



## Legislation Details (With Text)

**File #:** 18-1098      **Version:** 1      **Name:** Declaration of Area in Need of Redevelopment (268-272 Central Avenue)

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

**File created:** 7/3/2018      **In control:** Economic and Housing Development

**On agenda:** 9/11/2018      **Final action:** 9/11/2018

**Title:** Dept/ Agency: Economic and Housing Development  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Declaring an Area in Need of Redevelopment  
 Purpose: Designating study area as a Non-Condemnation Redevelopment Area as defined under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.  
 List of Property:  
 (Address/Block/Lot/Ward)  
 268-272 Central Avenue/Block 398/Lot 1/Central Ward  
 Additional Information:  
 Resolution 7R2-h (AS) adopted on April 24, 2018 authorized and directed the Central Planning Board to conduct a preliminary investigation of 268-272 Central Avenue (Block 398, Lot 1) or any portions thereof as a Non-Condemnation Redevelopment Area

**Sponsors:** Mildred C. Crump, Carlos M. Gonzalez

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/11/2018	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 April 24, 2018, the Municipal Council of the City of Newark ("Municipal Council") adopted Resolution 7R2-h (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 on the Official Tax Map of the City of Newark as 268-272 Central Avenue (Block 398, Lot 1) or any portions thereof ("Study Area"), meet the criteria set forth in the

Redevelopment Law and should be designated as a Non-Condensation 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 a Non-Condensation Redevelopment Area 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 June 11, 2018, 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 a Non-Condensation Redevelopment Area; and

**WHEREAS**, pursuant to the Central Planning Board Resolution, dated June 11, 2018, the properties in the study area meet Criteria "b" in accordance with the Redevelopment Law; and

**WHEREAS**, in accordance with Redevelopment Law and as memorialized by Resolution, dated June 11, 2018, the Central Planning Board recommended to the Municipal Council that the Study Area be designated as a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Municipal Council has reviewed the recommendation of the Central Planning Board and wishes to designate 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, excluding 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: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 268-272 Central Avenue (Block 398, Lot 1), as shown on the official tax map of the City of Newark (the "Property"), qualifies as a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law").

2. The Property is hereby designated as a Non-Condensation Redevelopment Area in

accordance with the Redevelopment Law.

3. The designation of the Property as a Non-Condensation Redevelopment Area shall authorize the City to use all those powers provided by the Legislature for use in a redevelopment area, excluding 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).

5. Within ten (10) days of the Municipal Council's adoption of the within Resolution, the Department of Economic and Housing Development of the City of Newark shall serve notice of the Municipal Council's determination and the within Resolution upon all record owners of 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 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 Redevelopment Law. 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. This Resolution shall take effect immediately.

### **STATEMENT**

This resolution authorizes the Municipal Council to designate 268-272 Central Avenue (Block 398, Lot 1) as a Non-Condensation 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.