

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE OF THE WHOLE

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Room 400, City Hall  
Philadelphia, Pennsylvania  
Tuesday, September 27, 2011, 10:30 a.m.

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RESOLUTION 110459 - Authorizing the Committee  
of the Whole to hold public hearings to review  
the Zoning Code proposals for the Zoning Code  
Commission.

COUNCILMEMBERS PRESENT:

- Anna C. Verna, Chair
- Jannie C. Blackwell
- Darrell L. Clarke
- Frank DiCicco
- Bill Green
- William K. Greenlee
- Curtis Jones, Jr.
- James F. Kenney
- Donna Reed Miller
- Blondell Reynolds-Brown
- Maria Quiñones-Sanchez
- Marian B. Tasco

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2 COUNCIL PRESIDENT VERNA: Good  
3 morning, everyone. This is a continued  
4 public hearing regarding Resolution No.  
5 110459.

6 I would ask Mr. McPherson to  
7 please read the title.

8 MR. MCPHERSON: A resolution  
9 authorizing the Committee of the Whole to  
10 hold public hearings to review the Zoning  
11 Code proposals of the Zoning Code  
12 Commission.

13 And our first set of witnesses  
14 are Alan Greenberger and Eva Gladstein.

15 (Witnesses come forward.)

16 COUNCIL PRESIDENT VERNA: Good  
17 morning.

18 MR. GREENBERGER: Good morning.  
19 Are you all ready?

20 COUNCIL PRESIDENT VERNA: Yes.

21 MR. GREENBERGER: Okay.

22 COUNCIL PRESIDENT VERNA: Please  
23 identify yourself for the record and  
24 proceed with your testimony.

25 MR. GREENBERGER: Good morning,

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2 Madam President and members of Council.

3 My name's Alan Greenberger; I'm Deputy

4 Mayor for Economic Development. I'm

5 joined by Eva Gladstein to my left, who's

6 the Executive Director of the Zoning Code

7 Commission.

8 And there are members of the  
9 Zoning Code Commission here. If you could  
10 just stand for a second and be identified.

11 (Zoning Code Commission members  
12 who are present stand.)

13 (Applause.)

14 MR. GREENBERGER: Thank you very  
15 much.

16 I'll be mercifully brief.

17 At the September 14th City  
18 Council hearing on Resolution 110459,  
19 members of City Council asked us to  
20 respond to certain proposals they had made  
21 at one at or prior to that meeting. The  
22 Zoning Code Commission's Work Plan  
23 committee met twice since then to review a  
24 list of fifteen such recommendations and  
25 create preliminary recommendations for the

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2 full ZCC

3 While the ZCC has not yet taken  
4 action on these preliminary  
5 recommendations, they were sent for review  
6 to each ZCC member over the last few days,  
7 and we requested that any concerns or  
8 comments be forwarded to us.

9 It's our intention to take these  
10 preliminary recommendations to the October  
11 12th meeting of the ZCC for review and  
12 action. Any subsequent recommendations  
13 that we receive from City Council will be  
14 reviewed either at the October 12th or  
15 later ZCC meetings.

16 I'd like now to summarize the  
17 response. We have copies available of the  
18 five-page for members of Council and the  
19 Clerk. Of the fifteen recommendations --  
20 and this is in summary form -- nine were  
21 fully accepted, three were partially  
22 accepted, and one is scheduled for review  
23 later this week. One with regard to the  
24 timing of remapping was referred to the  
25 Planning Commission, and the one

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2 concerning methadone clinics raised legal  
3 issues that are of concern to the Zoning  
4 Code Commission.

5 The ZCC thanks members of City  
6 Council for sharing their concerns with  
7 the Commission and for providing this  
8 opportunity to suggest each of the  
9 recommendations. The ZCC's is dedicated  
10 to continuing its review of these issues  
11 and to working with Councilpersons to  
12 improve on the current Zoning Code  
13 proposals.

14 We look forward to seeing City  
15 Council's formal recommendations sent  
16 through a Council Resolution on or about  
17 or around October 20th. This will provide  
18 the Zoning Code Commission with enough  
19 time to send its final report to City  
20 Council in early November and enable City  
21 Council to take action on the new code in  
22 this session.

23 We'll be happy to answer any  
24 questions that you have.

25 COUNCIL PRESIDENT VERNA: Thank

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2 you.

3 Are there any questions from  
4 members of the committee?

5 (No questions.)

6 COUNCIL PRESIDENT VERNA: I  
7 think most of the members are reading the  
8 questions and responses that were  
9 submitted this morning.

10 I don't see anyone who wants to  
11 be recognized.

12 Thank you.

13 MR. GREENBERGER: Well, we  
14 will -- we'll be here, and if I need to --

15 MR. McPHERSON: Councilman  
16 Jones.

17 COUNCIL PRESIDENT VERNA: The  
18 Chair recognizes Councilman Jones.

19 COUNCILMAN JONES: I thought you  
20 might be disappointed, Madam President.

21 So I just want to say that a lot  
22 of the issues that were raised earlier  
23 about zoning overlays that protected open  
24 space were addressed. I was comforted by  
25 the fact that some of the trouble

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2 businesses and knowing the difference  
3 between a tavern in a neighborhood and a  
4 trouble bar are still going to be the  
5 domain of discussion by the ZBA and by  
6 input from community members, neighbors,  
7 and, God forbid, elected officials.

8 So I am comforted in knowing  
9 that, and I want to applaud you and the  
10 Zoning Board for trying to codify and save  
11 the environment by reducing the amount of  
12 trees that have to die in order to  
13 understand this Zoning Code, so I want to  
14 thank you for that.

15 Thank you, Madam President.

16 COUNCIL PRESIDENT VERNA: You're  
17 welcome.

18 The Chair recognizes Councilman  
19 Clarke.

20 COUNCILMAN CLARKE: Oh. Good  
21 morning. Good morning, Madam President.

22 COUNCIL PRESIDENT VERNA: Good  
23 morning.

24 COUNCILMAN CLARKE: Good  
25 morning. I just wanted to get right into

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2 the questioning portion of it if I can.

3 The district that I represent  
4 along with Councilman Greenlee -- I'm  
5 sorry, Co-Councilman.

6 COUNCILMAN GREENLEE:

7 (Inaudible; off-mic.)

8 COUNCILMAN CLARKE: Well, one of  
9 the reasons I say that is that a  
10 significant amount of the zoning issues  
11 happen in the area that he actually also  
12 lives and represents as a ward leader and  
13 he is in fact the Co-Council.

14 MR. GREENBERGER: Right.

15 COUNCILMAN CLARKE: Bottom line:

16 If we were to apply the change in the  
17 Zoning Code in terms of various categories  
18 and elimination of certain in some areas  
19 and maybe adding certain over -- I know we  
20 don't like to use the term "overlays" but  
21 zoning districts.

22 Am I now in a position --  
23 because I now -- all of us have to start  
24 making decisions about what we do. Would  
25 we be in a position to just essentially do



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2 an overlay so if somebody from 29th and  
3 Thompson says, "Councilman, you know,  
4 how's this going to affect the  
5 neighborhood that I live in?" 'Cause, as  
6 you know, everything's local. People are  
7 like, "How's this going to change? Will  
8 that corner store's that's now -- in order  
9 to turn into a stop-and-go, will it have  
10 to go to Zoning, or will it be an as-of-  
11 right?" You know, those type of things.

12 How am I going to be in a  
13 position to now adequately and  
14 intelligently respond to the constituents  
15 who will now start paying attention to  
16 this once we're at a point getting ready  
17 to pass it?

18 MR. GREENBERGER: Two -- a  
19 two-part answer.

20 One is that the -- fundamentally  
21 the restrictions that exist now continue  
22 to exist through the period of replanning  
23 and remapping. There may be -- there will  
24 be opportunities during that phase of the  
25 work to reconsider any issues that come

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2 up.

3 And then, of course, the other  
4 part of the answer is that once the code  
5 is in place, Council, per Charter, retains  
6 its rights to write new zoning ordinances  
7 for conditions that may be come up that  
8 weren't anticipated either by way of  
9 amending the document that's approved or  
10 by making further changes that we simply  
11 didn't anticipate.

12 So those rights are always  
13 there.

14 COUNCILMAN CLARKE: Okay. And  
15 won't we kind of end up where we are now,  
16 with Council making all of these zoning  
17 code changes --

18 MR. GREENBERGER: Well, you  
19 could in --

20 COUNCILMAN CLARKE: And five  
21 years from now, we'll be right back where  
22 we are now?

23 MR. GREENBERGER: You could. I  
24 mean, it took 30, 50 years to get to where  
25 we are, so it's a slow process.

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2 But, I mean, our -- certainly  
3 our hope is that we can use the rule book  
4 that, hopefully, Council will pass as the  
5 tool to make the adjustments as we find  
6 them needed. And that might be a  
7 remapping question that comes up as we  
8 look at land uses in each district.

9 But, you know, you can't  
10 anticipate everything. And so, there's  
11 the possibility that something comes up, a  
12 new condition comes up that nobody saw  
13 coming that may need legislative  
14 adjustment. To the extent that it can be  
15 handled within the structure that's been  
16 developed, that's what we'll promote every  
17 time.

18 But if there's a thing that  
19 comes up where there's actually an overlay  
20 needed then, you know, we'll deal with it.  
21 We'll talk about it and see if that's  
22 what's needed, then that's what's needed.  
23 That right always exists, and needs to  
24 exist, I think.

25 COUNCILMAN CLARKE: Can I -- a

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2 more direct question. Can I take  
3 something like this that shows the 5th  
4 Council District and have defined on that  
5 map where the areas and changes will be,  
6 how the changes in the actual code will  
7 impact areas that have significant  
8 changes?

9 MR. GREENBERGER: You mean on a  
10 Council District basis?

11 COUNCILMAN CLARKE: Yeah. I  
12 mean -- 'cause it's local now.

13 MR. GREENBERGER: You retain  
14 that right. That exists now and that will  
15 exist --

16 (Indiscernible; parties talking  
17 over each other.)

18 COUNCILMAN CLARKE: Can I be in  
19 a position to -- before -- you know, I'm  
20 just speaking about myself -- to cast a  
21 vote to have something like that?

22 MR. GREENBERGER: You can --  
23 like I said, you can it now and you can do  
24 it after this passes.

25 COUNCILMAN CLARKE: Well, when I

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2 say "you," I'm kind of asking: Can you do  
3 that for me?

4 MR. GREENBERGER: It can be  
5 done.

6 COUNCILMAN CLARKE: All right.

7 MR. GREENBERGER: It can be  
8 done.

9 COUNCILMAN CLARKE: That would  
10 be very helpful --

11 MR. GREENBERGER: I mean,  
12 we'll -- you know, like I said, we'll try  
13 as best we can to make -- to continue to  
14 make the rules as citywide as we can.

15 COUNCILMAN CLARKE: I  
16 understand.

17 MR. GREENBERGER: But,  
18 obviously, there's a point at which that  
19 doesn't work, and --

20 COUNCILMAN CLARKE: Yeah, I  
21 understand, but it's just -- and I'm not  
22 asking you to -- I'm basically asking you  
23 to apply the proposed zoning changes to a  
24 map of a district that I represent because  
25 I know I'm going to have to ask -- to

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2 answer a lot of questions, and I'm hearing  
3 different things from the people in the  
4 district that are paying significant  
5 attention to this, and most of it good,  
6 but some of it still uncertain in terms of  
7 the actual application the new code --

8 MR. GREENBERGER: Right.

9 Well --

10 COUNCILMAN CLARKE: -- and the  
11 subsequently the remapping.

12 MR. GREENBERGER: Yes. Well,  
13 all the same rights exist, and whether --  
14 yeah, all the same rights exist that exist  
15 today. So the answer to the question is:  
16 Yes, that can be done.

17 COUNCILMAN CLARKE: How soon?

18 MR. GREENBERGER: How soon?

19 COUNCILMAN CLARKE: Yeah.

20 MR. GREENBERGER: Uh, it could  
21 be done anytime --

22 COUNCILMAN CLARKE: If you could  
23 just point out where --

24 MR. GREENBERGER: -- Council  
25 wants to make a rule.

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2 (Indiscernible; parties talking  
3 over each other.)

4 COUNCILMAN CLARKE: ...  
5 potentially be significant changes. And  
6 I'm particularly interested in the zoning  
7 districts that you're proposing.

8 MR. GREENBERGER: Maybe I'm not  
9 following. Tell me the question.

10 COUNCILMAN CLARKE: Right now,  
11 we have 22 -- I'm sorry, 55 overlays,  
12 right?

13 MR. GREENBERGER: Right.

14 COUNCILMAN CLARKE: And we want  
15 to consolidate or reduce it down.

16 MR. GREENBERGER: We've  
17 compressed them into -- because they've  
18 followed -- particularly the commercial  
19 district ones followed the same pattern  
20 over and over again.

21 COUNCILMAN CLARKE: Right.

22 MR. GREENBERGER: We simply  
23 compressed them and made it into a new  
24 category particularly for commercial  
25 districts that already had overlays.

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2 COUNCILMAN CLARKE: Right. So  
3 where --

4 MR. GREENBERGER: That's the  
5 main bit of overlay compression that we  
6 did.

7 COUNCILMAN CLARKE: Right. So  
8 where I have overlays in the Fifth  
9 District, my assumption is that a number  
10 of them may change. That's what I'm  
11 trying to get at.

12 MR. GREENBERGER: All right.

13 COUNCILMAN CLARKE: Tell me  
14 what --

15 MS. GLADSTEIN: There were a  
16 number of overlays that cover your  
17 district that are within what we're now  
18 calling "the Center City District  
19 overlay." And for the most part those are  
20 retained; you know, obviously the height  
21 limit along the Parkway and the other  
22 Parkway controls.

23 We did change the controls  
24 around form and massing and replaced the  
25 existed controls with a new one called



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2 "sky plane." Some of the use controls are  
3 fewer, but there still are some use  
4 controls within the Center City District.

5 There are also overlays in your  
6 district on North Front Street, I believe,  
7 on North Broad and on West Girard, some  
8 neighborhoods that may be outside of the  
9 Center City overlay.

10 And in general, what we're  
11 doing, if an area had an overlay that was  
12 intended to support it as a neighborhood  
13 commercial area, we're recommending in the  
14 ordinance that we send to City Council,  
15 and you have a draft of that already, that  
16 that become a new district that we're  
17 calling "CMX-2.5" --

18 COUNCILMAN CLARKE: Right.

19 MS. GLADSTEIN: -- which has  
20 greater density than C-2 but less density  
21 than C-3 but has more restricted uses than  
22 C-2, 'cause it's designed to be more -- to  
23 prevent parking in front, for example, of  
24 stores and having buildings be built to  
25 the property line.

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2 So we're recommending that in  
3 areas that are in -- outside of Center  
4 City that are covered by an existing  
5 overlay in the conversion map actually  
6 become CMX-2.5.

7 And that might address some of  
8 your concerns in those areas, or they may  
9 not. There may be other areas that you  
10 would like to convert to CMX-2.5, and that  
11 could also be done through the ordinance.

12 COUNCILMAN CLARKE: Okay, okay.  
13 That gets me halfway there.

14 Thank you.

15 COUNCIL PRESIDENT VERNA: The  
16 Chair recognizes Councilman Kenney.

17 COUNCILMAN KENNEY: Thank you,  
18 Madam President. I just want to make a  
19 comment more than ask a question.

20 And as an at-large member of  
21 Council, I know that the District Council  
22 people either that are there now or are  
23 coming in are -- have much more of an  
24 intense relationship with the Zoning Code  
25 than we do generally, but we do have

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2 interest and do get involved.

