



Legislation Text

File #: 13-0919, Version: 1

Dept/ Agency: Economic & Housing Development

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Waiving twenty (20) day period for an ordinance to take effect

Purpose: To declare an emergency in accordance with N.J.S.A.40:69A-181(b) as to Ordinance 6PSF-A 053013 and expedite the effective date of the Tax Abatement Ordinance for HELP Springfield Avenue Urban Renewal, L.P. and ensure that HELP Springfield Avenue Urban Renewal, L.P. meets the NJHMFA Low Income Housing Tax Credit application deadline of May 31, 2013.

Ordinance No(s): Ordinance 6PSF-A(S) 053013

Additional Information:

Deferred 7R3-b (s) 053013

Deferred 7R3-a 060613

WHEREAS, HELP Springfield Avenue Urban Renewal, LP, an urban renewal entity with an address of 5 Hanover Square, 17th Floor, New York, New York 10004, filed an application with the Mayor seeking a long term tax abatement pursuant to the Long Term Tax Abatement Law, *N.J.S.A. 40A:20-1 et. seq.* for a Residential Rental Affordable Housing Project on property commonly known as 521 Springfield Avenue, 523 Springfield Avenue, 527 Springfield Avenue, 529 Springfield Avenue, 9-11 Brenner Street, 606 South 10th Street, and 608 South 10th Street, Newark, New Jersey and identified on the Official Tax Map of the City of Newark as Block 2614, Lots 1, 2, 4, 5, 30, 32 and 33 (collectively, the "Property") in order to construct a four (4) story building that will contain forty-five (45) studio, one, two and three bedroom apartments, twelve (12) of which will be set aside for special needs tenants, and all forty-five (45) of which shall be affordable housing units and which will provide residential and supportive services to young adults, who have aged out of the foster care system, along with a community room, a warming kitchen and manage management offices designed to accommodate a social service coordinator, all as described more fully within the application (collectively, the "Project"); and

WHEREAS, HELP Springfield Avenue Urban Renewal, LP has represented through the application that it filed with the Mayor that the Project is not financially viable, unless the Project receives an award of low income housing tax credits from the New Jersey Housing and Mortgage Finance Agency (the "NJHMFA"); and

WHEREAS, in order to compete for an award of low income housing tax credits, HELP Springfield Avenue Urban Renewal, LP must demonstrate to the NJHMFA that the Project has obtained a long term tax abatement; and

WHEREAS, the NJHMFA has established a deadline of May 31, 2013 for the submission of low income housing tax credit applications for the 2013 9% tax credit round; and

WHEREAS, unless the City grants a long term tax abatement to the Project on or before this deadline, HELP Springfield Avenue Urban Renewal, LP will not be able to file an application with the

NJHMFA seeking an award of low income housing tax credits for the Project and it is unlikely that the Project will be able to proceed; and

WHEREAS, *N.J.S.A. 40:69A-181(b)* authorizes a Municipal Council to adopt a resolution declaring an emergency and determining that an ordinance will take immediate effect so long as at least two-thirds of all the members of the Municipal Council vote in favor of such resolution; and

WHEREAS, on May 30, 2013, the Deputy Mayor/Director of the Department of Economic and Housing Development wishes to present to the Municipal Council, simultaneously this resolution and Ordinance 6PSF-A for final adoption on May 30, 2013 entitled "An Ordinance Granting a Thirty (30) Year Tax Abatement to HELP Springfield Avenue Urban Renewal, LP for a Residential Rental Affordable Housing Project on property located at 521 Springfield Avenue, 523 Springfield Avenue, 527 Springfield Avenue, 529 Springfield Avenue, 9-11 Brenner Street, 606 South 10th Street, and 608 South 10th Street, Newark, New Jersey and identified on the Official Tax Map of the City of Newark as Block 2614, Lots 1, 2, 4, 5, 30, 32 and 33," which grants a long term tax abatement to the Project on or before May 31, 2013 NJHMFA Tax Credit Application deadline, to enable HELP Springfield Avenue Urban Renewal, LP to file an application with the NJHMFA seeking an award of low income housing tax credits for the Project; and

WHEREAS, *N.J.S.A. 40:69A-181(b)* provides that the Governing Body of a Municipality may adopt a resolution declaring an emergency and providing for any duly-adopted ordinance to take effect less than twenty (20) days after final passage; and

WHEREAS, the Municipal Council finds and declares that an emergency exists due to the need for this Project in the City's South Ward and further recognizes that the potential loss of the opportunity to build this Project would exacerbate the problems found in the South Ward, which stem from lack of affordable housing, social services and construction jobs.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. In order to expedite the effective date of Ordinance 6PSF-A entitled "An Ordinance Granting a Thirty (30) Year Tax Abatement to HELP Springfield Avenue Urban Renewal, LP for a Residential Rental Affordable Housing Project on property located at 521 Springfield Avenue, 523 Springfield Avenue, 527 Springfield Avenue, 529 Springfield Avenue, 9-11 Brenner Street, 606 South 10th Street, and 608 South 10th Street, Newark, New Jersey and identified on the Official Tax Map of the City of Newark as Block 2614, Lots 1, 2, 4, 5, 30, 32 and 33," for the reasons set forth in the Preamble of this Resolution, the Municipal Council declares an emergency in accordance with *N.J.S.A.40:69A-181(b)* and further determines and declares that said Ordinance, once approved by the Municipal Council after second reading, be and the same is hereby effective immediately and not twenty (20) days after its final passage by the Municipal Council as otherwise required under *N.J.S.A. 40:69A-181(b)*, upon approval by the Mayor (or passage over his veto) and publication in accordance with law.

2. A copy of this resolution shall be filed with the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

3. The City Clerk and all other Municipal officers are hereby authorized and directed to take all steps necessary to effectuate the purposes of this resolution.

4. This resolution shall take effect immediately.

STATEMENT

This resolution authorizes an emergency to be declared and further authorizes Ordinance 6PSF-A entitled "An Ordinance Granting a Thirty (30) Year Tax Abatement to HELP Springfield Avenue Urban Renewal, LP for a Residential Rental Affordable Housing Project on property located at 521 Springfield Avenue, 523 Springfield Avenue, 527 Springfield Avenue, 529 Springfield Avenue, 9-11 Brenner Street, 606 South 10th Street, and 608 South 10th Street, Newark, New Jersey and identified on the Official Tax Map of the City of Newark as Block 2614, Lots 1, 2, 4, 5, 30, 32 and 33," once approved by the Municipal Council after second reading, to become effective immediately and not twenty (20) days after its final passage by the Municipal Council, as otherwise required under *N.J.S.A. 40:69A-181(b)* upon approval by the Mayor (or passage over his/her veto) and publication in accordance with law.