

SOUTH AVENUE EAST REDEVELOPMENT PLAN

CITY OF PLAINFIELD

Union County, New Jersey

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South Avenue East Redevelopment Plan

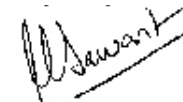
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1.0 INTRODUCTION

SOUTH AVENUE EAST

Pursuant to the statutory powers instituted by the State of New Jersey (C.40:12A-5) and Plainfield Council Resolution 278-18 dated August 13, 2018, the City Council directed the Planning Board to conduct an area in need of redevelopment study. On September 20, 2018, the Planning Board held a public hearing and approved the study. The South Avenue East area containing a total of nine (9) parcels: seven (7) parcels located within Block 625 and two (2) parcel within Block 624, was designated as 'an area in need of redevelopment.' Subsequently, the Planning Board authorized preparation of the South Ave East Redevelopment Plan. The South Avenue East plan area includes the City's vision for this area and provides a framework for development and redevelopment within the designated area. The plan area is located in the eastern portion of the City and occupies an area of approximately 6.72 acres. The plan area lies on either sides of South Avenue closer to the intersection of South Avenue and Terrill Road. The Plan area is identified as Block 625, Lots 28-33 and 35, Block 624, Lots 12 & 13 according to the City's tax records. According to the 2010 U.S. Census, the study area is comprised of census tracts 38800, blocks 4005 and 4006 which has a combined population of 302 people.



