



Legislation Text

File #: 23-1712, Version: 1

Dept/ Agency: Economic and Housing Development

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

Type of Service: Designating area in need of redevelopment.

List of Property:

(Address/Block/Lot/Ward)

23-37 University Avenue/Block 47/Lot 40/Central Ward

Additional Information:

Resolution 7R2-l(S), adopted on August 19, 2021, authorized and directed the Newark Central Planning Board to conduct a preliminary investigation to determine if the area is in need of redevelopment.

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 19, 2021, the Newark Municipal Council (“Municipal Council”) adopted Resolution 7R2-l(s) authorizing and directing the Newark Central Planning Board (the “Central Planning Board”) to conduct a preliminary investigation to determine whether the properties identified on the Official Tax Map of the City of Newark as follows:

Address	Block	Lot	Add'l Lots	Ward
583-587 Broad Street	18	16	17, 18	Central
589 Broad Street	18	19		Central
591-593 Broad Street	18	20	21	Central
595-599 Broad Street	18	22	24	Central
601-603 Broad Street	18	25	26	Central
605-607 Broad Street	18	27	28, 77	Central
23-37University Avenue	47	40		Central

or any portion thereof is considered an “area in need of redevelopment” according (“Study Area”)to the criteria set forth in N.J.S.A. 40A:12-5 of the Local Redevelopment and Housing Law and should be designated as a Condemnation Redevelopment Area, as defined therein; 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 and designated as Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

WHEREAS, a virtual public hearing was conducted by the Central Planning Board on July 19, 2023, 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 Memorialization Resolution on September 11, 2023 (“Resolution”), concluding that there was sufficient credible evidence to support findings that only the following properties within the Study Area satisfy the following criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., and recommended designating the following properties within the Study Area as a Condemnation Redevelopment Area:

Address	Block	Lots	Ward	Criteria
591-593 Broad Street	18	20, 21	Central	b
595-599 Broad Street	18	22, 24	Central	b
601-603 Broad Street	18	25, 26	Central	b
23-37 University Avenue	47	40	Central	c

; and

WHEREAS, the Central Planning Board Resolution further concluded that the following properties in the Study Area did not meet any of the criteria set forth in the Redevelopment Law, and therefore did not recommend designating these properties as a Condemnation Area in Need of Redevelopment:

Address	Block	Lots	Ward
589 Broad Street	18	19	Central
605-607 Broad Street	18	27,28,77	Central

; and

WHEREAS, the Central Planning Board Resolution concluded that while 583-587 Broad Street, Block 18, Lot 16, 17, and 18, meets criteria “b” and as such may be designated a Condemnation Area in Need of Redevelopment, based on changed circumstances and improvements to said property, it does not recommend designating it as a Condemnation Area in Need of Redevelopment; and

WHEREAS, the Municipal Council has reviewed the recommendation of the Central Planning Board and at this time wishes to designate only one property, 23-37 University Avenue (Block 47, Lot 40), in the Study Area as a Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

WHEREAS, the designation of 23-37 University Avenue (Block 47, Lot 40), within the Study Area, as a Condemnation Area in Need of Redevelopment shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the use of power of eminent domain to acquire said property in the Study Area; 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: 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 Newark Municipal Council has reviewed the recommendation of the Central Planning Board and finds that the property shown on the Official Tax Map of the City of Newark as 23-37 University Avenue, Block 47 and Lot 40 (the "Property") qualifies 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 Property is hereby designated as a Condemnation Redevelopment Area in accordance with the relevant provisions of N.J.S.A. 40A:12A-1 et seq.

3. The designation of the Property 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 use of the power of eminent domain to acquire the Property.

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 Municipal Council's adoption of this Resolution, the Department of Economic and Housing Development shall serve notice of the Municipal Council's determination and this Resolution upon all record owners of the 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. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate 23-37 University Avenue (Block 47, Lot 40) in the Central Ward 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 in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.