

ORDINANCE NO. 2023- 27

ORDINANCE ADOPTING THE OAK ROAD
REDEVELOPMENT PLAN CONSISTENT WITH
RESOLUTION 6565 OF THE PLANNING BOARD
OF THE CITY OF VINELAND.

WHEREAS, on July 26, 2022 the City Council of the City of Vineland adopted Resolution 2022-315 directing the Planning Board to undertake a preliminary investigation to determine whether Block 1909 Lot 50 (Property) should be designated as a Non-Condemnation Redevelopment Area in accordance with N.J.S.A. 12A-1 et seq.; and

WHEREAS, while conducting a preliminary investigation and public hearing on October 27, 2022 Kathleen Hicks submitted a Preliminary Investigation Report dated October, 2022 wherein her assessment of the Property concluded the Property did meet the criteria to be designated as an area in need of redevelopment; and

WHEREAS, all property owners and interested parties were provided the opportunity to address all their questions and concerns; and

WHEREAS, on April 27, 2017 the Vineland Planning Board adopted Resolution 6539 finding that the Property met two of the criterion of an area in need of redevelopment as set forth in N.J.S.A. 40A:12A-5, Criteria “g” and “h” and designated the Property as the Oak Road Non-condemnation Redevelopment Area; and

WHEREAS, on November 7, 2022 City Council adopted Resolution 2022-479 adopting the findings and conclusions of the Planning Board and determined the Property a Non-Condemnation Redevelopment Area in accordance with N.J.S.A. 40A:12A-1 et seq. specifically, Lot 50 met the criteria of (1) subsection (g) of N.J.S.A. 40A:12A-5 in that the area is located within an Urban Enterprise Zone that was designated pursuant to the New Jersey Urban Enterprise Zone Act and (h) in that the area is targeted for growth in the State Development and Redevelopment Plan, the City Master Plan and the Landis Sewerage Authority Wastewater Management Plan and that public sewer and water are available; and

WHEREAS, on February 28, 2023, City Council passed a motion to request the City of Vineland Planning Board prepare a Redevelopment Plan for the Oak Road Non-Condemnation Redevelopment area for consideration by the City Council in accordance with N.J.S.A. 40A:12A-7(f); and

WHEREAS, Kathleen M. Hicks, P.P., AICP prepared a redevelopment plan entitled Oak Road Redevelopment Study for Block 1909 Lot 50 which was presented to the Planning Board on March 8, 2023 at which time after considering the submission and testimony of Kathleen Hicks, the Planning Board adopted Resolution 6565 endorsing the Redevelopment Study presented and referred the same to city Council for consideration and adoption; and

WHEREAS, the City Council adopts the findings and recommendations as set forth in Resolution 6565 and the Oak Road Redevelopment Study prepared by Kathleen Hicks, P.P., AICP dated March 2023 and incorporates the same herein as if set forth herein at length.

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

1. The Zone Map and Zoning Section of the Land Use Code of the City of Vineland be amended consistent with the Oak Road Redevelopment Study attached hereto and made a part hereof.
2. The Oak Road Redevelopment Study/ Plan prepared by Kathleen Hicks, P.P. AICP dated March 2023 shall be and is hereby adopted.

BE IT FURTHER ORDAINED that any Ordinances or portions thereof that are inconsistent herewith shall be deleted and void to the extent of such inconsistencies and the terms of this Ordinance shall supersede and replace the same.

CITY OF VINELAND

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:


Mayor

ATTEST:

City Clerk

MEMORANDUM

TO: Bob Dickenson, Business Administrator

FROM: Yasmin Ricketts, Planning Board Secretary 

DATE: March 9, 2023

RE: Oak Road Redevelopment Area

Enclosed is a signed copy of Resolution #6565 of the Planning Board giving comments and recommendations regarding Oak Road Redevelopment Area.

YR/
Encl.

xc: Keith Petrosky, City Clerk
Richard Tonetta, City Solicitor

**OAK ROAD
REDEVELOPMENT STUDY
BLOCK 1909/LOT 50**

**CITY OF VINELAND
CUMBERLAND COUNTY, NEW JERSEY**

MARCH 2023

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

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PRELIMINARY INVESTIGATION REPORT

INTRODUCTION

Purpose

The purpose of this report is to determine whether block 1909/lot 50, located at 1890 E. Oak Road, qualifies 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.

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'.

Pursuant to this statute, on July 26, 2022, City Council adopted Resolution No. 2022-315, which directed the Planning Board to undertake a preliminary investigation as to whether the Study Area qualifies as an area in need of redevelopment pursuant to LRHL (Appendix A). This report includes the Site Study Area Map, developed by the Planning Board on September 14, 2022, 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) (Figure 1). City Council stipulated that the Study Area would be a Non-Condemnation Redevelopment Area if it qualifies.

