 community.

11 And I know that some people have found
12 some problems with this, and we have been working
13 for a long time with the Planning Commission, the
14 Preservation Alliance. And community groups, and
15 we've got a whole boatload of amendments that we're
16 preparing to do. But I just want everybody to know
17 that my intention was really to continue to maintain
18 what I think is really neat about Philadelphia.

19 And, again, I look at South Broad
20 Street, and signage was the other reason. In some
21 areas of South Broad Street, as in many other
22 neighborhoods, you have the mixed use of
23 single-family residential or multi-family
24 residential with some commercial retail, and the
25 signage along Broad Street next to a beautiful

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2 brownstone -- again, I'm using this as an example --
3 for a tax return business at Broad and Moore is --

4 COUNCILMAN KENNEY: Don't you like that
5 sign?

6 (Laughter.)

7 COUNCILMAN DICICCO: I mean, it's --

8 COUNCILMAN KENNEY: I like the banner
9 that they have.

10 COUNCILMAN DICICCO: The banners that go
11 up. And it's criminal.

12 So, really, the signage was the first
13 thing that attracted my attention to the problem,
14 and then as I continue to look -- and, you know, I
15 was born and raised down there, and I remember all
16 the changes that have been made, and I thought that
17 we needed to do something to empower people within
18 the boundaries of their community to do some of the
19 things that you're able to do by way of historical
20 preservation districts, because, again, not every
21 community qualifies for that.

22 And we don't want to cut the Planning
23 Commission out, and I'm not suggesting that you're
24 suggesting that, but we don't want to cut anybody
25 out of it, but we want to include, if anything, I

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2 think is the word here, to include the community
3 organizations into maintaining the integrity of
4 their community.

5 And I guess it sounds more like an
6 opening speech than a -- but I just wanted to
7 respond that we want to continue to work with the
8 Planning Commission. It will take some time for
9 these RPRODs to develop. I don't expect every
10 neighborhood is going to do it. In my district, I
11 think there will be quite a few because I happen to
12 represent the district that's probably --
13 cumulatively probably one of the -- has some of the
14 oldest neighborhoods in the City of Philadelphia
15 because it borders the Delaware River, where the
16 colony first started.

17 So, you know, outside of Society Hill,
18 which now has a historical status, I want to help
19 Queen Village, I want to help the Ninth Street
20 market neighborhoods and the other neighborhoods
21 around there in order to protect and preserve,
22 again, the integrity of their communities.

23 COUNCILMAN KENNEY: I'm going to ask for
24 your indulgence for one moment.

25 It was brought to my attention that we

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2 have three bills that are not controversial, that
3 are very quick-hitters. And in deference to the
4 people who are here, I just want to run right
5 through them if we possibly can.

6 So we're going to suspend the testimony
7 on this bill for a moment, and we're going to move
8 very quickly to Bill No. 020183, which is an
9 ordinance approving a new plan, estimated costs, and
10 proposed method of charges of the Manayunk Special
11 Services District for and concerning business
12 improvements and the administrative services to the
13 Manayunk Business District of the City of
14 Philadelphia.

15 So please come forward to testify.

16 (Witnesses come forward.)

17 MS. SMITH: My name is Kay Smith, and I
18 represent the Manayunk Special Services District and
19 the Manayunk Development Corporation. I'll just
20 read into -- my testimony.

21 COUNCILMAN KENNEY: Is this what we're
22 receiving now?

23 MS. SMITH: Yeah.

24 COUNCILMAN KENNEY: Why don't you -- we
25 can read that and make sure it's in the record. Why

1 5/30/02 RULES - BILL 020183

2 don't you just, you know, quickly run through it.

3 MS. SMITH: Oh, okay.

4 We're authorizing a new plan and budget
5 for the next five years for the Manayunk Special
6 Services District to operate under. And, I mean,
7 I -- basically what the testimony talks about is
8 what it's going to cover. It covers the clean and
9 the safe and the marketing and a lot of the pieces
10 of what we do. And then this also documents the
11 public process we went through.

12 COUNCILMAN KENNEY: Okay.

13 MS. SMITH: So if there's any questions.

14 COUNCILMAN KENNEY: Everybody's happy?

15 MS. SMITH: I think so.

16 COUNCILMAN KENNEY: As much as possible?

17 MS. SMITH: As much as possible.

18 COUNCILMAN KENNEY: Okay. Are there any
19 questions for this witness?

20 (No questions.)

21 COUNCILMAN KENNEY: Anyone else to
22 testify on this bill?

23 (No response.)

24 COUNCILMAN KENNEY: Seeing none, we will
25 now move to Bill No. 020225.

1 5/30/02 RULES - BILL 020225

2 Thank you.

3 MS. SMITH: Thank you.

4 COUNCILMAN KENNEY: Bill 020225 is an
5 ordinance amending Title 14 of the Philadelphia
6 Code, entitled "Zoning and Planning," by amending
7 Chapter 14-200, entitled "Residential Districts," by
8 amending Section 14-223, entitled "RC-3 Residential
9 District," by making certain technical amendments
10 under certain terms and conditions.

11 Please identify yourself for the record.

12 MR. CHAPMAN: Good morning, Mr. Chairman
13 and members of the Rules Committee. My name is
14 Thomas Chapman, and I am the Director of the
15 Development Planning Division of the City Planning
16 Commission. I'm here today to testify on Bill No.
17 020225.

18 This bill was introduced by
19 Councilmember Nutter on April 11, 2002. This bill
20 amends the provisions of the RC-3 Residential
21 section of the Zoning Code.

22 The main purpose of this bill is to
23 remove the requirements for yards and courts in
24 buildings and in additions to buildings when the lot
25 coverage is less than 60 percent. This change in

1 5/30/02 RULES - BILL 020225

2 the code would allow for a more effective use of
3 open space in developments where lot coverage is
4 less than 60 percent of the lot. It would allow for
5 greater flexibility in the design of the open space
6 since the larger portion of the site is devoted to
7 open space.

8 The Planning Commission, at its meeting
9 of April 17, 2002 reviewed, this bill and recommends
10 that had it be approved.

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

13 COUNCILMAN KENNEY: Thank you very much.

14 Councilman, do you have any comment?

15 COUNCILMAN NUTTER: No.

16 COUNCILMAN KENNEY: Any questions for
17 this witness?

18 (No questions.)

19 COUNCILMAN KENNEY: None?

20 Thank you.

21 - - -

22

23

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25

1 5/30/02 RULES - BILL 020226

2 COUNCILMAN KENNEY: Next is Bill No.

3 020226, which is an ordinance to amend the
4 Philadelphia Zoning Maps by changing the zoning
5 designations of certain areas of land located within
6 an area bounded by Roosevelt Boulevard, a railroad
7 right-of-way, Scotts Lane, and Ridge Avenue.

8 Please identify yourself for the record.

9 MR. CHAPMAN: Once again, Mr. Chairman
10 and members of Rules Committee, good morning. My
11 name is Thomas Chapman, and I am the Director of the
12 Development Planning Division of the City Planning
13 Commission. I'm here to testify today on Bill No.
14 020226.

15 This bill was introduced by
16 Councilmember Nutter on April 11, 2002. This bill
17 amends the Philadelphia Zoning Maps by changing the
18 zoning designation of a 12.9-acre parcel of ground
19 from RC-6 residential to RC-3 residential.

20 The purpose of this bill is to allow for
21 the further residential development of this site.
22 This site will be developed with 283 new residential
23 units, off-street parking, and retail commercial
24 space along the Ridge Avenue frontage of the
25 property.

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2 Members of the committee might recall
3 this is known as the Chelsea or Dobson Mills site,
4 and it's right along Ridge Avenue, immediately
5 adjacent to the Schuylkill Expressway.

6 The Planning Commission, at its meeting
7 of April 17, 2002, reviewed this bill and
8 recommended that it be approved. I would be happy
9 to answer any questions of the committee.

10 COUNCILMAN KENNEY: Thank you very much.
11 Any questions from the committee of this
12 witness?

13 Councilmember Clarke.

14 COUNCILMAN CLARKE: Thank you,
15 Mr. Chairman. Just a quick question.

16 Will this new development require any
17 demolition of the existing buildings?

18 MR. CHAPMAN: Yes, it will. There are a
19 number of buildings on the site that will be
20 demolished.

21 COUNCILMAN CLARKE: Is that on the
22 backside or the side closest towards the expressway?
23 You said the side closest to Scotts Lane.

24 MR. CHAPMAN: I might defer this
25 question to the representatives of the developer

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2 here, but I believe that demolition is scheduled and
3 buildings kind of scattered through the site.

4 COUNCILMAN KENNEY: Is there someone
5 from the company that can please come forward?

6 (Witnesses come forward.)

7 MR. TOLLETT: Good morning. My name is
8 James Tollett. I'm with Winter Investment and
9 represent the developer. I'm here with Carl
10 Primavera from Klehr Harrison, who's our
11 representative.

12 COUNCILMAN KENNEY: Did you hear
13 Councilmember Clarke's question?

14 MR. PRIMAVERA: Yes. If I may, I'll let
15 James speak as to the details. We also have Meg
16 Greenfield who's here as a representative of the
17 community. We've worked very closely with the East
18 Falls Community Council.

19 But, James, if you could just briefly
20 describe the plan, and I know Bill Kramer has the
21 drawings, and talk about the existing units that
22 were developed by Rouse and then the buildings which
23 had fallen fallow for the last 20 years, which are
24 in dangerous neglect and what you plan to do to
25 bring 300 units of new construction residential into

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2 the City.

3 And I'll pass out a plan as we do that.

4 MR. TOLLETT: Sure. It might be best if
5 I go to the plan and show you -- or, better yet,
6 Bill can show you that we have three buildings on
7 site that currently contain 131 rental lofts, and
8 they are positioned here (indicating).

9 There is also an existing structured
10 parking here (indicating).

11 There are buildings scattered around;
12 some of them are collapsed, some of them are already
13 gone.

14 We will be removing any foundation or
15 other buildings that are along Ridge Avenue and
16 along the former Crawford Street, which has been
17 abandoned and stricken.

18 COUNCILMAN KENNEY: Councilmember
19 Clarke's question had to do with demolition.

20 COUNCILMAN CLARKE: Yeah, I was just
21 wondering what properties.

22 MR. PRIMAVERA: Yeah, maybe you could
23 point to the buildings that are currently vacant.

24 There was one building that, I guess, a
25 year ago fell into the street just through its own

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2 lack of support. So, quite frankly, we have a
3 purchase agreement with the seller, but we're
4 anxious to complete that before the other buildings
5 collapse. We have photographs showing when you walk
6 in -- well, you wouldn't walk in, but when you look
7 in, you see the sky; there's no roof.

8 COUNCILMAN CLARKE: Mm-hmm.

9 MR. PRIMAVERA: The buildings are
10 scattered around the site. And the idea is to
11 remove those buildings and replace them, not with
12 identical buildings, but with sympathetic buildings.
13 And we're going to try to reincorporate a lot of the
14 same design elements, the stone. We're going to
15 hold that Ridge Avenue wall, as you see in the
16 drawing, so that it --

17 COUNCILMAN CLARKE: Yeah, I was going to
18 ask this. Is this Ridge Avenue as it exists?

19 MR. PRIMAVERA: Yes. And as you'll hear
20 from Ms. Greenfield, the community has been adamant,
21 and we have acquiesced that they want to maintain
22 the commercial on the ground level so you will be
23 able to have this environment where you can walk up
24 and down Ridge Avenue and shop. And yet, with the
25 development, as planned, you'll have residential

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2 above so that you'll have people there all the time.

3 And what we think it's really going to do is

4 accelerate the development of East Falls in a very
5 positive way.

6 So, you know, there is the demolition,
7 which we look at as a positive thing. There is
8 going to be cleanup of the site, which we also look
9 at as a positive thing.

10 Originally this was done as a historic
11 rehab. The cost of that caused Mr. Rouse to go into
12 default. And with all respect to him, if he
13 couldn't do it, nobody in the City could.

14 COUNCILMAN CLARKE: Right, right.

15 MR. PRIMAVERA: So it was left for 20
16 years with a power company as a real-estate asset,
17 and it's been a hundred percent occupied, which is
18 amazing to show the demand for housing in this
19 neighborhood. Yet the cost of doing the historic
20 rehab was prohibitive.

21 So the plan that we envision, with the
22 community's support, is to take what's left of the
23 abandoned buildings and allow them to be removed and
24 replace them with new buildings. It's going to be,
25 I think, a real feather in the community's cap to

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2 have this type of development.

3 COUNCILMAN CLARKE: Well, if there's
4 going to be retail along Ridge Avenue, will the
5 sidewalk be widened? It's kind of narrow at that
6 location.

7 MR. PRIMAVERA: James, you can talk
8 about that issue.

9 COUNCILMAN CLARKE: It's set right at
10 the curb, right? When you go past the bridge and
11 it's at the curb when you're coming down Ridge
12 Avenue?

