

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, June 11, 2014
1:20 p.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILLS 130950, 140382, 140386, 140387, 140388,
140389, 140412, 140414, 140415, 140441,
140446, 140454, 140482, 140483, 140490, and
140492

- - -

1

2

COUNCILMAN SQUILLA: Good

3

afternoon. I'm Councilman Squilla,

4

Chairman of the Committee on Streets and

5

Services. A quorum of the Committee is

6

present. We will now begin the hearing.

7

Present to my left, Councilman

8

Greenlee. To my right, Councilman Henon

9

and Councilman Oh.

10

First, before we get started,

11

I'd like to say that Bill No. 140414 will

12

be held at the request of the sponsor.

13

Mr. McMonagle, could you please

14

read the title of the first bill.

15

THE CLERK: Bill No. 140490, an

16

ordinance authorizing Cafe Italiano Inc.

17

to construct, own and maintain an

18

open-air sidewalk cafe at 1871 Cottman

19

Avenue, Philadelphia, PA 19111, under

20

certain terms and conditions.

21

COUNCILMAN SQUILLA: Is anybody

22

here to testify on Bill No. 140490?

23

(Witnesses approached witness

24

table.)

25

COUNCILMAN SQUILLA: I know we

1 6/11/14 - STREETS - BILL 130950, etc.
2 went a little bit out of order here, but
3 if you could just start on this one and
4 then we'll go back to the original order.

5 Just state your name for the
6 record and then proceed with your
7 testimony, 140490.

8 MR. TORRENCE: Good afternoon,
9 Chairman Squilla and members of the
10 Streets and Services Committee. My name
11 is St. Martin Torrence and I'm the
12 Director of Legislative Affairs with the
13 Department of Streets. I'm here to offer
14 testimony on Bill No. 140490.

15 This bill authorizes Cafe
16 Italiano Inc. to construct, own and
17 maintain an open-air cafe on the sidewalk
18 located at 1871 Cottman Avenue. The
19 encroachment is as follows:

20 Four tables and 16 chairs will
21 be located adjacent to the building
22 approximately 5 feet west of the east
23 property line of 1871 Cottman Avenue and
24 will extend west for an additional 12
25 feet and will encroach south onto the

1 6/11/14 - STREETS - BILL 130950, etc.
2 north footway of Cottman Avenue
3 approximately 8 feet, leaving a minimum
4 of 11 feet of clear, unobstructed
5 footway. No rails will be used.

6 I understand that there are
7 proposed amendments to this bill and, as
8 such, this bill, if amended, is supported
9 by the Streets Department.

10 That concludes my testimony.

11 COUNCILMAN SQUILLA: Thank you.

12 Please proceed.

13 MS. CHIU: Good afternoon,
14 Chairman Squilla and members of Streets
15 Services Committee. I'm Sarah Chiu, City
16 Planner with the Philadelphia City
17 Planning Commission. I'm here to testify
18 on Bill No. 140490, which Councilmember
19 O'Neill introduced on May 22nd, 2014.

20 Bill No. 140490 is to authorize
21 four tables and 16 chairs to be located
22 adjacent to the building. It will
23 encroach approximately 12 feet on the
24 north footway of Cottman Avenue and
25 leaves a minimum 11 feet of clear and

1 6/11/14 - STREETS - BILL 130950, etc.
2 unobstructed footway.

3 The City Planning Commission's
4 policy requires a minimum of 10 feet of
5 clear and unobstructed footway for
6 pedestrians on Cottman Avenue. This
7 proposed encroachment will leave
8 sufficient walking zone for pedestrians.

9 At its meeting on June 10th,
10 2014, the Planning Commission recommended
11 Bill No. 140490 be approved as an item in
12 accord with previous policy.

13 And this concludes my
14 testimony. I appreciate the opportunity
15 to testify before you today and would be
16 pleased to answer any questions you may
17 have.

18 COUNCILMAN SQUILLA: Any
19 questions?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, anyone else here to testify on Bill
23 No. 140490?

24 (No response.)

25 COUNCILMAN SQUILLA: Seeing

1 6/11/14 - STREETS - BILL 130950, etc.

2 none, thank you very much.

3 Mr. McMonagle, please read the
4 title of the next bill.

5 THE CLERK: Bill No. 140441, an
6 ordinance amending Chapter 12-2800 of The
7 Philadelphia Code, entitled
8 "Administrative Adjudication of Parking
9 Violations," by providing further
10 regarding procedures for appealing
11 adjudications of parking violations and
12 making technical changes, all under
13 certain terms and conditions.

14 COUNCILMAN SQUILLA: Councilman
15 Greenlee.

16 COUNCILMAN GREENLEE: Thank
17 you, Mr. Chairman. I just want to
18 briefly explain the reason why I
19 introduced this bill.

20 Just basically I believe if
21 there is a process the City has, it
22 should be as user friendly as reasonably
23 possible, and I underline "reasonably."

24 It was brought to my attention
25 that when someone is asking for a review

1 6/11/14 - STREETS - BILL 130950, etc.
2 of an initial parking ticket with the
3 BAA, that they have to go through the
4 procedure of getting -- going to the post
5 office, getting a return receipt, and
6 sending it in that way. Some people that
7 I've heard from would prefer just to be
8 able to fill out the review form and turn
9 it in at the BAA, which seems, again to
10 use the word, reasonable process. Also,
11 to just mail it in rather than doing the
12 return receipt.

13 Again, we want to make it as
14 reasonably user friendly as possible. I
15 know Mr. Connors, who will be testifying
16 here, still has some concerns. I met
17 with him, and I have at his suggestion
18 put in a few amendments. This process
19 would not be instituted for 90 days,
20 which I think is more than fair to make
21 any kind of adjustments that would have
22 to be done at the BAA, and it also puts
23 the burden of proof on the person that is
24 appealing if they choose not to use the
25 return receipt method.

1 6/11/14 - STREETS - BILL 130950, etc.

2 So, again, I think that's a
3 fair and reasonable process. I think
4 you'll hear from Mr. Connors he still has
5 some concerns, but I would respectfully
6 ask that the Committee move this bill
7 forward.

8 Thank you, Mr. Chairman.

9 COUNCILMAN SQUILLA: Is there
10 anyone here to testify on Bill No.
11 140441?

12 (Witness approached witness
13 table.)

14 COUNCILMAN SQUILLA: Just state
15 your name for the record and then proceed
16 with your testimony.

17 MR. CONNORS: Jeremiah J.
18 Connors is my name.

19 Good afternoon, Chairman
20 Squilla, members of the Committee. I'm
21 Jerry Connors, Director of the Bureau of
22 Administrative Adjudication. Thank you
23 for the opportunity to present testimony
24 today on Bill No. 140441 introduced by
25 Councilman Greenlee.

1 6/11/14 - STREETS - BILL 130950, etc.

2 As introduced, this bill would
3 expand the means for appealing from a
4 first-level decision by the Bureau of
5 Administrative Adjudication from the
6 present requirement that appeals be filed
7 by certified or registered mail with
8 return receipt requested to permit filing
9 in person, by regular United States mail
10 or by commercial delivery service. It
11 would also require provision of a
12 time-stamped copy of such notice of
13 appeal. Finally, the bill would also
14 specify a formula for calculating the
15 time period for filing a notice of
16 appeal.

17 I fully appreciate the primary
18 concern of this bill, which is to ease
19 the process of appealing from an initial
20 decision of the BAA. The BAA shares this
21 concern and is focused on providing
22 hearings that are efficient and utterly
23 fair. Although no one likes getting a
24 parking ticket, we believe that the BAA's
25 focus is what the public demands of us.

1 6/11/14 - STREETS - BILL 130950, etc.

2 Overall, Philadelphia likely
3 has one of the most favorable processes
4 in the country for those who wish to
5 dispute a ticket. Among the top ten --
6 among the ten U.S. cities with the
7 highest annual parking ticket issuance,
8 our process already allows a much longer
9 timeframe to contest tickets. Many
10 cities require initial appeals to be
11 filed in 60 days or the right to appeal
12 is waived. Los Angeles provides only 14
13 days from the first mailed notice. In
14 contrast, Philadelphia essentially allows
15 a full year from the date of the second
16 mailed notice.

17 As to second-level appeals,
18 which is the focus of this bill, only
19 five other cities even allow any sort of
20 second-level internal appeal at all. In
21 many other places, the only option is to
22 bring a full-blown court case.

23 We charge no hearing or filing
24 fees at any point in the process. By
25 contrast, for the second administrative

1 6/11/14 - STREETS - BILL 130950, etc.
2 review in Washington, DC, there is a \$10
3 per ticket filing fee, and all fines and
4 penalties must be paid before an Appeals
5 Board hearing is granted.

6 Turning to this bill, the Code
7 currently provides for methods for filing
8 second-level appeals that both afford
9 protection to the appellant and important
10 efficiencies at BAA. Over the past 25
11 years, the system has proven itself to be
12 fair and efficient in this respect.

13 In-person filing of
14 second-level appeals does not give
15 appellants the fullest opportunity to
16 document their case. Appeals are likely
17 to be more meaningful if the individual
18 takes the time to assemble and submit,
19 along with the notice of appeal,
20 appropriate materials supporting their
21 case and showing why the initial hearing
22 officer erred. Though documentation can
23 be submitted later, in the heat of the
24 moment the individuals may file appeals
25 in person without ever taking the time to

1 6/11/14 - STREETS - BILL 130950, etc.
2 pull together the documentation or
3 articulate why the initial decision was
4 incorrect.

5 The bill would also expand
6 other options for filing second-level
7 appeals to include any form of mail or
8 commercial delivery service. The proof
9 of mailing and delivery provided by the
10 current certified registered return
11 receipt mailing requirement eliminates
12 any question about whether an appeal was
13 filed and whether it was filed timely.
14 We have reservations about filing appeals
15 by means that do not provide proof of
16 mailing and delivery, both because the
17 protection -- both because of the
18 protection such proof provides and
19 because the multiplication of filing
20 options adds complexity to the process
21 for the BAA and the public alike.
22 Nevertheless, we have proposed amendments
23 in this area that clarify the new
24 requirements and deal with any issues
25 that may arise.

1 6/11/14 - STREETS - BILL 130950, etc.

2 Regarding the bill's
3 requirement that BAA provide time-stamped
4 copies of the notice of appeal, this
5 essentially reflects current BAA
6 practice. We have suggested an amendment
7 simply to require written acknowledgement
8 of appeal, which would serve the same
9 purpose and have the same effect as the
10 time-stamped copy.

11 Finally, I note that the
12 sponsor has agreed to include an
13 amendment regarding the manner in which
14 BAA provides copies of the record. In a
15 parking ticket appeal, this is best done
16 by providing an audio recording of the
17 proceeding rather than by going through a
18 costly and, under the circumstances,
19 impractical process of producing a
20 written transcript.

21 I thank you for the opportunity
22 to testify on this bill and would be
23 happy to answer any questions the
24 Committee may have.

25 COUNCILMAN SQUILLA: Councilman

1 6/11/14 - STREETS - BILL 130950, etc.
2 Greenlee.

3 COUNCILMAN GREENLEE: Thank
4 you, Mr. Chairman. I'm not going to go
5 back and forth with Mr. Connors, but I
6 just want to put on record that as I've
7 done on other times, if this bill is
8 implemented and it turns out down the
9 road that there's problems, I'm certainly
10 more than willing, as I've done on other
11 bills, to hear that and make the
12 necessary adjustments. I just think this
13 is -- right now the bill as amended --
14 and I put in some of the amendments that
15 Mr. Connors suggested -- I think would be
16 a fair -- are fair regulations for
17 everyone concerned.

