



## Legislation Text

File #: 19-0853, Version: 1

**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)**

185-201 NJRR Avenue/917/1.01/East Ward

12 Garden Street/917/1.02/East Ward

14-16 Garden Street/917/1.03/East Ward

18 Garden Street/917/1.04/East Ward

20-22 Garden Street/917/1.05/East Ward

122 East Kinney Street/917/1.06/East Ward

118-120 East Kinney Street/917/1.07/East Ward

116 East Kinney Street/917/1.08/East Ward

112-114 East Kinney Street/917/1.09/East Ward

110 East Kinney Street/917/1.10/East Ward

**Additional Information:**

Resolution 7R2-a adopted on March 7, 2018, authorized and directed the Central Planning Board to conduct a preliminary investigation of an Area in Need of Redevelopment.

**Deferred 7R2-c (s) 072319**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "LRHL"), authorizes municipalities to determine whether certain parcels of land located therein constitute an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12-5 of the LRHL and should be designated as a Non-Condemnation Redevelopment Area, as defined by the LRHL; and

**WHEREAS**, on March 7, 2018, the Municipal Council of the City of Newark (the "Municipal Council") adopted Resolution 7R2-a authorizing and directing the Newark Central Planning Board (the "Central Planning Board") to conduct a preliminary investigation to determine whether certain properties, identified as: 185-201 NJRR Avenue (Block 917, Lot 1.01), 12 Garden Street (Block 917, Lot 1.02), 14-16 Garden Street (Block 917, Lot 1.03), 18 Garden Street (Block 917, Lot 1.04), 20-22 Garden Street (Block 917, Lot 1.05), 122 East Kinney Street (Block 917, Lot 1.06), 118-120 East Kinney Street (Block 917, Lot 1.07), 116 East Kinney Street (Block 917, Lot 1.08), 112-114 East Kinney Street (Block 917, Lot 1.09), and 110 East Kinney Street (Block 917, Lot 1.10) (East Ward) as shown on the official tax map of the City of Newark or any portions thereof (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 LRHL and should be designated as a Non-Condemnation Redevelopment Area, as defined by the LRHL; 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 public hearing was conducted by the Central Planning Board on June 11, 2018, 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 Central Planning Board adopted a resolution on June 11, 2018, recommending to the Municipal Council that there was sufficient credible evidence to support findings that the properties in the Study Area satisfy the criteria set forth in the LRHL, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as a non-condemnation Area in Need of Redevelopment; and

**WHEREAS**, 12 Garden Street (Block 917, Lot 1.02), 14-16 Garden Street (Block 917, Lot 1.03), 18 Garden Street (Block 917, Lot 1.04), 20-22 Garden Street (Block 917, Lot 1.05), 122 East Kinney Street (Block 917, Lot 1.06), 118-120 East Kinney Street (Block 917, Lot 1.07), 116 East Kinney Street (Block 917, Lot 1.08), 112-114 East Kinney Street (Block 917, Lot 1.09), 110 East Kinney Street (Block 917, Lot 1.10) (East Ward) in the Study Area met Criteria “c” and 185-201 NJRR Avenue (Block 917, Lot 1.01) met criteria “d” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

**WHEREAS**, the Municipal Council has reviewed the recommendation of the Planning Board and wishes to designate the properties in the Study Area as a Non-Condensation Redevelopment Area pursuant to the LRHL; 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 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: 185-201 NJRR Avenue (Block 917, Lot 1.01), 12 Garden Street (Block 917, Lot 1.02), 14-16 Garden Street (Block 917, Lot 1.03), 18 Garden Street (Block 917, Lot 1.04), 20-22 Garden Street (Block 917, Lot 1.05), 122 East Kinney Street (Block 917, Lot 1.06), 118-120 East Kinney Street (Block 917, Lot 1.07), 116 East Kinney Street (Block 917, Lot 1.08), 112-114 East Kinney Street (Block 917, Lot 1.09), and 110 East Kinney Street (Block 917, Lot 1.10) (East 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 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 seq. The 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 Planning Board deems appropriate.

7. This Resolution shall take effect immediately.

### **STATEMENT**

This Resolution authorizes the Municipal Council to designate: 185-201 NJRR Avenue (Block 917, Lot 1.01), 12 Garden Street (Block 917, Lot 1.02), 14-16 Garden Street (Block 917, Lot 1.03), 18 Garden Street (Block 917, Lot 1.04), 20-22 Garden Street (Block 917, Lot 1.05), 122 East Kinney Street (Block 917, Lot 1.06), 118-120 East Kinney Street (Block 917, Lot 1.07), 116 East Kinney Street (Block 917, Lot 1.08), 112-114 East Kinney Street (Block 917, Lot 1.09), and 110 East Kinney Street (Block 917, Lot 1.10) (East Ward) as shown on the official tax map of the City of Newark (the "Properties") 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.