



Legislation Details (With Text)

File #: 20-0410 **Version:** 1 **Name:** Dayton Street AINOR
Type: Resolution **Status:** Adopted
File created: 3/9/2020 **In control:** Economic and Housing Development
On agenda: 4/21/2020 **Final action:** 4/21/2020

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 Properties:
(Address/Block/Lot/Ward)
741-811 Frelinghuysen Avenue/Block 3746/Lot 1/South Ward
210-236 Dayton Street/Block 3746/Lot 10/Add'l Lot-Block 3752/Lot 25) South Ward
1-37 Ludlow Street/Block 3764/Lot 1.01/South Ward
39-83 Ludlow Street/Block 3764/Lot 1.02/South Ward
85-99 Ludlow Street/Block 3764/Lot 1.03/South Ward
101-121 Ludlow Street/Block 3764/Lot 1.04/South Ward
Additional Information:

Sponsors: John Sharpe James, Eddie Osborne

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
4/21/2020	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the Department of Economic and Housing Development has requested that the following properties located in the South Ward and identified on the Official Tax Map of the City of Newark as:

741-811 Frelinghuysen Avenue, Block 3746, Lot 1
210-236 Dayton Street, Block 3746, Lot 10 & Add'l Lot: Block 3752, Lot 25

1-37 Ludlow Street, Block 3764, Lot 1.01
39-83 Ludlow Street, Block 3764, Lot 1.02
85-99 Ludlow Street, Block 3764, Lot 1.03
101-121 Ludlow Street, Block 3764, Lot 1.04

considered 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 “LRHL”), under N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the LRHL authorizes the Governing Body, by resolution, to authorize a 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, 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 following properties located in the South Ward:

741-811 Frelinghuysen Avenue, Block 3746, Lot 1
210-236 Dayton Street, Block 3746, Lot 10 & Add'l Lot: Block 3752, Lot 25
1-37 Ludlow Street, Block 3764, Lot 1.01
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85-99 Ludlow Street, Block 3764, Lot 1.03
101-121 Ludlow Street, Block 3764, Lot 1.04

are an “area in need of redevelopment” as defined under 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

Resolution authorizing the Central Planning Board to conduct a preliminary investigation as to whether the following properties located in the South Ward:

741-811 Frelinghuysen Avenue, Block 3746, Lot 1
210-236 Dayton Street, Block 3746, Lot 10 & Add'l Lot: Block 3752, Lot 25
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are 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.