

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, September 25, 2012
10:20 a.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON

BILLS 120563, 120564, 120566, 120567, 120648,
120653, 120657, 120659, 120660, and 120661

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COUNCILMAN SQUILLA: Good morning. Sorry for running a little late, guys.

I'm Councilman Squilla, Chair of the Committee of Streets and Services, and a quorum for the meeting is present. We will now begin the hearing.

We have Councilmembers here present, Councilman Henon, Councilman Greenlee, and Councilwoman Blackwell.

I now ask Mr. McMonagle to read the title of the first bill.

THE CLERK: Bill No. 120653, an ordinance authorizing Aquinas 2021 Chestnut Street L.P. to construct, own and maintain various encroachments within the City right-of-way on Chestnut Street between 20th and 21st Streets and on Ranstead Street between 20th Street and 21st Street, adjacent to the premises at 2017 through 23 Chestnut Street, under certain terms and conditions.

(Witness approached witness table.)

1 9/25/12 - STREETS - BILL 120563, etc.

2 COUNCILMAN SQUILLA: Please
3 state your name for the record and
4 proceed with your testimony.

5 MS. BRISBON: Good morning,
6 Chairman Squilla and members of the
7 Streets and Services Committee. My name
8 is Michelle Brisbon and I'm a Staff
9 Engineer with the Department of Streets,
10 and I'm here to offer testimony on Bill
11 No. 120653.

12 This bill authorizes Aquinas
13 2021 Chestnut Street L.P. to construct,
14 own and maintain various encroachments
15 within the right-of-way at 2017-2023
16 Chestnut Street. The encroachments
17 consist of bay window projections
18 beginning on the second floor and
19 spanning through the sixth floor. These
20 encroachments will extend into the
21 right-of-way a maximum of 3 feet and will
22 have a minimum clearance of 10 feet above
23 the sidewalk.

24 The Streets Department has no
25 objections to these proposed

1 9/25/12 - STREETS - BILL 120563, etc.
2 encroachments and supports the passage of
3 this bill.

4 Thank you for your time. This
5 concludes my testimony. I'm pleased to
6 answer any questions you may have.

7 COUNCILMAN SQUILLA: Are there
8 any questions?

9 (No response.)

10 COUNCILMAN SQUILLA: Is there
11 anyone else here to testify on this bill?

12 (No response.)

13 COUNCILMAN SQUILLA: Seeing
14 none, Mr. McMonagle, please read the
15 title of the next bill.

16 THE CLERK: Bill No. 120659, an
17 ordinance authorizing KHP II Chestnut,
18 LLC, doing business as Kimpton Hotels &
19 Restaurants, to construct, own and
20 maintain various right-of-way
21 encroachments at 433-441 Chestnut Street,
22 Philadelphia, PA, under certain terms and
23 conditions.

24 (Witness approached witness
25 table.)

1 9/25/12 - STREETS - BILL 120563, etc.

2 MS. BRISBON: Good morning,
3 Chairman Squilla and members of the
4 Streets and Services Committee. My name
5 is Michelle Brisbon and I'm a Staff
6 Engineer with the Department of Streets.
7 I'm here to offer testimony on Bill No.
8 120659.

9 This bill authorizes KHP II
10 Chestnut, LLC, doing business as Kimpton
11 Hotels & Restaurants, to construct, own
12 and maintain various right-of-way
13 encroachments in the form of planters at
14 433-441 Chestnut Street. Eight planters
15 will encroach onto the east footway of
16 Independence Mall East (formerly 5th
17 Street) between Chestnut Street and
18 Ranstead Street, leaving approximately 12
19 feet of clear, unobstructed footway, and
20 one planter will encroach onto the north
21 footway of Chestnut Street between 5th
22 Street -- 4th Street and Independence
23 Mall East (formerly 5th Street), leaving
24 approximately 16 feet of clear,
25 unobstructed footway.

