

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, March 4, 2015
1:10 p.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN ED NEILSON
COUNCILMAN DAVID OH

BILLS 140907, 150006, 150055, 150074, 150089,
150121, and 150123

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COUNCILMAN SQUILLA: Good
afternoon, everyone. I'm Councilman
Squilla, Chairman of the Committee on
Streets and Services. A quorum of the
Committee being present, we'll now begin
the hearing.

To my left, I have Councilman
Oh, Councilman Greenlee. To my right,
Councilman Neilson.

Mr. McMonagle, would you please
like to read the title of the first bill.

THE CLERK: Bill No. 150006, an
ordinance establishing parking
regulations in the vicinity of:
Fairmount Avenue and 18th Street; Melon
Street and 15th Street; 4th Street and
Thompson Street.

(Witness approached witness
table.)

COUNCILMAN SQUILLA: Thank you.
Just start by stating your name
and then proceed with your testimony.

MS. BRACLEY: Good afternoon,
Council. My name is Dionne Bracley --

1 3/4/15 - STREETS - BILL 140907, etc.

2 COUNCILMAN NEILSON: Can you
3 pull the microphone closer?

4 That's great. Thank you.

5 MS. BRACLEY: Good afternoon,
6 Council. My name is Dionne Bracley,
7 Deputy Manager for the Philadelphia
8 Parking Authority. Thank you for
9 allowing me to testify before Council
10 regarding Ordinances 150006 and 150055
11 establishing parking regulations.

12 The Philadelphia Parking
13 Authority has no objection to the
14 ordinances previously read before Council
15 and recommends favorable consideration.

16 Thank you again.

17 COUNCILMAN SQUILLA: Thank you.
18 Any questions on this
19 testimony?

20 (No response.)

21 COUNCILMAN SQUILLA: Anyone
22 else here to testify on Bill No. 150006?

23 (No response.)

24 COUNCILMAN SQUILLA: Seeing
25 none, Mr. McMonagle, read the title of

1 3/4/15 - STREETS - BILL 140907, etc.
2 the next bill.

3 THE CLERK: Bill No. 150055, an
4 ordinance establishing parking
5 regulations in the vicinity of:
6 Christian Street and 11th Street; Cross
7 Street and 10th Street; Queen Street and
8 Front Street; Moore Street and 12th
9 Street; Water Street and Washington
10 Avenue; Fitzgerald Street and 11th
11 Street; Clarion Street and Porter Street.

12 COUNCILMAN SQUILLA: You
13 already testified to both of these,
14 correct?

15 MS. BRACLEY: Correct.

16 COUNCILMAN SQUILLA: For the
17 record, the statements previously also
18 pertain to Bill No. 150055.

19 Any questions?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, anyone else here to testify on Bill
23 No. 150055?

24 (No response.)

25 COUNCILMAN SQUILLA: Thank you.

1 3/4/15 - STREETS - BILL 140907, etc.

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

4 THE CLERK: Bill No. 150089, an
5 ordinance authorizing Guy Gindhart for
6 1700 Chestnut Street LLC, to construct,
7 own, and maintain an exterior stairs at
8 1700-14 Chestnut Street, Philadelphia, PA
9 19102, all under certain terms and
10 conditions.

11 (Witnesses approached witness
12 table.)

13 MR. TORRENCE: Good afternoon,
14 Chairman Squilla and members of the
15 Streets and Services Committee. My name
16 is St. Martin Torrence and I'm the
17 Director of Legislative Affairs for the
18 Department of Streets. I'm here to offer
19 testimony on Bill No. 150089.

20 This bill authorizes Guy
21 Gindhart for 1700 Chestnut Street to
22 construct, own, and maintain a
23 right-of-way encroachment at 1700 to 14
24 Chestnut Street as follows:

25 Encroachment description: From

1 3/4/15 - STREETS - BILL 140907, etc.
2 a point approximately 2 feet from the
3 northeast property corner of 17th Street
4 and Stock Exchange Place, formerly Iconic
5 Street, and extending approximately 90
6 feet west along the northerly houseline
7 of Stock Exchange Place, an overhead step
8 encroachment. Said encroachment to
9 extend no more than 5 feet into and at
10 least 9 feet above the northerly footway
11 of Stock Exchange Place, with a maximum
12 height of 27 feet.

