



Minutes

The Philadelphia Art Commission

July 27, 2022 - 9:30 a.m.

Remote – Zoom Meeting – Hosted by DPZ

The Philadelphia Art
Commission
Established 1911

Robert Roesch
Chair

José Almiñana
Deborah Cahill

Carmen Febo San Miguel
Matthew Kenyatta
Sarah McEneaney
Raed Nasser
Pepón Osorio
Mario Zacharjasz

C. Beige Berryman
Staff

Members Present: José Almiñana, Carmen Febo San Miguel, Raed Nasser, Sarah McEneaney, Matthew Kenyatta, Pepón Osorio, Mario Zacharjasz, and Robert Roesch

Meeting of the Philadelphia Art Commission

Beige Berryman – staff member of the Art Commission – introduced the Zoom platform and remote Art Commission process, noting that the meeting is being recorded and those participating in the meeting are giving their consent to be recorded. A link to the recording, will be posted on the Art Commission website and the meeting agenda and materials can also be found on the website at: (<https://www.phila.gov/departments/philadelphia-art-commission/>).

*Ms. Berryman polled the commission via roll call announcing a quorum, then stated a few instructions for the public. Members of the public may comment on agenda items during the meeting. When the agenda item that you are interested in is being discussed, you can use the “raise hand” feature and staff will unmute you during the public comment period. If you’re joining by phone, you can also use the hand raise feature by dialing *9 during the public comment period.*

We have additional public comment instructions because pre-registration was available. During the presentation of the Cobbs Creek Golf Course improvements, the Commission will hear public comments and vote at multiple times. If you pre-registered to speak, we will call on you during the general comment period in the order we received your request.

Chair Roesch called the meeting to order at the minute mark (00:03:24).

Presentation for Final Review

1. 133-22

Cobbs Creek Playground

Cobbs Creek Parkway between Catharine and Webster Streets

Review Type: Construction project located on City property

Project Details: Reconstruction of existing playground

Applicant: Philadelphia Parks and Recreation

Presenter: Port

Nick Jabs began the presentation and answered questions made at the concept review. He focused on the walking path alignment in regard to the drip line of the existing trees, tree preservation, lighting, and materials of the ground surfaces.

Questions and comments from the Commission at the minute mark (00:10:21).

Chairperson Roesch asked for confirmation about the safety surface material and the standard pedestrian lights. Commissioner Almiñana inquired about which trees would be most affected by the regrading of the ground surface.

Questions and comments from the public.

Lori Hayes asked if the plans could be shared with Parks and Recreation. Angela Dixon from the Rebuild program will ensure the plans are shared.

Seeing no further questions or comments from the Commission, Chairperson Roesch asked for a motion for final approval (00:13:59).

Upon the motion made by Commissioner Nasser and seconded by Commissioner McEaney, Ms. Berryman polled the Commission: Commissioner Almiñana, Commissioner Febo San Miguel, Commissioner Nasser, Commissioner McEaney, Commissioner Kenyatta, Commissioner Osorio, Commissioner Zacharjasz and Chairperson Roesch. The Commission voted unanimously for Final Approval (8-0).

Presentation for Concept and Final Reviews

1. 137-22

Cobbs Creek Golf Course Improvements – 4 groups of buildings, associated site work 7400 Lansdowne Avenue

Review Type: Construction project located on City property

Project Details: Site and building construction and improvements

Applicant: Philadelphia Parks and Recreation

Presenter: Blackney Hayes Architects

Chairperson Roesch announced that this item has five sections, and the Commission would take multiple votes.

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Jeffrey Shanahan began with an overview of the golf course and mission statement before John Hayes continued the presentation (00:18:39). The Cobbs Creek Foundation is a 501(c)(3) and was established for the sole purpose of restoring the Cobbs Creek Golf Course. Mr. Shanahan described a center that the community can use not just for golf, but for education and community engagement. The Cobbs Creek Golf Course was always a beacon of inclusion and integration and was hailed as one of the nation's finest public courses when it opened in 1916. Next, Mr. Hayes presented an overview of the entire project including existing conditions photos and phasing (00:21:20).

Kacie Liss, a staff member of the Art Commission read a summary of comments that were received in advance (00:27:33). These comments can be found at the end of these meeting minutes, starting on page seven. After a brief rebuttal to these comments from Mr. Shanahan, public comment moved to participants who had pre-registered to speak.

