

(8-2)
2/7/11

ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, ADOPTING A REDEVELOPMENT PLAN FOR A PORTION OF THE BLOOMFIELD CENTER REDEVELOPMENT AREA

WHEREAS, the Mayor and Council (“Mayor and Council”) of the Township of Bloomfield (the “Township”), adopted a resolution on November 16, 2009 authorizing and directing the Planning Board of the Township (the “Planning Board”) to investigate whether the properties identified in **Exhibit A** hereto (collectively, the “Study Area”) constitutes is an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “LRHL”); and

WHEREAS, Phillips Preiss Grygiel, LLC (the “Planning Consultant”), a firm of licensed New Jersey professional planners, was retained to review the Study Area to determine whether it met one or more of the criteria for designation as an area in need of redevelopment set forth in the LRHL, specifically, N.J.S.A. 40A:12A-5; and

WHEREAS, the Planning Board directed the Planning Consultant initially to review the portion of the Study Area known as Area 3, which consists of the properties designated as Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 and 35, and Block 220, Lot 40 (collectively, “Area 3”); and

WHEREAS, the Planning Consultant prepared a map showing the boundaries of Area 3 and prepared a report setting forth its observations and conclusions with respect to Area 3, both of which were available for public review in the office of the Municipal Clerk and in the office of the secretary of the Planning Board; and

WHEREAS, the Planning Board held a public hearing on June 22, 2010 and September 23, 2010 in connection with the potential designation of Area 3 as an area in need

NEED AS TO FORM AND PROCEDURE
ON BASIS OF FACTS SET FORTH

[Signature]
Director of Law-Township Attorney

of redevelopment, consistent with the requirements of the LRHL, specifically, N.J.S.A. 40A:12A-6; and

WHEREAS, after the September 23, 2010 public hearing, the Planning Board determined that all of Area 3 met one or more of the criteria set forth in the LRHL and voted to recommend to the Mayor and Council that all of Area 3 be designated as an area in need of redevelopment and, at that meeting, the Planning Board adopted a resolution memorializing its recommendation that all of Area 3 be designated an area in need of redevelopment and thereafter forwarded said resolution to the Mayor and Council; and

WHEREAS, on October 18, 2010, the Mayor and Council adopted a resolution designating all of Area 3 (hereinafter the "Redevelopment Area") as an area in need of redevelopment pursuant to the LRHL; and

WHEREAS, the Planning Consultant, at the direction of the Planning Board, then prepared a redevelopment plan for the Redevelopment Area (the "Redevelopment Plan"); and

WHEREAS, at a special meeting held on December 22, 2010, the Planning Board held a public hearing to review the proposed Redevelopment Plan; and

WHEREAS, at the public hearing, the Planning Board heard testimony with respect to the Redevelopment Plan from the Planning Consultant; and

WHEREAS, at the conclusion of the public hearing, the Planning Board adopted a resolution of findings and conclusions (the "Planning Board Resolution"), determining, among other things, that (i) the Redevelopment Plan is consistent with the Township's Master Plan adopted by the Planning Board in November 2002 and with the Master Plan Update adopted by the Planning Board on October 14, 2008, (ii) the proposed

Redevelopment Plan effectuates the recommendations and goals of the 2008 Master Plan Update and will facilitate the mixed-use, high-density development that is essential for the revitalization of the area, (iii) it is confident that the Redevelopment Plan will begin the process of fulfilling the promise for Bloomfield Center when the area was designated a Transit Village by the State of New Jersey; and (iv) it endorses and recommends final adoption of the Redevelopment Plan; and

WHEREAS, the Mayor and Council hereby find that the Redevelopment Plan is in the best interests of the Township and now desires to approve and adopt the Redevelopment Plan with the changes set forth below; and

WHEREAS, the Mayor and Council desire to make the changes set forth below in order to: (i) acknowledge the role of the Bloomfield Parking Authority (the "Parking Authority"), which, using its parking expertise and the services of its professional parking consultant to conduct shared parking analyses, will be responsible for determining parking needs in the Redevelopment Area; and (ii) clarify that the standards governing the fire wall separation are set forth in the New Jersey Uniform Construction Code, rather than the International Building Code.

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

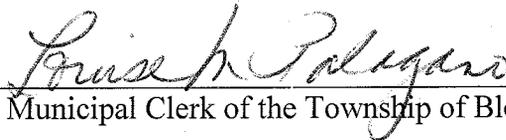
1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.
2. The Redevelopment Plan, a copy of which is on file with the Municipal Clerk and is incorporated herein by reference, is hereby approved pursuant to N.J.S.A. 40A:12A-7 with the following changes:
 - a. Section 3.D. on Page 8 is amended in its entirety to read as follows: "In light of the role of the Parking Authority in the construction of a parking

garage to address the required parking needs in the Redevelopment Area, the number of parking spaces that will be required shall be based upon a shared parking analysis to be submitted by the Parking Authority to the Planning Board as a part of any site plan application. Provided the parking garage has at least as many parking spaces as is determined to be necessary in such shared parking analysis, the parking requirements of the proposed project shall be deemed satisfied.”

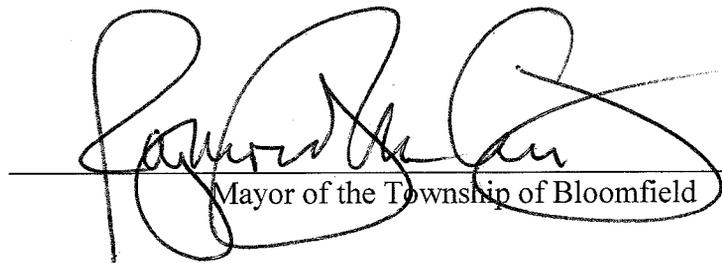
- b. Section 4.G. on Page 14, in the subsection entitled “Separation from Adjacent Uses”, the last sentence of the first full paragraph thereunder is amended to read as follows: “In instances where there must be a connection between the garage and residential use, a proper fire wall separation should be provided in accordance with the New Jersey Uniform Construction Code.”
3. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
4. A copy of this Ordinance shall be available for public inspection at the offices of the Municipal Clerk.
5. This ordinance shall take effect after the first publication thereof after final adoption, as provided by 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

ROLL CALL VOTE

MAYOR & COUNCIL	Y	N	ABSTAIN	ABSENT	Y	N	ABSTAIN	ABSENT
MALY	✓							
JOANOW	✓							
RUANE				✓				
VENEZIA	✓							
DUNIGAN	✓							
HAMILTON	✓							
McCARTHY	✓							

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EXHIBIT A

Area 1

- Block 220, Lots 26, 27, 30, 35 and 80

Area 2

- Block 225, Lots 1 and 9
- Block 227, Lots 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 22, 24, 26, 30, 31, 32 and 35
- Block 243, Lots 1, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15, 17, 18, 20, 22 and 24

Area 3

- Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 and 35
- Block 220, Lot 40

as the same are set forth on the tax map of the Township of Bloomfield. The combined areas are generally described as those blocks and lots bounded on the south by Glenwood Avenue; on the north by Ward Street and Block 225, Lot 9 and Block 243, Lot 20; on the east by Bloomfield Avenue, including those lots east of Bloomfield Avenue, and Block 243, Lots 1 through 20; and on the west by Farrand Street and Lackawanna Place, including those lots west of Lackawanna Place and Farrand Street, Block 220, Lots 26, 27, 30, 35, 40 and 80 and Block 225, Lots 1 and 9.