



Legislation Details (With Text)

File #: 18-1616 **Version:** 1 **Name:** 108-112 Univ. Ave - Resolution referring AINOR investigation to CPB
Type: Resolution **Status:** Adopted
File created: 10/11/2018 **In control:** Economic and Housing Development
On agenda: 11/27/2018 **Final action:** 11/27/2018

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 the area is in need of redevelopment
List of Property:
(Address/Block/Lot/Ward)
108-112 University Avenue/Block 34/Lot 19/East Ward
42 James Street/Block 34/Lot 22/Central Ward
42 James Street/Block 34/Lot 23/Central Ward
40 James Street/Block 34/Lot 24/Central Ward
26 James Street/Block 34/Lot 31/Central Ward
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/27/2018	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 108-112 University Avenue, 42-James Street, 42 James Street, 40 James Street, 26 James Street (Block 34/Lots 19, 22, 23, 24, and 31), in the Central Ward, (the "Study Area") be investigated by the Central Planning Board of the City of Newark ("Central Planning Board") to determine if the Study Area is an "area in need of redevelopment under the Local Redevelopment and Housing Law (the "LHRL"), pursuant to N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the LHRL 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 LHRL; 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 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 to be 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 the properties located at 108-112 University Avenue, 42- James Street, 42 James Street, 40 James Street, and 26 James Street (Block 34/Lots 19, 22, 23, 24, and 31) in the Central 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 LHRL 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 authorizes the Central Planning Board to conduct a preliminary investigation as to whether 108-112 University Avenue (Block 34, Lot 19); 42- James Street (Block 34, Lot 22); 42

James Street (Block 34, Lot 23); 40 James Street, (Block 34, Lot 24); and 26 James Street (Block 34, Lot 31), in the Central 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.