13 The Streets Department opposes
14 the proposed encroachment for two
15 reasons. It will stand above and make
16 inaccessible for maintenance and repair
17 purposes a steam utility main and vault.
18 Two, such encroachments set a precedent
19 to encourage further construction in the
20 public right-of-way.

21 Thank you for your time. This
22 concludes my testimony.

23 MS. BRUMBELOW-BURNS: Good
24 afternoon, Chairman Squilla and members
25 of the Streets and Services Committee. I

1 3/4/15 - STREETS - BILL 140907, etc.
2 am Paula Brumbelow-Burns, City Planner
3 with the Philadelphia City Planning
4 Commission. I am here to testify on Bill
5 No. 150089, which was introduced by
6 Councilmember Greenlee for Council
7 President Clarke on February 12th, 2015.

8 Bill No. 150089 will allow the
9 construction of an overhead stair
10 encroachment on the northern footway of
11 Stock Exchange Place, formerly Iconic
12 Street, near 17th Street. The stair
13 encroachment is a minimum 9 feet above
14 the sidewalk level. Therefore, there is
15 no impact on pedestrian walkways.

16 While we are aware that the
17 Streets Department will be opposing the
18 legislation, the City Planning Commission
19 recommended Bill No. 150089 for approval
20 as an item in accord with previous
21 policy.

22 This concludes my testimony. I
23 appreciate the opportunity to testify.

24 COUNCILMAN SQUILLA: Thank you
25 for your testimony.

1 3/4/15 - STREETS - BILL 140907, etc.

2 Any questions?

3 (No response.)

4 COUNCILMAN SQUILLA: Seeing
5 none, I'd like to recognize Councilwoman
6 Bass present at today's hearing.

7 Anyone else here to testify on
8 Bill No. 150089?

9 Please come to the table, state
10 your name for the record, and proceed
11 with your testimony.

12 (Witnesses approached witness
13 table.)

14 MR. MARTIN: Good afternoon,
15 Mr. Chairman. William Martin, counsel
16 for the property owner benefitted by the
17 ordinance, Pearl Properties. I'm joined
18 by Reed Slogoff, the principal of Pearl
19 Properties. Mr. Slogoff has prepared
20 testimony. We have copies of it, along
21 with some illustrations.

22 MR. SLOGOFF: Good afternoon or
23 good morning. I'm not sure what it is
24 now. My name is Reed Slogoff and I am
25 here as a principal of Pearl Properties.

1 3/4/15 - STREETS - BILL 140907, etc.

2 We are a Center City-based, full-service
3 real estate investment firm. We are here
4 to speak in support of Bill No. 150089.

5 My partner, Jim Pearlstein, and
6 I were both born and raised in
7 Philadelphia and have been investing in
8 developing properties in Center City
9 Philadelphia over the past 16 years. We
10 have acquired and developed more than 50
11 urban mixed-use properties in important
12 locations throughout Center City. In
13 addition to handling property management
14 for all of our properties, Pearl
15 Properties also has construction and
16 leasing divisions.

17 We recently acquired 1700 to 06
18 Chestnut, the former Bonwit Teller
19 building and home to Daffy's located at
20 the prominent southwest corner of 17th
21 and Chestnut Streets. The property is
22 notable for the recent occupancy of
23 Nordstrom Rack, a very important addition
24 to the growing west Chestnut Street
25 retail corridor. The building was

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

1 3/4/15 - STREETS - BILL 140907, etc.
2 certified and added to the Philadelphia
3 Register of Historic Buildings on January
4 12, 1985. The upper floors of the
5 building have been vacant for several
6 years. We have recently received
7 approval to construct residential
8 apartments in the upper floors and are
9 underway with our construction.