3 I think that the Commission's  
4 done a terrific job over almost, I guess,  
5 four years now?

6 MR. GREENBERGER: Four years.

7 COUNCILMAN KENNEY: I mean, I've  
8 been to a couple sessions, I watch you  
9 guys on TV sometimes at night, which says  
10 a lot of my life when I'm watching you on  
11 Channel 64.

12 (Laughter.)

13 COUNCILMAN KENNEY: But I try to  
14 follow what you're doing, and you're never  
15 going to come up with a perfect document.  
16 And it occurred to me -- to make an  
17 analogy of what you're doing, and it seems  
18 like a simplistic residential analogy, but  
19 it's almost like, after 50 years, you  
20 finally cleaned out your basement of  
21 everything that you've accumulated in that  
22 time; and then you're going to spend the  
23 next 50 years putting stuff back into the  
24 basement again.

25 But in the interim, before it

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2 gets all crowded up the way it is now,  
3 there's going to be more clarity and more  
4 understanding and more direct ability to  
5 understand it.

6 Now, ten years from now, fifteen  
7 years from now, neighborhoods may change,  
8 as I was just talking with Councilman  
9 DiCicco. Neighborhoods may have different  
10 dynamics and different needs. And then,  
11 as Councilman Clarke talking about, you  
12 start putting stuff in to protect specific  
13 issues.

14 But I think the way to go right  
15 now, from what I've learned and what I've  
16 heard to, is to kind of make whatever  
17 changes Councilmembers have addressed --  
18 have raised in this particular interim  
19 period but pass this thing, 'cause  
20 Councilman DiCicco said, and I agree, if  
21 we go beyond this term, this is going to  
22 die.

23 And I do think that you've done  
24 a terrific job, and I want to commend all  
25 of the commissioners for their volunteer

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2 efforts over all this period of time.

3 And I'm willing to take a little  
4 minor leap of faith -- I don't think it's  
5 that big of a leap, frankly -- to get this  
6 done. So we'll be looking forward to  
7 working with minor solid document that  
8 will make things better for development  
9 and neighborhood concerns going into the  
10 future.

11 So thank you.

12 MR. GREENBERGER: Thank you,  
13 Councilman. I'm sorry you're up late at  
14 night watching us on TV.

15 (Laughter.)

16 COUNCIL PRESIDENT VERNA: I  
17 would like to echo Councilman Kenney's  
18 complimentary remarks. I think you've all  
19 done a fantastic job.

20 I just have one question: Have  
21 you addressed reentry facilities, those  
22 who would have to obtain a permit as a  
23 matter of right?

24 MS. GLADSTEIN: We have created  
25 a new use category within the Zoning Code

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2 for reentry facilities and have permitted  
3 it by right, I believe, only in one  
4 district, which would be least restricted,  
5 LR -- the current LR district, and by  
6 special exception in several other  
7 industrial districts.

8 But it would no longer in the  
9 same category as a prison or a  
10 correctional institution.

11 COUNCIL PRESIDENT VERNA: And is  
12 there any mention about spacing  
13 requirements between the facility and the  
14 residents?

15 MS. GLADSTEIN: We did not make  
16 it a regulated use, which is -- which  
17 would -- the short answer is: No, we have  
18 not done that. If that is something that  
19 Council would want to give us direction  
20 on, we'd welcome that.

21 COUNCIL PRESIDENT VERNA: Thank  
22 you.

23 All right, are there any other  
24 -- Councilman Green.

25 COUNCILMAN GREEN: Thank you,

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2 Madam Chair.

3 I certainly share Councilman  
4 Kenney's and the President's sentiments  
5 with respect to the work of the Zoning  
6 Code Commission and feel like in the last  
7 week and over the last month, we've made  
8 significant progress in terms of  
9 eliminating issues that could prevent the  
10 enactment of a new zoning code hopefully  
11 this year.

12 Just -- I'd like to sort of  
13 engage in a little colloquy for the record  
14 about a couple of things.

15 I guess the first is, I think  
16 where we're headed with this is if -- with  
17 the remaining issues on the table, some of  
18 which you didn't address or some of which  
19 the ZCC is not willing to accept at this  
20 point, I think where I am is that we can  
21 get to 99.5 percent of what was sent over  
22 to us by putting those -- by passing a  
23 code without addressing those issues, or  
24 dealing with it by -- through a  
25 prohibition or some other exception and

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2 just getting through the vast majority of  
3 the changes which are the things that are  
4 going to move Philadelphia to the pareto  
5 optimal frontier.

6 Like, for example, we're not  
7 planning a whole lot of development in  
8 parks, so we can put that issue aside and  
9 deal with it perhaps later this year or  
10 next year or -- and other issues perhaps  
11 like methadone clinics and other things.

12 And I just wanted to have for  
13 the record your thoughts about that as we  
14 will, I guess, over the next 20 or 30 days  
15 engage in a process that may narrow our  
16 differences even further so that we can  
17 get this done.

18 MR. GREENBERGER: Good comment.

19 What we're going to try to --  
20 what we will do is try to resolve that 0.5  
21 percent in the next 20, 30 days as best we  
22 can. And if we can't, we agree we'll --  
23 the better thing to do is just put it  
24 aside.

25 COUNCILMAN GREEN: Thank you.



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2 Thank you, Madam President.

3 COUNCIL PRESIDENT VERNA: You're  
4 welcome.

5 The Chair recognizes  
6 Councilwoman Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank  
8 you. Thank you, Madam President.

9 We have been very pleased with  
10 the progress of these hearings and the  
11 progress of zoning hearings in my area.  
12 They were well attended. And, in fact, I  
13 was surprised when some questions came  
14 from various community groups who have  
15 been involved in attending all of the  
16 meetings.

17 I would like to submit two  
18 letters: One from Barry Grossbach, Chair  
19 of the Spruce Hill Zoning Committee,  
20 supporting the zoning changes; and another  
21 one from a tax accountant and a member of  
22 University City who talks about the -- who  
23 talks about the --

24 (Audience member speaks out of  
25 turn.)

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2 (Council President Verna bangs  
3 gavel.)

4 COUNCILWOMAN BLACKWELL: -- who  
5 talks about the issues with regard to the  
6 zoning code that deal with the  
7 developer -- that deals with the  
8 residents/developer issues that evolve  
9 where they are concerned that the Zoning  
10 Code would reduce the amount of variances  
11 but certainly would not allow for  
12 notification by developers for changes and  
13 issues like height and other areas.

14 So I'll make these available to  
15 Miss Gladstein and certainly to the Deputy  
16 Mayor for Neighborhood Development, and  
17 perhaps we can -- before we meet again,  
18 they can review these issues and deal with  
19 us on that.

20 MR. GREENBERGER: We'll be happy  
21 to read that carefully --

22 COUNCILWOMAN BLACKWELL: Thank  
23 you.

24 MR. GREENBERGER: -- and get  
25 some answers for you.

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2 COUNCIL PRESIDENT VERNA: Thank  
3 you.

4 Any other questions or comments?  
5 (Audience member speaks out of  
6 turn.)

7 COUNCIL PRESIDENT VERNA: We  
8 will not be disrupted, dear.

9 Thank you both very much.

10 Our next witnesses?

11 MR. MCPHERSON: Our next panel:  
12 Michael Sklaroff and Janet Milkman.

13 (Witnesses come forward.)

14 COUNCIL PRESIDENT VERNA: Good  
15 morning.

16 MR. SKLAROFF: Good morning.

17 COUNCIL PRESIDENT VERNA: Please  
18 identify yourself for the record and  
19 proceed with your testimony.

20 MR. SKLAROFF: Yes. My name is  
21 Michael Sklaroff. I'm a lawyer and I'm  
22 the chair of the Development Workshop, and  
23 I come here to address one specific issue,  
24 and that issue is the status of the  
25 Philadelphia Historical Commission.

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2 I was -- I served along with  
3 Miss Leonard for a while on the Historic  
4 Commission for twelve years. And for five  
5 of those years, I was the chair of the  
6 Historic Commission.

7 The modernization of the  
8 Historic Commission's procedures was one  
9 of eight points in the Development  
10 Workshop's proposal to make the new zoning  
11 code work for Philadelphia. We had eight  
12 points; the eighth point was the Historic  
13 Commission.

14 I also would like to say that my  
15 other qualification, if any, is that for  
16 35 years, I have lived in the Fifth  
17 Councilmatic District, where we have been  
18 well represented.

19 The Historic Commission is in  
20 the Zoning Code, and it is empowered under  
21 Section 14-2010 to administer the Historic  
22 Preservation ordinance. Its major powers  
23 are to designate as historic: building,  
24 sites, objects, and structures. That is  
25 pretty much a legislative power that has

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2 been delegated by this City Council to the  
3 Commission.

4 Its other major power is an  
5 administrative power, and that is to  
6 review applications for alterations or  
7 demolition of historic structures,  
8 buildings, objects, and changes to sites.  
9 It is those administrative powers about  
10 which I would like to speak.

11 When considering these  
12 applications for demolition or alteration,  
13 the Commission acts like a Zoning Board,  
14 but there are certain exceptions to its  
15 power, and they are important.

16 The Commission's meetings are  
17 meetings; they're not hearings. There is  
18 no stenographic record, there's no sworn  
19 testimony. And as a re -- and a vote is  
20 taken. But appeals go not to the Court of  
21 Common Pleas, as with the Zoning Board of  
22 Adjustment, but to the Board of Licenses  
23 and Inspections Review.

24 And the Commission, I think we  
25 all know, is made up of City

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2 representatives, including the including  
3 the designee of the Council President,  
4 designee of the Director of Commerce, and  
5 other City officials, and it's also made  
6 up of eight people who represent the  
7 community: architects, historical  
8 architects, historians, developer  
9 representatives, and, importantly,  
10 representatives of community groups.

11 Over the years, the Commission,  
12 aided by an experienced staff, has  
13 demonstrated expertise and wise judgment  
14 in its decisions. It will -- and what  
15 we're proposing is that with a  
16 stenographic record, sworn testimony, and  
17 the formalities of the Zoning Board of  
18 Adjustment, the appeals from decisions of  
19 the board will no longer go to the Board  
20 of L&I Review but directly to the Court of  
21 Common Pleas.

22 The Board of L&I Review is a  
23 broad-based board which decides questions  
24 of air-quality permits, waste water  
25 discharge permits, on-lot sewage disposal

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2 permits, Dumpster licenses, and gun  
3 licenses.

4 It is not well equipped to  
5 review Historical Commission decisions; it  
6 is not trained in that area. And we  
7 believe it would be far more effective and  
8 bring the Historic Commission up to a  
9 modern standard if the Commission took  
10 testimony, heard sworn testimony, had a  
11 stenographic record, and appeals went  
12 directly to the Court of Common Pleas.

13 This can be done by amendments  
14 to the current draft of the Zoning Code,  
15 which we advocate. And with regard to the  
16 specifics, we hope to have an opportunity  
17 on all the eight issues that the  
18 Development Workshop has presented to meet  
19 further with Eva Gladstein and members of  
20 the Zoning Code Commission.

21 And we would love the support of  
22 this Council in modernizing the Historic  
23 Commission and its procedures.

24 Thank you.

25 COUNCIL PRESIDENT VERNA: Thank

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2 you.

3 Are there any questions or  
4 comments from members of the committee?

5 (No questions or comments.)

6 COUNCIL PRESIDENT VERNA: Seeing  
7 none, thank you very much.

8 MR. SKLAROFF: Thank you.

9 COUNCIL PRESIDENT VERNA: We  
10 will certainly give that every  
11 consideration.

12 MR. SKLAROFF: Thank you.

13 COUNCIL PRESIDENT VERNA: Our  
14 next witness?

15 Oh, I'm sorry. Please identify  
16 yourself for the record.

17 MS. MILKMAN: Good morning. My  
18 name is Janet Milkman. I'm the Executive  
19 Director of the Delaware Valley Green  
20 Building Council. I'm also a resident of  
21 the Center City; I've lived here for 15  
22 years.

23 But I'm here today on behalf of  
24 the Delaware Valley Green Building  
25 Council. We are a local chapter of the



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2 U.S. Green Building Council. Our mission  
3 is to support green building practices, to  
4 promote more liveable communities and  
5 neighborhoods.

6 We have about 850 members in our  
7 region, about 450 of which live or work in  
8 Philadelphia and about 150 of which live  
9 in Philadelphia. And our members are  
10 construction managers, construction  
11 workers, builders, contractors,  
12 developers, architects, planners; everyone  
13 involved in any aspect of construction and  
14 construction products, including  
15 recycling.

16 We have been working with the  
17 Zoning Code Commission throughout this  
18 process, and we strongly support the  
19 proposals that have come out of the  
20 Commission. We think that, from our  
21 perspective, approving this proposal is  
22 probably the best thing that the City  
23 could do, the best single step the City  
24 could take to make our neighborhoods more  
25 liveable.

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2 We've worked with the Commission  
3 on issues related to parking, related to  
4 trees, related to building practices. And  
5 we believe that the Commission has done a  
6 really wonderful job in pulling together a  
7 lot of very difficult issues, as  
8 Councilman Kenney said earlier, and just  
9 appreciate the chance to give our support  
10 in person to this really, really important  
11 step.

12 COUNCIL PRESIDENT VERNA: Thank  
13 you very much.

14 Any questions of this witness?

15 (No questions.)

16 COUNCIL PRESIDENT VERNA: Thank  
17 you again.

18 MS. MILKMAN: Thanks.

19 MR. McPHERSON: Our next panel  
20 consists of Madeline Shikomba, Sylvia  
21 Okechukwu, and Magali Larson.

22 (Witnesses come forward.)

23 COUNCIL PRESIDENT VERNA: Is  
24 Madeline here?

25 (No response.)

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2 COUNCIL PRESIDENT VERNA: Is

3 Madeline here?

4 Good morning. Please identify  
5 yourself for the record.

6 MS. OKECHUKWU: My name's Sylvia  
7 Okechukwu. I am the Business District  
8 Manager at Logan CDC.

9 COUNCIL PRESIDENT VERNA: Pull  
10 the microphone closer to you, please.  
11 Thank you.

12 MS. OKECHUKWU: My name is  
13 Sylvia Okechukwu. I am the Business  
14 District Manager at Logan CDC. I do have  
15 copies of my testimony. I wasn't sure who  
16 to...

17 COUNCIL PRESIDENT VERNA:  
18 Sylvia, proceed with your testimony,  
19 please.

20 MS. OKECHUKWU: Okay. Good  
21 morning. And thank you for the  
22 opportunity to testify today in favor of  
23 the new Zoning Code.

24 My name is Sylvia Okechukwu, and  
25 I am the Business District Manager at

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2 Logan CDC. Logan CDC is a community  
3 development corporation serving the Logan  
4 neighborhood of Philadelphia. Its mission  
5 is to enhance the quality of life for  
6 residents (inaudible) community and  
7 economic development.

8 I oversee the North Broad Street  
9 Improvement Project, a comprehensive  
10 revitalization initiative of Logan's main  
11 commercial corridor along North Broad  
12 Street and Old York Road. Current and  
13 completed projects include: the formation  
14 and ongoing support of the Logan Business  
15 Association; business-corridor canvassing  
16 and outreach; business technical  
17 assistance, including referrals to service  
18 and funding providers; storefront  
19 improvement programs, façades and  
20 (indiscernible) and application  
21 assistance; streetscape enhancements; and  
22 a street-cleaning program made possible  
23 through funding from the Philadelphia  
24 Commerce Department.

