

**First Reading: February 18, 2020**

**Ordinance: 64-17**

**Second and Final:**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED “REDEVELOPMENT PLAN – BLOCK 513, LOTS 4.01 AND 4.02 (BRUNSWICK AVENUE SITE)” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “areas in need of redevelopment”; and

**WHEREAS**, on August 20, 2019, the City Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known as Block 513, Lots 4.01 and 4.02, a/k/a 2525 Brunswick Avenue and 1300 Thomas Street Rear on the tax maps of the City (hereinafter the “**Study Area**”), to determine whether the Study Area met the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment providing that a redevelopment area determination would authorize the City and City Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

**WHEREAS**, on January 14, 2020, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

**WHEREAS**, on January 22, 2020, the City Council adopted resolution 2020-48 designating the Study Area as an are in need of redevelopment (non-condemnation) under the Redevelopment Law (the “**Redevelopment Area**”); and

**WHEREAS**, on February 11, 2020, the Planning Board, pursuant to *N.J.S.A. 40A:12A-7f* of the Redevelopment Law, reviewed and recommend the City Council adopt a redevelopment plan for the Redevelopment Area entitled, “Redevelopment Plan – Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site),” prepared by Ricci Planning (the “**Redevelopment Plan**”), as more fully set forth and attached hereto as Exhibit A; and

**WHEREAS**, upon review of the Planning Board’s recommendation for the Redevelopment Plan, the City Council has determined to adopt the Redevelopment Plan, as more fully set forth and attached hereto as Exhibit A, to ensure the success of redevelopment within the Redevelopment Area in conformity with the City’s redevelopment objectives.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Linden, County of Union, New Jersey that:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Redevelopment Plan, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.

Section 3. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 4. This Ordinance shall take effect in accordance with all applicable laws.

PASSED:

\_\_\_\_\_  
Council President

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the ordinance adopted by the City Council of the City of Linden at a meeting held on \_\_\_\_\_, 2020 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Linden, this \_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JOSEPH C. BODEK, City Clerk

**EXHIBIT A**

**REDEVELOPMENT PLAN  
BLOCK 513, LOTS 4.01 AND 4.02  
(BRUNSWICK AVENUE SITE)**

## **Redevelopment Plan**

### **Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)**

### **City of Linden**

Union County, New Jersey

Prepared: February 10, 2020

Adopted:

Prepared by:

**ricci**planning

177 Monmouth Avenue  
Atlantic Highlands, NJ 07716



Paul N. Ricci, PP, AICP  
New Jersey Professional Planner  
License No.: LI005570

*The original of this document was signed  
and sealed in accordance with New Jersey Law*

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*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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## **1.0 — Introduction**

On August 21, 2019, the Linden City Council adopted Resolution No. 2019-306, which authorized the Linden Planning Board to undertake a preliminary investigation to determine whether or not Block 513, lots 4.01 and 4.02 in the City of Linden may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law. A copy of Resolution No. 2019-306 is provided in Appendix A.

A report dated October 9, 2019 and entitled “Redevelopment Study and Preliminary Investigation Report, Block 513, lots 4.01 and 4.02”, was subsequently prepared by Paul N. Ricci, PP, AICP of the firm of RicciPlanning, LLC. The report concluded that the aforementioned parcels met requirements for being designated as an “area in need of redevelopment” as outlined in the criteria set forth at N.J.S.A. 40:12A-1 et seq. (Local Redevelopment and Housing Law). Specifically, the report concluded that Block 513, lots 4.01 and 4.02 met the “b”, “d” and “h” criteria for being designated as an area in need of redevelopment. On January 14, 2020, the Linden Planning Board held a public hearing and recommended to the Mayor and City Council that the collective designation of the aforementioned parcels as an area in need of redevelopment.

The Linden City Council subsequently adopted Resolution No. 2020-48 on January 22, 2020. This resolution designated the aforementioned parcels as an area in need of redevelopment and authorized the preparation of a redevelopment plan. A copy of Resolution No. 2020-48 is provided in Appendix B.

