



Legislation Details (With Text)

File #: 19-0755 **Version:** 1 **Name:** West Ward SDA-Referral to CPB
Type: Resolution **Status:** Adopted
File created: 4/30/2019 **In control:** Economic and Housing Development
On agenda: 7/2/2019 **Final action:** 7/2/2019

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Investigation for Area in Need of Redevelopment
Purpose: Central Planning Board to determine if area is in need of redevelopment
List of Property:
(Address/Block/Lot/Ward)

Address	BLOCK	LOT	Additional Lots	Ward
418-422 13TH AVE	1784	99	West	
416 13TH AVE	1784	99	West	
408-414 13TH AVE	1784	99	West	
331 S 11TH ST	1784	99	West	
333 S 11TH ST	1784	99	West	
335 S 11TH ST	1784	99	West	
337 S 11TH ST	1784	9	West	
339-341 S 11TH ST	1784	10	West	
343 S 11TH ST	1784	11	West	
345 S 11TH ST	1784	13	West	
347 S 11TH ST	1784	14	West	
349 S 11TH ST	1784	15	West	
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353 S 11TH ST	1784	17	West	
355 S 11TH ST	1784	18	West	
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369 S 11TH ST	1784	24	West	
371 S 11TH ST	1784	25	West	
373 S 11TH ST	1784	26	West	
375 S 11TH ST	1784	28	West	
377 S 11TH ST	1784	29	West	
379-381 S 11TH ST	1784	30	West	
383-387 S 11TH ST	1784	32	West	
381-395- SOUTH ORANGE AVE		1784	35	West
378 S 12TH ST	1784	43	West	
376 S 12TH ST	1784	44	West	
372-374 S 12TH ST	1784	45	West	
370 S 12TH ST	1784	47	West	
368 S 12TH ST	1784	48	West	
366 S 12TH ST	1784	49	West	
364 S 12TH ST	1784	50	West	
360-362 S 12TH ST	1784	51	West	
358 S 12TH ST	1784	53	West	
354 S 12TH ST	1784	55	West	
350-352 S 12TH ST	1784	57	West	
348 S 12TH ST	1784	58	West	

346 S 12TH ST	1784	59		West	
342-344 S 12TH ST	1784	61		West	West
340 S 12TH ST	1784	62		West	
338 S 12TH ST	1784	63		West	
336 S 12TH ST	1784	64		West	
334 S 12TH ST	1784	65		West	
332 S 12TH ST	1784	66		West	
330 S 12TH ST	1784	67		West	
356 S 12TH ST	1784	69		West	
317-319 S 12TH ST	1785	99		West	
321-323 S 12TH ST	1785	99		West	
325 S 12TH ST	1785	99		West	
327 S 12TH ST	1785	99		West	
329 S 12TH ST	1785	99		West	
331-333 S 12TH ST	1785	99		West	
335 S 12TH ST	1785	99		West	
343-345 S 12TH ST	1785	11	12	West	West
347 S 12TH ST	1785	13		West	
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363 S 12TH ST	1785	21		West	
365 S 12TH ST	1785	22		West	
367 S 12TH ST	1785	23		West	
369 S 12TH ST	1785	24		West	
399-401 SOUTH ORANGE AVE	1785	47		West	West
397 SOUTH ORANGE AVE	1785	62		West	West
375-377 S 12TH ST	1785	63		West	
371-373 S 12TH ST	1785	64		West	

Additional Information:

Sponsors: Joseph A. McCallum, Jr., LaMonica R. McIver**Indexes:****Code sections:**

Date	Ver.	Action By	Action	Result
7/2/2019	1	Municipal Council	Adopt	Pass

Dept/ Agency: Economic and Housing Development**Action:** () Ratifying (X) Authorizing () Amending**Type of Service:** Investigation for Area in Need of Redevelopment**Purpose:** Central Planning Board to determine if area is in need of redevelopment**List of Property:****(Address/Block/Lot/Ward)**

