

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE ON STREETS AND SERVICES

- - -

Room 400, City Hall  
Philadelphia, Pennsylvania  
Thursday, November 29, 2007  
1:15 p.m.

- - -

PRESENT:

COUNCILMAN FRANK DiCICCO, CHAIR  
COUNCILWOMAN DONNA REED MILLER  
COUNCILMAN JUAN RAMOS  
COUNCILMAN FRANK RIZZO  
COUNCILMAN DARRELL CLARKE

BILLS 071003, 071004, 070987, 070991, 070992,  
070995, 070996, 070988, 070989, 070990,  
070993, 070997 and 071006

- - -

V A R A L L O Incorporated  
Litigation Support Services  
Eleven Penn Center  
1835 Market Street, Suite 600  
Philadelphia, Pennsylvania 19103  
215.561.2220 215.567.2670

1

2

COUNCILMAN DiCICCO: Good

3

afternoon, everyone. The public hearing

4

on the Committee of Streets and Services

5

is now in session. My name is Frank

6

DiCicco. I'm the Chair of this

7

Committee. Along with me is the

8

Vice-Chair to my immediate right,

9

Councilman Ramos. To his right, who is

10

working her way back to the seat, is

11

Councilwoman Donna Reed Miller, and to my

12

extreme left is Councilman Rizzo.

13

I would ask Mr. Abernathy to

14

read the title -- hold on.

15

Mr. Abernathy.

16

THE CLERK: Bill No. 071003 and

17

Bill 071004 are being held on the request

18

of the sponsor.

19

Bill No. 071007, an ordinance

20

authorizing the Water Commissioner, on

21

behalf of the City, to enter into an

22

agreement with the owners of 4641 East

23

Roosevelt Boulevard for the grant of a

24

right-of-way to the City for drainage and

25

sewer purposes through the property along

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 the Tacony Creek from approximately 550  
3 feet east of Whitaker Avenue to  
4 approximately 750 feet west of the former  
5 "I" Street, under certain terms and  
6 conditions.

7 COUNCILMAN DiCICCO: Before we  
8 begin, Mr. McCloskey, I believe the folks  
9 to my left are here for the two bills  
10 that are being held, or no?

11 (Yes.)

12 COUNCILMAN DiCICCO: All right.  
13 Just to let you know, we appreciate that  
14 you came in today, but as you were just  
15 told by my Clerk, the bills are being  
16 held by the sponsor. So obviously your  
17 concerns have been heard, and good luck  
18 in the future. You will have a new  
19 Councilman, who is standing there, and  
20 whatever you need to work out, we'll be  
21 here to try to help that process along.  
22 And you can also tell your friends and  
23 neighbors, they don't need to e-mail me  
24 any longer.

25 (Applause.)

1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN DiCICCO: They don't  
3 need to e-mail any of us on this issue  
4 until next year, if it comes up again.

5 UNIDENTIFIED SPEAKER: Thank  
6 you for being the only one who responded  
7 to the e-mail.

8 COUNCILMAN DiCICCO: I normally  
9 respond to them all, but it was a  
10 district issue and --

11 COUNCILMAN RAMOS: I responded  
12 to one. I don't know which one it was.

13 COUNCILMAN DiCICCO: But thank  
14 you.

15 UNIDENTIFIED SPEAKER: Thank  
16 you.

17 COUNCILMAN DiCICCO:  
18 Mr. McCloskey, thank you.

19 MR. McCLOSKEY: Good afternoon,  
20 Mr. Chairman and members of the  
21 Committee. My name is Paul McCloskey.  
22 I'm representing the Water Department.

23 In regard to this bill, the  
24 Water Commissioner, on behalf of the  
25 Water Department, entered into --

1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN DiCICCO: I would  
3 ask again, not to interrupt, if the folks  
4 that are leaving -- excuse me. The folks  
5 who are leaving, we're having a hearing.  
6 I know they're happy, and that's okay,  
7 but hold it down. Thank you.

8 Mr. McCloskey.

9 MR. McCLOSKEY: It's quite  
10 understandable.

11 In regard to this bill  
12 introduced by Councilman Clarke by  
13 request on November the 15th, the  
14 following testimony will be given by the  
15 Water Department.

16 The Commonwealth of  
17 Pennsylvania has made the City the  
18 caretakers of the estuaries located  
19 within the City. The Tacony Creek is a  
20 major drainage estuary of lower Northeast  
21 Philadelphia. It begins in Montgomery  
22 County, transverses the City and  
23 eventually discharges into the Delaware  
24 River.

25 The section of the creek just

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 east of Whitaker Avenue to the former "I"  
3 Street near Ramona Avenue is severely  
4 eroded. This erosion is undermining an  
5 interceptor sewer at the creek. This has  
6 caused the sewer to become damaged from  
7 time to time, resulting in the creek to  
8 either -- the sewer either polluting the  
9 creek by the sewage flow or the creek's  
10 flow entering into the sewer, surcharging  
11 it and causing unnecessary treatment of  
12 the creek's flow at the City's sewerage  
13 treatment plant in Bridesburg.

14 The remedial measures to  
15 correct the situation are to reduce the  
16 velocity of the flow and restore the  
17 eroded banks of the creek. The area of  
18 the erosion is just north of Juniata Park  
19 and is located in the extreme rear of  
20 Friends Hospital at 4651 Roosevelt  
21 Boulevard.

22 In order to allow the City to  
23 restore the creek, the Scattergood  
24 Foundation, which owns and operates  
25 Friends Hospital, has agreed to grant a

1           11/29/07 - STREETS - BILL 070987, ETC.  
2           permanent right-of-way for drainage and  
3           sewer purposes to the City for the use of  
4           over nine acres of land for restoration  
5           and maintenance purposes only. During  
6           construction of the project, the  
7           Scattergood Foundation will grant  
8           temporary use of an additional eight  
9           acres of land for temporary construction  
10          purposes.

