



Legislation Text

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AN ORDINANCE TO ADOPT THE FIFTH AMENDMENT TO THE NEWARK DOWNTOWN CORE DISTRICT REDEVELOPMENT PLAN AND AMENDMENT TO THE NEWARK PLAZA URBAN RENEWAL PLAN, BY REFLECTING A REDUCTION IN THE SIZE OF PARCEL R DUE TO THE REMOVAL OF APPROXIMATELY 20,000 SQUARE FEET FROM THE SOUTHERN END OF PARCEL R (BEING A PORTION OF BLOCK 166, LOT 1.03 ON THE CITY'S TAX MAPS) AND AN INCREASE IN THE SIZE OF PARCEL H1 BY THE INCLUSION OF SUCH 20,000 SQUARE FEET WITHIN THE NORTHERN END OF PARCEL H1 (BEING BLOCK 166, LOT 1.01 ON THE CITY'S TAX MAPS)

WHEREAS, on July 14, 2004, the City of Newark ("City") utilized the powers of Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., to designate over 39 acres of land within the Downtown Newark area as an "area in need of redevelopment," commonly known as the Newark Downtown Core District Redevelopment Area ("Redevelopment Area"); and

WHEREAS, on October 6, 2004, the Municipal Council adopted Ordinance 6S&Ff adopting the Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal Plan ("Plan"), which has been amended from time to time; and

WHEREAS, on October 6, 2004, the Municipal Council adopted Resolution 7Rbc appointing the Housing Authority of the City of Newark ("Authority") as the City's Redevelopment Entity for the purpose of implementing the Plan on behalf of the City in accordance with N.J.S.A. 40A:12A-4(c); and

WHEREAS, on June 29, 2015, the Central Planning Board of the City of Newark ("Planning Board") proposed a Fourth Amendment to the Newark Downtown Core District Redevelopment Plan; and

WHEREAS, an Ordinance to approve the Central Planning Board's June 29, 2015 proposed Fourth Amendment to the Newark Downtown Core District Redevelopment Plan was submitted to the Municipal Council for First Reading on July 1, 2015 and was adopted on September 2, 2015 (the "Fourth Amendment"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(f), "[t]he Governing Body, when considering the proposed plan, may amend or revise any portion of 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, the Authority entered into Redevelopment Agreements with Station Plaza Newark Downtown Core Urban Renewal Company, LLC, Lafayette Broad, LLC, dated and amended as of July 7, 2016, setting forth the terms of the transfer of property provided for herein; and

WHEREAS, pursuant to the specific Redevelopment Agreements with Station Plaza Newark Downtown Core Urban Renewal Company, LLC, and Lafayette Broad, LLC (together the “Mulberry Commons Redevelopers”), the Authority was required to and did transfer lands to and receive lands from the Mulberry Commons Redevelopers in order for the City to obtain ownership and title to the following properties within the Redevelopment Area: Block 159, Lot 10.02, Block 166, Lots 1.03, portion of 1.04 (proposed new Lot 1.05), and Block 167, Lot 10.02 (formerly known as the “Triangle Park Properties” and currently known as the “Mulberry Commons Properties”); and

WHEREAS, upon further evaluation of the Fourth Amendment to the Newark Downtown Core District Redevelopment Plan it has been determined by the City, after consulting with the Devils, Station Plaza, the architectural firm hired by the City for design of the Mulberry Commons Park, and Lafayette Broad, LLC, that the design of the Mulberry Commons Park will be enhanced and unnecessary costs avoided if approximately 20,000 square foot area of Block 166, Lot 1.03 is transferred by the City to Lafayette Broad, LLC or its affiliates in accordance with the Redevelopment Agreements (said area being a portion of Parcel R as shown on Exhibit A to the Fourth Amendment), which funds shall be dedicated to the development of the pedestrian bridge linking the Ironbound and Mulberry Commons Property; and

WHEREAS, it has been determined by the Planning Department and the Department of Economic and Housing Development that the Redevelopment Area and the economic vitality of the City will be enhanced by if height and density restrictions are removed from the Plan; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8, the City may lease or convey property without public bidding provided that the conveyance is made in conjunction with a redevelopment plan; and

WHEREAS, on April 24, 2017, a public hearing was conducted before the Planning Board to create and transmit a Redevelopment Plan and report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 12A-1 et seq.; and

WHEREAS, based on the testimony presented at the Planning Board hearing, the Planning Board finds the proposed Fifth Amendment to The Newark Downtown Core District Redevelopment Plan and Amendment to The Newark Plaza Urban Renewal Urban Renewal Plan to be consistent with the Master Plan and recommends that the Municipal Council adopt the proposed amendments.

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

Section 1. **Exhibit A** to the Fourth Amendment is hereby amended to reflect a reduction in the size of Parcel R due to the removal of approximately 20,000 square feet from the southern end of Parcel R (being a portion of Block 166, Lot 1.03 on the City’s Tax Maps) and an increase in the size of Parcel H1 by the inclusion of such 20,000 square feet within the northern end of Parcel H1 (being Block 166, Lot 1.01 on the City’s Tax Maps) as shown on the survey by Borrie, McDonald and Watson dated May 5, 2016 attached hereto as **Exhibit A**) and the relocation of the southern pedestrian walkway shown on **Exhibit A** of the Fourth Amendment to be within Parcel R along its revised southern boundary.

Section 2. To further support redevelopment and economic vitality within the Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal

Plan, no height or density requirements (i.e., minimum land area in sq. ft. per dwelling unit) shall apply to the parcel(s) within the Redevelopment Area bounded by Columbia Street to the West, Lafayette Street to the South, McCarter Highway to the East, and the northerly boundary of Site 10 running between Columbia Street and McCarter Highway as indicated on **Exhibit B** attached hereto, and no setback/stepback, build to, or height requirements shall apply to Parcel L within the Redevelopment Plan Area.

Section 3. The Mayor and/or Deputy Mayor/Director of the Department of Economic and Housing Development and the Director of Finance of the City are each hereby authorized to execute and deliver any and all documents and certificates necessary or convenient in connection with the amendment authorized herein.

Section 4. In accordance with N.J.S.A. 40A:12A-7(f), the Governing Body finds that adopting the Newark Central Planning Board's April 24, 2017 Resolution for the Fifth Amendment to the Newark Downtown Core District Redevelopment Plan changing the sizes of Parcels R and H-1 as indicated in the foregoing provisions hereof which will enhance the design of the Mulberry Commons Park and reduce construction costs to the City in connection with the creation of the open space features of the Mulberry Common Properties and result in a further infusion of funds to the City of approximately \$3,520,000.00, which funds shall be dedicated to the development of the pedestrian bridge linking the Ironbound and Mulberry Commons Properties.

Section 5. In accordance with N.J.S.A. 40A:12A-7(f), the Municipal Council adopts the Fifth Amendment as aforesaid.

Section 6. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

Ordinance adopting the Fifth Amendment to the Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal Plan, by reflecting a reduction in the size of Parcel R due to the removal of approximately 20,000 square feet from the southern end of Parcel R (being a portion of Block 166, Lot 1.03 on the City's Tax Maps) and an increase in the size of Parcel H1 by the inclusion of such 20,000 square feet within the northern end of Parcel H1 (being Block 166, Lot 1.01 on the City's Tax Maps)