

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

City of Linden

Union County, New Jersey

October 19, 2020

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*The original of this document was signed
and sealed in accordance with New Jersey Law*

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Introduction

On August 18, 2020, the Linden City Council passed Resolution No. 2020-267, which authorized the Linden Planning Board to undertake a preliminary investigation in order to determine whether or not specific properties in the City of Linden may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law. These properties are known as Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34. A copy of Resolution No. 2020-267 is provided in Appendix A.

This report documents and analyzes the existing condition of the aforementioned properties, and makes a determination as to whether or not they may be designated, in whole or in part, as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). The information contained in this report will assist the Linden Planning Board in making a recommendation to the Linden City Council as to whether or not it should adopt a resolution determining that the aforementioned tax parcels, or any parts thereof, are in need of non-condemnation redevelopment.

Study Area Description

The area in question includes Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34. These properties are located in the north-central part of the city and have frontage on Saint Georges Avenue (New Jersey Route No. 27), Chandler Avenue, and Union Street. The properties contain a total area of approximately one (1) acre and are hereinafter collectively referred to as the Study Area.

Appendix B provides a copy of Sheet 88 of the official tax maps of the City of Linden. Appendix C provides recent aerial imagery of the Study Area and its environs.

Existing Land Use

As of September 21, 2020, New Jersey's MOD-IV property tax assessment database indicates that the Study Area includes properties that are assessed as Class 1 (Vacant), Class 2 (Residential — Four [4] Families or Less), Class 4A (Commercial),

and Class 15D (Charitable). The following list provides the land use classification that is reflected in the MOD-IV property tax assessment database for each of the Study Area parcels:

- Block 51, Lot 1: Class 4A (Commercial)
- Block 51, Lot 2: Class 4A (Commercial)
- Block 51, Lot 3: Class 1 (Vacant)
- Block 51, Lot 4: Class 1 (Vacant)
- Block 51, Lot 5: Class 1 (Vacant)
- Block 51, Lot 6: Class 15D (Charitable)
- Block 51, Lot 32: Class 1 (Vacant)
- Block 51, Lot 33: Class 2 (Residential — Four [4] Families or Less)
- Block 51, Lot 34: Class 1 (Vacant)

A field visit was conducted in the Study Area on September 10, 2020. The land uses that were observed during this field visit closely matched that of the property tax assessment. We note, however, that: Block 51, Lot 6, which is assessed as Class 15D (Charitable), is the location of a vacated church building. In addition, Block 51, lots 1 and 2, which are assessed as Class 4A (Commercial), contain commercial uses on the ground floor and residential (viz., apartment) uses on the second floor.

Surrounding land uses are predominated by: highway/general commercial uses, frequently with residential (viz., apartment) uses on the second floor, along Saint Georges Avenue (New Jersey Route No. 27); and, residential uses along Union Street. In addition, there is: a church located across Chandler Avenue from the Study Area at the southwestern corner of Union Street and Chandler Avenue; and, two churches and a used car dealership to the northeast of the Study Area on Block 51.

Ownership

A review of New Jersey's MOD-IV property tax assessment database indicates that, as of September 21, 2020, there are six unique property owners within the Study

Area. Appendices D and E provide property ownership information for each of the properties within the Study Area.

Environmental Constraints

A review of the latest digital geographic data of the New Jersey Department of Environmental Protection and the Federal Emergency Management Agency indicates that the Study Area contains no mapped environmental constraints.

Notwithstanding the above, we note that while the latest digital geographic data of the New Jersey Department of Environmental Protection indicates that the southernmost point of Block 51, Lot 34 is clipped by an unnamed tributary of Peach Orchard Brook, we did not observe the presence of said waterway on Block 51, Lot 34 during a site visit that was conducted on September 10, 2020. Due to the fact that it emerges to the surface near the eastern corner of Cranford Avenue and Union Street, said waterway appears to be subterranean in this portion of the city. We note, however, that while we did not observe the presence of said waterway upon visual inspection of Block 51, Lot 34, we cannot confirm its absence or presence below the surface of said property.

Zoning

The Study Area is situated in the C-2 (Retail Commercial) zone district, with: Block 51, lots 2, 3, 4, 5, 6, 32 and 33 being situated in the C-2 (40) Zone Sub-district; Block 51, Lot 1 being situated in the C-2 (60) Zone Sub-district; and, Block 51, Lot 34 being situated in the C-2 (100) Zone Sub-district (n.b., sub-district designation is a function of lot frontage). According to the Schedule of Limitations that is provided in Chapter 31 of the Linden City Code, the following uses are principal permitted uses in the C-2 (Retail Commercial) zone district:

- Animal hospitals (n.b., only permitted in the C-2 [100] Zone Sub-district)
- Banks
- Bowling alleys (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)

- Childcare centers
- Churches and places of worship (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)
- Clinics, assisted living facilities and nursing homes (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)
- Convenience stores
- Data processing and communications studies establishments (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)
- Finance and real estate offices
- Fine art schools (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)
- Food stores
- Galleries (art)
- Martial arts instruction
- Medical campuses (n.b., only permitted in the C-2 [100] Zone Sub-district)
- Non-profit clubs and lodges (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)
- Offices, professional and business
- Parks and playgrounds
- Physical fitness studios/gyms (n.b., only permitted in the C-2 [100] Zone Sub-district)
- Pool parlors and arcades (n.b., only permitted in the C-2 [60] and C-2 [100] zone sub-districts)
- Printing and publishing establishments
- Private parking lots (n.b., only permitted in the C-2 [40] Zone Sub-district)
- Private garages (n.b., only permitted in the C-2 [40] Zone Sub-district)
- Recreation, commercial (n.b., only permitted in the C-2 [100] Zone Sub-district)

- Restaurants, not including drive-ins and fast food (n.b., only permitted in the C-2 [40] and C-2 [60] zone sub-districts)
- Retail sales
- Retail service
- Two-family, semi-detached dwellings (n.b., only permitted in the C-2 [40] Zone Sub-district)
- Two-family dwellings (n.b., only permitted in the C-2 [40] Zone Sub-district)

Further details on the C-2 (Retail Commercial) zone district, including information on permitted conditional and accessory uses, as well as bulk regulations and required design standards, are provided in Chapter 31 of the Linden City Code.

Local Planning Context

Master Plan

The last comprehensive reexamination of the City of Linden's Master Plan was prepared in 2008. The 2008 reexamination identifies the following objectives, which are applicable to the redevelopment of the Study Area:

- Preserve and enhance the City's industrial and commercial economic base;
- Improve the City's visual environment and image by restricting or eliminating eyesores such as, but not limited to, storage containers or trailers in retail commercial areas;
- Encourage the diversification of industry;
- Promote a desirable visual environment;
- Provide sufficient space, in appropriate locations, for commercial, residential, industrial, recreation and open space uses;
- Maintain and attract beneficial commercial and industrial uses;
- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents;

- Prevent the degradation of the environment through the improper use of land; and,
- Encourage development which contributes to the enhancement and improvement of the community.

Designating the Study Area as an area in need of redevelopment, and the subsequent preparation and implementation of a redevelopment plan, will advance the fulfillment of the foregoing objectives of the City of Linden's Master Plan.

In addition to the above, it is noted that the City adopted a new, updated land use element in 2019. As provided in the 2019 Land Use Element, the entire Study Area is located in the C-2 (Retail Commercial) Land Use District. This represents no change over the City's previous land use element.

Redevelopment Area Criteria

An area may be determined to be in need of redevelopment if it meets one or more of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5. These criteria are listed below:

- 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. (N.J.S.A. 40A:12A-5[a]).*
- b) The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such buildings or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).*
- 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. (N.J.S.A. 40A:12A-5[c]).*
- 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. (N.J.S.A. 40A:12A-5[d]).*
- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general. (N.J.S.A. 40A:12A-5[e]).*
- 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. (N.J.S.A. 40A:12A-5[f]).*
- 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.441 (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. (N.J.S.A. 40A:12A-5[g]).

h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A-5[h]).

