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BOROUGH OF HIGHLAND PARK
ORDINANCE NO. 1693

AN ORDINANCE OF THE BOROUGH OF HIGHLAND
PARK AMENDING THE HIGHLAND PARK DOWNTOWN
REDEVELOPMENT PLAN

WHEREAS, the Borough of Highland Park (the "Borough") has designated certain areas along and in the vicinity of Raritan Avenue to be in "need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, the "Highland Park Downtown Redevelopment Plan" dated September 13, 2005 and prepared by Wallace Roberts & Todd, LLC (the "Redevelopment Plan") was adopted by the Borough pursuant to N.J.S.A. 40A:12A-4 and 7 and Ordinance No. 1667 to govern the redevelopment of the Redevelopment Area; and

WHEREAS, the Borough Council and the Borough Planning Board have determined that certain amendments to the existing Redevelopment Plan would bring about greater clarity and efficiency in the implementation of the Redevelopment Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, as follows:

The Highland Park Downtown Redevelopment Plan is hereby amended as follows:

1. In Section V (A), the following shall be added to the end of the second paragraph thereof, which amendment is made in furtherance of the purposes of the Local Redevelopment and Housing Law set forth at N.J.S.A. 40A:12A-2 in order to achieve greater specificity regarding the authority of the Borough to arrange for the carrying out of redevelopment efforts pursuant to N.J.S.A. 40A:12A-8 and to coordinate and facilitate the effective and efficient redevelopment of the Redevelopment Area:

No application for development of property within the Redevelopment Area shall be deemed complete or heard by the Planning Board unless and until a redevelopment agreement between the Redevelopment Entity and the prospective applicant has been executed.

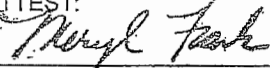
2. In Section V(D), the third full paragraph thereof shall be deleted and replaced with the following, which amendment is made in furtherance of the purposes of the Local Redevelopment and Housing Law set forth at N.J.S.A. 40A:12A-2 in order to achieve greater specificity regarding the authority of the Borough to arrange for the carrying out of redevelopment efforts pursuant to N.J.S.A. 40A:12A-8 and to coordinate and facilitate the effective and efficient redevelopment of the Redevelopment Area (applicable new language is underlined):

If, following review of such submission, the Redevelopment Entity determines to proceed to designate the property owner(s) as redeveloper, such property owner(s) shall be required to carry out the redevelopment project on terms no different than those that the Redevelopment Entity would require of a third party redeveloper, including but not limited to the execution of a redevelopment agreement, such terms to be acceptable to the Redevelopment Entity. If a property owner fails to (a) submit the Redeveloper Materials (or any revisions required by the Redevelopment Entity) within the applicable timeframe, (b) comply with the terms of a resolution of Redevelopment Entity designating the property owner as redeveloper, or (c) enter into a redevelopment agreement with the Redevelopment Entity and comply with the terms thereof, then the Redevelopment Entity may seek to identify a third party to designate as redeveloper for such property and proceed to redevelop the property on that basis.

This Ordinance shall take effect after the second reading and publication as required by law.

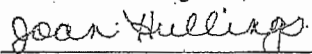
ADOPTED: August 1, 2006

ATTEST:



JOAN HULLINGS
Borough Clerk

APPROVED: August 1, 2006



MERYL FRANK
Mayor

BOROUGH OF HIGHLAND PARK
ORDINANCE NO. 1714

AN ORDINANCE OF THE BOROUGH OF HIGHLAND PARK
AMENDING THE HIGHLAND PARK DOWNTOWN
REDEVELOPMENT PLAN

WHEREAS, the Borough of Highland Park (the "Borough") has designated certain areas along and in the vicinity of Raritan Avenue to be in "need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, the "Highland Park Downtown Redevelopment Plan" dated September 13, 2005 and prepared by Wallace Roberts & Todd, LLC (as amended, the "Redevelopment Plan") was adopted by the Borough pursuant to N.J.S.A. 40A: 12A-4 and 7 and Ordinance No. _____ to govern the redevelopment of the Redevelopment Area; and

WHEREAS, the Borough Council and the Borough Planning Board have found that Block 162, Lot 39, exhibits certain unique characteristics with respect to the other properties constituting the Redevelopment Area, specifically that Block 162, Lot 39 is the sole property in the Redevelopment Area not facing Raritan Avenue and the sole property in the Redevelopment Area whose prior zone designation was PO; and

WHEREAS, as a result of such findings, the Borough Council and the Borough Planning Board have determined that making certain amendments to the Redevelopment Plan with respect to Block 162, Lot 39 would further the intent and purpose of the Redevelopment Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH OF HIGHLAND PARK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, as follows:

The Highland Park Downtown Redevelopment Plan is hereby amended as follows:

1. In Section IV (A), the following shall be added to the subsection entitled "Block Specific Provisions", which amendment is made in furtherance of the purposes of the Local Redevelopment and Housing Law set forth at N.J.S.A. 40A:12A-2:

Block 162, Lot 39

- Medical professional offices are permitted on the ground floor, provided they occupy the rear of the building, do not occupy more than 60% of the total ground floor of a building and do not displace or preclude permitted principal uses from the front of the building.

This Ordinance shall take effect after the second reading and publication as required by law.