11                       This bill authorizes the Water  
12          Commissioner to enter into an agreement,  
13          on behalf of the City, to accept the  
14          grant of the permanent right-of-way from  
15          the Scattergood Foundation and their  
16          successors.

17                      The agreement also provides  
18          language that the City may place the  
19          right-of-way on the City Plan at a future  
20          date.

21                      The restoration of the creek is  
22          planned to be constructed using  
23          environmental engineering techniques with  
24          vegetation, plantings and river rocks to  
25          create a natural environment for the

1           11/29/07 - STREETS - BILL 070987, ETC.  
2           basis of a wetland. In order to share  
3           this natural beauty with the surrounding  
4           communities, it is the intent of the  
5           Scattergood Foundation to use the City's  
6           creek project as an anchor for a wetland  
7           park to be opened to the public. In an  
8           effort to aid the Foundation, the design  
9           of the project will leave the  
10          construction roads in place as a start to  
11          their wetland project.

12                       We recommend that this bill be  
13          favorably reported out of Committee and  
14          given the near ending of the  
15          Administration term, that the rules of  
16          City Council be suspended for a first  
17          reading.

18                       COUNCILMAN DiCICCO: Any  
19          questions for this witness from the  
20          Committee?

21                       (No response.)

22                       COUNCILMAN DiCICCO: Anyone  
23          else here who wishes to testify for or  
24          against the bill?

25                       (No response.)



1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN DiCICCO: Seeing  
3 none, Mr. Abernathy, the title of the  
4 next bill.

5 THE CLERK: Bill No. 070987, an  
6 ordinance establishing a parking  
7 regulation on Douglas Street, west side,  
8 Brandywine Street to Spring Garden  
9 Street.

10 COUNCILMAN DiCICCO: Is there  
11 anyone here from the Parking Authority  
12 here, or Highway?

13 (No response.)

14 COUNCILMAN DiCICCO: Seeing  
15 none, Mr. Abernathy, the title of the  
16 next bill.

17 THE CLERK: Bill No. 070991, an  
18 ordinance authorizing Evangelismos of  
19 Theotokos Greek Orthodox Church to  
20 legalize the construction, operation and  
21 maintenance of an existing raised  
22 platform entrance which consists of two  
23 exterior stairs, a handicapped entrance  
24 ramp and a raised platform landing  
25 providing ingress/egress from the church

1 11/29/07 - STREETS - BILL 070987, ETC.

2 located on the eastern parent of 6501 to  
3 05 Bustleton Avenue, under certain terms  
4 and conditions.

5 MR. MAUTZ: Good afternoon,  
6 Chairman and members of the Committee.  
7 My name is William Mautz and I'm a  
8 Construction Engineer with the Streets  
9 Department. I am here to offer the  
10 following testimony for Bill No. 070991.

11 This bill authorizes  
12 Evangelismos of Theotokos Greek Orthodox  
13 Church to construct, operate and maintain  
14 an existing raised platform entrance  
15 which consists of two exterior stairs, a  
16 handicapped entrance ramp and a raised  
17 platform landing providing ingress and  
18 egress from the church located on the  
19 eastern part of Bustleton Avenue. The  
20 encroachment is approximately 49 feet in  
21 length, 8 feet 2 inches in height and  
22 encroaches 10 feet 2 inches onto the east  
23 public sidewalk of Bustleton Avenue,  
24 leaving approximately 9 feet 10 inches of  
25 clear, unobstructed footway.

1 11/29/07 - STREETS - BILL 070987, ETC.

2 The Streets Department has  
3 reviewed the as-built plans. As the  
4 encroachment does not adversely affect  
5 the public right-of-way, the Streets  
6 Department recommends passage of this  
7 bill.

8 COUNCILMAN DiCICCO: Thank you.

9 Councilman Rizzo.

10 COUNCILMAN RIZZO: In  
11 legalizing a project, just to put it in  
12 English for a moment, it's already been  
13 built. Now we're just trying to make it  
14 right.

15 MR. MAUTZ: That's correct.

16 COUNCILMAN RIZZO: You  
17 discussed the review of the plan. My  
18 concern is, when we do this process, do  
19 we miss a step? Do we actually know that  
20 this platform and ramp has been built  
21 according to the standard that it should  
22 be? In other words, are we confident  
23 that this is a sound structure that's not  
24 going to collapse, that it's built to  
25 code when we do this legalization

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 process?

3 MR. MAUTZ: I'll just give you  
4 a little background, Councilman. This is  
5 actually an ordinance that was already  
6 passed for this back in May of '06, Bill  
7 No. 060086, and the reason that it's come  
8 back is two reasons. Number one, the  
9 original ordinance required that they  
10 enter into an agreement with one year of  
11 the Mayor's signature. The church  
12 neglected to do that. Also, upon further  
13 review, it was determined that we  
14 actually misspelled the name of the  
15 church. So it was incorrect to begin  
16 with. So that's why they are back again.

17 To answer your question, yes,  
18 it falls under the auspices of the  
19 Building Code. This legalization was  
20 part of other work that was occurring at  
21 the church, and as far as Building Code  
22 requirements for that structure, that's  
23 been already determined.

24 COUNCILMAN RIZZO: So any time  
25 we get something like this in front of

1 11/29/07 - STREETS - BILL 070987, ETC.

2 this Committee, we can be confident that  
3 that part of the review has been  
4 conducted in the event there's been an  
5 oversight on a permit or something like  
6 that, that we're not approving something  
7 that may be substandard?

