



Legislation Details (With Text)

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**File created:** 9/23/2010      **In control:** CITY COUNCIL  
**On agenda:**      **Final action:**

**Title:** Deploing the actions of the Zoning Board of Adjustment in granting a zoning variance to double the size of the Forum XXX Theater so that the enlarged second floor would now feature live nude dancing, peep shows and sales of adult novelty items and deploring the support of the Planning Commission for this terribly misguided decision and further expressing this Council's strong support for the legal challenge brought by the Center City Residents Association (CCRA) to overturn the Zoning Board's action and for the efforts of members of this Council, led by Council President Verna, and the Logan Square Neighborhood Association (LSNA) to file an amicus curiae brief in support of CCRA in the litigation.

**Sponsors:** Council President Verna, Councilmember Clarke, Councilmember Kenney, Councilmember Rizzo, Councilmember Goode, Councilmember Reynolds Brown, Councilmember Greenlee, Councilmember Green, Councilmember Kelly

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution No. 10062900.pdf

Date	Ver.	Action By	Action	Result	Tally
9/23/2010	0	CITY COUNCIL	Introduced, Read and Adopted	Pass	

Deploing the actions of the Zoning Board of Adjustment in granting a zoning variance to double the size of the Forum XXX Theater so that the enlarged second floor would now feature live nude dancing, peep shows and sales of adult novelty items and deploring the support of the Planning Commission for this terribly misguided decision and further expressing this Council's strong support for the legal challenge brought by the Center City Residents Association (CCRA) to overturn the Zoning Board's action and for the efforts of members of this Council, led by Council President Verna, and the Logan Square Neighborhood Association (LSNA) to file an amicus curiae brief in support of CCRA in the litigation.

WHEREAS, The Forum XXX Theater is one of the last adult movie theaters operating in Philadelphia and is located at 2208 Market Street; and

WHEREAS, The area surrounding the Forum XXX Theater has undergone significant redevelopment over the past few years and now boasts several luxury condominiums and a Trader Joe's; and

WHEREAS, There are two schools located within one block of this theater, the Greenfield Elementary School at 22<sup>nd</sup> and Chestnut and the Science and Leadership Academy High School at 22<sup>nd</sup> and Arch Streets; and

WHEREAS, The intersection of 22<sup>nd</sup> and Market Streets is a transit hub where six bus lines and five

subway lines converge; and

WHEREAS, Both CCRA and LSNA have recently completed neighborhood development plans which have been accepted by the City and which envision new mixed use and retail development for those blocks of Market Street; and

WHEREAS, The Philadelphia Code prohibits the exhibition of adult movies, nude dancing and sales of adult novelty products within close proximity to residences and schools; and

WHEREAS, Philadelphia Magazine published an exposé on the Forum XXX Theater in 2007 that described how patrons to the Forum XXX Theater routinely solicit each other and engage in public sex acts during the exhibition of movies; and

WHEREAS, The owner of the Forum XXX Theater also owns other businesses in the city featuring live nude dancing and peep shows and the sales of adult periodicals, books and novelty items where arrests have been made for prostitution and he has been cited by the United States Attorney General for links to organized crime; and

WHEREAS, The Zoning Board's decision to allow the Forum XXX Theater to expand and add live nude dancing and peep shows represents a tremendous threat to the quality of life for the residents of this neighborhood and for the hundreds of school children who pass by this business on their way to and from school; and

WHEREAS, The support of the Planning Commission for this variance is inexplicable and flies in the face of the City's efforts to redevelopment and beautify this gateway to Center City; and

WHEREAS, The Center City Residents Association has filed suit to overturn this misguided Zoning Board decision and the litigation is currently pending before the Commonwealth Court; and

WHEREAS, Several members of this Council, led by Council President Anna C. Verna, have taken a personal interest in this litigation and will be filing an amicus curiae brief, along with the organization Logan Square Neighborhood Association, to support the efforts of the Center City Residents Association; now,

therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, THAT the Council deploras the actions of the Zoning Board of Adjustment in granting a zoning variance to double the size of the Forum XXX Theater so that the enlarged second floor would now feature live nude dancing, peep shows and sales of adult novelty items and deploras the support of the Planning Commission for this terribly misguided decision.

FURTHER RESOLVED, That this Council expresses its strong support for the legal challenge brought by the Center City Residents Association to overturn the Zoning Board's action and for the efforts of members of this Council, led by Council President Verna, and the Logan Square Neighborhood Association, to file an amicus curiae brief in support of CCRA in the litigation.