



Legislation Details (With Text)

**File #:** 17-1675      **Version:** 1      **Name:** Broad St/Orange St - Area In Need Investigation  
**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)  
441 Broad Street/Block 31/Lot 4/Central Ward  
443-445 Broad Street/Block 31/Lot 5/Central Ward  
447 Broad Street/Block 31/Lot 7/Central Ward  
449 Broad Street/Block 31/Lot 8/Central Ward  
451 Broad Street/Block 31/Lot 10/Central Ward  
453 Broad Street/Block 31/Lot 11/Central Ward  
455 Broad Street/Block 31/Lot 12/Central Ward  
457-459 Broad Street/Block 31/Lot 14/Central Ward  
461-469 Broad Street/Block 31/Lot 15/Central Ward  
69 Orange Street/Block 31/Lot 21/Central Ward  
71-73 Orange Street/Block 31/Lot 22/Central Ward  
75 Orange Street/Block 31/Lot 23/Central Ward  
75 1/2 Orange Street (Alley)/Block 31/Lot 24/Central Ward  
77-79 Orange Street/Block 31/Lot 25/Central 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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75 Orange Street/Block 31/Lot 23/Central Ward  
75 ½ Orange Street (Alley)/Block 31/Lot 24/Central Ward  
77-79 Orange Street/Block 31/Lot 25/Central Ward

**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 441 Broad Street, 443-445 Broad Street, 447 Broad Street, 449 Broad Street, 451 Broad Street, 453 Broad Street, 455 Broad Street, 457-459 Broad Street, 461-469 Broad Street, 69 Orange Street, 71-73 Orange Street, 75 Orange Street, 75 ½ Orange Street (Alley), 77-79 Orange Street (Block: 31, Lots: 4, 5, 7, 8, 10, 11, 12, 14, 15, 21, 22, 23, 24 and 25) (the “Study Area”) in the Central 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 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 441 Broad Street, 443-445 Broad Street, 447 Broad Street, 449 Broad Street, 451 Broad Street, 453 Broad Street, 455 Broad Street, 457-459 Broad Street, 461-469 Broad Street, 69 Orange Street, 71-73 Orange Street, 75 Orange Street, 75 ½ Orange Street (Alley), 77-79 Orange Street (Block: 31, Lots: 4, 5, 7, 8, 10, 11, 12, 14, 15, 21, 22, 23, 24 and 25) in the Central 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, including the power of eminent domain (i.e. a “Condemnation 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 441 Broad Street, 443-445 Broad Street, 447 Broad Street, 449 Broad Street, 451 Broad Street, 453 Broad Street, 455 Broad Street, 457-459 Broad Street, 461-469 Broad Street, 69 Orange Street, 71-73 Orange Street, 75 Orange Street, 75 ½ Orange Street (Alley), 77-79 Orange Street (Block: 31, Lots: 4, 5, 7, 8, 10, 11, 12, 14, 15, 21, 22, 23, 24 and 25) in the Central 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.