



APABA-PA

Asian Pacific American Bar Association of Pennsylvania

Resolution Urging Mayor Cherelle L. Parker and Philadelphia City Council to Uphold the Democratic Process by Delaying 76 Place Legislation Voting, Extending Time for Full and Fair Hearings, and Collaborating Effectively with Philadelphia Chinatown Community Organizations and Residents

WHEREAS, APABA-PA supports justice, equity, and legal access, especially for Asian Pacific American (APA) communities and other underrepresented and minoritized communities;

WHEREAS, Philadelphia’s Chinatown was established over 150 years ago in 1871 and is an irreplaceable embodiment of Philadelphian and American values of pride, cultural legacy, and entrepreneurship;¹

WHEREAS, in July 2022, a new development company called 76 Devcorp announced its plans to develop a new stadium to be called ‘76 Place’ in an area adjacent to the Chinatown and Washington Square West neighborhoods of Philadelphia, to be completed by the year 2031;²

WHEREAS, the 76ers had multiple options for building its new stadium, including staying in South Philadelphia, or moving to Camden, New Jersey, and rejected all alternatives;³

¹ VISIT PHILADELPHIA.

<https://www.visitphilly.com/areas/philadelphia-neighborhoods/chinatown/>

² “Sixers announce plans to build new \$1.3 billion arena by 2031.” NBA NEWS. July 21, 2022. Available online:

<https://www.nba.com/news/sixers-announce-plans-to-build-new-1-3-billion-arena-by-2031>; “Sixers Arena Presentation by the City of Philadelphia.”

³ “Philadelphia 76ers weighing all options as proposed center city arena awaits approval.” CBS Philadelphia. Available online: <https://www.youtube.com/watch?v=Vdfs5KfCDJU>

WHEREAS, data shows opposition by residents and business owners throughout Philadelphia ranging between 56% opposition⁴ and 94% opposition,⁵ with expressed concerns about how the years of construction and the existence of the arena could negatively impact Chinatown, its cultural identity, and the livelihood of its residents and businesses;⁶

WHEREAS, on September 18, 2024, Mayor Cherelle L. Parker announced her support for the development of 76 Place;⁷

WHEREAS, on October 24, 2024, Philadelphia Councilman Mark Squilla⁸ introduced a legislative package consisting of 13 ordinances and resolutions enabling the construction of 76 Place, which is currently under committee review in City Council (the Proposed Legislation) and may be voted on in December 2024;⁹

⁴ Gammage, Jeff. "City Council holds first hearing on proposed Sixers arena; who will pay SEPTA construction costs?" PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/news/philadelphia/live/philadelphia-sixers-arena-city-council-hearings-protests-20241112.html>.

⁵ Moselle, Aaron. "Influential Chinatown group says a new Sixers arena would 'imperil' the neighborhood." PHILADELPHIA INQUIRER. March 16, 2023. Available online: <https://why.org/articles/chinatown-development-corporation-sixers-arena-opposition/>.

⁶ Save Chinatown Coalition: <https://www.apipennsylvania.org/chinatown>; Collins Walsh, Sean, Jeff Gammash and Anna Orso. "The Sixers arena took center stage as City Council returned to session. A vote could come this fall; New polling on the arena proposal." PHILADELPHIA INQUIRER. September 5, 2024. Available online: <https://www.inquirer.com/politics/philadelphia/sixers-arena-chinatown-protesters-city-council-20240905.html>; Collins Walsh, Sean. "Mayor Parker's administration didn't try to get more than \$50 million in community benefits" and "Why are some residents opposed to the arena?" PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/news/philadelphia/live/philadelphia-sixers-arena-city-council-hearings-protests-20241112.html>; Mikati, Massarah. "More than 15,000 petition signatures opposing the Sixers arena are delivered to City Hall." PHILADELPHIA INQUIRER. April 27, 2023. Available online: <https://www.inquirer.com/news/save-chinatown-petition-signatures-council-against-sixers-arena-20230427.html>

⁷ Arena Proposal: Drafted Ordinances. CITY OF PHILADELPHIA. <https://www.phila.gov/documents/arena-proposal-drafted-ordinances/>

⁸ Gammage, Jeff. "The Sixers billion-dollar plan for a new arena could come down to one person. And it's not the next mayor." PHILADELPHIA INQUIRER. April 25, 2023. Available online: <https://www.inquirer.com/real-estate/commercial/sixers-arena-philly-squilla-council-20230425.html>

