

CITY OF VINELAND

ORDINANCE NO. 2024- 73

ORDINANCE DENYING A REQUEST TO AMEND ORDINANCE 2004-25, AS AMENDED, ENTITLED AN ORDINANCE ADOPTING THE CENTER CITY REDEVELOPMENT PLAN SO AS TO AMEND BLOCK 4108 LOT 10, 412 SOUTH SIXTH STREET, AS RECOMMENDED BY THE PLANNING BOARD, RESOLUTION 6664.

WHEREAS, on March 23, 2004, the City of Vineland adopted Ordinance 2004-25, An Ordinance Adopting the Center City Redevelopment Plan consistent with Resolution 5203 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 Center City area; and

WHEREAS, the owners of certain property located at 412 South Sixth Street, Block 4108, Lot 10 (“Property”) located in the R-Residential Redevelopment District have proposed the conversion of the existing structure consisting of a 1st floor restaurant and a 2nd floor apartment to a 1st floor 4 bedroom apartment and a 2nd floor consisting of 2 apartments each containing two bedrooms; one with 768 sq. ft and one with 558 sq. ft.; and

WHEREAS, on September 10, 2024, City Council passed a Motion to Request the Planning Board Review the Proposed Redevelopment Plan Amendment so as to allow the conversion of the existing structure consisting of a 1st floor restaurant and a 2nd floor apartment to a 1st floor 4 bedroom apartment and a 2nd floor containing two apartment with two bedrooms each; and

WHEREAS, the Planning Board reviewed the Redevelopment Plan Amendment Report and considered the sworn testimony of Kathleen Hicks, P.P. AICP and made the following factual findings:

1. The property is located in an R-Residential Redevelopment District where the proposed use as a Boarding House is not permitted and encourages development of single-family dwellings at a maximum density of 4.4 units/acre and duplexes at a maximum density of 5.8 units/acre whereas this is an undersized lot and would reflect 10 units/acre if only one dwelling unit and therefore inconsistent with the Master Plan
2. The property has no on-site parking and has a 10 foot wide easement on the lot to the south and only two public parking spaces along Sixth Street.
3. In the City of Vineland Master Plan, the proposed use is inconsistent with the Master Plan.
4. City staff recommended denial of the request to amend the Center City Redevelopment Plan to allow the requested use.

WHEREAS, on November 13, 2024 the Planning Board adopted Resolution 6664, a Resolution of Findings and conclusions and Decision of the Vineland Planning Board which set forth therein the findings as set forth herein above and recommended City Council deny the application; and

WHEREAS, the City Council hereby adopts and incorporates by reference the Findings and Conclusions and Decision of the Vineland Planning Board specified in Planning Board Resolution No. 6664; and

WHEREAS, City Council finds it in the best interest of the City to deny the request to amend the Redevelopment Plan consistent with Resolution 6664 of the Planning Board.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that the request to amend the Center City Redevelopment Plan to allow the conversion of the existing structure located at 412 South Sixth Street, Block 4108, Lot 10, consisting of a 1st floor restaurant and a 2nd floor apartment to a 1st floor 4 bedroom apartment and a 2nd floor with two apartments consisting of two bedrooms each of 768 sq ft and 558 sq ft. is hereby denied in accordance with Resolution 6664 of the Planning Board.

CITY OF VINELAND

Passed first reading: December 10, 2024

Passed final reading: December 23, 2024

President of Council eaa

Approved by the Mayor:

Mayor arf

ATTEST:

City Clerk kp

MEMORANDUM

TO: Bob Dickenson, Business Administrator
FROM: Yasmin Perez, Planning Board Secretary *YP.*
DATE: November 14, 2024
RE: 412 S. Sixth Street
Block 4108 Lot 10

Enclosed is a signed copy of Resolution #6664 of the Planning Board giving comments regarding the above referenced property.

YP/KH

Encl.

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



REDEVELOPMENT PLAN AMENDMENT REPORT REDEVELOPMENT PROPOSAL 2024-7

APPLICANT: Marcial Lopez

PROPERTY: 412 S. 6th Street (Block 4108/Lot 10)

REQUEST: 1st floor - Convert vacant restaurant to 1,888 square foot apartment (4-bedroom, 2 ½ bath, kitchen, dining room & living/family room)
2nd floor – Convert existing apartment to (2) 2-bedroom apartments

STAFF REVIEW: Kathleen Hicks, Richard Tonetta, Matteo Rabbai, Macleod Carre & Patrick Finley

DATE: October 31, 2024

Staff members met on October 30, 2024 regarding the above-referenced Redevelopment Plan Amendment Request. A previous application for this property that proposed the same 1st floor 4-bedroom apartment, but a 2nd floor rooming house with 4 rooms and 7 occupants, was denied.

The consensus of the staff is that this new request should also be denied. Staff isn't convinced that the 1st floor can't be used for a commercial tenant. It is recognized that residential units demand a higher rent than commercial units in the Old Borough, but that isn't a reason to approve a redevelopment plan amendment. Additionally, the lack of parking continues to be an issue for this property.



REDEVELOPMENT PROPOSAL 2024-7

NAME OF APPLICANT

Marcial Lopez
37 Roxeter Road
New Castle, DE 19720
(856)685-7888

REPRESENTED BY

Jose Silva, Esq.

NAME OF CURRENT PROPERTY OWNER

Same

DATE OF APPLICATION

September 20, 2024

BLOCK & LOT NUMBERS

Block 4108/Lot 10

ADDRESS

412 S. Sixth Street

EXISTING USE

1st floor – restaurant (Google street view shows laundromat?)

