



July 22, 2008

Harris M. Steinberg, FAIA
Executive Director, PennPraxis
School of Design
University of Pennsylvania
409 Duhring Wing
Philadelphia, PA 19104-6311

Dear Mr. Steinberg:

Terry McKenna of Keating Consulting has forwarded to us your request to meet with our consultants and architects as part of your charge to evaluate our site in response to Mayor Nutter's request for an "independent, third-party analysis".

For a number of reasons, we will not participate.

The first is, of course, that you are not an "independent" voice in the casino debate. Even before being tasked by the Mayor to conduct an analysis, you concluded that casinos do not fit into your vision of the waterfront. It is difficult to see how you could be "independent" given your past statements. [[Philadelphia Daily News](#), 6/28/08]

In addition, the Mayor's Senior Policy Advisor has explicitly stated that the intent of your work is not the "neutral fact-finding" one associates with an "independent, third-party analysis", but rather to gather information to support an already enunciated anti-casino position. That statement prevents us from having any expectation that your "analysis" will be objective or constructive. [[Philadelphia Inquirer](#), 6/28/08]

A second reason that we will not participate is that we have previously met with you and your colleagues on more than one occasion to discuss our project in great detail, only to have you repeatedly mischaracterize our project afterwards. You have recently been quoted as describing our facility as an "essentially large, windowless box." Your characterization is not only incorrect -- a cursory review of our plans reveals a substantial number of windows and abundant natural light -- but given the multiple presentations we have made to you, you must have known your characterization to be incorrect when you made it. [[Philadelphia Daily News](#), 6/28/08]

In addition to our meetings with you and your colleagues, we have spent three years developing and discussing our plans, in detail, with, among others, the Gaming Control Board, the Philadelphia Planning Commission, City Council, PennDOT, the City Streets Department, the City Water Department, officials from the City Department of Licenses and Inspections, the Department of Environmental Protection, the United

States Army Corps of Engineers, the local community, and the general public. Our design, traffic, environmental, and other plans are matters of public record and are available at the Gaming Board, the Planning Commission and in the public record of the Army Corps of Engineers, among other places. Our Plan of Development, which contains enormous detail on the project, its layout and its impacts, is available at the Planning Commission and at the office of the Clerk of City Council.

Finally, regardless of what your final report says, our Plan of Development was approved by the Pennsylvania Supreme Court on December 3, 2007. In the same opinion, it was ordered that our site be designated a Commercial Entertainment District (CED) and that all applicable permits are to be processed and issued by the City. In addition to our Plan of Development having been approved by the Planning Commission in May 2007 and deemed finally approved by the Pennsylvania Supreme Court, we also reached a binding Development Agreement with the City almost a year ago. Furthermore, the Mayor's Gaming Advisory Task Force, in a truly independent analysis, found that sites along the north central Delaware where we are located were the best for a casino.

We intend to build our world-class gaming and entertainment facility according to the approved Plan of Development at our current site, the best site in the City for a casino. And to be clear: our decision not to participate in your "analysis" does not in any way mean we are not committed to making the waterfront a vibrant, open place for the community to use and enjoy. In fact, as you may recall from our meetings with you, our development meets the majority of design principles and civic values you identified as necessary for sound development along in the waterfront. Specifically:

- The SugarHouse Casino will provide waterfront access to the public at our site for the first time in at least a century (Objective 5) and include a wide pedestrian walkway that will continue the trail along the central Delaware riverfront (Objectives 3 and 9).
- We will have park-like open space, landscaped public right-of-way, and fan-shaped waterfront public park on the promenade (Objective 4).
- The SugarHouse Casino is specifically designed to help control traffic along Delaware Avenue and we will have thousands of free parking spaces for our staff and guests (Objective 8).
- We are integrating public transportation into our design and support the potential extension of a trolley line along the Delaware (Objective 6).
- One of the streets you have identified for extending to the waterfront -- Shackamaxon Street -- will, in fact, be incorporated into our promenade as an access point to the river for the general public (Objective 7).

- As part of the current permit application, we have incorporated measures to create new aquatic and tidal habitats, as well as measures to enhance existing habitat, into the overall project design and have committed to relocating and improving the nearby sewer system (Objective 10).
- We will, if appropriate, consult with any appointed waterfront manager (Objective 1) and obviously, the City would clearly benefit from the city's adoption of clear zoning, a detailed master plan and a coordinated, fairly administered regulatory policy (Objective 2).

In closing, we look forward to building a gaming and entertainment facility of which the City can be proud. We look forward to creating 1,100 jobs and generating hundreds of millions of dollars in revenue for the benefit of the citizens of the City and Commonwealth. After the delays of the past year and the substantial tax revenues that have been lost because of them, the citizens of Philadelphia cannot afford additional delays.

Sincerely,


Robert D. Sheldon
President and COO



Posted on Sat, Jun. 28, 2008

Casinos to Nutter: No dice

By CHRIS BRENNAN
Philadelphia Daily News
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Mayor Nutter's call for a local design group to study plans for two riverfront casinos drew protests from the developers yesterday, with one threatening to take its complaints - again - to the state Supreme Court for relief.

Nutter, speaking Thursday night at the unveiling of the PennPraxis 10-year plan to rejuvenate the Delaware riverfront, asked the group to conduct an "honest, legitimate, third-party analysis" of the casino plans for SugarHouse in Fishtown and Foxwoods in South Philly.

