

# EAST FALLS

## COMMUNITY COUNCIL

P.O. Box 12672  
Philadelphia, PA 19129  
[www.eastfallscommunity.org](http://www.eastfallscommunity.org)

February 8, 2017

**Memorandum of Understanding between Philadelphia University, including its successors and assigns, and the East Falls Community Council (EFCC), a Registered Community Organization recognized by the City of Philadelphia in East Falls:**

This Memorandum of Understanding is a companion to the ordinance documenting Philadelphia University's Master Plan and SP-INS Zoning for the entirety of its East Falls campus. It is intended to reflect the University's and EFCC's commitment to maintaining the green suburban character of the University campus, significant tree canopy, large areas of landscaped space and well-maintained appearance; and to the importance of protecting residential properties adjacent to the University campus from noise, exhaust and light pollution.

The ordinance shall additionally include as exhibits: 1) the dimensioned Master Plan dated 1-21-16 and, 2) the Table of Proposed Building Heights and Uses, both of which are referenced in Philadelphia City Council Bill #160516. The Master Plan and the Table of Proposed Building Heights are attached hereto and incorporated herein by reference.

### Athletic Lighting

There shall be no athletic lighting along School House Lane for sports and recreation improvements on the area between Vaux Street and Gypsy Lane.

Athletic Lighting for the Multi-Purpose Field at Ravenhill campus, and the default approach to other athletic lighting, shall comply with the following:

- At the time the University is prepared to design the field and lighting upgrades, a photometric study shall be conducted by the University, modeling proposed foot candles (fc), light shielding and spillage controls for adjacent properties. This information shall be shared at the earliest possible date with the EFCC and prior to the finalization of the design and installation.
- New lighting shall be in keeping with the current Best Practices for NCAA "Standard Intercollegiate Play" for soccer, lacrosse and track and field. At the time of this writing, the recommended Horizontal Light Level is 50 fc. The lighting also shall comply with IES Standards for Class II or lower light levels. The University asserts that it may broadcast events occasionally; however, the lighting shall not be designed for Regional or National Broadcast levels and shall not exceed 50 fc.

- Lights shall utilize house side shields to control light spillage and glare onto adjacent properties.

Lights shall shut-off automatically at 10 pm, with a manual override for special events. Notice of these shall be provided at least one week in advance to EFCC and made publicly available via a commonly accepted form of notification, such as public notice via a website.

#### Other Campus Lighting

- Parking facility lighting shall by default mimic the design approach, ornamental style and fc of the surface parking lot located at the corner of School House Lane and Vaux Street. The University shall discuss any deviations from this approach with EFCC as part of the design phase of future projects prior to seeking building permits.
- Pedestrian walkways shall be lit for safety. New fixtures of a different style shall not emit light above 90 degrees.
- Light trespass onto adjacent residential properties shall not occur and fixtures shall be selected so as prevent such trespass according to the Illuminating Engineering Society Lighting Handbook or design guidelines published by same.

#### Landscape Buffers

The green suburban character of the campus, including the density of trees, significant tree canopy, large areas of landscaped space and well-maintained appearance, shall be maintained.

The University shall comply with requirements of the City of Philadelphia Code for landscape screening along street frontages, parking lots, and side and rear yard lots that abut residential zones as it implements the Master Plan.

The University also shall continue to maintain the maturing trees in the naturalized zones along Gypsy, Merrick and Dobson Roads. Consistent with the University's 2012 landscape masterplan, the University will plant two trees for the removal of every one tree in these areas. All new trees shall be a minimum of 2 1/2" caliper per the University's landscape masterplan. Newly planted trees that do not survive shall be replaced promptly.

In addition to the screening required by the City of Philadelphia, the University shall develop a specific landscape buffer plan at the time of the design for the loop road and athletic lighting on the Ravenhill campus. This will include:

- An evergreen screen of appropriate size determined by a landscape professional at the top of the hill along Gypsy Lane, Merrick Road and Dobson Street to shield neighboring residents from light and noise. This screen shall augment the existing tree buffer and/or include an additional berm.

- An evaluation during the design development for the Multi-Purpose field and loop road as to whether the existing setback from Merrick Road (dimensioned as 60' minimum on the Master Plan) can be increased further. The increased setback would allow for a larger buffer zone at the top of the hill.

The University shall reevaluate its current pruning strategy along Merrick Road, Gypsy Lane and Dobson Street to allow more brush to grow in the naturalized zones as an increased buffer for the nearby residential properties.

#### Traffic Studies

During the master planning process, the University completed a full traffic study of its Campus.

If intersection improvements at Gypsy Lane commence after a five-year period from the date of that traffic study, the University agrees to conduct another traffic study to assure that the recommendation to align that driveway with Gypsy Lane as it comes up the hill from Lincoln Drive to create a four way intersection is in the University's and community's best interests.

The University will interact with with PADOT, the City of Philadelphia and EFCC in connection with all traffic studies and any appropriate steps to evaluate traffic challenges, and will share such studies with EFCC. Plans to alter traffic patterns, such as moving University driveways, will be discussed with EFCC during the design phases of such improvements.

#### Other Vehicular Issues

Vehicular access to the campus from the Calumet Street gate at Ravenhill shall be restricted to emergency access, traffic emergencies affecting School House Lane and special events.

The University shall continue to monitor its parking needs so as to be able to satisfy its parking load requirements with the expansion of Hayward Hall and other new buildings, and potential reduction of parking as a result of these projects. It shall work with the EFCC regarding student parking in residential neighborhoods. The University shall use its reasonable best efforts to assure that students comply with City parking regulations. All enforcement of parking regulations ultimately rests with the City of Philadelphia.

The University shall make its reasonable best effort to locate shuttle bus stops on the Ravenhill campus so as to avoid exposing neighboring residential properties to noise, light and fumes from the shuttle buses. The University shall share its plans with EFCC during the road and design phase in such time as to allow EFCC to suggest changes if necessary, among other things, to assure compliance with the "Noise" paragraph below.

Noise

The University shall minimize noise from building mechanicals and the operation of buses to ensure that the noise from mechanicals and vehicles on the new loop road does not exceed City code requirements beyond the campus boundary.

Resolution process

The University and EFCC intend to work together cooperatively. In the event that EFCC believes that the University has not met its obligations under this agreement, the parties agree that any breach will not be compensable by monetary damages and that such a failure may be corrected by injunctive relief. Before seeking such relief, EFCC will give written notice to the University describing the problem and its belief that the University has not met its obligations. Representatives of the University and EFCC will meet to try resolve the problem. If it is not resolved within 30 business days and EFCC continues to believe that the University has not met its obligations, EFCC shall be entitled to seek relief in any appropriate forum. If EFCC's objection involves a plan of action by the University, the University shall not execute the plan of action to which EFCC has objected during the 30-day period.

The University and EFCC commit themselves to this Memorandum of Understanding with the recognition that a vital, creative and successful University contributes to the quality of life for the residents of the East Falls community, and that a healthy, vibrant community is an essential asset to the University.

For the University:

For the EFCC:



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Steven Spinelli  
President



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William Epstein  
President