



## Legislation Text

File #: 20-1352, Version: 1

**AN ORDINANCE ADOPTING THE “CHESTNUT AND OLIVER STREET REDEVELOPMENT PLAN” FOR THE AREA BOUNDED BY 233-239 NJRR AVENUE (BLOCK 919, LOT 1); 225-227 NJRR AVENUE (BLOCK 919, LOT 5), 43-47 OLIVER STREET (BLOCK 919, LOT 14); 49-53 OLIVER STREET (BLOCK 919, LOT 43.19); 106-114 CHESTNUT STREET (BLOCK 919, LOT 43.30) (EAST WARD).**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the “LHRL”) authorizes municipalities to determine whether certain land in the municipality constitutes an area in need of redevelopment; and

**WHEREAS**, on March 7, 2018, in accordance with the LHRL, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-b authorizing and directing the Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether the following properties (the “Proposed Plan Area”) in the East Ward of the City of Newark (the “City”) constitute an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5 of the LHRL and whether said determination shall authorize the municipality to use all those powers provided by the legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Area”):

No.	Property Address	Block	Lot
1	233-239 NJRR Avenue	919	1
2	225-231 NJRR Avenue	919	5
3	43-47 Oliver Street	919	15
4	49-53 Oliver Street	919	43.19
5	106-114 Chestnut Street	919	43.30

**WHEREAS**, after a Public Hearing on June 11, 2018, the Central Planning Board adopted a Resolution, memorialized on June 23, 2018, recommending the designation of the parcels in the Proposed Plan Area as a “non-condemnation area in need of redevelopment” under the LRHL; and

**WHEREAS**, by Resolution 7R2-g, adopted on December 5, 2018, the Municipal Council accepted the recommendation of the Central Planning Board and declared the Proposed Plan Area as a Non-Condensation Redevelopment Area (the “Plan Area”); and

**WHEREAS**, in Resolution 7R2-g, adopted on December 5, 2018, the Municipal Council further directed the Planning Board to create and transmit a redevelopment plan and report identifying any provisions in the proposed Redevelopment Plan, which are inconsistent with the Master Plan and providing recommendations concerning those inconsistencies, as well as any other matter as the

Planning Board deems appropriate, in accordance with N.J.S.A. 40A:12A-7(e); and

**WHEREAS**, Heyer, Gruel & Associates prepared a redevelopment plan for the Plan Area, entitled “Chestnut and Oliver Street Redevelopment Plan” (“Redevelopment Plan”) dated August 2020; and

**WHEREAS**, on August 17, 2020, the Planning Board reviewed the Redevelopment Plan during a virtual meeting held via Zoom and adopted a Memorialization Resolution on said date, rendering its report to the Municipal Council and recommending the adoption of the Redevelopment Plan noting that it is consistent with the Master Plan pursuant to N.J.S.A. 40A:12A-7(e); and

**WHEREAS**, the Municipal Council, hereby finds it appropriate for the Redevelopment Plan to be adopted for the Plan Area, being, among other things, substantially consistent with the Master Plan for the City; and

**WHEREAS**, the Municipal Council now desires to adopt the Redevelopment Plan, in the form attached hereto, and to direct that the applicable provisions of the City’s Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan, as and to the extent set forth therein.

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

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

2. The Newark Municipal Council hereby finds and determines that the Chestnut and Oliver Street Redevelopment Plan, for the area bounded by 233-239 NJRR Avenue (Block 919, Lot 1); 225-227 NJRR Avenue (Block 919, Lot 5), 43-47 Oliver Street (Block 919, Lot 14); 49-53 Oliver Street (Block 919, Lot 43.19); 106-114 Chestnut Street (Block 919, Lot 43.30), is substantially consistent with and generally conforms to the City of Newark’s Master Plan and it provides the maximum opportunity consistent with the orderly redevelopment of the properties that are governed by the Plan.

3. The Newark Municipal Council adopts the Chestnut and Oliver Street Redevelopment Plan, in the form attached hereto as Exhibit A.

4. Upon final adoption hereof, the City of Newark Zoning Map, as may have been amended from time to time, shall be amended by the “Chestnut and Oliver Street Avenue Redevelopment Plan”, which shall supersede the zoning designation shown on the Zoning Map for the Redevelopment Area.

5. 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.

6. 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.

7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a copy of this Ordinance and the Redevelopment Plan with the Office of the City Clerk.

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

**STATEMENT**

This Ordinance adopts the Chestnut and Oliver Street Redevelopment Plan for the area bounded by the following streets (East Ward):

No. Property Address Block Lot			
1	233-239 NJRR Avenue	919	1
2	225-231 NJRR Avenue	919	5
3	43-47 Oliver Street	919	15
4	49-53 Oliver Street	919	43.19
5	106-114 Chestnut Street	919	43.30