

City of Philadelphia



(Bill No. 120322)

AN ORDINANCE

Approving the fourth amendment of the redevelopment proposal for the 44th and Aspen Urban Renewal Area, being the area generally bounded by Lancaster Avenue, Belmont Avenue, Pennsgrove Street, 42nd Street, Westminster Avenue, Holly Street, Aspen Street, 40th Street, Haverford Avenue, 44th Street, Fairmount Avenue and 47th Street, including the fourth amendment to the urban renewal plan and the second amended relocation plan, which provides, *inter alia*, for the additional land acquisition of approximately five (5) properties for recreational and related uses; the provision of certain relocation services, as required by law; and declaring that condemnation is not imminent with respect to the Project.

WHEREAS, The redevelopment proposal, the urban renewal plan and the relocation plan of the Philadelphia Redevelopment Authority (hereinafter referred to as the "Redevelopment Authority") for the redevelopment of the 44th and Aspen Urban Renewal Area (hereinafter referred to as "44th and Aspen") was approved by Ordinance of the Council on July 7, 2003 as last amended by Bill No. 050660 approved October 17, 2005; and

WHEREAS, The Redevelopment Authority has prepared a fourth amendment of the redevelopment proposal, including the detailed redevelopment area plan, the fourth amended urban renewal plan, the second amended relocation plan, the maps, disposition supplements, and all other documents and supporting data which form part of the said proposal, for 44th and Aspen, dated March 2012 (hereinafter collectively referred to as the "Fourth Amended Redevelopment Proposal"); and

WHEREAS, The Fourth Amended Redevelopment Proposal provides, *inter alia*, for the additional land acquisition of approximately five (5) properties for recreational

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and related uses; the provision of certain relocation services, as required by law and declaring that condemnation is not imminent with respect to the Project; and

WHEREAS, The Fourth Amended Redevelopment Proposal has been submitted to the City Planning Commission of the City of Philadelphia and has been certified by the Commission to the Council; and

WHEREAS, The Fourth Amended Redevelopment Proposal will forward a central objective of the Community Development Program and Neighborhood Transformation Initiative of the City of Philadelphia with respect to the elimination of blight and the materialization of the City's stated housing and other redevelopment and urban renewal goals; and

WHEREAS, The Fourth Amended Redevelopment Proposal promotes sound urban renewal and redevelopment, and the elimination of blight in 44th and Aspen; now therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Fourth Amendment of the Redevelopment Proposal dated March 2012 (appended as Exhibit "A" hereto), including the detailed redevelopment area plan, the fourth amended urban renewal plan, the second amended relocation plan, the maps, disposition supplements and all other documents and supporting data which form part of the said proposal (hereinafter collectively referred to as the "Fourth Amended Redevelopment Proposal") submitted by the Redevelopment Authority for the 44th and Aspen Urban Renewal Area (hereinafter "44th and Aspen"), having been duly reviewed and considered, is approved. The Project is bounded as follows:

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ALL THOSE CERTAIN lots or pieces of ground situated in the Sixth Ward of the City of Philadelphia and described as follows: Beginning at a point of intersection of the northerly side of Fairmount avenue (sixty feet wide) and the easterly side of Forty-seventh street (fifty feet wide); Thence extending eastward along the said side of Fairmount avenue, crossing the beds of Forty-seventh street (fifty feet wide) and Forty-sixth street (sixty feet wide) one thousand four hundred forty seven 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 northerly side of Aspen street (sixty feet wide); Thence extending east along the said 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 said easterly side of Forty-fourth street, crossing the beds of Fairmount avenue, Wallace street (fifty feet wide) to the point of intersection with the northerly side of Haverford avenue (eighty feet wide); Thence extending eastward along the said northerly side of Haverford avenue, crossing the beds of Pallas street

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(forty feet wide), Forty-third street (fifty feet wide), Brooklyn street (fifty feet wide), Forty-second street (sixty feet wide), Budd street (forty feet wide), Ludwick street (thirty feet wide), Preston street (fifty feet wide) to the point of intersection with the westerly side of Fortieth street (sixty feet wide); Thence extending northward along the said westerly side of Fortieth street and crossing the beds of Mount Vernon street (fifty feet wide), Wallace street, Melon street (fifty feet wide), Fairmount avenue, to the point of intersection with the westerly side of Aspen street; Thence extending westward along the said side of Aspen street, crossing the beds of Wiota street (twenty feet wide), Preston street (fifty feet wide), Forty-first street, to the point of intersection with the westerly side of Holly street (fifty feet wide); Thence extending northward along the said westerly side of Holly street, crossing the beds of Brown street, Reno street (forty feet wide), Parrish street, Ogden street, to the point of intersection with the easterly side of Westminster avenue; Thence extending westward along the said side of Westminster avenue to the point of intersection with the said westerly side of Forty-second street; Thence extending northward along the said westerly

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side of Forty-second street Lancaster avenue (eighty feet wide), Brown street (fifty feet wide), Parrish street (fifty feet wide), Ogden street (fifty feet wide), Westminster avenue (sixty feet wide), to the point of intersection with the southerly side of Pennsgrove street (fifty feet wide); Thence extending westward along the said southerly side of Pennsgrove street, crossing the bed of Forty-third street (fifty feet wide), to the point of intersection with the easterly side of Forty-fourth street; Thence extending southward along the said easterly side of Forty-fourth street, crossing the beds of Westminster avenue and Ogden street, to the point of intersection with the southerly side of Lancaster avenue; Thence extending northwestward along the said southerly side of Lancaster avenue, crossing the beds of Lex street, Westminster avenue, Forty-fifth street, Forty-sixth street, Markoe street, Wyalusing avenue, May street, Wyalusing avenue, Forty-seventh street, to the point of intersection with the easterly side of Forty-eighth street; Thence extending southward along the said easterly side of Forty-eighth street, crossing the beds of Wyalusing avenue, Westminster avenue, Hoopes street (thirty feet wide), Parrish street (sixty feet wide), Brown street (eighty feet

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wide), Folsom street (forty feet wide), Aspen street, Olive street (forty feet wide), to the point of intersection with the said northerly side of Fairmount avenue, being the first mentioned point and place of beginning.

