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**City of Englewood
Redevelopment Plans**

The following redevelopment plans are included, in chronological order by date of adoption, in this attachment:

West Street Renewal Area

Armory Street Renewal Area

West Palisade Avenue Project

Residential Rehabilitation Project

Nordhoff Place Redevelopment Project

Palisade South Redevelopment Project

South Dean Street Redevelopment Project

North Dean Street Redevelopment Project

Englewood South Redevelopment Area

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West Street Renewal Area
[Adopted 6-7-1988 by Ord. No. 88-7]

Section 1. Designation of redevelopment area.

The area commonly known as the "West Street Renewal Area," as more specifically described in Schedule A annexed hereto and made part hereof, is hereby declared as an area in need of renewal in accordance with the provisions of N.J.S.A. 40:55C-3 and 40:55-21.1.

Schedule A

Block 0605: Lot 8

Block 0610: Lots 1, 2, 3, 4, 5, 6, 7, 8.01, 8.02, 9, 11, 12, 13, 14 and 15

Block 0611: Lots 2, 4, 7, 8, 9, 10 and 11

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40:55C-37, the City Council of the City of Englewood is hereby designated as the redevelopment agency and to exercise the powers thereof for the West Street Renewal Area.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the West Street Redevelopment Plan is to eliminate blighting conditions, foster the proper utilization of existing resources, develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, stimulate growth in the downtown area of the City of Englewood, provide appropriate land usage and otherwise promote the public health, safety and welfare.
- B. The land uses proposed in the redevelopment plan shall consist of mixed office and retail commercial uses permitted within the Central Business 1 and Central Business 2 Districts, subject to the following exceptions:
 - (1) The following uses shall be prohibited:
 - (a) New and used automobile sales;
 - (b) The assembling, converting, altering, finishing, cleaning, repairing or other processing of products;
 - (c) Ambulance service.
 - (2) The following uses shall be permitted:

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- (a) Printing other than newspaper printing;
 - (b) Repairing of household appliances;
 - (c) Retail laundry and dry-cleaning establishments, including self-service automatic laundry and dry-cleaning establishments and outlets and pickup stations for laundry and dry-cleaning establishments;
 - (d) Shops for the sale of building, plumbing and electrical supplies and household equipment and furnishings.
- C. The proposed redevelopment area consists of approximately seven acres. The intensity of development of the proposed development shall be limited so as to provide adequate parking, sufficient open space and adequate traffic circulation and ingress and egress. The proposed development shall be designed so as to retain, to the maximum extent permitted, existing public utilities; improve traffic flow within the downtown area of the City of Englewood; and be accessible to public transportation, recreational and community facilities and other public improvements.
- D. Provisions for the temporary and permanent relocation of businesses and persons located within the development area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.), and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for residents and businesses displaced as a result of the redevelopment plan. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the persons and businesses displaced, determining the needs of relocation, providing assistance in locating new places of residence and business within the City of Englewood and vicinity, provisions for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and financial assistance for relocation and moving expenses.
- E. With respect to the proposed land uses and building requirements, the redevelopment plan is in conformity with the Master Plan as incorporated or modified by the Zoning Ordinance, together with any amendments required thereto.

Section 4. Powers of agency.

Subject to the approval of the City Council, the redevelopment agency may proceed with the clearance, replanning, development and redevelopment of the West Street Renewal Area, and in order to carry out and effectuate said purposes, the redevelopment agency may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, condemnation or otherwise, real or personal property or any interest therein, including such property as it may deem

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necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment area;

- B. Clear any area acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- C. Relocate or arrange for the relocation of residents of an area;
- D. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm, or corporation or to any public agency by sale, lease, or exchange;
- E. Request the Planning Board to recommend and the governing body pursuant to existing law to designate additional areas in need of redevelopment and to make recommendations for such development;
- F. Study the recommendations of the Planning Board for redevelopment of any area and make its own investigations and recommendations as to current trends in the municipality, blighted area and blighted factors, to the governing body of the municipality thereon;
- G. Publish and disseminate information;
- H. Prepare or arrange by contract for preparation of plans by registered architects or licensed professional engineers or planners for the carrying out of redevelopment projects;
- I. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, to provide as part of any such arrangement or contract for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
- J. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any redevelopment area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;

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- K. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purposes of this act;
- L. Arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area;
- M. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- N. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commissions;
- O. Do all things necessary or convenient to carry out its powers;
- P. With the approval of the governing body or governing bodies of the municipality or municipalities, proceed with the clearance, replanning, development and redevelopment of an area, other than a blighted area, which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinabove described; provided, however, that with respect to such a project no agency shall have the power to take or acquire private property by condemnation;
- Q. Negotiate with redevelopers for the private sale of real property within the renewal area;
- R. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. In accordance with applicable statute, the City Council shall be authorized to enter into financial agreements and land disposition agreements with developers providing for the private sale of property, performance guarantees, and tax abatement through payments in lieu of taxes, as authorized by resolution of the City Council.
- B. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.
- C. In connection with the acquisition of real property within the West Street redevelopment area, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other

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documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.

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Armory Street Renewal Area
[Adopted 4-2-1996 by Ord. No. 96-12]

Section 1. Designation of redevelopment area.

The area commonly known as the "Armory Street Renewal Area," as more specifically described in Schedule A annexed hereto and made part hereof, is hereby declared as an area in need of renewal in accordance with the provisions of N.J.S.A. 40A:12A-6.

Schedule A
[Amended 6-18-1996 by Ord. No. 96-20; 7-21-1998 by Ord. No. 98-16]

Block 2303: Lots 6, 7, 8, 9 and 12

Block 2304: Lots 21, 31, 32 and 35

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4c, the City Council of the City of Englewood is hereby designated to act as the redevelopment entity and to exercise the powers thereof for the Armory Street Renewal Area.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the Armory Street Redevelopment Plan is to eliminate blighting conditions, foster the proper utilization of existing resources, develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, rehabilitate existing housing and revitalize the residential areas adjacent to the downtown area of the City of Englewood, provide appropriate land usage and otherwise promote the public health, safety and welfare.
- B. The land uses proposed in the redevelopment plan shall consist of single-family residential and two-family residential uses, accessory uses thereto and other uses permitted within single-family residential zoning districts pursuant to the Zoning Ordinance of the City of Englewood.
- C. The proposed redevelopment area consists of various parcels along or in the vicinity of Armory Street, as more particularly set forth in Schedule A hereof.¹ The intensity of proposed rehabilitation of the project area shall be limited so as to preserve and protect its residential character and integrity, provide sufficient open space and provide for adequate parking, traffic circulation and ingress and egress. The proposed development shall be designed so as to retain, to the maximum extent permitted, existing public utilities; improve traffic flow in and out of the downtown area of the City of Englewood; and be accessible to public transportation, recreational and community facilities and other public improvements.

¹ Editor's Note: Schedule A is included in Section 1 of this ordinance.

