

# City of Philadelphia



(Bill No. 070237)

## AN ORDINANCE

Authorizing Liberty Property Trust Philadelphia Limited Partnership IV, Eight Penn Center, Suite 1100, 1628 John F. Kennedy Boulevard, Philadelphia, PA 19103, owner of the Comcast Center at 1701 John F. Kennedy Boulevard, Philadelphia, PA 19103, for the placement of raised planters on John F. Kennedy Boulevard and the installation of stainless steel security bollards on Arch Street and N. 17th Street adjacent to the Comcast Center, under certain terms and conditions.

WHEREAS, Liberty Property Trust Philadelphia Limited Partnership IV owns the Comcast Center at 1701 John F. Kennedy Boulevard, Philadelphia, PA 19103; and

WHEREAS, Liberty Property Trust Philadelphia Limited Partnership IV has requested permission to place raised planters on John F. Kennedy Boulevard and install stainless steel security bollards on Arch Street and N. 17th Street adjacent to the Comcast Center; now, therefore

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

**SECTION 1.** Liberty Property Trust Philadelphia Limited Partnership IV, owner of the Comcast Center at 1701 John F. Kennedy Boulevard, Philadelphia, PA 19103, is hereby authorized to place raised planters on John F. Kennedy Boulevard and install stainless steel security bollards on Arch Street and N. 17th Street adjacent to the Comcast Center as follows:

### **Raised Planters**

A total of six (6) planters will be located on the north sidewalk of John F. Kennedy Boulevard between N. 17th Street and N. 18th Street. The planters, located approximately three feet six inches (3'-6") north of the north curb line of John F. Kennedy Boulevard, are approximately ten feet (10'-0") wide by four feet (4'-0") high and are either twenty-five feet (25'-0") or forty feet (40') in length. The planter placement is being done in conjunction with a revision to the City Plan changing the north footway dimension from eighteen feet (18'-0") to twenty-five feet (25'-0").

The first planter is forty feet (40'-0") in length by ten feet (10'-0") in width by four feet (4'-0") in height and is located forty-six feet (46'-0") west of the west curb line of N. 17th Street.

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The second planter is twenty-five feet (25'-0") in length by ten feet (10'-0") in width by four feet (4'-0") in height and is located eighty-three feet (83'-0") west of the west curb line of N. 17th Street.

The third planter is twenty-five feet (25'-0") in length by ten feet (10'-0") in width by four feet (4'-0") in height and is located one hundred thirteen feet (113'-0") west of the west curb line of N. 17th Street.

The fourth planter is twenty-five feet (25'-0") in length by ten feet (10'-0") in width by four feet (4'-0") in height and is located one hundred forty-three feet (143'-0") west of the west curb line of N. 17th Street.

The fifth planter is twenty-five feet (25'-0") in length by ten feet (10'-0") in width by four feet (4'-0") in height and is located one hundred seventy-three feet (173'-0") west of the west curb line of N. 17th Street.

The sixth planter is forty feet (40'-0") in length by ten feet (10'-0") in width by four feet (4'-0") in height and is located two hundred forty feet (240'-0") west of the west curb line of N. 17th Street.

## **Security Bollards**

The stainless steel security bollards are approximately two feet six inches (2'-6") high with a twelve inch (0'-12") diameter. The amount and location are as follows:

N. 17th Street: A total of twenty-five (25) bollards will be placed on the west sidewalk of N. 17th Street, in a straight line at equal intervals of approximately five feet (5'-0") from the centerline of the previous bollard. When a structure is already in place at the five feet (5'-0") interval, the next bollard will be placed approximately five feet (5'-0") from the already existing structure. The first bollard is located approximately sixteen feet (16'-0") south of the south curb line of Arch Street and the last bollard is located approximately one hundred and forty-five feet (145'-0") south of the south curb line of Arch Street. The bollards will be placed three feet (3'-0") west of the west curb line of N. 17th Street.