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

As late as 1988, the Study Area was a small farm. There was a home, garage and chicken coop on the property. The rear was a tilled field.

Study Area Description

The Study Area includes a single parcel – block 1909/lot 50 (Figures 2 & 3). It totals 8.27 acres. Of this, approximately 3 acres at the rear of the parcel, or 37.5%, has been used for agricultural purposes. Approximately 3 acres in the middle of the parcel, or



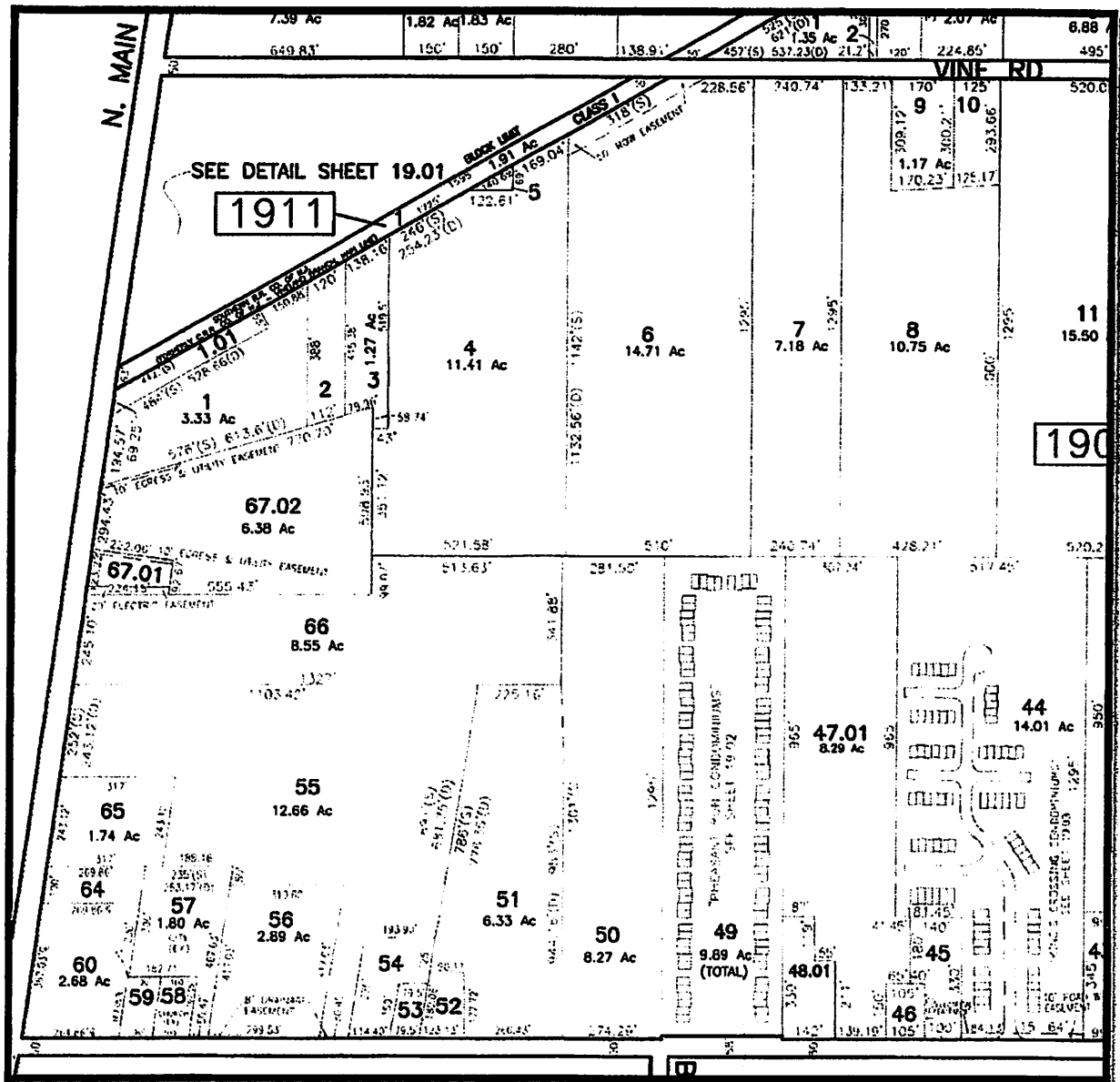
FIGURE 1
OAK ROAD
REDEVELOPMENT
STUDY AREA
BLOCK 1909/LOT 50

August 2022

BASIS FOR INVESTIGATION

The City of Vineland City Council instructed the Planning Board, on July 26, 2022, via Resolution No. 2022-315, to undertake a preliminary investigation as to whether Block 1909/Lot 50 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 in N.J.S.A. 40A;12A-1 et seq. for use in a redevelopment area, other than the use of eminent domain (Non-Condernation Redevelopment Area).

