

City of Philadelphia



(Bill No. 030288)

AN ORDINANCE

Approving the redevelopment proposal of the Redevelopment Authority of the City of Philadelphia for the redevelopment of the 44th and Aspen Urban Renewal Area being the area generally bounded by Lancaster avenue, Belmont avenue, Pennsgrove street, Forty-second street, Haverford avenue, Forty-fourth street, Fairmount avenue and Forty-seventh street; 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 November 19, 2002, certified the 44th and Aspen Redevelopment Area as a blighted area; and,

WHEREAS, The Commission has completed a detailed redevelopment area plan for the 44th and Aspen Redevelopment Area dated November, 2002; and,

WHEREAS, The Redevelopment Authority has prepared a redevelopment proposal, dated December, 2002 for the redevelopment of a portion of the 44th and Aspen Redevelopment Area, 44th and Aspen 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,

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,

City of Philadelphia

BILL NO. 030288 continued

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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,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The redevelopment proposal dated December, 2002 (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 44th and Aspen Urban Renewal Area (hereinafter called "Project"), having been duly reviewed and considered, is approved. The Project is bounded as follows:

Beginning at a point of intersection of the northerly side of Fairmount avenue (sixty feet wide) and the easterly side of South Forty-seventh street (fifty feet wide); Thence extending eastward along the northerly side of Fairmount avenue, crossing the bed of Forty-sixth street (sixty feet wide), one thousand one hundred ten feet, to a point; thence extending north along the boundary line of the property now or late of the Philadelphia Housing Authority, three hundred fifty feet, to a point on the southerly side of Aspen street; thence extending east along the southerly side of Aspen street, crossing the bed of Forty-fourth street (sixty feet wide), one hundred seventy feet, to a point on the easterly side of Forty-fourth street; Thence extending southward along the easterly side of said Forty-fourth street, crossing the beds of Fairmount avenue, Wallace street (fifty feet wide), to a point of intersection with the northerly side of Haverford avenue (eighty feet wide);

City of Philadelphia

BILL NO. 030288 continued

Certified Copy

Thence extending eastward along the northerly side of Haverford avenue, crossing the beds of Pallas street (forty feet wide), Forty-third street (fifty feet wide), Brooklyn street (fifty feet wide), to a point of intersection with the westerly side of Forty-second street (sixty feet wide); Thence extending northward along the westerly side of Forty-second street and crossing the bed of said Wallace street, Fairmount avenue, Aspen street (sixty feet wide), Lancaster avenue (eighty feet wide), Brown street (fifty feet wide), Parrish street (fifty feet wide), Ogden street (fifty feet wide), Westminster street (sixty feet wide), to a point of intersection with the southerly side of Pennsgrove street; Thence extending westward along the said southerly side of Pennsgrove street, crossing the bed of Forty-third street (fifty feet wide), to a point of intersection with the easterly side of Forty-fourth street; Thence extending southward along the easterly side of Forty-fourth street, crossing the beds of Westminster street, Ogden avenue, to a point of intersection with the southerly side of Lancaster avenue; Thence extending westward along the southerly side of Lancaster avenue (eighty feet wide), crossing the beds of Forty-fourth street, Lex street (forty feet wide), Westminster avenue, Forty-fifth street (fifty feet wide), Forty-sixth street, Markoe street (fifty feet wide), May street (twenty feet wide), Wyalusing avenue (sixty feet wide), to a point of intersection with the southerly side of Forty-seventh street; Thence extending southward along the said easterly side of Forty-seventh street (fifty feet wide), crossing the beds of said Wyalusing avenue, Westminster avenue, Hoop street (thirty feet wide), Ogden street (forty feet wide), Parrish street (sixty feet wide), Brown street (eighty feet wide), Folsom street (forty feet wide), Meredith street (forty feet wide), to 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 44th and Aspen 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

City of Philadelphia

BILL NO. 030288 continued

Certified Copy

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.

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

City of Philadelphia

BILL NO. 030288 continued

Certified Copy

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.

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 44th and Aspen 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.

City of Philadelphia

BILL NO. 030288 continued

Certified Copy

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.

City of Philadelphia

BILL NO. 030288 continued

Certified Copy

City of Philadelphia

BILL NO. 030288 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 12, 2003. The Bill was Signed by the Mayor on July 7, 2003.



Patricia Rafferty
Chief Clerk of the City Council