

Township Council

1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 03/19/12 07:00 PM

2012 ORDINANCE AMENDMENT

**MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD,
COUNTY OF ESSEX, STATE OF NEW JERSEY APPROVING
AMENDMENTS TO THE BLOOMFIELD CENTER REDEVELOPMENT
PLAN - PHASE II**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A.

40A:12A-1, et seq. (the "Redevelopment Law"), on August 19, 2002, the Mayor and Council (the "Mayor and Council") of the Township of Bloomfield (the "Township") adopted a Resolution designating all land within the municipal boundaries of the Township of Bloomfield as an area in need of rehabilitation (the Rehabilitation Area"); and

WHEREAS, pursuant to the Redevelopment Law, the Mayor and Council, by way of Resolution adopted on August 10, 2009, affirmed the 2002 designation of the entire Township as an "area in need of rehabilitation"; and

WHEREAS, by way of ordinance adopted on November 9, 2009, the Mayor and Council adopted pursuant to the Redevelopment Law a redevelopment plan for certain properties within the Rehabilitation Area entitled the "Bloomfield Center Redevelopment Plan - Phase II" (the "Phase II Plan"); and

WHEREAS, the Phase II Plan encompassed the following properties within the Rehabilitation Area (the "Phase II Area"):

- Block 153, Lots 1, 2, 4, 5, 6, 8, 10, 11, 13, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 29, 31, 32, 41, 42, 43, 44, 47, 50;
- Block 225, Lots 12 and 15;
- Block 226, Lots 1, 3, 4, 6, 8, 10, 12, 13, 15, 18, 19, 20, 22, 24, 28, 29, 30, 31, 32;
- Block 241, Lots 1, 5, 7, 9, 17, 19, 20, 21, 32, 33, 35, 37, 39, 41, 42, 43, 45, 47;
- Block 244, Lots 1, 6, 8, 10, 19, 22, 24, 46, 47;
- Block 253, Lots 1, 7, 8, 10, 12, 33;
- Block 301, Lots 1, 8, 9, 10, 21, 22, 23, 27, 28, 29;
- Block 302, Lots 1, 6, 38, 39, 40; and
- Block 311, Lots 1, 4, 5, 6, 7, 8, 13, 27, 28, 29; and

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Director of Law-Township Attorney
ON BASIS OF FACTS SET FORTH
TO FORM AND PROCEDURE

WHEREAS, on July 25, 2011, the Mayor and Council referred to the Planning Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7(e), a proposed ordinance amending the Phase II Plan which would authorize the Planning Board, when reviewing applications for properties encompassed within the Phase II Plan, to grant exceptions, design waivers and (c) variances, but which would continue to prohibit (d) variances (the “Phase II Amendment”); and

WHEREAS, the Planning Board held a public hearing to review the Phase II Amendment, at which it considered public comments on the proposed Amendment and made recommendations to the Mayor and Council concerning the same; and

WHEREAS, the Mayor and Council adopted a Resolution on August 8, 2011, outlining its determinations with regard to the recommendations of the Planning Board; and

WHEREAS, on August 8, 2011, the Mayor and Council adopted the Phase II Amendment; and

WHEREAS, at its meetings of September 13, 2011 and October 4, 2011, the Planning Board considered a proposed ordinance amending the Bloomfield Center Redevelopment Plan - Phase I, which governs an area of Bloomfield Center contiguous to the area governed by the Phase II Plan (the “Phase I Plan”), and further amending the Phase II Plan, and adopted a resolution recommending that the Mayor and Council adopt proposed amendments to the Phase I Plan and the Phase II Plan which, *inter alia*, clarified the redevelopment selection and agreement processes and modified the permitted use tables in both Plans; and

WHEREAS, on November 9, 2011, the Mayor and Council adopted the Ordinance amending the Phase I Plan and the Phase II Plan; and

WHEREAS, included in the Phase II Plan amendments adopted on November 9, 2011, was footnote 2 of “Table 1. Permitted Uses” in Section 4.1 on Page 22 of the Phase II Plan, which prohibited ground floor parking within the footprint of a building, except in the western portion of the Washington Street South District; and

WHEREAS, the Mayor and Council now recognize that due to the shortage of parking in Bloomfield Center and the configuration of individual lots which make surface parking on those lots problematic, it will likely facilitate the redevelopment of Bloomfield Center if additional sectors of the Phase II Area are permitted to undertake the development of properties by incorporating parking within the footprint of a building; and

WHEREAS, the Mayor and Council therefore deem it necessary to amend footnote 2 of “Table 1. Permitted Uses” in Section 4.1 on Page 22 of the Phase II Plan to accomplish this goal.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Bloomfield, New Jersey, as follows:

