



## Legislation Text

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**File #:** 18-0773, **Version:** 1

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**Dept/ Agency:** Economic and Housing Development

**Action:** (X) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Investigation for Area in Need of Redevelopment

**Purpose:** Authorizing the Central Planning Board to undertake a preliminary investigation to determine if 729-737 Broad Street (Block 53, Lot 49) is a Non-Condemnation Redevelopment Area as defined under the Local Redevelopment and Housing Law (the "LRHL"), under N.J.S.A. 40A:12A-1 et seq.

**List of Property:**

**(Address/Block/Lot/Ward)**

729-737 Broad Street /Block 53/Lot 49/Central Ward

**Additional Information:**

**WHEREAS**, the Department of Economic and Housing Development has requested that the property identified on the Official Tax Map of the City of Newark as 729-737 Broad Street (Block 53, Lot 49) (the "Study Area") in the Central 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 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**, pursuant to N.J.S.A. 40A:12A-6, "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-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 Central Planning Board to undertake such Investigation of the Study Area as a Non-Condemnation 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 729-737 Broad Street (Block 53, Lot 49) in the Central Ward, is a Non-Condensation Redevelopment Area as defined under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (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 729-737 Broad Street (Block 53, Lot 49) in the Central Ward, is a Non-Condensation Redevelopment Area as defined under the Local Redevelopment and Housing Law (the “LRHL”), under N.J.S.A. 40A:12A-1, *et seq.* (*Central Ward*)