



Legislation Details (With Text)

File #: 20-0377 **Version:** 1 **Name:** 40-44 Park Place - AINOR Declaration (NJPAC)
Type: Resolution **Status:** Adopted
File created: 3/3/2020 **In control:** Economic and Housing Development
On agenda: 5/20/2020 **Final action:** 5/20/2020

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)
40-44 Center Street/Block 126.01/Lot 21/Central Ward
1-19 Center Street/ Block 17/Lot 1.01/Central Ward
21-43 Center Street/Block 17/Lot 1.02/Central Ward
24 Rector Street/Block 17/Lot 20/Central Ward
26-34 Rector Street/Block 17/Lot 21/Central Ward
8-12 Park Place/Block 17/Lot 7/Central Ward
6 Park Place/Block 17/Lot 9/Central Ward
2-4 Park Place/Block 17/Lot 10/ Central Ward
Additional Information:
Resolution 7R2-e adopted on August 7, 2019, authorized and directed the Central Planning Board to conduct a preliminary investigation to ascertain whether the Municipal Council should designate certain properties as a Non-Condemnation Redevelopment Area.

Resolution 7R2-f adopted on September 5, 2019, amended Resolution 7R2-e adopted on August 7, 2019 to correct the list of properties that comprise the Study Area.

Sponsors: LaMonica R. McIver, Carlos M. Gonzalez

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/20/2020	1	Municipal Council	Adopt	Pass

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)
40-44 Center Street/Block 126.01/Lot 21/Central Ward
1-19 Center Street/ Block 17/Lot 1.01/Central Ward
21-43 Center Street/Block 17/Lot 1.02/Central Ward
24 Rector Street/Block 17/Lot 20/Central Ward
26-34 Rector Street/Block 17/Lot 21/Central Ward
8-12 Park Place/Block 17/Lot 7/Central Ward
6 Park Place/Block 17/Lot 9/Central Ward
2-4 Park Place/Block 17/Lot 10/ Central Ward
Additional Information:

Resolution 7R2-e adopted on August 7, 2019, authorized and directed the Central Planning Board to conduct a preliminary investigation to ascertain whether the Municipal Council should designate certain properties as a Non-Condensation Redevelopment Area.

Resolution 7R2-f adopted on September 5, 2019, amended Resolution 7R2-e adopted on August 7, 2019 to correct the list of properties that comprise the Study Area.

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 August 7, 2019, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-e authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as, 40-44 Center Street (Block 126.01, Lot 21), 1-19 Center Street (Block 17, Lot 1.01), 21-43 Center Street (Block 17, Lot 1.02) and 36-54 Rector Street (Block 17, Lot 26) in the Central Ward, as shown on the official tax map of the City of Newark, or any portions thereof (the “Study Area”), are considered “areas in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 of the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

WHEREAS, on September 5, 2019, the Municipal Council of the City of Newark (the “Municipal Council”) adopted Resolution 7R2-f amending the Resolution 7R2-e to correct properties identified in the Study Area. Resolution 7R2-f identified the correct properties as 40-44 Center Street (Block 126.01, Lot 21), 1-19 Center Street (Block 17, Lot 1.01), 21-43 Center Street (Block 17, Lot 1.02), 24 Rector Street (Block 17, Lot 20), 26-34 Rector Street (Block 17, Lot 21), 8-12 Park Place (Block 17, Lot 7), 6 Park Place (Block 17, Lot 9) and 2-4 Park Place (Block 17, Lot 10) in the Central Ward, as shown on the official tax map of the City of Newark, or any portions thereof (the “Study Area”), are considered “areas in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 of the Redevelopment Law and should be designated as a Non-Condensation Redevelopment Area, as defined by the Redevelopment Law; and

WHEREAS, the Newark Central Planning Board (the “Planning Board”) conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated as a Non-Condensation 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, the Planning Board conducted a Public Hearing on January 6, 2020 (the “Public Hearing”), with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, John Barree, P.P., A.I.C.P. of Heyer Gruel & Associates, the Professional Planner for the Planning Board, presented a report entitled “NJ PAC Area in Need of Redevelopment Investigation Report” (“Blight Study”) dated November 2019, at the Public Hearing on January 6, 2020; 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 property in the Study Area satisfies 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, 40-44 Center Street (Block 126.01, Lot 21), 21-43 Center Street (Block 17, Lot 1.02), 6 Park Place (Block 17, Lot 9) and 2-4 Park Place (Block 17, Lot 10) in the Study Area, met criteria “d” and “h” while 1-19 Center Street (Block 17, Lot 1.01), 24 Rector Street (Block 17, Lot 20), 26-34 Rector Street (Block 17, Lot 21) and 8-12 Park Place (Block 17, Lot 7) meet criteria “h” in accordance with the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, in Resolutions 7R2-e August 7, 2019 and 7R2-f September 5, 2019 and the Blight Study, the property at 2-4 Park Place was incorrectly referenced as 24 Park Place, and

WHEREAS, notwithstanding the erroneous street address, the block and lot number for 2-4 Park Place was correctly identified as Block 17, Lot 10 in Resolutions 7R2-e August 7, 2019 and 7R2-f September 5, 2019 and the Blight Study, the Planning Board notices reflected the correct street address and block and lot numbers, and the City Planners investigated the appropriate parcel - Block 17, Lot 10 - and not the property at the incorrect street address; and

WHEREAS, for the avoidance of all doubt, the Municipal Council wishes to note that all references to “24 Park Place” in Resolutions 7R2-e August 7, 2019 and 7R2-f September 5, 2019 and the Blight Study shall be understood to mean “2-4 Park Place”; and

WHEREAS, in accordance with Redevelopment Law and as memorialized by Resolution, dated March 2, 2020, the Planning Board recommended to the Municipal Council that the property 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 Central Planning Board and wishes to designate the property 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:124-7; and

WHEREAS, the Municipal Council wishes 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 of the City of Newark has reviewed the recommendation of the Central Planning Board and finds that: 40-44 Center Street (Block 126.01, Lot 21), 1-19 Center Street (Block 17, Lot 1.01), 21-43 Center Street (Block 17, Lot 1.02), 24 Rector Street (Block 17, Lot 20), 26-34 Rector Street (Block 17, Lot 21), 8-12 Park Place (Block 17, Lot 7), 6 Park Place (Block 17, Lot 9) and 2-4 Park Place (Block 17, Lot 10) 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. All references to “24 Park Place” in Resolutions 7R2-e August 7, 2019 and 7R2-f September 5, 2019 and in the Blight Study shall be understood to mean “2-4 Park Place.”

3. 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., and the recommendations of the Central Planning Board.

4. 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.

5. 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).

6. 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.

7. The Central 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 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 Central Planning Board deems appropriate.

8. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate 40-44 Center Street (Block 126.01, Lot 21), 1-19 Center Street (Block 17, Lot 1.01), 21-43 Center Street (Block 17, Lot 1.02), 24 Rector Street (Block 17, Lot 20), 26-34 Rector Street (Block 17, Lot 21), 8-12 Park Place (Block 17, Lot 7), 6 Park Place (Block 17, Lot 9) and 2-4 Park Place (Block 17, Lot 10), as shown on the official Tax Map of the City of Newark 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.