PHILADELPHIA CITY PLANNING COMMISSION
November 15, 2001

PRESENT: Gary Hack, Chairman
          Jeffrey S. Batoff
          Lynette Brown-Sow
          Duane Bumb, representing James J. Cuorato
          James Coleman, Jr., representing Joseph Martz
          Gloria Levin
          Marcia Moore Makadon
          Peggy Van Belle, representing Janice Davis

ABSENT:  Edward C. Keenan

Executive Director          Maxine Griffith, AICP
Deputy Executive Director  Richard L. Lombardo
Chairman Gary Hack convened the Planning Commission Meeting of November 15, 2001 at 1:10 PM

1) Overview of the recently completed Plan for the Redevelopment of the North Delaware Riverfront

Mr. Richard L. Lombardo, Deputy Executive Director, presented the North Delaware Riverfront Plan to the Commission. The consultants’ team was put together by Field Operations’ Jim Corner in collaboration with Greenberg Consultants of Toronto, Hamilton Rabinovitz & Alschuler of NY, ARUP of NY, CH Planning of Philadelphia, Hill Environmental Group of Pennington, SRK Architects of Philadelphia, and Prime Building Corp. of Philadelphia. After the presentation, he stated that the report can be found on our web page in full color and you can download it on your color printer.

Gary Hack congratulated all the people at the Philadelphia City Planning Commission who worked on this project.

Mrs. Makadon said the plan should attract more people. She thinks that is the key to the success of this project.

Mr. Hack thanked Mr. Lombardo for the presentation.

2) Approval of a blight certification of area generally bounded by Moore Street, S. 20th Street, Morris Street, and S. 25th Street in the Point Breeze area of the city.

Mr. Brian Forschner, Community Planning Division, stated that this is a Blight Certification for a section of the Point Breeze neighborhood bounded by Moore Street, S. 20th Street, Morris Street, and S. 25th Street. This is the final section of the Point Breeze neighborhood for blight certification. The Planning Commission certified the Point Breeze Redevelopment Area in 1971 and the Point Breeze East Redevelopment Area in 1998 and a Redevelopment Plan was created for that area. The intention of this meeting is to show how the Point Breeze neighborhood meets the state criteria for blight certification. Seven criteria were reviewed to determine whether or not blight exists within the study area. The criteria are set forth in Pennsylvania Urban Redevelopment Law, which stipulates that only one of the seven criteria must be met in order for an area to be deemed blighted. In this area two were filled:

1) Unsafe, unsanitary, inadequate or overcrowded conditions; justified by vacant properties and properties with code violations.

2) Economically or socially undesirable land use; justified by tax delinquency, with vacant properties, and relatively low housing values within the study area
The Planning Commission staff recommendation is for approval.

Ms. Brown-Sow wanted to know if Mr. Forschner had met with the community, and did the community approve of this action.

Mr. Forschner stated affirmative to both parts of the question.

Upon motion by Ms. Van Belle, seconded by Mr. Bumb, the Planning Commission approved the Blight Certification for the Point Breeze neighborhood.

Claudia Sherrod, Director of South Philadelphia Homes and Acting Director of the Point Breeze Community Development Coalition, stated that the community approves this action.

3) Approval of a Redevelopment Area Plan for the consolidation of three Redevelopment Areas and creation of a Redevelopment Area Plan for the Point Breeze neighborhood.

Mr. Forschner stated that the Redevelopment Area Plan for Point Breeze is a statement of long-term community development objectives. It also lays the groundwork for implementation of redevelopment proposals that will be ready to proceed in the near future as stated in the Point Breeze Neighborhood Strategic Plan, that was created by the Point Breeze Community Development Coalition in July 1997. The principal purposes for establishing the Redevelopment Area are to allow public interventions that lead to the redevelopment of deteriorated portions of the Redevelopment Area and to promote the stability of the Redevelopment Area and the surrounding community. In general, the neighborhood contains numerous vacant lots and deteriorated and/or vacant structures scattered amid well-maintained properties. Re-use of vacant lots and rehabilitation or demolition of deteriorated structures must be encouraged throughout the neighborhood in order to stabilize residential blocks. A particular source of scattered vacancies is corner properties, many of which contain former ground-floor retail space. The decline in population and the availability of shopping opportunities elsewhere has led to the closure of many corner storefronts. Due to this decline, new retail development should be limited to Point Breeze Avenue, not corner stores, in order to establish a critical mass of retailing. The future uses of these vacant corner properties, therefore, should be non-commercial and may include residential and related uses. Another recommendation is to focus on concentrations of vacant properties, as they constitute major sources of blight and substantial redevelopment opportunities.

