

City of Philadelphia



(Bill No. 010070-A)

AN ORDINANCE

Authorizing the Parkway Corporation, owner of the properties 1501-1509 Spruce street and 1506-1508 Latimer street, Philadelphia, PA 19102, to construct and maintain various encroachments in on over and under the north footway of Spruce street, the west footway of Fifteenth street and the south footway of Latimer street adjacent to the properties 1501-1509 Spruce street and 1506-1508 Latimer street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to the Parkway Corporation, 150 North Broad street, Philadelphia, PA 19102, owner of the properties 1501-1509 Spruce street and 1506-1508 Latimer street, Philadelphia, PA 19102, to construct and maintain the following encroachments over the public rights-of-way adjacent to the properties 1501-1509 Spruce street and 1506-1508 Latimer street:

(a) An electrified sign over the north footway of Spruce street, approximately one foot (1') wide, located at a point approximately one hundred and twenty feet (120') west of the west curb line of Fifteenth street. The sign will project a maximum of approximately five feet (5') over the north footway of Spruce street, with the lowest point approximately twenty-two feet, one inch (22'-1") above the footway and the highest point approximately forty-five feet, one inch (45'-1") above the footway for an overall height of approximately twenty-three feet (23').

(b) An electrified sign over the west footway of Fifteenth street, approximately one foot (1') wide, located at a point approximately fifty-two feet (52') south of the south curb line of Latimer street. The sign will project a maximum of approximately five feet (5') over the west footway of Fifteenth street, with the lowest point approximately twenty-one feet, nine inches (21'-9") above the footway and the highest point approximately forty-four feet, nine inches (44'-9") above the footway for an overall height of approximately twenty three feet (23').

(c) Three (3) contiguous rigid awnings projecting a maximum of approximately seven feet (7') over the north footway of Spruce street, each with an approximate length of twenty feet (20'); an approximate height of four feet (4'); and a minimum vertical clearance of approximately nine feet (9') above the footway. The centerline of each rigid awning will be offset at the following locations west of the west curb line of Fifteenth street:

City of Philadelphia

BILL NO. 010070-A continued

Certified Copy

- i. thirty-five feet (35')
- ii. sixty feet (60')
- iii. eighty-five feet (85').

(d) Three (3) contiguous rigid awnings projecting a maximum of approximately seven feet (7') over the south footway of Latimer street, each with an approximate length of sixteen feet (16'); an approximate height of four feet (4'); and a minimum vertical clearance of approximately nine feet (9') above the footway. The centerline of each rigid awning will be offset at the following locations west of the west curb line of Fifteenth street:

- i. twenty-two feet (22')
- ii. forty feet (40')
- iii. fifty-eight feet (58').

(e) Four (4) contiguous rigid awnings projecting a maximum of approximately seven feet (7') over the west footway of Fifteenth street with approximate lengths of:

- i. twelve feet (12')
- ii. twenty-eight feet (28')
- iii. twenty feet (20')
- iv. seventeen feet (17').

Each rigid awning will have an approximate overall height of four feet (4'); and a minimum vertical clearance of approximately nine feet (9') above the footway. The centerline of each rigid awning will be offset north of the north curb line of Spruce Street at the following locations.

- i. forty-five feet (45')
- ii. sixty-six feet (66')
- iii. eighty-seven feet (87')
- iv. one hundred and seven feet (107').

(f) Three (3) contiguous rigid awnings projecting a maximum of approximately seven feet (7') over the west footway of Fifteenth street. The awnings will be approximately four feet (4') high and maintain a minimum vertical clearance of approximately nine feet (9') above the footway. The centerline of the eighteen foot (18') wide rigid awning will be approximately one hundred and two feet (102') south of the south curb line of Latimer street. The centerline of the twenty foot (20') wide rigid awning will be approximately eighty-one feet (81') south of the south curb line of Latimer Street. The centerline of the twenty foot (20') wide rigid awning will be approximately twenty-eight (28') feet south of the south curb line of Latimer street.