18 COUNCILMAN SQUILLA:
19 Mr. Connors, how many people appeal --
20 what's the percentage of people that
21 appeal a ticket at this point?

22 MR. CONNORS: As a percentage
23 of issuance?

24 COUNCILMAN SQUILLA: Of people
25 who are, I guess, found guilty compared

1 6/11/14 - STREETS - BILL 130950, etc.
2 to appeals.

3 MR. CONNORS: You mean people
4 who have an adverse decision on the first
5 level of an appeal who file an appeal of
6 that decision at BAA?

7 COUNCILMAN SQUILLA: Correct.

8 MR. CONNORS: It's about a
9 third.

10 COUNCILMAN SQUILLA: So a third
11 of the people appeal already the
12 decision?

13 MR. CONNORS: Yes, sir.

14 COUNCILMAN SQUILLA: So, I
15 mean, doesn't it sound like the people
16 that are filing that appeal did that in a
17 way that they would have to go out of
18 their way to go to some other location or
19 mail it in, and wouldn't this just make
20 the process simpler for you and for the
21 person to just file the appeal at that
22 specific time after the hearing was
23 completed?

24 MR. CONNORS: No, I don't think
25 it does. It doesn't make -- it doesn't

1 6/11/14 - STREETS - BILL 130950, etc.
2 make it simpler. It actually makes it
3 more complex, because the range of
4 methods for filing would, as presently
5 drafted, be, I believe, five different
6 ones. Whereas, now two basically,
7 registered and certified mail.

8 From our perspective, we get
9 the mail every day. Here's the
10 certified, registered mail. We sort that
11 out, and it moves pretty quickly and
12 pretty effectively. If someone just
13 mailed it -- and I understand the burden
14 of proof is on them. I do appreciate
15 that. But if we don't articulate this in
16 fairly simple terms, we run the risk of
17 creating confusion, both on the minds of
18 the public who, believe it or not, don't
19 always read the City Code word for word,
20 and we wind up causing -- we wind up
21 having opportunities for us to mishandle
22 something because it's not in the
23 format --

24 COUNCILMAN SQUILLA: I think
25 our staffs are professional, and people

1 6/11/14 - STREETS - BILL 130950, etc.
2 sometimes do make mistakes. But out of
3 the third of the people who appeal, how
4 many of them win?

5 MR. CONNORS: Less than a third
6 of those. Of the ones who file appeals,
7 a third of those don't ever pursue it.
8 They're essentially just buying time. Of
9 the ones who actually either submit
10 something, evidence in testimony in lieu
11 of appearance or make an appearance at an
12 appeal hearing, about a third of them
13 prevail. I'm giving you very rough
14 numbers. I can give you actual
15 statistics if it's of interest.

16 COUNCILMAN SQUILLA: So you're
17 saying then you would rather not make it
18 as easy as possible for them to appeal
19 that ticket at that time?

20 MR. CONNORS: I would suggest
21 that by attempting to make it as easy as
22 possible, we're drifting into areas that
23 create liabilities both for the Bureau of
24 Administrative Adjudication and for the
25 citizens.

1 6/11/14 - STREETS - BILL 130950, etc.

2 If they mail something and they
3 do so timely, they don't hear from us and
4 now they're coming to us and saying,
5 Well, I mailed an appeal, they have
6 nothing other than to say, Yeah, well, I
7 mailed it, versus now they have a return
8 receipt that says not only when it was
9 mailed, but what happened to it.

10 COUNCILMAN SQUILLA: Well,
11 what's wrong with that? I mean, if I
12 have a receipt that I appealed it and
13 it's stamped by your staff, I have a copy
14 that it was appealed.

15 COUNCILMAN GREENLEE: He's
16 talking about if it's mailed in.

17 COUNCILMAN SQUILLA: But if
18 it's mailed in regular mail, they said
19 they mailed it. So they have no proof
20 that you received it.

21 MR. CONNORS: I understand
22 that.

23 COUNCILMAN SQUILLA: Now they
24 have proof that they appealed. It's even
25 better.

1 6/11/14 - STREETS - BILL 130950, etc.

2 MR. CONNORS: No, no, no. It's
3 the other way around. Right now they're
4 required to send it by certified mail
5 return receipt requested. The proposal
6 is to allow them to just send it by
7 regular mail, and that's where I think
8 there's potential for problem.

9 COUNCILMAN SQUILLA:
10 Councilman.

11 COUNCILMAN GREENLEE: Just very
12 quick, just a point of information. That
13 is why that this amendment is put in,
14 that appellant bears the burden of
15 proving he or she timely appealed. So
16 we're leaving it up to the appellant.
17 They can still put it in through
18 registered mail. They could still
19 walk -- if this bill is passed, they
20 could still walk in and personally put it
21 in. If they choose to put it in through
22 regular mail, then they're taking that
23 chance, but we're giving them the option,
24 is the way I would describe it.

25 And let me just add, and I

1 6/11/14 - STREETS - BILL 130950, etc.
2 think, Mr. Connors, this was your
3 suggestion. This bill originally said to
4 take effect immediately, and I agree with
5 you to put it back 90 days, which I think
6 is more than fair, which I think would
7 work out -- give you a chance anyway to
8 work out any kind of bureaucratic or
9 administrative issues at the BAA. I know
10 you don't think --

11 MR. CONNORS: I hate to be
12 bureaucratic, but it is a bureau.

13 COUNCILMAN GREENLEE: I think
14 90 days is fair, in my opinion.

15 MR. CONNORS: There's quite a
16 bit of collateral that has to be
17 adjusted. There's instructions. There's
18 training. I mean, I do appreciate that
19 you gave it to us, but, frankly, we do
20 need time to make any change effective.

21 COUNCILMAN GREENLEE: Right.
22 And we gave you 90 days, right?

23 MR. CONNORS: And I couldn't be
24 more appreciative.

25 COUNCILMAN GREENLEE: Okay.

1 6/11/14 - STREETS - BILL 130950, etc.

2 I'm sure you are.

3 COUNCILMAN SQUILLA:

4 Councilwoman Sanchez.

5 COUNCILWOMAN SANCHEZ: I have a
6 question. When someone appeals and a
7 verdict is issued at the time, is there
8 an option for them to appeal right on the
9 spot?

10 MR. CONNORS: That's what this
11 is all about.

12 COUNCILWOMAN SANCHEZ: But
13 we're still talking about mailing. It
14 would seem to me that if I'm at a hearing
15 and I lost and I want to appeal, there
16 should be -- and this is regulatory. I
17 mean, I would hate to think that we would
18 have to legislate this -- a form that
19 says I disagree with this and I want
20 another date, because you're right in the
21 presence of the person.

22 Oh, that's part of this bill?

23 MR. CONNORS: That is. And I'm
24 trying point out that I think for 25
25 years, there's been another way to do

1 6/11/14 - STREETS - BILL 130950, etc.
2 this for good reason. It wasn't
3 arbitrary. It wasn't capricious.
4 Appeals filed in the heat of the moment
5 are not always done best. It's
6 potentially quite disruptive for the
7 staff there who are trying to deal with
8 people coming in for hearings. So now
9 somebody is going to want to jump the
10 line and present their --

11 COUNCILWOMAN SANCHEZ: Again,
12 we're here for the constituents, who pay
13 our salary and pay yours, to try to
14 facilitate what they think could be a
15 wrong process.

16 You've gotten an uptick in
17 services because of the trash tickets and
18 everything else. I'm just saying, I
19 understand the Bureau has much more
20 volume coming in because of all the
21 different cases that you're hearing, but
22 it would seem to me that that's when you
23 want to deal with it, have someone appeal
24 it right on the spot, leave it there with
25 you, so there's not a certified mail,

1 6/11/14 - STREETS - BILL 130950, etc.
2 there's not a regular mail, and then
3 there's no burden of proof on anybody
4 other than they want an opportunity to
5 re-appeal. I mean, that's --

6 MR. CONNORS: Yes, ma'am.

7 COUNCILWOMAN SANCHEZ: You
8 could do that regulatory with -- in most
9 cases when you go to court and you get
10 issued an order, there's an order form
11 attached right to it, and people go like
12 this and take it somewhere else. It's
13 real simple.

14 MR. CONNORS: I understand what
15 you're saying. I can't by regulation
16 violate the City Code. The City Code
17 right now says you shall file an appeal
18 by certified or registered mail. This
19 bill proposes to alter that. I'm just
20 giving you the benefit of being at this
21 operation 60 hours a day trying to keep
22 the --

23 COUNCILWOMAN SANCHEZ: And I'm
24 trying --

25 MR. CONNORS: Sixty hours a

1 6/11/14 - STREETS - BILL 130950, etc.
2 week. Excuse me. It seems like 60 hours
3 a day.

4 COUNCILWOMAN SANCHEZ: And I am
5 trying to address the issue of your
6 concern over the mailing and the form of
7 mailing. If you facilitate that in your
8 process as you operationalize this, if
9 you facilitate that, then the argument
10 that you're having with Councilman
11 Greenlee around certified mail versus
12 postage mail almost becomes moot because
13 the people will just appeal right on the
14 spot and then you don't have the mailing
15 burden that everybody else has. I have a
16 ruling. I disagree. It's attached to my
17 form. I sign it. I turn it in.

18 I'm trying to eliminate this or
19 alleviate this other discussion, because
20 if you're doing it right there on the
21 spot, you're not taking additional staff
22 time. You're not doing anything other
23 than there's a form attached to their
24 order and they leave it there at the
25 desk. That's all I'm trying to get to.

1 6/11/14 - STREETS - BILL 130950, etc.

2 And I think that's a process
3 issue to your bill. I'm just saying to
4 him as a process, when they issue an
5 order, they can have a form attached that
6 people sign and they're leaving it there,
7 and it eliminates additional staff
8 burden.

9 I just think that our job is to
10 make this as easy as possible for people
11 and also to limit the burden on your
12 staffing. So rather than looking at how
13 complicated this is, it's sort of like
14 how do you operationalize it in a way
15 that makes it easier for yourself as well
16 as constituents, which is I think
17 Councilman Greenlee's goal.

18 Thank you. Thank you,
19 Mr. Chair.

20 COUNCILMAN GREENLEE: I just
21 want to add again to repeat, that's why
22 we agree to delay it 90 days, so they
23 could work out any of these processes.
24 And, again, this gives various options;
25 that's all. It gives various options,

1 6/11/14 - STREETS - BILL 130950, etc.
2 person, mail, return receipt. I think
3 that's just fair.

4 COUNCILMAN SQUILLA:
5 Councilwoman Bass.

6 COUNCILWOMAN BASS: Thank you.
7 Thank you, Mr. Chairman.

8 I understand your point in
9 terms of the idea that you don't want
10 people to file for an appeal out of sort
11 of the emotion of the moment, that they
12 were upset, they just were ruled against
13 and they're very upset, they don't feel
14 like it's right. And I just think
15 that -- I agree with Councilwoman
16 Sanchez, that there could be a process
17 that's very easy and very effective. And
18 we all know how effective the Parking
19 Authority is. I would say that it's
20 probably on any given day the most
21 effective agency operating, and I think
22 most Philadelphians would agree.

23 MR. CONNORS: I'm sure the
24 Parking Authority appreciates that. I'm
25 the City's Finance Department.

1 6/11/14 - STREETS - BILL 130950, etc.