2nd floor - apartment

PROPERTY DIMENSIONS

50' of frontage on S. Sixth Street

90' of depth

4,500 square feet (0.10 acres) – a single family requires 9,750 square feet (0.22 acres)

No parking

Additional 10' easement on south side of property

PROPOSED USE

1st floor apartment – 4 BR, 2 1/2 baths, kitchen, dining room & living/family room

2nd floor - (2) 2 BR apartments

REDEVELOPMENT DISTRICT

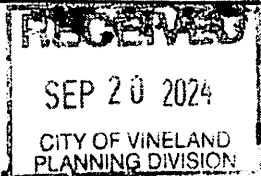
R – Residential District

UNDERLYING ZONING DISTRICT

R-B Residential-Business Zone

PLAN AMENDMENT REQUIRED (YES/NO)

Yes – under-sized lot/no allowance for triplex/no parking



CITY OF VINELAND

Application for Center City Redevelopment Plan Amendment

Application fee of \$200.00 must be submitted with application

Property address: 412 S. 6th St **Block** 4108 **Lot** 10

Property owner: Marcial Lopez

Owner's address: 37 ROXETER ROAD NEW CASTLE, DELAWARE 19720

Phone: _____

Applicant is: **owner** **other**

If applicant is not currently the owner, provide name, address and telephone number of applicant, describe interest in the property and attach signed statement from owner that this request is being made with the owner's knowledge and consent.

Current or most recent use of the property: Vacant property.

Proposed use of the property (Provide as much detail as possible. Additional pages

may be attached): Proposed use is for: 1st floor unit as one apartment of 1,888 sq. ft., consisting of 4 bedrooms; 2nd comprised of 768 sq. ft.floor, 2 apartments, each containing two apartments.

Unit facing 6th Street having 768 sq. ft. and rear facing apartment of 558 Sq. Ft.

(Office use only)

Application received (including fee) _____

Application complete _____

JOSÉ SILVA, JR.
Attorney At Law, L.L.C.



TRANSMITTED VIA HAND DELIVERY

September 18, 2024
The City of Vineland Planning Division
Vineland City Hall
Zoning and Planning Board Secretary
Attn: Ms. Yasmin Perez
640 East Wood St.
PO BOX 1508
Vineland NJ 08362-1508

RE: 412 South 6th St
Block 4108, Lot 10

Dear Mrs. Perez:

Please find the redevelopment application for the above referenced property along with the architectural renderings submitted along with this application. As you will note, the proposed redevelopment plan for the above property is to permit the use of the first floor as a four-bedroom apartment consisting of 1,888sq ft. The second floor will be two apartments, each consisting of two bedrooms. Please find a check in the amount of \$200.00 for the proposed application by Mr. Marcial Lopez, the owner of the property. I would ask that you contact me and simultaneously TJD Architects and Engineers, for the proposed hearing date regarding this application.

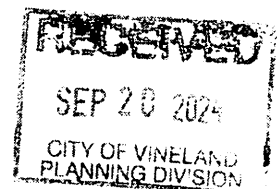
Sincerely,

Jose Silva, Jr.

JS/ng/file

Cc: Marcial Lopez
Thomas D' Arrigo
Abigail Shaw
Ryan Headly
Cathy Hicks

12 Franklin St., Bridgeton, NJ 08302
Office: 856.692.7400 Fax: 856.692.7401
MEMBER OF NJ & PA BAR, ATTORNEY #039861991
JSILVAJRLAW.COM





CITY OF
VINELAND
WHERE IT'S ALWAYS GROWING SEASON


Richard G. Franchetta, RMC, EJD
Deputy Municipal Clerk
Rfranchetta@vinelandcity.org
www.vinelandcity.org

640 E. Wood Street
PO Box 1508
Vineland, NJ 08362-1508
Phone: (856) 794-4060
Fax: (856) 405-4611

October 9, 2024

Sent via e-mail

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

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

RE: City Council Motion 1

At their regular scheduled meeting conducted on September 10, 2024, Vineland City Council adopted a motion, *"to refer to the Planning Board of the City of Vineland a request to amend the Center City Redevelopment Plan so as to convert improvements located at block 4108 lot 10, 412 South Sixth Street, from a first floor restaurant and one apartment on the second floor to (1) one 1,888 square foot 4 (four) bedroom apartment on the first floor and two apartments on the second floor consisting of 768 square feet and present findings of fact and recommendations thereto."*