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- D. Provisions for the temporary and permanent relocation of businesses and persons located within the development area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 53:31B-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for residents and businesses displaced as a result of the redevelopment plan. To the extent required by law, such workable relation assistance plan shall include efforts to identify the persons and businesses displaced, determining the needs of relocation, providing assistance in locating new places of residence and business within the City of Englewood and vicinity, wherever possible relocating residents within the redevelopment area as housing is rehabilitated, provisions for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and financial assistance for relocation and moving expenses.
- E. Conformity with Master Plan. **[Amended 6-29-2004 by Ord. No. 04-09]**
- (1) With respect to the proposed land uses and building requirements, except as to Lot 6 in Block 2303, the redevelopment plan is in conformity with the 1988, 1996 and 2003 Master Plans which recommended limiting Armory Street to residential or multifamily residential development.
 - (2) With respect to Lot 6 in Block 2303, as shown on the Tax Map of the City of Englewood, commonly known as 18-20 Armory Street, the premises had heretofore been utilized as an automobile repair shop. The City of Englewood had heretofore demolished said structure. The redevelopment plan proposes to rezone Lot 6 in Block 2303 from Multifamily RMA Zoning District to the Central Business (CBD-1) Zoning District. Lot 6 is immediately adjacent to Lot 7 in Block 2303, which requires the use of a paved drive along Lot 6 to obtain access to the rear of Lot 7. Lot 6 is immediately adjacent to the rear of Lot 5 in Block 2303, which fronts on West Palisade Avenue and is located within the Central Business (CBD-1) Zoning District. The redevelopment plan proposes to utilize the balance of Lot 6 for ancillary parking to Lot 5 in Block 2303 and as a small landscaped mini park to screen the parking lot from the residences along Armory Street. The development of Lot 6 for such purposes would alleviate not only the access problems to the residential property on Lot 7 but would also alleviate the existing off-street parking shortage for Lot 5. The 2003 Master Plan recognizes that "The commercial areas and surrounding residential areas, long thought to be incompatible and adversarial to each other, now form different parts of a cohesive community. Today, the residential and commercial spaces support one another and each is viewed as an asset to the other." The Master Plan further noted that "At the same time, the success of the downtown redevelopment has increased the demand for parking. Fulfilling this increased demand is critical to the success of the businesses in the downtown. The City should move forward with plans for additional parking." The proposed rezoning of Lot 6 and the development thereof with ancillary parking for

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Lot 5, a driveway access to Lot 7 and a mini landscaped park achieves the foregoing purposes and is consistent with the 2003 Master Plan.

Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the Armory Street Renewal Area, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, condemnation or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment area;
- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1971, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.
- F. Relocate or arrange for the relocation of residents of an area;
- G. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- H. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment or rehabilitation of such areas;

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- I. Study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;
- J. Publish and disseminate information;
- K. Prepare or arrange by contract for preparation of plans by registered architects or licensed professional engineers or planners for the carrying out of redevelopment projects;
- L. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, to provide, as part of any such arrangement or contract, for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
- M. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- N. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- O. Arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area;
- P. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- Q. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commissions;
- R. Do all things necessary or convenient to carry out its powers;
- S. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may,

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with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;

- T. Negotiate with redevelopers for the private sale of real property within the renewal area; and
- U. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.
- B. In connection with the acquisition of real property within the Armory Street redevelopment area, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.

Section 5A. District boundaries. **[Added 6-29-2004 by Ord. No. 04-09]**

Section 250-55 of Article IX of the Land Use Ordinance of the City of Englewood, respecting district boundaries, is hereby amended to add thereto Subsection A(33) to read as follows: "The district boundaries established by the aforesaid map are amended so as to designate the following described premises as being within the Central Business (CBD-1) Zoning District: Block 2303, Lot 6, as shown on the Tax Map of the City of Englewood."

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West Palisade Avenue Project [Adopted 11-18-1997 by Ord. No. 97-31]

Section 1. Designation of West Palisade Avenue Project. [Amended 5-19-1998 by Ord. No. 98-12; 8-3-1999 by Ord. No. 99-17]

The West Palisade Avenue Project, comprising a portion of the Armory Street Renewal Area, located along both sides of and in the vicinity of West Palisade Avenue between Van Brunt Street and Tenafly Road, shall consist of the following:

- A. Lots 19 and 20 in Block 0610 are hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-3.
- B. In addition to the designation of the foregoing area in need of redevelopment as part of the West Palisade Avenue Project, there is also included within said West Palisade Avenue Project Lot 9 in Block 0609, as shown on the Tax Map of the City of Englewood, which area is declared and determined to be located within an area in need of rehabilitation in accordance with the provisions of N.J.S.A. 40A:12A-14.
- C. Lots 17 and 18 in Block 0610 as shown on the Tax Map of the City of Englewood are hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-3.²

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4c, the City Council of the City of Englewood is hereby designated to act as the redevelopment entity and to exercise the powers thereof for the West Palisade Avenue Project.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the West Palisade Avenue Project is to eliminate blighting conditions, foster the proper utilization of existing resources, develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, preserve existing housing and revitalize the residential areas adjacent to the downtown area of the City of Englewood, stimulate growth in the downtown area of the City of Englewood, particularly along West Palisade Avenue, provide appropriate land usage and otherwise promote the public health, safety and welfare.
- B. Land use. The land uses proposed in the redevelopment plan shall consist of the following: **[Amended 5-19-1998 by Ord. No. 98-12]**

² Editor's Note: Former Subsection D which immediately followed, regarding Lots 1, 2, 3, 4, 22 and 23 in Block 2401, added 8-3-1999 by Ord. No. 99-18, was repealed 11-27-2001 by Ord. No. 01-18.

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- (1) Within the area described in Schedule A annexed hereto and made a part hereof, first-floor retail uses and second-floor commercial office uses, accessory uses thereto and other uses permitted within the Central Business (CBD-1) Zoning District pursuant to the Zoning Ordinance of the City of Englewood.

Schedule A

Block 0610: Lots 19 and 20

- (2) Within the area in need of rehabilitation consisting of Block 609, Lot 9, one- and two-family homes, municipal purposes, including, specifically, municipal parking areas, and parks and playgrounds, pursuant to the following provisions establishing the R-E(2) One- and Two-Family Residence Zoning Overlay District which shall amend the Zoning Ordinance of the City of Englewood to add thereto Section 4-1.14 to read as follows:³

4-1.14. R-E(2) One- and Two-Family Residence Zoning Overlay District.

- (a) In addition to the uses permitted within the R-E One-Family Residence Zoning District, within the R-E(2) One- and Two-Family Residence Overlay Zoning District, permitted uses shall include two-family dwellings, not to exceed one such two-family dwelling on any one lot.
 - (b) There shall be a minimum required rear yard of 15 feet.
 - (c) Except as noted above, the R-E(3) One- and Two-Family Residence Zoning Overlay District shall be governed in accordance with the provisions of the Zoning Ordinance governing the R-E One-Family Residence Zoning District.
- (3) Within the area in need of redevelopment consisting of Lots 17 and 18 in Block 0610, as shown on the Tax Map of the City of Englewood, retail uses, office uses (other than first floor), multifamily residential uses (other than on the first floor), accessory uses thereto and other uses permitted within the Retail/Commercial/Residential (RCR) Overlay Zoning District, as hereinafter created.⁴ **[Added 8-3-1999 by Ord. No. 99-17]**

- C. The proposed redevelopment area consists of various parcels along and in the vicinity of West Palisade Avenue, including Lot 17, 18, 19 and 20 in Block 0610, as well as Lot 9 in Block 0609, all as shown on the Tax Map of the City of Englewood. The proposed redevelopment and rehabilitation of the project areas shall be designed so as to preserve and protect the residential character and integrity of the nearby residential areas, provide sufficient open space, provide for adequate parking, traffic circulation and ingress and egress, and so as to maintain and enhance a viable, functional and attractive

³ Editor's Note: See § 250-59N.