ADOPTED:

APPROVED:

ATTEST:

Joan Hulings
BOROUGH CLERK

Meryl Fash
MAYOR

BOROUGH OF HIGHLAND PARK
NO. 10-1795

AN ORDINANCE AMENDING THE DOWNTOWN REDEVELOPMENT AREA AND THE DOWNTOWN
REDEVELOPMENT PLAN TO REMOVE THE EXCEPTION FOR THE FORMER SUNOCO
GAS/REPAIR STATION PROPERTY FROM SAME, AND FINDING THAT THE VACANT PROPERTY
IS NOW SUBJECT TO ALL THE PROVISIONS OF THE HIGHLAND PARK REDEVELOPMENT
PLAN;

Property: 138 Raritan Avenue Block 13 Lots 7 and 46

WHEREAS, pursuant to Resolution R-06-05-239, the Highland Park Borough Council determined that certain areas of Borough Central Business District were "in need of redevelopment" pursuant to NJSA 40A:12A-1 et seq; and

WHEREAS, pursuant to Ordinance 1667, the Highland Park Borough Council, after extensive public hearing, enacted the Highland Park Downtown Redevelopment Plan; and

WHEREAS, in recognition of the pre-existing gasoline retail sales and automobile repair station ("the Former Sunoco Gas/Repair Station") located at Block 13 Lot 7 and 46, and the unique configuration of that use, page 16 of the Plan provides as follows:

As an existing non-conforming use on Lots 7 and 46 only, the gasoline retail station with automobile repair as an accessory use shall be permitted provided that the building, accessory structures and open spaces are renovated and enhanced with proper traffic circulation and safety controls and site improvements.

WHEREAS, notwithstanding the requirement in the Plan that the building accessory structures and open spaces be renovated and enhanced, no improvements to the sight where ever made, and

WHEREAS, the former Sunoco Gas/Repair Station closed permanently on or about July 2009; and

WHEREAS, the Site has been vacant and abandoned for more than a year; and

WHEREAS, the owner of the Site recently began dismantling the Site, including removal of underground gasoline storage tanks and tearing down the metal canopy superstructure; and

WHEREAS, in light of the foregoing, the block/lot specific exception described in the third paragraph of this Ordinance no longer is appropriate; and

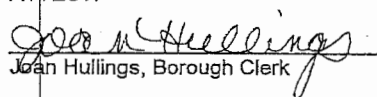
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Highland Park that on this 24th day of August 2010, it hereby resolved as follows:

1. The exception described on page 16 of the Plan regarding Block 13, Lots 7 and 46 be and hereby DELETED from the Plan; and
2. The property located in Block 13 Lots 7 and 46, is subject to all the provisions of the Highland Park Redevelopment Plan.

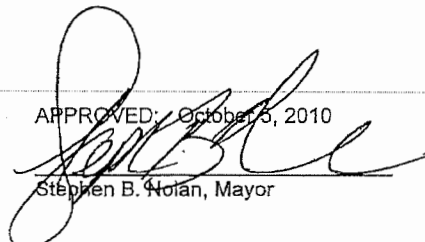
Introduced on first reading
by title: August 24, 2010

ADOPTED: October 5, 2010

ATTEST:


Joan Hullings, Borough Clerk

APPROVED: October 5, 2010


Stephen B. Noian, Mayor

ORDINANCE 17-1929

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHLAND PARK, COUNTY OF MIDDLESEX, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN AMENDMENT RELATING TO BLOCK 173, LOTS 36 AND 37 IN THE BOROUGH PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *et seq.*

WHEREAS, the Borough of Highland Park (the "**Borough**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended from time to time (the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council (the "**Council**") of the Borough has previously designated certain areas within the Borough as "areas in need of redevelopment" pursuant to the Redevelopment Law, including Block 173, Lots 36 and 37 (the "**Property**"); and

WHEREAS, in order to facilitate the development of certain areas in the Borough, including the Property, and effectuate the redevelopment of same, the Borough has previously adopted a redevelopment plan entitled "Highland Park Downtown Redevelopment Plan" dated September 13, 2005, as amended and supplemented to the date hereof (the "**Redevelopment Plan**") pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, by Resolution No. 1-16-43 adopted on January 19, 2016, the Borough referred an amendment to the Redevelopment Plan relating to the Property (the "**Proposed Amendment**") to the Borough Planning Board (the "**Planning Board**") for its review and recommendation; and

WHEREAS, following presentations on February 11, 2016 and March 10, 2016, and by Resolution P2016-01 approved on March 16, 2016 and memorialized on April 14, 2016 (the "**Planning Board Resolution**"), the Planning Board recommended the approval of the Proposed Amendment with certain modifications as described in the Planning Board Resolution; and

WHEREAS, the Borough believes that the adoption of the Proposed Amendment, with the suggested modifications recommended by the Planning Board and as on file with the Borough Clerk (the "**Redevelopment Plan Amendment**"), is in the best interests of the Borough;

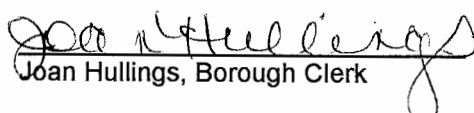
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Borough of Highland Park, in the County of Middlesex, New Jersey, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Redevelopment Plan Amendment is hereby adopted pursuant to the terms of the Redevelopment Law.
3. The zoning district map included in the zoning ordinance of the Borough is hereby amended to reference and delineate the Property governed by the Redevelopment Plan and Redevelopment Plan Amendment. All of the provisions of the Redevelopment Plan, as amended by the Redevelopment Plan Amendment, shall supersede the applicable development regulations of the Borough's municipal code, as and where indicated.
4. 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.
5. A copy of this Ordinance and the Redevelopment Plan Amendment shall be available for public inspection at the office of the Borough Clerk during regular business hours.
6. This Ordinance shall take effect in accordance with all applicable laws.


Introduced and passed on first reading: February 7, 2017

ADOPTED: February 21, 2017

ATTEST:


Joan Hullings, Borough Clerk

APPROVED: February 21, 2017


Gayle Brill Mittler, Mayor