



Legislation Text

File #: 22-1654, Version: 1

Dept/ Agency: Economic and Housing Development

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Designating area in need of redevelopment

Purpose: Designating an area in need of redevelopment.

List of Property:

(Address/Block/Lot/Ward)

32 Fulton Street/Block 14/Lot 43/Central Ward

30 Fulton Street/Block 14/Lot 44/Central Ward

28 Fulton Street/Block 14/Lot 45/Central Ward

26 Fulton Street/Block 14/Lot 46/Central Ward

24 Fulton Street/Block 14/Lot 47/Central Ward

22 Fulton Street/Block 14/Lot 48/Central Ward

20 Fulton Street/Block 14/Lot 49/Central Ward

16-18 Fulton Street/Block 14/Lot 50/Additional Lot 51/Central Ward

Additional Information:

Resolution 7R2-i(S), adopted on May 24, 2022, 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 May 24, 2022, the Municipal Council of the City of Newark (“Municipal Council”) adopted Resolution 7R2-i(S) authorizing and directing the Newark Central Planning Board (the “Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified on the Official Tax Map of the City of Newark as 32 Fulton Street, 30 Fulton Street, 28 Fulton Street, 26 Fulton Street, 24 Fulton Street, 22 Fulton Street, 20 Fulton Street and 16-18 Fulton Street (Block 14, Lots 43, 44, 45, 46, 47, 48, 49, 50 and 51) 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 Redevelopment Law 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 virtual public hearing was conducted by the Planning Board on July 11, 2022, with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, after completing its investigation and virtual 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, all the properties in the Study Area meet criteria “d” in accordance with the Redevelopment Law (N.J.S.A. 40A:12A-1); and

WHEREAS, in accordance with Redevelopment Law and as memorialized by Resolution dated July 25, 2022, the Planning Board recommended to the Municipal Council that all 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 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 use of 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 Central Planning Board and finds that the following properties: 32 Fulton Street, 30 Fulton Street, 28 Fulton Street, 26 Fulton Street, 24 Fulton Street, 22 Fulton Street, 20 Fulton Street and 16-18 Fulton Street (Block 14, Lots 43, 44, 45, 46, 47, 48, 49, 50 and 51) in the Central 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-Condensation 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-Condensation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, other than the use of 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 Municipal Council's adoption of this Resolution, the Department of Economic and Housing Development shall serve notice of the Municipal Council's determination and this Resolution upon all record owners of Properties 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. This Resolution shall take effect immediately.

STATEMENT

This Resolution authorizes the Municipal Council to designate 32 Fulton Street, 30 Fulton Street, 28 Fulton Street, 26 Fulton Street, 24 Fulton Street, 22 Fulton Street, 20 Fulton Street and 16-18 Fulton Street (Block 14, Lots 43, 44, 45, 46, 47, 48, 49, 50 and 51) in the Central 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.