



## Legislation Text

File #: 22-0738, Version: 1

**Dept./ Agency:** Economic and Housing Development

**Action:** ( ) Ratifying (X) Authorizing (X) Amending

**Type of Service:** Need for Housing Project

**Purpose:** Second Amendment to Resolution 7R2-d(AS) adopted on April 21, 2021, revising the site location referenced within the Resolution and on the Sponsor's application with New Jersey Housing and Mortgage Finance Agency Low Income Housing Tax Credit Program for funding for the Project known as Essex Plaza Two and Three.

**Entity Name:** Essex Plaza Owner Two, LLC

**Entity Address:** c/o Fairstead, 250 West 55th Street, 35th Floor, New York, New York 10019

**Funding Source:** New Jersey Housing Mortgage Finance Agency Program (Low Income Housing Tax Credit)

**Total Project Cost:** \$51,557,269.00

**City Contribution:** \$0.00

**Other Funding Source/Amount:**

Low Income Housing Tax Credits -\$19,635,000.00;  
NJHMFA First Mortgage, Note - \$30,078,000.00; and  
Deferred Developer Fee - \$1,015,069.00

**List of Properties:**

**(Address/Block/Lot/Ward)**

76 Orchard Street/Block 885/Lot 41/Central Ward  
74 Orchard Street/Block 885/Lot 42/Central Ward  
72 Orchard Street/Block 885/Lot 43/Central Ward  
11 Pennington Street/Block 893/Lot 2/East Ward  
13 Pennington Street/Block 893/Lot 3/East Ward  
15-17 Pennington Street/Block 893/Lot 4/East Ward  
19-31 Pennington Street/Block 893/Lot 6/East Ward  
1082 Broad Street/Block 893/Lot 34/East Ward  
1080- Broad Street/Block 893/Lot 36/East Ward  
1080 Broad Street/Block 893/Lot 37/East Ward  
1078- Broad Street/Block 893/Lot 38/East Ward  
146-152 Orchard Street/Block 894/Lots 1 and 4/East Ward  
81 Lincoln Park/Block 2826/Lot 24/East Ward  
83 Lincoln Park/Block 2826/Lot 25/East Ward

**Additional Information:**

Original Resolution 7R2-d(AS) adopted on April 21, 2021, authorized the Municipal Council's determination that the proposed Project meets an existing housing need within the City of Newark, pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1, et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines.

Resolution 7R2-I adopted on August 4, 2021, amended the Original Resolution by revising the site

locations referenced within the Resolution.

The Second Amendment will amend the First Amendment by revising the site location referenced the First Amendment Resolution and on the Sponsor's application with New Jersey Housing and Mortgage Finance Agency Low Income Housing Tax Credit Program for funding for the Project known as Essex Plaza Two and Three.

**WHEREAS**, on April 21, 2021, the Municipal Council adopted Resolution 7R2-d(AS) (hereinafter referred to as the "Original Resolution"), pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1, et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing collectively referred to as the "NJHMFA Requirements"), determining that the proposed acquisition and rehabilitation of an affordable rental housing project containing two hundred forty-one (241) affordable multi-family rental housing units at the sites located in the East and Central Wards listed below (the "Original Sites"), known as Essex Plaza Two and Three (the "Project"), as proposed by Essex Plaza Two, LLC (the "Sponsor"), meets or will meet an existing housing need and meets all or part of the City of Newark's affordable housing obligation:

15-17 Pennington Street/Block 893/Lot 4  
31-33 East Kinney Street/Block 884/Lot 1  
35-41 East Kinney Street/Block 884/Lot 3  
9 Scott Street/Block 884/Lot 31  
11 Pennington Street/Block 893/Lot 2  
13 Pennington Street/Block 893/Lot 3  
1082 Broad Street/Block 893/Lot 34  
1080 Broad Street/Block 893/Lot 37  
1072-1078 Broad Street/Block 893/Lot 44  
146-152 Orchard Street/Block 894/Lot 1  
158 Orchard Street/Block 895/Lot 44  
156 Orchard Street/Block 895/Lot 46  
154 Orchard Street/Block 895/Lot 48  
81 Lincoln Park/Block 2826/Lot 24  
83 Lincoln Park/Block 2826/Lot 25; and

**WHEREAS**, on August 4, 2021, the Municipal Council adopted Resolution 7R2-I, to amend the Original Resolution to correct the Original Sites to reflect only the property locations within the Project with existing buildings, as follows:

31-33 E. Kinney Street/Block 884/Lot 1  
35-41 E. Kinney Street/Block 884/Lot 3  
9 Scott Street/Block 884/Lot 31  
76 Orchard Street/Block 885/Lot 41  
74 Orchard Street/Block 885/Lot 42  
72 Orchard Street/Block 885/Lot 43  
11 Pennington Street/Block 893/Lot 2  
13 Pennington Street/Block 893/Lot 3  
15-17 Pennington Street/Block 893/Lot 4

