



Legislation Details (With Text)

File #: 19-1586 **Version:** 1 **Name:** Declaration of AINOR (New Street)
Type: Resolution **Status:** Adopted
File created: 10/9/2019 **In control:** Economic and Housing Development
On agenda: 11/12/2019 **Final action:** 11/18/2019

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)
310-312 New Street/Block 415/Lot 51/Central Ward
Additional Information:
Resolution 7R2-n (s/as) adopted on July 23, 2019, authorized and directed the Central Planning Board to conduct a preliminary investigation.
Deferred 7R2-b (s) 111219

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/18/2019	1	Municipal Council	Adopt	Pass
11/12/2019	1	Municipal Council	Defer	Pass

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

WHEREAS, on July 23, 2019, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-n (S/AS) authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as, 310-312 New Street (Block 415/Lot 51) in the Central Ward, as shown on the official tax map of the City of Newark, or any portions thereof (the “Study Area”), is considered an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 of the

Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

WHEREAS, the Planning Board conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated as a Non-Condensation 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 Planning Board on September 9, 2019, with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, John Barree, P.P., A.I.C.P. of Heyer Gruel & Associates, the professional planner for the Planning Board, presented a report entitled "310-312 New Street Area in Need of Redevelopment Investigation Report" dated August 2019, at the Public Hearing on September 9, 2019; and

WHEREAS, after completing its investigation and Public Hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that the property in the Study Area 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, 310-312 New Street (Block 415/Lot 51) in the Study Area met criteria "c" 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 September 23, 2019, the Planning Board recommended to the Municipal Council that the property in the Study Area be designated as a Non-Condensation Area in Need of Redevelopment; and

WHEREAS, the Municipal Council has reviewed the recommendation of the Central Planning Board and wishes to designate the property in the Study Area as a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law; and

WHEREAS, the designation of the Study Area as a Non-Condensation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area, other than the power of eminent domain; and

WHEREAS, in order to effectuate the Municipal Council's designation of the Study Area as a Non-Condensation Redevelopment Area, the adoption of a Redevelopment Plan by the Municipal Council by Ordinance is required pursuant to N.J.S.A. 40A:124-7; and

WHEREAS, the Municipal Council wishes to direct the Planning Board to prepare a Redevelopment Plan and transmit the proposed Plan to the Municipal Council for its consideration upon completion of the 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 has reviewed the recommendation of the Central Planning Board and

finds that: 310-312 New Street (Block 415/Lot 51) as shown on the official tax map of the City of Newark (the "Property") qualify as an Area in Need of Redevelopment pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1 et seq.

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

3. The designation of the Property as a Non-Condemnation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, other than the power of eminent domain.

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)(c).

5. Within ten (10) days of the adoption of this Resolution, the Department of Economic and Housing Development of the City of Newark shall serve notice of the determination of the Municipal Council and this Resolution upon all record owners of property within the Non-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.

6. The Central Planning Board is hereby authorized and 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 Central Planning Board deems appropriate.

7. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate: 310-312 New Street (Block 415/Lot 51) as shown on the official tax map of the City of Newark as a Non-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.