

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 471 BROADWAY AND 12 AND 14 WEST 22<sup>ND</sup> STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 210, LOTS 25.01, 26 AND 27, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (RITE AID)**

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

**WHEREAS**, pursuant to the Redevelopment Law, the Municipal Council of the City (the “Municipal Council”) adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with N.J.S.A. 40A:12A-14; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:12A-7(e) and N.J.S.A. 40A:12A-15 of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a redevelopment plan; and

**WHEREAS**, On June 17, 2020, the Municipal Council (the “Council”) adopted Resolution 20-06-17-050 which authorized and directed the Bayonne Planning Board (the “Planning Board”) to prepare a redevelopment plan for certain lands identified as Block 210 Lot 25.01 on the official tax map of the City of Bayonne pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, On November 10, 2020, the Council adopted Resolution 20-11-10-041 which authorized and directed the Planning Board to include Block 210 Lots 26 and 27 in the Redevelopment area with Block 210 Lot 25.01; and

**WHEREAS**, the Municipal Council by resolutions have designated Block 210 Lot 25.01, 26 and 27 (the “Redevelopment Area”) as a non-condemnation area in need of redevelopment under the Redevelopment Law in accordance with the provisions of N.J.S.A. 40A:12A-6 of the Redevelopment Law and as being in a designated Urban Enterprise Zone (“UEZ”) and a designated rehabilitation area pursuant to the LHRL, as part of the city-wide rehabilitation designation; and

**WHEREAS**, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Rite Aid (Former) Redevelopment Plan” dated January 30, 2021 (the “Redevelopment Plan”); and

**WHEREAS**, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on February 9, 2021, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

**WHEREAS**, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

**WHEREAS**, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

**NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Redevelopment Plan designated for the properties identified as Block 210 Lots 25.01, 26 and 27 on the official tax map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

**Section 3.** The zoning district map in the zoning ordinance of the City is hereby amended to include the Property per the boundaries described in the Redevelopment Plan and the provisions thereon.

**Section 4.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Section 5.** A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

**Section 6.** This Ordinance shall take effect in accordance with all applicable laws.

## Summary

1. Maximum Building Height: 7 sty/ 90 ft. Except Elevator Penthouses , stair well bulkheads and mechanical systems required to operate and maintain the building and or to provide access to the roof may be erected above the maximum height of 90 feet., but in no case more than an additional 15 feet for a total height of 105 ft
2. Beginning at the 6 story a step back of a minimum of eight feet is required from Block 210 Lot 28 and Lots 16 and 17. Balconies are permitted in the step back area g. Minimum 25% of the 7th Floor or Roof Top floor of the building must be open space. This area shall be used as passive amenity space or green roof space.
3. Maximum units: 80 units
4. Parking Regulations 1. Minimum Number of Off-Street Parking Spaces.
  - a. Vehicle parking (residential): 1 space per dwelling unit for studio and one-bedroom 1.2 space per two-bedroom unit 2.0 space per three-bedroom unit
  - b. Restaurants: 1.0 space per 4 seats
  - c. Retail Sales and Services:. Commercial Recreational facility: 1 per 1,000 square feet
  - e. Live-Work Space: 1 per dwelling unitParking may be provided offsite within 500 feet of the Redevelopment area subject to Board approval. Evidence of ownership of the lot on which the parking is proposed and or lease agreement for available of parking spaces for a minimum of 15 years shall be required.

