



Legislation Details (With Text)

**File #:** 21-0651      **Version:** 1      **Name:** Declaration of an AINOR (502-504 Summer Avenue)

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

**File created:** 5/5/2021      **In control:** Economic and Housing Development

**On agenda:** 5/19/2021      **Final action:** 5/19/2021

**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)  
502-504 Summer Avenue/Block 625/Lot 46 and Additional Block 681/Lot 31/North Ward  
Additional Information:  
Resolution 7R2-b adopted on February 18, 2021, 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
5/19/2021	1	Municipal Council	Adopt	Pass

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**Additional Information:**  
Resolution 7R2-b adopted on February 18, 2021, 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 February 18, 2021, the Municipal Council adopted Resolution 7R2-b authorizing and directing the Newark Central Planning Board (the “Central Planning Board”) to conduct a preliminary investigation to determine whether a certain property, identified on the Official Tax Map of the City of Newark as 502-504 Summer Avenue (Block 625, Lot 46 with an additional Block 681, Lot 31) or any portion thereof (“Study Area”), met the criteria set forth in the Redevelopment Law and should be designated as a 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 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 April 19, 2021, 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 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 Area in Need of Redevelopment; and

**WHEREAS**, the property in the Study Area meets criteria “h” 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 April 19, 2021, the Central Planning Board recommended to the Municipal Council that the Study Area be designated as a Non-Condensation Area in Need of Redevelopment; and

**WHEREAS**, the Municipal Council has reviewed the recommendation of the 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, 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 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 has reviewed the recommendation of the Central Planning Board and finds that: 502-504 Summer Avenue (Block 625, Lot 46 with an additional Block 681, Lot 31) in the North Ward, as shown on the Official Tax Map of the City of Newark (the “Property”) qualifies as a Non-Condensation 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-Condernation 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 property within the Non-Condernation 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 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 502-504 Summer Avenue (Block 625, Lot 46 with an additional Block 681, Lot 31)(North Ward) as a Non-Condernation 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.