

**BOROUGH OF ALLENDALE  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**ORDINANCE # 20-11**

**ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF  
BERGEN, STATE OF NEW JERSEY, AMENDING THE  
REDEVELOPMENT PLAN FOR  
CERTAIN PROPERTIES SITUATED ALONG WEST CRESCENT  
AVENUE.**

**WHEREAS**, on March 28, 2019, the Borough of Allendale (the “Borough”), pursuant to Ordinance # 19-03, adopted a Redevelopment Plan for certain properties situated along West Crescent Avenue; and

**WHEREAS**, the Borough has determined that certain modifications to such Redevelopment Plan are required based upon prevailing economic and related considerations; and

**WHEREAS**, such modifications are set forth in an Amended Redevelopment Plan dated June 10, 2020 which is attached hereto as **Exhibit “A”**, and is made a part hereof, and is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

**WHEREAS**, other than as set forth herein, all recitals and provisions of Ordinance # 19-03 are readopted and reconfirmed.

**NOW, THEREFORE**, be it ordained by the Mayor and Council of the Borough of Allendale as follows:

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

**Section 2.** The Redevelopment Plan dated June 10, 2020 and attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

**Section 3.** The Borough Council hereby finds and determines that pursuant to the Redevelopment Plan, that the Designated Redeveloper shall execute a Redevelopment Agreement, and all other documents necessary to bring the project to completion. Accordingly, a site plan, with bulk standards must be filed by the designated redeveloper with the Allendale Land Use Board for the Redevelopment Plan to be effectuated.

**Section 4.** The Governing Body may transfer or sell any municipal property pursuant to N.J.S.A. 40A:12A-8 g. “...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”. The Borough owned property located at 220 and 230 West Crescent Avenue (Block 1005, Lots 3 and 20 and a portion of Lot 11) which are hereby authorized to be sold pursuant to the terms and conditions of the Redevelopment Agreement and other pertinent documents.

**Section 5.** 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 6.** A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

**Section 7.** This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

	Motion	Second	Yea	Nay	Absent	Abstain
Homan		✓	✓			
O'Connell			✓			
O'Toole			✓			
Sasso			✓			
Strauch			✓			
Wilczynski	✓		✓			
Bernstein						

I hereby certify the above to  
be a true copy of an Ordinance  
adopted by the Governing Body  
of the Borough of Allendale on  
June 30, 2020

  
Mayor Ari Bernstein

  
Michelle Ryan  
Acting Municipal Clerk

## 1 Introduction.

### *Basis for this Amended Redevelopment Plan.*

On March 28, 2019, the Borough Council of the Borough of Allendale adopted Ordinance No 19-03 "AN ORDINANCE OF THE BOROUGH OF ALLENDALE, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES SITUATED ALONG WEST CRESCENT AVENUE." This Ordinance was introduced on first reading at the February 28, 2019 Council meeting and was referred to and reviewed by the Allendale Land Use Board on March 20, 2019. Attached to this Amended Plan is Ordinance Number 19-03, the Redevelopment Plan, dated February 19, 2019, and the memo referring the Plan to the Borough Council upon deliberation by the Land Use Board. On March 28, 2019 the Borough Council adopted Resolution #19-101 approving the Hampshire Venture Group, LLC as the Designated Redeveloper, pursuant to the Redevelopment Plan.

The 2019 Redevelopment Plan and this Amended Redevelopment Plan has been prepared for the West Crescent Avenue area of the Borough of Allendale, Bergen County, New Jersey, previously designated as an area in need of redevelopment and situated in Planning Area-1 as specified in the State Development and Redevelopment Plan ("SDRP"). This Planning Area is the preferred area for redevelopment in the State of New Jersey.

The properties are situated along West Crescent Avenue, specifically, Block 1005, Lots 3 and Lot 20 and a portion of Block 1005, Lot 11 having street addresses of 230 W. Crescent Avenue and 220 W. Crescent Avenue (these parcels as indicated in Figure 1 are referred to as the "Property", or "Properties", and the "Redevelopment Plan Area"). The Redevelopment Plan Area is in a D-1 Multi-residential overlay zone, authorized and enabled pursuant to Section 3 A. 3) of the Redevelopment Plan. The underlying zoning is an industrial zoning district and the property is currently owned by the Borough of Allendale but will be repurposed pursuant to a Redevelopment Agreement as may be executed between the Borough and the Hampshire ("Designated Redeveloper").

The following Figure 1 shows the Redevelopment Plan Area property details.

Figure 1.