⁴ Editor's Note: Former Subsection B(4) which immediately followed, regarding uses in Lots 1, 2, 3, 4, 22 and 23 in Block 2401, added 8-3-1999 by Ord. No. 99-18, was repealed 11-27-2001 by Ord. No. 01-18.

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Central Business District. In addition, the proposed redevelopment shall be designed so as to retain, to the maximum extent permitted, existing public utilities; improve traffic flow in and out of the downtown area of the City of Englewood; and be accessible to public transportation, recreational and community facilities and other public improvements. **[Amended 5-19-1998 by Ord. No. 98-12; 8-3-1999 by Ord. No. 99-17; 8-3-1999 by Ord. No. 99-18; 11-27-2001 by Ord. No. 01-18]**

- D. Provisions for the temporary and permanent relocation of businesses and persons located within the development area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for residents and businesses displaced as a result of the redevelopment plan. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the persons and businesses displaced, determining the needs of relocation, providing assistance in locating new places of residence and business within the City of Englewood and vicinity, wherever possible relocating residents within the redevelopment area as housing is rehabilitated, provisions for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and financial assistance for relocation and moving expenses.
- E. Conformity with Master Plan. **[Amended 5-19-1998 by Ord. No. 98-12; 8-3-1999 by Ord. No. 99-17]**
- (1) With respect to the proposed land uses and building requirements in the area in need of redevelopment, consisting of Lots 19 and 20 in Block 0610 as shown on the Tax Map of the City of Englewood, the redevelopment plan is in conformity with the 1968 Master Plan and 1996 update, which recommended continuing retail and commercial offices uses along West Palisade Avenue within the Central Business (CBD-1) Zoning District and which includes, as two of its goals, to maintain and enhance a viable, functional and attractive CBD and to preclude potential blighting influences.
 - (2) With respect to the proposed land uses and building requirements within the area in need of rehabilitation, consisting of Block 609, Lot 9, as shown on the Tax Map of the City of Englewood, the redevelopment plan is consistent with the generalized planning goal to realize an attrition of existing incompatible uses and an upgrading of compatible development in need of it, a reasonable balance in the use of land, the amount of parking required to serve that use and landscape site amenities, the preservation and protection of the character and integrity of the one-family neighborhoods throughout Englewood, and the encouragement of some new multiple residence development in proximity to the Central Business District. The proposed rehabilitation would include the construction of new two-family dwellings or a park area to serve as a buffer between the existing one-family residences and the proposed parking area. The proposed parking area is to be located in the same area in which parking for the former Van Roth greenhouse was

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located and would be landscaped and buffered. The proposed rehabilitation would, however, be inconsistent with the existing land use designation for one-family-residence dwellings. The City Council finds that the proposed rehabilitation is nonetheless appropriate for the following reasons:

- (a) The proposed two-family dwellings and park area are an appropriate buffer between the nearby Central Business District and the single-family-residence uses in the vicinity.
 - (b) The rehabilitation of the former Van Roth property through the elimination of the prior dilapidated greenhouses and the replacement thereof with two-family duplexes and parking areas, will visually enhance the neighborhood.
 - (c) The construction of new housing and a park area will serve as a protection against any further commercial development within the area.
 - (d) Within the neighborhood there are a number of existing nonconforming two-family structures.
 - (e) There is an acute shortage of parking for retail uses during the day and residential uses during the evening. The proposed parking area will alleviate the parking congestion in the area.
 - (f) The proposed rehabilitation will be in furtherance of the Master Plan goals of eliminating blighting conditions and revitalizing the West Palisade Business District while preserving the residential quality and integrity of the nearby residential areas.
- (3) With respect to the proposed land uses and building requirements within the area in need of redevelopment, consisting of Lots 17 and 18 in Block 0610, as shown on the Tax Map of the City of Englewood, the redevelopment plan is in conformity with both the 1988 Master Plan and 1995 update, which recommended continuing retail and commercial office uses along West Palisade Avenue within the Central Business (CBD-1) Zoning District and which includes, as two of its goals, to maintain and enhance a viable, functional and attractive CBD and to preclude potential blighting influences. In addition, the Master Plan recommended the encouragement of some new multiple residential development in proximity to the Central Business District. The proposed redevelopment would include the construction of new structures having retail uses on the first floor, retail or commercial office uses on the second floor and multifamily residential uses above. The multifamily residential uses are designed to provide a pedestrian presence along West Palisade Avenue in the evening hours so as to encourage other retail uses to remain open longer hours and thereby enhance the appearance and viability of the Central Business District. Moreover, the creation of new multifamily residential housing along West Palisade Avenue is designed to augment the

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creation of additional housing upon Lot 9 in Block 0609 as well as efforts to rehabilitate and redevelop the area along Armory Street.⁵

- F. Designation as municipal project. The redevelopment plan is hereby designated as a municipal project pursuant to the provisions of Article XIX of the Municipal Land Use Ordinance of the City of Englewood. As part of said municipal project, the City of Englewood shall be authorized: **[Added 5-19-1998 by Ord. No. 98-12; amended 8-3-1999 by Ord. No. 99-17]**
- (1) To redivide Lots 19 and 20 in Block 0610 so as to combine said lots into a single lot;
 - (2) To subdivide Lot 9 in Block 0609 so as to create a new public street and Lots 9.01, 9.02, 9.03 and 9.04;
 - (3) To redivide Lots 17 and 18 in Block 610 so as to combine said lots into a single lot.⁶
- G. Relationship to other master plans. The redevelopment plan for the West Palisade Avenue Project impacts an area located within the center of the City of Englewood and does not significantly affect the master plans of contiguous municipalities, the Master Plan of the County of Bergen or the State Development and Redevelopment Plan adopted pursuant to the State Planning Act, P.L. 1985, c. 398. **[Added 5-19-1998 by Ord. No. 98-12]**

Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the West Palisade Avenue Project, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment area;

⁵ Editor's Note: Former Subsection E(4) which immediately followed, regarding uses and building requirements in Lots 1, 2, 3, 4, 22 and 23 in Block 2401, added 8-3-1999 by Ord. No. 99-18, was repealed 11-27-2001 by Ord. No. 01-18.

⁶ Editor's Note: Former Subsection F(4) which immediately followed, regarding the redivision of Lots 1, 2, 3, 4, 22 and 23 in Block 2401, added 8-3-1999 by Ord. No. 99-18, was repealed 11-27-2001 by Ord. No. 01-18.

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- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease, exchange or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.
- F. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- G. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment or rehabilitation of such areas;
- H. Study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;
- I. Publish and disseminate information;
- J. Prepare or arrange by contract for the provision of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of redevelopment projects;
- K. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, provide, as part of any such arrangement or contract, for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;

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- L. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- M. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- N. Arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area;
- O. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- P. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission;
- Q. Do all things necessary or convenient to carry out its powers;
- R. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;
- S. Negotiate with redevelopers for the private sale of real property within the renewal area; and
- T. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provision.