⁹ Tornoe, Rob. "Philadelphia City Council hearing underway on new Sixers arena." PHILADELPHIA INQUIRER. November 12, 2024. Available online:

WHEREAS, the Mayor and City Council rely upon studies analyzing community impact, design, economic impact, and transportation and parking of 76 Place, which were funded by the 76ers (the Studies), causing some to call into question the reliability of the findings due to apparent conflicts of interest;¹⁰

WHEREAS, even the Studies acknowledged that half of the small businesses in Chinatown will either not benefit or will see a negative impact, and found evidence that there will be indirect displacement of small businesses through gentrification;¹¹

WHEREAS, independent economic research has shown for decades that arenas have not resulted in the economic benefits that are promised, they are not economic development catalysts, they confer only limited social benefits, and, critically, they have not been proven to meet the needs of the residents of the cities in which they are built, and even be harmful rather than beneficial to the local community;¹²

WHEREAS, Section 2-201 of the Philadelphia City Charter provides that “One of the main purposes sought to be accomplished is to prevent the hasty consideration and enactment of ordinances before citizens and the members of Council themselves have had an opportunity to be heard on the subject

<https://www.inquirer.com/news/philadelphia/live/philadelphia-sixers-arena-city-council-hearings-protests-20241112.html>

¹⁰ Gammage, Jeff and Jake Blumgart. “Sixers will pay for Philadelphia’s impact studies of the team’s plan for a downtown arena.” PHILADELPHIA INQUIRER. July 19, 2023. Available online: <https://www.inquirer.com/real-estate/commercial/sixers-new-arena-downtown-philadelphia-study-20230719.html>; Archer, Johnny and Mcilwain, Kaleah. NBC NEWS. August 26, 2024. “Newly released studies show how 76ers proposed arena could impact Center City.” <https://www.nbcphiladelphia.com/news/local/city-released-four-impact-studies-on-how-the-76ers-proposed-arena-will-affect-center-city/3952929/>; Neaman, Sophia and Wang, Diamy. THE DAILY PENNSYLVANIAN. September 12, 2024. “Protesters rally in support of Chinatown following delayed release of 76ers arena impact studies.” Available online: <https://www.thedp.com/article/2024/09/penn-chinatown-protest-arena-proposal-town-hall>.

¹¹ Archer, Johnny and Mcilwain, Kaleah. NBC NEWS. August 26, 2024. “Newly released studies show how 76ers proposed arena could impact Center City.” <https://www.nbcphiladelphia.com/news/local/city-released-four-impact-studies-on-how-the-76ers-proposed-arena-will-affect-center-city/3952929/>

¹² Merrefeld, Clark. “Public funding for sports stadiums: A primer and research roundup.” THE JOURNALIST’S RESOURCE. April 10, 2024. Available online: <https://journalistsresource.org/economics/sports-stadium-public-financing/>, citing “Public Policy Toward Professional Sports Stadiums: A Review.” John Charles Bradbury, Dennis Coates and Brad Humphreys. JOURNAL OF POLICY ANALYSIS AND MANAGEMENT, September 28, 2023. DOI: <https://doi.org/10.1002/pam.22534>.

matter and to consider the wisdom of the proposed legislation,”¹³ which is also in accord with recommended practices that large-impact projects such as arena subsidies must be congruent with resident preferences and allow time for careful consideration of all relevant costs and benefits, so that communities can make informed decisions;¹⁴

WHEREAS, although the proposal for 76 Place was first announced 2½ years ago and is a \$1.3 billion dollar project that will take until 2031 to complete, lawmakers have scheduled merely eight (8) days of hearings, with testimony from the public allowed at only five (5) hearings,¹⁵ and aim to vote the Proposed Legislation out of committee in just three (3) weeks at the request of the 76ers,¹⁶ in a remarkably compressed timeline for a project with enormous impact on Philadelphians;

WHEREAS, several City Councilmembers have criticized the process as rushed, and some unsuccessfully tried to place the first two arena-related resolutions on hold;¹⁷

¹³ The Philadelphia Code § 2-201. Manner of Introduction, Consideration and Passage of Ordinances, Ann. 1. Available Online: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-263631

¹⁴ *Id.*

¹⁵ Hearings will be held November 12-13, 19-21, 26 and December 2-3, 2024. “Philadelphia City Council President Kenyatta Johnson Announces Dates of Committee Hearings on Proposed 76 Place Legislation.” November 7, 2024. Available online: <https://phlcouncil.com/philadelphia-city-council-president-kenyatta-johnson-announces-dates-of-committee-hearings-on-proposed-76-place-legislation/>