This redevelopment plan has been prepared to codify the goals, objectives, and specific land use and development standards for the redevelopment of Block 513, lots 4.01 and 4.02.

## **2.0 — Statutory Requirements**

As per the Local Redevelopment and Housing Law, a redevelopment plan shall include an outline for the planning, development, and redevelopment of a designated redevelopment area that is sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements;
- Proposed land uses and building requirements;
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;
- An identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan; and,
- Any significant relationship of the redevelopment plan to: the master plans of adjacent municipalities; the master plan of the county within which the municipality is located; and, the State Development and Redevelopment Plan, as adopted pursuant to the State Planning Act (P.L. 1985, c.398; C. 52:18A-196 et al.).

The Local Redevelopment and Housing Law further requires that a redevelopment plan describe its relationship to pertinent municipal development regulations.

## **3.0 — Redevelopment Area Description**

The redevelopment area is located in the northeastern part of the city and have frontage on Park Avenue South, Brunswick Avenue and the Interstate 278 right-of-way. The parcels are contiguous and have a combined area of 24.95 acres.

Appendix C provides a copy of Sheet 133 of the official tax map of the City of Linden. Appendix D provides aerial imagery dating from 2015.

## ***Redevelopment Plan***

### ***Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)***

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#### **3.1 — Existing Land Use**

New Jersey's MOD-IV property tax assessment database indicates that: Block 513, Lot 4.01 is assessed as vacant; and, Block 513, Lot 4.02 is assessed as industrial.

The observed land uses indicate that Block 513, lots 4.01 and 4.02 are developed as one industrial site, which contains a total of approximately 534,000 square feet of floor space distributed amongst: one multi-tenant warehouse building (n.b., information supplied by the property owner indicates that the oldest portions of the multi-tenant warehouse building date to approximately 1911); one office building (n.b., information supplied by the property owner indicates that the office building dates to approximately 1910); and, a detached garage/maintenance building (n.b., information supplied by the property owner indicates that the detached garage/maintenance building dates to approximately 1966). The site also contains parking areas and associated improvements.

Heavy industrial uses predominate to the east, south and west of the Study Area. The right-of-way of Interstate 278 is located to the north of the Study Area; residential uses predominate to the north of the Interstate 278 right-of-way in the City of Elizabeth.

#### **4.0 — Overall Goal and Objectives**

The overall goal of the redevelopment plan is to eliminate those conditions that cause the redevelopment area to be an area in need of redevelopment. To help achieve this goal, the following objectives are defined:

- Promote redevelopment in a manner that will advance the health, safety, welfare and morals of the community.
- Improve and upgrade the redevelopment area with development that responds to current market needs.
- Capitalize on the redevelopment area's proximity to the Interstate 278 right-of-way and other key transportation routes.

## ***Redevelopment Plan***

### ***Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)***

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- Enhance Linden’s image with high-quality building and site aesthetics.
- Stimulate private investment that provides increased tax ratables.
- Promote economic growth and vitality.

## **5.0 — Redevelopment Standards**

### **5.1 — Relationship to Municipal Land Development Regulations**

The provisions of this redevelopment plan shall supersede the existing Zoning and Development Regulations of the City of Linden in accordance with New Jersey’s Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7.c).

The Official Zoning Map of the City of Linden is hereby amended to designate the redevelopment area, which consists of Block 513, lots 4.01 and 4.02, as the “Block 513 Project Area”. All other municipal development regulations shall remain applicable.

### **5.2 — Permitted Land Uses**

Permitted land uses are described in the following subsections.

#### ***5.2.1 — Principal Permitted Land Uses***

The principal permitted land uses include the following:

1. All principal land uses that are permitted in the LI (Light Industrial) Zone District.

#### ***5.2.2 — Permitted Accessory Land Uses***

The permitted accessory land uses include the following:

1. All accessory land uses that are permitted in the LI (Light Industrial) Zone District.

### **5.3 — Building and Site Requirements**

This redevelopment plan contains a concept plan at Appendix E. Said concept plan dictates the envisioned features for the redevelopment area. Proposed

## ***Redevelopment Plan***

### ***Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)***

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redevelopment projects shall be generally consistent with the concept plan at Appendix E.