- A. The City Manager is hereby designated to execute any and all documents necessary to carry out any of the purposes set forth in this ordinance.
- B. In connection with the acquisition of real property within the West Palisade Avenue Project, the City Solicitor is hereby authorized to institute condemnation proceedings,

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prepare pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.

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Residential Rehabilitation Project
[Adopted 4-7-1998 by Ord. No. 98-03]

Section 1. Designation of residential rehabilitation area.

The residential rehabilitation area, as more specifically described in Schedule A annexed hereto and made part hereof, is hereby declared and determined to be located within an area in need of redevelopment as defined in N.J.S.A. 40A:12A-3.

Schedule A
[Amended 10-16-2001 by Ord. No. 01-17]

Property Address	Block	Lot
24 Armory Street	2303	8
31 Armory Street	2304	30
23 Armory Street	2304	34
273 Epps Avenue	2210	8
123 First Street	2116	12
67 James Street	605	10
23 Slocum Avenue	903	9
95 Tenaflly Road	604	18
153 Third Street	2112	4
149 Third Street	2112	5
143 Third Street	2112	6
158 Third Street	2114	5
154 Third Street	2114	6
148 Third Street	2114	7
144 Third Street	2114	8
200 Wilbur Street	2104	22
201 William Street	2501	19
213 William Street	2501	15

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4c, the City Council of the City of Englewood is hereby designated to act as the redevelopment entity and to exercise the powers thereof for the Residential Rehabilitation Project.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the Residential Rehabilitation Project is to eliminate blighting conditions, foster the proper utilization of existing resources, develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, preserve and rehabilitate existing housing and revitalize nearby residential area, stimulate housing and community development, create stronger neighborhoods by increasing owner-occupants, encourage

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growth of minority-owned businesses, provide appropriate land usage and otherwise promote the public health, safety and welfare.

- B. The land uses proposed in the redevelopment plan shall consist of residential uses, including single-family and multiple-family residential uses, accessory uses thereto and other uses permitted pursuant to the Zoning Ordinance of the City of Englewood.
- C. The proposed redevelopment area consists of various residential parcels, as more particularly set forth in Schedule A hereof.⁷ The proposed redevelopment or rehabilitation of the project area shall be conducted so as to preserve and protect the nearby residential character and integrity, maintain property values, eliminate blighting conditions, maintain and preserve open space, and maintain, preserve and enhance the residential quality of life within the City of Englewood. The project envisions the acquisition (either through negotiation or the exercise of eminent domain), rehabilitation of, or where appropriate the demolition of, existing residential premises and the sale thereof following rehabilitation to potential owner-occupants.
- D. Provisions for the temporary and permanent relocation of persons located within the development area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for residents displaced as a result of the redevelopment plan. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the persons displaced, determining the needs of relocation, providing assistance in locating new places of residence within the City of Englewood and vicinity, wherever possible relocating residents within the redevelopment area as housing is rehabilitated, provisions for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and financial assistance for relocation and moving expenses.
- E. With respect to the proposed land uses and building requirements, the redevelopment plan is in conformity with the 1988 Master Plan and 1995 update, which recommended preservation of the integrity and character of residential areas, the maintenance of property values, the elimination of blighting conditions, the maintenance and preservation of open space, and the maintenance, preservation and enhancement of the residential quality of life within the City of Englewood.
- F. With respect to premises located at 95 Tenaflly Road, Block 0604, Lot 18, the premises shall be developed as a single-family home and shall permit a second residential living unit to be located within a detached garage existing as of the effective date of this ordinance. Such additional dwelling unit shall be provided with at least two additional on-site parking spaces. Except as modified herein, the aforesaid premises shall remain subject to the provisions of the R-E Single-Family Zoning District as set forth in the Zoning Ordinance of the City of Englewood. **[Added 12-20-2004 by Ord. No. 04-31]**

⁷ Editor's Note: Schedule A is included in Section 1 of this ordinance.

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- G. With respect to premises located at 143 Third Street, also being also known and designated as Lot 6 in Block 2112; 144 Third Street, also being also known and designated as Lot 8 in Block 2114; 148 Third Street, also being also known and designated as Lot 7 in Block 2114; 149 Third Street, also being also known and designated as Lot 5 in Block 2112; 153 Third Street, also being also known and designated as Lot 4 in Block 2112; and 154 Third Street, also being also known and designated as Lot 6 in Block 2114, the premises shall be developed as residential townhouses as a conditional use, subject to the following conditions: **[Added 12-20-2004 by Ord. No. 04-33]**
- (1) Each lot shall have no more than one building having no more than two residential townhouse units per building;
 - (2) Each townhouse residential unit shall have a minimum square footage of living area of 1,400 square feet;
 - (3) Each townhouse shall contain a minimum of two off-street parking spaces, at least one of which shall be in a built-in garage;
 - (4) Each townhouse unit shall have a minimum of 1 1/2 bathrooms and three bedrooms, a living room and a kitchen.
 - (5) The minimum side yard shall be 11 feet, the minimum front yard setback shall be 25 feet, and the minimum rear yard shall be 30 feet.
 - (6) Each lot shall have a minimum lot width of 60 feet.
 - (7) The sum of all areas covered by all principal and accessory buildings shall not exceed 30%.
 - (8) Except as modified herein, the aforesaid redevelopment area shall be governed in accordance with the provisions of the Zoning Ordinance governing the R-E One-Family Residence Zoning District.

Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the Residential Rehabilitation Project, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the

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relocation of the residents, industry and commerce displaced from a redevelopment area;

- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease, exchange or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.
- F. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- G. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment or rehabilitation of such areas;
- H. Study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;
- I. Publish and disseminate information;
- J. Prepare or arrange by contract for the provision of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of redevelopment projects;
- K. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, provide, as part of any such arrangement or contract, for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition

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by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;

- L. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- M. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- N. Arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area;
- O. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- P. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission;
- Q. Do all things necessary or convenient to carry out its powers;
- R. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;
- S. Negotiate with redevelopers for the private sale of real property within the renewal area; and
- T. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.

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- B. In connection with the acquisition of real property within the residential rehabilitation area, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.

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**Nordhoff Place Redevelopment Project
[Adopted 11-16-1999 by Ord. No. 99-24]**

Section 1. Designation of Nordhoff Place Redevelopment Project.

The Nordhoff Place Redevelopment Project, encompassed within a portion of the Office/Industrial Zone Redevelopment Area, located along Nordhoff Place north of State Highway Route No. 4, as more specifically described in Schedule A annexed hereto and made part hereof, is hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-3.

Schedule A

Block 2517, Lot 3.02
Block 2518, Lot 1

Section 2. Designation of redevelopment entity.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4c, the City Council of the City of Englewood is hereby designated to exercise the powers of a redevelopment entity for the Nordhoff Place Redevelopment Project.

Section 3. Redevelopment plan.