1 9/25/12 - STREETS - BILL 120563, etc.

2 The Streets Department has no
3 objections to these proposed
4 encroachments and supports the passage of
5 this bill.

6 Thank you for your time. This
7 concludes my testimony. I'm pleased to
8 answer any questions you may have.

9 COUNCILMAN SQUILLA: Please
10 state your name for the record.

11 MR. CHAPMAN: Good morning,
12 Mr. Chairman and members of the
13 Committee. My name is Tom Chapman. I'm
14 an attorney here in Philadelphia, and we
15 represent Kimpton with regard to the
16 matter before you this morning.

17 The matter before you today is
18 simply to place a number of planter boxes
19 on the sidewalk adjacent to the new
20 Kimpton Monaco Hotel. This building, you
21 may recall, used to be known as the
22 Lafayette Building. It's a historically
23 certified building that was unfortunately
24 vacant for a number of years. Kimpton
25 has completely renovated the building and

1 9/25/12 - STREETS - BILL 120563, etc.
2 transformed it into a new hotel, which is
3 going to open in about 15 days from now.
4 The hotel will have 270 rooms, meeting
5 rooms, restaurants, a rooftop restaurant,
6 and other guest accommodations.

7 Due to the fact that the
8 building is historically certified and is
9 located on Independence Mall, the
10 renovations to the building have been
11 considered and approved by the National
12 Park Service, the Philadelphia Historical
13 Commission, the Art Commission, and the
14 Planning Commission.

15 With regard to the proposed
16 planters along the 5th Street frontage,
17 those five planters are actually going to
18 replace planters that have been there for
19 a number of years. I passed up a couple
20 of photographs of that 5th Street
21 frontage and, as you can see, those
22 planter boxes contain trees that are kind
23 of beat, and the planter boxes themselves
24 are not in very good condition either.

25 I've also given you a couple of

1 9/25/12 - STREETS - BILL 120563, etc.
2 renderings of the daytime and nighttime
3 view of the building, and I've also given
4 you a landscaping plan, which indicates
5 the fact that the planters in these boxes
6 are going to change seasonally.

7 Thank you for scheduling this
8 hearing today. We look forward to being
9 a good neighbor in the City and in the
10 1st Councilmanic District for years to
11 come.

12 Thank you very much.

13 COUNCILMAN SQUILLA: Thank you.

14 Are there any questions for
15 this panel?

16 (No response.)

17 COUNCILMAN SQUILLA: Seeing
18 none, is there anyone else here to
19 testify on this bill?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, Mr. McMonagle, would you like to
23 read the title of the next bill.

24 THE CLERK: Bill No. 120660, an
25 ordinance amending Section 2 of an

1 9/25/12 - STREETS - BILL 120563, etc.
2 ordinance (Bill No. 040511) approved June
3 21st, 2004, entitled "An ordinance
4 authorizing the revision of lines and
5 grades on a portion of City Plan No. 55
6 in the area bounded by Aramingo Avenue,
7 Frankford Creek, and Adams Avenue, under
8 certain terms and conditions," by
9 extending the period for compliance with
10 the terms and conditions stated therein.

11 (Witnesses approached witness
12 table.)

13 MR. MORELLI: Good morning,
14 Mr. Chairman and members of the
15 Committee. My name is Frank Morelli,
16 Survey Bureau Manager of the Department
17 of Streets, and the Department of Streets
18 would like to offer the following
19 testimony on Bill No. 120660.

20 This is not an Administration
21 ordinance, but an ordinance requested by
22 Charles Curtis.

23 The purpose of this ordinance
24 is to further amend a previous ordinance
25 (Bill No. 040544), which authorized the

1 9/25/12 - STREETS - BILL 120563, etc.
2 striking from the City Plan and vacating
3 Tulip Street from Ashland Street to Adams
4 Avenue and Ashland Street from Aramingo
5 to Tulip Street. This amendment will
6 extend the time period for compliance
7 with the terms and conditions of the
8 ordinance to June 21st, 2014. The
9 Streets Department -- the streets
10 proposed to be stricken are not
11 physically open to public traffic and the
12 City is not desirous of constructing
13 streets in this location. The abutting
14 owners have requested that these streets
15 be stricken to allow for business
16 expansion and improved security at this
17 location.

