

ORDINANCE NO. 2023-38

ORDINANCE AMENDING ORDINANCE 2017-73, AS AMENDED BY ORDINANCE 2020-49, AN ORDINANCE ADOPTING THE ENERGY AND MINERALS CONDEMNATION REDEVELOPMENT PLAN CONSISTENT WITH RESOLUTION 6234 OF THE PLANNING BOARD OF THE CITY OF VINELAND SO AS TO AMEND THE ENERGY AND MINERALS CONDEMNATION REDEVELOPMENT PLAN CONSISTENT WITH RESOLUTION 6574 OF THE PLANNING BOARD.

WHEREAS, the City Council of the City of Vineland adopted Resolution 2016-23 directing the Planning Board of the City of Vineland to undertake a preliminary investigation to determine whether Block 7502 Lots 1, 2, 3 and 33, 35, 48, 49 and 50 should be designated as a Condemnation Redevelopment Area in accordance with NJSA 40A:12A-1 et seq. ; and

WHEREAS, after conducting a preliminary investigation and public hearing on December 9, 2015 in accordance with the said statute and thereafter adopted Resolution 6138 finding Block 7503 Lots 33, 35, 49, and 50 (Property) meet the standards to be considered a redevelopment area; and

WHEREAS, City Council of the City of Vineland adopted Resolution 2016-23 determining the Property to be a Condemnation Redevelopment Area; and

WHEREAS, on August 8, 2017 City Council directed the Planning Board to develop a plan for the Redevelopment Area; and

WHEREAS, after taking testimony of Kathleen Hicks, City Planner who submitted a proposed Redevelopment Plan and recommending the Energy and Minerals Condemnation Redevelopment Area be an overlay on the City Zoning Map replacing existing zoning designations as specified in the proposed Plan which is attached hereto and made a part hereof, the Planning Board adopted Resolution 6234 recommending City Council adopt the Energy and Minerals Condemnation Redevelopment Area Plan dated August 2017; and

WHEREAS, the City Council of the City of Vineland adopted Ordinance 2017-73, An Ordinance adopting the Energy and Minerals Condemnation Redevelopment Plan Consistent with Resolution 6234 of the Planning Board of the City of Vineland; and

WHEREAS, the City Council acknowledges that a Redevelopment Plan is meant to be an evolving plan subject to amendment from time to time consistent with the interest to revitalize the designated Energy and Minerals Condemnation Redevelopment Area; and

WHEREAS, the owner of Block 7503 Lot 33.01, 33.02 and 33.03 has requested the Redevelopment Plan be amended consistent with Resolution 6234 of the Planning Board and received preliminary and final major site plan approval for an industrial fabrication facility consisting of a 268,962 square foot industrial building for North East Precast which includes a 50,707 square foot corporate office building, a 93,152 square foot steel fabrication building which itself includes 6,308 square feet of corporate office space and a concrete batch plant together with associated site improvements; and

WHEREAS, the owner has requested an amendment to the Energy and Minerals Condemnation so as to allow the following uses, collectively referred to Requested Change:

- (1) Nine (9) hole golf course
- (2) Clubhouse with restaurant; cigar lounge; pro-shop/gunsmith; cart storage/maintenance; multi-purpose room; and eight second floor suites.
- (3) Golf driving range
- (4) Gun shooting range
- (5) Soccer field
- (5) Yard with rail access for incoming raw material for Block 7503, Lot 33.01.

WHEREAS, City Council passed a motion to request the Planning Board review the proposed Redevelopment Plan Amendment so as to permit the Requested Change; and

WHEREAS, on August 12, 2020 the Planning Board took testimony from Planning Staff, including Kathleen Hicks, PP. who had no objection to the the Requested Change and noted that the underlying zone for Lots 35.01 and 35.03 are located in the I-B Industrial-Business Zone and Lot 35.02 is located within the W-5 Woodland Zone, with a small portion of Lots 35.01 and 35.03 not being located in the Redevelopment District and therefore any proposed development in that zone would require a use variance from the Zoning Board of Adjustment; and

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WHEREAS, the Planning Board thereafter adopted Resolution 6403, a Resolution of Findings and Conclusions and Decision of the Planning Board recommending that City Council amend the Energy and Minerals Condemnation Redevelopment Plan so as to permit the Requested Change; and

WHEREAS, the City Council adopted Ordinance 2020-49 consistent with Resolution 6403 of the Vineland Planning Board so as to permit the uses outlined in Resolution 6403; and

WHEREAS, the original request for a redevelopment plan amendment for Northeast Precast, LLC, dated July 28, 2020, with attached Schematic Site Plan dated July 27, 2020 included the erection of a precast wall with a height of 16 feet, however the Planning Board did not positively or negatively consider the redevelopment plan amendment request; and

WHEREAS, after Northeast Precast, LLC learned that Resolution 6403 and Ordinance 2020-49 did not have contained therein any reference to the requested plan amendment for the 16 foot wall, on May 4, 2023, the Planning Board received a request from their attorney, Michael Fralinger, Esq. that the Planning Board Resolution be further amended and clarified to address the omitted height request of the precast wall; and

