



Legislation Text

File #: 20-1091, Version: 1

AN ORDINANCE ADOPTING THE “DELANCY REDEVELOPMENT PLAN” FOR THE AREA BOUNDED BY 271-275 DELANCY STREET (BLOCK 1096, LOT 34); 263-269 DELANCY STREET (BLOCK 1096, LOT 37); 253-261 DELANCY STREET (BLOCK 1096, LOT 41); AND 42-62 WHEELER POINT ROAD (BLOCK 1097, LOT 5). (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, the Municipal Council adopted Resolution 7R2-c authorizing and directing the Newark Central Planning Board (the “Central Planning Board”) to conduct a preliminary investigation to determine whether the following properties 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: 272-275 Delancy Street (Block 1096, Lot 34); 263-269 Delancy Street (Block 1096, Lot 37); 253-261 Delancy Street (Block 1096, Lot 41) and 42-46 Wheeler Point Road (Block 1097, Lot 5) (the “Property” or “Plan Area”); and

WHEREAS, after a Public Hearing on June 11, 2018, the Central Planning Board adopted a Resolution recommending the designation of the Property as an “Non-Condensation Area in Need of Redevelopment” under the LRHL; and

WHEREAS, by Resolution 7R2-f, adopted on December 5, 2018, the Municipal Council accepted the recommendation of the Central Planning Board and declared the Plan Area as a Non-Condensation Redevelopment Area; and

WHEREAS, the Municipal Council further 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, which identifies any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and provides recommendations concerning those inconsistencies, as well as any other matter as the Planning Board deems appropriate; and

WHEREAS, Heyer, Gruel and Associates prepared a redevelopment plan for the Plan Area entitled “Delancy Street Redevelopment Plan” dated August 2020; and

WHEREAS, on August 17, 2020, the Central Planning Board reviewed the Plan during a Virtual Meeting held via Zoom and adopted a resolution rendering its report to the Municipal Council and recommending the adoption of the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7(e); and

WHEREAS, pursuant to the memorializing resolution adopted on August 17, 2020, the Central Planning Board concluded that the adoption of the proposed Redevelopment Plan will further the goals of the City’s Master Plan and the LRHL and recommends that the Municipal Council adopt the

proposed Plan as drafted; 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 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 Delancy Street 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 Delancy Street 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 "Delancy Street 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. 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.

Section 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 "Delancy Street Redevelopment Plan" for the area bounded by 271 -275 Delancy Street (Block 1096, Lot 34); 263-269 Delancy Street (Block 1096, Lot 37); 253-261 Delancy Street (Block 1096, Lot 41); and 42-62 Wheeler Point Road (Block 1097, Lot 5). (East Ward)