In addition to the conditions that have been listed above, the Local Redevelopment and Housing Law notes that:

A redevelopment area may include land, buildings or improvements[,] which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (N.J.S.A. 40A:12A-3).

Redevelopment Analysis

A careful analysis of the Study Area has revealed that it meets redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5.

The following subsections detail the findings of this redevelopment analysis. Appendix E contains photographs and additional information that support its findings.

“b” Criterion

The “b” Criterion is focused on the occupancy and tenantability of commercial and industrial buildings. As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- b) The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such buildings or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).*

As demonstrated in Appendix E, Block 51, Lot 1 meets the “b” Criterion.

“e” Criterion

The “e” Criterion is focused on conditions that result in stagnant and unproductive condition of land. As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to*

the safety, health, morals, or welfare of the surrounding area or the community in general. (N.J.S.A. 40A:12A-5[e]).

As demonstrated in Appendix E, Block 51, lots 3, 4, 5 and 34 meet the “e” Criterion.

“h” Criterion

The Local Redevelopment and Housing Law was amended in 2003 to add the “h” Criterion to the list of statutory criteria. The “h” Criterion permits a municipality to designate an area in need of redevelopment if “[t]he designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation” (N.J.S.A. 40A:12A-5[h]).

As is demonstrated below, designation of the entire Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the *New Jersey State Development and Redevelopment Plan*¹, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

State Planning Act

The State Planning Act (N.J.S.A. 52:18A-196 et seq.), which was adopted in 1985, establishes the framework for State policies and regulations related to smart growth principles. Among the findings and declarations of the State Legislature in the State Planning Act that serve as this framework are the following:

- *New Jersey, the nation's most densely populated State, requires sound and integrated Statewide planning and the coordination of Statewide planning with local and regional planning in order to conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while*

¹ *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

- promoting beneficial economic growth, development and renewal. (N.J.S.A. 52:18A-196.a)*
- *Significant economies, efficiencies and savings in the development process would be realized by private sector enterprise and by public sector development agencies if the several levels of government would cooperate in the preparation of and adherence to sound and integrated plans. (N.J.S.A. 52:18A-196.b)*
 - *It is of urgent importance that the State Development Guide Plan be replaced by a State Development and Redevelopment Plan designed for use as a tool for assessing suitable locations for infrastructure, housing, economic growth and conservation. (N.J.S.A. 52:18A-196.c)*
 - *It is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this State. (N.J.S.A. 52:18A-196.d)*
 - *Since the overwhelming majority of New Jersey land use planning and development review occurs at the local level, it is important to provide local governments in this State with the technical resources and guidance necessary to assist them in developing land use plans and procedures which are based on sound planning information and practice, and to facilitate the development of local plans which are consistent with State and regional plans and programs. (N.J.S.A. 52:18A-196.f)*
 - *An adequate response to judicial mandates respecting housing for low- and moderate-income persons requires sound planning to prevent sprawl and to promote suitable use of land. (N.J.S.A. 52:18A-196.h)*

Designation of the Study Area as an area in need of redevelopment would provide the City of Linden with an important opportunity to: conserve New Jersey's natural

resources; protect the quality of New Jersey's environment; and, promote economic growth, development and renewal by recycling or reusing land and avoiding development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future residents of New Jersey.

New Jersey State Development and Redevelopment Plan²

The *New Jersey State Development and Redevelopment Plan*, which was adopted pursuant to the State Planning Act, contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

The Study Area is located in State Planning Area 1, which is defined in the *New Jersey State Development and Redevelopment Plan* and also known as the Metropolitan Planning Area. As provided in the *New Jersey State Development and Redevelopment Plan*, the Metropolitan Planning Area is intended to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and,
- Protect the character of existing stable communities.

As is demonstrated above, designation of the Study Area as an area in need of redevelopment would be consistent with the intended purpose of the Metropolitan Planning Area.

Smart Growth Areas

The Study Area is located within an area that has been designated as a smart growth area by the New Jersey Office of Planning Advocacy. This is illustrated by the fact

² *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

that the Office of Planning Advocacy of the New Jersey Department of State³, which administers the *New Jersey State Development and Redevelopment Plan*, classifies smart growth areas as one of the following:

- Metropolitan Planning Area (State Planning Area 1);
- Suburban Planning Area (State Planning Area 2);
- A designated center;
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the State Planning Commission;
- A smart growth area designated by the New Jersey Meadowlands Commission; or,
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town, as designated by the New Jersey Pinelands Commission.

The Study Area is located within the Metropolitan Planning Area (State Planning Area 1). Thus, the Study Area is located within a designated smart growth area.

Municipal Land Use Law

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) delegates planning and regulatory authority to municipalities and establishes the procedural framework for how local governments plan for the future. The Municipal Land Use Law has a number of purposes, all of which are based upon ensuring the public health, safety, welfare and morals for communities.

Designation of the Study Area as an area in need of redevelopment, and, thereby, facilitating the preparation of a redevelopment plan and subsequent redevelopment of the area, would not only be consistent with the general smart growth approach of recycling or reusing land, but also promote several purposes of the Municipal Land Use Law. Specifically, redevelopment of the subject parcels would promote the following purposes of the Municipal Land Use Law:

³ See, for example: <http://nj.gov/state/planning/spc-research-resources-sga.html>

- *To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. (N.J.S.A. 40:55D-2[a])*
- *To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land. (N.J.S.A. 40:55D-2[j])*
- *To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land. (N.J.S.A. 40:55D-2[m])*

Effective Redevelopment of the Area

The Local Redevelopment and Housing Law enables municipalities to designate properties in need of redevelopment when they are needed for the effective redevelopment of the area of which they are part. The Local Redevelopment and Housing Law provides that:

A redevelopment area may include land, buildings or improvements[,] which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (N.J.S.A. 40A:12A-3).

As described below, Block 51, lots 1, 2, 4 and 34 are needed for the effective redevelopment of the area.

Block 51, Lot 1 is needed due to its prominent location at the northeastern corner of Saint Georges Avenue (New Jersey Route 27) and Chandler Avenue. By including Block 51, Lot 1 within a future redevelopment area, the overall attractiveness and marketability of such an area would be increased. In addition, given the prominence of Block 51, Lot 1's location at the northeastern corner of Saint Georges Avenue (New Jersey Route 27) and Chandler Avenue, inclusion of said property within a future redevelopment area would increase the chances for a successful

redevelopment and facilitate improvement of the image of the Study Area and, therewith, increase the capability for economic development of the city. Without the inclusion of Block 51, Lot 1, the chances for a successful redevelopment of the Study Area would be significantly reduced.

Block 51, Lot 2 is needed in order to: provide a physical connection, and, therewith, mitigate the fragmentation of a future redevelopment area, between Block 51, Lot 1 and Block 51, Lot 3, which has been found to meet two (2) of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5. In addition, inclusion of Block 51, Lot 2 provides for expanded and uninterrupted frontage on Saint Georges Avenue (New Jersey Route No. 27), which significantly increases the chances for a successful redevelopment of the Study Area. Inclusion of Block 51, Lot 2 within a future redevelopment area also helps to minimize the potential for land use conflicts, which could arise from being surrounded on three sides by adjacent properties that have all been found to meet two (2) of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5.