10 In addition to 1700-06
11 Chestnut, we own the upper floors of the
12 adjacent building, 1708-1714 Chestnut
13 Street. The floors of 1708-14 Chestnut
14 have been vacant for over 50 years. With
15 our recent purchase, we are combining the
16 two existing buildings and constructing
17 95 first-class apartments and amenities
18 to complement the Nordstrom retail space
19 on Floors 1 through 3. In order to
20 accomplish safe ingress and egress in
21 accordance with the building and fire
22 codes, an exterior stair is being added
23 to serve both buildings on the Iconic
24 Street side.

25 Over the past several months,

1 3/4/15 - STREETS - BILL 140907, etc.
2 we have worked with the Department of
3 Licenses and Inspections, the
4 Philadelphia Historical Commission, and
5 the Board of Building Standards, and have
6 also had discussion with the Streets
7 Department in an effort to obtain the
8 necessary development approvals to enable
9 the construction of our mixed-use
10 project. Due to the physical limitations
11 of the buildings and the restrictions
12 imposed by the Historical Commission
13 designation, installation of the exterior
14 stair as a means of egress was required.
15 A rendering of the exterior stair can be
16 seen in your materials. The proposed
17 exterior stair, which is on the Iconic
18 Street side of the building, was approved
19 by the Philadelphia Historical Commission
20 on December 12th, 2014. Additionally,
21 our plans were approved by the Board of
22 Building Standards on February 12th,
23 2015.

24 Our plans for the building will
25 contribute to the continued

1 3/4/15 - STREETS - BILL 140907, etc.
2 revitalization of these important
3 properties, will bring historical
4 structures back to life, adaptively
5 repurposing the buildings to house active
6 ground-floor retail with apartments and
7 amenities. Pearl Properties have been
8 redeveloping and rehabilitating similar
9 properties for several years in Center
10 City, returning vacant buildings and
11 sites back to lively destinations, with
12 economic benefit to the City.

13 Bill No. 150089 provides for
14 the construction and maintenance of an
15 exterior stair at the rear of 1700 to 14
16 Chestnut Street. The construction of
17 this exterior stair will enable ingress
18 and egress by residents of both
19 properties. The exterior stair will be
20 located above the sidewalk at Iconic
21 Street at an elevation of 9 foot 6, which
22 is 6 inches higher than the existing
23 stair encroachment. It is the
24 encroachment of the proposed exterior
25 stair above the public right-of-way,

1 3/4/15 - STREETS - BILL 140907, etc.
2 which is the sidewalk, which generates
3 the need for this ordinance. Upon
4 passage of the bill, our proposed project
5 will be able to proceed in full
6 conformance with the City's zoning
7 requirements.

8 In closing, thank you very much
9 for your time today. This is a very
10 exciting development that offers an
11 opportunity to develop an important site.
12 I would welcome any questions or
13 comments.

14 COUNCILMAN SQUILLA: Thank you
15 for your testimony.

16 Are there any questions?

17 (No response.)

18 COUNCILMAN SQUILLA: Seeing
19 none, anyone else here to testify on Bill
20 No. 150089?

21 (No response.)

22 COUNCILMAN SQUILLA: Thank you
23 for your testimony.

24 MR. MARTIN: Thank you.

25 MR. SLOGOFF: Thank you.

1 3/4/15 - STREETS - BILL 140907, etc.

2 COUNCILMAN SQUILLA:

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

5 THE CLERK: Bill No. 150121, an
6 ordinance legalizing an existing masonry
7 and concrete patio encroaching on the
8 public right-of-way at 214 West Sergeant
9 Street, Philadelphia, PA, under certain
10 terms and conditions.

11 COUNCILMAN SQUILLA: Please
12 proceed.

13 MR. TORRENCE: Good afternoon,
14 Chairman Squilla and members of the
15 Streets and Services Committee. My name
16 is St. Martin Torrence. I'm the Director
17 of Legislative Affairs for the Department
18 of Streets. I'm here to offer testimony
19 on Bill No. 150121.

