



Legislation Details (With Text)

**File #:** 17-1487      **Version:** 1      **Name:** Declaration of 202-212 Oliver Street and 273-283 East Kinney Street as an Area in Need of Redevelopment

**Type:** Resolution      **Status:** Adopted

**File created:** 8/8/2017      **In control:** Economic and Housing Development

**On agenda:** 8/22/2017      **Final action:** 8/22/2017

**Title:** Dept/ Agency: Economic and Housing Development  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Declaring an Area in Need of Redevelopment  
 Purpose: Designating area in need of redevelopment  
 List of Property:  
 (Address/Block/Lot/Ward)  
 202-212 Oliver Street and also known as 273-283 East Kinney Street/Block 957/Lot 12/East Ward  
 Additional Information:  
 Resolution 7R2-r(AS) adopted on June 21, 2017 authorized and directed the Central Planning Board to conduct a preliminary investigation

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/22/2017	1	Municipal Council	Adopt	
8/22/2017	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, on June 21, 2017, the Municipal Council of the City of Newark ("Municipal Council") adopted Resolution 7R2-r(AS) authorizing and directing the Central Planning Board of the City of Newark ("Central Planning Board") to conduct a preliminary investigation to determine whether certain properties, identified as: 202-212 Oliver Street and 273-283 East Kinney Street/Block 957/Lot 12 (East Ward) or any portions thereof ("Study Area"), meet the criteria set forth in the Redevelopment Law and should be designated as a Condemnation Redevelopment Area, as defined

by the Redevelopment Law; and

**WHEREAS**, the Central Planning Board conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated as an Area in Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, a public hearing was conducted by the Central Planning Board on August 7, 2017, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

**WHEREAS**, after completing its investigation and public hearing on this matter, the Central Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as an Area in Need of Redevelopment; and

**WHEREAS**, the properties in the study area meet Criteria "b" in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

**WHEREAS**, in accordance with Redevelopment Law and as memorialized by Resolution, dated June 21, 2017, the Central Planning Board recommended to the Municipal Council that the Study Area be designated as an Area in Need of Redevelopment; and

**WHEREAS**, the Municipal Council has reviewed the recommendation of the Central Planning Board and wishes to designate the Study Area as a Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

**WHEREAS**, the designation of the Study Area as a Condemnation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain; and

**WHEREAS**, in order to effectuate the Municipal Council's designation of the Study Area as a Condemnation Redevelopment Area, the adoption of a Redevelopment Plan by the Municipal Council by Ordinance is required pursuant to N.J.S.A. 40A:12A-7; and

**WHEREAS**, the Municipal Council desires to direct the Central Planning Board to prepare a Redevelopment Plan and transmit the proposed Plan to the Municipal Council for its consideration upon completion of the Central Planning Board's review.

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

1. The Municipal Council of the City of Newark, State of New Jersey has reviewed the recommendation of the Central Planning Board of the City of Newark and finds that: 202-212 Oliver Street and 273-283 East Kinney Street/Block 957/Lot 12 (East Ward) as shown on the official tax map of the City of Newark (the "Property") qualifies as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

2. The Property is hereby designated as a Condemnation Redevelopment Area in accordance with the relevant provisions of N.J.S.A. 40A:12A-1, et seq.

3. The designation of the Property as a Condemnation Redevelopment Area shall authorize the City to exercise the power of eminent domain to acquire any property in the Study Area.

4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of New Jersey Department of Community Affairs for review, in accordance with N.J.S.A. 40A:12A-6(b)(5).

5. Within ten (10) days of the Municipal Council's adoption of the within Resolution, the Central Planning Board of Newark shall serve notice of the Municipal Council's determination and the within Resolution upon all record owners of property within the Condemnation Redevelopment Area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commissioner of the New Jersey Department of Community Affairs.

6. The Central Planning Board is hereby directed 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. 40A:12A-1 et seq. The Central Planning Board's report shall include an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate.

7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a copy of this Resolution with supporting documents in the Office of the City Clerk.

8. This Resolution shall take effect immediately.

### **STATEMENT**

This resolution authorizes the Municipal Council to designate: 202-212 Oliver Street and 273-283 East Kinney Street/Block 957/Lot 12 (East Ward) as a Condemnation Redevelopment Area and further directs the Central 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. 40A:12A-1 et seq.