COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, April 18, 2012
10:30 a.m.

PRESENT:
COUNCILMAN CURTIS JONES, JR., CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN DAVID OH
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

BILLS 120164, 120165 and 120166
RESOLUTION 120167

- - -

COUNCILMAN JONES: Good morning. This is a continuation of the public hearing of the Committee of the Whole regarding Bill Nos. 120164, 120165, 120166 and Resolution No. 120167.

Ms. Lewis, would you please read the title of the bills and resolution.

MS. LEWIS: Bill No. 120164, an ordinance to adopt a Capital Program for the six Fiscal Years 2013 through 2018 inclusive.

Bill No. 120165, an ordinance to adopt a Fiscal 2013 Capital Budget.

Bill No. 120166, an ordinance adopting the Operating Budget for Fiscal Year 2013.

Resolution No. 120167, a resolution providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2013 through 2017, and incorporating proposed changes with

respect to Fiscal Year 2012, which is to be submitted by the Mayor to the Pennsylvania Intergovernmental Cooperation Authority (the "Authority") pursuant to the Intergovernmental Cooperation Agreement authorized by an ordinance of this Council approved by the Mayor on January 3rd, 1992 (Bill No. 1563-A), by and between the City and the Authority.

COUNCILMAN JONES: Thank you.

We will hear from the Administration. Will you please approach the witness table and identify yourselves and proceed with your testimony.

(Witnesses approached witness table.)

MR. DANTA: Good morning, Mr. Chairman, members of City Council. I'm Jorge Danta from the Philadelphia Historical Commission.

COUNCILMAN JONES: Okay. Please proceed with your testimony.

MR. DANTA: I'm here to present

the Philadelphia Historical Commission's testimony on behalf of Dr. Jonathan Farnham, the Executive Director, who is unable to attend.

I present for your review and consideration the Historical Commission's operating budget for the amount of $412,784 for Fiscal Year 2013. The request includes 385,995 for Class 100 employee compensation, 15,980 for Class 200 services and 10,809 for Class 300 and 400 equipment and supplies. The proposed budget is 25,000, or 6.4 percent, more than the estimated obligations for Fiscal Year 2012. The increase derives entirely from grant funding, not the General Fund. The number of approved staff positions, one of which is vacant, remains at six.

The Historical Commission's current staff is five, and it is comprised of two females and three males. One staff member is Hispanic and four are Caucasian.

The Commission was created in

1955 and reorganized in 1985. The Commission is responsible for ensuring the preservation of historically significant resources in the City. With its federal certification, the Commission performs federally mandated historic preservation reviews for municipal agencies.

The Historical Commission's accomplishments in Calendar Year 2011 include the approval of 1,585 applications under the local historic preservation ordinance. This represents an 11 percent increase over 2010. During the year, the Commission designated five historic sites, one interior and one set of historic objects; rescinded the designation of three sites; and initiated the consideration of one historic district.

Under agreements with the state and the federal government, the Commission conducted 2,081 federally mandated eligibility determinations, 148

work plan reviews and 22 archeological assessments.

The Historical Commission undertook numbers of important activities in 2011. For example, it presented an updated preservation ordinance to the Zoning Code Commission for incorporation into the revised Zoning Code. Also, the Commission and the City achieved a major victory when the Commonwealth Court ruled that as an expert administrative agency, the Historical Commission deserves deference when its decisions are reviewed on appeal.

Thank you, Mr. Chairman and members of City Council. I can now answer any questions that you may have.

COUNCILMAN JONES: Thank you for your testimony.

Out of curiosity, archeological digs?

MR. DANTA: Yes.

COUNCILMAN JONES: Can you explain that?

MR. DANTA: It's on a Section 106 review. Those are federally mandated reviews for City agencies, and sometimes they do include some sort of archeological investigation if there is archeological information on the site, and that is usually for new construction, related to HUD housing, for example.

COUNCILMAN JONES: Were you involved in the 6th and Market Street excavation? When they were putting the Constitution Center down there, there was an uncovering of a graveyard that was there. Were you involved in that at all or was that federal?

MR. DANTA: That was federal.

COUNCILMAN JONES: So you wouldn't work with them on --

MR. DANTA: No. No, we would not.

COUNCILMAN JONES: So in your testimony, according to your testimony, you hope to increase the number of homes that you review. What is your goal in

2012 to increase the number of certified properties?

MR. DANTA: Well, we do have one pending historic district, which hopefully will be reviewed sometime in the next year. We also receive nominations from interested parties or citizens for the designation of important historic sites. We do not control the number of nominations that we receive.

COUNCILMAN JONES: You had 56 requests for inspections last year; is that right?

MR. DANTA: For Licenses and Inspections?

COUNCILMAN JONES: Yes.

MR. DANTA: Yes. We work very closely with the Department of Licenses and Inspections to work on violations or work that has been done with our building permits on historic properties.

COUNCILMAN JONES: Okay. I'm going to allow for questions at this time.

4/18/12 - WHOLE - BILL 120164, ETC.

The Chair recognizes Councilwoman Bass.

COUNCILWOMAN BASS: Thank you, Mr. Chairman.

COUNCILMAN JONES: Good morning.

COUNCILWOMAN BASS: Good morning.

Good morning. How are you?

MR. DANTA: Good morning.

COUNCILWOMAN BASS: Question for you. In terms of your responsibility regarding historical properties, would that include homes like historical homes that seem to have become private residences for some folks? So, for example, in the Fairmount Park, there are historic houses that people actually live in.

MR. DANTA: Yes. The ownership is not really an issue when it comes to designation. The Commission --

COUNCILWOMAN BASS: I'm sorry. I can't hear you.

MR. DANTA: I'm sorry. The Commission can designate as historic sites private property, including private homes. Is that your question?

COUNCILWOMAN BASS: Yes. So you do have jurisdiction over private homes that -- or actually, no. Maybe they're not private homes. They are owned by the City of Philadelphia, but they are historic and in places like Fairmount Park and other locations like that. I know in my district -- actually, it's actually Councilman Jones' district, that part of Fairmount Park, in the Northwest, there's a number of historic buildings that are homes to individuals. So that would be under your jurisdiction?

MR. DANTA: Not all properties within the Fairmount Park -- within Fairmount Park are designated historic. We do have a list of properties within Fairmount Park that the Commission has designated as historic sites, but not all of the historic properties are officially

designated.

COUNCILWOMAN BASS: For the ones that you are responsible for, what's the process in terms of if you're interested in residing in one of those properties or if you've been allowed or admitted to consider this your residence? How does that happen?

MR. DANTA: The Commission does not have any jurisdiction to review the use of the property. We're not required to review that. The property could be utilized in any shape or form that the property owner decides.

COUNCILWOMAN BASS: Okay.

MR. DANTA: Now, if the occupation of the property requires some sort of change to the exterior of the property, then the Commission would review that change to make sure that the historic character of the property is retained, but the use we do not regulate.

COUNCILWOMAN BASS: Okay. So that would be Fairmount Park then or the

Park Commission?

COUNCILMAN JONES: We had, Councilwoman, a tour of the historic homes in the Fairmount Park. It was fascinating, from Benedict Arnold's mansion to the printing mill up at the Rittenhouse Printing Mill where they actually still make paper on a demonstration basis.

So you don't get involved with that kind of designation there?

MR. DANTA: We do. We do designate properties within Fairmount Park.

COUNCILMAN JONES: But then use is up to Fairmount Park?

MR. DANTA: That is correct.

COUNCILWOMAN BASS: All right. Thank you.

MR. DANTA: You're welcome.

COUNCILMAN JONES: The Chair recognizes Councilman Oh.

COUNCILMAN OH: Thank you, Mr. Chairman.

In terms of available dollars, are there any resources out there, grants, federal funding, anything out there, to provide monies for the renovation or restoration of exteriors in the City of Philadelphia along historical guidelines?

MR. DANTA: Yes. There is a federal grant program. It's a 20 percent tax credit that applies to the renovation or rehabilitation of historically designated properties. It is a federal program. It's administered through the state Preservation Office in Harrisburg. Our office does not administer that program. But it is a very effective rehabilitation program out there, and it is widely used in the City of Philadelphia.

COUNCILMAN OH: In terms of streetscapes for commercial corridors as opposed to individual homes, is it possible to take a neighborhood commercial corridor which may have

historical significance in terms of, for example, being a, once upon a time, Polish commercial corridor that could be restored to some type of authentic or original streetscape? Is that a possibility?

MR. DANTA: Well, it certainly is. I think it really depends on the ownership and who owns all the different or individual properties. There is a Main Street Program also administered through federal grants and federal tax credits, which targets specifically streetscape, specifically main streets, commercial corridors.

COUNCILMAN OH: So as long as we get a group of storeowners or commercial property owners together and they all agree to do a three-block or two-block area, they could apply for funding to restore the original nature of their signage and whatnot?

MR. DANTA: Yes, hypothetically you could, correct.

COUNCILMAN OH: Do we have someone in your office or anywhere in the City -- I see a head being shaken.

MR. GREENBERGER: Yes. Go ahead. Alan Greenberger, Deputy Mayor and Director of Commerce.