- A. Relationship to local objectives. The purpose of the Nordhoff Place Redevelopment Project is to eliminate blighting conditions, foster the proper utilization of existing resources, develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, stimulate growth in the Office/Industrial Zone Redevelopment Area of the City of Englewood, provide appropriate land usage and otherwise promote the public health, safety and welfare.
- B. Proposed land uses. **[Amended 3-7-2000 by Ord. No. 00-02]**
 - (1) The land uses proposed in the redevelopment plan shall consist of offices, hotels, conference centers, and other uses permitted within the Office/Industrial (OI) Zoning District as set forth in the Zoning Ordinance of the City of Englewood.
 - (2) The proposed development shall be designed so as to:
 - (a) Maximize appropriate land usage;
 - (b) Improve traffic circulation and ingress and egress in the Office Industrial Zone Redevelopment Area of the City of Englewood;
 - (c) Provide adequate off-street parking;

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- (d) Create an attractive visual environment;
 - (e) Encourage the redevelopment or rehabilitation of other properties within the Office Industrial Zone Redevelopment Area; and
 - (f) Provide other public improvements to carry out the foregoing purposes.
- C. Identification of property to be acquired.

The proposed redevelopment project consists of parcels along Nordhoff Place north of State Highway Route No. 4, as more particularly set forth in Schedule A hereof.⁸

D. Relocation.

Provisions for the temporary and permanent relocation of businesses and persons, if any, located within the development area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for residents and businesses displaced as a result of the redevelopment plan. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the persons and businesses displaced, determining the needs of relocation, providing assistance in locating new places of residence and business within the City of Englewood and vicinity, provisions for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and financial assistance for relocation and moving expenses.

E. Relationship with Master Plan and Zoning Ordinance.

- (1) With respect to the proposed land uses and building requirements, the redevelopment plan is in conformity with the following provisions of the 1988 Master Plan and 1995 update:
- (a) One goal of the Master Plan is to insure and increase the economic viability of the industrial area.
 - (b) It is recommended that industrial development be restricted to the already well-defined industrial area in the south central section of Englewood.
 - (c) It is further recommended that adequate on-site parking be provided, that trucking activity be contained on the site rather than using the public right-of-way for maneuvering, and that industrial sites be landscaped.
 - (d) A contemporary industrial park atmosphere and environment for the industrial area is the specific planning objective.

⁸ Editor's Note: Schedule A is included in Section 1 of this ordinance.

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- (e) The interior of the industrial area (south of Forest Avenue, west of the railroad tracks, north of cedar lane and east of the Overpeck Canal) has been designated for office industrial land use where mid-rise office buildings would have the least visual impact on residential neighborhoods.
- (f) Improved vehicular access to the industrial area is necessary.
- (g) Commercial activity removed from the Palisade CBD core must be on self-sustaining properties, i.e., the lot must be large enough to provide the requisite on-site parking necessary to support the land use.
- (h) The major land use planning problems usually associated with old built-up communities are slums, blight, deterioration and lack of developable land. Because of the dependency on the real estate tax base to fund local government and education, it is essential that property values be maintained. Slums and blight cannot be tolerated because of their erosive effect, both economically and socially.
- (i) The 1988 Master Plan includes the revitalization of the Central Business District (CBD) as one of its primary goals. In connection therewith, the planning intent was to maximize retailing within the CBD by discouraging and/or prohibiting retail use in other areas that would be directly competitive with the CBD. **[Added 3-7-2000 by Ord. No. 00-02]**

- (2) Accordingly, the City Council finds that the redevelopment plan is substantially consistent with the Master Plan or is designed to effectuate the Master Plan. **[Amended 3-7-2000 by Ord. No. 00-02⁹]**

F. Significant relationship with other master plans.

- (1) The redevelopment plan either has no significant relationship or is compatible with the Master Plans of contiguous municipalities, the Bergen County Master Plan and the State Development and Redevelopment Plan.
- (2) The redevelopment project is located in the heart of the existing Office-Industrial Zoning District and is not located in the vicinity of the borders with either Bergenfield, Tenafly, Englewood Cliffs or Fort Lee.
- (3) The Office-Industrial Zoning District and the Office-Industrial Zone Redevelopment Area, in which the Nordhoff Place Redevelopment Project is located, borders Leonia and Teaneck. North of Route 4, there is industry designated on both sides of the border between Englewood and Teaneck. South of Route 4, Overpeck County Park serves as an excellent buffer between Englewood's industrial district south of Route 4 and Teaneck's residential area west of the county golf course.

⁹ Editor's Note: This ordinance also repealed former Subsection E(3) and (4), which immediately followed.

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- (4) Leonia and Englewood's common border share the Bergen Passaic Expressway Interstate 95 corridor which provides a virtual "Great Wall of China" between the two municipalities and mitigates against any potential incompatibility of land uses.
- (5) The Bergen County land use plan element designates Englewood as a built-up community containing downtown commercial properties and a mix of housing. Similarly, the State Development and Redevelopment Plan designates Englewood as an existing regional center which is a compact urban community with a mix of residential, commercial and office uses at an intensity that allows for public transportation. It encourages redevelopment. The redevelopment plan is consistent with both of these plans.

Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the Nordhoff Place Redevelopment Project, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment area;
- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease, exchange or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.

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- F. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- G. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment; or rehabilitation of such areas;
- H. Study the recommendations of the Planning Board for redevelopment of any area and make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;
- I. Publish and disseminate information;
- J. Prepare or arrange by contract for the provision of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of redevelopment projects;
- K. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, provide, as part of any such arrangement or contract, for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
- L. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- M. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- N. Arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area;
- O. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;

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- P. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission;
- Q. Do all things necessary or convenient to carry out its powers;
- R. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;
- S. Negotiate with redevelopers for the private sale of real property within the renewal area; and
- T. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.
- B. In connection with the acquisition of real property within the Nordhoff Place Redevelopment Project, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.

Section 6. Designation as municipal project.

The redevelopment plan is hereby designated as a municipal project pursuant to the provisions of Article XIX of the Municipal Land Use Ordinance of the City of Englewood.¹⁰

¹⁰ Editor's Note: Former Sections 7, 8 and 9, which immediately followed and which amended the Zoning Ordinance, were repealed 3-7-2000 by Ord. No. 00-02.

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Palisade South Redevelopment Project [Adopted 11-27-2001 by Ord. No. 01-18]

Section 1. Designation of Palisade South Redevelopment Project.

The Palisade South Redevelopment Project, encompassed within a portion of both the West Street and Armory Street Renewal Areas, and located along West Palisade Avenue, extending to Englewood Avenue on the south and bounded on the west by Humphrey Street and on the east by South Van Brunt Street, as more specifically described in Schedule A, annexed hereto and made a part hereof, is hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-3.

