



City of Philadelphia

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

BILL NO. 240973

Introduced October 24, 2024

Councilmember Squilla for Council President Johnson

**Referred to the
Committee of the Whole**

AN ORDINANCE

Approving the amendment of a neighborhood improvement district in the area generally bounded by, and including, 11th Street to the West, Filbert Street to the North, 8th Street to the East and Market Street to the South, with the exception of certain condominium units at 801 Market Street Condominium not included in the District, known as the Gallery Neighborhood Improvement District, to remove certain portions of such property generally bounded by Filbert Street on the north, 10th Street on the east, 11th Street on the west, and Market Street on the south from such District in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

WHEREAS, City Council is authorized by the Community and Economic Improvement Act, being the Act of December 21, 1998, P.L. 1307, No. 174, as amended ("Community and Economic Improvement Act") (53 P.S. §18101 et seq.), to establish, by ordinance, neighborhood improvement districts and to designate certain entities to administer programs and services within such districts in order "to promote and enhance more attractive and safer commercial, industrial, residential and mixed-use neighborhoods; economic growth; increased employment opportunities; and improved commercial, industrial, business districts and business climates;" and

WHEREAS, By ordinance passed by City Council on December 15, 2015 (Bill No. 150374) (the "Original NID Ordinance"), City Council established The Gallery Neighborhood Improvement District (the "District") and designated the Gallery Neighborhood Improvement District Corporation, a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District (the "Market East NIDMA"); and

WHEREAS, By ordinance approved June 18, 2015 (Bill No. 150380), City Council created the Gallery at Market East Tax Increment Financing District ("TIF District") and approved the project plan submitted by the Philadelphia Authority for Industrial Development ("PAID") for the redevelopment of the District, all pursuant to the provisions of the Tax Increment Financing

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Act, being the Act of July 11, 1990, P.L. 465, No. 113, as amended (“Tax Increment Financing Act”) (53 P.S. §6930.1 et seq.); and

WHEREAS, The TIF District is being amended by separate ordinance of City Council, pursuant to the Tax Increment Financing Act, to revise the boundaries of the TIF District and amend its project plan; and

WHEREAS, In connection with the TIF District amendment, the Market East NIDMA Board of Directors has recommend and the Market East NIDMA has proposed to amend the District boundaries to generally overlay with the TIF District, as amended, the Market East NIDMA has properly notified the affected property owners of such proposed amendment and more than forty-five (45) days have elapsed since such notification and the Clerk of City Council has not received objections filed by affected property owners representing the ownership of at least one-third of the affected properties within the District or affected property owners within the District whose property valuation, as assessed for taxable purposes, amounts to one-third of the total property valuation of affected property owners within the District; and

WHEREAS, All procedures required by the Community and Economic Improvement Act for amendment of the District have been followed; in particular, a public hearing was held on _____, 2024 after timely publication of the required notice thereof in at least one newspaper having a general circulation in the District specifying the time and the place of such hearing and the amendments to be considered; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. In accordance with the provisions of the Community and Economic Improvement Act, City Council hereby finds that the proposed amendment to the District’s final plan are in the public interest as it relates to affected property owners within the District and hereby approves Market East NIDMA’s proposed amendment to the District’s final plan and the District effective as of the January 1st next following the date that an agreement for payment in lieu of taxes among The City of Philadelphia, the School District of Philadelphia, and the taxpayer for the property to be removed from the District takes effect for such area, such that new boundaries shall be as set forth in Exhibit “A” attached hereto. The District shall continue to be known as the Gallery Neighborhood Improvement District and the Market East NIDMA shall continue to serve as the Neighborhood Improvement District Management Association with all powers, rights, duties, responsibilities and undertakings set forth in the Community and Economic Improvement Act and the Original NID Ordinance. The term of existence of the Market East NIDMA is not being extended in connection with the amendments to the District.

SECTION 2. Council hereby approves as the final plan for the District the plan set forth in Exhibit “B” attached hereto.

SECTION 3. The Director of Commerce 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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SECTION 4. The Chief Clerk shall keep on file the document referred to as Exhibit “A” in Section 1 of this Ordinance, all accompanying documents referenced in Exhibit “A”, the plan referred to as Exhibit “B” in Section 1 of this Ordinance, and all accompanying documents referenced in Exhibit “B” and shall make same available for inspection by the public during regular office hours.