The bulk of the property is vacant land. A small portion of the site is currently used for a tele-communications tower. The land is privately owned. The preliminary investigation will utilize criteria established in N.J.S.A. 40A-12A-5.



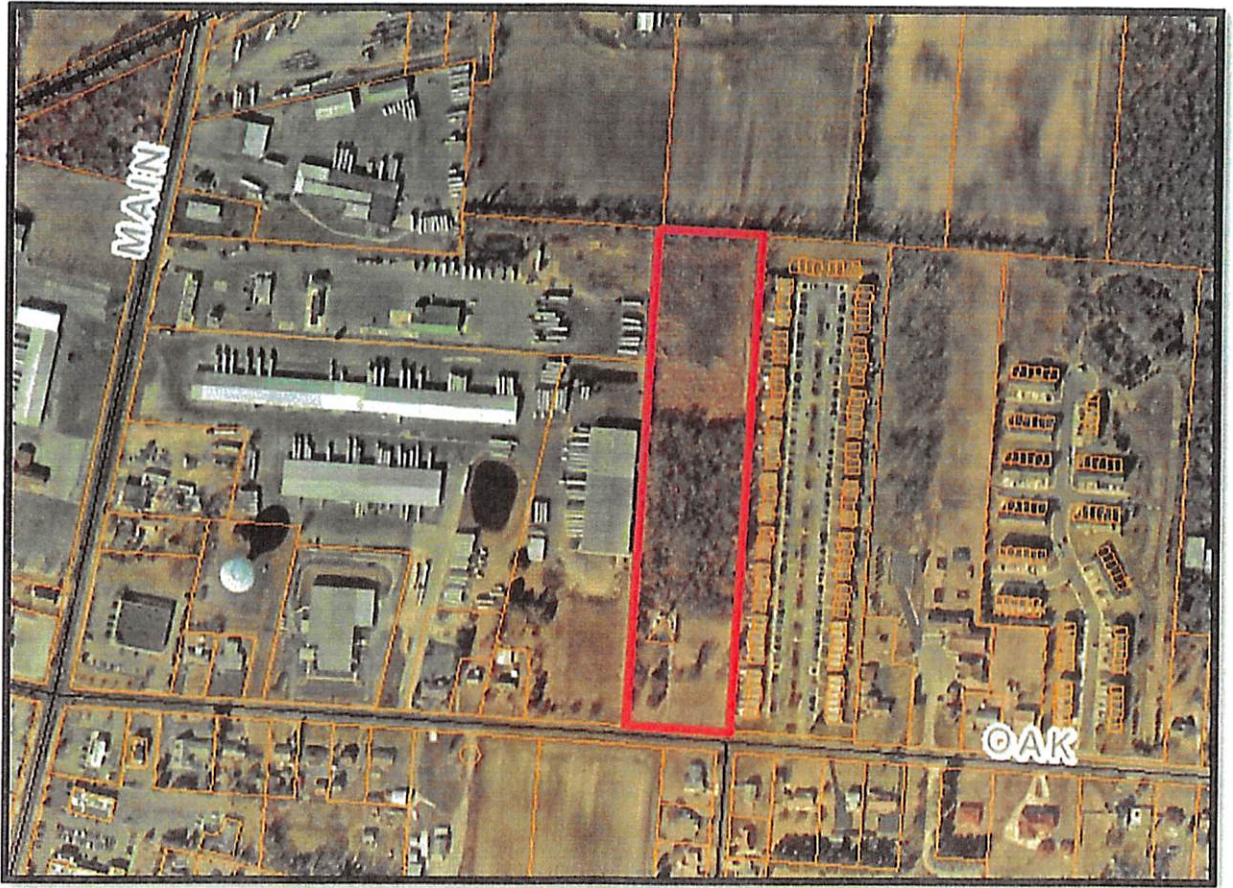


FIGURE 3
Oak Road – Aerial Photograph

37.5%, is wooded. The remaining approximately 2 acres at the front of the parcel, or 25%, is cleared with some clusters of trees and a 130 foot tall tele-communications tower, the only structure on the site.

Surrounding Area

The Study Area fronts on Oak Road, approximately 1,436 feet east of Main Road. The eastern property line aligns with the centerline of Becker Drive. Pheasant Run Condominiums (100 units), a daycare center, two (2) single-family homes, and King's Crossing Condominiums (83 units) is to the east; single-family homes and farm fields are across Oak Road to the south; Vineland Produce Auction and Major Petroleum are to the west; and farm fields at the rear of commercial properties fronting on Vine Road are to the north (Figure 4).

Current Utilization of Property

As mentioned previously, a 130 foot tall tele-communications tower is the only structure in the Study Area. The rear of the property has been cultivated in the recent past, though it may now be fallow (Figures 5).