Block 51, Lot 4 is needed in order to provide a physical connection, and, therewith, mitigate the fragmentation of a future redevelopment area, between Block 51, lots 3 and 5, which are under common ownership and have been found to meet two (2) redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5. In addition, inclusion of Block 51, Lot 4 provides for expanded and uninterrupted frontage on Saint Georges Avenue (New Jersey Route No. 27), which significantly increases the chances for a successful redevelopment of the Study Area. Inclusion of Block 51, Lot 4 within a future redevelopment area also helps to minimize the potential for land use conflicts, which could arise from being surrounded on three sides by adjacent properties that have all been found to meet two (2) of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5.

Block 51, Lot 34 is needed for the effective redevelopment of the area due to its prominent location at the northwestern corner of Chandler Avenue and Union Street, as well as the fact that it has over 197 feet of combined frontage along said roadways. By including Block 51, Lot 34 within a future redevelopment area, the overall attractiveness and marketability of such an area would be increased, as would the chances for a successful redevelopment. In addition, given its prominent location, inclusion of Block 51, Lot 34 within a future redevelopment area would facilitate improvement of the overall image of the Study Area and, therewith, increase the capability for economic development of the city. Without the inclusion of Block 51, Lot 34, the chances for a successful redevelopment of the Study Area would be significantly reduced.

Summary

The entire Study Area meets the “h” Criterion. One (1) of the tax parcels in the Study Area meet the “b” Criterion. In addition, some of the parcels in the Study Area meet the “e” Criterion and would be needed for the effective redevelopment of the Study Area of which they are part. Complete details are provided below:

- **Block 51, Lot 1:** “h” Criterion; “b” Criterion; needed for effective redevelopment
- **Block 51, Lot 2:** “h” Criterion; needed for effective redevelopment
- **Block 51, Lot 3:** “h” Criterion; “e” Criterion
- **Block 51, Lot 4:** “h” Criterion; “e” Criterion; needed for effective redevelopment
- **Block 51, Lot 5:** “h” Criterion; “e” Criterion
- **Block 51, Lot 6:** “h” Criterion
- **Block 51, Lot 32:** “h” Criterion
- **Block 51, Lot 33:** “h” Criterion
- **Block 51, Lot 34:** “h” Criterion; “e” Criterion; needed for effective redevelopment

Conclusion

As indicated by the foregoing analysis, the entire Study Area has been found to meet the requirements of the Local Redevelopment and Housing Law for being designated in need of redevelopment when utilizing the “h” Criterion. Additionally, portions of the Study Area have been found to fulfill the requirements of the Local Redevelopment and Housing Law for being designated as an area in need of redevelopment when utilizing the “b” and “e” criteria. Portions of the Study Area are also needed for the effective redevelopment of the Study Area of which they are part. Based on the above, the Linden Planning Board may recommend that the Linden City Council adopt a resolution declaring that the Study Area, or any portion thereof, is in need of redevelopment.

Once the Linden City Council has declared an area to be in need of redevelopment, the Linden Planning Board may then prepare a redevelopment plan for the area. Any redevelopment plan, after review by the Linden Planning Board, would then be referred to the Linden City Council. Upon receipt of the redevelopment plan, the Linden City Council may act to adopt the plan by ordinance. The adopted redevelopment plan may then become an amendment to the city’s zoning map and ordinance, or may be treated as an overlay to existing zoning. Only after adoption by ordinance may the city exercise the redevelopment powers granted by the Local Redevelopment and Housing Law. We note that condemnation would not be able to be used for any property in the Study Area, because Resolution No. 2020-267 of the Linden City Council expressly prohibits the use of eminent domain.

Appendix A: Resolution No. 2020-267

RESOLUTION: 2020-267

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY'S TAX MAPS AS BLOCK 51, LOTS 1, 2, 3, 4, 5, 6, 32, 33 AND 34, (A/K/A 1204-1222 EAST SAINT GEORGE AVENUE AND 1201-1213 UNION STREET) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A. 40A:12A-1, et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the city council (“**City Council**”) of the City of Linden (the “**City**”) must authorize the planning board of the City (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the City Council; and

WHEREAS, the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34 (a/k/a 1204-1222 East Saint George Avenue and 1201-1213 Union Street) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the power of eminent domain (hereinafter referred to as a “**Non-Condensation Redevelopment Area**”).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condensation Redevelopment Area.

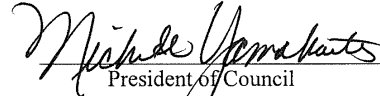
Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment

area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.


Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the Study Area as an area in need of redevelopment (non-condemnation).

Section 7. This Resolution shall take effect immediately.

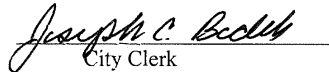
PASSED: August 18, 2020


President of Council

APPROVED: August 19, 2020


Mayor

ATTEST:

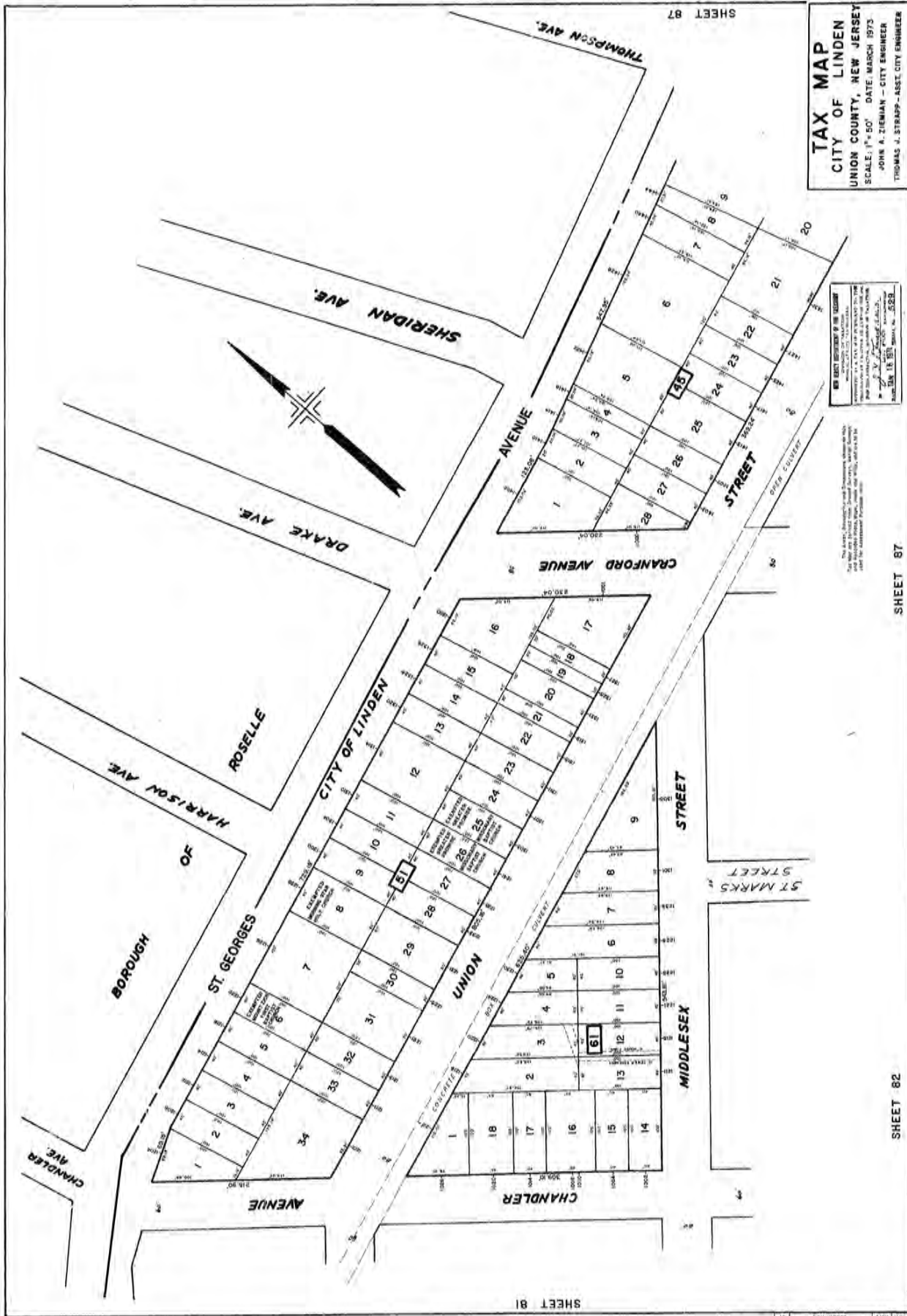

City Clerk

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the City Council of the City of Linden at a meeting held on August 18, 2020 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Linden, this 19 day of AUGUST, 2020.