25 The lack of clear rules in the

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2 current zoning code (indiscernible) small  
3 businesses from opening on our  
4 neighborhood commercial corridors,  
5 homeowners from fixing up their houses,  
6 and developers from building on vacant  
7 land. Forty percent of zoning applicants  
8 currently need a variance, more than any  
9 large city.

10 The new code tells every  
11 developer or homeowner making an  
12 improvement to his her property exactly  
13 what is allowed and is what is prohibited.  
14 Having clear rules developed ahead of time  
15 with community input is a far more  
16 effective way of ensuring good development  
17 than efforts to stop or change development  
18 after it has been approved.

19 It has been my personal  
20 experience on the Logan Business Corridor  
21 that the excessive amount of contradictory  
22 and confusing information in the current  
23 code unnecessarily lengthens the amount of  
24 time it takes businesses to open and also  
25 discourages aspiring entrepreneurs from

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2 moving forward with the process to open a  
3 new business on the corridor. The new  
4 code encourages an orderly process for  
5 opening businesses on our commercial  
6 corridors, which results in new jobs,  
7 restaurants, and services for our  
8 residents.

9 We are looking forward to the  
10 passaging of the code in 2011 and the  
11 subsequent remapping to remap our  
12 neighborhoods with extensive community  
13 neighborhood and a clear vision of what we  
14 want our community to be in the future.  
15 While remapping is important, the code  
16 adoption should not wait until that  
17 happens, and we certainly do not want  
18 economic development along our commercial  
19 corridors to stop during the remapping  
20 process.

21 The new zoning code will make it  
22 easier for neighborhoods to be preserved,  
23 strengthened, and revitalized.  
24 Redevelopment of nonconforming uses will  
25 be easier as the new code explicitly

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2 allows improvements to nonconforming  
3 properties. Transit-oriented development  
4 provisions and the new CMX-2.5  
5 neighborhood commercial corridor mixed-use  
6 district will accommodate a mix of active,  
7 pedestrian-friendly retail and service  
8 uses in neighborhood commercial corridors.  
9 In neighborhoods such as Logan that are  
10 located on the Broad Street line and are  
11 accessible by cars, trolleys, bus, train,  
12 and subway, this would have a major and  
13 positive impact. Also, contextual zoning  
14 for row home neighborhoods will ensure  
15 (indiscernible) and setbacks.

16 The new code also gives the  
17 community a formal role in the development  
18 process. For the first time, there is a  
19 mandate that developers must notify and  
20 meet with community groups about large  
21 development projects planned in or  
22 adjacent to residential areas and projects  
23 that do not employment with the Zoning  
24 Code. That said, more projects will be as  
25 of right and will not require the

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2 community's time to monitor or oppose.

3 Thank you for your time,  
4 attention, and interest. Community  
5 housing and economic-development  
6 initiatives are important vehicles for  
7 continued growth and stability in our  
8 neighborhoods. I welcome any  
9 opportunities to continue this  
10 conversation.

11 COUNCIL PRESIDENT VERNA: Thank  
12 you very much.

13 Are there any questions of this  
14 witness?

15 (No questions.)

16 COUNCIL PRESIDENT VERNA: Thank  
17 you.

18 I would ask our next witness to  
19 please identify herself and proceed with  
20 your testimony.

21 MS. SHIKOMBA: My name's  
22 Madeline Shikomba. I'm a representative  
23 of North Washington Avenue Coalition and  
24 Concerned Citizens of Point Breeze.

25 I thank you, Council President



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2 Verna and members of Council, for allowing  
3 me to speak to you today on  
4 (indiscernible) concerning the new Zoning  
5 Code proposals.

6 Extensive work has been done on  
7 this project.

8 COUNCIL PRESIDENT VERNA: Excuse  
9 me, Madeline. Is that microphone working?

10 MS. SHIKOMBA: I think so. Is  
11 it? I didn't do anything with it. Is it  
12 still working?

13 MR. McPHERSON: Yes, it is.

14 COUNCIL PRESIDENT VERNA: It's  
15 better now.

16 MS. SHIKOMBA: Can you hear me?

17 COUNCIL PRESIDENT VERNA: You're  
18 going to have to speak into the mic there.

19 MS. SHIKOMBA: I'm sorry. I am  
20 speaking into the mic.

21 COUNCIL PRESIDENT VERNA: I  
22 know, but we couldn't hear you.

23 MS. SHIKOMBA: Like this? Okay.  
24 Now you can hear me?

25 COUNCIL PRESIDENT VERNA: That's

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2 fine.

3 MS. SHIKOMBA: Okay. My name's  
4 Madeline Shikomba. I'm a member of North  
5 Washington Avenue Coalition and Concerned  
6 Citizens of Point Breeze. I appreciate  
7 the fact that the Council President Verna  
8 and members of Council have given me this  
9 opportunity to speak to you concerning the  
10 new Zoning Code.

11 We have serious reservations  
12 about the new Zoning Code. We recognize  
13 all of the lengthy work that the Zoning  
14 Code Commission has put into this, and we  
15 recognize the fact that the new code is --  
16 essentially has to be passed. However, we  
17 are asking for a delay on this.

18 What I wish to do is concerning  
19 our recommendations. I also wish to thank  
20 Council President Verna, Councilwoman  
21 Jannie Blackwell, Councilperson Rizzo, and  
22 Mr. Green, who responded very courteously  
23 to my e-mails that I sent to them  
24 concerning the suggestions and  
25 recommendations that I had concerning the

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2 new Zoning Code. They allowed me to speak  
3 to them either personally or with their  
4 staff. However, I did not hear from any  
5 other members of City Council, especially  
6 some of the members that are on the  
7 committee, concerning the proposal.

8 I was unable to attend the  
9 hearing last week, and Miss Tiffany Green  
10 spoke on my behalf, but I will reiterate  
11 some of the following recommendations.

12 One is considering the fact that  
13 throughout Section 14-300, the Code  
14 states: Meeting the requirements --  
15 quote -- I quote from this. Meeting  
16 requirements of the resolutions  
17 Commission. Currently, Commission  
18 regulations have not been approved by the  
19 Council. Miss Eva Gladstein informed me  
20 that these regulations are currently being  
21 drafted by the Commission and are not  
22 enforced. In this case, regulations of  
23 the Commission should not be in the Code.

24 And is the Zoning Code  
25 Commission trying to implement these rules

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2 without the approval of City Council in  
3 order to achieve a fait accomplis? And  
4 who gave them this authority?

5 Where the word Commission  
6 regulations exists in this code, it should  
7 be replaced by meeting the requirements of  
8 the regulations and the Zoning  
9 Administrative Manual, which exists, until  
10 such time as the regulations of the  
11 Commission are approved by City Council  
12 via public hearings.

13 The Commission has no right to  
14 put these in there. Nobody gave them  
15 authority; I don't think so.

16 Also, concerning the RCOs. This  
17 document is extremely developer-friendly.  
18 It has muted or reduced the response of  
19 RCOs. Currently, there are four options  
20 written already in the Zoning Code; the  
21 fifth one said "other." "Other" is a  
22 loaded word.

23 The Commission -- the Planning  
24 Commission has the right to do whatever  
25 they want with this particular fifth,

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2 quote, area. What I'm saying to you is  
3 that RCOs probably should be extended, not  
4 limited. We don't want them writing in  
5 there that they have become 501(c)(3)s or  
6 that their membership has to be a certain  
7 number. This is not right.

8 RCOs should be any group who  
9 express interest in their community. And  
10 I wrote that in my recommendations, and I  
11 hope that they will read them in terms of  
12 the recommendations and that they should  
13 not be limited.

14 Also, I stress -- firmly stress  
15 the need of establishing a independent  
16 agency, a public advocate. This position  
17 is essential. It is necessary in order to  
18 help individuals and groups to understand  
19 and navigate through the Zoning Code.  
20 Why? Because the agency can act as a  
21 go-between between the community and the  
22 ZBA, help laypersons navigate the legal  
23 labyrinth of the system.

24 The appeal process is so  
25 sophisticated that most residents don't

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2 understand it or have knowledge necessary  
3 to file an appeal, and most residents  
4 can't even afford a lawyer for the appeal  
5 process. Besides that, many lawyers are  
6 unwilling to take the case because of  
7 their current load, or they're already on  
8 the payroll of developers, which represent  
9 conflicts of interest.

10 I am told that this should not  
11 be in the Zoning Code. If not in the  
12 Zoning Code, where? They want to push it  
13 aside. We need this position somewhere.  
14 We need this position established. And I  
15 cannot stress how much we should have it,  
16 okay? So this position is essential.

17 Last, not least, I wish to plead  
18 that perhaps the Zoning Code should not be  
19 approved immediately, at least not today,  
20 and to take more time to review this  
21 document before rendering a decision. The  
22 document will have a lasting impact on the  
23 effects of the lives of the citizen of  
24 Philadelphia for many years to come.

25 The reason being put forth to

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2 expedite its passage is far outweighed by  
3 the effect it will have on the communities  
4 and the citizens of Philadelphia. And one  
5 of the reasons was that the ZBA has over  
6 2,000 proposals that needed a decision.

7 Why so many? Because developers  
8 have put their projects on hold, waiting  
9 for approval of this code. They realize  
10 that opposition and protest currently  
11 being stressed by communities in which  
12 they wish to develop can be bypassed.  
13 Once the code is passed in its present  
14 state, they can practically do what they  
15 want in our neighborhoods. It also allows  
16 the Commission to implement regulations  
17 that have not been reviewed or approved by  
18 City Council through public hearings.

19 I, therefore, plead that you  
20 delay approval on this document. I also  
21 ask that you respectfully consider  
22 Councilperson Green's Zoning Code  
23 proposals. They are very interesting and  
24 necessary, especially concerning the one  
25 concerning our recreational parks, in

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2 which they now want to turn over like  
3 federal -- the FDR Park to the  
4 Philadelphia Parking Authority so that  
5 they could set up parking regulations  
6 which will require people to pay to park  
7 in Fairmount Park. It's bad enough that  
8 poor people, it's the only outlet we have  
9 for entertainment, and now you want us to  
10 pay for that, too? Okay?

11 So I suggest that you hold off  
12 on this and review it more carefully  
13 'cause there are a lot of items in here  
14 that I have not even talked about the need  
15 to be reviewed.

16 Also, the other problem was that  
17 I attended a Philadelphia Daily News forum  
18 last week, and one of the projects that  
19 came up was, Well, we shouldn't delay it  
20 because we have six new members coming up.  
21 This matter will not die. It was approved  
22 by the citizens of Philadelphia, so how is  
23 it going to die? And about six new  
24 members? Well, they should be here. They  
25 are assured of election if they's running



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2 as Democrats. And not that they have to  
3 do that much politicking now to win in  
4 November. They should be here, knowing  
5 about their constituents and what their  
6 constituents want.

7 (Applause.)

8 MS. SHIKOMBA: And they not  
9 here. I want to know why, okay? So don't  
10 use them as an excuse to delay passage of  
11 this.

12 There's eleven of you here.

13 (Indiscernible.) So what about the six;  
14 they only represent one-third. You  
15 two-thirds. Last time I heard, City  
16 Council only need a majority. So don't  
17 use those lame excuses for having to pass  
18 this thing so quickly.

19 Thank you.

20 (Applause.)

21 COUNCIL PRESIDENT VERNA: Are  
22 there any questions or comments for  
23 Miss Shikomba?

24 (No questions or comments.)

25 COUNCIL PRESIDENT VERNA: Seeing

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2 none, please identify yourself for the  
3 record.

4 MS. LARSON: Thank you, Madam  
5 Chair. Thank you for -- City Council to  
6 let me speak. I am Magali Larson, and I  
7 am from the Woodland Terrace Homeowners  
8 Association, which is a part of the  
9 Crosstown Coalition, and we are pleased  
10 that -- with the reforms of the code  
11 because -- essentially because the old  
12 code was really intractable and difficult,  
13 as the witness before me has expressed.  
14 We would not like the new code to be as  
15 difficult.

16 I am going to be very brief. I  
17 wanted to touch on the very passionate and  
18 inspiring issue of parking. And this is  
19 the parking in the spins, the former IDD's,  
20 the institutional districts that the new  
21 code also contemplates. I live in the  
22 vicinity of one, and I'm afraid that -- I  
23 know a lot of how they work -- actually of  
24 two on the master plans. There is no -- I  
25 want to preface what I have to say by

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2 saying that there's no community input, or  
3 very little, in the master plans of the  
4 institutional districts, so this is  
5 something they do -- or I shall call them  
6 "spins" from now on.

7 Now, the new code would allow  
8 spins to establish -- my point is very  
9 simple. The new code would allow spins to  
10 establish parking 2,000 feet from their  
11 destination; whereas, now, the maximum  
12 distance is a thousand feet.

13 Now, what does that mean? It  
14 means that the users will be parking that  
15 is allowed at the outer perimeter of the  
16 institutional district, at 12-and-a-half  
17 blocks from their destination. And, of  
18 course, the institutional district in some  
19 cases provide will shuttles, which is not  
20 necessarily something desirable, but will  
21 also charge rent for parking.

22 And we foresee that the users  
23 will simply spill over the limits of the  
24 institutional district into the adjacent  
25 communities, with adverse effect for those

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2 residential neighborhoods that are there.

3 So we ask you to please maintain  
4 the distance required for parking at 1,000  
5 feet of destination, which is an excellent  
6 distance for destinations to which you go  
7 once in a while. You know, parking to  
8 residents is in general calculated at 300  
9 feet; and parking to places of work, from  
10 4 to 600.

11 So we think that this issue  
12 should be left as it is essentially  
13 because of the very adverse effects it  
14 could have on the adjacent residential  
15 neighborhood which, I repeat, have not  
16 much input in the master plan of spins. I  
17 have other concerns, but this is what I  
18 have come to tell you today.

19 Thank you very much.

20 COUNCIL PRESIDENT VERNA: Thank  
21 you.

22 Any questions or comments from  
23 members of the committee?

24 (No questions or comments.)

25 COUNCIL PRESIDENT VERNA: Thank

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 you all very much. We appreciate your  
3 taking the time to come in to express your  
4 views.

5 Our next witness?

6 MR. McPHERSON: Our next panel  
7 consists of Celeste Hardester, Carl  
8 Neuber, and Andy Toy.

9 (Witnesses come forward.)

10 MS. HARDESTER: I would  
11 respectfully request that another  
12 representative speak for me, and he is  
13 very close to being here, but he's not  
14 here just yet. If we could -- if the  
15 Association could move to Panel 5?

16 COUNCIL PRESIDENT VERNA:  
17 Certainly.

18 MS. HARDESTER: Thank you.

19 COUNCIL PRESIDENT VERNA: Good  
20 morning. Welcome. Please identify  
21 yourself for the record and proceed with  
22 your testimony.

23 MR. TOY: Should I just start?

24 COUNCIL PRESIDENT VERNA: Andy.

25 MR. TOY: Okay. Good morning,

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2 Council President Verna and members of  
3 Council.

4 COUNCIL PRESIDENT VERNA: Good  
5 morning.

6 MR. TOY: My name's Andrew Toy,  
7 and I'm here as a member of the  
8 Philadelphia Association of CDCs, or  
9 PACDC; also as a commissioner on the  
10 Zoning Code for three years. Thank you,  
11 Councilman Clarke. And am currently  
12 working with minority and commercial  
13 corridor businesses at the Enterprise  
14 Center.

15 I want to thank you for the  
16 opportunity to speak today about the new  
17 code and the need to move forward to  
18 advance Philadelphia.