13 MR. TOLLETT: That's correct. That's
14 the Roosevelt -- that's the twin bridges up here.

15 COUNCILMAN CLARKE: Right.

16 MR. TOLLETT: The sidewalk -- I couldn't
17 tell you, honestly, if it's being widened or not.
18 It will certainly be improved.

19 I believe there's an eight-foot walk
20 there now. We are setting the buildings slightly
21 back to create a little more open space and to
22 provide some streetscape, which we are actively
23 participating in with the East Falls community.

24 COUNCILMAN CLARKE: Great.

25 MR. PRIMAVERA: One thing. I forgot to

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2 mention Councilman Nutter, who's been unusually
3 quiet, but we've been working with his office, and
4 he's been a pleasure and a delight. I want to say
5 that just because it may have been the first time
6 I've had the chance to publicly say it.

7 COUNCILMAN DICICCO: It may be the last
8 time you say it.

9 (Laughter.)

10 COUNCILMAN CLARKE: Yeah. We had a
11 deal: I'd ask the questions and he'd just kind of
12 sit back and listen.

13 It's a very exciting proposal.

14 MR. PRIMAVERA: Could we have Meg join
15 us? It's really in appreciation. I don't want to
16 say the countless hours that she and her group put
17 towards collaborative effort, but, you know, I get
18 paid for what I do, but Meg, in doing this, is a
19 volunteer, and I can tell you that in addition to
20 working long and hard with the community, she's just
21 been there for us every step of the way.

22 (Addressing Ms. Greenfield.) So James
23 wanted to make sure I thanked you publicly for that.

24 MS. GREENFIELD: Thank you. My name
25 is -- I'm really Marjorie; I go by "Meg." I am the

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2 newly-elected president of East Falls Community
3 Council and have been chairing its Zoning and Land
4 Use Committee.

5 This project was brought to us -- and I
6 guess they found out about Community Council from
7 Councilman Nutter's office, but they did come to us,
8 Mr. Tollett, and the owner of the company came to
9 us, brought us their plans. Originally, they didn't
10 plan to have any commercial along Ridge Avenue. We
11 told them we really needed it.

12 It's in the zoning now as a result of
13 some changes that were made a couple of years ago,
14 and it's really critical to our development of that
15 area of Ridge Avenue. They said they would keep it.

16 We also raised the question of the
17 historical significance of the buildings, and they
18 agreed to incorporate the stone either from the
19 buildings they're tearing down or the same type of
20 stone in the new building.

21 We have gone over the design plans with
22 them, we've discussed what kinds of tenants we want,
23 and we have also discussed with them use of the
24 corner property at Scotts between the railroad
25 bridge and Scotts Lane and Ridge Avenue. And we've

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2 been negotiating at length a detailed agreement
3 between the community and Winter Investments.

4 We believe we are 95 percent there, and
5 we approved these -- both bills, subject to that
6 agreement being signed. And we expect that that
7 will happen very promptly.

8 So we think this will be great for the
9 community. It's certainly great for the tax
10 ratables and everything else.

11 If you have any questions.

12 COUNCILMAN KENNEY: Thank you very much.

13 Do we have any questions for this
14 witness?

15 Councilman Nutter?

16 COUNCILMAN NUTTER: Thank you,
17 Mr. Chairman.

18 First, Ms. Greenfield, thank you for
19 coming in today, and we welcome to have your
20 testimony as the recently-elected president of the
21 East Falls Community Council. We'll be seeing more
22 of you under these circumstances.

23 Secondly, Mr. Primavera, let me also say
24 for the record that I like you...

25 ... today.

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2 (Laughter.)

3 COUNCILMAN NUTTER: And I look forward
4 to other opportunities to work with you.

5 Just one quick question. Given what you
6 laid out in terms of the history of the site,
7 excessive costs to develop, and obviously leading to
8 a long period of time where there was no activity
9 there, this is all being privately financed?

10 MR. PRIMAVERA: Yes, that's correct.

11 Frederick Gautier, who Marjorie referred
12 to, is the principal. He came up in the series of
13 meetings and explained that he has private
14 financing. He has similar projects in Cleveland,
15 Columbus, and Houston, and he's strictly a
16 conventional developer that borrows money, pays it
17 back, and the banks are happy to lend.

18 The pro forma on this project is very
19 strong because, as I said before, I think there's a
20 waiting list to get into these units, and people
21 realize that this neighborhood has just so much
22 going for it.

23 So we're excited about it and, you know,
24 we're hoping to conclude our deal with the seller
25 and get moving on it very quickly. And that's why

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2 we appreciate being able to be here today.

3 COUNCILMAN NUTTER: Two last questions.

4 One, you anticipate that these are going to be
5 market-rate apartments?

6 MR. PRIMAVERA: That's correct. That's
7 the only type of development that this company does.

8 COUNCILMAN NUTTER: And do you have,
9 within a range, any general anticipation of what you
10 think the rents will be?

11 MR. PRIMAVERA: James, what do you think
12 the average unit would be?

13 Expensive. We have a lot of athletes,
14 you know, currently staying, things like that --
15 Eagles, Sixers. I mean, it's students, medical
16 students.

17 But what do you think the average rents
18 will be, God willing, and the river don't rise?

19 MR. TOLLETT: Well, on the new
20 construction, our average size is roughly a thousand
21 square feet. We think that that will rent somewhere
22 in the 18- to \$1900-a-month range, which would, of
23 course, include parking.

24 On the existing loft units, we plan to
25 renovate those. The average size there is about 720

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2 feet, square feet. And we anticipate those rents
3 being somewhere around \$1.50 a square foot. So
4 1100, \$1200 a month.

5 COUNCILMAN NUTTER: Okay. Lastly, let
6 me -- Ms. Greenfield indicated that you're working
7 on the agreement with the neighborhood, and if
8 you're about 95 percent there, let me strongly
9 encourage you, and I'd be glad to participate,
10 certainly for that last 5 percent, why don't we see
11 if we can get that agreement wrapped up and move the
12 project forward.

13 MR. PRIMAVERA: I actually don't have
14 any issues -- let me put you on the spot -- other
15 than the -- all right, there's a sublease being
16 prepared, but we should be in a position to execute
17 the --

18 COUNCILMAN NUTTER: I don't necessarily
19 know -- I'd be the last to give a former chancellor
20 of the bar any legal advice, but I doubt that you
21 want to do that right now.

22 MR. PRIMAVERA: All's I'm saying is that
23 when Meg says we're close, I think it's probably
24 by-the-end-of-this-week close.

25 COUNCILMAN NUTTER: Okay.

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2 MR. PRIMAVERA: So we don't envision a
3 long process to do it, do we?

4 MR. TOLLETT: The answer is no.

5 I will say in this process that Miss
6 Greenfield has been a pleasure to work with. As a
7 developer working in other cities around the
8 country, rarely do you meet a nonpaid volunteer that
9 puts in the hours that she does. She's escorted me
10 everywhere I've gone in the public arena, and I very
11 much appreciate her support.

12 And the development agreement will be
13 done. It's a tough time to do it because we don't
14 own the property.

15 COUNCILMAN NUTTER: Okay, I understand.

16 MR. TOLLETT: But we're trying to craft
17 it in such a way that it doesn't do some harm to the
18 ability to finance the project.

19 COUNCILMAN NUTTER: Absolutely, okay.
20 Thank you.

21 COUNCILMAN KENNEY: Thank you.

22 Any other questions?

23 (No further questions.)

24 COUNCILMAN KENNEY: Anyone else to
25 testify on this bill?

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2 (No response.)

3 COUNCILMAN KENNEY: Thank you very much.

4 We'll now go back to accepting testimony

5 on Bill No. 010424, which is the RPROD discussion.

6 The Planning Commission, I think, is finished?

7 MR. CHAPMAN: (Inaudible/off mic.)

8 COUNCILMAN KENNEY: Oh, the Planning

9 Commission is not finished. Come on back.

10 (Mr. Chapman returns to the

11 witness table.)

12 COUNCILMAN KENNEY: Councilman DiCicco.

13 COUNCILMAN DICICCO: Mr. Chapman, are

14 you familiar with the booklet -- I believe it's put

15 out by the Planning Commission and correct me if I'm

16 wrong -- New Century Neighborhoods?

17 MR. CHAPMAN: Yes.

18 COUNCILMAN DICICCO: Could you briefly

19 tell me what is in that booklet in terms of

20 conservation.

21 MR. CHAPMAN: Uh...

22 COUNCILMAN DICICCO: Well, Let me ask

23 you this question; it might make it easier. Does it

24 call for the development of design guidelines to

25 help maintain neighborhoods in a marketable

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2 condition?

3 MR. CHAPMAN: Yes.

4 COUNCILMAN DICICCO: And I also
5 understand from my notes that they also recommend
6 the development of conservation districts, where
7 historical district status has not been established.
8 And would they not require design guidelines that go
9 beyond the typical zoning standards but less than
10 historical designation?

11 MR. CHAPMAN: Councilman, if I may
12 distinguish here, I think the main distinguishing
13 point there -- I hear ya -- is that RPROD proposes
14 design requirements; you know what I'm saying? In
15 an RPROD, as it's currently drafted, we could have a
16 district that requires brick facades, for example,
17 design guidelines. I would distinguish from that in
18 that, you know, we would use every effort we could
19 to encourage or force someone to do a brick facade,
20 but --

21 COUNCILMAN DICICCO: But you can't do
22 it.

23 MR. CHAPMAN: It's not -- exactly.

24 COUNCILMAN DICICCO: But under RPROD,
25 more than likely, that person would have to do it in

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2 brick or whatever other materials. I mean, we're
3 not going to -- the way I understand it is -- or the
4 way my intention was that RPROD would offer
5 alternatives. It would say -- and I'm using
6 aluminum siding as an example, and if anybody's in
7 the aluminum siding business in this room, please
8 don't think I'm picking on you.

9 But it would say that you can't use
10 aluminum siding, but if you're going to put up a new
11 front facade to your property, it could be in brick,
12 and the brick could be red, gray, yellow, purple, or
13 whatever it is, or it could be Drivit -- I mean, God
14 forbid, but it could be Drivit, it could be a lot of
15 things, but it will tell you what it couldn't be.

16 And I don't understand the problem in
17 doing that because, how else do you maintain
18 marketable conditions for a community unless you
19 maintain some of the contiguous appearance on a
20 particular block?

21 And, look, I mean, we get along well, we
22 work together, so I'm not trying to be
23 argumentative; I'm just trying to find out -- and my
24 staff person, my legislative assistant, David Fitz,
25 met with the Planning Commission a couple of times

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2 over the last six months. And, with all due
3 respect, the Planning Commission has yet to offer
4 any suggestions. They have told us what they
5 thought was wrong with the bill, and that's okay,
6 but it would be nice if they would tell us what they
7 think would be appropriate or some changes that may
8 be palatable to the Planning Commission.

9 MR. CHAPMAN: I think that's a fair
10 criticism. You know, we could certainly do that.
11 If the bill is held, we could certainly do that.

12 COUNCILMAN DICICCO: Well, you know, I
13 mean, we worked with L&I, the Historic Commission,
14 the Preservation Alliance. L&I and the Historic
15 Commission, I think we've answered most of their
16 questions.

17 We've made a number of changes and
18 amendments to the bill, but I've yet to hear any
19 constructive recommendations or suggestions from the
20 Planning Commission.

21 MR. CHAPMAN: I think the problem that
22 we're facing here, Councilman, is that the Planning
23 Commission in general recently has had difficulties
24 with overlays, in general, and I think we've
25 testified to that fact at the past couple of Rules

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2 Committee hearings.

3 And that's -- admittedly, that's a new
4 position for us to be stating to you. This is the
5 first time that we've come out and outright opposed
6 one, though, I'll say that also.

7 And, you know, we hear your concerns and
8 you know, we know exactly what you're referring to.
9 I talked to David Fitz that exact situation that
10 you've described with the aluminum siding. It
11 happened on a street that I used to live on. So I
12 know exactly what you're talking about.

13 But I just think that under -- the way
14 that the bill is written right now, I think that we
15 believe that it can be abused and that, you know, we
16 are, in a sense, trying to legislate taste here, and
17 it --

18 COUNCILMAN DICICCO: Well, but that's
19 not unusual. I know in a lot of communities,
20 especially in the newer communities in the suburbs
21 and in South Jersey, guidelines, standards on
22 fencing, as an example, are used. You can't put up
23 a stockade fence that has the four-by-four posts
24 that are the foundation or the mainstays of the
25 fencing facing your neighbor; it has to face inside

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2 your yard. I have a friend of mine that put up
3 about 200 foot of fence up, only to find out when
4 the inspector came along, Oh-oh, the posts belong
5 inside as opposed to outside.

6 And there's a reason for that, and
7 there's a good reason for that. It's not because
8 government -- and, look, I'm for people having the
9 right and opportunity to make changes and do things.
10 I mean, I'm all for that, but I think that sometimes
11 government's role should be to help those
12 communities be able to protect themselves better.

13 And we do that with zoning when we go
14 for a zoning variance, we do that with a lot of
15 different things. And government sets those
16 standards and it helps communities maintain, you
17 know, their uniqueness, if you will.

