

# City of Philadelphia



(Bill No. 070168)

## AN ORDINANCE

Approving the redevelopment proposal of the Redevelopment Authority of the City of Philadelphia for the redevelopment of the 9th & Ellsworth Urban Renewal Area being the area generally bounded by Washington avenue on the north, Darien street to the east, Federal street to the south and the rear of properties fronting on the west side of Ninth street to the west; approving the urban renewal plan and determining that such plan and redevelopment proposal conform to the general locality plan and make adequate provisions for individuals, business concerns and families who are displaced; determining the necessity for changes in and for zoning, streets, alleys, public ways, street patterns, location and relocation of public utilities; determining that the urban renewal plan and redevelopment proposal meet all non-discrimination requirements of Federal, State and Local Laws and the regulations and policies promulgated with respect thereto; declaring that certain expressly designated and provided for condemnation is not imminent with respect to the Project; and declaring the redevelopment undertakings in the Project to be an important part of the City's program to remove and prevent the spread of urban blight.

**WHEREAS,** In accordance with the provisions of the Urban Redevelopment Law, being the Act of May 24, 1945, P.L. 991, as amended and supplemented, the City Planning Commission of the City of Philadelphia (hereinafter "Commission") has on October 20, 2000, certified the 9th & Ellsworth Redevelopment Area as a blighted area; and,

**WHEREAS,** The Commission has completed a detailed redevelopment area plan for the 9th & Ellsworth Redevelopment Area dated September, 2006; and,

**WHEREAS,** The Redevelopment Authority has prepared a redevelopment proposal, dated January, 2007 for the redevelopment of a portion of the 9th & Ellsworth Redevelopment Area, 9th & Ellsworth Urban Renewal Area (hereinafter "Project"), in conformity with the aforesaid redevelopment area plan, which redevelopment proposal has been certified by the Commission to the Council; and,

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**WHEREAS,** The Commission has submitted to the Council its report and recommendations respecting the redevelopment of the Project, and has certified that said redevelopment conforms to the general plan for the City as a whole; and,

**WHEREAS,** The redevelopment proposal for the Project prescribes certain land uses and requires, among other things, changes in zoning, streets, alleys, public ways, street patterns, the location and relocation of public utilities and other public facilities, and other public action; and,

**WHEREAS,** No person shall, on the ground of race, color, creed, sex, sexual orientation, national origin, ancestry or handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the undertakings and carrying out of the Project; and,

**WHEREAS,** Council desires to take appropriate action with respect to the redevelopment proposal and the redevelopment of the Project. After duly advertised public hearings have been held for this purpose as required by law, the Committee on Rules of the Council has recommended the approval by the Council of the said redevelopment proposal and that no objections have been filed by any department, bureau or agency of the City to the redevelopment proposal; and,

**WHEREAS,** The redevelopment proposal will effectuate the redevelopment of the Project, thereby promoting the economic and general welfare of the City; now therefore,

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*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

**SECTION 1.** The redevelopment proposal dated January, 2007 (appended as Exhibit “A” hereto), including the detailed redevelopment area plan, the urban renewal plan, the relocation plan, the maps, disposition supplements and all other documents and supporting data which form part of the proposal (hereinafter collectively referred to as the “Redevelopment Proposal”) submitted by the Redevelopment Authority for the 9th & Ellsworth Urban Renewal Area (hereinafter called "Project"), having been duly reviewed and considered, is approved. The Project is bounded as follows:

All that certain lot or piece of ground situated in the Thirty-sixth Ward of the City of Philadelphia with the buildings and improvements thereon erected being described as follows: Beginning at the point of intersection of the south side of Washington avenue (one hundred feet wide) and the west side of Darien street (twenty feet wide); Thence extending westward along the said side of Washington avenue, crossing Ninth street (fifty feet wide), three hundred ninety feet three and seven-eighths inches more or less to a point on the said side of Washington avenue; Thence extending southward on a line at right angles to the said Washington avenue two hundred sixty feet six inches to a point; Thence extending westward on a line parallel with the said Washington avenue, sixty four

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feet more or less to a point on the east side of a certain three feet wide alley that extends southward into Ellsworth street (fifty feet wide); Thence extending southward along said side of alley, crossing O'Connell's Court (twenty five feet wide), one hundred seventeen feet more or less to a point on the north side of the said Ellsworth street; Thence extending eastward along the said side of Ellsworth street two hundred seventy nine feet eleven and one-quarter inches more or less to a point on the west side of a certain three feet wide alley that extends southward into the said Ellsworth street; Thence extending southward crossing the bed of the said Ellsworth street one hundred three feet more or less to a point, said point being fifty one feet more or less south, from the said south side of Ellsworth street; Thence extending eastward on a line parallel with the said Ellsworth street twenty six feet eleven inches to a point; Thence extending southward, partially along a certain three feet three inches wide alley that extends southward into Ernest street (fourteen feet six inches wide) at that point, continuing further south crossing the bed of the said the distance of fifty two feet more or less, to a point on the south side of the said Ernest street; Thence extending

