



## Legislation Text

File #: 24-0880, Version: 1

**Dept/ Agency:** Economic and Housing Development

**Action:** ( ) Ratifying (X) Authorizing (X) Amending

**Type of Service:** Referral of Proposed Sixth Amendment to the Newark's River: Public Access and Redevelopment Plan to the Newark Central Planning Board

**Purpose:** Requesting that the Newark Central Planning Board consider a proposed Ordinance making a Sixth Amendment to the Newark's River: Public Access and Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7(e).

**Name of Plan:** Newark's River: Public Access and Redevelopment Plan

**(Address/Block/Lot/Ward)**

Plan Area is bounded on the north at Delavan Avenue, on the west by McCarter Highway, on the south by Raymond Boulevard, on the east by Chapel Street, and on the east by the Passaic River (East Ward and North Ward)

**Additional Information:**

Newark's River: Public Access and Redevelopment Plan ("Redevelopment Plan") adopted by Ordinance 6PSF-i on August 7, 2013.

Ordinance 6PSF-a(S) of October 11, 2017 adopted the First Amendment to Newark's River: Public Access and Redevelopment Plan.

Ordinance 6PSF-a(S) of February 27, 2018 adopted the Second Amendment to Newark's River: Public Access and Redevelopment Plan.

Ordinance 6PSF-a of April 3, 2019 adopted the Third Amendment to Newark's River: Public Access and Redevelopment Plan.

Ordinance 6PSF-b of April 7, 2021 adopted the Fourth Amendment to Newark's River: Public Access and Redevelopment Plan.

Ordinance 6PSF-b of November 4, 2021 adopted the Fifth Amendment to Newark's River: Public Access and Redevelopment Plan.

Resolution 7R2-i of May 22, 2024, designated Block 175, Lot 1 and Block 175, Lot 80 a non-condemnation area in need of redevelopment.

This Amending Ordinance is a proposed Sixth Amendment to Newark's River: Public Access and Redevelopment Plan.

**WHEREAS**, in order to stimulate the reinvigoration of the City of Newark (the "City"), by Resolution 7Rdo(AS) adopted by the Municipal Council on June 15, 2005, the entire City was designated as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et seq., (the "Act"); and

**WHEREAS**, on August 7, 2013, the Municipal Council adopted Ordinance 6PSF-i adopting 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) adopting the First Amendment to Newark's River: Public Access and Redevelopment Plan ("First

Amended Plan”); and

**WHEREAS**, on February 27, 2018, the Municipal Council adopted Ordinance 6PSF-a(S) adopting the Second Amendment to Newark’s River: Public Access and Redevelopment Plan (“Second Amended Plan”); and

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

**WHEREAS**, on April 7, 2021, the Municipal Council adopted Ordinance 6PSF-b adopting the Fourth Amendment to Newark’s River: Public Access and Redevelopment Plan (“Fourth Amended Plan”); and

**WHEREAS**, on November 4, 2021, the Municipal Council adopted Ordinance 6PSF-b adopting the Fifth Amendment to Newark’s River: Public Access and Redevelopment Plan (“Fifth Amended Plan”); and

**WHEREAS**, on May 22, 2024, the Municipal Council adopted Resolution 7R2-i designating the property located at 450-466 Market Street, Block 175, Lot 1, and 31-39 Jefferson Street, Block 175, Lot 80 (collectively the “Properties”) a non-condemnation area in need of redevelopment and directed the Newark Central Planning Board (“Central Planning Board”) to prepare a redevelopment plan and transmit the proposed plan to the Municipal Council for its consideration; and

**WHEREAS**, the Properties have been part of the Original Plan since its adoption; however, the Ironbound Zoning Map included in the plan did not provide a zoning district for the property located at 31-39 Jefferson Street, Block 175, Lot 80, so in order for a comprehensive redevelopment project to take place involving the Properties, which are in common ownership, the Municipal Council desires to amend the Ironbound Zoning Map to include Block 175, Lot 80 within the “Mixed Use 2 (Medium-Density Residential, Office, Retail)” District as part of the proposed Sixth Amendment to Newark’s River: Public Access & Redevelopment Plan; and

