



Legislation Details (With Text)

**File #:** 17-1677      **Version:** 1      **Name:** Lower Clinton Avenue Blight Study  
**Type:** Resolution      **Status:** Adopted  
**File created:** 9/19/2017      **In control:** Economic and Housing Development  
**On agenda:** 10/24/2017      **Final action:** 10/24/2017

**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)  
11-13 Thomas Street/Block 2826/Lot 40, 41/East Ward  
97-99 Clinton Avenue/Block 123/Lot 54/Central Ward  
98 Clinton Avenue/Block 2826/Lot 1/East Ward  
37 Brunswick Street/Block 2820/Lot 16/East Ward  
11 Parkhurst Street/Block 2819/Lot 39/East Ward  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/24/2017	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the Department of Economic and Housing Development has requested that the properties identified on the Official Tax Map of the City of Newark as 11 Thomas Street, 97-99 Clinton Avenue, 98 Clinton Avenue, 37 Brunswick Street, 11-13 Parkhurst Street (Block: 2826, Lots: 40, 41; Block: 123, Lot: 54; Block: 2826, Lot: 1; Block: 2820, Lot: 16 and Block: 2819, Lot: 39) (the "Study Area") in the East and Central Wards, 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 the Governing Body, by resolution, to authorize the Central 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 of the LRHL; 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 “Condensation 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 Central Planning Board to undertake such Investigation of the Study Area as a Condensation Redevelopment Area; and

**WHEREAS**, the Municipal Council wishes to direct the Central Planning Board to conduct the 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 Central Planning Board of the City of Newark is hereby authorized and directed to conduct a preliminary investigation as to whether 11-13 Thomas Street, 97-99 Clinton Avenue, 98 Clinton Avenue, 37 Brunswick Street, 11 Parkhurst Street (Block: 2826, Lots: 40,41; Block: 123, Lot: 54; Block: 2826, Lot: 1; Block: 2820, Lot: 16 and Block: 2819, Lot: 39) in the East and Central Wards, is an “area in need of redevelopment” as defined under the LRHL, to issue all notices and to conduct all public hearings required under the LRHL to effectuate this preliminary investigation, and to thereafter provide its recommendations to the Municipal Council.
2. 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 “Condensation Redevelopment Area”).
3. 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 Central Planning Board to conduct a preliminary investigation as to whether 11-13 Thomas Street, 97-99 Clinton Avenue, 98 Clinton Avenue, 37 Brunswick Street, 11 Parkhurst Street (Block: 2826, Lots: 40,41; Block: 123, Lot: 54; Block: 2826, Lot: 1; Block: 2820, Lot: 16 and Block: 2819, Lot: 39) in the East and Central Wards, 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.