Those programs, Councilman, would typically run through the Commerce Department's Office of Neighborhood and Economic Development, and if there's some particular corridor that you have a question about, I'd be happy to answer it off line with Karen Fegely, who is our Director of that division. But those grants, Main Street grants, storefront improvement, facade improvement, corridor management, that all flows through the Commerce Department.

COUNCILMAN OH: Okay. I'm certainly very interested. I could imagine that any District Councilperson would want to know and want to know how to apply for that.

MR. GREENBERGER: I think many

of the Councilmembers are aware of that. There are grants all over the City.

I would just add that a subtlety that is actually fairly confusing sometimes is that there are buildings and districts that are landmarked by the Philadelphia Historical Commission and administered by the Historical Commission. There are other federal districts that are created frequently to create the opportunity for this historic tax credit incentive. Those districts are not managed locally by Philadelphia. They're managed by the state Historic Preservation Office in Harrisburg, and they're very frequently done specifically to get at the tax -- the historic tax incentive.

COUNCILMAN OH: Okay. Thank you very much.

Thank you, Mr. Chairman.

COUNCILMAN JONES: Thank you, Councilman.

Mount Moriah, which is a

historic African American cemetery in, I believe, Councilman Johnson's district, you interceded on that. Can you describe for us what that process was like?

MR. DANTA: For that project, we worked very closely with the Law Department and Licenses and Inspections. And really the cemetery is not a designated site. The historic brownstone gates are designated historic. So our involvement really focused strictly on the gate and their ruinous condition. So we worked very closely with the Law Department and Licenses and Inspections.

COUNCILMAN JONES: So it's my understanding why wouldn't that be a historic site? The first Mayor of the City of Philadelphia is buried there. There are graves that are there that go back to the Civil War, and there's a large plot of military heroes that were from the sinking of one of the major battleships, I believe, in the First World War. How come a place like that

wouldn't be an historic site?

MR. DANTA: I believe it is certainly eligible, but it has not been legally certified as a historic site yet. It is certainly something that the Commission could look into.

MR. GREENBERGER: I think, though, you're asking the question about application and ultimately workload. The Commission can go out and seek or organize a nomination, but I think most of the work they do is as a result of nominations that come in from community members, either -- well, like you're familiar with this in your district, various community groups, or it can come in from a totally independent nominator who says that this particular place is important and is willing to invest the time and the money to create a nomination that addresses the specific federal guiding criteria that the Historical Commission has to use in their assessments.

COUNCILMAN JONES: This is a particular project that has caused a great deal of concern. They were stealing the gates from around a cemetery in this case.

So in a project like that, what about the Divine Lorraine Hotel, I believe it is? How did you intercede in that project?

MR. DANTA: It is a designated landmark in the City, and the Commission has reviewed several applications for the rehabilitation of the building, which has not happened to date.

MR. GREENBERGER: And in the most recent instance after the small fire a couple of weeks ago, L&I, coordinating with my office and coordinating with Jorge's office, organized ourselves to be able to move in there quickly and seal up the remainder of the buildings that -- the remainder of the building that does not face the street. That was specifically to stop any intrusions while

the thing is actually out there and under potential sale.

COUNCILMAN JONES: If you could use these two projects as an example of how possibly a group could intercede on behalf of both the cemetery and the hotel, if you could send that to me, I would forward it to the respective Councilpersons, particularly Mr. Johnson, Councilman Johnson, to see if there are groups that want to undertake that and what the benefits would be for them to undertake that historic landmark.

MR. DANTA: We would be happy to.

COUNCILMAN JONES: It's interesting, because half of the cemetery is in Darby, I believe it is, and so --

MR. GREENBERGER: Darby maybe, yeah.

COUNCILMAN JONES: So it's an interesting case example.

MR. GREENBERGER: Right.

COUNCILMAN JONES: Are there

any other questions for this panel?

Councilman Johnson.

COUNCILMAN JOHNSON: Just one point of information as well.

But the Managing Director's Office is in the process of looking at a non-profit organization to begin taking the helm of Mount Moriah Cemetery. And so I'll follow up from the historical perspective how we can put that on the radar, but hopefully, keeping our fingers crossed, we're going to be in a situation where a non-profit will step up to the plate. I think the particulars are still being worked out, but that was the last e-mail that I received. So thank you for raising the question.

COUNCILMAN JONES: There have been a group of interested parties out cleaning up, restoring some of the grave sites. So it's on our radar and would like you to take a look at that.

MR. DANTA: Absolutely.

COUNCILMAN JONES: Any other

questions?

(No response.)

COUNCILMAN JONES: Seeing none, thank you very much for your testimony.

MR. DANTA: Thank you, Mr. Chairman. Thank you, members of Council.

COUNCILMAN JONES: Next will be the Planning Commission. Would they please come up and approach the witness table.

(Witnesses approached witness table.)

COUNCILMAN JONES: Good morning.

MR. JASTRZAB: Good morning, Councilman Jones and members of City Council. My name is Gary Jastrzab. I'm Executive Director of the City Planning Commission. With me today is Mary Morton, our Administrative Services Director.

For Fiscal Year 2013, our total operating budget request is $3,253,183.

That's composed of three components, a General Fund component of $2,212,183, a Community Development Block Grant component, $237,647, and a grant component totalling $803,479, for a total of 3.2 million.

That is for 37 budgeted positions, 33 out of the General Fund, three Community Development Block Grant fund and one grant-funded position.

The change from Fiscal 2012 is a reduction of $43,611, of which $11,363 is in the grant component and $32,248 in the Community Development Block Grant component, a total reduction of five positions over Fiscal '12.

In terms of our OEO goals, our OEO goal for Fiscal Year '13 is 32 percent, and we are on track for achieving that goal, that same goal, in Fiscal Year 2012.

In terms of our management, there are nine members, nine division director members, employed by the

Commission, of which 67 percent are male, 33 percent are female. In terms of racial composition, 11 percent black, 89 percent white among management personnel, but among the Commission as a whole, we're almost equally divided between males and females. In terms of our racial distribution, 20 percent black, 70 percent white, 7 percent Asian, 2 percent Hispanic.

I'd just like to take a moment to mention some of the significant achievements that we've had in the past year.

In June of 2012, the City Planning Commission adopted the first comprehensive plan, citywide comprehensive plan, that my department has done in 50 years, the Citywide Vision document, which provides a framework for comprehensive planning in the City and is being followed up now by a series of district plans. So in June of 2011, that was adopted by the Commission.

In December of 2011, as you know, Council passed and the Mayor signed a new Zoning Code, which goes into effect in August of this coming year, also the first major revision of the City's Zoning Code in 50 years.

Last month the City Planning Commission adopted the Delaware River Waterfront Corporation's Central Delaware Riverfront Plan, a major master plan for the Central Delaware Riverfront. We're now following up on that by doing some zoning map adjustments and other legislative drafting for a Central Delaware Riverfront overlay zone.

We've currently adopted -- last month the Commission adopted two of our 18 district plans as part of the comprehensive plan. We're now working on two additional plans to be done in the next six to 12 months.

And then, finally, I'd like to mention the Citizens Planning Institute. We're about to begin our fourth semester

of classes on Planning 101 and other more specialized subject matter as part of the CPI. We've now graduated 90 citizen planners, City residents, members of local community organizations that are involved in planning and zoning issues. And with the classes that begin tonight, we expect to graduate another 35 citizen planners by June.

So that concludes my testimony. I'd be happy to answer any questions that you may have.

COUNCILMAN JONES: Ed Bacon would be proud that you went on this quest to codify our Zoning Code. A lot of trees died in creating that original code, and I know -- I don't know how the legal community, who has developed a cottage industry on interpreting our zoning codes in the past, will feel about this final leg of the journey, but you are to be applauded for undertaking it in the first place. Nothing is ever going to be perfect. There's always going to

be intended and unintended consequences that happen, but it was courageous of your department to begin the process, and we thank you for your work in this regard.

I notice that you have budget cuts. In light of the code being brought online, how will these budget cuts impact your performance as a department?

MR. JASTRZAB: Well, certainly the cut in positions that we've had over time, we've held a number of positions vacant, and it does impact our ability to do our work, both our Charter-mandated responsibilities as well as the initiatives that we've undertaken.

We've been very aggressive in going after grant opportunities. Through the very generous behavior of the William Penn Foundation, we've been able to supplement our losses in staff and overall budget over the past couple of years with major grants from William Penn and through the Delaware Valley Regional

Planning Commission's TCDI program. It basically -- these grants have basically allowed us to contract, to hire consultants to assist us in doing additional planning studies, follow-up planning studies for our district planning efforts.

But I think the short answer to your question is that it's a struggle. We are working very hard and we are undertaking new initiatives, but we're managing to make ends meet.

COUNCILMAN JONES: By way of population shifts in the City of Philadelphia which resulted in redistricting of many of our maps, there are certain portions of the City that have had drastic decreases in population and that has resulted in increased vacancies and other things like that.

Are we planning our way to address them and, conversely, are we looking at population shifts that have increased population and what will that

mean by way of our planning focus in the future?