SECTION 2. Council finds and declares that the Fourth Amended Redevelopment Proposal for 44th and Aspen:

- a. Is in conformity with the redevelopment area plan for the 44th and Aspen Redevelopment Area.
- 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.

SECTION 3. Council finds and declares that:

- a. The fourth amendment of 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 fourth amendment of the urban renewal plan;

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SECTION 4. Council finds and declares that the second amended 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 44th and Aspen, 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.

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

- a. Acquisition of the following real property as delineated in the Fourth Amended Redevelopment Proposal:

753 Brooklyn Street
756 Brooklyn Street
759 Brooklyn Street
761 Brooklyn Street
4206 Lancaster Avenue

The acquisition of the foregoing properties will be funded through the Neighborhood Transformation Initiative Program.

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- b. Proceeding with minor changes in substantial conformity with the Fourth Amended Redevelopment Proposal, so long as said minor changes are in conformity with the current area redevelopment plan for the 44th and Aspen Redevelopment Area.
- c. 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 Fourth Amended 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 Fourth Amended Redevelopment Proposal, is not imminent with respect to 44th and Aspen, 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 Fourth Amended Redevelopment Proposal approved by this Ordinance.

**44TH AND ASPEN REDEVELOPMENT AREA
44TH AND ASPEN URBAN RENEWAL AREA**

**FOURTH AMENDED REDEVELOPMENT PROPOSAL
FOURTH AMENDED URBAN RENEWAL PLAN**

March, 2012

**44TH AND ASPEN REDEVELOPMENT AREA
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FOURTH AMENDED REDEVELOPMENT PROPOSAL
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**44TH AND ASPEN REDEVELOPMENT AREA
44TH AND ASPEN URBAN RENEWAL AREA
FOURTH AMENDED REDEVELOPMENT PROPOSAL
FOURTH AMENDED URBAN RENEWAL PLAN**

I. BOUNDARIES

- a. Urban Renewal Plan Map No. 1, Boundary Map shows boundaries of the 44th and Aspen Urban Renewal Area
- b. The legal description of the boundaries of the 44th and Aspen Urban Renewal Area, is attached hereto as Exhibit "A"

II. CERTIFICATION

The 44th and Aspen Redevelopment Area Plan was certified as blighted, under the terms of the Pennsylvania Urban Redevelopment Law, by the City Planning Commission on November 19, 2002. Designation for redevelopment is warranted by the following criteria:

- Unsafe, unsanitary, inadequate or overcrowded conditions;
- Economically or socially undesirable land use.

III. OBJECTIVES

This Urban Renewal Plan promotes the following objectives:

- A. Eliminate blight and undesirable land uses throughout the neighborhood;
- B. Foster the productive re-use of abandoned lots and abandoned structures;
- C. Encourage the rehabilitation of underutilized structures that are deteriorated.

IV. LAND USE, PERMITTED USES AND BUILDING REQUIREMENTS

A. Land Use

The 44th and Aspen Urban Renewal Area lies within the 44th and Aspen Redevelopment Area. The predominant land use for entire redevelopment area is residential. The residential properties in the area consist mainly of

single-family homes and mixed-use properties. Along 44th and Aspen the predominate land use is the Mill Creek Public Housing site. Along 44th and Fairmount is the St. Ignatius Assisted Living Facility. Lancaster Avenue consists of many commercial properties. Schools and recreation facilities also exist at several locations. The existing zoning is R-9, R-10, C-2, G-2 and Recreational. The Mill Creek Public Housing site is zoned R-13 Residential.

B. Permitted Uses

1. Any uses permitted in the R-9, R-10, R-13, C-2, G-2 and Recreational, Residential and Commercial Districts.
 - a. Row and Semi-detached single-family dwellings.
 - b. Detached, semi-detached, or attached multiple dwellings.
 - c. Parking
 - d. Public Land Use

C. Building Requirements

1. Any and all development shall comply with all applicable zoning regulations. In addition, all plans are subject to Philadelphia Redevelopment Authority review and approval and may be subject to Philadelphia Redevelopment Advisory Board of Design review and approval.
2. Additional development controls and regulations will be established. These restrictions will be reviewed by the Planning Commission.

V. STATEMENT OF DURATION OF PROVISIONS

The provision and requirements of the Plan affecting land to be acquired and disposed shall remain in effect for a period of thirty (30) years following approval of the Urban Renewal Plan by the Council of the City of Philadelphia.

VI. APPLICABILITY OF PROVISIONS TO PROPERTY NOT TO BE ACQUIRED

Not to be acquired properties shall not be subject to the provisions and requirements of this Plan.

VII. REDEVELOPER'S OBLIGATIONS

Redevelopers shall begin and complete the development of the land for uses required in the Urban Renewal Plan within a reasonable period of time as determined in the contract between the Redevelopment Authority and the Redeveloper in conformity with the Urban Renewal Plan.

VIII. PROVISIONS OF APPLICABLE STATE AND LOCAL REQUIREMENTS

The Pennsylvania Urban Redevelopment Law of 1945, as amended, and the United States Housing Act of 1949, as amended, regulate Philadelphia's redevelopment and urban renewal.

Redevelopment in the 44th and Aspen Urban Renewal Area will be in conformity with the provisions of the Redevelopment Area Plan. It will be in accord with the requirements of the 44th and Aspen Urban Renewal Plan prepared by the Philadelphia Redevelopment Authority of the City of Philadelphia for this area, and will comply with the Code of the General Ordinances of the City of Philadelphia.

All plans and proposals prepared by the Philadelphia Redevelopment Authority will be subject to the recommendations of the City Planning Commission and the approval of the Council of the City of Philadelphia.

IX. PROVISIONS FOR AMENDING THE PLAN

The Urban Renewal Plan may be amended from time to time upon compliance with the requirements of law.

X. LAND ACQUISITION

In order to carry out this project, the Philadelphia Redevelopment Authority proposes through exercise of its power of eminent domain to acquire by condemnation of all real property indicated in Exhibit "D" and depicted in the acquisition area on the attached Boundary and Acquisition Maps.

