



Legislation Text

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AN ORDINANCE ADOPTING THE “IRVINE TURNER AND CLINTON AVENUE REDEVELOPMENT PLAN” FOR THE AREA BOUNDED BY CLINTON AVENUE, HILLSIDE AVENUE, WEST ALPINE STREET, IRVINE TURNER BOULEVARD AND RIDGEWOOD AVENUE. (SOUTH 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, pursuant to Resolution 7Rdo(AS) adopted on June 15, 2005, the Municipal Council upon the recommendation of the Central Planning Board after a public hearing, designated the City of Newark, in its entirety as an Area in Need of Rehabilitation, in accordance with N.J.S.A. 40A:12A-14 et seq., and said designation became effective on June 17, 2005, upon the transmission of the resolution to the New Jersey Department of Community Affairs by the City Clerk; and

WHEREAS, on January 14, 2020, the Municipal Council adopted Resolution 7R2-c(S) which directed the Central Planning Board to create and transmit a redevelopment plan and report to the Municipal Council in accordance with N.J.S.A. 40A:12A-7f, 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; and

WHEREAS, Heyer, Gruel & Associates prepared a redevelopment plan for the Plan Area entitled “Irvine Turner and Clinton Avenue Redevelopment Plan” dated January 21, 2020 based upon the City of Newark’s designation as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14 ; and

WHEREAS, on January 27, 2020, the Central Planning Board reviewed the proposed Irvine Turner and Clinton Avenue Redevelopment Plan during a public hearing and adopted a resolution rendering its report to the Municipal Council and recommending that the Irvine Turner and Clinton Avenue Redevelopment Plan be adopted pursuant to N.J.S.A. 40A:12A-7(e); and

WHEREAS, pursuant to the memorializing resolution adopted on January 27, 2020, the City’s Central Planning Board concluded that the adoption of the proposed Irvine Turner and Clinton Avenue Redevelopment Plan is consistent with the Master Plan and recommended that the Municipal Council adopt the proposed Plan as drafted; and

WHEREAS, the Municipal Council now desires to adopt the Irvine Turner and Clinton Avenue Redevelopment Plan 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 Municipal Council hereby finds and determines that the Irvine Turner and Clinton Avenue Redevelopment Plan is substantially consistent with and generally conforms to the City'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 Irvine Turner and Clinton Avenue Redevelopment Plan, in the form attached hereto as Exhibit A, is hereby approved and adopted.
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 "Irvine Turner and Clinton Avenue Redevelopment Plan", which shall supersede the zoning designation shown on the Zoning Map for the Redevelopment Area.
5. Given that the Irvine Turner and Clinton Avenue Redevelopment Plan is authorized based upon the City of Newark's designation as an area in need of rehabilitation under N.J.S.A. 40A:12A-14, as set forth in N.J.S.A. 40A:12A-15, the City of Newark shall not have the power to take or acquire private property by condemnation in furtherance of the redevelopment plan. Acquisition of private property for redevelopment purposes under this Plan shall be accomplished on a voluntary basis.
6. 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.
7. 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.
8. 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.
9. 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 Irvine Turner and Clinton Avenue Redevelopment Plan authorized based upon the City of Newark's designation as an area in need of rehabilitation pursuant to N.J.S.A.

40A:12A-14 et seq. (South Ward)