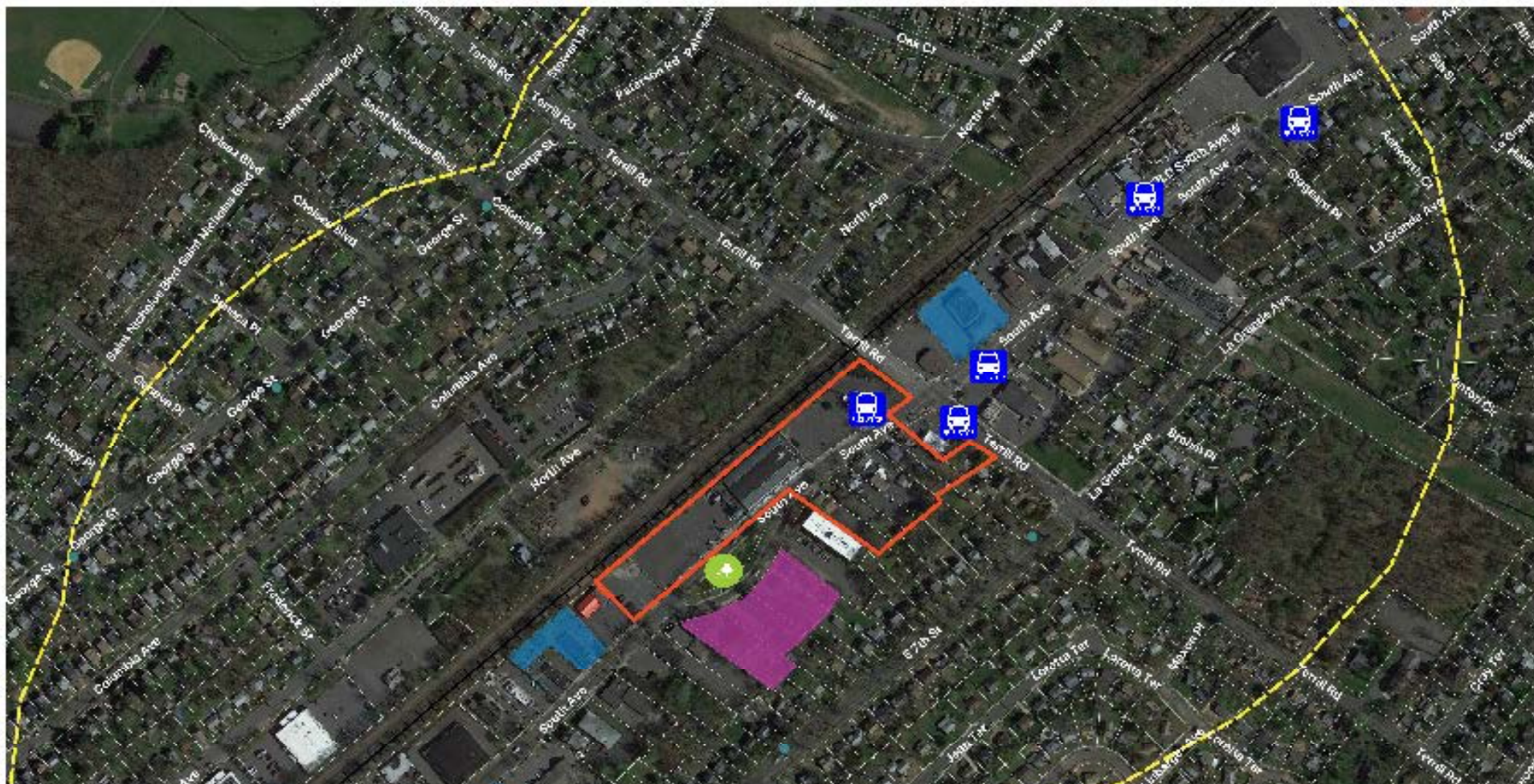


Figure 3: Study Area Context Map

The City of Plainfield contains a total area of 6 square miles and is located in the westernmost portion of Union County and is about 30 miles from New York City. Seven municipalities border Plainfield: Scotch Plains to the northeast; Watchung to the northwest; North Plainfield to the west; Green Brook and Dunellen to the southwest; Piscataway and South Plainfield to the south and; Fanwood to the east. The Plan area serves as a gateway entrance to the City and is characterized as a mixed-use corridor which includes residential, commercial and vacant and underutilized properties. The plan area is readily accessible from New Jersey State 28 (South Avenue) and County Road 611 (Terrill Road). The Netherwood Train Station is 0.4 miles and Fanwood Train Station is 0.5 miles away from the study area. Additionally, the NJ TRANSIT bus line 113 and 822 has several stops along South Avenue.

2.0 DISTRICT OVERVIEW

SOUTH AVENUE EAST



2.1 PLANNING AREA BOUNDARY

The plan area is in the eastern portion of the City and occupies a land area of approximately 6.72 acres. The area is located on either sides of South Avenue and bound by Terrill Road to the East and the property containing 'Dairy Queen' to the West. The area beyond the westerly plan boundary contains commercial activity including fast-food chains, restaurants, personal services and other neighborhood commercial uses.



Figure 5: South Ave East Existing Land Use Map

2.2 EXISTING LAND USE

The designated redevelopment area consists of 9 parcels: five commercial, three residential and one vacant lot. The above map displays the current land uses found within the plan area.

2.3 ZONING

The plan area is located in the Neighborhood Commercial (NC) zones.

Neighborhood Commercial (NC)

The purpose of the NC zone is to promote commercial areas that serve the immediate surrounding neighborhood. The regulations for the zone are crafted such that the scale and intensity of the development would be compatible with and complement the existing character of the neighborhood. Block 624, Lots 12 & 13 and Block 625, Lot 28-34 falls within this zone.

The NC zone currently permits mixed-use residential dwellings, child care centers (permitted in all non-residential zones pursuant to N.J.S.A 40:55D-66.6), retail, personal service establishments, laundromats, offices, banks, funeral homes/mortuary, restaurants, community centers, (public and non-profit), nursing homes, houses of worship, assisted living facilities, senior citizen housing, adult day care facility, recording studios and repair shops. Any other uses are not permitted.

The ordinance encourages medium to high density, mixed-use developments. The commercial uses within the zone specifically cater to the needs of the residents of the neighborhood. Businesses allowed in this zone mostly provide day-to-day services to the residents and do not permit larger, big-box commercial or high-rise residential developments.