XI. LAND DISPOSITION SUPPLEMENTS

These supplementary documents, although component parts of the Urban Renewal Plan, will be submitted individually as disposition parcels are readied for sale or lease.

As specific land use controls for development, these supplements will be prepared through the joint efforts of the community's representatives, the Planning Commission and the Philadelphia Redevelopment Authority.

XII. DEMOLITION

The following standards shall apply for all demolition of any structures.

1. All City Codes and regulations shall be strictly adhered to in the demolition of any structures.
2. The proper authority shall be notified prior to demolition and permits shall be secured.
3. Precaution shall be taken to protect those portions of buildings not to be removed and also the surrounding area.
4. All utilities must be notified prior to the start of work, in order to locate any underground utilities in the demolition area.

XIII. ENVIRONMENTAL CONCERNS

An environmental assessment and any necessary remediation plans shall be completed by the Redeveloper. It shall be reviewed and approved by the appropriate staff, before a zoning variance is requested.

44TH AND ASPEN URBAN RENEWAL PLAN

EXHIBIT "A"

BOUNDARY DESCRIPTION

Boundary Description

ALL THOSE CERTAIN lots or pieces of ground situated in the 6th Ward of the City of Philadelphia being bounded and described as follows:

BEGINNING at a point of intersection of the northerly side of Fairmount Avenue (60' wide) and the easterly side of S. 47th Street (50' wide);

THENCE extending Eastward along the northerly side of Fairmount Avenue, crossing the bed of 46th Street (60' wide), 1110 Feet, to a point; thence extending North along the boundary line of the property now or late of the Philadelphia Housing Authority, 350 feet, to a point on the northerly side of Aspen Street; thence extending East along the northerly side of Aspen Street, crossing the bed of 44th Street (60' wide), 170 feet, to a point on the easterly side of 44th Street;

THENCE extending Southward along the easterly side of said 44th Street, crossing the beds of Fairmount Avenue, Wallace Street (50' wide), to a point of intersection with the northerly side of Haverford Avenue (80' wide);

THENCE extending Eastward along the northerly side of Haverford Avenue, crossing the beds of Pallas Street (40' wide), 43rd Street (50' wide), Brooklyn Street (50' wide), to a point of intersection with the westerly side of 42nd Street (60' wide);

THENCE extending Northward along the westerly side of 42nd Street and crossing the bed of said Wallace Street, Fairmount Avenue, Aspen Street (60' wide), Lancaster Avenue (80' wide), Brown Street (50' wide), Parrish Street (50' wide), Ogden Street (50' wide), Westminster Street (60' 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 43rd Street (50' wide), to a point of intersection with the easterly side of 44th Street;

THENCE extending Southward along the easterly side of 44th 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 (80' wide), crossing the beds of 44th Street, Lex Street (40' wide), Westminster Avenue, 45th Street (50' wide), 46th Street, Markoe Street (50' wide), May Street (20' wide), Wyalusing Avenue (60' wide), to a point of intersection with the southerly side of 47th Street;

THENCE extending Southward along the said easterly side of 47th Street (50' wide), crossing the beds of said Wyalusing Avenue, Westminster Avenue, Hoopes Street (30' wide), Ogden Street (40' wide), Parrish Street (60' wide), Brown Street (80' wide), Folsom Street (40' wide), Meredith Street (40' wide), to the first mentioned point and place of beginning.

44TH AND ASPEN URBAN RENEWAL PLAN

EXHIBIT “B”

PROPERTY REHABILITATION STANDARDS

RESIDENTIAL PROPERTY REHABILITATION STANDARDS

All properties shall comply with the standards set forth in all applicable statutes, codes, and ordinances, as amended from time to time, relating to the use, maintenance, facilities, and occupancy of property, including but not limited to, the Building, Plumbing, Electrical, Health, Fire Prevention, Property Maintenance, Mechanical, Administrative and Zoning Codes. These code standards are hereby incorporated by reference and made a part of these Property Rehabilitation Standards (PRS).

In addition to compliance with local statutes, codes, and ordinances, all properties devoted in whole or in part to residential uses shall conform to the following standards:

Repairs and Replacements

Requirements for repairing or replacing existing work means that an item is to be replaced in equal to new condition, but shall not necessarily be limited to replacement with identical materials. Prime consideration in replacement should be durability, lasting qualities and minimal maintenance. The finished work should match adjacent work in design, color, and material and dimension wherever possible.

Kitchen Facilities

In each kitchen there shall be a minimum of 6 linear feet of counter work space that includes base cabinets and 6 linear feet of storage space that includes wall cabinets.

Mechanical equipment must exist in the form of a stove and range for cooking food and a refrigerator for the safe storage of food at a temperature less than 50 degrees Fahrenheit, but more than 32 degrees Fahrenheit. Appliances must be properly installed with all necessary connections for safe, sanitary and efficient operation.

Kitchen and Bathroom Walls

All surfaces and surrounding wall areas that come in contact with and are susceptible to grease, wear, moisture or water penetration, shall be covered with a durable water-proof material of a hard consistency so as to be readily cleanable and maintainable and capable of repelling moisture and water penetration, such as ceramic tile, approved plastic coated materials or equals.

Kitchen and Bathroom Floors

Kitchen floors shall be impervious to water so as to permit the floor to be easily kept in a clean and sanitary condition. Such floors shall be tiles or of other durable, water-proof, non-absorptive material.

Bath Facilities

Complete bathing and sanitary facilities consisting of a water closet, a tub or shower and a lavatory shall be provided for each dwelling unit. The tub and water closet shall include water conservation components.

A mirror, medicine cabinet, soap dish, towel bars, and shower heads and shower rods shall be provided where applicable.

Heating

Every dwelling shall have central heat which is capable of safely and adequately heating all habitable rooms and bathrooms to a temperature of at least 70 degrees Fahrenheit when the outside temperature is 0 degrees Fahrenheit.

Space for Laundry Facilities

Adequate space shall be provided for washing machines and dryers in a suitable service space.