18 So, again, you know, I don't want to be
19 argumentative with you. I just -- we have not yet,
20 over the course of six months, with all due respect,
21 received anything from the Planning Commission by
22 way of recommendations -- at least not to my
23 knowledge. And if you did, I apologize, I'd stand
24 corrected, but I haven't seen anything come across
25 our desk yet.

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2 COUNCILMAN KENNEY: Councilman Cohen.

3 COUNCILMAN COHEN: Mr. Chapman, this
4 bill seems to me to deal for the first time with
5 what always concerns me, and that is somebody in a
6 rowhouse situation doing something that -- usually
7 you have all open porches and everybody likes it, it
8 seems to serve a certain interest of the community
9 so that a person at one end can look all the way
10 down to the other end, and you can have a
11 conversation.

12 And then suddenly, somebody decides to
13 enclose the porch in the middle, and that creates --
14 the owner maybe has the right to do it.

15 Is there anything in this bill or in any
16 zoning law that would give the other neighbors a
17 chance to say something?

18 It's always seemed to me to be a problem
19 that has never before been dealt with; this is the
20 first time I -- and I'm not making any statement on
21 my position on the bill, but I'm interested in
22 seeing something raised, because I think homeowners
23 do have the ability to hurt their neighbors or to
24 help their neighbors, as well as to hurt or help
25 themselves.

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2 And I was wondering, is there any
3 provision of the Zoning Code that deals with that
4 that kind of situation?

5 Take the porch. Suppose a neighbor in
6 the middle of the block did that; would any of the
7 other neighbors have any recourse under the zoning
8 laws? Let's say it changed the whole quality, and
9 maybe I moved into this block because I liked this
10 openness and everybody being able to communicate
11 freely with each other. And then somebody, with no
12 ill intent, just decides that I'd rather have a
13 closed porch.

14 And the view, as I've understood it, is
15 that under the zoning laws in Philadelphia, nobody
16 could do anything about it; the owner had the right
17 to close up the porch, even though it affected the
18 whole community.

19 Am I wrong? Is there something that
20 somebody could do?

21 MR. CHAPMAN: No, you're correct.
22 There's nothing that's currently in the Zoning Code
23 that would prevent you from doing that.

24 COUNCILMAN COHEN: Now, as I see it, for
25 the first time, begins to deal with that kind of

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2 situation.

3 MR. CHAPMAN: It could deal with that,
4 yes.

5 COUNCILMAN DICICCO: Councilman Cohen,
6 if I may, I think in some cases, the Zoning Board
7 may have standing. If the porch were to be
8 permanently enclosed with brick, or was considered
9 to be an extension of the existing property line.

10 MR. CHAPMAN: It violates the setback.

11 COUNCILMAN DICICCO: Yeah, they could
12 have.

13 But let's assume, for the moment, that
14 it doesn't require a variance. What this bill would
15 say is that, okay, if you want to enclose it, you
16 would have to go through a process with the
17 community, and it may be enclosed with certain types
18 of materials, certain sized windows that would not
19 detract from the uniqueness of that block or the
20 continuity of the way the block looks, but -- 'cause
21 you want it enclosed for whatever reason is fine,
22 but you would have to follow certain guidelines.

23 And this is not unlike historical
24 districts that say that if you're going to replace a
25 window, it has to be a window of the same size and

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2 material that exists, if it needs to be replaced.

3 Or if you're going to add another story onto the
4 building, the brick has to be the same color brick,
5 same shape brick that the existing facade is.

6 And that's what this does. It's in lieu
7 of those districts -- of those neighborhoods that
8 don't qualify for historical districts, to give them
9 some ability to maintain that uniqueness.

10 COUNCILMAN COHEN: Nobody would be
11 authorized to have wraparounds or advertising?

12 COUNCILMAN DICICCO: No, no, no, not
13 unless we go back to Bill 629, but at the moment,
14 no.

15 COUNCILMAN COHEN: Well, what is your,
16 Mr. Chapman, with respect to that concept? Should
17 zoning laws cover the interests of people other than
18 the homeowner? Or is it your feeling and people in
19 zoning that the homeowner's interest is so clearly
20 superior to all others that it ought not to be
21 tampered with?

22 MR. CHAPMAN: No, I --

23 COUNCILMAN COHEN: I'd like to know
24 philosophically from an analytical point of view
25 what should be the rights of a homeowner as against

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2 the neighbors, who are clearly, I think, affected.

3 Does it apply in the suburban area, for
4 example, where a homeowner wants to put up a
5 basketball court because they have an adult son, or
6 at least a teenage son, that would like to shoot a
7 basketball if the neighbor next door finds that very
8 disconcerting and maybe harmful?

9 What are the important considerations
10 from the Planning Commission's point of view with
11 respect to the relative rights of neighbors and
12 homeowners? And has there been any change in recent
13 years of the development of the rights of either one
14 of the two parties?

15 MR. CHAPMAN: Councilman Cohen, I
16 believe that zoning laws, by their very nature, are
17 intended to look out for the rights of the greater
18 community. I think that's one of the main purposes
19 of zoning.

20 COUNCILMAN COHEN: The whole community.

21 MR. CHAPMAN: Yes, but I think that you
22 also can go too far with zoning controls, and that's
23 what I believe we are saying here.

24 COUNCILMAN COHEN: Mm-hmm. And was your
25 office consulted during the -- yeah, you did say

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2 that you --

3 MR. CHAPMAN: Oh, absolutely. We've had
4 a number of conversations with members of Councilman
5 DiCicco's staff, and I know that Councilman DiCicco
6 has discussed this bill with Rich Lombardo. Yeah,
7 there's been discussions.

8 COUNCILMAN COHEN: All right, well, I
9 certainly encourage the continued discussions that I
10 understood the two of you were talking about in the
11 question-and-answer period just before. I would
12 like to get much greater clarity.

13 I think maybe you stated it accurately
14 that it's a delicate balance to draw, and we have to
15 make sure that when we attempt to draw the balance
16 of interest between the homeowner and neighbors,
17 that we really protect everybody's rights. And it's
18 really a question of how we do that.

19 Thank you, Mr. Chairman.

20 COUNCILMAN KENNEY: Thank you very much.

21 Are there any other questions for
22 Mr. Chapman?

23 (No further questions.)

24 COUNCILMAN KENNEY: On my list is the
25 Community Design Collaborative and the Preservation

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2 Alliance. Will the representatives please come
3 forward.

4 (Witnesses come forward.)

5 COUNCILMAN KENNEY: Please identify
6 yourself for the record.

7 MR. GAROFALO: My name is Dan Garofalo
8 (ph), and I'm the co-chair of the Community Design
9 Collaborative. Sitting to my left is Beth Miller,
10 Executive Director of the Community Design
11 Collaborative.

12 MS. SOEFFING: I'm Kim Soeffing from the
13 Preservation Alliance, and I'm here on behalf of
14 John Gallery, the Executive Director.

15 COUNCILMAN KENNEY: Whoever would like
16 to give the initial testimony, please proceed, and
17 please speak directly into the microphone.

18 MR. GAROFALO: Thank you.

19 COUNCILMAN KENNEY: Thank you.

20 MR. GAROFALO: The Community Design
21 Collaborative is a 501(c)(3) nonprofit that connects
22 communities with design professionals for the
23 purpose of planning and neighborhood physical
24 improvements.

25 Because we're architects, planners,

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2 landscape architects, engineers, construction
3 professionals, we have the knowledge and ability to
4 assist community-based nonprofits with their goals.
5 Because we're residents of Philadelphia and the
6 surrounding town, we have a stake in this City. And
7 because we're volunteers who care what happens to
8 our physical environment, we have the commitment and
9 the passion to dedicate to this work.

10 We were asked today to come and speak on
11 behalf of the proposed residential preservation and
12 revitalization overlay district initiative, but
13 first I'd like to take a minute to explain the work
14 of the Collaborative and who we are.

15 For over ten years, while the debate and
16 excitement of neighborhood revitalization has grown,
17 the Collaborative has been turning neighborhood
18 visions into reality. Often behind the scenes,
19 sometimes at the slow pace required by community
20 groups as they build consensus and develop capacity,
21 and almost always without a great deal of publicity,
22 the Collaborative has been working in Philadelphia's
23 neighborhoods. We've completed almost 200 projects
24 in the City.

25 The way the organization works is best

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2 shown by example. Let's say a community group
3 identifies a need or an opportunity in their
4 neighborhood, let's say an abandoned building. They
5 want to raise money and convert it to, let's say, an
6 after-school center, but without an architect's
7 plans or a feasibility study, they can't go to a
8 funding agency, and the funding agency won't grant
9 them money without some type of feasibility study or
10 a sketch design.

11 The Community Design Collaborative can
12 step into that gap and solve that dilemma. The way
13 it works is, our professional staff -- we've just
14 added a fourth member this year -- reviews
15 applications from community groups, we assemble a
16 team of volunteers -- we have over 300 volunteers on
17 our roster -- and get to work on behalf of the
18 community group.

19 When the work is completed, we can take
20 that feasibility study or sketch design to a funding
21 agency and move the project forward: Hire an
22 architect, hire the engineers.

23 My example was an abandoned building,
24 but the Collaborative, over the last ten years, has
25 completed almost 200 projects: Playgrounds, parks,

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2 even neighborhood master plans of a small scale, and
3 that sort of thing.

4 So our experience working with community
5 groups is why we feel like we have a stake and
6 something to add in this particular initiative.

7 The bulk of my testimony reiterates what
8 Councilman DiCicco said earlier in describing it, so
9 I'll just skip to why we endorse the idea, but also
10 some of our caveats and why we -- just to express
11 some of our concerns.

12 The Residential -- the RPROD idea is an
13 opportunity for communities to come together to
14 create a shared vision for their neighborhood. The
15 goal of community organization is to enhance
16 opportunities to attract and retain residents,
17 employers, employees, and inspire civic pride. In
18 these aims, the RPROD fits with the goals of the
19 Neighborhood Transformation Initiative, which has
20 become a model almost nationwide for public-private
21 partnership.

22 Although the staff and the board of the
23 Collaborative have not had the opportunity to
24 thoroughly review the mechanisms in working on the
25 RPROD initiative, we feel it could contribute to

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2 improving our city in the following ways:

3 It would engage civic associations in
4 neighborhood transformation.

5 In developing design guidelines, it
6 would help homeowners as a resource to what they
7 should be doing. This could encourage homeowners to
8 be more thoughtful about the role they have in
9 neighborhood improvement and provide instruction on
10 better ways to add or change their properties.

11 And Councilman Cohen's example of the
12 closed-in porch was an excellent example, because if
13 something is in place beforehand, people would be
14 aware of the expectations of their neighborhoods.

15 Any sort of community involvement like
16 this, the act of creating the RPROD would foster
17 community vitality. And the RPROD could be a
18 resource for residents, as a guideline, to maintain
19 the unique character of their properties, make
20 repairs where needed, and add to the neighborhood
21 character.

22 We share some of the concerns that were
23 expressed earlier by the representative from the
24 Planning Commission.

25 The strongest aspect of the initiative

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2 is its capacity to build community cohesion and to
3 empower residents in their neighborhoods less, but
4 we're less sanguine about the requirements and
5 strictures that could result from a poorly-handled
6 process.

7 The first concern is money. Creating an
8 RPROD would take a great deal of effort, a great
9 deal of time and work, because neighborhood
10 residents often lack the expertise to write good
11 design guidelines.

12 We feel that professionals -- a
13 professional planner may be required to be hired,
14 and we don't see in this initiative particular
15 funding dedicated to such services. And given the
16 type budgeting requirements of the City, we would
17 not expect to. Nevertheless, the lack of funding
18 may slow the process in some neighborhoods and
19 prevent others entirely from moving forward.

20 The RPROD could create neighborhood
21 dissension. We all live in Philadelphia's
22 neighborhoods, and the next time you hear about a
23 neighborhood totally behind a new initiative will be
24 the first time I ever hear about it. There will
25 always be dissension and disagreement in

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2 neighborhood planning initiatives.

3 We feel that skillful guidance, provided
4 by members of the Planning Commission perhaps, could
5 smooth over disagreements and come closer to
6 achieving consensus. This is one of the reasons we
7 feel that the involvement of the Planning Commission
8 is required.

9 Another issue is that it creates a
10 burden of sorts. One of the worrisome issues is
11 that it does create another layer of approval for
12 residents looking to make improvement. Although we
13 recognize that creation of enforceable standards may
14 be key to their success, this is one aspect of the
15 initiative that would be most contentious.

16 And, finally, there's an opportunity
17 for, for lack of a better word, opportunism.
18 Neighborhood residents are not all equal; some have
19 more money, some have more influence, some are
20 politically connected, some know how to work the
21 system. Like any well-meaning effort, the Council
22 should be aware that an opportunity exists for some
23 to use an RPROD designation to enhance the value of
24 their personal investment. We should be wary of
25 those who would use the initiative in this way.