The ordinance allows for the creation of smaller lots with a minimum lot area of 5,000 square feet. It also allows for a significantly higher building coverage (60%) and lot area

coverage (80%), which is comparable to the City's Mixed Use and Commercial Zone. With the front and side yard setback requirement at zero feet, the ordinance allows buildings in the zone to be designed closer to the sidewalk and the street thereby, offering proximity, front oriented, increased accessibility and visibility to residents and adding vitality and liveliness to the neighborhood. The main idea is to create a compact, vibrant, pedestrian-friendly neighborhood.

2.4 DISTRICT ISSUES

In spite of being at gateway entrance of the City, the existing plan area lacks the welcoming nature, visual characteristics and energy of a gateway. The area is faced with several issues and challenges including, vacancy and underutilization and lack of stagnant commercial growth, etc. These challenges have been identified by the City's planning department, economic development office, supporting consultants, developers, local businesses and residents. In its quest to better understand the existing conditions, the City initiated an area investigation which helped identify critical issues to be mitigated by this plan. Issues plaguing the area are listed below:



- **Stagnant commercial and retail growth:**

Although the plan area is at the gateway of the City and next to an existing redevelopment area which is being developed with apartments, the area has very limited neighborhood commercial uses to cater to the needs of the existing and future residents.



- **Vacant properties:**

There is one parcel within the area that is vacant.



- **Limited housing options:**

The plan area, although being located between two train stations has very limited housing options. There are only three single-family homes within the plan area and a new apartment building project which is currently under construction within the neighborhood.



- **Underutilization of properties:**

One of the parcels in the plan area is approximately 3 acres and contains two commercial uses. Majority of this parcel is covered with parking area and is underutilized.

3.0 THE REDEVELOPMENT PLAN

SOUTH AVE EAST

3.1 PURPOSE

The South Avenue East Redevelopment Plan serves as a guide for future development and redevelopment within the target area. It sets forth a framework for design standards and statutory guidelines that will enhance and improve this area. The zoning and design standards in this plan shall supersede the City's current Land Use Ordinance, procedures, site plan review regulations and Zoning Ordinance where applicable.

The primary goal of the plan is to create a compact, mixed-use neighborhood that encourages pedestrian activity by leveraging the area assets to create a successful neighborhood commercial development district that will set a precedent for smart growth development while, also being consistent with the State Planning Act. Although, the plan area does not lie in the TODN District, the area is located approximately 0.4 miles from Netherwood Train Station and 0.5 miles from Fanwood Train Station and supports the planning rationale instilled by the redevelopment designation. The designation would help to spur development, increase economic activity and address the issues that have plagued the area for the past few years. The Redevelopment Plan's main goals are consistent with the State Development and Redevelopment Plan (SDRP) and adheres to the general TOD framework evidenced in NJ TRANSIT's Transit-friendly Land Use publication as the area lies between two train stations..

3.2 GOALS AND OBJECTIVE

The area is at the gateway entrance to the City and adjacent to the South Avenue Gateway Redevelopment Plan Area and presents a unique opportunity to attract new development that will catalyze activity between the two existing train stations. The plan will also boost economic development that will benefit residents of the adjacent areas and throughout Plainfield. The Redevelopment Plan therefore, intends to satisfy the following policy goals and objectives for development in the South Avenue East Redevelopment Area:



1 Promote Transit-Oriented Development and Activity

- Leverage the city's assets to optimize transit-oriented development and increase pedestrian activity and circulation within and into the area.
- Enhance the Station's role as a hub of activity and a vibrant center for the entire area and adjacent neighborhoods.
- Increase the area's residential population by providing a variety of housing types.
- Improve existing neighborhood identity while creating new places and neighborhood anchors.



2 Improve Economic development

- Diversify the economy.
- Develop a new retail shopping destination.
- Build local wealth and tax base,
- Attract office and retail use that creates new jobs, retain existing jobs and employ the residents.



3 Manage Parking and Traffic

- Maximize opportunities for shared and mixed-use facilities.
- Minimize traffic impacts to residential neighborhoods.