JOSEPH C. BODEK, City Clerk




Appendix B: Tax Map



Appendix C: Aerial Imagery

Aerial Imagery
City of Linden, Union County, New Jersey



-  Study Area
-  Study Area Parcel (Block/Lot)
-  Tax Parcel

Date of Aerials: 2015



0 25 50
Feet

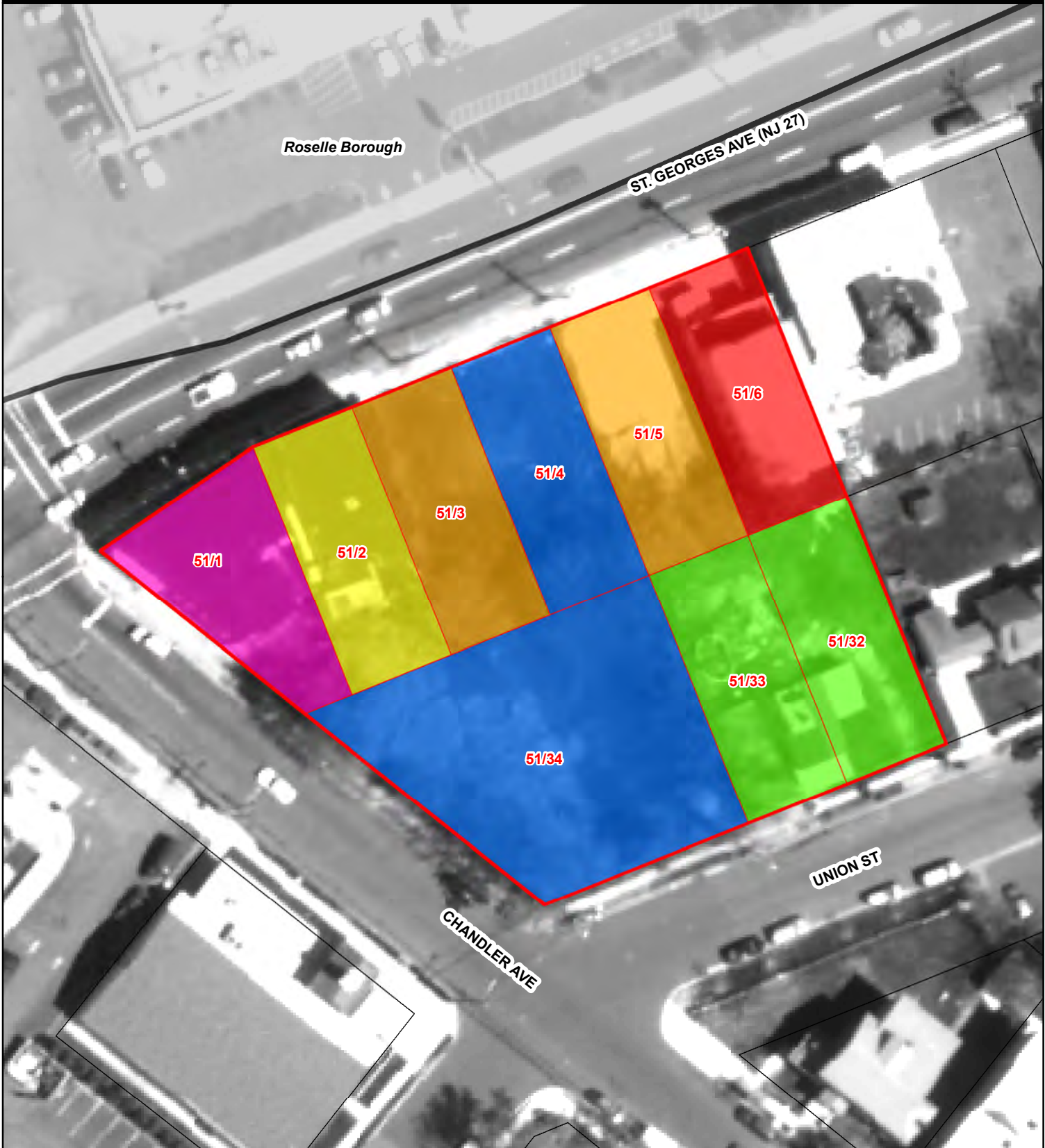
ricciplanning

Paul Ricci, AICP, PP
177 Monmouth Avenue
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)
908.350.4501 (Fax)
paul@ricciplanning.com

Appendix D: Property Ownership

Property Ownership
City of Linden, Union County, New Jersey



Study Area



Study Area Parcel (Block/Lot)



Tax Parcel

Date of Aerials: 2015

Date Ownership Information: 2020



786-204 Property, LLC



Albright Construction Co., Inc.



Builder Investor, LLC



Laos Contractors, LLC



Maria's Enterprises, LLC



Mount Zion FBH Church



0 25 50
Feet

ricciplanning

Paul Ricci, AICP, PP
177 Monmouth Avenue
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)
908.350.4501 (Fax)
paul@ricciplanning.com

Appendix E: Property Analysis Sheets

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 1

Owner's Name: 786 204 Property, LLC

Property Location: 1204 Saint

Georges Avenue

Owner's Address: 7 Troy Street;

Edison, NJ 08820

MOD-IV: 4A (Commercial)

Zoning District: C-2 (60)

Area (Acres): 0.0983

Condition:

Block 51, Lot 1 is the location of a two-story mixed-use building with ground floor commercial and second story apartments. The building, which, according to the MOD-IV property tax assessment database, was constructed in 1920, contains a total of three store fronts, the middle one of which was vacant upon visiting the site on September 10, 2020. A review of historic Google Street View imagery indicates that the middle storefront has been vacant since at least August 2007. Indeed, the middle storefront is vacant in Google Street View images from August 2007, September 2012, August 2018, and October 2019. Beyond the issue of vacancy, we note that the building is in need of significant maintenance and repair, which is evidenced by extensive cracking and staining of the façade, among other issues. In addition, we note that there appears to be an issue with loitering along the Chandler Street façade. This is demonstrated by a sign reading "No Loitering by Order of Linden Police Department". Finally, we note that there is no off-street parking for the commercial uses of the site. The site is totally reliant on on-street parking. While there is off-street parking for residential uses to the rear of the building (n.b., Google Street View imagery shows parking in this location), the space is not formalized and appears to be inadequate for the three apartments that exist onsite.

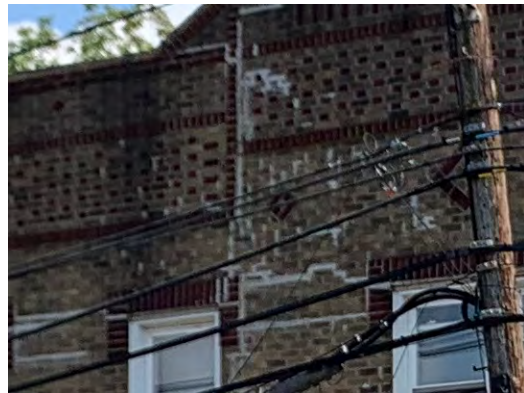
In addition to the above, information received from the Linden Code Enforcement Officer on September 28, 2020 indicates that the property has two outstanding code violations, including: one for a drum of grease, which is improperly stored onsite; and, one for fencing that has been provided without a zoning permit. We note that we were unable to confirm the continued presence of the drum of grease upon visiting the site on September 10, 2020. The fencing of, which is located at the rear of the property, is visible in the attached photographs.