8 MR. MAUTZ: That's correct.

9 COUNCILMAN RIZZO: As the  
10 Councilman said, it is built to code?

11 MR. MAUTZ: That's correct.

12 COUNCILMAN RIZZO: Thank you,  
13 sir.

14 COUNCILMAN DiCICCO: Thank you.

15 Any other questions for this  
16 witness?

17 (No response.)

18 COUNCILMAN DiCICCO: Anyone  
19 else here who wishes to testify for or  
20 against the bill?

21 (No response.)

22 COUNCILMAN DiCICCO: Seeing  
23 none, Mr. Abernathy.

24 THE CLERK: Bill No. 070992, an  
25 ordinance authorizing LaSalle University

1           11/29/07 - STREETS - BILL 070987, ETC.  
2           to construct, own and maintain an  
3           overhead pedestrian bridge crossing the  
4           5600 block of East Wister Street  
5           connecting the Main Campus with  
6           Germantown Hospital, under certain terms  
7           and conditions.

8                       MR. MAUTZ: Good afternoon,  
9           Chairman and members of the Committee.  
10          My name is William Mautz and I'm a  
11          Construction Engineer with the Streets  
12          Department. I'm here to offer the  
13          following testimony for Bill No. 070992.

14                      This bill authorizes LaSalle  
15          University to construct, own and maintain  
16          an overhead pedestrian bridge crossing  
17          the 5600 block of East Wister Street  
18          connecting the Main Campus with  
19          Germantown Hospital.

20                      The structure spans the entire  
21          right-of-way of East Wister Street,  
22          approximately 50 feet, with a minimum  
23          vertical clearance of 14 feet 6 inches  
24          above the roadway. The center line of  
25          the structure is located approximately

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 330 feet north of the north curb line of  
3 West Clarkson Street. The structure is  
4 approximately 10 feet wide.

5 The Streets Department has  
6 reviewed the preliminary plans for this  
7 project. The bill is supported by the  
8 Streets Department and is recommended to  
9 your Committee for favorable action.

10 COUNCILMAN DiCICCO: Thank you,  
11 Mr. Mautz.

12 Any questions for this witness  
13 from the Committee?

14 (No response.)

15 COUNCILMAN DiCICCO: Anyone  
16 else here who wishes to testify --  
17 Councilwoman Miller.

18 COUNCILWOMAN MILLER:  
19 Mr. Mautz, when you describe it as being  
20 minimal vertical clearance of 14 feet,  
21 the bridge that comes to my mind is the  
22 one that St. Joe's has on City Line and  
23 also the one further down near Friday's.  
24 How high is that? How high are those; do  
25 you know?

1 11/29/07 - STREETS - BILL 070987, ETC.

2 MR. MAUTZ: I wouldn't know,  
3 but I could actually give you that  
4 information.

5 COUNCILWOMAN MILLER: And would  
6 this bridge, the height of this, would  
7 this prevent or restrict any trucks from  
8 being able to use that road?

9 MR. MAUTZ: It would not.

10 COUNCILWOMAN MILLER: It would  
11 not?

12 MR. MAUTZ: That's correct.

13 COUNCILWOMAN MILLER: Okay.

14 COUNCILMAN DiCICCO: I think I  
15 know where the Councilwoman was going.  
16 What is the minimum requirement, whether  
17 it's state or highway.

18 MR. MAUTZ: To give you a very  
19 honest answer, by memory, I don't know  
20 what the exact minimum is, but I could  
21 certainly get that to you.

22 COUNCILMAN DiCICCO: Thank you.

23 COUNCILWOMAN MILLER: Thank  
24 you.

25 COUNCILMAN DiCICCO: Any other



1 11/29/07 - STREETS - BILL 070987, ETC.

2 questions?

3 (No response.)

4 COUNCILMAN DiCICCO: Anyone

5 else here who wishes to testify?

6 (No response.)

7 COUNCILMAN DiCICCO: Seeing

8 none, Mr. Abernathy.

9 THE CLERK: Bill No. 070995, an

10 ordinance amending an ordinance, Bill No.

11 060935, approved February 22, 2007,

12 entitled "Granting permission to Aruna

13 Patel, owner and operator of the

14 newsstand located on the northeast corner

15 of 9th and Chestnut Streets, to

16 construct, use and maintain conduits for

17 fiberoptic facilities in, under and

18 across the northeast corner of 9th and

19 Chestnut Streets, for the purpose of

20 supplying telephone service to said

21 newsstand," by deleting Section 5 in its

22 entirety.

23 MR. MAUTZ: Good afternoon,

24 Chairman and members of the Committee.

25 My name is William Mautz and I'm a

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 Construction Engineer with the Streets  
3 Department. I'm here to offer the  
4 following testimony for Bill No. 070995.

5 This bill amends Ordinance No.  
6 060935, approved February 22, '07, by  
7 deleting Section 5 in its entirety.

8 This bill is supported by the  
9 Streets Department and is recommended to  
10 your Committee for favorable action.

11 COUNCILMAN DiCICCO: Any  
12 questions for this witness?

13 (No response.)

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

16 (No response.)

17 COUNCILMAN DiCICCO: Seeing  
18 none, Mr. Abernathy, the title of the  
19 next bill.

20 THE CLERK: Bill No. 070996, an  
21 ordinance amending an ordinance, Bill No.  
22 060937, approved February 26, 2007,  
23 entitled "Granting permission to Ashwin  
24 Patel and Rams Newsstand, owner and  
25 operator of the newsstand located on the

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 southwest corner of 10th and Chestnut  
3 Streets, to construct, use and maintain  
4 conduits for fiberoptic facilities in,  
5 under and across the southwest corner of  
6 10th and Chestnut Streets, for the  
7 purpose of supplying electrical service  
8 and telephone service to said newsstand,"  
9 by deleting Section 5 in its entirety.