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.



FIGURE 4
Oak Road – land use

YELLOW – residential
ORANGE – multi-family residential
RED – commercial
BLUE – government
PURPLE – industrial
LIGHT GREEN – park
DARK GREEN – agriculture



FIGURE 5
Oak Road – street view

- 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 of 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

The Study Area meets two (2) of the criteria set forth in N.J.S.A. 40A:12A-5 that are to be utilized in the preliminary investigation to determine whether an area is in need of redevelopment.

Criterion 'g'

The Study Area is located in the Millville-Vineland Urban Enterprise Zone. As stated above in the previous section, 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 Study Area therefore satisfies criterion 'g'.

Criterion 'h'

The Study Area is in an area targeted for growth in the State Development and Redevelopment Plan (PA-2 Suburban Planning Area), the City Master Plan and the Landis Sewerage Authority Wastewater Management Plan, which has been approved by DEP. Development of an in-fill parcel will advance already established smart growth planning principles. As a result, the Study Area therefore satisfies criterion 'h'

To summarize, block 1909/lot 50 qualifies as an area in need of redevelopment based upon criteria 'g' and 'h' and is recommended as a Non-Condensation Redevelopment Area.

PART II REDEVELOPMENT PLAN

OPPORTUNITIES AND CONSTRAINTS

The Oak Road property presents a number of opportunities (i.e., positive attributes) for redevelopment. First, at 8.27 acres, it offers a site that is free of any NJDEP mapped environmental constraints, such as freshwater wetlands, flood hazard areas or known contaminated sites. The rectangular configuration makes the property fully developable, with the exception of the land devoted to the 130 foot tall tele-communication tower and associated access easement.

Being located in an area that is built out also means that adequate infrastructure already exists. Public water and natural gas are available in Oak Road, and public sewer is available at the terminus of Becker Drive across the street from the site.

The property is also currently zoned MF – Multi-Family. The allowance for higher density residential can better support redevelopment because of reduced land and construction costs per dwelling unit. Being located in an Urban Enterprise Zone also offers benefits that can lower the cost of redevelopment substantially.

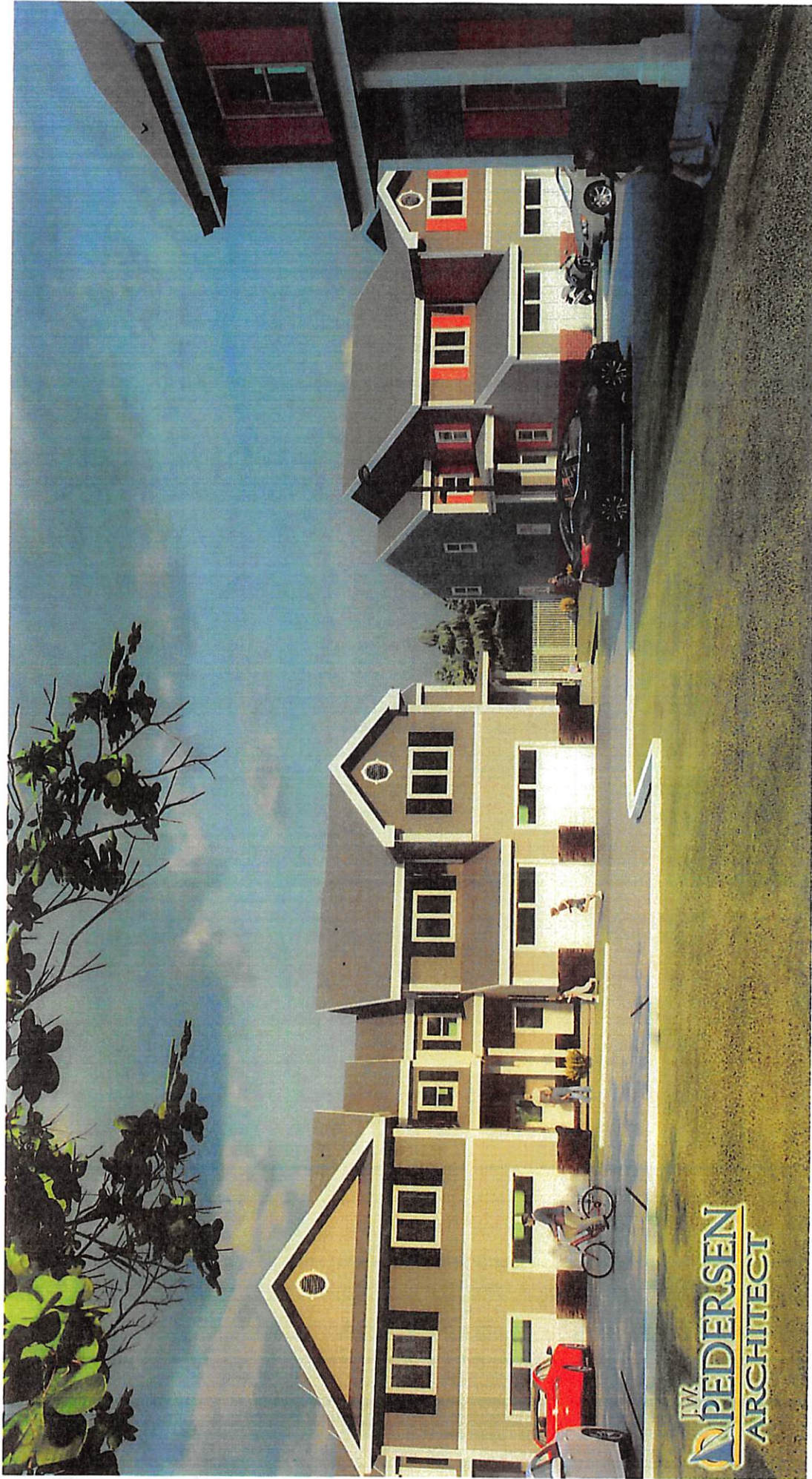
Lastly, the close proximity to Main Road offers amenities, such as drugstores, retailers, offices, fast food establishments and a restaurant. While the sidewalk on the north side of Oak Road that connects the site to Main Road doesn't meet today's design