Continued on next page...

Redevelopment Study and Preliminary Investigation Report
Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 1 (Continued)

Site Photographs:



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Redevelopment Study and Preliminary Investigation Report
Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 1 (Continued)

Site Photographs:

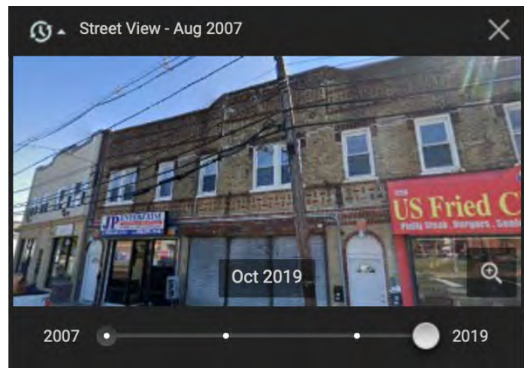
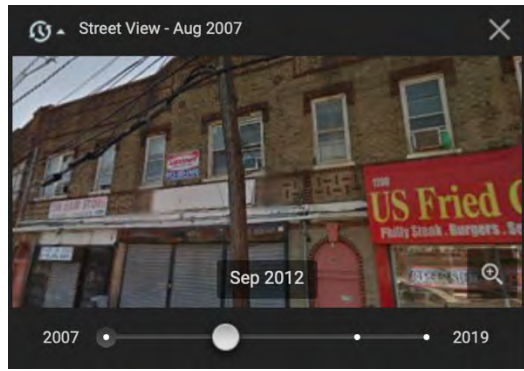


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Redevelopment Study and Preliminary Investigation Report
Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 1 (Continued)

Site Photographs:



Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 1 (Continued)

Redevelopment Criteria Analysis:

A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings

- *While the building is in need of maintenance and repair, there is currently no evidence to suggest that it is conducive to unwholesome living or working conditions.*

B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings

- *As shown in Google Street View imagery, the middle storefront has been vacant for more than two (2) years. Indeed, the middle storefront is vacant in Google Street View images from August 2007, September 2012, August 2018, and October 2019.*

C: Unimproved privately-owned land/publicly owned land

- *Not applicable*

D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use

- *The trapezoidal configuration of the lot restricts the availability of adequate space for parking. While lack of such space, or restricted ability to provide such space, may have been appropriate when the building was constructed in 1920, it is substandard in 2020. Despite this, however, we note that there is no evidence that the trapezoidal configuration of the property creates a threat to the public health, safety or welfare. In addition, we note that although there is an outstanding violation for an improperly stored grease drum, we were unable to confirm the continued presence of same upon visiting the site on September 10, 2020. We further note that although there is also an outstanding violation for fencing that has been installed without a zoning permit, we found no evidence that the fence results in a threat to the public health, safety or welfare.*

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

- *Not applicable*

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

- *Not applicable*

G: Urban Enterprise Zone (tax abatement and exemptions only)

- *Not applicable*

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 1 (Continued)

Redevelopment Criteria Analysis:

H: Smart growth consistency

Designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be

- *consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).*

Status:

The parcel may be declared to be in need of redevelopment in accordance with the “b” and “h” criteria. As described elsewhere in this report, Block 51, Lot 1 is also needed for the effective redevelopment of the area.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 2

Owner's Name: Builder Investor, LLC

Property Location: 1206 Saint

Georges Avenue

Owner's Address: 315 Roselle Street;
Linden, NJ 07036

MOD-IV: 4A (Commercial)

Zoning District: C-2 (40)

Area (Acres): 0.0918

Condition:

Block 51, Lot 2 is the location of a mixed-use building with two commercial storefronts located along Saint Georges Avenue (New Jersey Route No. 27) and a total of four (4) apartments distributed between the rear of the ground floor and the second floor. The building, which, according to the MOD-IV property tax assessment database, was originally constructed in 1921, is in good condition and appears to have been recently renovated. Upon visiting the site on September 10, 2020, we observed that the ground floor, which contains two (2) storefronts, was vacant (i.e., both storefronts were vacant). However, there is no evidence to suggest that the storefronts have been vacant for more than two (2) years. We note that Block 51, Lot 2 appears to contain no dedicated off-street parking for the commercial or residential uses.

Site Photographs:



Continued on next page...

Redevelopment Study and Preliminary Investigation Report
Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 2 (Continued)

Site Photographs:



Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 2 (Continued)

Redevelopment Criteria Analysis:

- ☐ **A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings**

Not applicable

- ☐ **B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings**

Though the entire ground floor commercial space is vacant, there is no evidence to suggest that it has been vacant for more than two (2) years. In fact, we note that Internet research indicates the vacant hair salon (n.b., this is the storefront with the signage for CBJ Studios) was in operation as late as July 2019.

- ☐ **C: Unimproved privately-owned land/publicly owned land**

Not applicable

- ☐ **D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use**

Though there is no off-street parking, there is no evidence to suggest that the property poses a threat to the public health, safety or welfare

- ☐ **E: Stagnant and unproductive condition due to title, ownership, or similar conditions**

Not applicable

- ☐ **F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster**

Not applicable

- ☐ **G: Urban Enterprise Zone (tax abatement and exemptions only)**

Not applicable

- ☒ **H: Smart growth consistency**

Designation of the Study Area as an area in need of redevelopment under the "h" Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

Status:

The parcel may be declared to be in need of redevelopment in accordance with the "h" Criterion. As described elsewhere in this report, Block 51, Lot 2 is also needed for the effective redevelopment of the area.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 3

Owner's Name: Maria's Enterprises, LLC

Property Location: 1212 Saint Georges Avenue

Owner's Address: 1201 Union Street; Linden, NJ 07036

MOD-IV: 1 (Vacant)

Zoning District: C-2 (40)

Area (Acres): 0.0918

Condition:

Block 51, Lot 3 is a vacant property, which contains no site improvements. The property is covered in grass and appears to be maintained at an acceptable frequency. A review of historic aerial imagery provided on historicaerials.com indicates that the property has been vacant since at least 2002. Historic aerial imagery from 1931 through 1987 indicates that a building previously existed onsite (n.b., aerial imagery from 1995 is unclear; a building may have existed in 1995).

Site Photographs:



Redevelopment Criteria Analysis:

A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings

○

Not applicable

B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings

○

Not applicable

C: Unimproved privately-owned land/publicly owned land

○

Though the property has been vacant for more than ten (10) years, it has access to a public improved roadway and is accessible. In addition, as indicated by a review of the New Jersey Department of Environmental Protection's Known Contaminated Sites List, the property does not appear to have contaminated areas. Thus, there is no evidence that the "c" Criterion is met.

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 3 (Continued)

Redevelopment Criteria Analysis:

- **D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use**

Not applicable

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

Despite the fact that it is situated on a New Jersey State Highway (viz., Saint Georges Avenue [New Jersey Route No. 27]) and in an area where the predominant land use can be described as "highway/general commercial," Block 51, Lot 3 has remained vacant and unimproved since at least 2002. Indeed, the current state of Block 51, Lot 3 represents a total lack of proper utilization, and it has been in such a state for a minimum of nearly two (2) decades. The current state of Block 51, Lot 3, especially when considering its high-profile location along Saint Georges Avenue (New Jersey Route No. 27), detracts from the image of the City of Linden and impairs progress in the economic development of the city.

- *Though Block 51, Lot 3 is situated in a desirable and busy location, it has remained vacant and unimproved, whereas in the same approximate period that Block 51, Lot 3 has remained vacant and unimproved, there has been significant development directly across Saint Georges Avenue (New Jersey Route No. 27) in the Borough of Roselle. This is demonstrated by the fact that historic aerial imagery indicates that the building that is currently occupied by ALDI Food Market on Block 1301, Lot 1.02 in the Borough of Roselle was constructed at some point between 1995 and 2002, which generally corresponds to the removal of the building that previously existed on Block 51, Lot 3 and the period of stagnation that ensued after its removal.*

The very small, undersized character of Block 51, Lot 3 (n.b., the property is just 0.0918 acres or slightly less than 4,000 square feet) is likely the key reason why the property, which, according to our review of the latest digital geographic data of the New Jersey Department of Environmental Protection and the Federal Emergency Management Agency, is unencumbered and developable, has remained vacant and stagnant for such a long period (n.b., for comparison, the aforementioned Block 1301, Lot 1.02 in the Borough of Roselle is approximately 2.09 acres). Indeed, development on such a small lot in this type of area (viz., highway/general commercial) is less attractive than on larger properties.

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 3 (Continued)

Redevelopment Criteria Analysis:

The impact of the very small size of Block 51, Lot 3 is compounded by the fact that it is adjacent to other vacant properties, which are under different ownership and, like Block 51, Lot 3, have remained vacant and unimproved for extended periods. Thus, it is clear that the total lack of proper utilization and stagnation not only plagues Block 51, Lot 3, but also surrounding properties. Assemblage of land, however, would serve to enhance the marketability of Block 51, Lot 3 and surrounding areas by facilitating development of a larger area in a coordinated manner. Therewith, Block 51, Lot 3 and surrounding areas could be converted to a productive state and used to promote local economic development for the good of the municipality.

Given the forgoing, it is determined that Block 51, Lot 3 meets the “e” Criterion. Indeed, the property is in a totally unproductive and stagnant state, which has persisted over an extended period, and its present condition detracts the image of the City of Linden and, therewith, impairs progress in its economic development. Moreover, Block 51, Lot 3 is part of a larger area that is characterized by small, undeveloped, and stagnant parcels under a diversity of ownership. Application of the “e” Criterion would, in this case, provide an opportunity to facilitate redevelopment and convert the properties to productive use, thereby contributing to the economic development of the City and, therewith, the general welfare of its residents.

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

○

Not applicable

G: Urban Enterprise Zone (tax abatement and exemptions only)

○

Not applicable

H: Smart growth consistency

Designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

●

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Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 3 (Continued)

Status:

The parcel may be declared to be in need of redevelopment in accordance with the "e" and "h" criteria.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 4

Owner's Name: Albright Construction Co., Inc.

Property Location: 1214 Saint Georges Avenue

Owner's Address: 409 Tanforan Drive; Cherry Hill, NJ 08002

MOD-IV: 1 (Vacant)

Zoning District: C-2 (40)

Area (Acres): 0.0918

Condition:

Block 51, Lot 4 is a vacant property, which contains no site improvements. The property is covered in grass and appears to be maintained at an acceptable frequency. A review of historic aerial imagery provided on historicaerials.com indicates that the property has been vacant since at least 2002. Historic aerial imagery from 1931 through 1987 indicates that a building previously existed onsite (n.b., historic aerial imagery from 1995 is unclear; a building may have existed in 1995).

Site Photographs:



Redevelopment Criteria Analysis:

- **A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings**

Not applicable

- **B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings**

Not applicable

C: Unimproved privately-owned land/publicly owned land

- *Though the property has been vacant for more than ten (10) years, it has access to a public improved roadway and is accessible. In addition, as indicated by a review of the New Jersey Department of Environmental Protection's Known Contaminated Sites List, the property does not appear to have contaminated areas. Thus, there is no evidence that the "c" Criterion is met.*

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 4 (Continued)

Redevelopment Criteria Analysis:

- **D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use**

Not applicable

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

Despite the fact that it is situated on a New Jersey State Highway (viz., Saint Georges Avenue [New Jersey Route No. 27]) and in an area where the predominant land use can be described as "highway/general commercial," Block 51, Lot 4 has remained vacant and unimproved since at least 2002. Indeed, the current state of Block 51, Lot 4 represents a total lack of proper utilization, and it has been in such a state for a minimum of nearly two (2) decades. The current state of Block 51, Lot 4, especially when considering its high-profile location along Saint Georges Avenue (New Jersey Route No. 27), detracts from the image of the City of Linden and impairs progress in the economic development of the city.

- *Though Block 51, Lot 4 is situated in a desirable and busy location, it has remained vacant and unimproved, whereas in the same approximate period that Block 51, Lot 4 has remained vacant and unimproved, there has been significant development directly across Saint Georges Avenue (New Jersey Route No. 27) in the Borough of Roselle. This is demonstrated by the fact that historic aerial imagery indicates that the building that is currently occupied by ALDI Food Market on Block 1301, Lot 1.02 in the Borough of Roselle was constructed at some point between 1995 and 2002, which generally corresponds to the removal of the building that previously existed on Block 51, Lot 4 and the period of stagnation that ensued after its removal.*

The very small, undersized character of Block 51, Lot 4 (n.b., the property is just 0.0918 acres or slightly less than 4,000 square feet) is likely the key reason why the property, which, according to our review of the latest digital geographic data of the New Jersey Department of Environmental Protection and the Federal Emergency Management Agency, is unencumbered and developable, has remained vacant and stagnant for such a long period (n.b., for comparison, the aforementioned Block 1301, Lot 1.02 in the Borough of Roselle is approximately 2.09 acres). Indeed, development on such a small lot in this type of area (viz., highway/general commercial) is less attractive than on larger properties.

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 4 (Continued)

Redevelopment Criteria Analysis:

The impact of the very small size of Block 51, Lot 4 is compounded by the fact that it is adjacent to three (3) other vacant properties, two (2) of which are under different ownership and all of which, like Block 51, Lot 4, have remained vacant and unimproved for extended periods (n.b., while adjacent Block 51, Lot 34 is under the same ownership as Block 51, Lot 4, the combined area of these properties is less than 0.35 acres and there is only 40 feet of frontage along Saint Georges Avenue [New Jersey Route No. 27], which is the busiest and highest class roadway frontage). Thus, it is clear that the total lack of proper utilization and stagnation not only plagues Block 51, Lot 4, but also surrounding properties. Assemblage of land, however, would serve to enhance the marketability of Block 51, Lot 4 and surrounding areas by facilitating development of a larger area in a coordinated manner. Therewith, Block 51, Lot 4 and surrounding areas could be converted to a productive state and used to promote local economic development for the good of the municipality.

Given the forgoing, it is determined that Block 51, Lot 4 meets the “e” Criterion. Indeed, the property is in a totally unproductive and stagnant state, which has persisted over an extended period, and its present condition detracts the image of the City of Linden and, therewith, impairs progress in its economic development. Moreover, Block 51, Lot 4 is part of a larger area that is characterized by small, undeveloped, and stagnant parcels under a diversity of ownership. Application of the “e” Criterion would, in this case, provide an opportunity to facilitate redevelopment and convert the properties to productive use, thereby contributing to the economic development of the City and, therewith, the general welfare of its residents.