MR. JASTRZAB: Yes. We're doing both. Historically there are distressed areas of the City that have lost tremendous percentages of population over the years. As part of our district planning process, we're going to be -- we're going to be looking at those districts. North Philadelphia in particular I think is scheduled -- some of the district plans for North Philadelphia are scheduled in the next round or two of district plans. We're going to be looking very carefully at how to make use of vacant land, what should happen with land that may have formerly held buildings and houses.

We're also looking at areas of expansion and trying to accommodate areas where population has increased by looking at what capital facilities exist in those areas, are those facilities adequately addressing or serving the populations,

looking at a number of transportation infrastructure improvements over time to provide better connections between home and work for City residents. In particular, we're currently applying for a federal grant to do an alternatives analysis, basically a planning study, looking for extending transit services from the end of the Broad Street Line to the Navy Yard, a major employment center both now and projected for the future in the City, as well as other longer term transportation improvements along the Roosevelt Boulevard corridor, the Delaware Riverfront.

COUNCILMAN JONES: Is there a possibility of one day seeing a subway extension up the Boulevard or at least light rail above it?

MR. JASTRZAB: It's probably a long-term prospect, but it's certainly something that we believe that there's a need for, and we're going to be looking at that more closely as we do our

district planning.

COUNCILMAN JONES: As gasoline goes up, transit-oriented development, building along light rail, building along subways is something that other cities are doing. And it burns my britches when I hear how Denver is touted as a transit-oriented city, when we've had infrastructure like that for closing in on half a century. We are where they want to be. And I think things come full circle when we think about Market Street, which is a commercial corridor I share with Councilwoman Blackwell, and thank you for the thought being given to how we in a post-recession period plan for its eventual development. So we're looking forward to hearing about that.

Also, just quickly, and I'll let my colleagues ask their questions. I want to know how your information funnels into economic development, housing development and how they use that information as building blocks for CDBG

planning and other things.

MR. JASTRZAB: We work very closely with the Department of Commerce and the Office of Housing and Community Development, both on a day-to-day staff level as well as in the broader planning process. As part of our district planning, we have steering committees made up of major stakeholders and City departments as well.

So we're certainly attempting to coordinate all of our activities, all of our planning activities, as well as accepting input from both community and other operating departments in the City so that we can all proceed -- speak with one voice and proceed with one voice, so to speak, as we go forward.

COUNCILMAN JONES: That integration of information is critical so that the studies of today become the developments, actual shovels in the ground of tomorrow.

With that, the Chair recognizes

Councilman Goode.

COUNCILMAN GOODE: Thank you, Mr. Chairman.

Good morning.

MR. JASTRZAB: Good morning.

COUNCILMAN GOODE: Going back to a question from last year. Under the Home Rule Charter, the Planning Commission has responsibility to make recommendations to Council on zoning ordinances. And I've sat on Rules for a few years now and when we get projects that come before the Rules Committee, there is a recommendation that comes from the Planning Commission, but sometimes it's completely only related to zoning issues. And so it seems as if the review is the Administration's approval of a project when the project itself might not be in compliance with other provisions of the City Code.

Do you think it's appropriate that when the Administration in the form of the Planning Commission reviews

projects and makes testimony before the Rules Committee, that there is a broader review or checklist that should be in place?

MR. GREENBERGER: I'll answer. That's what we're trying to do. There should be a way to check these things off. As you know, there's a lot of information to be coordinated, and the presentations that the Planning Commission gets on these projects typically don't include a lot of that information. Sometimes it's not even there yet.

So there has to be a kind of follow on to it, and obviously part of my job is to get these different entities, both agency to agency but also within agencies, to make sure that they're talking to each other so that people understand that something happened here that needs to have a connection there.

I know where you're going with this, and I think fundamentally there

does need to be a kind of broad checklist.

COUNCILMAN GOODE: And even at the end of the day, you don't change the process in terms of review for zoning matters, but if there's a checklist before the bill is presented, that would be helpful, so that at least whoever is testifying on behalf of the Administration is not saying simply that, yes, the zoning matters are okay and so the Administration supports the project, when in fact there may be reasons that other portions of the Administration would not support the project and/or other matters have not been addressed.

MR. GREENBERGER: Yeah. I'm particularly concerned -- I hope we're not at the point where we're truly at cross purposes about support and not support. That's a bigger issue. But certainly at the level of, yeah, we support it, but this project has to have certain things done, whether it's an EOP

or a zoning entitlement or some financial commitment, and I want our people from Planning to know that at least when they're up here talking about a project, yeah, their scope is limited, but I'd like them to at least know that there are other scopes out there and have some sense of where we are in that process.

COUNCILMAN GOODE: And if that is the only opportunity that the project is going to come before Council, maybe there should be testimony beyond just the Planning Commission.

MR. GREENBERGER: Well, that is often the case. Let me give some thought to how we might best do that and have information organized for you.

COUNCILMAN GOODE: Thank you.

Could you just submit that through the Chair in terms of what process you come up with.

MR. GREENBERGER: Sure.

COUNCILMAN GOODE: If it's not going to be done immediately, then just

submit a timetable for creating that process.

MR. GREENBERGER: Okay. That will be fine.

COUNCILMAN GOODE: Just lastly, Mr. Jastrzab, are you satisfied with the staff diversity within your department?

MR. JASTRZAB: Well, we've made efforts to broaden our diversity in recruiting, but we are governed by the Civil Service system. And in terms of our current composition, we actually have several division directors that have 30 years or more of service. They're going to be dropping or retiring in the next few years, and it's our intention to promote from within where we can and to increase that diversity.

Just very recently the Office of Human Resources announced a new Civil Service exam for the City Planner 2 position, and we were very aggressive in trying to reach out to universities, various population groups to increase

that diversity, but overall, we're pretty much governed by the rules of that system and have to work within that system.

Certainly we're committed to increasing diversity, though, in the larger sense.

COUNCILMAN GOODE: Aside from what you've done, could you actually just submit what you plan to do over the next five or ten years and what you expect the department to look like five or ten years from now?

MR. JASTRZAB: We can certainly do that.

COUNCILMAN GOODE: Thank you.

Thank you, Mr. Chairman.

COUNCILMAN JONES: Thank you, Councilman.

The Chair now recognizes Councilman Johnson.

COUNCILMAN JOHNSON: Thank you, Mr. Leader.

I'd like to thank you for being here today. I just had a couple

questions. First, just to start off, I congratulate you for the four-plus years of work in bringing up to date our Zoning Code. That's one of the things I heard most about while I was out on the trail maybe coming --

MR. GREENBERGER: It's not over.

MR. JASTRZAB: It's not over. And I should also just acknowledge Eva Gladstein, who is here, who is the Deputy Director.

COUNCILMAN JOHNSON: "The" Eva Gladstein, we notice. We do notice.

But I just wanted to acknowledge that work.

A couple questions. Can you give me an idea of the process and criteria for the new RCO selection and when it will be done and when you're going to roll that out. That's really important for me in terms of the neighborhood groups that I work with. And -- go ahead, you can answer that.

MR. JASTRZAB: Sure.

COUNCILMAN JOHNSON: Come on up, Eva.

(Witness approached witness table.)

MR. JASTRZAB: Actually, yesterday the City Planning Commission adopted the proposed regulations for the RCO process, and we're going to be transmitting those regulations to the Department of Records for advertising over the next 30 days.

Our intention in registering community organizations, registered community organizations, is to provide a mechanism for notifying community groups about the development process and about specific developments, but we need to have rules and regulations for how we recognize those organizations, and there has been some pushback from some community organizations regarding that process. We've listened to them and we've modified and kind of loosened up on

some of the original regulations that we had proposed to register those organizations.

We're certainly not looking to exclude anybody, and we will accept a community organization's boundaries and structure as part of that process.

We're hoping that we can begin registering community organizations beginning in June, and we will be holding a couple of workshops in the next month or month and a half to assist community organizations in filling out the registration for those organizations -- of their organizations.

So we are reaching out to organizations. We're available to assist them. The individual residents and others who may want to comment on development issues before the City Planning Commission are certainly always welcome to do that. We would not exclude anybody, but we needed an organized system for notifying communities about

developing issues.

COUNCILMAN JOHNSON: So what's going to be the selection process?

MR. JASTRZAB: I'm sorry. Could you repeat?

COUNCILMAN JOHNSON: The selection process. What is the criteria that you're using to say this is the organization we're going to pick in such-and-such a neighborhood to be the RCO?

MS. GLADSTEIN: We're not trying to identify only one organization. There can be multiple organizations in communities and we're expecting in many communities there might be multiple groups.

COUNCILMAN JOHNSON: But obviously some are going to get picked and some aren't, correct?

MS. GLADSTEIN: It's any group that meets the criteria will be registered. And so the criteria --

COUNCILMAN JOHNSON: Thank you,

Eva.

MS. GLADSTEIN: Okay. So for what we're calling a local RCO, which has boundaries and is intending to represent an area, they're going to have to show that they notify the public in some way about their meetings, that they meet on a regular basis, although we're not saying it's weekly or monthly or whatever number of times a year. They're going to have to show that they draw their membership from the area. They'll tell us their boundaries. They'll demonstrate that they have some kind of structure or written rules.

So those are the basic criteria for the local RCOs. And then they will be required to provide notice to their members or to community of a meeting, and they'll also be required to document in some way the meeting results just by giving a letter or summary of what happened at the meeting, whether or not people agreed or disagreed, if they took

a vote, if they didn't take a vote.

