



Legislation Details (With Text)

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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)
 23-37 University Avenue/Block 47/Lot 40/Central Ward
 Additional Information:
 Resolution 7R2-I(S), adopted on August 19, 2021, authorized and directed the Central Planning Board to conduct a preliminary investigation to determine if the area is in need of redevelopment.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/6/2023	1	Municipal Council		

Dept/ Agency: Economic and Housing Development
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List of Property:
(Address/Block/Lot/Ward)
 23-37 University Avenue/Block 47/Lot 40/Central Ward
Additional Information:
 Resolution 7R2-I(S), adopted on August 19, 2021, authorized and directed the Central Planning Board to conduct a preliminary investigation to determine if the area is in need of redevelopment.

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 19, 2021, the Newark Municipal Council adopted Resolution 7R2-I(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 follows:

Address	Block	Lot	Add'l Lots	Ward
583-587 Broad Street	18	16	17, 18	Central
589 Broad Street	18	19		Central

591-593 Broad Street	18	20	21	Central
595-599 Broad Street	18	22	24	Central
601-603 Broad Street	18	25	26	Central
605-607 Broad Street	18	27	28, 77	Central
23-37 University Avenue	47	40		Central

or any portions thereof, referred to as the “Study Area”, are 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 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 and designated as Condemnation 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 July 19, 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 five (5) of the seven (7) 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 as an Area in Need of Redevelopment; and

WHEREAS, the following four (4) properties of the Study Area meet Criteria “b” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.):

Address	Block	Lot	Add'l Lots
583-587 Broad Street	18	16	17, 18
591-593 Broad Street	18	20	21
595-599 Broad Street	18	22	24
601-603 Broad Street	18	25	26

and

WHEREAS, the property located at 23-37 University Avenue, Block 47, Lot 40, meets Criteria “c” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, the following two (2) properties in the Study Area, 589 Broad Street (Block 18, Lot 19) and 605-607 Broad Street (Block 18, Lot 27 with additional lots 28 and 77), do not meet any of the criteria set forth in the Redevelopment Law; and

WHEREAS, in accordance with Redevelopment Law and as memorialized by Resolution of September 11, 2023, the Central Planning Board, recommended to the Newark Municipal Council that while five (5) properties in the Study Area meet Criteria for designation only the following (4) properties in the Study Area be designated as a Condemnation Area in Need of Redevelopment:

AddressBlockLotAdd'l Lots			
591-593 Broad Street	18	20	21
595-599 Broad Street	18	22	24
601-603 Broad Street	18	25	26
23-37 University Avenue	47	40	

and;

WHEREAS, the Central Planning Board did not recommend in its Memorialization Resolution of September 11, 2023, that the property located at 583-587 Broad Street, Block 18, Lot 16, 17, and 18, be designated as an Area in Need of Redevelopment despite meeting Criteria “b” because of changed circumstances between the drafting of the report and the hearing, specifically that improvements on the property commenced; and

WHEREAS, the Newark Municipal Council has reviewed the recommendation of the Central Planning Board and at this time wishes to designate only one property, 23-37 University Avenue (Block 47, Lot 40), in the Study Area as a Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

WHEREAS, the designation of the property located at 23-37 University Avenue, Block 47, Lot 40, within 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 use of power of eminent domain to acquire said designated property; and

WHEREAS, in order to effectuate the Municipal Council’s designation of the property located at 23-37 University Avenue, Block 47, Lot 40 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 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 the property shown on the Official Tax Map of the City of Newark as 23-37 University Avenue, Block 47 and Lot 40 (the “Property”) qualifies as a 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 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 all those powers provided by the Legislature for use in a Redevelopment Area, including the use of the power of eminent domain to acquire the Property.
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 in 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.
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 Housing and Redevelopment 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 the property located at 23-37 University Avenue (Block 47, Lot 40) in the Central 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.