



Legislation Text

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AN ORDINANCE AMENDING THE FINANCIAL AGREEMENT FOR THE TAX ABATEMENT GRANTED TO TERRELL REDEVELOPMENT PARTNERS URBAN RENEWAL, LP, ONE PARKER PLAZA, FORT LEE, NEW JERSEY 07024, AUTHORIZED BY ORDINANCE 6PSF-A ADOPTED ON SEPTEMBER 22, 2020, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, FOR A PROJECT LOCATED ON REAL PROPERTY COMMONLY KNOWN AS 59-97 CHAPEL STREET, (FORMERLY 35 RIVERVIEW COURT), NEWARK, NEW JERSEY 07105, AND TO BE IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF NEWARK, AS BLOCK 2442, LOT 1.02, UPON PERFECTION OF THE CENTRAL PLANNING BOARD'S AUGUST 17, 2020 MINOR SUBDIVISION APPROVAL, CURRENTLY KNOWN AS BLOCK 2442, LOT 1, TO AMEND THE TAX CREDITS FROM THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY.

Formerly 6PSF-c 071322 adopted as 6F-d 071322

WHEREAS, on September 22, 2020, the Municipal Council adopted Ordinance 6PSF-a (the "Original Ordinance"), a copy of which is attached hereto as Exhibit A, granting a long term tax abatement to Terrell Redevelopment Partners Urban Renewal, LP, One Parker Plaza, Fort Lee, New Jersey 07024 (the "Entity"), for a project to construct a new five (5) story building, consisting of sixty-nine (69) affordable, age-restricted rental units comprised of fifty-four (54) units restricted to 80% of Area Median Income ("AMI"), fourteen (14) units restricted to 30% of AMI, and one (1) superintendent's unit, including a set aside of eighteen (18) units dedicated to permanent, supportive housing for persons with physical disabilities, on real property situated at 59-97 Chapel Street, (formerly 35 Riverview Court), Newark, New Jersey 07105, and to be identified on the Official Tax Map of the city of Newark, as Block 2442, Lot 1.02 upon perfection of the Central Planning Board's August 17, 2020 minor subdivision approval, currently known as Block 2442, Lot 1 (the "Project"); and

WHEREAS, the City and the Entity subsequently executed the Financial Agreement, governing the Project (the "Original Financial Agreement"), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the Entity anticipated being awarded 9% Tax Credits from the New Jersey Housing and Mortgage Financing Agency ("NJHMFA"); and

WHEREAS, the Original Financial Agreement does not become effective, unless the Entity is awarded the 9% Tax Credits from NJHMFA; and

WHEREAS, now the Entity anticipates being awarded 4% Tax Credits from NJHMFA and would like to amend the Original Financial Agreement accordingly; and

WHEREAS, the City and the Entity have agreed to enter into Amendment #1 to the Financial Agreement, in the form attached hereto, to memorialize the revisions to the Original Financial Agreement, to reflect the 4% Tax Credits from NJHMFA.

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

1. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized to enter into and execute, on the City's behalf, the Amendment #1 to Financial Agreement, in the form attached hereto as Exhibit C, with Terrell Redevelopment Partners Urban Renewal, LP, One Parker Plaza, Fort Lee, New Jersey 07024, amending the Original Financial Agreement, to change the Tax Credit from New Jersey Housing and Mortgage Finance Agency ("NJHMFA") from 9% to 4%.
2. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file an executed copy of Amendment #1 to Financial Agreement, authorized by this Ordinance, with the Office of the City Clerk.
3. All other terms and conditions of Ordinance 6PSF-a adopted on September 22, 2020, and the Original Financial Agreement, shall remain in full force and effect.
4. The Entity shall in the operation of the Project comply with all laws so that no person shall be subject to any discrimination because of race, religious principles, color, national origin, or ancestry.
5. The adoption of this Ordinance is expressly conditioned upon the requirement that the Entity pay the City all outstanding taxes and/service charges, and water/sewer charges within thirty (30) days of the date of the adoption of this Ordinance. If the Entity fails to timely satisfy these requirements, this Ordinance and the approval granted herein shall be null and void.
6. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance authorizes an amendment to the tax abatement granted to Terrell Redevelopment Partners Urban Renewal, LP, One Parker Plaza, Fort Lee, New Jersey 07024, pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et. seq., to reflect that the Project located at 59-97 Chapel Street, (formerly 35 Riverview Court), Newark, New Jersey 07105, and to be identified on the Official Tax Map of the City of Newark, as Block 2442, Lot 1.02, upon perfection of the Central Planning Board's August 17, 2020 minor subdivision approval, currently known as Block 2442, Lot 1, to change the New Jersey Housing and Mortgage Finance Agency Tax Credits from 9% to 4%.