The Planning Commission staff recommendation is for approval.

Ms. Levin thanked Mr. Forschner for his presentation. She noted that the current corner commercial uses, in the proposed plan, are not listed. She wanted to know how would they be implemented.
Mr. Forschner answer to this question was that generally the commercial use has declined.

Mr. Joseph Leonardo, Director of the Community Planning Division, stated the proposed land uses would only be for new uses for properties acquired by the Redevelopment Authority.

Mr. Hack’s question was in regards to long term: “Did you contemplate for commercial uses?”

Mr. Forschner stated Point Breeze Avenue is the traditional commercial heart of the community and, despite a decline in its vitality, still contains an assortment of neighborhood retail services. S. Broad Street is another retail corridor, containing neighborhood retail and some automobile-oriented commercial uses. Street-corner retail establishments are important but many are either vacant or converted to other uses.

Ms. Griffith stated there is nothing in the plan that would exclude the use for commercial use. People are voting with their cars if not with their feet. We are trying to strike a balance with our planning proposals to reflect community concerns that we have been waiting to be addressed for a long time.

Upon motion by Ms. Brown-Sow, seconded by Mr. Bumb, the Planning Commission approved the Redevelopment Area Plan for the Point Breeze neighborhood.


Mr. Hack stated the next item is a revisited of Osage Avenue that was tabled in the spring.

Richard Redding, Community Planning Division, stated that the photos he is passing around show a lot of the blight today. This report presents an evaluation of blight in the area bounded by Pine Street, 62nd Street, Addison Street and 63rd Street. The tragic fire took place in 1985, where 3 rows of homes with a total of 61 attached houses were destroyed. A month after the fire to facilitate renewal, the same area was recertified as blighted by the Planning Commission and the Osage Redevelopment Area Plan was published. Properties were acquired and the homes were rebuilt and given back to the owners. A new round of repairs started a few years ago, estimated to cost $1.7 million. As more and more problems were discovered, the cost of the repairs escalated to $8 million. More than 2 million dollars was already spent during this round of repairs when a decision was made to shut down the contractor and halt the repairs because continuing the repairs would not be cost effective. The cost of the additional repairs far exceeds the value of the real estate. The preferences are that the homes would be demolished and the land would be for reuse.
Summary of Blight Recertification:

The Planning Commission has documented that in the Osage Redevelopment Area, two of the seven blight criteria are met under the Pennsylvania Urban Redevelopment Law. They are as follows:

1. Code violations are severe; insurance problems; and tax delinquency.
2. Inability to sell homes here due to the negative publicity.

Mr. Redding stated for the second part of this proposal for the Amendments to the Redevelopment Area Plan for the Osage Redevelopment Area that the following changes are proposed:

For the area occupied by homes rebuilt after 1985, the Proposed Land Use will change to “Residential and Related” from the previous designation “Residential”. This area includes the south side of the 6200 block of Pine Street and the north and south sides of the 6200 block of Osage Avenue. We are asking your approval for the changes. Some would like to see homes, open spaces, and others would like to see parking.

The Planning Commission staff recommendation is for approval.

Upon motion by Mr. Bumb, seconded by Ms. Van Belle, the Planning Commission approved the Osage Redevelopment Area Plan for the Blight Recertification and Amendments to the Redevelopment Area Plan.

5) Bill No. 010608 – authorizes the striking from the City Plan and the vacating of Cuthbert Street from 17th Street to 18th Street.
   (Introduced by Councilmember Clarke on 10/18/01.)

Michael Thompson, Development, Planning and Zoning Division, stated that Bill No. 010608 was introduced in City Council by Councilmember Clarke on October 18, 2001. It is located in the northwest quadrant of Center City in the area bounded by Arch Street, 17th Street, John F. Kennedy Boulevard and 18th Street. The proposed ordinance authorizes the striking from the City Plan and vacating of a minor street. The purpose of this ordinance is to assemble a parcel of land for the construction of a 52-story, 71,000 square foot office building.

The Planning Commission staff recommendation is for approval.

Mr. Batoff was concerned about how the project was moving along without the City’s approval.

