



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 000371

Introduced May 18, 2000

Councilmember Clarke

**Referred to the
Committee on Rules**

AN ORDINANCE

To amend the Philadelphia Zoning Maps, by changing the zoning designation of a certain area of land located in the 8th Ward and within the area bounded by Spruce street, South Fifteenth street, Latimer street, and a line parallel to and one-hundred ten feet west of South Fifteenth street from Class "C-4" Commercial to Class "C-5" Commercial and exempting this area of land from certain provisions of Section 14-305 of The Philadelphia Code entitled "C-4" and "C-5" Commercial in order to permit the construction of a parking garage adjacent to the new Regional Performing Arts Center and to facilitate its use by those attending at functions at the Center, under certain terms and conditions.

WHEREAS, The Regional Arts Performing Center (RPAC) is presently under construction along the southerly side of Spruce street between Broad street (The Avenue of the Arts) and Fifteenth street and the RPAC represents a significant expenditure of both public and private funds to create a World-class center for the performing arts to serve the citizens of the Philadelphia region and beyond;

WHEREAS, In October 1999 the Philadelphia City Planning Commission in conjunction with the Avenue of the Arts, Inc. completed a vision for the future of the South Broad street portion of the Avenue of the Arts and as part of this vision recommended the construction of a parking garage on the westerly side of Fifteenth street between Spruce street and Locust street to serve the patrons of the new RPAC.

WHEREAS, There is presently a surface parking lot located on the site recommended for the parking garage and development of a garage with some ground floor retail space at this location would improve the appearance of this corner while providing needed off-street parking for patrons of the RPAC;

City of Philadelphia

BILL NO. 000371 continued

WHEREAS, A garage of the size needed to provide an adequate number of parking spaces cannot be accommodated at this location without either acquisition and demolition of additional property within this block or by rezoning the area of the parking lot to a zoning classification that would permit a garage of the size needed.

WHEREAS, The Council believes that a rezoning of the existing parking lot is more desirable and less disruptive to the immediate area than the demolition of additional residential and commercial buildings to create a parcel of land large enough to accommodate the needed number of parking spaces under the present zoning classification;

WHEREAS, The Council notes that there are several provisions of the zoning code that would make it impossible to develop the existing parking lot as a parking garage of the needed size without several variances and a Special Permit being granted by the Zoning Board of Adjustment;

WHEREAS, The Council believes that a parking garage at this location is desirable and will benefit the citizens of the City and of the region as well as the patrons of the RPAC and should be completed in a timely fashion so as to make available to provide off-street parking upon completion of the RPAC.

WHEREAS, The Council believes that the subject area of land should be exempted from having to obtain both a rezoning as well as Zoning Board of Adjustment variances and special use permits; therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 14-103 of The Philadelphia Code, the Philadelphia Zoning Maps are hereby amended by changing the zoning designation of a certain area of land located within the area bounded by Spruce street (fifty-eight feet wide), South Fifteenth street (fifty feet wide), Latimer street (forty feet wide), and a line parallel to and one-hundred ten feet west of said South Fifteenth street, from Class "C-4" Commercial to Class "C-5" Commercial.

SECTION 2. The area of land rezoned to Class "C-5" Commercial in Section 1 above, if developed with a parking garage, shall not be required to comply with the following provisions of §14-305 entitled "C-4" and "C-5" Commercial:

(1) §14-305(2)(b)(.2)(d) pertaining to vehicular access to trash storage and loading;

City of Philadelphia

BILL NO. 000371 continued

- (2) §14-305(2)(b)(.2)(h) pertaining to parking garages with a capacity of over 500 cars;
- (3) §14-305(2)(b)(.2)(i) pertaining to vehicular ingress and/or egress to parking garages;
- (4) §14-305(3)(c) pertaining to Special Use Permits for above ground parking garages
- (5) §14-305(4)(c) pertaining to open area above ground level;
- (6) §14-305(5)(c)(.2) and §14-305(5)(d)(.2) pertaining to maximum building width; and
- (7) §14-305(7)(f) pertaining to a maximum building height.

SECTION 3. Sunset Provision. Section 2 of this Ordinance shall expire one year from the date of enactment of this Ordinance; provided however, that any zoning permits issued prior to the expiration of Section 2 shall remain in effect, provided that construction of any facilities authorized by such permits completed within three years of the date of enactment of this Ordinance.

City of Philadelphia

BILL NO. 000371 continued