

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, November 29, 2011
1:20 p.m.

PRESENT:

COUNCILMAN FRANK DiCICCO, CHAIR
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILWOMAN DONNA REED MILLER

BILLS 110308, 110309, 110449, 110520, 110647,
110663, 110720, 110721, 110734, 110735,
110736, 110737, 110738, 110764, 110765,
110767, 110785, 110786, 110794, 110795,
110796, 110797, 110827, 110828, 110840, 110843
and 110849

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1
2 COUNCILMAN DiCICCO: Good
3 afternoon, everyone, and thank you. I
4 apologize for the delay. We are waiting
5 for at least two other members of this
6 Committee to establish a quorum.
7 However, we can get started at least with
8 the testimony on those issues relating to
9 the parking regulations, which are
10 normally non-controversial, and I'm sure
11 by the time we get through a couple of
12 those, we will have a quorum.

13 My name is Councilman DiCicco.
14 To my immediate left is Councilman
15 Greenlee, who is a member of the Streets
16 and Services Committee.

17 So with that, I will ask
18 Mr. McMonagle to please read the title of
19 the first bill.

20 THE CLERK: Bill No. 110735, an
21 ordinance establishing a parking
22 regulation on Durfor Street, south side,
23 11th Street to 12th Street.

24 COUNCILMAN DiCICCO: Please
25 approach the witness table.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 (Witness approached witness
3 table.)

4 MS. BRACLEY: Good morning,
5 Council. My name is Dionne Bracley,
6 Analyst III for the Philadelphia Parking
7 Authority, Planning and Analyst
8 Department. Thank you for allowing me to
9 testify before Council.

10 The Philadelphia Parking
11 Authority has no objection to the bill
12 previously read before Council and
13 recommends favorable consideration.

14 COUNCILMAN DiCICCO: Thank you.

15 Any questions for this witness?

16 (No response.)

17 COUNCILMAN DiCICCO: Anyone
18 else here to testify on this bill?

19 (No response.)

20 COUNCILMAN DiCICCO: Seeing
21 none, please read the title of the next
22 bill.

23 THE CLERK: Bill No. 110736, an
24 ordinance establishing a parking
25 regulation on Jessup Street, west side,

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Mifflin Street to McKean Street.

3 COUNCILMAN DiCICCO: Just
4 proceed, please.

5 MS. BRACLEY: The Philadelphia
6 Parking Authority has no objection to the
7 bill previously read before Council and
8 recommends favorable consideration.

9 COUNCILMAN DiCICCO: Thank you.
10 Any questions for this witness
11 from the Committee?

12 (No response.)

13 COUNCILMAN DiCICCO: Anyone
14 else here who wishes to testify on this
15 bill?

16 (No response.)

17 COUNCILMAN DiCICCO: Seeing
18 none, please read the title of the next
19 bill.

20 THE CLERK: Bill No. 110737, an
21 ordinance establishing a parking
22 regulation on Camac Street, west side,
23 Shunk Street to Oregon Avenue.

24 MS. BRACLEY: The Philadelphia
25 Parking Authority has no objection to the

1 11/29/11 - STREETS - BILL 110308, ETC.
2 bill previously read before Council and
3 recommends favorable consideration.

4 COUNCILMAN DiCICCO: Thank you.

5 Any questions for this witness?

6 (No response.)

7 COUNCILMAN DiCICCO: Anyone
8 else here who wishes to testify on this
9 bill?

10 (No response.)

11 COUNCILMAN DiCICCO: Seeing
12 none, please read the title of the next
13 bill.

14 THE CLERK: Bill No. 110738, an
15 ordinance establishing a parking
16 regulation on Bainbridge Street, both
17 sides, 11th Street to 12th Street.

18 MS. BRACLEY: The Philadelphia
19 Parking Authority has no objection to the
20 bill previously read before Council and
21 recommends favorable consideration.

22 COUNCILMAN DiCICCO: Thank you.

23 Anyone wishes to testify on
24 this bill?

25 (No response.)

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: Seeing
3 none, please read the title of the next
4 bill.

5 MS. BRACLEY: Thank you.

6 COUNCILMAN DiCICCO: Is there
7 anyone else beside the Authority who is
8 here to testify on the red light cameras?

9 Mr. Denny, I didn't see you.
10 Why don't you guys come up.

11 (Witnesses approached witness
12 table.)

13 COUNCILMAN DiCICCO: Good
14 afternoon.

15 MR. VOGLER: Good afternoon.

16 COUNCILMAN DiCICCO: Please
17 identify yourself for the record and
18 proceed with your testimony.

19 THE CLERK: Bill No. 110308, an
20 ordinance amending Chapter 12-3000 of The
21 Philadelphia Code, entitled "Use Of An
22 Automated Red Light Enforcement System To
23 Prevent Red Light Violations," by
24 authorizing the installation of red light
25 enforcement systems at the intersection

1 11/29/11 - STREETS - BILL 110308, ETC.
2 of Grant Avenue at Academy Road, all
3 under certain terms and conditions.

4 COUNCILMAN DiCICCO: Thank you.

5 MR. VOGLER: Thank you,
6 Mr. Chairman. Thank you, Councilman
7 Greenlee. Chris Vogler, V-O-G-L-E-R,
8 from the Philadelphia Parking Authority.

9 Good afternoon. My name is
10 Chris Vogler. I'm the manager of red
11 light photo enforcement for the
12 Philadelphia Parking Authority. We would
13 like to thank Chairman DiCicco and the
14 members of the Committee for allowing me
15 to testify today. And also as an aside,
16 Councilman DiCicco, I think this will
17 probably most likely be the last time
18 that I will testify before you as
19 Chairman of Streets and Services, and I
20 just wanted to thank you for your
21 consideration through not just my
22 position at PPA but before long ago and
23 far away when I was a Council staff
24 member. You've always been a gentleman
25 and I wanted to thank you.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 MR. VOGLER: I'd also like to
4 thank Councilman O'Neill for introducing
5 this legislation. I'm testifying in
6 favor of Bills 110308 and 110309, which
7 would add two additional intersections to
8 the red light camera program in the City.
9 These intersections will be Grant Avenue
10 at Academy Road and Bustleton at Byberry
11 Road.

12 I would like to commend Council
13 for its past excellent and, most times,
14 unanimous support for the program. Since
15 the first cameras were activated at Grant
16 Avenue and Roosevelt Boulevard February
17 23rd, 2005, the program has been
18 successful in its main goals - decreasing
19 red light running, accidents, injuries
20 and fatalities. There are now 90 cameras
21 at 20 intersections, and with the
22 addition of these intersections and those
23 that were recently approved by Council,
24 the citywide total will be 111 cameras at
25 25 intersections after installation of

1 11/29/11 - STREETS - BILL 110308, ETC.

2 all the approved cameras are completed.

3 And also additionally, Chairman
4 DiCicco, Councilman Greenlee, Island
5 Avenue at Lindbergh Boulevard, which was
6 approved by Council and signed by the
7 Mayor approximately four months ago,
8 construction is being completed and
9 depending on weather conditions, the
10 60-day warning period at that
11 intersection will start either at the end
12 of this week or the beginning of next
13 week. And also Grant -- I'm sorry; Broad
14 Street at Vine Street, the 60-day warning
15 period will end Thursday at midnight, so
16 starting this Friday, December 2nd,
17 violations will start to be issued at
18 that intersection.

19 The intersections of Grant
20 Avenue and Academy Road and Bustleton
21 Avenue and Byberry Road are both large
22 and busy intersections with a heavy
23 traffic volume of vehicles and
24 pedestrians. Additionally, both
25 intersections are along commercial

1 11/29/11 - STREETS - BILL 110308, ETC.
2 corridors and consequently both
3 intersections currently have a very high
4 rate of vehicles disregarding the red
5 signal. It is not an exaggeration to say
6 that you sometimes put your life in your
7 hands navigating this area.

8 As I've stated in previous
9 testimony before the Committee, I believe
10 that red light cameras will change the
11 behavior of motorists at both
12 intersections as they have in other parts
13 of the City to make walking and driving
14 in this area a safer experience. The
15 establishment of red light cameras at
16 these intersections will continue to
17 enhance and extend this program to other
18 dangerous intersections in the City.

19 Finally, I ask that the
20 Committee give Bills 110308 and 110309 a
21 favorable recommendation and request that
22 the rules be suspended to allow first
23 reading at the next Council session.

24 Thank you again for the
25 opportunity to testify before the

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Committee this afternoon and I'd be happy
3 to answer any questions that you may
4 have.

5 COUNCILMAN DiCICCO: Thank you.

6 Mr. Denny.

7 MR. DENNY: Good afternoon,
8 Mr. Chairman and members of the
9 Committee. Thank you for the opportunity
10 to appear before you today. My name is
11 Charles Denny. I am the Assistant Chief
12 Traffic Engineer for the Department of
13 Streets. I am here to offer testimony on
14 Bill No. 110308.

15 This bill authorizes the
16 installation of a red light enforcement
17 system at the intersection of Grant and
18 Academy. The Streets Department supports
19 this bill. These devices have shown to
20 lower red light running at other
21 locations where they are used in the
22 City.

23 Thank you for the opportunity
24 to appear before you today and I will be
25 happy to answer any questions.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 Any questions for these
4 witnesses from the Committee?

5 (No response.)

6 COUNCILMAN DiCICCO: Anyone
7 else here who wishes to testify on this
8 bill?

9 (No response.)

10 COUNCILMAN DiCICCO: Seeing
11 none, please read the title of the next
12 bill.

13 THE CLERK: Bill No. 110309, an
14 ordinance amending Chapter 12-3000 of The
15 Philadelphia Code, entitled "Use Of An
16 Automated Red Light Enforcement System To
17 Prevent Red Light Violations," by
18 authorizing the installation of red light
19 enforcement systems at the intersection
20 of Bustleton Avenue at Byberry Road, all
21 under certain terms and conditions.

22 COUNCILMAN DiCICCO: Please
23 proceed.

24 MR. VOGLER: Thank you,
25 Mr. Chairman. I'd just like the members

1 11/29/11 - STREETS - BILL 110308, ETC.
2 of the Committee to refer to the
3 testimony I've just given in favor of
4 both Bills 110308 and 110309.

5 COUNCILMAN DiCICCO: Thank you.

6 MR. VOGLER: Thank you.

7 COUNCILMAN DiCICCO: Mr. Denny.

8 MR. DENNY: Good afternoon,
9 Mr. Chairman and members of the
10 Committee. Thank you again for the
11 opportunity to appear before you today.
12 My name is Charles Denny. I'm the
13 Assistant Chief Traffic Engineer for the
14 Department of Streets. I'm here to offer
15 testimony on Bill 110309.

16 This bill authorizes the
17 installation of red light enforcement
18 systems at the intersection of Bustleton
19 and Byberry Road. The Streets Department
20 supports this bill. These devices have
21 been shown to lower red light running at
22 other locations where they are used in
23 the City.

24 I'd be happy to answer any
25 questions.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 Any questions?

4 (No response.)

5 COUNCILMAN DiCICCO: Anyone
6 else here who wishes to testify on these
7 bills?

8 (No response.)

9 COUNCILMAN DiCICCO: Will
10 either of you be testifying on any other
11 bills?

12 MR. VOGLER: No.

13 COUNCILMAN DiCICCO: Neither?

14 MR. DENNY: Just the one-way
15 Hartwell Lane.

16 COUNCILMAN DiCICCO: Well, I
17 want to take this opportunity also to
18 extend my thanks to both of you and all
19 the folks who work in your various
20 departments for the cooperation that
21 you've given to this Committee and to me
22 as a District Councilman for the last 16
23 years. It's an effort on both parts that
24 made things hopefully better for the
25 citizens of this city. So, again, thank

1 11/29/11 - STREETS - BILL 110308, ETC.

2 you and have a happy and healthy holiday.

3 MR. VOGLER: Thank you. Same
4 to you, Chairman DiCicco, Councilman
5 Greenlee and Councilman Green.

6 COUNCILMAN DiCICCO: Please let
7 the record reflect that Councilman Green,
8 who is a member of this Committee, is now
9 in attendance.

10 Please read the title of the
11 next bill.

12 THE CLERK: Bill No. 110720, an
13 ordinance authorizing Thomas Jefferson
14 University (the "Owner") to construct,
15 own and maintain various encroachments of
16 light bollards at 901 Walnut Street (the
17 "Property"), under certain terms and
18 conditions.

19 (Witness approached witness
20 table.)

21 MS. BRISBON: Good afternoon,
22 Chairman DiCicco and members of the
23 Streets and Services Committee. My name
24 is Michelle Brisbon and I'm a Staff
25 Engineer with the Department of Streets,

1 11/29/11 - STREETS - BILL 110308, ETC.
2 and I'm here to offer testimony on Bill
3 No. 110720.

4 This bill authorizes Thomas
5 Jefferson University to construct, own
6 and maintain various encroachments in the
7 form of light bollards in the public
8 right-of-way at the locations as noted in
9 Bill No. 110720.

10 The Streets Department has no
11 objections to this encroachment and
12 supports the passage of this bill.

13 Thank you for your time. This
14 concludes my testimony, and I'm pleased
15 to answer any questions you may have.

16 COUNCILMAN DiCICCO: Thank you.

17 Any questions for this witness
18 from the Committee?

19 (No response.)

20 COUNCILMAN DiCICCO: Let the
21 record reflect that Councilman Jones, who
22 is a member of this Committee, is also in
23 attendance.

24 Anyone else here who wishes to
25 testify for or against this bill?

1 11/29/11 - STREETS - BILL 110308, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: Seeing
4 none, please read the title of the next
5 bill.

6 THE CLERK: Bill No. 110721, an
7 ordinance authorizing New Kensington
8 Community Development Corporation to
9 construct, own and maintain various
10 encroachments of light columns located at
11 the intersection of Girard Avenue and
12 Columbia Avenue, under certain terms and
13 conditions.

14 MS. BRISBON: Good afternoon,
15 Chairman DiCicco and members of the
16 Streets and Services Committee. My name
17 is Michelle Brisbon and I'm a Staff
18 Engineer with the Department of Streets,
19 and I'm here to offer testimony on Bill
20 No. 110721.

21 This bill grants permission to
22 New Kensington Community Development
23 Corporation to construct, own and
24 maintain various encroachments within the
25 public right-of-way as indicated in Bill

1 11/29/11 - STREETS - BILL 110308, ETC.

2 No. 110721.

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

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

10 COUNCILMAN DiCICCO: Thank you.

11 Any questions for this witness
12 from the Committee?

13 (No response.)

14 COUNCILMAN DiCICCO: Anyone
15 else here who wishes to testify on this
16 bill?

17 (No response.)

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

21 THE CLERK: Bill No. 110734, an
22 ordinance authorizing the Neighbors of
23 Overbrook Association, located at 933
24 North 65th Street, Philadelphia, PA, to
25 construct, own and maintain an

1 11/29/11 - STREETS - BILL 110308, ETC.
2 encroachment of a sign on the traffic
3 island located on Lebanon Avenue at the
4 intersection of Wynnewood Road, under
5 certain terms and conditions.

6 MS. BRISBON: Good afternoon,
7 Chairman DiCicco and members of the
8 Streets and Services Committee. My name
9 is Michelle Brisbon. I'm a Staff
10 Engineer with the Department of Streets.
11 I'm here to offer testimony on Bill No.
12 110734.

13 This bill authorizes Neighbors
14 of Overbrook Association to construct,
15 own and maintain an encroachment within
16 the public right-of-way as indicated in
17 Bill No. 110734.

18 The Streets Department has no
19 objections to this encroachment and
20 supports the passage of this bill.

21 Thank you for your time. This
22 concludes my testimony, and I'm pleased
23 to answer any questions.

24 COUNCILMAN DiCICCO: Thank you.

25 Any questions for this witness

1 11/29/11 - STREETS - BILL 110308, ETC.

2 from the Committee?

3 (No response.)

4 COUNCILMAN DiCICCO: Anyone
5 else here who wishes to testify on this
6 bill?

7 (No response.)

8 COUNCILMAN DiCICCO: Seeing
9 none, please read the title of the next
10 bill.

11 THE CLERK: Bill No. 110796, an
12 ordinance authorizing Sanjay Patel, owner
13 and operator of the newsstand located on
14 the southeast corner of Eleventh Street
15 and Market Street, to construct, use and
16 maintain conduits in, under and across
17 the southeast corner of Eleventh Street
18 and Market Street for the purpose of
19 supplying electrical service and
20 telephone service to the newsstand, under
21 certain terms and conditions.

22 MS. BRISBON: Good afternoon,
23 Chairman DiCicco and members of the
24 Streets and Services Committee. My name
25 is Michelle Brisbon and I'm a Staff

1 11/29/11 - STREETS - BILL 110308, ETC.
2 Engineer with the Department of Streets.
3 I'm here to offer testimony on Bill No.
4 110796.

5 This bill authorizes Sanjay
6 Patel, owner and operator of the
7 newsstand located on the southeast corner
8 of 11th Street and Market Street, to
9 construct, use and maintain conduits in,
10 under and across the southeast corner of
11 11th Street and Market Street for the
12 purpose of supplying electrical service
13 and telephone service to the newsstand.

14 The Streets Department has no
15 objections to this encroachment and
16 supports the passage of this bill.

17 Thank you for your time. This
18 concludes my testimony. I'm pleased to
19 answer any questions.

20 COUNCILMAN DiCICCO: Thank you.
21 Commissioner.

22 (Witness approached witness
23 table.)

24 COUNCILMAN DiCICCO: I just
25 want to, before you start, I acknowledged

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Mr. Denny and the folks in your
3 department for the cooperation and the
4 work we've done over the last 16 years as
5 I've been chairing this Committee. I
6 want to thank you personally again for
7 the opportunity to work with you and all
8 of the things that we were able to do and
9 making our job a lot easier here. I
10 appreciate it. Extend my thank you to
11 all of your employees.

12 COMMISSIONER TOLSON: I surely
13 will.

14 COUNCILMAN DiCICCO: Thank you.
15 Commissioner Tolson.

16 COMMISSIONER TOLSON: Yes.
17 Good afternoon, Councilmembers.

18 Councilman DiCicco, I'm here
19 for the sole and expressed purpose of
20 extending my thank you to you.

21 COUNCILMAN DiCICCO: You're
22 going to make me cry.

23 COMMISSIONER TOLSON: I have
24 had a tenure that has allowed me to work
25 with you very closely, as you said, for

1 11/29/11 - STREETS - BILL 110308, ETC.
2 16 years. In that time I have found you
3 to be of the highest standard of an
4 elected official. I found you to be
5 certainly humble, which is not common. I
6 have found you to be dedicated to your
7 constituents, smart and of high
8 integrity. And I want to thank you for
9 your work and support for the Streets
10 Department. You have certainly shown
11 leadership relative to the issues that
12 impact us. You have tried to challenge
13 us to be innovative, and we've
14 appreciated that. You've challenged us
15 in terms of how we have done our
16 business. In all ways you have done it
17 in a respectful manner. And your
18 leadership with regard to trying to get
19 our city clean, we didn't accomplish all
20 that we wanted to accomplish there and we
21 have much to go, but we thank you for
22 being on the forefront of that. Our
23 issue with regard to Right-Of-Way
24 Management, in that too.

25 You have been an advocate for

1 11/29/11 - STREETS - BILL 110308, ETC.
2 your constituents, but you have certainly
3 been a support to our department. And on
4 behalf of the 1,800 people who work in
5 the Streets Department and probably for
6 many, many in City government, other
7 agencies that are not here right now, I
8 want to extend my thanks to you and
9 congratulations as you move on to the
10 next portion of your life and career.

11 COUNCILMAN DiCICCO: Thank you,
12 Commissioner. I do appreciate that, and
13 I won't -- I'm not going away. I won't
14 be in this capacity, but you know if my
15 services are ever needed, you know where
16 I am. I'm only a phone call away. And
17 thank you for taking the time to come
18 over. I was wondering why you were here.
19 I thought you were going to testify on a
20 bill. But thank you again. I appreciate
21 that.