Arch Street: A total of thirty-two (32) bollards will be placed on the south sidewalk. The first ten (10) bollards, located approximately six feet (6'-0") to forty feet (40'-0") west of the west curb line of N. 17th Street, are placed in a straight line at equal intervals of approximately five feet (5'-0") from the centerline of the previous bollard approximately ten feet (10'-0") south of the south curb line of Arch Street. When a structure is already in place at the five feet (5'-0") interval, the next bollard will be placed approximately five feet (5'-0") from the already existing structure. The remaining twenty-two (22) bollards, located approximately forty feet (40'-0") to one hundred and ninety-eight feet (198'-0") west of the west curb line of N. 17th Street, are to be placed in

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a straight line at equal intervals of approximately five feet (5'-0") from the centerline of the previous bollard approximately three feet (3'-0") south of the south curb line of Arch Street. When a structure is already in place at the five feet (5'-0") interval, the next bollard will be placed approximately five feet (5'-0") from the already existing structure.

**SECTION 2.** The construction, use and maintenance of the pedestrian bridge listed in Section 1 shall be in accordance with the laws, rules and regulations of the City of Philadelphia, and specifically those of the Department of Licenses and Inspections and the Department of Streets, provided that the Streets Department, in its sole, unreviewable discretion, may allow minor variations of the dimension limits of Section 1, within standard tolerances of current engineering practice.

**SECTION 3.** Before exercising any rights or privileges under this Ordinance, Liberty Property Trust Philadelphia Limited Partnership IV must first obtain or have their contractor(s) obtain all required permits, licenses and approvals from all appropriate 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 and privileges under this Ordinance, Liberty Property Trust Philadelphia Limited Partnership IV shall enter into an agreement ("Agreement") with the appropriate City department or departments, satisfactory to the Law Department, to provide that Liberty Property Trust Philadelphia Limited Partnership IV, *inter alia*:

- (a) agree that upon one hundred and eighty (180) days notice from the City, it shall remove the raised planters and security bollards without cost or expense to the City and shall restore the cartway and footways of John F. Kennedy Boulevard, N. 17th Street, and Arch Street at no cost and expense to the City of Philadelphia when given written notice to do so by the City of Philadelphia to accommodate a municipal or municipal sponsored construction project;
- (b) furnish the City with either a bond with corporate surety in an amount required by the Department of Streets and in a form satisfactory to the Law Department to insure the compliance with all the terms and conditions of this Ordinance and the Agreement, and to protect and indemnify the City from and against all damages or claims for damages which may arise directly or indirectly as a result of the placement and installation of the raised planters and security bollards or their removal, or in lieu thereof, submit documentation in a form and content acceptable to the City that Liberty Property Trust Philadelphia Limited Partnership IV self-assumes liabilities and obligations normally covered by Surety Bond;

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- (c) secure all necessary permits, licenses and approvals from all appropriate departments, agencies, boards or commissions of the City as may be required by regulation or law. 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;
- (d) assume the costs of all changes and adjustments to, and relocation or abandonment of City utilities and City structures wherever located as may be necessary by the reason of the placement and installation of the raised planters and security bollards;
- (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 Law Department, or in lieu thereof, submit documentation in form and content acceptable to the City that Liberty Property Trust Philadelphia Limited Partnership IV is self-insured and is providing the City of Philadelphia the same coverage and benefits had the insurance requirements been satisfied by an insurance carrier authorized to do business in the Commonwealth of Pennsylvania;
- (f) insure that all construction contractors for the raised planters and security bollards carry public liability and property damage insurance, naming the City of Philadelphia as an insured party in such amounts as shall be reasonably satisfactory to the Law Department; and
- (g) give the City and all public utility companies the right of access, ingress and egress for the purpose of inspection, maintenance, alteration, relocation or reconstruction of any of their respective facilities which may lie within the public right-of-way of any affected streets.

**SECTION 4.** The Law Department shall include in the Agreement such other terms and conditions as shall be deemed necessary to protect the interests of the City.

**SECTION 5.** The permission granted to Liberty Property Trust Philadelphia Limited Partnership IV to place and install the raised planters and security bollards described in Section 1 shall expire without any further action by the City of Philadelphia if Liberty Property Trust Philadelphia Limited Partnership IV has not entered into an Agreement and satisfied all requirements of the Agreement that are listed in Section 3 of this Ordinance within one (1) year after this Ordinance becomes law.

**SECTION 6.** This Ordinance shall not become effective unless the sum of two hundred dollars (\$200), toward costs thereof, is paid into the City Treasury within sixty (60) days after the date this Ordinance becomes law.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on May 3, 2007. The Bill was Signed by the Mayor on May 24, 2007.



Patricia Rafferty  
Chief Clerk of the City Council