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2 Although the ordinance does require a
3 fair degree of community buy-in, we must acknowledge
4 that many residents will not participate. There is
5 a danger that a faction could push through an
6 initiative with apparent support, only to find later
7 that the community support was shallow and that the
8 initiative was really the effort of a small group
9 for whom the benefits would be great.

10 Again, reviews by the Planning
11 Commission and by this body would help safeguard
12 against that possibility.

13 Beth and I would like to thank the
14 committee for the opportunity to speak on this
15 issue. Although we're inclined to support the
16 initiatives -- support any initiatives that empower
17 communities and this initiative in particular.

18 We have not presented this initiative to
19 our board and cannot endorse it as an organization
20 at this time. We feel this type of discussion and a
21 broader discussion among government and
22 non-government agencies would only help in
23 strengthening the implementation of this important
24 idea.

25 COUNCILMAN KENNEY: Simply, what is your

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2 recommendation we do with the bill today? I mean, I
3 sensed through your whole testimony that you were
4 supportive, but at the end, I sense that it was a
5 little lukewarm, at least.

6 MR. GAROFALO: Well, I feel that the
7 bill, as it stands, should be further reviewed, and
8 probably work on those aspects that do create
9 strictures and a burden to neighbors. That's the
10 key element, I think, that would be most
11 contentious.

12 COUNCILMAN KENNEY: Councilman DiCicco.

13 COUNCILMAN DICICCO: Thank you. And
14 thank you for your testimony. And I want to also
15 thank both you and Beth. I understand from my
16 legislative assistant, Mr. Fitz, that you've been
17 very, very helpful through this whole process.

18 I understand that there's some tentative
19 understanding between my legislative assistant and
20 the Preservation Alliance that we hold this bill.
21 My only concern is that every day -- literally every
22 day -- that we wait, another property, in my
23 opinion, becomes destroyed, or begins to -- that
24 process, as Councilman Cohen says, deteriorate from
25 what we're trying to do here and protect.

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2 I don't like to rush into things; we've
3 been working on this for a number of months now.
4 You were here and you heard my testimony. And with
5 all due respect to the Planning Commission, no
6 recommendations from them, but we do have a list of
7 recommendations I believe you will be testifying to
8 from the Preservation Alliance, and I'll ask
9 questions when we get into that.

10 But I generally wait. I just try to
11 make things work out, and I give everybody an
12 opportunity, but I think at the end of the day, if
13 we hold off till September, fine, but I got a
14 feeling that in September, we're still not going to
15 be where everyone wants us to be, and you're never
16 going to have a perfect bill.

17 So I'll make a decision before the end
18 of this hearing on whether I'm going to ask to hold
19 it or not, but at some point, I think we need to do
20 something.

21 I mean, I mentioned that one building
22 that was painted gray -- it actually like a gray
23 enamel, not even like a dull gray. The brother-in-
24 law painted his building a half a block away some
25 sort of an orange-yellow mixture. It's right at the

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2 corner, it's a big corner property as well.

3 And I see this happening day in and day
4 out, and I think we need to do something. And if we
5 have to come back later come back -- we may have to
6 come back at another time if we see that there are
7 some problems and make some amendments to whatever
8 the final bill that we pass here is all about.

9 And that's okay. It will be a learning
10 process for all of us.

11 But, again, I wanted to publicly thank
12 you for your cooperation and help in this matter.

13 COUNCILMAN KENNEY: Is the Preservation
14 Alliance going to offer testimony? Please.

15 Did you have a question, Councilman
16 Cohen?

17 COUNCILMAN COHEN: I just had a comment.
18 I think it's interesting that in this discussion,
19 someone who is more identified with the rights of
20 homeowners, Councilman DiCicco, is advocating a
21 position that's more inclusive of community and
22 those of us who work with communities all the time
23 and put forward -- I've also learned of some
24 pitfalls.

25 And so we want to both work -- we want

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2 to enlarge the role of communities, but at the same
3 time, we want to make sure that basic rights are
4 maintained.

5 So, therefore, Councilman DiCicco, I
6 would appreciate -- I know sometimes we feel that a
7 delay proves nothing, but this was the first time I
8 was aware of this bill, and I commend you for
9 raising the issue, because it's been one that's
10 concerned me, but I just think all of us have to get
11 a little more used to the idea before we're
12 comfortable with it.

13 And I want to commend the group that
14 testified. I think they are adding to the
15 understanding of this. I would like to see how
16 other people feel as well, but that will be
17 Councilman DiCicco's decision as to whether he
18 pushes for a vote on this today or not.

19 But I'm interested in the fact that you,
20 who exist to empower communities, do have some
21 hesitations. It doesn't mean the idea is a bad one
22 or that it can't work out, because I think those of
23 us who work with communities are aware of this
24 conflict that always exists between an individual
25 homeowner and the views of the neighbors. And we've

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2 been struggling in our own way -- and I congratulate
3 Councilman DiCicco for being the first one that ever
4 put it into legislative form -- an effort to address
5 this situation.

6 I just wanted to make that comment. I
7 find it a very interesting issue and don't have a
8 position on it at this time, except I think that
9 you're dealing with a very important issue here.

10 COUNCILMAN KENNEY: Councilman DiCicco.

11 COUNCILMAN DICICCO: Yeah, thank you.

12 Councilman Cohen, just for the record,
13 we introduced the bill actually almost a year ago
14 May 31, 2001. And we had supplied -- and I know,
15 Councilman, like you, we do get a lot of material
16 and we can't to read it all, but we did supply staff
17 with our basic premise behind the bill, a lot of
18 information that we had ongoing, but --

19 COUNCILMAN COHEN: Well, you didn't blow
20 your horn enough.

21 COUNCILMAN DICICCO: Actually, what I
22 did was -- going back to your first comment about
23 delaying things, I learned the hard way last May, or
24 last June, when I gave consideration for a public
25 debate on another bill I introduced. What it did to

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2 me over the summer -- I got destroyed on the bill
3 come five, six months later. And we know what bill
4 we're talking about.

5 COUNCILMAN COHEN: Right. That's the
6 famous 629 bill.

7 COUNCILMAN DICICCO: Yes. And also,
8 just in case you don't recall, I've been accused
9 of --

10 COUNCILMAN COHEN: We're trying to wage
11 peace instead of war.

12 COUNCILMAN DICICCO: I've been a
13 community activist my whole life. I was the founder
14 and president of two community associations, so I'm
15 not new to community involvement, and I always wish
16 for protecting communities, although I'm sure
17 sometimes we differ on what we believe is protecting
18 the community.

19 But I said at the onset, we're a city of
20 neighborhoods, and that's what's really great about
21 Philadelphia. And in my opinion, this is just
22 another attempt to empower communities, to protect
23 their individuality.

24 Thank you, Mr. Chairman.

25 COUNCILMAN KENNEY: Thank you.

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2 Please identify yourself for the record.

3 MS. SOEFFING: Good morning.

4 COUNCILMAN KENNEY: Good morning.

5 MS. SOEFFING: My name is Kim Soeffing,

6 and I'm here on behalf of John Gallery, the

7 Executive Director of the Preservation Alliance.

8 The Preservation Alliance for a Greater

9 Philadelphia is a nonprofit organization whose

10 mission is to develop programs and advocacy to help

11 preserve and protect historic resources in the

12 Philadelphia region. The Alliance has approximately

13 1,000 members, a significant percentage of whom live

14 within the City of Philadelphia.

15 For many years, the Alliance and its

16 predecessor organization, the Preservation

17 Coalition, have been interested in the creation of

18 an alternative form of neighborhood district

19 designation that would complement historic district

20 designation. In 1992, the Preservation Coalition

21 advanced the concept of conservation districts in a

22 report entitled "The Philadelphia Neighborhood

23 Conservation District, a Model Program."

24 We are, therefore, very supportive of

25 the concept of creating another form of neighborhood

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2 preservation district that would enable the
3 character of neighborhoods in Philadelphia to be
4 protected when designation as a historic district is
5 not appropriate. We commend Councilman DiCicco and
6 his staff for developing this idea and for taking
7 the time to consult with us and with other
8 organizations in preparing this bill.

9 Although the Alliance is concerned about
10 many aspects of the current bill and feel that we
11 cannot support it in its current form, we believe
12 that the concept is an important one and one that is
13 particularly relevant to the neighborhood
14 preservation concepts that have been advanced as
15 part of the Neighborhood Transformation Initiative.

16 While most attention has been focused on
17 the demolition aspects of NTI, the underlying
18 principle of NTI is neighborhood preservation and
19 restoration. Some of the NTI funding will include
20 programs designed to encourage preservation and
21 reinvestment, and a new form of preservation
22 district could be supportive of those initiatives.

23 Because of its relevance to the current
24 interest in neighborhood preservation, we would like
25 to see more time taken to refine this bill rather

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2 than pass it in its current form. We are prepared
3 to work actively with Councilman DiCicco's office
4 and others to assist in such further refinement.

5 The Alliance has information on
6 conservation districts and other locations,
7 including similar districts in the Philadelphia
8 region. We are also prepared to undertake
9 discussions with relevant neighborhood organizations
10 to test out ideas and develop support for the
11 creation of a new form of neighborhood preservation
12 district.

13 And in the interest of time, you do have
14 a copy of the testimony, which includes the full
15 list of our concerns for the present bill.

16 And, finally, it is our belief that
17 appropriate solutions can be found to address all of
18 these concerns. As previously indicated, we think
19 that the concept of some type of conservation
20 district is appropriate and a logical component of
21 the Neighborhood Transformation Initiative.

22 We encourage further refinement of this
23 bill before passage, and we are prepared to assist
24 City Council and Councilman DiCicco in the further
25 development of this approach, if that would be

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2 appropriate.

3 Thank you.

4 COUNCILMAN KENNEY: Thank you for your
5 testimony.

6 Councilman DiCicco.

7 COUNCILMAN DICICCO: Thank you,
8 Mr. Chairman.

9 Thank you, ma'am, for your testimony.
10 Going back to the first -- you have four or five
11 concerns. Concern number one, you're concerned
12 about the relationship of the proposed RPROD
13 districts to the creation of historic districts. In
14 your opinion, there are a number of neighborhoods in
15 the City that have not yet been designated as an
16 historic district that merit. Do you know how many
17 of those neighborhoods?

18 MS. SOEFFING: Unfortunately, I don't
19 have the specifics from the report.

20 COUNCILMAN DICICCO: Do you know how
21 long it takes on average for a neighborhood to be
22 designated as an historic district?

23 MS. SOEFFING: I -- again, I don't have
24 the specific information behind the report.

25 COUNCILMAN DICICCO: Ballpark figure,

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2 from the date of inception.

3 Mr. O'Donnell from Queen Village, if
4 you'd like to come up and answer that --

5 MR. O'DONNELL: (Inaudible, off mic.)

6 COUNCILMAN KENNEY: You have to come
7 forward and identify yourself for the record anyway.

8 COUNCILMAN COHEN: So please identify
9 yourself.

10 (Witness comes forward.)

11 MR. O'DONNELL: I'm David O'Donnell from
12 Queen Village Neighbors Association.

13 COUNCILMAN KENNEY: Sit, sit, please.

14 MR. O'DONNELL: We are now looking into
15 historic designation, and with the staffing we have
16 at the Historic Commission, the amount of
17 neighborhoods that are still under review and have
18 applied, we're looking at now over \$50,000 and five
19 years.

20 COUNCILMAN DICICCO: Five years on
21 average from the date of its inception to the date
22 of approval?

23 MR. O'DONNELL: Yes.

24 COUNCILMAN DICICCO: A lot of damage
25 could happen in five years, in another five years.

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2 Also, in that same -- under that same
3 concern -- I'm sorry, I did ask that question.

4 Do you know how many districts or how
5 many neighborhoods are on that list?

6 MR. O'DONNELL: On the list for
7 approval?

8 COUNCILMAN DICICCO: To be designated or
9 that the Preservation Alliance would like to see
10 designated.

11 (Addressing Ms. Soeffing.) And under
12 number 2 of your testimony of concerns, the
13 paragraph before the last on Page 3, it says,
14 "Eligibility criteria does not address the issue of
15 commercial properties. Many neighborhoods have
16 commercial districts intermingled with residential
17 areas. Should districts require different types of
18 design guidelines..."

19 Do you have any comments on that, do you
20 have any suggestions?

21 MS. SOEFFING: Again, I think that this
22 testimony is really an overview, and just I'm
23 reading it on behalf of John Gallery, who would be
24 more than happy to work directly with you.

25 COUNCILMAN DICICCO: All right. I

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2 understand that you're only here in place of someone
3 else who might have been able to answer those
4 questions a lot more accurately, and I appreciate
5 that.

6 But do you have any idea, if we hold
7 this bill, when you think that the issues that the
8 Preservation Alliance has the concerns will be ready
9 for Council to review?

10 MS. SOEFFING: It's my understanding
11 that we would be willing to start working with you
12 right away. I would also refer back to the Design
13 Collaborative and ask their opinion.

