



Legislation Details (With Text)

File #: 19-0216 **Version:** 1 **Name:** preliminary investigation as to whether the properties in the Study Area qualify as an "area in need of redevelopment"
Type: Resolution **Status:** Adopted
File created: 2/1/2019 **In control:** Economic and Housing Development
On agenda: 3/20/2019 **Final action:** 3/20/2019

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)
16-24 William Street/Block 94/Lot 6/Central Ward
26-30 William Street/Block 94/Lot 3/Central Ward
32-34 William Street/Block 94/Lot 1/Central Ward
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/20/2019	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the Department of Economic and Housing Development has requested that the properties located at 16-24 William Street, 26-30 William Street and 32-34 William Street, identified on the official tax map of the City of Newark as Block 94, Lots 6, 3 and 1 (hereinafter referred to as the "Study Area") in the Central Ward 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 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” in accordance with 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 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 in the Study Area located at 16-24 William Street, 26-30 William Street, and 32-34 William Street (Block 64, Lots 6, 3, and 1), in the Central Ward, qualify as 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

This resolution authorizes the Central Planning Board to conduct a preliminary investigation as to whether the properties located at 16-24 William Street, 26-30 William Street, and 32-34 William

Street (Block 64, Lots 6, 3, and 1), in the Central Ward, are an “area in need of redevelopment” as defined under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*