10 MR. MAUTZ: Good afternoon,  
11 Chairman and members of the Committee.  
12 My name is William Mautz and I'm a  
13 Construction Engineer with the Streets  
14 Department. I'm here to offer the  
15 following testimony for Bill No. 070996.

16 This bill amends Ordinance  
17 060937, approved February 22, '07, by  
18 deleting Section 5 in its entirety.

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

22 COUNCILMAN DiCICCO: Thank you,  
23 Mr. Mautz.

24 Any questions for this witness  
25 from the Committee?

1 11/29/07 - STREETS - BILL 070987, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: Let the  
4 record also reflect that Councilman  
5 Clarke, Darrell Clarke, who is a member  
6 of this Committee, is now present.

7 Mr. Abernathy, title of the  
8 next bill.

9 THE CLERK: Bill No. 070988, an  
10 ordinance authorizing and directing the  
11 revision of lines and grades on a portion  
12 of City Plan No. 17-S by striking from  
13 the City Plan and vacating Oakford Street  
14 from 30th Street to 31st Street, under  
15 certain terms and conditions.

16 MR. MORELLI: Good afternoon,  
17 Mr. Chairman and members of the  
18 Committee. My name is Frank Morelli,  
19 Survey Bureau Manager of the Department  
20 of Streets, and the Department of Streets  
21 would like to offer the following  
22 testimony on Bill No. 070988.

23 This is not an administrative  
24 ordinance, but an ordinance requested by  
25 Bernard B. Kolodner of Bleinbard, Bell

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 and Brecker, LLP, 1900 Market Street,  
3 Suite 700, Philadelphia, PA 19103,  
4 representing Ferry Development, LP.

5 The purpose of this ordinance  
6 is to strike and vacate Oakford Street,  
7 thereby allowing the consolidation of  
8 parcels on either side of this street in  
9 order to facilitate the development of  
10 the property.

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

15 MR. ERICKSON: Good afternoon,  
16 Chairman DiCicco and members of the  
17 Streets and Services Committee. I am  
18 William Erickson, City Planner for the  
19 Development Planning Division of the  
20 Philadelphia City Planning Commission. I  
21 am here to testify on Bill 070988, which  
22 was introduced by Councilmember Blackwell  
23 for Council President Verna on November  
24 15, 2007.

25 The ordinance authorizes and

1           11/29/07 - STREETS - BILL 070987, ETC.  
2           directs the revision of lines and grades  
3           on City Plan No. 17-S by striking from  
4           the City Plan and vacating Oakford Street  
5           from 30th Street to 31st Street, under  
6           certain terms and conditions.

7                       The Philadelphia City Planning  
8           Commission reviewed and approved this  
9           same action as part of Bill No. 030376 on  
10          June 17, 2003 to allow for a future  
11          commercial development on this site.  
12          This action is consistent with the former  
13          approval and will allow for the  
14          construction of a drugstore and a food  
15          market. Therefore, the Planning  
16          Commission recommends that Bill No.  
17          070988 be approved.

18                      COUNCILMAN DiCICCO: Thank you.

19                      Any questions for these  
20          witnesses from the Committee?

21                      (No response.)

22                      COUNCILMAN DiCICCO: Anyone  
23          else here who wishes to testify on these  
24          bills?

25                      (No response.)

1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN DiCICCO: Seeing  
3 none, Mr. Abernathy, title of the next  
4 bill.

5 THE CLERK: Bill No. 070989, an  
6 ordinance authorizing and directing the  
7 revision of lines and grades on a portion  
8 of City Plan Nos. 387 and 402 by striking  
9 from the City Plan and vacating the  
10 westerly 32 feet wide and variable width  
11 portion of Island Avenue from a point  
12 approximately 901 feet south of Penrose  
13 Avenue to a point approximately 102 feet  
14 south of Escort Street and by placing on  
15 the City Plan a right-of-way for drainage  
16 purposes, water main purposes, gas main  
17 purposes and public utility purposes  
18 within the lines of the portion of Island  
19 Avenue being stricken from the City Plan  
20 by authority of this ordinance.

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

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 would like to offer the following  
3 testimony on Bill No. 070989.

4 This is an administrative  
5 ordinance requested by Mr. Michael J.  
6 McCartney, Airport Planning and  
7 Environmental Services Manager,  
8 Philadelphia International Airport,  
9 Terminal E, 2nd Floor, Philadelphia, PA  
10 19153.

11 The purpose of this ordinance  
12 is to allow International Airport to take  
13 possession of the exiting drop-off lane  
14 as part of the project to expand parking  
15 facilities.

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

20 MR. ERICKSON: Good afternoon,  
21 Chairman DiCicco and members of the  
22 Streets and Services Committee. I am  
23 William Erickson, City Planner,  
24 Development Planning Division of the  
25 Philadelphia City Planning Commission. I



1 11/29/07 - STREETS - BILL 070987, ETC.  
2 am here to testify on Bill 070989, which  
3 was introduced by Councilmember Blackwell  
4 for Council President Verna on November  
5 15, 2007.

6 The Philadelphia International  
7 Airport is expanding its parking area in  
8 the lay-by lane for the former Overseas  
9 Terminal. This action is needed to  
10 address the loss of parking due to the  
11 Airport runway expansion. The proposal  
12 is to reduce Island Avenue by 32 feet  
13 from 108 feet wide to 76 feet on the  
14 south side by removing a lay-by lane on  
15 the block between Penrose Avenue and  
16 Escort Avenue.

