City of Philadelphia

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

Legislation Details (With Text)

File #:	150380	**Version:** 1	**Name:**		
Type:	Bill		**Status:**	ENACTED	
File created:	4/23/2015		**In control:**	Committee of the Whole	
On agenda:			**Final action:**	6/18/2015	

Title: Creating the Gallery at Market East Tax Increment Financing District, being the area generally bounded by Filbert Street on the north, 8th Street on the east, 11th Street on the west, and Market Street on the south, including certain improvements located therein, and approving the project plan of the Philadelphia Authority for Industrial Development for the redevelopment of the Gallery at Market East 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.

Sponsors: Councilmember Squilla

Indexes: GALLERY AT MARKET EAST TAX INCREMENT FINANCING DISTRICT

Code sections:

Attachments: 1. 150380 - Exhibit A, As Amended.pdf, 2. CertifiedCopy15038001.pdf

Date	Ver.	Action By	Action	Result	Tally
6/18/2015	1	CITY COUNCIL	READ AND PASSED	Pass	15:0
6/18/2015	1	MAYOR	SIGNED		
6/4/2015	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/4/2015	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/4/2015	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
6/3/2015	0	Committee of the Whole	HEARING NOTICES SENT		
6/3/2015	0	Committee of the Whole	AMENDED		
6/3/2015	1	Committee of the Whole	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
5/28/2015	0	Committee of the Whole	HEARING NOTICES SENT		
5/28/2015	0	Committee of the Whole	HEARING HELD		
5/28/2015	0	Committee of the Whole	RECESSED		
4/23/2015	0	CITY COUNCIL	Introduced and Referred	Pass	

Creating the Gallery at Market East Tax Increment Financing District, being the area generally bounded by Filbert Street on the north, 8th Street on the east, 11th Street on the west, and Market Street on the south, including certain improvements located therein, and approving the project plan of the Philadelphia Authority for Industrial Development for the redevelopment of the Gallery at Market East Tax Increment Financing District and making certain findings and declarations, all in accordance with the Tax Increment Financing Act, beingthe 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.

powered by Legistar™

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 Center City 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 Gallery at Market East 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 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, ethnicity, color, creed, sex (including pregnancy, childbirth, or a related medical condition), sexual orientation, gender identity, religion, national origin, ancestry, age, disability, marital status, familial status, genetic information or domestic or sexual violence victim status, 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 Gallery at Market East Tax Increment Financing District ("District"), as provided herein, pursuant to the Tax Increment Financing Act. The District consists of the area and property shown on a plan prepared by Langan Engineering & Environmental Services, which is included in the "Project Plan" attached to this ordinance as "Exhibit A," and is labeled Drawing No. 04.01, dated 01-13-12, last revised 04-15-15, a copy of which shall be maintained on file by the Chief Clerk of Council and made available for review by the public, more particularly described as follows, to wit:

ALL THAT CERTAIN piece of land, situated in the City of Philadelphia and Commonwealth of Pennsylvania:

BEGINNING at a point at the intersection of the centerline of 8th Street (50' wide) and the centerline of Market Street (100' wide); thence,

1. Extending along the centerline of Market Street, North 78°59'00" West, a distance of 1364.710 feet to a point in the westerly right-of-way line of 11th Street (55.78' wide); thence,
2. Leaving said centerline of Market Street and extending along the westerly right-of-way line of 11th Street, North 11°01'00" East, a distance of 381.750 feet to a point in the centerline of Filbert Street (variable width); thence,

powered by Legistar™

Extending along the said centerline of Filbert Street the following 7 courses and distances;

1. South 78°59'00" East, a distance of 473.890 feet to a point; thence,
2. North 11°01'00" East, a distance of 1.500 feet to a point; thence,
3. South 78°59'00" East, a distance of 570.890 feet to a point; thence,
4. South 11°01'00" West, a distance of 0.250 feet to a point; thence,
5. South 78°59'00" East, a distance of 11.797 feet to a point; thence,
6. South 11°01'00" West, a distance of 1.500 feet to a point; thence,
7. South 78°59'00" East, a distance of 310.352 feet to a point in the aforementioned centerline of 8th Street; thence,
8. Along said centerline of 8th Street South 11°21'00" West, a distance of 381.506 feet to the first mentioned point and place of BEGINNING.

Containing an area of 522,195 square feet or 11.988 acres, more or less.

Excepting thereout and therefrom the following described areas (collectively, the "Exceptions"):

Exception 1: Condominium Unit 1 A-C (Parcel ID# 883013505), Condominium Unit 1 D (Parcel ID# 883013516), Condominium Unit 2 (Parcel ID# 883013300) and Condominium Unit 3 (Parcel ID# 883013400) at 801 Market Street Condominium.

Beginning at a point at the intersection of the westerly right-of- way line of 8th Street (50' wide) and the northerly right-of-way line of Market Street (100' wide); thence,

1. Extending along the said northerly right-of-way line of Market Street North 78°59'00" West, a distance of 297.000 feet to a point; thence,
2. Leaving said northerly line of Market Street and extending North 11°01'00" East, a distance of 306.000 feet to a point in the southerly right-of-way line of Filbert Street (variable width); thence,
3. Extending along the said southerly right-of-way line of Filbert Street South 78°59'00" East, a distance of 297.000 feet to a point in the aforementioned westerly right-of-way line of 8th Street; thence,
4. Extending along the said right-of-way line of 8th Street, South 11°01'00" West, a distance of 306.000 feet to the first mentioned point and place of BEGINNING.

Containing an area of 90,610 square feet or 2.080 acres, more or less.

Exception 2: Air Rights above Gallery

The TIF District does not include the Air Rights above the existing parcels of the Gallery buildings.

Gallery I - 833 Market Street
Excluded from the TIF District are the air rights beginning at an approximate elevation of 84.0' city datum, and extending upwards.

Gallery I - 901-905 Market Street
Excluded from the TIF District are the air rights beginning at an approximate elevation of 84.0' city datum, and extending upwards.

Gallery II - 1001-1019 Market Street and 1025 Market Street
Excluded from the TIF District are the air rights beginning at the underside of the existing structural roof slabs of the existing Gallery II building and extending upwards, also excluded are any existing mechanical areas above the existing roof slabs.

Dimensions described above are subject to official survey.

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, 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;

(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 project plan does not call for displacement of any lawfully possessed individuals, families or businesses as a result of this project;

(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, ethnicity, color, creed, sex (including pregnancy, childbirth, or a related medical condition), sexual orientation, gender identity, religion, national origin, ancestry, age, disability, marital status, familial status, genetic information and domestic or sexual violence victim status.

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 December 31, 2015, which District shall exist for a

powered by Legistar™

period of twenty (20) years from and after such date.

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.

SECTION 7. Creation of the District pursuant to this ordinance is conditioned upon the commitment of the Pennsylvania Real Estate Investment Trust and The Macerich Company in any agreement with the City necessary to carry out the Project Plan that they shall, for the life of the District and for five years thereafter:

(1) provide their employees whose work arises out of the existence of the redeveloped Gallery at Market East with the pay and benefits applicable to covered employees under Chapter 17-1300 of The Philadelphia Code;

(2) require any of their service contractors, or subcontractors of such service contractors, who provide services within the District who would be deemed “Employers” under Chapter 17-1300 if they were City contractors to provide their employees whose work arises out of the existence of the redeveloped Gallery at Market East with the pay and benefits applicable to covered employees under Chapter 17-1300; and

(3) require any subsequent owner of any portion of the property in the District to commit, for the life of the District and for five years thereafter, to the requirements of subsections (1) and (2).

powered by Legistar™