The building and site requirements are outlined in the following subsections.

#### ***5.3.1 — Bulk Regulations***

The following bulk regulations shall apply:

1. Lot Size Requirements:
  - a. Minimum Lot Size: 24 acres
  - b. Minimum Lot Width: 1,000 feet
  - c. Minimum Lot Depth: 500 feet
2. Setback Requirements:
  - a. Minimum Setback from Adjacent Properties: 20 feet.
  - b. Minimum Setback from Rights-of-Way of Brunswick Avenue and Park Avenue South: 20 feet.
  - c. Minimum Setback from Right-of-Way of Interstate 278: 10 feet.
3. Height Requirements:
  - a. Maximum Building Height (Buildings/Structures Containing Principal Permitted Land Uses): 70 feet, as measured at the highest point
  - b. Maximum Building Height (Buildings/Structures Containing Accessory Land Uses): 70 feet, as measured at the highest point
4. Maximum Impervious Coverage: 95 percent
5. Maximum Building Coverage: 55 percent

#### ***5.3.2 — Architectural Features and Design Standards***

Throughout the redevelopment area, buildings shall be of high-quality design and contribute to an improved appearance and image of the City of Linden. To achieve this, the following architectural features shall apply:

1. All buildings in their design and layout shall be an integral part of the total development of the redevelopment area.
2. All buildings shall have finished materials on all elevations.

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### ***Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)***

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3. Buildings may not be painted in bold colors, patterns, checks or stripes.
4. The use of earth-tone colors (e.g., browns, beige, grays, soft greens, off-white, and similar) is encouraged on all buildings. Accent or complementary colors that harmonize with the main façade color(s) shall be permitted for trim and other building details.
5. Large, blank walls shall not be permitted. To avoid such walls, buildings shall use horizontal banding, fenestration, landscaping, façade articulation and/or any other means to the satisfaction of the Linden Planning Board.
6. Fenestration:
  - a. For all uses except warehouses and distribution centers, self-storage facilities and light industrial uses, buildings must have window openings of at least 50 percent of first-floor façade area and 25 percent of upper floor façade area along all right-of-way or parking lot frontages.
  - b. For warehouses and distribution centers, self-storage facilities and light industrial uses, buildings must have window openings of at least 10 percent of first-floor façade area along all right-of-way or parking lot frontages.
7. Building rooflines visible from a public street or public parking area shall incorporate features to create a varied and visually distinctive roof form.
8. The inclusion of architectural treatments at building corners is encouraged as a means of enhancing architectural variety. When provided, such treatments shall properly wrap around the corner so as to avoid a “pasted-on” appearance.
9. Multi-tenant buildings shall provide offset entrances, windows, and/or other design features for all ground-floor tenants. At a minimum, the upper floor of said buildings shall be coordinated with the ground floor through the use of common materials and colors.

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*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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10. Exterior-mounted mechanical and electrical equipment shall be architecturally screened or placed on a rooftop in a location that is not visible from the public right-of-way.

### ***5.3.3 — Parking and Loading Requirements***

Parking and loading shall be regulated by Section 31-27 of the Code of the City of Linden with the exception of Section 31-27.17 and modification to Section 31-27.19.p. to be modified to require Warehouse, Storage Building, Distribution Centers = 1 space/5,000 square feet of building area, except that the Planning Board may waive up to 50% of the required number of spaces provided that such parking is reserved on the site plan for future parking, which could be constructed at a later time.

### ***5.3.4 — Landscaping***

The following standards shall apply:

1. A landscaping plan shall be submitted. The design focus of the required landscaping plan shall be improved site aesthetics as viewed from the rights-of-way of Brunswick Avenue and Park Avenue South.
2. All open areas not utilized for parking areas, driveways and access roads, buildings, or other types of development shall be provided with lawns or other suitable growing ground cover.