FIGURE 6

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 3. TIME _____
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 22



FIGURE 7



OAK ROAD
TOWNHOUSES
VINELAND, NJ

 **easternpacific**
DEVELOPMENT

 **brookfield**
CONSTRUCTION

standards and is in very poor condition, the right-of-way does have shoulders for walking and biking. The site is also in close proximity to Gittone Park, which can be accessed from both Oak Road and Becker Drive

The Oak Road property does, however, present a few constraints that need to be overcome to advance redevelopment of the site. One is the location of the 130 foot tall tele-communication tower and associated access easement. While it may be possible to relocate the easement, the tower is to remain. Any proposed project will have to be designed around it.

More importantly, however, is the existing industrial development to the west (i.e., Major Petroleum and the Vineland Produce Auction). The Vineland Produce Auction, in particular, has a large structure approximately 25 feet from the common property line. Both properties also have significant tractor trailer traffic. This in all probability is the reason this site hasn't developed in spite of all the opportunities listed above. This 'raw edge' between industrial and residential uses will need to be addressed in the redevelopment process. While it may not be possible to eliminate this negative impact entirely, it should be a goal to minimize it.

THE PLAN

Introduction

In 2020, Eastern Pacific Development submitted a proposal to the Vineland Housing Authority to partner on an affordable housing project for families. This project was therefore included in the City's Affordable Housing Trust Fund Spending Plan. The Vineland Housing Authority ultimately opted not to do the project.

Because the project had been included in the Plan, and because the Housing Authority was selling off over 100 scattered single-family homes, the City encouraged Eastern Pacific Development to pursue the project independently. The company found a site, block 1909/lot 50, located at 1890 E. Oak Road, and requested that the City evaluate the property to determine if it qualified as an area in need of redevelopment, as defined in the Local Redevelopment and Housing Law, P.L.1992, Chapter 79. Being designated a redevelopment district is important when applying to the NJ Housing and Mortgage Finance Agency (NJHMFA) for a tax credit project. It was determined that block 1909/lot 50 qualified as an area in need of redevelopment based upon criteria 'g' and 'h', and City Council designated it a Non-Condemnation Redevelopment Area on November 7, 2022 (Appendix B).

City Council further directed the Planning Board to prepare a plan for the site on February 28, 2023 (Appendix C). Eastern Pacific Development had supplied the City with a conceptual site plan and building elevation (Figures 6 & 7). The Oak Road Redevelopment Plan, developed in accordance with N.J.S.A. 40A:12A-7, for

Block 909/Lot 50, is intended to advance the physical, economic and environmental goals for the Study Area.

Redevelopment Goals and Policies

The following goals, with associated implementing policies, are established for the Oak Road Redevelopment Plan:

Goal 1 – The Redevelopment Plan will advance the City of Vineland Master Plan and the design requirements contained in the Land Use Ordinance.

Policies:

1. The Redevelopment Plan will modify and augment the standards of the existing MF – Multi-Family Zone, thereby remaining consistent with the 2008 City of Vineland Master Plan.
2. Any project will be designed in accordance with Residential Site Improvements Standards contained in N.J.A.C. 5:21-1.1 et seq.
3. All the provisions of the Land Use Ordinance will be applicable to any proposed project, unless said provisions are in conflict with the Redevelopment Plan.