City of Philadelphia

BILL NO. 010070-A continued

Certified Copy

(g) Decorative screen panels mounted to the three (3) exposed facades of the parking garage building that will project approximately one foot (1') over the north footway of Spruce street, the west footway of Fifteenth street and the south footway of Latimer street. All panels will have a minimum vertical clearance above the footways of approximately twenty-eight feet (28') and end at a point just below the roof of the building for an overall total height of approximately ninety-two feet (92').

(h) Three (3) six inch (6") diameter steel bollards projecting a maximum of approximately one foot (1') into the south footway of Latimer street, each with an approximate height of three feet (3'). The centerline of each bollard will be offset west of the west curb line of Fifteenth street at the following locations:

- i. eighty feet (80')
- ii. ninety feet (90')
- iii. one hundred and nineteen feet (119').

(i) Two (2) six inch (6") diameter steel bollards projecting a maximum of approximately one foot (1') into the north footway of Spruce street, each with an approximate height of three feet (3'). The centerline of each bollard will be offset west of the west curb line of Fifteenth street at the following locations:

- i. ninety-three feet (93')
- ii. one hundred and ten feet (110').

(j) Two (2) six inch (6") diameter steel bollards projecting a maximum of approximately one foot (1') into the west footway of Fifteenth street, each with an approximate height of three feet (3'). The centerline of each bollard will be offset south of the south curb line of Latimer street at the following locations:

- i. Thirty-seven feet (37')
- ii. Sixty-seven feet (67').

SECTION 2. Before exercising any rights or privileges under this Ordinance, the Parkway Corporation must first obtain all required permits, licenses and approvals from all appropriate City departments, boards, agencies or commissions. No such department, board, agency or commission shall be required to issue any such permit, license or approval solely because this Ordinance has been enacted, it being the express intent of this Ordinance not to supersede any other provision of law governing the issuance of such permits, licenses or approvals. In addition, before exercising any rights or privileges under this Ordinance, the Parkway Corporation shall enter into an agreement ("Agreement") with the appropriate City department(s), in a form satisfactory to the City Solicitor, to provide that the Parkway Corporation shall, *inter alia*:

City of Philadelphia

BILL NO. 010070-A continued

Certified Copy

(a) Furnish the City with a bond with corporate surety in the amount required by the Department of Streets and in a form satisfactory to the City Solicitor to insure compliance with all the terms and conditions of this Ordinance and the Agreement.

(b) Protect, indemnify and save harmless the City from all suits or claims for damages which may arise directly or indirectly as a result of the encroachments authorized in Section 1 of this Ordinance.

(c) Comply with the provisions of The Philadelphia Code, thereby securing all required permits, licenses and approvals from all appropriate departments, boards, agencies or commissions as may be required.

(d) Insure that the encroachments authorized in Section 1 of this Ordinance do not project in, on, above or under the public right-of-way at dimensions different than that which is specified in Section 1.

(e) Carry public liability and property damage insurance co-naming the City of Philadelphia as an insured party in such amounts as shall be satisfactory to the City Solicitor.

(f) Remove any or all of the various encroachments in or on the public rights-of-way within sixty (60) days upon lawful service of notice from the City of Philadelphia.

SECTION 3. The City Solicitor shall include in the Agreement such other terms and conditions as shall be deemed necessary to protect the interests of the City.

SECTION 4. The permission granted to the Parkway Corporation to construct and maintain various encroachments in, on, above and under the north footway of Spruce street, the west footway of Fifteenth street and the south footway of Latimer street shall expire without any further action by the City of Philadelphia if the Parkway Corporation has not entered into the Agreement and satisfied all requirements of the Agreement and this Ordinance that are listed in Section 2 of the Ordinance within one (1) year after this Ordinance becomes law.

SECTION 5. This Ordinance shall not become effective unless the sum of two hundred dollars (\$200.00), toward the costs thereof, is paid into the City Treasury within sixty (60) days after this Ordinance becomes law.

City of Philadelphia

BILL NO. 010070-A continued

Certified Copy

City of Philadelphia

BILL NO. 010070-A continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on May 24, 2001. The Bill was Signed by the Mayor on June 4, 2001.



Marie B. Hauser
Chief Clerk of the City Council