2 COUNCILWOMAN BASS: Listen,
3 they do an excellent job.

4 MR. CONNORS: They're here to
5 hear that. I'm sure they're thrilled.

6 COUNCILWOMAN BASS: To the
7 dismay of many.

8 But what I really want to point
9 out here is that the idea that because
10 people are upset and they are emotional
11 about the decision that's just been made
12 and so we don't want people to file
13 appeals at that point really is a little
14 bit undemocratic and it's really -- it
15 seems as if it's a process intended to
16 discourage you from filing an appeal.
17 And so I think that the more opportunity
18 that we offer people to have their say is
19 probably the best way to go. So I just
20 wanted to say that on the record.

21 MR. CONNORS: Yes, ma'am.

22 COUNCILMAN SQUILLA: Councilman
23 Oh.

24 COUNCILMAN OH: What I
25 understand you saying -- and you could

1 6/11/14 - STREETS - BILL 130950, etc.
2 correct me if I don't understand it
3 properly -- is that if we change the
4 system, even though it makes it more
5 convenient in order to properly
6 administer it, there are a number of
7 things that have to follow up to make
8 sure that people's records are properly
9 maintained, taken, some new training,
10 some additional processes. Is that what
11 you're saying?

12 MR. CONNORS: Yes, in some
13 respects. But it's not like a court case
14 where you file your appeal. Now you have
15 to file a brief. Now you have to prepare
16 all -- it's not quite like that. The
17 next thing you know, you're going to get
18 a notice for a hearing. Have you
19 prepared? Those are the issues.

20 I don't want to be less than
21 clear about the fact that we will
22 implement the City Code as you folks see
23 fit to make it. I'm trying to give you
24 the benefit of --

25 COUNCILMAN OH: I appreciate

1 6/11/14 - STREETS - BILL 130950, etc.
2 that you actually are on the ground
3 administering this and we are not, and so
4 I just would like to better understand --
5 I understand you're fully willing to do
6 this. I think there's good purpose in
7 doing it. I'm just trying to understand
8 in a more intelligent manner what are the
9 day-to-day issues that you're trying to
10 express to us would be problematic with
11 this.

12 MR. CONNORS: There are
13 pitfalls for the appellant by filing an
14 in-person appeal. Pitfalls for both the
15 appellant because they've now done it,
16 it's out of their minds, they haven't
17 necessarily assembled a good case. There
18 are pitfalls for us. We now have paper
19 floating around that didn't come in
20 certified mail. If we lose it, we have
21 no -- the citizen has no proof that we've
22 got it. It has potential for trouble.

23 COUNCILMAN SQUILLA: If they
24 have a stamped date of receipt, they do
25 it in person right there, they have it.

1 6/11/14 - STREETS - BILL 130950, etc.

2 So they have proof that they did it. And
3 if their hearing never comes up where you
4 try to collect off of them, they can say,
5 Well, I have an appeal, and they say this
6 is what you gave me. So it's proof. So
7 you're making it easier for them.

8 MR. CONNORS: In-person doesn't
9 necessarily mean -- I know we think it
10 means I'm going to hand this to a person
11 and I'm going to get back a stamped copy.

12 COUNCILMAN SQUILLA: Right.

13 MR. CONNORS: There are times
14 when our cashier section is open that
15 we're not there. There's a drop box on
16 the sidewalk that people use for payment
17 drops. They're going to be just left.
18 They're going to say, I served it in
19 person.

20 COUNCILMAN SQUILLA: If they
21 don't have a receipt, the burden is on
22 them. So it's still not any effort for
23 the department.

24 MR. CONNORS: I understand.

25 COUNCILMAN SQUILLA: Okay. Any

1 6/11/14 - STREETS - BILL 130950, etc.
2 other questions?

3 (No response.)

4 COUNCILMAN OH: Thank you very
5 much.

6 COUNCILMAN SQUILLA: Seeing
7 none, anyone else here to testify on Bill
8 No. 140441?

9 (No response.)

10 COUNCILMAN SQUILLA: Seeing
11 none, thank you very much.

12 MR. CONNORS: Thanks.

13 COUNCILMAN SQUILLA: Before we
14 go on to the next bill, I'd like to
15 recognize Councilwoman Bass and
16 Councilwoman Quinones-Sanchez on being
17 present.

18 Mr. McMonagle, please read the
19 next title.

20 THE CLERK: Bill No. 140492, an
21 ordinance amending Chapter 12-2700 of The
22 Philadelphia Code, entitled "Permit
23 Parking Districts," to revise the
24 definition of "vehicle" to include
25 motor-driven cycles, to specify the

1 6/11/14 - STREETS - BILL 130950, etc.
2 manner in which the number of vehicles in
3 a household is to be calculated, and to
4 further provide with respect to the fee
5 for the issuance of residential permit
6 parking of motorcycles and motor-driven
7 cycles, all under certain terms and
8 conditions.

9 (Witness approached witness
10 table.)

11 COUNCILMAN SQUILLA: Thank you.
12 Please state your name for the record and
13 proceed with your testimony.

14 MR. FENERTY: My name is Vince
15 Fenerty and I'm the Executive Director of
16 the Philadelphia Parking Authority and,
17 as Council noted earlier, the most
18 efficient agency in the Philadelphia
19 government, and I'd like to thank you for
20 those compliments. Maybe the most
21 understood agency also.

22 I am here today to testify on
23 Bill No. 140492 introduced by Councilman
24 Squilla, which provides for a fee for
25 residential parking permits issued to

1 6/11/14 - STREETS - BILL 130950, etc.
2 motorcycles or scooters which will be set
3 at \$35 per year regardless of the number
4 of vehicles in a household.

5 Last year, City Council enacted
6 an ordinance providing for an escalating
7 price for residential permit parking
8 permits based on the number of vehicles
9 in a household. Since those households
10 will occupy more space on the street, a
11 premium for those additional vehicle
12 permits is appropriate.

13 The Parking Authority and the
14 City have been working with
15 representatives of the Motor and Scooter
16 Coalition to address their annual parking
17 needs. As part of that discussion, the
18 issue was raised concerning the price of
19 a permit for motorcycles and scooters may
20 be from 50 to 100 depending on the number
21 of other vehicles in a household. Since
22 motorcycles and scooters take much less
23 space on the street and are friendly for
24 the environment, it seems appropriate
25 that they not be included in determining

1 6/11/14 - STREETS - BILL 130950, etc.
2 the number of vehicles in a household and
3 that their permit fee be set at \$35 per
4 year only, the standard fee for one per
5 household.

6 The Parking Authority, after
7 meeting with Councilman Squilla and the
8 Coalition, recommends the one price fee
9 per vehicle of \$35.

10 COUNCILMAN SQUILLA: Any
11 questions?

12 (No response.)

13 COUNCILMAN SQUILLA: Seeing
14 none, just one thing. I appreciate the
15 willingness to work with us on this and
16 to reduce the price of multiple vehicles
17 in a home where scooters would always be
18 and cycles would always be at the lowest
19 price no matter how many vehicles, and I
20 think that's a good start moving forward
21 for hopefully finding parking for all
22 vehicles throughout the City. So thank
23 you for your work on this matter.

24 Is there anyone else here to
25 testify on Bill No. 140492?

1 6/11/14 - STREETS - BILL 130950, etc.

2 (No response.)

3 COUNCILMAN SQUILLA: Seeing
4 none, thank you for your testimony.

5 MR. FENERTY: Thank you.

6 COUNCILMAN SQUILLA:
7 Mr. McMonagle, please read the title of
8 the next bill.

9 THE CLERK: Bill No. 140482, an
10 ordinance authorizing the striking from
11 City Plan No. 63 of a certain
12 right-of-way reserved for drainage
13 purposes, water main purposes, and gas
14 main purposes over former Hamilton
15 Street, between Eighteenth Street and
16 Nineteenth Street, and creating a
17 right-of-way solely for gas main purposes
18 on a portion of former Hamilton Street,
19 between Eighteenth Street and Nineteenth
20 Street, subject to conditions precedent,
21 under certain terms and conditions.

22 (Witnesses approached witness
23 table.)

24 COUNCILMAN SQUILLA: Please
25 state your name and proceed with your

1 6/11/14 - STREETS - BILL 130950, etc.
2 testimony.

3 MR. MORELLI: Good afternoon,
4 Mr. Chairman and members of the
5 Committee. My name is Frank Morelli,
6 Survey Bureau Manager of the Department
7 of Streets, and the Department of Streets
8 would like to offer the following
9 testimony on Bill No. 140482.

10 This is not an Administration
11 ordinance, but an ordinance requested by
12 Mr. Robert Lane of Stevens and Lee.

13 The purpose of this ordinance
14 is to authorize the striking from the
15 City Plan and abandoning of a
16 right-of-way reserved for drainage
17 purposes, water main purposes, and gas
18 main purposes within the lines of former
19 Hamilton Street, between 18th Street and
20 19th Street, and the plotting on the City
21 Plan of a right-of-way solely for gas
22 main purposes within the southerly 7 feet
23 wide portion of the said former Hamilton
24 Street. The purpose of this action is to
25 clear land for the proposed Museum Towers

1 6/11/14 - STREETS - BILL 130950, etc.
2 II development, which will consist of a
3 16-story 270-unit residential tower, 16
4 new townhomes and a 458-space structured
5 parking garage.

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

10 MS. CHIU: Good afternoon,
11 Chairman Squilla and members of Streets
12 and Services Committee. I'm Sarah Chiu,
13 City Planner with the Philadelphia City
14 Planning Commission. I'm here to testify
15 on Bill No. 140482, which Councilmember
16 Greenlee introduced for Council President
17 Clarke on May 22nd, 2014.

18 Bill No. 140482 is to strike
19 from City Plan a certain portion of
20 right-of-way over former Hamilton Street,
21 between 18th and 19th Street, and create
22 a right-of-way solely for gas main
23 purposes. The purpose of this action is
24 to accommodate a 16-story residential
25 development with 284 dwelling units and

1 6/11/14 - STREETS - BILL 130950, etc.
2 parking garage.

3 At its meeting of June 10th,
4 2014, the City Planning Commission
5 recommended Bill No. 140482 for approval
6 as an item in accord with previous
7 policy.

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

12 COUNCILMAN SQUILLA: Thank you
13 for your testimony.

14 Any questions?

15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, anyone else here to testify on Bill
18 140482?

19 (No response.)

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

23 THE CLERK: Bill No. 140483, an
24 ordinance authorizing the revision of
25 lines and grades on a portion of City

1 6/11/14 - STREETS - BILL 130950, etc.
2 Plan No. 307 by striking from the City
3 Plan and vacating a variable width
4 portion of the southerly footway area of
5 Vine Street from Seventeenth Street to a
6 point approximately three-hundred four
7 feet eastwardly therefrom, under certain
8 terms and conditions.

9 COUNCILMAN SQUILLA: Please
10 proceed.

11 MR. MORELLI: Good afternoon,
12 Mr. Chairman and members of the
13 Committee. My name is Frank Morelli,
14 Survey Bureau Manager of the Department
15 of Streets, and the Department of Streets
16 would like to offer the following
17 testimony on Bill No. 140483.

18 This is not an Administration
19 ordinance, but an ordinance requested by
20 Mr. Thomas A. Chapman of Blank Rome, LLP.