22 COMMISSIONER TOLSON: You are
23 much more important.

24 COUNCILMAN DiCICCO: Thank you.
25 Thank you very much.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Next title.

3 THE CLERK: Bill No. 110785, an
4 ordinance authorizing Vientiane Cafe to
5 construct, own and maintain an open-air
6 sidewalk cafe at 4728 Baltimore Avenue,
7 under certain terms and conditions.

8 MS. BRISBON: Good afternoon,
9 Chairman DiCicco and members of the
10 Streets and Services Committee. My name
11 is Michelle Brisbon and I'm a Staff
12 Engineer with the Department of Streets.
13 I'm here to offer testimony on Bill No.
14 110785.

15 This bill authorizes Vientiane
16 Cafe to construct, own and maintain an
17 encroachment in the form of an open-air
18 cafe on the sidewalk located at 4728
19 Baltimore Avenue. The sidewalk cafe
20 consists of the following: Two tables
21 and four chairs encroaching approximately
22 five feet onto the south sidewalk of
23 Baltimore Avenue, leaving approximately
24 nine feet of clear, unobstructed footway.

25 The Streets Department has no

1 11/29/11 - STREETS - BILL 110308, ETC.

2 objections to this encroachment and

3 supports the passage of 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 GREENLEE: Thank
8 you.

9 Any questions for the witness?

10 (No response.)

11 COUNCILMAN GREENLEE: Thank
12 you.

13 Next bill, please.

14 THE CLERK: Bill No. 110786, an
15 ordinance authorizing Aksum, LLC to
16 construct, own and maintain an open-air
17 sidewalk cafe at 4630-4632 Baltimore
18 Avenue, under certain terms and
19 conditions.

20 MS. BRISBON: Good afternoon,
21 Chairman DiCicco and members of the
22 Streets and Services Committee. My name
23 is Michelle Brisbon and I'm a Staff
24 Engineer with the Department of Streets.
25 I'm here to offer testimony on Bill No.

1 11/29/11 - STREETS - BILL 110308, ETC.
2 110786.

3 This bill authorizes Aksum, LLC
4 to construct, own and maintain an
5 encroachment in the form of an open-air
6 cafe on the sidewalk located at 4630-4632
7 Baltimore Avenue.

8 The sidewalk cafe consists of
9 the following: Six tables and 12 chairs
10 encroaching approximately five feet, six
11 inches onto the south sidewalk of
12 Baltimore Avenue, leaving approximately
13 nine feet, ten inches of clear,
14 unobstructed footway.

15 The Streets Department has no
16 objections to this encroachment and
17 supports the passage of this bill.

18 Thank you for your time. This
19 concludes my testimony. I'm pleased to
20 answer any questions.

21 COUNCILMAN DiCICCO: Thank you.

22 Any questions for this witness
23 from the Committee?

24 (No response.)

25 COUNCILMAN DiCICCO: Anyone

1 11/29/11 - STREETS - BILL 110308, ETC.
2 else here who wishes to testify on this
3 bill?

4 (No response.)

5 COUNCILMAN DiCICCO: Seeing
6 none, please read the title of the next
7 bill.

8 THE CLERK: Bill No. 110840, an
9 ordinance authorizing Margaret Vann,
10 owner of Rainbow Learning Center, 750
11 East Erie Avenue, Philadelphia, PA 19134,
12 to construct, own and maintain an
13 encroachment of a fenced in play area
14 located at 750 East Erie Avenue, under
15 certain terms and conditions.

16 MS. BRISBON: Good afternoon,
17 Chairman DiCicco and members of the
18 Streets and Services Committee. My name
19 is Michelle Brisbon and I'm a Staff
20 Engineer with the Department of Streets.
21 I'm here to offer testimony on Bill No.
22 110840.

23 This bill authorizes Margaret
24 Vann, owner of Rainbow Learning Center,
25 to construct, own and maintain a fence

1 11/29/11 - STREETS - BILL 110308, ETC.
2 within the public right-of-way as
3 indicated in Bill No. 110840.

4 The Streets Department cannot
5 support passage of this legislation. The
6 description of this encroachment is not
7 accurate and it doesn't reflect the
8 actual width of the right-of-way at this
9 location. The applicant can submit an
10 updated drawing that reflects the actual
11 right-of-way widths to the Streets
12 Department for review and approval in
13 accordance with Section 11-604(4) of The
14 Philadelphia Code.

15 Thank you for your time. This
16 concludes my testimony. I'm pleased to
17 answer any questions you may have.

18 COUNCILMAN DiCICCO: Thank you.
19 If I'm hearing you right, so there's some
20 technical issues as it relates to the
21 area, the size of the area?

22 MS. BRISBON: Yes. The
23 applicant came in and we explained to her
24 what she needed to do, and the plans can
25 be reviewed and approved over the

1 11/29/11 - STREETS - BILL 110308, ETC.
2 counter. It doesn't need an ordinance of
3 Council.

4 COUNCILMAN DiCICCO: It doesn't
5 need an ordinance?

6 MS. BRISBON: No. The Section
7 11-604 of the Code gives the Streets
8 Department the ability to approve fences
9 within the right-of-way based on the
10 width of the entire right-of-way, and on
11 Erie Avenue, we can approve an
12 encroachment up to five feet. Their
13 building is set back, and so their
14 architect that did the drawings didn't
15 reflect the City right-of-way properly.

16 COUNCILMAN DiCICCO: So the
17 Streets Department would then, correct me
18 if I'm wrong, would then be in support of
19 without having us to do an ordinance?

20 MS. BRISBON: Correct. That's
21 correct.

22 COUNCILMAN DiCICCO: Okay.
23 I've just been informed that the sponsor
24 of the bill, Councilwoman Sanchez, has
25 agreed to hold the bill because there's

1 11/29/11 - STREETS - BILL 110308, ETC.

2 some agreements with the Streets

3 Department.

4 MS. BRISBON: Yes.

5 COUNCILMAN DiCICCO: Thank you

6 for your testimony.

7 Anyone else here who wishes to
8 testify on this bill?

9 (No response.)

10 COUNCILMAN DiCICCO: Seeing
11 none, please read the title of the next
12 bill.

13 THE CLERK: Bill No. 110843, an
14 ordinance authorizing The Bruce Lloyd
15 Trust, Andrew M. Ullman, Trustee and
16 Sandra Schwalb, owner of property located
17 at 200 Market Street, Philadelphia,
18 Pennsylvania 19106, to legalize, own and
19 maintain an existing raised platform
20 encroachment for accessory restaurant
21 seating at the Property, in the
22 right-of-way located on the west footway
23 of South 2nd Street, under certain terms
24 and conditions.

25 MS. BRISBON: Good afternoon,

1 11/29/11 - STREETS - BILL 110308, ETC.
2 Chairman DiCicco and members of the
3 Streets and Services Committee. My name
4 is Michelle Brisbon and I'm a Staff
5 Engineer with the Department of Streets.
6 I'm here to offer testimony on Bill No.
7 110843.

8 This bill authorizes The Bruce
9 Lloyd Trust, Andrew M. Ullman, Trustee
10 and Sandra Schwalb, owners of the
11 property located at 200 Market Street, to
12 legalize, own and maintain an
13 encroachment in the form of a raised
14 platform in the public right-of-way at
15 the location as noted in Bill No. 110843.

16 The Streets Department does not
17 support the passage of this legislation.
18 It is the policy of the Streets
19 Department not to approve permanent
20 commercial intrusion into the public
21 right-of-way solely for the purpose of a
22 business use.

23 Thank you for your time. This
24 concludes my testimony. I'm pleased to
25 answer any questions you may have.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 Any questions from this
4 Committee?

5 (No response.)

6 COUNCILMAN DiCICCO: Anyone
7 else here who wishes to testify on this
8 bill?

9 (No response.)

10 COUNCILMAN DiCICCO: Seeing
11 none, please read the title of the next
12 bill.

13 THE CLERK: Bill No. 110849, an
14 ordinance granting permission to Alan
15 Krawitz owner and operator of Say Cheese
16 Philadelphia lunch truck located on the
17 east side of West Norris Street between
18 North 12th Street and North 13th Street
19 (approximately 70 yards from the corner
20 of North 12th Street and West Norris
21 Street) to install, use and maintain
22 certain electrical wires, conduits and
23 appurtenances in, under and over the east
24 footway of the east side of West Norris
25 Street between North 12th Street and

1 11/29/11 - STREETS - BILL 110308, ETC.
2 North 13th Street for the purpose of
3 supplying electricity to said lunch
4 truck, under certain terms and
5 conditions.

6 MS. BRISBON: Good afternoon,
7 Chairman DiCicco and members of the
8 Streets and Services Committee. My name
9 is Michelle Brisbon and I'm a Staff
10 Engineer with the Department of Streets.
11 I'm here to offer testimony on Bill No.
12 110849.

13 This bill grants permission to
14 Alan Krawitz, owner and operator of Say
15 Cheese Philadelphia lunch truck, to
16 install, use and maintain an encroachment
17 in the form of electrical wires, conduits
18 and appurtenances in the public
19 right-of-way at the location as noted in
20 Bill No. 110849.

21 The Streets Department does not
22 support the passage of this legislation.
23 The proposed encroachment is to provide
24 electrical service to a non-permanent
25 structure, and this may present a

1 11/29/11 - STREETS - BILL 110308, ETC.

2 liability for the Streets Department.

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

6 COUNCILMAN DiCICCO: Thank you.

7 Any questions for this witness?

8 (No response.)

9 COUNCILMAN DiCICCO: Anyone
10 else here who wishes to testify on this
11 bill?

12 Councilman Green.

13 COUNCILMAN GREEN: Thank you,
14 Mr. Chairman.

15 It's interesting, I was just on
16 the Temple campus a couple weeks ago, and
17 I assume that's about where this is.

18 MS. BRISBON: Yes.

19 COUNCILMAN GREEN: And I walked
20 down the street where there was a thin
21 pole with electrical wires going overhead
22 and coming down the side sort of of the
23 pole that was -- so there was a live
24 electrical wire basically, not encased in
25 metal or anything, coming down the side

1 11/29/11 - STREETS - BILL 110308, ETC.
2 of a pole attached to an outlet
3 essentially, I guess, that somebody could
4 have ripped out and there would be a live
5 electrical wire there.

6 MS. BRISBON: Yes.

7 COUNCILMAN GREEN: Just by
8 coincidence I happened to notice that and
9 I thought, that's dangerous. Is this
10 what you're referring to and are those
11 installations currently legal?

12 MS. BRISBON: That's correct.
13 Those installations are illegal. I'm --

14 COUNCILMAN GREEN: Are legal?

15 MS. BRISBON: They're illegal.

16 COUNCILMAN GREEN: So this is
17 related to an existing illegal electrical
18 hookup?

19 MS. BRISBON: Well, the one
20 that this bill is referring to, I'm not
21 sure if it's existing. We haven't seen
22 any plans for this location, and I wasn't
23 aware of it until it was introduced. But
24 to my knowledge, there are a number out
25 there illegally. They basically go to

1 11/29/11 - STREETS - BILL 110308, ETC.
2 L&I and get electrical permits. They
3 don't come to the Streets Department at
4 all.

5 COUNCILMAN GREEN: And so
6 they're legal or illegal?

7 MS. BRISBON: They're illegal.

8 COUNCILMAN GREEN: But L&I
9 issued the permit?

10 MS. BRISBON: They issue
11 electrical permits.

12 COUNCILMAN GREEN: And that's
13 illegal or legal?

14 MS. BRISBON: The electrical
15 permits are legal, but to place the pole
16 within the right-of-way is illegal.

17 COUNCILMAN GREEN: I see. So
18 they have legal electrical permits and
19 illegal poles in the right-of-way?

20 MS. BRISBON: That's correct.

21 COUNCILMAN GREEN: Thank you.

22 COUNCILMAN DiCICCO: Councilman
23 Greenlee.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Ms. Brisbon, I guess is there
3 any communication between L&I and Streets
4 on this? I mean, does L&I, to your
5 knowledge, tell the applicant that they
6 also have to go to the Streets
7 Department?

8 MS. BRISBON: I'm not sure.
9 Typically the utility companies are the
10 ones that actually place a pole within
11 the right-of-way and we have to stamp
12 off -- we have to approve the pole
13 permit. But as far as these, not to my
14 knowledge.

15 COUNCILMAN GREENLEE: The
16 reason I ask that is maybe -- and I have
17 no idea on individual, this one or any
18 other individual, but it could be people
19 think they got an electrical permit from
20 L&I, they're legit, unless they're told
21 differently. I mean, I don't know. It
22 just seems like some communication
23 here --

24 MS. BRISBON: Yes.

25 COUNCILMAN GREENLEE: -- would

1 11/29/11 - STREETS - BILL 110308, ETC.

2 help, particularly since it's two City

3 departments. And I'm not blaming you.

4 I'm just saying --

5 MS. BRISBON: I understand.

6 COUNCILMAN GREENLEE: It seems

7 maybe there's some people who are in

8 violation but don't know it and don't

9 realize it.

10 MS. BRISBON: I mean, you're

11 probably correct there.

12 COUNCILMAN DiCICCO: Let the

13 record reflect that Councilwoman Donna

14 Reed Miller, who is a member of this

15 Committee, is also in attendance.

16 On the same issue, ma'am, is

17 there any interaction between the Streets

18 Department and would you know if there's

19 any interaction between L&I and PECO?

20 Somebody has to be making these

21 connections.

22 MS. BRISBON: Well, I believe

23 with this particular applicant, they

24 contacted PECO, and PECO told them they

25 had to get permission from the Streets

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Department, and we then -- I explained to
3 him that we don't allow private poles
4 within the right-of-way for electrical
5 purposes. So I guess they proceeded to
6 have an ordinance introduced for their
7 approval.

8 COUNCILMAN DiCICCO: I think
9 it's going to be a job for the next
10 committee to figure out, because there
11 are numerous situations all over the
12 City, and not faulting anyone or any
13 department. There's got to be some
14 meeting of the minds, if you will, to
15 figure this out, because newsstands, you
16 name it, everything out there is some
17 sort of a wire hanging, and got to make
18 it somewhat more uniform. But thank you.

19 Any other questions?

20 (No response.)

21 COUNCILMAN DiCICCO: Anyone
22 else here who wishes to testify?

23 Yes, sir. Please have a seat.

24 (Witness approached witness
25 table.)

1 11/29/11 - STREETS - BILL 110308, ETC.

2 MR. KRAWITZ: My name is Alan
3 Krawitz. I'm the person who proposed the
4 ordinance. I'd like to clarify any
5 questions you may have.

6 COUNCILMAN DiCICCO: Councilman
7 Greenlee.

8 COUNCILMAN GREENLEE: Thank
9 you, sir. I guess I'll kind of repeat my
10 question. What communication was there
11 when you applied for -- did you get an
12 L&I permit?

13 MR. KRAWITZ: Yes.

14 COUNCILMAN GREENLEE: Speak
15 into the microphone a little bit more.

16 MR. KRAWITZ: The electrician
17 in question that I used did get an L&I
18 permit. I was originally told by PECO,
19 by the grid designer in that area, that
20 all that was required was the proper
21 permits that I received from the City in
22 order to obtain the electrical service.
23 So the proper permits were pulled from
24 L&I, upon which when I went for
25 installation of that service, they told

1 11/29/11 - STREETS - BILL 110308, ETC.

2 me that I would need something from the
3 City, an ordinance in fact, to have the
4 electric given to me. However, like
5 Ms. Brisbon, who has spoken before, has
6 said, numerous other people within 30 to
7 40 feet of where I proposed have that
8 service and --

9 COUNCILMAN GREENLEE: And they
10 probably just did it or, again, maybe
11 didn't realize. Maybe they weren't told.
12 I don't know.

13 MR. KRAWITZ: The grid designer
14 who I spoke to did change over the summer
15 and I was told by the previous one who I
16 had spoke to originally that the permits
17 from L&I and from the City were all that
18 was required by PECO at that time to hook
19 up the service. So you can see how it's
20 a major competitive advantage when
21 they've done it illegally. And I'm
22 operating illegally now.

23 COUNCILMAN GREENLEE: Sure. I
24 got you. And it seems like -- again, not
25 to put blame here, but it seems like L&I

1 11/29/11 - STREETS - BILL 110308, ETC.

2 maybe should -- if you apply for
3 something, it's clear what you have to
4 do. There may be some communication
5 saying, here's the next step you have to
6 take before you or anybody else starts
7 work. It just seems fair.

8 MR. KRAWITZ: Sure.

9 COUNCILMAN GREENLEE: Thank
10 you.

11 COUNCILMAN DiCICCO: Thank you.
12 You're going to be fine with this. It's
13 just a question of clearing up and coming
14 up with a better policy or procedure
15 going forward. But thank you.

16 Any other questions?

17 Councilman Green.

18 COUNCILMAN GREEN: With respect
19 to this, does anybody from the City here
20 know how these are inspected? As I said,
21 there were live wires stapled onto the
22 side of a pole going into an outlet. How
23 is this -- how are you planning to do an
24 installation if we were to approve this?

25 MR. KRAWITZ: The inspection

1 11/29/11 - STREETS - BILL 110308, ETC.

2 process is done by a third party, who has
3 already come in and inspected the way the
4 electrical wires have been hooked up.

5 COUNCILMAN GREEN: So have the
6 wires been put in a metal sleeve down the
7 side of the pole into the outlet or is it
8 the wire itself that is going into the
9 pole without being in a metal sleeve?

10 MR. KRAWITZ: No. It's
11 encased. But no wires have been hooked
12 up yet. Before I can do so, you need to
13 approve the ordinance. So everything is
14 protected and safely done on my
15 particular pole. I can't speak for
16 anybody else.

17 COUNCILMAN GREEN: Thank you.

18 COUNCILMAN DiCICCO: Thank you.

19 Any other questions?

20 (No response.)

21 COUNCILMAN DiCICCO: Anyone
22 else here who wishes to testify on this
23 bill?

24 (No response.)

25 COUNCILMAN DiCICCO: Thank you.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Thank you both.

3 Seeing none, please read the
4 title of the next bill.

5 THE CLERK: Bill No. 110767, an
6 ordinance granting permission to the
7 Southeastern Pennsylvania Transportation
8 Authority, 1234 Market Street,
9 Philadelphia, Pennsylvania, to construct,
10 own and maintain a passenger boarding
11 platform, passenger shelter and other
12 miscellaneous encroachments on the public
13 sidewalk located at the northwest corner
14 of the intersection of Frankford Avenue
15 and Delaware Avenue, under certain terms
16 and conditions.

17 MS. BRISBON: Good afternoon,
18 Chairman DiCicco and members of the
19 Streets and Services Committee. My name
20 is Michelle Brisbon and I'm a Staff
21 Engineer with the Department of Streets.
22 I'm here to offer testimony on Bill No.
23 110767.

24 This bill grants permission to
25 the Southeastern Pennsylvania

1 11/29/11 - STREETS - BILL 110308, ETC.
2 Transportation Authority to construct,
3 own and maintain various encroachments
4 within the public right-of-way as
5 indicated in Bill No. 110767.

6 The Streets Department has no
7 objections to these proposed
8 encroachments and supports the passage of
9 this bill.

10 Thank you for your time. This
11 concludes my testimony. I'm pleased to
12 answer any questions.

13 COUNCILMAN DiCICCO: Thank you.

14 Any questions for this witness
15 from the Committee?

16 (No response.)

17 COUNCILMAN DiCICCO: Anyone
18 else here who wishes to testify?

19 (No response.)