4 Increase Sustainability

- Better leverage of transit as sets by promoting transit use and planning around transit.
- Promote high densities around transit and other appropriate areas.
- Minimize vehicular miles traveled in the proposed districts to encourage walking, biking, bus travel, and commuter rail selection.
- Support a walkable corridor through pedestrian-oriented streetscapes and investments in the public realm.
- Reduce the heat island effect through street trees, vegetated corridors, and intensive & extensive green roofs.
- Encourage use and reuse of energy efficient materials.

3.3 COMPATIBILITY WITH STATE AND LOCAL PLANS

This Plan is consistent with the goals and policies of the SDRP because redevelopment activity is being promoted in a Metropolitan Planning Area (PA1) which is also considered to be a growth area under the State Plan. Further, it is with the SDRP consistent through its emphasis on promoting economic development by encouraging infill development and opportunity for public/private partnership. The Plan is also in general compliance with the Master Plan of Union County.

City's Master Plan

The 2009 Land Use Plan Element of the Master Plan sets forth the goals and objectives for land uses within the City of Plainfield. The Master Plan contains a variety of goals and objectives to guide future development in the City. Specific to the context of the redevelopment area, certain goals and objectives are as follows:

Master Plan Objective 2:

Development and redevelopment should be responsive to the needs of the Plainfield community by ameliorating conditions suggestive of physical and economic deterioration, by supporting sustainability, creating economic opportunity and providing a variety of housing. Redevelopment planning is to be implemented in a comprehensive city-wide manner and where appropriate to promote transit oriented design.

Master Plan Objective 20:

Redevelopment activities undertaken by the City should be consistent with the Master Plan.

Transit Oriented Development Netherwood Zone (TODN).

In 2012, the Plainfield City Council adopted an ordinance to adopt Chapter 17 of the land use ordinance and the City Zoning Map to illustrate the Transit Oriented Development Netherwood Zone. Section 17:9-18A identified the purpose of the zone and its importance to the Netherwood Train Station. Specific goals related to the context of this Redevelopment Plan are as follows:

Goal 1:

To increase the use of the Netherwood Train Station by providing for a concentration of mixed retail, office, residential, public and open space uses that are within walking distance of each other and the train station for shoppers, commuters, residents, employees and visitors.

Goal 2:

To revitalize the Netherwood train station area by providing for land uses that generate train ridership and enhance economic activity and vitality during the day and evening.



South Avenue Gateway Development Plan

In 2014, The City of Plainfield developed the South Avenue Gateway Redevelopment Plan. The Plan promotes new anchors which would provide access to new and existing retail shopping, restaurants and open spaces, in addition to promoting walk-ability to Plainfield's Netherwood Station and the Fanwood Borough Station. The South Avenue East Redevelopment Area is separated from the South Avenue Gateway Development Plan area by a single lot.

3.4 STATUTORY BASIS FOR THE REDEVELOPMENT PLAN

This Plan (the "Plan") is prepared on the basis that the City Council designated the South Avenue East area as "An Area in Need of Redevelopment" pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) on September 20, 2018, Resolution number 278-18. This determination was based on a finding that the entire area lies fully within the Urban Enterprise Zone, is consistent with smart growth planning principles and that the area consists of parcels with obsolete layout, are under-utilized and vacant. The purpose of this Plan is to establish a redevelopment plan to guide future development and redevelopment within the Plan Area as well as set forth a framework for design standards and guidelines that will invigorate this area. The regulatory and design standards in this plan shall supersede applicable provisions of the city's current Land Use Procedures Ordinance, Land Subdivision (site plan) Ordinance, and Zoning Ordinance as codified under Section 17:9, of the City's Revised General Ordinances as amended where applicable.

4.0 PROPOSED LAND USE PLAN

SOUTH AVENUE EAST



Figure 6: Proposed Land Use Plan

4.1 LAND USE PLAN

This section describes the proposed land use plan and provides a framework to implement the City's vision for the area. The subsequent zoning regulations lay the foundation and provide guidelines for any development that occurs in the area. The Land Use Plan creates a new 'South Avenue East Redevelopment Area.'

4.2 District Standards

The permitted and accessory uses; bulk standards; and other regulatory requirements specific to the area are designed so as to encourage a mixed-use development at the gateway entrance of the City. The bulk and design standards identified in the redevelopment plan apply to a newly created area entitled 'South Avenue East Redevelopment Area.'