14 COUNCILMAN DICICCO: Identify yourself,
15 please.

16 MS. MILLER: I would say about 90 days.

17 COUNCILMAN DICICCO: 90?

18 MS. MILLER: I don't know for sure.

19 COUNCILMAN DICICCO: 90?

20 MS. MILLER: Three months.

21 COUNCILMAN DICICCO: Three months.

22 MS. MILLER: Three to six months to -- I
23 think there's a lot of interested parties that
24 heretofore haven't necessarily participated in the
25 process and are willing to do so with new

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2 enthusiasm.

3 COUNCILMAN DICICCO: Well, I'd like to
4 set a target date. Given that it's summertime and a
5 lot of people will be away, if we did the 90 days,
6 it would bring us to Labor Day, and I suspect that
7 there still will be some unfinished business, but
8 I'd like to set the date at least to no later than
9 the last day of September so that the first week in
10 October, we'll be ready to run this bill.

11 And I'm only trying to do this in the
12 interest of cooperation honestly, but every day, I
13 watch what goes on out there, and another building
14 gets lost.

15 But my colleague Councilman Cohen and
16 others would like to have a little more time, and as
17 a courtesy to them and to all of you folks, I would
18 say let's put a target date to have all of the
19 recommendations in by no later than the last week of
20 September.

21 COUNCILMAN KENNEY: Mr. O'Donnell, would
22 you like to testify, please, on this bill.

23 And can I see a raise of hands of anyone
24 else who's testifying on this bill. One, two, okay,
25 I see.

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2 Please identify yourself for the record.

3 MR. O'DONNELL: I'm David O'Donnell, and
4 I'm on the Board of Directors of Queen Village
5 Neighborhood Association.

6 COUNCILMAN KENNEY: Please proceed.

7 MR. O'DONNELL: Basically, Queen Village
8 was settled in the 1640s, and only about 20 percent
9 of our properties are on the Philadelphia Register
10 of Historic Places, so they are protected. However,
11 80 percent of the buildings are not.

12 COUNCILMAN DICICCO: What does that
13 number equate to, 20 percent of how many building;
14 do you know approximately?

15 MR. O'DONNELL: No, I don't. Sorry.

16 COUNCILMAN DICICCO: Okay.

17 MR. O'DONNELL: The area goes from
18 Lombard Street to Washington Avenue, from the
19 Delaware River to Sixth Street.

20 So what we have now is, if you're not on
21 the register, you can do pretty much whatever you
22 want to to the facade of your building. And, as
23 Councilman DiCicco said, you can have a beautiful
24 18th century block of brick homes and cover your
25 house with purple stucco, pop out all of the

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2 windows, do whatever you want, and just put a huge
3 eyesore in the middle of the block. We do get that.
4 People can buy houses built in the 1700s and cover
5 'em because they just aren't on the register.

6 The register, which was created in the
7 1950s, was basically a walk through by a new
8 employee of a new Historic Commission, and it was
9 like, "We'll take that house, that house," and
10 half-blocks were missed, a lot of properties were
11 missed.

12 We don't want to be taste police. Right
13 now, the Zoning Code protects us a certain amount,
14 and we are not -- and the years will be many to
15 become a historic district. So we just need
16 something in between. We wouldn't go crazy and say,
17 You have to do this, that, and the other thing. We
18 would certainly work with the Planning Commission
19 and the Historic Commission on just some basic
20 guidelines as to not disrupt the flow of an
21 attractive block.

22 That's pretty much it.

23 COUNCILMAN DICICCO: Thank you,
24 Mr. O'Donnell, for your testimony, and thank you for
25 your patience in waiting.

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2 MR. O'DONNELL: Oh, and one final thing.

3 COUNCILMAN DICICCO: Sure.

4 MR. O'DONNELL: We are worried about the
5 timeframe. We really approve of this bill as it is.
6 We feel that -- trust the neighborhood associations;
7 we're not going to become crazy with guidelines and
8 this and that. We just need a little extra
9 protection right now that the Zoning Commission
10 can't give us.

11 Thank you.

12 COUNCILMAN DICICCO: Thank you and thank
13 you again for your testimony.

14 COUNCILMAN KENNEY: Thank you.

15 My wife grew up in Queen Village when it
16 was called "Second and South," before it became
17 Queen Village, actually.

18 Please come forward. And, sir, if you
19 also want to take the witness table.

20 (Witnesses come forward.)

21 COUNCILMAN KENNEY: Please identify
22 yourself for the record.

23 MS. MASON: Okay. Good morning,
24 Councilman and women.

25 COUNCILMAN KENNEY: Good morning.

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2 MS. MASON: I don't see no women today,
3 but I was here yesterday.

4 My name is Florence Mason, and I'm a
5 member of the community. I'm not really truly
6 affiliated with any organization. I was here
7 yesterday and I made a testimony, but a lot of you
8 guys were not here.

9 COUNCILMAN KENNEY: I'm sorry, what are
10 you testifying on?

11 MS. MASON: On the NTI bill?

12 COUNCILMAN KENNEY: We're in the Rules
13 Committee hearing now on a number of different
14 zoning issues. That committee will be queening in
15 about another 40 minutes, so you're early, and we'll
16 be interested in hearing you in about 40 minutes
17 from now.

18 MS. MASON: Okay, great, I'm sorry.

19 COUNCILMAN KENNEY: That's all right.
20 Sometimes we're confused on what hearing we're in
21 ourselves.

22 Please identify yourself for the record.

23 MR. SCHNEIDER: Good morning.

24 COUNCILMAN KENNEY: Good morning.

25 MR. SCHNEIDER: My name is Adam

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2 Schneider, and I'm here on behalf of the Board of
3 the Center City Residents Association. I am a board
4 member.

5 And I do -- you have been presented with
6 testimony representing the position of the Center
7 City Residents Association on the RPROD bill, and I
8 do wish to express our opposition to the bill as it
9 currently stands. We have a number of concerns,
10 which are outlined in the letter that we presented,
11 and I don't think it's necessary at this point to
12 repeat those.

13 But we would request, you know, that our
14 testimony be entered into the record in terms of our
15 position on the current version of the RPROD bill.

16 COUNCILMAN KENNEY: That will be done,
17 and also, I suggest that you contact Councilman
18 DiCicco's office and Councilmember Clarke's office
19 because I think you're west of Broad?

20 MR. SCHNEIDER: Yeah. We're basically
21 the southwest quadrant of Center City.

22 COUNCILMAN KENNEY: Maybe even Council
23 President Verna may have a piece of your area, but I
24 assume that Councilman DiCicco will be coordinating
25 most of the discussion on this bill for the summer,

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2 so I suggest you hook up with them.

3 MR. SCHNEIDER: Absolutely.

4 COUNCILMAN KENNEY: Okay, thank you.

5 MR. SCHNEIDER: Thank you.

6 COUNCILMAN KENNEY: Anyone else on this

7 bill?

8 (No response.)

9 COUNCILMAN KENNEY: None?

10 We're going to move quickly to Bill No.

11 020166, which is an ordinance establishing a

12 Neighborhood Improvement District in the area

13 bounded generally by the eastern side of Tulip

14 Street, the northern side of Allegheny Avenue, the

15 western side of Amber Street, the northern side of

16 Venango Street, to be known as the Port Richmond

17 Industrial Development Enterprise (PRIDE)

18 Neighborhood Improvement District, designating

19 PRIDE, Incorporated, a Pennsylvania nonprofit

20 corporation as the Neighborhood Improvement District

21 Management Association for the district; approving a

22 final plan for the district, including a list of

23 proposed improvements and their estimated costs; and

24 providing for assessment fees to be levied on

25 property owners within the district; authorizing the

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2 Director of Commerce, on behalf of the City, to
3 execute an agreement with PRIDE, Inc. relating to
4 the district and authorizing PRIDE, Inc. to assess
5 property owners within the district a special
6 property-assessment fee to be used in accordance
7 with the approved final plan, all in accordance with
8 the provisions of the Community and Economic
9 Improvement Act, under certain terms and conditions.

10 Who do we have to testify? Please come
11 forward.

12 (Witnesses come forward.)

13 COUNCILMAN KENNEY: Please identify
14 yourself for the record and please pull the
15 microphone closer to you. Thank you.

16 MR. WOODRUFF: Good morning, Mr. Chair
17 and members of the committee.

18 COUNCILMAN KENNEY: Good morning.

19 MR. WOODRUFF: My name is Allen
20 Woodruff, and I represent Haskell-Dawes Corporation
21 and PRIDE, Port Richmond Industrial Development
22 Enterprise. I am here to testify in support of Bill
23 No. 020166.

24 Four years ago, a group of ten local
25 industrial businesses met to discuss what we could

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2 do as a group to create a better business
3 environment. We recognize that our neighborhood
4 employed approximately 1,000 people and 40
5 industrial businesses and that working together, we
6 could make it worthwhile to expand our businesses in
7 this neighborhood. That initial meeting led to the
8 creation of PRIDE, an incorporated nonprofit with a
9 five-member steering committee that meets every
10 month.

11 Our first activity was to survey area
12 businesses about the needs of the business
13 community. We then used this information to develop
14 a five-year neighborhood improvement agenda. That
15 document is available if you wish a copy.

16 Our improvement plan identified security
17 and cleanliness as top priorities, and we put a
18 great deal of effort into developing activities to
19 keep the neighborhood safe and clean. We currently
20 have a private security firm that controls the
21 district from 9 p.m. to 5 a.m. every night. We also
22 helped create the Richmond-Kensington-Fishtown Clean
23 And Green Corp., which cleans our neighborhood three
24 days a week. These services have significantly
25 improved the appearance and safety of our

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2 neighborhood.

3 This bill to designate PRIDE as a
4 neighborhood improvement district will assist PRIDE
5 in sustaining these services.

6 In addition to security and cleaning
7 services, PRIDE's steering committee has worked with
8 many partners to install gateway signs on the four
9 railroad bridges in the district to remediate very
10 soon-to-be-demolished blighted and dangerous
11 buildings, and to begin a construction project this
12 summer, which will result in improved streets,
13 sidewalks, better lighting and signs, and easier
14 access for trucks.

15 PRIDE has also recently offered a
16 75 percent rebate to businesses and business
17 property owners for improvements to sidewalks,
18 fencing, lighting and signage. Our neighborhood
19 will be dramatically changed by these improvements,
20 and we need a neighborhood improvement district to
21 sustain our improvement efforts into the future.

22 I ask that the committee positively
23 consider Bill No. 020166. Thank you for the
24 opportunity to testify, and I'd be happy to answer
25 any questions you may have regarding PRIDE.

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2 COUNCILMAN KENNEY: Thank you for your
3 testimony.

4 Any questions for this witness?

5 (No questions.)

6 COUNCILMAN KENNEY: Would you like to
7 offer any testimony?

8 MS FEGELY: I'm Karen Fegely with PIDC,
9 and I am in here support of Bill No. 020166.

10 This bill designates PRIDE, defined by
11 the boundaries of Allegheny Avenue on the south,
12 Venango Street on the north, Tulip Street on the
13 east, and Amber Street on the west, as a
14 Neighborhood Improvement District. This designation
15 will add a 20 percent surcharge to the real-estate
16 taxes of commercial and industrial property owners
17 within the boundaries to provide ongoing funds to
18 support the district's improvement activities,
19 specifically security and cleaning services.

20 PIDC is committed to PRIDE as a strategy
21 and model for retaining industrial businesses and
22 jobs in Philadelphia. In March of 1998, PIDC and
23 the PRIDE businesses began meeting and working
24 together to revitalize the neighborhood. Since that
25 time, PRIDE's accomplishments include:

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2 The creation of a five-year improvement
3 plan and a neighborhood development plan;

4 Implementation of a nightly security
5 patrol and regular sidewalk-cleaning;

6 Upgrading of area electrical and phone
7 lines;

8 Plans for redevelopment of a vacant lot
9 into a shared truck parking lot; and

10 Plans for a wide range of other public
11 and private improvements, which will begin
12 implementation this summer.

13 PRIDE has raised both public and private
14 funds to implement its improvement activities.

15 However, the NID is necessary in order to ensure
16 that PRIDE has resources to continue its cloning and
17 security activities. The NID will not only support
18 these services that directly benefit the business
19 and residential community, it will also help to
20 leverage additional funds for future improvements to
21 the area.

22 I ask that the committee consider this
23 bill favorably. Thank you for the opportunity to
24 testify, and I'd be happy to answer any questions
25 you may have regarding this ordinance.

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2 COUNCILMAN KENNEY: Thank you very much.

3 Any questions for these witnesses?

4 COUNCILMAN DICICCO: Mr. Woodruff and
5 madam, I thank all of you. I can't believe it's
6 four years, Allen, already?

7 MR. WOODRUFF: Yeah.

8 COUNCILMAN DICICCO: Wow, my first tour
9 four years ago.

10 Remarkable job, and I really appreciate
11 the commitment to Philadelphia. And I know a lot of
12 you and the businesses there were considering moving
13 at that time, and you've turned a corner and really
14 made it a much more pleasurable place to do
15 business, and the community is very grateful for
16 that, as is this City Council.

