

BOD Team: FYI, I testified this morning before the Rules Committee: Greenlee (Chair), Tasco, Bass, Goode, Jr., O'Brien, Henon, and Squilla. It was a love fest. Thaddeus Bartkowski, Founding Partner of Catalyst Outdoor, the proponent of the legislation, made his video and power point presentation (substantially the same as the one he made to our Board last April), and he was unconditionally supported by representatives of the Convention Center, Reading Terminal Market, Avenue of the Arts Foundation, a Broad St. resident who said he lives across the street from the Bellevue garage, and a pizza shop owner from the same vicinity as the resident. Gary Jastrzab, Executive Director of the Planning Commission, testified that the Commission voted to recommend that the Bill not be approved. But he also testified about amendments that the Commission's staff had proposed, whereupon Greenlee and others, through leading questions, sought to have Jastrzab state that the staff was in favor of the Bill and that the Commission essentially ignored the staff, for "no good reason," except for the Commission's "serious reservations about the impact of UEDs on the public realm," especially due to height, size, and brightness (which I, for one, thought was a perfectly legitimate reason).

Though Scenic Philadelphia has been a consistent opponent of this legislation, and a helpful ally on technical issues, due to logistical problems, they did not testify. Only two people testified in opposition to the legislation: me, on behalf of CCRA; and Mike McGettigan, on behalf of himself. I made the following substantive points:

1. CCRA agrees with the position taken, and concerns expressed, by the Planning Commission.
2. Councilman Henon has been working on non-accessory billboard legislation for three years and this Bill will completely trump whatever he comes up with. [CCRA and the Crosstown Coalition have been working with Henon and his staff on this.]
3. The Market East digital sign overlay was enacted with the express purpose of triggering economic development in that area. There is no need to do that in the three Districts identified in this Bill.
4. CCRA did not oppose the cube in front of the Kimmel Center. It is on a much, much smaller scale and its content is limited to cultural events.
5. The video shown to the Councilpersons showed only public service and cultural images: no commercials.

I concluded with the following sound bite: "These things could be kind of cool. And there have been a number of amendments made that improve the legislation. However, at the end of the day, these are giant 6-story commercial billboards in very prominent places." The Committee voted 7-0 to move the Bill out of Committee, but without suspension of the rules, meaning that there will be a hearing before the full Council (probably March 5), with another week to pass before a final vote (probably March 12).

ADDITIONAL INFORMATION AND PERSONAL THOUGHTS: Though I have not seen the language, both Squilla and Jastrzab stated that the Bill was being amended to require light limitations to be measured in both nits AND foot-candles, which is good. They stated also that each individual UED would be required to obtain the approval of PennDOT. This is another good thing, which is in addition to approvals needed for each UED from the Art Commission and the Planning Commission, as well as a requirement to go through the Civic Design Review process (though CDR comments are not binding). Given that the Bill already has the support of the seven Councilpersons on the Rule Committee out of a total of 16 Councilpersons, my best guess is that this is a done deal. However, with better control over the lighting intensity and all of the mandated approvals and associated opportunities for citizen input, the potential adverse impact on the public realm should be reduced.