



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 02-056

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Martin Luther King Drive Redevelopment Plan (hereinafter "the MLK Plan") at its meeting of December 8, 1993; and

WHEREAS, the MLK Plan has been amended several times since its original adoption; and

WHEREAS, the Municipal Council seeks to advance and promote the economic viability of the MLK Hub, especially when it concerns the shopping center's anchor supermarket; and

WHEREAS, the MLK Plan specifically prohibits "Liquor Stores" anywhere on MLK Drive; and

WHEREAS, the MLK Plan does provide for a "Full Service Supermarket" as part of the prime development components of the HUB District; and

WHEREAS, the recommended amendments would lift the prohibition on Liquor Stores, but only within the HUB District and then only where fully contained and entered from within a supermarket a minimum of 45,000 square feet in size; and

WHEREAS, the Municipal Council believes this amendment would increase sales activity at this location, which is a purpose of the MLK Plan;

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ.

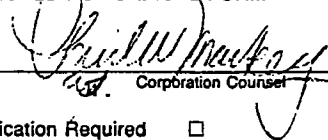
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Martin Luther King Drive Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.


Robert D. Cotter, PP, AICP
Director of Planning

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 

APPROVED: 
Business Administrator

Certification Required
Not Required

**Proposed Amendments to the MLK Drive Redevelopment Plan
April 29, 2002**

Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted.
Material indicated by bold italic *like this* is new material that is intended to be enacted.

Amend Section VII. GENERAL LAND USE PLAN (page 55) as follows:

HUB DISTRICT DEVELOPMENT CONTROLS

Hub District Development Controls shall apply to all land and buildings in the HUB District, except where the HUB - Side Street Sub-District and HUB - Ocean Avenue Sub-District controls apply, in which case the sub-district regulations shall supercede the HUB District regulations.

1. **Purpose** - The HUB District is to be a multi-use commercial and cultural center for the MLK area.
2. **Principal Permitted Uses**
 - (a) Retail sales of goods and services
 - (b) Supermarket of a minimum ~~40,000~~ ***45,000*** sq ft, ***which may include liquor sales, but which must be located wholly within such supermarket and accessed only from within such supermarket***
 - (c) Restaurants, bars and taverns
 - (d) Banks, Credit Unions, including drive-in facilities
 - (e) Theaters, bowling alleys, cinema, and other indoor recreation areas
 - (f) Offices and office buildings
 - (g) Residential
 - (h) Government and/or transit facilities
 - (i) Community and/or cultural facilities, museum
 - (j) Houses of Worship
 - (k) Mixed-use structures containing one or more of the above listed permitted uses.
3. **Accessory Permitted Uses**
 - (a) Off-street parking and loading
 - (b) Public open space, plaza and/or park
 - (c) Fences and walls
 - (d) Canopies, awnings, signs
 - (e) Free-standing project signs
 - (f) Storage uses located above or below the ground floor or in the rear of any of the other uses, provided such storage is related to the business on the ground floor
 - (g) Day care centers
 - (h) Street Furniture: decorative lighting, seating
4. **Prohibited Uses**
 - (a) Liquor stores, ***except as provided for in Paragraph 2(b) above***
 - (b) Pool halls, Massage parlors
 - (c) Pornographic movie theaters, adult book stores, massage and other establishments exploiting human anatomy including nude or topless dancing
 - (d) Automatic amusement device arcades

ORDINANCE FACT SHEET

1. **Full Title of Ordinance/Resolution/Cooperation Agreement:**
ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MARTIN LUTHER KING DRIVE REDEVELOPMENT PLAN
2. **Name and Title of Person Initiating the Ordinance, Resolution, etc.:**
Mark Munley, Director, Department of HED&C
3. **Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:**
To permit liquor sales within the HUB District Supermarket.
4. **Reasons (Need) for the Proposed Program, Project, etc.:**
Currently, the MLK Redevelopment Plan does not permit liquor sales anywhere within the MLK Redevelopment Plan Area. It is believed by the City's economic development professionals that allowing liquor sales under very tight control and in a very limited situation can and will act to stimulate retail sales activity within and adjacent to the HUB District.
5. **Anticipated Benefits to the Community:**
A more vibrant redevelopment area, especially at the HUB and its anchor store - the Citi-Markets supermarket.
6. **Cost of Proposed Program, Project, etc.:**
No expense to the city. All work done by in house staff.
7. **Date Proposed Program or Project will commence:**
Upon approval of the redevelopment plan amendment.
8. **Anticipated Completion Date:** N/A
9. **Person Responsible for Coordinating Proposed Program, Project, etc.:**
Robert D. Cotter, Director, City Planning 547-5050
10. **Additional Comments:** None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

APR 29, 2002
Date


Department Director Signature

Jo A. M. 02
Date

SUMMARY STATEMENT

This ordinance amends the MLK Plan to allow liquor sales within the HUB District supermarket.

Ordinance of the City of Jersey City, N.J.

Ord. 02-056

ORDINANCE NO. _____

3. A. MAY 0 8 2002 4. A. MAY 2 2 2002

TITLE:

Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Martin Luther King Drive Redevelopment Plan.



RECORD OF COUNCIL VOTE ON INTRODUCTION											
MAY 0 8 2002 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
BRENNAN	✓			GAUGHAN	✓			HEALY	✓		
DONNELLY	✓			MALDONADO	✓			VEGA	✓		
LIPSKI	✓			RICHARDSON	✓			SMITH, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 2 2 2002 9-0											
Councilperson <u>MALDONADO</u>				moved, seconded by Councilperson <u>DONNELLY</u>				to close P.H.:			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
BRENNAN	✓			GAUGHAN	✓			HEALY	✓		
DONNELLY	✓			MALDONADO	✓			VEGA	✓		
LIPSKI	✓			RICHARDSON	✓			SMITH, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

EARL WILLIAMS

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
BRENNAN				GAUGHAN				HEALY			
DONNELLY				MALDONADO				VEGA			
LIPSKI				RICHARDSON				SMITH, PRES.			

✓ Indicates Vote

N.V.--Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
MAY 2 2 2002 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
BRENNAN	✓			GAUGHAN	✓			HEALY	✓		
DONNELLY	✓			MALDONADO	✓			VEGA	✓		
LIPSKI	✓			RICHARDSON	✓			SMITH, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAY 0 8 2002

Adopted on second and final reading after hearing on MAY 2 2 2002

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 2 2 2002

Robert Byrne
Robert Byrne, City Clerk

APPROVED: L. Harvey Smith
L. Harvey Smith, Council President

Date MAY 2 2 2002

*Amendment(s):

APPROVED: Glenn D. Cunningham
Glenn D. Cunningham, Mayor

Date MAY 2 4 2002

Date To Mayor MAY 2 2 2002