



City of Philadelphia

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

BILL NO. 100552

Introduced September 16, 2010

Councilmember DiCicco

**Referred to the
Committee on Rules**

AN ORDINANCE

Amending the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Race Street, 4th Street, 5th Street and Florist Street; and by amending Section 14-303 of The Philadelphia Code, entitled "C-3' Commercial District," all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 14-303 of The Philadelphia Code is hereby amended to read as follows:

§14-303. "C-3" Commercial District.

* * *

(9) *Notwithstanding anything to the contrary in this Title, lots in the area bounded by Race Street, 4th Street, 5th Street and Florist Street the following shall apply:*

(a) *Use Regulations.*

(1) *One (1) hotel, and not more than three (3) restaurants and one (1) accessory bowling alley or other similar entertainment venues having amusement and other patron games, amusement games, and activities (which uses are permitted to contain a cumulative maximum of three (3) licenses issued by the Pennsylvania Liquor Control Board) are allowed as permitted uses for which Zoning Permits may be issued for up to two (2) years from the effective date of this Ordinance. Once a Zoning and Use Registration Permit is issued for such permitted use*

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or uses, no Zoning and Use Registration Permit for an expansion of that use, or for a replacement use, shall be permitted.

- (2) The permitted principal restaurant and entertainment uses may occupy up to 35,000 square feet of space.*
- (3) The principal restaurant and entertainment uses occupying up to 35,000 square feet of space permitted under this Ordinance shall sunset within two (2) years of the permanent closing or abandonment of the uses by the use operator or its successors that obtain the first use registration permit for that use by the original permitted operator. All subsequent restaurant and entertainment uses, or other restaurant and entertainment uses for the said restaurant and entertainment areas, will be treated by the Department as new restaurant and entertainment uses that are no longer permitted by this Ordinance are therefore will be subject to the then current and applicable Code provisions and special control districts with regard to this Ordinance as to restaurant uses.*
- (3) No Gaming of any category, including video poker, is permitted.*
- (4) Live entertainment of guests, not as defined at 14-1605 of the Code, is permitted.*
- (5) Dancing by patrons is permitted; provided, however, that such dancing shall be limited to an accessory dance floor area that does not exceed 10% of the floor area of the principal restaurant and entertainment use where said dance floor is located.*

(b) Height Regulations.

- 1) A height of 145 feet, including all roof top mechanicals, penthouses, staircases, and appurtenances, is permitted for the building at the western portion of the property.*
- 2) A height of 85 feet, including all roof top mechanicals, penthouses, staircases, and appurtenances, is permitted for the building at the eastern portion of the property.*

(c) Loading. One (1) loading space shall be required.

(d) Off-Street Parking.

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- 1) *For hotel use, one (1) space for every six (6) single family units shall be required.*
 - 2) *For restaurant and entertainment uses, one (1) space for every 450 square feet of gross floor area of such use.*
 - 3) *For residential uses other than hotel uses, one (1) space for every five (5) single family units.*
 - 4) *All interior parking areas shall be permitted to be tandem, stacked, and mechanical stacked parking, and shall comply with applicable parking requirements.*
 - 5) *All exterior parking areas shall be permitted to be tandem, stacked parking, and shall comply with all applicable surface parking lot requirements, including screening, landscaping, lighting and striping.*
- (e) *Signage. One (1) non-accessory, outdoor advertising sign is permitted, which sign is permitted to provide digital display and changeable copy, which sign is to be embedded into the north end of the east facing wall of the building at the western portion of the property, and which sign is permitted only facing eastward, and with a total maximum allowable sign area of 1200 square feet.*
- (f) *Permits. As a condition of issuing any Zoning and/or Use Registration Permit under this Ordinance, the Planning Commission shall review such Permit Applications and related plans for conformance with this Ordinance and shall timely provide the results of its review to the Department.*