19 The Commission was charged by  
20 the citizens of Philadelphia, who  
21 overwhelmingly voted for zoning reform in  
22 2007, to bring the Philadelphia Zoning  
23 Code into the 21st century. Our stated  
24 goals were: To make the code easier to  
25 understand; improve our city's planning

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2 process; promote positive, sustainable  
3 development; and grow our tax base and  
4 population; and preserve the character of  
5 our neighborhoods.

6 I believe the new code does all  
7 these, and the time is right for City  
8 Council to move this process forward.

9 There is so much good in the new  
10 code that it would be a shame to fail to  
11 pass it this year and have to start anew  
12 with a new Council this year. The new  
13 code has literally taken years of work,  
14 combining the most open and engaging  
15 community input process with great  
16 expertise from Philadelphia and around the  
17 country. I personally attended more than  
18 a dozen meetings in communities across the  
19 City. That input is represented in the  
20 new code.

21 You will not hear from the vast  
22 majority who are satisfied that we are on  
23 the right track, but I guarantee you they  
24 will be very disappointed if you do not  
25 act to move it forward.

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2 Working with minority and  
3 neighborhood small businesses in  
4 commercial corridors across the City has  
5 given me a keen appreciation for the  
6 difficulties in starting and running a  
7 business, a successful small business in  
8 Philadelphia. I see this at the  
9 Enterprise Center and while I was at LISC,  
10 working to build neighborhood corridors as  
11 assets and anchors within their  
12 communities. The new code will help us to  
13 accomplish this by encouraging a good mix  
14 of pedestrian-friendly uses and densities  
15 that build upon our unique transit  
16 infrastructure.

17 A lot of thought went into the  
18 CMX-2.5 commercial mixed-use districts  
19 that creates a broader standard than the  
20 current one off overlays that currently  
21 exist for so many districts that makes it  
22 hard for small businesses, neighbors, and  
23 even zoning examiners to understand the  
24 nuances that exist in each place. I was  
25 involved in discussions through PACDC and



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2 elsewhere with many commercial corridor  
3 managers, and there is strong support  
4 across the board.

5 While the new code is not  
6 perfect, nothing in life is. And if we  
7 let that stop us, we would get nothing  
8 done, which is sometimes the public  
9 perception of government.

10 There are still some pieces to  
11 add such as those pertaining to signage.  
12 The new code, like most legislation, has  
13 compromises that some may disagree with  
14 but were, in fact, the result of hard work  
15 among various engaged groups and citizens.

16 Civic design review is a good  
17 example of this. While more large  
18 projects will have community input to  
19 improve outcomes, fewer will end up at the  
20 Zoning Board, freeing the Board to decide  
21 on projects that really are important and  
22 are hardships.

23 We use the example of places  
24 like Boston and Seattle that have worked  
25 with the development community and

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2 neighborhood organizations to develop a  
3 process that works for Philadelphia:  
4 Putting neighborhoods at the table with  
5 developers to work together more  
6 collaboratively.

7 And there's always the option of  
8 amending the new code, as we've done too  
9 often with the old code, when we recognize  
10 a loophole or an unintended consequence of  
11 the new code. Certainly Council may find  
12 areas in need of tweaking, but the hope is  
13 that we can move this already very lengthy  
14 process to forward to fruition before this  
15 Council is done in 2011.

16 I would also caution that we do  
17 not go through remapping before adopting  
18 the new code. This has not happened in  
19 other cities, and the process was fine.  
20 In fact, the vast majority of properties  
21 will not need any changes once the new  
22 code is in place. If a specific block or  
23 blocks seem to be out of place in its new  
24 designation, it's probable that it needed  
25 redoing in its current designation as

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2 well. For example, there are some  
3 industrial-zoned properties that are  
4 clearly residential or commercial today.  
5 The simple solution is what is already  
6 done today, and that is to rezone those  
7 parcels without having to wait for a giant  
8 remapping process to occur.

9 And, finally, just to reiterate  
10 what many are saying: Let's move the new  
11 code forward. We can do it right now, so  
12 let's do it right now.

13 Thanks.

14 COUNCIL PRESIDENT VERNA: Thank  
15 you very much.

16 Any questions of this witness,  
17 or any comments?

18 The Chair recognizes Councilman  
19 Green.

20 COUNCILMAN GREEN: Thank you,  
21 Madam President.

22 Thanks for your testimony, Andy.  
23 I appreciate it.

24 Just for the record, a couple of  
25 things. I don't think you've heard anyone

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2 at least who's spoken today suggest that  
3 we not pass the code this year, so I'm not  
4 sure what your testimony is referring to.

5 Also, with respect to mapping or  
6 not remapping, I put forward and  
7 Councilman O'Neill and others,  
8 Councilwoman Blondell Reynolds-Brown and  
9 other people have put forward  
10 recommendations, most of which have been  
11 accepted by the ZCC work plan group, which  
12 do not suggest a remapping before we adopt  
13 the code, and that hasn't been a  
14 suggestion since the minority report.

15 And I just wanted to clarify  
16 that for you.

17 MR. TOY: Thank you.

18 COUNCIL PRESIDENT VERNA: Thank  
19 you.

20 Any other questions or comments  
21 from members of the committee?

22 (No questions or comments.)

23 COUNCIL PRESIDENT VERNA: Seeing  
24 none, thank you.

25 Good morning.

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2 MR. NEUBER: Hi, how you doing?

3 Madam President and members of Council,  
4 good morning. My name's Carl Neuber. I  
5 live at 5-1/2 River Road, and I want to  
6 express how zoning has not worked for our  
7 community.

8 Years ago, the DEP came to the  
9 City and said, You need to put in sewer  
10 lines. So the City has to comply and put  
11 in sewer lines. So they tried to get  
12 community meetings together.

13 The civic leader at the time was  
14 Tom Lansman. The residents of River Road  
15 put out a petition, four pages long, that  
16 said they do not want Tom Lansman to  
17 represent them. For some reason, City  
18 Planning, if you read as the pages go  
19 back, said to deal with the civic leader.  
20 So, basically, planning happened on River  
21 Road without really the people's input  
22 down there.

23 I have a map here. The initial  
24 survey called for 42 hookups to the  
25 existing (indiscernible) down there. As

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2 zoning went along, they started denying  
3 people hookups, I included.

4 When this came before you last  
5 year, Bill Kramer had stated there's  
6 winners and losers in this. I am actually  
7 one of the losers. I actually reside in  
8 one of the dwellings that is termed  
9 "non-residential." I pay my taxes. I am  
10 on the river side, where I reside like  
11 other people are on the river side, but  
12 they've been granted the right to continue  
13 to build and live there, but I have not  
14 been given that right.

15 My goal is not to point fingers  
16 at anyone and call anyone names or  
17 anything else. I'm just asking: How  
18 could zoning go so wrong so bad?

19 If you look at this map, which I  
20 have copies that you could run out there.  
21 It states that there was a community  
22 meeting 2/20/08. That meeting never  
23 happened. So in other words, this -- from  
24 what I understand, this is a master plan  
25 with an overlay. This is the first time

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2 it's been done. I don't think it's been  
3 done correctly.

4 I'm hoping maybe you could help  
5 me take another look at this so I come in  
6 compliance. I don't want to be laying out  
7 there where I'm doing something against  
8 the law. I'm not looking at increasing,  
9 putting any more structures on the  
10 property; I'm not a developer. But I do  
11 want to have the ability to remove --  
12 there's all mobile homes down there -- to  
13 remove it and actually put a structure in  
14 that meets the flood plain regulation.  
15 But for some reason, I keep getting denied  
16 on it.

17 I'm hoping -- I need your help.  
18 Could you please help me. I don't want to  
19 make this sound like an OJ -- case if the  
20 glove don't fit, you must acquit. But if  
21 it's there, please be fair. (Laughs.)

22 COUNCIL PRESIDENT VERNA: We  
23 have a poet.

24 The Chair recognizes Councilman  
25 Jones.

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2 COUNCILMAN JONES: I want to  
3 thank Mr. Neuber for coming in and sharing  
4 with this body some of the intricacies on  
5 how zoning impacts people.

6 In the case of River Road, I had  
7 a opportunity on several occasions to tour  
8 that area. It is unique. When I say  
9 "unique," it is very unique.

10 And people have developed over  
11 time a lifestyle that -- where they are  
12 one with the river. Whenever there's a  
13 rain event on River Road, they know it and  
14 have adjusted a lifestyle to it.

15 At the time, through almost a  
16 grandfathering, some people were on the  
17 hill side of River Road and others  
18 developed temporary locations on the river  
19 side of River Road.

20 When we had to standardize  
21 that -- and some people don't view  
22 progress as other people do; it depends on  
23 where you sit and how long you've been  
24 sitting there. But \$4 million worth of  
25 sewer improvements, in my mind, is



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2 progress.

3 But one of the things -- and  
4 where Mr. Neuber was left out -- was  
5 people who had developed dwellings on the  
6 river, closest to the river, were not  
7 allowed to have connections because it was  
8 felt by some that it was dangerous to  
9 them. And in providing them that sewer  
10 connection, we were kind of allowing them  
11 a property right that many people,  
12 including the Department of Defense, the  
13 Environmental Protection Agency, and  
14 others thought should not be there. So in  
15 this case, someone who had made  
16 substantial improvements to their house is  
17 kind of left out.

18 Now, you start getting terms  
19 that, you know, us in government are  
20 comfortable with, called "the greater  
21 good." Well, the greater good may be good  
22 to some, but in cases like this, it  
23 impedes on the quiet enjoyment of their  
24 property.

25 So I understand what has

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2 happened. And somehow, these kinds of  
3 exceptions need to be figured out on a  
4 case-by-case basis.

5 But I wanted to grab some light  
6 or try to shed some light to a lifestyle  
7 that people in the use of land sometimes  
8 have, and sometimes how they're impacted  
9 by overlays in zoning determinations  
10 similar to what we did on River Road.

11 But I want to thank him for his  
12 continued -- that he did not move and made  
13 a taxpayer's commitment.

14 MR. NEUBER: I'm still in  
15 danger's way with not the proper zoning.  
16 That is what I'm saying.

17 COUNCILMAN JONES: So it's kind  
18 of in a Catch 22.

19 MR. NEUBER: Are other people  
20 that are on the road to the river side  
21 have been permitted to stay? And, for  
22 some reason, it's just my two that are not  
23 in there.

24 Now, they claim that my property  
25 is listed as one address, and there's four

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2 different units there: two on the roadside  
3 and two on the riverside.

4 Bill Kramer indicates it's not  
5 consistent with current zoning to have it  
6 that way, but I have maps here. If you  
7 look at the address number 27, there's one  
8 address, one tax parcel, and they have  
9 about eight structures on one parcel, the  
10 same as I.

11 Apparently, some works for them,  
12 but it doesn't work for me. I need help,  
13 please.

14 COUNCIL PRESIDENT VERNA: Thank  
15 you.

16 MR. NEUBER: That basically  
17 concludes it.

18 I know that it's a first-time  
19 draft. I don't think it's accurate  
20 enough. That's why they put erasers on  
21 pencils; people make mistakes. I'm hoping  
22 maybe this could be fixed.

23 Thank you.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you very much.

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2 MR. MCPHERSON: Our next witness  
3 is Majeedah Rashid.

4 (Witnesses come forward.)

5 COUNCIL PRESIDENT VERNA: Good  
6 morning.

7 MS. RASHID: Good morning. Good  
8 morning, everyone. My name is Majeedah  
9 Rashid, and I'm the Chief Operating  
10 officer for the Nicetown CDC and a member  
11 of the Philadelphia Association of CDCs.  
12 I want to thank City Council for allowing  
13 me the opportunity to testify today.

14 The Nicetown CDC was started in  
15 1999 on a mission to establish community  
16 economic development initiatives to  
17 improve the quality of life for those who  
18 live, work, and play in Nicetown and the  
19 surrounding communities. We have fulfilled  
20 our mission with goals and objectives that  
21 include community organizing, social  
22 service delivery, commercial corridor  
23 revitalization, affordable housing  
24 development, arts and culture, and land  
25 management.

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2 We started from a grassroots  
3 resident-driven perspective, which is  
4 still the core of our comprehensive  
5 efforts today.

6 Since 2002, we have prioritized  
7 and incorporated citizen participation and  
8 support with planning and development  
9 through our neighborhood advisory  
10 committee program. For the past five  
11 years, we have contracted with the City to  
12 maintain more than 200 vacant lots  
13 throughout Nicetown in the northwest  
14 section of the City.

15 Currently, we are building  
16 Nicetown Court, a \$14.5 million low-income  
17 housing tax-credit development scheduled  
18 to complete construction this December 20,  
19 2011. This has leveraged Nicetown Court  
20 II, a \$20 million low-income housing  
21 tax-credit project, which is utilizing  
22 NSP2 funds and is scheduled for completion  
23 in December 2012. Since 2009, the  
24 Nicetown CDC has participated with the  
25 City's CDC tax credit program in a

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2 partnership with Comcast Corporation.

3 Our engagement and experience  
4 with residents and those local businesses  
5 that has consistently indicated a need to  
6 establish clear zoning rules. The current  
7 code is often vague and difficult to  
8 understand, which has been a barrier for  
9 small businesses interested in opening on  
10 our commercial corridor. The same is true  
11 for many of our homeowners who want to  
12 improve their homes.

13 The Nicetown CDC has run into  
14 this issue many times over the years in  
15 the planning and predevelopment of small-  
16 and large-scale construction projects.  
17 Developers and contractors often need a  
18 variance such as the one we needed for our  
19 current development of Nicetown Court.

20 In Philadelphia, 40 percent of  
21 zoning applicants need a variance, which  
22 is more than in any large city. The  
23 proposed new zoning code indicates to  
24 every developer or homeowner making an  
25 improvement to his her property exactly

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2 what is allowed and what is prohibited. I  
3 know it would be a lot more effective if  
4 we had clear rule that were implemented  
5 ahead of time with community input.  
6 Believe me, that is a more productive way  
7 to ensure good development than all of the  
8 work that it would take to stop or change  
9 development after it has been approved,  
10 not to mention the damage control that you  
11 would need to do in the community.

12 The Nicetown CDC is looking  
13 forward to the passage of the new zoning  
14 code in 2011 and the subsequent remapping  
15 of our neighborhood.

16 Nicetown and adjacent  
17 communities are transitional and have  
18 concerted efforts to improve existing  
19 conditions and establish destination  
20 points to attract visitors and new  
21 businesses. While remapping is very  
22 important to this process, we do not want  
23 to delay or prohibit critical economic  
24 development on our commercial corridors  
25 until after it happens.

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2 The new code will help  
3 organizations like the Nicetown CDC  
4 continue to ensure that neighborhoods that  
5 have left out of the picture for decades  
6 will have increased community input and a  
7 sustainable future.

8 And in relation to the Zoning  
9 Code and nonconforming uses, redevelopment  
10 of nonconforming uses will be easier as  
11 the new code explicitly allows  
12 improvements to nonconforming properties  
13 and allows a new nonconforming use on a  
14 property that is in the same use category  
15 as one that existed on the property within  
16 the last three years.

17 Transit-oriented development  
18 provisions in the new CMX-2.5 neighborhood  
19 commercial mixed-use district will  
20 accommodate a mix of active, pedestrian-  
21 friendly retail and service uses in  
22 neighborhood commercial corridors. And  
23 the \$28 million redevelopment of the  
24 historic Wayne Junction train station in  
25 Nicetown is a perfect example of both of



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2 these instances.