PennPraxis director Harris Steinberg has said that the casinos don't fit into his group's vision of the riverfront. He derided them before Nutter spoke as "essentially large, windowless boxes" and the "antithesis" of the vision.

Foxwoods spokeswoman Maureen Garrity yesterday said that Nutter's call for an honest and legitimate study was confusing since Steinberg's opinions are clear.

"The Supreme Court has been very clear: The city cannot determine casino sites," Garrity said. "The court has also been clear in its mandate to the city that it must comply with the law and allow our project to move forward."

The court in April ruled that City Council used delaying tactics to keep Foxwoods from being built and ordered the city to immediately approve zoning changes needed for the project. The court issued a similar ruling for SugarHouse in December.

But Garrity said that the City Planning Commission this month rejected Foxwoods' zoning permit application, which is needed before building permits and other city approvals are issued. Garrity said that the commission, which had 45 days to act on the application, waited until the 44th day to reject it as incomplete. She disagreed that the application was incomplete or lacking information.

"Foxwoods has attempted to work with this administration and to adhere to the law," Garrity said. "Still, the city refuses to comply with the Supreme Court's order

and continues to engage in a pattern of delay, leaving us few options but to return to the court for relief."

Terry Gillen, a senior adviser to Nutter on casino issues, said the city was not trying to obstruct the projects.

"We're certainly abiding by the law," she said. "We're just being very careful. They're just used to having things fast-tracked."

Former-Mayor Street's administration last year was eager to have the casinos opened quickly. Both casino plans were approved last year by the City Planning Commission.

Garrity and Leigh Whitaker, a SugarHouse spokeswoman, also took issue with Steinberg's description of the casino plans.

"We fully intend to move forward with our project, which includes landscaped areas, waterfront access and biking and walking trails, on our site on South Columbus Boulevard," Garrity said.

Whitaker said that SugarHouse will also have biking and walking trails, along with windows looking out on the river and outdoor restaurants and lounges.

"We intend to build our casino as designed and approved by the Planning Commission," Whitaker said. "In any case, PennPraxis can't possibly undertake an objective review of our plan when they have already said that casinos don't fit into their vision." *

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Posted on Sat, Jun. 28, 2008

Nutter commissions study on casinos

By Patrick Kerkstra
Inquirer Staff Writer

Never mind the unfavorable court rulings, or the pressure from Gov. Rendell, or even the potential damage to his own budget. Mayor Nutter is digging in against the proposed riverfront casinos.

> "Can the casino plans at their proposed locations work or not? An honest, legitimate, third-party analysis must be conducted," Nutter said in a speech about the future of the Delaware River front Thursday night.

> But the mayor's question was rhetorical. He has already decided that the proposed developments are not a good fit for the city, and leaders of the organization he asked to study the question, PennPraxis, are also on record opposing the casinos as presently designed.

> What Nutter will likely get from the report (due in 60 days) is ammunition for his fight to prevent construction of the Foxwoods and SugarHouse casinos.

> "He's not being coy; he's not sending them on a neutral fact-finding mission. What he's asked PennPraxis to do is clarify why this is a bad location," said Terry Gillen, executive director of the Redevelopment Authority and Nutter's chief casino advisor.

> PennPraxis director Harris Steinberg, who has said the proposed casinos are the "antithesis" of what the waterfront needs, will lead the study.

> "The mayor's looking for objective research to use in his negotiations with the state," Steinberg said. "He's been consistent in questioning the use and the location; now he's asking us, go deeper."

> Another objective of the study, Steinberg said, is to propose new and likely radically different casino designs that would be a better fit for the city's new riverfront development plan, also created by PennPraxis.

> Foxwoods and SugarHouse have rejected the idea of moving to a different site

or overhauling their proposed developments. Doing so would require the companies to return to the state Gaming Control Board and reopen the licensing process, said SugarHouse spokesman Dan Fee.

> "The Supreme Court has been very clear: The city cannot determine casino sites. The court has also been clear in its mandate to the city that it must comply with the law and allow our project to move forward," Foxwoods spokeswoman Maureen Garrity said in a statement.

> If the city continues to stall, the statement said, Foxwoods will not hesitate to again seek relief in court.

> And with the state Supreme Court, the legislature and Rendell all consistently backing Foxwoods and SugarHouse, it is not clear how a PennPraxis study will change matters.

> The city is not without leverage, however.

> "There are still a number of permits both operators need to get from the city. There's lots of regulatory approval they still need," Gillen said.

> She hastened to say the city was "making sure we stay within the letter and spirit of the law, as the courts have instructed." But doing so, Gillen said, does not require the city to abandon all review.

> Casino foes are urging the city to enforce every last rule and regulation in an attempt to thwart or at least further delay construction.

> "Licenses and Inspections knows how to lose files for a long period of time," said Casino Free Philadelphia spokesman Daniel Hunter.

> He and other casino opponents hope that the political climate in Harrisburg will change to the point where the legislature will consider moving the two Delaware River slots parlors to another part of the city, as proposed in a bill introduced by State Sen. Vincent J. Fumo (D., Phila.) in late April.

> Nutter has been meeting frequently with legislators in recent weeks, and though the casino issue has come up, it has not been the chief topic of the discussions, according to his aides.

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