The Borough of Allendale, New Jersey		
Scope of Potential W. Crescent Avenue ANR		
Bl-Lot	PROPERTY OWNER	Property Location
1005-3	Borough of Allendale	230 W. Crescent Avenue
1005-20	Borough of Allendale	220 W. Crescent Avenue
1005-11	Borough of Allendale	

This Amended Redevelopment Plan has been prepared consistent with the State of New Jersey Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et seq. A principal purpose of the 2019 Redevelopment Plan and this 2020 Amended Plan is for the Borough of Allendale to sell (or "dispose of") the Property to meet the objectives of this Plan, specifically the repurposing of the Property.



While the Borough of Allendale currently owns the Redevelopment Area Property, the Allendale Governing Body may transfer any municipal property pursuant to N.J.S.A. 40A:12A-8 g. which states that a municipality may "...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" when the municipal property is included in a Redevelopment Plan area and subject to a Redevelopment Plan. The 2019 Redevelopment Plan and this Amended Redevelopment Plan permit and envision such a transfer of sale of the Property.

All amendments to the 2019 Redevelopment Plan are hereinafter clearly set forth. The Purpose and Policy Goals stated in the 2019 Redevelopment Plan remain unchanged with the exception that Section 2 A. Purpose of the 2019 Redevelopment Plan is amended to read:

"have the successful respondent build sufficient space so as to attract quality commercial space, include **warehouse**/self-storage facilities, and a residential development component consistent with affordable housing requirements-with a focus on ~~senior citizen and~~ workforce housing (defined as a certain percent of market rate housing)." Please note that the term successful respondent is now the Designated Redeveloper. Due to changing market conditions, including the residential market as well as the business of storage unit rentals, it is necessary to amend the 2019 Redevelopment Plan. These changing market conditions are amplified by the 2020 COVID-19 pandemic.

Further, Section 2 C. Redevelopment Plan Objectives is amended as follows:

6) This Redevelopment Plan provides the structure to comply with the provisions of N.J.S.A. 40A:12A-7 "Adoption of redevelopment plan". The following statutory elements are covered in this Redevelopment Plan. To wit:

*7. a. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate.*

*b. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan. **The provision of affordable together with market rate housing is a principle purpose of this Plan. Twenty-nine units will be "non-market" or affordable units, of which twenty (20) are age-restricted and Six (6) residential units are to be COAH type units, with an additional three (3) below market units for first responders.***

This Amended Redevelopment Plan shall NOT replace or supersede any provision of the Borough of Allendale Land Use Ordinance regulating development in the Redevelopment Area, with the exception of the nuanced notations included in the 2019 Redevelopment Plan as amended by this 2020 Amendment and through the addition (inclusion in the zoning ordinance) of the Overlay Zone. In any situation where zoning issues are not specifically addressed herein, the Allendale Land Use Ordinance shall be applicable.

Final adoption of this Plan by the Council shall be considered an amendment of the Borough of Allendale Zoning Map inasmuch as the multi-family use (Overlay Zone) is now a permitted use at Block 1005, Lot 20.

*The 2019 Redevelopment Plan Shall Remain In Effect.*

Only those changes to the 2019 Redevelopment Plan specifically and expressly included herein shall modify and amend the 2019 Redevelopment Plan and said amendments shall be referred to as the 2020 Amended Redevelopment Plan (covering West Crescent Avenue).

## 2. Amendments to the 2019 Redevelopment Plan.

The following amendments (with new text highlighted in yellow) are the approved amendments (changes) to the 2019 Redevelopment Plan at Section 3 A:

"2) The Property situated at Block 1005, Lot 20 shall have multi-family residential properties of a maximum of ~~sixty (60)~~ **seventy (70)** units as a "Primary intended use" as defined in the Borough's Zoning Ordinance. The Redeveloper shall, within thirty days of adoption of this Redevelopment Plan by the adoption of the requisite Borough Council Ordinance, provide a specific schedule of bulk standards, which shall be consistent with any conceptual site plan submitted **as part of the Redevelopment Agreement**. ~~in response to the SOL/RFQ.~~

3) Accordingly, § 270-72 A. 9 of the municipal code is hereby amended (added) to permit as an additional permitted use at Block 1005, Lot 20 ~~the~~ multi-family residences. This shall be considered the D-1 Multi-residential overlay zone. The density limitation shall be a maximum of ~~sixty (60)~~ **seventy (70)** having a height of 48 feet, shall be permitted on this parcel in an attractive **four-story** arrangement."