The Planning Commission staff will check into this situation and inform Mr. Batoff with their results.
Upon motion by Mr. Bumb, seconded by Ms. Van Belle, the Planning Commission approved Bill No. 010608.

6) **Bill No. 010631** – A property bill for the acquisition of certain parcels of land owned by the Redevelopment Authority (Parcels 5 and 8 of the Eastwick Urban Renewal Area Stage 1) bounded generally by Redwing Place, Meadowlark Place, Lapwing Place and Longspur Place. (Introduced by Council President Verna on 11/1/01.)

7) **Bill No. 010632** – A rezoning bill to rezone the parcel of land that is the subject of Bill No. 010631 from “R-9A” Residential to “REC” Recreational. (Introduced by Council President Verna on 11/1/01.)

William Kramer, Development, Planning and Zoning Division, stated that item numbers 6 and 7 are companion bills that were introduced by Council President Verna on November 1, 2001. The area consists of Redwing Place, Meadowlark Place, Lapwing Place and Longspur Place, in the general vicinity of the northeast corner of Island Avenue and Lindbergh Boulevard, this is part of the Eastwick Urban Renewal Area. The purpose of the first bill is to authorize the Commissioner of Public Property to acquire fee simple title to certain parcels of property owned by the Redevelopment Authority of the City of Philadelphia, known as parcels 5 and 8 of the Eastwick Urban Renewal Area Stage 1. The purpose of the second bill is to change the zoning from “R-9A” Residential to “REC” Recreational. The only other issue would be that these parcels have been vacant and would require additional roadways to be constructed in an existing residential neighborhood in order to be developed. At the request of the neighbors, these parcels will be acquired by the City and be used as passive parkland. The Department of Recreation has agreed to assume the responsibility for the park’s maintenance.

The Planning Commission staff recommendation is for approval.

Ms. Makadon asked if they would be making improvements.

Mr. Kramer replied passive.

Mr. David Knapton, Community Planning Division, commented that it’s a meadow next to the recreation area.

Upon motion by Ms. Van Belle, seconded by Ms. Makadon, the Planning Commission approved Bill Nos. 010631 and 010632.
8) **Bill No. 000717** – Amends the Zoning Code by establishing a zoning overlay for Broad Street between John F. Kennedy Boulevard and Cambria Street. (Introduced by Councilmembers Clarke and DiCicco on 11/16/01.)

Thomas Chapman, Director of Development, Planning and Zoning Division, explained that 5 of the next 9 items are either new overlays or amendments to existing commercial overlays. This first bill was introduced by Councilmembers Darrell Clarke and Frank DiCicco on November 16, 2001. The purpose of this bill is to amend the Zoning Code by adding a new section 14-1620, entitled “Avenue of the Arts North Special District Controls” to the Zoning Code. This new section of the Zoning Code would establish certain use and zoning controls for commercially zoned properties fronting on Broad Street between John F. Kennedy Boulevard and Cambria Street. A number of uses would be prohibited under this bill, such as, automobile repair shop, service station, installation of automobile parts, sales of automobile parts, automobile sales lot; drive thru restaurant; beer distributor; sales of malt beverages as an accessory use; regulated uses. The following new zoning controls would be established for this area are: newly erected buildings would be required to be constructed to the street line of Broad Street; newly erected buildings would be required to be constructed to a minimum building height of 25 feet; and parking would not be permitted between the building line and the street line of Broad Street. On May 24, 2001, the Commission reviewed and recommended approval of Bill No. 010213. This Bill established an overlay for the portion of N. Broad Street north of Cambria Street with the same controls. Bill No. 010213 was introduced by Councilmember Tasco. At that time we told you that Bill No. 000717 would be on a future Planning Commission agenda. City Council will be having the hearing on this bill on November 20, 2001.

The Planning Commission staff recommendation is for approval.

Upon motion by Mr. Bumb, seconded by Ms. Brown-Sow, the Planning Commission approved Bill No. 000717.

A discussion followed this presentation.

9) **Bill No. 010125** – Amends the Zoning Code by establishing a zoning overlay for Passyunk Avenue between Wharton Street and 25th Street. (Introduced by Councilmember Blackwell on 5/24/01.)

