

## AN ORDINANCE

To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Christopher Columbus Boulevard, (former) Reed Street, the Delaware River, and Tasker Street (Extended), under certain terms and conditions.

### *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 designations of certain areas of land located within an area bounded by Christopher Columbus Boulevard, (former) Reed Street, the Delaware River, and Tasker Street (Extended) from the existing zoning designations indicated on Map “A” set forth below to the zoning designations indicated on Map “B” set forth below.

SECTION 2. Pursuant to Chapter 14-400 of The Philadelphia Code, the following designations are hereby made with respect to the Commercial Entertainment District designated with the enactment of this Ordinance:

1. The provisions of Section 14-406(2)(a), relating to gross floor area, shall apply.
2. The provisions of Section 14-407(1), relating to height regulations, shall apply.
3. The provisions of Section 14-408(1)(a)(.1)(.a), relating to off-street parking for licensed gaming facilities, shall apply.

SECTION 3. Effective Date.

(a) This Ordinance shall take effect only upon completion of all of the following conditions:

(1) Adoption of a resolution by City Council finding that a not-for-profit organization has been established for the purpose of providing community benefits in the neighborhood surrounding the Commercial Entertainment District and that such organization will be capable of providing, on an ongoing basis, enhanced municipal services in that neighborhood;

(2) Adoption of a resolution by City Council finding that PEDP’s goal of “making traffic conditions on Columbus Boulevard better than they are today” has been attained. Council shall not adopt such a resolution until it has first received the written report and recommendation of an independent traffic consultant unanimously agreed upon by the Council President, the City Planning Commission and Philadelphia Entertainment and Development Partners (PEDP) as to whether Council should make

such finding. Should unanimous agreement not be reached on an independent traffic consultant within 10 days after this Ordinance becomes law, the Council President shall choose the independent traffic consultant. The recommendation of the traffic consultant shall be based upon generally accepted practices and industry standards;

(3) Adoption of a resolution by City Council finding that appropriate public safety standards are met for all areas of the City within one mile of any land designated by this Ordinance as a Commercial Entertainment District. Council shall not adopt such a resolution until it has first received the written report and recommendation of an independent public safety consultant unanimously agreed upon by the Council President, the Philadelphia Police Commissioner, the Philadelphia Fire Commissioner and PEDP as to whether Council should make such finding. Should unanimous agreement not be reached on an independent public safety consultant within 10 days after this Ordinance becomes law, the Council President shall choose the independent public safety consultant. The recommendation of the public safety consultant shall be based upon generally accepted practices and industry standards;

(4) Adoption of a resolution by City Council approving a developer's agreement that has been reached between the City and PEDP;

(5) Adoption of a resolution by City Council finding that the negative economic impact to businesses within a two mile radius of the area of land designated as a Commercial Entertainment District is minimal. Council shall not adopt such a resolution until it has first received the written report and recommendation of an independent economic consultant unanimously agreed upon by the Council President, the City Commerce Director and PEDP as to whether Council should make such finding. Should unanimous agreement not be reached on an independent economic consultant within 10 days after this Ordinance becomes law, the Council President shall choose the independent economic consultant. The recommendation of the economic consultant shall be based upon generally accepted practices and industry standards;

(6) Adoption of a resolution by City Council finding that the storm water management needs of all relevant storm water management systems are adequately met to avoid flooding throughout the relevant systems. Council shall not adopt such a resolution until it has first received the report of an independent engineer unanimously agreed upon by the Council President, the Philadelphia Water Department and PEDP as to whether Council should make such finding. Should unanimous agreement not be reached on an independent engineer within 10 days after this Ordinance becomes law, the Council President shall choose the independent engineer. The recommendation of the engineer shall be based upon generally accepted practices and industry standards;

(7) Adoption of a resolution by City Council finding that all required rights for riparian land necessary under PEDP's gaming application as approved by the Pennsylvania Gaming Control Board on December 20, 2006 have been obtained pursuant to an act of the General Assembly specifically authorizing the conveyance of an interest in the riparian land, including a description of its metes and bounds;

(8) The enactment of an ordinance providing for the revision of lines and grades, striking of public rights-of-way and easements located within an area bounded by Christopher Columbus Boulevard, (former) Reed Street, the Delaware River, and Tasker Street (Extended), as required to implement PEDP's Plan of Development for the Commercial Entertainment District designated by this Ordinance.