3 The new Zoning Code will ensure  
4 that the community has a formal role in  
5 the development process. The Nicetown CDC  
6 also supports this aspect of the new code,  
7 which, for the first time, implements a  
8 mandate to developers: They must notify  
9 and meet with community groups about  
10 large-development projects planned in or  
11 adjacent to residential areas and projects  
12 that do not comply with the Zoning Code.

13 In Nicetown, that is a given,  
14 and most developers or those in need of  
15 zoning approved come to us, seeking  
16 community support. Inquiries are reviewed  
17 by the neighborhood advisory committee and  
18 the Nicetown CDC and supported only when  
19 it coincides with established neighborhood  
20 planning in the context of the  
21 neighborhood.

22 The Nicetown CDC is currently  
23 completing a neighborhood economic  
24 development plan which will incorporate a  
25 succession of four previous commercial

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2 corridor plans. This is in cooperation  
3 with the Department of Commerce, the  
4 Philadelphia City Planning Commission, and  
5 other departments of the City.

6 That's my testimony. And I  
7 thank you again for allowing me the  
8 opportunity.

9 COUNCIL PRESIDENT VERNA: Thank  
10 you very much.

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

14 (No questions or comments.)

15 COUNCIL PRESIDENT VERNA: Again,  
16 I thank you.

17 MS. RASHID: Thank you.

18 COUNCIL PRESIDENT VERNA: Good  
19 morning.

20 MR. MCKUEN: Good morning.

21 COUNCIL PRESIDENT VERNA: Please  
22 identify yourself for the record.

23 MR. MCKUEN: Yes. I'm Lawrence  
24 D. McKuen, 28 West Evergreen Avenue,  
25 Philadelphia, PA, 19118. I'm a practicing

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2 architect, a professor of architecture at  
3 Drexel University. I'm representing the  
4 Chestnut Hill Community Association today.  
5 I am the co-chair of the development  
6 review committee there and have, for 18  
7 years, been on the land-use planning and  
8 zoning committee.

9 I would like to say at the  
10 outset -- I'd like to say, as a design  
11 professional, someone who reviews zoning  
12 proposals for some period of time and  
13 someone who's been to several of the many  
14 Zoning Code Commission meetings, I applaud  
15 the effort, the result in large part, and  
16 I'm -- we are, as a community association,  
17 generally very supportive of the new  
18 zoning code.

19 We do have one item where we  
20 would like some change to be made, and  
21 that has to do with the civic review  
22 process. We have an amendment I'd like  
23 to -- I have copies for the various  
24 members of Council here.

25 The association has many

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2 committed and experienced citizens,  
3 including dedicated design professionals  
4 who are skilled in handling reviews of  
5 applications for rezonings and zoning  
6 variances. These citizens have, over the  
7 course of sixty years, been instrumental  
8 in guiding development agreements towards  
9 informed and positive outcomes in the  
10 large majority of cases and have aided in  
11 maintaining the unique character of this  
12 community, while responding to  
13 opportunities for growth and change.

14 Our review process, which allows  
15 for citizen input at local publicly-held  
16 res of each development proposal, is a  
17 highly efficient and effective process  
18 commensurate with Chestnut Hill's status  
19 as a National Historic District within the  
20 Wissahickon Watershed. It is a system  
21 that, over the course of time, has proven  
22 to work for us. We are concerned that  
23 this process will be lost and, so, wish to  
24 submit this proposed amendment for  
25 consideration.

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2 We look forward to many  
3 improvements inherent to the new  
4 regulations that will be a great benefit  
5 to the City. With some simple  
6 modifications, we can be a part of that  
7 system while not losing what to committed  
8 communities would be an ideal outcome.

9 The proposed amendment to Chapter 14-1(c)3  
10 reads as follows:

11 "Where a defined neighborhood  
12 has a single neighborhood community  
13 organization that routinely reviews  
14 applications for rezonings and zoning  
15 variances pursuant to an established  
16 review procedure, provided that the  
17 neighborhood community organization  
18 registers annually with the Planning  
19 Commission, then that neighborhood  
20 community organization may apply to the  
21 Planning Commission to be recognized as  
22 and to function as the primary registered  
23 community organization in that defined  
24 neighborhood.

25 "The primary neighborhood

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2 community organization's established  
3 reviewed procedures shall apply in lieu of  
4 the procedures set forth in Chapter  
5 14-303, provided that the review process  
6 conducted by the primary registered  
7 community organization shall comply with  
8 the functionally equivalent minimum  
9 requirements set forth in Chapter 14-303.

10 "The primary neighborhood  
11 community organization's review process  
12 may include requiring an applicant's  
13 attendance at regularly scheduled meetings  
14 of the primary neighborhood community  
15 organization and participation in  
16 constructive negotiations with that  
17 neighborhood community organization, all  
18 of which may extend beyond the minimum  
19 45-day period."

20 Our process actually provides in  
21 a one-month-and-nine-day period from the  
22 time of the application is published in  
23 the newspaper, which is a very important  
24 part for us, allows us to review that  
25 proposal.

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2 The issue for us in the initial  
3 part of it is that applications come into  
4 the community office at any time during  
5 the month and then are scheduled to start  
6 at the Development Review Committee, which  
7 is on the third Tuesday of any given  
8 month. By the fourth Thursday of the  
9 following month, it's possible in our  
10 process that the applicant will have had  
11 his or her application approved by the  
12 board and a letter sent on to the ZBA.

13 It is not necessarily our -- it  
14 is the intention of this to then dovetail  
15 in with the -- at the end of the process  
16 in our -- through our review back to  
17 follow then the -- what continues on in  
18 the current proposed Zoning Code.

19 But that's our amendment.

20 Thank you very much.

21 COUNCIL PRESIDENT VERNA: Thank  
22 you.

23 The Chair recognizes Councilman  
24 Green.

25 COUNCILMAN GREEN: Thank you.

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2 And thank you for your  
3 testimony.

4 I just -- have you -- there are  
5 a lot of community organizations of the  
6 Crosstown Coalition which, you know,  
7 includes a number of very organized  
8 neighborhoods with specific review  
9 processes.

10 MR. MCKUEN: Right.

11 COUNCILMAN GREEN: And I'm just  
12 curious as to whether or not you've  
13 approached them with a proposal -- with  
14 this proposal and what the reaction was to  
15 it, because they have all -- as far as I  
16 know, they have basically thought that the  
17 45 days gave their groups enough time to  
18 go through the process that they normally  
19 and currently go through.

20 MR. MCKUEN: Well, we have  
21 actually attempted to -- and we have had  
22 several conversations -- since we're just  
23 on the other side of August and vacations,  
24 we haven't had a lot of time, since we've  
25 really seen that this was going to come



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2 before Council, to discuss it with them.

3 I think our -- I think we've  
4 seen that recently, there are some issues  
5 that have required longer than a single  
6 cycle through our review process.

7 The other thing I guess I'd say  
8 is that to the extent that our historic  
9 district is outside Center City, where I  
10 think a lot of the Crosstown Coalition  
11 neighborhoods are in Center City and right  
12 near there, conditions sometimes in our  
13 community are a little different than in  
14 the -- and the context is a little  
15 different than what is available or what  
16 is typical in Center City.

17 I think -- as I said, given that  
18 applications come into our process and  
19 everything is regularly scheduled and  
20 regularly publicized in our newspaper so  
21 that everyone can come to attend, it's  
22 just possible in that 45-day period that,  
23 depending on when an application came in,  
24 it may -- we may, just to do the minimum  
25 process, be beyond the 45 days.

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2 COUNCILMAN GREEN: I understand  
3 your testimony. I just was curious as to  
4 whether or not the --

5 (Indiscernible; parties talking  
6 over each other.)

7 MR. MCKUEN: The community  
8 association actually in this process acts  
9 in concert with the Business Association,  
10 the Historical Society, and the Friends of  
11 the Wissahickon on a as-needed basis. So  
12 it is a group that provides a  
13 comprehensive review of each development  
14 proposal, whether it's an institution, a  
15 business owner, or a resident.

16 COUNCILMAN GREEN: Thank you.

17 COUNCIL PRESIDENT VERNA: The  
18 Chair recognizes Councilwoman Tasco.

19 COUNCILWOMAN TASCO: Thank you,  
20 Madam President.

21 I have a question for Eva  
22 Gladstein, if you would call her back to  
23 the table. Eva?

24 (Ms. Gladstein returns to  
25 witness table.)

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2 COUNCILWOMAN TASCO: Thank you.

3 MS. GLADSTEIN: Sure.

4 COUNCILWOMAN TASCO: His  
5 testimony raises the concerns for me in  
6 terms of the recognized community  
7 organization.

8 Suppose there are two or three  
9 registered community organizations in an  
10 area; which one will be recognized? Are  
11 you saying the community should have one,  
12 or could be there several? And then who  
13 will you listen to?

14 MS. GLADSTEIN: I have not seen  
15 a written copy of the testimony, though I  
16 have had discussions with members of the  
17 association, so I'm going to base my  
18 comments on --

19 (Mr. McKuen hands document to  
20 Ms. Gladstein.)

21 MS. GLADSTEIN: Thank you. I'm  
22 not going to read it this minute.

23 This suggestion was one that we  
24 actually thought about and considered well  
25 over a year ago because there are

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2 neighborhoods with multiple community  
3 organizations, and there was some  
4 discussion about whether or not one group  
5 should be considered the primary group and  
6 have, for example, the responsibility to  
7 convene the meeting or to notify the other  
8 groups.

9 In the end, we felt that was  
10 untenable for a variety of reasons. We  
11 felt that the City, the Administration,  
12 and the Planning Commission should not be  
13 in the position of deciding which group --  
14 which group's voice was better or should  
15 be listened to as compared to other  
16 groups.

17 And we also felt that a group's  
18 ability and capacity changes over time.  
19 So some groups that are very experienced  
20 might lose capacity, some groups that are  
21 newer and less organized might increase  
22 their capacity so that we couldn't  
23 determine at any one point which group  
24 should have a special designation.

25 And we also felt that we

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2 couldn't necessarily hold them accountable  
3 in terms of whatever activities they might  
4 be responsible for with relationship to  
5 the other group.

6 So that's a long way of saying  
7 that we felt uncomfortable making a  
8 decision about registered community  
9 organizations and any organizations that  
10 would fit the regulations as are  
11 promulgated would be -- under our proposal  
12 would be recognized and would have the  
13 same rights.

14 Our proposals do suggest that  
15 the groups, if there are multiple groups,  
16 that they would need to coordinate the  
17 meeting time so that the developer would  
18 not have to travel to various places for  
19 the meeting, but that they could each  
20 document what their position is on the  
21 project.

22 COUNCILWOMAN TASCO: Okay.

23 Thank you very much.

24 MR. MCKUEN: Can I respond to  
25 that?

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2 COUNCIL PRESIDENT VERNA: Thank  
3 you very much.

4 COUNCILWOMAN TASCO: Thank you.

5 MR. McPHERSON: Our next panel  
6 is: Greg Moses, James Harris, and Lillian  
7 Davis.

8 (Witnesses come forward.)

9 COUNCIL PRESIDENT VERNA: Good  
10 morning, Greg. Nice seeing you.

11 MR. MOSES: Good morning.

12 COUNCIL PRESIDENT VERNA: Did  
13 you want to be identified first?

14 MR. MOSES: We'll we want to  
15 start with Mr. Harris and then Mrs. Davis,  
16 then...

17 COUNCIL PRESIDENT VERNA: Okay,  
18 fine.

19 Mr. Harris, please identify  
20 yourself for the record and proceed with  
21 your testimony.

22 MR. HARRIS: Yes. Honorable  
23 Anna Verna?

24 COUNCIL PRESIDENT VERNA: Yes.

25 MR. HARRIS: My name is James

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 Harris, and I'm Assistant Director of  
3 Southwest Aid, and I've been in that  
4 capacity for the past 15 years.

5 And my concern today is that  
6 facility that's being applicated [sic] in  
7 our area. We want to show some concerns  
8 why we think it would be a detriment to  
9 our community, so I have some things that  
10 I want to inject as to why I think it  
11 would be so.

12 So as the community leader in  
13 Southwest Philadelphia, I am writing to  
14 alert you to an aspect of the draft Zoning  
15 Code of which you might not be aware. The  
16 proposed elimination of the longstanding  
17 rule that prisoner facilities be located  
18 more than 500 feet from home. As you  
19 probably know, the current Zoning Code  
20 prohibits regulated use from locating  
21 within 500 feet of residential  
22 neighborhood.

23 There are a number of different  
24 types of regulated uses, and a prison is  
25 one of them. So under the current code,

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 there is a 500 buffer between prisons and  
3 homes.

4 For years, the Administration  
5 has been promoting so-called prisoner  
6 reentry facilities, which, in addition to  
7 accommodating prisoners on their way out  
8 of prison, also includes day reporting and  
9 the housing of offenders awaiting bail.

10 Sentencing of a transfer to  
11 state prison. Under the current Zoning  
12 Code, this type of facility is probably  
13 considered a prison and is, therefore,  
14 prohibited from being 500 feet of a  
15 residential neighborhood.

16 The draft Zoning Code -- City  
17 Council is currently considering enacting  
18 a new zoning code. We support rezoning,  
19 we support zoning reform. However, in the  
20 direction of Councilperson Jannie  
21 Blackwell, the new draft code contains a  
22 provision at 14601 that completely  
23 reverses current policy on private prisons  
24 by creating a new category called "reentry  
25 facilities" not subject to the 500-foot



1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 buffer zone.

3 These reentering facilities  
4 should be allowed an exception to the  
5 districts formerly known as L-1, L-2, L-3,  
6 L-4, and L-5 for industrial.

7 On page 6, paragraph 2, that is  
8 the changes that we're basically concerned  
9 about, because this is a way of not having  
10 to honor the code law that's been on the  
11 books for a long time.

12 Now, if this is changed, it's  
13 not going to help our community, you know.  
14 It's going to give you the opportunity to  
15 bypass the 500-foot code that has been on  
16 those books for a long time.

17 Now, this is our greatest  
18 concern. And when I think about the fact  
19 -- you know, I've been in my opinion  
20 neighborhood since 1984. Now, anything  
21 that concerns a prison is going to put my  
22 community in detriment.

23 Now, for a long time, I have  
24 considered and tried to do everything I  
25 could for my community, but prisoners

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 don't do anything for a community, they  
3 don't do anything for a community.

4 The thing about it is, if  
5 there's a prison located in any area,  
6 other businesses are not going to come  
7 into that area. And that is our greatest  
8 concern, because whatever happens with our  
9 properties, we're going to suffer the  
10 consequences. And that's for sure.

11 You know, I have been wearing  
12 this shirt for a long time, and I wanted  
13 to do everything that I possibly can to  
14 make sure my community does not suffer  
15 anything that's going to be a detriment to  
16 their -- their concerns would be they're  
17 being able to, you know, if the provident  
18 law is injected, the next is going to go  
19 away. And the thing about it is, they're  
20 not going to -- some of 'em are not going  
21 to be able to survive.

22 And I always consider the fact  
23 that, you know, a prison to me -- I'm  
24 going to give you a typical example. You  
25 know, if you have a prison and you inject

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 it into any area, it's going to be like  
3 putting a cat in a room full of rats; they  
4 going to scatter. And if there is  
5 businesses -- if you put a conducive  
6 business there that's going to make money,  
7 other businesses are going to come to that  
8 area because they see the potential of  
9 your being able to make some additional  
10 money because of that business.

11 But anything other than that,  
12 you going to -- hey, it's going to be just  
13 like a plague. They going to see you,  
14 they know what is there, and they're not  
15 going to come into that area.