18 This ordinance is supported by
19 the Department of Streets and is
20 recommended to your Committee for
21 favorable action.

22 COUNCILMAN SQUILLA: Please
23 proceed.

24 MS. CHIU: Good morning,
25 Chairman Squilla and members of the

1 9/25/12 - STREETS - BILL 120563, etc.
2 Streets and Services Committee. I'm
3 Sarah Chiu, City Planner with the
4 Philadelphia City Planning Commission.
5 I'm here to testify on Bill No. 120660,
6 which Councilmember Squilla introduced on
7 September 13th, 2012.

8 Bill No. 120660 would amend
9 Section 2 of an ordinance (Bill No.
10 100226 that further amended Section 2 of
11 Bill No. 040511 by extending the period
12 for compliance with the requirements) by
13 extending the period for compliance with
14 the terms and conditions. On April 20th
15 of 2010, the City Planning Commission had
16 recommended approval for Bill No. 100226.

17 Therefore, the City Planning
18 Commission recommended that Bill No.
19 120600 be approved as an item in accord
20 with the previous policy.

21 This concludes my testimony. I
22 appreciate the opportunity to testify
23 before you today and would be pleased to
24 answer questions that you may have.

25 COUNCILMAN SQUILLA: Any

1 9/25/12 - STREETS - BILL 120563, etc.

2 questions for this panel?

3 (No response.)

4 COUNCILMAN SQUILLA: Seeing

5 none, is there anyone else to testify on

6 this bill?

7 (No response.)

8 COUNCILMAN SQUILLA: Seeing

9 none, Mr. McMonagle, please read the

10 title of the next bill.

11 THE CLERK: Bill No. 120657, an

12 ordinance authorizing PNC Bank to

13 construct, use and maintain encroachments

14 within the right-of-way on South Street

15 between 10th Street and Alder Street and

16 on Alder Street between South Street and

17 Bainbridge Street, under certain terms

18 and conditions.

19 MS. BRISBON: Good morning,

20 Chairman Squilla and members of the

21 Streets and Services Committee. My name

22 is Michelle Brisbon and I'm a Staff

23 Engineer with the Department of Streets.

24 I'm here to offer testimony on Bill No.

25 120657.

1 9/25/12 - STREETS - BILL 120563, etc.

2 This bill authorizes PNC Bank,
3 NA to construct, use and maintain
4 encroachments within the right-of-way at
5 1000-1012 South Street. These
6 encroachments consist of concrete
7 planters. Three planters will encroach
8 approximately 5 feet onto the south
9 footway of South Street, leaving
10 approximately 7 feet of clear,
11 unobstructed footway, and one planter
12 will encroach approximately 1 foot 9
13 inches onto the east footway of Alder
14 Street, leaving approximately 5 feet of
15 clear, unobstructed footway.

16 The Streets Department has no
17 objections to these proposed
18 encroachments and supports the passage of
19 this bill.

20 Thank you for your time. This
21 concludes my testimony. I'm pleased to
22 answer any questions you may have.

23 MS. CHIU: Good morning,
24 Chairman Squilla and members of Streets
25 and Services Committee. I'm Sarah Chiu,

1 9/25/12 - STREETS - BILL 120563, etc.
2 City Planner with the Philadelphia City
3 Planning Commission. I am here to
4 testify on Bill No. 120657, which
5 Councilmember Squilla introduced on
6 September 13th, 2012.