### ***5.3.5 — Lighting***

The following standards shall apply:

1. A lighting plan shall be submitted for review and approval of the Linden Planning Board.
2. Lighting plans shall include all proposed lighting. Proposed lighting shall include, at a minimum, lighting: along driveways and access roads; within parking lots; and, at building entrances and foundations. When designing the lighting plan, the focus shall be on providing enhanced safety and security.

## ***Redevelopment Plan***

### ***Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)***

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3. All lighting shall be selected to comply with “dark sky” standards and shielded to minimize leakage onto adjacent properties.
4. The Linden Planning Board shall give approval of all aspects of the lighting plan.

#### ***5.3.6 — Signage***

Signage shall be permitted in accordance with the requirements of Section 31-25 of the Code of the City of Linden. Billboards may only be permitted subject to a separate agreement with the governing body acting as the redevelopment agency.

#### ***5.3.7 — Refuse and Recycling Containers***

The following standards shall apply:

1. Refuse and recycling containers shall be contained within fenced or walled areas. The number and location of said areas shall be clearly indicated on site plans. Accompanying site plan details shall also be provided.
2. The number and location of refuse and recycling containers shall be reviewed and approved by the Linden Planning Board.
3. Where a refuse or recycling container is visible from a public roadway, same shall be screened from view with landscaping.

#### ***5.3.8 — Sidewalks and Curbing***

A sidewalk of at least five feet in width shall be provided along the frontage of Brunswick Avenue and Park Avenue South.

Asphalt curbing is expressly forbidden throughout the redevelopment area.

#### ***5.4 — Maintenance Plan***

The following standards shall apply:

1. A maintenance plan shall be prepared for all redevelopment projects within the redevelopment area.

## ***Redevelopment Plan***

*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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2. Maintenance plans shall demonstrate conformance with all applicable codes and standards of the City and cover all parts of the redevelopment project, including, but not limited to: buildings, roadway, lighting, landscaping, etc.
3. At a minimum, the maintenance plan shall be applicable to buildings, roadway, lighting, refuse and recycling collection, and landscaping and shall contain: specific preventative maintenance tasks and schedules; cost estimates; and the name, address, and telephone number of the person/entity or persons/entities responsible for preventative and corrective maintenance (incl., replacement) and service.
4. The Linden Planning Board shall give approval of all aspects of the maintenance plan. This applies to the initial maintenance plan and any future revisions.
5. The Linden Planning Board shall have the right to review the efficacy of the maintenance plan at any point in the future and cause same to be modified if found to be deficient.

### **5.5 — Concept Plan**

Site layout shall be in general conformance with the concept plan that is provided in Appendix E, recognizing that during the site plan approval process, the site configuration and layout depicted therein may be modified based upon tenant needs and market demand.

## **6.0 — Property Acquisition**

The non-condemnation redevelopment area does not permit the acquisition of any properties as a matter of law.

### **6.1 — Relocation**

It is anticipated that the designated redevelopers will address any relocation needs that may arise through acquisition of parcels.

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*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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Nonetheless, it is noted that the City of Linden will provide any displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law, should relocation be necessary. Such assistance will be provided through an appropriately designated office.

It is further noted that the City of Linden and the surrounding area contains sufficient land and buildings that would be appropriate for relocation. However, if relocation is not directly caused by the execution of the redevelopment plan, the City assumes no responsibility.

### **6.2 — Redevelopment Agreement**

No activity shall be undertaken within the redevelopment area unless the activity is undertaken pursuant to a redevelopment agreement that has been approved by the redevelopment authority.

### **6.3 — Redeveloper Obligations**

The redeveloper shall be required to:

1. Submit development plans that include, but are not limited to, drawings of site and building plans and elevations in sufficient detail to show building layout, building construction, road access, etc. in accordance with the City's development regulations. These documents shall be submitted to the Linden Planning Board and the Linden City Council, acting as the redevelopment authority, for review and approval in order to determine compliance of such plans with the redevelopment plan before working drawings are prepared. It is expressly understood that the approval of any plans by either the Linden Planning Board or the redevelopment authority applies to any and all features shown thereon. Any and all subsequent additions, deletions or other modifications of the plans must be submitted to the Linden Planning Board for final approval before construction can begin.