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

○

Not applicable

G: Urban Enterprise Zone (tax abatement and exemptions only)

○

Not applicable

H: Smart growth consistency

Designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

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Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 4 (Continued)

Status:

The parcel may be declared to be in need of redevelopment in accordance with the “e” and “h” criteria. As described elsewhere in this report, Block 51, Lot 4 is also needed for the effective redevelopment of the area.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 5

Owner's Name: Maria's Enterprises, LLC

Property Location: 1218 Saint Georges Avenue

Owner's Address: 119 Carnegie Street; Linden, NJ 07036

MOD-IV: 1 (Vacant)

Zoning District: C-2 (40)

Area (Acres): 0.0918

Condition:

Block 51, Lot 5 is a vacant property, which is covered by a concrete pad that is in poor condition. A review of historic aerial imagery provided on historicaerials.com indicates that the property has been vacant since at least 1987. Historic aerial imagery from 1931 through 1979 indicates that a building previously existed onsite.

Site Photographs:



Redevelopment Criteria Analysis:

- ☐ **A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings**

Not applicable

- ☐ **B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings**

Not applicable

- ☐ **C: Unimproved privately-owned land/publicly owned land**

Though the property has been vacant for more than ten (10) years, it has access to a public improved roadway and is accessible. In addition, as indicated by a review of the New Jersey Department of Environmental Protection's Known Contaminated Sites List, the property does not appear to have contaminated areas. Thus, there is no evidence that the "c" Criterion is met.

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 5 (Continued)

Redevelopment Criteria Analysis:

D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use

- *Though the concrete pad that is located onsite is in poor condition, there is no evidence to suggest that it poses a threat to the public health, safety or welfare.*

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

Despite the fact that it is situated on a New Jersey State Highway (viz., Saint Georges Avenue [New Jersey Route No. 27]) and in an area where the predominant land use can be described as "highway/general commercial," Block 51, Lot 5 has remained vacant and unimproved since at least 1987. Indeed, the current state of Block 51, Lot 5 represents a total lack of proper utilization, and it has been in such a state for a minimum of 33 years. The current state of Block 51, Lot 5, especially when considering its high-profile location along Saint Georges Avenue (New Jersey Route No. 27), detracts from the image of the City of Linden and impairs progress in the economic development of the city.

- *Though Block 51, Lot 5 is situated in a desirable and busy location, it has remained vacant and unimproved, whereas at the same time that Block 51, Lot 5 has remained vacant and unimproved, there has been significant development diagonally across Saint Georges Avenue (New Jersey Route No. 27) in the Borough of Roselle. This is demonstrated by the fact that historic aerial imagery indicates that the building that is currently occupied by ALDI Food Market on Block 1301, Lot 1.02 in the Borough of Roselle was constructed at some point between 1995 and 2002, by which time the building that previously existed on Block 51, Lot 5 had already been removed for a period of at least eight (8) years and said parcel was firmly in a period of stagnation.*

The very small, undersized character of Block 51, Lot 5 (n.b., the property is just 0.0918 acres or slightly less than 4,000 square feet) is likely the key reason why the property, which, according to our review of the latest digital geographic data of the New Jersey Department of Environmental Protection and the Federal Emergency Management Agency, is unencumbered and developable, has remained vacant and stagnant for such a long period (n.b., for comparison, the aforementioned Block 1301, Lot 1.02 in the Borough of Roselle is approximately 2.09 acres). Indeed, development on such a small lot in this type of area (viz., highway/general commercial) is less attractive than on larger properties.

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Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 5 (Continued)

Redevelopment Criteria Analysis:

The impact of the very small size of Block 51, Lot 5 is compounded by the fact that it is adjacent to other vacant properties, which are under different ownership and, like Block 51, Lot 5, have remained vacant and unimproved for extended periods. Thus, it is clear that the total lack of proper utilization and stagnation not only plagues Block 51, Lot 5, but also surrounding properties. Assemblage of land, however, would serve to enhance the marketability of Block 51, Lot 5 and surrounding areas by facilitating development of a larger area in a coordinated manner. Therewith, Block 51, Lot 5 and surrounding areas could be converted to a productive state and used to promote local economic development for the good of the municipality.

Given the forgoing, it is determined that Block 51, Lot 5 meets the “e” Criterion. Indeed, the property is in a totally unproductive and stagnant state, which has persisted over an extended period, and its present condition detracts the image of the City of Linden and, therewith, impairs progress in its economic development. Moreover, Block 51, Lot 5 is part of a larger area that is characterized by small, undeveloped, and stagnant parcels under a diversity of ownership. Application of the “e” Criterion would, in this case, provide an opportunity to facilitate redevelopment and convert the properties to productive use, thereby contributing to the economic development of the City and, therewith, the general welfare of its residents.

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

○

Not applicable

G: Urban Enterprise Zone (tax abatement and exemptions only)

○

Not applicable

H: Smart growth consistency

Designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

●

Status:

The parcel may be declared to be in need of redevelopment in accordance with the “e” and “h” criteria.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 6

Owner's Name: Mount Zion FBH Church

Property Location: 1222 Saint Georges Avenue

Owner's Address: 1222 Saint Georges Avenue; Linden, NJ 07036

MOD-IV: 15D (Charitable)

Zoning District: C-2 (40)

Area (Acres): 0.0918

Condition:

Block 51, Lot 6 is the location of a vacant church. The building and site, though in need of general maintenance and repairs, do not appear to exhibit conditions that suggest that it poses a threat to the public health, safety and or welfare.

Site Photographs:



Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 6 (Continued)

Redevelopment Criteria Analysis:

A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings

- *Though in need of general maintenance and repairs, the building does not appear to result in conditions that are conducive of unwholesome living or working conditions.*

B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings

- *Though the church is vacant, it was not previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes.*

C: Unimproved privately-owned land/publicly owned land

- *Not applicable*

D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use

- *Though in need of general maintenance, the site does not appear to result in conditions that are detrimental to the public health, safety or welfare.*

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

- *Not applicable*

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

- *Not applicable*

G: Urban Enterprise Zone (tax abatement and exemptions only)

- *Not applicable*

H: Smart growth consistency

- *Designation of the Study Area as an area in need of redevelopment under the "h" Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).*

Status:

The parcel may be declared to be in need of redevelopment in accordance with the "h" Criterion.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 32

Owner's Name: Laos Contractors, LLC
Property Location: 1213 Union Street
Owner's Address: 119 Carnegie Street; Linden, NJ 07036

MOD-IV: 1 (Vacant)
Zoning District: C-2 (40)
Area (Acres): 0.0918

Condition:

Block 51, Lot 32 is a vacant property, which is encroached upon by a single-family frame dwelling that is located on adjacent Block 51, Lot 33 (n.b., Block 51, lots 32 and 33 are under common ownership. Upon visiting the site on September 10, 2020, we observed that the site was slightly overgrown, fenced (n.b., fencing was in poor condition), and the location of a refuse container associated with adjacent Block 51, Lot 33.

Please note that the condition of the single-family frame dwelling that encroaches upon Block 51, Lot 32 is discussed within the context of Block 51, Lot 33.