17 The Philadelphia Planning  
18 Commission staff has reviewed this street  
19 action and will recommend approval of  
20 this action at the next Planning  
21 Commission meeting on December 18, 2007,  
22 and, therefore, the Planning Commission  
23 staff recommends that Bill No. 070989 be  
24 approved.

25 COUNCILMAN DiCICCO: Any

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 questions for these witnesses from the  
3 Committee?

4 (No response.)

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

8 (No response.)

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

12 THE CLERK: Bill No. 070990, an  
13 ordinance amending Section 2 of an  
14 ordinance, Bill No. 020430, approved  
15 November 13, 2002, entitled "An ordinance  
16 authorizing the revision of lines and  
17 grades on a portion of City Plan No. 312  
18 by striking from the City Plan and  
19 vacating the legally open portions of  
20 Jackson Street from Pearson Street to  
21 Aubrey Street, under certain terms and  
22 conditions," by extending the period for  
23 compliance with the terms and conditions  
24 stated therein.

25 MR. MORELLI: Good afternoon,

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 Chairman and members of the Committee.  
3 My name is Frank Morelli, Survey Bureau  
4 Manager of the Department of Streets, and  
5 the Department of Streets would like to  
6 offer the following testimony on Bill No.  
7 070990.

8 This is not an administrative  
9 ordinance, but an ordinance requested by  
10 Mr. Ray Fabrizio, 4452 Aubrey Avenue,  
11 Philadelphia, PA 19114.

12 The purpose of this ordinance  
13 is to extend the time period for  
14 compliance with the conditions of the  
15 previously approved ordinance authorizing  
16 the striking and vacating of Jackson  
17 Street.

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

22 MR. ERICKSON: Good afternoon,  
23 Chairman DiCicco and members of the  
24 Streets and Services Committee. I am  
25 William Erickson, City Planner,

1 11/29/07 - STREETS - BILL 070987, ETC.

2 Development Planning Division of the  
3 Philadelphia City Planning Commission. I  
4 am here to testify on Bill No. 070990,  
5 which was introduced by Councilmember  
6 Krajewski on November 15, 2007.

7 An ordinance amending Section 2  
8 of an ordinance, Bill No. 020430,  
9 approved November 13, 2002, entitled "An  
10 ordinance authorizing the revision of  
11 lines and grades on a portion of City  
12 Plan No. 312 by striking from the City  
13 Plan and vacating the legally open  
14 portion of Jackson Street from Pearson  
15 Street to Aubrey Street, under certain  
16 terms and conditions," by extending the  
17 period for compliance with the terms and  
18 conditions therein.

19 This action will remove from  
20 the City Plan an unneeded paper street to  
21 allow the adjacent owners the ability to  
22 more fully utilize their properties.  
23 Therefore, the Planning Commission staff  
24 recommends that Bill No. 070990 be  
25 approved.

1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN DiCICCO: Thank you.

3 Any questions of these

4 witnesses from the Committee?

5 (No response.)

6 COUNCILMAN DiCICCO: Seeing

7 none, Mr. Abernathy, please read the

8 title of the next bill.

9 THE CLERK: Bill No. 070993, an  
10 ordinance authorizing and directing the  
11 revision of lines and grades on a portion  
12 of City Plan Nos. 361 and 367 by placing  
13 on the City Plan a 15 feet wide  
14 right-of-way for drainage purposes  
15 adjacent to the northwesterly side of  
16 Bustleton Avenue and extending from  
17 Scotchbrook Drive to a point  
18 approximately 671 feet northeastwardly  
19 therefrom, under certain terms and  
20 conditions.

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

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 would like to offer the following  
3 testimony on Bill No. 070993.

4 This is not an administrative  
5 ordinance, but an ordinance requested by  
6 Mr. Jack Bienenfeld of Champion  
7 Development Corporation, 828 Red Lion  
8 Road, Philadelphia, PA 19115.

9 The purpose of this ordinance  
10 is to place a right-of-way to allow for  
11 the construction of a sewer serving a  
12 proposed development of 22 market-rate  
13 twin homes.

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

18 COUNCILMAN DiCICCO: Thank you.

19 Any questions for this witness  
20 from the Committee?

21 (No response.)

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

24 (No response.)

25 COUNCILMAN DiCICCO: Seeing

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 none, Mr. Abernathy, please read the  
3 title of the next bill.

4 THE CLERK: Bill No. 070997, an  
5 ordinance authorizing and directing the  
6 revision of lines and grades on a portion  
7 of City Plan No. 97 by striking from the  
8 City Plan and vacating Reese Street from  
9 Kater Street to Bainbridge Street, under  
10 certain terms and conditions.

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. 070997.

18 This is not an administrative  
19 ordinance, but an ordinance requested by  
20 Mr. Daniel Ascher, 515 Bainbridge Street,  
21 Philadelphia, PA 19147.

22 The purpose of this ordinance  
23 is to strike and vacate Reese Street from  
24 Kater Street to Bainbridge Street to  
25 convert it to a private walkway.

1 11/29/07 - STREETS - BILL 070987, ETC.

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

6 MR. ERICKSON: Good afternoon,  
7 Chairman DiCicco and members of the  
8 Streets and Services Committee. I am  
9 William Erickson, City Planner,  
10 Development Planning Division of the  
11 Philadelphia City Planning Commission. I  
12 am here to testify on Bill 070997, which  
13 was introduced by Councilmember DiCicco  
14 on November 15, 2007.

15 An ordinance authorizing and  
16 directing the revision of lines and  
17 grades on a portion of City Plan No. 97  
18 by striking from the City Plan and  
19 vacating Reese Street from Kater to  
20 Bainbridge.