17 Thank you, I thank both of you and all
18 of the members of PIDC and the Commerce Department.

19 COUNCILMAN KENNEY: Thank you very much.

20 COUNCILMAN DICICCO: (Addressing new
21 witness.) Do you wish to testify?

22 COUNCILMAN KENNEY: Please. You have to
23 come forward. We're through with these witnesses
24 and you can sit down and identify yourself and then
25 give your testimony.

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2 Thank you.

3 (Witness comes forward.)

4 COUNCILMAN KENNEY: Please identify
5 yourself for the record and proceed with your
6 testimony.

7 MR. DEJART: My name is Art Dehart (ph),
8 and I represent Active Radiator, one of the
9 businesses that's on the borderline of this district
10 that they're proposing, and the major concern that
11 we have is the 20 percent tax increase to fund
12 something that sort of doesn't seem to really affect
13 us because we police our own property as far as
14 keeping it clean.

15 And we seem to end up being, according
16 to the map that they've provided with this, on the
17 borderline. Our property is located on the northern
18 side of Venango Street at Amber, which happens to be
19 on the drawn borderline of the map of the district
20 that you're talking about here in the bill.

21 Basically, you cover our sidewalk, and
22 you want to increase our taxes 20 percent to cover
23 something that runs south of us. And the owner of
24 the company doesn't really feel that it's a
25 justifiable levy of taxes on our business since it

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2 doesn't really seem to benefit us any, and since
3 basically, it says in the paperwork here that the
4 City services and so on won't be impacted by this,
5 that this is someone extra.

6 We don't see that we're getting any
7 benefit from anything extra out of this. We see
8 that we're getting a 20 percent increase in the tax
9 levy, without any benefit to our business or to
10 where we're located, because we happen to be across
11 the street from where this all supposedly goes on.

12 But they use the northern boundary of
13 Allegheny Avenue and the northern boundary of
14 Venango Street as the borderline from it. When I
15 look at the drawing, it basically covers not our
16 business but still levies us taxes on it. That
17 doesn't seem justified, and that was the major
18 concern we had.

19 We pay for our own trash removal because
20 the City doesn't provide trash removal for
21 businesses in the area. And we have our own people
22 cut the lawn in the area by the sidewalks, we have
23 them clean graffiti.

24 We have basically stayed in the City of
25 Philadelphia to be able to employ people in the

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2 neighborhood, so we're contributing to the
3 neighborhood by having an increased number of jobs.
4 When I started with the company 12 years ago, we had
5 8 employees; we have over 80 now. When we moved to
6 the current location at Amber and Venango, we had 35
7 employees. So we've grown in the past eight years.

8 But until we received this stuff in the
9 mail, we hadn't been contacted by PRIDE or by
10 anybody else, and it just doesn't seem like it's a
11 justifiable levy to look for a 20 percent increase
12 in anybody's taxes at any time.

13 I mean, look at the percentage rate of
14 taxation in the City anyway; it has driven
15 businesses away. This isn't going to necessarily
16 keep businesses there by increasing their property
17 taxes 20 percent. The boss had a choice: He could
18 have moved out of the City or he could have stayed
19 in the City. He decided that he would rather try
20 and stay in the City and to try and help the
21 community by providing jobs, and the City gets wage
22 tax monies out of every employee that we employ.

23 It just doesn't seem like it's a
24 justifiable levy to us, and it doesn't seem like it
25 benefits us as members of the Port Richmond

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2 community. Does that make sense?

3 COUNCILMAN KENNEY: Councilman DiCicco.

4 COUNCILMAN DICICCO: Your argument is
5 well-taken and it's not unusual. Anytime a Special
6 Services District or a neighborhood improvement
7 district is being proposed, there is always a
8 certain number of people who are opposed to that.
9 And we understand your concern.

10 I heard you mention a couple of times in
11 your statement that you don't see where you would
12 benefit by it. I can only tell you, in the seven
13 years or six-and-a-half, seven years that I've been
14 in Council the number of neighborhood improvement
15 districts, or Special Services Districts, that I've
16 been involved in, the folks who were opposed to it
17 initially eventually have all come around to say
18 that it was worth the investment.

19 A quick glance at the numbers that your
20 company would be responsible for is something about
21 40, \$42 a week, it seems to be, that you will be
22 additionally taxed with.

23 Again, I think it's something that you
24 may not appreciate and understand today, but I think
25 in a very short time, you will see a greater

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2 interest in other development and other businesses
3 coming to your community, which, I think, will
4 benefit you and your community as a whole.

5 You know, we just can't carve out and
6 select and enforce properties; we have to go by a
7 geographical map that is prepared through PIDC, the
8 Commerce Department, and the Department of Revenue.

9 And, again, you're not unlike some other
10 folks who felt as though they were being penalized
11 and didn't believe that it was in their best
12 interest to be a part of the NID.

13 I wish there was another way to do this,
14 but there isn't. The only way that these things are
15 successful is when you get enough critical mass that
16 will generate the revenue to do the things that are
17 necessary to do all which -- by the way, all this
18 money that gets collected goes back to you
19 100 percent, "back to you" meaning your community.
20 The City doesn't take any fee, the fee doesn't keep
21 any of the revenue, and 100 percent of it goes back
22 to that NID to do what you think is best.

23 And there may be some things that you
24 may not be thinking of today that you may want to
25 bring up to the board going forward that you might

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2 feel as though would be beneficial to your business.
3 I don't know if you ever will, but there could be in
4 terms of lighting, in terms of streetscape
5 improvements, in terms of some of the things that
6 they do in terms of advertising what your community
7 and what your business industrial park is all about.
8 There are a whole host of things.

9 And you can draw from the experiences of
10 other community groups or other NIDs that have been
11 in existence in the City of Philadelphia and learn
12 from them and maybe use it to your advantage.

13 MR. DEJART: Well, one of the other
14 things that the owner of the company and I were
15 discussing about this is that it goes on for ten
16 years. He said, you know, if it was something that
17 was going on for one or two years to initially see
18 if it would have any impact, he'd be a whole lot
19 less opposed to an increase in taxation, but when
20 you consider that an increase in taxation of
21 20 percent is required and that we're basically on
22 the outside border of the area that they're talking
23 about, as opposed to actually in the middle of it,
24 and that basically the expenditures, according to
25 the document here, state that it's basically going

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2 for street-cleaning three days a week and the rest
3 for security, somebody additional besides the police
4 patrolling the neighborhood, it somehow doesn't seem
5 so to -- since that's what they say they're going to
6 spend it on with an assessment contingency of about
7 \$5695.70 left over for whatever else they decide to
8 use it for, it doesn't look like it's really all
9 that cost-effective for us, being that we're
10 basically on the outside border of the district
11 you're talking about.

12 COUNCILMAN DICICCO: Well, again -- and
13 we can go back and forth on this all day.
14 Street-cleaning and security are the priorities
15 today going forward; that may change, and you may, I
16 would suggest, with all due respect, you may want to
17 get involved in that process. There may be
18 something when this shock of paying this additional
19 20 percent, you know, settles in, really become a
20 part of the community.

21 Even though you say you're across the
22 street or outside, you're not outside; you're a part
23 of it. I mean, what affects the people on the north
24 side of the street will certainly have an impact on
25 the people on the south side.

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2 So I would suggest that you get involved
3 with the folks that are running the NID and make
4 recommendations that may actually benefit you. I
5 mean, today it's security and cleaning; tomorrow it
6 could be something different.

7 And I certainly appreciate the fact that
8 your company decided to stay here and that you
9 employ people from the community, and I would hope
10 that they continue to do so and not look at this as
11 something that is being regressive but something
12 that is more progressive to make it a better
13 environment for everyone.

14 Thank you for your testimony.

15 MR. DEJART: All right.

16 COUNCILMAN KENNEY: Thank you.

17 Anyone else to testify on this bill?

18 (Person in audience raises
19 hand.)

20 COUNCILMAN KENNEY: Please come forward.

21 (Witness comes forward.)

22 MR. SCHECK: My name is William Scheck
23 (ph), and I'm from the general area near Allegheny.

24 I would like to know, when you create
25 this district basically, are you going to be

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2 utilizing all of the federal and state monies that
3 you have available to you under law before you levy
4 this tax against these businesses; or you never
5 bothered looking for all the federal and state
6 monies that are available for improvement districts,
7 per se, with the Department of Commerce as well as
8 with HUD to basically look for federal monies before
9 you have to levy a tax towards these businesses for
10 that activity?

11 COUNCILMAN DICICCO: This will in no way
12 impede on the ability for the business, or
13 businesses, to apply for any state, federal, local
14 grants, contributions, what have you. This in no
15 way restricts that; that continues to go on.

16 And when you say that we are imposing
17 the tax; what we are doing here as a legislative
18 body is responding to the majority of the people
19 that have businesses in that community in passing
20 this legislation, which enables them to tax
21 themselves.

22 MR. SCHECK: Well, why are you doing it
23 in the first place when you might be able to get
24 state and federal monies from the state and federal
25 government, like I said, from Housing and Urban

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2 Development or from the Department of Commerce
3 basically to fund this special improvement district
4 without having to levy the taxes in the first place?

5 COUNCILMAN DICICCO: Because this is the
6 decision of the majority of the people in the
7 business community.

8 MR. SCHECK: Okay. Thank you.

9 COUNCILMAN DICICCO: You're welcome.

10 COUNCILMAN KENNEY: Thank you for your
11 testimony.

12 Anyone else to testify?

13 COUNCILMAN DICICCO: Lady back there.

14 COUNCILMAN KENNEY: I saw another hand.
15 Please come forward.

16 (Witness comes forward.)

17 MS. SAMP: My name is Joan Samp, and I'm
18 a business owner of Tioga Fuel Company, which is in
19 the area for PRIDE.

20 I concur wholeheartedly with the
21 gentleman from Active Radiator, which is up the
22 street from us. I, too -- as far as the border,
23 they have us cut in the middle of the bloke. I am
24 involved with it, and my neighbor Pathmark is not.

25 The proposal of the improvements and

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2 their estimated costs have not been given to us;
3 they're just estimated costs -- not costs, just
4 estimates -- not even estimates, I'm sorry. There
5 are just improvements that are listed that have been
6 given to us, with no cost at all as to what is it
7 going to do for my business.

8 And I just wanted to go on the record to
9 say that I also oppose it because, as the gentleman
10 before me also said, there are federal monies,
11 which, I believe, there's been \$1.4 million given to
12 this for the banners that we have on the bridges and
13 the cleanup. I don't think that's a cost-effective
14 procedure for me.

15 COUNCILMAN KENNEY: Councilman DiCicco?

16 COUNCILMAN DICICCO: Thank you.

17 Thank you for your testimony, ma'am. I
18 know a little bit about some of the money that was
19 invested in that community three four years ago or
20 so. Under the Rendell Administration, we were able,
21 I think, to get a quarter of a million dollars -- a
22 \$250,000 grant to get this whole thing started to
23 maintain the businesses, to keep them in the City of
24 Philadelphia 'cause some of those businesses were
25 looking elsewhere.

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2 It's not a perfect world we live in. If
3 it was, maybe we wouldn't have to do any taxes, but
4 unfortunately, it's one of those things that, you
5 know, taxes will always be there.

6 And I would suggest to you, as I did to
7 the other gentleman, that you get involved with the
8 people in the district, attend their meetings, talk
9 to them about what your concerns issue are, and I
10 think --

11 MS. SAMP: How do we find out about the
12 meetings? We're Not privy to that information
13 either.

14 COUNCILMAN DICICCO: Mr. Woodruff, the
15 gentleman in the back, you should meet with him, you
16 know, and exchange phone numbers and start to sit
17 down and talk as a business community.

18 And, again, as I said, not to be
19 redundant, but I think you will see in a very short
20 time some benefits that could come out of this.

21 MS. SAMP: Well, I hope for my business
22 because the business up the street, which is
23 involved in this, it's just covered with PVCs, and
24 the City owns that building now. Does that mean my
25 money will be going to clean up that building?

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2 COUNCILMAN DICICCO: No, that would
3 probably not be.

4 MS. SAMP: Probably not.

5 COUNCILMAN DICICCO: That would be
6 federal money, state monies coming out of the DEA,
7 or the Department of -- the DAR, EPA, ER, ERA,
8 whatever they are --

9 COUNCILMAN KENNEY: EPA.

10 COUNCILMAN DICICCO: EPA, we'll get it
11 right.

12 No, this is primarily to enrich and
13 enhance the business communities and make it more
14 attractive and hopefully to attract more businesses,
15 which may --

16 MS. SAMP: Well, I'm for that, and
17 that's what it said initially, but show me why I
18 need a 20 percent increase for the trash pickup and,
19 you know, I don't think on paper, it's good.

20 COUNCILMAN DICICCO: Those are initial
21 recommendations from the NID, which can, and will,
22 be changed, I suspect, going forward.

23 But I would suggest that you meet with
24 Mr. Woodruff in the back and exchange telephone
25 numbers. Folks are here from Commerce, PIDC, and

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2 really come together as a community. And I'll be
3 there with you; I'm in office at least for another
4 16 months or so and --

5 MS. SAMP: We need communications,
6 definitely.

7 COUNCILMAN DICICCO: Yes, absolutely.

8 Thank you. Thank you for your time.

9 COUNCILMAN KENNEY: Thank you.

10 Is there anyone else to testify on this
11 bill?

12 (No response.)