COUNCILMAN JOHNSON: Can you also add -- can I keep going, Mr. Leader?

COUNCILMAN JONES: Go ahead. Please do.

COUNCILMAN JOHNSON: Can you also add something to take into consideration also is the documentation for how did they actually do the outreach. Did you flyer the neighborhood? What was the response from the immediate neighbors within the actual project area? I think that's always important, because sometimes one group may be more technically savvy than another and may just use e-mail. One group may be more grassroots oriented and may only do flyering, but may not use e-mail. So I think any of these groups that have a certain level of sway on development in the area, rather before or against, should have a certain level of documentation of what did you actually do to get the word out, so a few don't

really control the process saying they represent the majority of the community. So I just wanted to put that out there just based upon my experience.

Now, how do you actually determine -- who comes up with the neighborhood boundaries that an organization say they represent? Because you may have five groups fighting over one development project and then they come into the Councilperson and say, Well, how do you -- you know, we need help. And so I'm trying to grapple with that, and I know you did send me some maps and so forth and they're kind of like -- there's so much overlay and then it's all -- you have a level of division, competition that takes place when there's much overlay regarding development going on in the area.

MS. GLADSTEIN: We did put in the qualifications that they have -- they're self-identifying their boundaries.

4/18/12 - WHOLE - BILL 120164, ETC.

COUNCILMAN JOHNSON:

Self-identifying?

MS. GLADSTEIN: The Planning Commission is not trying to prescribe boundaries for them, but we did say that if they change their boundaries, they have to provide notice. So they can't -- and that the boundaries have to be consistent with what their written rules or governing documents are. So they can't kind of make up new boundaries all the time or change the boundaries without a notice process.

COUNCILMAN JOHNSON: That's something I think we should take a look at as you move forward in the future. I support community organizations. I come from community organizing first and foremost, but I'm also having an opportunity to pay attention to how a group that lives nowhere near an actual development project but they may just draw their boundaries. You don't even live down here, your boundaries go to

like North Philly, and I'm like -- and then you shoot down a project that like at the end of the day we look at the numbers of who is really having an impact -- that the project is having an impact on. Your Board lives nowhere near the area that you're shooting down a project, and I think that's kind of unfair.

MS. GLADSTEIN: Yeah. We did put in sizes, so there's a maximum size and a minimum size, and with documentation, we asked for a copy of the sign-in sheet of the meeting so you could see the addresses of the individuals who attended the meeting. So whoever that's being presented to will have that information so they can see if the near neighbors were consulted. They can see if the people lived five miles away. But this is very tough stuff.

COUNCILMAN JOHNSON: Oh, I know. I know.

MR. JASTRZAB: We're going to

be learning as we --

COUNCILMAN JOHNSON: If it's tough for you, it's even tougher for us as District Councilpeople, who have to sign off and say --

MS. GLADSTEIN: Absolutely.

COUNCILMAN JOHNSON: -- we support this or not support it.

COUNCILMAN JONES: What was interesting in Councilman Johnson's comments, I looked at the faces of the members, the at-large people, it didn't matter to them. Every one of the district people was shaking their heads about these kind of territorial disputes that from time to time in zoning they have to deal with, and it's a reality. And in one case in my district, I had to go and look -- I started looking under the ground. I was looking for the pot of gold buried under here, because it must be a put of gold, they're fighting this hard about territory and disputes. But it just shows that people are interested

and concerned about the development of their neighborhood.

COUNCILMAN JOHNSON: Just one last comment. And I know you are working doing the best you can to the best of your ability, and my approach is always to see how I can be supportive in the process.

Now, how does an organization -- what's the rules for them to say this is the new name of the neighborhood? Like, for instance, I start my own non-profit and I say from Broad and Arch to Broad and Pine up to 25th Street is Kenyatta Johnsonville, and it's official, it's Kenyatta Johnsonville, or Wynnefield Northwest. I'm just trying to --

MS. GLADSTEIN: We've been in neighborhood meetings where this exact issue has come up, and I know it was in your district. The groups are naming themselves. They're not naming the neighborhood, and the Planning Commission

certainly hasn't adopted any names for neighborhoods based upon the names of groups, although I know it's been a cause for concern.

COUNCILMAN JOHNSON: You may want to look at that in the future.

MS. GLADSTEIN: It's been a big cause for contention, and sometimes the newspapers and the realtors are picking up the names of the groups and kind of spreading and supporting that.

COUNCILMAN JOHNSON: But here's the part: Even if the media picks it up, some way, somehow as part of the planning process, you will hear such-and-such a new neighborhood all of the sudden arrived and then whatever development takes place or whatever activity takes place becomes a part of this new neighborhood that just evolved and City government had nothing to do with the evolving of the new neighborhood, which although it may sound like I'm joking, but it also drives other factors, rather

it be development in an area, maybe a new hot-bed place where people want to come and move in, just based upon a name that you put there. And I think what we have to be mindful of, if it's good in one case, it has to be good in another case, so who is to stop another group from coming and naming it something that may be an undesirable name? Like when do you step in and say, Hold up, from a planning standpoint, we want to kind of monitor the development of the area from a naming standpoint? I mean, how does that play into it?

MR. GREENBERGER: All I'm going to say, Councilman, is, we need your help with this, because this goes on in neighborhoods all over the City. Not everyone, but it goes on in a number of them.

COUNCILMAN JOHNSON: Because I'm thinking maybe if I name a neighborhood as opposed to a building, I'll have a good legacy after I retire.

MR. GREENBERGER: Well, you might.

I think one of the ways it happens is, realtors start doing this early. I mean, I think a lot of us can go back -- I know I can remember seeing ads when I just moved to the City in the '70s and you'd see ads for apartments in, I don't know, 10th and Lombard and they're saying Society Hill something or other, and you think, whoa, where does that come from.

So that often starts with that. It sometimes starts with new neighbors who are purposely trying to sort of reposition stuff. And obviously the more we get in there and try to control it, probably the more pushback we're going to get about get out of the way, you're not supposed to be doing that stuff.

I think, though, that between ourselves and particularly District Councilmembers, I think there's a way to work together at least to, if not control

the situation, at least to acknowledge the facts of a situation, and I think getting that stuff out there is important.

So, yeah, there's a bunch of new neighbors. Let's say they come up with a new name. They represent a constituency, but there's still a bunch of people who have been living there a long time and they have a pretty big stake in this as well, and we've got to give them -- we have to give them air time, which we're going to do anyway, but I think we also have to acknowledge the reality that they call it this, they call it this, and y'all can live in your own world, but in the end, it's the same geography.

COUNCILMAN JOHNSON: Because for the record, I'm always --

MR. GREENBERGER: We need you to help say that to them.

COUNCILMAN JOHNSON: Point Breeze will always be Point Breeze under

the auspices of -- at least while I'm the Councilman.

COUNCILMAN JONES: Not if property values keep going up. They'll call it something else.

MR. GREENBERGER: I'm for Kenyatta Johnson Land. That's all right with me.

COUNCILMAN JOHNSON: Johnsonville.

Just the last component. And, of course, the reason why I'm talking about Point Breeze is because I have a very, very diverse district, and these are some of the issues that we deal with, so I have to balance it out while I'm representing all of my constituents in the 2nd Councilmanic District.

How do we come up with the criteria for the expectations for maintaining the aesthetics of certain areas? I mean, do we go if every house on one block is a three-story, do we want to take into consideration before we sign

off keeping everything a three-story, and then maybe these blocks can stay two-story, these blocks may have pop-outs versus this block, which should have -- from a planning standpoint. Because I know some neighborhoods look kind of uniform and some neighborhoods, it looks like something out of a Dr. Seuss movie, Whoville.

COUNCILMAN JONES: After this question, we have the board lit up, because South Philly has historic routes, but there's some other parts of town that may want to be heard from.

MR. JASTRZAB: There are planning tools that are available to help guide that process. First among them is the Zoning Code, of course. And the new Code taking effect in August contains a component for contextual zoning so that we're not getting wildly varied kinds of building heights in areas.

As we do our district planning process, we're going to be doing zoning

remapping and mapping adjustments over time where we can fine-tune that. The code, both the existing and new code, also contains a mechanism called Neighborhood Conservation Districts, which is a kind of overlay. In a sense, it's kind of like a historic district light that allows -- each neighborhood conservation district -- there's one now in Queen Village, but there have been others that have been proposed, and right now we're working with the Preservation Alliance in the Point Breeze area considering what the boundaries, what the design standards might be for areas of Point Breeze to institute a neighborhood conservation district. That would require anybody coming in, anybody receiving a building permit in an area that's an NCD would require signoff by City Planning Commission staff to make sure that the proposed building is in character with the surroundings. And, of course, each NCD must be introduced as

legislation as a component of the Zoning Code. So you may be seeing in the very near future some NCD legislation for that part of the City.

COUNCILMAN JOHNSON: Thank you very much.

COUNCILMAN JONES: Good questions, Councilman, and interesting points that were raised.

The Chair now recognizes Councilman Oh.

COUNCILMAN OH: Thank you, Mr. Chairman.