20 COUNCILMAN DiCICCO: Seeing
21 none, please read the title of the next
22 bill.

23 THE CLERK: Bill No. 110794, an
24 ordinance granting permission to All
25 Seasons Car Wash & Lube, LLC, owner of

11/29/11 - STREETS - BILL 110308, ETC.

the real estate located at 6722 Ridge Avenue, to relocate, use and maintain a thirty-five feet high aluminum flagpole within the public right-of-way of Ridge Avenue, being approximately one hundred eighty-three and ninety-one hundredths feet from the curbline of the northwesterly side of Cinnaminson Street and within the unimproved portion of Ridge Avenue west of the westerly curbline of said Ridge Avenue; and to construct, use and maintain a pole-mounted, interior-lighted accessory sign, with an electrical service line conduit in and under the public right-of-way of Ridge Avenue, being the same distance from the curbline of the northwesterly side of Cinnaminson Street and within the same unimproved portion of Ridge Avenue west of the westerly curbline of said Ridge Avenue, for the purpose of supplying electrical service to the accessory sign, all under certain terms and conditions.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 MS. BRISBON: Good afternoon,
3 Chairman DiCicco 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 110794.

9 This bill grants permission to
10 All Seasons Car Wash & Lube, LLC, owner
11 of the real estate located at 6722 Ridge
12 Avenue, to relocate, use and maintain
13 various encroachments within the public
14 right-of-way as indicated in Bill No.
15 110794.

16 The Streets Department cannot
17 support passage of this legislation. It
18 is the policy of the Streets Department
19 not to approve permanent encroachments
20 within the public right-of-way that
21 serves the purpose of advertising a
22 commercial establishment.

23 Thank you for your time. This
24 concludes my testimony. I'm pleased to
25 answer any questions you may have.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 Any questions from this
4 Committee?

5 (No response.)

6 COUNCILMAN DiCICCO: Anyone
7 else here who wishes to testify?

8 (Witnesses approached witness
9 table.)

10 MR. O'BRIEN: Good afternoon,
11 members of the Committee.

12 COUNCILMAN DiCICCO: Have a
13 seat, please, and --

14 MR. O'BRIEN: William O'Brien
15 for All Seasons --

16 COUNCILMAN DiCICCO: You have
17 to get it on the record. Just identify
18 yourself.

19 MR. O'BRIEN: William O'Brien
20 for All Seasons Car Wash, LLC. With me
21 is Henry Gonzalez, who is a principal in
22 the company. I have some exhibits I'd
23 like to share with the Committee.

24 COUNCILMAN DiCICCO: We'll get
25 those distributed. You can have a seat.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Thank you.

3 MR. WILLIAMS: The property is
4 under construction. It's a three and a
5 half million dollar state-of-the-art car
6 wash and lube facility. It will have a
7 vegetative roof. The washing water will
8 be filtered and recirculated. It is --
9 everything is state-of-the-art about it.

10 There is an existing
11 35-foot-high aluminum flagpole within the
12 right-of-way, although research revealed
13 that that was erected without an
14 ordinance. So we're seeking to -- the
15 ordinance seeks to allow the relocation
16 of that flagpole and also within the
17 right-of-way.

18 The first tab shows some
19 pictures depicted. In the first two
20 you'll see the existing aluminum flagpole
21 right by the porta-potty and extends up
22 35 feet. And then the third picture is a
23 view looking across Ridge Avenue where
24 you see the new construction of the CVS
25 and Wawa, a several million dollar

1 11/29/11 - STREETS - BILL 110308, ETC.

2 development that completed last year.

3 The second tab is the site
4 plan, the survey, and I depicted the area
5 in yellow. Ridge Avenue is 80 feet. The
6 public right-of-way is 80 feet. The
7 improved area is 52 feet. And from the
8 outside edge of the sidewalk to the end
9 of the public right-of-way is 14 feet on
10 each side of Ridge Avenue.

11 There are no utilities in this
12 area. In fact, you'll see existing
13 condition when this was prepared
14 identified this as a grass area. You can
15 see the small square, which will show the
16 existing flagpole back in, I think this
17 was, 2009 when this was prepared. So
18 that is very material, that no public
19 utilities will be disturbed in preparing
20 the conduit for the proposed flagpole.

21 The third tab shows the
22 installation detail. Again, the box
23 shows the location of the existing
24 flagpole, and you'll see a little bit
25 below that the proposed location for the

1 11/29/11 - STREETS - BILL 110308, ETC.
2 sign and the relocated flagpole. Again,
3 all within that portion of the
4 right-of-way that has no utilities below
5 it.

6 The sign -- no portion of the
7 sign face itself will encroach over the
8 sidewalk. It's shown on here as going up
9 to the sidewalk. Actually, it will be
10 about a foot short of the sidewalk.

11 The fourth tab shows some
12 details, some renderings of the finished
13 facade, and the second page shows the
14 actual sign face and pylon sign base.

15 And also very material, the
16 last tab shows existing signage in this
17 block, all of them located within the
18 public right-of-way. The first one is
19 actually over the sidewalk. The second
20 one is planted within this 14 feet of
21 unimproved area in the right-of-way, and
22 then the third picture showing Midas, the
23 Auto Zone and the Ridge Diner. All of
24 those are planted within that 14-foot
25 right-of-way.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 And then on the other side of
3 the subject site, and the last picture is
4 Roxborough Animal Hospital, and, again,
5 you notice that that is planted within
6 this right-of-way.

7 For the record, I've measured
8 it. The Midas sign is 11 feet from the
9 curbline and, therefore, three feet
10 within the right-of-way. And the Auto
11 Zone sign is nine feet from the sidewalk
12 and six feet -- or five feet from the
13 edge of the -- outside edge of the
14 right-of-way. All the other signs are
15 even that much closer. So this condition
16 is pretty standard in this block on Ridge
17 Avenue.

18 COUNCILMAN DiCICCO: Thank you.

19 Anyone else testifying?

20 MR. WILLIAMS: No.

21 COUNCILMAN DiCICCO: Councilman
22 Jones.

23 COUNCILMAN JONES: Thank you,
24 Mr. Chairman.

25 What was the prior use? You

1 11/29/11 - STREETS - BILL 110308, ETC.

2 mention the sign pole that was there.

3 What was the type of business?

4 MR. WILLIAMS: It was an
5 accessory auto lot for a new car dealer
6 that went out of business about seven or
7 eight years ago.

8 COUNCILMAN JONES: How long was
9 that sign there, to your recollection?

10 MR. WILLIAMS: It was a
11 flagpole that was there, and the flagpole
12 was there, well, 25 years that I know of.

13 COUNCILMAN JONES: So for the
14 past 25 years at least, that sign has
15 been there, along with maybe a half dozen
16 or dozen other signs that have migrated
17 to that position?

18 MR. WILLIAMS: Right. These
19 signs on that block are all within this
20 same 14 feet of unimproved area that is
21 within the right-of-way.

22 COUNCILMAN JONES: Now, does
23 your facility also incorporate the area
24 that we're doing the streetscape on Ridge
25 Avenue? Will you be the beneficiary that

1 11/29/11 - STREETS - BILL 110308, ETC.

2 far up?

3 MR. WILLIAMS: I don't believe

4 so. This will be north of Roxborough

5 High School.

6 COUNCILMAN JONES: All right.

7 Thank you.

8 COUNCILMAN DiCICCO: Thank you.

9 Any other questions from this
10 Committee?

11 Councilman Green.

12 COUNCILMAN GREEN: Thank you.

13 Do you happen, just out of
14 curiosity, do you happen to know if --
15 for the Streets Department, is the
16 objection to this that it is a permanent
17 easement or that there's an easement at
18 all? I thought I heard you say that the
19 policy was permanent easements.

20 MS. BRISBON: Yes. The Streets
21 Department doesn't approve permanent
22 commercial advertising. None of the
23 signs that are on Ridge Avenue were
24 approved by the Streets Department.
25 They're all illegal. And the flagpole

1 11/29/11 - STREETS - BILL 110308, ETC.
2 was a sign -- I mean, wasn't a sign. It
3 was a flagpole.

4 COUNCILMAN GREEN: So really
5 what you're telling us is that they
6 should ask for forgiveness and not
7 permission? Doing the right thing on
8 Ridge Avenue is not going to be rewarded
9 by the City of Philadelphia.

10 MS. BRISBON: I mean, at this
11 point, we don't have a policy or some
12 type of mechanism to review and approve
13 placement of signage. That's something
14 that's typically done on a property, and
15 L&I will regulate it. I mean, we don't
16 review what's posted on the signs, how
17 high they are, because it's not something
18 that the Streets Department typically
19 approves.

20 COUNCILMAN GREEN: So this is
21 another disconnect between L&I and
22 Streets.

23 MS. BRISBON: And L&I is saying
24 it's in the right-of-way, we don't have
25 anything to do with it. But we typically

1 11/29/11 - STREETS - BILL 110308, ETC.

2 don't approve advertising within the
3 right-of-way.

4 COUNCILMAN GREEN: But you
5 mention permanent easement, and it sounds
6 to me like your objection is that this is
7 a permanent easement.

8 MS. BRISBON: Well, yeah.
9 They're putting footings seven foot
10 underground. So this is -- I mean, it's
11 a massive structure.

12 COUNCILMAN GREEN: Into the
13 right-of-way.

14 MS. BRISBON: Yes.

15 COUNCILMAN GREEN: So the sign
16 that I see that is essentially the front
17 of the building is really not a sign,
18 it's the front of the building in the
19 right-of-way, is that right, on Tab 4?

20 MR. WILLIAMS: Behind Tab 4,
21 the second page will show the proposed
22 sign. This was reviewed and approved by
23 the Ridge Park Civic Association. Their
24 only concern was that there not be
25 digital letters and that the letters be

1 11/29/11 - STREETS - BILL 110308, ETC.

2 plastic.

3 COUNCILMAN GREEN: But I guess
4 my question for the Streets Department
5 is, is the reason we don't approve this
6 in the permanent right-of-way or create a
7 permanent easement so that we have the
8 necessary land in case the street has to
9 be widened?

10 MS. BRISBON: Well, no. Our
11 purpose is the advertising, using the
12 public right-of-way for advertising for
13 commercial business.

14 COUNCILMAN GREEN: So there's
15 no need for the land for the Streets
16 Department to create additional lanes on
17 Ridge Avenue or other things like that?

18 MS. BRISBON: No, not to my
19 knowledge.

20 COUNCILMAN GREEN: Well, if
21 that's the case, then I want to thank you
22 for your investment in Philadelphia.

23 MR. WILLIAMS: Thank you. And
24 if I may, if I'm not -- I think I'm
25 correct. We're not asking for an

1 11/29/11 - STREETS - BILL 110308, ETC.
2 easement. I don't think the City is
3 going to agree on this, an easement.
4 We're just looking for permission, as you
5 alluded to, and if the City or the state
6 decides to widen Ridge Avenue, we're
7 going to have to remove the sign at our
8 expense.

9 COUNCILMAN DiCICCO: Any other
10 questions?

11 (No response.)

12 COUNCILMAN DiCICCO: Anyone
13 else here who wishes to testify on this
14 bill?

15 (No response.)

16 COUNCILMAN DiCICCO: Thank you.
17 Thank you again. I appreciate it.

18 Please read the title of the
19 next bill.

20 THE CLERK: Bill No. 110764, an
21 ordinance establishing a one-way
22 regulation on Hartwell Lane, from
23 Germantown Avenue to Shawnee Street,
24 eastbound.

25 (Witness approached witness

1 11/29/11 - STREETS - BILL 110308, ETC.
2 table.)

3 COUNCILMAN DiCICCO: Good
4 afternoon again, Mr. Denny.

5 MR. DENNY: Good afternoon
6 again.

7 COUNCILMAN DiCICCO: You know
8 the drill.

9 MR. DENNY: Yes. Good
10 afternoon, Mr. Chairman, members of the
11 Committee. Thank you again for the
12 opportunity to appear before you. My
13 name is Charles Denny, Assistant Chief
14 Traffic Engineer for the Department of
15 Streets. I'm here to offer testimony on
16 Bill No. 110764.

17 The Streets Department has no
18 objections to this bill. With the
19 amendment that we are proposing to
20 reflect the timing of the street
21 direction change, Hartwell Lane is
22 proposed to be converted to a one-way
23 eastbound operation due to a development
24 plan at 8200 Germantown Avenue. Based on
25 our review of the traffic impact study

1 11/29/11 - STREETS - BILL 110308, ETC.

2 the development submitted, we have no
3 objections to this change.

4 We plan to convert Hartwell
5 Lane to one-way eastbound operation three
6 months prior to the opening of the
7 proposed development in the fall of 2013.
8 As such, we respectfully request that the
9 aforementioned proposed amendment be
10 admitted to reflect this timing. I do
11 have the amendment here.

12 COUNCILMAN DiCICCO: We have
13 copies.

14 You mention the fall of '13?

15 MR. DENNY: The fall of '13,
16 yes.

17 COUNCILMAN DiCICCO: Please
18 proceed.

19 MR. DENNY: Thank you again for
20 the opportunity to appear before you
21 today and I will be happy to answer any
22 questions you may have at this time.

23 COUNCILMAN DiCICCO: Thank you.

24 Any questions from this
25 Committee?

1 11/29/11 - STREETS - BILL 110308, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: Any
4 comments?

5 (No response.)

6 COUNCILMAN DiCICCO: Those who
7 are testifying, please approach the
8 witness table.

9 You can use my chair, Charlie.

10 (Witnesses approached witness
11 table.)

12 MR. McCLURE: Chairman DiCicco,
13 members of Council, members of the
14 Streets and Services Committee, Matt
15 McClure, on behalf of Bowman Properties,
16 here to testify in support of Bill No.
17 110764.

18 This legislation concerns the
19 redevelopment of the former Magarity Ford
20 Auto Dealership and Service Center at the
21 northwest corner of Germantown Avenue and
22 Hartwell Lane in Chestnut Hill. This
23 legislation, along with legislation that
24 is going to be considered tomorrow by the
25 Rules Committee, will lead to what we

1 11/29/11 - STREETS - BILL 110308, ETC.

2 believe will be a transformational
3 project for Chestnut Hill and the
4 district.

5 Given the recent exodus of
6 national and regional tenants, credit
7 tenants, from Chestnut Hill and from the
8 corridor itself, we think that there's a
9 real demonstrated need for a mixed-use
10 project with a significant national
11 credit tenant. Bowman Properties has
12 recently signed a lease with the Fresh
13 Market, which is one of the hottest
14 specialty grocery stores in the country.
15 This will be the first Fresh Market in a
16 northeast city. In fact, this is a real
17 coo for Chestnut Hill and a real coo for
18 the City of Philadelphia. The site has
19 beat out many sites in the region,
20 including the Main Line. The Fresh
21 Market is a type of a high-quality credit
22 tenant that we believe will attract other
23 credit tenants back to Germantown Avenue.

24 Additionally, this is a \$30
25 million project, no public subsidy

1 11/29/11 - STREETS - BILL 110308, ETC.
2 whatsoever, 90 permanent jobs. Our
3 presentations to the Chestnut Hill
4 Community Association began in earnest in
5 April, continued through the summer, and
6 we believe that we will be having a final
7 meeting with the Chestnut Hill Community
8 Association on December 12th prior to
9 final passage, to the extent this
10 Committee votes to move the legislation
11 through today.

12 With me today is Debra Ferraro.
13 She is the Chief Traffic Engineer for
14 Pennoni, and she's the Traffic Engineer
15 for the project. So she was going to
16 offer some testimony as well.

17 COUNCILMAN DiCICCO: Good
18 afternoon. Please proceed with your
19 testimony. Identify yourself for the
20 record.

21 MS. FERRARO: Good afternoon,
22 members of the Streets and Services
23 Committee. My name is Debbie Ferraro.
24 As Matt mentioned, I'm a Senior Engineer
25 with Pennoni Associates and currently

1 11/29/11 - STREETS - BILL 110308, ETC.

2 manage the Traffic Department in the
3 Philadelphia office.

4 Under my direction, Pennoni
5 Associates prepared a traffic impact
6 study for the proposed development at
7 8200 Germantown Avenue, consisting of a
8 Fresh Market grocery store, business
9 district retail and residential
10 condominiums and townhomes. The
11 transportation impact study included
12 review and recommendations for site
13 access and internal circulation. The
14 study also included operational analysis
15 of four signalized intersections along
16 Germantown Avenue and two unsignalized
17 intersections at Hartwell Lane.

18 We've attached a figure titled
19 Study Area. It's included in the packet
20 and also shown on the board to my left,
21 which shows the roadway network -- the
22 location of the site along Germantown
23 Avenue, which is classified as a
24 community arterial roadway, and the local
25 roadway network surrounding the site. As

1 11/29/11 - STREETS - BILL 110308, ETC.

2 shown in the figure, the roadway network
3 has somewhat limited connectivity due to
4 the location of Pastorius Park, and I
5 think the moderate traffic volumes along
6 these roadways are reflective of that.

7 Based on the results of the
8 transportation impact study that were
9 documented in the report, it is
10 recommended that the first block of West
11 Hartwell Lane be reversed from one way
12 westbound to one way eastbound in the
13 direction towards Germantown Avenue. All
14 traffic is recommended to exit the 8200
15 Germantown Avenue site to Hartwell Lane
16 and be directed to Germantown Avenue
17 rather than Shawnee Street and Roanoke
18 Street. A new traffic signal is proposed
19 to be installed and shown to be warranted
20 at the intersection of Germantown Avenue
21 with Hartwell Lane.

22 Also attached in the packet I
23 believe on the last page is a
24 transportation improvement plan developed
25 by Pennoni Associates which shows in

1 11/29/11 - STREETS - BILL 110308, ETC.

2 greater detail the access points for the
3 site, the internal site circulation and
4 the proposed modifications to West
5 Hartwell Lane.

6 On the exhibit, the parking
7 changes are illustrated and shown for a
8 net loss of one parking space on the
9 block of Hartwell Lane. There's a
10 preliminary layout of a traffic signal
11 shown with full pedestrian accommodations
12 to enhance pedestrian circulation along
13 Germantown Avenue.

14 Approximately 40 vehicles per
15 hour utilized West Hartwell Lane during
16 the peak hours on a typical weekday.
17 Those volumes are about double, almost 80
18 vehicles per hour on average, during the
19 peak hours on a Saturday. With the
20 proposed directional change, these
21 traffic volumes will be redistributed
22 primarily to the roadways of Willow Grove
23 Avenue and Highland Avenue. The traffic
24 signals at these intersections were
25 analyzed and shown to have sufficient

1 11/29/11 - STREETS - BILL 110308, ETC.

2 capacity to accommodate this small
3 increase in traffic.

4 Pennoni Associates and the
5 project team met with the Streets
6 Department in the early phases of the
7 project to review the site circulation
8 plan and Hartwell Lane modifications. As
9 Charlie Denny testified, the final
10 traffic impact study was submitted to the
11 Streets Department for review. The study
12 was also submitted to the Chestnut Hill
13 Community Association and distributed to
14 interested parties during July of this
15 year. The results were presented at the
16 Traffic Transportation and Planning
17 Committee of the Chestnut Hill Community
18 Association where the public and
19 stakeholders had the opportunity to
20 answer questions. In a follow-up to that
21 meeting, we did provide additional
22 information to a local neighborhood group
23 and, to my knowledge, there's no
24 outstanding issues at this time.

25 That concludes my testimony.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 I'm happy to answer any questions.

3 COUNCILMAN DiCICCO: Thank you.

4 Any questions for these

5 witnesses from the Committee?

6 (No response.)

7 COUNCILMAN DiCICCO: Anyone

8 else here to testify on this bill?

9 Please approach the witness

10 table.

11 (Witness approached witness

12 table.)

13 COUNCILMAN DiCICCO: Good

14 afternoon. Please identify yourself for

15 the record and proceed with your

16 testimony.

17 MR. BECKMAN: Good afternoon,

18 Chairman DiCicco and Committee members.

19 My name is John Beckman. I'm a resident

20 of Chestnut Hill and I represent the

21 Chestnut Hill Community Association's

22 committee that has been formed to work

23 with the owner of the property to attempt

24 to reach an agreement on the final

25 development program. Those discussions

1 11/29/11 - STREETS - BILL 110308, ETC.

2 are not complete yet.