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westward along the said side of Ernest street twenty four feet to a point; Thence extending southward on a line at right angles to the said Ernest street eleven and three-quarters inches more or less to a point at the head of a certain three feet wide alley that extends southward into Annin street (thirty feet wide); Thence extending eastward along the head of said alley three feet to a point on the east side of said alley; Thence extending southward along said side of said alley thirty six feet more or less to a point on the north side of the said Annin street; Thence extending eastward along the said side of Annin street nineteen feet more or less to a point; Thence extending southward crossing the bed of the said Annin street to a point on the south side of the said Annin street, said point being the east side of a certain three feet wide alley that extends northward into the said Annin street, continuing along the said side of said alley, south the distance of seventy eight feet to a point, said point being forty eight feet three-eighths inches south from the south side of the said Annin street; Thence extending westward, on a line parallel with the said Annin street, crossing the aforementioned alley, twenty five feet to a point; Thence extending southward on

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a line at right angles to the said Annin street sixteen feet to a point on the north side of a certain three feet wide alley; Thence extending eastward along the said side of the said three feet wide alley, on a line parallel with the said Annin street, thirty one feet to a point on the east side of a certain other three feet wide alley that extends southward into Federal street (fifty feet wide); Thence extending southward along said alley fifty six feet to a point on the north side of the said Federal street; Thence extending eastward along the said north side of Federal street, re-crossing the bed of the said Ninth street the distance of one hundred eighty six feet more or less to a point on the said west side of Darien street; Thence extending northward along the said side of Darien street re-crossing the said Ellsworth street three hundred ninety two feet seven and one-eighth inches, more or less, to a point sixty feet five inches north from the north side of the said Ellsworth street; Thence extending eastward on a line parallel with the said Ellsworth street twenty four feet to a point; Thence extending northward on a line at right angles to the said Ellsworth street 18 feet 11 ½ inches to a point, said point being the southeast side of the dead end portion of the said

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Darien street, Thence extending westward along the head of the said dead end portion of the said Darien street, twenty feet to a point on the west side of the said Darien street; Thence extending northward along the said side of Darien street, crossing the dead end portion of Alter street (thirty feet wide), the distance of two hundred fifty seven feet six inches to the point of intersection with the said south side of the said Washington avenue, being the first mentioned point and place of beginning.

**SECTION 2.** Council finds and declares that the Redevelopment Proposal for the Project:

- a. Is in conformity with the redevelopment area plan for the 9th & Ellsworth Redevelopment Area and the general plan for the development of the locality as a whole.
- b. Meets all of the conditions and requirements imposed by Title VI of the United States Civil Rights Act of 1964, the regulations and policies of the United States Department of Housing and Urban Development effectuating the Title, and Chapter 9-1100 of The Philadelphia Code, relating to non-discrimination and fair practices.
- c. Forwards the objectives of the Community Development Program and Neighborhood Transformation Initiative of the City with respect to the removal and prevention of blight through the revitalization, renewal, redevelopment and transformation of blighted areas within the City which are detrimental to the health, safety and welfare of the residents of the City and for which the use of Neighborhood Transformation Initiative Program funds may be utilized.

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## **SECTION 3.** Council finds and declares that:

- a. The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of the area by private enterprise under the circumstances.
- b. Financial aid is necessary to enable the land located within the urban renewal area to be redeveloped in accordance with the urban renewal plan.
- c. Changes in zoning, streets, alleys, public ways, street patterns, location and relocation of sewer and water mains and other public facilities and utilities shown in the proposal are reasonable and necessary under the circumstances.

## **SECTION 4.** Council finds and declares that the relocation plan:

- a. Provides for the proper relocation of individuals and families displaced in carrying out the urban renewal activities approved herein in decent, safe, and sanitary dwellings in conformity with acceptable standards, is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the undertakings in the Project, and that such dwelling units available or to be made available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the urban renewal area comprising the undertakings herein, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.
- b. Adequately provides for assistance to aid in relocation and to minimize the displacement of business concerns which are to be displaced.

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**SECTION 5.** The Redevelopment Authority is authorized to take such action as may be necessary to carry out the terms of the Redevelopment Proposal, including but not limited to:

- a. Proceeding with minor changes in substantial conformity with the Redevelopment Proposal herein approved, so long as said minor changes are in conformity with the current area redevelopment plan for the 9th & Ellsworth Redevelopment Area.
- b. Preparing or causing to be prepared for introduction into the Council such ordinances or resolutions as may be necessary for changes in zoning, streets, alleys, public ways, street patterns and location and relocation of public utilities in order to implement and facilitate the Redevelopment Proposal hereby approved. Accordingly, the Council hereby declares that it will cooperate in helping to carry out such proposal and requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent therewith.

**SECTION 6.** Council is cognizant that condemnation, as expressly provided for in the hereby approved Redevelopment Proposal, is not imminent with respect to the Project, such condemnation being subject to the availability of public funds. Council is further aware that general and special notice of the imminence of said condemnation will be publicly announced by the Redevelopment Authority through all appropriate news media as may be required by law.

**SECTION 7.** The Chief Clerk of City Council shall keep on file and make available for inspection by the public the Redevelopment Proposal approved by this Ordinance.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 7, 2007. The Bill was Signed by the Mayor on September 20, 2007.



Patricia Rafferty  
Chief Clerk of the City Council