Light

Convenient switches for turning on a light in the basement or stairway shall be located so as to permit the area ahead to be lighted.

Accessory Structures

Decay and weather resistant materials or the application or paint must be used on accessory buildings. Such structures must also be structurally sound, be designed to prevent rodent harborage and be properly maintained or removed from the premises.

Closets

Clothes closet space shall be provided within each living unit on the basis of approximately 12 square feet for the first bedroom plus 9 square feet for each additional bedroom. The space provided should be, if possible, divided into separate closets serving each bedroom. None of the minimum clothes closet space shall be located within the kitchen.

A. CITY AND OTHER REGULATIONS**1. City Ordinances**

All properties shall comply with the standards set forth in all applicable statutes, codes, and ordinances, as amended from time to time, relating to the use, maintenance, facilities, and occupancy or property, including but not limited to, the Building, Plumbing, Electrical, Property Maintenance, Fire Prevention, Health, Mechanical, Administrative and Zoning Codes. These code standards are hereby incorporated by reference and made a part of these Property Rehabilitation Standards.

2. State Regulations

All not-to-be-acquired properties and all work under this program shall be subject to the approval of the appropriate Departments of the Commonwealth of Pennsylvania, such as:

- a. Building Division of Labor and Industry
- b. Department of Health
- c. Any other appropriate agency

3. Public Utilities

All regulations of public utility companies which are applicable to work done under this program shall be complied with.

4. Other authorities
5. Where more than one set of restrictions or controls apply to a single property, the more restrictive control will apply.

B. MATERIALS AND WORKMANSHIP

1. All materials and workmanship employed in rehabilitation under this program shall provide lasting quality by the adoption of workmanlike methods and the use of durable materials and shall meet the requirements of the regulations referred to under "City and Other Regulations" in this section.
2. All alterations to and repair of old work shall be done with matching materials and methods, and/or finished in such a way that the alterations and repairs are not apparent. Where matching or "same as original" materials are referred to in these Standards, this shall not prevent the use of substitute materials generic with, and having the same appearance as

the original material (provided that such substitutes are specifically approved by the Authority).

C. GENERAL REQUIREMENTS

1. Exterior Walls

- a. Masonry walls either solid or veneer, shall prevent the entrance of water of excessive moisture.
- b. Masonry joints shall be tight and wall-pointed and all cracks effectively sealed.
- c. Broken or spalled masonry shall be replaced or repaired.
- d. Wood frame walls shall be water-tight.
- e. Shingle and siding joints shall be tight; worn, loose, or missing shingles or lengths of siding shall be replaced.
- f. Cracked or spalling stucco shall be repaired.
- g. Walls shall be cleaned of unsightly paint and painted signs, unless specifically approved, and any excessive accumulation of dirt.
- h. All walls shall provide safe and adequate support for all loads upon them. Serious defects shall be corrected.

2. Materials

- a. Where walls are in such condition and of such design that repair is feasible and desirable, they shall be repaired using matching materials and design (see B.2.).
 - b. All windows, doors, frames, chimneys, cornices, dormers, trim, stoops, rails and all other elements in exterior walls:
 - 1) If the existing item is in such condition and of such design that repair for continued use is feasible and desirable, it shall be repaired with matching design and materials.
 - 2) If the existing item is in such condition that replacement is necessary, it shall be of design, size, location, materials and finish to present a neat, orderly and well-kept appearance in harmony with the remainder of the building, with adjacent buildings and shall be approved by the Redevelopment Authority.

- c. Where walls or storefronts are in such condition that substantial rebuilding is necessary or desirable, the design and selection of materials shall be approved by the Redevelopment Authority.
- d. Existing windows may not be blocked up without the approval of the Redevelopment Authority. Windows which are functionally not desirable may be back-painted dark gray, but all frames and sash must be maintained.

3. Projections

Projections from exterior walls and roofs shall be governed by the following standards:

a. Projections

There shall be no new marquees, canopies, loading docks, porches, projecting sunshades, other than awnings, in walls abutting streets or walkways, except if specific designs have been submitted to and approved by the Redevelopment Authority.

b. Fire Escapes

There shall be no new fire escapes on walls facing public street or walkway. Designs and locations for all permitted fire escapes must be approved by the Redevelopment Authority.

- c. All existing projections shall be brought into conformity with new construction standards where practically or economically feasible, or where they are to be replaced.

4. Roofs

- a. All roofs and rooftops appurtenances (mechanical equipment, billboards, etc.) which are visible from a substantial portion of the Project Area shall be improved where practicable by the elimination of all visually unattractive or dilapidated roofing materials and rooftop construction and by the careful design and organization of all new rooftop materials and equipment.
- b. All roofs shall have a suitable covering free of holes, cracks, or excessively worn surfaces, which will prevent the entrance of moisture into the structure and provide reasonable durability.

- c. All visible metal work in such roofs except cooper shall be painted or integrally colored.
- d. Exterior television and cable materials shall be so placed as to be lease visible from public rights-of-ways.
- e. Gutters and Downspouts: Each structure shall have a controlled method of disposal of water from roofs where necessary to prevent damage to the property, and avoid causing an unsightly appearance of walls and windows where adequate roof overhangs are not provided.
- f. Flashing: All critical joints in exterior roof and wall construction shall be protected by sheet metal or other suitable flashing material to prevent the entrance of water.

5. Drainage

- a. All rainwater is to be conducted away from buildings and grounds using safe and inconspicuous methods which effectively prevent the retention of water and saturation of buildings and grounds.
- b. All gutters, downspouts and underground drain lines are to be safely constructed and kept in sound condition.

6. Yard Areas

- a. If enclosed, yards shall be enclosed by walls or fences or durable materials.
- b. All yards shall be paved or have suitable planted ground cover.
- c. Existing fences shall be adequately maintained to insure good structural condition.

7. Rubbish and Debris

- a. All rubbish, debris, rags, papers, discarded equipment, etc. shall be removed from the structure and property; however, building materials may be stored temporarily during rehabilitation of the property.
- b. Provision must be made for sanitary storage of rubbish and trash between collections.

