



Legislation Text

File #: 19-1917, 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)

350-360 Carnegie Avenue/Block 5090/Lot 36/South Ward
362-384 Carnegie Avenue/Block 5090/Lot 34/South Ward
386-406 Carnegie Avenue/Block 5090/Lot 32/South Ward

Additional Information:

Resolution 7R2-j(s) adopted on August 20, 2019, 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 August 20, 2019, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-j (S) authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as, 350-360 Carnegie Avenue, 362-384 Carnegie Avenue, and 386-406 Carnegie Avenue (Block 5090, Lots 32, 34, and 36) in the South Ward, as shown on the official tax map of the City of Newark, or any portions thereof (the “Study Area”), are considered “areas in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 of the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

WHEREAS, the Newark Central Planning Board (the “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, the Planning Board conducted a Public Hearing on October 7, 2019 (the “Public Hearing”), with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, John Barree, P.P., A.I.C.P. of Heyer Gruel & Associates, the Professional Planner for the Planning Board, presented a report entitled “Carnegie Avenue Area in Need of Redevelopment Investigation Report” dated September 2019, at the Public Hearing on October 7, 2019; 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 the property in the Study Area satisfies 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, 350-360 Carnegie Avenue, 362-384 Carnegie Avenue, and 386-406 Carnegie Avenue (Block 5090, Lots 32, 34, and 36) in the Study Area, met criteria “d” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, in accordance with Redevelopment Law and as memorialized by Resolution, dated October 21, 2019, the Planning Board recommended to the Municipal Council that the property 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 Central Planning Board and wishes to designate the property 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:124-7; and

WHEREAS, the Municipal Council wishes to direct the 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 of the City of Newark has reviewed the recommendation of the Central Planning Board and finds that: 350-360 Carnegie Avenue, 362-384 Carnegie Avenue, and 386-406 Carnegie Avenue (Block 5090, Lots 32, 34, and 36)) 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., and the recommendations of the Central Planning Board.

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 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-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. 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 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 350-360 Carnegie Avenue, 362-384 Carnegie Avenue, and 386-406 Carnegie Avenue (Block 5090, Lots 32, 34, and 36), as shown on the official Tax Map of the City of Newark as a Non-Condensation 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.