



Legislation Details (With Text)

File #: 20-1264 **Version:** 1 **Name:** Ordinance: Fourth Amendment to Newark's River Public Access and Redevelopment Plan

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File created: 10/5/2020 **In control:** Economic and Housing Development

On agenda: 11/5/2020 **Final action:** 11/18/2020

Title: AN ORDINANCE AMENDING ORDINANCE 6PSF-i, ADOPTED ON AUGUST 7, 2013, TO ADOPT THE FOURTH AMENDMENT TO NEWARK'S RIVER PUBLIC ACCESS AND REDEVELOPMENT PLAN, BY CREATING A NEW DISTRICT - BALLANTINE BREWERY MIXED USE DISTRICT (BMU) TO INCLUDE BLOCK 2022, LOTS 1, 2, 3, 4, 6, 7, 8, 29; BLOCK 2023, LOT 1; BLOCK 2474, LOT 1.01, 1.02, 14; BLOCK 2475, LOTS 23, 24, 26; BLOCK 2486, LOTS 31.01, 31.10, 31.11, 31.12, 31.13, 31.14, 31.15, 69, 70, 71, 82; BLOCK 2487, LOTS 1.01, 1.02, 26, 29, 33; AND BLOCK 2495, LOTS 3, 9, 11, 12, 21, AN AREA BOUNDED BY FERRY STREET, LEXINGTON STREET, FLEMING AVENUE AND CHRISTIE STREET. (EAST WARD)
Deferred 8-f 110520

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/18/2020	1	Municipal Council	Returned to Administration	Pass
11/5/2020	1	Municipal Council	Defer on Communications	Pass

**AN ORDINANCE AMENDING ORDINANCE 6PSF-i, ADOPTED ON AUGUST 7, 2013, TO ADOPT THE FOURTH AMENDMENT TO NEWARK'S RIVER PUBLIC ACCESS AND REDEVELOPMENT PLAN, BY CREATING A NEW DISTRICT - BALLANTINE BREWERY MIXED USE DISTRICT (BMU) TO INCLUDE BLOCK 2022, LOTS 1, 2, 3, 4, 6, 7, 8, 29; BLOCK 2023, LOT 1; BLOCK 2474, LOT 1.01, 1.02, 14; BLOCK 2475, LOTS 23, 24, 26; BLOCK 2486, LOTS 31.01, 31.10, 31.11, 31.12, 31.13, 31.14, 31.15, 69, 70, 71, 82; BLOCK 2487, LOTS 1.01, 1.02, 26, 29, 33; AND BLOCK 2495, LOTS 3, 9, 11, 12, 21, AN AREA BOUNDED BY FERRY STREET, LEXINGTON STREET, FLEMING AVENUE AND CHRISTIE STREET. (EAST WARD)
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WHEREAS, on June 15, 2005, through Resolution 7Rdo(AS), the City of Newark (the "City") utilized the powers of Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to designate the entire City as an area in need of rehabilitation; and

WHEREAS, on August 7, 2013, the Municipal Council adopted Ordinance 6PSF-i approving the Newark's River: Public Access and Redevelopment Plan (the "Original Plan"); and

WHEREAS, on October 11, 2017, the Municipal Council adopted Ordinance 6PSF-a(S) approving the First Amendment to the Newark's River: Public Access and Redevelopment Plan (the "First Amendment"), which amended the Original Plan; and

WHEREAS, on February 27, 2018, the Municipal Council adopted Ordinance 6PSF-a(S)

approving the Second Amendment to the Newark’s River: Public Access and Redevelopment Plan (the “Second Amendment”), which further amended the Original Plan; and

WHEREAS, on April 3, 2019, the Municipal Council adopted Ordinance 6PSF-a approving the Third Amendment to Newark’s River: Public Access and Redevelopment Plan (the “Third Amendment”), which further amended the Original Plan; and

WHEREAS, it has been determined that further amendments to the Original Plan, as modified by the First, Second and Third Amendments, relating to Blocks 2022, 2023, 2474, a portion of 2475, 2486, 2487, and 2495 are required to redevelop the former Ballantine brewery site and its immediate surrounding area; and

WHEREAS, pursuant to Resolution 7R2-j(s), adopted on July 14, 2020, the Municipal Council, referred a proposed Fourth Amendment to the Newark’s River: Public Access and Redevelopment Plan to the Newark Central Planning Board (the “Central Planning Board”) to prepare a report to determine if such an amendment is consistent with the City’s Master Plan, and for recommendations pursuant to N.J.S.A. 40A:12A-7, et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(f), “the Governing Body, when considering the proposed plan, may amend or revise any portion if the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership and shall record in its minutes the reasons for each amendment or revision”; and

WHEREAS, on July 20, 2020, a Public Hearing was conducted before the Central Planning Board to report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the Central Planning Board considered the following properties:

Block	Lots
2022	1, 2, 3, 4, 6, 7, 8, 29
2023	1
2474	1.01, 1.02, 14
2475	23, 24, 26
2486	31.01, 31.10, 31.11, 31.12, 31.13, 31.14, 31.15, 69, 70, 71, 82
2487	1.01, 1.02, 26, 29, 33
2495	3, 9, 11, 12, 21

WHEREAS, based on the testimony presented at the Central Planning Board hearing, the Central Planning Board found the proposed Fourth Amendment to The Newark’s River: Public Access and Redevelopment Plan to be consistent with the Master Plan and recommends that the Municipal Council adopt the proposed amendment; and

WHEREAS, it has been determined by the Central Planning Board and the Department of

Economic and Housing Development, that the Redevelopment Area and the economic vitality of the City will be enhanced by this proposed amendment to The Newark's River: Public Access and Redevelopment Plan.

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

1. The Fourth Amendment to the Newark's River: Public Access and Redevelopment Plan in the form attached hereto as "Exhibit A: Fourth Amendment to The Newark's River: Public Access and Redevelopment Plan" and made a part of this Ordinance, is hereby adopted in accordance with the recommendations of the Central Planning Board's resolution adopted on July 20, 2020.

2. To the extent that any previous ordinance is inconsistent with or contradictory hereto, said ordinance is hereby amended to the extent necessary to make it consistent herewith.

3. The provisions of this ordinance are severable to the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared by a court of competent jurisdiction to be invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

4. A copy of this ordinance and the Redevelopment Plan shall be filed with the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

5. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This ordinance further amends Ordinance 6PSF-i, adopted on August 7, 2013, to adopt the Fourth Amendment to the Newark's River: Public Access and Redevelopment Plan by revising certain requirements relating to Blocks 2022, Lots 1, 2, 3, 4, 6, 7, 8, 29; Block 2023, Lot 1; Block 2474, Lot 1.01, 1.02, 14; Block 2475, Lots 23, 24, 26; Block 2486, Lots 31.01, 31.10, 31.11, 31.12, 31.13, 31.14, 31.15, 69, 70, 71, 82; Block 2487, Lots 1.01, 1.02, 26, 29, 33 and Block 2495, Lots 3, 9, 11, 12, 21. (East Ward)