SOUTH AVENUE EAST REDEVELOPMENT AREA

It is the intent of this Plan to encourage the redevelopment of the South Avenue East area with residential, retail, restaurant, and public space uses that enhance the vitality of South Avenue and the gateway entrance to the City; to take advantage of the neighborhood proximity to two train stations; and to provide new accessible and usable open space/plaza for residents. The South Avenue East Redevelopment area includes features of a traditional mixed-use development. This area is the gateway entrance to the City of Plainfield and over years has been underutilized in terms of its true potential. The area includes ground floor retail/commercial use with apartments on upper floors. Significant portions of the ground floor are covered by non-residential uses. Buildings are located close to the sidewalk of the street right-of-way (0 to 5 ft.) to promote pedestrian activity and side yard setbacks are not required. Since the vision for the area includes pedestrian activities, the required sidewalks will be wide and will include continual street tree planting. The redevelopment area contains tight spatial enclosure of buildings and a high combination of residential and non-residential intensity while, providing adequate parking and open space. The area also encourages shared parking between different land uses.

Permitted Uses:

<ul style="list-style-type: none"> • Mixed Use Structures • Studio, one and two-bedroom apartments over retail uses • Child care facility • Retail uses (first and second floor only) • Restaurants • Personal Service Establishment • Office • Art Studio • Art Gallery • Museum • Nightclub 	<ul style="list-style-type: none"> • Bank, without drive thru-facility • Health and fitness club • Theater • Hotel • Parking structure • Roof-top wireless antenna • Fraternal organization • Tavern • Cigar lounge • Retail convenience with fuel sales
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Accessory Uses:

Health club, gym and other such recreational facilities associated with the residential uses, plazas, electric vehicle charging station, outdoor dining, parking, including structured parking, and other uses customarily incidental to the principal use.

Definitions

Retail Convenience. A retail store not larger than 5,100 square feet, which sells dry goods and food, including prepared foods and sandwiches, either with or without fuel sales.

Bulk Standards

Regulation	Required
South Avenue East Redevelopment Area	
Minimum Lot Area	20,000 square feet
Setbacks	
Minimum front yard setback	0'
Maximum front yard setback	5'
Minimum side yard setback	5'
Minimum combined side yard setback	20'
Minimum rear yard setback from property line	15'
Minimum setback for accessory structures from all property lines	30'
Requirements	
Maximum building coverage	75%
Maximum impervious coverage	95%
Maximum Density	70 units/acre
Maximum Floor area ratio(FAR)	3.3
Maximum building height	65'
Minimum number of stories (Mixed Use Development)	4
Maximum number of stories	6
Other requirements	
Minimum commercial space not including amenities (Ground floor)	40% of the building coverage
Minimum first floor height	12'
Minimum restaurant use within the mixed-use building	15% of the commercial
Minimum open space required	5% of the property
Minimum buffer between neighboring residential uses	5'

