



## Legislation Text

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**File #:** 17-1157, **Version:** 1

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**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)**

**273-283 East Kinney Street/Block 957/Lot 12 - East Ward**

**Additional Information:**

**WHEREAS**, the Department of Economic and Housing Development has requested that the Municipal Council of the City of Newark determine whether properties identified on the Official Tax Maps of the City of Newark, in the East Ward, constitute an “area in need of redevelopment” under the Local Redevelopment and Housing Law (the “LRHL”), pursuant to N.J.S.A. 40A:12A-1 et seq. as listed: Block 957, Lot 12, commonly known as 273-283 East Kinney Street; and

**WHEREAS**, the N.J.S.A. 40A:12A-1 et seq. authorizes a Municipal Governing Body to cause a preliminary investigation to be made by the Central Planning Board as to whether an area (or any portion thereof) is an “area in need of redevelopment” under 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 “Condemnation 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 “Condemnation 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 preliminary investigation of the Study Area as a Condemnation Redevelopment Area; and

**WHEREAS**, the Municipal Council wishes to direct the Central Planning Board to conduct a preliminary 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 Block 957, Lot 12, commonly known as 273-283 East Kinney Street 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 Block 957, Lot 12, commonly known as 273-283 East Kinney Street 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.