20 This bill legalizes an existing
21 masonry and concrete patio encroachment
22 on the public right-of-way at 214 West
23 Sergeant Street, Philadelphia, PA as
24 follows:

25 Encroachment description:

1 3/4/15 - STREETS - BILL 140907, etc.
2 Masonry and concrete patio encroachment.
3 A masonry and concrete patio extending
4 from the existing and legal steps of the
5 subject parcel to the easterly property
6 line along West Sergeant Street for a
7 total of approximately 8 feet 10 inches.
8 Said encroachment being approximately 2
9 feet 3 inches above the existing sidewalk
10 and encroaching approximately 2 feet 10
11 inches into the southerly footway of West
12 Sergeant Street, with 3 foot 2 inches of
13 passable sidewalk remaining.

14 The Streets Department opposes
15 the proposed encroachment for two
16 reasons. One, the encroachment leaves
17 less walkway than the preferred minimum
18 of 4 feet. Two, such encroachment set a
19 precedent to the community to ignore
20 established permitting processes.

21 Thank you for your time. This
22 concludes my testimony.

23 MS. BRUMBELOW-BURNS: Good
24 afternoon again. I am Paula
25 Brumbelow-Burns, City Planner with the

1 3/4/15 - STREETS - BILL 140907, etc.
2 Philadelphia Planning Commission. I'm
3 here to testify on Bill No. 150121, which
4 Councilmember Sanchez introduced on
5 February 19th, 2015.

6 Bill No. 150121 will legalize
7 an existing masonry and concrete patio
8 encroaching on the public right-of-way at
9 1214 West Sergeant Street. The
10 encroachment is approximately 2 feet 3
11 inches above the existing sidewalk and it
12 encroaches approximately 2 feet 10 inches
13 into the southerly footway of West
14 Sergeant Street, with 3 feet 2 inches of
15 passable sidewalk remaining.

16 The City Planning Commission's
17 policy recommends Sergeant Street to
18 maintain a clear sidewalk width of 5
19 feet. This encroachment doesn't provide
20 adequate walkway space for pedestrians.
21 The City Planning Commission is scheduled
22 to consider this bill on March 17th, 2015
23 with a staff recommendation that Bill No.
24 150121 not be approved.

25 This concludes my testimony.

1 3/4/15 - STREETS - BILL 140907, etc.

2 Thank you.

3 COUNCILMAN SQUILLA: Thank you.

4 Any questions?

5 (No response.)

6 COUNCILMAN SQUILLA: Seeing
7 none, anyone else here to testify on Bill
8 No. 150121?

9 (No response.)

10 COUNCILMAN SQUILLA: Thank you
11 very much.

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

14 THE CLERK: Bill No. 150074, an
15 ordinance amending Section 9-205 of The
16 Philadelphia Code, entitled "Sidewalk
17 Sales," to further regulate sidewalk
18 sales and related conduct in the Sixth
19 Councilmanic District, under certain
20 terms and conditions.

21 COUNCILMAN SQUILLA: For the
22 record, Bill No. 150074 has testimony by
23 L&I that will be submitted for the
24 record.

25 Mr. McMonagle, will you read

1 3/4/15 - STREETS - BILL 140907, etc.
2 the title of the next bill.

3 THE CLERK: Bill No. 150123, an
4 ordinance amending Section 9-213 of The
5 Philadelphia Code, entitled "Farmers'
6 Markets," by adding Greener Pastures LLC,
7 located at 1290 Southampton Road, as a
8 permissible location, all under certain
9 terms and conditions.

10 COUNCILMAN SQUILLA: For the
11 record, Bill No. 150123 will have
12 testimony submitted from L&I.

13 THE CLERK: As amended.

14 COUNCILMAN SQUILLA: As
15 amended.

16 Mr. McMonagle, please read the
17 title of the bill.

18 THE CLERK: Bill No. 140907, an
19 ordinance amending Title 9 of The
20 Philadelphia Code, entitled "Regulation
21 of Businesses, Trades and Professions,"
22 by adding a new Section 9-634, entitled
23 "Urban Experiential Displays," to provide
24 for licensing and regulation of Urban
25 Experiential Displays; and amending

1 3/4/15 - STREETS - BILL 140907, etc.
2 Chapter 10-400 of The Philadelphia Code,
3 entitled "Noise and Excessive
4 Vibrations," to regulate the sound
5 emanating from Urban Experiential
6 Displays; all under certain terms and
7 conditions.