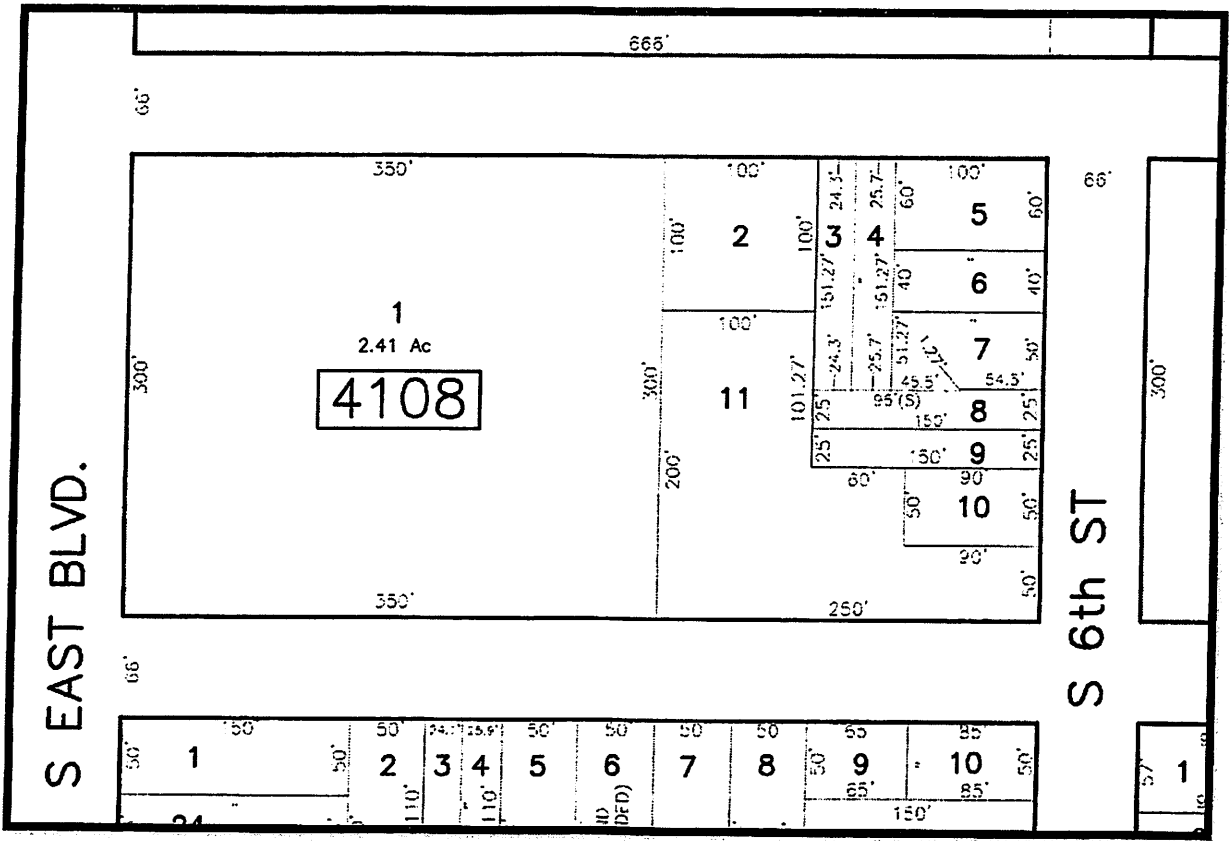
Please allow this notification to serve as an official referral of said motion and a request to take the necessary action regarding this matter.

Thank you for your assistance.

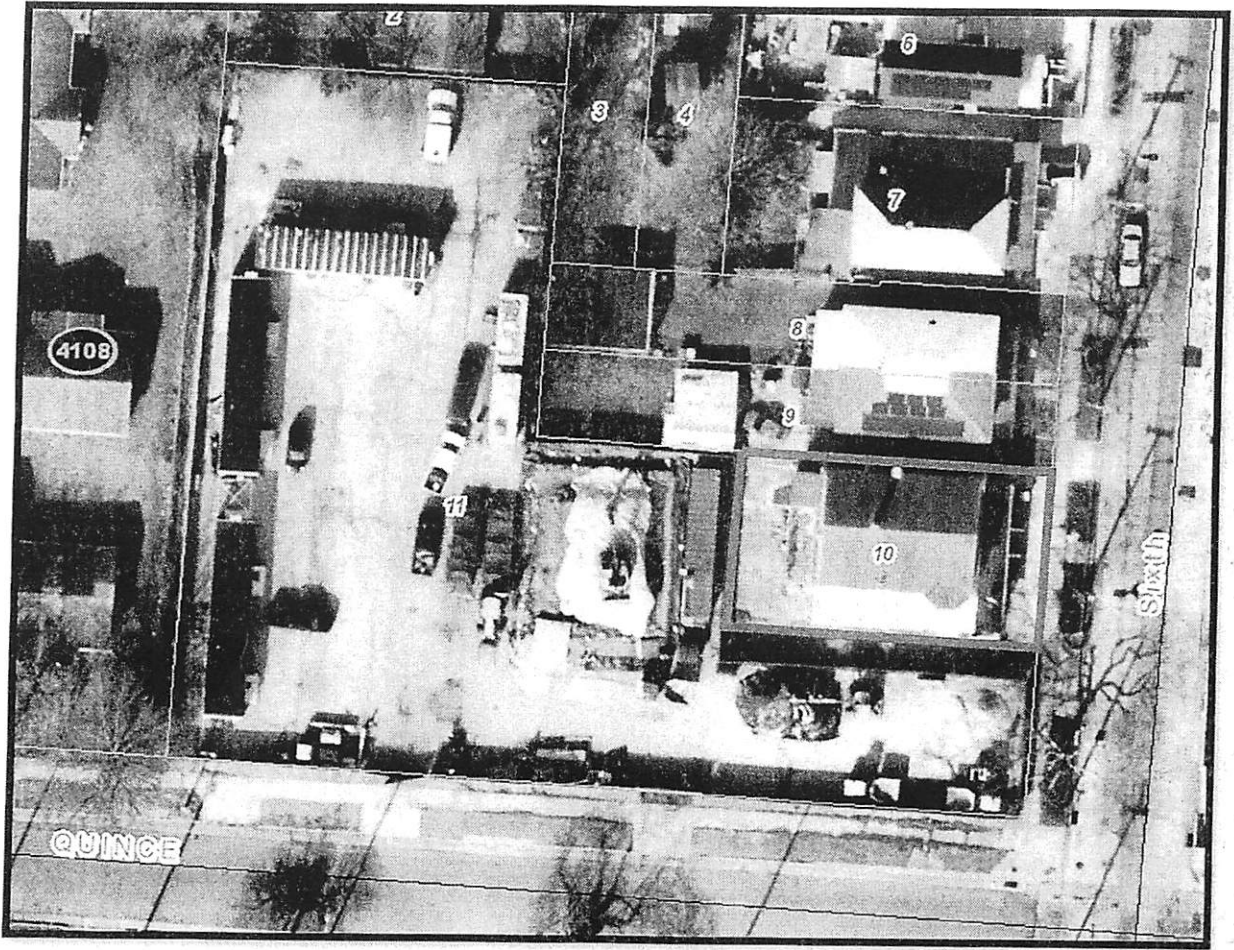
Xc: Mayor Anthony R. Fanucci
Robert E. Dickenson, Jr., Business Administrator
Richard P. Tonetta, Esq., City Solicitor
Keith Petrosky, RMC, Municipal Clerk