Section 1. The above WHEREAS paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The Phase II Plan shall be amended as follows:

(a) Footnote 2 of the “Table 1. Permitted Uses” in Section 4.1 on Page 22 of the Phase II Plan is hereby amended as follows:

Table 1. Permitted Uses

Bloomfield Center Redevelopment Plan <i>Uses permitted by specific provision of the Municipal Land Use Law are also permitted in the Redevelopment Area.</i>	Permitted Uses	Commercial Corridor	Washington Street	Main Street Campus	Civic District
Single-use multi-unit residential buildings			√ (1)	√ (1)	√ (1)
Townhouses			√ (1)	√ (1)	√ (1)
Retail stores, service and financial establishments	√	√	√	√	√
Buildings containing a mixture of residential, office or commercial uses except that residential uses are prohibited on the ground floor	√ (2)	√ (2)	√ (2)	√ (2)	√ (2)
Office buildings	√			√	√
Specialty food markets (less than 30,000 SF)	√		√ (3)		
Hotels	√ (4)		√ (4)	√ (4)	
Restaurants & cafes	√		√	√	√
Art Studios and galleries			√	√	√
Performing arts theaters	√		√	√	
Schools and Educational Institutions	√		√	√	√
Conference and meeting facilities	√ (5)		√ (5)	√ (5)	
Public plazas and recreation areas	√		√	√	√
Indoor recreation facilities	√		√	√	√
Organized open-air markets and festivals with temporary structures for retail sales and displays subject to all applicable state and local permits	√ (6)		√ (6)	√ (6)	√ (6)
Houses of worship & related facilities (on parcels of 10,000 SF or greater)	√		√	√	√
Parking facilities operated by a governmental entity	√		√	√	√

(1) Ground floor residential is only permitted for buildings fronting on Farrand Street, Ward Street and Conger Street. It is recommended that all ground floor units have private entrances with stoops on the street. Ground floor parking within the

footprint of a residential building shall be enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building

- (2) In all four districts, private ground floor parking within the footprint of the building is permitted as an accessory use, except that accessory ground floor parking areas shall not front on or be accessible from Bloomfield Avenue, Broad Street or Glenwood Avenue. Only principally permitted uses may occupy frontage on Bloomfield Avenue, Broad Street and Glenwood Avenue. Where ground floor parking within the footprint of the building is permitted, it shall be enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building.
- (2) In all four districts, ground floor parking within the footprint of the building is prohibited, except in the westerly sector of Washington Street South District, where ground floor parking within the footprint of the building shall be permitted provided that the parking is enclosed in a manner that makes it as inconspicuous as possible from the street through coordination with the architectural design of the façade of the building.
- (3) Specialty food markets are recommended on Conger Street but not prohibited elsewhere.
- (4) Hotel rooms are not permitted on the ground floor. The ground floor area fronting on a street is restricted to the hotel lobby and retail and restaurant uses only, which shall have separate entrances from the street (in addition to any access from inside the hotel)
- (5) Conference facilities are permitted as an accessory use to a hotel but shall be prohibited from the ground floor
- (6) It is recommended that this use be focused on Washington Street, south of Bloomfield Avenue, as a priority and be coordinated with current events hosted by the BCA

Section 3. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 4. All ordinances and resolutions or parts thereof inconsistent with the ordinance are hereby rescinded.

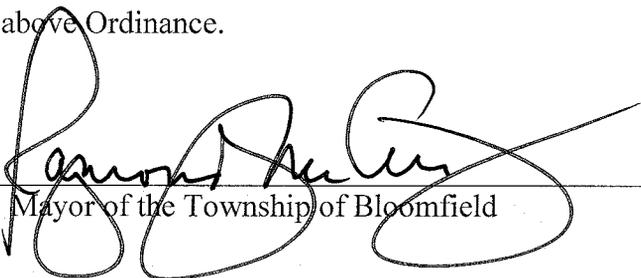
Section 5. This ordinance shall take effect in accordance with applicable law.

* * *

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on


 Municipal Clerk of the Township of Bloomfield

I hereby approve the above Ordinance.


 Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance 1547				Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopt			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Deny	Elias Chalet		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Nicholas Joanow		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Table	Carlos Bernard		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Not Discussed	Michael Venezia		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	First Reading	Peggy O'Boyle Dunigan		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Table with no Vote	Bernard Hamilton		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Approve	Raymond McCarthy		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Veto by Mayor						

✓ Vote Record - Ordinance 1547				Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopt			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Deny	Elias Chalet		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Nicholas Joanow		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Table	Carlos Bernard		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Not Discussed	Michael Venezia		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	Table with no Vote	Bernard Hamilton		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Approve	Raymond McCarthy		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Veto by Mayor						