I first have to also say that I greatly respect your office and all the wonderful work it's doing. And I'm saying that because I got a bunch of negative things to say, so I'm getting it out there early, and it's nothing personal.

I don't understand the City Planning. I don't understand the 2035 plan. I'm not sure what the function is. In other words, to me I'm looking at a

plan that's projecting 23 years ahead. Would we have high-speed rail lines? What would be the flow of traffic to our airport? What will our port look like? What will our Navy Yard look like? What will Center City look like? What is it supposed to look like? And I'm not sure that that is exactly your function or not or whether there should be like a Plan A, the affordable plan, and Plan B, like the beautiful wish list plan. I'm not sure how that works. I don't know ultimately what is the limitation, the constraints. Am I not understanding the Planning Commission properly?

So those are the things that are on my mind, because I think that the Planning Commission is a critically important part of City government. It is probably the most important part, because any vision that we may have as leaders of this City would be manifested physically in a plan - the buildings, the roads, the transportation, what businesses are or

aren't in our city, whether our city is a modern city by 2035 or whether it is a city that looks much like the City looks today.

So I think there's two ways of planning. One is by kind of getting from people what they would like today, and they'll tell you what they want today. They want playgrounds and parks and things like that, but we can't afford to do it. So we spread it out over 23 years and we say, By the time we get done building your parks, your running trails and whatnot, it will take us 23 years. And so in 23 years later, you'll get a city that you wanted today but 23 years later.

What I'm looking for is a city that looks like it should in 23 years to drive the process of development, investment, to put great pressure upon all of us to come up with the money to make this city grow.

So that part -- I mean, I

looked at the Delaware Waterfront. I mean, I see the cost. It's like three-quarters of a billion dollars. I look at the pictures. It looks like a $2 or $3 or $4 billion picture to me. I'm not sure how that gets built. I mean, I'm not being -- I don't know. I'm not trying to cast aspersions on things, but I'd like to know how that little bit of money gets us all of this. I mean, is it leveraged? What exactly is it?

MR. JASTRZAB: Well, I think the 2035 plan -- first of all, it's not an end-state plan. Essentially it's a process. And the way we've designed the process is in preparing the citywide vision was to identify a number of big ideas that we think that the City should pursue and then to fine-tune many of those recommendations in individual districts of the City. The way the process was designed is that this will be a continuing process. So that when we finish the 18 district plans, we'll go

back and reevaluate the citywide vision and make adjustments based on new information that we have, on the state of the economy at that time and really see this as very much an ongoing process where we need to be flexible.

Where we can make major implementation steps is through the Capital Program, where we identify needed facilities for serving the public, whether that be police, fire, libraries, the resurfacing and reconstruction of roadways. So through the capital budget, we have the ability to appropriate funds for many of those improvements.

The thing that we don't have control over is the state budget, of course, and the federal budget. So while we would like to extend the subway from Pattison Avenue to the Navy Yard or extend transit services to the Northeast along Roosevelt Boulevard, we're really restricted in our ability to pay for those things because so much of that

money comes from other levels of government.

COUNCILMAN OH: Right, but --

MR. JASTRZAB: However, we can pursue those ideas, one of which I mentioned with the alternatives analysis for South Broad.

COUNCILMAN OH: Let me ask you this -- and I know I'm running over time here, but I rarely do that, and I will in this case.

The soil, the loose and very light soil in that Navy Yard area, can that really even support certain types of building structures?

MR. GREENBERGER: No, not without paying a lot of money for foundations. You've identified an impediment to actually its expansive growth.

COUNCILMAN OH: Right. So is it really feasible to put a subway system as a cost, as very expensive as it is, to the Navy Yard, and then how are you going

to go through the soil?

MR. GREENBERGER: Well, the answer is, it can be done. It can be done at some cost, which would need to be identified, and then obviously you have to correlate that -- you've asked a really good question, because you've identified the exact dilemma that we face all the time.

COUNCILMAN OH: And I'm not trying to counter your expertise. That's not my job.

MR. GREENBERGER: No. It really is a very good question, because it's a legitimate question about the expansiveness of a vision out at a moment in time and the ability to get things done. So just the two things I wanted to comment on. One is that question about the subway expansion. One, it's going to be very expensive because of soil conditions and then also just the inherent nature of building a tunnel and extending a transit system. These are

expensive propositions.

Secondly, you have to also look at where the development trend lines are going with such an expansion. Suppose we all said we could do it and find the money for it, which would largely come through federal sources, I think. You'd be going an additional stop into the -- probably in the heart of the Navy Yard, in all likelihood, but meanwhile since that idea was sort of legitimately on the table, which might have been ten years ago, the Navy Yard has grown in ways that people didn't predict. So over by the Tasty factory, two new flex buildings over there, the regeneration of the Aker Shipyard, all at the western end of the Navy Yard, still probably a mile away, three-quarters of a mile to a mile away from where this projected extension of the subway would go. So then you ask yourself, So if we did this and we've got a lot of people working down at that end and they're still a mile away, have we

really accomplished what we need to accomplish or are we still running a shuttle loop anyway? And then you say, Well, if I'm running a shuttle loop anyway, why can't I run it from Pattison Avenue?

COUNCILMAN OH: Right.

MR. GREENBERGER: That's the kind of thing that's out there.

MR. JASTRZAB: And, in fact, that is one of the things that the alternatives analysis would look at, what mode are we talking about, are we really talking about the extension of the heavy rail subway or are we talking about some other kind of mode, like bus rapid transit, that could be more flexible and can serve all areas of the Navy Yard. So it's an unanswered question that this study will address.

COUNCILMAN OH: Well, that really addresses my two points. One is, when you're talking about we don't know how things will develop, it's because

it's not planned. And I don't think it's a good idea to do things and then, for example, start to commit to a subway system or a light rail, whatever, and then allow things just to develop kind of willy-nilly and then we try to adjust our plans. I'm not saying things don't change, but there doesn't seem to be a comprehensive plan that was created by professionals.

I also am kind of critical -- I understand. I like the idea of citizens putting their two cents in, but citizens are not professionals. They don't consider what the economic situation will be. They're not looking at what the better interest of people 20 years from now will be. Most people are looking at what I need today, things I need today in my neighborhood or something like that. It doesn't -- it seems like a popular way to get people engaged. It doesn't seem like a really good way. And as the Deputy Mayor knows, we have cities that

are very much designed from pebble to rooftop being entirely put together by professionals and being built in other countries around the world, just really sharp, technologically advanced, very much promoting the economy, and I'd like to see that more than anything else. Because at the end of the day, our city is a place where people need to work, earn a living, get educated, and from there, we can always and should improve the neighborhoods, but I'm really looking at what's going on in terms of the City as an economic engine.

MR. GREENBERGER: If I could add just one other point. I think you're making really good points and you're getting at the dilemma and the complexity of American cities in general, not just Philadelphia.

You had a question about the waterfront. The money that was identified in the waterfront plan is leverage money. That's what we think is

necessary -- and these were pretty, I think, pretty carefully done estimates, admittedly they're at a distance, so inflation, lots of things could change numbers, but they are identified as public investments to leverage private investments. So there's a great deal more private investment that's anticipated, and it was very much based on the idea, which we had not been pursuing in the past, that the public commitment to making improvements at a place like the waterfront is the necessary leverage to get the private sector more interested as opposed to waiting around for the private sector to do something. That just had too many decades of just, for lots of reasons, of not working, and we're seeing the results of that that are building up. The Race Street Pier is a great first example. That's why we took it on. It was doable. And the result is, we have five projects immediately around it that are all now

back on the table. Are they all going to happen tomorrow? No, but I think some of them are going to happen within a fairly short period of time, which by that I mean a couple of years. And I think it's doing exactly what it's supposed to do. And we ask people, Why suddenly interested? They say the Race Street Pier.

So that's what we've got to do at scale I think to get places like that, and you have to do it in a place where there's some potential for the market. Obviously you can't invent a market that doesn't exist, but you can induce it, I think.

COUNCILMAN OH: Okay.

Thank you very much, Mr. Chairman, for the extra time.

COUNCILMAN JONES: There is a reason why we dubbed you guys the Serious Six. The questions that have come out of here I think are at least thought-provoking and challenging, and

particularly following up on Councilman Oh's idea of re-branding Philadelphia as an international city and some of the chairmanship of the committee that will be looking at this issue in a great deal of detail in the future.

The Chair now recognizes Councilman Greenlee.

COUNCILMAN GREENLEE: Thank you, Mr. Chairman.

Mr. Chairman, if I could just say on that issue you raise with Councilman Johnson, you said about the District Councilpeople only being aware. I think the at-large people are aware of some of those territorial issues too. And just on the record, I think part of the thing that I've noticed many times is that if an area is -- when it gets discovered, all of the sudden surrounding community groups get much more interested in that area that were not interested before, and I think we run through that a lot. That might have been one thing

Councilman Johnson was thinking about.

Just two questions on the testimony here, and I think I know the answer to this, but maybe just for the record.

Eva, this is probably yours. It talks about developing and amending the sign controls and offering cleanup amendments for the new code. Could you just detail that just a little bit, please.