## ***Redevelopment Plan***

*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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2. Submit a written development schedule and commence the undertaking of the development in accordance with the development schedule.
3. Agree that no covenant, conveyance agreement or other instrument relating to the property shall be effected or executed on the basis of race, creed, sex, religion, color, age, national origin, or ancestry in the lease, use or occupancy thereof.
4. Maintain the structures and facilities in accordance with all codes and ordinances of the City.

### **6.4 — Deviation Requests**

The Linden Planning Board may grant deviations from the requirements of this redevelopment plan in cases where the strict application of a particular requirement would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Linden Planning Board may also grant deviations when it finds that the overall goal and objectives of this redevelopment plan would be advanced, and that the benefits of a deviation would outweigh any detriments. No deviation may be granted under the terms of this section unless the Linden Planning Board finds that such deviation can be granted without substantial impairment of the redevelopment plan's overall goal and objectives.

Public notice of any application for deviation from the requirements of this redevelopment plan shall be required and conform with the standards for public notice of N.J.S.A. 40:55D-12(a) and 12(b).

The following types of deviations shall only be permitted by means of an amendment to the redevelopment plan by the Linden City Council, and only upon a finding by same that such deviation would be consistent with and promote the furtherance of the overall goal and objectives of this redevelopment plan: deviation to allow a land use that is not permitted in this redevelopment plan; deviation to

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*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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increase any aspect of development intensity (e.g., cover, floor area, or density, as applicable); deviation to allow a material departure from the concept plans at Appendix E; and, deviation to allow an increase in building height that exceeds the permitted building height that is outlined in this redevelopment plan by ten feet or ten percent, whichever is less.

### **6.5 — Planning Board Review**

Pursuant to N.J.S.A. 40A:12A-13, all development applications shall be submitted to the Linden Planning Board for review and approval.

The following provisions shall govern the Linden Planning Board's review:

1. No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or building within the area governed by the redevelopment plan without prior review and approval of the work by the Linden Planning Board.
2. Regular maintenance and minor repair shall not require Linden Planning Board review and approval.
3. The Linden Planning Board shall conduct its review pursuant to N.J.S.A. 40:55d-1 et seq. and the City's Land Development Ordinances.
4. As part of the site plan approval, the Linden Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. The performance guarantees shall be in favor of the City and the City Engineer shall determine the amount of any performance guarantees.
5. Any subdivision of land within the area governed by the redevelopment plan shall be in compliance with same and reviewed by the Linden Planning Board pursuant to N.J.S.A. 40:12A-1 et seq. and N.J.S.A. 40:55D-1 et seq.

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*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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6. Once a property has been redeveloped in accordance with the redevelopment plan, it may not be converted to any use not expressly permitted in same. No nonconforming use, building, or structure may be expanded or made more nonconforming in nature after adoption of this redevelopment plan. A use or structure not conforming to the requirements of this redevelopment plan may not be reconstructed in the event of its destruction. The Linden Planning Board shall determine the issue of whether the nonconforming use, building or structure has been “destroyed”.
7. Any and all definitions contained within the redevelopment plan, be they expressed or implied, shall prevail. In the absence of a definition, the definition found within the City’s zoning and land development ordinances shall prevail. Any and all definitions that are found to be inconsistent with N.J.S.A. 40A:12-3 shall be rendered invalid.
8. A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the City’s Land Development Ordinance and applicable New Jersey Law. Additionally, a redeveloper may be required to pay for their proportional share of the cost of any studies, plans, reports, or analysis prepared by the City or its design professionals as part of plan review. Any such payments are required to reimburse the City or the redevelopment authority.
9. All of the above provisions are subject to approval by ordinance or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section or provision of the redevelopment plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable and the remainder of the redevelopment plan and implementing ordinance(s) shall remain in full force and effect.