21 The purpose of this ordinance
22 is to authorize the striking from the
23 City Plan and vacating of a variable
24 width portion of the southerly footway of
25 Vine Street from 17th Street to

1 6/11/14 - STREETS - BILL 130950, etc.
2 approximately 304 feet eastwardly
3 therefrom. The purpose of this action is
4 to eliminate the encroachment into the
5 public right-of-way of certain portions
6 of the facade of the existing building
7 occupying the abutting property. The
8 City will retain an easement at the
9 ground-floor level of the building within
10 the area being stricken for public
11 pedestrian use.

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 Squilla and members of Streets
18 Services Committee. I'm Sarah Chiu, City
19 Planner with the Philadelphia City
20 Planning Commission. I'm here to testify
21 on Bill No. 140483, which Councilmember
22 Greenlee introduced for Council President
23 Clarke on May 22nd, 2014.

24 Bill No. 140483 is to strike
25 from City Plan and vacate a portion of

1 6/11/14 - STREETS - BILL 130950, etc.
2 footway area on the south side of Vine
3 Street between 16th and 17th Street. The
4 purpose of this action is to relocate the
5 house line of Vine Street in order to
6 eliminate the encroachment into the
7 public right-of-way of certain portions
8 of the facade of the abutting building.

9 At its meeting of June 10th,
10 2014, the City Planning Commission
11 recommended Bill No. 140483 for approval
12 as an item in accord with previous
13 policy.

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

18 COUNCILMAN SQUILLA: Thank you
19 for your testimony.

20 Any questions?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, anyone else here to testify on Bill
24 No. 140483?

25 (No response.)

1 6/11/14 - STREETS - BILL 130950, etc.

2 COUNCILMAN SQUILLA: Seeing
3 none, thank you very much.

4 Mr. McMonagle, please read the
5 title of the next bill.

6 THE CLERK: Bill No. 140388, an
7 ordinance authorizing Lifestyle Wealth
8 Management to construct, own and maintain
9 two glass and metal awning encroachments
10 to be located at 1646-48 South Street, on
11 the west sidewalk of South 12th Street,
12 and the north sidewalk of Morris Street,
13 all under certain terms and conditions.

14 COUNCILMAN SQUILLA: Please
15 state your name and proceed with your
16 testimony. Thank you.

17 MR. TORRENCE: Good afternoon,
18 Chairman Squilla and members of the
19 Streets and Services Committee. My name
20 is St. Martin Torrence and I'm the
21 Director of Legislative Affairs with the
22 Department of Streets. I'm here to offer
23 testimony on Bill No. 140388.

24 This bill authorizes Lifestyle
25 Wealth Management to construct, own and

1 6/11/14 - STREETS - BILL 130950, etc.
2 maintain various encroachments within the
3 City right-of-way. These encroachments
4 are as follows:

5 South 12th Street: From a
6 point beginning approximately 12 feet
7 west of the west curbline of South 12th
8 Street and 12 feet 10 inches north of the
9 north curbline of Morris Street. From
10 said point, extending 31 feet 2 inches
11 north along the property frontage and
12 encroaching 6 feet over the west sidewalk
13 of South 12th Street, with a clearance of
14 8 feet 5 inches, leaving 6 feet of clear
15 footway. Onto this awning, a 6 inch
16 deep, 2 foot 6 inch high sign is proposed
17 from said point extending 25 feet along
18 the property frontage and encroaching 6
19 feet over the west sidewalk of South 12th
20 Street, with a clearance of 10 feet 8
21 inches.

22 Morris Street: From a point
23 beginning approximately 12 feet 10 inches
24 west of the west curbline of South 12th
25 Street and 12 feet north of the north

1 6/11/14 - STREETS - BILL 130950, etc.
2 curbline of Morris Street. From said
3 point, extending 56 feet 8 inches west
4 along the property frontage and
5 encroaching 6 feet over the northerly
6 sidewalk of Morris Street, with a
7 clearance of 8 feet 5 inches, leaving 6
8 feet of clear footway. Onto this awning,
9 a 6 inch deep, 2 foot 6 inch high sign is
10 proposed from said point extending 25
11 feet west along the property frontage and
12 encroaching 6 feet over the northerly
13 sidewalk of Morris Street, with a
14 clearance of 10 feet 8 inches.

15 The Streets Department has no
16 objections to the proposed encroachments.

17 Thank you for your time. This
18 concludes my testimony.

19 COUNCILMAN SQUILLA: Any
20 questions?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, is there anyone else here to
24 testify on Bill No. 140388?

25 (No response.)

1 6/11/14 - STREETS - BILL 130950, etc.

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

5 (Pause.)

6 COUNCILMAN SQUILLA:
7 Mr. McMonagle, please read the title of
8 the next bill.

9 THE CLERK: Sorry.

10 Bill No. 140389, an ordinance
11 authorizing Tiffin Bistro, LLC to
12 construct, own and maintain an open-air
13 sidewalk cafe at 1100 Federal Street,
14 Philadelphia, PA 19147, under certain
15 terms and conditions.

16 COUNCILMAN SQUILLA: Please
17 proceed.

18 MR. TORRENCE: Good afternoon,
19 Chairman Squilla and members of the
20 Streets and Services Committee. My name
21 is St. Martin Torrence and I'm the
22 Director of Legislative Affairs with the
23 Department of Streets. I'm here to offer
24 testimony on Bill No. 140389.

25 This bill authorizes Tiffin

1 6/11/14 - STREETS - BILL 130950, etc.
2 Bistro, LLC to construct, own and
3 maintain an encroachment in the form of
4 an open-air cafe on the sidewalk at 1100
5 Federal Street. The encroachments are as
6 follows:

7 One table and two chairs will
8 be located adjacent to the building
9 approximately 15 feet from the east
10 curbline of 11th Street and will encroach
11 approximately 3 feet 2 inches onto the
12 south footway of Federal Street, leaving
13 a minimum 6 feet 6 inches of clear,
14 unobstructed footway.

15 Two tables and four chairs will
16 be located adjacent to the 11th Street
17 curbline approximately 15 feet 0 inches
18 from the north curbline of Federal Street
19 and will encroach approximately 3 feet 8
20 inches onto the south footway of 11th
21 Street, leaving a minimum 6 feet of
22 clear, unobstructed footway.

23 One table and two chairs will
24 be located adjacent to the building
25 approximately 20 feet from the north

1 6/11/14 - STREETS - BILL 130950, etc.
2 curbline of Federal Street and will
3 encroach approximately 4 feet onto the
4 east footway of 11th Street, leaving a
5 minimum of 6 feet of clear, unobstructed
6 footway. No rails will be used.

7 The Streets Department has no
8 objection to the proposed sidewalk cafe.

9 Thank you for your time. This
10 concludes my testimony.

11 MS. CHIU: Good afternoon,
12 Chairman Squilla and members of Streets
13 and Services Committee. I'm Sarah Chiu,
14 City Planner with the Philadelphia City
15 Planning Commission. I'm here to testify
16 on Bill No. 140389, which Councilmember
17 Squilla introduced on May 1st, 2014.

18 Bill No. 140389 is to authorize
19 a sidewalk cafe encroachment with a total
20 of four tables and eight chairs be
21 located on the corner of Federal Street
22 and South 11th Street sidewalk. This
23 encroachment will leave a minimum 6 feet
24 of clear, unobstructed footway.

25 The City Planning Commission's

1 6/11/14 - STREETS - BILL 130950, etc.
2 policy requires minimum 6 feet of clear
3 and unobstructed footway for pedestrians
4 on Federal Street and South 11th Street.
5 The proposed encroachment will leave
6 sufficient walking zone for pedestrians.

7 At its meeting of May 20th,
8 2014, the Planning Commission recommended
9 Bill No. 140389 for approval as an item
10 in accord with previous policy.

11 This concludes my testimony. I
12 appreciate the opportunity to testify
13 before you today and would be pleased to
14 answer any questions you may have.

15 COUNCILMAN SQUILLA: Thank you.

16 Any questions?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, anyone else here to testify on Bill
20 No. 140389?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, Mr. McMonagle, please read the next
24 bill.

25 THE CLERK: Bill No. 140412, an

1 6/11/14 - STREETS - BILL 130950, etc.
2 ordinance legalizing an existing external
3 steel stairs to the second and third
4 floors encroaching on the public
5 right-of-way at 3066 E Street,
6 Philadelphia, PA 19134, all under certain
7 terms and conditions.

8 COUNCILMAN SQUILLA: Please
9 proceed.

10 MR. TORRENCE: Good afternoon,
11 Chairman Squilla and members of the
12 Streets and Services Committee. My name
13 is St. Martin Torrence and I'm the
14 Director of Legislative Affairs with the
15 Department of Streets. I'm here to offer
16 testimony on Bill No. 140412.

17 This bill authorizes Elvy Deco
18 to construct, own and maintain an
19 existing external steel stairs to the
20 second and third floors encroaching on
21 the public right-of-way at 3066 E Street.
22 The encroachment is as follows:

23 From the point of intersection
24 of curb at the southwest corner of E and
25 Clearfield Streets, a point approximately

1 6/11/14 - STREETS - BILL 130950, etc.
2 20 feet west of the westerly E Street
3 curbline and 12 feet south of the
4 southerly curbline of Clearfield Street.
5 A variable height encroachment from this
6 point being along the houseline of 3066 E
7 Street a distance of approximately 47
8 feet and extending 3 feet into the
9 southerly footway of Clearfield Street
10 with 9 feet remaining. Total height of
11 encroachment from existing sidewalk level
12 to a height not to exceed 30 feet.

13 The Streets Department has no
14 objections to the proposed encroachments.

15 Thank you for your time. This
16 concludes my testimony.

17 MS. CHIU: Good afternoon,
18 Chairman Squilla and members of the
19 Streets and Services Committee. I'm
20 Sarah Chiu, City Planner with the
21 Philadelphia City Planning Commission. I
22 am here to testify on Bill No. 140412,
23 which Councilmember Sanchez introduced on
24 May 8th, 2014.

25 Bill No. 140412 legalizes an

1 6/11/14 - STREETS - BILL 130950, etc.
2 existing external steel stairs to the
3 second and third floors at 3066 E Street.
4 The encroachment extends 3 feet into the
5 south footway of Clearfield Street with 9
6 feet remaining for pedestrians. The
7 total height of the encroachment is not
8 to exceed 30 feet from existing sidewalk
9 level.

10 The Planning Commission's
11 policy requires a minimum of 6 feet of
12 clear and unobstructed footway for
13 pedestrians on Clearfield Street. The
14 proposed encroachment will leave
15 sufficient walking zone for pedestrians.

16 At its meeting of June 10th,
17 2014, the Planning Commission recommended
18 Bill 140412 for approval with the
19 condition that the stairs and building to
20 meet fire-rating requirements for the
21 adjacent exterior walls and windows for
22 fire protection.

23 And this concludes my
24 testimony. I appreciate the opportunity
25 to testify before you today and would be

1 6/11/14 - STREETS - BILL 130950, etc.
2 pleased to answer any questions you may
3 have.

4 COUNCILMAN SQUILLA: Thank you.
5 Any questions?
6 (No response.)

7 COUNCILMAN SQUILLA: Seeing
8 none, anyone else here to testify on Bill
9 No. 140412?

10 (No response.)

11 COUNCILMAN SQUILLA: Thank you
12 for your testimony.

13 Mr. McMonagle, please read the
14 title of the next bill.

15 THE CLERK: Bill No. 140446, an
16 ordinance legalizing an existing fence
17 and flag poles, and approval to
18 construct, and maintain a new fence, and
19 flag pole encroaching on the public
20 right-of-way at 4300 Tacony Street,
21 Philadelphia, PA 19124, under certain
22 terms and conditions.

