

**IN NEED OF REDEVELOPMENT
STUDY
OF**

534-536 SOUTH AVENUE/500-502 SCOTT AVENUE

BLOCK 612, LOT 8

**CITY OF PLAINFIELD
PLANNING BOARD**

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I. PURPOSE

On August 2nd, 2004, pursuant to N.J.S.A. 40A: 12A-1 et seq., the City Council of the City of Plainfield adopted City Council Resolution number R- 484-04 directing the Planning Board to conduct a preliminary investigation and hearing in order to evaluate and make recommendations to the governing body as to whether a certain area of the City is "In Need of Redevelopment", utilizing the statutory criteria set forth in the New Jersey Local Redevelopment and Housing Law (NJLRHL), N.J. S. A. 40A:12A-1 et seq. The subject tract is located at 534-536 South Avenue/500-502 Scott Avenue in the southwest corner of a T intersection created by South Avenue, also known as NJ State Highway 28 and Scott Place. The parcel is further identified as indicated on the Tax Map of the City of Plainfield as Block 612, Lot 8. (See attached map.)

This report discusses the statutory standards under which the Planning Board and Governing Body must act when conducting this evaluation and when recommending and making a decision in this regard. The second section of the report describes the redevelopment powers and procedures, the third section provides an analysis of the subject tract, and the fourth section puts forth findings and recommendations regarding the applicability of the statutory criteria relative to the subject property.

Accompanying this report is a map showing the subject property being investigated.

II. GENERAL DESCRIPTION OF REDEVELOPMENT POWERS AND PROCEDURES

Conditions Establishing Need for Redevelopment

P.L. 1949 c. 306 has been supplemented and amended as the Local Redevelopment and Housing Law (LRHL). The criteria which the City must therefore utilize in order to make a determination as to the designation of an area as a redevelopment area can be found at N.J.S.A. 40A: 12A-5. Following this statute, the City may determine any area In Need of Redevelopment if within the delineated area any one of the following conditions is found:

- a) The generality of buildings is 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 the 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, development 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, obsolescent, 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 to 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:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c. 431 (C40A:21-1 et. Seq.)
- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

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 described in P.L.1 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.

III. STUDY OF THE RECOMMENDED TRACT

A. MASTER PLAN

The land use element of the City Master Plan adopted in 1998 identifies the area in which the subject parcel is located as a Mixed-Use District. This designation recognizes those areas of the City that have a palette of uses, including residential uses, but where current commercial or other zoning had previously introduced deleterious land uses and factors that are detrimental to the welfare of the City as a whole. The designation is intended to provide an opportunity for redevelopment that introduces more compatible uses within individual areas, while serving as a transitional buffer between commercial districts and residential neighborhoods. The subject parcel is also in the Master Plan identified South Avenue Corridor Development Area as a "Targeted Area for Development".

B. ZONING ORDINANCE

The City of Plainfield land use ordinance is consistent with the master plan in that the subject parcel is zoned mixed-use. The mixed-use designation in both of these documents indicates the obsolescence and inappropriateness of intensive automotive and industrial types of uses for this area. The proposed zoning ordinance better portrays the parcels as a Mixed-Use District, encouraging the redevelopment of the area with more compatible uses while eliminating deleterious intensive automotive oriented land uses. Recommended land uses include, but are not limited to, retail, personal and commercial service establishments, offices, restaurants, health and fitness clubs and mixed-use residential dwellings as identified in the City of Plainfield Zoning Ordinance.

C. URBAN ENTERPRISE ZONE

The site is also located within the City's Urban Enterprise Zone.

D. SURROUNDING NEIGHBORHOOD AREA

Surrounding land uses include vacant City owned properties to the west and southwest, two single family residential uses and an automotive garage to the southeast and industrial land uses located directly across South Avenue to the north.

This portion of South Avenue is transitional in nature, with industrial uses on the north side of South Avenue, commercial uses to the south of South Avenue and significant surrounding residential neighborhoods to the south of the subject parcel.

All directly adjacent properties to the subject parcel have been designated "In Need of Redevelopment" through the City's 197 Properties Redevelopment Study and Plan adopted December 6, 1999 by City Council Ordinance R # 1999-20.

E. SUBJECT PARCEL

The subject parcel is specifically identified as 534-536 South Avenue/500-502 Scott Avenue, and is located at the southwest corner of the T intersection of South Avenue and Scott Place. The parcel is further identified in the Tax Map of the City of Plainfield as Block 612, Lot 8 and is approximately 1,053 square feet or .0762 acres in size.

The subject parcel is readily accessible from South Avenue (NJDOT State Route 28) and has access to areas on the north side of the New Jersey Transit Raritan Valley Line through either the Richmond or Berckman Avenue railroad underpasses.

The property is currently utilized as an auto repair facility. This use is not permitted in the Mixed-Use Zone. The structure appears to be converted from a former automobile service station. The one story concrete block structure on the subject parcel is the principal place of work, but auto repairs are also made outside of the structure. The structure is in a general state of disrepair, with broken or bricked-in windows. Unlicensed and unregistered junk vehicles cover the property along with dumpsters overflowing with automotive and other debris. There is a storage trailer in the side yard. Tires and equipment are stored outside. A long history of local property code maintenance violations exists on this site. (See attached photographs and City of Plainfield Inspections Division Notices of Violation).

A six-foot (6') vinyl fence in front of a six-foot chain link fence demarcates the property lines. Both fences are in violation of Section 17:9-29 of the City Land Use Ordinance which does not permit chain link fences in front yards, and further requires that all fences be located ten feet (10') behind the front property line. This property has two front yards as defined in the Land Use Ordinance. Chain link fence gates exist in both front yards.

There is a loading door on the Scott Avenue front yard side of the structure. The City Land Use Ordinance (Section 17:9-42) prohibits front yard loading.

Public improvements are negligible. There are no curbs, or street trees on Scott Avenue. Only half of the street frontage has a sidewalk. Approximately forty to fifty feet (40-50') of the South Avenue frontage is an uncontrolled curb cut. It is not aligned with the entrance gate. There are no street trees on South Avenue. There is a public telephone booth on the corner.

There is a billboard on top of the one-story structure. The City Land Use Ordinance does not permit billboard signs in the Mixed-Use Zone (Section 17:9-51)

IV. FINDINGS AND RECOMMENDATIONS

Based upon the above analysis of the subject tract and the statutory criteria found within the NJLRHL, the City Office of Economic Development and Policy Planning finds that the tract DOES satisfy at least one of the statutory criteria and thus is IN NEED OF

REDEVELOPMENT. The criteria the author believes is pertinent to this study are criteria a, d, and g in Section II above and as noted below:

- (a) The generality of buildings is 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.
- (d) Areas with buildings or improvements which, by reason of dilapidation, obsolescent, 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.
- (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 to 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:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c. 431 (C40A: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 described in P.L.1 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 government body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

The City does have an enterprise zone that has been designated in full compliance with the "New Jersey Urban Enterprise Zone Act", and the subject tract is located within this Urban Enterprise Zone. It is therefore recommended that all parcels be included in the area in need of redevelopment for the purposes of exemptions and abatements as provided for in the statute.

Based upon the above findings, it is the City of Plainfield Office of Economic Development's recommendation to the Planning Board that they find the subject tract In Need of Redevelopment. The Planning Board should further adopt a resolution recommending that City Council adopt a resolution making a formal designation of such a determination and directing the Planning Board to prepare a redevelopment plan for the property.