## **6.6 — Relationships to State, County and Local Plans**

### **6.6.1 — New Jersey State Development and Redevelopment Plan**

The entire Rehabilitation Area is located in State Planning Area 1, which is defined in the New Jersey State Development and Redevelopment Plan. As provided in the New Jersey State Development and Redevelopment Plan, State Planning Area 1 is intended to:

- Provide for much of the state’s future redevelopment.
- Revitalize cities and towns.
- Promote growth in compact forms.
- Stabilize older suburbs.
- Redesign areas of sprawl.
- Protect the character of existing stable communities.

The overall goal and objectives of this Rehabilitation Plan are consistent with the intended purpose of State Planning Area 1.

### **6.6.2 — Union County Master Plan**

Among the generalized goals of the Union County Master Plan are to:

- Facilitate the development of Union County by directing new growth to environmentally suitable areas that can be provided with essential infrastructure and support facilities, and to revitalize urban centers and corridors within the county.
- Continue county-sponsored economic development efforts to reduce unemployment, provide year-round employment opportunities and enhance the tax base by encouraging compatible industrial, commercial, office and retail facilities to locate or expand in Union County.

Execution of this redevelopment plan will contribute to the achievement of the aforementioned generalized goals of the Union County Master Plan.

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*Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)*

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### **6.6.3 — Linden Master Plan**

The redevelopment plan's relationship with the Linden Master Plan is described in the following subsections.

#### *6.6.3.1 — Comprehensive Reexamination Report*

The last comprehensive reexamination of the City of Linden's Master Plan was prepared in 2008. The 2008 reexamination identifies the following objectives, which are applicable to the redevelopment of Block 513, lots 4.01 and 4.02:

- Preserve and enhance the City's industrial and commercial economic base;
- Improve the City's visual environment and image by restricting or eliminating eyesores such as, but not limited to, storage containers or trailers in retail commercial areas;
- Encourage the diversification of industry;
- Promote a desirable visual environment;
- Provide sufficient space, in appropriate locations, for commercial, residential, industrial, recreation and open space uses;
- Maintain and attract beneficial commercial and industrial uses;
- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents;
- Prevent the degradation of the environment through the improper use of land; and,
- Encourage development which contributes to the enhancement and improvement of the community.

Implementation of this redevelopment plan will advance the fulfillment of the foregoing objectives of the City of Linden's Master Plan.

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***Block 513, Lots 4.01 and 4.02 (Brunswick Avenue Site)***

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**6.6.3.2 — Land Use Element**

The City adopted a new, updated Land Use Element in 2019. As provided in the 2019 Land Use Element, Block 513, lots 4.01 and 4.02 are located in the LI (Light Industrial) Land Use District, which represents no change over the City's previous Land Use Element. Given the permitted uses that are prescribed herein, this redevelopment plan is consistent and compatible with the 2019 Land Use Element.

**6.6.4 — Master Plans of Adjacent Municipalities**

The redevelopment area is separated from the City of Elizabeth by the Interstate 278 right-of-way (n.b., the only uses in the City of Elizabeth that are located to the southwest of the Interstate 278 right-of-way and, thus, on the same side of the Interstate 278 right-of-way as the redevelopment area are: a small parking area on Block 4, Lot 15D in the City of Elizabeth that is used for parking associated with uses in the redevelopment area within the City of Linden; and, a 20-unit motel that is located to the south of Brunswick Avenue and east of Allen Street on Block 4, Lot 14A in the City of Elizabeth). Given the significance of the separation of the redevelopment area from the City of Elizabeth, it is anticipated that the redevelopment plan will have no impact on the planning efforts of said municipality.

**6.7 — Administrative and Procedural Requirements**

Administrative and procedural requirements are discussed in the following subsections.

**6.7.1 — Amending the Redevelopment Plan**

As circumstances may warrant, the Linden City Council may amend, revise, or modify this redevelopment plan in accordance with applicable law.

**6.7.2 — Duration of the Redevelopment Plan**

The provisions of this redevelopment plan shall remain in effect until such time as a certificate of completion has been issued.