MS. GLADSTEIN: Sure. We are planning to come back to Council with numerous -- not numerous, but at least several zoning-related ordinances. One would be what we're calling cleanup amendments to the Zoning Code, and those range from typos and grammatical errors to inconsistencies. I was just in a meeting this morning around our floodplain regulations with FEMA. So there'll be probably in one ordinance a set of fairly technical cleanup amendments. And then probably separate

from that, we have been working on a slightly different schedule on new controls for signs, which I think Council is aware of. And just yesterday, we drafted -- we posted a second draft of those sign controls for public review, and our hope is to get additional comment on them and then also bring them to City Council in the next month.

If Council would like, I think it may be helpful to do some kind of briefing in advance for Council. Sign controls are pretty complicated, and, of course, we're talking about accessory signs and non-accessory signs. So I would be happy to do that. Our hope was that Council would be able to review that information, and if approving it, it could be effective with the new Zoning Code in August. If not, the old sign controls will prevail, and they're a cause of great confusion to the world in general, because they're just drafted in the manner that makes it very difficult

to implement.

COUNCILMAN GREENLEE: Okay. I appreciate that. Thank you.

And just one other thing. It's mentioned in the testimony about the Philadelphia pedestrian and bicycle plan, and I know if I raise anything about bikes, I'm going to get a thousand e-mails, but I'll try it anyway.

How much have -- is this something when we're talking about that, are we talking about the bike lanes have been put in already or are we talking about an overall plan?

MR. JASTRZAB: Actually, several things. Bike lanes that have been put in place, what standards would be used for establishing new bike lanes or shared bicycle-friendly streets in some cases. It contains standards for the width of clearance that somebody needs to get by. If a sidewalk cafe wants to be established, we have for different classes of streets minimum

widths that would help guide us in making recommendations to City Council for that.

So it covers a wide range of things that attempt to promote complete streets, streets not just for cars but for bicyclists, for pedestrians and so forth.

COUNCILMAN GREENLEE: Does the Planning Commission actually make recommendations on like, say, the bike lanes that have been put in already? Have they made recommendations on that?

MR. JASTRZAB: The Commission staff has had input to the Streets Department and to the Mayor's Office of Transportation and Utilities on those matters, but it's not typically a thing that the City Planning Commission would make a recommendation on.

COUNCILMAN GREENLEE: So they're not the ones that actually interact with the community directly in community meetings or whatever?

MR. GREENBERGER: You must have

been listening to the Planning Commission meeting yesterday.

COUNCILMAN GREENLEE: No, I actually wasn't.

MR. GREENBERGER: There's a lot of anxiety about this, because we're dealing with fixed amount of territory, and that that is now needing to accommodate more and more uses and do it safely, comfortably and smartly. And so the standards that are being developed through this id, I think, led by the Planning Commission, but a multi-agency input, and that then, yes, does result in specific ideas, this street, that street, special signs. And it came up yesterday. I mean, it creates a lot of anxiety, and I think the anxieties are much bigger than simply a bunch of bicyclists.

COUNCILMAN GREENLEE: I got you.

MR. GREENBERGER: We're actually a city that has a very high percentage of people, higher than most

American cities, that bike to work, not surprising given that we have the highest percentage of people in the nation, big cities, who walk to work.

COUNCILMAN GREENLEE: Sure.

MR. GREENBERGER: And I think the one thing that came with that -- I want to say, because I have the chance here on the record -- is, there was anxiety expressed yesterday about taking of property to make bike lanes happen. That's not in the plan. I mean, that's not even really realistic, but it's also not in the plan.

COUNCILMAN GREENLEE: Okay. All right. Thank you.

Thank you, Mr. Chairman.

COUNCILMAN JONES: Thank you.

The Chair now recognizes Councilwoman Tasco.

COUNCILWOMAN TASCO: I'm beginning to think that it's just a male thing here.

Let me just -- I just want to

make one comment. Years ago when I moved to Mount Airy, which is up in the Temple stadium area north of Stenton Avenue, that was called Mount Airy. Somehow -- and I've been trying to find out how, and I haven't spent a lot of time doing this, but I've asked questions. How did we get to be renamed Cedarbrook and we didn't ask for it?

MR. GREENBERGER: I'm hoping you can tell me. I've always wondered about that.

COUNCILWOMAN TASCO: I don't know. It happened in the mid '70s. And so we want it to be known as Mount Airy. So should I put in a request?

MR. GREENBERGER: I guess. I mean, actually, I mean, I didn't live -- I mean, I live not far from you, and I don't know how those divisions happen. There is a relationship to zip codes. I know that. The zip code lines sort of conform a little bit to this neighborhood naming business, but I have no idea how

in the 1970's that sort of changed.

COUNCILWOMAN TASCO: Everybody I meet who lived in Mount Airy said it was called Mount Airy. All of the sudden they have people saying, Oh, we're Cedarbrook.

I said, Well, where did that come from? We didn't ask for it.

Well, that's neither here nor there. I just want to go back to the registered community organizations. I live in a community where we have very little development. We don't have a lot of space for new housing. We don't have a lot of space for construction of any kind. Mostly residential. The problems that we have are basically requests for zoning change, changing single family to multi family or daycare or something like that, sort of like spot zoning. And so I don't have a registered community because the community doesn't get -- if a lady wants to convert her house, the neighbors will complain. So do they have to come

to me and say, I want to protest this and we represent -- we represent them before the Zoning Commission anyway, the Zoning Board anyway. So I want you to take into consideration those neighborhoods. And I'm probably one of the few neighborhoods without a lot of, that 9th District, without a lot of development. It's all majority residential, and there's commercial, so you don't get any major changes, except for use.

So I represent the Council district. I also have a ward, and there are other wards within my district. They will not be restricted from registering as the community organization, will they? Because I don't have enough folk calling and screaming about anything to say we want to be a registered organization. I will register my ward as the organization, and my representative will represent the organization.

So I want you to think about the differences in neighborhoods when

you're trying to set up the parameters of operation, that my district does not fit where Councilman Johnson or Center City, Squilla, or even the 8th, because they have other development areas there.

MS. GLADSTEIN: Well, one of the provisions of the Zoning Code, after we've had this discussion with regard to the Zoning Code, one of the provisions says if there's no registered community organization, the District Councilperson's office serves in that stead. So the District Councilperson gets the notice and has the opportunity to convene a neighborhood meeting or not and obviously, as has been the practice, goes to the Zoning Board.

So there's absolutely no need to have a registered community organization, and I think that's one of the pieces of misinformation that's out there. People have felt like there needs -- every block of the City needs to have a registered community organization.

In fact, that's not true at all.

The same kind of notice that people get of Zoning Board hearings will continue to exist and will be improved. So the notices, the orange notices, will be up for longer. When a hearing has been continued, there'll be a new notice posted so people won't kind of lose track of what was happening. We'll still have the web notice that exists. And then -- and we've clarified that pretty much anybody who has an interest in a project or development can go to the ZBA and testify and give their -- say what they think about a project.

So there does not need to be an RCO. One of the reasons we created the RCOs, though, was to support groups that do organize themselves so they have the ability to actually get the notice and convene a meeting, in addition to the public notice, and also for large projects, which may not occur in your district but occur throughout the City.

For large projects, even if it's by-right, it will be subject to the Design Review, to Civic Design Review, and we're providing a seat at the table in that Civic Design Review for the community. So if there's not an RCO in your area but there's a large institutional project; for example, Community College in your area does some addition and it's large, there would be the ability to participate in Design Review for that, and if there's not an RCO, your office would manage that.

So I hope that answers your question.

MR. GREENBERGER: By the way, I mean, you know this would happen. The moment there is serious development pressure, there'll be three RCOs that spring up out of anywhere. And it's not -- and an example in your -- I'm pretty sure in your district. You tell me if I'm wrong about this -- the big church at Cheltenham and --

COUNCILWOMAN TASCO: Yeah, Enon.

MR. GREENBERGER: Yeah. That would have been a project that in the new Zoning Code would trigger Civic Design Review. Even though it might be a completely by-right project, the Civic Design Review is intended to create an opportunity for community people who live in and around these kind of big projects to have some kind of input, learn what's going on, have input. Even if the project is of-right, at least the developer, in this case the church, would hear some of the concerns that would be expressed and it might change their design to acknowledge that. I mean, we see that all the time happening with development. I know nobody believes this, but it actually does happen with developers all the time.

COUNCILWOMAN TASCO: Okay. Thank you very much.

I have another question. Since

I've been here, there have been any number of neighborhood planning processes. You have this plan, Philly 2035 comprehensive plan. So you go into the various neighborhoods to talk to people about what they want. I know about maybe about eight, ten years ago we did a plan in Olney. Now, do you go back and review those plans and the input the community gave as you work through this new process?

MR. JASTRZAB: Yes. Absolutely. We're taking a look at old plans done by neighborhood organizations as well as the Commission staff and using that to inform the district planning process.

In addition, I mean, there are probably special area plans, separate from the district planning process, separate area plans looking at specific neighborhoods or specific projects are probably going to continue over the years. It's not like we're not doing

neighborhood plans any longer. They will still proceed, and zoning map adjustments will occur on the basis of those plans as well.