16 We have colleges that have come  
17 from -- from -- particularly one college,  
18 Philadelphia College of Pharmacy and  
19 Science, they have come all the way to  
20 46th and Woodland Avenue; that's very near  
21 the area where the prison site is being  
22 proposed.

23 Now, if you put anything there,  
24 that college is not going to come any  
25 further. And I wouldn't blame them

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 because this is not going to be conducive  
3 to what they want, you know. And it's  
4 their proposal, you know.

5 So I -- that is my greatest  
6 concern. We want you to think about this  
7 very -- we also submitted some letters to  
8 other Councilmembers, and we want you to  
9 be concerned about -- Hey, it might not be  
10 you today, but it might be you next. You  
11 might be caught in the crosshairs. So  
12 always be aware of the fact that, hey, it  
13 didn't happen now but it could happen  
14 later.

15 So I want you to make sure that  
16 we -- you know, we also want to also think  
17 about the fact that, you know, in my  
18 neighborhood, for the past few years, we  
19 have had many entities that have come in  
20 there that has been conducive to our  
21 neighborhood. We had a million-dollar  
22 church, four, five years ago. We have a  
23 charter school that's a multi-million  
24 dollar school. We have a proposed site  
25 for another million-dollar church, and we

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 have also have another site located a  
3 block away for the Cambodians.

4 We went and we put the effort to  
5 go down there to sanction these businesses  
6 because they were conducive. We also had  
7 to fight other businesses that attempted  
8 to come inside our neighborhood -- mainly  
9 a paint shop and, just a month ago, a auto  
10 repair shop.

11 Now, I'm always willing to do  
12 what I can for my neighborhood. And the  
13 thing that hurts me the most is when I see  
14 something that's coming in there,  
15 attempting to come in there, that's going  
16 to bring my neighborhood down and create  
17 hardship for my constituents.

18 I'm also a committee person;  
19 I've been a committee person for the last  
20 eleven years. Now, I want to say to  
21 myself, you know, when I put this shirt on  
22 and I come forth, I want my constituents  
23 to know that I'm ready to fight the battle  
24 for them. And I want them to understand  
25 that we do what we can do and we try to

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 keep our neighborhoods safe from harm.

3 And that's my great concern today.

4 And I appreciate your listening,  
5 and I hope some understanding will be  
6 injected.

7 Thank you very much.

8 COUNCIL PRESIDENT VERNA: Thank  
9 you, Mr. Harris, and thank you --

10 (Applause.)

11 COUNCIL PRESIDENT VERNA: Thank  
12 you for all the work you do in the  
13 community.

14 MR. HARRIS: Thank you.

15 COUNCIL PRESIDENT VERNA: And  
16 for the many years you've been doing it.

17 MS. DAVIS: Thank you.

18 COUNCIL PRESIDENT VERNA: We're  
19 very appreciative.

20 Now we'll recognize the very  
21 pretty Lillian Davis next.

22 MS. DAVIS: Yes. Good morning,  
23 everybody.

24 I just want to thank you for  
25 having me and giving me the opportunity to

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 be able to speak. This is my first time.

3 I'm not a bit nervous, but this is my  
4 first time. And there are some things  
5 that I have, you know, been wanting to  
6 say, and this is my opportunity.

7 I do live in the southwest area  
8 of the so-called prison system that they  
9 trying to get there. And I'm -- it's not  
10 a good thing to know what's going on in  
11 our area. There's many of us, you know,  
12 don't like it, and I don't. And I've been  
13 there for almost 40 years, right here in  
14 my home, and I raised two children here.  
15 And I -- I -- it was a great place. And  
16 to us now, it's still a great place. And  
17 we want to keep our community, and I agree  
18 with Mr. Harris, as best as we can keep  
19 it.

20 Due to this time, the situation  
21 of things going on, we need to keep our  
22 community the best we can. We have a lot  
23 of old peoples in the community, young  
24 people, children, and we need to look out  
25 for them.

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2 I'm old myself. And one day --  
3 I'm speaking now, but one day I might not  
4 be able to say what I'm saying. And I'm  
5 speaking for the community, not just for  
6 me. And I do thank God for, you know,  
7 helping us this far.

8 I do give a lot of great thanks  
9 to Mr. Moses that, you know, did a great  
10 job in the community that's helping us to  
11 get where we are. He fought, he worked  
12 hard. We're standing by him to do the  
13 best that we can in helping him.

14 So there's a few questions that  
15 I really want to ask here. Yes, and we do  
16 have people here that's holding signs -- I  
17 don't want to leave out nobody, because  
18 we're here instead of our community. And  
19 I do want to thank them for being here.  
20 And oh, boy, it looks good back in back of  
21 me. I thank God for that, you know.

22 (Applause.)

23 MS. DAVIS: And we want to stand  
24 up for our people. And as I said before,  
25 we need to speak with -- I'd like to just



1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 direct this question to Mrs. Blackwell --

3 COUNCIL PRESIDENT VERNA: No,  
4 no, I'm sorry.

5 MS. DAVIS: -- the Councilwoman.

6 COUNCIL PRESIDENT VERNA: I'm  
7 sorry.

8 MS. DAVIS: You can't do that?

9 COUNCIL PRESIDENT VERNA: We  
10 don't allow that.

11 MS. DAVIS: All right.

12 COUNCIL PRESIDENT VERNA: You  
13 can make your statements.

14 MS. DAVIS: Okay, no problem.

15 COUNCIL PRESIDENT VERNA: Thank  
16 you.

17 MS. DAVIS: I'm willing to --  
18 I'm an obedient person and I want to be  
19 obedient.

20 But what I really wanted to say  
21 is there are -- I just want to read this  
22 little note here, this letter, and the  
23 reason why we don't want a prison, a  
24 halfway house in our community.

25 In (indiscernible) California,

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 the low-income workers found themselves  
3 poor after a new person -- after a new  
4 prison opened in 1989 because rent  
5 increased up 25 percent, 35 percent during  
6 construction, and did not go down after  
7 the building crew left town.

8 The decline in the house prices  
9 threatened the security of longtime  
10 homeowners, often low-income or elderly  
11 residents. When the value of their  
12 housing decline so does their nest egg,  
13 and you know what that is.

14 Prison halfway houses produce  
15 nothing, and they buy very little from  
16 local economies. Prisons use water, lots  
17 of it. You put water in a prison -- you  
18 put -- you put water in a prison, you get  
19 sewage.

20 A prison makes great demands on  
21 infrastructure but does not necessarily  
22 pay for them. The community gets stuck  
23 with the expense of roads, water, waste  
24 treatment, sewage, streetlights, and  
25 traffic and cops. If these prisons are so

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2 great, why isn't there one in the Bala  
3 Cynwyd area?

4 Nothing naturally gravitates  
5 towards the prison. There is no related  
6 industrials that will set up a shop at the  
7 edge of a prison the way that various  
8 kinds of experts such as taxes, advisors,  
9 mechanics, or printers or eateries or  
10 other specialists clustered around our  
11 kind of industrials.

12 And as -- as I stated, we want  
13 you to look into this thing a little  
14 closely. We are old people that lives in  
15 the community. We struggled down through  
16 the years to have a property. We worked  
17 hard. Snow, ice, rain, winter cold. We  
18 did this to have a decent place to live  
19 where we got where we are now, up in age.  
20 And we're looking forward to that. But we  
21 cannot be comfortable with a prison a few  
22 blocks down from our homes.

23 It's not right, it's not right.  
24 You don't take advantage of old people  
25 like this. This is our community; we made

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 the community. So why do we have to  
3 suffer for what these prisoners, which has  
4 broke the law, did what they shouldn't  
5 have done. We are living here. Why  
6 should we have to suffer for what they  
7 did. It's not right, it's definitely not  
8 right.

9 It's going to be a time when  
10 you're not going to be able to walk out  
11 your door. It's going to be a time when  
12 you got to keep your windows closed at all  
13 times. You can't take the bus or trolley  
14 or walk a block or two blocks to get the  
15 trolley to go and take care of your  
16 obligations.

17 This should be looked into very  
18 closely.

19 (Audience member speaks out of  
20 turn.)

21 COUNCIL PRESIDENT VERNA: Thank  
22 you.

23 I'm sorry. We -- if you want to  
24 speak, you'll come up to the microphone,  
25 but do not disrupt the hearing, please.

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 Thank you very much.

3 Greg?

4 MR. MOSES: And, once again,  
5 good morning -- good afternoon to the  
6 Council.

7 Just a couple of short things  
8 really.

9 One, the -- what Sister Davis  
10 was referring to when she said they were  
11 incorrect in what they did, she was  
12 referring to the Zoning Board of  
13 Adjustment when they made their decision  
14 to approve.

15 COUNCIL PRESIDENT VERNA: They  
16 took their time in making their decision.

17 MR. MOSES: Right. And, you  
18 know, and so forth and so on.

19 The other part that we really,  
20 really are focused on is the part in how  
21 the construction of the new Zoning Code is  
22 going to go. We found in there that  
23 Councilwoman Blackwell has a paragraph in  
24 there referring to reentry, okay? I  
25 believe it's on page 6, paragraph 2.

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 That troubled us very, very  
3 highly because -- and that's the only  
4 thing in there that concerned that. That  
5 troubled us very, very much because, there  
6 again, that was a deviation away from what  
7 we believe the Zoning Code is supposed to  
8 be for.

9 The Zoning Code is supposed to  
10 be here to help the people of the  
11 community, all right? and the people that  
12 live here. And we felt as though that  
13 clearly was a statement -- or clearly was  
14 an indication of where you're saying no,  
15 you know, this -- you know, you don't have  
16 to worry about the 500-foot rule that has  
17 been on the books by the Licenses and  
18 Inspections for many, many years. And  
19 that paragraph was speaking of just, you  
20 know, ignoring that and not having to  
21 adhere to that at all.

22 We felt that was incorrect, that  
23 was a mistake. We know mistakes do  
24 happen. And, you know, we would ask that,  
25 you know, be either withdrawn or

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 overlooked when you're drawing up your  
3 City Council -- the new City Council rules  
4 for the zoning.

5 The last thing -- I will leave  
6 it right here and say is that, you know,  
7 as you see, you see a number of people  
8 here with us. And there are many, many,  
9 many more. There are a number of groups  
10 that are with us, okay? We are actually  
11 called the Southwest Coalition of  
12 Community Groups, and that consists of at  
13 least no less than twelve groups, okay?  
14 And we thank them all for being here today  
15 too and for helping us as well.

16 That being said, I'll leave it  
17 there and open for any questions.

18 COUNCIL PRESIDENT VERNA: What  
19 is the status of the appeal that the  
20 community has made?

21 MR. MOSES: Okay, the appeal,  
22 its status, we're supposed to have it, I  
23 believe it's on October the 12th.

24 COUNCIL PRESIDENT VERNA: Thank  
25 you.

1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 MR. MOSES: Right. That's  
3 when -- in other words, it went into  
4 waiting, and the hearing itself is  
5 supposed to be October the 12th, before  
6 Judge Idy Fox.

7 COUNCIL PRESIDENT VERNA: Very  
8 good. Thank you.

9 Are there any questions or  
10 comments from members of the committee?

11 (No questions or comments.)

12 COUNCIL PRESIDENT VERNA: Thank  
13 you all very much for coming in. We  
14 appreciate all that you do for the  
15 community.

16 MR. MOSES: Thank you.

17 COUNCIL PRESIDENT VERNA: Thank  
18 you so much.

19 MR. HARRIS: Thank you so much.

20 MR. MOSES: Thank you very much.

21 COUNCIL PRESIDENT VERNA: This  
22 will conclude our hearing.

23 And, again, I thank you all for  
24 your participation and your interest.

25 Thank you again. Have a good day.



1 9.27.11 COMMITTEE OF THE WHOLE - RES. 110459

2 (Proceedings end at 12:10 p.m.)

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## 1 C E R T I F I C A T E

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I HEREBY CERTIFY that the

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proceedings of the City of Philadelphia Council

5

Committee of the Whole are contained fully and

6

accurately in the stenographic notes taken by

7

me on Tuesday, September 27, 2011, and that

8

this is a true and correct statement of same.

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JOSEPHINE CARDILLO

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Registered Professional Reporter

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(The foregoing certification of

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this transcript does not apply to any

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the certifying reporter.)

# **City of Philadelphia**

## **Recessed Public Hearing Notice**

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The **Committee of the Whole** of the Council of the City of Philadelphia held a Public Hearing on **Wednesday, September 14, 2011**, and recessed the public hearing until **Tuesday, September 27, 2011** at **10:00 AM**, in **Room 400, City Hall**, to hear further testimony on the following:

**110459** Resolution authorizing the Committee of the Whole to hold public hearings to review the Zoning Code Proposals of the Zoning Code Commission.

Immediately following the public hearing, a meeting of the Committee of the Whole, open to the public, will be held to consider the action to be taken on the above listed item.

Copies of the foregoing item are available in the Office of the Chief Clerk of the Council, Room 402, City Hall.

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 110459)

## RESOLUTION

Authorizing the Committee of the Whole to hold public hearings to review the Zoning Code Proposals of the Zoning Code Commission.

WHEREAS, In May 2007, the Philadelphia voters overwhelmingly approved an amendment to the City of Philadelphia Home Rule Charter to create a Zoning Code Commission ("Commission") to propose reforms to modernize Philadelphia's outdated and complex zoning code;

WHEREAS, Under Home Rule Charter Section 4-1300(a)(1), the Commission has been charged to, among other things: "conduct a comprehensive analysis of and make recommendations regarding reforms to the Philadelphia Zoning Code";

WHEREAS, The Commission has been guided by the following goals set forth in Home Rule Charter Section 4-1300(a)(1): "Philadelphia's Zoning Code should be consistent and easy to understand, should help shape future construction and development, and should enhance and improve Philadelphia's development approval process while encouraging positive development and protecting the character of Philadelphia's neighborhoods";

WHEREAS, In the course of its work, the Commission has held 46 public meetings, two public hearings in City Council chambers, 36 community-based meetings, seven Stakeholder X-Changes, and two public meetings to discuss why the Commission adopted, rejected, or modified a group's proposal; attended dozens of community meetings where it has explained the Commission's work and possible changes to the Philadelphia Zoning Code; and has received hundreds of comments from members of the public about proposed changes to the Zoning Code;

WHEREAS, The Commission has interviewed 125 professional zoning code users and surveyed nearly 2,000 individuals on components of the proposed new zoning code;

# City of Philadelphia

RESOLUTION NO. 110459 continued

WHEREAS, Over the past 24 months the Commission has released for public review, and received public comment upon a number of documents concerning the existing zoning code and drafts of the proposed new zoning code, including:

Analysis of the Current Zoning Code  
Best Practices Report  
Recommendations for the New Zoning Code  
Module 1 – Administration and Procedures  
Module 2 – Districts and Uses  
Module 3 – Development Standards  
Consolidated Draft  
Referral Draft  
Referral Draft version 2  
Draft Preliminary Report  
Preliminary Report;

WHEREAS, Section 4-1300(b) of the Home Rule Charter requires that by a date certain, “ the Commission shall by a vote of two-thirds of all members of the Commission adopt a written preliminary report containing specific recommendations solely related to proposed changes to the Philadelphia Zoning Code, including drafts of all legislation required to implement the Zoning Code Proposals (the Preliminary Report), and recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps (Zoning Map Revision Plan)”;

WHEREAS, On May 6, 2010, Council passed Resolution No.100332, which extended the deadline for the Commission to submit its preliminary report until June 30, 2011;

WHEREAS, On March 2, 2011, the Commission voted to approve a “Draft Preliminary Report” containing, among other things, a proposed new zoning code, and to seek further public comment about the proposed new zoning code;

WHEREAS, Since March 2, 2011, the Commission has further revised the draft new zoning code based on its meetings with interested groups and additional comments it has received regarding the proposed new zoning code;

WHEREAS, On May 11, 2011 the Commission adopted a written Preliminary Report by a vote of 22 of its members and a Minority Report by a vote of 9 Commission members. Exhibit A to this resolution sets forth the Zoning Code Proposals and drafts of legislation required to implement the Zoning Code Proposals. Exhibit B to this resolution sets forth the “Zoning Map Revision Plan” consisting of recommendations, including a timetable and specific milestones, on how to proceed with a comprehensive revision of the City’s zoning maps; an outline of regulations that will be required to administer the

# City of Philadelphia

*RESOLUTION NO. 110459 continued*

**CERTIFICATION:** This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the second of June, 2011.

Anna C. Verna  
PRESIDENT OF THE COUNCIL

Michael A. Decker  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember DiCicco  
Sponsored by: Councilmember DiCicco

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## Public Notice

Notice in accordance with Act 537 Section 71.53(d)(6) is hereby given to the residents of the City of Philadelphia of a proposed sewer project requiring an amendment to the Act 537 Plan of the City of Philadelphia. The proposed River Road Sewer System Project would serve 42 existing dwelling units along River Road in the Shawmont section of the City. Anticipated peak daily flow for the system would be approximately 50,000 gallons per day. Sewage will be conveyed to the nearest public sewer in Nixon Street and flow via the gravity collection system to the Manayunk Interceptor. The City has worked in cooperation with the PADEP and has included this project as part of the connection management plan for the interceptor.