General Standards

1. An average five (5) feet landscaped buffer is required between a property developed with a non-residential uses and abutting residential properties
2. First floor parking areas shall be appropriately screened with a wall. The wall shall comprise of architectural features and facade materials that are compatible with the ground floor commercial uses.
3. No residential uses shall be permitted on the ground floor.
4. There shall be no more than 300 feet of a continuous building facade on a single property.
5. Studio, one bedroom and two bedroom units shall not be less than 500, 750 and 1,000 square feet, respectively.
6. No more than twenty (20) percent of the total residential use shall be studio apartments.
7. Studio, one and two-bedroom units shall provide a parking ratio of 1 space for every unit (i.e. 1:1 parking ratio)¹.
8. Parking ratios for all other uses shall be in accordance with the Section 17:9-42 of the City's Ordinance.
9. A roof-top garden or landscaped roof area is encouraged on newly constructed buildings in the area. The green roof area; however, shall be in excess of the required 5% ground level open space.
10. Where building setbacks create terraces, landscaping is encouraged.
11. Sustainable design practices and LEED certifiable buildings are strongly encouraged.
12. When designing plazas and public spaces the usage of permeable surfaces and materials are strongly encouraged.
13. Shared parking arrangement among uses is encouraged. A maximum of 20% reduction in the parking requirement is allowed for commercial/retail uses that have a shared parking arrangement.
14. Parking lots shall be located to the rear or side of any buildings except as otherwise provided in Standard 18 below.
15. Shared driveways and loading points are encouraged to reduce the number of curb openings to enhance the streetscape and promote traffic safety.
16. Parking lot and other services areas shall be appropriately screened with a landscape buffer.
17. Fuel canopy is an accessory structure and may be located in the front yard provided it is setback twenty-five (25) feet from all property lines.
18. Any development within the plan area shall have a minimum front yard setback of zero feet and a maximum setback of five (5) feet except, for retail convenience buildings. A retail convenience store building with fuel sales may have front yard setback of more than five(5) feet and may have parking within the front yard.
19. Landscaping, Buffer and Screening shall comply with the City's Ordinance section 17:9-24 and 17:9-44 and 17:9-51, respectively.

Footnote 1 - Sites with multiple uses must satisfy parking requirement for each use

20. All signage shall be in accordance with the City's Ordinance Section 17:9-53, except for retail convenience with fuel sales may have **one** pylon sign along South Avenue.
21. Pylon signs shall be placed a minimum fifteen (15) feet from the street right-of-way and five(5) feet from the property line.
22. Dumpsters, recyclables and trash receptacles not for public use are permitted only in rear yards and shall be screened by materials the same as, or substantially consistent in appearance with, the rear facade of the building.
23. Every site plan shall show a properly screened area reserved for trash or refuse pickup as approved by the Planning Board. Such area shall be so located on the premises that solid waste trucks have access to such area at all times.

4.3 DESIGN STANDARDS

Plainfield envisions a vibrant and attractive setting along the gateway entrance to the City. The City recognizes that a number of urban design and improvements are necessary in order to achieve this vision. These improvements include pedestrian



and parking upgrades to new residential and commercial developments; all aiming at increasing the desirability of the area as a place of residence and commerce. The key elements on which the design standards are listed below:

Building, Mass and form

- a) Variation in the mass of the structures is encouraged. This may be achieved by using various architectural strategies that may include setbacks, voids in the building facade or varied building material to reduce the effect of the massing in all or some of the sides of the building.
- b) Primary entrances shall be conveniently oriented to public streets or plazas to allow safe, convenient access to and from transit facilities and/or services.
- c) Buildings should be placed to minimize the number of driveways along main streets and primary pedestrian routes.
- d) Buildings should include, at the street level, design elements that encourage pedestrian interest such as large display windows, multiple entries, and clear signage.
- e) Building entries may be recessed into the facade and partially covered, allowing pedestrians to escape inclement weather.
- f) Buildings with expansive blank walls are prohibited. Only blank walls adjacent to through-block sidewalks are permitted; however these must be treated with landscaping, artwork, or other treatment.

Architectural standards and Facade treatments

- a) Structures should be designed to encourage architectural variety within an overall framework of design continuity.

- b) A 'human scale' of development shall be achieved at grade and along street frontage through the use of building elements such as enhanced entrances, corners, display windows, doors, columns, awnings, canopies, and graphic panels. These are encouraged to provide a visually attractive environment and help alleviate the monotony of pedestrian trips.
- c) Architectural features are to be provided when using a flat roof; these features are to include a parapet wall accented with a cornice and frieze.
- d) Spatial gaps created in the street-wall by parking or other non-pedestrian areas should be minimized.
- e) Multi-tenant buildings shall provide varied storefronts. Upper floors may be coordinated with ground floors through common materials and colors.
- f) Design emphasis shall be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint, and such details as piers, columns, and framing should be utilized to reinforce versatility. This is especially important when designing site layouts on long and shallow lots along South



Avenue.