Goal 2 – The Redevelopment Plan will endeavor to maximize the utilization of the Study Area.

Policies:

1. The Study Area will be developed as a singular property.
2. City Council (i.e., Redevelopment Authority) will work with the selected redeveloper to establish a project timeline in the Redeveloper's Agreement, recognizing existing and projected economic conditions and funding availability.
3. The Redevelopment Plan won't impose unnecessary burdens on the developer.

Goal 3 – The Redevelopment Plan will advance the City's Complete Streets Policy

Policies:

1. The Redevelopment Plan will address pedestrian, bicycle and vehicular travel modes.
2. Any proposed project will accommodate transit vehicles.

Statutory Requirements

N.J.S.A. 40A-12A-7 states that 'the redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- (1) Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

The 2008 Master Plan Future Land Use Map designated block 1909/lot 50 as multi-family. Current zoning is in conformity with the Master Plan, and this redevelopment plan will maintain the existing zoning, with some modifications and augmentations for a project that is 100% affordable housing. This plan is also in conformity with the State Development and Redevelopment Plan, in which higher residential densities and redevelopment/in-fill are strongly encouraged.

The City's Complete Streets Policy will also be implemented to address the needs of alternative modes of travel. Pedestrians, bicyclists and transit users will all be accommodated.

Because of the small scale of the project, there are no anticipated impacts on traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

- (2) Proposed land uses and building requirements in the project area.

The Oak Road Redevelopment District will maintain the existing zoning, with some modifications for a project that is 100% affordable housing. All the provisions of the Code Book of the City of Vineland, not only the Land Use Ordinance, will be applicable to any development application submitted for the property, unless in conflict with this plan. When there is an inconsistency between any provision of the Code Book of the City of Vineland and this plan, this plan shall prevail.

More particularly, the provisions contained in (Figure 8) shall modify and augment the provisions of the Zoning Schedule, Sheet 1 and 8425-302 of the Land Use Ordinance.

The Planning Board shall be empowered to grant relief to any provision of the Land Use Ordinance or the Redevelopment Plan, except as relates to use, or what would normally be a d-variance. Any relief as to use shall be processed as a Plan amendment.

- (3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which

FIGURE 8

Modifications and Augmentations

The Oak Road Redevelopment District will be subject to existing zoning requirements for the MF – Multi-Family Zone, with some modifications and augmentations for a project that is 100% affordable housing.

Modifications:

- (1) Permitted uses - The only permitted use within the Oak Road Redevelopment District shall be a multi-family residential cluster of townhouses.
- (2) Minimum lot frontage – 250 feet.
- (3) Maximum building height (principal) – 35 feet.
- (4) Maximum lot coverage – 50%.
- (5) Maximum density – 8 dwelling units per acre.
- (6) Required open space – 0%.

Augmentations:

- (1) Noise attenuation – A noise attenuation plan shall be submitted to address the impact of the abutting industrial uses.
- (2) Safety – A safety certification shall be submitted for the 130 foot tall tele-communication tower to insure it presents no hazard to proposed dwelling units.
- (3) Each dwelling unit shall be provided with a 1-car garage.
- (4) The site will be developed and maintained as a singular property. Multiple buildings shall be permitted, but the property shall not be subdivided.
- (5) A landscaping plan and building elevations shall be a part of any development application. The site shall be subject to enhanced landscaping and design requirements. For example, to advance development of the site as a singular property, there needs to be some commonality in design features to tie the property together.
- (6) Any accessory buildings or structures (e.g., trash enclosures) shall be designed to be attractive, matching principal buildings, or shall be totally screened.
- (7) To advance the City's Complete Streets Policy, pedestrian and bicycle circulation shall be addressed.
- (8) Accommodations shall be made for transit service (i.e., CATS).

decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

With regard to this requirement, no temporary or permanent relocation of residents will be necessary as the project area is vacant, except for a 130 foot tall tele-communication tower. The residential structure that was on the site was demolished over 30 years ago. Consequently, there will be no displacement of residents necessitating the preparation of an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

(4) An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.

No property acquisition is proposed in the Redevelopment District.

(5) Any significant relationship of the redevelopment plan to (a) the master plan of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c398 (C.52:18A-196 et al.).

While the City borders on eight (8) municipalities, none are in close proximity to block 1909/lot 50. There is therefore no significant relationship to the master plans of contiguous municipalities. This redevelopment plan is consistent with, and advances the redevelopment goals, of the State Development and Redevelopment Plan. The City recently went through the State Plan Endorsement process and had its regional center designation extended. This portion of the City is mapped as Planning Area 2 – Suburban. This area is therefore targeted for development and redevelopment. While Cumberland County doesn't have a master plan, the maps submitted to the State Planning Commission by the County for cross-acceptance continued to show the area-in-question as Planning Area 2, thereby being a de facto endorsement.

