



Legislation Details (With Text)

**File #:** 19-0594      **Version:** 1      **Name:** Resolution Declaring Parcels on James St. as AINOR

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

**File created:** 4/2/2019      **In control:** Economic and Housing Development

**On agenda:** 6/11/2019      **Final action:** 6/11/2019

**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)  
108-112 University Avenue/34/19/Central Ward  
42 James Street/34/22/Central Ward  
42 James Street/34/23/Central Ward  
40 James Street/34/24/Central Ward  
26 James Street/34/31/Central Ward  
Additional Information:  
Resolution 7R2-e(s) adopted on November 27, 2018, authorized and directed the Central Planning Board to conduct a preliminary investigation.

**Sponsors:** John Sharpe James, Mildred C. Crump

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
6/11/2019	1	Municipal Council	Adopt	Pass

**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)**  
108-112 University Avenue/34/19/Central Ward  
42 James Street/34/22/Central Ward  
42 James Street/34/23/Central Ward  
40 James Street/34/24/Central Ward  
26 James Street/34/31/Central Ward  
**Additional Information:**  
Resolution 7R2-e(s) adopted on November 27, 2018, 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 November 27, 2018, the Municipal Council of the City of Newark (the

“Municipal Council”) adopted Resolution 7R2-e(s) authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as: 108-112 University Avenue, 42- James Street, 42 James Street, 40 James Street, 26 James Street (Block 34/Lots 19, 22, 23, 24, and 31), in the Central Ward, or any portions thereof (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 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 public hearing was conducted by the Planning Board on February 4, 2019, with notice having properly been 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 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**, all the properties in the Study Area, 108-112 University Avenue, 42- James Street, 42 James Street, 40 James Street, 26 James Street (Block 34/Lots 19, 22, 23, 24, and 31) meet criteria “d” 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 March 18, 2019, the 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 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 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: 108-112 University Avenue, 42- James Street, 42 James Street, 40 James Street, 26

James Street (Block 34/Lots 19, 22, 23, 24, and 31), 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.

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 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 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: 108-112 University Avenue, 42-James Street, 42 James Street, 40 James Street, 26 James Street (Block 34/Lots 19, 22, 23, 24, and 31), (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.