

Legislation Details (With Text)

File #: 110377 **Version:** 0 **Name:**

Type: Bill **Status:** ENACTED

File created: 5/12/2011 **In control:** Committee on Rules

On agenda: **Final action:**

Title: Amending Title 14 of The Philadelphia Code, relating to "Zoning and Planning," by amending Chapter 14-1100, entitled "Institutional Development District," by amending certain provisions of the Institutional Development District concerning permitted uses, minimum district area, gross floor area and occupied area by placing additional limitations on those provisions for Institutional Development Districts located within a certain area of the City and by providing for exceptions from certain provisions of the Wissahickon Watershed regarding impervious ground cover limitations and construction on steep slopes, under certain terms and conditions.

Sponsors: Councilmember Miller

Indexes: ZONING AND PLANNING

Code sections: Title 14 - ZONING AND PLANNING

Attachments: 1. CertifiedCopy11037700.pdf

Date	Ver.	Action By	Action	Result	Tally
6/22/2011	0	MAYOR	SIGNED		
6/16/2011	0	CITY COUNCIL	READ AND PASSED	Pass	17:0
6/9/2011	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/9/2011	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
6/9/2011	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/7/2011	0	Committee on Rules	HEARING NOTICES SENT		
6/7/2011	0	Committee on Rules	HEARING HELD		
6/7/2011	0	Committee on Rules	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
5/12/2011	0	CITY COUNCIL	Introduced and Referred	Pass	

Amending Title 14 of The Philadelphia Code, relating to "Zoning and Planning," by amending Chapter 14-1100, entitled "Institutional Development District," by amending certain provisions of the Institutional Development District concerning permitted uses, minimum district area, gross floor area and occupied area by placing additional limitations on those provisions for Institutional Development Districts located within a certain area of the City and by providing for exceptions from certain provisions of the Wissahickon Watershed regarding impervious ground cover limitations and construction on steep slopes, under certain terms and conditions.

WHEREAS, Chestnut Hill College is about to embark on a significant campus expansion; and

WHEREAS, The City Planning Commission on April 19, 2011 has considered and approved the initial campus Master Plan and the rezoning of the campus to "Institutional Development District"; and

WHEREAS, Due to the unique topographical, environmental and ecological sensitivity of the campus

certain revisions to the Institutional Development District are necessary in order to facilitate the site improvements proposed in the Master Plan; and

WHEREAS, All improvements to the campus will be accomplished through plans approved by the City Planning Commission, the Water Department, the Department of Licenses and Inspections and, when applicable, by the Pennsylvania Department of Environmental Protection; and

WHEREAS, The Master Plan includes certain development countermeasures, conservation improvements, site restoration and site improvement limitations heretofore unprecedented in an Institutional Development District; and

WHEREAS, Environmental consultants for Chestnut Hill College, have developed a storm water management plan that meets or exceeds the standards required for compliance with mitigating stormwater runoff in the Wissahickon Watershed Controls district; and

WHEREAS, Due to the unique and specific site development controls and limitations as depicted on the Master Plan approved by the Planning Commission, the development shown on the Master Plan supports exemptions from certain specified provisions of the Wissahickon Watershed Controls district in conjunction with approved engineering solutions; and

WHEREAS, The technical deviations from the Wissahickon Watershed requirements in conjunction with the mitigation efforts are clearly consistent with the intent of the Environmental Controls for the Wissahickon Watershed; and

WHEREAS, Certain internal road relocation and widening improvements result in said internal roads not being in compliance with certain provisions concerning set backs from water courses within the Wissahickon Watershed; and

WHEREAS, Said internal road improvements will nonetheless result in a net decrease in impervious surface within the floodplain and floodway of over 12,000 square feet; and

WHEREAS, There will be a significant net decrease in impervious surface on the campus within the floodway and floodplain; and

WHEREAS, Certain portions of proposed new buildings would be constructed on previously disturbed slopes steeper than 25%; and

WHEREAS, The earthwork associated with the construction of said new buildings will be contained entirely within a controlled construction zone managed in accordance to Philadelphia Water Department and Pennsylvania Department of Environmental Protection stormwater management, sedimentation and erosion control protocols; and

WHEREAS, Certain improvements exceed the maximum allowable impervious area in the Category 1 coverage area of 20%; and

WHEREAS, The Master Plan proposes mitigation measures such as green roofs, stormwater cisterns and bioswales to reduce the volume and rate of runoff to the Wissahickon Creek; and

WHEREAS, The Master Plan proposes a maximum allowable impervious area in the Category 5 coverage area of 40% while the maximum allowable impervious area is 100%; and

WHEREAS, Only 13.5% of the campus is indicated on the Master Plan as being occupied by buildings; and

WHEREAS, Under certain terms and conditions proposed perpetual conservation easements shall result in the majority of the Sugar Loaf campus being permanently maintained in an unimproved, natural condition; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 14-1100 of The Philadelphia Code, relating to “Institutional Development District” is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-1100. INSTITUTIONAL DEVELOPMENT DISTRICT.

* * *

§14-1109. District Rules and Exceptions.

* * *

(e) In instances where the Institutional Development District is located adjacent to an “R-1” Residential District and has street frontage on Germantown Avenue between Northwestern Avenue and Bells Mills Road:

(1) Notwithstanding the provisions of §14-1102(a) through (m) above, the following uses shall not be permitted:

(a) Billiards, pool and bowling;

(b) Bus terminals, railroad passenger stations;

(c) Fraternity and sorority houses;

(d) Medical and surgical hospitals, medical centers, health centers, sanatoria (including those for contagious diseases), eleemosynary institutions, and adjunct dwellings, but not including any health care facilities accessory to the main use of the campus as an educational facility;

(e) Post offices;

(f) Repair of household appliances and fixtures;

(g) Retail sales of:

(i) Motorcycles;

(ii) Department store merchandise, electric appliances and fixtures, floor coverings, furniture, household appliances, meat, packaged paints, seafood and/or variety store merchandise as a main use;

(h) Taxidermist;

(i) Telephone exchange buildings;

(j) Treatment or sale of pet birds and pet animals and animal hospitals;

(.2) Notwithstanding the provisions of §14-1103(a) above, the minimum Institutional Development District area shall be thirty acres of contiguous property;

(.3) Notwithstanding the provisions of §14-1103(c) above, not more than 20% of the Institutional Development District area, exclusive of streets, shall be occupied by buildings;

(.4) Notwithstanding the provisions of §14-1103(b) above, in instances where the Institutional Development District is located on the north side of Germantown Avenue between Northwestern Avenue and Hillcrest Avenue, the gross floor area of all buildings shall not exceed 48.5% of the Institutional Development District nor 925,000 square feet, exclusive of streets, subject to the provisions of §14-1109 of this Chapter;

(.5) Notwithstanding the provisions of §14-1103(b) above, in instances where the Institutional Development District is located on the south side of Germantown Avenue between Northwestern Avenue and Bells Mills Road, the gross floor area of all buildings shall not exceed 38% of the Institutional Development District nor 500,000 square feet, exclusive of streets, subject to the provisions of §14-1109 of this Chapter;

(.6) Notwithstanding the provisions of §14-1603.2(4)(a), in instances where the Institutional Development District is located on the north side of Germantown Avenue between Northwestern Avenue and Hillcrest Avenue, solely within the buildable area of the approved Master Plan and the internal road system new impervious ground cover may be constructed as part of the relocation and widening of existing internal roads when the internal road improvements result in a net decrease in impervious surface within the floodplain and floodway and when such construction is in accordance with applicable Philadelphia Water Department, Philadelphia City Planning Commission and Pennsylvania Department of Environmental Protection regulations and the regulations of any other agencies having jurisdiction and in accord with plans approved by such agencies;

(.7) Notwithstanding the provisions of §14-1603.2(4)(b), in instances where the Institutional Development District has street frontage on Germantown Avenue between Northwestern Avenue and Bells Mills Road, solely within the buildable area of the approved Master Plan and the internal road system construction and earth moving activity on previously disturbed slopes in excess of 25% may be permitted when such construction is in accordance with applicable Philadelphia Water Department, Philadelphia City Planning Commission and Pennsylvania Department of Environmental Protection regulations and the regulations of any other agencies having jurisdiction and in accord with plans approved by such agencies;

(.8) Notwithstanding the provisions of §14-1603.2(4)(c)(1), in instances where the Institutional Development District is located on the south side of Germantown Avenue between Northwestern Avenue and Bells Mills Road, solely within the buildable area of the approved Master Plan and the internal road system impervious ground coverage may exceed 20% in Category 1 when accompanied by mitigation measures such as green roofs, stormwater cisterns and bioswales, or other engineering countermeasures which reduce the volume and rate of stormwater runoff to the Wissahickon Creek in accordance with applicable Philadelphia Water Department, Philadelphia City Planning Commission and Pennsylvania Department of Environmental Protection regulations and the regulations of any other agencies having jurisdiction and in accord with plans approved by such agencies.

(.9) The exceptions authorized by the provisions of paragraphs (.6), (.7) and (.8) above, shall be applicable only to those improvements authorized through the enactment of Institutional Development District rezoning legislation and the accompanying approved Master Plan for the Chestnut Hill College campuses and which are consistent with the allowances provided in paragraphs (.4) and (.5) above.

(.10) Notwithstanding the provisions of paragraphs (.6), (.7) and (.8) above, all rights of appeal under Section 14-1705 from any decision of the Department, including, without limitation, the issuance of any permit under Section 14-1703, shall be preserved.

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

Italics indicate new matter added.