

ORDINANCE NO. 4979

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELIZABETH TO AMEND THE MIDTOWN ELIZABETH REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. TO INCLUDE HERSH TOWER LOCATED AT 125 BROAD STREET

WHEREAS, the City of Elizabeth (the "City"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Redevelopment Law"), to determine whether a certain parcel of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, on September 12, 2017, the City Council adopted a Resolution authorizing the Planning Board to conduct a study to determine whether the Hersh Tower, located at 125 Broad Street, (Block 9 Lot 83), should be deemed a non-condemnation area in need of redevelopment. The Hersh Tower is located in the Midtown Elizabeth Redevelopment Area; and

WHEREAS, Harbor Consultants, the City Planners, prepared a non-condemnation redevelopment study dated October 2017; and

WHEREAS, on December 7, 2017, the Planning Board adopted a Resolution recommending that City Council adopt the findings and recommendations of the Harbor Consultants study dated October 2017 that the Hersh Tower parcel be declared a non-condemnation area in need of redevelopment; and

WHEREAS, by Resolution adopted on December 12, 2017, the City Council adopted the findings and recommendations of the redevelopment study prepared by Harbor Consultants dated October 2017 and the Planning Board's findings that the Hersh Tower parcel be declared a non-condemnation area in need of redevelopment. The City Council also directed the Planning Board to prepare a redevelopment plan with respect to the parcel located at 125 Broad Street; and

WHEREAS, on February 1, 2018, the Planning Board, reviewed an Amendment to the Elizabeth Midtown Redevelopment Plan to include the Hersh Tower, Block 9, Lot 83, dated January 2018 and prepared by Harbor Consultants, Inc., at its meeting, and heard testimony from the City Planner, Victor Vinegra, that the Midtown Elizabeth Redevelopment Plan be amended to include the Hersh Tower parcel, located at 125 Broad Street rather than adopting a redevelopment plan exclusively for that parcel; and

WHEREAS, the Planning Board determined that the proposed amendment to the Midtown Elizabeth Redevelopment Plan as set forth in the Plan Amendment dated January 2018, to include the Hersh Tower, was consistent with the City's Master Plan and recommended that the City Council adopt the proposed amendment include the parcel located at 125 Broad Street; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elizabeth as follows:

SECTION 1. - The foregoing recitals shall be incorporated herein as if set forth in full.

SECTION 2. - The Amendment to the Elizabeth Midtown Redevelopment Plan prepared by Harbor Consultants, Inc., City Planners, dated January 2018, containing amendments to the Midtown Elizabeth Redevelopment Plan to include the Hersh Tower, located at 125 Broad Street and which is on file with the City Clerk's office and made a part hereof, is hereby adopted pursuant to the Redevelopment and Housing Law as codified under N.J.S.A. 40A:12A-1 et seq., and it supersedes and extinguishes the existing zoning of this property.

SECTION 3. - The zoning district map in the zoning ordinance of the City is hereby amended to include the Amendments to the Elizabeth Midtown Redevelopment Plan dated January 2018, as prepared by Harbor Consultants, Inc., City Planners and the provisions therein.

SECTION 4. - A copy of this Ordinance and the Amendments to the Elizabeth Midtown Redevelopment Plan dated January 2018 shall be available for public inspection at the Office of the City Clerk during regular business hours.

SECTION 5. - All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed.

SECTION 6. - If any portion or clause of this Ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality of any other part or portion of this Ordinance.

SECTION 7. - The effective date of this Ordinance shall be twenty (20) days after its final passage by City Council and approval by the Mayor at the time and in the manner provided by law.

PASSED: 2/27/18


MANNY GROVA, JR.
PRESIDENT OF CITY COUNCIL

APPROVED: Calet/P


J. CHRISTIAN BOLLWAGE
MAYOR

ATTEST:


YOLANDA M. ROBERTS, R.M.C.
MUNICIPAL CLERK

PREPARED TO THE CLERK FOR
APPROVAL OR DISAPPROVAL BY
CITY CLERK
FEB 28 2018