Legislation Details (With Text)

File #:	18-0836	**Version:**	1	**Name:**	Declaration of Area in Need of Redevelopment (869-873 Broad Street)
Type:	Resolution			**Status:**	Adopted
File created:	5/23/2018			**In control:**	Economic and Housing Development
On agenda:	8/8/2018			**Final action:**	8/8/2018

Title: 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)
869-873 Broad Street/Block 57.04/Lot 138/Central Ward
Additional Information:
Resolution 7R2-f (AS) adopted on September 7, 2017 authorized and directed the Central Planning Board to conduct a preliminary investigation

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/8/2018	1	Municipal Council	Adopt	Pass

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WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, on September 7, 2017, the Municipal Council of the City of Newark ("Municipal Council") adopted Resolution 7R2-f (AS) authorizing and directing the Central Planning Board of the City of Newark ("Central Planning Board") to conduct a preliminary investigation to determine whether certain properties identified on the Official Tax Map of the City of Newark as 869-873 Broad Street (Block 57.04, Lot 138) or any portions thereof ("Study Area"), meet the criteria set forth in the Redevelopment Law and should be designated as a 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 Non-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, a public hearing was conducted by the Central Planning Board on April 23, 2018, with notice having been properly 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 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, in accordance with Redevelopment Law and as memorialized by Resolution, dated April 23 2018, the Central Planning Board recommended to the Municipal Council that the Study Area be designated as a Non-Condemnation Area in Need of Redevelopment; and

WHEREAS, the Municipal Council has reviewed the recommendation of the Central Planning Board and wishes to designate the Study Area as a Non-Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6(a) the designation of the Study Area as a Non-Condemnation Redevelopment Area shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, other than the use of power of eminent domain to acquire any property in the Study Area; and

WHEREAS, in order to effectuate the Municipal Council's designation of the Study Area as a Non-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 Municipal Council of the City of Newark, State of New Jersey has reviewed the recommendation of the Central Planning Board of the City of Newark and finds that 869-873 Broad Street (Block 57.04, Lot 138), as shown on the official tax map of the City of Newark (the "Property"), qualifies as a Non-Condemnation Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

2. The Property is hereby designated as a Non-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 Non-Condemnation Redevelopment Area shall authorize the City to exercise all powers designated by the New Jersey Legislature for use in a redevelopment area other than the use of eminent domain to acquire any property in the Study Area.

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).

5. Within ten (10) days of the Municipal Council's adoption of the within Resolution, the Department of Economic and Housing Development of the City of Newark shall serve notice of the Municipal Council's determination and the within Resolution upon all record owners of property within the Non-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 and upon the Commissioner of the New Jersey Department of Community Affairs.

6. The Central Planning Board is hereby 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 Planning Board deems appropriate.

7. This Resolution shall take effect immediately.

STATEMENT

This resolution authorizes the Municipal Council to designate 869-873 Broad Street (Block 57.04, Lot 138) 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.