Mr. Chapman stated that Bill No. 010125 was introduced by Councilmember DiCicco and President Verna on March 1, 2001. This Bill amends the Zoning Code by adding a new section 14-1621, entitled “Passyunk Avenue Special District Controls” to the Zoning Code. This new section of the Zoning Code would establish certain use and zoning controls for commercially zoned properties fronting on Passyunk Avenue between Wharton Street and 25th Street. The following uses would be prohibited: auto repair shops; service stations, fortune tellers; tattoo and body piercing establishments;
outdoor sales; drive thru restaurants. New zoning controls would include the following: newly erected buildings would be required to be constructed to the street line of Passyunk Avenue; and only flat wall signs would be permitted. The Commission might recall this Bill has the same controls as Bill No. 960264, which established an overlay for the South Street/Headhouse Special Services District. This Bill is scheduled for a hearing before the Rules Committee of City Council on November 20, 2001.

The Planning Commission staff recommendation is for approval.

Upon motion by Ms. Van Belle, seconded by Ms. Makadon, the Planning Commission approved Bill No. 010125.

10) **Bill No. 010126** – Amends the Old City zoning overlay district by designating fortuneteller, tattoo and body piercing establishments as prohibited uses.
   
   (Introduced by Councilmember DiCicco on 3/21/01.)

Mr. Chapman stated Bill No. 010126 is a fairly minor amendment to the Old City overlay. This Bill amends the Zoning Code by designating fortune teller establishments and tattoo and body piercing establishments as prohibited uses within the “Old City Residential Area Special District Controls” zoning overlay. The overlay covers the area from Front Street to Fifth Street, and Market Street to Wood Street. Most of the area is zoned “C-2”, “C-3” or “C-4” Commercial. This Bill would add tattoo and body piercing and fortunetellers to the existing list of prohibited uses. The Bill has a hearing before the Rules Committee of City Council on November 20, 2001.

The Planning Commission staff recommendation is for approval.

Upon motion by Mr. Bumb, seconded by Mr. Coleman, the Planning Commission approved Bill No. 010126.

11) **Bill No. 010181** – Amends the Zoning Code by establishing a 250 feet setback line along the south side of Comly Road between Decatur Road and Norcom Road.

   (Introduced by Councilmember O’Neill on 3/22/01.)

Mr. Chapman stated that Bill No. 010181 was introduced by Councilmember O’Neill on March 22, 2001. This Bill amends the Zoning Code by establishing a 250 feet setback line along the south side of Comly Road between Decatur Road and Norcom Road. The new Flyers Skate Zone is located in this block of Comly Road. This stretch of Comly Road is directly across the street from residually zoned homes. There already exists a 250 feet set back controlled by the Fairmount Park Commission in the block immediately to the east between Decatur Road and Academy Road. It is our understanding that this is an agreement with the local community association, the Flyers, the Councilman and PIDC to maintain the existing set back on Comly Road.
The Planning Commission staff recommendation is for approval.

Upon motion by Ms. Van Belle, seconded by Mr. Bumb, the Planning Commission approved Bill No. 010181.

12) **Bill No. 010540** – Amends the Zoning Code by defining “Farmers’ Market” and by permitting it as a matter of right in “C-2” Commercial district.
(Introduced by Councilmember Nutter on 9/13/01.)

Mr. Chapman stated that Bill No. 010540 was introduced by Councilmember Nutter on September 13, 2001 at the request of the Farmers’ Market trust. Under the current provisions of “C-2” all uses are to be conducted in a completely enclosed building. This Bill would define Farmer’s Market as an area, “which may or may not be in a completely enclosed building, where growers and producers of horticultural and agricultural products may sell those products directly to the public”.

The Planning Commission staff recommendation is for approval.

Upon motion by Ms. Van Belle, seconded by Mr. Bumb, the Planning Commission approved Bill No. 010540.

13) **Bill No. 010557** – Amends the Zoning Code by establishing a zoning overlay for the Frankford Special Services District.
(Introduced by Councilmember Mariano on 9/20/01.)

Mr. Chapman stated that Bill No. 010557 was introduced by Councilmember Mariano on September 20, 2001. This Bill amends the Zoning Code by adding a new section 14-1623, entitled “Frankford Special Services District Controls” to the Zoning Code. This new section of the Zoning Code would establish certain use and zoning controls for commercially zoned properties fronting on Frankford Avenue between Torresdale Avenue and Brill Street. This is the Frankford El vicinity. The following uses would be prohibited on the ground floor of the buildings: central heating plants; dwelling units; and water booster or sewer sub-stations. The new zoning controls would require that all signs must be attached flat against the wall of the buildings. To maintain the commercial character of the ground floor of the buildings in this area and to preserve this area as a shopping destination for the surrounding area of the working class community, residential uses would be prohibited on the ground floor. The Frankford Special Services District was established on April 18, 2001. This Bill is scheduled for a hearing before the Rules Committee of City Council on November 20, 2001.