/RGF

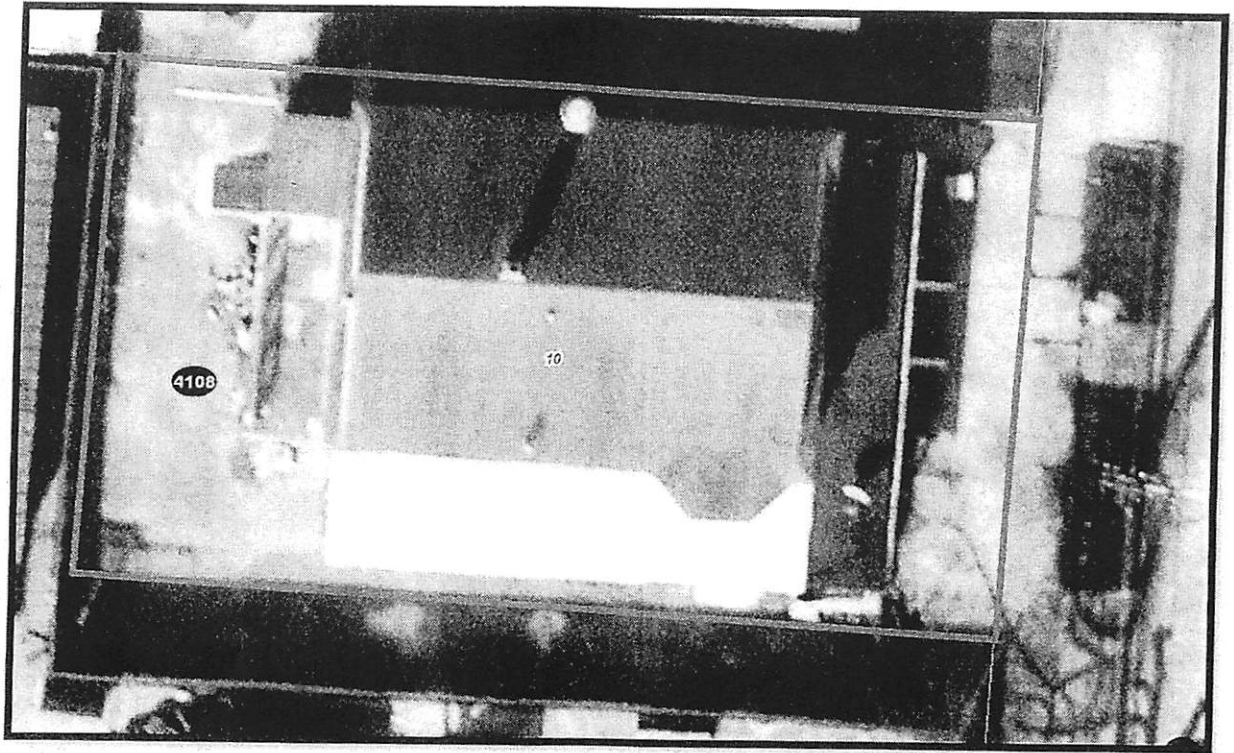




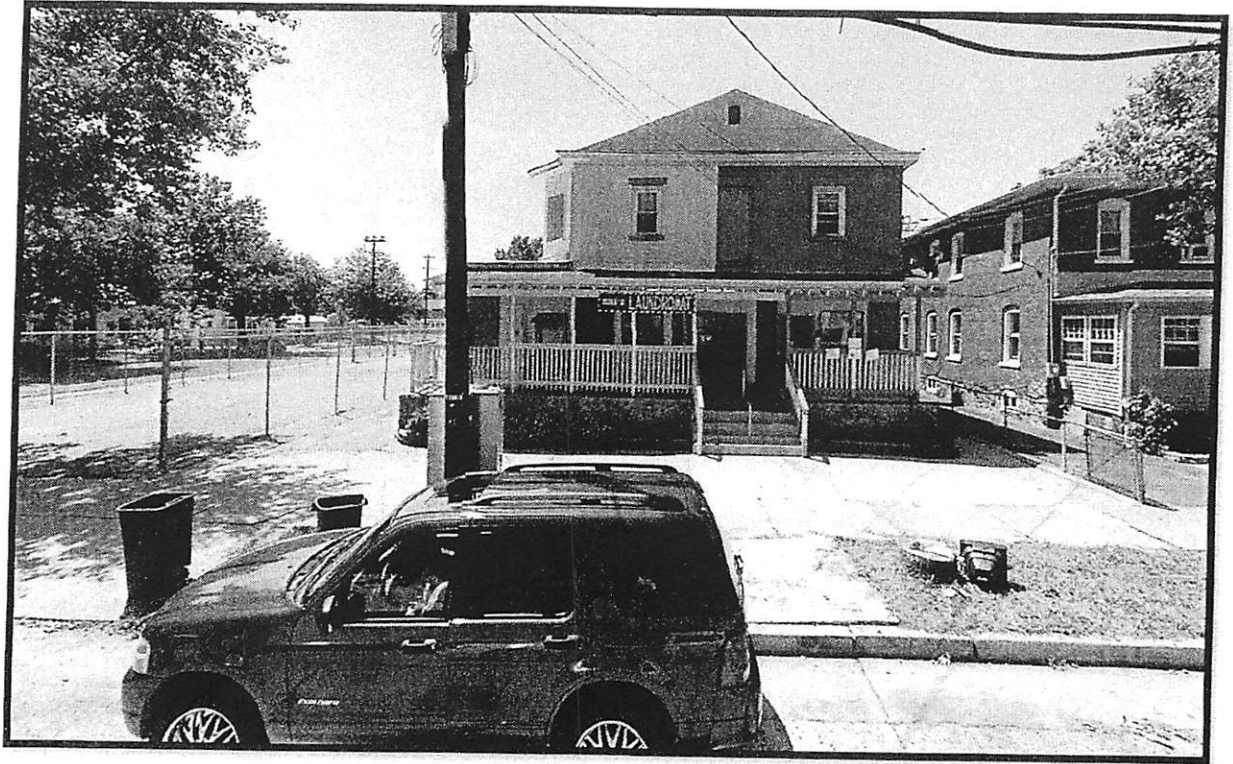
TAX MAP
Block 4108/Lot 10



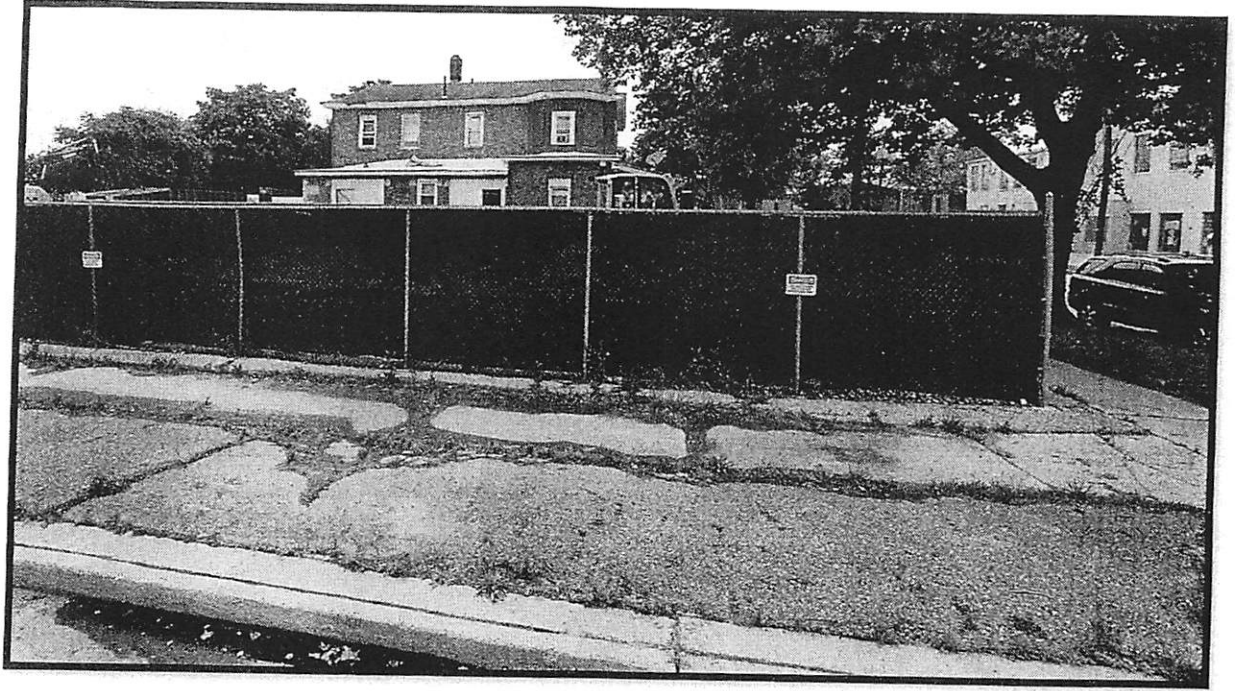
SURROUNDING AREA



AERIAL



EASTERN FACADE



SOUTHERN FACADE



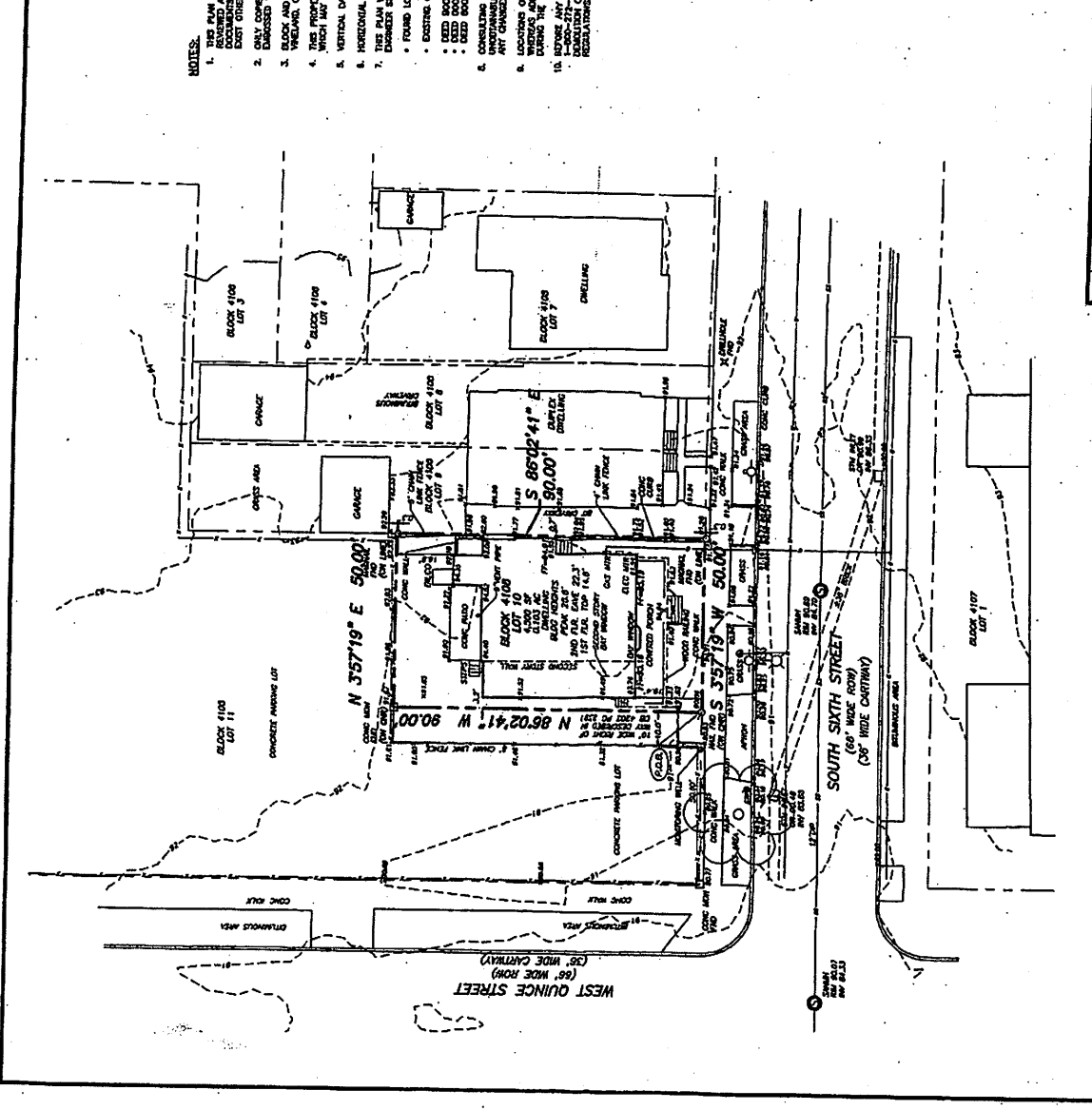
- NOTES:**
1. THIS PLAN IS NOT INTENDED TO GUARANTEE OWNERSHIP. DOCUMENTS OF RECORD WHICH MAY BEHOLD RECORDS OF THIS PLAN OF SURVEY ARE NOTED HEREON. ONLY THE ORIGINAL DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL, THERE MAY BE OTHER DOCUMENTS OF RECORD WHICH WOULD AFFECT THIS PARCEL.
 2. ONLY COPIES FROM THE ORIGINAL OF THIS PLAN CURRENTLY MARKED WITH THE LAND SURVEYORS' EXAMINED SEAL SHALL BE CONSIDERED A VALID COPY.
 3. BLOCK AND LOT NUMBERS AS SHOWN HEREON ARE BASED UPON THE TAX MAP OF THE CITY OF WINDSOR, CONSUMERS COUNTY, AS RECORDED TO DATE.