5) **Parking: Residential Use: 1 parking space/stall per 1-bedroom unit and 1.75 parking spaces/stalls per 2-bedroom unit. Twenty percent (20%) of all parking spaces may be "compact car" parking spaces having a dimension of 8 feet by 17 feet.**

6) **Shared parking: Shared parking for passenger vehicles (limited to two axels per vehicle) as permitted by the RSIS shall be permitted within the Redevelopment Plan Area to satisfy a proposed project's parking requirements situated in the Redevelopment Plan area. The standards set out in this Redevelopment Plan including but not limited to the bulk standards shall be applied to all development in the Redevelopment Plan. This will include both the uses permitted in the underlying D-1 and D-2 Industrial Zone and those permitted by the overlay zoning. The shared parking plan may include municipal parking lots. However, trucks must park and load/unload in designated areas only.**

7) **Trucking service: Section § 270-72A. (7)(d) is hereby amended to expand the permitted hours of "Truck Services" as included in this Section are modified to be 7:00 am to 10:00 pm Monday thru Friday and Saturday 8 am to 5 pm (no trucking services shall be permitted on Sunday. Further, §270-72 C is hereby modified to the same exact hours for truck or any other deliveries.**



8) Refrigeration facilities permitted pursuant to §270-72 C shall be restricted to 25% of the total warehouse space.

9) The existing warehouse building may stay in place and may be improved, rehabilitated and occupied as provided in Article XV of the Zoning Ordinance, the D-1 and D-2 Industrial Zone at §270-72 through §270-78, as modified in this Redevelopment Plan. The existing warehouse may be divided into units. If the warehouse is divided the Bulk Standards stipulated in the D-1 and D-2 Zone, including at §270-75 shall NOT apply to any such dividing of the warehouse and the Redevelopment Plan shall control. This Redevelopment Plan stipulates that the existing building may stay in place and be repurposed without applying new or additional bulk standards requiring restrictions on the site, except parking shall not be more restrictive than is currently in existence on the site (current site specific requirements).

The Designated Redeveloper shall submit a site plan application consistent with the following schedule of bulk standards which may be deviated from upon approval of the Planning Board.” (In Allendale the board is the statutory Land Use Board.)

*Certain Conditions of the 2019 Redevelopment Plan are Reiterated for Clarity.*

1) Upon approval of the Redevelopment Agreement, the Governing Body shall have found the Project land uses and repurposing concepts consistent with the Redevelopment Plan.

Further: Except where otherwise required by any of the aforesaid Planning Board approvals this Redevelopment Plan and the Redevelopment Area shall be governed by Site Plan Submission Requirements and Subdivision Submission Requirements of the Allendale Borough Land Use Ordinance.

By reference herewith the Redevelopment Project shall be constructed in accordance with the Redevelopment Plan and approved site plan. Any modification that would cause a “d” variance pursuant to N.J.S.A. 40:55D-70(d) shall require the Redeveloper to seek an amendment by the Governing Body to the Redevelopment Plan. Any modification from the Redevelopment Plan or the approved site plan, that would be deemed a “design waiver” or a “bulk standard deviation”, which shall be considered as the equivalent of and akin to the provisions of a “c” variance pursuant to N.J.S.A. 40:55D-70(c), shall be submitted to the Borough Planning Board for consideration as part of a site plan application by the Redeveloper, subject to prior review of the Borough Planner.

However, the multi-residential property bulk standards shall not be inconsistent with the concept plan submitted as part of the **Redevelopment Agreement**. ~~with the response to the SOL/RFQ.~~

*Approvals by other Agencies.*

The Designated Redeveloper and the Borough, as the Redevelopment Agency, are required to provide the Borough Clerk with copies of all environmental permits made to federal, state and county agencies upon filing such applications, as may be required by the Redevelopment Agreement to be executed between the Designated Redeveloper and the Borough.

*Interpretation of Plan.*

To be clear: Any changes to the use permitted in the Redevelopment Plan Area shall be permitted only by means of an amendment to the Redevelopment Plan made by the Borough Governing Body. Any appeal for interpretation for of any section of this Redevelopment Plan or Redevelopment Plan Area shall be made to the Governing Body, acting in its capacity as Redevelopment Agency (Entity) for this Redevelopment Plan.

*Site Plan Required.*

Notwithstanding any provision of the 2019 Redevelopment Plan to the contrary, the completed site plan application shall be submitted by the Designated Redeveloper on or before October 31, 2020.

In addition, a Project Plan delineating the construction of improvements within the redevelopment area, prepared in accordance with the general requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), and, further, shall be submitted by the Designated Redeveloper for review and approval by the Allendale Land Use Board. The Project Plan shall be approved pursuant to provisions of this Redevelopment Plan and the enabling ordinance thereto.

This Amended Redevelopment Plan has been prepared by BENECKE ECONOMICS.

Fred Suljic, P.P.  
Robert Benecke  
May 12, 2020