



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 030663

Introduced October 9, 2003

Councilmember Clarke

**Referred to the
Committee of the Whole**

AN ORDINANCE

Creating the Boyd Theater Tax Increment Financing District, being the area generally bounded by Chestnut street on the north, Nineteenth street on the east, Twentieth street on the west, and Sansom street on the south and approving the project plan of the Philadelphia Authority for Industrial Development ("PAID") for the redevelopment of the Boyd Theater Tax Increment Financing District and making certain findings and declarations, all in accordance with the Tax Increment Financing Act, being the Act of July 11, 1990, P.L. 465, No. 113, as amended, and authorizing the Director of Finance and other offices of the City to execute documents and do all things necessary to carry out the intent of this Ordinance.

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, and the Tax Increment Financing Act, being the Act of July 11, 1990, P.L. 465, No. 113, as amended, the City Planning Commission of the City of Philadelphia ("Commission") has certified the North Philadelphia Redevelopment Area as a redevelopment area, and the Commission has completed a detailed redevelopment area plan for the Center City Philadelphia Redevelopment Area; and

WHEREAS, In conformity with this redevelopment area plan, the Philadelphia Authority for Industrial Development ("PAID") has prepared a detailed project plan for the redevelopment of a portion of the Center City Redevelopment Area designated as the Boyd Theater Tax Increment Financing District ("District"), which project plan has been prepared by PAID and submitted by PAID for approval by the City Council pursuant to the Tax Increment Financing Act; and

WHEREAS, The Commission has submitted to the City Council its report and recommendations respecting the redevelopment of the District, the determination of

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blight, and has certified that the said project plan conforms to the comprehensive plan for the City as a whole; and

WHEREAS, The project plan 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 actions; and

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

WHEREAS, City Council desires to take appropriate action with respect to the project plan pursuant to the Tax Increment Financing Act; and

WHEREAS, Pursuant to the Tax Increment Financing Act, creation of a tax increment financing district authorizes the use of certain positive tax increments to finance improvements, including costs incidental thereto, within the District; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. City Council hereby creates the Boyd Theater Tax Increment Financing District ("District"), as provided herein, pursuant to the Tax Increment Financing Act. The District consists of:

Premises "A"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the Eighth Ward of the City of Philadelphia and described (subject to an official survey and plan) as follows, to wit:

BEGINNING a point on the southerly side of Chestnut street at the distance of eighty-eight feet westwardly from the westerly side of Nineteenth street, thence extending southwardly on a line parallel with Nineteenth street and by the head of a certain three feet seven inches wide alley by Deed which extends eastwardly into Nineteenth street one hundred twenty-two feet to a point; thence extending westwardly on a line parallel with Chestnut street twenty-two feet to a point; thence extending southwardly on a line parallel with Nineteenth street and partly along the westerly line of an alley leading southwardly into Sansom street one hundred eight feet to a point on the northerly side of Sansom street; thence extending eastwardly along the northerly side of Sansom street one hundred fifty-four feet to a point on the westerly line of a certain

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driveway fourteen feet wide by deed; thence extending northwardly on a line parallel with Nineteenth street and along the westerly line of the aforesaid fourteen feet wide driveway one hundred twenty-five feet to a point on the northerly line of a driveway fifteen feet wide by deed which extends eastwardly one hundred thirty-two feet to a point; thence extending eastwardly on a line parallel with Chestnut street and along the northerly line of the aforesaid fifteen feet wide driveway one hundred thirty-two feet to a point; thence extending northwardly on a line parallel with Nineteenth street one hundred five feet to a point on the southerly side of Chestnut street and thence extending eastwardly along the southerly side of Chestnut street forty-four feet to a point, being the first mentioned point and place of beginning.

BEING Nos. 1908-10 Chestnut street.

Premises "B"

ALL THAT CERTAIN lot or piece of ground situate on the east side of Twentieth street at the distance of ninety-one feet southward from the south side of Chestnut street in the Eighth Ward of the City of Philadelphia, Commonwealth of Pennsylvania.

CONTAINING in front or breadth on the said Twentieth street eighteen feet and extending of that width in length or depth eastward at right angles to the said Twentieth street sixty-six feet.

BOUNDED northward by a certain three feet wide alley leading westward into the said Twentieth street, southward by ground now or formerly of Catherine A. Crosby, eastward by ground now or formerly of John B. Love, and westward by Twentieth street aforesaid.

TOGETHER as respects the premises seconds hereinabove described, with the free and common use, right, liberty and privilege of the said alley as and for a passageway and watercourse at all times hereafter forever.

BEING 109 South Twentieth street.

TOGETHER with the free and common use, right, liberty and privilege of all the passageways appurtenant or contiguous to the above described premises in common with owners of properties abutting thereon.