 4. THIS PLAN IS BASED UPON THE SURFACE OF THE LAND AND NOT VISIBLE AT THE TIME OF SURVEY. ANY CHANGES WITH THE SURFACE OF THE LAND SHALL BE NOTED ON GPS OBSERVATIONS.
 5. VERTICAL DATA SHOWN HEREON IS BASED ON GPS OBSERVATIONS.
 6. HORIZONTAL DATA SHOWN HEREON IS BASED ON GPS OBSERVATIONS.
 7. THIS PLAN WAS PREPARED WITH THE BENEFIT OF THE FOLLOWING INFORMATION OBTAINED BY CONSULTING ENGINEER SURVEYOR:
 - FOUND LOCAL MONUMENTATION AT THE TIME OF THE FIELD SURVEY.
 - EXISTING CONDITIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY PERFORMED ON 06/23/22.
 - DEED BOOK 4202 PAGE 283 BLOCK 4108 LOT 10 (SUNSET LOT)
 - DEED BOOK 4240 PAGE 422 BLOCK 4108 LOT 11
 - DEED BOOK 4240 PAGE 1022 BLOCK 4108 LOT 11
 8. CONSULTING ENGINEER SURVEYOR IS NOT RESPONSIBLE FOR UNDERGROUND UTILITY INTERFERENCE UNLESS IT IS SHOWN ON THIS SURVEY. ANY CHANGES WITH THE SURFACE OF THE LAND SHALL BE NOTED ON GPS OBSERVATIONS.
