

Legislation Text

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Authorizing G2S2 Associates, L.P., owner of the property 1605-1627 Sansom Street, Philadelphia, PA 19103, to construct and maintain a building encroachment over and above the north footway of the 1600 block of Sansom street adjacent to the property 1605-1627 Sansom street; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Permission is hereby granted to G2S2 Associates, L.P. owner of the property 1605-1627 Sansom Street, Philadelphia, PA 19103, to construct and maintain a building addition encroaching four feet from the property line over and above the north footway of Sansom street, with a vertical clearance above the footway of seventeen feet (17') and extending eighty-three feet (83') high. The building addition is located within a point one hundred and forty-four feet (144') west of the west curb line of Sixteenth street to a point two hundred and ninety feet (290') west of the west curb line of Sixteenth street adjacent to the property 1605-1627 Sansom street. This permission is granted notwithstanding anything to the contrary in subsection 11-604(6) of The Philadelphia Code relating to garages projecting beyond the street line.

SECTION 2. Before exercising any rights or privileges under this Ordinance, G2S2 Associates, L.P. must first 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 the 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, G2S2 Associates, L.P. shall enter into an agreement ("Agreement") with the appropriate City department(s), in form satisfactory to the Philadelphia Law Department, to provide that G2S2 Associates, L.P. shall, *inter alia*:

(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 Law Department to insure the 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 erection of the encroachment listed 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 encroachment authorized by Section 1 does not exceed the dimensions set forth in Section 1, provided that the Streets Department, in its sole unreviewable discretion, may allow minor variations of the dimension limits within standard tolerances of current engineering practice;

(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; and

(f) remove the building encroachment authorized by Section 1 from above and over the public right

-of-way within sixty (60) days upon lawful service of notice from the City of Philadelphia.

SECTION 3. The Philadelphia 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 4. The permission granted to G2S2 Associates, L.P. to construct the building addition over the north footway of Sansom street adjacent to the property 1605-1627 Sansom street shall expire without any further action by the City of Philadelphia if G2S2 Associates, L.P. has not entered into the Agreement and satisfied all requirements of the Agreement that are listed in Section 2 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.