



Legislation Details (With Text)

File #: 18-1562 **Version:** 2 **Name:** Lotus RDA
Type: Resolution **Status:** Adopted
File created: 9/29/2018 **In control:** Economic and Housing Development
On agenda: 10/24/2018 **Final action:** 10/30/2018
Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Redevelopment Agreement
Purpose: Redevelopment project for mixed-use development consisting of residential units, retail space, office space and parking. (Central Ward)
Entity Name: LEG 450 Broad Street, LLC.
Entity Address: 675 Third Avenue, 28th Floor, New York, New York 10017
Contract Amount: Not Applicable
Development Agreement Term: Commence on Effective Date and expires upon Issuance of a Certificate of Completion for the last Phase of the Project
City Contribution to Development Project: () Grant or Loan () Guarantee (X) None () Other:
Developer Investment: ()
Developer Third-Party Financing
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient (X) n/a
List of Property:
(Address/Block/Lot/Ward)
422 Broad Street/Block 9, Lots 6 and 9, B27, Lots 1 and 3/Central
450-466 Broad Street Rear/Block 26, Lot 1/Central
5-55 Division Street/Block 26, Lot 15.01/Central
22-48 Bridge Street/Block 26, Lot 15.02/Central
18 Bridge Street Rear/Block 25.01, Lot 61/Central
Additional Information:
Deferred 7R2-d 102418

Sponsors: LaMonica R. McIver, Carlos M. Gonzalez

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/30/2018	1	Municipal Council		
10/30/2018	1	Municipal Council	Amend	Pass
10/30/2018	1	Municipal Council	Adopted as Amended	Pass
10/24/2018	1	Municipal Council	Defer to a Special Meeting	Pass

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WHEREAS, on June 15, 2005, the Municipal Council of the City of Newark (the "Municipal Council") adopted Resolution 7Rdo (AS) to designate the entire City of Newark as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1, et seq. ("LRHL"); and

WHEREAS, on January 21, 2009, the Municipal Council adopted Ordinance 6PSF-a designating the Broad Street Station District Redevelopment Plan, as amended from time to time, (the "Broad Street Redevelopment Plan"), which provided for the redevelopment of areas surrounding the Broad Street New Jersey Transit Commuter Rail Station; and

WHEREAS, on August 7, 2013, the Municipal Council adopted Ordinance 6PSF-i the "Newark's River: Public Access and Redevelopment Plan," which has been amended from time to time, to allow for new and mixed uses along the Newark's Passaic Riverfront (the "Riverfront Redevelopment Plan"); and

WHEREAS, LEG 450 Broad Street, LLC (the "Redeveloper") is the current owner of Block 9, Lots 6 and 9, Block 26, Lots 1 and 15.01 and B27, Lots 1 and 3 (the "Redeveloper Property"); and

WHEREAS, the Essex County Improvement Authority is the current owner of Block 26, Lot 15.02 (the "ECIA Property"); and

WHEREAS, New Jersey Transit is the current owner of Block 25.01, Lot 61 (the "NJ Transit Property"); and

WHEREAS, the Redeveloper Property, ECIA Property, and NJ Transit Property constitute the total project area (the "Project Area") for the proposed project; and

WHEREAS, the Project Area is within both the Broad Street Redevelopment Plan and the Riverfront Redevelopment Plan; and

WHEREAS, the Redeveloper has submitted a development proposal to the City of Newark,

Department of Economic and Housing Development (the “City”) in the form of a Concept Design attached to the Redevelopment Agreement as Exhibit B, outlining its plan to redevelop the Project Area as a mixed use development in seven (7) phases consisting of residential units, retail space, office space and parking spaces (the “Project”); and

WHEREAS, the City has determined that the Redeveloper possesses the proper qualifications, financial resources, and capacity to implement and complete the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the City and the Redeveloper desire to enter into and execute a redevelopment agreement (the “Redevelopment Agreement”) for the Project pursuant to the LRHL; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(f), the City is authorized to arrange or contract with Redevelopers for the planning, re-planning, construction or undertaking of any redevelopment project; and

WHEREAS, the City has determined that it is appropriate for the City to authorize the execution of a Redevelopment Agreement to reflect the foregoing.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or the Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute the Redevelopment Agreement in the form attached hereto, subject to Paragraph 5 and 6 below. Redevelopment Agreement with LEG 450 Broad Street, LLC pursuant to which LEG 450 Broad Street, LLC will undertake the construction of a seven (7) phase mixed-use development project within the Project Area known as Block 9, Lots 6 and 9, Block 26, Lots 1 and 15.01 and B27, Lots 1 and 3, Block 26, Lot 15.02, and Block 25.01, Lot 61.

2. The Redeveloper shall be designated as the exclusive redeveloper of the Project Area as specified above.

3. The redevelopment of the Project Area shall be commenced in accordance with the Project Schedule attached to the Redevelopment Agreement.

4. The executed Redevelopment Agreement shall be placed on file in the Office of the City Clerk by the Department of Economic and Housing Development.

5. The Municipal Council’s approval of the Redevelopment Agreement is expressly subject to the approval of the Redevelopment Agreement by the State Monitor appointed for the City of Newark by the New Jersey Department of Community Affairs, which approval shall take the form of a fully executed waiver by the State Monitor.

6. This resolution shall take effect upon the submission of a fully executed waiver by the State Monitor to the Office of the City Clerk.

STATEMENT

Resolution approving the City's execution of a Redevelopment Agreement with LEG 450 Broad Street, LLC pursuant to which LEG 450 Broad Street, LLC will undertake the construction of a seven (7) phase mixed-use development project within the Project Area known as Block 9, Lots 6 and 9, Block 26, Lots 1 and 15.01 and B27, Lots 1 and 3, Block 26, Lot 15.02, and Block 25.01, Lot 61.