 9. LOCATIONS OF UNDERGROUND UTILITIES INDICATED MAY VARY FROM LOCATIONS SHOWN HEREON. WHEREAS, ADDITIONAL BURIED UTILITIES INDICATED MAY VARY FROM LOCATIONS SHOWN HEREON, THE SURVEYOR HAS MADE REASONABLE ATTEMPTS TO LOCATE BURIED UTILITIES OF RECORD. BEFORE ANY EXCAVATIONS ARE MADE, THE UNDERGROUND UTILITIES LOCATION SHOULD BE VERIFIED BY THE PROCESS OF PREPARING THIS SURVEY. TO LOCATE BURIED UTILITIES OF RECORD, ANY CHANGES WITH THE SURFACE OF THE LAND SHALL BE NOTED ON GPS OBSERVATIONS.
 10. LOCATIONS OF UNDERGROUND UTILITIES INDICATED MAY VARY FROM LOCATIONS SHOWN HEREON. WHEREAS, ADDITIONAL BURIED UTILITIES INDICATED MAY VARY FROM LOCATIONS SHOWN HEREON, THE SURVEYOR HAS MADE REASONABLE ATTEMPTS TO LOCATE BURIED UTILITIES OF RECORD. BEFORE ANY EXCAVATIONS ARE MADE, THE UNDERGROUND UTILITIES LOCATION SHOULD BE VERIFIED BY THE PROCESS OF PREPARING THIS SURVEY. TO LOCATE BURIED UTILITIES OF RECORD, ANY CHANGES WITH THE SURFACE OF THE LAND SHALL BE NOTED ON GPS OBSERVATIONS.

