

**TOWN OF WESTFIELD**

**GENERAL ORDINANCE NO. 2023-03**

**AN ORDINANCE ADOPTING THE LORD & TAYLOR /  
TRAIN STATION REDEVELOPMENT PLAN**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.A.C. 40A:12A-1, et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as being in need of redevelopment;

**WHEREAS**, on March 10, 2020, the Governing Body adopted Resolution No. 77-2020 directing the Town Planning Board (the “**Planning Board**”) to undertake a preliminary investigation in order to make recommendations as to whether certain parcels of property, including Block 2405, Lot 15, Block 2505, Lot 12.01, Block 3001, Lot 5, Block 3101, Lot 5, Block 3103, Lot 7, Lot 3107, Lot 2, and Block 3116, Lot 11, as shown on the official tax maps of the Town (the “**7 Parking Lot Parcels**”, of which Block 3101, Lot 5 and Block 3103, Lot 7 shall be referred to as the “**Train Station Parcels**”), may be designated as a “non-condemnation area in need of redevelopment” pursuant to the Redevelopment Law;

**WHEREAS**, on March 10, 2020, the Governing Body adopted Resolution No. 78-2020 directing the Planning Board to undertake preliminary investigations in order to make recommendations as to whether certain parcels of property, including Block 2502, Lot 14, Block 2506, Lot 1 and Block 2508, Lot 11, as shown on the official tax maps of the Town (the “**L&T Parcels**”, collectively with the 7 Parking Lot Parcels, the “**Initial Redevelopment Area**”), may be designated as “non-condemnation areas in need of redevelopment” pursuant to the Redevelopment Law;

**WHEREAS**, the Planning Board commissioned a preliminary investigation study by the Town’s redevelopment planning firm, Topology NJ, LLC (“**Topology**”) to determine whether the 7 Parking Lot Parcels may be designated as “non-condemnation” areas in need of redevelopment pursuant to the Redevelopment Law;

**WHEREAS**, Topology prepared a report entitled “Preliminary Investigation, Downtown Parking Lots, Westfield, NJ,” dated May 14, 2020, which concluded that the 7 Parking Lot Parcels met the statutory criteria in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment;

**WHEREAS**, on June 1, 2020, the Planning Board held a public hearing on the preliminary investigation into the 7 Parking Lot Parcels, accepted the conclusions of Topology, and recommended to the Governing Body that the 7 Parking Lot Parcels be designated as non-condemnation areas in need of redevelopment pursuant to the Redevelopment Law;

**WHEREAS**, on June 30, 2020, following the preliminary investigation conducted by the Planning Board, including the public hearing, the Governing Body adopted Resolution No. 145-

2020 designating the 7 Parking Lot Parcels as a non-condemnation area in need of redevelopment, by adoption in accordance with the Redevelopment Law;

**WHEREAS**, the Planning Board commissioned a preliminary investigation study by Topology to determine whether the L&T Parcels may be designated as a “non-condemnation” area in need of redevelopment pursuant to the Redevelopment Law;

**WHEREAS**, Topology prepared a report entitled “Redevelopment Investigation for Lord & Taylor Sites, Westfield, New Jersey,” dated July 1, 2020, which concluded that the L&T Parcels met the statutory criteria in the Redevelopment Law for designation as a non-condemnation area in need of redevelopment;

**WHEREAS**, on July 20, 2020, the Planning Board held a public hearing on the preliminary investigation into the L&T Parcels, accepted the conclusions of Topology, and recommended to the Governing Body that the L&T Parcels be designated as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law;

**WHEREAS**, on August 11, 2020, following the preliminary investigation conducted by the Planning Board, including the public hearing, the Governing Body adopted Resolution No. 180-2020 designating the L&T Parcels as a non-condemnation area in need of redevelopment in accordance with the Redevelopment Law;

**WHEREAS**, the Town’s Planner, Donald B. Sammet, PP/AICP, prepared a redevelopment plan for the Initial Redevelopment Area entitled the “Downtown Westfield Scattered Site Redevelopment Plan,” dated October 5, 2020 (the “**Initial Redevelopment Plan**”);

**WHEREAS**, on October 27, 2020, the Governing Body introduced, and on November 10, 2020, the Governing Body adopted, Ordinance No. 2198 adopting the Initial Redevelopment Plan;

**WHEREAS**, on October 13, 2020, the Governing Body adopted Resolution No. 225-2020 designating the entire municipality as an area in need of rehabilitation pursuant to the Redevelopment Law, which included the properties shown on the official tax map of the Town as Block 3101, Lot 1; Block 3102, Lot 1; Block 3103, Lots 1 and 6, Block 3103, Lot 12, and Block 3106, Lot 5 (collectively, the “**Overlay Properties**”);

**WHEREAS**, on April 26, 2022, the Governing Body introduced, and on May 10, 2022, the Governing Body adopted, General Ordinance No. 2022-14 amending the Initial Redevelopment Plan to include Block 3106, Lot 5 of the Overlay Properties for the purposes of permitting the use of that property as a redevelopment Preview Center (“**Amended Initial Redevelopment Plan**”);

**WHEREAS**, the Governing Body has now determined that utilizing the redevelopment powers granted to municipalities under the Redevelopment Law by adopting a redevelopment plan for the properties comprising the L&T Parcels, the Train Station Parcels, and, for the limited purposes described in the redevelopment plan, the Overlay Parcels (the “**Redevelopment Area**”) is the most effective approach to revitalize the parcels contained in the Redevelopment Area;

**WHEREAS**, Topology prepared a further amended and restated redevelopment plan as it relates to the Redevelopment Area entitled “*Lord & Taylor / Train Station Redevelopment Plan*” dated January 26, 2023, which, among other things, plans for and promotes the redevelopment of the Redevelopment Area, a copy of which is attached to this Ordinance as Exhibit A (the “**Redevelopment Plan**”);

**WHEREAS**, immediately following the introduction of this Ordinance, the Town Clerk was directed to refer this Ordinance and the Redevelopment Plan to the Planning Board for its review and recommendations pursuant to the Redevelopment Law, which review shall take place within forty-five (45) days of the referral; and

**WHEREAS**, the Planning Board has reviewed the Redevelopment Plan and issued its recommendations to the Mayor and Council and the Mayor and Council has considered such recommendations.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Westfield as follows:

1. The Redevelopment Plan, dated January 26, 2023, a copy of which is attached to this Ordinance as Exhibit A, is hereby adopted in its entirety.
2. If any provision or portion of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.
3. This ordinance shall take effect immediately upon final publication as required by law.
4. All ordinances and parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**EXHIBIT A**

**Lord & Taylor / Train Station Redevelopment Plan**