**Appendix A: Resolution No. 2019-306**

**RESOLUTION: 2019-306**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY'S TAX MAPS AS BLOCK 513, LOTS 4.01 AND 4.02 SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1, et seq.***

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the city council ("**City Council**") of the City of Linden (the "**City**") must authorize the planning board of the City (the "**Planning Board**") to conduct a preliminary investigation of the area and make recommendations to the City Council; and

**WHEREAS**, the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 513, Lots 4.01 and 4.02 (a/k/ 2525 Brunswick Avenue and 1300 Thomas Street Rear) (hereinafter the "**Study Area**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the power of eminent domain (hereinafter referred to as a "**Non-Condensation Redevelopment Area**").

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

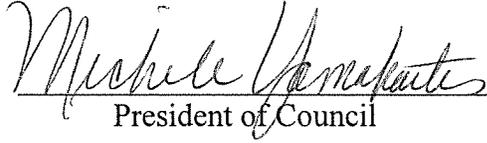
Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condensation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the Study Area as an area in need of redevelopment (non-condemnation).

Section 7. This Resolution shall take effect immediately.

PASSED: August 20, 2019

  
\_\_\_\_\_  
President of Council

APPROVED: August 21, 2019

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the City Council of the City of Linden at a meeting held on August 20, 2019 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Linden, this 21 day of August 2019.

  
\_\_\_\_\_  
JOSEPH C. BODEK, City Clerk

**Appendix B: Resolution No. 2020-48**

**RESOLUTION: 2020-48**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING THE PROPERTY COMMONLY KNOWN ON THE CITY'S TAX MAPS AS BLOCK 513, LOTS 4.01 AND 4.02 (A/K/A 2525 BRUNSWICK AVENUE AND 1300 THOMAS STREET REAR) ON THE CITY TAX MAP AS AN 'AREA IN NEED OF REDEVELOPMENT' (WITHOUT CONDEMNATION) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 *et seq.***

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the city council ("**City Council**") of the City of Linden (the "**City**") must authorize the planning board of the City (the "**Planning Board**") to conduct a preliminary investigation of the area and make recommendations to the City Council; and

**WHEREAS**, on August 20, 2019, the City Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known as Block 513, Lots 4.01 and 4.02, a/k/a 2525 Brunswick Avenue and 1300 Thomas Street Rear on the tax maps of the City (hereinafter the "**Study Area**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment providing that a redevelopment area determination would authorize the City and City Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

**WHEREAS**, on January 14, 2020, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

**WHEREAS**, the City Council has determined that, based upon the recommendations of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the City Council.

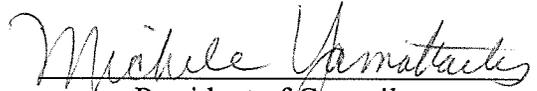
Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment other than the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the "**Non-Condemnation Redevelopment Area**").

Section 4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The City Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-  
Condemnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person  
who filed a written objection prior to the hearing held by the Planning Board, service to be in the  
manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

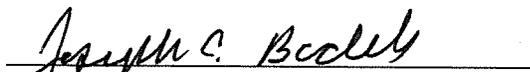
PASSED: January 21, 2020

  
\_\_\_\_\_  
President of Council

APPROVED: January 22, 2020

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State  
of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted  
by the City Council of the City of Linden at a meeting held on January 21, 2020 as the same is  
taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City  
of Linden, this 02 day of Jan, 2020 J.C.B

  
\_\_\_\_\_  
JOSEPH C. BODEK, City Clerk

**Appendix C: Tax Map**



**Appendix D: Aerial Imagery**

Aerial Imagery  
City of Linden, Union County, New Jersey



-  Redevelopment Area
-  Redevelopment Area Parcel
-  Tax Parcel (Block/Lot)

Date of Aerials: 2015



0 175 350  
Feet

**ricciplanning**

Paul Ricci, AICP, PP  
177 Monmouth Avenue  
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)  
908.350.4501 (Fax)  
paul@ricciplanning.com

**Appendix E: Concept Plan**

# Conceptual Layout