8. Ventilation

All basements, cellars, crawl spaces, penthouses, attics, etc. shall be adequately ventilated to the outside as based on standards referred to by the City Codes.

9. Outbuildings

Where permitted, new outbuildings shall be constructed of durable materials, and shall be designed to harmonize with the adjacent structures in form, material and detail. Existing outbuildings shall be adequately maintained to insure good structural condition and where practicable and economically feasible, shall be brought into conformity with new construction standards.

10. Exterior Lighting

Exterior lighting may be used to light shop fronts, parking lots, doorways, stoops, loading areas, yards and drives, but shall be located and shielded to prevent glare on other properties. No flood lighting of buildings, streets or walkways is permitted except by special approval of the Redevelopment Authority.

11. Access and Egress

Each dwelling unit or commercial or industrial activity must have safe and unobstructed access and egress to a public way. Such access must be direct without passing through another dwelling unit or space which may be occupied by a use other than a passageway. Access must meet American With Disabilities Act (ADA) requirements.

12. Interior Surfaces and Finishes

- a. All interior walls and ceilings shall provide (a) a suitable base for protective finish, and (b) a waterproof hard surface in spaces subject to moisture.
- b. Finished Floors: Floor finishes shall be appropriate for the use of the space and provide reasonable durability and economy of maintenance.
- c. Painting: Where needed, a protective and finished coating shall provide, (a) adequate resistance to weathering, (b) protection of finish surfaces from moisture or corrosion, (c) an attractive appearance, and (d) reasonable durability.

- d. Exceptions to the above requirements may be granted by the Redevelopment Authority where spaces are used for warehousing, storage, manufacture or assembly.

13. Heating

All occupied buildings shall be provided with a centralized heating facility or appropriate and sufficient space heaters capable of maintaining a temperature of at least 70 degrees F when the outside temperature is at 0 degrees (except in storage areas when 50 degrees F is acceptable).

14. Electrical, Wiring, Equipment and Illumination

- a. Existing wiring and electrical equipment to remain shall be determined to be in good and serviceable condition of appropriate capacity and installed so as not to be a potential source of electrical hazard, nor of ignition of combustible materials. Replacements of existing wiring and equipment shall be made where these conditions are not fulfilled. Existing electrical facilities where considered inadequate shall be increased to fulfill the intent of this paragraph.
- b. In all building spaces, power wiring and lighting fixtures must be provided which will assure an adequate level of illumination which is appropriate for the safe and beneficial use of the space.

15. Stairs and Handrails

Every inside and outside stairway, every loading dock or porch, and every appurtenance shall be safe to use and cable of supporting a load that normal use may cause to be placed on it. Every stairway having three or more steps shall have a handrail.

16. Foundation Walls

Foundations walls and footings shall be watertight and provide safe and adequate support for all intended or likely loads.

17. Basement or Cellar Floors

The floor of all basements or cellars shall be made watertight and shall be paved except in the case of existing wood floor construction over a crawl space where, height permitting, a suitable material is installed on the ground in the crawl space.

18. Plumbing

Every plumbing fixture shall be connected to approved water and sewer systems and be maintained in good working order. There shall be a separate shut-off valve in the water service to each occupancy.

19. Rodent Guards

All openings intended for ventilation which are accessible to rats shall be covered with rust resistant metal screens in which the least dimension of the open areas is less than one-half inch. All other openings shall be closed with substantial materials, such as metal or mortar which cannot be gnawed by rats. Exterior door and window sills and bottom rails shall be protected with sheet metal or the equivalent if they are below an elevation of thirty inches above the grade line at that point.

D. REQUIREMENTS FOR THE REHABILITATION OF RESIDENTIAL STRUCTURES CONTAINING COMMERCIAL USES**1. Health**

- a. Toilet facilities shall be accessible to the regular place or work of every employee. In this context "accessible" means in the same building and either on the same floor or on the next floor above or below the regular place of work of the employee. Area facilities are to meet the ADA requirements.
- b. Washing Facilities: At least one wash basin or its equivalent shall be in or adjacent to each toilet room.
- c. Number of fixture units shall be required as stated by the City Codes.

2. Parking and Loading Requirements

- a. Wherever space and topography permit, properties abutting a public vehicular right-of-way shall provide parking and loading spaces.
- b. All parking and/or loading areas accommodating more than three cars shall be screened from adjacent residential or institutional uses.
- c. All permitted non-residential structures shall have one parking space for 1,000 square feet of gross floor area of the building, unless otherwise reviewed and approved by the Redevelopment Authority.

E. SPECIAL REQUIREMENTS FOR THE REHABILITATION OF ALL NON-RESIDENTIAL STRUCTURES**1. Health**

- a. Toilet facilities shall be accessible to the regular place or work of every employee. In this context "accessible" means in the same building and either on the same floor above or below the regular place or work of the employee.
- b. Where both men and women are employed and there are normally more than seven (7) employees working at any time, separate toilet rooms shall be provided for each sex. These rooms shall be separated from each other and from all other spaces by walls extending to the ceiling.
- c. Washing Facilities: At least one wash basin or its equivalent shall be in or adjacent to each toilet room.

2. Parking and Loading Requirements

- a. Wherever space and topography permit, properties abutting a public vehicular right-of-way shall provide paved parking and loading spaces. Their design and construction must meet the ADA requirements.
- b. All such parking and loading areas shall be screened from adjacent and residential or institutional uses by a four foot high masonry wall, unless an alternative is reviewed and approved by the Redevelopment Authority.

3. Landscaping and Grounds

All open ground must be paved or landscaped with suitable ground cover. Where paving is appropriate, it shall be suited to its proposed use: service trucking, parking, pedestrian walks. All unpaved land should be landscaped.

4. Outdoor Storage

Outdoor storage of materials shall only be permitted with the approval of the Redevelopment Authority and in such instances shall be adequately screened from public rights-of-way and adjoining residential and institutional uses with walls or fencing and/or landscaping as prescribed by the City Codes.