- LEGEND**
- EXISTING OUTDOOR
 - EXISTING CENTRALLINE
 - EXISTING ADJACENT LOT LINE
 - EXISTING CURB
 - EXISTING SIDE OF PAVEMENT
 - EXISTING BLOCK NUMBER
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 - EXISTING 1" INTERNAL CONTIGUOUS LINE
 - EXISTING 0" INTERNAL CONTIGUOUS LINE
 - EXISTING UTILITY POLE VALVE/ST
 - EXISTING SANITARY CLEANOUT
 - EXISTING SANITARY SEWER AND MANHOLE
 - EXISTING WATER METER
 - EXISTING MAILBOX
 - EXISTING DECIDUOUS TREE
 - EXISTING CONCRETE MONUMENT

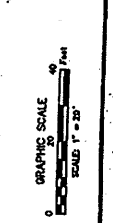
PLAN OF SURVEY AND TOPOGRAPHY
412 SOUTH SIXTH STREET
 PLATE 41, BLOCK 4108, LOT 10
 CITY OF WINDSOR, CONSUMERS COUNTY, NEW JERSEY

PREPARED BY
ADAM R. GRANT
 PROFESSIONAL LAND SURVEYOR, NEW JERSEY LIC. NO. 246984332700
 DATE: 06/23/22

CONSULTING ENGINEER SERVICES
 PROFESSIONAL ENGINEER IN MECHANICAL & LAND SURVEYS
 605 BELLA-CROCE AVENUE SUITE 200
 WINDSOR, NJ 07093-1000 - TEL: 908-330-2244 - FAX: 908-330-2244
 www.adamgrant.com



NO.	DATE	DESCRIPTION
1	06/23/22	FIELD SURVEY
2	06/23/22	PREPARED THIS PLAN
3	06/23/22	REVISIONS



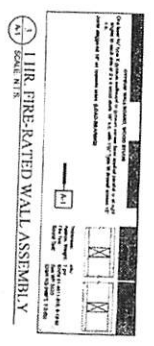
UNSCALED
 3/7/20
 ADAMS/STW

1.1 HR. FIRE-RATED WALL ASSEMBLY
 SCALE: 1/8" = 1'-0"

1.2 HR. FIRE-RATED FUR / C.T.G. ASSEMBLY
 SCALE: 1/8" = 1'-0"

1.3 CODE EXCERPT
 SCALE: N.T.S.

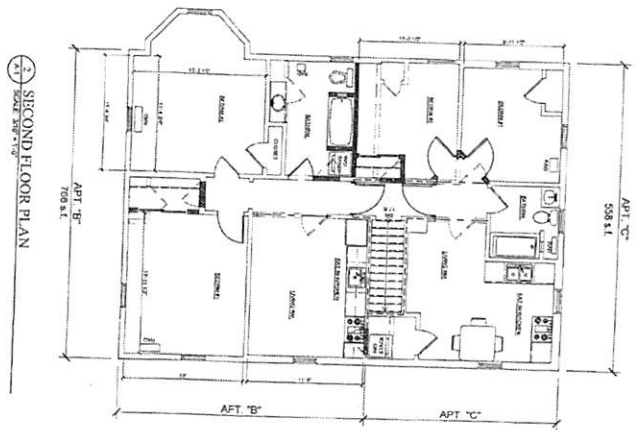
1.4 CODE EXCERPT
 SCALE: N.T.S.



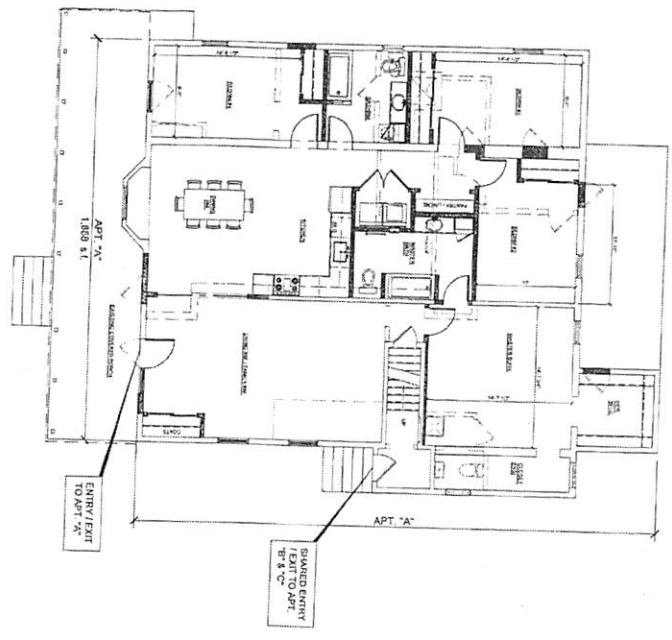
2. STORIES WITH ONE EXIT - CODE EXCERPT
 SCALE: N.T.S.