The Wells Fargo Foundation, previously the Wachovia Foundation, was very active in funding community groups to do their own plans. That activity we expect to continue, and we'll work with groups as they do plans and following up on implementation from those plans. So that activity won't stop either.

COUNCILWOMAN TASCO: Well, I haven't been to the one in the Lower Northeast, but I plan to get involved just so I can hear what people are saying, because I'm not sure --

MR. GREENBERGER: We welcome that.

COUNCILWOMAN TASCO: -- in a residential area what they're looking for.

MS. GLADSTEIN: I know all of the elected officials' offices are

invited to serve in the steering committee.

COUNCILWOMAN TASCO: We have staff there, but I need to hear it.

MS. GLADSTEIN: That would be great. We would appreciate that.

COUNCILWOMAN TASCO: Because I want to know what they want.

I'm going to give all my questions. I have a meeting to go to, so I'm going to take as long as these other guys took and ask my questions.

COUNCILMAN GREENLEE: That didn't leave me anything else to say up here.

COUNCILWOMAN TASCO: Let me -- I think I may have asked the questions.

COUNCILMAN SQUILLA: I'm going to that meeting with you.

COUNCILWOMAN TASCO: Yeah, you are.

COUNCILMAN GREENLEE: Is that going to be a new thing, We got a meeting?

COUNCILWOMAN TASCO: Councilman Johnson asked a lot about the registered community organizations, because we did get a letter from West Philadelphia Coalition of neighborhoods and businesses that raised some issues. Certainly I can understand that they would be concerned about given the nature of the City and people just become an organization over time or whatever.

The question is, at the end -- I think what I was thinking about doing this is, if a developer comes in the neighborhood and there's several regional -- what do you call them?

MR. JASTRZAB: RCOs.

COUNCILWOMAN TASCO: -- RCOs, are they bound to contact everyone, every organization in the neighborhood?

MS. GLADSTEIN: They're responsible for notifying each RCO whose boundaries include that project. In addition, to tell each RCO who are the other RCOs. So let's say there's two or

three, which might be in Councilman Johnson's.

COUNCILWOMAN TASCO: He's got the problem area.

MS. GLADSTEIN: Yeah, but there are others.

COUNCILWOMAN TASCO: Him and Squilla.

MS. GLADSTEIN: There may be in Chestnut Hill as well, as another example.

So they're bound to notify each group. However, we're not requiring that there be individual meetings with each group. So this is going to be tough. The requirement is that the groups coordinate to have one meeting so the developer, frankly, that their whole timeline doesn't get shot by having to attend five meetings on different schedules. So the level of cooperation that's requested is that there be a minimum of one meeting. If the developer agrees to more meetings, that's fine, but

a minimum of one meeting within and documentation of that meeting within 45 days.

MR. JASTRZAB: And our City Planning Commission staff would certainly be available to help coordinate and mediate in getting RCOs to work together. Not always going to be successful in doing that, but we're available to help coordinate that process.

COUNCILWOMAN TASCO: And relative to the Cedarbrook issue, could you have -- could I get someone from your office to work with us in trying to figure out how we became -- we may not figure out how we became Cedarbrook, but I want to try to change it back to Mount Airy.

MR. JASTRZAB: Sure.

MR. GREENBERGER: Sure. We'll get somebody to help you.

COUNCILWOMAN TASCO: To the original.

MR. JASTRZAB: Matt Wysong, our

community planner for the Northwest, can certainly help in that regard.

COUNCILWOMAN TASCO: Okay. Thank you very much.

Thank you.

COUNCILMAN GREENLEE: Thank you.

Councilman Squilla.

COUNCILMAN SQUILLA: Thank you, Chair.

I don't have -- a lot of questions that I had were already answered, so I appreciate the answers that you have and appreciate working with you. I do think that we need to constantly work in conjunction with the Council office and the district offices with the zoning plan, especially now when a lot of changes are happening. And I do appreciate the effort being put forth to do this, even know I know it's not easy.

I want to go back to the RCOs real quick. I notice in some of the criteria you mentioned it didn't say like

how the RCOs would be -- how are they elected. If they're not elected by the people they represent, then who are they representing? And that's my issue, because I know as political people, we can create pop-up organizations to say, All right, they're for one thing, and other people opposed to certain things can just create pop-ups. If they're not representing the people in that neighborhood, then to give them the credibility is something that's very difficult for me, and I know it's difficult and a challenge for you. But what is your, I guess, dilemma or reason why you wouldn't include that?

MR. GREENBERGER: Good questions. Look, we know that we've opened Pandora's Box a bit here on this RCO business, but let's just remember where the starting point is. In the zoning that has not -- that is in effect right now, the old zoning law, there's no notice requirements. Now, a number of

communities in your area and other parts of the City are so organized that we don't need to give them notice, they just know. And because so many things flow through the Zoning Board of Adjustment, at minimum, the big orange placard gets put on a site and that's notice and everybody says, Oh, my God, and they get all together.

What's interesting is that in the new Zoning Code, there is an intention -- we'll see how this plays out, but there's certainly a goal to have fewer projects go through the Zoning Board of Adjustment. That means that there is actually -- there should be an increased demand for notice. So we said, Okay, we want to do that, so who do we notice? Who gets the notice? We'll certainly make sure that Council gets the notice. That's not a problem.

COUNCILMAN SQUILLA: I'm thankful for that.

MR. GREENBERGER: Well, that's

easy. There's only ten District Council, there's seven at-large. We can do that.

But how does it spread into these communities? So we said we need to have organizations that we can give notice to. That's a bit of a privilege given. It comes with a responsibility, as in what are you going to do, community organization, with that notice? Are you going to deal with it responsibly? Are you going to send it out? Are you going to host meetings?

And the other part of it is that you're raising -- well, that you've all raised, is so who are you?

COUNCILMAN SQUILLA: Who do you represent?

MR. GREENBERGER: And we think we have a right to at least get certain basics down that you represent something that's bona fide. So we tried to make definitions that were not prescriptive, but at least establish that an organization had some validity. It has a

Board, it has members, it has some kind of leadership structure, it has meetings, not just three people at somebody's house the day of --

COUNCILMAN SQUILLA: Public meetings, correct?

MR. GREENBERGER: Yeah, that are publicly accessible. I think those are reasonable things to ask of an organization to whom we're offering the benefit of early notice. And that's where the whole controversy is. So it's not an attempt to exclude; it's an attempt to include.

COUNCILMAN SQUILLA: No, no. I'm --

MR. GREENBERGER: I know you're not arguing that point. We're hearing this pushback constantly. Admittedly, from very many of the same people, but it's really a major dilemma. This is not an exclusionary process and we have to notice somebody. And if we could just -- as I said yesterday at Planning, we can

throw the whole thing out and we can just -- to the extent it's a Zoning Board matter, they'll get an orange placard, and to the extent that we'll give notice to the Councilmembers, we can stick you all with that responsibility, but I don't know that that's, either for you or for us, that that's the best system out there.

COUNCILMAN SQUILLA: No. My concern is that we'll be notifying some organizations that don't represent the neighborhoods where the developments are, and the people that do represent them, it just creates a real problem for us as Council, and it's going to create a problem too for the Zoning Board and for the Planning Commission. And if there's no criteria as far as who elects them and appoints them, then it sort of throws out the whole thing of -- I mean, we could have pop-up RCOs everywhere, and every time you have a new project, you'll have an RCO.

Is there a timeframe? Do you have to be in for a year? Is there a six-month process?

MS. GLADSTEIN: It has to be renewed annually. There'll be two times a year that a group that's not on the registry can register, so people won't have to wait a year. So new groups can register either in June or December, and then you'll have to renew annually. And we'll have kind of a ticker system to remind people.

I think our staff agreed very strongly with you, so we wrote criteria that there had to be a governing structure, that the members had to draw membership from the residents, the tenants, the homeowners, the businessowners, the property owners in the area. We did get pushback from groups who wanted it to be looser than that, but we still have a requirement for there to be some written rules and some leadership structure, where the

membership is drawn from and that their boundaries are consistent with their written rules. They can't kind of make up their boundaries.

One thing I would offer to do probably through the Chair is to send the regulations that were adopted yesterday by the Planning Commission so that Councilmembers could see the criteria. There'll be a 30-day period during which any affected person can ask for a hearing. We're very confident they'll have multiple requests for a hearing. So the Planning Commission will be holding a hearing on this probably sometime towards the end of May, I think, and --

MR. GREENBERGER: But I also just -- go back to the operational reality. Sort of after all the noise about RCOs, the operational reality is you get notice, and the intention here is that a project applicant is given an organized structure to have a minimum number of community meetings, which needs

to be under some organization's umbrella. It could be under the District Council if no organization exists, could be under an RCO. But the specific intent is not to have a situation where projects get jammed up because people are playing games about, Well, there's five community organizations out there, you got to meet with every single one on their schedules. Time is of the essence for --

COUNCILMAN SQUILLA: I agree. I've been through that.

MR. GREENBERGER: That's the operational reality.

COUNCILMAN SQUILLA: Some groups could just hold you up because they met already and they're meeting until the following month and you got to wait and then it goes back --

MR. GREENBERGER: I mean, people play the stall game all the time. Sometimes it's to good ends and sometimes it's not.