**WHEREAS**, the Municipal Council also proposes to amend the maximum permitted height for Block 175, Lot 1 and Block 175, Lot 80 to a maximum of thirty (30) stories to facilitate a transformative redevelopment project subject to certain requirements related to the provision of publicly accessible open space or a contribution in lieu of providing open space to support the development of Riverfront Park; and

**WHEREAS**, the Municipal Council also proposes to require Active Street Front Design elements, as set forth in Section 8-P of the Original Plan, along the Congress Street, Jefferson Street, and Market Street frontages of Block 175, Lot 1 and Block 175, Lot 80; and

**WHEREAS**, the Municipal Council also proposes that public parking shall be a permitted use within a parking structure developed as part of a mixed-use project that includes commercial and residential uses on Block 175, Lot 1 and Block 175, Lot 80, and that a minimum of one hundred fifty

(150) publicly accessible parking spaces shall be provided in such a development; and

**WHEREAS**, the Municipal Council also proposes to reclassify Block 170, Lot 1 (973-941 Raymond Boulevard), Block 170, Lot 20, and Block 171, Lot 40 (50-58 Jersey Street) from the “Open Space” Land Use District to the “Mixed-Use 2 (Medium-Density Residential, Office, Retail)” District, which reverses a change made by the First Amended Plan, to address ongoing litigation; and

**WHEREAS**, the maximum permitted height for Block 170, Lots 1, 20, and 40 shall be twelve (12) stories and 145 feet, unless certain requirements related to the provision of publicly accessible open space or a contribution in lieu of providing open space to support the development of Riverfront Park are met, in which case up to twenty-five (25) stories shall be permitted; and

**WHEREAS**, the Municipal Council also proposes to reclassify Block 171, Lot 11 (12-18 Jersey Street), Block 172, Lot 1 (Block 15-17 Jersey Street), and Block 172, Lot 3 (23-67 Jersey Street) from the “Open Space” Land Use District to the “Mixed Use 1 (Residential, Light Industrial, Retail)” District; and

**WHEREAS**, the change in land use classification to Block 171, Lot 11, and Block 172 Lots 1 and 3, is for purposes of valuation as the City intends to acquire the parcels for open space purposes, which remains a permitted use in the Mixed Use 1 District; and

**WHEREAS**, the Municipal Council desires to refer the proposed amendments herein and as reflected on Exhibit A attached hereto to be included as the Sixth Amendment to Newark’s River: Public Access & Redevelopment Plan to the Central Planning Board for their review in accordance with N.J.S.A. 40A:12A-7(e); and

**WHEREAS**, the Municipal Council wishes to have the Central Planning Board consider the proposed Sixth Amendment to Newark’s River: Public Access and Redevelopment Plan, in its entirety, to determine if such amendments are consistent with the City’s Master Plan and transmit its recommendations regarding consistency with the City’s Master Plan and other matters pursuant to N.J.S.A. 40A:12A-7(e).

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

1. The Municipal Council refers to the Central Planning Board of the City of Newark the proposed Sixth Amendment to Newark’s River: Public Access and Redevelopment Plan, as recited herein and as set forth in Exhibit A attached hereto and made a part hereof, to determine if such amendments are consistent with the City’s Master Plan and for recommendations pursuant to N.J.S.A. 40A:12A-7(e) and directs the Central Planning Board to transmit its report on the Amendment to the Municipal Council within forty-five (45) days of referral.
2. A copy of this Resolution and the Sixth Amendment to Newark’s River: Public Access and 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.
3. The City Clerk shall forward a true copy of this Resolution and the Sixth Amendment to

Newark's River: Public Access and Redevelopment Plan to the Central Planning Board.

**STATEMENT**

This Resolution hereby refers the Sixth Amendment to the Newark's River: Public Access and Redevelopment Plan prepared by the Department of Economic and Housing Development, Division of Planning and Community Development, to the Central Planning Board, 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(e) and directs the Central Planning Board to transmit its report on the Amendment to the Municipal Council within (45) days of referral.