



Legislation Details (With Text)

File #: 19-0977 **Version:** 1 **Name:** William Street AINOR Declaration
Type: Resolution **Status:** Adopted
File created: 6/7/2019 **In control:** Economic and Housing Development
On agenda: 7/23/2019 **Final action:** 7/23/2019

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)
16-24 William Street/Block 94/Lot 6/Central Ward
26-30 William Street/Block 94/Lot 3/Central Ward
32-34 William Street/Block 94/Lot 1/Central Ward
Additional Information:
Resolution 7R2-b adopted on March 20, 2019, authorized and directed the Central Planning Board to conduct a preliminary investigation of a study area identified as: 16-24 William Street, 26-30 William Street and 32-34 William Street.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/23/2019	1	Municipal Council	Adopt	Pass

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Additional Information:

Resolution 7R2-b adopted on March 20, 2019, authorized and directed the Central Planning Board to conduct a preliminary investigation of a study area identified as: 16-24 William Street, 26-30 William Street and 32-34 William Street.

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 20, 2019, the Municipal Council of the City of Newark (the "Municipal Council") adopted Resolution 7R2-b ("Designating Resolution") authorizing and directing the Newark Central Planning Board (the "Planning Board") to conduct a preliminary investigation to determine

whether certain properties, identified as: 16-24 William Street, 26-30 William Street and 32-34 William Street (hereinafter referred to as the “Study Area”), identified on the official tax map of the City of Newark as Block 94, Lots 6, 3 and 1 (mistakenly identified in Resolution 7R2-b as Block 64, Lots 6, 3 and 1), in the Central Ward, or any portions thereof, 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, Resolution 7R2-b included copies of the Tax Vitals from the Tax Assessor’s Office that confirmed the Study Area as 16-24 William Street, 26-30 William Street and 32-34 William Street (Block 94, Lots 6, 3 and 1); and

WHEREAS, despite the incorrect reference to Block 64 in Resolution 7R2-b, the Planning Board conducted a preliminary investigation of the Study Area as 16-24 William Street, 26-30 William Street and 32-34 William Street (Block 94, Lots 6, 3 and 1), as evidenced by their recommending resolution of May 20, 2019, 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 May 20, 2019, after notice of the Study Area as 16-24 William Street, 26-30 William Street and 32-34 William Street (Block 94, lots 1, 3, and 6) was properly advertised in the newspaper on May 3 & 10, 2019, pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, John Baree, P.P., A.I.C.P. of Heyer Gruel & Associates, the professional planner for the Planning Board, presented a report to the Planning Board entitled “16-34 William Street Area in Need of Redevelopment Investigation Report” dated April 2019 that properly referenced the Study Area as 16-24 William Street, 26-30 William Street and 32-34 William Street (Block 94, Lots 1, 3, and 6); 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: 16-24 William Street, 26-30 William Street, 32-34 William Street (Block 94, Lots 6, 3, and 1) meet criteria “b” 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 a Resolution dated June 3, 2019, the Planning Board recommended to the Municipal Council that all of the properties in 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 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.

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: 16-24 William Street, 26-30 William Street, 32-34 William Street (Block 94, Lots 6, 3, and 1) 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-Condensation 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-Condensation 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 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-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.
6. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate 16-24 William Street, 26-30 William Street, 32-34 William Street (Block 94/Lots 6, 3, and 1) (Central Ward) as a Non-Condensation Redevelopment Area.