Questions from pre-registered public participants at the minute mark (00:33:50).

Lawrence Szmulowicz commented on the Flood Plan Restoration and doesn't support the project.

Timothy Reimer commented and opposed the project.

Kiasha Huling mentioned inclusion, lack of community engagement, trees, and asked the Commission to consider the design and deny this project.

Eireann Young asked the Commission to vote against this project.

Laura Wentz made the same request as the previous comment.

Eric Cesar Morales raised concerns about the increase of gentrification as it'll price out local black and brown people from using the facility.

Lawrence Martin strongly supports this project for the future path of success for students.

Kirk Wattles added information to the discussion about the inventory of trees on the golf course.

Katrina Clark expressed concerns about the environmental impact and strongly opposed.

Arthi Aravind detailed how wealthy developers were taking advantage of land in a marginalized community and does not support this project.

Mr. Shanahan addressed the comments made thus far and clarified some points of information (00:01:08).

Questions and comments continued from the public at the minute mark (01:50).

Larissa Mogano asked the Commission to vote against this project.

Kat Kendon asked the Commission to vote against this project.

Asmeret Easley spoke in support of the project for the students.

Tiffany Ellis spoke about the future of the children and strongly supported this project.

Eugene Lett expressed total agreement for the project.

Andrew Maroulis did not support the project.

Kendra Jenkins supported the project.

Coryn Wolk asked about funding criteria and questioned future pipe work needed by PWD.

Sarah Schuh voiced environmental concerns.

Mariko Wirth voiced financing concerns and did not support the project.

Nanyamka Wali asked for all stakeholders to be included.

Meredith Foote voiced support.

Susannah Beckett voiced opposition.

Alexis Sellers voiced opposition.

Elizabeth Cesarini voiced opposition.

Morgan Moore asked for more reassurance on the outreach made to stakeholders.

Candice Jefferies voiced opposition.

Chanel voiced opposition.

Blane Stoddard voiced support of the project.

A ten-minute break was taken by the Commission at the minute mark (02:17:30). Ms. Berryman completed roll call upon return to the meeting: Commissioner Almiñana, Commissioner Febo San Miguel, Commissioner Nasser, Commissioner McEneaney, Commissioner Kenyatta, Commissioner Osorio, and Chairperson Roesch (02:28:34).

Mr. Shanahan and Mr. Hayes continued with the presentation for Building Group 1, starting with the driving range and related site work. Ricky Burrell spoke about stormwater management.

Questions and comments from the Commission at the minute mark (02:35:20).

Commissioner Almiñana asked if the Philadelphia Water Department had approved the initial Existing Resources and Site Analysis (ERSA) plan for the Driving Range, which they had. Further discussion continued about the relationship between sewer lines, Combined Sewer Outfall (CSO), hydrology, and stream restoration. Commissioner Febo San Miguel asked for a better sense of timing of the overall restoration and proposed scope of work.

Discussion about the netting for the driving range followed. Concerns included height and screening of the netting from nearby residences. A tree buffer would help minimize the visual impact of the netting, lights, noise, etc. Chairperson Roesch inquired about the caliber of the proposed trees used as a buffer.

Discussion moved to the plantings in the parking lot. Commissioner Almiñana strongly encouraged all native plantings to be used and for canopy trees to be planted for their shade value. In general, plant materials should be specified that increase biodiversity and improve the environmental conditions.

John Hayes continued the presentation and described the driving range facility details including materials and plan layout.

Commissioner Kenyatta asked if any prefabricated buildings common to golf facilities already existed that utilized LEED certification components. Chairperson Roesch then suggested a study to see what the economics are for installing solar panels on the roof. Commissioner Kenyatta asked if a study had been done on the environmental impacts of the proposal regarding heat gain. Mr. Shanahan responded that they would look further into the heat issue. Opportunities for increased sustainability were generally discussed, including the specific request to use bird-friendly glazing.

Chairperson Roesch summarized concerns heard thus far including using more natives and less cultivar plants, restroom designation, consider solar panels, bird-friendly glass, and more data about environmental impacts, especially the heat island effect.

Questions and comments from the public specifically about the driving range design were heard at the minute mark (03:31:04).

