



## Legislation Text

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**File #:** 19-1583, **Version:** 1

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**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/Additional Lots/Ward)**

418-422 13<sup>th</sup> Ave/1784/1/West  
416 13<sup>th</sup> Ave/1784/4/West  
408-414 13<sup>th</sup> Ave/1784/5/West  
331 S 11<sup>th</sup> St/1784/6/West  
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371-373 S 12<sup>th</sup> St/1785/64/West

**Additional Information:**

Resolution 7R2-i(s) adopted on July 2, 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 July 2, 2019, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-i(S) authorizing and directing the Central Planning Board of the City of Newark (the “Central Planning Board”) to conduct a preliminary investigation to determine whether the following properties, identified on the Official Tax Map of the City of Newark:

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

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416 13<sup>th</sup> Ave/1784/4/West  
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or any portions thereof (the “Study Area”), meet the criteria set forth in the Redevelopment Law and should be designated as a Condemnation 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 a Condemnation 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 Central Planning Board conducted a Public Hearing on September 9, 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 Central 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 a Condemnation Area in Need of Redevelopment; and

**WHEREAS**, in accordance with Redevelopment Law and as memorialized by Resolution, dated September 23, 2019, the Central Planning Board recommended to the Municipal Council that all the properties in the Study Area be designated as a Condemnation 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 Condemnation

Redevelopment Area pursuant to the Redevelopment Law; and

**WHEREAS**, the designation of the Study Area as a Condemnation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment Area, including the power of eminent domain; and

**WHEREAS**, in order to effectuate the Municipal Council's designation of the Study Area as a Condemnation Redevelopment Area, the adoption of a Redevelopment Plan by the Municipal Council by Ordinance is required pursuant to N.J.S.A. 40A:12-7; 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 Central Planning Board of the City of Newark and finds that the following properties:

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

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as shown on the official tax map of the City of Newark (the "Properties") qualify as a Condemnation 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 Condemnation 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 Condemnation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, including 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. In accordance with N.J.S.A. 40A:12A-6(b)(5)(d), 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 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 Central Planning Board deems appropriate.

7. This Resolution shall take effect immediately.

### **STATEMENT**

This Resolution authorizes the Municipal Council to designate:

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

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