

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

File No. Ord. 23-009
Agenda No. 3.2 (1st Reading)
Agenda No. 4.1 (2nd Reading and Final Passage)



AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DEED FROM PARKS AT VL SOUTH LLC AFFECTING BLOCK 6005, LOT 2 A/K/A THE GATEWAY PLAZA PARK AND BLOCK 6902, LOT 16 A/K/A THE VAN LEER SOUTH PARK.

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

WHEREAS, Parks at VL South LLC (Parks VL) is the fee simple owner of certain real property known as: (i) 127 Hoboken Avenue, Jersey City, New Jersey 07310, being also known as Block 6902, Lot 16.02 on the Tax Map of the City of Jersey City, Hudson County, New Jersey; (ii) 137 Hoboken Avenue, Jersey City, New Jersey 07310, being also known as Block 6902, Lot 16 on the Tax Map of the City of Jersey City, Hudson County, New Jersey; and (iii) Hoboken Avenue, Jersey City, New Jersey, being also known as Block 6005, Lot 2 on the Tax Map of the City of Jersey City, Hudson County, New Jersey (the “Developer Property”); and

WHEREAS, the City of Jersey City (the “City”) is the owner of Block 6005, Lot 1 on the Tax Map of the City of Jersey City, Hudson County, New Jersey (the “City Property”), which, together with a portion of the Developer Property, constitutes the Gateway Plaza Park (as defined below); and

WHEREAS, pursuant to certain Resolutions from the Planning Board of the City of Jersey City dated June 13, 2006 (PO6-038 and PO6-039 & PO6-061), September 10, 2013 (P10-041) and December 6, 2016 (P13-064), Parks VL’s predecessor received Site Plan approval for the development of a six (6) story mid-rise apartment building containing 260 apartment units and an enclosed parking garage containing a total of 521 parking spaces, to be known as “Van Leer Place South” (collectively, and as may be further amended, the “Approvals”); and

WHEREAS, in accordance with the Approvals, Parks VL is obligated to construct and maintain certain improvements (“Park Improvements”), which Park Improvements are depicted on the plans prepared by CPL Partnership, LLC entitled “Overall Site Plan & Sheet Index, Van Leer Place”, dated June 27, 2013, a copy of which is attached hereto as Exhibit A, on a portion of the Project Premises known and designated as Block 6902, Lot 16 a/k/a the Van Leer South Park and Block 6005, Lots 1 and 2 a/k/a the Gateway Plaza Park (the “Park Parcels”), as more particularly described in Exhibit B attached hereto and made a part hereof, for purposes of its use as public parks; and

WHEREAS, the Approvals originally provided for a minimal park design, the Approvals were subsequently amended to significantly enhance the design of the Park Improvements, including the quality and number of park amenities, play equipment, hardscape and landscape, with no additional benefit accruing to Parks VL; and

WHEREAS, Parks VL desires to offer, and the City desires to accept, a Deed that transfers ownership in fee simple of the Park Parcels to the City with language memorializing the rights and responsibilities of the parties with respect to the maintenance and control thereof; and

WHEREAS, the City is authorized to execute the Deed of Easement pursuant to N.J.S.A. 40A:12-5 and N.J.S.A. 40A:12A-1 et seq.

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

1)the above recitals are incorporated herein by reference; and

APPROVED AS TO LEGAL FORM



Business Administrator

Corporation Counsel

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2)subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor is authorized to accept the Deed attached hereto affecting Block 6005, Lot 2 a/k/a the Gateway Plaza Park and Block 6902, Lot 16 a/k/a the Van Leer South Park.

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 fully set forth therein. 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 Counsel 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 accidental repealers of existing provisions.

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RECORD OF COUNCIL VOTE ON INTRODUCTION – Feb 8 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	AYE	GILMORE	AYE	WATTERMAN, PRES	ABSENT	

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Feb 23 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSENT	GILMORE	AYE	WATTERMAN, PRES.	AYE	

SPEAKERS:

Nestor Rivera

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY –						
RIDLEY		SALEH		DEGISE		
PRINZ-AREY		SOLOMON		RIVERA		
BOGGIANO		GILMORE		WATTERMAN, PRES.		

RECORD OF FINAL COUNCIL VOTE – Feb 23 2023						
RIDLEY	AYE	SALEH	AYE	DEGISE	AYE	8-0
PRINZ-AREY	AYE	SOLOMON	AYE	RIVERA	AYE	
BOGGIANO	ABSENT	GILMORE	AYE	WATTERMAN, PRES.	AYE	

Adopted on first reading of the Council of Jersey City, N.J. on **Feb 8 2023**

Adopted on second and final reading after hearing on **Feb 23 2023**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on Feb 23 2023



City Clerk



Joyce E. Watterman, President of Council
Approved: Feb 23 2023



Steven M. Fulop, Mayor
Date to Mayor: Feb 24 2023
Approved: Feb 24 2023

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

John McKinney, Attorney	5229	jmckinney@jcnj.org
Department	Office of the Mayor	
Division	Office of the Mayor	

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Meeting	Regular Meeting of the Municipal Council - Feb 08 2023
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Purpose

To acquire a fee simple interest in the property known as Van Leer Park, consisting of a playground and a dog run.

Cost (Identify all sources and amounts)

mc

Contract term (include all)

Approved by
John McKinney, Attorney
John Metro, Business Administrator

Status:
Approved - Jan 27 2023
Approved - Feb 01 2023