23 COUNCILMAN SQUILLA: Please
24 proceed.

25 MR. TORRENCE: Good afternoon,

1 6/11/14 - STREETS - BILL 130950, etc.
2 Chairman Squilla and members of the
3 Streets and Services Committee. My name
4 is St. Martin Torrence and I'm the
5 Director of Legislative Affairs with the
6 Department of Streets. I'm here to offer
7 testimony on Bill No. 140446.

8 This bill authorizes Frankford
9 Valley Foundation for Literacy to
10 construct, own and maintain various
11 encroachments within the City
12 right-of-way. The encroachments are as
13 follows:

14 Existing fence: From a point
15 at the northeast corner of the
16 intersections of Tacony and Duncan
17 Streets, a fence extending approximately
18 60 feet to the east and 240 feet to the
19 west, encroaching approximately 5 feet
20 into the northerly footway of Tacony
21 Street with 7 feet of clear sidewalk
22 remaining.

23 I think there's an amendment
24 for this.

25 COUNCILMAN SQUILLA: Yes.

1 6/11/14 - STREETS - BILL 130950, etc.

2 There's an Administration amendment on
3 here. Yes. We have it. It was
4 circulated.

5 MR. TORRENCE: So I should just
6 read it as amended?

7 COUNCILMAN SQUILLA: Yes, read
8 it as amended.

9 MR. TORRENCE: Thank you.

10 Existing proposed flag poles:
11 A series of flag poles extending along
12 the entire parcel frontage of
13 approximately 850 feet, with spacing of
14 approximately 30 to 35 feet on the
15 center, to be installed 18 inches from
16 the face of the northerly curb of Tacony
17 Street. Said flag poles to be mounted to
18 a 2 foot by 2 foot reinforced concrete
19 foundation.

20 Sidewalk posts and bollards:
21 Existing and proposed 12 inch diameter
22 reinforced concrete sidewalk
23 posts/bollards to be installed at
24 approximately 11 feet on the center,
25 along the project frontage, and extending

1 6/11/14 - STREETS - BILL 130950, etc.
2 approximately 3 feet 6 inches above the
3 sidewalk grade. Said sidewalk
4 posts/bollards to be mounted to a steel
5 pipe and concrete foundation, extending
6 approximately 2 feet into the northerly
7 footway of Tacony Street.

8 The Streets Department has no
9 objections to the proposed encroachments.

10 Thank you for your time. This
11 concludes my testimony.

12 MS. CHIU: Good afternoon,
13 Chairman Squilla and members of Streets
14 and Services Committee. I'm Sarah Chiu,
15 City Planner with the Philadelphia City
16 Planning Commission. I'm here to testify
17 on Bill No. 140446, which Councilmember
18 Sanchez introduced on May 8th, 2014.

19 Bill No. 140446 legalizes the
20 existing fence, flag poles, and bollards
21 on the north footway of Tacony Street.
22 This encroachment will leave 7 feet clear
23 sidewalk space.

24 The Planning Commission's
25 policy requires a minimum of 6 feet of

1 6/11/14 - STREETS - BILL 130950, etc.
2 clear and unobstructed footway for
3 pedestrians on Tacony Street. This
4 proposed encroachment will leave
5 sufficient walking zone for pedestrians.

6 At its meeting of June 10th,
7 2014, the City Planning Commission
8 recommended Bill No. 140446 for approval
9 as an item in accord with previous
10 policy.

11 This concludes my testimony. I
12 appreciate the opportunity to testify
13 before you today and would be pleased
14 answer to any questions you may have.

15 COUNCILMAN SQUILLA: Thank you.

16 Any questions?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, any other person here to testify on
20 Bill No. 140446?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, Mr. McMonagle, please read the
24 title of the next bill.

25 THE CLERK: Bill No. 140454, an

1 6/11/14 - STREETS - BILL 130950, etc.
2 ordinance granting permission to ABEER,
3 LP, owner of the property Oak Lane Diner,
4 6528 North Broad Street, to legalize a
5 one-story concrete masonry construction,
6 under certain terms and conditions.

7 COUNCILMAN SQUILLA: Please
8 proceed.

9 MR. TORRENCE: Good afternoon,
10 Chairman Squilla and members of the
11 Streets and Services Committee. My name
12 is St. Martin Torrence and I'm the
13 Director of Legislative Affairs with the
14 Department of Streets. I'm here to offer
15 testimony on Bill No. 140454.

16 This bill authorizes ABEER, LP
17 to legalize a one-story concrete masonry
18 building at 6528 North Broad Street
19 indicated in Bill No. 140454. The
20 encroachment is as follows:

21 An existing one-story concrete
22 masonry construction located on the
23 westerly right-of-way line of North Broad
24 Street encroaching upon a 7 and one-half
25 feet wide portion of the westerly footway

1 6/11/14 - STREETS - BILL 130950, etc.
2 of Broad Street from a point
3 approximately 74 feet south of 66th
4 Avenue to a point approximately 47 feet
5 further southwardly therefrom.

6 The Streets Department has no
7 objections to the proposed construction.

8 COUNCILMAN SQUILLA: Please
9 proceed.

10 MS. CHIU: Good afternoon,
11 Chairman Squilla and members of Streets
12 and Services Committee. I'm Sarah Chiu,
13 City Planner with the Philadelphia City
14 Planning Commission. I'm here to testify
15 on Bill No. 140454, which Councilmember
16 Bass introduced on May 15th, 2014.

17 Bill No. 140454 is to legalize
18 an existing one-story concrete masonry
19 construction located on the westerly
20 sidewalk of North Broad Street,
21 encroaching 7 and a half feet onto the
22 westerly footway of Broad Street. This
23 encroachment leaves 14 and a half feet of
24 clear and unobstructed footway for
25 pedestrians.

1 6/11/14 - STREETS - BILL 130950, etc.

2 The City Planning Commission's
3 policy requires a minimum of 11 feet of
4 clear and unobstructed footway for
5 pedestrians on Broad Street. This
6 encroachment will leave sufficient
7 walking zone for pedestrians.

8 At its meeting of June 10th,
9 2014, the City Planning Commission
10 recommended Bill No. 140454 for approval
11 as an item in accord with previous
12 policy.

13 This concludes my testimony. I
14 appreciate the opportunity to testify
15 before you today and would be pleased to
16 answer any questions you may have.

17 COUNCILMAN SQUILLA: Thank you.

18 Any questions?

19 (No response.)

20 COUNCILMAN SQUILLA: Seeing
21 none, anyone else here to testify on Bill
22 No. 140454?

23 (No response.)

24 COUNCILMAN SQUILLA: Seeing

25 none, thank you so much for your

1 6/11/14 - STREETS - BILL 130950, etc.
2 testimony.

3 Mr. McMonagle, please read the
4 title of the next bill.

5 THE CLERK: Bill No. 140382, an
6 ordinance amending Section 9-213 of The
7 Philadelphia Code, entitled "Farmers'
8 Markets," by amending the permissible
9 locations, all under certain terms and
10 conditions.

11 (Witness approached witness
12 table.)

13 COUNCILMAN SQUILLA: Thank you.
14 Please proceed. State your
15 name, then proceed with your testimony.

16 MS. SWANSON: Good afternoon,
17 Chairman Squilla and members of the
18 Committee on Streets and Services. My
19 name is Rebecca Swanson. I am the Policy
20 and Communications Officer for the
21 Department of Licenses and Inspections.
22 Today I am here to provide testimony on
23 Bill No. 140382, which, if enacted, will
24 amend Section 9-213, entitled "Farmers'
25 Markets," to add the location as

1 6/11/14 - STREETS - BILL 130950, etc.
2 designated in the bill to the list of
3 permissible locations where such activity
4 may be conducted, under certain terms and
5 conditions.

6 The Department of Licenses and
7 Inspections offers no objection to the
8 enactment of this bill and is prepared to
9 enforce its provision should it pass in
10 Council and become law.

11 Thank you for the opportunity
12 to provide the Department's testimony on
13 this bill, and I'll be happy to answer
14 any questions.

15 COUNCILMAN SQUILLA: Thank you.

16 Any questions?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, anyone else here to testify on Bill
20 No. 140382?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, Mr. McMonagle, please read the next
24 bill.

25 THE CLERK: Bill No. 140387, an

1 6/11/14 - STREETS - BILL 130950, etc.
2 ordinance amending Section 9-204 of The
3 Philadelphia Code, entitled "Sidewalk
4 Vendors in Center City," by adding new
5 and eliminating previously designated
6 vendor locations in Center City; all
7 under certain terms and conditions.

8 COUNCILMAN SQUILLA: Please
9 proceed.

10 MS. SWANSON: Good afternoon,
11 Chairman Squilla and members of the
12 Committee on Streets and Services. My
13 name is Rebecca Swanson and I am the
14 Policy and Communications Officer for the
15 Department of Licenses and Inspections.
16 Today I am here to provide testimony on
17 Bill No. 140387, which, if enacted, will
18 amend Section 9-204, entitled "Sidewalk
19 Vendors in Center City," to add new and
20 eliminate previously designated vendor
21 locations to the list of permissible
22 locations where such activity may be
23 conducted, under certain terms and
24 conditions.

25 The Department of Licenses and

1 6/11/14 - STREETS - BILL 130950, etc.
2 Inspections offers no objection to the
3 enactment of this bill and is prepared to
4 enforce its provisions should it pass in
5 Council and become law. The Department's
6 Vending Unit worked with the sponsor and
7 his office in designating the vending
8 locations proposed in the bill, and the
9 Department thanks the sponsor for this
10 opportunity.

11 Thank you for the opportunity
12 to provide the Department's testimony on
13 this bill. I will be happy to answer any
14 questions at this time.

15 COUNCILMAN SQUILLA: Thank you.

16 Any questions?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, anyone else here to testify on Bill
20 No. 140387?

21 (No response.)

22 COUNCILMAN SQUILLA: Thank you
23 very much for your testimony.

24 Mr. McMonagle, please read the
25 title of the next bill.

1 6/11/14 - STREETS - BILL 130950, etc.

2 THE CLERK: Bill No. 140415, an
3 ordinance establishing parking
4 regulations in the vicinity of: Watts
5 Street and Porter Street; Juniper Street
6 and Mifflin Street; Emily Street and 11th
7 Street; Mifflin Street and 11th Street;
8 13th Street and Oregon Avenue; and 13th
9 Street and Ellsworth Street; all under
10 certain terms and conditions.

11 (Witness approached witness
12 table.)

13 MS. BRACLEY: Good afternoon,
14 Council. My name is Dionne Bracley,
15 Deputy Manager for the Philadelphia
16 Parking Authority. Thank you for
17 allowing me to testify before Council.

18 The Philadelphia Parking
19 Authority has no objection to Bill No.
20 140415 previously read before Council and
21 recommends favorable consideration.

22 COUNCILMAN SQUILLA: Thank you.
23 Any questions?

24 (No response.)

25 COUNCILMAN SQUILLA: Seeing

1 6/11/14 - STREETS - BILL 130950, etc.
2 none, anyone else here to testify on Bill
3 No. 140415?

4 (No response.)

5 COUNCILMAN SQUILLA: Seeing
6 none, thank you for your testimony.

7 Mr. McMonagle, please read the
8 title of the next bill.

9 THE CLERK: Bill No. 140386, an
10 ordinance authorizing Philadelphia
11 Parking Authority to construct, own and
12 maintain various right-of-way
13 encroachments within the public
14 right-of-way on Arch Street, Filbert
15 Street and Eighth Street, Philadelphia,
16 PA, under certain terms and conditions.

