



Legislation Details (With Text)

File #: 18-1576 **Version:** 1 **Name:** Sumo AINOR Declaration: Delancy Street
Type: Resolution **Status:** Adopted
File created: 10/1/2018 **In control:** Economic and Housing Development
On agenda: 12/5/2018 **Final action:** 12/5/2018

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)
271-275 Delancy Street/Block 1096/Lot 34/East Ward
263-269 Delancy Street/Block 1096/Lot 37/East Ward
253-261 Delancy Street/Block 1096/Lot 41/East Ward
42-62 Wheeler Point Road/Block 1097/Lot 5/East Ward
Additional Information:
Resolution 7R2-c adopted on March 7, 2018, authorized and directed the Central Planning Board to conduct a preliminary investigation.

Sponsors: Augusto Amador, Carlos M. Gonzalez

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/5/2018	1	Municipal Council	Adopted	Pass

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Additional Information:
Resolution 7R2-c adopted on March 7, 2018, 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 March 7, 2018, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-c authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties,

identified as 271-275 Delancy Street, 263-269 Delancy Street, 253-261 Delancy Street, 42-62 Wheeler Point Road or any portions thereof (the "Study Area"), are considered an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12-5 of the LRHL and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

WHEREAS, the 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 a Non-Condensation 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 public hearing was conducted by the Planning Board on June 11, 2018, 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 concluded that there was sufficient credible evidence to support findings that 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 an Area in Need of Redevelopment; and

WHEREAS, 271-275 Delancy Street (Block 1096, Lot 34), 263-269 Delancy Street (Block 1096, Lot 37), 253-261 Delancy Street (Block 1096, Lot 41) and 42-62 Wheeler Point Road (Block 1097, Lot 5) (East Ward) in the Study Area met Criteria "c" 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 July 23, 2018, the Planning Board recommended to the Municipal Council that the properties in the Study Area be designated as a Non-Condensation Area in Need of Redevelopment; and

WHEREAS, the Municipal Council has reviewed the recommendation of the Planning Board and wishes to designate 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:12A-7; and

WHEREAS, the Municipal Council desires to direct the 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: 271-275 Delancy Street (Block 1096, Lot 34), 263-269 Delancy Street (Block 1096, Lot

37), 253-261 Delancy Street (Block 1096, Lot 41) and 42-62 Wheeler Point Road (Block 1097, Lot 5) (East Ward) 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-Condemnation Redevelopment Area in accordance with the relevant provisions of N.J.S.A. 40A:12A-1 et seq.

3. The designation of the Properties as a Non-Condemnation 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-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 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 Planning Board deems appropriate.

7. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate: 271-275 Delancy Street (Block 1096, Lot 34), 263-269 Delancy Street (Block 1096, Lot 37), 253-261 Delancy Street (Block 1096, Lot 41) and 42-62 Wheeler Point Road (Block 1097, Lot 5) (East Ward) as a Non-Condemnation Redevelopment Area and further directs the 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.