

CITY OF VINELAND

RESOLUTION NO. 2017- 211

RESOLUTION ADOPTING THE FINDINGS AND RECOMMENDATIONS OF RESOLUTION 6211 OF THE PLANNING BOARD OF THE CITY OF VINELAND THAT CERTAIN SPECIFIED PROPERTIES BE DECLARED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE NEW JERSEY HOUSING AND REDEVELOPMENT LAWS

WHEREAS, pursuant to N.J.S.A. 40A:12A-6(a), the City Council of the City of Vineland (Council) directed the Planning Board of the City of Vineland (Planning Board) to undertake a preliminary investigation to determine whether Block 2801 Lots 5, 9, 10 and 11 (Study Area) should be designated as a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1, et seq.; and

WHEREAS, Kathleen Hicks, Supervising, Planner of the City of Vineland prepared a report entitled “Vineland Construction Redevelopment Study” (Study) dated April 2017 and a map of the area to be investigated and a preliminary investigation of the proposed areas to be designated as redevelopment areas was presented; and

WHEREAS, the Planning Board conducted public hearings on April 27, 2017 at which time all interested individuals and property owners were provided the opportunity to address all their questions and concerns, and considered the sworn testimony of Kathleen Hicks; and

WHEREAS after careful study and deliberation of the statements and testimony made during the public hearing and the evidence presented during the course of the public hearing, the Planning Board recommended to City Council that Block 2801, Lots 5, 9, 10 and 11 meet at least one of the criteria as set forth in N.J.S.A. 40A:12 A-5 and therefore are determined to be Lots in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Vineland that it hereby adopts and approves the findings and recommendations made by the Planning Board as memorialized in Planning Board Resolution Number 6211, Resolution of Findings and Conclusions and Decision of the Vineland Planning Board, and hereby declares Block, 2801, Lots 5, 9, 10 and 11 is a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1 et seq. Specifically, Lots 5, 9, 10 and 11 meet the criteria of (1) subsection a of N.J.S.A. 40A:12A-5, the generality of the buildings are substandard or obsolescent for reasons set forth in the Study; (2) subsection d of N.J.S.A. 40A:12A-5, the Lots have buildings or improvements which by reason of obsolescence, faulty arrangements or design, and excessive land coverage are detrimental to the safety and welfare of the community and should the property ever return to full utilization in its current condition, the configuration of the fencing and gate would be detrimental to the safety of the community because of the resulting truck stacking on Park Avenue. Further, the drainage system is absolutely obsolete and faulty design in that there is a 24.2 acre site with no on site retention of detention drainage facilities causing a significant impact on the city drainage system and contributes to the periodic flooding of West Avenue; (3) subsection g of N.J.S.A. 40A:12A-5, the entire Study Area is located within the Vineland – Millville Urban Enterprise Zone; (4) subsection h of N.J.S.A. 40A:12A-5, the property is located in a PA-1

CITY OF VINELAND

Metropolitan Planning Area under the State Development and Redevelopment Plan and therefore considered an area targeted for growth and redevelopment. As such redevelopment of this property will advance smart growth planning principals.

BE IT FURTHER RESOLVED, that the area shall be designated as a Condemnation Redevelopment Area

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Adopted:

President of Council

ATTEST:

City Clerk

RESOLUTION NO. 6211

**RESOLUTION OF FINDINGS AND CONCLUSIONS AND
DECISION OF THE VINELAND PLANNING BOARD**

WHEREAS, the City Council of the City of Vineland has by way of Resolution 2017-135 directed the Planning Board of the City of Vineland to undertake a preliminary investigation to determine whether or not certain areas of the City should be designated as redevelopment areas in accordance with N.J.S.A. 40A:12A-1, et seq; and

WHEREAS, City Council has directed the Planning Board to investigate the following areas:

- a) Block 2801, Lots 5, 9, 10 and 11, to be known as the Vineland Construction Redevelopment Area; and

WHEREAS, the Planning Board has conducted a preliminary investigation of the proposed area to be designated as a redevelopment area; and

WHEREAS, the Planning Board conducted a public hearing on April 27, 2017, after newspaper notice and notification to landowners of the property in question; and

WHEREAS, during the public hearing, the Board considered the sworn testimony of Kathleen Hicks, PP, a Professional Planner licensed by the State of New Jersey, and Supervising Planner, City of Vineland, who conducted the investigation. The Board further considered the report of Kathleen Hicks and made the following factual findings:

1. The area City Council directed the Planning Board to examine was examined and determined to be an area in need of redevelopment.
2. Kathleen Hicks, PP, provided the following sworn testimony:
 - a) She is a licensed Professional Planner of the State of New Jersey and is the Supervising Planner for the City of Vineland.
 - b) She conducted a study of the area in question to determine whether or not the area met the statutory requirements for an area in need of redevelopment.
 - c) The area in question is owned by Vineland Construction Company and includes 2 warehouse buildings, a garage and an office building.
 - d) The area satisfies the criteria set forth in N.J.S.A. 40A:12A-5(a), (d), (g) and (h).
 - e) Specifically, the buildings meet criteria 'a' because the warehouses are obsolete and substandard as they are not adequate for modern warehousing based upon the low ceilings, insufficient depth and lack of cross docking.
 - f) The entire layout of the area also meets criteria 'd', obsolescence, overcrowding and faulty arrangement or design and excessive land coverage. The entire area is covered with concrete or asphalt and again is not conducive for modern warehousing or industrial operations. The fencing/gate configuration resulted in truck stacking on Park Avenue when the facility was fully operational, and the total lack of on-site drainage facilities contributes to significant flooding in the area.
 - g) The area also meets criteria 'g', being in an Urban Enterprise Zone and criteria 'h', being in a PA-1 Metropolitan Planning Area.
 - h) For all of these reasons, she finds that the area is in need of redevelopment as set forth in the statute.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Vineland recommends to City Council that the following areas be included in a redevelopment area as an area in need of redevelopment as set forth herein and in the report of Kathleen Hicks, PP:

Block 2801, Lots 5, 9, 10 and 11.

The Planning Board incorporates by reference into this Resolution the Redevelopment Study and Preliminary Investigation Report dated April 2017 as prepared by Kathleen Hicks, PP.

The Planning Board further finds that all procedural aspects of the Planning Board's public hearing have been satisfied, specifically notice requirement. The Planning Board finds that the public was notified in accordance with N.J.S.A. 40A:12A-6.

The foregoing is a true copy of the Resolution of decision adopted by the Planning Board of the City of Vineland at a meeting held on April 27, 2017, as reflected in the recorded minutes of said meeting.

ADOPTED DATE: 4-27-17

Attest:


YASMIN RICKETTS, Secretary

PLANNING BOARD OF THE
CITY OF VINELAND


MICHAEL PANTALIONE, Vice
Chairperson

ROLL CALL VOTE

VOTING IN FAVOR

ABSTAINING

ABSENT

OPPOSED

**VINELAND CONSTRUCTION
REDEVELOPMENT STUDY
BLOCK 2801/LOTS 5, 9, 10, & 11**

CITY OF VINELAND
CUMBERLAND COUNTY, NEW JERSEY

APRIL 2017

Prepared by:
Kathleen M. Hicks, P.P., AICP
License No.: LI-3067
Vineland Planning Division

VINELAND MAYOR & CITY COUNCIL

Anthony Fanucci, Mayor

Paul Spinelli, Council President
David Acosta, Council Vice President
Angela Calakos
Ronald Franceschini, Jr.
Albert Vargas

PLANNING BOARD

David Manders, Chairman
Michael Pantalone, Vice Chairman
Anthony Fanucci, Mayor
David Acosta, Councilman
John A. Casadia, Jr.
Maria Perez
Stephen Plevins
Christine Scarpa
Sandy Velez
Ryan Headley, Alternate #1
Gary Stanker, Alternate #2

TABLE OF CONTENTS

PRELIMINARY INVESTIGATION REPORT

INTRODUCTION

Purpose
Study Area History
Study Area Description
Surrounding Area
Current Utilization of Property

AREA IN NEED OF REDEVELOPMENT ANALYSIS

Criteria for Area in Need of Redevelopment
Findings

FIGURES

1 – Site Study Area Map (Block 2801/Lots 5, 9, 10 & 11)
2 – Tax Map
3 – Aerial Photograph

APPENDICES

A – City Council Resolution No. 2017-135

PRELIMINARY INVESTIGATION REPORT

INTRODUCTION

Purpose

The purpose of this report is to determine whether the Vineland Construction property, four (4) parcels located on the south side of Park Avenue between Delsea Drive and West Avenue, qualify as an area in need of redevelopment, as defined in the Local Redevelopment and Housing Law, P.L.1992, Chapter 79, hereafter referred to as LRHL. The Study Area, which includes block 2801/lots 5, 9, 10 and 11, is shown on the Site Study Area Map (Figure 1).

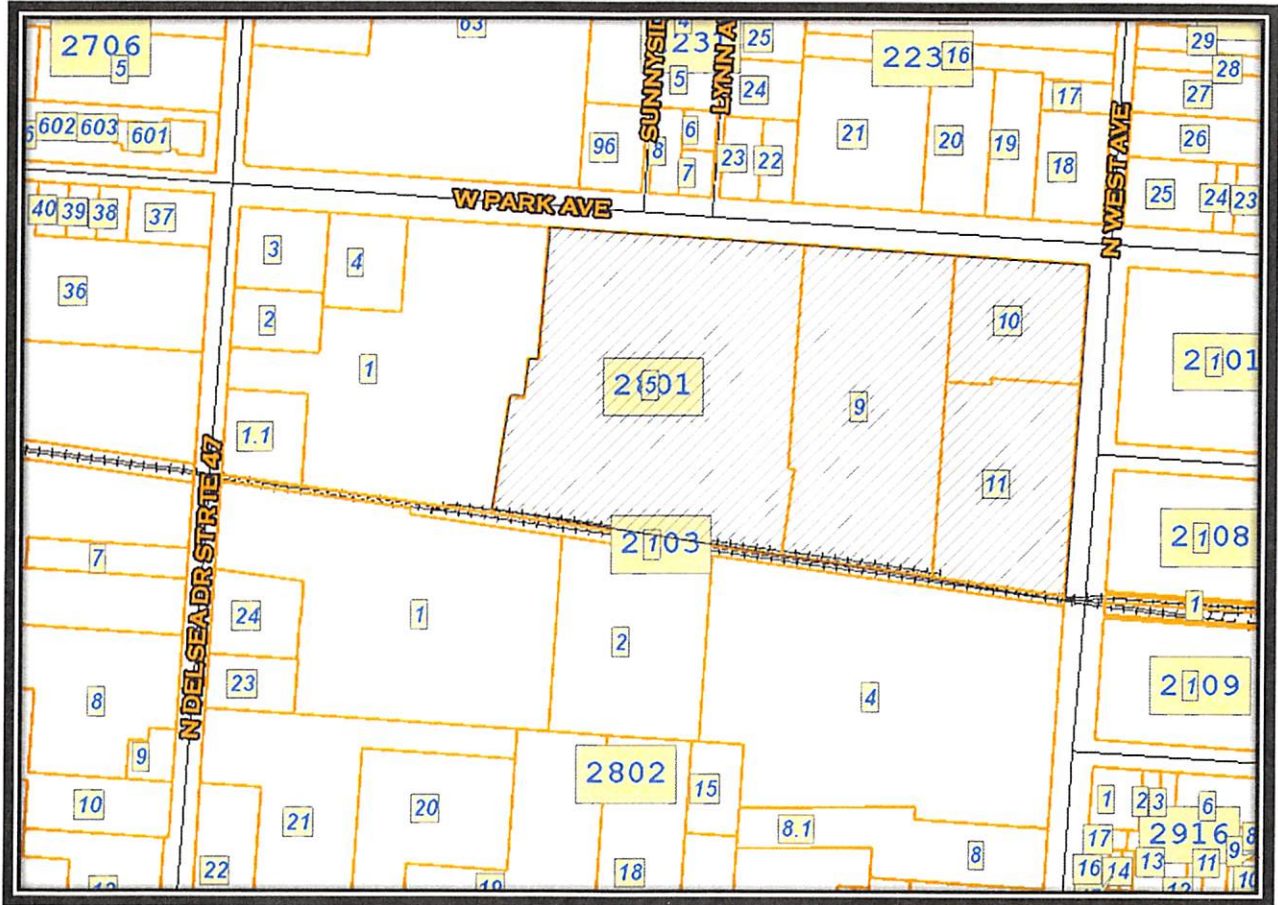
This report is written in accordance with N.J.S.A. 40A:12A-6(a), which says, ‘No area of a municipality shall be determined to be a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the planning board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5....The governing body of a municipality shall assign the conduct of the investigation and hearing to the planning board of a municipality’.

On February 28, 2017, City Council adopted Resolution No. 2017-135, which directed the Planning Board to undertake a preliminary investigation as to whether the Study Area qualifies as an area in need of redevelopment, more particularly a condemnation redevelopment area, pursuant to LRHL (Appendix A). This report includes the Site Study Area Map (Figure 1), as mentioned above, which shows the boundaries of the Study Area, and which is the basis for conducting the investigation, as required by N.J.S.A. 40A:12A-6(b)(1).

In accordance with N.J.S.A. 40A:12A-6(b)(5), following a public hearing, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area. After receiving the recommendation of the planning board, the municipal governing body may adopt a resolution determining that the delineated area, or any part thereof, is in need of redevelopment.

Study Area History

Little information is available on the history of the study area. An examination of historic aerial photographs reveals that there were homes and farm fields on the property prior to 1931. The first warehouse, garage and trucking operation were constructed



VINELAND CONSTRUCTION REDEVELOPMENT STUDY AREA
 April 2017

BASIS FOR THE INVESTIGATION

The City of Vineland City Council instructed the Planning Board to undertake a preliminary investigation as to whether Block 2801/Lots 5, 9, 10 and 11 can be designated an area in need of redevelopment, which would give City Council full authority to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain, further referred to as a Condemnation Redevelopment Area. The property was once a large scale trucking/warehousing facility. Since the departure of National Freight, the property is only used minimally for short term warehousing. Being a large tract, located near the intersection of 2 important arterial roadways, close to Center City, the property has failed to develop under normal market conditions even though it has actively been marketed for over 5 years.

FIGURE 1 – Site Study Area Map (Block 2801/Lots 5, 9, 10 & 11)

sometime between 1963 and 1970. Additional warehousing was constructed between 1970 and 1972. The last structure to be built appears to have been the office building.

The property has long been owned by Vineland Construction Company, a real estate development/construction enterprise owned by the Brown family. Until recent years, the site was also home to National Freight, Inc., a large trucking operation, another enterprise owned by the Brown family. The property was a very active trucking terminal and warehouse operation until about a decade ago when National Freight, Inc. vacated the site.

Study Area Description

The Study Area includes block 2801/lots 5, 9, 10 and 11 (Figure 2). The 24.2 acre site is located on the southwest corner of Park and West Avenues, both municipal minor arterials. It has 1,329.38 feet of frontage along Park Avenue and 822.36 feet of frontage along West Avenue. It is bound on the south side by a Conrail rail line, which remains active. On the west side, it abuts Block 2801/Lot 1, a property owned by the Cumberland County Improvement Authority. The Cumberland County Board of Social Services is located on this parcel. This property was once part of the Vineland Construction Company holdings, which allowed access from Delsea Drive (State Route 47), a major roadway in South Jersey prior to the construction of State Route 55, a limited access highway.

The property is home to four (4) buildings. There is a large warehouse, of approximately 214,000 square feet along the Conrail rail line. It sits on lots 5 and 9. There is a second smaller warehouse, of approximately 68,000 square feet, also along the Conrail rail line. It sits on lot 11. There is a garage, of approximately 35,000 square feet, fronting on Park Avenue. It sits on lot 9. Lastly there is a two (2) story office building of approximately 30,000 square feet at the northeast corner of the property, at the intersection of Park and West Avenues. It sits on lot 10. In addition to the four (4) buildings, there are acres and acres of asphalt that had been used for truck parking. While there are four (4) separate lots and four (4) separate buildings, the property was developed as a complex, with shared access, parking and utilities. In particular, solar panels installed on the warehouses serve all the buildings, making partitioning the property to sell pieces difficult.

The bulk of the Study Area is enclosed in a chain link fence. The main entrance is off of Park Avenue, with the gate approximately 10 feet from the curblin. When National Freight, Inc, occupied the site there was a problem with trucks stacking on Park Avenue, as there was only room for one (1) truck at the gate waiting to be admitted.

There are 192 parking stalls associated with the office building. While there are very limited lawn areas on the north side and the east side of the office building, the balance of the site is impervious. As there is no on-site drainage retention or detention facilities, all run-off flows into the City system. This is problematic as the City system is very constrained. The run-off from the this site, along with a significant portion of the run-off

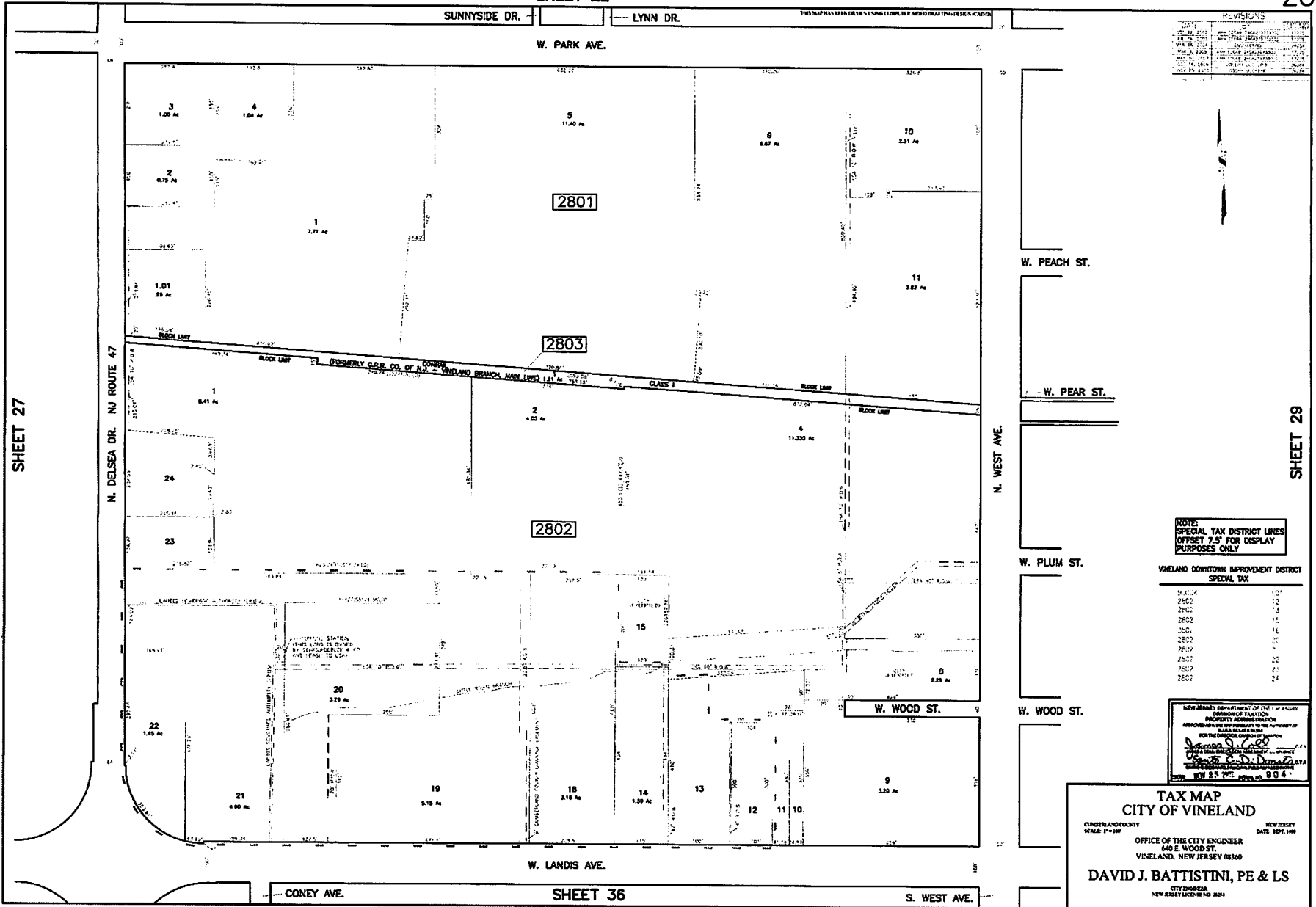


FIGURE 2 – Tax Map

from the Old Borough, is piped to a City-owned drainage basin on the west side of West Avenue approximately 500 feet south of the Study Area. This system has a finite capacity as it discharges to what was formerly a stream that is now piped under the parking lots of Sears, Walgreens and Walmart. It is also piped under Delsea Drive (State Route 47). The size of the pipes, particularly under Delsea Drive limit the capacity of the system, resulting in periodic flooding of the Sears store.

In 2016, the total assessed value of the property was \$6,850,000, according to records in the Tax Assessor's Office (\$1,856,900 land value, \$4,993,100 improvements value), generating \$176,456 in tax revenue.

Surrounding Area

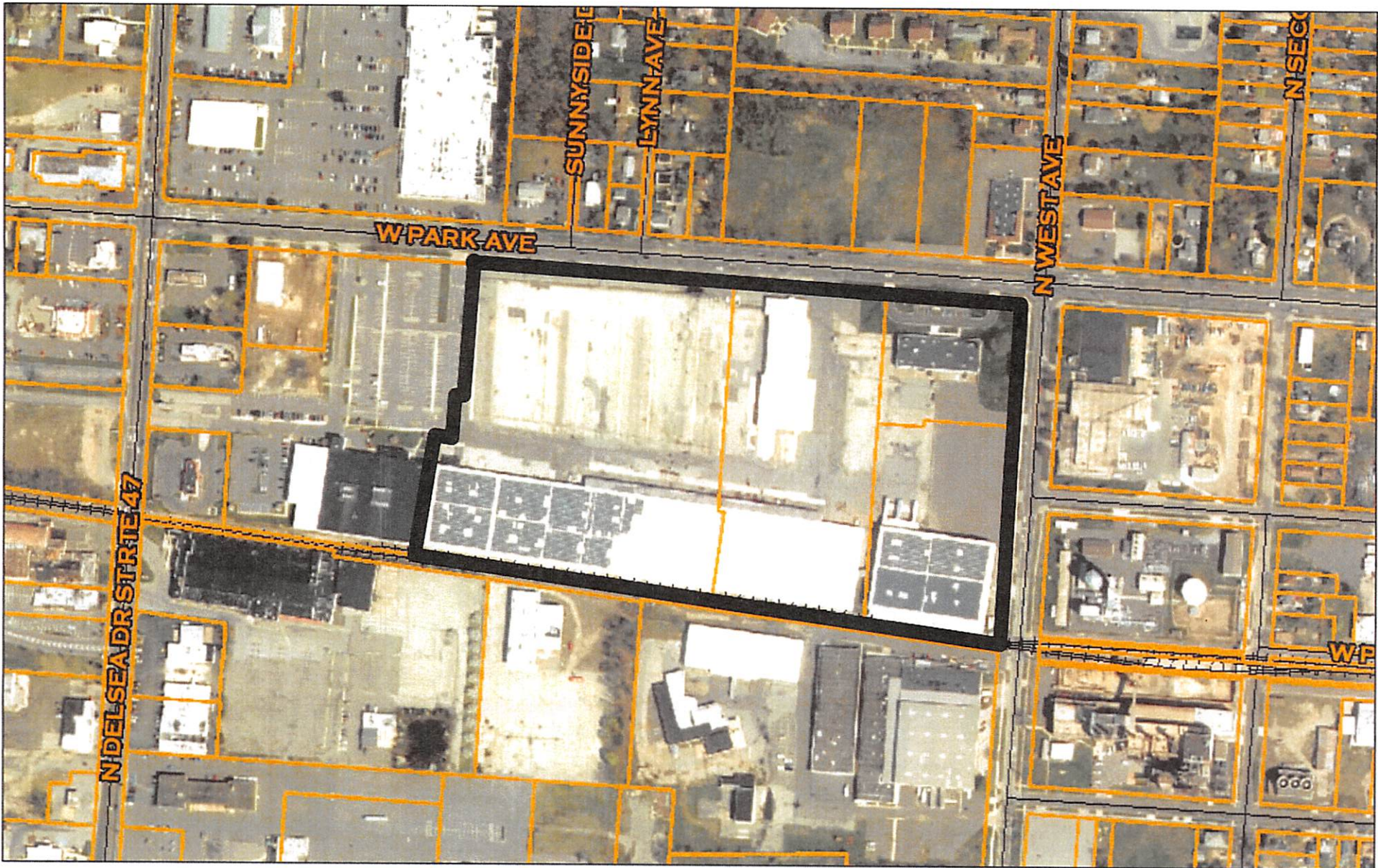
The area surrounding the Vineland Construction Company property is largely commercial/industrial (Figure 3). As mentioned previously, to the west is the Cumberland County Board of Social Services building. It actually was once part of the larger of the two (2) warehouses owned by Vineland Construction Company prior to redevelopment. A common wall separates the properties. To the north, across Park Avenue, there is a mix of uses. There is a shopping center, a sign company, an auto repair garage, a medical office building and three (3) residential parcels. To the east, across West Avenue, the Vineland Municipal Electric Utility takes up several blocks. Lastly, to the south, across the Conrail rail line, there are industrial and commercial buildings, in addition to a church, which leases a former theater.

The Study Area sits approximately 750 feet away from Delsea Drive (State Route 47), which is the major highway business district in the City. No longer having direct access to Delsea Drive diminishes the attractiveness of the site for re-use. While there has been development and redevelopment of properties along Delsea Drive in this area (e.g., Wawa, Walgreens, and shopping center), the Study Area has stagnated.

Current Utilization of Property

The property is still in use, but minimally. With the departure of National Freight, Inc. about a decade ago, activity has greatly diminished. A portion of the office building continues to be used by administrative staff for Vineland Construction Company. The building is in need of rehabilitation and accessibility improvements.

The warehouses are dated. When built, freight rail was a popular mode of transport. The placement of the buildings along the Conrail rail line allowed for multi-modal cross docking. Now that rail is no longer a popular mode of transport, the buildings are left with docks for trucks on a single side. Modern warehousing has cross-docking for trucks so product can be received on one (1) side of the building and go out on the opposing side, reducing product handling. While structurally sound, the two (2) warehouses also have lower ceiling heights and less building depth (i.e., 200 feet vs desired 300 feet) than modern warehousing, making them less desirable. The construction of State Route 55 has also negatively impacted the Study Area, as it became the major north/south freight



April 20, 2017





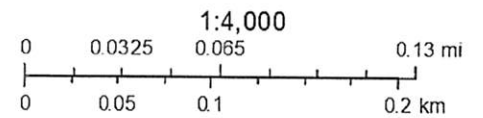
- Street Names (Label)  Railroad
-  Parcel Outline  Streets
-  Streams (DEP)

FIGURE 3 – Aerial Photograph



corridor, rather than Delsea Drive (State Route 47). The Study Area is approximately two (2) miles from the closest State Route 55 interchange. Vineland Construction Company has been unable to get any long term leases on these buildings. They are occupied sporadically for short term use.

The garage is also used minimally, if at all. The lifts were removed, along with the fuel station that had been utilized by National Freight, Inc.

AREA IN NEED OF REDEVELOPMENT ANALYSIS

Criteria for Area in Need of Redevelopment

As mentioned in the introduction, N.J.S.A. 40A:12A-5 sets forth the criteria to be used in the preliminary investigation to determine whether an area is in need of redevelopment. An area may be determined to be in need of redevelopment if it meets one or more of the following statutory criteria:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition or the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of

storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Findings

Criteria 'a'

This property satisfies criteria 'a'. The generality of buildings are substandard or obsolescent. The two (2) warehouse buildings are obsolete. The lack of cross docking for trucks and the low ceiling heights and building depth make them undesirable for today's large scale warehousing operations. The office building and garage are both substandard. The office building hasn't been renovated since it was constructed. While two (2) story, there have been no accessibility improvements. The garage also has limited utility because of the removal of all the lifts.