8 COUNCILMAN SQUILLA: Thank you.
9 Andrew Stober from the Mayor's
10 Office of Transportation to testify.
11 (Witness approached witness
12 table.)

13 MR. STOBER: Good afternoon,
14 Chairman Squilla and members of the
15 Committee. My name is Andrew Stober. I
16 serve as Chief of Staff in the Mayor's
17 Office of Transportation and Utilities.
18 I'm here to testify on Bill 140907. The
19 passage of the bill would create a
20 license for the installation of Urban
21 Experiential Displays, or UEDs. Under
22 this bill and its companion bill, 140906,
23 UEDs could take many forms, including
24 very large video screens that could be
25 fastened to buildings or freestanding

1 3/4/15 - STREETS - BILL 140907, etc.
2 sculpture-like structures. Under this
3 legislative package, UEDs could be
4 significantly larger than existing
5 billboards and could broadcast
6 television-style advertising and other
7 messages in densely populated,
8 high-trafficked areas of the City.

9 I appear before you this
10 afternoon to lay out some safety concerns
11 that we should all bear in mind when
12 considering the prospect of authorizing
13 UEDs in Philadelphia, both with respect
14 to this legislative package and with
15 respect to authorizing specific
16 installations in the future.

17 The safety of people who walk
18 in Philadelphia is a serious concern. In
19 2013, the last year for which complete
20 data is available, 1,761 people walking
21 were struck and injured by people driving
22 cars. Another 37 people were killed.
23 That means on average one pedestrian is
24 struck and injured every five hours in
25 Philadelphia.

1 3/4/15 - STREETS - BILL 140907, etc.
2 Center City Philadelphia,
3 because of the volumes of people walking
4 and volumes of people driving, is a
5 hotspot for crashes. Between 2008 and
6 2013, 170 people walking were struck and
7 injured by people driving in the proposed
8 district. If installed, these large
9 format digital video advertising devices
10 have the potential to distract drivers
11 with full motion video, holograms and
12 other effects not usually encountered on
13 the road, much less in Center City. We
14 must all be satisfied that no UED will
15 put any driver or pedestrian at risk.

16 Proponents of these
17 installations sometimes point to a recent
18 federally sponsored study that found that
19 digital billboards were no more
20 distracting than static billboards. But
21 this study did not examine full motion or
22 holographic displays, such as those
23 contemplated here. And, further, it
24 compared environments that already had
25 significant outdoor advertising, not

1 3/4/15 - STREETS - BILL 140907, etc.
2 streets like the historic street grid
3 around City Hall.

4 Together, Council and the
5 Administration have worked very hard over
6 the last few years to make our streets
7 safer for people who walk, with smarter
8 policies and practices from complete
9 streets to intersection improvements that
10 shorten the distance for walking across
11 the street. The number of pedestrians
12 involved in accidents has fallen by more
13 than 9 percent since 2007. Indeed,
14 Council passed a Complete Streets
15 Ordinance highlighting pedestrian safety.
16 Let's keep focused on the safety of
17 people who walk in our city.

18 Thank you for the opportunity
19 to testify today, and I hope you'll
20 consider these concerns when you
21 contemplate the passage of this
22 ordinance, amendments to it, and any
23 future ordinances regarding UEDs.

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

1 3/4/15 - STREETS - BILL 140907, etc.

2 COUNCILMAN SQUILLA: Thank you,
3 Mr. Stober, for your testimony.

4 Councilman Neilson.

5 COUNCILMAN NEILSON:

6 Mr. Stober, are you testifying in favor
7 of this legislation? It's not clear.
8 Your testimony was not clear. Are you in
9 favor of this legislation or not in
10 favor?