Chairperson Roesch suggested a motion for concept approval for the driving range with the following concerns needing further clarification: netting at the edge of the driving range, native plants, bird-friendly glass, solar panels, possible pipeline disturbance, environmental data, restroom designation, use of pesticides and other operational details, and community engagement (03:48:00). Counsel for the Commission, Claudia Becker suggested that Parks and Recreation provide details on their community engagement thus far.



Due to the length of the meeting and the possibility of losing a quorum, the remaining Building Groups with the following items were not presented: (1) Youth Education Center, (2) Maintenance Facilities, (3) Pump House, (4) Retention Basin, (5) Clubhouse, (6) Cart Barn, (7) Halfway House, (8) Karakung Cart House.

Upon the motion made by Commissioner Febo San Miguel and seconded by Commissioner Nasser for concept approval for the driving range, Ms. Berryman polled the Commission: Commissioner Almifiana, Commissioner Febo San Miguel, Commissioner Nasser, Commissioner McEneaney, Commissioner Kenyatta, and Chairperson Roesch. The Commission voted unanimously for concept approval for the driving range (6-0).

Seeing no further comments or questions, Chairperson Roesch and the Commission adjourned at (04:06:24). This concluded the July 27, 2022, Philadelphia Art Commission Special Meeting.

The next Art Commission will be held Wednesday, September 14, 2022, at 9:30 a.m. via Zoom.

Cobbs Creek Golf Course Improvements – Art Commission Special Meeting Public Comments received by Friday, July 29, 2022

Due to a very high level of interest and participation in the special meeting of the Art Commission held on Wednesday, July 27, 2022, members of the public were given an opportunity to submit written comments to be appended to the meeting minutes following this meeting. As of the 4:00 PM Friday, July 29, 2022, deadline for written public comment, staff of the Art Commission received six written comments via email. Of those six, one was in support of the proposal and five were in opposition.

List of Commenters:

1. Lawrence Szmulowicz
2. Keith Russell, Program Manager, Urban Conservation, Audubon Mid-Atlantic
3. Katrina Clark
4. Kirk Wattles
5. Larissa Mogano
6. Marc Reason

Full comments received, organized by date:

July 29, 2022

Lawrence Szmulowicz

I am a concerned resident of the Cobbs Creek neighborhood. My backyard looks out onto the Cobbs Creek Park, which is downstream from the Cobbs Creek Golf Course. I am also a volunteer and member of the executive team of the [Cobbs Creek Park Ambassadors](#), which conducts regular trash cleanups and habitat restoration along the Cobbs Creek greenway. I also co-lead [West Philly Birding Friends](#), which welcomes community members to explore local green areas while learning about birds and making new friends. Finally, I recently completed Penn States' Master Watershed Steward program.

I am writing to follow up on my oral comments at the July 27, 2022 Art Commission Special Meeting regarding the Cobbs Creek Golf Course Improvements. At the meeting, the Commission granted conceptual approval to the Youth Golf Center and Driving Range (collectively, "Phase II"). Additionally, the Commission directed the applicant, the Cobbs Creek Foundation (CCF), to satisfy a list of conditions in order to seek final approval for its Phase II plans. It was also indicated that some of these conditions are applicable to later phases of the project.

I am writing to provide the Commission with additional information regarding some of the conditions in the above-mentioned list. I respectfully urge that the Commission incorporate the below information and guidance in the written list of conditions that it submits to CCF. These recommendations are designed to: 1) Rehabilitate and mitigate additional harms to the environment and wildlife, which is a major community concern expressed at the last two Commission meetings on this project; and 2) Encourage CCF to partner with local experts in the community, which CCF has unfortunately failed to do thus far in its design of this project.

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1. Condition: CCF shall submit a proposal for ensuring that windows in all proposed structures in the Golf Course are bird-safe. According to one [estimate](#), window collisions kill between 365 million and 1 billion birds annually in the United States, with a median estimate of 599 million. Philadelphia is no exception. On October 2, 2020, a [mass collision event](#) killed thousands of migratory birds in Center City Philadelphia. It is particularly important that the windows of structures in the Golf Course are bird-safe as the Golf Course is located within a "green corridor" terminating at its southern point at the John Heinz National Wildlife Refuge at Tinicum, an internationally recognized "hotspot" for migratory birds. In seeking a solution to this issue, CCF shall consult with [Bird Safe Philly](#), a partnership between Drexel University and regional chapters of the National Audubon Society, which specifically focuses on "protect[ing] native birds in the Philadelphia area from ... issues that can cause birds to collide with buildings and other human made structures." At the next Art Commission meeting on this project, CCF shall present a letter from Bird Safe Philly stating that its proposed windows have been deemed bird-safe in order to receive final approval for its plans.

