



Legislation Details (With Text)

File #: 19-1972 **Version:** 1 **Name:** 2nd Amendment to South Bergen Redevelopment Plan Referral
Type: Resolution **Status:** Adopted
File created: 12/16/2019 **In control:** Economic and Housing Development
On agenda: 1/14/2020 **Final action:** 1/14/2020

Title: Dept/ Agency: Economic and Housing Development
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Referral of Proposed 2nd Amendment to the South Bergen Street Redevelopment Plan to Central Planning Board
Purpose: Directing the Central Planning Board to Review and Consider a 2nd Amendment to the South Bergen Street Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7(e).
Name of Plan: South Bergen Street Redevelopment Plan
(Address/Block/Lot/Ward)
Additional Information:

Sponsors: John Sharpe James, Eddie Osborne

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/14/2020	1	Municipal Council	Adopt	Pass

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Name of Plan: South Bergen Street Redevelopment Plan

(Address/Block/Lot/Ward)

Additional Information:

WHEREAS, in order to stimulate the reinvigoration of the City, on June 15, 2005, the Municipal Council of the City of Newark (the "Municipal Council") adopted Resolution 7Rdo(AS) declaring the entire City of Newark (the "City") as an Area in Need of Rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("LRHL"); and

WHEREAS, the Municipal Council adopted Resolution 7R3-a(S) on January 13, 2015, which directed the Central Planning Board of the City of Newark (the "Central Planning Board") to conduct an investigation to determine if 285 parcels along the Bergen Street corridor between Madison Avenue and Weequahic Avenue (the "Study Area") qualified as an Area in Need of Redevelopment under the LRHL; and

WHEREAS, the Central Planning Board determined that 65 of the 285 parcels qualify as Areas in Need of Redevelopment, specifically Condemnation Areas, as defined under the LRHL; and

WHEREAS, the Municipal Council adopted Resolution 7R3-b on February 17, 2016, declaring 65 parcels as a Condemnation Area in Need of Redevelopment under the LRHL (“Condemnation Redevelopment Area”); and

WHEREAS, in order to effectuate improvement of the Redevelopment Area, the Municipal Council adopted the South Bergen Street Redevelopment Plan by Ordinance 6PSF-b on January 5, 2017, as the land use regulation for the Condemnation Redevelopment Area, which contained some properties designated as Areas in Need of Redevelopment and others designated as Areas in Need of Rehabilitation; and

WHEREAS, on April 19, 2017, the Municipal Council adopted Resolution 7R2-e which authorized and directed the Central Planning Board to conduct a preliminary investigation to determine whether certain non-condemnation properties within the Study Area should be added to the Condemnation Redevelopment Area, as defined in the LRHL; and

WHEREAS, the Municipal Council adopted Resolution 7R2-g(A.S.) on July 12, 2017, designating the non-condemnation properties referred for consideration through Resolution 7R2-e April 19, 2017, as a Condemnation Area in Need of Redevelopment pursuant to the LRHL; and

WHEREAS, the Municipal Council adopted Resolution 7R2-a(S) on November 21, 2017, which directed the Central Planning Board to conduct a preliminary investigation to determine whether some of the properties in the initial 265-parcel Study Area that were not designated under Resolution 7R3-b February 17, 2016, should be designated as a Condemnation Redevelopment Area, as defined in the LRHL; and

WHEREAS, the LRHL permits the Municipal Council to amend the Redevelopment Plan from time to time; and

WHEREAS, the Municipal Council adopted the First Amendment to the South Bergen Redevelopment Plan in accordance with the LRHL by Ordinance 6PSF-e on July 11, 2018; and

WHEREAS, the Municipal Council adopted Resolution 7R2-c on September 6, 2018, intending to designate the properties referred for further study via Resolution 7R2-a(S) November 21, 2017, as a Condemnation Redevelopment Area, which authorizes the municipality to use the power of eminent domain. However, the Statement Paragraph of the Resolution incorrectly stated that the properties were being designated as a Non-Condemnation Redevelopment Area rather than as a Condemnation Redevelopment Area; and

WHEREAS, the Municipal Council adopted Resolution 7R2-e (S/AS) on September 25, 2018, to amend the Statement Paragraph of Resolution 7R2-c September 6, 2018, so that it would be consistent with the intent stated in the operative section of the resolution, which is to designate the properties as a Condemnation Redevelopment Area in accordance with N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, it is the Municipal Council's desire to revise the Redevelopment Area Maps in the Redevelopment Plan to reflect the properties added to the Area and designated as Condemnation Areas in Need of Redevelopment through Resolutions 7R2-g (A.S.) July 12, 2017 and 7R2-e (S/AS) September 25, 2018; and

WHEREAS, the Municipal Council wishes to direct the Central Planning Board to review the proposed Second Amendment to the South Bergen Street Redevelopment Plan in its entirety, annexed hereto as Exhibit A, to determine if such an amendment is consistent with the City's Master Plan and for the Central Planning Board's recommendations concerning any inconsistencies therein pursuant to N.J.S.A. 40A:12A-7(e).

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 refers to the Central Planning Board of the City of Newark the proposed Second Amendment to the South Bergen Street Redevelopment Plan, as set forth in Figures 1, 1A, 1B, and 13, attached hereto and made a part of this Resolution, to determine if such an amendment is consistent with the City's Master Plan and for recommendations pursuant to N.J.S.A. 40A:12A-7(e) and directs the Central Planning Board to transmit its report on the Amendment to the Municipal Council within forty-five (45) days of referral.

2. A copy of this Resolution and proposed Second Amendment to the South Bergen Street Redevelopment Plan shall be filed with the Office of the City Clerk by the Acting Director of the Department of Economic and Housing Development.

3. The City Clerk shall forward a true copy of this Resolution and the proposed Second Amendment to the South Bergen Street Redevelopment Plan to the Central Planning Board.

STATEMENT

This Resolution hereby refers the Second Amendment to the South Bergen Street Redevelopment Plan to determine if such an amendment is consistent with the City's Master Plan and for recommendations pursuant to N.J.S.A. 40A:12A-7(e) and directs the Central Planning Board to transmit its report on the Amendment to the Municipal Council within forty-five (45) days of referral.