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 Race Street, 4th Street, 5th Street and Florist 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. This Ordinance shall take effect immediately and shall expire two (2) years from the date of enactment, within which time Zoning and Use Registration Permits must be obtained from the Department of Licenses and Inspections. Upon expiration of this Ordinance, the applicable Zoning Districts and regulatory provisions in area bounded

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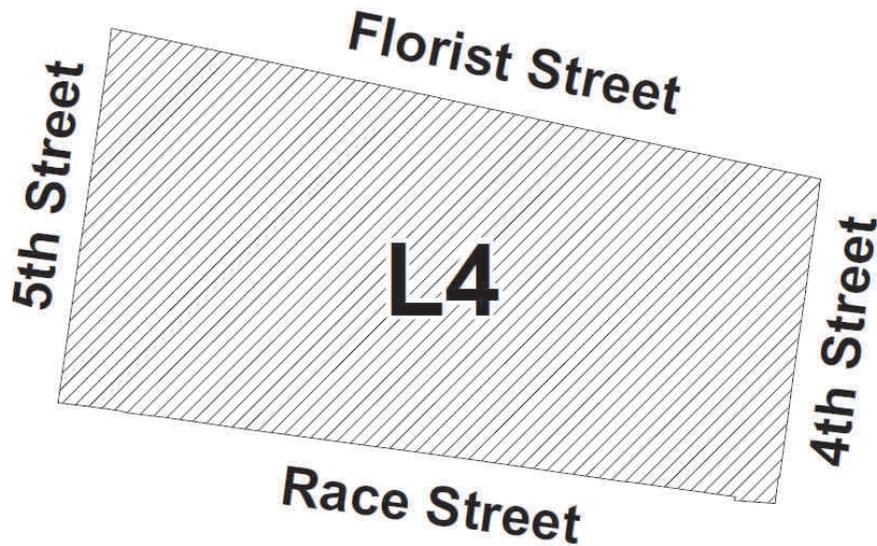
by Race Street, 4th Street, old 5th Street and Florist Street shall be subject to the then current and applicable Zoning Districts, Special Controls Districts, and regulatory provisions for that bounded area.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.

Existing Zoning - Map A

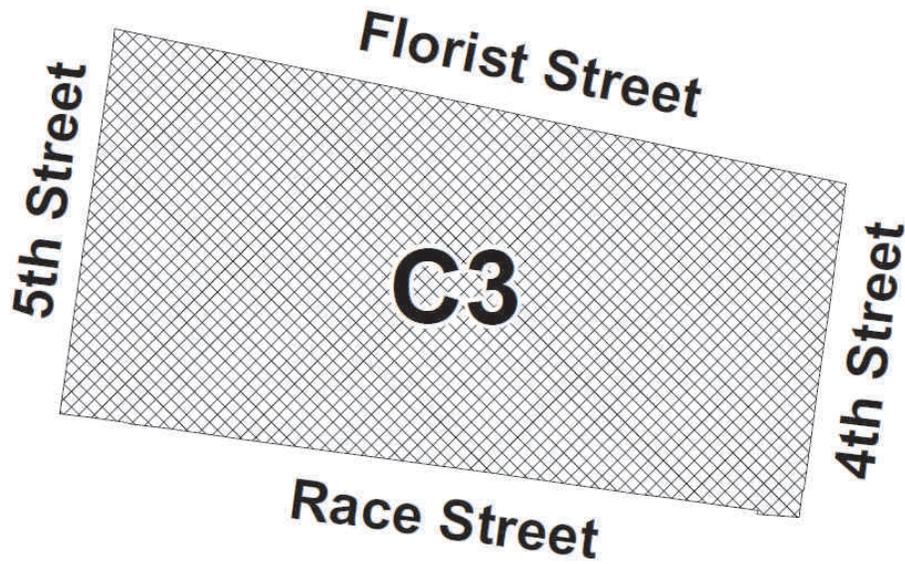


Legend

 Limited Industrial



Proposed Zoning - Map B



Legend

