

Legislation Text

File #: 130908-A, **Version:** 2

To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street, by amending Chapter 14-500 of the Zoning Code entitled “Overlay Zoning”, by amending Chapter 14-700 of the Zoning Code entitled “Development Standards”, and by amending Chapter 14-800 of the Zoning Code entitled “Parking and Loading”, under certain terms and conditions.

WHEREAS, This area of the City has been zoned for high rise commercial development since the City of Philadelphia adopted its first Zoning Code; and

WHEREAS, The proposed Avenue Place development includes a residential tower, a hotel, retail space and off-street parking; and

WHEREAS, The development includes a proposal to close a portion of the 1300 block of Cypress Street to provide for better access to and management of the parking and guest and customer servicing areas for the development; and

WHEREAS, Avenue Place includes the construction of a five star hotel which will support the growth of the Avenue of the Arts; and

WHEREAS, Avenue Place includes significant new retail commercial space to serve occupants of the building, hotel guests, residents of the community, and the general public; and

WHEREAS, Avenue Place has been designed by the world renowned architecture firm of Kohn, Pederson, Fox, world leaders in the design of monumental buildings; and

WHEREAS, The construction of Avenue Place will provide significant construction jobs for a period of more than three years as well as significant permanent jobs upon the completion of construction; and

WHEREAS, Avenue Place has committed to an Economic Opportunity Plan attached hereto as Exhibit A, which provides for contracting and employment opportunities for minorities, women and the disabled; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING.

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CHAPTER 14-500. OVERLAY ZONING.

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§14-502. /CTR, Center City Overlay.

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(5) Supplemental Use Controls.

(a) Use Table 14-502-2.

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(.6) Notes for Table 14-502-2.

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[5] Permitted for lots designated “CMX-5” within the area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street.

| | Chestnut and Walnut Street Area, East | Chestnut and Walnut Street Area, West | Broad Street Area, South | Broad Street Area, North | Chinatown Area | Old City Residential Area | South Street/Head House Square Area | Use-Specific Standards |
|--|---------------------------------------|---------------------------------------|--------------------------|--------------------------|----------------|---------------------------|-------------------------------------|------------------------|
| N = Not allowed (expressly prohibited) S = Special exception approval required Blank = No overlay-specific regulations apply See § 14-502(3) | | | | | | | | |
| Public, Civic, and Institutional Use Category | | | | | | | | |
| Utilities and Services, Basic | | [1] | N | | | N | | |
| Retail Sales Use Category | | | | | | | | |
| Adult-oriented Merchandise | N | N | N | N | | N | | |
| Retail Sales of Consumer Goods, Furniture, Appliances, and Equipment (as noted below) | | | | | | | | |
| Drug Paraphernalia Sales | N | N | N | N | | N | | § 14-603(13) |
| Gun Shop | N | N | N | N | | N | | § 14-603(13) |
| Commercial Services Use Category | | | | | | | | |
| Adult-Oriented Service | N | N | N | N | | N | | § 14-603(13) |
| Assembly and Entertainment | | | | | N | N | N | § 14-603(13) |
| Eating and Drinking Establishments (except as noted below) | | S[4] | S[4]/5/ | | | S[4] | | § 14-603(6) |
| Take-Out Restaurant | N | N | N | N | | S[4] | N | § 14-603(6) |
| Financial Services (except as noted below) | | [2] | | | | | | |
| Personal Credit Establishment | N | N | N | N | | N | | § 14-603(13) |
| Parking | N | N | N/5/ | | N | N | | |

| | | | | | | | | |
|---|-----|-----|-----|-----|---|-----|-----|---------------------------|
| Personal Services (except as noted below) | | | | N | | | | |
| Body Art Service | N | N | N | N | | N | N | § 14-603(2); § 14-603(13) |
| Fortune Telling Service | [3] | [3] | [3] | [3] | | [3] | [3] | |
| Vehicle and Vehicular Equipment Sales and Services Use Category | | | | | | | | |
| All Uses | N | N | N | N | N | N | N | |
| Wholesale, Distribution, Storage Use Category | | | | | | | | |
| All Uses | N | N | N | N | N | N | | |

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(6) Parking and Loading Regulations.

The following parking regulations apply to the areas described in each subsection.

(a) Motor Vehicle Ingress and Egress Restrictions.

Vehicular ingress and egress is prohibited to and from the following: (See Parking and Loading Regulations Area Map 1 for illustrative purposes only):

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(.4) Spruce Street within the Spruce Street Area, East, *except for lots designated "CMX-5" within the area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street, and Broad Street*; and

(.5) Benjamin Franklin Parkway.

(.6) Accessory parking and loading and trash storage areas or structures in any of the following areas:

(.a) South Street/Head House Square Area, Central; and

(.b) Broad Street Area, South, *except for lots designated "CMX-5" within the area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street, and Broad Street*.

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CHAPTER 14-700. DEVELOPMENT STANDARDS.

§14-701. Dimensional Standards.

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(3) Commercial Districts Dimensional Table.

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CHAPTER 14-800. PARKING AND LOADING.

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§14-806. Off-Street Loading.

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(2) RMX-3, CMX-4, and CMX-5 Districts.

(a) Required spaces.

Off-street loading in RMX-3, CMX-4, and CMX-5 districts shall be provided in accordance with Table 14-806-2, *provided, that for lots designated “CMX-5” located within the area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street, 1 loading space shall be provided for every 450,000 square feet of gross floor area.*

(b) Minimum Dimensions.

Loading spaces shall be designed to meet the dimensions in Table 14-806-3, *except for lots designated “CMX-5” located within the area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street.*

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(d) Ingress and Egress.

Each individual loading space or group of loading spaces shall be limited to one two-way curb cut with a maximum width of 24 ft. on the street frontage or two one-way curb cuts with a maximum width of 16 ft. on each street frontage *(except for lots designated “CMX-5” located within the area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street)*. As an exception to this standard, when the loading spaces or their access drives have direct access to a street of less than 40 ft. wide, there shall not be a limit imposed on the size of the curb cut(s) to that street. Driveways that cross the public sidewalk must be at the same level as the sidewalk. The driveway material must change at the building line to demarcate the transition to the sidewalk. Sidewalks should be visually continuous across driveways to indicate pedestrians have the right-of-way.

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Explanation:

A ~~Strikethrough~~ across a map means map is to be deleted from The Philadelphia Code

SECTION 2. Pursuant to Section 14-103 of The Philadelphia Code, the Philadelphia Zoning Maps are hereby amended by changing the zoning designations of certain areas of land within an area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street, from the existing zoning designations indicated on Map “A” set forth below to the zoning designations indicated on Map “B” set forth below.

SECTION 3. Economic Opportunity Plan. The Economic Opportunity Plan, comporting with the requirements of Chapter 17-1600 of The Philadelphia Code is as follows: