



## Legislation Details (With Text)

**File #:** 20-0873      **Version:** 1      **Name:** Seth Boyden/NHA AINOR Designation  
**Type:** Resolution      **Status:** Adopted  
**File created:** 7/15/2020      **In control:** Economic and Housing Development  
**On agenda:** 8/11/2020      **Final action:** 8/11/2020

**Title:** Dept/ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Declaring an Area in Need of Redevelopment  
Purpose: Designating area in need of redevelopment  
List of Property:  
(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:**

Resolution 7R2-b adopted on April 21, 2020, authorized and directed the Central Planning Board to conduct a preliminary investigation.

**Sponsors:** John Sharpe James, Mildred C. Crump

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/11/2020	1	Municipal Council	Adopt	Pass

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101-121 Ludlow Street/Block 3764/Lot 1.04/South Ward

**Additional Information:**

Resolution 7R2-b adopted on April 21, 2020, authorized and directed the Central Planning Board to conduct a preliminary investigation.

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located

therein constitute areas in need of redevelopment; and

**WHEREAS**, on April 21, 2020, the Municipal Council adopted Resolution 7R2-b authorizing and directing the Newark Central Planning Board (the “Central Planning Board”) to conduct a preliminary investigation to determine whether certain properties, identified as 741-811 Frelinghuysen Avenue, 210-236 Dayton Street, 1-37 Ludlow Street, 39-83 Ludlow Street, 85-99 Ludlow Street and 101-121 Ludlow Street, identified on the Official Tax Map of the City of Newark as Block 3746, Lot 1 and Lot 10 (Add'l Lot-Block 3752, Lot 25), Block 3764, Lot 1.01, 1.02, 1.03 and 1.04 (hereinafter referred to as the “Study Area”), in the South Ward meet the criteria set forth in the Redevelopment Law and should be designated as a Redevelopment Area, as defined by the Redevelopment Law; and

**WHEREAS**, the Central Planning Board conducted a preliminary investigation of the Study Area to determine whether the Study Area should be designated as a Non-Condensation Area in Need of Redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, a virtual public hearing was conducted by the Central Planning Board on June 15, 2020, with notice having properly been given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

**WHEREAS**, after completing its investigation and virtual public hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as a Non-Condensation Area in Need of Redevelopment; and

**WHEREAS**, the following properties in the Study Area meet criteria “c” in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5): 741-811 Frelinghuysen Avenue (Block 3746, Lot 1), 1-37 Ludlow Street (Block 3764, Lot 1.01), , 85-99 Ludlow Street (Block 3764, Lot 1.03), and 101-121 Ludlow Street (Block 3764, Lot 1.04); and

**WHEREAS**, the following property in the Study Area meets criteria “d” in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-5): 210-236 Dayton Street (Block 3746, Lot 10 - Additional Lot - Block 3752, Lot 25);

**WHEREAS**, the following property in the Study Area does not meet the criteria established by N.J.S.A. 40A:12A-5 but may be determined to be an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-3 because its inclusion is necessary for the effective redevelopment of the area of which it is a part of, Block 3764: 39-83 Ludlow Street (Block 3764, Lot 1.02); and

**WHEREAS**, in accordance with the Redevelopment Law and as memorialized by Resolution dated June 15, 2020, the Central Planning Board recommended to the Municipal Council that all of the properties in the Study Area be designated as a Non-Condensation Area in Need of Redevelopment; and

**WHEREAS**, the Municipal Council has reviewed the recommendation of the Planning Board and wishes to designate all of the properties in the Study Area as a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law; and

**WHEREAS**, the designation of the Study Area as a Non-Condensation Redevelopment Area

shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, other than the use of the power of eminent domain to acquire any property in the Study Area; and

**WHEREAS**, in order to effectuate the Municipal Council's designation of the Study Area as a Non-Condensation Redevelopment Area, the adoption of a Redevelopment Plan by the Municipal Council by Ordinance is required pursuant to N.J.S.A. 40A:12A-7; and

**WHEREAS**, the Municipal Council desires to direct the Planning Board to prepare a Redevelopment Plan and transmit the proposed Plan to the Municipal Council for its consideration upon completion of the Central Planning Board's review.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Municipal Council of the City of Newark, State of New Jersey has reviewed the recommendation of the Central Planning Board and finds that: 741-811 Frelinghuysen Avenue, 210-236 Dayton Street, 1-37 Ludlow Street, 39-83 Ludlow Street, 85-99 Ludlow Street and 101-121 Ludlow Street, shown on the Official Tax Map of the City of Newark as Block 3746, Lot 1 and Lot 10 (Add'l Lot-Block 3752, Lot 25), Block 3764, Lot 1.01, 1.02, 1.03 and 1.04, in the South Ward, (the "Properties") qualify as a Non-Condensation Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
2. The Properties are hereby designated as a Non-Condensation Redevelopment Area in accordance with the relevant provisions of N.J.S.A. 40A:12A-1 et seq.
3. The designation of the Properties as a Non-Condensation Redevelopment Area shall authorize the City to exercise all those powers provided by the Legislature for use in a Redevelopment Area, other than the use of the power of eminent domain to acquire any property in the Study Area.
4. The City Clerk is hereby directed to transmit a copy of this resolution to the Commissioner of New Jersey Department of Community Affairs for review, in accordance with N.J.S.A. 40A:12A-6(b)(5)(c).
5. Within ten (10) days of the Municipal Council's adoption of this resolution, the City's Department of Economic and Housing Development shall serve notice of the Municipal Council's determination and this resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the Tax Assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and resolution may be sent.
6. The Central Planning Board is hereby directed to create and transmit a Redevelopment Plan and Report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. The Central Planning Board's report shall include an identification of any provisions in the proposed Redevelopment Plan, which are inconsistent with the Master Plan and recommendations concerning these inconsistencies

and any other matters as the Central Planning Board deems appropriate.

7. This resolution shall take effect immediately.

### **STATEMENT**

This resolution authorizes the Municipal Council to designate 741-811 Frelinghuysen Avenue, 210-236 Dayton Street, 1-37 Ludlow Street, 39-83 Ludlow Street, 85-99 Ludlow Street, and 101-121 Ludlow Street (Block 3746, Lot 1 and Lot 10 - Add'l Lot: Block 3752, Lot 25; Block 3764, Lot 1.01, 1.02, 1.03 and 1.04) (South Ward) as a Non-Condensation Redevelopment Area and further directs the Central Planning Board to create and transmit a Redevelopment Plan and Report to the Municipal Council pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.