

TOWNSHIP OF PENNSAUKEN

RESOLUTION NO. 2021-229

**A RESOLUTION TO AUTHORIZE EXECUTION OF A
REDEVELOPMENT AGREEMENT WITH
PENNVIEW PARTNERS, LLC FOR BLOCK 2007, LOTS 1.01 AND 3 AND
APPOINTING PENNVIEW PARTNERS, LLC AS REDEVELOPER**

WHEREAS, the Township is empowered, pursuant to the provisions of the Local Redevelopment and Housing Law, as amended and supplemented, N.J.S.A. 40A:12A-1 *et seq.* (“the Redevelopment Law”), to declare certain properties located within the Township as areas in need of redevelopment, and to adopt and implement redevelopment plans, and carry out redevelopment projects; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, a municipality may designate a redevelopment entity for purposes of undertaking municipal redevelopment efforts, as prescribed in the Redevelopment Law, or may execute those responsibilities directly as a redevelopment entity; and

WHEREAS, the Township has elected to directly act as the redevelopment entity, through the Pennsauken Township Committee, for purposes of redevelopment matters; and

WHEREAS, the Township Planning Board adopted Resolution P-2001-9 recommending that the Township Committee designate the Property an Area in Need of Redevelopment pursuant to N.J.S.A. 40A:12A-1 *et. seq.* and

WHEREAS, on June 6, 2001, the Township Committee adopted Resolution No. 01-1581-30 designating the Property an Area In Need of Redevelopment; and

WHEREAS, thereafter, the Township Committee adopted a redevelopment plan entitled “Redevelopment Plan for the Township of Pennsauken Crossroads Study Area” prepared by J. Marc R. Shuster, AICP, PP of JCA Associates, Inc, via Ordinance 2001-30 on June 20, 2001; and

WHEREAS, the Redevelopment Law permits the Township Committee, as the redevelopment entity, to contract with redevelopers for the planning, sale and redevelopment of the Property in accordance with the Redevelopment Plan; and

WHEREAS, Redeveloper is the owner of property located at 1550 Route 73 North, Pennsauken, NJ, which property is designated on the Official Tax Map (hereinafter the “Tax Map”) as Block 2007, Lots 1.01 and 3 (the “Property”); and

WHEREAS, Redeveloper had previously entered into a redevelopment agreement with the Township to permit the redevelopment of the Property with (1) a one hundred twenty-four (124) guest room hotel with parking and other improvements; (2) a one hundred thousand

(100,000) square foot self-storage facility; (3) a five thousand (5,000) square foot restaurant; and (4) two (2) free standing billboards; and

WHEREAS, the parties intend to adopt an Amended Redevelopment Plan for the Property that will permit the existing billboards and the following uses: a self-storage facility, Residential development consisting of apartments or condominium units, and/or a mixed-use development containing residential, affordable housing and/or commercial space; and

WHEREAS, Redeveloper has performed a Phase I and Phase II Environmental Assessment of the Property and is pursuing approvals from the New Jersey Department of Environmental Protection (NJDEP) of a Remedial Action Work Plan for the Property; and

WHEREAS, the Township and the Redeveloper desire to terminate all prior redevelopment agreements related to the Property and to enter into this Agreement for the purpose of setting forth the rights and obligations of the parties for the redevelopment of the Property; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to enter into this Agreement with the Redeveloper to permit the development of the Property for the uses identified herein, subject to the approval of a site plan from all governmental agencies having jurisdiction over the development of the Property.

WHEREAS, Township desires to appoint Redeveloper as the redeveloper for the Property pursuant to the Redevelopment Law; and

WHEREAS, the Redeveloper is a recognized developer; and

WHEREAS, pursuant to the Redevelopment Law, the Township Committee, in its capacity as the "Redevelopment Entity" (as such term is defined at *N.J.S.A. 40A:12A-3*), for the Property, with full authority to exercise the powers contained in the Redevelopment Law, is now desirous of facilitating and implementing the redevelopment of the Property in accordance with the Redevelopment Plan; and

WHEREAS, Pennview Partners LLC has previously been designated as the redeveloper for the Property; and

WHEREAS, the Township also wishes to amicably resolve litigation in the matter of *Pennview Partners, LLC v. Pennsauken Township*, Docket No. 1:18-cv-07797, in the United States District Court for the District of Camden and said Redevelopment Agreement is an essential component of said litigation settlement; and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the Township has determined to enter into an Agreement with Redeveloper, which specifies the rights and responsibilities of the Township, designates Redeveloper as redeveloper of the Property and specifies the rights and responsibilities of Redeveloper with respect to the Project.

WHEREAS, the Township desires to appoint Pennview Partners LLC as the redeveloper for the Property pursuant to the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8, et seq., a redevelopment entity, such as the Committee on behalf of the Township is authorized to enter into contracts for the planning, construction or undertaking of any redevelopment project or redevelopment work consistent with the Redevelopment Plan in an area designated as an area in need of redevelopment, including, but not limited to, contracts designating a private entity to serve as a redeveloper for a specific redevelopment project; and

WHEREAS, the Township, has determined that it is in the Township's best interests to designate Redeveloper as redeveloper for the Property subject to execution of this Agreement and satisfaction of all its terms and conditions; and

WHEREAS, the Township desires that the Property be redeveloped by Redeveloper in accordance with the Redevelopment Agreement and an Amended Redevelopment Plan to be adopted and to conclude the pending litigation; and

WHEREAS, pursuant to the Redevelopment Law, the Parties desire to enter an Agreement to set forth the terms and conditions pursuant to which the Property is to be redeveloped.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Pennsauken hereby:

1. Designates Pennview Partners, LLC as the Redeveloper.
2. Authorizes the entering into and execution of the Redevelopment Agreement with Pennview Partners LLC for the redevelopment of the Property in accordance with a to be adopted Amended Redevelopment Plan.
3. The Redevelopment Agreement will be in substantially the form provided to the Township Committee and which is attached hereto as **Exhibit "A"**, with such changes as may be approved by the Solicitor or Redevelopment Counsel and the Township's professional advisors, and approved by the Township Administrator.
4. The Mayor and/or Township Administrator shall be authorized to execute any and all documents necessary to complete the redevelopment of the Property by Pennview Partners LLC.