Schedule A

Block 2401 (Entire)

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4(c), the City Council of the City of Englewood is hereby designated to act as the redevelopment entity and to exercise the powers thereof for the Palisade South Redevelopment Project.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the Palisade South Redevelopment Project is to eliminate blighting conditions, foster the proper utilization of existing resources, develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare and revitalize the residential areas adjacent to the downtown area of the City of Englewood, stimulate growth in the downtown area of the City of Englewood, particularly along West Palisade Avenue, provide appropriate land usage and otherwise promote the public health, safety and welfare.
- B. The land uses proposed in the redevelopment plan shall consist of first-floor retail uses, multifamily residential uses, accessory uses thereto and other uses permitted within the Mixed Use Residential/Retail (MURR) Overlay Zoning District as established herein.
- C. The proposed redevelopment of the project area shall be designed so as to enhance and protect the residential character and integrity of nearby residential areas, to provide sufficient open space, to provide for adequate parking, traffic circulation and ingress and egress, and to maintain and enhance a viable, functional and attractive residential/retail (MURR) mixed use in the downtown of Englewood. In addition, the proposed redevelopment shall be designed so as to:
 - (1) Retain, to the maximum extent permitted, existing public utilities;

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- (2) Improve traffic flow in and out of the downtown area of the City of Englewood;
and
 - (3) Be accessible to public transportation, recreational and community facilities and other public improvements.
- D. Provisions for the temporary and permanent relocation of businesses and persons located within the redevelopment area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for residents and businesses displaced as a result of the redevelopment plan. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the persons and businesses displaced, to determine the needs of relocation, to provide assistance in locating new places of residence and business within the City of Englewood and vicinity and, wherever possible, relocate eligible residents within the redevelopment area, to provide for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and to provide financial assistance for relocation and moving expenses.
- E. With respect to the proposed land uses and building requirements, the redevelopment plan is in conformity with the 1988 Master Plan and 1995 update, which have as a primary goal the revitalization of the Central Business District and which recommended continuing retail uses along West Palisade Avenue and within the Central Business District, the redevelopment of the West Street and Armory Street Renewal Areas and the construction of new multiple residential development in close proximity to the Central Business District.
- F. The New Jersey State Development and Redevelopment Plan designates the City of Englewood as an existing regional center defined, in part, as a location for development along or near a transportation corridor, being the locus of high-density, mixed-used development, having a density of more than 5,000 persons per square mile and an emphasis on employment and possessing substantial market demand to enable it to function as a magnet to attract development from within the corridor and surrounding areas. The State Development and Redevelopment Plan further encourages redevelopment to revitalize cities by leveraging private investment with public resources to promote beneficial economic growth. The redevelopment plan is consistent with the foregoing provisions of the State Development and Redevelopment Plan.
- G. The redevelopment area is located within the heart of the City of Englewood and the Central Business District and is currently used for a combination of retail, commercial office, parking and residential purposes. As such, it is not located within 200 feet of or within close proximity to any neighboring municipality and will not have a significant impact upon either the master plans or zoning regulations of the surrounding municipalities.

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Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the Palisade South Redevelopment Project, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the residents, industry and commerce displaced from a redevelopment area;
- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease, exchange or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.
- F. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- G. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment or rehabilitation of such areas;
- H. Study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;

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- I. Publish and disseminate information;
- J. Prepare or arrange by contract for the provision of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of redevelopment projects;
- K. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, to provide as part of any such arrangement or contract for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and to arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
- L. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- M. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- N. Arrange or contract with a public agency for the relocation of residents, industry or commerce displaced from a redevelopment area;
- O. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- P. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission;
- Q. Do all things necessary or convenient to carry out its powers;
- R. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;

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- S. Negotiate with redevelopers for the private sale of real property within the renewal area; and
- T. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.
- B. In connection with the acquisition of real property within the Palisade South Redevelopment Project, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.
- C. Designation as municipal project. The redevelopment plan is hereby designated as a municipal project pursuant to the provisions of Article XIX of the Municipal Land Use Ordinance of the City of Englewood. As part of said municipal project, the City Council of the City of Englewood is authorized to approve the redivision or subdivision of the lots located within Block 2401, permit departures from the Zoning Ordinance and review and approve a site plan therefor.

LAND USE

South Dean Street Redevelopment Project [Adopted 11-12-2003 by Ord. No. 03-13]

Section 1. Designation of South Dean Street Redevelopment Project.

The South Dean Street Redevelopment Project, encompassed within a portion of the South Dean Street Renewal Area, and located along South Dean Street, more specifically described as Lots 7 and 8 in Block 2403 as shown on the Tax Map of the City of Englewood, is hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-3.

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4(c), the City Council of the City of Englewood is hereby designated to act as the redevelopment entity and to exercise the powers thereof for the South Dean Street Redevelopment Project.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the South Dean Street Redevelopment Project is to eliminate blighting conditions, to foster the proper utilization of existing resources, to develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, to revitalize and stimulate growth in the downtown area of the City of Englewood, to provide appropriate land usage and to otherwise promote the public health, safety and welfare.
- B. The land uses proposed in the redevelopment plan shall consist of retail uses and parking structures and accessory uses thereto.
- C. The proposed redevelopment of the project area shall be designed so as to further the overall redevelopment and revitalization of the downtown business district and vicinity by providing for additional retail use and parking structures to maintain and enhance a viable, functional and attractive Central Business District, and to provide for the general welfare of the residents of the City of Englewood. In addition, the proposed redevelopment shall be designed so as to:
 - (1) Retain, to the maximum extent permitted, existing public utilities;
 - (2) Improve traffic flow in and out of the downtown area of the City of Englewood;
 - (3) Be accessible to public transportation and community facilities and other public improvements; and
 - (4) Increase parking opportunities within the Central Business District.

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- D. Provisions for the temporary and permanent relocation of businesses located within the redevelopment area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:31B-1 et seq.) and the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for businesses displaced as a result of the redevelopment plan, if any. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the businesses displaced, to determine the needs of relocation and to provide assistance in locating new places for businesses within the City of Englewood and vicinity.
- E. With respect to the proposed land uses and building requirements, the redevelopment plan is in conformity with the 2003 Master Plan, which has as one of its primary goals the continued revitalization of the Central Business District and which particularly noted that the Central Business District would benefit from redevelopment efforts. In addition, among the objectives of the Master Plan is to transform the Central Business District into a safe, viable, pedestrian-friendly community with places to live, shop, work and play, address the shortage of parking in the Central Business District, ease traffic congestion, encourage use of peripheral parking lots and investigate the construction of a parking deck. More specifically, the 2003 Master Plan comments that "Redevelopment of the area directly south of the CBD area, including the parking lot and some of the light industrial uses to the south, forms an important component of the stabilization and improvement of the South Dean Street area. The improvement of this area will also help to insure the well-being of the Central Business District with its newly developed (and soon to be developed) mixed-use residential/commercial overlay district." The provision of additional retail uses and parking facilities in the South Dean Street renewal area will serve to enhance these objectives by providing an increased pedestrian presence to Englewood's downtown, by increasing retail business uses, by addressing the parking shortage in the Central Business District, by easing traffic congestion and by encouraging the use of peripheral parking lots.
- F. The New Jersey State Development and Redevelopment Plan designates the City of Englewood as an existing regional center defined, in part, as a location for development along or near a transportation corridor, being the locus of high-density, mixed-used development, having a density of more than 5,000 persons per square mile and an emphasis on employment and possessing substantial market demand to enable it to function as a magnet to attract development from within the corridor and surrounding areas. The State Development and Redevelopment Plan further encourages redevelopment to revitalize cities by leveraging private investment with public resources to promote beneficial economic growth. The redevelopment plan is consistent with the foregoing provisions of the State Development and Redevelopment Plan.
- G. The redevelopment area is located adjacent to the heart of the City of Englewood and the Central Business District. As such, it is not located within 200 feet of or within close proximity to any neighboring municipality and will not have a significant impact upon either the master plans or zoning regulations of the surrounding municipalities.

