



Legislation Details (With Text)

File #: 20-0955 **Version:** 1 **Name:** Declaration of ANIOR (McCarter Highway and Passaic Place)

Type: Resolution **Status:** Adopted

File created: 8/3/2020 **In control:** Economic and Housing Development

On agenda: 8/5/2020 **Final action:** 8/5/2020

Title: Dept/ Agency: Economic and Housing Development
 Action: () Ratifying () 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)
 769-781 Mccarter Highway/Block 161, Lot 1.02/East Ward
 10-18 Passaic Place/Block 1, Lot 30/Central Ward
 930 Mccarter Highway/Block 1, Lot 46/Central Ward
 Additional Information:
 Resolution 7R2-c(s), adopted on March 10, 2020, 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
8/5/2020	1	Municipal Council	Adopt	Pass

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Additional Information:
 Resolution 7R2-c(s), adopted on March 10, 2020, 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 March 10, 2020, the 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 as, 769-781

McCarter Highway (Block 161, Lot 1.02) in the East Ward, 10-18 Passaic Place (Block 1, Lot 30) and 930 McCarter Highway (Block 1, Lot 46), in the Central Ward, as shown on the Official Tax Map of the City of Newark, or any portions thereof (hereinafter referred to as the “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 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 virtual public hearing was conducted by the Central Planning Board on August 3, 2020, 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 Central Planning Board, presented a report entitled “Block 1 and Block 161 Area in Need of Redevelopment Investigation Report” dated June 19, 2020, at the virtual public hearing on August 3, 2020; 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 all the properties 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, the properties in the following Study Area: (1) 769-781 McCarter Highway (Block 161, Lot 1.02) meet criteria “b”; and (2) 10-18 Passaic Place (Block 1, Lot 30) and 930 McCarter Highway (Block 1, Lot 46) meet criteria “c,” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-5); and

WHEREAS, in accordance with Redevelopment Law and as memorialized by Resolution dated August 3, 2020, the Central Planning Board recommended to the Municipal Council that all of the properties in 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 all of the properties 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:12A-7; and

WHEREAS, the Municipal Council wishes 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 has reviewed the recommendation of the Central Planning Board and finds that: 769-781 McCarter Highway (Block 161, Lot 1.02) in the East Ward, 10-18 Passaic Place (Block 1, Lot 30); 930 McCarter Highway (Block 1, Lot 46) in the Central Ward, as shown on the Official Tax Map of the City of Newark (the "Properties"), 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 Properties are 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 Properties as a Non-Condemnation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redeveloper 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 City's Department of Economic and Housing Development 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 se q. The Central Planning Board's report shall include an identification of any provisions in the proposed Redevelopment Plan, which are inconsistent with the Master Pan 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 769-781 McCarter Highway (Block 161, Lot 1.02) in the East Ward, 10-18 Passaic Place (Block 1, Lot 30); 930 McCarter Highway (Block 1, Lot 46) in the Central 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.