



Legislation Details (With Text)

File #: 24-0655 **Version:** 1 **Name:** Designation of AINOR (4th St, 5th St, Franklin Ave & Bellair PI)
Type: Resolution **Status:** Adopted
File created: 4/25/2024 **In control:** Economic and Housing Development
On agenda: 5/22/2024 **Final action:** 5/22/2024

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Designating an area in need of redevelopment.
Purpose: Designating an area in need of redevelopment.
List of Property:
(Address/Block/Lot/Ward)
689 5th Street/Block 663/Lot 14/North Ward
692-700 4th Street/Block 663/Lot 32.01/North Ward
684-690 4th Street/Block 663/Lot 32.02/North Ward
865-869 Franklin Avenue/Block 750.01/Lot 41/North Ward
161 Bellair Place/Block 858/Lot 1/North Ward
Additional Information:
Resolution 7R2-c(S), adopted on August 8, 2023, 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 |
|-----------|------|-------------------|--------|--------|
| 5/22/2024 | 1 | Municipal Council | | |

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Additional Information:
Resolution 7R2-c(S), adopted on August 8, 2023, authorized and directed the Central Planning Board to conduct a preliminary investigation.

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 August 8, 2023, the Newark Municipal Council adopted Resolution 7R2-c (s)

authorizing and directing the Newark Central Planning Board (the “Central Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified on the Official Tax Map of the City of Newark as 689 5th Street, 692-700 4th Street, and 684-690 4th Street (Block 663, Lots 14, 32.01, and 32.02), 865-869 Franklin Avenue (Block 750.01, Lot 41), and 161 Bellair Place (Block 858, Lot 1) or any portion thereof (referred to as the “Study Area”), is considered an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12-5 of the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as defined by the Local Redevelopment and Housing 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 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 virtual public hearing was conducted by the Central Planning Board on October 30, 2023, with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

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

WHEREAS, the properties located at 689 5th Street (Block 663, Lot 14), 692-700 4th Street (Block 663, Lot 32.01), and 684-690 4th Street (Block 663, Lot 32.02) in the Study Area meet criteria “d” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, the property located at 161 Bellair Place (Block 858, Lot 1) in the Study Area meets criteria “c” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, the property located at 865-869 Franklin Avenue (Block 750.01, Lot 41) in the Study Area meets criteria “h” in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, while all the properties in the Study Area meet a criteria pursuant to N.J.S.A. 40A:12A-5 and may be designated as an Area in Need of Redevelopment, the Central Planning Board recommended to the Newark Municipal Council in Memorialization Resolution of October 30, 2023, in accordance with the Local Redevelopment and Housing Law, that all the properties within the Study Area, except 865-869 Franklin Avenue (Block 750.01, Lot 41), be designated as a Non-Condensation Area in Need of Redevelopment; and

WHEREAS, the Newark Municipal Council has reviewed the recommendation of the Central Planning Board and at this time wishes to designate all of the properties within the Study Area, except 865-869 Franklin Avenue (Block 750.01, Lot 41), as a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, the designation of a portion 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 use of the power of eminent domain to acquire any property in the Study Area; and

WHEREAS, in order to effectuate the Municipal Council's designation of a portion 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: 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 Newark Municipal Council has reviewed the recommendation of the Central Planning Board and finds that the properties located at 689 5th Street, 692-700 4th Street, and 684-690 4th Street (Block 663, Lots 14, 32.01, and 32.02), and 161 Bellair Place (Block 858, Lot 1) in the North 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 Non-Condensation 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 Non-Condensation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, other than the use of 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)(c).

5. Within ten (10) days of the Municipal Council's adoption of this Resolution, the Department of Economic and Housing Development shall serve notice of the Municipal Council's determination and this Resolution upon all record owners of the Property within the Non-Condensation 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 provision in the proposed Redevelopment Plan, which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matter as the Central Planning Board deems appropriate

7. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate the properties located at 689 5th Street, 692-700 4th Street, and 684-690 4th Street (Block 663, Lots 14, 32.01, and 32.02), and 161 Bellair Place (Block 858, Lot 1) in the North Ward 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.