7 Bill No. 120657 is identical to
8 Bill No. 120565, which was introduced by
9 Councilman Squilla on June 7th, 2012.
10 The purpose of Bill No. 120565 is to
11 allow PNC Bank to own and maintain three
12 concrete planters on the south footway of
13 South Street between 10th and Alder
14 Street adjacent to the curblin. These
15 planters will encroach approximately 5
16 feet onto the sidewalk, leaving
17 approximately 7 feet of clear and
18 unobstructed footway for pedestrian
19 passage. Additionally, one concrete
20 planter will encroach onto the east
21 footway of Alder Street between South and
22 Bainbridge Streets, leaving approximately
23 5 feet of clear and unobstructed footway
24 for pedestrian passage.

25 At its meeting of June 12th,

1 9/25/12 - STREETS - BILL 120563, etc.
2 2012, the Planning Commission had
3 recommended that Bill No. 120565 be
4 approved. Therefore, the City Planning
5 Commission recommended that Bill No.
6 120657 be approved as an item in accord
7 with previous policy.

8 This concludes my testimony. I
9 appreciate the opportunity to testify
10 before you today and would be pleased to
11 answer questions that you may have.

12 COUNCILMAN SQUILLA: Is there
13 any questions for the panel?

14 (No response.)

15 COUNCILMAN SQUILLA: Is there
16 anyone here to testify on this bill?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, Mr. McMonagle, please read the
20 title of the next bill.

21 THE CLERK: Bill No. 120648, an
22 ordinance authorizing the revision of
23 lines and grades on a portion of City
24 Plan No. 9-S by striking from the City
25 Plan and vacating Senate Street from a

1 9/25/12 - STREETS - BILL 120563, etc.
2 point approximately one-hundred six feet
3 west of Rosewood Street to its terminus
4 westwardly therefrom, under certain terms
5 and conditions.

6 MR. MORELLI: Good morning, Mr.
7 Chairman and members. My name is Frank
8 Morelli, Survey Bureau Manager of the
9 Department of Streets, and the Department
10 of Streets would like to offer the
11 following testimony on Bill No. 120648.

12 This is not an Administration
13 ordinance, but an ordinance requested by
14 Noah Ostroff of 1417-21 Fitzwater Street
15 Development, LLC.

16 The purpose of this ordinance
17 is to authorize the striking from the
18 City Plan and vacating of Senate Street,
19 from a point approximately 106 feet west
20 of Rosewood Street to a dead end
21 approximately 145 feet further westwardly
22 therefrom. The portion of Senate Street
23 proposed to be stricken is currently not
24 physically open to public traffic, and
25 the Department of Streets is not desirous

1 9/25/12 - STREETS - BILL 120563, etc.
2 of maintaining a street at this location.
3 This action will facilitate plans for the
4 construction of new homes fronting on
5 Fitzwater Street for which the developer
6 seeks to incorporate a portion of the
7 vacated street area as part of the
8 building lots.

9 This ordinance is supported by
10 the Department of Streets and is
11 recommended to your Committee for
12 favorable action.

13 COUNCILMAN SQUILLA: Any
14 questions on this bill?

15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, anyone else here to testify on it?

18 (No response.)

19 COUNCILMAN SQUILLA: Seeing
20 none, Mr. McMonagle, please read the
21 title of the next bill.

22 THE CLERK: Bill No. 120661, an
23 ordinance authorizing the revision of
24 lines and grades on a portion of City
25 Plan No. 271 by relocating the

1 9/25/12 - STREETS - BILL 120563, etc.
2 southeasterly curbline of Delaware
3 Avenue, from Spring Garden Street to
4 Ellen Street, a variable distance
5 northwestwardly and relocating the
6 southeasterly curbline of Penn Street
7 from Delaware Avenue to Ellen Street,
8 sixteen feet northwestwardly, thereby
9 increasing the width of the southeasterly
10 footway areas of said Delaware Avenue and
11 Penn Street.