13 COUNCILMAN KENNEY: Seeing none --

14 COUNCILMAN CLARKE: Mr. Chairman?

15 COUNCILMAN KENNEY: Yes, Councilmember
16 Clarke.

17 COUNCILMAN CLARKE: Could I ask a
18 question? And I don't know if the representative
19 from PRIDE would be the one that would answer, but
20 it's with respects to the process and notification.
21 It was indicated in earlier testimony that the
22 majority of the businesses in this Special Services
23 District are supportive of that.

24 And I was wondering what the process is.
25 I have some concerns about this whole Special

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2 Services District and the process, the 51 percent
3 requirement, to oppose it. I don't, frankly
4 speaking, feel very comfortable with that, and I'd
5 just like to know what the process is in terms of
6 notification and solicitation of support and
7 non-support.

8 MR. WOODRUFF: Allen Woodruff, Chairman
9 of PRIDE.

10 You know, initially, when we started
11 this about four years ago, there were about ten
12 businesses, you know, who, through various other
13 meetings and facilitations, knew each other, who
14 actually comprised the majority of the employees and
15 the employers in the area.

16 We sent out notices to every -- we sent
17 out a letter to every business in it, inviting them
18 to a meeting a couple years ago. As a matter of
19 fact, there were about two or three meetings.

20 Then, you know, we've had our
21 newsletter, etc. going out on a regular basis. And
22 we've, you know, had several public events where,
23 you know, we've gotten the big cardboard check, etc.

24 And then, you know, this improvement
25 district, which even though we have raised close to

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2 \$3 million, what the state and federal don't give us
3 is the ongoing support to pay for the cleaning and
4 the security.

5 COUNCILMAN CLARKE: Mm-hmm.

6 MR. WOODRUFF: And, you know,
7 unfortunately, I felt in the very beginning, that
8 you know, Hey, why do we have to pay for any more
9 security, don't we have a police department? But in
10 fact, to get what we need -- in fact, we've had no
11 burglaries in the neighborhood in industrial and
12 commercial properties within the district in over a
13 year.

14 COUNCILMAN CLARKE: Yeah, I'm not
15 questioning the need for the service; I think, you
16 know, it's clear that -- I mean, I have the Center
17 City District in my district and it's a very good
18 organization.

19 The question is the process that
20 designates that as a district, therefore, requiring
21 the additional levy of taxes, and I'm just trying to
22 get a sense of -- you know, you said you sent out
23 letters to the businesses in that particular
24 district.

25 MR. WOODRUFF: Right.

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2 COUNCILMAN CLARKE: The response -- when
3 you determined that the majority of the individuals
4 or the businesses in that district are supportive of
5 this effort, do you simply take a majority of the
6 respondents or a majority of the total businesses in
7 that district? I mean, how is it --

8 MR. WOODRUFF: Well, you know, I have
9 personally talked to over a majority. You know
10 there are some, especially the smaller ones, that I
11 have not, you know, talked to at one time or
12 another.

13 COUNCILMAN CLARKE: Mm-hmm. Does it --

14 MR. WOODRUFF: The majority, I would
15 say, and especially if you look in terms of the
16 majority of the taxes, we have had exceptional --
17 where one company has gone out of business, which
18 took a chunk out.

19 COUNCILMAN CLARKE: Mm-hmm.

20 MR. WOODRUFF: But People like
21 Philadelphia Tram Rail, etc., Mike Savage, the
22 general manager, is in Atlanta today, so he's not
23 here, but I think he'd testify. He says, Look, I
24 have to -- you know, take a look at Philadelphia
25 Tram Rail on the list and you'll see how large they

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2 are, and you'll see how, you know, other people...

3 COUNCILMAN CLARKE: Okay. Okay,

4 Mr. Chairman. Thank you.

5 COUNCILMAN KENNEY: Any other questions?

6 (No further questions.)

7 COUNCILMAN CLARKE: Thank you,

8 Mr. Chairman.

9 COUNCILMAN KENNEY: Anyone else to
10 testify on this bill?

11 (No response.)

12 COUNCILMAN KENNEY: I would like to
13 announce, at the request of the sponsor of Bill No.
14 020283, that it will be held until June the 5th, at
15 10 a.m. to a date certain, and that's already been
16 advertised, but by virtue of this announcement
17 today, we are moving that bill at the request of the
18 sponsor to that date.

19 So if there's anyone here to testify on
20 that bill, please come back June 5th at 10 a.m.

21 The final bill on the calendar today is
22 Bill No. 020278, which is an ordinance to amend the
23 Philadelphia Zoning Maps by changing the zoning
24 designations of certain areas of land located within
25 an area bounded by the Tacony Creek, I-95 Delaware

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2 Expressway, Rhawn Street, and the Delaware River.

3 Mr. Chapman, please identify yourself.

4 MR. CHAPMAN: Good morning, Mr. Chairman
5 and members of the Rules Committee. My name is
6 Thomas Chapman and I am the Director of Development
7 Planning of the City Planning Commission, and I'm
8 here today to testify on Bill No. 020278.

9 This bill was introduced by
10 Councilmember Krajewski on May 2, 2002. This bill
11 rezones an area bounded by Rhawn Street on the
12 north, the Delaware River on the east, Tacony Creek
13 on the south, and the I-95 expressway.

14 This area is predominantly zoned either
15 G-2 general industrial or LR least restricted. This
16 bill proposes to change most of the existing G-2 and
17 LR to a designation of L-3 limited industrial.

18 There are two other changes that I would
19 point out to. We are -- this bill does propose to
20 change the property of St. Vincent home and the
21 Quaker Yacht Club to a residential classification
22 R-5 and also proposes a property that's being taken
23 over by the Fish and Game Commission to
24 recreational. There also is some publicly-owned
25 ground near and under the Tacony Bridge that's being

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2 changed to recreational.

3 This zoning change is an initial interim
4 step in the implementation of the recommendations
5 set forth in the North Delaware River Front Plan,
6 which ultimately envisions this area as a
7 residential and mixed-use community in future years.

8 The existing zoning designations in this
9 area allowed for heavy industrial use, including the
10 outdoor storage of material as well as the outdoor
11 processing of materials. The change in the
12 designations would require that all work and storage
13 be in an enclosed structure. It would also prevent
14 the existing vacant land from being developed with
15 more intense uses permitted under the G-2 general
16 industrial and LR least restricted zoning
17 designations.

18 The Planning Commission, at its meeting
19 of April 17, 2002, considered this bill and
20 recommended that it be approved.

21 There are two amendments that I would
22 like to offer. The first would replace the proposed
23 Zoning Map B, and the second would be to replace the
24 proposed Zoning Map B3. Both of these amendments
25 merely include the addition of additional detail,

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2 some more dimensions on the maps. We would offer
3 those as amendments, at the suggestion of the Law
4 Department.

5 Also at the suggestion of the Law
6 Department, another map of the proposed zoning at a
7 larger scale, we are going to add that as an
8 attachment to be kept on file in the City Clerk's
9 Office. The purpose of this is to have maps on this
10 bill -- well, it's somewhat difficult to read
11 because of the size of the parcels involved, so the
12 Law Department suggested that we have this second
13 map kept on file in the Clerk's Office.

14 COUNCILMAN KENNEY: Thank you.

15 Are there specific projects planned for
16 these parcels that we're changing the zoning? I
17 mean, are there specific requests as a result of a
18 development proposal?

19 MR. CHAPMAN: No, no.

20 COUNCILMAN KENNEY: Or is this a blanket
21 change?

22 MR. CHAPMAN: This is more like a
23 community remapping proposal than a rezoning that's
24 being proposed for specific parcels. This was done
25 at the request of Councilwoman Krajewski to, like I

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2 said --

3 COUNCILMAN KENNEY: Have we done large
4 parcels of industrial land like this without
5 specific projects? My experience has been that if,
6 you know, someone comes -- say, Northern Shipping,
7 for example, which I believe is in that zone --

8 MR. CHAPMAN: Yeah.

9 COUNCILMAN KENNEY: -- would like to do
10 a residential development there, then we -- the
11 community, along with the District Councilperson,
12 would review the proposal, and then the request
13 would be made for the appropriate change in the
14 zoning as opposed to doing such a large swath of
15 land.

16 Is there some advantage to doing it
17 prior to the proposal being put forward? 'Cause one
18 of the things I did do as a result of this because
19 of my interest in the Port -- I used to be a member
20 of the Regional Port Authority, and I called the
21 Regional Port Authority and they were unaware of
22 this request and didn't have a position against or
23 for it but were unaware of it and would like an
24 opportunity to review how it would impact their
25 mission, which is the commerce part of the port.

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2 Now, this area may be ineffective for
3 that any longer, but they were not aware of this
4 kind of sweeping change.

5 MR. CHAPMAN: Councilman, the purpose of
6 doing it this way that was articulated to us was
7 that this is an interim step. It's not going to
8 promote residential development because it's
9 proposing to change it to L-3.

10 COUNCILMAN KENNEY: Okay.

11 MR. CHAPMAN: What this does is it
12 prevents certain uses that have been identified to
13 the Planning Commission by the Councilperson's
14 office as being uses that they'd like not to see,
15 additional ones in this area of the City, uses that
16 include outdoor storage and uses that are --

17 COUNCILMAN KENNEY: For the record, an
18 industrial zoning designation would not preclude a
19 residential, recreational, or other type of
20 lower-density, lower-scale --

21 MR. CHAPMAN: Yes, it would.

22 COUNCILMAN KENNEY: How would it?

23 MR. CHAPMAN: In rezoning this to L-3,
24 you still couldn't do residential development
25 without either going before the board for a variance

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2 or coming back to City Council to rezone it to a
3 residential classification that would fit the
4 proposal.

5 COUNCILMAN KENNEY: All right. Okay.
6 Any questions for the this witness?

7 (No questions.)

8 COUNCILMAN KENNEY: Is there anyone else
9 to testify on this bill?

10 Gentlemen, please come forward.

11 (Witnesses come forward.)

12 MR. PORTNER: Good afternoon. My name
13 is Henry Portner, Counsel on behalf of Hanavarian
14 (ph) Corporation. We are the owners 4301 North
15 Delaware and 4101 Corbin Street.

16 On a very personal note, my father was a
17 paint manufacturer in the City of Philadelphia. He
18 required least restrictive zoning -- I'll make this
19 story very quick. He had a plant at Hancock and
20 Berks Street, and I grew up as a youngster in his
21 factory. A fire started across the adjacent plant,
22 tire remanufacturing, recapping. He had to move.

23 We were able to find least restricted
24 ground in Port Richmond, near Castor Avenue, off of
25 Wheat Chief Lane. Along came the Betsy Ross Bridge,

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2 and they condemned for eminent domain my father's
3 factory.

4 Unfortunately, the lawyer then
5 representing him was not able to get him enough
6 money to be able to afford least restricted zoning
7 in the City of Philadelphia, and he moved his plant
8 and his employees and the tax ratable over to the
9 City of Camden.

10 I have a client here that has least
11 restricted ground. It serves a very valuable
12 purpose. We're not exactly in a residential
13 neighbor, my client will explain. We have highly
14 intensive least restricted uses all around us.

15 We would respectfully request you to
16 either table this or to reconsider this. I don't
17 know whether the appropriate authorities have looked
18 at how valuable continuing least restricted zoning
19 is to maintaining certain types of businesses in
20 this city and how valuable and how costly that
21 becomes.

22 With that in mind, I'd like to introduce
23 Donald Metzger, who's a representative of
24 Hanavarian. Thank you.

25 COUNCILMAN KENNEY: Please identify

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2 yourself for the record.

3 MR. METZGER: Good morning, Councilman.

4 COUNCILMAN KENNEY: Good morning.

5 MR. METZGER: My name is Donald Metzger.

6 I'm a representative of Hanavarian Corporation. We
7 own the old A.P. green-brick plant, which is at the
8 north side of the Betsy Ross Bridge, and it also
9 fronts on the Delaware River.

10 In the past five years, a group, which
11 was a part of the original Quickway Transfer, the
12 old Hawthorne Construction, there was actually an
13 effort made to extend Delaware Avenue. Our address
14 is 4101 Delaware, and our intention is to revitalize
15 the 180,000 square foot of buildings that are there.
16 We already have some existing tenants that are all
17 using L-3 type uses.

18 What we need to do is get more tenants,
19 and by zoning this to light industrial, what would
20 happen there is, it would impede the process of
21 bringing in new tenants, because it would prolong
22 the process of getting permitting, and there would
23 be a lot of uses in the L-3 zone that would not be
24 allowed in the L-1.

25 The big important thing here that I see

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2 is -- may I get up and point to the map?