2. Condition: CCF shall submit a proposal for making the driving range netting bird-safe or present a bird-safe alternative to such netting. It is well-documented that the netting at driving ranges can [injure](#) or even [kill](#) birds. (For another example, see [here](#).) The proposed driving range netting in the Cobbs Creek Golf Course poses serious risks to birds, as Philadelphia lies on a heavily used section of the [Atlantic Flyway](#), one of the major migratory bird paths in North America. Indeed, a Great Horned Owl, which is a [protected species](#) under the Migratory Bird Treaty Act, was entrapped by netting at the Sedgely Driving Range in East Fairmount Park in April 2022. In seeking a solution to this issue, CCF shall consult with [Bird Safe Philly](#), a partnership between Drexel University and regional chapters of the National Audubon Society, which specifically focuses on "protect[ing] native birds in the Philadelphia area from ... issues that can cause birds to collide with buildings and other human made structures." At the next Art Commission meeting on this project, CCF shall present a letter from Bird Safe Philly stating that its proposed netting or alternative technology has been deemed bird-safe in order to receive final approval for its Driving Range plans.

3. Condition: CCF shall submit revised planting plans that include only native tree and plant species providing habitat that will promote birds and other wildlife. The Golf Course has sustained a massive loss of wildlife habitat due to this project. CCF has admitted that it clear cut 108 acres of trees, including an estimated 500 "heritage" trees, defined by Philadelphia's [zoning law](#) as a native tree species that is at least 24 inches at breast height. Contrary to the portrayal of the Golf Course as a wasteland with nothing of value to save, the [Pennsylvania Natural Heritage Program](#) (PNHP), a partnership between state and federal conservation agencies, designated a significant portion of the Karakung Golf Course as a "core habitat (focus natural heritage inventory site)" for Carolina Elephant's Foot, which is considered a "species of concern." In a description of the Karakung Golf Course, PNHP documents note that the site supported "large mature trees that form a dense closed canopy and support a diverse native flora," including "several tulip poplars (*Liriodendron tulipifera*) over five-foot in diameter with one individual exceeding seven-foot [sic] in diameter."

Fortunately, as the U.S. Golf Association (USGA) has recognized, it is possible to make golf courses more bird-friendly by understanding local birdlife and by planting flora that will provide habitat for such birds. Per the [USGA's recommendations](#), CCF shall partner with the local chapter of the National Audubon Society, [Audubon Mid-Atlantic](#), to make its planting plans bird-friendly. At the next Art Commission meeting on this project, CCF shall present a letter from Audubon Mid-Atlantic stating that its proposed planting plan is bird-friendly in order to receive final approval for its plans.

4. Condition: CCF shall submit an environmental impact study. This study shall include at least the following information:

- 1) An inventory of all cleared trees, including the tree's species, diameter at breast height (DBH), and location on the premises;
- 2) An estimate of the lost carbon sequestration due to the project's tree clearing, including details on the methodology used to derive this estimate;
- 3) An estimate of the lost heat mitigation due to the project's tree clearing, including details on the methodology used to derive this estimate;
- 4) An estimate of the lost air quality due to the project's tree clearing, including details on the methodology used to derive this estimate; and
- 5) An explanation of how the proposed replanting plans shall mitigate the above-mentioned losses.

The study shall be conducted by a qualified professional, whose name and *curriculum vitae* shall be incorporated in the written study. CCF shall submit the environmental impact study in advance of the next Art Commission meeting on this project in order to receive final approval for its plans.

July 27, 2022

Keith Russell, Program Manager, Urban Conservation, Audubon Mid-Atlantic

In addition to the items the Commission asked the Cobbs Creek Foundation to look at they should also look at the issue of artificial light at night also causing bird collisions. Using blinds, curtains and placing lights on timers and sensors will reduce light spillage from inside buildings at night and reduce nocturnal collisions with birds as well as negative impacts on insects.

