



Legislation Details (With Text)

File #: 24-0031 **Version:** 1 **Name:** Investigation of AINOR (865-869, 873 & 871 Franklin Avenue)

Type: Resolution **Status:** Adopted

File created: 1/4/2024 **In control:** Economic and Housing Development

On agenda: 2/7/2024 **Final action:** 2/7/2024

Title: Dept/ Agency: Economic and Housing Development
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Investigation for Area in Need of Redevelopment
 Purpose: Authorizing the Newark Central Planning Board to undertake a preliminary investigation to determine if the area is in need of redevelopment.
 List of Property:
 (Address/Block/Lot/Ward)
 865-869 Franklin Avenue/Block 750.01/Lot 41/North Ward
 873 Franklin Avenue/Block 750.01/Lot 43/North Ward
 871 Franklin Avenue/Block 750.01/Lot 59/North Ward
 Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|----------|------|-------------------|--------|--------|
| 2/7/2024 | 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, specifically known as 865-869 Franklin Avenue (Block 750.01, Lot 41), 873 Franklin Avenue (Block 750.01, Lot 43), and 871 Franklin Avenue (Block 750.01, Lot 59), “Study Area” in the North Ward, be investigated by the Newark Central Planning Board (“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-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, “the resolution authorizing the Central 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 in the best interest of the City and its residents to authorize the 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 865-869 Franklin Avenue (Block 750.01, Lot 41), 873 Franklin Avenue (Block 750.01, Lot 43), and 871 Franklin Avenue (Block 750.01, Lot 59) in the North Ward are an “area in need of redevelopment” as defined under the Local Redevelopment and Housing Law (“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

This Resolution authorizes the Central Planning Board to conduct a preliminary investigation as to whether the properties identified on the Official Tax Map of the City of Newark as 865-869

Franklin Avenue (Block 750.01, Lot 41), 873 Franklin Avenue (Block 750.01, Lot 43), and 871 Franklin Avenue (Block 750.01, Lot 59) in the North Ward are 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.