17 COUNCILMAN SQUILLA: Thank you
18 very much.

19 Anyone here to testify on the
20 parking garage, Parking Authority?

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN SQUILLA: Just
24 whenever you guys are ready. When you're
25 ready, just state your name and then

1 6/11/14 - STREETS - BILL 130950, etc.
2 start with your testimony when you have
3 it all ready to go.

4 Whenever you're ready, go
5 ahead.

6 MS. BOUKENNA: Good afternoon,
7 Chairman Squilla and members of the
8 Committee. Thank you for the opportunity
9 to testify on behalf of Bill No. 140386.
10 My name is Nacima Boukenna and I'm the
11 Director of Interior Design for the
12 Philadelphia Parking Authority and I will
13 be testifying on behalf of the Parking
14 Authority.

15 In Bill No. 140386, we are
16 requesting approval of three
17 encroachments onto public space. All
18 three encroachments are to accommodate
19 facade embellishments which are part of a
20 bigger transformation project that the
21 Parking Authority is undertaking at 8th
22 Street between Arch Street and Filbert
23 Street and along Arch Street and Filbert
24 Street within the boundaries of the
25 project site. This transformation

1 6/11/14 - STREETS - BILL 130950, etc.
2 project consists of renovating an old
3 parking structure, 30,000 square feet of
4 adjoining retail spaces and, in general,
5 improving the streetscape and appearance
6 of the area by embellishing the garage
7 and 8th Street.

8 I'm not sure I know what you're
9 looking at there, but anyway...

10 The proposed facade
11 embellishments require encroaching into
12 the public space air rights on Arch
13 Street, at no less than 18 feet above
14 ground, by a maximum of 6 feet and a
15 maximum of 8 feet at Filbert Street,
16 again, at no less than 18 feet above
17 ground. Along the garage building line
18 on the west side of 8th Street, we are
19 also requesting to be able to encroach by
20 4 inches at the ground level to
21 accommodate a new curtain wall and
22 cladding systems for the retail spaces.
23 The existing structure cannot be modified
24 to accommodate the embellishments
25 otherwise, and that's why those

1 6/11/14 - STREETS - BILL 130950, etc.
2 encroachments come into the picture.

3 The facade embellishments are
4 essential to achieve the intended goal of
5 the project, which is to replace the
6 current blight that exists currently with
7 an aesthetically pleasing, vibrant, safe,
8 and well-lit environment for businesses
9 and people at this important gateway to
10 Center City, Market Street East, the
11 Historic District, and the Convention
12 Center. In doing so, the Authority aims
13 at creating a destination, a sense of
14 place and vitality on 8th Street where
15 regular events and special events can be
16 staged. We envision that the street
17 could be closed at Arch and Filbert
18 Street and some events take place there.

19 The ultimate goal for the
20 Parking Authority is that this
21 transformation becomes a catalyst for
22 economic development within and around
23 the area.

24 The facade embellishments --
25 you are closer to the picture of maybe --

1 6/11/14 - STREETS - BILL 130950, etc.
2 Madesta, you want to go over that quickly
3 before I go back to it.

4 (Witness speaking without
5 microphone.)

6 COURT STENOGRAPHER: You have
7 to talk into a microphone.

8 MS. BOUKENNA: Well, I can go
9 over it basically. The facade
10 embellishments consist of on Arch Street
11 adding a glass clad steel structure that
12 18 feet above ground projects into the
13 public right-of-way a maximum distance of
14 6 feet from the existing face of the
15 building, and that material was selected
16 to reflect light with a light playing on
17 it.

18 On Filbert Street, we are
19 proposing an expanded metal mesh clad
20 steel structure that, again, 18 feet
21 above ground level projecting to the
22 public right-of-way a maximum distance of
23 8 feet from the face of the building.

24 And the picture that is
25 currently on the screen shows what we

1 6/11/14 - STREETS - BILL 130950, etc.
2 propose to do on 8th Street between Arch
3 and Filbert with the 4 inch encroachments
4 along the building line. Basically there
5 again we are replacing the existing metal
6 frame and glass storefront with a new
7 metal frame and glass curtain wall
8 system. We are also proposing to install
9 a cladding system that includes the use
10 of a composite material panel and
11 porcelain tiles that are durable and
12 resistant to graffiti and abuse from
13 direct contact by pedestrians.

14 The lights that you see also
15 hanging from the underside of the upper
16 deck will also not extend to -- will not
17 reduce the clearance in that tunnel any
18 less than 18 feet above ground.

19 The garage, to which the
20 proposed facade embellishments are
21 attached, was built in the early 1960s as
22 part of a massive public redevelopment
23 effort to help local retailers compete
24 with suburban malls and shopping centers.
25 Therefore, this garage, along with the

1 6/11/14 - STREETS - BILL 130950, etc.
2 adjoining retail spaces on 8th Street,
3 was leased from the get-go to Strawbridge
4 and Clothier's, one of the six major
5 department stores that existed then in
6 the Market Street East corridor. Today
7 only one department store, the former
8 Wanamaker's, survives.

9 Although the Authority has
10 owned this garage and adjoining retail
11 spaces from the beginning, it did not
12 regain control of this property until
13 about four years ago. At that time, less
14 than 5,000 square feet out of 30,000
15 square feet total of retail spaces were
16 occupied, and both the stores and the
17 garage were in advanced state of
18 disrepair.

19 At that time, the Authority
20 deliberately elected to make the 8th and
21 Filbert Street project the signature
22 project that will serve as the model for
23 the Authority's other Center City
24 facility improvements, a model where
25 sustainable renovation meets civic

1 6/11/14 - STREETS - BILL 130950, etc.
2 responsibility.

3 To do so, as part of the
4 philosophy for this project, the
5 Authority sought wide public input and
6 received enthusiastic contribution and
7 support. We organized an all-day
8 charrette that was attended by 75
9 representatives of neighboring
10 stakeholders, design and real estate
11 professionals, construction trades,
12 government agencies, the Bicycle
13 Coalition and the media. Upon
14 determination of feasibility and
15 thoughtful consideration of budgetary
16 constraints, comments and suggestions
17 were integrated into the design, which
18 was publicly unveiled in May of 2013.

19 We also coordinated this
20 project with the various agencies such as
21 the Streets Department, the Department of
22 Licenses and Inspections, the City of
23 Philadelphia Office of Transportation and
24 Utilities, and the Office of
25 Sustainability, as well as the Art

1 6/11/14 - STREETS - BILL 130950, etc.
2 Commission.

3 As part of the overall
4 philosophy for this project, the design
5 solutions and the materials that were
6 selected were sensitive to the proximity
7 of architecturally significant structures
8 such as the Lit's building and
9 Strawbridge's. We took into
10 consideration sustainability factors and
11 also the City initiatives like the
12 Complete Streets Guidelines and Planning
13 Commission's district plans.

14 Currently, with the exception
15 of the facade embellishments which are
16 included in Bill 140386, construction of
17 the project is ongoing. Since May 2013,
18 the Authority occupies about 3,400 square
19 feet of renovated ground-level space on
20 8th Street for its customer service
21 operation. The remaining ground-level
22 spaces are presently under
23 reconstruction. They are expected to be
24 ready for phased occupancy starting in
25 August of 2014. The internal renovation

1 6/11/14 - STREETS - BILL 130950, etc.
2 of the garage is underway as well and is
3 expected to be completed in the summer of
4 2015.

5 Pending approval of Bill No.
6 140386, construction of the internal
7 improvements, which include the facade
8 embellishments and the streetscape
9 improvements, are expected to begin in
10 the summer of 2014 and be completed in
11 the summer of 2015.

12 Therefore, respectfully, we
13 request favorable consideration of this
14 bill and suspension of the rules of
15 Council to permit first reading at the
16 next session.

17 Thank you for your
18 consideration, and we will take any
19 questions that you may have.

20 COUNCILMAN SQUILLA: Thank you
21 so much. It looks like a really great
22 project that would energize the area
23 there.

24 Any questions?

25 Councilwoman Sanchez.

1 6/11/14 - STREETS - BILL 130950, etc.

2 COUNCILWOMAN SANCHEZ: Thank
3 you.

4 I notice that you're taking all
5 of the parking around the current
6 structure now. Is there any plans to
7 allow short-term parking on the ground
8 level of the parking garage for folks who
9 may be visiting the retail spaces there?

10 (Witness approached witness
11 table.)

12 COUNCILMAN SQUILLA: That's
13 from a shopper.

14 MR. DICKSON: Actually, the
15 parking in that area needed to be removed
16 because of the amount of construction
17 that was happening there. At the
18 conclusion of the project, we'll
19 certainly have opportunity for both a
20 combination of loading and short-term
21 parking that would -- to accommodate
22 shoppers and the loading needs of those
23 businesses.

24 COUNCILWOMAN SANCHEZ: So after
25 construction, there will be spots. Do

1 6/11/14 - STREETS - BILL 130950, etc.
2 you know how many of those spots?

3 MR. DICKSON: There were about,
4 I would say, about ten spaces there. The
5 entire area on the west side of 8th
6 Street between the two driveway entrances
7 will be restored. There's another one
8 between the south driveway and -- two
9 spaces from the south driveway entrance
10 to Filbert Street, and they'll be divided
11 between short-term and loading needs.
12 That street also did have a peak hour
13 clearance during the morning rush hour
14 that would be restored as well.

15 COUNCILWOMAN SANCHEZ: Thank
16 you.

17 COUNCILMAN SQUILLA: Thank you
18 very much.

19 Any other questions?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, thank you for your testimony. It
23 looks like a great project.

24 Anyone else here to testify on
25 Bill No. 140386?

1 6/11/14 - STREETS - BILL 130950, etc.

2 Seeing none -- I'm sorry. I'm
3 sorry. We have the Streets. Thank you
4 for your testimony.

5 MR. TORRENCE: Good afternoon,
6 Chairman Squilla and members of the
7 Streets and Services Committee. My name
8 is St. Martin Torrence and I'm the
9 Director of Legislative Affairs with the
10 Department of Streets. I'm here to offer
11 testimony on Bill No. 140386.

12 This bill authorizes the
13 Philadelphia Parking Authority to
14 construct, own and maintain various
15 encroachments within the City
16 right-of-way. The encroachments on Arch
17 Street and 8th Street are follows:

18 Arch Street: Architectural
19 embellishments will encroach no more than
20 6 feet over the public right-of-way on
21 the south footway of Arch Street between
22 the east and west building lines of 8th
23 Street and with a minimum clearance of 18
24 feet above the sidewalk. Filbert Street
25 encroachment architectural embellishments

1 6/11/14 - STREETS - BILL 130950, etc.
2 will encroach no more than 8 feet over
3 the public right-of-way on the north
4 footway of Filbert Street between the
5 east and west building lines of 8th
6 Street and with a minimum clearance of 18
7 feet above the sidewalk.

8 Eighth Street encroachments:
9 Architectural cladding will encroach no
10 more than 4 inches over the public
11 right-of-way on the east and west
12 footways of 8th Street between the north
13 building line of Filbert Street and the
14 south building line of Arch Street.

15 The Streets Department has no
16 objections to the proposed encroachments.

17 Thank you for your time. This
18 concludes my testimony.

19 COUNCILMAN SQUILLA: Thank you.
20 Thank you for your testimony.

21 Any questions?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, anyone else here to testify on Bill
25 No. 140386?