Katrina Clark

I am concerned about the comment made by Commissioner Roesch about the fact that this land has always been a golf course. This is short-sighted and can lead to truly devastating effects on any community. A great example is the Heinz Wildlife Refuge. Had activists had the same short-sightedness as the Commissioner, that beautifully restored and cared for land would still be a trash dump today. We need leaders who can see through the shallow promises of foundations and corporations and hold them to higher standards. Plans should be detailed and exceptional. I cannot in any way imagine a foundation walking into nearby Lower Merion with the same level of "community involvement" and getting away with this. We have to fight the internalized racism that allows our city to be treated like easy pickings for the wealthy.

I am exhausted by the use of Black and Brown people as the reasons for the actions of foundations. It is quite obvious that more Black and Brown people will benefit from having a healthy environment than from having a golf course. Golf courses do not decrease the rates of asthma, the rates of heat exhaustion, the rates of murder (or crime in general). There is just no evidence to support that. We already have public golf courses in Philadelphia which this foundation is more than welcome to create programming for. We don't need another golf course for them to take on that action.

I am also exhausted at how foundations continually use the underfunding of Philadelphia schools to rope principals and teachers into supporting weak plans. There is no way that a summer program at four schools or

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an education center on a golf course can counterbalance the historical, racist, generational underfunding of Philadelphia public schools. This is especially true when no money from this land will help the city of Philadelphia.

Due to the structure of the meeting, there was no possibility of conversation or to have questions answered. Here are questions that still need to be answered:

- I'm wondering why Mr. Shanahan did not speak to the lack of genuine community involvement. To have so many community leaders on this call who are actively involved in West Philadelphia to not have spoken with anyone from the Foundation is quite telling about CCF's weak community outreach. I would also like to know what specific programs (and their monetary value) was offered to the 4 public/charter schools who had people speak today.
- Can we have specific programs, budgets, and evidence that any programs on this land will end crime -- specifically murder-- please? It was implied that this golf course will help decrease crime. Where is this assertion coming from? What research backs this up?
- How do we get access to the curriculum and activities of these summer camps that are being run right now? Also, please, explain how a summer camp literacy program can make up for underfunded schools.
- My understanding is that CCF does not pay property taxes on land that is valued at \$98 million. Will CCF pay property taxes to pay for our Black and Brown children's education? There are non-profits who choose to pay PILOTS because they make so much money. Since this project clearly intends to make money, will this non-profit pay PILOTS?
- Why have members of the Foundation been allowed to speak during public comment? What exactly IS the structure of this "conversation"?

Kirk Wattles

I hear a lot of obfuscation about their plan and about what they actually intend to do with the space.

The number of trees to be planted around the periphery of the golf course, for example, is ridiculous. There are all kinds of 'trees' but with that number it's either a straight-up lie (the sort of thing I've seen in presentations of other plans, which never really materialize), or they're talking about teeny-tiny arborvitae type trees in a ring around the property.

They're not restoring the golf course(s) that was there. They cut down hundreds of trees and forested areas between the existing fairways. The route of the golf course is substantially different from the historic golf course. And they keep talking about needing to cut down trees in order to deal with the flooding issues. That is evasion. They won't admit what they did, and they have no plans to actually address the issues that came up as a result of their deliberate actions.

If you vote no (or maybe you'll vote before you see this email?), the Foundation will have to come back with more specific plans (pun intended — plans that include species and locations), and perhaps this will force them

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to come up with better plans that provide for the restoration of the more natural and forested areas that were obliterated.

"Who speaks for the trees?" — meaning the Art Commission board members are in a position to make a difference now, when the Foundation has been bulldozing ahead and ignoring the actual existence and the qualities of the trees that happened to be standing in their way.

Larissa Mogano

I'd like to know from the educators on the call who support this plan what the asthma rates are in their respective schools and how they think a golf course will impact public health positively?

Marc Reason

A Tale of Two Cities

In my opinion we need to pull together all the communities that surround the course because we have been all talking from our own points of view.

The Overbrook Park Community has been bombarded for years by the previous golf courses operations. We have suffered disrespect by golfers. We have had properties under siege by golf balls. In addition, late night parties on the golf course.

I respect the environmental and animal concerns. We also have human concerns.

There have been serious meetings for years in our community about the golf course. I don't see another plan for the land besides the dumping and eye soar to our neighborhood.

We should all sit down and hash out the differences because everyone should have a voice.

I, as a black male educator in the city of Philadelphia, support the course and support the discourse that is happening so that we don't miss anything that will make this project beneficial for my community and surrounding communities.

Maybe a Tale of Multiple Communities