¹⁶ Collins Walsh, Sean and Jeff Gammage. “SEPTA, community benefits funding, and a rush to approve: City Council members raise concerns about the 76ers’ arena proposal.” PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/politics/philadelphia/philadelphia-sixers-arena-city-council-hearing-septa-community-benefits-20241112.html>

¹⁷ Orso, Anna. “City Council has already passed two pieces of arena-related legislation.” PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/news/philadelphia/live/philadelphia-sixers-arena-city-council-hearings-protests-20241112.html>; Collins Walsh, Sean and Jeff Gammage. “SEPTA, community benefits funding, and a rush to approve: City Council members raise concerns about the 76ers’ arena proposal.” PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/politics/philadelphia/philadelphia-sixers-arena-city-council-hearing-septa-community-benefits-20241112.html>

WHEREAS, a guiding principle of Mayor Parker’s administration is to preserve and enhance Chinatown, including by responding to long-standing challenges that have developed over decades;¹⁸ yet, the Mayor’s office negotiated the \$50 million Community Benefits Agreement (CBA) without community input, community groups have expressed concern about the lack of communication between the Mayor’s office and Chinatown stakeholders overall,¹⁹ and representatives of Philadelphia and Chinatown organizations and individuals opposing the legislation have been excluded from hearings;²⁰

¹⁸ “Sixers Arena Presentation by the City of Philadelphia.” September 25, 2024. Available online: <https://www.scribd.com/document/773286733/Sixers-Arena-Presentation-By-the-City-of-Philadelphia>.

¹⁹ Fiorello, Victor. PHILLY MAG. September 26, 2024. “Mayor Parker Proves She Just Doesn’t Get It When It Comes to Chinatown.” Available online: <https://www.phillymag.com/news/2024/09/26/sixers-arena-chinatown/>; Gammage, Jeff. “Questions over how many times the city met with Chinatown leaders.” PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/news/philadelphia/live/philadelphia-sixers-arena-city-council-hearings-protocols-20241112.html>

²⁰ McGlynn, Lawrence. “76 Place Arena Legislation Introduced.” PHILADELPHIA HALL MONITOR. October 26, 2014. Available online: <https://hallmonitor.org/76-place-arena-legislation-introduced/>.

WHEREAS, Philadelphia residents struggle to find housing,²¹ jobs,²² healthcare,²³ and safe and effective schools;²⁴ yet, the Mayor’s office and City Council are prioritizing the Proposed Legislation over the critical day-to-day priorities identified by the community;²⁵

²¹ Cole, Jeff. “Philadelphia housing crisis: Mayor Parker, city leaders break ground on affordable housing initiative.” FOX NEWS. February 20, 2024. Available online: <https://www.fox29.com/news/philadelphia-housing-crisis-mayor-parker-city-leaders-break-ground-on-affordable-housing-initiative>.

²² Philadelphia’s Quarterly Market Report. PHILADELPHIA WORKS. September 2024. Available online: <https://philaworks.org/philadelphias-quarterly-labor-market-report-2/>.

²³ Whitley J, Hirsch JA, Moore KA, Melly SJ, Rollins H, Washington R. Constructing Within-City Neighborhood Health Rankings in Philadelphia by Using Data From the 500 Cities Project. *Prev Chronic Dis* 2021;18:200584. DOI: <http://dx.doi.org/10.5888/pcd18.200584>; Stanford, Ala and Howard Reid. “Our city ranks one of the worst in the country for health. We can do better, and here’s how.” PHILADELPHIA INQUIRER. May 2, 2024. Available Online: <https://www.inquirer.com/opinion/commentary/philadelphia-poor-health-ala-stanford-community-care-20240502.html>.

²⁴ Graham, Kristen A. “Philly is starting on a process that will likely lead to school closures, new buildings. Here’s what you should know.” PHILADELPHIA INQUIRER. September 18, 2024. Available online: <https://www.inquirer.com/education/philadelphia-school-facilities-buildings-closing-strategic-plan-20240918.html>.

