

TAKE BACK OUR SIDEWALKS!

**A REPORT TO THE PHILADELPHIA CITY COUNCIL
COMMITTEE ON STREETS AND SERVICES
BY THE DESIGN ADVOCACY GROUP**



ABOVE: INCONSISTENT UNSUPERVISED AND INCOMPETENT SIGNAGE SIGN AT 17TH AND SANSOM.

LEFT: DOES ANYONE REALLY EXPECT THE PEDESTRIAN TO GO BACK A HALF BLOCK TO COMPLY WITH THIS ANNOUNCEMENT?

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April 3, 2008

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with contributions from the following DAG members and friends:

Alan Greenberger: Chairman, David Brownlee: Vice-chair, Bill Becker, past chair, Greg Heller, James Templeton, Craig Schelter, Hilary Regan, Kathryn O'Rourke, Kyle Grading, R. Bradley Maule, Paul Horning

BACKGROUND

The Design Advocacy Group has for some time been concerned about intrusions, obstructions, and outright closures of public space, especially sidewalks. DAG was galvanized by the attempt to take over sidewalk space at 1352 South Street and played a role in bringing this egregious situation to the attention of proper authorities. As this work was done, it became increasingly obvious that throughout Philadelphia public access is impaired on a regular basis by the City's extremely lenient policy toward sidewalk closures for construction. They are everywhere, and they are not going away. We believe that these closures are generally not necessary and are way out of step with our peers. In this context we have conducted first hand research to document a small part of the situation in Philadelphia today, so that the Committee on Streets and Services may have access to up-to-the-minute information about just what is going on in Philadelphia's streets.

INTRODUCTION TO THE IMAGES

The images that follow document conditions believed to be inappropriate by one or more of our action team. For each image we provide the location, a descriptive caption, and the name of the photographer. We encourage others to provide additional images to keep this collection growing.

DISCLAIMER

As befits an unfunded organization, the work documented herein has been provided by volunteers. We do not know of any code or permit violations and we are not accusing specific contractors or property owners of anything. We offer these images as first hand information that reveals common conditions in the city and believe that they form an eloquent argument for thoughtful and effective action.

FINDINGS

This research has persuaded us of the following:

1. The problem is pervasive in many neighborhoods, and for all types of construction.
2. There is tremendous variety in the site conditions and constraints affecting construction access.
3. There is equally great variety in what is actually being done.
4. The city is far too lenient.
5. There appears to be no consistency or city supervision once closing permits are granted.
6. In some cases there are obvious solutions that could be utilized (adjacent parking lots) that are vacant.

PEER CITY COMPARISONS

We have reached out to Chicago, New York, and Boston. Further comparisons might be conducted by the City and include Baltimore, and Washington, DC.

Chicago interview by a study participant: Brian Steele – Chicago Department of Transportation

- *Chicago's policy: Wherever construction occurs, we always maintain a pedestrian right-of-way.*

- This could be with a temporary sidewalk or a canopy over the existing sidewalk.
- We will often close an active travel lane or remove a parking lane to permit a temporary sidewalk to be constructed.
- Only when the physical constraints absolutely will not allow it, will we permit contractors to close the sidewalk to pedestrians. However, they must pay a public way permitting fee, which is significant.
- When closing the sidewalk, they must use adequate barriers, such as Jersey walls and have adequate signage directing pedestrians.
- Contractors always want extra staging space, but we are not inclined to give them extra space unless they can really demonstrate a compelling need.
- The Office of Emergency Management and Communications handles these issues, in concert with the Department of Transportation.

POLICY CONTEXT

In recommending policies and legislation to correct this situation it is easy to go over-board because the abuses are so evident to many fair minded observers. We wish to avoid over-correction in our recommendations. Here are some principles:

1. Property owners have a right to build and modify legal structures on their property.
2. Adjacent property owners and ordinary citizens have a right to use the public sidewalks for access to any building in a safe and consistent manner.
3. Contractors have a right to access to do their work.
4. Sidewalk control should not be in the hands of neighbors or City Council.
-- (Sidewalk and access issues should not become a second chance to stop a project that was not stopped at the ZBA or other appropriate forum)
5. Regulation should be simple and predictable so that it can be enforced equitably.
6. There should be creativity in the application of guidelines dedicated to serving the public in the best fashion.