(6) As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.

With regard to this requirement, there were no housing units within the project area. There is therefore no need to prepare a more extensive inventory of housing units affordable to low and moderate income households.

(7) A plan for the provision, through new construction or substantial rehabilitation, of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls, and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

With regard to this requirement, since there are no affordable housing units being affected by the implementation of the Redevelopment Plan, there is no need to provide any affordable replacement housing. Nevertheless, all the housing units being constructed will qualify as affordable.

(8) Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

Any project constructed in the Redevelopment District will comply with N.J.S.A. 40:55D-66.20

Potential Funding Sources

The City will support the redeveloper pursue available funding to advance the goals of this plan. Possible funding sources are:

1. NJ Housing and Mortgage Finance Agency (NJHMFA)
2. City of Vineland Affordable Housing Trust Fund
3. N.J. Economic Development Authority
4. U.S. Department of Housing and Urban Development
5. Vineland Enterprise Zone Assistance Fund

Property Acquisitions

The City will not use eminent domain to advance this redevelopment plan.

OTHER PROVISIONS

Duration of the Redevelopment Plan

The Oak Road Redevelopment Plan shall be in full force and effect for a period of 10 years from the date of approval of this plan by Mayor and Council.

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Mayor and Council of the City may amend, revise or modify the Redevelopment Plan, as circumstances may make such changes appropriate.

Redevelopment Authority

City Council shall act as the “Redevelopment Authority” pursuant to N.J.S.A. 40A-12A-4(c) for purposes of implementing the Oak Road Redevelopment Plan and carrying out redevelopment projects. In doing so, City Council shall have the powers set forth in N.J.S.A. 40A-12A-8 to effectuate all of its duties and responsibilities in the execution and implementation of this redevelopment plan.

Redeveloper Selection

Eastern Pacific Development initiated the evaluation of block 1909/lot 50, located at 1890 E. Oak Road, as an area in need of redevelopment and has the property optioned. Nevertheless, if Eastern Pacific Development doesn’t proceed with the project, the Redevelopment Authority may select another redeveloper based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of the Redevelopment Plan, and additional criteria that demonstrate the redeveloper’s ability to implement the goals and objective of the Plan.

It is recommended that Eastern Pacific Development, or any subsequent applicants wishing to be designated as redevelopers submit the following materials to the Redevelopment Authority for review and approval:

- Documentation evidencing financial responsibility and capability with respect to proposed development
- Estimated total development cost
- Fiscal impact analysis addressing the effect of the proposed project on municipal services and tax base

- Estimated time schedule for start and completion of development, per phase, if applicable
- Conceptual plan and elevations sufficient in scope to illustrate the design, architectural concepts, parking and traffic circulation for the proposed use.

Implementation of the Redevelopment Plan

Controls on redevelopment are hereby imposed and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. Appropriate covenants or provisions shall implement these conditions in redeveloper agreements and/or disposition instruments.

1. The redeveloper will be obligated to carry out specified improvements in accordance with the Redevelopment Plan.
2. The redeveloper shall restrict uses to those permitted in this plan, or as permitted by amendment of this plan.
3. Until the completion of the improvements, the redeveloper shall not be permitted to sell or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Redevelopment Authority. Redevelopment rights are specific to the named redeveloper and can't be transferred without written authorization of the Redevelopment Authority.
4. Upon completion of the required improvements, the conditions determined to exist at the time the property was determined to be an area in need of redevelopment will no longer exist.
5. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper or Redevelopment Authority, or their successors, leases or assigns, by which the land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.

Severability

If any provision or regulation of this redevelopment plan shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of the Plan, and such provision or regulation is hereby declared severable.

APPENDIX A

RESOLUTION NO. 2022- 315

A RESOLUTION AUTHORIZING A PRELIMINARY INVESTIGATION TO BE MADE BY THE PLANNING BOARD TO DETERMINE WHETHER THE AREA CONSISTING OF BLOCK 1909, LOT 50 IS IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, Block 1909, Lot 50 is vacant property located within the City of Vineland Urban Enterprise Zone Designation and 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

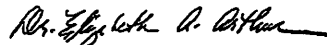
WHEREAS, pursuant to N.J.S.A. 40A:12A-6, should City Council adopt the Resolution, the Planning Board shall be entrusted with undertaking a public hearing process to hear testimony of individuals to determine if the area is in need of redevelopment, make a report to City Council for their approval or 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 referred to as a Non-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 1909, Lot 50 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 Non-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: July 26, 2022



President of Council eaa

ATTEST:



Deputy City Clerk rgf

APPENDIX B

CITY OF VINELAND

RESOLUTION NO. 2022- 479

RESOLUTION ADOPTING THE FINDINGS AND CONCLUSIONS AND DECISION OF RESOLUTION NO. 6539 OF THE PLANNING BOARD OF THE CITY OF VINELAND THAT BLOCK 1909 LOT 50, OAK ROAD BE DECLARED 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) adopted Resolution No. 2022-315 directing the Planning Board of the City of Vineland (Planning Board) to undertake a preliminary investigation to determine whether Block 1909 Lot 50 (Study Area) should be designated as a Non-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 "Oak Road Redevelopment Area Preliminary Investigation" (Study) dated October 2022 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 October 27, 2022 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 1909, Lot 50 meets two of the criteria as set forth in N.J.S.A. 40A:12 A-5, Criteria "g" and "h" and therefore is determined to be an area in need of redevelopment and further recommended that the designation be a Non-Condemnation redevelopment Area.


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 6539, Resolution of Findings and Conclusions and Decision of the Vineland Planning Board, and hereby declares Block, 1909, Lot 50 a Non-Condemnation Redevelopment Area in accordance with N.J.S.A. 40A:12A-1 et seq. Specifically, Lot 50 meet the criteria of (1) subsection (g) of N.J.S.A. 40A:12A-5, in that the area is located within an Urban enterprise Zone that was designated pursuant to the New Jersey Urban Enterprise Zone Act and (h) in that the area is targeted for growth in the State Development and Redevelopment Plan, the City Master Plan and the Landis Sewerage Authority Wastewater Management Plan and that public sewer and water are available.

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

CITY OF VINELAND

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

Adopted: November 7, 2022



President of Council

ea

ATTEST:



City Clerk

kp

APPENDIX C

March 1, 2023

Sent via e-mail

TO: Kathleen Hicks, Principal Planner
Yasmin Ricketts, Planning/Zoning Secretary

FROM: Richard G. Franchetta, RMC, EJD, Deputy Municipal Clerk

RE: City Council Motion

At their regular scheduled meeting conducted on February 28, 2023, Vineland City Council adopted a motion, *"to request the city of vineland planning board prepare a redevelopment plan for the oak road redevelopment area for consideration by the city council in accordance with N.J.S.A. 40a:12a-7(f)."*

Please allow this notification to serve as an official referral of said motion and a request to take the necessary action regarding this matter.

Thank you for your assistance.

Xc: Mayor Anthony R. Fanucci
Robert E. Dickenson, Jr., Business Administrator
Richard P. Tonetta, Esq., City Solicitor
Keith Petrosky, RMC, Municipal Clerk

/RGF



**Resolution
of the
City of Vineland Planning Board
New Jersey**

RESOLUTION NO. 6565

WHEREAS, the City of Vineland Planning Board was originally tasked to investigate and evaluate whether Block 1909, Lot 50 constitutes a redevelopment area as defined by NJSA 12a-1, et seq by virtue of a City of Vineland Council resolution 2022-315 dated July 26, 2022; and

WHEREAS, by further resolution 2022-479 dated November 7, 2022 the City Council adopted and approved the findings and recommendations of the City of Vineland Planning Board pursuant to Planning Board Resolution Number 6539 declaring Block 1909, Lot 50 a Non-Condemnation Redevelopment Area; and

WHEREAS, on February 28, 2023 the City of Vineland Council adopted a motion to request the City of Vineland Planning Board prepare a redevelopment plan for the Oak Road Redevelopment Area for consideration by the city council in accordance with NJSA 40a;12a-7(f); and

WHEREAS, Kathleen Hicks, P.P., AICP has completed a redevelopment plan titled OAK ROAD REDEVELOPMENT STUDY for Block 1909/Lot 50 annexed hereto;

NOW THEREFORE BE IT RESOLVED by the Vineland Planning Board to endorse this redevelopment plan and refer it to the City of Vineland Council for consideration and adoption.

Prepared By:

Nathan Van Embden, Esquire
21 E. Main Street, PO Box 428
Millville, NJ 08332

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant and to all who request a copy for a reasonable fee. In addition, a copy of this Resolution shall be filed in the Office of the Clerk of the City of Vineland .

By: 
Yasmin Ricketts, Board Secretary

By: 
David Manders, Chairman

Dated:

CERTIFICATION

The foregoing is a true copy of a Resolution adopted by the Planning Board of the City of Vineland at a meeting of March 8, 2023 memorializing action taken by the Board at a regular meeting of the Board held on March 8, 2023.


Yasmin Ricketts, Board Secretary

ROLL CALL VOTE

THOSE IN FAVOR

JOHN CASADIA
DOUG MENZ
MICHAEL PANTALIONE
STEPHEN PLEVINS
SANDY VELEZ
NILSA ROSARIO
ROBERT ODORIZZI
DAVID MANDERS

OPPOSED

N/A

ABSENT

DAVID CATALANA
SAMUEL FIOCCHI

ABSTAINING

N/A