F. SIGNS

1. The following general regulations apply to all signs in the project area.
 - a. Illuminated signs must comply with all City codes.
 - b. Lighted red and green signs may not be located within fifty (5) feet of a signaled intersection.
 - c. Signs are prohibited from passing in front of windows, doors, bays and other similar openings or appurtenances and should be restricted to the solid portions of the wall surface, except that signs may be painted or attached to a window or similar opening if it is completely contained within the frame of that opening.
2. The following additional regulation applies to commercial and industrial buildings
 - a. When buildings are set back from the public right-of-way 25 feet or more, an additional sign at entrances is permitted provided that such sign(s) does not exceed ten square feet and does not project beyond the building line and is not constructed so as to be above 10 ft. in height.

44TH AND ASPEN URBAN RENEWAL AREA

EXHIBIT "C"

**SECOND AMENDED
RELOCATION STATEMENT AND PLAN**

EXHIBIT "C"
44TH AND ASPEN REDEVELOPMENT AREA
44TH AND ASPEN URBAN RENEWAL AREA
RELOCATION STATEMENT AND PLAN

RELOCATION STATEMENT

The Philadelphia Redevelopment Authority's Relocation Program outlines the housing resources available to relocatees and the services and payments that would be offered to them. The Authority, with the full cooperation of all concerned public and private agencies, gives assurance that State and Federal Relocation requirements will be met. No families or individuals will be relocated until adequate resources are brought to bear on each situation and rehousing can be accomplished according to Federal specifications and the Authority's Policies and Procedures.

The proposed acquisition will involve no relocation activities.

A. Residential Relocation

There are no residential properties that will require relocation in this acquisition.

B. Commercial Relocation

There are no commercial properties that will require relocation in this acquisition.

C. Institutional Relocation

There are no institutional properties that will require relocation in this acquisition.

Relocation Plan

The Relocation Plan will be administered by the Philadelphia Redevelopment Authority's Relocation and Property Management Department (Relocation Department).

The objectives of this Relocation Plan are to assure that displaced families and individuals shall have the full opportunity to move into decent, safe and sanitary housing, that their displacement and the displacement of any business concerns shall be carried out with a minimum of hardship, and that they receive the full range of payments and benefits provided by law.

1. Residential

a. Determination of Relocation Needs

A Survey of each family and individual who's living accommodation is to be acquired will be conducted prior to actual relocation to determine relocation needs. As soon as possible after approval of the appropriate funding contract, the relocation staff will conduct a 100 percent survey of site occupants for the purpose of obtaining information on family composition, housing needs and income, and to determine eligibility for low and moderate income housing. The total number of families and individuals to be displaced, their social and economic characteristics, and special problems are determined by these surveys.

Relocation staff will also determine relocation requirements of the site occupants, determining the relocation assistance which site occupants require, and deliver to the site occupant's informational material which explains the relocation service which will be available.

b. Relocation Standards (Physical, Occupancy, and Ability-To-Pay)

1) Physical Standards

- a.** In certifying that rehousing accommodations are decent, safe and sanitary,
the Relocation Department uses the standards provided by the Housing Code of the City of Philadelphia. The standards and related regulations provided by the Code establish minimum standards for basic equipment and facilities; for light, ventilation and heating; for space, use, and location;
for safe and sanitary maintenance; and for cooking equipment.

The same standards apply to non-housekeeping units which may be occupied by individuals.

- b.** The Housing Code provides that the structural conditions of a dwelling or dwelling unit shall be in sound condition including foundation, exterior walls
and roof, interior walls and ceilings, floors, windows, doors, and stairs,
and
that they shall be substantially weather tight, watertight and rodent proof.

2) Occupancy Standards

The Number of rooms to be occupied by families of various sizes for sleeping purposes shall be determined by the floor area requirements of the Housing Code and by age and sex of persons in a family. The same standards will apply to both single-family dwellings and apartments. Generally the bedroom requirements are estimated as follows:

No. of Persons in Family	Bedrooms Required
1-2	1
3-4	2
5-6	3
7-8	4
9 or more	5 or more

3) Standards of Displacee's Ability to Pay for Housing

The Relocation Department makes determination with respect to ability to pay for housing based primarily on family income. Units must be available at a rent or price within the financial means of the families and individuals. Amounts of rent which families and individuals can pay are estimated using family size and total income as guides. Gross rent income ratios of 25 to 30 percent are used for families and individuals as standards for determining gross rent-paying ability. These ratios vary according to family size and composition and family income.

For determination relating to ability-to-purchase housing income, assets and debts are evaluated in relation to monthly carrying costs (amortization, interest, taxes, insurance, utilities, fuel and reserves for repairs, maintenance, and replacement) , and the ability of the family to secure mortgages financing). As a general rule, the ratio (between annual income and purchase price) is about 2-1/4 times annual income.

The information booklet distributed to all site occupants specifically states that relocation housing must be within the occupant's ability to pay.

4) Location Standards

All housing to which displacees are referred will be reasonably accessible to places of employment and in areas generally not less desirable in regard to

public utilities and public and commercial facilities.

c. Temporary Relocation

The Authority does not anticipate the need for temporary relocation; however, site occupants will be temporarily relocated whenever it is necessary to alleviate hardship for the site occupant and/or to effect monetary savings in project costs. However, no site occupant will be temporarily relocated into a facility which is less desirable in character than the housing unit vacated, and the temporary facility will be safe and habitable.

The duration and extent of all temporary housing will be kept at a minimum. The temporary relocation will in no way diminish the responsibility of the Relocation Department in obtaining permanent housing for the site occupants.

d. Relocation Assistance for Families and Individuals

- 1) The Redevelopment Authority's Relocation Department will develop an informational program to advise site occupants of available relocation assistance and all pertinent information pertaining to the redevelopment of the site.

Informational Statements will be distributed to all site occupants setting forth:

- a) The purpose of the Relocation Program and the assistance available through the Relocation Department.
- b) The assurance that site occupants will not be required to move except on a temporary basis or for eviction reasons, before they have been given an opportunity to obtain decent, safe, and sanitary housing within their financial means.
- c) The fact that Federal Housing Administration acquired properties are a relocation resource, a listing of these properties with size and price will be available for examination to assist interested site occupants in contacting agents.
- d) That site occupants should apply for public housing, if eligible, and cooperate with the Relocation Department in seeking their own standard, private rehousing accommodations when possible and notifying the office prior to moving.