RECOMMENDATIONS

Our policy recommendations are as follows:

1. Street and sidewalk closures should be administered by the Streets Department, with appropriate liaison to other agencies.
2. The neighborhood and pedestrian needs should be taken into consideration.
3. Blockage of the sidewalk should be an extremely rare and temporary event, not normally permitted.
4. A family of standard solutions should be prepared by the Planning Commission and promulgated. For example --we have many 50' streets with 12' sidewalks and a 26' cartway that supports two travel lanes and a parking lane. For these streets, a "normal" contractor permit could permit blocking the sidewalk and parking lane, as long as a protected pedestrian sidewalk diversion path at least five feet in width is provided. Protection requirements might vary with the height of the new construction and the view of the Department.
5. GRAPHICS SHOULD BE CONSISTENT. There should be a uniform graphic expression alerting the pedestrian to the diverted sidewalk, with appropriate safety warnings. The permit for the sidewalk alteration should be posted continuously and sites monitored for compliance.
6. The administration should be creative. The alignment of the pedestrian diversion zone might be shifted several times during the course of a large project. ZBA variances for grade level parking where not otherwise permitted should REQUIRE as a proviso that the operator offer space at the regular parking rate for construction access and staging to adjacent properties.
7. Where additional supervision is available, such as in special service districts, -- training and coordination should occur, so that service representatives can provide proper enforcement follow up.
8. Closures should be removed as soon as there is no longer a need for them.
9. Closures should not be permitted in front of non-involved properties.
10. Closures should not be permitted where the sole use is as a private parking zone.
11. Non-construction blockages should be prohibited without permits, and permits should require the same application as construction zones.
12. In the rare event that a full closure is even contemplated, this should go through an additional review level involving senior personnel trained in these issues, and might require coordination with the Planning Commission or other outside agency. Full closings should not be available over the counter.



17th and JFK

"Excuse me, may I see your permit? And by the way, where are the posted signs?" Delivery to State Liquor Store.

Photo: Kyle Grading



17th and Spruce

"Parking problem? There isn't a parking problem, I park wherever I want."

Photo: Kathryn O'Rourke



17th and Locust

Sidewalk has been closed for a year.

Photo: Kathryn O'Rourke



19th and Spruce

Almost all right. Sidewalk materials storage area is small (no vehicles) and space is allowed between storage area and scaffolding to permit pedestrian movement.

Photo: Kathryn O'Rourke



18th and Walnut

Even a carefully managed site has its disconnects. What are the three shoppers supposed to do?

Photo: George Claflen



18th and Sansom

A relatively well-managed site. This view shows the very tight conditions under which the contractor must work. Concrete pump being re-positioned.

Photo: George Claflen



21st and Market

Construction fence has taken sidewalk, parking lane, and one of two travel lanes out of service for over a year.

Photo: George Claflen



21st and Market

This is what faces the pedestrian attempting to walk south on 21st Street. Graphics are not clearly visible from sidewalk, vehicle parked on sidewalk.

Photo: George Claflen



21st and Market

Jackpot!. Right side sidewalk, parking and one travel lane are closed. Pedestrian is directed to left side which is impaired by construction as well.

Photo: George Claflen



21st and Arch

Street has been narrowed for more than a year. Back-ups at intersection delay thousands of transit riders on two bus lines.

Photo: George Claflen



21st and JFK

Sign directs pedestrian to "cross here." There is no crosswalk, no other markings, no warning strips for vehicles, and no curb cut.

Photo: George Claflen



21st and Market

Although the project has closed half of 21st Street and the entire eastbound roadway of JFK Blvd, ample staging area exists on site and in the adjacent parking lot to the right.