WHEREAS, on May 10, 2023 the Planning Board considered the application and adopted Resolution 6574, a Resolution of Findings and Conclusions and Decision of the Vineland Planning Board recommended a proposed amendment to the Energy and Minerals Redevelopment Plan to allow for a precast wall 16 feet in height, with all other provisions of Ordinance No. 2020-49 remaining unchanged; and

WHEREAS, City Council finds it in the best interest of the City to amend the Energy and Minerals Condemnation Redevelopment Plan consistent with Resolution 6574 so as to permit the Requested Change to the Energy and Minerals Redevelopment Plan to allow for a precast wall 16 feet in height consistent with Resolution 6574 of the Planning Board.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that the Energy and Minerals Condemnation Redevelopment Plan shall be amended so as to permit the construction of a precast wall 16 feet in height.

This Ordinance shall take effect upon adoption and publication according to Law.

Passed First Reading:

Passed Final Reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 6574

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

WHEREAS, City Council of the City of Vineland, had requested that the Planning Board of the City of Vineland, review a proposed change to the Energy & Minerals Redevelopment Plan and provide comments regarding consistency of the proposed amendment with the Master Plan of the City of Vineland on August 12, 2020; and

WHEREAS, City Council requested that the Planning Board provide comments regarding a proposed amendment to the Energy & Minerals Redevelopment Plan in the I-B Industrial- Business portion of the Redevelopment District relating to property located on S. Lincoln Avenue being known as Block 7503, Lots 35.01, 35.02 & 35.03, and

WHEREAS, the Planning Board, having considered the sworn testimony of Kathleen Hicks, PP, Supervising Planner, City of Vineland, and having considered the Redevelopment Amendment Report, made the following factual findings:

1. The Energy & Minerals Redevelopment Plan was created to permit an industrial use, which was then under construction.
2. The applicant, Northeast Precast, LLC, was requesting an amendment to the Redevelopment Plan to permit several additional uses.
3. Specifically, the applicant requested an amendment to the Redevelopment Plan to permit the following uses:
 - a) Nine (9) hole golf course.
 - b) Clubhouse with restaurant; cigar lounge; pro-shop/gunsmith; cart storage/maintenance; multi-purpose room; and 8 2nd floor suites.
 - c) Golf driving range.
 - d) Shooting range.
 - e) Soccer field
 - f) Yard with rail access for incoming raw material for Block 7503, Lot 33.01.
4. Lots 35.01 and 35.03 were located within the I-B Industrial-Business Zone and Lot 35.02 was located within the W-5 Woodlands Zone.
5. As a small portion of Lots 35.01 and 35.03 was located within the I-B Zone, but outside of the Redevelopment District, any proposed development in that zone would require a use variance from the Zoning Board.
6. The City Staff had no objection to the request. However, the Staff recommended formal site plan approval and that the yard for incoming raw materials be restricted to product for Block 7503/Lot 33.01 only, and

WHEREAS, the Planning Board recommended that a proposed amendment to the Energy & Minerals Redevelopment Plan so as to permit the above noted uses, be adopted by City Council, as documented in Resolution No. 6403, and

WHEREAS, the Planning Board found that the proposed amendment was not consistent with the Master Plan, and

WHEREAS, City Council subsequently approved the amendment to the Energy and Minerals Redevelopment Plan, as documented in Ordinance No. 2020-49, and

WHEREAS, the original request for a redevelopment plan amendment for Northeast Precast, LLC, dated July 28, 2020, with enclosed Schematic Site Plan, dated July 27, 2020, included erection of a precast wall 16 feet in height, and

WHEREAS, Northeast Precast, LLC, requested via e-mail from Michael Fralinger, Esq., dated May 4, 2023, that the Planning Board resolution be further amended and clarified to address the omitted height of the precast wall.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Vineland recommends that City Council give positive consideration to the proposed amendment to the Energy & Minerals Redevelopment Plan to allow for a precast wall 16 feet in height, with all other provisions of Ordinance No. 2020-49 remaining the same.

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 August 12, 2020 as reflected in the recorded minutes of said meeting.

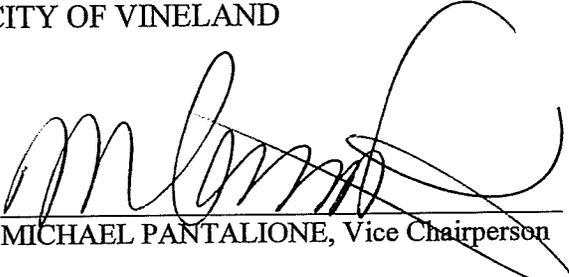
ADOPTED DATE: 5/10/23

PLANNING BOARD OF THE
CITY OF VINELAND

Attest:



YASMIN RICKETTS, Secretary



MICHAEL PANTALIONE, Vice Chairperson

ROLL CALL VOTE

VOTING IN FAVOR

John Casadria
David Catalana
Samuel Fiocchi
Doug Menz
Stephen Plevins
Sandy Velez
Robert Odorizzi
Michael Pantalone

ABSTAINING

DAVID MANDERS

Nilsa Rosario

ABSENT

None.

OPPOSED

None.