3. BUILDING AREA BREAKDOWN

DESCRIPTION	PROPOSED
GROUND FLOOR (4 BEDROOM APARTMENT 'A')	1,048 SF
SECOND FLOOR (2 BEDROOM APARTMENT 'B')	788 SF
SECOND FLOOR (1 BEDROOM APARTMENT 'C')	508 SF



1. FIRST FLOOR PLAN
 SCALE: 3/8" = 1'-0"



APPLICABLE BUILDING CODES

REVISIONS: 1.00 - 11/15/11
 1.01 - 11/15/11
 1.02 - 11/15/11
 1.03 - 11/15/11
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A-1

TJD
 Architects & Engineers PC
 1000 ROUTE 130 SOUTH
 SUITE 200
 VINELAND, NJ 08360
 TEL: 856-693-1100
 FAX: 856-693-1101
 WWW.TJDAE.COM

SITE-PLAN FOR:
412 S. SIXTH STREET
 VINELAND, NJ 08360
 APPLICANT: MARCIAL LOPEZ

REVISIONS

NO.	DATE	DESCRIPTION
1	11/15/11	ISSUED FOR PERMIT
2	11/15/11	REVISIONS TO PERMIT
3	11/15/11	REVISIONS TO PERMIT
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RESOLUTION NO. 6664

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

WHEREAS, City Council of the City of Vineland requested that the Planning Board review a proposed amendment to the Center City Redevelopment Plan for 412 S. Sixth Street (Block 4108/Lot 10), submitted by Marcial Lopez, who is represented by Jose Silva, Esq., and provide comments regarding consistency of the proposed amendment with the Master Plan of the City of Vineland, on October 8, 2024; and

WHEREAS, the Planning Board, having considered the comments made by Jose Silva; the sworn testimony of Kathleen Hicks, PP, Supervising Planner, City of Vineland; the sworn testimony of Thomas D'Arrigo, RA/AIA; and the Redevelopment Plan Amendment Report developed by City staff, made the following factual findings:

1. A redevelopment plan amendment had previously been requested and denied for this property earlier this year. It proposed that an existing structure with a 1st floor restaurant and a 2nd floor apartment be converted into a structure with a 1st floor apartment (4 bedrooms, 2 ½ baths, kitchen, dining room & living/family room) and a 2nd floor rooming house (4 rooms with 7 occupants, 1 bath, eat-in kitchen & living room).
2. The current application proposes a 1st floor apartment (4 BR, 2 ½ baths, kitchen, dining room & living/family room) and (2) 2nd floor apartments, each with 2 bedrooms.
3. The property is located in an R-Residential Redevelopment District where a triplex is not permitted.
4. In the City of Vineland Master Plan, the property is designated 'medium density residential'. In and around the historic City center, the Plan encourages the development of single-family dwellings at a maximum density of 4.4 units/acre and duplexes at a maximum density of 5.8 units/acre. For comparison purposes, the proposed triplex results in a density of 29.04 units/acre because of the under-sized lot. The proposed use is therefore inconsistent with the Master Plan.
5. The property has no delineated on-site parking, which is a major concern. With the exterior steps, the building takes up the whole width of the lot. There is a 10' wide easement on the lot to the south. This would necessitate stacking of cars. Additionally, there is only room for 2 public parking spaces along Sixth Street in front of the property.
6. City staff recommended denial of the request based on the lack of off-street parking. Staff also was not convinced that the 1st floor couldn't continue as a commercial use.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Vineland recommends that City Council give negative consideration to the proposed amendment to the Center City Redevelopment Plan to allow for conversion of an existing structure with a 1st floor restaurant and a 2nd floor apartment into a structure with a 1st floor apartment (4 BR, 2 ½ baths, kitchen, dining room & living/family room) and (2) 2nd floor apartments, each with 2 bedrooms at 412 S. Sixth Street (Block 4108/Lot 10).

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 November 13, 2024, as reflected in the recorded minutes of said meeting.

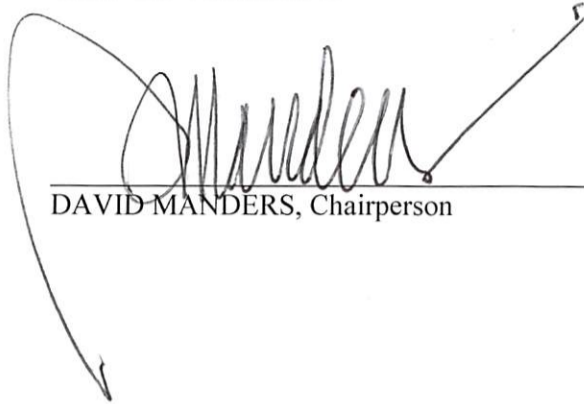
ADOPTED DATE: November 13, 2024

PLANNING BOARD OF THE
CITY OF VINELAND

Attest:



YASMIN PEREZ, Secretary



DAVID MANDERS, Chairperson

ROLL CALL VOTE

VOTING IN FAVOR

John Casadia
Douglas Menz
Michael Pantalone
Sandy Velez
Robert Odorizzi
David Manders

ABSTAINING

None

ABSENT

David Catalana
Thomas Tobolski
Nilsa Rosario

OPPOSED

None