21 The purpose of the proposed  
22 City Plan change is to control access to  
23 a 12 foot wide street used as a  
24 pedestrian access, which has several  
25 problems, including public urination and



1           11/29/07 - STREETS - BILL 070987, ETC.  
2           trash. The party-at-interest has an  
3           agreement from the other two affected  
4           parties to proceed with the closing and  
5           will be responsible for the maintenance.

6                     The Philadelphia City Planning  
7           Commission reviewed and approved this  
8           action at its meeting on September 18,  
9           2007, with the additional condition that  
10          the street remain a cross easement and  
11          should remain undeveloped space.  
12          Therefore, the Planning Commission  
13          recommends that Bill No. 070997 be  
14          approved with the requirement of the  
15          cross easement. If the developer does  
16          not wish to deed restrict the parcel, the  
17          Planning Commission will give Mr. Daniel  
18          Ascher the opportunity to present his  
19          development proposal to the Planning  
20          Commission at its next meeting.

21                    COUNCILMAN DiCICCO: Thank you.

22                    Any questions for these  
23          witnesses from the Committee?

24                    (No response.)

25                    COUNCILMAN DiCICCO: Is there

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 anyone testifying on this? Mr. Lander,  
3 you guys are just observing. You want to  
4 testify? You don't need to.

5 Thank you.

6 Mr. Abernathy, please read the  
7 title of the next bill.

8 THE CLERK: Bill No. 071006, an  
9 ordinance amending Section 2 of an  
10 ordinance, Bill No. 050516, approved June  
11 29, 2005, entitled "An ordinance  
12 authorizing and directing the revision of  
13 lines and grades on a portion of City  
14 Plan No. 120 by striking from the City  
15 Plan and vacating Harlan Street, Stewart  
16 Street and Nassau Street, each from 21st  
17 Street to 22nd Street, and by reserving  
18 and placing on the City Plan a  
19 right-of-way for gas main purposes within  
20 the beds of Stewart Street and Nassau  
21 Street being stricken under the authority  
22 of this ordinance, all under certain  
23 terms and conditions," by extending the  
24 period for compliance with the terms and  
25 conditions stated therein.

1 11/29/07 - STREETS - BILL 070987, ETC.

2 MR. MORELLI: Good afternoon,  
3 Mr. Chairman and members of the  
4 Committee. My name is Frank Morelli,  
5 Survey Bureau Manager of the Department  
6 of Streets, and the Department of Streets  
7 would like to offer the following  
8 testimony on Bill No. 071006.

9 This is not an administrative  
10 ordinance, but an ordinance requested by  
11 Mr. Andrew Davenport, Office of Housing  
12 and Community Development, 1234 Market  
13 Street, 17th Street, Philadelphia, PA  
14 19107.

15 The purpose of this ordinance  
16 is to extend the time period for  
17 compliance with the conditions of the  
18 previously approved ordinance authorizing  
19 the striking and vacating of the  
20 aforementioned streets as part of the  
21 Sharswood Phase II redevelopment project.

22 This ordinance is supported by  
23 the Department of Streets and is  
24 recommended to your Committee for  
25 favorable action.

1 11/29/07 - STREETS - BILL 070987, ETC.

2 MR. ERICKSON: Good afternoon,  
3 Chairman DiCicco and members of the  
4 Streets and Services Committee. I am  
5 William Erickson, City Planner,  
6 Development Planning Division of the  
7 Philadelphia City Planning Commission. I  
8 am here to testify on Bill No. 071004,  
9 which was introduced by Councilmember  
10 Clarke on November 15, 2007.

11 This ordinance amends Section 2  
12 of an ordinance, Bill No. 050516,  
13 approved June 2, 2005, entitled "An  
14 ordinance authorizing and directing the  
15 revision of lines and grades on a portion  
16 of City Plan No. 120 by striking from the  
17 City Plan and vacating Harlan Street,  
18 Stewart Street and Nassau Street, each  
19 from 21st Street to 22nd Street, and by  
20 reserving and placing on the City Plan a  
21 right-of-way for gas main purposes within  
22 the bed of Stewart and Nassau Street  
23 being stricken under authority of this  
24 ordinance, all under certain terms and  
25 conditions."

1 11/29/07 - STREETS - BILL 070987, ETC.

2 The purpose is to allow the  
3 Philadelphia Redevelopment Authority to  
4 construct 71 affordable rental housing  
5 units as part of its Sharswood II  
6 development.

7 The Philadelphia City Planning  
8 Commission has approved the acquisition  
9 and disposition of these parcels to  
10 facilitate this redevelopment.  
11 Therefore, the Planning Commission staff  
12 recommends that Bill No. 071006 be  
13 approved.

14 COUNCILMAN DiCICCO: The Chair  
15 recognizes Councilman Clarke.

16 COUNCILMAN CLARKE: Thank you,  
17 Mr. Chairman.

18 You may not be able to answer  
19 this question. This is to allow the  
20 construction of 71 rental developments as  
21 part of the Sharswood II project?

22 MR. ERICKSON: Correct.

23 COUNCILMAN CLARKE: That's  
24 already done.

25 MR. MORELLI: There was

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 conditions in the ordinance to getting  
3 agreements with the abutting property  
4 owners and they didn't get those  
5 agreements, so this is extending the time  
6 for compliance for that.

7 COUNCILMAN CLARKE: Okay.  
8 Because I thought I had some development  
9 coming that I didn't know about and I  
10 would have been extremely pleased if I  
11 had 71 new houses coming.

