

O-21-25
5/12/21

ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT HOOK ROAD AND COMMERCE STREET, WHICH PROPERTY IS IDENTIFIED AS BLOCK 481, LOT 5.02, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (ATLANTIC CEMENT)

WHEREAS, the City of Bayonne, in the County of Hudson, New Jersey (the “**City**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land within the City constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Municipal Council of the City (the “**Municipal Council**”) adopted Resolution No. 98-02-04-040, designating the entire City as an area in need of rehabilitation in accordance with N.J.S.A. 40A:12A-14; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:12A-7(e) and N.J.S.A. 40A:12A-15 of the Redevelopment Law, the Planning Board, through the City’s staff and/or Planning Board professionals, is permitted to prepare a redevelopment plan; and

WHEREAS, the City Council by Resolution authorized the Planning Board (“**Planning Board**”) of the City of Bayonne to conduct an investigation determine if certain property located at 7 and 9 New Hook Road, which property is identified as Block 479, Lot 1 and Block 481 Lot 5.02, as shown on the official Tax Map of the City (the “**Study Area**”) constituted a non-condemnation “area in need of redevelopment,” in accordance with the Redevelopment Law; and

WHEREAS, on November 9, 2020, the Planning Board held a public hearing, duly noticed under the Redevelopment Law, and reviewed an investigation/report titled “Non-Condensation Area in Need of Redevelopment Block 479, Lot 1 and Block 481 Lot 5.02,” (the “**Study**”); and

WHEREAS, any persons interested in or affected by a determination that the Study Area is a non-condemnation redevelopment area were given an opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, on November 9, 2020, the Planning Board adopted a resolution recommending that the Block 479, Lot 1 and Block 481 Lot 5.02, within the Study Area be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the Redevelopment Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, the Municipal Council by Resolution designated the Study Area as a non-condemnation “area in need of redevelopment,” and authorized the Planning Board to prepare a Redevelopment Plan; and

WHEREAS, the City of Bayonne, Division of Planning & Zoning, Department of Municipal Services has prepared a redevelopment plan for the Redevelopment Area titled “Redevelopment Plan Atlantic Cement Site” (the “Redevelopment Plan”); and

WHEREAS, the Planning Board reviewed the Redevelopment Plan and, in accordance with the Redevelopment Law, on March 9, 2021, conducted a public hearing wherein the Planning Board recommended the adoption of the Redevelopment Plan, and concluded that said Redevelopment Plan is consistent with the Master Plan of the City of Bayonne; and

WHEREAS, upon receipt and review of the Planning Board’s recommendations relating to the Redevelopment Plan, the Municipal Council desires to adopt the Redevelopment Plan in order to effectuate a plan that is consistent with the goals and objectives of the City for the redevelopment of the Property; and

WHEREAS, the Municipal Council believes that the adoption of the Redevelopment Plan is in the best interest of the City for the redevelopment of the Property.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, NEW JERSEY AS FOLLOWS:

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

Section 2. The Redevelopment Plan designated for the properties identified as Block 481 Lot 5.02 on the official tax map of the City of Bayonne is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 3. The zoning district map in the zoning ordinance of the City is hereby amended to include the Property per the boundaries described in the Redevelopment Plan and the provisions thereon.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.

Summary

1. Maximum Building Height: 7 sty/ 90 ft. Except Elevator Penthouses , stair well bulkheads and mechanical systems required to operate and maintain the building and or to provide access to the roof may be erected above the maximum height of 90 feet., but in no case more than an additional 15 feet for a total height of 105 ft
2. Beginning at the 6 story a step back of a minimum of eight feet is required from Block 210 Lot 28 and Lots 16 and 17. Balconies are permitted in the step back area g. Minimum 25% of the 7th Floor or Roof Top floor of the building must be open space. This area shall be used as passive amenity space or green roof space.
3. Maximum units: 80 units
4. Parking Regulations 1. Minimum Number of Off-Street Parking Spaces.
 - a. Vehicle parking (residential): 1 space per dwelling unit for studio and one-bedroom 1.2 space per two-bedroom unit 2.0 space per three-bedroom unit
 - b. Restaurants: 1.0 space per 4 seats
 - c. Retail Sales and Services:. Commercial Recreational facility: 1 per 1,000 square feet
 - e. Live-Work Space: 1 per dwelling unitParking may be provided offsite within 500 feet of the Redevelopment area subject to Board approval. Evidence of ownership of the lot on which the parking is proposed and or lease agreement for available of parking spaces for a minimum of 15 years shall be required.