1 6/11/14 - STREETS - BILL 130950, etc.

2 (No response.)

3 COUNCILMAN SQUILLA: Seeing
4 none, thank you so much for your
5 testimony.

6 Mr. McMonagle, please read the
7 title of the last bill.

8 THE CLERK: Bill No. 130950, an
9 ordinance amending The Philadelphia Code
10 to provide for the authorization of
11 certain pedestrian enhancements to
12 occupy, by license, a portion of the
13 right-of-way, all under certain terms and
14 conditions.

15 COUNCILMAN SQUILLA: Please
16 proceed to the table and start with your
17 name and then your testimony.

18 (Witness approached witness
19 table.)

20 MR. STOBBER: Good afternoon,
21 Chairman and members of the Committee.
22 My name is Andrew Stober. I serve as
23 Chief of Staff in the Mayor's Office of
24 Transportation and Utilities and I'm here
25 today in support of Bill 130950, an

1 6/11/14 - STREETS - BILL 130950, etc.
2 ordinance to provide for the
3 authorization of pedestrian enhancements,
4 under certain terms and conditions.

5 Parklets, pedestrian plazas,
6 and bicycle corrals are called pedestrian
7 enhancements because they improve the
8 experiences that Philadelphians and
9 visitors to our city have in our public
10 spaces while they're on foot. At the end
11 of the day, whether we travel mostly by
12 foot, in a car or by bike or on transit,
13 we are all pedestrians. Pedestrian
14 enhancements, however, benefit more than
15 just pedestrians. They're tools for
16 economic and community development.

17 Before discussing these
18 important benefits, however, let me
19 describe the three types of pedestrian
20 enhancements defined in this ordinance.

21 First are parklets. Parklets
22 can be thought of as roof decks for the
23 street. They are seasonal pop-up parks
24 from April to November that transform one
25 or two in-street parking spaces into

1 6/11/14 - STREETS - BILL 130950, etc.
2 areas for sitting, eating, and
3 socializing. Philadelphia's parklets can
4 be found across the City from West
5 Philadelphia to Fishtown, from South
6 Street to Logan, and the Fentonville
7 neighborhoods in North Philadelphia.

8 The second category of
9 pedestrian enhancements is for pedestrian
10 plazas. Pedestrian plazas reclaim unused
11 or underused sections of the roadway for
12 pedestrian use for sitting, eating, and
13 socializing. Each pedestrian plaza is
14 unique, and the plaza design involves
15 careful coordination with the Streets
16 Department. The City currently has three
17 pedestrian plazas in West Philadelphia
18 and one in southwest Center City on Grays
19 Ferry Avenue. The Grays Ferry plaza was
20 recently launched as a six-month pilot
21 and as an initiative of the South of
22 South Neighborhood Association with the
23 support of Councilman Johnson.

24 The third type of pedestrian
25 enhancement included in this legislation

1 6/11/14 - STREETS - BILL 130950, etc.
2 is for bicycle corrals. Bicycle corrals
3 provide in-street bicycle parking for 12
4 or more bikes at busy destinations, thus
5 reducing the need for cyclists to lock up
6 to poles, railings, trees, and other
7 objects in the street or otherwise
8 obstructing the right-of-way for
9 pedestrians. Restaurants, markets, and
10 employers request the installation of
11 corrals so that they may better serve
12 their customers and employees. And we
13 currently have, I believe, 11 of these
14 around the City.

15 Pedestrian enhancements improve
16 the public space, support economic
17 development, and provide a platform for
18 community development.

19 Parklets and pedestrian plazas
20 enliven the public space by providing
21 seating and greenery that's open for all
22 members of the public to use and enjoy.
23 These efforts give the public greater
24 access to their streets by turning one or
25 two parking spaces into a space that can

1 6/11/14 - STREETS - BILL 130950, etc.
2 be used by dozens of residents or
3 visitors in any given hour that was
4 previously only available to two or three
5 people each hour.

6 Pedestrian enhancements support
7 economic development by strengthening
8 commercial corridors and promoting
9 business activity. Our parklets and
10 pedestrian plazas are located next to
11 small local businesses that benefit from
12 the additional foot traffic and from the
13 added public amenity. Some small
14 businesses have seen increases in sales
15 of between 15 and 40 percent after the
16 installation of a parklet nearby, and
17 dozens of small businesses and employers
18 have expressed interest in bicycle
19 corrals as a way of meeting customer
20 demand for additional bike parking and
21 for taking bikes off the sidewalks.

22 But perhaps most importantly,
23 pedestrian enhancements provide a
24 platform for community engagement and
25 development. Civic associations and

1 6/11/14 - STREETS - BILL 130950, etc.
2 businesses typically work together on the
3 design, operation, and maintenance of
4 these amenities. The very process of
5 installing a parklet has in at least one
6 case been a catalyst for building
7 organizational capacity. In addition,
8 parklets and ped plazas become backdrops
9 for community events and festivals such
10 as those hosted by SOSNA at the Grays
11 Ferry pedestrian plaza and by Logan CDC
12 along with the Free Library at the Logan
13 parklet.

14 Until now, the City has allowed
15 pedestrian enhancements on a pilot basis.
16 This legislation would establish an
17 official process by which the business
18 and community organizations could apply
19 for permission to install and operate a
20 pedestrian enhancement. To receive this
21 permission, applicants would have to
22 demonstrate that they have the support of
23 local constituents and that they've met
24 the City's guidelines for design,
25 maintenance, and operations.

1 6/11/14 - STREETS - BILL 130950, etc.

2 Tremendous care has gone into
3 creating guidelines for these
4 enhancements, and they focus and ensure
5 that the enhancements are safe,
6 appropriate to the local context,
7 accessible to the general public, clean,
8 and well maintained. This legislation
9 will formally encourage and support
10 economic and community development
11 through the improvement of our public
12 space on our streets.

13 Thank you for the opportunity
14 to testify, and I respectfully request
15 that Bill 130950 be amended with new
16 language that strives for greater
17 consistency with the Code. Additionally,
18 I request that the bill be reported out
19 of Committee and that the rules of
20 Council be suspended to allow for first
21 reading at the next session.

22 I'm happy to answer any
23 questions.

24 COUNCILMAN SQUILLA: Thank you,
25 Andrew.

1 6/11/14 - STREETS - BILL 130950, etc.

2 Are there any questions?

3 (No response.)

4 COUNCILMAN SQUILLA: Seeing

5 none, is there anyone else here to

6 testify on Bill No. 130950?

7 I believe Bradley. You all

8 could come. Are you all going to testify

9 or no? Come on up.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN SQUILLA: Sarah, if
13 you want to start first. State your name
14 and proceed with your testimony.

15 MS. STUART: Good afternoon,
16 Mr. Chairman and members of the Streets
17 and Services Committee. My name is Sarah
18 Clark Stuart. I'm Deputy Director at the
19 Bicycle Coalition of Greater
20 Philadelphia. I want to testify -- I
21 have written testimony, which I will not
22 read, but just simply summarize that we
23 are in support of this bill. I am
24 particularly interested in the bicycle
25 corral provision.

1 6/11/14 - STREETS - BILL 130950, etc.

2 Bicycle parking, I think as all
3 of you know, is a very big issue in
4 Philadelphia. The demand for it greatly
5 outstrips the supply. Despite the number
6 of sidewalk racks converted, parking
7 meters that have been done by the City
8 and the Parking Authority, there's still
9 many zones and areas within the City that
10 do not have enough bicycle parking. So
11 bicycle corrals, which is a very
12 efficient way to park 10 to 12 to 14
13 bicycles, is an exceptional way and an
14 efficient way to allow for more bike
15 parking.

16 So we would very much like to
17 see more corrals as much as possible be
18 placed throughout the City. I just want
19 to note that so this permit system that
20 would be set up by this ordinance we hope
21 would help facilitate that. It's still a
22 fairly substantive permit application.
23 There's 11 different approvals. There's
24 a fee. Either the private-sector
25 business owner or business improvement

1 6/11/14 - STREETS - BILL 130950, etc.
2 district must pay for the installation
3 and the hardware.

4 So we're going to carefully
5 watch this, but we understand that this
6 is the best way to do it since the City
7 itself, the Streets Department, is so
8 strapped for funds and is underresourced
9 and cannot do this such as other cities
10 do.

11 So we, in summary, support the
12 bill. We want to see this be successful
13 and hope that this bill would make that
14 happen.

15 COUNCILMAN SQUILLA: Thank you.
16 Please proceed.

17 MR. DAKAKE: Good afternoon.
18 My name is Brad Dakake and I live at 2316
19 Grays Ferry Avenue. I'm also the Chair
20 of the Grays Ferry Triangles Committee, a
21 group of businesses and residents
22 committed to improving the triangular
23 intersections created by Philadelphia's
24 grid and the intersection with the
25 diagonal Grays Ferry Avenue.

1 6/11/14 - STREETS - BILL 130950, etc.

2 One month ago, with the help of
3 my Councilperson, Kenyatta Johnson, years
4 of effort came to fruition when we
5 established the Triangle Plaza, a
6 pedestrian plaza near the intersection of
7 23rd and South Street. The
8 transformation of that space has, quite
9 frankly, been incredible. What was
10 previously an underutilized and
11 unnecessary stretch of pavement has now
12 become a vibrant community space. And
13 there's a picture of it, of the design,
14 on the back of my written testimony that
15 I submitted.

16 To see just how vibrant, you're
17 all invited tomorrow night or any
18 Thursday night for our Triangle Summer
19 Music Concert Series, with a different
20 band and a different food truck each
21 week. I guarantee that you will find the
22 space packed with families and friends,
23 neighbors and children enjoying
24 themselves and patronizing the local
25 businesses. And if you come by tonight,

1 6/11/14 - STREETS - BILL 130950, etc.
2 you'll see Councilman Johnson in action
3 as he hosts his Quality of Life Tour,
4 bringing with him representatives from
5 many City departments and agencies to
6 answer citizens' questions.

7 In short, the project has been
8 a resounding success. Tables, chairs,
9 planters, and overhead lighting was paid
10 for by local sponsorships and
11 fundraising. The design was parking
12 neutral. Local businesses have told me
13 that their profits are up since the
14 Triangle started. A once dangerous
15 intersection is now safer, and neighbors
16 now have a place to meet each other, to
17 read a book or to sit in the shade and
18 listen to a bubbling fountain.

19 But all of this would not have
20 happened if this bill were law, and that
21 is because we did not have 100 percent
22 support from the abutting property owners
23 and businesses. We had only 98 percent
24 support. Under this bill, as currently
25 written, that would not have been enough.

1 6/11/14 - STREETS - BILL 130950, etc.

2 I would like to thank
3 Councilman Squilla for authoring this
4 bill, which would codify and make
5 permanent the process for creating
6 similar pedestrian enhancements to the
7 Triangle. This is absolutely a
8 worthwhile endeavor, but this bill runs
9 the risk of impeding the very pedestrian
10 improvements that it seeks to foster. I
11 would suggest reducing the requirement
12 for 100 percent approval from all
13 abutting property owners and tenants.
14 Leaving it intact, in my view, is not
15 democracy but a tyranny of one. Why
16 should any single property owner or
17 tenant be able to stop an enhancement of
18 a public space on public property if
19 there is overwhelming support for such an
20 improvement from other abutting property
21 owners and from the larger community?