12 MR. MORELLI: Already  
13 completed.

14 COUNCILMAN CLARKE: Okay. I  
15 got you now.

16 COUNCILMAN DiCICCO: Well, some  
17 of that Convention Center money we'll use  
18 and build houses instead of expanding it.

19 Any questions for these  
20 witnesses from the Committee?

21 (No response.)

22 COUNCILMAN DiCICCO: Seeing  
23 none, thank you, gentlemen.

24 This concludes the public  
25 hearing for the Committee of Streets and

1 11/29/07 - STREETS - BILL 070987, ETC.

2 Services. We will now go into the public  
3 meeting.

4 I would ask the Vice-Chair,  
5 Councilman Ramos, to have a motion for  
6 the first bill.

7 COUNCILMAN RAMOS: I move that  
8 Bill No. 071007 be reported out of  
9 Committee with a favorable recommendation  
10 and further move that the rules of  
11 Council be suspended to permit first  
12 reading of this bill at our next Council  
13 meeting.

14 (Duly seconded.)

15 COUNCILMAN DiCICCO: It has  
16 been properly moved and seconded that  
17 Bill No. 071007 be reported out of this  
18 Committee with a favorable  
19 recommendation, that the rules of Council  
20 be suspended.

21 All those in favor signify by  
22 saying aye.

23 (Aye.)

24 COUNCILMAN DiCICCO: Those  
25 opposed?

1 11/29/07 - STREETS - BILL 070987, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: The bill  
4 is approved.

5 Councilman Ramos.

6 COUNCILMAN RAMOS: I move that  
7 Bill No. 070987 be reported out of  
8 Committee with a favorable recommendation  
9 and further move that the rules of  
10 Council be suspended to permit first  
11 reading of this bill at our next Council  
12 meeting.

13 (Duly seconded.)

14 COUNCILMAN DiCICCO: It has  
15 been properly moved and seconded that  
16 Bill No. 070987 be reported out of this  
17 Committee with a favorable  
18 recommendation, that the rules of Council  
19 be suspended.

20 All those in favor signify by  
21 saying aye.

22 (Aye.)

23 COUNCILMAN DiCICCO: Those  
24 opposed?

25 (No response.)



1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN DiCICCO: The bill  
3 is approved.

4 Councilman Ramos.

5 COUNCILMAN RAMOS: I move that  
6 Bill No. 070991 be reported out of  
7 Committee with a favorable recommendation  
8 and further move that the rules of  
9 Council be suspended to permit first  
10 reading of this bill at our next Council  
11 meeting.

12 (Duly seconded.)

13 COUNCILMAN DiCICCO: It has  
14 been properly moved and seconded that  
15 Bill No. 070991 be reported out of this  
16 Committee with a favorable  
17 recommendation, that the rules of Council  
18 be suspended.

19 All those in favor signify by  
20 saying aye

21 (Aye.)

22 COUNCILMAN DiCICCO: Those  
23 opposed?

24 (No response.)

25 COUNCILMAN DiCICCO: The bill

1 11/29/07 - STREETS - BILL 070987, ETC.

2 is approved.

3 Councilman Ramos.

4 COUNCILMAN RAMOS: I move that

5 Bill No. 070992 be reported out of

6 Committee with a favorable recommendation

7 and further move that the rules of

8 Council be suspended to permit first

9 reading of this bill at our next Council  
10 meeting.

11 (Duly seconded.)

12 COUNCILMAN DiCICCO: It has

13 been properly moved and seconded that

14 Bill No. 070992 be reported out of this

15 Committee with a favorable

16 recommendation, that the rules of Council

17 be suspended.

18 All those in favor signify by

19 saying aye.

20 (Aye.)

21 COUNCILMAN DiCICCO: Those

22 opposed?

23 (No response.)

24 COUNCILMAN DiCICCO: The bill

25 is approved.

1 11/29/07 - STREETS - BILL 070987, ETC.

2 Councilman Ramos.

3 COUNCILMAN RAMOS: I move that  
4 Bill No. 070995 be reported out of  
5 Committee with a favorable recommendation  
6 and further move that the rules of  
7 Council be suspended to permit first  
8 reading of this bill at our next Council  
9 meeting.

10 (Duly seconded.)

11 COUNCILMAN DiCICCO: It has  
12 been properly moved and seconded that  
13 Bill No. 070995 be reported out of this  
14 Committee with a favorable  
15 recommendation, that the rules of Council  
16 be suspended.

17 All those in favor signify by  
18 saying aye.

19 (Aye.)

20 COUNCILMAN DiCICCO: Those  
21 opposed?

22 (No response.)

23 COUNCILMAN DiCICCO: The bill  
24 is approved.

25 Councilman Ramos.

1 11/29/07 - STREETS - BILL 070987, ETC.

2 COUNCILMAN RAMOS: I move that  
3 Bill No. 070996 be reported out of  
4 Committee with a favorable recommendation  
5 and further move that the rules of  
6 Council be suspended to permit first  
7 reading of this bill at our next Council  
8 meeting.

9 (Duly seconded.)

10 COUNCILMAN DiCICCO: It has  
11 been properly moved and seconded that  
12 Bill No. 070996 be reported out of this  
13 Committee with a favorable  
14 recommendation, that the rules of Council  
15 be suspended.

16 All those in favor signify by  
17 saying aye.

18 (Aye.)

19 COUNCILMAN DiCICCO: Those  
20 opposed?

21 (No response.)

22 COUNCILMAN DiCICCO: The bill  
23 is approved.

24 Councilman Ramos.

25 COUNCILMAN RAMOS: I move that

1 11/29/07 - STREETS - BILL 070987, ETC.

2 Bill No. 070988 be reported out of  
3 Committee with a favorable recommendation  
4 and further move that the rules of  
5 Council be suspended to permit first  
6 reading of this bill at our next Council  
7 meeting.