3 At the moment, the one block
4 length of Hartwell Lane is bordered on
5 one side by an unused property owned by
6 the developer, Bowman Properties, and
7 fewer than ten single detached houses on
8 the other side. It's a one-lane street,
9 as you see by the exhibit, and it
10 functions quite well at the moment.

11 Should the developer's program
12 of residential and commercial be approved
13 in the two bills that will come up at the
14 Rules Committee tomorrow, 110762 and
15 110763, the situation will change
16 dramatically. The negotiating committee
17 and the Association, by extension, are in
18 support of the reversal of this block of
19 Hartwell Lane should that happen. There
20 is a sequencing issue, which was referred
21 to earlier, which is that because of the
22 low traffic volumes and somewhat
23 discontinuous street network in the area,
24 the street is functioning well now. So
25 that we would respectfully request that

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Section 2 of the ordinance be modified to
3 read that this ordinance shall take
4 effect only if Bills 110762 and 110763
5 are passed, and actual reversal of
6 traffic shall not occur until
7 commencement of construction.

8 Thank you.

9 COUNCILMAN DiCICCO: Thank you,
10 sir.

11 Any questions for this witness
12 from the Committee?

13 (No response.)

14 COUNCILMAN DiCICCO: Is there
15 anyone else here who wishes to testify on
16 this bill?

17 Councilman Green.

18 COUNCILMAN GREEN: I just have
19 a question for the City about -- or the
20 Administration about the request to have
21 this and the developer about the request
22 to have this not go into effect until the
23 other bills before Council related to
24 this development are passed. I mean, is
25 there an objection to that?

1 11/29/11 - STREETS - BILL 110308, ETC.

2 MR. McCLURE: I have no
3 objection to the concept. My only
4 concern is whether that is a problem --
5 whether the Law Department would sign off
6 on that. I'm not sure. Each piece of
7 legislation should stand on its own.
8 They're all going to be considered
9 hopefully at the same time as a package
10 on December 15th.

11 COUNCILMAN GREEN: That is a
12 good point, yeah. We can pass it out of
13 Committee without that change, and if
14 there is any issue with the other
15 legislation, we can always amend it
16 before final passage to deal with that
17 issue.

18 Thank you.

19 COUNCILMAN DiCICCO: Thank you.
20 Thank you.

21 Any other questions?

22 (No response.)

23 COUNCILMAN DiCICCO: Anyone
24 else here who wishes to testify on this
25 bill?

1 11/29/11 - STREETS - BILL 110308, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: Seeing
4 none, please read the title of the next
5 bill.

6 MR. McCLURE: Members of the
7 Committee, thank you.

8 COUNCILMAN DiCICCO: Thank you.

9 The Chair recognizes
10 Councilwoman Miller on the comments on
11 the previous bill.

12 COUNCILWOMAN MILLER: I just
13 wanted to say, Mr. Chair, that I don't
14 see a problem with this suggestion and we
15 could actually pass these bills out as a
16 package. Okay?

17 COUNCILMAN DiCICCO: Sounds
18 good. Works for us.

19 COUNCILWOMAN MILLER: Just for
20 the record.

21 COUNCILMAN DiCICCO: Thank you.

22 THE CLERK: Bill No. 110647, an
23 ordinance authorizing the revision of
24 lines and grades on a portion of City
25 Plan No. 42 by striking from the City

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Plan and vacating the legally open
3 portions of the westerly ten feet wide
4 portion of Thirty-Second Street from
5 Chestnut Street to Walnut Street, under
6 certain terms and conditions.

7 (Witnesses approached witness
8 table.)

9 MR. MORELLI: Good afternoon,
10 Mr. Chairman and members of the
11 Committee. My name is Frank Morelli,
12 Survey Bureau Manager of the Department
13 of Streets, and the Department of Streets
14 would like to offer the following
15 testimony on Bill No. 110647.

16 This is not an Administration
17 ordinance, but an ordinance requested by
18 Mr. Don Gusic of Pennoni Associates on
19 behalf of Drexel University.

20 The purpose of this ordinance
21 is to authorize the striking from the
22 City Plan and vacating of the legally
23 open portions of the westerly ten feet
24 wide portion of 32nd Street from Chestnut
25 Street to Walnut Street. The affected

1 11/29/11 - STREETS - BILL 110308, ETC.

2 section of 32nd Street is not paved to
3 its confirmed grade, it is not maintained
4 by the Streets Department and does not
5 function as a through street. This
6 action will facilitate the plans by
7 Drexel University to construct an
8 18-story mixed-use residential and retail
9 development on the abutting parcel,
10 including a 220 market-rate apartment
11 unit.

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

16 MS. CHIU: Good afternoon,
17 Chairman DiCicco and members of the
18 Streets and Services Committee. I am
19 Sarah Chiu, City Planner with the City
20 Planning Commission. I am here to
21 testify on Bill No. 110647, which
22 Councilmember Blackwell introduced on
23 September 8th, 2011.

24 Bill No. 110647 would strike
25 and vacate ten feet from the legally open

1 11/29/11 - STREETS - BILL 110308, ETC.
2 portion of the westerly side of 32nd
3 Street from Chestnut Street to Walnut
4 Street. The Planning Commission has
5 approved the Institutional Development
6 District Master Plan Amendment for Drexel
7 University in order to construct the new
8 Chestnut Street student housing project
9 located on Chestnut Street between 32nd
10 and 33rd Streets at its meeting on July
11 19th, 2011. Therefore, the Streets Bill
12 110647 is in accord with previous policy.

13 At its meeting of September
14 20th, 2011, the Planning Commission has
15 recommended Bill No. 110647 be approved.

16 This concludes my testimony. I
17 appreciate the opportunity to appear
18 before you today and would be pleased to
19 answer any questions you may have.

20 COUNCILMAN DiCICCO: Thank you.

21 Any questions for these
22 witnesses from the Committee?

23 (No response.)

24 COUNCILMAN DiCICCO: Anyone
25 else here who wishes to testify?

1 11/29/11 - STREETS - BILL 110308, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: Please
4 read the title of the next bill.

5 THE CLERK: Bill No. 110663, an
6 ordinance authorizing the revision of
7 lines and grades on a portion of City
8 Plan No. 204 by striking from the City
9 Plan and vacating Slocum Street from a
10 point approximately one-hundred forty
11 feet northeast of Chew Avenue to its
12 terminus northeastwardly therefrom and by
13 relocating a portion of the northwesterly
14 curbline of Slocum Street, from Chew
15 Avenue to a point approximately
16 seventy-seven feet northeastwardly
17 therefrom, eight feet southeastwardly and
18 incorporating the vacated area of said
19 Slocum Street under the jurisdiction of
20 the Department of Parks and Recreation.

21 MR. MORELLI: Good afternoon,
22 Mr. Chairman and members of the
23 Committee. My name is Frank Morelli,
24 Survey Bureau Manager of the Department
25 of Streets, and the Department of Streets

1 11/29/11 - STREETS - BILL 110308, ETC.

2 would like to offer the following

3 testimony on Bill No. 110633.

4 This is an Administration
5 ordinance requested by the Department of
6 Public Property.

7 The purpose of this ordinance
8 is to authorize the striking from the
9 City Plan and vacating of Slocum Street
10 from a point approximately 140 feet
11 northeast of Chew Avenue to its terminus
12 northeastwardly therefrom and the
13 relocation of the northwesterly curbline
14 and reduction of the cartway width of
15 Slocum Street from Chew Avenue to a point
16 approximately 77 feet northeastwardly
17 therefrom and to incorporate the vacated
18 area of Slocum Street under the
19 jurisdiction of the Department of Parks
20 and Recreation. This action will
21 facilitate plans by the Department of
22 Public Property to perform renovations
23 and construct site improvements at the
24 Pleasant Playground and Recreation
25 Center.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 This ordinance is supported by
3 the Department of Streets and is
4 recommended to your Committee for
5 favorable action.

6 MS. CHIU: Good afternoon,
7 Chairman DiCicco and members of the
8 Streets and Services Committee. I'm
9 Sarah Chiu, City Planner with the City
10 Planning Commission. I'm here to testify
11 on Bill No. 110663, which Councilmember
12 Miller introduced on October 6th, 2011.

13 Bill No. 110663 would strike
14 and vacate Slocum Street from a point
15 approximately 140 feet northeast of Chew
16 Avenue to its terminus northeastwardly
17 and relocate the northwesterly curbline
18 and reduce the cartway width of Slocum
19 Street from Chew Avenue to a point
20 approximately 77 feet northeastwardly.

21 This action will facilitate plans by the
22 Department of Public Property to perform
23 renovations and construction improvements
24 at the Pleasant Playground and Rec
25 Center. The area being vacated will be

1 11/29/11 - STREETS - BILL 110308, ETC.
2 retained by the City as part of the rec
3 center property.

4 At its meeting of October 18th,
5 2011, the Planning Commission recommended
6 that Bill No. 110663 be approved.

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

11 COUNCILMAN DiCICCO: Thank you.

12 Any questions?

13 Councilman Green.

14 COUNCILMAN GREEN: Thank you,
15 Mr. Chairman.

16 You answered my question, which
17 was what's going to happen to this
18 property, and it will be maintained by
19 the City. You said the Rec Department.
20 There is not a Rec Department. There's a
21 Parks and Recreation Department. Is that
22 who will maintain it?

23 MR. MORELLI: Correct.

24 COUNCILMAN GREEN: This land
25 will then be subject to the ordinance

1 11/29/11 - STREETS - BILL 110308, ETC.
2 related to the disposition of Parks and
3 Rec land that's on the books that we
4 passed last year?

5 MR. MORELLI: Correct.

6 COUNCILMAN GREEN: Okay. I
7 would like to ask a courtesy, and, that
8 is, when the Clerk reads what the bill
9 does, which is vacate this part of the
10 street, if in testimony both written
11 and -- if it is in your written
12 testimony, there is no need to reread the
13 title of the bill two times as you
14 testify, and as a courtesy, I would like
15 to ask that the Streets Department and
16 the Planning Commission not repeat what
17 has just been read by the Clerk.

18 Thank you.

19 COUNCILMAN DiCICCO:
20 Councilwoman Miller.

21 COUNCILWOMAN MILLER: For
22 further clarity, this is not actually a
23 street that runs through. This is a
24 small part of a street that looks like a
25 driveway that runs right into the

1 11/29/11 - STREETS - BILL 110308, ETC.
2 playground, into the field. So this is
3 an important part of our expansion and
4 renovation and building a new building at
5 that particular playground to strike the
6 street, just so people understand better
7 what it actually is. And it's an
8 important part. Actually, we thought it
9 was struck years ago, but it wasn't.

10 Thank you.

11 COUNCILMAN DiCICCO: Any other
12 questions from this Committee for these
13 witnesses?

14 (No response.)

15 COUNCILMAN DiCICCO: Anyone
16 else here who wishes to testify?

17 (No response.)

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

21 THE CLERK: Bill No. 110765, an
22 ordinance authorizing the revision of
23 lines and grades on a portion of City
24 Plan No. 228 by striking from the City
25 Plan Markle Street from Ridge Avenue to a

1 11/29/11 - STREETS - BILL 110308, ETC.

2 point approximately four-hundred one feet
3 northeastwardly therefrom, under certain
4 terms and conditions.

5 MR. MORELLI: Good afternoon.

6 This is an Administration ordinance --
7 excuse me. This is not an Administration
8 ordinance, but an ordinance requested by
9 Mr. Ronald J. Patterson of Klehr Harrison
10 Harvey Branzberg, LLP, representing
11 Stanley True Value Hardware Store.

12 The purpose of this ordinance
13 is to authorize the striking from the
14 City Plan of Markle Street from Ridge
15 Avenue to a point approximately 401 feet
16 northeastwardly therefrom. The portion
17 of Markle Street proposed to be stricken
18 is not legally open, is not paved and is
19 not in use by the public, and the City is
20 not desirous of constructing a street at
21 this location. This action will
22 facilitate plans by the owners of the
23 True Value Hardware Store at 5551 Ridge
24 Avenue to construct an expanded store and
25 add a parking area.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 This ordinance is supported by
3 the Department of Streets and is
4 recommended to your Committee for
5 favorable action.

6 MS. CHIU: Good afternoon,
7 Chairman DiCicco and members of Streets
8 and Services Committee. Bill No. 110765
9 would strike a paper street in order to
10 allow for the development of a hardware
11 store at the same location.

12 At its meeting of November
13 15th, 2011, the Planning Commission
14 recommended that Bill No. 110765 be
15 approved.

16 This concludes my testimony. I
17 appreciate the opportunity and be happy
18 to answer questions you may have.

19 COUNCILMAN DiCICCO: Thank you.

20 Any questions for these
21 witnesses from the Committee?

22 (No response.)

23 COUNCILMAN DiCICCO: Anyone
24 else here who wishes to testify on this
25 bill?

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Mr. Patterson.

3 (Witness approached witness
4 table.)

5 MR. PATTERSON: Thank you. Ron
6 Patterson, 1835 Market Street.

7 I guess I should address it
8 since my name was mentioned in the bill.
9 I represent the owner of the properties
10 that surround the left and the right of
11 Markle Street, which is on the City Plan.
12 It's an entire City block, that
13 particular property, surrounded by four
14 streets, and Markle Street on paper would
15 cut through that square block. Although
16 this is the last piece, it was the first
17 piece we actually looked at and meeting
18 with Councilman Jones to see if this was
19 possible. It was vetted with the
20 neighbors in the community, and no one
21 there wants that street open, because
22 it's mainly grassy area. And this
23 vacating and removing from the plan would
24 allow Stanley's Hardware Store, which has
25 been in the area for 60 years, to make a

1 11/29/11 - STREETS - BILL 110308, ETC.

2 substantial expansion and to stay in the
3 City and to make that property much more
4 functional and to expand the store there.

5 So we're happy to -- and hope
6 that the ordinance will be passed.

7 COUNCILMAN DiCICCO: Thank you.

8 Any questions for these
9 witnesses?

10 (No response.)

11 COUNCILMAN DiCICCO: Anyone
12 else here to testify on this bill?

13 (No response.)

14 COUNCILMAN DiCICCO: Seeing
15 none, please read the title of the next
16 bill.

17 THE CLERK: Bill No. 110795, an
18 ordinance authorizing the revision of
19 lines and grades on a portion of City
20 Plan No. 307 by striking from the City
21 Plan and vacating Ridge Avenue from Vine
22 Street to the intersection of Eighth
23 Street and Race Street, reserving and
24 placing on the City Plan a right-of-way
25 for various purposes within the lines of

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Ridge Avenue being stricken; and
3 authorizing the acceptance of a grant to
4 the City of the said right-of-way, under
5 certain terms and conditions.

6 MR. MORELLI: This is not an
7 Administration ordinance, but an
8 ordinance requested by the Redevelopment
9 Authority.

10 The purpose of this ordinance
11 is to authorize the striking from the
12 City Plan and vacating of Ridge Avenue
13 from Vine Street to the intersection of
14 8th Street and Race Street and the
15 reserving and placing on the City Plan of
16 a right-of-way for sewer and drainage
17 purposes and water main purposes, gas
18 main purposes, public utility purposes
19 and subsurface public transportation
20 purposes within the lines of the portion
21 of Ridge Avenue being stricken. The
22 portion of Ridge Avenue proposed to be
23 stricken is currently not physically open
24 and the City is not desirous of reopening
25 it to the public traffic. This action

1 11/29/11 - STREETS - BILL 110308, ETC.
2 will facilitate plans by the
3 Redevelopment Authority to assemble land
4 at this site for development.

5 This ordinance is supported by
6 the Department of Streets and is
7 recommended to your Committee for
8 favorable action.

9 MS. CHIU: Good afternoon,
10 Chairman DiCicco and members of Streets
11 and Services Committee. Bill No. 110795
12 would strike and vacate Ridge Avenue from
13 Vine Street to the intersection of 8th
14 and Race Street and reserve its
15 right-of-way. This action will allow
16 Redevelopment Authority to consolidate
17 parcels on both sides of Ridge Avenue on
18 this block. An identical bill, Bill No.
19 100681, was recommended for approval by
20 the City Planning Commission in November
21 2010, because this bill was consistent
22 with the Center City Redevelopment Area
23 Fourth Amended Redevelopment Proposal.

24 Therefore, at its meeting of
25 November 15th, 2011, the City Planning

1 11/29/11 - STREETS - BILL 110308, ETC.
2 Commission recommended that Bill No.
3 110795 be approved as an item in accord
4 with previous policy.

5 This concludes my testimony.

6 COUNCILMAN DiCICCO: Thank you.

7 Any questions for these
8 witnesses from the Committee?

9 (No response.)

10 COUNCILMAN DiCICCO: Anyone
11 else here who wishes to testify?

12 (No response.)

13 COUNCILMAN DiCICCO: Please
14 read the title of the next bill.

15 THE CLERK: Bill No. 110797, an
16 ordinance authorizing the revision of
17 lines and grades on a portion of City
18 Plan No. 307 by striking from the City
19 Plan and vacating the southerly forty
20 feet, five inches wide portion of Race
21 Street from Christopher Columbus
22 Boulevard to Water Street and placing on
23 the City Plan a right-of-way for various
24 utility purposes such as may be necessary
25 within the lines of the portion of Race

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Street being stricken.

3 MR. MORELLI: Good afternoon.

4 This is an Administration ordinance

5 requested by the Department of Streets.

6 The purpose of this ordinance
7 is to authorize the striking from the
8 City Plan and vacating the southerly 40
9 feet, 5 inch wide portion of Race Street
10 from Christopher Columbus Boulevard to
11 Water Street and the placing upon the
12 City Plan of a right-of-way for various
13 utility purposes within the lines of the
14 portion of Race Street being stricken.

15 The Department of Streets has
16 determined that the portion of Race
17 Street proposed to be stricken is not
18 needed for transportation purposes. At
19 the time of construction of the Delaware
20 Expressway, the main travel lanes of Race
21 Street were shifted northwardly, and this
22 portion of Old Race Street fell into
23 disuse. The purpose of this action is to
24 join the unused portion of Race Street
25 with the abutting City-owned property for

1 11/29/11 - STREETS - BILL 110308, ETC.
2 possible sale or lease and development as
3 a restaurant and entertainment venue.

4 This ordinance is supported by
5 the Department of Streets and is
6 recommended to your Committee for
7 favorable action.

8 MS. CHIU: Good afternoon,
9 Chairman DiCicco and members of Streets
10 and Services Committee.

11 Bill No. 110797 would strike
12 and vacate approximately 40 feet of Race
13 Street from Water to Columbus Boulevard
14 and reserve its right-of-way for utility
15 purposes. This portion of Race Street
16 has not been used for travel purposes.
17 This Streets bill is to allow Fringe
18 Festival and Cafe development to have an
19 outdoor plaza and seating area. The
20 Planning Commission had recommended
21 approval for the property bill of 100789
22 in December 2010 in order for this
23 development to proceed.

24 Therefore, at its meeting of
25 November 15th, 2011, the Planning

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2 Commission recommended Bill No. 110797 be
3 approved as an item in accord with
4 previous policy.

5 This concludes my testimony. I
6 appreciate the opportunity to appear
7 before you today and would be happy to
8 answer questions.

9 COUNCILMAN DiCICCO: Thank you.
10 Councilman Green.

11 COUNCILMAN GREEN: Thank you.

12 Who would become -- I know it's
13 sort of the other side of the bridge. If
14 you're coming down Race, you have to go
15 left and then the other side of that
16 bridge next to that brick building --

17 MR. MORELLI: Correct.

18 COUNCILMAN GREEN: -- is what
19 you're seeking to vacate so that that can
20 be made available?

21 MR. MORELLI: Correct.

22 COUNCILMAN GREEN: And there's
23 currently a museum slated to go in there?

24 MR. MORELLI: It's the old
25 Water Department pumping facility.

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2 Currently the Fringe Festival is
3 proposing to looking at purchasing that
4 property, and this would be an outdoor
5 venue for outdoor seating for them.