12 MR. MORELLI: Good morning,
13 Mr. Chairman and members of the
14 Committee. My name is Frank Morelli,
15 Survey Bureau Manager of the Department
16 of Streets, and the Department of Streets
17 would like to offer the following
18 testimony on Bill No. 120661.

19 This is not an Administration
20 ordinance, but an ordinance requested by
21 Ms. Linda Reardon of The RBA Group.

22 The purpose of this ordinance
23 is to authorize the relocation of the
24 southeasterly curbline of Delaware
25 Avenue, from Spring Garden Street to

1 9/25/12 - STREETS - BILL 120563, etc.
2 Ellen Street, and the southeasterly
3 curbline of Penn Street, from Delaware
4 Avenue to Ellen Street, thereby
5 increasing the width of the footway areas
6 of said Delaware Avenue and Penn Street.
7 The purpose of this action is to provide
8 space within the footway area for the
9 construction of a multi-use trail.

10 This ordinance is supported by
11 the Department of Streets and is
12 recommended to your Committee for
13 favorable action.

14 COUNCILMAN SQUILLA: Any
15 questions?

16 (No response.)

17 COUNCILMAN SQUILLA: Seeing
18 none, is there anyone else here to
19 testify on this bill?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, Mr. McMonagle, do you want to read
23 the titles of the next bills.

24 THE CLERK: Bill No. 120563, an
25 ordinance establishing a parking

1 9/25/12 - STREETS - BILL 120563, etc.
2 regulation on Brill Street, both sides,
3 Frankford Avenue to Darrah Street.

4 Bill No. 120564, an ordinance
5 establishing a parking regulation on
6 Ellsworth Street, north side, 2nd Street
7 to Front Street.

8 Bill No. 120566, an ordinance
9 establishing a parking regulation on
10 Iseminger Street, west side, Porter
11 Street to Ritner Street.

12 And Bill No. 120567, an
13 ordinance establishing a parking
14 regulation on Fitzwater Street, north
15 side, 13th Street to Juniper Street.

16 (Witness approached witness
17 table.)

18 COUNCILMAN SQUILLA: Please
19 state your name for the record and
20 proceed with your testimony.

21 MS. BRACLEY: Good morning,
22 Council. My name is Dionne Bracley,
23 Deputy Manager for the Philadelphia
24 Parking Authority. Thank you for
25 allowing me to testify before Council.

1 9/25/12 - STREETS - BILL 120563, etc.

2 The Philadelphia Parking
3 Authority has no objection to all of the
4 bills previously read before Council and
5 recommends favorable consideration.

6 Thank you.

7 COUNCILMAN SQUILLA: Any
8 questions for these bills?

9 (No response.)

10 COUNCILMAN SQUILLA: Seeing
11 none, is there anybody else to testify on
12 these bills?

13 (No response.)

14 COUNCILMAN SQUILLA: Seeing
15 none, this concludes the hearing of the
16 Committee of Streets and Services. We
17 will now go into a public meeting.

18 The Chair recognizes Councilman
19 Greenlee.

20 COUNCILMAN GREENLEE: Thank
21 you, Mr. Chairman. I move that the
22 following bills be reported out of this
23 Committee with a favorable recommendation
24 and that the rules of Council be
25 suspended to allow for first reading at

1 9/25/12 - STREETS - BILL 120563, etc.
2 our next session of Council: Bill Nos.
3 120653, 120659, 120657, 120660, 120648,
4 120661, 120563, 120564, 120566, and
5 120567.

6 (Duly seconded.)

7 COUNCILMAN SQUILLA: All in
8 favor?

9 (Aye.)

10 COUNCILMAN SQUILLA: Any
11 opposed?

12 (No response.)

13 COUNCILMAN SQUILLA: Seeing
14 none, the ayes have it. The bills pass.

15 This will conclude the
16 Committee on Streets and Services.

17 Thank you for your attendance.

18 (Committee on Streets and
19 Services concluded at 10:40 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on September 25, 2012, and
that this is a true and correct transcript of
same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

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