- g) Side and rear yard elevations should receive architectural treatments comparable to the front facades when public access or public parking is provided next to the buildings.
- h) If a parking deck/ structure is constructed, the facade elevations shall receive architectural treatment that complements the principal building.
- i) The building design is to incorporate to the greatest extent practicable green design techniques and promote energy efficiency through the choice of materials and major systems.
- j) Buildings on corner lots shall be required to incorporate an architectural or pedestrian-oriented feature at the corner. Many options are possible including plazas, artwork, turrets, curved corners, etc.

Material and Texture

- a) A variety of materials may be appropriate and utilized. Masonry, which works well at the base of the building, can vary in size, color, and texture, and enable the provision of a decorative



pattern or band.

b) The use of fabric or metal canopies is to be encouraged, especially over storefronts, at entrances or over display windows. These may display address and logo of the retail establishment.

Services standards

a) All loading areas should be located in a rear yard and screened from view from public rights-of-ways.

b) Service areas shall be screened from public view.

c) Service areas should be designed to fit within a site and screened from views with walls, fencing, landscaping or other materials that complement adjacent buildings and provide screening in all seasons.

d) Individual loading, service, and utility areas for businesses are discouraged. Shared service areas should be considered for ease of maintenance and improved aesthetics as well as the potential to create new site area for landscaping and/or parking spaces.

Walkway

The City's 2009 Master Plan Re-examination ordinances the City's policy of encouraging bicycle use by improving the feasibility and attractiveness of bicycling. The City envisions achieving this by increasing the number of bicycling facilities provided, improving connectivity of bike lanes, and ensuring that bicycle lanes are safe, perceived as safe, and aesthetically pleasing. Plainfield recently created a Streetscape Design Manual. These standards will serve as a guideline for the City Council, the Planning Board, Zoning Board of Adjustment, Historic Preservation Commission, and developers when planning improvements within the public right-of-way and designing walkways within the City's commercial

districts (including mixed use residential districts). These standards will advance consistent and comprehensive installation of all public ROW improvements, from sidewalks to benches and litter receptacles, to street light poles. The adoption and use of these standards will give developers the information that they need to determine anticipated costs and advance a project. Street improvements and sidewalks proposed in the South Avenue East Redevelopment area shall be consistent with the design standards laid out in the City's Streetscape Design Manual. It appears that the neighboring development adjacent to the plan area and the south side of South Avenue has six (6) feet wide sidewalks and four(4) feet wide landscaping strip. Any development within the plan area should have consistent streetscape.



5.0 PROJECT REVIEW PROCESS AND AMENDMENTS OF THE PLAN

SOUTH AVENUE EAST

5.1 SITE PLAN AND SUBDIVISION APPLICATIONS

In the execution of this redevelopment plan, it should be noted that development and subdivision within the area shall be governed by the requirements set forth under the applicable development regulations of the City of Plainfield. Redevelopment activities shall be in conformance with the adopted redevelopment plan which may be amended from time to time in accordance with law.

Site plan review, as may be required, shall be conducted by the Planning Board of the City of Plainfield, pursuant to the provision of the Municipal Land Use Law N.J.S.A. 40:55D-1 et. seq.

All leases, agreements, deeds, and other instruments from, or between, the City, and to, or with a redeveloper, shall comply with the applicable provisions of Title 40, Chapter 37A.

5.2 POWERS OF THE PLANNING BOARD

The City of Plainfield's Planning Board may grant deviations from the regulations contained within this Redevelopment Plan as part of site plan review where, by reason of exceptional narrowness, shallowness or shape of a specific piece

of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. The Planning Board shall not grant any deviation from standards of this Redevelopment Plan that results in a "D" variance pursuant to N.J.S.A. 40:55D-70d.

5.3 RELIEF FROM OR APPLICABILITY OF OTHER REGULATIONS

All other uses shall be required to comply with the Residential Site Improvement Standards parking regulations. For all other regulations not addressed in this plan Chapter 17 - The Land Use Ordinance of the City of Plainfield shall apply.