The Sewage Facilities Planning Module can be reviewed during normal business hours at:

Free Library of Philadelphia-Andorra Branch  
705 E. Cathedral Road  
Philadelphia, PA 19128-2106

Philadelphia Water Department  
ARAMARK Tower, 2<sup>nd</sup> Floor  
1101 Market Street  
Philadelphia, PA 19107

Comments from the public regarding the proposed project will be accepted at the same address for a period of thirty (30) calendar days from the first day of publication of this notice.

## Witness List – Resolution No. 110459

### Panel 1

Alan Greenberger, Deputy Mayor  
Eva Gladstein, Executive Director ZCC

### Panel 2

Michael Sklaroff, Ballard Spahr

### Panel 3

Madeline Shikomba, North of Washington Ave Coalition  
Sylvia Okechukwu, Logan CDC  
Magali Larson, Woodland Terrace Homeowners Assoc.

### Panel 4

Celeste Hardester, Chestnut Hill Community Assn  
Carl Neuber  
Andy Toy

### Panel 5

Janet Milkman, Delaware Valley Green Bldg. Council  
Majeedah A. Rashid, Nicetown CDC



**Testimony to City Council Committee of the Whole**  
**Regarding Resolution # 110459,**  
**The Reform of Philadelphia's Zoning Code**  
September 27, 2011

Good morning Council President Verna and members of City Council. My name is Andrew Toy and I am here as a Member of the Philadelphia Association of Community Development Corporations, PACDC, also as a former Commissioner on the Zoning Code Commission for three years and currently working with minority and commercial corridor businesses at The Enterprise Center. Thank you for the opportunity to speak today about the new Code and the need to move forward to advance Philadelphia.

As you all are aware, our current Zoning Code has been band-aided and amended so many times that it is often confusing to both potential developers and to residents who are interested in preserving and promoting a high quality of life. We have an overload of cases going to the Zoning Board unnecessarily relative to all of our peer cities.

The Commission was charged by the citizens of Philadelphia, who overwhelmingly voted for Zoning reform in 2007, to bring Philadelphia's Zoning Code into the 21st Century. Our stated goals were to make the Code easier to understand, improve our City's planning process, promote positive sustainable development that would grow our tax base and population and preserve the character of our neighborhoods. I believe the new Code does all of these and the time is right for City Council to move this process forward.

There is so much good in the new Code that it would be a shame to fail to pass it this year and have to start anew with a new Council next year. The new Code has literally taken years of work, combining the most open and engaging community input process with great expertise from Philadelphia and around the country. I personally attended more than a dozen meetings in communities across the City. That input is represented in the new Code. You will not hear from the vast majority who are satisfied that we are on the right track. But I guarantee they will be very disappointed if you do not act to move it forward.

Working with minority and neighborhood small businesses in commercial corridors across the City has given me a keen appreciation for the difficulties in starting and running a successful business in Philadelphia. I see this at The Enterprise Center and while at LISC working to build neighborhood corridors as assets and anchors within their communities. The new Code will help us to accomplish this by encouraging a good mix of pedestrian friendly uses and densities that build upon our unique transit infrastructure. A lot of thought went into the CMX-2.5 Commercial Mixed-Use Districts that creates a broader standard than the current one-off overlays that currently exist for so many Districts that it makes it hard for small businesses, neighbors and even Zoning Examiners to understand the nuances in each place. I was involved in discussions through PACDC and elsewhere with many Commercial Corridor Managers and there is strong support for this approach.

While the new Code is not perfect, nothing in life is and if we let that stop us we would get nothing done, which is sometimes the public perception of government. There are still some pieces to add, such as those pertaining to signage. The new Code, like most legislation, has compromises that some may disagree with, but were in fact the result of hard work among various engaged groups and citizens. Civic Design Review is a good example of this. While more large projects will have community input to improve outcomes, fewer will end up at the Zoning Board, freeing the Board to decide on projects that really are hardships. We used the examples of places like Boston and Seattle and worked with the development community and neighborhood organizations to develop a process that works for Philadelphia, putting neighborhoods at the table with developers to work together more collaboratively. And there is always the option of amending the new Code as we've done too often with the old Code when we recognize a loophole or unintended consequence.

Certainly, Council may find areas in need of tweaking, but the hope is that we can move this already very lengthy process forward to fruition before this Council is done in 2011. I would also caution that we not go through remapping before adopting the new Code. This has not happened in other cities and the process was fine. In fact, the vast majority of properties will not need any changes once the new Code is in place. If a specific block or blocks seems out of place in its new designation it is quite possible that it needed rezoning in its current designation too. For example, there are some Industrially zoned properties that are clearly residential or commercial today. The simple solution is what is already done today and that is to rezone those parcels without having to wait for a giant 4-5 year remapping process to occur.

Finally, to reiterate what many are saying: Let's move the new Code forward, we can do it right now and let's do it Right Now. Thank you.

*Southwest Coalition of Community Neighborhoods  
5634 Elmwood Avenue, Philadelphia, PA 19143*

Dear Councilperson:

September 27, 2011

As a community leader in Southwest Philadelphia, I am writing to alert you to an aspect of the draft Zoning Code of which you might not be aware: the proposed elimination of the longstanding rule that prisoner facilities be located more than 500 feet from homes.

Background: As you probably know, the current Zoning Code prohibits Regulated Uses from locating within 500-feet of a residential neighborhood. There are a number of different types of Regulated Uses and a prison is one of them. So under the current code, there is a 500-foot buffer between prisons and homes.

For years, the Administration has been promoting so-called "prisoner reentry facilities," which, in addition to accommodating prisoners on their way out of prison, also includes day-reporting and the housing of offenders awaiting bail, sentencing or a transfer to state prison. Under the current Zoning Code, this type of facility is properly considered a "prison" and is therefore prohibited from being within 500 feet of a residential neighborhood.

The Draft Zoning Code: City Council is currently considering enacting a new Zoning Code. We support zoning reform. However, at the direction of Councilperson Jannie Blackwell, the new draft code contains a provision (at 14-601(4)(i)) that completely reverses current policy on private prisons by creating a new use category called "Re-entry Facilities," not subject to the 500-foot buffer. These Re-entry Facilities would be allowed by special exception in the districts formerly known as: L-1, L-2, L-3, L-4, L-5, Port Industrial, LR.

Implications for Every Councilmanic District: For years, we in Southwest Philadelphia have been fighting the development of this type of private prison proposed for 5213 Grays Avenue -- specifically for 400 offenders -- which the Zoning Code prohibits because the property is within 500 feet of homes. We have collected a petition of approximately 3,500 people opposed to this prison. This legislative change could doom our efforts.

We suggest that this issue could come to your district. Specifically, if your district has L-1, L-2, L-3, L-4, L-5, Port Industrial or LR areas within 500 feet of a residential area, then a private prison would be allowed in such areas -- unless Council directs the Zoning Code Commission to delete this major change from the draft Code.

Please change this provision before enacting the new Zoning Code. We are not against prisoner reentry facilities but they should not be near residential communities. There are other places in the City that would not endanger residents.

Very truly yours,

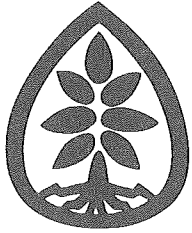
Gregory Moses

Director of Southwest Association for Involvement and Development

5634 Elmwood Avenue, Philadelphia, PA 19143

215-729-2986

(Member of Southwest Coalition of Community Neighborhoods)



# CHESTNUT HILL COMMUNITY ASSOCIATION

*serving the community for more than 60 years*

8434 Germantown Avenue • Philadelphia, PA 19118

215-248-8810 voice • 215-248-8814 fax

[www.chestnuthill.org](http://www.chestnuthill.org)

## **Proposed Amendment**

**From Chestnut Hill Community Association      9/26/2011**

### AMENDMENT TO CHAPTER 14-(1)(c)(c-3)

Where a defined neighborhood has a single neighborhood community organization that routinely reviews applications for re-zonings and zoning variances pursuant to an established review procedure, provided that the neighbor community organization registers annually with the Commission, then that neighborhood community organization may apply to the Planning Commission to be recognized as and to function as the primary registered community organization in that defined neighborhood. The primary neighborhood community organization's established review procedures shall apply *in lieu* of the procedures set forth in Chapter 14-303, provided that the review process conducted by the primary registered community organization shall comply with the functional equivalent minimum requirements set forth in Chapter 14-303. The primary neighborhood community organization's review process may include requiring an applicant's attendance at regularly scheduled meetings of the primary neighborhood community organization and participation in constructive negotiations with the primary neighborhood community organization, all of which may extend beyond the minimum 45-day time period.

*Jakie*

Tuesday, March 28, 2006

We the residents of River Rd/ residents of Shawmont Valley Civic Association do not want to be represented by Tom Lansmann, current President of this Association.

NAME	ADDRESS
<i>[Signature]</i>	5C River Rd.
Jaquelyn Mellow	22C River Rd.
Robert Schilling	23 River Rd.
Edward Schilling	23 River Rd.
William Kuper	5A RIVER Rd
<i>[Signature]</i>	5B River Rd
Kelly R. [Signature]	5B River Rd
Richard M. [Signature]	7820 Nixon Street
Juan Del Monte	7900 Nixon Street
John J. Vandyke	22 1/2 River Rd.
Angela M. Valdyant	22 1/2 River Rd.
Heather Koch	24 RIVER rd.
Laurea Dickson	24 River rd.
EISENHART	23 1/4 River Rd
na O'mear	6 River Road

Tuesday, March 28, 2006

We the residents of River Rd/ residents of Shawmont Valley Civic Association do not want to be represented by Tom Lansmann, current President of this Association.

NAME

ADDRESS

Frank Modjanowski	14 River Rd.
Grace Modjanowski	17 River Rd.
Fabrizia Modjanowski	14 River Rd.
Frank Modjanowski	14 River Rd.
Ethel I. Singer	15 River Rd.
Carl Miller	5 River Rd.
Thomas J. Trapp	2837 Mixer St.
Ted Wojcikowski	7 River Rd.
John Connolly	5 B River Rd.
Susan Hedrick	5 B River Rd.
Deborah Joyce	5 A River Rd.
Helen Swanson	25 River Rd.
Burt Swanson	22 River Rd.

Tuesday, March 28, 2006

We the residents of River Rd/ residents of Shawmont Valley Civic Association do not want to be represented by Tom Lansmann, current President of this Association.

NAME

ADDRESS

Zane Cleveland	2 B River Rd
Joseph [unclear]	3 1/2 River Rd
Mary [unclear]	3 1/2 River Rd
Wileen Tinneny	18 1/2 River Rd.
Joe Bruzger	5 River Rd
Steve [unclear]	2 1/2 C River Rd.
<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>
Mike Johnston	7844 Uxon St

Tuesday, March 28, 2006

We the residents of River Rd/ residents of Shawmont Valley Civic Association do not want to be represented by Tom Lansmann, current President of this Association.

NAME

ADDRESS

Joe Omlor

6 River Rd

Victoria Moman

7841 NIXON ST.



We the undersigned support Carl Michael Neuber in replacing the existing 2 residences on his property at 5 1/2 River Road (or aka 5.5 River Road) in keeping with his accorded rights for the existing zoning of R-5. These two replacement dwellings are proposed for the River Side Of River Road between the Road and Schuylkill River. In addition, we support him in adding one additional dwelling on the River side (again between the river to the road) in front of the existing gazebo.

Carl Neuber Jr.  
Carl M Neuber Jr. 5.5 River Rd 267 901-3415

JOHN M. SUDIA 5.5 RIVER RD

Joe Bruggen 5 River Rd 509 6191

Diana Kastelan 5.5 River Road 609 496 4357

Ben Ch 2 E River Rd 610-420-3653

Pat Donahue 213 River Rd 215-431-6045

Mamad Mohamedmursi 14 River Rd 215-370-5724

Michael Cook ONE RIVER ROAD 215 483 4325

Paul Olfert 010 River Road 215 509 1051

Thomas Olszewski 1 River Rd 215-509-105

Holly Neash 5.5 River Rd.

Albert DeVono 1 River Rd 215-487-0322

Orlita Bruggen 5 River Rd 215-509-6191

Pat Wojcinski 7 River Rd 215-487-7847

Stephen Wojcinski 7 River Road 570-926-2424 Cell #

Robert Chinski 24B River Rd 267-246-3555

Paul Evans 23 1/4 River Rd 215 485 - 9420

Lizbeth Chals 24B River Rd 267-246-3555

Todd VandeGriff 22 1/2 River Rd. 215-487-1855

Angela VandeGriff

Angela VandeGriff 22 1/2 River Rd. 215-487-1855

Taulara Dickson 24 River Rd 215-509-6718

Mike Koett 24 River Rd 215-509-6718

Deborah Jayne 5.5 River Rd 215 482 3808

*Godd*

## Schuylkill River Residents

Sue Larrimore, President  
21<sup>st</sup> Ward Community Council  
527 Overlook Road  
Philadelphia, PA 19128

September 21, 2006

Dear Sue Larrimore:

Enclosed please find a copy of the Schuylkill River Resident's (SRR) by-laws. We organized as SRR in order to be represented in the tough issues facing us. As you already know, River Road is contending with a rezoning challenge as well as the complications of an impending public sewage installation for over 1 mile along the Shawmont Waterfront. We are really being pinched by overall development pressure.

The officers of our Board are as follows:

Nancy Johnston, President  
Jackie Mellor, Vice President  
Todd Vandegrift, Treasurer  
Janet Schillinger, Secretary

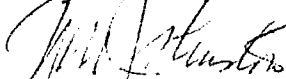
All of our Board Members are long standing residents of the Shawmont Waterfront Area and our shortest term resident/board member has been here for 21 years.

We have a petition signed by members of our community stating that they request to be represented by SRR and not the Residents of Shawmont Valley Association. We believe we gave you a copy of that petition on the last meeting before your summer break; since then we have added some additional members.

