



Legislation Details (With Text)

**File #:** 18-1603      **Version:** 1      **Name:** Broad/Orange Street Non-Condemnation AINOR Designation  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/5/2018      **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)  
441 Broad Street/Block 31/Lot4/Central Ward  
443-445 Broad Street/Block 31/Lot 5/Central Ward  
447 Broad Street/Block 31/Lot 7/Central Ward  
449 Broad Street/Block 31/Lot 8/Central Ward  
451 Broad Street/Block 31/Lot 10/Central Ward  
453 Broad Street/Block 31/Lot 11/Central Ward  
455 Broad Street/Block 31/Lot 12/Central Ward  
457-459 Broad Street/Block 31/Lot 14/Central Ward  
461-469 Broad Street/Block 31/Lot 15/Central Ward  
69 Orange Street/Block 31/Lot 21/Central Ward  
71-73 Orange Street/Block 31/Lot 22/Central Ward  
75 Orange Street/Block 31/Lot 23/Central Ward  
75 1/2 Orange Street/Block 31/Lot 24/Central Ward  
77-79 Orange Street/Block 31/Lot 25/Central Ward

Additional Information:  
By Resolution 7R2-b, adopted on June 20, 2018, the Municipal Council 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
12/5/2018	1	Municipal Council	Adopted	Pass

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75 ½ Orange Street/Block 31/Lot 24/Central Ward  
77-79 Orange Street/Block 31/Lot 25/Central Ward

**Additional Information:**

By Resolution 7R2-b, adopted on June 20, 2018, the Municipal Council 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.* (“LHRL”), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, on June 20, 2018, the Municipal Council of the City of Newark (“Municipal Council”) adopted Resolution 7R2-b 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 below by their address, block and lot numbers on the official tax map of the City of Newark or any portions thereof (“Study Area”), meet the criteria set forth in the LHRL and should be designated as a Non-Condensation Redevelopment Area; and

Address	Block	Lot
441 Broad Street	31	4
443-445 Broad Street	31	5
447 Broad Street	31	7
449 Broad Street	31	8
451 Broad Street	31	10
453 Broad Street	31	11
455 Broad Street	31	12
457-459 Broad Street	31	14
461-469 Broad Street	31	15
69 Orange Street	31	21
71-73 Orange Street	31	22
75 Orange Street	31	23
75 ½ Orange Street	31	24
77-79 Orange Street	31	25

**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**, on August 6, 2018, a public hearing was conducted before the Central Planning Board to review the investigation report, hear testimony from planning professionals and obtain comments from the public, with public notice having been properly provided pursuant to N.J.S.A. 40A:12A-6(b)(2) and (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 an Area in Need of Redevelopment; and

**WHEREAS**, the properties in the study area meet the Criteria set out below, in accordance with the Local Housing and Redevelopment Law (N.J.S.A 40A:12A-1 et seq.):

Address	Block	Lot	Criteria
441 Broad Street	31	4	Section 3
443-445 Broad Street	31	5	Section 3
447 Broad Street	31	7	Section 3
449 Broad Street	31	8	Section 3
451 Broad Street	31	10	D
453 Broad Street	31	11	D
455 Broad Street	31	12	D
457-459 Broad Street	31	14	D
69 Orange Street	31	21	D
71-73 Orange Street	31	22	D
75 Orange Street	31	23	D
461-469 Broad Street	31	15	B
75 ½ Orange Street	31	24	E
77-79 Orange Street	31	25	B

; and

**WHEREAS**, in accordance with the LHRL and as memorialized by Resolution of the Central Planning Board dated August 6, 2018, the Central Planning Board recommended to the Municipal Council that the Study 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-Condensation Redevelopment Area pursuant to the LRHL; and

**WHEREAS**, the designation of the Study Area as a 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 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 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 has reviewed the recommendations of the Central Planning Board and finds that the following properties, identified below by their address, block and lot designations as shown on the official tax map of the City of Newark (the “Property”) qualify as an Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*

<b>Address</b>	<b>Block</b>	<b>Lot</b>	<b>Criteria</b>
441 Broad Street	31	4	Section 3
443-445 Broad Street	31	5	Section 3
447 Broad Street	31	7	Section 3
449 Broad Street	31	8	Section 3
451 Broad Street	31	10	D
453 Broad Street	31	11	D
455 Broad Street	31	12	D
457-459 Broad Street	31	14	D
69 Orange Street	31	21	D
71-73 Orange Street	31	22	D
75 Orange Street	31	23	D
461-469 Broad Street	31	15	B
75 ½ Orange Street	31	24	E
77-79 Orange Street	31	25	B

2. The Properties are hereby designated as a Non-Condemnation Redevelopment Area in accordance with the 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 use all the powers provided by the Legislature for use in a redevelopment area, other than the use 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).
5. In accordance with N.J.S.A. 40A:12A-6b(5)(d), within ten (10) days of the Municipal Council’s adoption of the within Resolution, the Department of Economic and Housing Development for the City of Newark shall serve notice of the Municipal Council’s

determination and the within Resolution upon all record owners of the designated properties, upon 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 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 identify any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning the reconciliation of these inconsistencies and any other matters as the Central Planning Board deems appropriate.

### **STATEMENT**

This Resolution authorizes the Municipal Council to designate the following properties as a Non-Condemnation Redevelopment Area and further directs the Central Planning Board to create and transmit a Redevelopment Plan and Report concerning the designated properties to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*

<b>Address</b>	<b>Block</b>	<b>Lot</b>
441 Broad Street	31	4
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