²⁵ FAQ Affordable Housing. 76 PLACE MARKET EAST. Available online: <https://76place.com/faq/for-the-affordable-housing-how-is-affordability-defined-is-it-based-on-area-median-income/>; “Philadelphia 76ers Announce Mixed-Income Residential Building, Updates to Preserve Jefferson Station and More on the Design of 76Place at Market East.” 76 PLACE MARKET EAST. August 9, 2023. Available online: <https://76place.com/philadelphia-76ers-announce-mixed-income-residential-building-updates-to-preserve-jefferson-station-and-more-on-the-design-of-76-place-at-market-east/>; Grassi, Emily Rose. “25-story apartment building no longer part of 76ers’ Center City arena proposal.” NBC NEWS. October 22, 2024. Available Online: <https://www.nbcphiladelphia.com/news/local/76ers-sixers-arena-apartment-tower-dropped-center-city-philadelphia/4006325/>; “Arena supporters and detractors gather outside of City Hall before arena hearings” and “Progressives questioned why Philly officials aren’t focused on other priorities.” PHILADELPHIA INQUIRER. November 12, 2024. Available online: <https://www.inquirer.com/news/philadelphia/live/philadelphia-sixers-arena-city-council-hearings-protests-20241112.html>; “Philadelphians need housing, jobs, and healthcare—not to be sold out for the whims and scare tactics of billionaires.” NO ARENA IN CHINATOWN. Available online: <https://noarenaphl.org/>.

WHEREAS, APABA-PA recognizes that Philadelphia’s Chinatown community has vigilantly fought to preserve itself against erasure over the past decades²⁶ and that asking a community to perpetually “survive” instead of allowing it to thrive unthreatened, is a form of violence faced by many APA communities throughout American history;²⁷

WHEREAS, APABA-PA has previously issued its Statement Demanding Transparency and Meaningful Community Engagement in Sports Arena Plans Impacting Philadelphia Chinatown, opposing any plan or proposal for the development of a sports arena impacting Philadelphia’s Chinatown neighborhood which fails to directly and meaningfully engage the Chinatown community;²⁸

WHEREAS, APABA-PA supports growth and enrichment throughout the Commonwealth we serve, including innovative projects that generate employment opportunities, attract tourists, and showcases the cultural richness that makes Philadelphia unique and a World Heritage City;²⁹ and

WHEREAS, APABA-PA stands with the APA community and allies in advocating for the preservation of cultural districts such as Philadelphia’s Chinatown, we emphasize to City lawmakers the democratic principle that the community is entitled to participate in negotiating the plan which will affect its economic and cultural survival; and we oppose lawmaking processes which have the effect of excluding APA voices from the democratic process or discriminating against APA communities.

²⁶ Chinatown: Displacement & Resistance 1928-2023. As told by Debbie Wei. YOUTUBE. Available online: <https://www.youtube.com/watch?v=p45Azj7SR94>.

²⁷ “Discover America's 11 Most Endangered Historic Places for 2023.” NATIONAL TRUST FOR HISTORIC PRESERVATION. May 9, 2023. Available online: <https://savingplaces.org/stories/11-most-endangered-historic-places-2023>.

²⁸ <https://apaba-pa.org/apabapa-statement-on-arena-plans-impacting-philadelphia-chinatown/>; FAQ Preventing Missteps of Washington DC Arena. 76 PLACE MARKET EAST. <https://76place.com/faq/how-will-76ers-prevent-any-failures-missteps-that-occurred-in-washington-dc-while-building-the-capital-one-arena/>.

²⁹ <https://globalphiladelphia.org/our-world-heritage-city>

THEREFORE, BE IT RESOLVED, that APABA-PA:

1. Calls on the Mayor and City Council to reject the Proposed Legislation;
2. Calls on the Mayor and City Council to collaborate with Philadelphia Chinatown organizations and Philadelphia citizens to explore equitable solutions that benefit all Philadelphians without sacrificing the integrity of historic neighborhoods;
3. Calls on the Mayor and City Council to prioritize community-identified initiatives; and,
4. Urges not only Philadelphians but all citizens who value the inhabitants and contributions of our nation's Chinatowns to demand meaningful engagement with all parties involved, especially those who would be directly impacted in the geographic vicinity of the proposed arena.³⁰

APABA-PA, an affiliate of the National Asian Pacific American Bar Association, represents the interests of the Asian Pacific American law students, lawyers, and judges and the Asian Pacific American community across the Commonwealth of Pennsylvania by supporting the advancement of Asian Pacific American attorneys and promoting justice, equity, and legal access, especially for all Asian Pacific American communities.

³⁰ Information about testifying at City Council Hearings (<https://phlcouncil.com/philadelphia-city-council-president-kenyatta-johnson-announces-dates-of-com-mittee-hearings-on-proposed-76-place-legislation/>); volunteer opportunities available at [Restaurant Industry for Chinatown's Existence \(RICE\)](#), the [Save Chinatown, No Arena PHL](#), and [Students for the Preservation of Chinatown](#).