COUNCILMAN SQUILLA: No. And I

agree. I like the one meeting. It makes all the sense in the world. I mean, we try to do that now, and it's very difficult sometimes to get them all in the room together, because most oftentimes when you have that group, they're on different sides of the -- and so we have to go through the battle inside the meeting of who is for what. But in the end, that's why we have a Zoning Board and they make the final decision, and sometimes the Councilperson, you got to either make a tough decision or say, We'll leave it up to the Zoning Board to decide.

COUNCILMAN JOHNSON: Point of information.

COUNCILMAN GREENLEE: Yeah, quickly, because Councilwoman Bass has not had a chance yet. But Councilman Johnson.

COUNCILWOMAN BASS: Yeah.

COUNCILMAN JOHNSON: I just wanted to insert here that I believe that

all of the citywide members do have an interest.

COUNCILMAN GREENLEE: Thank you, sir. I appreciate that. I appreciate that acknowledgment. Thank you.

COUNCILMAN JOHNSON: However, this issue such as what you just mentioned puts us on the spot in assisting and determining how something moves forward or don't move forward, and a lot of times it's a lot of pressure trying to balance them out, because ultimately you're dealing with somebody's actually neighborhood, where they actually live at.

COUNCILMAN GREENLEE: And as at-large members, we're happy to delegate that problem to you.

COUNCILMAN SQUILLA: Well, I want to thank you. I do have to run to another meeting, but thank you. We're looking forward to continuing working with you to do this and hopefully setting

up new meetings and --

MS. GLADSTEIN: They're confirmed.

COUNCILMAN SQUILLA: Good. Thank you.

COUNCILMAN GREENLEE: Thank you, Councilman.

Councilwoman Bass, we finally got to you there.

COUNCILWOMAN BASS: Thank you, Chairman.

Good afternoon.

MR. GREENBERGER: We notice you took the hands off the clock. Does that mean anything?

COUNCILMAN GREENLEE: I don't know what happened there. I don't know if it just fell apart or what.

COUNCILWOMAN BASS: It's like a casino, they don't want you to know.

I just really had two very brief things that I just wanted to mention -- actually three. One is, I was looking back over the Commission's

principal staff, and I notice that you broke down the totals and I think that you said 11 percent African American and 89 percent Caucasian in terms of the principal staff, and with the entire staff, it's about 20 percent African American, 70 percent Caucasian, 7 percent Asian and 2 percent Hispanic. And the statement I wanted to make is, when you look at the growth of Philadelphia and the population growth, these are the communities that are having primarily most of the growth. So I think it would behoove us to make sure that we have more representation, particularly among the Asian and Hispanic community, because that's where the growth is happening in the City of Philadelphia. And if we want to continue that growth -- and I assume that we do -- then we need to be sensitive about what helps make the communities grow and thrive.

MR. JASTRZAB: Absolutely.

COUNCILWOMAN BASS: Great. So

next year I think the numbers will probably be a little different, right?

MR. GREENBERGER: Well, I'm not -- I don't think any of us are happy with the composition of this relative to the City.

COUNCILWOMAN BASS: Say again.

MR. GREENBERGER: None of us are content with the composition of our staff relative to the City, but it is -- we do live in the Civil Service system and we're also living in an environment in which there's not a lot of changeover. So we have to make opportunities happen within the system and when the moment hits.

COUNCILWOMAN BASS: I think -- and I certainly understand that. I'm sure you're doing your best, but when there are opportunities that arise, I think that that should certainly be a part of the equation and trying to figure out --

MR. GREENBERGER: We agree.

COUNCILWOMAN BASS: Okay. Good. So we're on the same page there.

And also when we talk about civic involvement; in particular, regarding design, that we want to have that input. We want to have it on staff. We want to have it in the community. So just in terms of rounding out.

I just had a quick question in terms of one of your goals for the rest of this year and I'm assuming for next year also is to implement a comprehensive training program for the new Zoning Code for public and private stakeholders. Can you talk a little bit about that?

MS. GLADSTEIN: Sure. I believe that every Council office would have received notice, and there's somebody on your staff who signed up.

COUNCILWOMAN BASS: Very good.

MS. GLADSTEIN: We're beginning the training. We're doing during the spring and summer -- I want to get my numbers right. We're doing five rounds

of what we're calling core training, and that's going to include Council staff, it's going to include other City staff, L&I, Zoning Board, Planning Commission, other agencies, Water Department, that interact with the Zoning Code, as well as members of the public are going to be in the training together. So the training is designed to have two kind of required classes, thinking back to college, which we're calling core classes, two mornings. And then we're having three electives that people can opt into or not, and we're running four rounds of that. And then in the fall, we'll do another set just for people who weren't able to get in. I think that all the sessions are filled right now.

In addition, we're working through our Citizens Planning Institute, which has been the overall sponsor of this training, to create kind of a community-based module that will be shorter and will be based in the evenings

or on Saturdays, and hoping to take some of those actually out to the community. There'll be a limited number due to our staffing situation, but some that will be downtown in the evenings or Saturdays and some that will be out in the neighborhood sponsored by a community group probably. That will be more like a two- or three-hour training.

COUNCILWOMAN BASS: Okay. All right. Good. And, again, I'm just going back to the whole making sure that we reach out to communities that are seeing significant growth and that there will be a lot of involvement in those communities as well.

And one other question that I had, which is not necessarily a role or function of the Planning Commission, but just in thinking about all of the work that you do and also adding to that the component of public education, because, as you know, it's very difficult to grow neighborhoods, grow communities, grow

cities without that public education component or option being there and being available.

So I didn't know if there is something that is -- do you work closely with the School District in any sort of way? Because no matter how much you plan or do, it doesn't really make a difference if we don't make education a part of that, and I just wanted to get a sense of how deep you all go into in terms of working with the School District.

MR. JASTRZAB: We do work fairly closely with the School District. With this last round of closings in public schools and parochial schools, the staff of the Commission was very involved with looking at what the potential impacts of that might be and trying to make information available via the City's website on what alternatives people had; for example, if a parochial school was closing, what options those families

might have for going to other schools in the neighborhood.

We also -- one of our requirements also is that each spring -- and I think this is scheduled for the next Commission meeting in May -- the City Planning Commission has the responsibility to comment on the capital program for the School District. We don't have any kind of approval authority, but we receive a presentation by the School District personnel, and the Commission has an opportunity to ask questions or to get additional information from the School District. And that was -- that's an intention of the Charter, I think, to develop complete neighborhoods to make sure that all of the City's actions being taken by operating departments are also consistent with the thinking of the School District as they develop new schools or close existing schools.

So the short answer is, yes, we

work with them closely, and there is an official opportunity to comment on their program each year.

MR. GREENBERGER: I think, Councilwoman, I think your question was also related to are we getting down to the kids.

COUNCILWOMAN BASS: Say again.

MR. GREENBERGER: Are we getting down to the kids.

COUNCILWOMAN BASS: Yes.

MR. GREENBERGER: And I'd love to be able to do that. I don't think we do it enough. There's not an organized way to do that. Obviously the School District has its own issues around curriculum. There used to be, because I used to be involved in this, back in the '80s and even into the '90s through something called the Foundation for Architecture, was a program, a very successful program, called Architecture in Schools where teachers from schools were paired with volunteer architects and

planners to do projects as a segment of a given piece of curricula in the school. It might have been during history. I'm not even sure exactly what classes. Sometimes they were math classes, because there's a lot of numbers involved, measurement. That program went out of existence with the Foundation for Architecture when it went out of existence in the year 2000. I think that would be a really great thing to find a way to bring back, and if you have some ideas about that --

COUNCILWOMAN BASS: I do.

MR. GREENBERGER: -- I'd love to talk to you about it.

COUNCILWOMAN BASS: I do. I'd love to work with you on that. I think it's really important, particularly among young people when you talk about all the problems we have in our communities, whether it's blight or litter or graffiti and a lot of the nuisance issues. If you are able to talk to young people about

city planning and how it affects you and how it affects your neighborhood and what can go where and why it happens here and how do you beautify a neighborhood, how do you make your neighborhood better, how do you make it what you want it to be, if we can get young people to buy in, I think it will go a long way. So I'd love to work with you on that.

MR. GREENBERGER: I'm also going to get -- my wife used to run that program for the Foundation for Architecture.

COUNCILWOMAN BASS: How convenient.

MR. GREENBERGER: Which is why I know so much about it. So I'm going to get her in this conversation too.

COUNCILWOMAN BASS: That would great. Thank you.

MR. GREENBERGER: She'll get very excited, so that will be good.

COUNCILWOMAN BASS: Thank you.

COUNCILMAN GREENLEE: Thank

you. Thank you, Councilwoman.

Any other questions?

(No response.)

COUNCILMAN GREENLEE: Seeing none, thank you very much.

MR. GREENBERGER: Thank you, Mr. Chairman.

COUNCILMAN GREEN: The Committee will stand in recess until later today, Wednesday, April 18th, 2012 at 6:00 p.m., at which time we will reconvene at the Salvation Army, Kroc Center, 4301 Wissahickon Avenue.

Thank you all very much.

(Committee of the Whole recessed at 12:10 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on April 18, 2012, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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