Premises "C"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected situate on the east side of Twentieth street at the distance

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of one hundred nine feet southward from the south side of Chestnut street in the Eighth Ward of the City of Philadelphia.

CONTAINING in front or breadth on the said Twentieth street eighteen feet and extending of that width in length or depth eastward between parallel lines at right angles to the said Twentieth street eighty-five feet to a certain three feet wide alley which extends southward into Sansom street.

TOGETHER with the free and common use, right, liberty and privilege of the aforesaid alley as and for a passageway and watercourse at all times hereafter, forever; also all the right, title and interest whatsoever of the said Grantor, of, in and to the land covered by said three feet wide alley, bounding the above described premises to the east.

BEING known as No. 111 South Twentieth street.

Premises "D"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate on the east side of Twentieth street the distance of ninety feet northward from the north side of Sansom street in the Eighth Ward of the City of Philadelphia.

CONTAINING in front or breadth on the said Twentieth street eighteen feet and extending of that width in length or depth eastward between parallel lines at right angles to the said Twentieth street eighty-five feet to a certain three feet wide alley which extends southward into the said Sansom street.

BEING No. 113 South Twentieth street.

TOGETHER with the free and common use, right, liberty and privilege of the aforesaid alley as and for a passageway and watercourse at all times hereafter forever.

Premises "E"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate on the east side of Twentieth street (formerly called Schuylkill Third street) at the distance of seventy-two feet northward from the north side of Sansom street (formerly called George street) in the Eighth Ward of the City of Philadelphia.

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CONTAINING in front or breadth on the said Twentieth street eighteen feet and in length or depth eastward of that width eighty-five feet to a three feet wide alley leading southward into Sansom street.

BOUNDED northward and southward by ground now or formerly of Charles Henry Fisher, eastward by the said three feet wide alley and westward by the said Twentieth street.

BEING No. 115 South Twentieth street.

Premises "F"

ALL THAT CERTAIN lot or piece of ground with the building and improvements thereon erected situate on the north side of Sansom street at the distance of eighty-eight feet eastward from the east side of Twentieth street in the Eighth Ward of the City of Philadelphia.

CONTAINING in front or breadth on the said north side of Sansom street forty-four feet and extending in length of depth northward of the width one hundred forty feet toward Chestnut street.

BOUNDED westward by a three feet wide alley leading into Sansom street.

TOGETHER with the free and common use, right, liberty and privilege of the aforesaid alley as and for a passageway and watercourse at all times hereafter, forever.

BEING No. 1929 Sansom street.

SECTION 2. The project plan, included herein as Exhibit "A" and on file with the Chief Clerk, including the detailed redevelopment area plan, the maps, studies, as well as all other documents and supporting data which form part of the project plan submitted by the Philadelphia Authority for Industrial Development ("PAID") for the District, having been reviewed and considered, is approved.

SECTION 3. City Council finds and declares that the project plan for the District, having been duly reviewed and considered, is approved, and that:

(a) The project plan conforms to the City Comprehensive plan for the development of the locality as a whole;

(b) The District is a contiguous geographic area within a certified redevelopment area created pursuant to the Urban Redevelopment Law;

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(c) The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the District;

(d) The aggregate value of equalized taxable property of the District, plus all existing tax increment districts, does not exceed ten percent (10%) of the total value of equalized taxable property within the City of Philadelphia;

(e) The area comprising the District as a whole has not been subject to adequate growth and development through investment by private enterprise and would not reasonably be anticipated to be adequately developed or further developed without the adoption of the project plan;

(f) The relocation plan contained in the project plan does not call for displacement of any lawfully possessed individuals, families and businesses as a result of this project. Accordingly, City Council finds that the project plan contains a feasible method for the compensation of individuals, families and small businesses and for their relocation, if any, to decent, safe and sanitary dwelling accommodations within their means, without undue hardship to such individuals, families and businesses;

(g) The project plan affords maximum opportunity, consistent with the sound needs of the community as a whole, for the redevelopment of the District by private enterprise;

(h) The District is a blighted area containing characteristics of blight as described in the Urban Redevelopment Law and the Tax Increment Financing Act and the project to be undertaken is necessary to prevent, arrest and eliminate such conditions of blight;

(i) 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 project plan are reasonable and necessary under the circumstances; and

(j) The project plan meets all of the conditions and requirements imposed by law and the pertinent regulations with respect thereto, for the purpose of prohibiting discrimination with regard to race, color, creed, sex, sexual orientation, or national origin.

SECTION 4. City Council finds and declares that the project plan is in conformity with the Center City Redevelopment Area Plan.

SECTION 5. City Council hereby creates the District as of July 1, 2004, which District shall exist for a period of twenty (20) years from and after such date.

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SECTION 6. The Director of Finance and other officers of the City are hereby authorized to execute all documents and do all things necessary to carry out the intent of this Ordinance.

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