22 My personal suggestion would be
23 to reduce the requirement from 100
24 percent of abutting property owners to 75
25 percent, the same level that is required

1 6/11/14 - STREETS - BILL 130950, etc.
2 for creating residential permit parking.
3 But there are myriad ways to achieve the
4 right balance. I believe that certainly
5 every single abutting property owner and
6 tenant should have a voice in how public
7 space adjacent to their property or
8 business is enhanced, but no single voice
9 should be able to overwhelm an entire
10 community of voices that rise in support
11 of a community space.

12 I would be more than happy to
13 work with this body to find the right
14 balance, and actually Lauren Vidas to my
15 left has two potential amendments that I
16 think do a great job to find that right
17 balance.

18 MS. VIDAS: Thank you, Brad.

19 My name is Lauren Vidas. I am
20 Chair of the South of South Neighborhood
21 Association, which is host to the amazing
22 pedestrian plaza that Brad just talked
23 about.

24 As he explained, this was a
25 project that took years and years and

1 6/11/14 - STREETS - BILL 130950, etc.
2 years to get because we did not have 100
3 percent. We had a single holdout. And
4 it was only after Councilman Johnson
5 stepped up and said, You know what,
6 everybody has been very reasonable in
7 trying to negotiate a compromise here and
8 this one business owner is being
9 unreasonable. The good of the community
10 says we should move forward with the
11 project.

12 So to that extent, we have two
13 suggested amendments. One is the 75
14 percent that Brad talked about and the
15 other is essentially what happened with
16 Councilman Johnson where that 100 percent
17 written requirement of support could be
18 waived if the District Councilperson
19 sends a letter of support to that effect,
20 saying that you support the project and
21 that the 100 percent isn't needed. I
22 think this strikes the appropriate
23 balance.

24 You know your constituents
25 better than anybody else and you know

1 6/11/14 - STREETS - BILL 130950, etc.
2 when something is better for the
3 community and that one holdout is being
4 unreasonable. And so I think we feel
5 very comfortable leaving the discretion
6 for you to decide that the 100 percent
7 isn't necessary. And so I have an
8 amendment prepared that essentially does
9 that and leaves that discretion in your
10 hands.

11 COUNCILMAN SQUILLA: Okay.
12 Could we call back up MOTU, Andrew.
13 (Witness approached witness
14 table.)

15 COUNCILMAN SQUILLA: I have a
16 question, Andrew, that made some --
17 Lauren made some valid points. What
18 would the Administration consider as far
19 as amending the bill to give Council the
20 prerogative to waive the 100 percent if
21 deemed necessary by the community with
22 input from the community?

23 MR. STOBER: That's an
24 amendment we could certainly support.

25 COUNCILMAN SQUILLA: You could

1 6/11/14 - STREETS - BILL 130950, etc.
2 support something like that?

3 MR. STOBER: Absolutely.

4 COUNCILMAN SQUILLA: Councilman
5 Henon.

6 COUNCILMAN HENON: Thank you,
7 Mr. Chairman.

8 Thank you. Thank all three of
9 you for being here to testify. Not you,
10 Andrew. The woman over here who has done
11 a fine job in her neighborhood. Thank
12 you. Thank you for coming in. But to
13 you, thanks again for being here.

14 I do have a couple questions.
15 We just had a recent conversation. We'll
16 discuss and take a look at any potential
17 amendments moving forward. I think some
18 suggestions in theory is in the right
19 direction. Whether we get into
20 prerogative or not, we'll discuss that.

21 Some of the questions that I
22 have is, can you tell me about in the
23 pilot programs, have there been any
24 analysis on the increased foot traffic in
25 some of these opportunities that we're

1 6/11/14 - STREETS - BILL 130950, etc.
2 here discussing?

3 MR. STÖBER: Yeah. Absolutely.
4 So with the parklet program in
5 particular, we have had businesses report
6 to us that they have seen increased
7 revenues of 15 to 40 percent from the
8 increased foot traffic that comes.
9 Basically you've added a new amenity on a
10 neighborhood commercial corridor. People
11 want to come by to see it. It also
12 creates a reason to stop along -- all of
13 the parklets are required to have signage
14 posted. So even though it's in front of
15 a business, it says this space is open to
16 the public. The adjacent business, if
17 it's a food service, is not allowed to
18 provide table service. So we want it to
19 be very clear that this is space for the
20 public, an amenity on that street, and
21 it's had very positive effects.

22 It's also had positive effects
23 on a not commercial corridor. The one
24 that's located in Logan that was
25 supported by Logan CDC is adjacent from

1 6/11/14 - STREETS - BILL 130950, etc.
2 the library and it's become a great new
3 space for programming at that library,
4 particularly in the warmer months.

5 COUNCILMAN HENON: So in the
6 application process, the community must
7 meet certain requirements --

8 MR. STOBER: Yes.

9 COUNCILMAN HENON: -- for
10 permission for the enhancement?

11 MR. STOBER: Yeah. So a
12 community group or a business with a
13 community group will come to the City,
14 say this is something we want to do.
15 They have to bring their own funds to do
16 this. These are not City funded. And
17 the expense is actually quite minimal for
18 a parklet. So the least expensive ones
19 have cost about \$5,000. Some businesses
20 have chose to spend considerably more to
21 make them look a little spiffier, but
22 they'll last for years. They get removed
23 during the winter.

24 One of the most important
25 things to our office and to the Streets

1 6/11/14 - STREETS - BILL 130950, etc.
2 Department as they review these is to
3 make sure that there is a business or
4 community group that has the capacity to
5 ensure the maintenance and cleanliness of
6 the facility, and we, of course, reserve
7 the right to remove it at any time if
8 they're not meeting those obligations.

9 COUNCILMAN HENON: In the cases
10 that it's a triangle, a set-aside
11 triangle away from a commercial corridor,
12 even a triangle on the end of a
13 commercial corridor, are there hour
14 restrictions? I know in the ordinance
15 you talk about noise and nuisance, things
16 like that. Are there hour restrictions
17 and utility prohibitions or if the
18 community agrees with the businesses and
19 the Streets Department, they can also
20 enhance by providing some low lighting or
21 any other kind of electric or utilities?

22 MR. STOBBER: Yeah. I can tell
23 you that any lighting has to be done at
24 the expense of the community group, not
25 at the City.

1 6/11/14 - STREETS - BILL 130950, etc.

2 COUNCILMAN HENON: I

3 understand.

4 MR. STOBER: And I know there
5 has been some of that.

6 In terms of the hour
7 restrictions, I'll go back and review and
8 to see them if we have them in the
9 guidelines here. I know we've worked
10 that out on a location-by-location basis.

11 COUNCILMAN HENON: As long as
12 they're being discussed and they're part
13 of --

14 MR. STOBER: Absolutely. And
15 it's an important part of getting
16 community support.

17 COUNCILMAN HENON: Correct. So
18 it's a basic community benefits agreement
19 with the City and the businesses for the
20 enhancements.

21 MR. STOBER: Absolutely.

22 COUNCILMAN HENON: A couple
23 recommendations while we're mulling over
24 amendments, a couple things that I think
25 may be a little controversial, but we

1 6/11/14 - STREETS - BILL 130950, etc.
2 should take a look at municipal
3 advertising for specific cases on a
4 case-by-case basis, whether it's a
5 triangle or something like that, to help
6 the community group, benefit its
7 neighbors and community participation in
8 some of the costs that may be associated.
9 So if there are any utilities to a
10 certain extent, they should be prohibited
11 reasonably, but some of these costs to
12 community groups that don't have the
13 ability to raise -- I mean, some have the
14 ability to raise more capital dollars
15 than others, but some don't.

16 And what I also think you
17 should think about is making a KEYSPOt or
18 WiFi. If you're going to have people
19 congregating in a peaceful and
20 recreational kind of way, passive for the
21 community, we should provide or take a
22 look at using some of those municipal
23 dollars for advertising to go back to
24 providing WiFi or something along those
25 lines.

1 6/11/14 - STREETS - BILL 130950, etc.

2 MR. STOBER: We'll definitely
3 look at those opportunities. One of the
4 benefits of having the legislation and
5 being able to issue these permits which
6 will last -- they'll be reviewed on an
7 annual basis, but will last for three
8 years, is that it provides some more
9 certainty for these spaces. And so
10 folks, including the City, can choose to
11 make some longer-term investments in
12 them.

13 COUNCILMAN HENON: And it does.
14 It gives the ability with the licensing
15 process here in the ordinance. And,
16 again, some of that stuff relates a
17 little more mostly to the triangles and
18 set-aside spaces away from the corridors.

19 MR. STOBER: Thank you very
20 much for those recommendations.

21 COUNCILMAN SQUILLA: Thank you
22 so much.

23 And I just want to reiterate,
24 because I know going through the process
25 when we're meeting, our main concern

1 6/11/14 - STREETS - BILL 130950, etc.
2 is -- my main concern is always
3 maintenance and the ability to keep it
4 up. So it's important that somebody is
5 out there watching and/or helping to
6 assist in the maintenance part of it,
7 because we don't want to build something
8 brand new and have it great for a year
9 and after a while it starts
10 deteriorating.

11 MR. STOBER: Absolutely.

12 COUNCILMAN SQUILLA: Thank you.

13 MR. DAKAKE: We hold monthly
14 cleanups, and you're more than welcome to
15 come.

16 COUNCILMAN SQUILLA: Thank you.
17 And we do agree to add the second
18 amendment to that where waiving of 100
19 percent, with the District
20 Councilperson's support.

21 MS. VIDAS: We appreciate that
22 compromise.

23 COUNCILMAN SQUILLA: Thank you.

24 Is there anybody else here to
25 testify on Bill No. 130950?

1 6/11/14 - STREETS - BILL 130950, etc.

2 (No response.)

3 COUNCILMAN SQUILLA: Seeing
4 none, thank you. That concludes the
5 hearing on the Committee of Streets and
6 Services. We will now go into a public
7 meeting.

8 The Chair will recognize
9 Councilman Greenlee.

10 COUNCILMAN GREENLEE: Thank
11 you, Mr. Chairman. I move the adoption
12 of the amendments to Bill Nos. 140441,
13 140446, 140490, and 130950.

14 (Duly seconded.)

15 COUNCILMAN SQUILLA: All in
16 favor?

17 (Aye.)

18 COUNCILMAN SQUILLA: Any
19 opposed?

20 (No response.)

21 COUNCILMAN SQUILLA: The ayes
22 have it. Those bills read into the
23 record have been amended. Those
24 amendments have been adopted.

25 Councilman Greenlee.

1 6/11/14 - STREETS - BILL 130950, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Chairman. I move that the
4 following bills be reported out of the
5 Committee with a favorable recommendation
6 and that the rules of Council be
7 suspended to allow for first reading at
8 our next session of Council: Bill No.
9 140441 as amended, 140492, 140482,
10 140483, 140388, 140389, 140412, 140446 as
11 amended, 140454, 140490 as amended,
12 140382, 140387, 130950 as amended,
13 140386, and 140415.

14 (Duly seconded.)

15 COUNCILMAN SQUILLA: All in
16 favor?

17 (Aye.)

18 COUNCILMAN SQUILLA: Any
19 opposed?

20 (No response.)

21 COUNCILMAN SQUILLA: The ayes
22 have it. All bills read into the record
23 have passed and will be read into -- with
24 a suspension of the rules to be read at
25 the first Council session.

1 6/11/14 - STREETS - BILL 130950, etc.

2 That will end the Committee
3 meeting at this time. Thank you for your
4 attention, and have a great day.

5 (Committee on Streets and
6 Services concluded at 2:50 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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