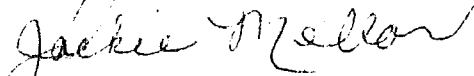
Thank you for giving our special situation your thought and consideration. Our mailing address: Schuylkill River Residents, 23 River Road, c/o Janet Schillinger, Philadelphia, PA 19128

Sincerely,

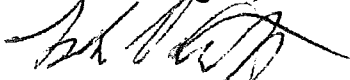
Nancy Johnston, President



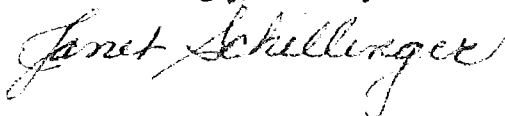
Jackie Mellor, Vice President



Todd Vandegrift, Treasurer



Janet Schillinger, Secretary





# CITY OF PHILADELPHIA

Philadelphia City Planning Commission  
1515 Arch Street  
13th Floor  
Philadelphia, PA 19102  
(215) 683-4600  
FAX (215) 683-4675

THOMAS A CHAPMAN, ESQ  
Acting Executive Director and  
Acting Secretary of  
Strategic Planning

August 9, 2006

Schuylkill River Residents  
Ms. Janet Schillinger  
23 River Road  
Philadelphia, PA 19128

Dear Ms. Schillinger:

This is in reply to your letter of July 13, 2006. The River Road area is currently being considered for a change in zoning designation from R-5 to a zoning designation of RC-6. It is but one action proposed to be taken by the City as part of an Act 537 Plan revision required by the Pennsylvania Department of Environmental Protection. This was the subject of a community meeting held June 20, 2006 wherein all the aspects of the project were explained, including the proposed rezoning of the area to the RC-6 zoning designation.

This office as well as several City agencies continue to meet and work with the residents of River Road to complete an acceptable Master Plan for the River Road area. These meetings are being coordinated by the Shawmont Valley Residents Association. There was a meeting with a committee from the Association on Monday, July 31st and information was given to the civic leaders in order that they might hold meetings with the residents. The staff of the Planning Commission will continue to work with all the residents of the area in order to address whatever concerns they might have.

The basis for making the zoning change as described is to put in place a zoning designation that will limit the amount of future development on River Road. The reason for this restriction is because unlimited or unchecked development for this area of the City would place unnecessary burdens on a proposed new sanitary sewer line.

The proposed rezoning overlay is currently a document in draft form. As such it would be premature to distribute the document at this time. It is also one of the items to be discussed with the residents of River Road in order to complete the Ordinance. I would strongly urge you to have your group contact the Shawmont Valley Residents Association to obtain the date, time and location of the upcoming community meetings so that we can address whatever concerns your group may have.

If you have further questions, please contact Mr. William Kramer of this office at 215-683-4651.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Chapman".

Thomas A. Chapman, Esq.

cc: Julia Chapman, Room 404 City Hall

# PCPC

Philadelphia City Planning Commission

David Adelman  
Camille Cates Barnett  
Lynette M. Brown-Sow

Duane Bumb  
Rob Dubow  
Patrick Eiding

Gloria Levin  
Marcia Moore Makadon

One Parkway  
1515 Arch Street  
13th Floor  
Philadelphia Pennsylvania 19102

215.683.4615 Telephone  
215.683.4630 Facsimile

Gary J. Jastrab  
Acting Executive Director

January 15, 2008

Mr. Neuber  
5 ½ River Road  
Philadelphia Pa 19128

Dear Mr. Neuber,

Thank you for your submission of plans involving River Road Lot #5 1/2. Since our meeting in December, several things have happened. We have had consultations with both the Law Department and the Managing Director's office, we have further investigated and reviewed the records of Licenses and Inspections, and we have conducted a site visit.

In connection with the whole Master Plan project, the Planning Commission staff has adopted a policy. This policy is as a result of consultation with the Managing Director's Office, our response to the survey of residents' views on development for River Road, basic planning practice: including maintaining public safety, flood plain considerations, planning policy regarding waterfront development, and a desire to preserve the existing quality of life for the River Road residents. The policy of the Philadelphia City Planning Commission is to not allow any new structures on lots located between River Road and the Schuylkill River to the South. Additionally, any structure legally located on the riverside of River Road today will be permitted to stay, thus, there will be no requirement to relocate from those structures.. If the owner wishes to expand their structure, such expansion would be considered. In instances where the lot extends to the land-side of River Road and the owner wishes to rebuild, any new structure will be required to be located on the land-side of River Road.

In reviewing your submission, a few facts must be presented. First, you have one lot on which you have four residential units. This is inconsistent with the existing zoning for River Road and there are no records that indicate the Zoning Board of Adjustment ever approved this matter. In addition, the buildings that exist on the riverside of River Road do not meet the standards of the Flood Plain regulations. Based on current information, these buildings would need to be elevated a minimum of 10 feet in order to meet the Flood Plain regulations. It is not the purview of the Planning Commission to enforce the zoning regulations, however, it will be our recommendation that they be enforced. Especially in regard to the Flood Plain aspects of the zoning code, owing to the impacts on public safety for the individual residents, and also for the liability a lack of enforcement would represent. Additionally, since three of these structures were erected without the benefits of permits, there is no way to insure that they possess adequate methods of handling their sanitary waste.

Because of the size of your property and consistent with the policy it would be acceptable to subdivide the property to allow for more than the one unit that is currently legal. Based on the size of the property, you would be able to put 3 possibly four (4) units on the land-side of your

property. The first two units would be located between the existing home and the land-side unit that is located on the easterly side of your property, as discussed at our meeting. While a fourth unit is possible in the location between the existing dwelling and the westerly property line, the exact location of a creek along the property line may preclude this option. A survey will be required for any subdivision and that survey would need to indicate that the 4<sup>th</sup> unit would not impact on the exiting creek that runs along the property line. The Planning Commission staff would make this determination. I am advising you with this notification of the Planning Commission's Recommendation based on your request. Please advise me in writing if you would like to subdivide your property in the future. This desire will be indicated on the final Master Plan.

It is important to note that any plans for any development will need to meet all code requirements especially those of the flood plain. It should also be noted that the plans as submitted are of insufficient detail for a zoning approval or building permit issuance. The prerequisite engineering cannot be relieved by placing such development on the proposed master plan. If you have further questions, please contact me at 215-683-4651.

Sincerely,



William Kramer,  
Acting Division Director  
Development Planning Division  
Philadelphia City Planning Commission

Cc Tom Landsmann

**Fwd: River Road Sewers**

Hide Details

FROM: AmasngGrace@aol.com  
 TO: carlneuber@yahoo.com

Sunday, May 23, 2010 5:50 PM

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From: AmasngGrace@aol.com  
 To: dave@cellini.org  
 Sent: 5/23/2010 5:43:38 P.M. Eastern Daylight Time  
 Subj: River Road Sewers

Dave, This is a copy of letter I sent out to a few folks that I know have an interest in what is happening here.

Hello all. My Name is Grace. I am a River Road resident for over 30 years. It's nice to know some others are interested in what is happening here.  
 My biggest complaint at this point is the city demanding that they run sewer lines down here. We have a perfectly good septic system down here and if the neighbors who do not have one the city should cite them and make them put one in. Instead the city is going to dig up over 40 ft. of our easement to install the sewer lines.

Here is my concern.....The protected animals ( like the little turtle) I forget the name of it, but one neighbor who was put out of their home due to flooding several years ago was kept from rebuilding for approximately four years because the city said it would disrupt the habitat of some of these animals. He was not going to do any digging or damage to the property, he just wanted to build anew on the same concreted area. He and his wife spent all their savings renting an apartment for that length of time (the flood insurance had run out) they started to build on the same foundation but L&I came in and made him tear it all down. They had a perfectly running septic system so that didn't require any replacement.

The reason I'm telling you this is because I cannot for the life of me understand why the city is forcing this sewer system on us at a really outlandish cost to every neighbor. Some (like us) are living on a fixed income but keep the property up and have our systems pumped every year. Now the city wants to disrupt 40 ft. of each persons property without regard to the wildlife.

Twelve years ago our house burned down and I had to fight with L&I for more than two years to get them to allow us to rebuild. I ended up in tears in the middle of their office because our insurance had run out and we could no longer afford the apartment. They used every excuse (including the protected species) to deny us the right to build. We ended up having to get a lawyer and it cost us all our savings plus over forty thousand dollars in loans from a relative. (thank God for Him) The city finally said that because of the septic situation they were denying us the permit. They sent a representative from water & sewer and one from the health department to check out their reasoning. Low and behold the two representatives reported that our system was perfectly acceptable and we were finally allowed to proceed. We even had the septic system updated, even though they said it was not necessary. It is a closed system (as all the newer properties have) and cannot cause any harm to the ecology.

The reason I'm even telling you this is because after all these years the city wants to disrupt our area with all the digging and unnecessary work. I believe it is just their way of trying to replace the money in their coffers, that they have lost over the years due to mismanagement. I want everyone who has any interest in our area to know that the city does not care about the issues that affect the wildlife and ecological situation here they just use it as an excuse when they find it convenient. I believe that the work that the city intends to do will cause enough harm to our wildlife and ecological system that it will take too many years to get back to some normalcy..



# SOUTH STREET Headhouse District

P.O. Box 63675 · Philadelphia, PA 19147  
Phone 215.413.3713 · Fax 215.627.7035  
www.southstreet.com

September 26, 2011

The Honorable Anna C. Verna, Council President  
Chair, Committee of the Whole  
City Hall – Room 405  
Philadelphia PA 19107-3290

VIA FAX: 215-686-1932

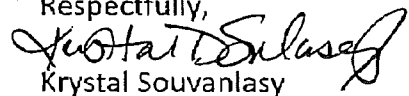
RE: Resolution 110459  
Council Hearing: September 27, 2011 @ 10:00am

Dear Council President Verna:

The South Street Headhouse District (District) Board of Directors and its Business Development Committee (BDC), **strongly opposes** Resolution 110459 as it affects the SSHD's Zoning Overlay that is currently in place.

The Overlay as it relates to the District was created in 1998 to permit a review of ZBA applicants on a case by case basis as it pertains to take-out variances. This process effectively limits the quantity of take-out licenses in the District. It also allows for a screening process which circumvents take-out business to over-populate the District, which would be detrimental to the District landscape and to the entire area. The District does not want a commercial corridor of take-out businesses and the additional amount of trash generated by same.

Please accept this letter in lieu of testimony at the hearing tomorrow. At present, the SSHD is without an executive director. I am the only member of the staff at this time.

Respectfully,  
  
Krystal Souvanlasy  
Administrative Assistant

CC: The Honorable Frank DiCiccio, 1<sup>st</sup> District  
Joette Adams – Chairman, SSHD  
John Foy – Chairman, BDC



## DELAWARE VALLEY GREEN BUILDING COUNCIL

Testimony for the Committee of the Whole Council  
Zoning Code Proposals  
September 27, 2011

Janet Milkman, on behalf of the Delaware Valley Green Building Council

Good morning and thank you for the opportunity to testify today. My name is Janet Milkman and I am the Executive Director of the Delaware Valley Green Building Council. I am here today to testify in support of the adoption of the Zoning Code Commission's proposal. The Delaware Valley Green Building Council (DVGBC) is a nonprofit membership organization whose mission is to encourage green building practices in support of healthy and prosperous communities. We are a chapter of the U.S. Green Building Council and have a local membership of about 850 representatives from the development, construction, architecture and engineering, planning, green product manufacturing, and recycling industries in the region. Together, our member companies bring \$1 billion in revenue to Philadelphia annually.

Over the past year, we worked with our members to review and provide comments on the drafts produced by the Zoning Code Commission and their consultants. We met with the Commission staff and consultants particularly on issues related to green building in the city. We are pleased with the result of this laborious effort by the Commission and believe that the adoption of their proposal will improve the quality of development and the quality of life in the City of Philadelphia.

Specifically, the proposed code encourages transit-oriented development and limits parking requirements to reduce car trips, create safer and more pleasant walking and support local businesses. The new proposal permits urban agriculture, allowing increased access to fresh, healthy local foods and converting vacant land into productive use.

Landscaping requirements for parking lots and tree planting requirements in the new code will improve air and water quality, moderate temperatures, and provide a buffer from the city's nearly universal hardscape. The Zoning Code proposal encourages sustainable building practices by offering density bonuses for the highest performing buildings and for including fresh food markets in new developments. The new code encourages use of alternative energies on a small-scale, such as wind and solar.

Adopting the proposed zoning code is the best step that Council can take to improve livability for Philadelphia residents.



**Testimony for City Council's Committee of the Whole  
Zoning Code Proposals  
September 27, 2011**

**Sylvia Okechukwu, on behalf of  
Logan CDC**

Good morning and thank you for the opportunity to testify today. My name is Sylvia Okechukwu and I am the Business District Manager at Logan CDC. Logan CDC is a community development corporation serving the Logan neighborhood of Philadelphia. Its mission is to enhance the quality of life for residents and businesses through transformative community and economic development.

I oversee the North Broad Street Improvement Project, a comprehensive revitalization initiative of Logan's main commercial corridor along North Broad Street and Old York Road. Current and completed projects include:

- The formation and ongoing support of the Logan Business Association;
  - Business corridor canvassing and outreach;
  - Business technical assistance including referrals to service and funding providers such as the Office of Business Services and The Merchants Fund;
  - Storefront Improvement Program façade design and application assistance;
  - Streetscape enhancements; and
  - A street cleaning program made possible through funding from the Philadelphia Commerce Department.
- 
- The lack of clear rules in the current zoning code deters small businesses from opening on our neighborhood commercial corridors, homeowners from fixing up their houses and developers from building on vacant land. 40% of zoning applicants currently need a variance, more than any large city. The new Code tells every developer or homeowner making an improvement to his or her property exactly what is allowed and what is prohibited. Having clear rules—developed ahead of time with community input—is a far more effective way of ensuring good development than efforts to stop or change development after it has been approved. It has been my personal experience on the Logan business corridor that the excessive amounts of contradictory and confusing information in the current code unnecessarily lengthens the amount of time it takes businesses to open and also discourages aspiring entrepreneurs from moving forward with the process to open a new business on the corridor. The new code encourages an orderly process for opening businesses on our commercial corridors which results in new jobs, restaurants, and services for residents.
  - **We are looking forward to the passage of the Code in 2011 and the subsequent remapping** to remap our neighborhood (if neighborhood is transitional and needs remapping) with extensive community input and a clear vision of what we want our community to be in the future. While remapping is important, the Code adoption should not wait until that happens and certainly we don't want economic development along our commercial corridors to stop during the remapping process.
  - **The new zoning code will make it easier for neighborhoods to be preserved, strengthened and revitalized.**
    - Redevelopment of non-conforming uses will be easier as the new Code explicitly allows improvements to non-conforming properties.
    - Transit oriented development provisions and the new CMX-2.5 Neighborhood Commercial Mixed-Use District will accommodate a mix of active, pedestrian-friendly retail and service uses in neighborhood commercial corridors. In neighborhoods such as Logan that are located on the Broad

Street line and is accessible by car, trolley, bus, train, and subway, this would have a major positive impact.

- Contextual zoning for rowhome neighborhoods will ensure building height and setbacks.
- **The new code also gives the community a formal role in the development process** For the first time there is a mandate that developers must notify and meet with community groups about large development, projects planned in or adjacent to residential areas, and projects that do not comply with the zoning code. That said, more projects will be as of right and will not require the community's time to monitor or oppose.

Thank you for your time, attention and interest. Community, housing and economic development initiatives are important vehicles for continued growth and stability in our neighborhoods. I welcome any opportunity to continue this conversation.