6 COUNCILMAN GREEN: So whose
7 property does this become when we vacate
8 the street? Does it become part of
9 Public Property?

10 MR. MORELLI: Correct, it
11 becomes part of Public Property.

12 COUNCILMAN GREEN: And there's
13 currently no ordinance at the moment with
14 respect to the sale of this land. This
15 would just be something that --

16 MR. MORELLI: Correct.

17 COUNCILMAN GREEN: Thank you.

18 COUNCILMAN DiCICCO: For your
19 information, I've been working with that.
20 I thought we had completed it. I'm not
21 sure yet, but there has been discussion
22 between my office, Public Property and
23 the Fringe Festival and with a lot of
24 community support. So if it's not done,
25 I think it will be done before we recess.

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2 Thank you. Any other questions
3 for these witnesses?

4 (No response.)

5 COUNCILMAN DiCICCO: Anyone
6 else here to testify on this bill?

7 (No response.)

8 COUNCILMAN DiCICCO: Seeing
9 none, please read the title of the next
10 bill.

11 THE CLERK: Bill No. 110520, an
12 ordinance authorizing the plotting upon
13 City Plan No. 285 of a right-of-way for
14 drainage purposes in the area lying
15 southeast of Roberts Avenue and southwest
16 of Fox Street and authorizing acceptance
17 of the grant to the City of said
18 right-of-way, under certain terms and
19 conditions.

20 MR. MORELLI: Good afternoon.
21 This is not an Administration ordinance,
22 but an ordinance requested by John K.
23 Schneider of TKMG Associates, L.P.

24 The purpose of this ordinance
25 is to authorize the plotting upon City

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Plan and acceptance of the grant to the
3 City of a right-of-way for drainage
4 purposes in the area lying southeast of
5 Roberts Avenue and southwest of Fox
6 Street within the property formerly
7 occupied by the Tasty Baking Company.
8 The proposed right-of-way will encompass
9 existing sewers within the site. This
10 action will facilitate plans for the
11 development of Baker's Square Retail
12 Center consisting of approximately
13 230,000 square feet of leasable retail
14 and commercial space.

15 This ordinance is supported by
16 the Department of Streets and is
17 recommended to your Committee for
18 favorable action.

19 COUNCILMAN DiCICCO: Thank you.

20 Any questions from this
21 Committee?

22 (No response.)

23 COUNCILMAN DiCICCO: Is there
24 anyone else here who wishes to testify?

25 (No response.)

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2 COUNCILMAN DiCICCO: Again, you
3 heard my comments earlier. I do
4 appreciate the opportunity to work with
5 you, and you guys have always been
6 excellent.

7 MR. MORELLI: And we appreciate
8 all your support.

9 COUNCILMAN DiCICCO: Thank you.
10 Please read the title of the
11 next bill.

12 THE CLERK: Bill No. 110449, an
13 ordinance amending Title 12 of The
14 Philadelphia Code, entitled "Traffic
15 Code," by amending Chapter 12-900,
16 entitled "Parking Regulations and
17 Penalties," by adding a new Section
18 authorizing the Philadelphia Parking
19 Authority to designate reserved parking
20 spaces for hotel owned vehicles, adding
21 definitions to Section 12-102, and making
22 certain technical changes, all under
23 certain terms and conditions.

24 (Witnesses approached witness
25 table.)

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2 COUNCILMAN DiCICCO: Good
3 afternoon, everyone.

4 MR. COHEN: Good afternoon, Mr.
5 Chairman. My name is Gene Cohen. I'm an
6 attorney for the Latham Hotel, which is
7 the proponent of this ordinance.

8 Before we begin with our
9 testimony, I wish to wish good fortune in
10 your future endeavors and as a citizen of
11 your district all these years appreciate
12 and thank you for your service.

13 COUNCILMAN DiCICCO: Thank you,
14 Your Honor, when you were on the bench
15 for the service to the citizens of this
16 City as well. So there is life after
17 whatever we were doing, right?

18 MR. COHEN: Yes. There is life
19 after public service.

20 COUNCILMAN DiCICCO: Thank you.

21 MR. COHEN: This particular
22 ordinance seeks the permission of the
23 City of a hotel that meet certain
24 description to designate and pay for a
25 space to park a courtesy vehicle during

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2 the daytime business hours of the hotel,
3 which would be from 7:00 in the morning
4 to 11:00 at night, for purposes of
5 providing courtesy transportation to the
6 hotel guests. I have with me, who will
7 give testimony, Tom Varley. Mr. Varley
8 is the Executive Vice-President of Ocean
9 Properties, which owns the Latham Hotel.
10 Ocean Properties is a hotel chain that
11 owns at least 125 properties, from
12 Montreal down to Key West, Florida.

13 I would like to make one
14 comment about what I know might be some
15 opposition to this bill, that the
16 ordinance was crafted to apply to hotels
17 that don't have their own off-street
18 valet areas, but are situated such that
19 the entire frontage of the hotel is
20 either a valet and/or a loading zone.
21 There is no parking permitted in front of
22 these hotels, and the hotels that --
23 we've submitted prior a letter from the
24 Palomar, the new Palomar, and also from
25 the Radisson, formerly known as the

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2 Warwick, which would be similarly
3 benefited if this bill were enacted.

4 Again, this is not free parking
5 for the hotel. It's not a free space.
6 The hotel wishes -- there will be a fee
7 for this and that the hotels that are
8 similarly situated would have the option
9 to designate a space after paying a fee
10 and getting the permit. But we assure
11 you that the program itself would not
12 create any traffic hazard or traffic
13 problems on the street.

14 With that, I would like to turn
15 the microphone over to Mr. Varley for his
16 statement.

17 MR. VARLEY: Good afternoon.

18 Thank you for taking the time this
19 afternoon. As Judge pointed out, I'm
20 with Ocean Properties. We've owned the
21 Latham Hotel for about 16 years. We're
22 just completing a \$12 million renovation
23 of the property. We did a complete
24 renovation from the top floor all the way
25 down, and we're just finishing up a \$3

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2 million investment into the restaurant
3 and public space. So we've just recently
4 invested about \$15 million into the
5 Latham.

6 We're also changing the brand
7 of the Latham. As some of you may be
8 aware, the Latham had deteriorated over
9 the last few years, and we are
10 re-branding it as a Preferred Hotel, and
11 the Preferred Hotel chain is a line with
12 properties such as the Peninsula in New
13 York and Beverly Hills. It's a very
14 high-end boutique classification of a
15 property, and we're hoping to achieve
16 average rates exceeding \$300 or so, which
17 certainly helps the base, and it's
18 important to the Hotel Association
19 particularly with the new Convention
20 Center to have smaller, high-end boutique
21 hotels to cater to the higher-end
22 customer and to provide this level of
23 service that they expect at the other
24 Preferred hotels. They've done similar
25 courtesy car arrangements, for example,

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2 at the XV Beacon in Boston and properties
3 in Dallas and Houston, which is sort of
4 part of the service of this level type of
5 property.

6 So we're very -- we've really
7 enjoyed being in Philadelphia. We
8 believe the hotel, it's a very -- the
9 hotel business in Philadelphia is very
10 good, the tourism business. We're big
11 believers in Philadelphia, obviously, and
12 we really believe that this amenity will
13 help the overall -- not only help the
14 Latham, it certainly helps the Hotel
15 Association as they go out and try to
16 appeal to some of these groups in the
17 Convention Center and things like that.

18 COUNCILMAN DiCICCO: Thank you.

19 Mr. Pollock, are you speaking
20 or are you just --

21 MR. COHEN: He has a request --

22 COUNCILMAN DiCICCO: You're on
23 the bench.

24 MR. POLLOCK: I was in front of
25 Judge Panepinto, so I finished up that

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2 hearing and came down.

3 COUNCILMAN DiCICCO: You should
4 take a rest.

5 MR. POLLOCK: Yeah. But since
6 I had started this the last time we were
7 here. One of the things that we just
8 want, from a technical point of view, if
9 the Council and this community is
10 inclined to suspend the rules, we would
11 appreciate a suspension of the rules.

12 COUNCILMAN DiCICCO: Thank you.

13 MR. COHEN: We'll be happy to
14 answer any questions.

15 COUNCILMAN DiCICCO: Thank you.

16 Mr. Dickson.

17 MR. DICKSON: Thank you,
18 Mr. Chairman. We were here previously on
19 this issue. The Authority's position
20 hasn't changed. We believe it's
21 inappropriate to take a portion of the
22 public roadway and designate it for the
23 exclusive use of either one individual or
24 one business. We don't take this curb
25 space in front of someone's home and say

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2 this is reserved exclusively for you
3 because you happen to live in that house.
4 At the same time, we can't do this -- we
5 have never done that in any situation for
6 a business as well.

7 The other issue in this
8 particular situation is, the frontage on
9 17th Street in front of the Latham at
10 best can accommodate about four vehicles.
11 That's if you even encroach as close to
12 the corner as you could get. In order
13 for this hotel to operate, because there
14 is no on-site parking, they're going to
15 have to operate valet services there,
16 which is going to take two spaces.
17 They're going to have to have another
18 space for other drop-off and pick-up,
19 leaving -- and the last space would have
20 to be reserved for this vehicle that
21 could not be used by anybody else but
22 that space. We believe it's going to
23 create congestion, because there'll be
24 back-ups using the valet zone and other
25 vehicles trying to get in and out of the

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2 space.

3 While we certainly want to
4 support the hotel industry, we really
5 think that we need to be responsible in
6 the way we allocate the public roadway.
7 Nothing -- we certainly think that the
8 space in front of the hotel can be
9 configured in such a way that there will
10 be open space for a vehicle to come up
11 and pick up people and drop people off.
12 Like every other hotel, people would call
13 down and say, I need a car to take me
14 wherever in such-and-such a time, and the
15 car could be brought there to provide the
16 service.

17 So by not installing the zone
18 doesn't mean the service can't be
19 provided. It just means that the use,
20 the exclusive use, of the public street
21 for one vehicle we think is
22 inappropriate.

23 COUNCILMAN DiCICCO: I
24 appreciate that. I'm trying to go back
25 to the last hearing we had. Latham

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2 currently has or has had in the past a
3 valet zone, two spaces?

4 MR. POLLOCK: We have a loading
5 zone and a valet zone in front of our
6 building along 17th Street.

7 MR. DICKSON: He's talking
8 about the Latham.

9 COUNCILMAN DiCICCO: The
10 Latham, to the best of my knowledge, had
11 a valet.

12 MR. VARLEY: Currently the
13 Latham has one valet spot, one valet spot
14 and one --

15 MR. DICKSON: One passenger
16 loading zone.

17 COUNCILMAN DiCICCO: So only
18 two spaces.

19 MR. DICKSON: Right. Which is
20 just about all that can be accommodated
21 there safely.

22 MR. POLLOCK: I think his
23 testimony was now that we could fit about
24 four vehicles.

25 COUNCILMAN DiCICCO: Excuse me.

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2 You got to speak into the mike.

3 MR. POLLOCK: I said as
4 Mr. Dickson said, he acknowledges there
5 might be four spaces, and now we only
6 have two, so that would leave two more
7 spaces available. And the other
8 experience you're going to have, because
9 we've seen it with the hotels in checking
10 them out with the hotel in Boston, which
11 is, what, the XIX and Teatro in Denver,
12 these vehicles go in and out because
13 they're taking people to and fro. I
14 mean, you might have somebody who puts
15 up -- like a law firm could put up their
16 expert witnesses at the Latham, and they
17 may want to need to get that expert
18 witness to a deposition or down to
19 federal court right away, and we need to
20 have that vehicle right there.

21 COUNCILMAN DiCICCO: I kind of
22 buy that, but when that vehicle leaves
23 and somebody else needs it, it won't be
24 there. So I appreciate what you're
25 saying, but the car is not going to be

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2 there forever. I mean, it's got to move
3 at some point. So it would be removed,
4 come back.

5 I've been trying to work with
6 the Authority -- everybody is friends up
7 here -- to help everybody get to where
8 they need to be. There's two spaces now.
9 You have the valet and you have the
10 loading spot.

11 MR. VARLEY: Right.

12 COUNCILMAN DiCICCO: And,
13 Mr. Dickson, you're saying there would
14 not be enough space for --

15 MR. DICKSON: I appreciate my
16 friend Mr. Pollock's comments. What I
17 said was if you take every inch of curb
18 space from curb to curb, you might be
19 able to fit four cars in there. That's
20 clearly illegal.

21 COUNCILMAN DiCICCO: That's
22 Walnut Street back to --

23 MR. DICKSON: Chancellor.

24 MR. POLLOCK: Moravian.

25 COUNCILMAN DiCICCO: Moravian.

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2 That would give you --

3 MR. DICKSON: You can't fit
4 four cars there legally.

5 COUNCILMAN DiCICCO: Does three
6 spaces --

7 MR. DICKSON: You might get
8 three cars there.

9 COUNCILMAN DiCICCO: Would
10 three spaces work and accomplish what you
11 guys are looking to do?

12 MR. DICKSON: But my problem,
13 Mr. Chairman, is that in order to have
14 the valet work and be able to have a
15 taxicab to drop someone off, you're going
16 to need room to be able to pull in and
17 out of there. It's not like everybody is
18 going to be parallel parking at this
19 place. It's -- we believe and -- I think
20 the Streets Department testified at the
21 last hearing that the amount of curb
22 space available does not lend itself to
23 taking any spaces away from public.

24 COUNCILMAN DiCICCO: Could
25 we -- and I think I asked this question.

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2 I know there's something in the regs that
3 says a valet, you can't leave a car there
4 for any length of time.

5 MR. COHEN: Twenty minutes.

6 COUNCILMAN DiCICCO: What is
7 the average length of time that you think
8 that vehicle that you're looking for the
9 reserved space would take? How much time
10 do you think it would be there
11 permanently? I'm looking if we would
12 expand the valet to two valet spots and
13 one loading, does that get you close to
14 where you need to be without calling it a
15 reserved parking spot?

16 MR. COHEN: Well, the fact is
17 if that the vehicle would remain in the
18 spot more than 20 minutes --

19 COUNCILMAN DiCICCO: It's
20 subject to being cited.

21 MR. COHEN: That's correct.
22 That's why we're here, because we don't
23 want to have them cited.

24 COUNCILMAN DiCICCO: But if the
25 car were in, we'll call it, A, B and C --

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2 A and B, two valet. The car is in space
3 A, valet space A, and it's going to be
4 there more than 20 minutes, it was
5 moved -- just like people keep feeding
6 meters, if we moved it to space B --

7 MR. COHEN: Well, that's an
8 alternative.

9 COUNCILMAN DiCICCO: Is there a
10 way of relaxing some of that enforcement
11 regulation in valet zones without doing
12 it citywide or is it uniformity would
13 have to be --

14 MR. DICKSON: Mr. Chairman, we
15 can't enforce valet zones one way in
16 front of the Latham and another way every
17 other institution in the City. I mean,
18 people need to know what the rules are
19 wherever they may be.

20 And the other issue -- I mean,
21 at the last hearing, the testimony was
22 one of the reasons that this zone was
23 important was so that this vehicle could
24 be parked there and could be a symbol of
25 the status of this hotel.

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2 COUNCILMAN DiCICCO: I never
3 really bought that, because it's going to
4 move. The purpose of it being there is
5 that if someone needs it to go from Point
6 A to Point B, for whatever it is, the
7 hotel is shuttling that person, it's
8 going to move. So, you know --

9 MR. COHEN: Mr. Varley has a
10 statement.

11 COUNCILMAN DiCICCO: I just
12 want to ask a question of you, sir, and I
13 asked it at the last hearing.

14 Without this parking
15 arrangement -- and correct me if I'm
16 wrong -- you would not be able to attain
17 the Preferred Hotel status?

18 MR. VARLEY: Well, it would
19 require some negotiation on our part with
20 them. It is one of the requirements of
21 the brand, and the challenge -- a couple
22 of the other challenges, if the car were
23 parked in a garage, part of the thing is
24 when someone is ready for the car,
25 they're ready for it now. I can't wait

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2 15 minutes for the car to be driven
3 around from a parking garage, that that
4 defeats the purpose of the service. The
5 Latham is only 130 rooms. There rarely
6 is any -- that valet spot is constantly
7 moved. I don't know what the percentage
8 of guests that are even bringing cars
9 into Philadelphia, but a good majority of
10 them fly in and don't even have cars. So
11 it really doesn't create any congestion
12 out there. From all the time, 16 years,
13 that I've been there, I've never seen it
14 backed up there congested, and that's the
15 challenge with the distance of parking it
16 further away.

17 COUNCILMAN DiCICCO: Thank you.

18 Councilman Green.

19 COUNCILMAN GREEN: Thank you.

20 COUNCILMAN DiCICCO: I'm sorry.

21 Did you have a statement you wanted to
22 make before that? No, okay.

23 Councilman Green.

24 COUNCILMAN GREEN: Thank you,

25 Mr. Chairman.

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2 I just have a couple of
3 questions. Obviously I certainly and I'm
4 sure my colleagues appreciate the fact
5 that you're investing in the City and
6 you're spending \$15 million here. I'm
7 just curious about the hotel in Boston
8 you referred to that has car service. Do
9 they have a dedicated street parking spot
10 for that car service?

11 MR. VARLEY: I couldn't answer
12 that specifically.

13 COUNCILMAN GREEN: I think the
14 answer is going to be no. And so my view
15 is that you can have your Preferred Hotel
16 agreement as long as you have a car. The
17 car doesn't have to be parked in front of
18 the hotel at all times.

19 I've used that car service from
20 many New York hotels when I stayed in New
21 York at various hotels and wanted a car.
22 I'd call down and say, I need a car in
23 ten minutes, and the car would be there,
24 and sometimes, as the Chairman pointed
25 out, the car was gone and wouldn't be

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2 back for 20, because it had to go
3 downtown or somewhere else.

4 And so I'm not sure I
5 understand why the hotel can't just, for
6 the same fee it would pay the City,
7 negotiate with a nearby lot, and there
8 are many, I guess it would be, north of
9 the portion of 17th that you need within
10 a couple of blocks that would dump you
11 onto 17th, so that you would have a spot
12 that would allow you to be at the front
13 door within a minute or two, and that
14 seems to me to be sort of like reasonable
15 and given -- I'd like you to comment on
16 that.

17 MR. VARLEY: Well, to the best
18 of our research, that isn't available.

19 COUNCILMAN GREEN: There's no
20 private lot that you can get a spot at?

21 MR. VARLEY: By the time the
22 associate would go from the hotel to go
23 get the car to bring it around, it would
24 be 15, 20 minutes. It defeats the
25 purpose of the service.

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2 COUNCILMAN GREEN: I've never
3 usually -- well --

4 MR. VARLEY: And then you got
5 to go back and park it and then five
6 minutes later, someone comes, you got --

7 COUNCILMAN GREEN: Somehow they
8 manage to do that in Boston, somehow they
9 manage to do that in New York, without
10 dedicated parking spots. I've never
11 stayed at a hotel where I called a car
12 where they had a dedicated parking spot
13 unless they had it on their premises.

14 MR. VARLEY: Well, this is
15 certainly dedicated parking spots in
16 Boston. What the arrangement they have
17 with the city, I have no idea, but these
18 are dedicated spots right in front of
19 this hotel in downtown Boston.

20 COUNCILMAN GREEN: Well, the
21 car may be sitting there, just as it
22 might in Philadelphia if you had three
23 spaces, two valet and one loading.
24 You've got to have somebody in it so it
25 can move when the Parking Authority comes

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2 by.