The Planning Commission staff recommendation is for approval.

Upon motion by Ms. Van Belle, seconded by Mr. Coleman, the Planning Commission approved Bill No. 010557.
14) Bill No. 010604 – Amends the Zoning Code by establishing a "Military Conversion District" zoning classification.
(Introduced by Councilmember Blackwell for Council President Verna on 10/18/01.)

Mr. Chapman stated that this Bill was introduced by Councilmember Blackwell for Council President Verna on October 18, 2001. This Bill amends the Zoning Code by adding a new Chapter 14-900, entitled "Military Conversion Districts". This Bill will establish an overlay leaving properties subject to the requirements of the underlying existing zoning classifications. It would designate the Naval shipyard property, the Defense Supply Center property and the Capehart Housing property as Military Conversion Districts but leaves the existing zoning designations of those sites in place. The requirements prohibit any new use in any of the three sites without a Master Plan approval. This Bill effectively freezes the uses of the 3 sites (even the uses of buildings in the Navy Yard) to what they are on the day the Bill becomes law thus establishing an open-ended moratorium on development. There are no time limits or enforceable standards that restrict Council’s approval power; thus the moratorium on development and new uses is open-ended and indefinite.

Currently at all the 3 sites there are development constraints in place. The Naval Base property is currently zoned partly “G-2” General Industrial and partly “LR” Least Restricted Industrial, which prohibit commercial or residential uses. A zoning change ordinance sponsored and approved by City Council, instead of variances from the Zoning Board of Adjustment would be necessary for any development of this type to proceed.

The Capehart Homes are zoned “R-10”, which would permit the development of the site with single family, duplex or multiple family row dwellings. However, none of the streets within the site are on the City Plan. Any new residential development of this site using either the existing street system or new streets would require ordinances of City Council. Any other type of residential development or commercial development would require either an ordinance of City Council changing the zoning of the property or variances from the Zoning Board of Adjustment. The City could require that the property be rezoned to an appropriate zoning designation prior to any redevelopment of this site.

The Defense Supply Center property is zoned “G-2” General Industrial. A proposed commercial development of this site requires either a zoning change through City Council or variances from the Zoning Board of Adjustment. The City could require the developer to have the property rezoned as part of any development agreement. The developer would likely want to have the property rezoned, as opposed to applying for zoning variances, so that future use changes or additions to buildings would not necessarily require zoning variances as they would should the property remained zoned industrial. It is also likely street changes would be required to have ordinances approved by City Council and would need a Master Plan of virtually the same plan.

This Bill has been discussed with the Law Department and we understand that there are questions regarding the constitutionality of the Bill.

The Planning Commission staff recommends disapproval of Bill No. 010604.
Craig Schelter, Vice President of Philadelphia Industrial Development Corporation, stated his concerns on how this Bill would effect the existing businesses in the Naval Business Center. He also stated that there is a Community Reuse Plan already in place at the Philadelphia Naval Base.

Upon motion by Mr. Bumb to support the Planning Commission staff’s recommendation, seconded by Ms. Van Belle, the Planning Commission disapproved Bill No. 010604.

Mr. Chapman stated that the Planning Commission staff recommends that the next two Bills be tabled for further study.

15) Bill No. 010233 – Amends the South Street/Headhouse zoning overlay by designating night clubs, restaurants or the expansion of existing restaurants and the retail sale of malt beverages as prohibited use. (Introduced by Councilmember DiCicco on 4/19/01.)

16) Bill No. 010424 - Amends the Zoning Code by establishing a “Neighborhood Residential Preservation and Revitalization Overlay District”. (Introduced by Councilmember DiCicco on 5/31/01.)

Mr. Chapman stated that we have a number of questions and concerns with these Bills and that further discussion will take place before any Council hearings.

Upon motion by Mr. Coleman, seconded by Mr. Bumb, the Planning Commission has approved that Bill Nos. 010233 and 010424 be tabled for further study.

Upon motion by Mr. Batoff, seconded by Mr. Bumb, Mr. Hack adjourned the Planning Commission Meeting of November 15, 2001 at 3:07 PM.
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