



## Legislation Text

File #: 19-1322, 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 Non-Condemnation Redevelopment Areas

**List of Property:**

**(Address/Block/Lot/Ward)**

400-402 Avon Avenue/Block 2648/Lot 51/South Ward

404 Avon Avenue/Block 2648/Lot 49/South Ward

864 South 14<sup>th</sup> Street/Block 3009 /Lot 19/South Ward

414 South 16<sup>th</sup> Street/Block 319/Lot 18/West Ward

414 South 16<sup>th</sup> Street R/Block 319/Lot 52/West Ward

465 South 16<sup>th</sup> Street/Block 327/Lot 35/West Ward

467 South 16<sup>th</sup> Street/Block 327/Lot 36/West Ward

470 South 16<sup>th</sup> Street/Block 328/Lot 40/West Ward

478 South 16<sup>th</sup> Street/Block 328/Lot 36/West Ward

94 Cutler Street/Block 489/Lot 18/Central Ward

145 ½ Summer Avenue/Block 516/Lot 88/Central Ward

**Additional Information:**

**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 June 11, 2019, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-e(S) authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as:

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as shown on the official tax map of the City of Newark, or any portions thereof (the “Study Area”), 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**, the Central Planning Board conducted a preliminary investigation of the Study Area 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 August 5, 2019, 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 Planning Board adopted a resolution on August 5, 2019, concluding 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 a non-condemnation Area in Need of Redevelopment; and

**WHEREAS,**

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in the Study Area met Criteria “c” and

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in the Study Area met criteria “a” 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 August 5, 2019, the Central Planning Board recommended to the Municipal Council that all the properties in the Study Area be designated as a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Municipal Council has reviewed the recommendation of the Central Planning Board and wishes to designate all 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:124-7; and

**WHEREAS**, the Municipal Council wishes 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 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 Planning Board and finds that:

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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 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:

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94 Cutler Street/Block 489/Lot 18/Central Ward  
145 ½ Summer Avenue/Block 516/Lot 88/Central Ward

as shown on the official tax map of the City of Newark 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.