3 COUNCILMAN DiCICCO: What's the
4 maximum, Mr. Dickson, what is the maximum
5 time allowed in a loading zone?

6 MR. DICKSON: Passenger loading
7 zone is 20 minutes. Regular loading zone
8 is 30 minutes.

9 MR. POLLOCK: Councilman Green,
10 I did have a conversation with the
11 general manager at the -- it's called the
12 XV Beacon Hotel and I also had a
13 conversation with a general manager out
14 at the Hotel Teatro in Denver. In Boston
15 they have a valet license, but they also
16 have like a commercial parking vehicle
17 license that allows along the lines what
18 you're suggesting, that allows you to
19 stay in an area for more than 20 minutes
20 or something like that. And so that you
21 could maybe create something -- I mean,
22 we still feel that what we're asking for
23 is a legitimate use, and I know at the
24 last hearing, Councilman DiCicco, you
25 realized that there are certain

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2 situations where spaces have been carved
3 out for a special service down around
4 Independence Hall to have their own
5 space. So that there has been a
6 dedication of public space for a basis.
7 But there has been in other
8 jurisdictions -- Houston also had it --
9 where you could create a license where
10 you can allow a vehicle with that license
11 to stay in a spot for a little bit longer
12 than the 20 minutes that we're talking
13 about.

14 COUNCILMAN GREEN: We have such
15 a license in the City of Philadelphia.

16 MR. POLLOCK: But I don't think
17 it's for this kind of --

18 COUNCILMAN GREEN: For a
19 commercial --

20 MR. POLLOCK: -- for this kind
21 of a vehicle.

22 COUNCILMAN GREEN: Well, we
23 have such a license for contractors.

24 MR. POLLOCK: But we're not a
25 contractor.

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2 COUNCILMAN GREEN: But it seems
3 to me that the proper approach here is to
4 come up with something within our current
5 regulatory or other construct for
6 commercial vehicles and not create the
7 precedent of creating this possibility in
8 the public right-of-way of streets in
9 front of any hotel in the City who meet
10 certain criteria, because while we're
11 sitting here and discussing the Latham
12 and whether it can hold three or four
13 spots, this bill would apply to any
14 similarly situated hotel that meets
15 certain criteria, and to me, that's not
16 the policy for us to just sit here and
17 say maybe we can allow this to happen
18 anywhere, without knowing where that is
19 in advance, without having Streets and
20 the Parking Authority commenting on it as
21 that particular spot comes up. I
22 personally would like to help you find a
23 way to do this with some sort of
24 commercial license rather than creating
25 this precedent and potentially allowing

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2 it in places where it would be far worse
3 for the street than the Latham would be
4 with three spots in front of it. So for
5 that reason, hearing what I've heard so
6 far, I'm going to vote against this bill
7 if you move it.

8 COUNCILMAN DiCICCO: We have
9 actually -- we've tried to put the great
10 minds together to figure that very issue
11 out, and I know Councilman Jones has been
12 waiting. Do you have a comment on that?

13 MR. VARLEY: Yeah, just one
14 other comment. I think in the beginning
15 of -- there is a real distinction between
16 hotels and someone like Urban Outfitters
17 asking for a parking spot. I mean, the
18 hotels, this is for tourism for the City
19 of Philadelphia, and to make the
20 correlation that every person and every
21 resident, every business would want a
22 business space, a spot, that really
23 doesn't fly. I think the hotels are very
24 unique to the cause.

25 COUNCILMAN GREEN: But the

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2 problem is, each hotel, some are on
3 streets that are one width wide, some are
4 on streets that are two wide, et cetera,
5 and we're applying this without knowing
6 which hotels will take it up and how it
7 will impact the rest of that street. And
8 so while I agree with your sentiment and
9 agree that we want to promote and
10 encourage tourism, it's certainly been
11 very important in the City of
12 Philadelphia since it became something
13 that we started promoting in the early
14 1980s --

15 MR. VARLEY: Which you've done
16 a great job with, by the way.

17 COUNCILMAN GREEN: Thank you.
18 But, you know, I don't want to apply a
19 general rule without knowing how it will
20 apply on the street in front of a
21 particular hotel, and it seems to me that
22 there may be some other compromise here.

23 So I agree with your sentiment,
24 but application in front of a particular
25 hotel I don't agree with just because

1 11/29/11 - STREETS - BILL 110308, ETC.

2 it's a hotel that it's appropriate.

3 MR. POLLOCK: Well, the bill
4 was not tailored just to the Latham. The
5 bill was tailored also that -- that's
6 why --

7 COUNCILMAN GREEN: Mr. Pollock,
8 that's exactly my point. We're talking
9 about potentially making it available all
10 over the City inappropriately without
11 hearings on that, that we don't know
12 where else it's appropriate, but it would
13 be allowed of right because we passed
14 this bill, without having a public
15 discussion about whether it's appropriate
16 on that street or in the right-of-way.

17 So that is exactly my point,
18 that this is broader than the Latham,
19 this bill.

20 MR. POLLOCK: If you want to
21 narrow it, we'll narrow it.

22 MR. DICKSON: I think I can
23 commit -- well, the Executive Director is
24 here. He can commit the Parking
25 Authority to working with the Latham and

1 11/29/11 - STREETS - BILL 110308, ETC.
2 any other hotel to ensure that they have
3 the ability to provide the service
4 without taking what we see as a portion
5 of the public roadway and converting it
6 to exclusive private use, just as we have
7 done with the other bill that's coming
8 before this Committee today to deal with
9 hotel issues.

10 COUNCILMAN DiCICCO: Councilman
11 Jones.

12 COUNCILMAN JONES: Let me ask a
13 couple of questions leading to a point.

14 What is the total project cost
15 of your hotel and its improvements?

16 MR. VARLEY: Well, of the
17 renovation?

18 COUNCILMAN JONES: How much is
19 the hotel worth?

20 MR. VARLEY: How much is the
21 hotel worth?

22 COUNCILMAN JONES: Yeah.
23 Roughly. Give me a --

24 MR. VARLEY: I'd have to run
25 some numbers. A hundred million dollars.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN JONES: Say it
3 again.

4 MR. VARLEY: A hundred million
5 dollars.

6 COUNCILMAN JONES: And you're
7 talking about putting how much in the
8 expansion?

9 MR. VARLEY: Fifteen million.
10 Well, that's after the renovation.

11 COUNCILMAN JONES: After
12 renovations.

13 MR. VARLEY: No, not a hundred
14 million. Maybe 50 million.

15 COUNCILMAN JONES: Let's not
16 quibble over --

17 MR. VARLEY: You kind of threw
18 me off on this.

19 MR. POLLOCK: It's been a while
20 since he played Monopoly.

21 COUNCILMAN JONES: What is your
22 annual tax contribution to the City of
23 Philadelphia, roughly?

24 MR. VARLEY: I have no idea.

25 COUNCILMAN JONES: You don't

1 11/29/11 - STREETS - BILL 110308, ETC.

2 know how much you give us?

3 MR. VARLEY: I oversee a
4 hundred hotels. I can get that number
5 for you, though.

6 COUNCILMAN JONES: But it's
7 substantial.

8 MR. VARLEY: I'm sure, yeah.

9 COUNCILMAN JONES: How many
10 employees do you have?

11 MR. VARLEY: We have 30
12 employees. We'll probably be up to 40
13 when the restaurant opens.

14 COUNCILMAN JONES: What's the
15 difference between hotel billable rates
16 in a one-star hotel versus a four-star,
17 which you're trying to get, Preferred?

18 MR. VARLEY: The rates on a
19 two-star hotel or so in the City is
20 probably 119, 120. The rates we hope to
21 achieve are \$200, \$300 a night.

22 COUNCILMAN JONES: And most of
23 these are going to be visitors to the
24 City of Philadelphia, who we want to have
25 them spend as much as possible while

1 11/29/11 - STREETS - BILL 110308, ETC.

2 they're here, right?

3 MR. VARLEY: Right. We're
4 looking for people who want to spend a
5 lot of money.

6 COUNCILMAN JONES: Okay. So
7 for me, what is the difference between
8 when we cater to a restaurant and we give
9 valet parking privileges and take away
10 spots based on revenues to the City of
11 Philadelphia versus what we've done for
12 hundreds of businesses, giving them
13 public property, inducing them to stay or
14 expand in the City of Philadelphia versus
15 what we are doing here? Before the Great
16 Recession, new bank accounts got free
17 toasters. I mean, gee, we're talking
18 about one parking spot, and I just don't
19 understand why we can do so much for
20 Comcast, but not do something for hotels
21 that rely on this kind of catering and
22 preferential treatment to its hotel
23 guests, that we can't do that. I don't
24 understand why this is so different.

25 COUNCILMAN GREEN: First --

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2 COUNCILMAN JONES: That wasn't
3 about you, but I meant the Parking
4 Authority.

5 COUNCILMAN GREEN: I
6 understand, but the answer to the
7 question from my perspective is that
8 we're talking about dedicating a street's
9 use for one party. Valet zones have to
10 be vacated in 20 minutes. We're talking
11 about the potential of finding a way for
12 them to use the valet zone in front of
13 their hotel for just the purpose that
14 we're talking about. They do have a
15 valet zone in front of their hotel, just
16 like restaurants that we permit all the
17 time, and they're paying for that permit,
18 and we're talking about expanding that by
19 one spot, and I think that it's
20 appropriate, as you're suggesting, to be
21 accommodating. I don't think -- this
22 bill does not help just the Latham. It
23 helps any hotel that meet certain
24 criteria anywhere in the City, and we
25 don't know what the possibility of that

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2 is. And so for that -- I mean, we could
3 make the same argument about every large
4 commercial building in the City which are
5 worth hundreds of millions of dollars,
6 they should have their own parking spot
7 because of the investment they're making,
8 any new hotel that's being built. I
9 mean, it's just the question of
10 dedicating the public street for one
11 individual's use as a precedent and
12 applying that citywide, without knowing
13 where or how it will impact us anywhere
14 else, doesn't seem to me to make sense as
15 a policy for the City going forward. So
16 that's my objection to the bill and why
17 I'll be voting against it.

18 COUNCILMAN JONES:

19 Mr. Chairman?

20 COUNCILMAN DiCICCO: Councilman
21 Jones.

22 COUNCILMAN JONES: I've sat on
23 this Committee, which is one, for the
24 record, since everyone is giving our
25 Chairman praises today, the hardest

1 11/29/11 - STREETS - BILL 110308, ETC.
2 working committee in Council, and our
3 Chairman is a great chairman and will be
4 missed. But I know this Committee has
5 struck streets for a number of occasions
6 to assist in economic expansion
7 throughout my tenure here. So, I mean,
8 it's not a precedent that we're setting
9 here. So that's my only comment, and
10 thank you, Mr. Chairman.

11 COUNCILMAN DiCICCO: Any other
12 questions?

13 (No response.)

14 COUNCILMAN DiCICCO: Anyone
15 else here who wishes to testify?

16 Mr. Blount.

17 (Witness approached witness
18 table.)

19 MR. BLOUNT: Good morning,
20 members of Council. My name is Ronald
21 Blount. I'm with the Taxi Workers
22 Alliance of Pennsylvania representing
23 1,200 of the 5,000 taxi drivers in the
24 City. And as many of you guys know, taxi
25 drivers are the near poor, working 12 to

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2 16 hours a day, six to seven days a week.
3 And we start each day negative, over \$70
4 to rent our cabs, \$50 for fuel and
5 maintenance, and then with the help of
6 the Parking Authority, hotel
7 associations, restaurants, we did a
8 hospitality initiative in the taxi
9 industry. We started accepting credit
10 cards, GPS. The cars are better, the
11 drivers are better. We made much
12 commitment. Drivers are still making
13 less income.

14 So what this bill, from our
15 perspective, will do will further reduce
16 drivers' income. They'll be sitting in
17 front of hotels not making nothing.
18 Twenty percent of our income come from
19 these hotels.

20 We can be there in two seconds.
21 You need to go to the airport? We can be
22 there in two seconds. You need to go to
23 the courthouse? We can be there in one
24 second. We can do that.

25 COUNCILMAN DiCICCO: To that

1 11/29/11 - STREETS - BILL 110308, ETC.

2 point, I want to ask you a question. Who
3 would be the driver or who would be
4 designated to drive these vehicles?
5 Would they be hotel employees?

6 MR. VARLEY: Yes. It would be
7 hotel employees. We would not charge for
8 the services, and it would not include
9 airport runs. It would be limited to a
10 two-mile radius of the hotel.

11 COUNCILMAN DiCICCO: I thought
12 you testified the last hearing the same
13 way.

14 I do have one other question, I
15 guess comment, about dedicating on-street
16 spaces for businesses. We do have taxi
17 loading zones, don't we? We have taxi
18 loading zones in the City of
19 Philadelphia?

20 MR. BLOUNT: Yes, we do. Not
21 at the Latham. Not at the Latham or not
22 at the Radisson.

23 COUNCILMAN DiCICCO: We are
24 dedicating spaces on a City street in
25 Philadelphia specific for a business,

1 11/29/11 - STREETS - BILL 110308, ETC.

2 which is taxi business.

3 MR. DICKSON: May I?

4 COUNCILMAN DiCICCO: Yes.

5 MR. DICKSON: We dedicate
6 certain spaces --

7 COUNCILMAN DiCICCO: Get my
8 chair or slide it up.

9 MR. DICKSON: We dedicate
10 spaces to a class of vehicles, all of
11 which have equal access to those spaces.
12 We have never dedicated a space for the
13 exclusive --

14 COUNCILMAN DiCICCO: But it's
15 an industry. It's an industry that has
16 dedicated on-street parking? Maybe --

17 MR. DICKSON: No. They don't
18 have dedicated on-street parking. They
19 have a dedicated area in which they can
20 wait for a hail. It's not -- they can't
21 just park their car there and leave it
22 for a day.

23 COUNCILMAN DiCICCO: Is there a
24 limit to how long the taxi could be in
25 that space?

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2 MR. DICKSON: The driver has to
3 stay with the vehicle. It can't be an
4 unattended vehicle.

5 COUNCILMAN DiCICCO: But is
6 there a limit to how long the driver has
7 to stay with that vehicle?

8 MR. DICKSON: We do not have a
9 time limit on that space.

10 COUNCILMAN DiCICCO: Thank you.

11 Any other questions?

12 Councilwoman Miller.

13 COUNCILWOMAN MILLER: Hi.

14 Thank you.

15 So the space that's -- I'll
16 describe it as the taxi space or the
17 hotel space, is really for either one?

18 MR. DICKSON: No. What's
19 contemplated here -- there are taxi zones
20 throughout, particularly Center City,
21 where taxis can wait for -- where people
22 generally congregate that need taxicab
23 service, and the driver stays with the
24 vehicle, the next person comes up and
25 they leave.

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2 What is being proposed here is
3 a reserved space that can only be used by
4 one vehicle owned by the hotel where it's
5 situated.

6 COUNCILWOMAN MILLER: And
7 that's because they'll be paying for that
8 space, correct?

9 MR. POLLOCK: Yes.

10 COUNCILWOMAN MILLER: The
11 taxi --

12 MR. DICKSON: There's a fee.
13 The proposed ordinance has a fee.

14 COUNCILWOMAN MILLER: Right.
15 But the taxi zones have no fee, correct?

16 MR. DICKSON: No. That's
17 because it is available to every taxicab
18 in the City of Philadelphia.

19 COUNCILWOMAN MILLER: All
20 right. Thank you.

21 COUNCILMAN DiCICCO: Thank you.

22 Any other questions for these
23 witnesses?

24 (No response.)

25 COUNCILMAN DiCICCO: Is there

1 11/29/11 - STREETS - BILL 110308, ETC.
2 anyone else here who wishes to testify on
3 this bill?

4 (No response.)

5 COUNCILMAN DiCICCO: Thank you
6 all. Appreciate it.

7 MR. COHEN: Thank you very
8 much.

9 COUNCILMAN DiCICCO: Please
10 read the title of the next bill.

11 THE CLERK: Bill No. 110827, an
12 ordinance amending Title 12 of The
13 Philadelphia Code, entitled "Traffic
14 Code," by further providing with respect
15 to valet parking permit fees; and by
16 authorizing the establishment of hotel
17 loading zones and providing for penalties
18 for illegally parking in such zones; all
19 under certain terms and conditions.

20 (Witnesses approached witness
21 table.)

22 COUNCILMAN DiCICCO: Before you
23 gentlemen get started, the same applies
24 to the Parking Authority. Their
25 interaction between this Committee and

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2 the Parking Authority, as everyone can
3 see, is pretty much constant. So I want
4 to thank you for the years of service and
5 cooperation. This was one of those areas
6 where I think we all would like to see
7 something happen, but how do we get there
8 is going to be -- it's still a challenge.
9 But I want to thank you publicly, Rick
10 Dickson, Vince Fenerty and the rest of
11 your team over at the Parking Authority.

12 Please proceed with your
13 testimony.

14 MR. DICKSON: I'll be
15 mercifully brief. The Parking Authority
16 has worked with Councilmember Kenney, the
17 Mayor's Office of Transportation and
18 Utilities and the Hotel Association to
19 craft a solution to a problem that
20 appeared with the way curb space in front
21 of hotels operates. What I believe this
22 ordinance does is take what has been
23 practiced for a number of years and
24 legalizes it. Many hotels had valet
25 zones installed to cover the entire

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2 length of the front of their space
3 because they needed to have access,
4 ongoing access, for people coming and
5 going to the hotel. The reality was that
6 much of that space was not used
7 exclusively for valet purposes, but was
8 used for other people, people or -- hotel
9 guests or people using restaurants or
10 other services who needed access to the
11 front of the hotel.

12 What this ordinance does is
13 permits a new hotel loading zone, which
14 would enable those people who are patrons
15 of the hotel for whatever purpose,
16 whether they be guests dropping off
17 someone, someone going to a restaurant
18 that needs to drop someone off or even a
19 vendor who needs to drop off supplies,
20 could use that space for those
21 hotel-related activities. It enables the
22 hotels to reduce the amount of valet
23 space that they have, which will save the
24 hotels money but, at the same time,
25 really recognizes that there are a whole

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2 host of demands on the curb space at the
3 hotel, and we tried to accommodate all of
4 those demands with this ordinance.

5 The difference between this and
6 what was proposed in the other one was
7 that only one vehicle could ever use that
8 space. This space allows anyone for a
9 period of time to use the space.

10 Certainly a hotel vehicle could stay
11 there. It just could not park there
12 indefinitely.

13 The difference from this and
14 what was proposed is that the other
15 ordinance permits the vehicle to stay
16 there from, I think, 9:00 a.m. until
17 10:00 p.m. This says they can only stay,
18 I believe, for a half hour.

19 COUNCILMAN DiCICCO: Please
20 proceed with your testimony.

21 MR. STOBBER: Good afternoon,
22 Councilman DiCicco and members of the
23 Committee on Streets and Services. My
24 name is Andrew Stober. I'm the Chief of
25 Staff in the Mayor's Office of

1 11/29/11 - STREETS - BILL 110308, ETC.

2 Transportation and Utilities. Councilman
3 DiCicco, on behalf of our office and the
4 Deputy Mayor, who couldn't be here today,
5 we just wanted to thank you for the
6 relationship that we've had in the last
7 four years and being able to work with
8 you and our office to try some new and
9 innovative things in your district with
10 your support, and it's been great to work
11 with you, and we'll certainly miss you.

12 COUNCILMAN DiCICCO: Thank you.

13 MR. STOBBER: I won't reiterate
14 what Rick said, but did want to add just
15 two things from our perspective.

16 One of the things that this
17 bill does, while we address the needs of
18 the hotel industry, is that we do
19 maintain the full-time valet parking fee
20 at \$2,500, and this is important for two
21 reasons. It provides revenue for the
22 enforcement required to maintain properly
23 functioning valet operations and also
24 causes those requesting valet spaces to
25 think carefully about what exactly their

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2 valet needs are. Every valet space is
3 typically a space taken away from the
4 availability for public parking, and
5 public metered parking in Center City at
6 even just 80 percent occupancy returns to
7 the City and School District upwards of
8 \$8,500 a year. So while the fees ensure
9 turnover at rates that make sure that
10 there's access to on-street parking for
11 visitors, reducing the valet rate for
12 zones that are used less than half the
13 time, as this bill does, is consistent
14 with an approach to pricing curbside
15 space in a way that reflects its
16 enforcement costs and its public value.

