



Legislation Details (With Text)

File #: 17-1558 **Version:** 1 **Name:** Resolution - Investigation of Area in Need of Redevelopment (94-120 Frelinghuysen Ave)

Type: Resolution **Status:** Adopted

File created: 8/22/2017 **In control:** Economic and Housing Development

On agenda: 9/7/2017 **Final action:** 9/7/2017

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)
94-120 Frelinghuysen Avenue/Block 2780/Lot 1/South Ward
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/7/2017	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 94-120 Frelinghuysen Avenue (Block: 2780, Lot: 1) (the “Study Area”) in the South 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 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 Non-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 94-120 Frelinghuysen Avenue (Block: 2780, Lot: 1) in the South Ward, 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, other than the use of eminent domain (i.e. a “Non-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 94-120 Frelinghuysen Avenue (Block: 2780, Lot: 1) in the South 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.