- e) The standards for decent, safe, and sanitary housing.
 - f) Eviction Policy
 - g) Availability of Relocation Payments and that details are obtainable at the relocation office.
 - h) Address and hours of the relocation office.
- 2) Site occupants will be encouraged to make use of the relocation office for referrals to real estate firms for private-rental units and to the Philadelphia Housing Authority for public housing. Individuals and families who are apparently eligible for public housing will be informed of their priority as relocatees and will be assisted in making application for public housing and any other low and moderate income housing assistance available.

The Philadelphia Housing Authority informs the Relocation Department of the disposition of each referral, and those rejected for public housing and other low and moderate housing assistance are then offered referral assistance in obtaining private-rental housing.

Site occupants unable to obtain public housing or other low and moderate income housing assistance, or expressing a preference for relocation to private-rental housing, will be referred to vacancy listings maintained by the Relocation Department. Arrangements will be made for the inspection of the vacancy by the family or individual. If necessary, transportation will be provided for the inspection; and a member of the relocation staff will accompany the family or individuals during the inspection. For those families and individuals interested in purchasing housing, information will be made available on builders or new housing under FHA-insured housing programs.

- 3) All housing to which displacees are referred, other than public housing and housing approved for FHA or VA mortgage insurance, will be inspected prior to referral to secure pertinent data on size and rent of the housing unit, and to insure that the housing unit is decent, safe, and sanitary.

All dwellings of self-relocated site occupants will be inspected if possible prior to the move. If the dwelling is found to be unsatisfactory, the Relocation Department will offer the relocatee referrals to standard housing. If the relocatee moves to a substandard unit and declines the offer of a standard unit, the matter will be reported to the Department of Licenses and Inspections with the objective of bringing the unit into conformity with local codes.

- 4) The Relocation Department will attempt to trace site occupants who have disappeared from the project area by using available sources for locating them such as employers, school registrations, social agencies, utility records, and forwarding addresses left with the post office. When such site occupants are located, the above procedure will apply.

- 5) The provisions for low and moderate income housing assistance available through Federal programs will be explained to families and individuals interested.

2. Non-Residential

a. Determination of Relocation Needs

A relocation worker will contact each commercial and industrial business concern and non-profit organization to determine relocation needs and to explain benefits available to assist their move.

Space needs and locational preference of business firms will be secured and efforts made to discover and prevent any special problems which could hinder the orderly relocation of business establishments from the project area.

b. Relocation Assistance For Business Concerns and Non Profit Organizations

- 1) The Relocation Department will distribute a business relocation pamphlet describing the redevelopment process and the manner in which it affects businesses to all concerned businessmen in the project area. The Relocation Department will arrange meetings with business owners in the area to explain the program, answer questions, and in general to guide business firms in moving to a new location under the most advantageous conditions.

- 2) A relocation worker will personally call on the principal of all business concerns affected by the area program. This person will be the liaison between business firms and other sections and divisions of the Authority.

- 3) The Relocation Department maintains close contacts with real estate agents. Agents send in listing of commercial and industrial buildings available for rent or sale. Arrangements shall include provisions for listings which include the names and addresses of real estate agencies, brokers, and boards in or near the project area, to which business concerns may be referred for assistance in

obtaining commercial space. These lists will be made available to business firms which must relocate.

- 4) Relocation payments will be made to eligible business concerns to cover moving expenses, any actual direct loss of property, and other benefits as set forth in Regulations governing relocation payments.

c. Relocation Resources

The primary resources available to displaced "persons" are the relocation benefits and services mandated by the Eminent Domain Code as amended of the Commonwealth of Pennsylvania. The Redevelopment Authority of the City of Philadelphia, relying upon years of experience in administering an effective relocation program, will deliver to all displacees the relocation benefits and assistance provided under the law.

The Relocation Department will obtain the assistance of professional industrial and commercial realtors in the relocation process. Public, quasi-public and private organizations and agencies dedicated to helping businesses will be sought for their professional expertise not only to identify suitable relocation sites, but also to provide management and financial assistance and advice, as needed.

The following agencies may be involved in providing relocation sites and financial assistance:

Philadelphia Industrial Development Authority (P.I.D.C.)
Philadelphia Citywide Development Corporation (P.C.D.C.)
Small Business Administration
City of Philadelphia, Department of Commerce
Reading Company and its consultants

E. Relocation Benefits & Services

Relocation benefits will be provided in accordance with Article VI A of the Pennsylvania Eminent Domain Code, as amended, and the Regulations Promulgated.

44TH AND ASPEN URBAN RENEWAL PLAN

EXHIBIT “D”