19-31 Pennington Street/Block 893/Lot 6  
1082 Broad Street/Block 893/Lot 34  
1080- Broad Street/Block 893/Lot 36  
1080 Broad Street/Block 893/Lot 37  
1078- Broad Street/Block 893/Lot 38  
146-152 Orchard Street/Block 894/Lots 1 and 4  
158 Orchard Street/Block 895/Lot 44  
156 Orchard Street/Block 895/Lot 46  
154 Orchard Street/Block 895/Lot 48  
81 Lincoln Park/Block 2826/Lot 24; and  
83 Lincoln Park/Block 2826/Lot 25 (collectively "Revised Site Location"); and

**WHEREAS**, the Original Resolution requires a Second Amendment, to correct the Sites to reflect only the property locations within the Project with existing buildings and as required by the New Jersey Housing and Mortgage Finance Agency, as follows:

76 Orchard Street/Block 885/Lot 41  
74 Orchard Street/Block 885/Lot 42  
72 Orchard Street/Block 885/Lot 43  
11 Pennington Street/Block 893/Lot 2  
13 Pennington Street/Block 893/Lot 3  
15-17 Pennington Street/Block 893/Lot 4  
19-31 Pennington Street/Block 893/Lot 6  
1082 Broad Street/Block 893/Lot 34  
1080- Broad Street/Block 893/Lot 36  
1080 Broad Street/Block 893/Lot 37  
1078- Broad Street/Block 893/Lot 38  
146-152 Orchard Street/Block 894/Lots 1 and 4  
81 Lincoln Park/Block 2826/Lot 24; and  
83 Lincoln Park/Block 2826/Lot 25 (collectively "Revised Site Location"); and

**WHEREAS**, the Department of Economic and Housing Development wishes to amend the Amended Resolution to correct the location of the Project from the Original and Amended Sites to the Revised Site Location as referenced within as it pertains to the Municipal Council's determination that the Project meets or will meet an existing housing need and meets all or part of the City of Newark's affordable housing obligation.

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

1. The Municipal Council amends Resolution 7R2-I adopted on August 4, 2021 for the Project known as Essex Plaza Two and Three, as proposed by Essex Plaza Owner Two, LLC, c/o Fairstead, 250 West 55<sup>th</sup> Street, 35<sup>th</sup> Floor, New York, New York 10019 (the "Sponsor"), which consists of the acquisition and rehabilitation of an affordable rental housing project containing two hundred forty-one (241) affordable multi-family rental housing units. This amendment shall correct the location of the Project as follows, which are the sites where the existing building is located:

76 Orchard Street/Block 885/Lot 41

74 Orchard Street/Block 885/Lot 42  
72 Orchard Street/Block 885/Lot 43  
11 Pennington Street/Block 893/Lot 2  
13 Pennington Street/Block 893/Lot 3  
15-17 Pennington Street/Block 893/Lot 4  
19-31 Pennington Street/Block 893/Lot 6  
1082 Broad Street/Block 893/Lot 34  
1080- Broad Street/Block 893/Lot 36  
1080 Broad Street/Block 893/Lot 37  
1078- Broad Street/Block 893/Lot 38  
146-152 Orchard Street/Block 894/Lots 1 and 4  
81 Lincoln Park/Block 2826/Lot 24; and  
83 Lincoln Park/Block 2826/Lot 25 (collectively "Revised Site Location").

2. The Municipal Council finds and determines that the Project meets or will meet an existing housing need within the City and meets all or part of the City's affordable housing obligation, pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines, which will enable the New Jersey Housing and Mortgage Finance Agency to process the Sponsor's application to fund the Project.

3. All other terms of the Original Resolution shall remain unchanged and in full force.

### **STATEMENT**

This Resolution amends Resolution 7R2-I adopted on August 4, 2021, to correct the site of the Project, known as Essex Plaza Two and Three, as proposed by Essex Plaza Owner Two, LLC, c/o Fairstead, 250 West 55<sup>th</sup> Street, 35<sup>th</sup> Floor, New York, New York 10019, which consists of the acquisition and rehabilitation of an affordable rental housing project containing two hundred forty-one (241) affordable multi-family rental units, as follows, which is the location of the existing building:

76 Orchard Street/Block 885/Lot 41  
74 Orchard Street/Block 885/Lot 42  
72 Orchard Street/Block 885/Lot 43  
11 Pennington Street/Block 893/Lot 2  
13 Pennington Street/Block 893/Lot 3  
15-17 Pennington Street/Block 893/Lot 4  
19-31 Pennington Street/Block 893/Lot 6  
1082 Broad Street/Block 893/Lot 34  
1080- Broad Street/Block 893/Lot 36  
1080 Broad Street/Block 893/Lot 37  
1078- Broad Street/Block 893/Lot 38  
146-152 Orchard Street/Block 894/Lots 1 and 4  
81 Lincoln Park/Block 2826/Lot 24; and  
83 Lincoln Park/Block 2826/Lot 25.