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377 S 11TH ST	1784	29		West
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383-387 S 11TH ST	1784	32		West
381-395- SOUTH ORANGE AVE	1784	35		West
378 S 12TH ST	1784	43		West
376 S 12TH ST	1784	44		West
372-374 S 12TH ST	1784	45		West
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366 S 12TH ST	1784	49		West
364 S 12TH ST	1784	50		West
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365 S 12TH ST	1785	22		West
367 S 12TH ST	1785	23		West
369 S 12TH ST	1785	24		West
399-401 SOUTH ORANGE AVE	1785	47		West
397 SOUTH ORANGE AVE	1785	62		West
375-377 S 12TH ST	1785	63		West
371-373 S 12TH ST	1785	64		West

Additional Information:

WHEREAS, the Department of Economic and Housing Development has requested that the Municipal Council of the City of Newark determine whether properties identified on the Official Tax Map of the City of Newark as:

Address	BLOCK	LOT	Additional Lots	Ward
418-422 13TH AVE	1784	1		West
416 13TH AVE	1784	4		West
408-414 13TH AVE	1784	5		West
331 S 11TH ST	1784	6		West
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(the “Study Area”) in the West Ward, be investigated by the Central Planning Board to determine if the Study Area is an “area in need of redevelopment” under the Local Redevelopment and Housing Law (the “LRHL”), under N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the LRHL authorizes a Municipal Governing Body, by resolution, to authorize the Municipal Planning Board to undertake a preliminary investigation (the “Investigation”) to determine whether an area (or any portion thereof) is an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, “the resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination 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 (hereinafter referred to as a “Non-Condensation Redevelopment Area”) or whether the redevelopment area determination 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 (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the Municipal Council finds it to be in the best interest of the City and its residents to authorize the City's Planning Board to undertake such preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

WHEREAS, the Municipal Council wishes to direct the Central Planning Board to conduct a preliminary investigation of the Study Area as authorized under the LRHL.

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 does hereby authorize and direct the Central Planning Board to undertake a preliminary investigation to determine whether the Study Area:

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418-422 13TH AVE	1784	1		West
416 13TH AVE	1784	4		West
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should be declared as one or more Condemnation Redevelopment Areas.

2. Prior to proceeding to a public hearing as to whether the Study Area constitutes a Condemnation Redevelopment Area, the Central Planning Board shall:
 - a. Prepare an investigation report that includes a map showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein, including a statement appended to the map setting forth the basis for the investigation and the reasons for making a determination that each property within the Study Area is or is not eligible for designation as a Condemnation Redevelopment Area.
 - b. Establish a date for a public hearing and publish notice of said hearing (in accordance with N.J.S.A. 40A:12A-6), for the purpose of giving all persons who are interested in or would be affected by a determination, that the Study Area is a Condemnation Area in Need of Redevelopment, which would authorize the City of Newark to exercise the power of eminent domain to acquire property in the Study Area.
 - c. Provide notice to all persons who claim an interest in property in the Study Area of the public hearing to determine if the Study Area is a Condemnation Area in Need of Redevelopment.
 - d. Conduct a hearing and hear all persons who are interested or would be affected by a determination that the Study Area is a Condemnation Redevelopment Area as required by N.J.S.A. 40A:12A-6.
 - e. A copy of the notice shall be published in a newspaper of general circulation in the municipality once each week for two consecutive weeks, and the last publication shall be no less than ten days prior to the date set for the hearing as required by N.J.S.A. 40A:12A-6.
 - f. After completing its hearing, make a recommendation to the Municipal Council as to whether or not the Municipal Council should designate some or all of the Study Area as part of one or more Condemnation Areas in Need of Redevelopment.
3. The redevelopment area determination 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 (i.e. a "Condemnation Redevelopment Area")
4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Secretary of the Central Planning Board.

STATEMENT

Resolution authorizing the Planning Board to conduct a preliminary investigation as to whether the following properties (the Study Area)

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in the West Ward, is an “area in need of redevelopment” as defined under the Local Redevelopment and Housing Law (the “LRHL”), under N.J.S.A. 40A:12A-1 et seq.