17 Happy to answer any questions
18 you may have.

19 COUNCILMAN DiCICCO: Thank you.

20 Mr. Fenerty, do you have
21 testimony?

22 MR. FENERTY: No.

23 COUNCILMAN DiCICCO: Thank you.

24 Councilman Green.

25 COUNCILMAN GREEN: Thank you.

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2 COUNCILMAN DiCICCO: Mr. Grose,
3 I'm sorry. Mr. Grose.

4 MR. GROSE: I can be quick.
5 I'm not going to repeat -- good
6 afternoon. My name is Ed Grose. I'm the
7 Executive Director of the Greater
8 Philadelphia Hotel Association.

9 The main purpose for us on this
10 bill -- and I'm just going to read the
11 sentence. This bill is necessary for us
12 to deflect the thousand percent increase
13 in valet curb space fees, which would
14 increase some hotels costs from \$2,000
15 annually to 20,000, or about 50 percent
16 of the cost of a housekeeper.

17 I'd also like to thank everyone
18 sitting at this table and Councilman
19 Kenney's office for working closely with
20 us on coming up with a solution that
21 wasn't perfect for everyone but was
22 something everyone can live with.

23 COUNCILMAN DiCICCO: Thank you.
24 Councilman Green.

25 COUNCILMAN GREEN: Thank you.

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2 So just a quick question. So
3 every hotel -- this is, I guess, for
4 Streets, if they're here, or the Parking
5 Authority. Every hotel has the right to
6 this valet spot -- to these kinds of
7 spots in front of the hotel?

8 MR. STOBBER: I can answer that.
9 It's only for hotel properties that lack
10 in off-street passenger loading and
11 unloading facility. So it's really to
12 address the needs of some historic
13 hotels.

14 COUNCILMAN GREEN: Yes. Okay.
15 So this would be a hotel like the Latham
16 or the Palomar?

17 MR. GROSE: Ritz Carlton.

18 COUNCILMAN GREEN: Ritz
19 Carlton. Okay. So here's my question:
20 The hotel is able to pay for the spaces
21 in front of it pursuant to this
22 ordinance, whatever the cost is per spot,
23 whatever spots are available. Is there
24 any reason why they couldn't have -- a
25 commercial vehicle owned by a hotel could

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2 not just be left in front of that hotel
3 in one of these spaces if they choose to
4 do so? It is in the hotel's interest to
5 make sure that traffic flow in front of
6 their hotel is appropriate to get guests
7 in and out. They're going to act in
8 their own rational interest. So why do
9 we need a -- when we are doing this, why
10 do we need a separate bill creating a
11 dedicated spot rather than just adding as
12 a permitted use for this space a
13 hotel-owned vehicle driven by a hotel
14 employee and they can leave it there and
15 take up a spot in front or not, if they
16 want, depending on the --

17 MR. FENERTY: There are several
18 reasons, Councilman.

19 COUNCILMAN DiCICCO: Vince,
20 please identify yourself.

21 MR. FENERTY: Vince Fenerty,
22 the Executive Director of the Parking
23 Authority.

24 Number one, in front of some of
25 these hotels, the space is very limited.

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2 So to park a hotel vehicle there, which
3 would not be a commercial vehicle, it
4 would be tagged as a passenger vehicle or
5 possibly a limousine according to the
6 size of it, it may or may not move.

7 Without pointing any fingers at any
8 hotels, but there are some in very close
9 proximity to City Hall where
10 Councilmembers are familiar, don't police
11 themself right now. They overuse the
12 valet zones. To let a hotel start
13 policing itself and the activity of its
14 own vehicle in front of there would not
15 be in the best public interest, in my
16 opinion, Councilman. And I'm open to
17 finding whatever type of solution there
18 is to this, but to allow a hotel vehicle,
19 which would be marked or unmarked, just
20 park there all day would not be good. I
21 think on a street like 16th, 17th or 8th
22 Street, some which have hotels, if you
23 start stacking vehicles and using a
24 vehicle that just sits there waiting for
25 a certain type of clientele, you're

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2 taking away valuable curb space. You're
3 having your valets load from the
4 operating lane, the center operating
5 lane, and traffic gets backed up. And
6 we're just trying to ease the congestion
7 in Center City.

8 COUNCILMAN GREEN: Prior to
9 becoming a Councilperson, I have paid
10 valets 10 or 20 bucks to leave my car in
11 front of the hotel and run around and do
12 some shopping. So I'm familiar with what
13 you're talking about and nowhere to go to
14 do that. So I understand.

15 Thank you.

16 MR. FENERTY: You're welcome.

17 COUNCILMAN DiCICCO: That's
18 called the grant system, G-R-A-N-T.

19 Any other questions from this
20 Committee?

21 (No response.)

22 COUNCILMAN DiCICCO: Is there
23 anyone else here who wishes to testify on
24 this bill?

25 I know we're running a little

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2 bit late. There's the Committee of L&I
3 that was scheduled at 3 o'clock. We have
4 one more bill and then we'll be voting on
5 these bills rather quickly.

6 MR. FENERTY: Councilman, if I
7 may have 30 seconds. I know there's a
8 Parking Authority bill coming up next.
9 I'm leaving that in the hands of my able
10 staff. I will be leaving. But I
11 specifically came down here today to
12 appear in the last Streets and Services
13 Committee meeting which you will chair.
14 I go back probably with you maybe longer
15 than anyone sitting here, back to our
16 early days at Traffic Court when I was
17 there as a Parking Authority liaison 28
18 and a half years ago. You taught me many
19 things. You helped us along when the
20 Parking Authority first started.

21 COUNCILMAN DiCICCO: I taught
22 you how to stay out of trouble, right?

23 MR. FENERTY: You did. And we
24 both managed in our careers to stay out
25 of trouble.

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2 It's always been a pleasure
3 working with you. You then came here.
4 You've always treated the Parking
5 Authority honorably, and I hope the
6 Parking Authority has done back.

7 COUNCILMAN DiCICCO: Thank you.

8 MR. FENERTY: And I want to
9 thank you for your service as Chair of
10 this Committee, and I'd also like to
11 thank Councilwoman Miller, who is also
12 retiring, for all of the good work she
13 gave to this Committee on behalf of the
14 Parking Authority. And I would
15 personally like to give you my personal
16 applause.

17 (Applause.)

18 COUNCILMAN DiCICCO: Thank you.
19 Thank you. Thank you, Vince. I
20 appreciate it.

21 Please read the title of the
22 next bill.

23 THE CLERK: Bill No. 110828, an
24 ordinance amending Chapter 12-2900 of The
25 Philadelphia Code, entitled "Contractor

1 11/29/11 - STREETS - BILL 110308, ETC.
2 Parking," by renaming said Chapter
3 "Special Purpose Parking"; and by
4 providing for parking permits for
5 specified purposes in addition to
6 contractor parking, including, but not
7 limited to, home health care and real
8 estate agent services; all under certain
9 terms and conditions.

10 COUNCILMAN DiCICCO: Please
11 proceed with your testimony.

12 MR. STOBER: Good afternoon,
13 Chairman DiCicco and members of the
14 Committee on Streets and Services. My
15 name is Andrew Stober and I serve as
16 Chief of Staff in the Mayor's Office of
17 Transportation and Utilities. I'm here
18 today to share the Administration's
19 concerns about this bill.

20 We do not support this bill,
21 which allows for the creation of special
22 purpose parking permits for real estate
23 agents and home health professionals.
24 This measure will begin a serious and
25 inevitable erosion of the City's

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2 residential permit parking program and
3 parking management programs. The
4 qualification of real estate agents for
5 special parking privilege will establish
6 a precedent for all small businessowners
7 and employees to be exempt from meter
8 parking fees and time limits. An
9 exemption for home health professionals
10 will establish a precedent for other
11 service providers to be exempt from fees
12 and time limits. Clergy, teachers,
13 tutors, social workers and other helping
14 professions have been requesting this for
15 many years. These permits will be
16 difficult, if not impossible, to enforce
17 against when they are used for
18 non-business purposes.

19 While the goal of supporting
20 real estate agents and home health
21 professionals is laudable, the list of
22 exempted groups will grow and the
23 function of residential parking and meter
24 parking programs will become untenable.
25 Residents will not be able to find

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2 parking and metered parking spaces will
3 not be available to the general public.
4 The breakdown in the parking system will
5 lead to double parking and the traffic
6 jams that inevitably follow.

7 The Philadelphia Parking
8 Authority currently offers day passes for
9 specific residential parking areas to
10 meet the needs of non-residents who
11 require parking in a permit area for in
12 excess of two hours. This system
13 protects residents and ensures
14 non-residents access to permitted areas
15 with a level playing field for all
16 non-resident drivers.

17 We'll join the Parking
18 Authority in recommending that this
19 legislation not be passed out of
20 Committee, and I'm happy to answer any
21 questions you have.

22 COUNCILMAN DiCICCO: Mr.
23 Dickson.

24 MR. DICKSON: Thank you, Mr.
25 Chairman. Like Mr. Stober's testimony,

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2 we're extremely concerned that the
3 proliferation of these permits will lead
4 to the situation where those people who
5 actually want to spend money in our
6 stores are not able to have access to
7 businesses. I certainly support the
8 activity of real estate agents and home
9 health care aides, and we think that
10 there are legitimate ways that they can
11 find to do their job. Unfortunately
12 sometimes paying for parking is the cost
13 of doing business.

14 There are certainly cases that
15 could be made for members of the clergy
16 or the person that works in the corner
17 grocery store who needs to drive to work
18 or, for that matter, members of City
19 Council who think that it would be better
20 for them if they were not subject to the
21 rules that everybody else is. But if we
22 keep looking at this as a way to just
23 provide free parking for special groups
24 of people instead of those -- these are
25 people who are being paid to do their

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2 jobs. If we keep giving them free
3 parking, those people who are paying to
4 support the businesses that pay the taxes
5 and do the other things won't have access
6 to those places as well. So we really
7 would object to the favorable
8 consideration of this bill.

9 COUNCILMAN DiCICCO: Thank you.

10 Any questions from this
11 Committee for these witnesses?

12 (No response.)

13 COUNCILMAN DiCICCO: Anyone
14 else here to testify on this bill? I see
15 a bunch of realtors out in the audience.
16 So you all decide for yourself and in
17 what order.

18 (Witnesses approached witness
19 table.)

20 COUNCILMAN DiCICCO: Diane,
21 nice to see you. I'm sorry I didn't get
22 a chance to say hi earlier.

23 Good afternoon, and decide
24 among yourself who is going to go first.

25 MS. BUTLER: I'll be speaking

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2 first.

3 COUNCILMAN DiCICCO: Please
4 identify yourself for the record and
5 proceed with your testimony.

6 MS. BUTLER: Good afternoon,
7 members of the Committee of Streets and
8 Services. My name is Mary Louise Butler.
9 I'm the President of the Greater
10 Philadelphia Association of Realtors, and
11 thank you for the opportunity to testify
12 today.

13 The Greater Philadelphia
14 Association of Realtors commends the
15 authors of this unique revenue-generating
16 consumer-friendly bill. Bill 110828 does
17 not create the need to raise taxes, fees
18 or cut vital services.

19 The proposed parking permits
20 for real estate licensees works in tandem
21 with the permits for contractors. Home
22 builders renovating dilapidated houses
23 and building new homes on abandoned lots
24 will need the assistance of the real
25 estate community to sell those houses.

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2 Together, generating revenue via transfer
3 taxes on the purchase of the lot or
4 renovation and once again generating
5 transfer taxes on the sale of the
6 finished dwelling. In addition, the real
7 estate commission generated by these
8 sales are, of course, subject to the
9 business privilege tax, thereby
10 generating even more revenue.

11 In an older historic city such
12 as ours, vehicle parking is challenging
13 as our streets were not built to provide
14 for this need. Most households today
15 possess two vehicles, consequently
16 complicating and limiting the limited
17 parking available even further. In the
18 normal course of a business day, hundreds
19 of our members are meeting potential
20 buyers and sellers in locations where
21 parking is just not available. Most have
22 to park illegally while illuminating
23 their signal flashers or posting notices
24 on their windshields, hoping that an
25 understanding member of the Parking

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2 Authority or Police Department will
3 realize that touring a house with a buyer
4 should not last more than 20 minutes.

5 The more time-consuming function of our
6 licensees would be attending building
7 inspections and hosting open houses for
8 our consumers, which can last 90 minutes
9 to two hours. We recognize that these
10 parking enforcement officials are doing
11 their job. The result has been the
12 ticketing of many real estate licensees'
13 vehicles, whose jobs provide far more
14 recurrent tax revenue to the City than
15 those generated by parking ticket fees.

16 The attraction of purchasing
17 parking permits by licensees is,
18 therefore, apparent. If every licensee
19 in Philadelphia totalling 3,863,
20 including the 2,000 members of the
21 Greater Philadelphia Association of
22 Realtors, purchased a permit, it would
23 generate revenue to the City in the
24 amount of \$772,600. In addition,
25 licensees from suburban townships would

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2 be more inclined to do business here,
3 counteracting our "it's too difficult or
4 too costly to find parking in the City"
5 reputation. Those real estate sales
6 would once again generate revenue via
7 transfer and business privilege taxes.

8 We've been aware of concerns
9 regarding the policing and potential for
10 abuse of this privilege. If agreeable
11 with the Philadelphia Parking Authority
12 and City Council, the Greater
13 Philadelphia Association of Realtors
14 hereby offers its cooperation in the
15 application, issuance and enforcement of
16 violations of those permits which
17 involves any member of the Association.

18 As a reminder, this legislation
19 is only a pilot program. Therefore, in
20 May of 2013 if City Council is not
21 pleased with the results of Bill 110828,
22 the members can terminate it. We as an
23 Association will do all that we can to
24 make it a success for our members as well
25 as profitable for the City.

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2 Thank you for your time,
3 Councilman Jones -- Councilman Jones is
4 gone -- Green, Chairman DiCicco,
5 Councilman Greenlee.

6 COUNCILMAN DiCICCO: Thank you.

7 MR. McCANN: Hello, Councilman
8 DiCicco, members of staff. Thank you for
9 hearing us. I appreciate it.

10 I write in support of the
11 parking --

12 COUNCILMAN DiCICCO: Please
13 identify yourself.

14 MR. McCANN: I'm sorry. I'm
15 Mike McCann. I represent the Greater
16 Philadelphia Association of Realtors, and
17 I'm a realtor.

18 I write in support of the
19 parking legislation before you to allow
20 realtors in the City of Philadelphia to
21 purchase place cards, similar to the ones
22 allowed for contractors, allowing
23 realtors to park for a limited timeframe
24 in the City. It's not setting a
25 precedent. It is one already set. We're

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2 not asking for it for free. We're
3 willing to pay for it.

4 If you take someone out and
5 you're an ambassador and you show them
6 around the City, you're parking your car
7 5, 10, 15 times. You're going in the
8 home 10, 15, 20 minutes. You're moving
9 your car. It's very difficult getting in
10 and out, finding a meter, putting it in
11 and all that stuff. And then you come
12 back and you get a ticket. And I could
13 take a buyer out for three hours and get
14 two or three tickets. It's kind of
15 discouraging. It doesn't look good for
16 us or the people we're taking around the
17 City.

18 But more than contractors, we
19 bring huge revenue to the City in the
20 form of transfer tax, business privilege
21 taxes, net profit taxes, property taxes,
22 jobs, gross receipts and additional
23 spending in the City. We're
24 self-employed. We're not paid by the
25 hour or we get paid for doing it. We're

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2 self-employed.

3 Our business is down over 50
4 percent. Sales are way down. We're
5 working 14, 12 hours a day. We're not
6 asking for anything for free. We're
7 asking something that would just enhance
8 us being goodwill ambassadors to the
9 City.

10 We sell the positive aspects of
11 Philadelphia, promoting new residents
12 daily. No professionals are bigger
13 cheerleaders for our city since our very
14 survival depends upon it. At this time,
15 it's not only difficult to find spots --
16 we already went into that.

17 So please consider passing this
18 resolution as an act of good faith for
19 one of the hardest hit professions during
20 this economic downturn, especially since
21 realtors and real estate-related
22 businesses bring in such a huge revenue
23 to the City.

24 Thank you very much.

25 COUNCILMAN DiCICCO: Just

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2 before you go on, Kathy, the number of
3 realtors in the City of Philadelphia,
4 does anyone have that?

5 MS. BUTLER: It's about 3,863.

6 COUNCILMAN DiCICCO: Thank you.

7 Please, Kathy. I'm sorry.

8 MS. CONWAY: Good afternoon,
9 Councilman Chairman DiCicco. How are
10 you? And other Councilmembers. I'm
11 Kathy Conway. I'm a realtor with
12 Prudential Fox & Roach for the last 25
13 years.

14 I'd like to just explain what I
15 believe a real estate agent in the City
16 of Philadelphia is.

17 We are professionals. We are
18 diplomats. We are ambassadors to our
19 great city. We create millions of
20 dollars a year in revenue between
21 transfer taxes, real estate taxes and
22 City wage taxes, as well as the revenue
23 from the ripple-down effect of our sales.

24 I have many Parking Authority
25 nightmare stories that I will spare you,

1 11/29/11 - STREETS - BILL 110308, ETC.

2 but I can tell you that in one year I
3 received 72 tickets, all of which I paid,
4 and 99 percent of them were just from
5 expired meters, just because someone
6 needs to have more attention, a buyer
7 wants some questions answered. I
8 literally got one ticket dropping a
9 person off on Walnut Street. While he
10 was getting out of my car, they were
11 writing me a ticket, which all we're
12 asking for is some courtesy and a little
13 bit of grace.

14 I believe this new legislation
15 will definitely generate income to our
16 City without raising taxes because of the
17 permit costs they will be. This is a
18 pilot program and can be rescinded in a
19 year.

20 I would like to thank
21 Councilman Kenney for introducing this
22 bill, and please pass this important
23 bill.

24 Finally, I would like to, even
25 though Councilman DiCicco is not here,

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2 thank him for all of his 16 years of
3 service to our great city.

4 Thank you.

5 COUNCILMAN GREENLEE: Thank
6 you.

7 Anyone else who wants to
8 testify?

9 MR. ATACAN: Hi. My name is
10 Antonio Atacan. I'm a broker with Keller
11 Williams. I've been selling real estate
12 in Philadelphia 15 years and I want to
13 make sure that my point is clear to you,
14 you Councilmens.

15 It's almost impossible to show
16 real estate in Philadelphia and not
17 getting a ticket basically, because the
18 dynamics are such set that it's
19 technically when you're selling a
20 property, I mean, you could be spending
21 five minutes to two hours. You have no
22 way of controlling it. You could be
23 parking your car three hours away and not
24 be able to leave the property, because
25 you cannot leave the property with a

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2 client technically, because there's a lot
3 of liability component. This is not
4 something you're looking at and say is a
5 privilege. It's more of a necessity.
6 And it really brings the morale down.
7 And we're trying to promote the City here
8 and be dealing with the consumer coming
9 from New York to cross country, and
10 they're kind of laughing at us in a
11 sense. We're saying, look, profit
12 parking because they're so efficient,
13 they have a TV show about it. We see
14 why.

15 We just need that balance here.

16 I understand that if you don't look for
17 our interest, who is going to look for
18 our interest? Because we're individual
19 entrepreneurs. We don't have a union
20 behind us. We don't have a big
21 corporation behind us. We're all
22 self-employed here. So if you don't look
23 for our best interest, nobody is going to
24 look for it.

25 So I hope that you take this

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2 into serious consideration. This is not
3 something because we feel entitlement to.
4 I hope that you understand my point.

5 COUNCILMAN GREENLEE: Anyone
6 else want to testify?

7 MR. BARRY: Yes. Good
8 afternoon. My name is Jack Barry,
9 Greater Philadelphia Association of
10 Realtors. I practice in Center City
11 Philadelphia, and while my co-workers
12 here have explained thoroughly why this
13 would be a good idea, I would just like
14 to speak briefly about the opposition
15 that we face in the Administration and
16 from the Parking Authority.