3 COUNCILMAN KENNEY: We'll bring the map
4 to you because the problem is the microphone and you
5 can't --

6 MR. METZGER: Okay.

7 COUNCILMAN KENNEY: You can just stay in
8 your seat. You may have to cover up your lawyer,
9 but sorry.

10 MR. METZGER: Basically, this is
11 Delaware Avenue right here (indicating).

12 Basically what they did is, the City, in
13 conjunction with a few of the other adjoining
14 property owners -- this is Quickway Transfer
15 (indicating), okay? There was a major problem with
16 truck traffic on Orthodox Street here (indicating)
17 going through the community.

18 COUNCILMAN KENNEY: Yeah, mm-hmm.

19 MR. METZGER: And the City actually was
20 proactive in creating a -- they made a deal with
21 the -- I forget the name of the -- I think it was
22 Conrail. They actually took over the Conrail bridge
23 right there (indicating) over the Frankford and
24 Tacony Creek, and made it so that all of the garbage
25 trucks coming out of the transfer station no longer

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2 go through the community. They actually come out
3 here on Casper Street, down the extension of Hedley,
4 and then they go across the railroad bridge.

5 So this parcel all the way up here at
6 Orthodox is now actually a part of the Delaware
7 Avenue port area between Allegheny and -- and now it
8 comes up as far as Hedley at -- the terminus of
9 Delaware Avenue is at Hedley, and then it goes north
10 on our property.

11 Now, to the south, you're question about
12 rezoning, is that okay?

13 COUNCILMAN KENNEY: Yes.

14 MR. METZGER: Your question about
15 rezoning blocks, the carbon railroad, the old carbon
16 railroad is what they've used as a line. Actually,
17 towards to east, towards 95, the Sewer Authority,
18 the old Franklin Smelting, were all rezoned.
19 They're light industrial like this proposal.

20 But our property is on this side of that
21 same railroad track, so that railroad track comes up
22 here and goes right across here (indicating). They
23 allowed everything from the railroad to the River to
24 maintain least restricted.

25 Our goal is to be able to use the marine

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2 facility and to be able to do all of the heavy
3 industrial uses, which there's a dire need for in
4 the City. And they're not making any more
5 waterfront ground to be able to create the industry
6 base that we so badly need.

7 So what I'm asking is if the Council
8 would consider -- to just consider this property
9 here (indicating) as being an extension of Delaware
10 Avenue -- our address is 4101 Delaware Avenue -- and
11 if they would consider just basically using that
12 same railroad line and then come right down on
13 the -- it would be on the north side of Hedley
14 Street is our property line to the river.

15 COUNCILMAN KENNEY: All right.

16 MR. METZGER: I hope that my request is
17 well-taken.

18 COUNCILMAN KENNEY: I understand. Thank
19 you.

20 I just had a question about -- not for
21 you gentlemen but for the Planning Commission. And
22 perhaps you know and perhaps you don't, but I want
23 to make the question for the record.

24 Have we had -- well, obviously, we
25 haven't had any input from the Philadelphia Regional

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2 Port Authority because they've told me that they
3 haven't been able to think about this or analyze
4 this.

5 How about the Commerce Department, have
6 they considered, looked at it, or have any opinion
7 upon it?

8 MR. CHAPMAN: Councilman, all I can tell
9 you about the Commerce Department is that Duane Bumb
10 sits on the Planning Commission, and when this was
11 considered at the Planning Commission last week, he
12 didn't have an issue with that, at least at that
13 point.

14 COUNCILMAN KENNEY: Also I would -- and,
15 again, for the record, the question is -- and you
16 can't answer it, but I'd like to get an answer at
17 some point. What's the status -- what is the right
18 of the property owner when it comes to a unilateral
19 change in their zoning? I mean, do we have anything
20 from the Law Department that indicates that we can
21 basically change someone's zoning without their
22 permission?

23 When it comes to property that's owned
24 by the City or by City agencies, certainly it's
25 within our right. If it's privately-owned property,

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2 do we have the ability or right to change that
3 zoning without -- against their will, I guess?

4 'Cause it seems to be this is against their will.

5 I don't know whether we can or we can't
6 do it, but I would like to get some guidance from
7 the Law Department treading in an area that's going
8 to wind us up in court in some way.

9 MR. CHAPMAN: I don't know that that
10 question has ever been answered directly by the Law
11 Department, but I can tell you in my
12 20-whatever-it-is-4 years of working with the City
13 dealing and dealing with communitywide remapping
14 proposals, which, as I stated earlier, this is more
15 similar to that --

16 COUNCILMAN KENNEY: That's a little
17 different because it's really not a community; it's
18 a --

19 MR. CHAPMAN: Oh, yeah. Absolutely,
20 absolutely. I just meant in terms of acreage, we --
21 City Council has rezoned property without the --

22 COUNCILMAN KENNEY: And, again, I may
23 have voted on that kind of stuff before, but I don't
24 remember anybody coming in and saying, "Don't rezone
25 my property," and we went ahead and did it anyway.

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2 Let me make a suggestion, 'cause I do
3 have another letter from a gentleman by the name of
4 Sidney Gable, who apparently owns, or represents
5 owners of 7777 State Road, and has concerns and
6 opposition to the move.

7 Why don't I suggest we do what we did
8 with Councilman O'Neill's bill. We'll hold this to
9 June 5th, and I'd like the following information
10 available to us at that time, and that is:

11 Something from the Regional Port
12 Authority on their position on the disposition of
13 the property involved;

14 Something from the Law Department
15 telling us it's okay for us to do it;

16 And also something from the Commerce
17 Department telling us that they, in fact, are also
18 supportive of what we're being asked to do.

19 So rather than step wrongly, we have
20 June 5th as an open advertised date. Councilmember
21 O'Neill's bill is being reheard on that date, and
22 hopefully get all the information we will need in
23 the interim prior to making a decision on June 5th.

24 Yes, sir. You need the microphone.

25 MR. METZGER: Councilman, may I continue

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2 to testify?

3 COUNCILMAN KENNEY: Yes, please.

4 MR. METZGER: Thank you.

5 Basically on this particular site, what
6 we're looking at is 180,000 square foot of buildings
7 that are usable buildings. And under this proposed
8 rezoning, these buildings would probably have to be
9 razed. And we have no use for -- in other words, we
10 bought the property with the least restricted zoning
11 to be able to develop it into a business park.

12 And with this zoning, you know, I
13 don't -- what I'm praying for here is that Council
14 will see that this is actually a piece of the
15 southern -- the complete part of Delaware Avenue,
16 because if this was to be rezoned light industrial,
17 some of the uses we already would not comply, and a
18 lot of the proposed uses that we have would not be
19 allowed.

20 So, therefore, we would actually have to
21 demolish 180,000 square foot of heavy industrial
22 buildings to accommodate this zoning change, and we
23 feel that would be an extreme hardship on a property
24 owner.

25 COUNCILMAN KENNEY: My other suggestion

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2 would be for you to contact Councilmember
3 Krajewski's office and articulate that directly to
4 them, and perhaps there's something that could be
5 accommodated -- some accommodation that could be
6 made as a result of your concerns and your
7 situation.

8 So -- but we have between now and June
9 5th to at least talk about that.

10 MR. METZGER: I appreciate your
11 attention very much, Councilman.

12 COUNCILMAN KENNEY: It's better for us
13 just to be safe than sorry, and we'll see what
14 happens.

15 MR. METZGER: Thank you very much.

16 COUNCILMAN KENNEY: Thank you.

17 MR. METZGER: Appreciate your time.

18 COUNCILMAN KENNEY: You're welcome.

19 Anyone else to testify on this bill?
20 Come on up.

21 (Witness comes forward.)

22 MR. SCHECK: My name is William Scheck
23 again, and I'd like to know, with this zoning
24 basically, is this going to affect the existing
25 properties along Delaware Avenue as well as other

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2 parts of the waterfront? When you do this rezoning,
3 is this going to mess up all of the properties that
4 are already existing along Delaware Avenue and the
5 areas that are stated for the rezoning?

6 COUNCILMAN KENNEY: My understanding is
7 that the properties that are operating there now,
8 the current use would be allowed until the property
9 changes hands or another use -- even if the property
10 changes hands, as long as the use is still the same.
11 If the use changes, then it would trigger a need to
12 go before the Zoning Board to be approved.

13 MR. SCHECK: So basically, everything
14 that's there now is protected, and there's not going
15 to be any problems with the existing businesses?

16 COUNCILMAN KENNEY: Correct.

17 MR. SCHECK: Okay, thank you.

18 COUNCILMAN KENNEY: Anyone else to
19 testify on this bill?

20 (No response.)

21 COUNCILMAN KENNEY: Seeing none, that
22 will conclude our public hearing of the Rules
23 Committee.

24 - - -

25

1 5/29/02 RULES - PUBLIC MEETING

2 COUNCILMAN KENNEY: We will now convene
3 a public meeting, and the Chair recognizes
4 Councilmember DiCicco for a motion on Bill 020166,
5 and I would suggest that all of them be suspended, a
6 request for a suspension.

7 Bill No. 010424 will be held and Bill
8 No. 020166, we'll wait for a motion from Councilman
9 DiCicco.

10 COUNCILMAN DICICCO: Thank you,
11 Mr. Chairman.

12 I move that Bill No. 020166 be reported
13 out of this committee with a favorable
14 recommendation and a recommendation that the rules
15 of Council be suspended.

16 (Duly seconded.)

17 COUNCILMAN KENNEY: Moved and seconded.

18 All in favor, aye?

19 There are none opposed.

20 Bill No. 020166 will be reported out of
21 this committee favorably and a request will be made
22 for a rules suspension to allow for first reading at
23 our next Council session.

24 The Chair recognizes Councilmember
25 Nutter for a motion on Bill No. 020183.

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2 COUNCILMAN NUTTER: Thank you,
3 Mr. Chairman.

4 I move that Bill No. 020183 be reported
5 out of this committee with a favorable
6 recommendation and a further recommendation that the
7 rules of Council be suspended so as to permit first
8 reading at the next session.

9 (Duly seconded.)

10 COUNCILMAN KENNEY: Moved and seconded.
11 All in favor?

12 There are none opposed.

13 Bill No. 020183 will be reported out of
14 this committee favorably and a request will be made
15 for a rules suspension to allow for first reading at
16 our next Council session.

17 The Chair recognizes Councilmember
18 Nutter on a motion to approve Resolution 020205.

19 COUNCILMAN NUTTER: Mr. Chairman, I move
20 that Resolution 020205 be reported out of this
21 committee with a favorable recommendation.

22 (Duly seconded.)

23 COUNCILMAN KENNEY: Moved and seconded.
24 All in favor, aye?

25 There are none opposed.

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2 Resolution No. 020205 will be reported
3 out of this committee favorably.

4 The Chair recognizes Councilmember
5 Clarke for a motion to approve Resolution No.
6 020206.

7 COUNCILMAN CLARKE: Thank you,
8 Mr. Chairman.

9 I move that Bill No. 020206 be reported
10 out of committee with a favorable recommendation.

11 (Duly seconded.)

12 COUNCILMAN KENNEY: Moved and seconded.

13 All in favor, aye?

14 There are none opposed.

15 Resolution No. 020206 will be reported
16 out of this committee favorably.

17 The Chair recognizes Councilmember
18 Nutter on a motion to approve Bill No. 020225.

19 COUNCILMAN NUTTER: Mr. Chairman, I move
20 that Bill No. 020225 be reported out of this
21 committee with a favorable recommendation and a
22 further recommendation that the Rules Committee be
23 suspended so as to permit first reading at the next
24 session of Council.

25 (Duly seconded.)

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2 COUNCILMAN KENNEY: Moved and seconded.

3 All in favor, aye?

4 There are none opposed.

5 Bill No. 020225 is reported out of this
6 committee favorably, and a request will be made for
7 a rules suspension to allow for first reading at our
8 next Council session.

9 The Chair recognizes Councilmember
10 Nutter for a motion on Bill No. 020226.

11 COUNCILMAN NUTTER: Mr. Chairman, I move
12 that Bill No. 020226 be reported out of this
13 committee with a favorable recommendation and a
14 further recommendation that the rules of Council be
15 suspended so as to permit first reading at our next
16 session.

17 (Duly seconded.)

18 COUNCILMAN KENNEY: Moved and seconded.

19 All in favor, aye?

20 There are none opposed.

21 Bill No. 020226 will be reported out of
22 this committee favorably, and a request will be made
23 for a rules suspension to allow for first reading at
24 our next Council session.

25 Bill No. 020278 will be held until June

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2 the 5th at 10 a.m. in this room.

3 Bill No. 020283 will be held until June

4 the 5th at 10 a.m. in this room.

5 Bill No. 010424 will be held to the call

6 of the sponsor.

7 And that concludes the business of Rules

8 the Committee.

9 Thank you very much.

10 (Committee proceedings end at

11 12:49 p.m.)

12 - - -

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I HEREBY CERTIFY that the foregoing

proceedings of the Council of the City of

Philadelphia's meeting of the Committee on Rules of

Wednesday, May 29, 2002, are contained fully and

accurately in the stenographic notes taken by me,

and that this is a true and correct transcript of

same.

_____,

Josephine Cardillo

Registered Professional Reporter
and 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.)