



Legislation Details (With Text)

File #: 18-0049 **Version:** 1 **Name:** Investigation for Area in Need of Redevelopment (263-269 Delancy Street, 271-275 Delancy Street, 253-261 Delancy Street and 42-62 Wheeler Point Road)

Type: Resolution **Status:** Adopted

File created: 1/12/2018 **In control:** Economic and Housing Development

On agenda: 3/7/2018 **Final action:** 3/7/2018

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)
 271-275 Delancy Street/Block 1096/Lot 34/East Ward
 263-269 Delancy Street /Block1096/Lot 37/East Ward
 253-261 Delancy Street/Block 1096/Lot 41/East Ward
 42-62 Wheeler Point Road/Block 1097/Lot 5/East Ward
 Additional Information:
 Deferred 7R2-d (s) 022718

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/7/2018	1	Municipal Council	Adopt	Pass
2/27/2018	1	Municipal Council	Defer	Pass

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WHEREAS, the Department of Economic and Housing Development has requested that the properties identified on the Official Tax Map of the City of Newark at 271-275 Delancy Street (Block 1096, Lot 34); 263-269 Delancy Street (Block 1096, Lot 37); 253-261 Delancy Street (Block 1096, Lot 41); and 42-62 Wheeler Point Road (Block 1097, Lot 5) (the "Study Area") in the East 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 a Municipal Governing Body, by resolution, to authorize a Municipal 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 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 property located at 271-275 Delancy Street (Block 1096, Lot 34); 263-269 Delancy Street (Block 1096, Lot 37); 253-261 Delancy Street (Block 1096, Lot 41); and 42-62 Wheeler Point Road (Block 1097, Lot 5) in the East Ward, is an “area in need of redevelopment” as defined under the Local Redevelopment and Housing Law (the “LRHL”), N.J.S.A. 40A:12A-1 et seq., 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 271-275 Delancy Street (Block 1096, Lot 34); 263-269 Delancy Street (Block 1096, Lot 37); 253-261 Delancy Street (Block 1096, Lot 41); and 42-62 Wheeler Point Road (Block 1097, Lot 5) in the East Ward, is an “area in need of redevelopment” as defined under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.