17 We're not asking for a free
18 ride here. We're willing to pay \$200 for
19 these permits, just like the contractors
20 that currently have them do. The
21 Administration and the Parking Authority
22 feel that the whole entire parking scheme
23 may be threatened by these permits and
24 even Parking Wars may even be cancelled
25 if we get parking permits for our cars,

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2 and it's just simply not the case.

3 The threat of abuse is very
4 clearly -- would be monitored by City
5 Council and the Parking Authority as it
6 is now for the contractors. This is a
7 great revenue stream. Over 3,000
8 licensed realtors in the City of
9 Philadelphia -- those numbers are from
10 November 22nd of this year. This could
11 be a great revenue stream without
12 taxation. And as the Parking Authority
13 states, other groups want to get permits?
14 Allow them to, too. There's plenty of
15 parking spots out there in certain
16 sections of the City. There's very few
17 spots, very few places where it's hard to
18 park your car. I'm out there all day
19 long. You don't have to drive more than
20 a block.

21 COUNCILMAN DiCICCO: I don't
22 think you want to go there. You're
23 making an argument against this. If
24 there are that many spaces, why would we
25 need to have special permits issued?

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2 MR. BARRY: For revenue.

3 COUNCILMAN DiCICCO: No.

4 MR. ATACAN: I think what he's
5 trying to point out is basically you're
6 not generating enough revenue in those
7 areas. This will be an additional
8 revenue. Obviously this is not an issue
9 in Center City. We're talking about
10 areas that not enough activity, but
11 you're not generating enough income for
12 the City. That's the point.

13 And the second thing is, I
14 don't know how intelligent, smart about
15 not getting a ticket. You're going to
16 get a ticket. I just want to make sure
17 that you understand that.

18 COUNCILMAN DiCICCO: I have a
19 councilmanic placard and I'm City-owned
20 car and I get tickets, but when I had a
21 City car eight years ago, I was getting
22 tickets. They are proficient.

23 MR. ATACAN: They're
24 unbelievable.

25 COUNCILMAN DiCICCO: Councilman

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2 Greenlee.

3 COUNCILMAN GREENLEE: Thank
4 you.

5 I guess, Mr. Barry, maybe you
6 brought up another issue. Is the purpose
7 of this to try to find parking spots or
8 to raise revenue? I guess I'm lost after
9 your statement. I'm a little lost.

10 MR. BARRY: It's for both.

11 COUNCILMAN GREENLEE: Okay.

12 Now, I guess the trouble I have with this
13 bill, quite frankly, is -- and I
14 understand, realtors do a great job. I'm
15 glad property is selling. I'm glad all
16 of that. But in the end, I mean, in all
17 fairness, you're salespeople, right?
18 That's what you are. Well, there's lots
19 of other salespeople in the City,
20 insurance, whatnot. I guess I question
21 why just real estate. I mean, health
22 care professional may be a little
23 different argument, but, again, with all
24 due respect to your profession, why do
25 you think it should be just real estate

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2 agents in this case?

3 MR. McCANN: If I may answer?

4 COUNCILMAN GREENLEE: Sure.

5 MR. McCANN: Because you're
6 physically taking someone in your car and
7 if you want to look at properties in town
8 today and I would set up ten properties,
9 I have to find ten parking spots to park
10 my car. You might like that house. You
11 might want to stay in there more than the
12 money I put in the meters. And our car
13 is our office. We're not sitting in a
14 beautiful building like this all day.
15 We're in and out of the car, and you're
16 probably taking out 30 or 40 appointments
17 throughout the week in and out of your
18 car, parking, moving. That's not
19 counting all the -- you're parking,
20 you're going to settlements and all that
21 stuff. That's a different issue. Coming
22 here today, I paid \$18 to park.

23 COUNCILMAN GREENLEE: But you
24 would be able to park in those situations
25 if you had that placard, right? I mean,

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2 they're not going to check to see if
3 you're carrying somebody around at that
4 moment.

5 MR. McCANN: You're going to
6 park in the spot with the placard because
7 you're showing properties.

8 COUNCILMAN GREENLEE: Or
9 meeting with somebody to talk about a
10 property.

11 MR. McCANN: That is correct,
12 yes, and going to someone's house.

13 COUNCILMAN GREENLEE: So you're
14 involved in sales, which is fine, but so
15 is somebody selling insurance.

16 MR. McCANN: Okay. What about
17 the contractors? Why do the
18 contractors --

19 COUNCILMAN GREENLEE: Well, I
20 think the difference there is, they're
21 providing a direct service at that
22 moment. For the most part, they're
23 fixing something. They're providing a
24 service.

25 MR. McCANN: But if they're

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2 going to be there in that one house, they
3 could find a real spot and stay there,
4 just like when I come to a settlement, I
5 know I'm going to be there for two hours,
6 I pay for my parking. But when I'm out
7 showing you properties and I'm running
8 around, I'm going from spot to spot
9 trying to find a spot, dropping people at
10 the house, finding a spot, running back
11 to the house, and that's what it is. If
12 I'm a contractor, I'm going to a site and
13 there's a parking lot here, I'm going to
14 pay there for the day, unload my stuff
15 and go pay there for the day. I don't
16 need that placard. But as realtors,
17 we're in and out all the time. If I have
18 a couple appointments, I'm going to my
19 office, I pay for parking. I'm coming
20 here, I pay for parking. It's being the
21 ambassador.

22 A home health care, I would
23 totally agree too, they're going in a
24 house for an hour or two. And so the
25 bottom line is, I probably spend three or

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2 four hundred dollars a month in parking
3 tickets, not counting the money I put in
4 the meters and not counting the money
5 that I pay to park at my garage or other
6 garages that I paid today. It's insane.
7 It's off the charts.

8 COUNCILMAN GREENLEE: But I'm
9 just wondering, don't a lot of other
10 salespeople that have to go back and
11 forth to see customers and go to
12 customers have the same problem? That's
13 my dilemma here.

14 MS. CONWAY: Councilman
15 Greenlee, I do not believe that. I think
16 that what sets us apart from a
17 salesperson or an insurance person is the
18 revenue and what we feel about our city.
19 We are your cheerleaders. We are the
20 ambassadors. We're the diplomats. And
21 honestly, we need that special privilege.
22 And just the revenue we bring in sets us
23 apart from other tradespeople.

24 COUNCILMAN GREENLEE: So it
25 really should be defined by how much

1 11/29/11 - STREETS - BILL 110308, ETC.

2 money you make?

3 MS. CONWAY: Not really. Not
4 how much we make. How much we make the
5 City. I'm not saying what -- we have no
6 special privilege. We're saying what
7 we --

8 COUNCILMAN GREENLEE: Well, but
9 this would be a special privilege, right?

10 MS. CONWAY: It's not a special
11 privilege. I think it's deserved, as a
12 contractor working in a house deserves
13 it.

14 COUNCILMAN GREENLEE: I hear
15 you. I understand what you're saying.
16 It's just I'm a little troubled by -- it
17 just seems like singling one type of
18 business out, which is really what you're
19 doing here, I just -- it bothers me a
20 little bit.

21 MR. ATACAN: May I say one
22 thing?

23 COUNCILMAN GREENLEE: Sure.

24 MR. ATACAN: I mean, the
25 distinction between an insurance

1 11/29/11 - STREETS - BILL 110308, ETC.
2 salesperson versus real estate person,
3 it's really two different animals. If
4 you own a property in Center City, if you
5 get in the car with me all day long, look
6 at houses, you probably maybe have a
7 better understanding what we go through.
8 I mean --

9 COUNCILMAN GREENLEE: I know a
10 lot of real estate agents.

11 MR. ATACAN: The reality is,
12 it's a very dynamic situation. It's not
13 static. We're going to get a ton of
14 tickets, going to get ton of tickets
15 unless you stop it. Bottom line. I
16 mean, there's no way I can be smarter
17 about this. It's just the way the cards
18 are dealt.

19 COUNCILMAN GREENLEE: I hear
20 you. I'll be honest with you, I just
21 have some trouble with this. It just
22 seems like it's singling out one
23 business, and I just have a little
24 concern about that.

25 MS. BUTLER: I do believe,

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2 Councilman Greenlee, it is singling out
3 one particular business, but to your
4 point, this sales business that we're in
5 is a unique product. It is not like any
6 other product that any other salesperson
7 would be engaged in in the City, so it
8 does lend itself more to the contractor
9 construct than the insurance salesman,
10 who has a list of clients he's going to
11 visit in any given day. So in that
12 regard, I think it does separate itself
13 and would hence generate this interest.

14 COUNCILMAN GREENLEE: Okay.

15 All right. I hear you. Thank you.

16 Thank you, Mr. Chairman.

17 COUNCILMAN DiCICCO: Councilman
18 Green.

19 COUNCILMAN GREEN: Thank you,
20 Mr. Chairman.

21 My questions are for the City.
22 So what is the time limit on this permit?

23 MR. DICKSON: Well, the
24 proposed time limit is three hours in
25 meter zones, time limit zones, unloading

1 11/29/11 - STREETS - BILL 110308, ETC.
2 zones.

3 COUNCILMAN GREEN: So my
4 question for you is, is there a -- I
5 think there are some exceptions where
6 it's two hours, but most places you can
7 put three hours on a meter, can't you?

8 MR. DICKSON: Most places it's
9 two hours. It's three hours in the
10 evening. I believe the testimony that I
11 heard was that people are in and out in
12 20 minutes. There seems to be the
13 perception from the testimony that
14 somehow this permit would exempt people
15 from parking tickets.

16 COUNCILMAN GREEN: I'm just --
17 okay. So the time limit is three hours?

18 MR. DICKSON: Yes.

19 COUNCILMAN GREEN: Does it
20 apply to any realtor licensed in the
21 State of Pennsylvania?

22 MR. DICKSON: This does.

23 COUNCILMAN GREEN: So you could
24 have someone from Gladwyne or Bryn Mawr
25 who is a realtor apply for this permit,

1 11/29/11 - STREETS - BILL 110308, ETC.

2 you'd give this permit, that person can
3 come in and shop on Walnut Street in less
4 than three hours and leave?

5 MR. DICKSON: Absolutely.

6 COUNCILMAN GREEN: So when you
7 talk about the ability to enforce this,
8 how do you actually -- if someone has the
9 permit in and they're there less than
10 three hours, what possible enforcement is
11 there --

12 MR. DICKSON: There is none.

13 COUNCILMAN GREEN: -- to make
14 sure that it's not being abused?

15 MR. DICKSON: There is none.

16 COUNCILMAN GREEN: That's what
17 I thought.

18 Thank you.

19 COUNCILMAN DiCICCO: Councilman
20 Jones.

21 COUNCILMAN JONES: I think the
22 realtors in this town do provide a
23 valuable service. It's value added by
24 way of the perception of new people who
25 come to the City of Philadelphia and are

1 11/29/11 - STREETS - BILL 110308, ETC.

2 treated and are received by these people.

3 But I could make that same argument for

4 pastors who visit a home. I could make

5 that assertion for the pizza delivery guy

6 who adds value at halftime to the

7 football game. None of them get those

8 special privileges, and I would think

9 that this body would be hard-pressed to

10 start to segregate out.

11 I think the compelling piece

12 was that so why should the contractor get

13 that kind of privilege. Well, if you're

14 hauling equipment up and down, proximity

15 matters. If you're hauling a briefcase

16 up and down, maybe a little less

17 proximity.

18 So I just don't think that this

19 bill does a one-size-fits-all kind of

20 thing, and, therefore, I would be

21 hard-pressed to vote for it.

22 Thank you, Mr. Chairman.

23 COUNCILMAN DiCICCO: Thank you.

24 Any other questions from this

25 Committee?

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2 (No response.)

3 COUNCILMAN DiCICCO: Is there
4 anyone else here who wishes to testify?
5 Please come back to the table.

6 MR. McCANN: We'd be very happy
7 with an hour. We don't need three hours.
8 The parking permit doesn't allow
9 proximity. It just allows you if you're
10 running over time. And, again, we're out
11 running around trying to park. If you
12 spent a day and were my driver, you would
13 absolutely see what we do in a day with
14 the consumer. There's 20 minutes in
15 front of businesses. There's free
16 parking around City Hall. There's a lot
17 of other special exceptions. And we're
18 not looking for special exceptions.
19 We're looking for -- we're doing business
20 in the City. We do provide a very big
21 service. Center City has grown 17,000
22 people in the last ten years, and a lot
23 of it is our blood and sweat. We're
24 asking, hey, can't you recognize what we
25 do for the City. You don't ticket the

1 11/29/11 - STREETS - BILL 110308, ETC.

2 UPS guy. They don't ticket a lot of
3 people.

4 COUNCILMAN GREEN: Yes, they
5 do.

6 MR. McCANN: Well, they do, but
7 they cut them a lot of breaks.

8 COUNCILMAN GREEN: No, they
9 don't.

10 MR. McCANN: I'm telling you,
11 we go in a house and we're in there three
12 extra minutes --

13 COUNCILMAN DiCICCO: UPS are --

14 MR. McCANN: But you see those
15 type of trucks all over the place. So,
16 again, we don't need three hours.

17 MR. ATACAN: What I heard from
18 earlier hearings, that I know you're very
19 focusing on making sure that you're
20 creating a win-win situation for, just
21 listening to your point on taxicab
22 drivers having the privilege to be able
23 to park because it supports their
24 business. We're not asking anything
25 really different than that. Rather than

1 11/29/11 - STREETS - BILL 110308, ETC.

2 telling us simply no, give us something.

3 Give us something that shows that you're

4 committed to help us. Don't shut us down

5 on the first try. That's what we're

6 looking for. I think that's fair. And

7 plus the (unintelligible). I mean, if it

8 doesn't work, you can always cancel us.

9 How is that?

10 COUNCILMAN DiCICCO: The

11 Committee will make that decision

12 shortly. Thank you.

13 Anyone else here to testify on

14 this bill?

15 (No response.)

16 COUNCILMAN DiCICCO: Seeing

17 none, that was the last bill, right?

18 THE CLERK: That is the last

19 bill.

20 COUNCILMAN DiCICCO: This

21 concludes the public hearing on the

22 Committee of Streets and Services. We

23 will now go into the public meeting.

24 The Chair recognizes Councilman

25 Greenlee.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 For the record, Bill No. 110840
3 is being held. All other bills are up
4 for consideration.

5 The Chair recognizes Councilman
6 Greenlee.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Chairman. Before I start that,
9 as the day has continued to be a
10 testimonial for Frank DiCicco, if I could
11 just say as a member of this Committee
12 for five years, I know Councilwoman
13 Miller for 16 years, I just want to give
14 you tremendous credit for all the work
15 you've done. It's been an absolutely
16 working committee. You've been very fair
17 to the Committee members, the
18 Administration and to all the public. So
19 you'll be commended, sir.

20 COUNCILMAN DiCICCO: Thank you.
21 Appreciate that.

22 COUNCILMAN GREENLEE: Getting
23 back to business here. Mr. Chairman, I
24 move that the following bills be reported
25 out of this Committee with a favorable

1 11/29/11 - STREETS - BILL 110308, ETC.
2 recommendation and that the rules of
3 Council be suspended to allow for first
4 reading at our next session of Council:
5 110308, 110309, 110520, 110647, 110663,
6 110720, 110721, 110734, 110735, 110736,
7 110737, 110738, 110765, 110767, 110785,
8 110786, 110794, 110795, 110796, 110797
9 110843 and 110849.

10 (Duly seconded.)

11 COUNCILMAN DiCICCO: It's been
12 properly moved and seconded that the
13 bills that have just been read into the
14 record be reported out of this Committee
15 with a favorable recommendation and that
16 the rules of Council be suspended so as
17 to permit first reading at our next
18 session of Council.

19 All in favor?

20 (Aye.)

21 COUNCILMAN DiCICCO: Those
22 opposed?

23 (No response.)

24 COUNCILMAN DiCICCO: Councilman
25 Greenlee.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 I'm asking consideration for
3 Bill No. 110828. I'm reporting Bill No.
4 110828 out of this Committee with a
5 favorable recommendation.

6 All those in favor?

7 (Aye.)

8 COUNCILMAN DiCICCO: Those
9 opposed?

10 (No.)

11 COUNCILMAN DiCICCO: Four no's;
12 one aye. The bill is defeated.

13 Bill No -- I move for the
14 amendment to Bill No. 110827.

15 (Duly seconded.)

16 COUNCILMAN DiCICCO: It's been
17 properly moved and seconded that the
18 amendment to Bill No. 110827 be approved.

19 All in favor?

20 (Aye.)

21 COUNCILMAN DiCICCO: Those
22 opposed?

23 (No response.)

24 COUNCILMAN DiCICCO: The
25 amendment is approved.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 I now move for the adoption of

3 Bill No. 110827, as amended.

4 All in favor?

5 (Aye.)

6 COUNCILMAN DiCICCO: Any no's?

7 (No.)

8 COUNCILMAN DiCICCO: Three

9 ayes; two no's. The bill is approved.

10 COUNCILMAN GREENLEE: Wait a

11 minute. Which one?

12 COUNCILMAN DiCICCO: 827.

13 (Off-the-record discussion

14 between Committee members.)

15 COUNCILMAN DiCICCO: Do you

16 want to call for another vote?

17 COUNCILMAN GREEN: Yes, please.

18 COUNCILMAN DiCICCO: We're

19 going to call that bill up for another

20 vote, for 110827, as amended.

21 All those in favor?

22 (Aye.)

23 COUNCILMAN DiCICCO: Those

24 opposed?

25 (No response.)

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN DiCICCO: The bill
3 passes.

4 Now move for the -- I move for
5 the approval of the amendment to Bill No.
6 110449.

7 (Duly seconded.)

8 COUNCILMAN DiCICCO: All those
9 in favor of the amendment?

10 (Aye.)

11 COUNCILMAN DiCICCO: I move
12 that Bill No. 110449, as amended, be
13 reported out of this Committee with no
14 suspension.

15 All in favor?

16 (Aye.)

17 COUNCILMAN DiCICCO: Nays?

18 (Nay.)

19 COUNCILMAN DiCICCO: The bill
20 is defeated.

21 I think that's it, isn't it?

22 COUNCILMAN GREENLEE: Donna's
23 bill.

24 COUNCILMAN DiCICCO: You can do
25 that.

1 11/29/11 - STREETS - BILL 110308, ETC.

2 COUNCILMAN GREENLEE: I'll do
3 that. Mr. Chairman, I move -- first I
4 move the amendment be adopted to Bill No.
5 110764.

6 (Duly seconded.)

7 COUNCILMAN DiCICCO: Move for
8 the adoption of the amendment.

9 (Aye.)

10 COUNCILMAN DiCICCO: The
11 amendment passes.

12 Councilman Greenlee.

13 COUNCILMAN GREENLEE: Mr.
14 Chairman, I move that Bill No. 110764, as
15 amended, be reported out of this
16 Committee with a favorable
17 recommendation.

18 (Duly seconded.)

19 COUNCILMAN DiCICCO: It's been
20 properly moved and seconded that Bill No.
21 110764, as amended, be reported out of
22 this Committee with a favorable
23 recommendation, that the rules of
24 Council --

25 COUNCILMAN GREENLEE: No rules

1 11/29/11 - STREETS - BILL 110308, ETC.

2 suspension.

3 COUNCILMAN DiCICCO: And no
4 rules suspension.

5 All in favor?

6 (Aye.)

7 COUNCILMAN DiCICCO: Those
8 opposed?

9 (No response.)

10 COUNCILMAN DiCICCO: The bill
11 passes.

12 This concludes the final
13 Committee on Streets and Services.

14 (Applause.)

15 COUNCILMAN DiCICCO: Thank you.

16 (Committee on Streets and
17 Services concluded at 3:55 p.m.)

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1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on November 29, 2011, and
8 that this is a true and correct transcript of
9 same.

10
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13
14 -----
15 MICHELE L. MURPHY
16 RPR-Notary Public
17
18
19

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