8 (Duly seconded.)

9 COUNCILMAN DiCICCO: It has  
10 been properly moved and seconded that  
11 Bill No. 070988 be reported out of this  
12 Committee with a favorable  
13 recommendation, that the rules of Council  
14 be suspended.

15 All those in favor signify by  
16 saying aye.

17 (Aye.)

18 COUNCILMAN DiCICCO: Those  
19 opposed?

20 (No response.)

21 COUNCILMAN DiCICCO: The bill  
22 is approved.

23 Councilman Ramos.

24 COUNCILMAN RAMOS: I move that  
25 Bill No. 070989 be reported out of

1 11/29/07 - STREETS - BILL 070987, ETC.  
2 Committee with a favorable recommendation  
3 and further move that the rules of  
4 Council be suspended to permit first  
5 reading of this bill at our next Council  
6 meeting.

7 (Duly seconded.)

8 COUNCILMAN DiCICCO: It has  
9 been properly moved and seconded that  
10 Bill No. 070989 be reported out of this  
11 Committee with a favorable recommendation  
12 and that the rules of Council be  
13 suspended so as to permit first reading  
14 at our next session.

15 All those in favor signify by  
16 saying aye.

17 (Aye.)

18 COUNCILMAN DiCICCO: Those  
19 opposed?

20 (No response.)

21 COUNCILMAN DiCICCO: The bill  
22 is approved.

23 Councilman Ramos.

24 COUNCILMAN RAMOS: I move that  
25 Bill No. 070990 be reported out of

1 11/29/07 - STREETS - BILL 070987, ETC.

2 Committee with a favorable recommendation  
3 and further move that the rules of  
4 Council be suspended to permit first  
5 reading of this bill at our next Council  
6 meeting.

7 (Duly seconded.)

8 COUNCILMAN DiCICCO: It has  
9 been properly moved and seconded that  
10 Bill No. 070990 be reported out of this  
11 Committee with a favorable  
12 recommendation, that the rules of Council  
13 be suspended.

14 All those in favor signify by  
15 saying aye.

16 (Aye.)

17 COUNCILMAN DiCICCO: Those  
18 opposed?

19 (No response.)

20 COUNCILMAN DiCICCO: The bill  
21 is approved.

22 Councilman Ramos.

23 COUNCILMAN RAMOS: I move that  
24 Bill No. 070993 be reported out of  
25 Committee with a favorable recommendation

1 11/29/07 - STREETS - BILL 070987, ETC.

2 and further move that the rules of  
3 Council be suspended to permit first  
4 reading of this bill at our next Council  
5 meeting.

6 (Duly seconded.)

7 COUNCILMAN DiCICCO: It has  
8 been properly moved and seconded that  
9 Bill No. 070993 be reported out of this  
10 Committee with a favorable recommendation  
11 and that the rules of Council be  
12 suspended.

13 All those in favor signify by  
14 saying aye.

15 (Aye.)

16 COUNCILMAN DiCICCO: Those  
17 opposed?

18 (No response.)

19 COUNCILMAN DiCICCO: The bill  
20 is approved.

21 Councilman Ramos.

22 COUNCILMAN RAMOS: I move that  
23 Bill No. 070997 be reported out of  
24 Committee with a favorable recommendation  
25 and further move that the rules of



1 11/29/07 - STREETS - BILL 070987, ETC.

2 Council be suspended to permit first  
3 reading of this bill at our next Council  
4 meeting.

5 (Duly seconded.)

6 COUNCILMAN DiCICCO: It has  
7 been properly moved and seconded that  
8 Bill No. 070997 be reported out of this  
9 Committee with a favorable  
10 recommendation, that the rules of Council  
11 be suspended.

12 All those in favor signify by  
13 saying aye.

14 (Aye.)

15 COUNCILMAN DiCICCO: Those  
16 opposed?

17 (No response.)

18 COUNCILMAN DiCICCO: The bill  
19 is approved.

20 Councilman Ramos.

21 COUNCILMAN RAMOS: I move that  
22 Bill No. 071006 be reported out of  
23 Committee with a favorable recommendation  
24 and further move that the rules of  
25 Council be suspended to permit first

1 11/29/07 - STREETS - BILL 070987, ETC.  
 2 reading of this bill at our next Council  
 3 meeting.

4 (Duly seconded.)

5 COUNCILMAN DiCICCO: It has  
 6 been properly moved and seconded that  
 7 Bill No. 071006 be reported out of this  
 8 Committee with a favorable  
 9 recommendation, that the rules of Council  
 10 be suspended.

11 All those in favor signify by  
 12 saying aye.

13 (Aye.)

14 COUNCILMAN DiCICCO: Those  
 15 opposed?

16 (No response.)

17 COUNCILMAN DiCICCO: The bill  
 18 is approved.

19 This concludes the public  
 20 meeting on the Committee of Streets and  
 21 Services and I thank all the members for  
 22 attending.

23 (Committee on Streets and  
 24 Services adjourned at 1:45 p.m.)

25 - - -

1

2

## CERTIFICATE

3

I HEREBY CERTIFY that the

4

proceedings, evidence and objections are

5

contained fully and accurately in the

6

stenographic notes taken by me upon the

7

foregoing matter on November 29, 2007, and

8

that this is a true and correct transcript of

9

same.

10

11

12

13

14

15

16

---

MICHELE L. MURPHY

17

RPR-Notary Public

18

19

20

(The foregoing certification of this

21

transcript does not apply to any reproduction

22

of the same by any means, unless under the

23

direct control and/or supervision of the

24

certifying reporter.)

25