11 MR. STOBBER: We support the
12 amendments that are proposed for this
13 legislation and we think that those put
14 in some important provisions that will
15 help ensure the safety. We did feel, as
16 our collective focus on pedestrian
17 safety, that it was important to go on
18 the record that we very carefully
19 consider these issues when we consider
20 the installation of new advertising like
21 this.

22 COUNCILMAN NEILSON: We talked
23 about people getting injured by crossing
24 the street and stuff like that, and you
25 didn't mention about any other

1 3/4/15 - STREETS - BILL 140907, etc.
2 departments where we had incidents or
3 stuff falling off the side or walls
4 because of lack of inspections. Are they
5 part of your numbers, the lack of L&I
6 inspections of these buildings falling or
7 anything like that?

8 MR. STOBBER: The numbers here
9 are directly -- these are
10 PennDOT-reported numbers of people who
11 were hit by cars.

12 COUNCILMAN NEILSON: Okay.

13 MR. STOBBER: So these are not
14 all injuries that occur in the City.
15 These are people who were walking who
16 were hit by vehicles.

17 COUNCILMAN NEILSON: So it's
18 your testimony that these kind of signs
19 and any type of sign is a distraction of
20 driving?

21 MR. STOBBER: Yeah. We are
22 concerned that these kinds of signs would
23 create a distraction for drivers in an
24 environment where we have a lot of
25 pedestrians, and it's something that we

1 3/4/15 - STREETS - BILL 140907, etc.
2 think needs to be carefully considered.

3 COUNCILMAN NEILSON: Do you
4 think the legislation as amended takes
5 all that stuff under consideration?

6 MR. STOBBER: I think the
7 legislation as amended takes some
8 important steps and puts in some
9 provisions, including the provision
10 requiring PennDOT approval, that gives us
11 some level of comfort.

12 COUNCILMAN NEILSON: Do you
13 have any other suggestions that you would
14 like to make to this Committee today?

15 MR. STOBBER: No, I do not.

16 COUNCILMAN NEILSON: Thank you.
17 Nothing further.

18 COUNCILMAN SQUILLA: Thank you,
19 Andrew, for your testimony.

20 Anyone else here to testify on
21 Bill No. 140907?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, that would end our hearing. We
25 will now go into a public meeting.

1 3/4/15 - STREETS - BILL 140907, etc.

2 I'd like to recognize
3 Councilman Greenlee to read the
4 amendments to the bills.

5 COUNCILMAN GREENLEE: Thank
6 you, Mr. Chairman. I move that the
7 amendments to the following bills be
8 approved: the amendments to Bill No.
9 150123 and Bill No. 140907.

10 (Duly seconded.)

11 COUNCILMAN SQUILLA: All in
12 favor?

13 (Aye.)

14 COUNCILMAN SQUILLA: Any
15 opposed?

16 (No response.)

17 COUNCILMAN SQUILLA: The ayes
18 have it. Amendments to Bill No. 150123
19 and Bill No. 140907 as amended have been
20 approved -- amendments have been
21 approved.

22 Councilman Greenlee.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Chairman. I move that the
25 following bills be reported out of this

1 3/4/15 - STREETS - BILL 140907, etc.
2 Committee with a favorable recommendation
3 and that the rules of Council be
4 suspended to allow for first reading at
5 our next session of Council: Bill Nos.
6 150006, 150055, 150089, 150121, 150074,
7 150123 as amended, and 140907 as amended.

8 (Duly seconded.)

9 COUNCILMAN SQUILLA: All in
10 favor?

11 (Aye.)

12 COUNCILMAN SQUILLA: Any
13 opposed?

14 (No response.)

15 COUNCILMAN SQUILLA: The ayes
16 have it. All bills have passed with
17 suspension of rules and read at the next
18 reading of Council.

19 (Committee on Streets and
20 Services concluded at 1:30 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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City of Philadelphia Committee on Streets & Services
March 4, 2015

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