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Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal and redevelopment of the South Dean Street Redevelopment Project, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the industry and commerce displaced from a redevelopment area;
- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease, exchange or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.
- F. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- G. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment or rehabilitation of such areas;
- H. Study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;
- I. Publish and disseminate information;

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- J. Prepare or arrange by contract for the provision of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of redevelopment projects;
- K. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, to provide, as part of any such arrangement or contract, for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and to arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
- L. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- M. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- N. Arrange or contract with a public agency for the relocation of industry or commerce displaced from a redevelopment area;
- O. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- P. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission;
- Q. Do all things necessary or convenient to carry out its powers;
- R. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;
- S. Negotiate with redevelopers for the private sale of real property within the renewal area; and

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- T. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.
- B. In connection with any acquisition of real property within the South Dean Street Redevelopment Project which may be authorized by the City Council, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.
- C. Designation as municipal project. The redevelopment plan is hereby designated as a municipal project pursuant to the provisions of Article XIX of the Municipal Land Use Ordinance of the City of Englewood. As part of said municipal project, the City Council of the City of Englewood is authorized to approve the redivision or subdivision of the lots located within the redevelopment area, permit departures from the Zoning Ordinance and review and approve a site plan therefor.

LAND USE

North Dean Street Redevelopment Project [Adopted 5-4-2004 by Ord. No. 04-08]

Section 1. Designation of North Dean Street Redevelopment Project.

The North Dean Street Redevelopment Project, encompassed within a portion of the North Dean Street Renewal Area, and located along North Dean Street, more specifically described as Lots 2 and 3 in Block 911 as shown on the Tax Map of the City of Englewood, is hereby declared and determined to be located within an area in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-3.

Section 2. Designation of redevelopment agency.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4c), the City Council of the City of Englewood is hereby designated to act as the redevelopment entity and to exercise the powers thereof for the South Dean Street Redevelopment Project.

Section 3. Redevelopment plan.

- A. Purpose. The purpose of the North Dean Street Redevelopment Project is to eliminate blighting conditions, to foster the proper utilization of existing resources, to develop stagnant and unproductive land so as to render it useful and valuable for contributing to and servicing the public health, safety and welfare, to revitalize and stimulate growth in the downtown area of the City of Englewood, to provide appropriate land usage and to otherwise promote the public health, safety and welfare.
- B. The land uses proposed in the redevelopment plan shall consist of commercial office and service business uses (including banks) and parking structures and accessory uses thereto.
- C. The proposed redevelopment of the project area shall be designed so as to further the overall redevelopment and revitalization of the downtown business district and vicinity by providing for additional commercial office and service business use and off-street parking to maintain and enhance a viable, functional and attractive Central Business District, and to provide for the general welfare of the residents of the City of Englewood. In addition, the proposed redevelopment shall be designed so as to:
 - (1) Retain, to the maximum extent permitted, existing public utilities;
 - (2) Improve traffic flow in and out of the downtown area of the City of Englewood;
 - (3) Be accessible to public transportation and community facilities and other public improvements; and
 - (4) Increase parking opportunities within the Central Business District.

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- D. Provisions for the temporary and permanent relocation of businesses located within the redevelopment area shall be made in accordance with the New Jersey Relocation Assistance Law (N.J.S.A. 52:3111-1 et seq.), the New Jersey Relocation Assistance Act (N.J.S.A. 20:4-1 et seq.), the Residential Eviction Law (N.J.S.A. 2A:18-61.1 et seq.) and the regulations adopted thereunder (N.J.A.C. 5:11-1.1 et seq.). The City of Englewood shall provide a workable relocation assistance plan for businesses displaced as a result of the redevelopment plan, if any. To the extent required by law, such workable relocation assistance plan shall include efforts to identify the businesses displaced, to determine the needs of relocation and to provide assistance in locating new places for businesses within the City of Englewood and vicinity and to provide for the temporary and permanent relocation of persons living in the redevelopment area by arranging for decent, safe and sanitary dwelling units at rents within the means of persons displaced from said area, and to provide financial assistance for relocation and moving expenses.
- E. With respect to the proposed land uses and building requirements, the redevelopment plan is in conformity with the 2003 Master Plan, which has as one of its primary goals the continued revitalization of the Central Business District and which particularly noted that the Central Business District would benefit from redevelopment efforts. In addition, among the objectives of the Master Plan is to transform the Central Business District into a safe, viable, pedestrian-friendly community with places to live, shop, work and play, address the shortage of parking in the Central Business District, ease traffic congestion, encourage use of peripheral parking lots and investigate the construction of a parking deck. The provision of additional commercial office and service business uses and off-street parking in the North Dean Street Renewal Area will serve to enhance these objectives by providing an increased pedestrian presence to Englewood's downtown, by increasing retail business uses, by addressing the parking shortage in the Central Business District, by easing traffic congestion and by encouraging the use of peripheral parking lots.
- F. The New Jersey State Development and Redevelopment Plan designates the City of Englewood as an existing regional center defined, in part, as a location for development along or near a transportation corridor, being the locus of high-density, mixed-used development, having a density of more than 5,000 persons per square mile and an emphasis on employment and possessing substantial market demand to enable it to function as a magnet to attract development from within the corridor and surrounding areas. The State Development and Redevelopment Plan further encourages redevelopment to revitalize cities by leveraging private investment with public resources to promote beneficial economic growth. The redevelopment plan is consistent with the foregoing provisions of the State Development and Redevelopment Plan.
- G. The redevelopment area is located adjacent to the heart of the City of Englewood and the Central Business District. As such, it is not located within 200 feet of or within close proximity to any neighboring municipality and will not have a significant impact upon either the master plans or zoning regulations of the surrounding municipalities.

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Section 4. Powers of agency.

Subject to the approval of the City Council, the City of Englewood may proceed with the acquisition, clearance, rehabilitation, planning, reconstruction, renewal, and redevelopment of the North Dean Street Redevelopment Project, and in order to carry out and effectuate said purposes, the City of Englewood may:

- A. Acquire or contract to acquire from any person, firm, or corporation, public or private, by contribution, gift, grant, bequest, devise, purchase, or otherwise, real or personal property or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in a redevelopment area and in any area designated by the governing body as necessary for carrying out the relocation of the industry and commerce displaced from a redevelopment area;
- B. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L. 1981, c. 361 (N.J.S.A. 20:3-1 et seq.), as amended.
- C. Clear any area owned or acquired and install, construct or reconstruct streets, facilities, utilities and site improvements essential to the preparation of sites for use in accordance with the redevelopment plan;
- D. Lease, exchange or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease, exchange or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary.
- E. Make, consistent with the redevelopment plan, plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements; and plans for the enforcement of laws, codes, and regulations relating to the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements.
- F. Dispose of land so acquired at its fair value for the uses specified in the redevelopment plan as determined by it to any person, firm or corporation or to any public agency by sale, lease, or exchange;
- G. Request the Planning Board to recommend, pursuant to existing law, the designation of additional areas in need of redevelopment or rehabilitation and to make recommendations for such redevelopment or rehabilitation of such areas;
- H. Study the recommendations of the Planning Board for redevelopment of any area and to make its own investigations and recommendations as to current trends in the municipality, blighted areas and blighted factors;
- I. Publish and disseminate information;