Criteria 'd'

This property satisfies criteria 'd'. It has areas with buildings or improvements which by reason of obsolescence, faulty arrangement or design, and excessive land coverage are detrimental to the safety and welfare of the community.

As mentioned earlier, this property, while four (4) lots, was developed as a complex, with shared access, parking and utilities. Any attempt to partition the property would be very difficult because of this integration, particularly the rooftop solar systems on the warehouses. Allowing the property to remain 'as is', with minimal utilization, is detrimental to the welfare of the community.

Additionally, if the property were ever to return to full utilization in its current condition, the configuration of the fencing and gate would be detrimental to the safety of the community because of the resultant truck stacking on Park Avenue.

Of greatest significance to the safety of the community, however, is the impact that this property has on the City drainage system. It is absolutely obsolete and faulty design to have a 24.2 acre site with no on-site retention or detention drainage facilities. This property, in its current conditions, contributes to the periodic flooding of West Avenue and the Sears store.

Criterion 'g'

The entire Study Area is located within the Vineland-Millville Urban Enterprise Zone.

Criterion 'h'

The property is located across the street from the Old Borough, the historic urban core of the City. Its location is therefore in a portion of the City that is built out with complete public infrastructure. Since the property is located in a PA-1 Metropolitan Planning Area under the State Development and Redevelopment Plan, it is considered an area targeted for growth and redevelopment. Therefore, redevelopment of this property will advance smart growth planning principles. As a result, the study area satisfies criterion 'h'

To summarize, the Vineland Construction Study Area property qualifies as an area in need of redevelopment based upon criteria 'a', 'd', 'g' and 'h'.

APPENDIX A – City Council Resolution 2017-135

RESOLUTION NO. 2017- 135

A RESOLUTION AUTHORIZING A PRELIMINARY INVESTIGATION TO BE MADE BY THE PLANNING BOARD TO DETERMINE WHETHER THE AREA CONSISTING OF BLOCK 2801, LOTS 5, 9, 10 AND 11 IS IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, Block 2801, Lots 5, 9, 10 and 11 (area) has been under review by the Planning Division and Economic Development Offices in light of its present condition which may be considered an area in need of redevelopment pursuant to the local Redevelopment & Housing Law, N.J.S.A. 40A:12A-1, et seq; and

WHEREAS, the area may benefit from the Local Redevelopment and Housing Law should it meet the criteria and be determined to be an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, City Council may cause a preliminary investigation to be made to determine if the area is in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, should City Council adopt the Resolution, the Planning Board shall be entrusted with undertaking a public hearing process to hear testimony of individuals to determine if the area is in need of redevelopment, make a report to City Council for their approval or disapproval or modification; and

WHEREAS, City Council finds it in the best interest of the City to instruct the Planning Board to conduct a hearing and investigate whether the area or any part thereof constitutes a Redevelopment Area as defined in N.J.S.A. 40A:12A-5 and 6 with the City Council having the full authority to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain, further referred to as a Condemnation Redevelopment Area and thereafter provide its findings and reports and recommendation to Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland as follows:

1. The Planning Board of the City of Vineland shall and the same is hereby authorized and directed to conduct hearings and investigations as required to determine whether the area designated as Block 2801, Lots 5, 9, 10 and 11 constitutes a redevelopment area as defined by N.J.S.A. 12A-1, et seq. Said hearings shall be held in accordance with N.J.S.A. 40A:12A-6 as a Condemnation Redevelopment Area.
2. Upon completion of such hearings and investigations, the Planning Board shall make recommendations and report to the City Council for approval, disapproval or modification regarding the area being considered for redevelopment and whether the area or any portion thereof constitutes a redevelopment area as defined in N.J.S.A. 12A-1, et seq.

Adopted:

President of Council

ATTEST:

City Clerk