Photo: George Claflen



Northern Liberties

Uncontrolled angle parking and uncontrolled construction site make the sidewalk a precarious strip between two hazards.

Photo: Hilary Regan



17th and Sansom

Pedestrians walking in street while construction worker is behind two layers of protection.

Photo: George Claflen



17th and Sansom Streets

Pedestrian experience heading west on Sansom near 17th. Note sign oblique against fence to right of red truck.

Photo: George Claflen



17th and Sansom Streets

Sign is readable only from across the street where it makes no sense. Sign is intended to display perpendicular to its current position to direct people who have walked three-quarters of the block to go back to 16th Street.

Photo: George Claflen



17th and Sansom

Ample space available in parking lot behind the trucks for staging. Parking lot is a non-conforming use with a permit from the ZBA. Why not require such lots to make space available for construction staging?

Photo: George Claflen



17th and Sansom

Truck parking, exterior elevator and dumpsters in street. North side of Sansom Street is inaccessible.

Photo: George Claflen



New York City

Sidewalk is fully protected, graphics are not fancy, but are clear and workman-like.

Photo: Greg Heller



19th and Rittenhouse Sq.

Posted permit? Approved graphics? Not to be found at one of Philadelphia's best addresses.

Photo: Kyle Grading



1500 Blk -- Bainbridge St.

"Excuse me -- my building is structurally unsound -- may I block your sidewalk for the foreseeable future instead of repairing it?"

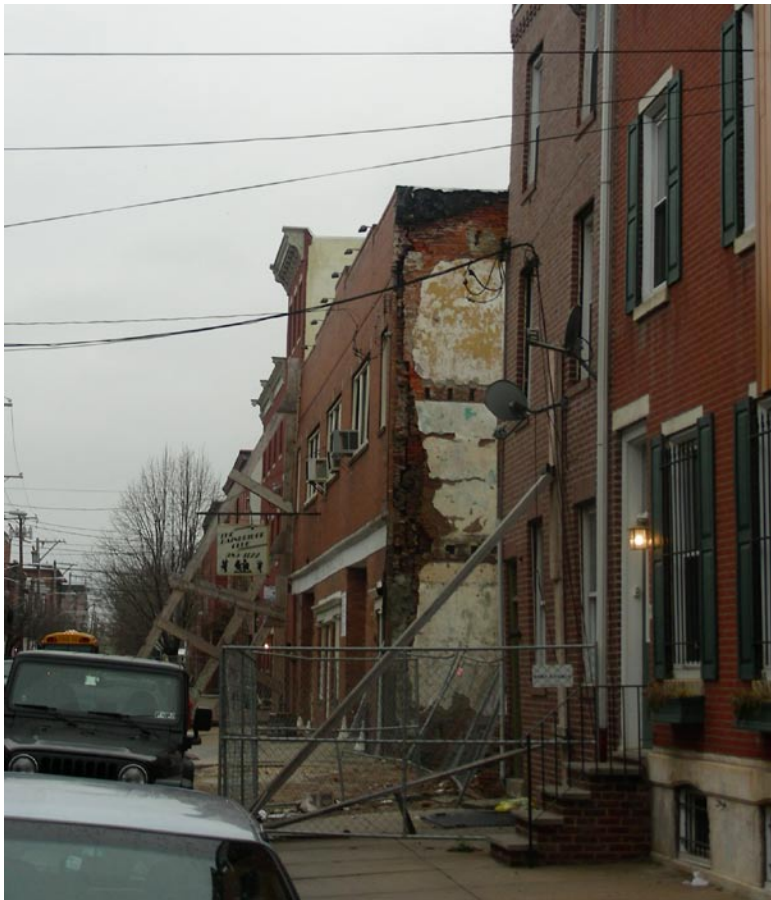
Photo: James Templeton



15th and Bainbridge

New Construction. No visible need for closure of any kind. Is anyone watching these sites?