6.0 IMPLEMENTATION OF THE PLAN

SOUTH AVENUE EAST

6.1 SELECTION OF REDEVELOPERS

This Plan is to be implemented in accordance with the procedures of the Local Redevelopment and Housing Law. Only the redeveloper formally designated by the City Council of the City of Plainfield and/ or its designee can undertake redevelopment activity in the redevelopment zone to which this Plan relates. Redevelopers will be selected based on qualifications including, but not limited to, the following:

- Experience with constructing comparable projects generally;
- Capability to finance the acquisition and construction of proposed improvements;
- Capability to perform given resources committed to other projects;
- Demonstration of ability to observe project schedules; and
- Ability to provide references for verification.

The City may conditionally designate a redeveloper to undertake the redevelopment plan with which to exclusively negotiate the terms and conditions of a redeveloper agreement. The City's conditional designation of a redeveloper, and the conduct of exclusive negotiations, shall last no longer than 6 months. If a redevelopers agreement is not executed by both parties within such a period, the City shall revoke its conditional redeveloper designation and may repeat the process with another redeveloper.

6.2 CERTIFICATION OF COMPLETION

A redevelopment project will be certified as being completed by the City upon final inspection and issuance of a certificate of occupancy by the construction official for all buildings and the release of all performance and maintenance bonds for improvements by the City Council. The redevelopment entity will issue a certificate of completion to the redeveloper, which will release the redeveloper from any further obligations under the redeveloper agreement for that project.

6.3 STATUTORILY PERMITTED ACTIONS

Upon the adoption of a redevelopment plan pursuant to section 7 of P.L. 1992, c. 79 (C.40A: 12A-7), the municipality or redevelopment entity designated by the governing body may proceed with the clearance, re-planning, development and redevelopment of the area designated in that plan. In order to carry out and effectuate the purposes of this act and the terms of the redevelopment plan, the municipality or designated redevelopment entity may:

- 1) Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c. 79 (C.40A:12A-29) and issue bonds.
- 2) The South Avenue East Redevelopment area in need study is a non-condemnation study. Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to subsection i. of Section 22 of P.L. 1992, c. 79 (C:40A-12 through 22).

- 3) Acquire any 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 (C. 20:3-14) Clear any area owned or acquired and install or reconstruct infrastructure. This is a non-condemnation plan.
- 4) Prepare or arrange by contract for the provision of professional services and the preparation of plans by licensed professionals and/ or other consultants for the carrying out of redevelopment projects.
- 5) Arrange or contract with public agencies or redevelopers.
- 6) Lease or convey property or improvements without public bidding.
- 7) Enter upon buildings or property for conduct of investigations or surveys.
- 8) Provide for relocation assistance
- 9) Carry out a voluntary rehabilitation program and develop plans for the enforcement of codes and regulations relating to use and occupancy, rehabilitation, demolition, and removal of buildings or improvements.
- 10) Request the designation of particular areas as areas in need of redevelopment or rehabilitation. The South Avenue East Redevelopment area in need study was prepared on September 20, 2018 and adopted on October 4, 2018.

6.4 AGREEMENTS WITH REDEVELOPER

Agreements with redevelopers shall note that only those uses established in the redevelopment plan shall be constructed, and prohibit, without approval of the redevelopment entity, the sale,

leasing, or transferring of the redevelopment project, or portion thereof, without written consent. Agreements will also specify that the redeveloper is responsible for the performance of a Phase I Environmental Site Assessment to be conducted the designated district’s need for redevelopment has been fulfilled in accordance with American Section of the International Association for Testing Materials (ASTM) International Standards. Based upon information obtained from the Phase I study, testing will be performed at the discretion of the City. The redeveloper will bear the cost of needed environmental testing and required remediation, and will provide a guarantee to ensure said work in the form found acceptable to the City.

6.5 EQUAL OPPORTUNITY

The land within the project area shall not be restricted on the basis of race, creed, color, or national origin in the sale, use, lease, or occupancy thereof.

6.6 PERIOD OF APPLICABILITY

The provisions of this plan, specifying the redevelopment plan for the project area and requirements and restrictions with respect thereto, shall be in effect for a period yet unspecified until such time as the purpose of the plan has been satisfied and the designated district’s need for redevelopment has been substantially alleviated.

