



## Legislation Text

File #: 18-0047, Version: 1

**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)**

185-201 NJRR Avenue/Block 917/Lot 1.01/East Ward  
12 Garden Street/Block 917/Lot 1.02/East Ward  
14-16 Garden Street/Block 917/Lot 1.03/East Ward  
18 Garden Street/ Block 917/Lot 1.04/East Ward  
20-22 Garden Street/ Block 917/Lot 1.05/East Ward  
122 E. Kinney Street/ Block 917/Lot 1.06/East Ward  
118-120 E. Kinney Street/Block 917/Lot 1.07/East Ward  
116 E. Kinney Street Block 917/Lot 1.08/East Ward  
112-114 E. Kinney Street/ Block 917/Lot 1.09/East Ward  
110 E. Kinney Street/ Block 917/Lot 1.10/East Ward

**Additional Information:**

**Deferred 7R2-b (s) 022718**

**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 185-201 NJRR Avenue, 12 Garden Street, 14-16 Garden Street, 18 Garden Street, 20-22 Garden Street, 122 E. Kinney Street, 118-120 E. Kinney Street, 116 E. Kinney Street, 112-114 E. Kinney Street and 110 E. Kinney Street (Block: 917, Lots: 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09 and 1.10) (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 185-201 NJRR Avenue, 12 Garden Street, 14-16 Garden Street, 18 Garden Street, 20-22 Garden Street, 122 E. Kinney Street, 118-120 E. Kinney Street, 116 E. Kinney Street, 112-114 E. Kinney Street and 110 E. Kinney Street (Block: 917, Lots: 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09 and 1.10) in the East 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**

This resolution authorizes the Central Planning Board to conduct a preliminary investigation as to whether 185-201 NJRR Avenue, 12 Garden Street, 14-16 Garden Street, 18 Garden Street, 20-22 Garden Street, 122 E. Kinney Street, 118-120 E. Kinney Street, 116 E. Kinney Street, 112-114 E. Kinney Street and 110 E. Kinney Street (Block: 917, Lots: 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09 and 1.10) in the East 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.