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- J. Prepare or arrange by contract for the provision of professional service and the preparation of plans by registered architects or licensed professional engineers or planners or other consultants for the carrying out of redevelopment projects;
- K. Arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking of any project or redevelopment work, or any part thereof, provide, as part of any such arrangement or contract, for extension of credit or making of loans to redevelopers to finance any project or redevelopment work, and arrange or contract with public agencies for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area;
- L. Arrange or contract with a public agency, to the extent that it is within the scope of that agency's functions, to cause the services customarily provided by such other agency to be rendered for the benefit of the occupants of any development area, and to have such other agency provide and maintain parks, recreation centers, schools, sewerage, transportation, water and other municipal facilities adjacent to or in connection with redevelopment areas;
- M. Enter upon any building or property in any redevelopment area in order to conduct investigations or make surveys, soundings or test borings necessary to carry out the purpose of this act;
- N. Arrange or contract with a public agency for the relocation of industry or commerce displaced from a redevelopment area;
- O. Conduct examinations and investigations, hear testimony and make proof, under oath, at public or private hearings of any material matter, require the attendance of witnesses and the production of books and papers and issue commissions for the examination of witnesses who are out of state, unable to attend, or excused from attendance;
- P. Authorize a committee designated by it consisting of one or more members, or counsel, or any officer or employee to conduct any such investigation or examination, in which case such committee, counsel, officer or employee shall have power to administer oaths, take affidavits and issue subpoenas or commission;
- Q. Do all things necessary or convenient to carry out its powers;
- R. With the approval of the City Council, proceed with the clearance, replanning, development and redevelopment of an area other than a blighted area, but which is in need of rehabilitation, so as to prevent the existence of blighted conditions, and may, with respect to a project located in any such area, perform any of the actions hereinbefore described; provided, however, that with respect to such a project the City shall not have the power to take or acquire private property by condemnation;
- S. Negotiate with redevelopers for the private sale of real property within the renewal area; and

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T. Do and perform all powers authorized by law to carry out the foregoing purposes not otherwise specifically limited herein.

Section 5. Miscellaneous provisions.

- A. The City Manager is hereby designated to execute, and the City Clerk to attest, any and all documents necessary to carry out any of the purposes set forth in this ordinance, all of a form approved by the City Solicitor.
- B. In connection with any acquisition of real property within the North Dean Street Redevelopment Project which may be authorized by the City Council, the City Solicitor is hereby authorized to negotiate contracts for purchase, institute condemnation proceedings, prepare contracts, pleadings and other documents, and otherwise perform such other legal services as are necessary to carry out the foregoing purposes.
- C. Designation as municipal project. The redevelopment plan is hereby designated as a municipal project pursuant to the provisions of Article XIX of the Municipal Land Use Ordinance of the City of Englewood. As part of said municipal project, the City Council of the City of Englewood is authorized to approve the redivision or subdivision of the lots located within the redevelopment area, permit departures from the Zoning Ordinance and review and approve a site plan therefor.

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**Englewood South Redevelopment Area
[Adopted 10-27-2020 by Ord. No. 20-06]**

Purpose. The purpose of this Plan to provide for the scope and implementation of this Redevelopment Plan which may be undertaken in phases ("Phase(s)").

SHG ENGLEWOOD SOUTH V URBAN RENEWAL, LLC has been conditionally designated as redeveloper for the Parcel Project (as defined below), and shall have the exclusive right to redevelop and implement the Parcel Project in accordance with the terms and conditions of the Redevelopment Plan.

The Parcel Project.

(a) The "Parcel Project" consists of (i) the acquisition by Redeveloper of the Parcel, and obtaining clear title to all properties therein, (ii) Remediation, if any, of the Parcel; and (iii) Construction of the Parcel Project Improvements (as defined herein) which may be undertaken in Phases. The Parcel Project is to be constructed consistent with this Redevelopment Plan and the previously entered Settlement Agreement annexed hereto and incorporated by reference. The City acknowledges that Redeveloper is the owner of the Parcel.

(b) The "Parcel Project Improvements" shall include the following to be located on Block 2602, Lots 3.01, 3.02 and 3.03, as the case may be:

a. Construction of a multi-family residential building containing a maximum of 220 units and a minimum of approximately 16,000 square feet of commercial space which may consist of both retail and office uses, along with off-street parking, amenities and associated site improvements, all of which shall be subject to the requirements set forth in the Redevelopment Plan. The residential building shall contain a fifteen percent (15%) set-aside of below market rental units, which shall be a mixture of 1, 2 and 3 bedroom units, as required by the UHAC regulations.

b. Construction of an office building containing a minimum of 40,000 square feet of gross floor area, which may include ground floor retail uses, along with off-street parking and associated site improvements, all of which shall be subject to the requirements set forth in the Redevelopment Plan.

c. Signage associated with the buildings subject to the requirements set forth in the Redevelopment Plan.

d. It is specifically agreed by the Redeveloper and the City that the Parcel Project Improvements shall contain a minimum of 40,000 square feet of commercial space, which may consist of both retail and office elements.

e. The Redeveloper may, in its discretion, opt to construct a greater amount of commercial space and a lesser amount of residential space, provided that the minimum parking ratios set forth in the Redevelopment Plan are satisfied. The precise number of residential units and amount of commercial square footage and the

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configuration thereof on the Parcel shall be specified in the site plan submitted to the City of Englewood Planning Board for approval in accordance with the terms of this Agreement.

f. The instant plan will achieve local objectives as to appropriate land uses density of population, improved traffic and public transportation, public utilities, recreational and community facilities, and other improvements. Such objectives include residential uses, including affordable housing; non-residential uses including a retail and office to attract business to the City of Englewood; the provision of construction related jobs and permanent jobs through the construction of new housing and public improvements; an overall improvement of traffic circulation including a shuttle service throughout the City of Englewood; providing stabilization and an increase of the tax base of the project area by redeveloping non-revenue producing areas; the provision of site improvements including parking, sidewalks, open space, recreational areas and landscaping where appropriate; enabling vacant and underutilized land to be developed.

g. In addition, the plan is consistent with the master plans of the City of Englewood, contiguous municipalities, as well as the master plan of the County of Bergen and the State Development and Redevelopment Plan adopted pursuant to the State Planning Act.

Environmental Enhancements.

(a) Redeveloper may (but shall not be required to) include within the Parcel Project design elements to obtain certification under the leadership in Energy and Environmental Design ("LEED") Green Building System standards, as advanced by the United States Green Building Council ("USGBC") and the United States Environmental Protection Agency "Energy Star" standards, (collectively, the "Environmental Enhancements"), as set forth in the Redevelopment Plan.

(b) The City agrees to make a good faith effort to support Redeveloper's implementation (if any) of the Environmental Enhancements, by, among other things, assisting Redeveloper in seeking available loans and grants to facilitate the implementation of the Environmental Enhancements.

Project Costs and Financing.

Other than the City's agreement to enter into a Financial Agreement relating to the terms of a PILOT for the Parcel, Redeveloper agrees that all costs associated with the development and financing for each Phase of the Parcel Project is the sole responsibility of the Redeveloper.