Photo: James Templeton



1500 Blk -- Bainbridge St.

"Sidewalk blocked with structural brace. Hazardous wall condition. Danger of collapse is evident.

Photo: James Templeton



15th and Bainbridge

New Construction. No visible need for closure.

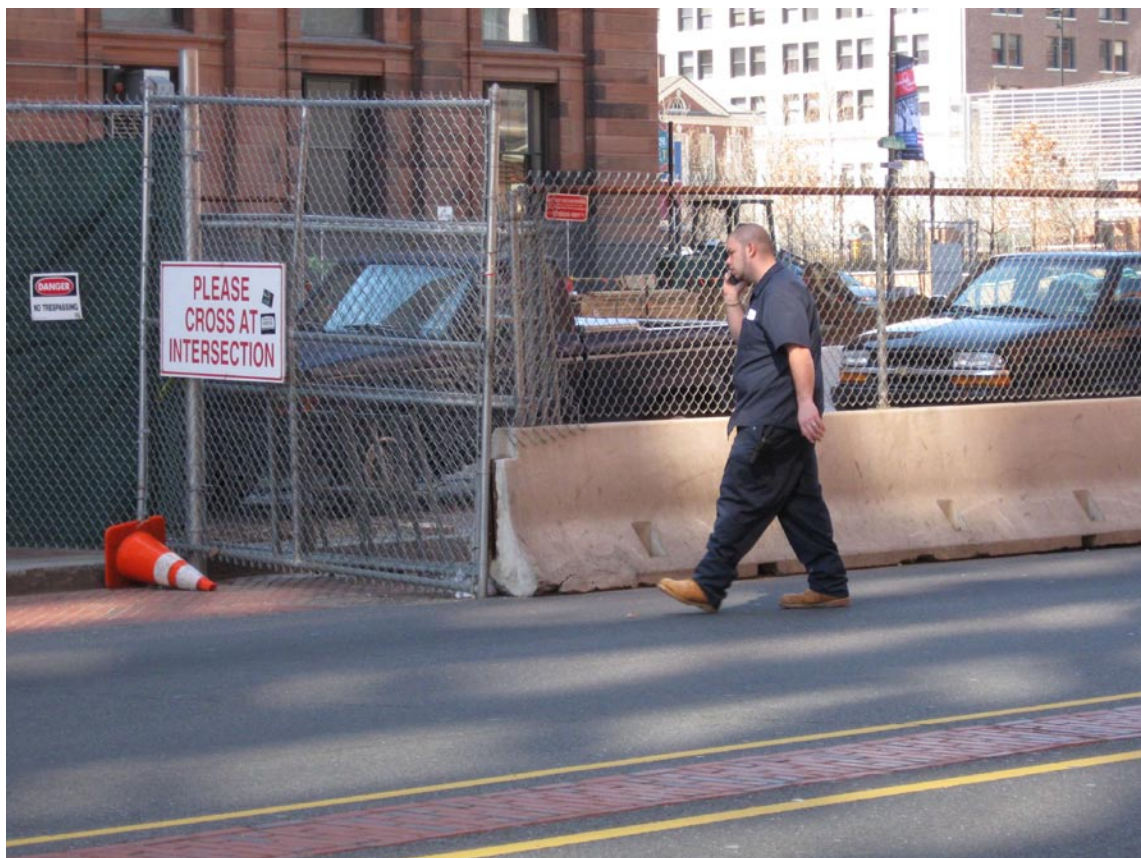
Photo: James Templeton



5th and Market

An intrepid pedestrian maintains her original choice as to which side of the street to use. Approximately one block from Independence Hall.

Photo: Alan Greenberger



5th and Market

Taking a risk, but remaining connected. No signage would be visible to this pedestrian. Jersey barrier protects site, not pedestrian.

Photo: Alan Greenberger



Frankford and Girard

Intersection of two arterial streets, two bus lines, trolley. Note woman pushing baby carriage in street and cyclist coming off Frankford.

Photo: R. Bradley Maule