PROPERTY LIST

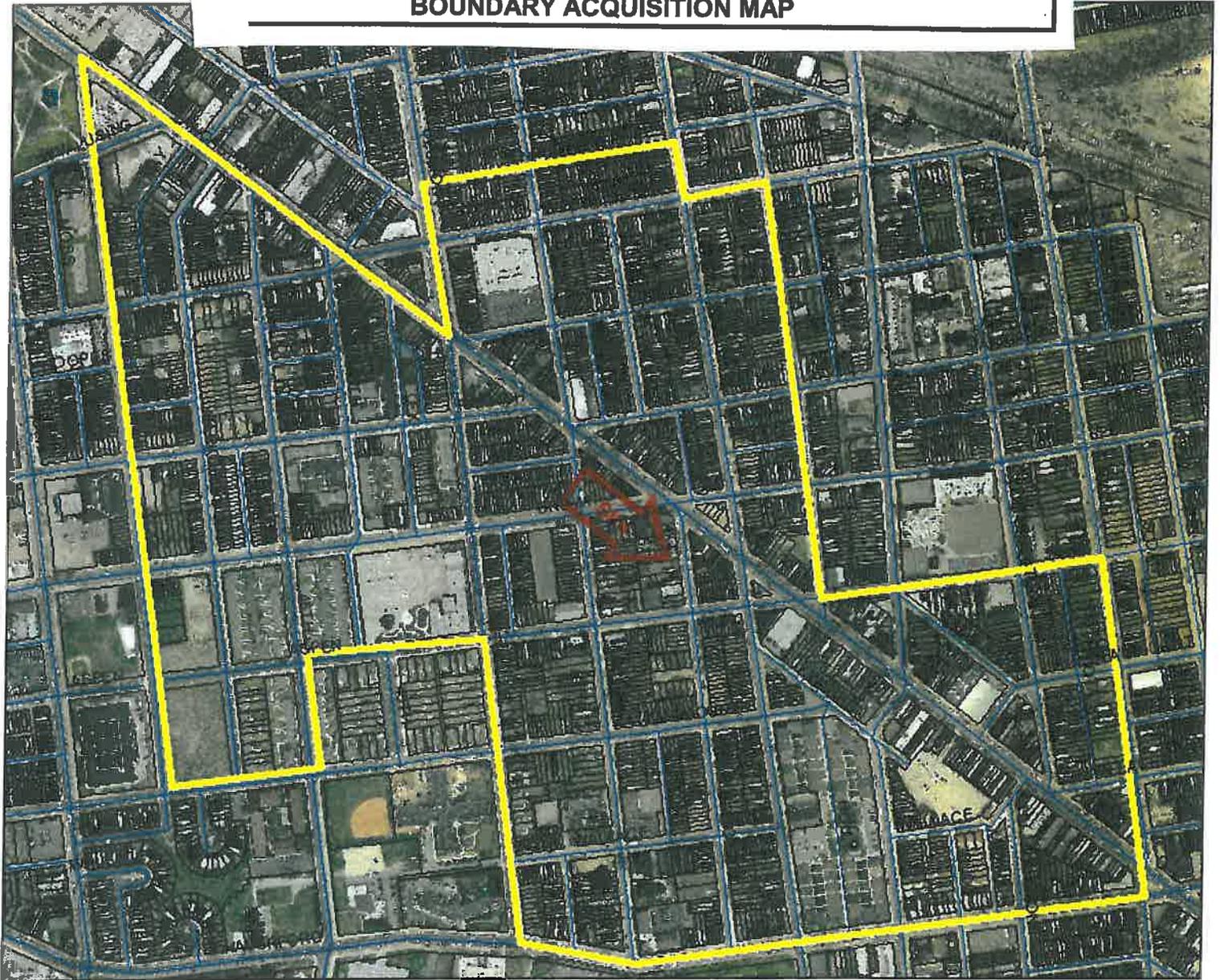
44TH AND ASPEN REDEVELOPMENT AREA

**44TH AND ASPEN URBAN RENEWAL AREA
FOURTH AMENDED REDEVELOPMENT PROPOSAL
PROPOSED PROPERTY ACQUISITION LIST**

Property Address

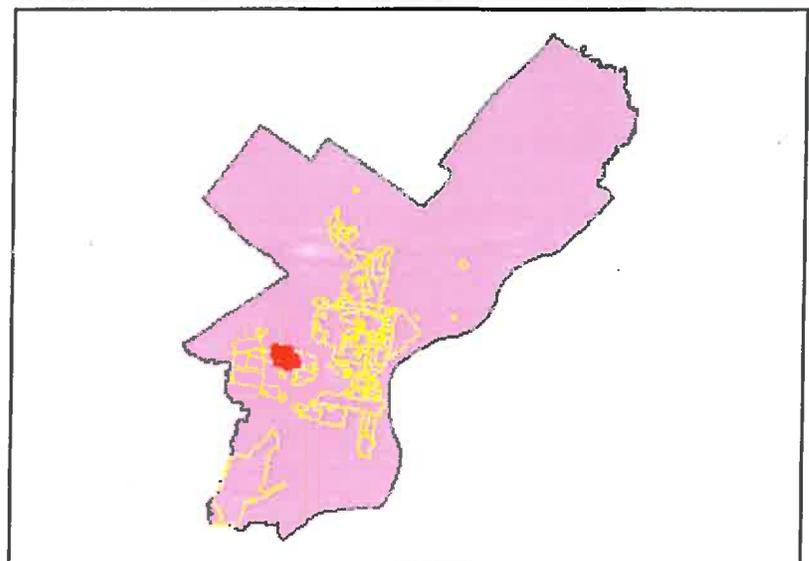
753 Brooklyn Street
756 Brooklyn Street
759 Brooklyn Street
761 Brooklyn Street
4206 Lancaster Avenue

**44th and Aspen Redevelopment Area
44th and Aspen Urban Renewal Area
FOURTH AMENDED URBAN RENEWAL PLAN
BOUNDARY ACQUISITION MAP**



Legend

-  Urban Renewal Areas
-  Street Centerline
-  Parcels



**44th and Aspen Redevelopment Area
44th and Aspen Urban Renewal Area
FOURTH AMENDED URBAN RENEWAL PLAN
EXISTING LAND USE MAP**



LEGEND

 Vacant Lot

Address	Structure/Lot	Occupied/Vacant
753 Brooklyn Street	Lot	Vacant
756 Brooklyn Street	Lot	Vacant
759 Brooklyn Street	Lot	Vacant
761 Brooklyn Street	Lot	Vacant
4206 Lancaster Avenue	Lot	Vacant

44th and Aspen Redevelopment Area
44th and Aspen Urban Renewal Area
FOURTH AMENDED URBAN RENEWAL PLAN

PROPOSED LAND USE MAP



LEGEND

- Garden
- Tot Lot

Address	Proposed Use
753 Brooklyn Street	Memorial Garden
756 Brooklyn Street	Tot Lot
759 Brooklyn Street	Memorial Garden
761 Brooklyn Street	Memorial Garden
4206 Lancaster Avenue	Memorial Garden

City of Philadelphia

BILL NO. 120322 continued

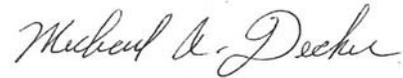
Certified Copy

City of Philadelphia

BILL NO. 120322 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 14, 2012. The Bill was Signed by the Mayor on June 27, 2012.



Michael A. Decker
Chief Clerk of the City Council