Site Photographs:



Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 32 (Continued)

Redevelopment Criteria Analysis:

- | | |
|----------------------------------|---|
| <input type="radio"/> | A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings |
| | <i>Not applicable</i> |
| <input type="radio"/> | B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings |
| | <i>Not applicable</i> |
| <input type="radio"/> | C: Unimproved privately-owned land/publicly owned land |
| | <i>Though the property has been vacant for more than ten (10) years, it has access to a public improved roadway and is accessible. In addition, as indicated by a review of the New Jersey Department of Environmental Protection's Known Contaminated Sites List, the property does not appear to have contaminated areas. Moreover, the property appears to function as a side yard for adjacent Block 51, Lot 33, which is under common ownership. Thus, there is no evidence that the "c" Criterion is met.</i> |
| <input type="radio"/> | D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use |
| | <i>Not applicable</i> |
| <input type="radio"/> | E: Stagnant and unproductive condition due to title, ownership, or similar conditions |
| | <i>Not applicable</i> |
| <input type="radio"/> | F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster |
| | <i>Not applicable</i> |
| <input type="radio"/> | G: Urban Enterprise Zone (tax abatement and exemptions only) |
| | <i>Not applicable</i> |
| <input checked="" type="radio"/> | H: Smart growth consistency |
| | <i>Designation of the Study Area as an area in need of redevelopment under the "h" Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).</i> |

Status:

The parcel may be declared to be in need of redevelopment in accordance with the "h" Criterion.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 33

Owner's Name: Laos Contractors, LLC

Property Location: 1211 Union Street

Owner's Address: 119 Carnegie Street; Linden, NJ 07036

MOD-IV: 2 (Residential — Four [4] Families or Less)

Zoning District: C-2 (40)

Area (Acres): 0.0918

Condition:

Block 51, Lot 33 is the site of a single-family dwelling, which was constructed in 1925. The building is in poor condition and currently unfit for habitation. There are broken windows at certain points, loose and missing siding/shingles and gutter, and other instances of substandard, dilapidated conditions. We note that according to information received from the Linden Code Enforcement Officer on September 28, 2020, a permit was previously issued for the demolition of a garage structure. The garage has been demolished and the permit, according to the Linden Code Enforcement Officer, has been closed. In addition to the above, we note that while the continued presence of a refuse container on adjacent Block 51, Lot 32 and certain clues on the single-family dwelling (e.g., apparent work being conducted as indicated by new wafer board and apparent manufacturer's labels in some windows) suggests that renovations are being conducted, the Linden Code Enforcement Officer has confirmed that no active permits are associated with the property. Finally, we note that the site is improperly fenced (n.b., temporary construction fencing is improperly installed and lying on the ground in front of the site).

Site Photographs:



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Redevelopment Study and Preliminary Investigation Report
Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 33 (Continued)

Site Photographs:



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Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 33 (Continued)

Redevelopment Criteria Analysis:

A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings

- *Although the building is clearly unfit for habitation in its present state, it appears to be undergoing renovation, based on observations made upon visiting the site on September 10, 2020. Nonetheless, a permit for the renovation work should be secured.*

B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings

- *Not applicable*

C: Unimproved privately-owned land/publicly owned land

- *Not applicable*

D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use

- *Although the site appears to be under renovation and is improperly fenced, the building itself appears to be secure and, in addition, there appears to be no equipment that that could pose a credible threat to the public health, safety or welfare located onsite.*

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

- *Not applicable*

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

- *Not applicable*

G: Urban Enterprise Zone (tax abatement and exemptions only)

- *Not applicable*

H: Smart growth consistency

- *Designation of the Study Area as an area in need of redevelopment under the "h" Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).*

Status:

The parcel may be declared to be in need of redevelopment in accordance with the "h" Criterion.

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 34

Owner's Name: Albright Construction Co., Inc.

Property Location: 1201 Union Street

Owner's Address: 409 Tanforan Drive; Cherry Hill, NJ 08002

MOD-IV: 1 (Vacant)

Zoning District: C-2 (100)

Area (Acres): 0.2541

Condition:

Block 51, Lot 34 is a vacant property, which contains no site improvements. The property is covered in grass and appears to be maintained at an acceptable frequency (n.b., upon visiting the site on September 10, 2020, we observed that brush and trees were in the process of being removed). A review of historic aerial imagery provided on historicaerials.com indicates that the property has, with the exception of minor encroachments from adjacent properties fronting along Saint Georges Avenue, been vacant since at least 1954.

Site Photographs:



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Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 34 (Continued)

Redevelopment Criteria Analysis:

- ☐ **A: Substandard, unsafe, unsanitary, dilapidated, or obsolete buildings**

Not applicable

- ☐ **B: Discontinuance/abandonment/significant vacancy of commercial or industrial buildings**

Not applicable

C: Unimproved privately-owned land/publicly owned land

- ☐ *Though the property has been vacant for more than ten (10) years, it has access to two (2) public improved roadways and is accessible. In addition, as indicated by a review of the New Jersey Department of Environmental Protection's Known Contaminated Sites List, the property does not appear to have contaminated areas. Thus, there is no evidence that the "c" Criterion is met.*

- ☐ **D: Areas with dilapidation, overcrowding, faulty arrangement or design, obsolete layout, deleterious land use**

Not applicable

E: Stagnant and unproductive condition due to title, ownership, or similar conditions

- ☒ *Although it has a combined total of more than 197 feet of frontage on two (2) public rights-of-way and is proximate to the Saint Georges Avenue (New Jersey Route No. 27) Highway/General Commercial Corridor, Block 51, Lot 34 has, with the exception of intermittent, minor encroachments from adjacent properties, remained vacant and unimproved since at least 1954. Indeed, the current state of Block 51, Lot 34 represents a total lack of proper utilization, and it has been in such a state for a minimum of 66 years. The current state of Block 51, Lot 34, especially when considering its dual frontage and location proximate to Saint Georges Avenue (New Jersey Route No. 27), detracts from the image of the City of Linden and impairs progress in the economic development of the city.*

Though Block 51, Lot 34 is optimally situated, it has remained unimproved while nearby properties have been developed. Key reasons why this parcel has remained unimproved are likely the facts that: it does not front on Saint George's Avenue (New Jersey Route No. 27); it is only about 0.25 acres, which is small for modern non-residential or mixed-use development in a highway/general commercial corridor (n.b., the ALDI food market, which is located across Saint Georges Avenue [New Jersey Route No. 27] from the Study Area in Roselle Borough is situated on a 2.09-acre parcel); and, given its proximity and adjacency to highway/general commercial development and frontage on two (2) roadways, it is more suited to non-residential or mixed-use development than residential.

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Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 34 (Continued)

Redevelopment Criteria Analysis:

The foregoing issues are compounded by the fact that Block 51, Lot 34 is located adjacent to three other vacant parcels, which have remained vacant and undeveloped for extended periods (n.b., one of the adjacent parcels is adjacent via a common vertex at the property corner). Thus, it is clear that the total lack of proper utilization and stagnation not only plagues Block 51, Lot 34, but also surrounding properties. Assemblage of land, however, would serve to enhance the marketability of Block 51, Lot 34 and surrounding areas by facilitating development of a larger area in a coordinated manner. Therewith, Block 51, Lot 34 and surrounding areas could be converted to a productive state and used to promote local economic development for the good of the municipality.

In addition to the above, it is noted that although adjacent Block 51, Lot 4 is under common ownership, the combined area of Block 51, lots 4 and 34 is less than 0.35 acres and Block 51, Lot 4 only has 40 feet of frontage along Saint Georges Avenue (New Jersey Route No. 27), which is the busiest and highest class roadway frontage. This combined area and small frontage on Saint Georges Avenue (New Jersey Route No. 27), does little to increase the marketability and attractiveness of the area under common ownership for development. Indeed, larger development tracts are frequently more attractive to property developers. To illustrate, it is reiterated that the ALDI food market, which is located across Saint Georges Avenue (New Jersey Route No. 27) from the Study Area on Block 1301, Lot 1.02 in Roselle Borough is situated on a 2.09-acre parcel.

Given the foregoing, it is determined that Block 51, Lot 34 meets the "e" Criterion. Indeed, the property is in a totally unproductive and stagnant state, which has persisted over an extended period, and its present condition detracts the image of the City of Linden and, therewith, impairs progress in its economic development. Moreover, Block 51, Lot 34 is part of a larger area that is characterized by small, undeveloped, and stagnant parcels under a diversity of ownership. Application of the "e" Criterion would, in this case, provide an opportunity to facilitate redevelopment and convert the properties to productive use, thereby contributing to the economic development of the City and, therewith, the general welfare of its residents.

F: Areas in excess of five contiguous acres destroyed or adversely impacted by fire, flood, or other natural disaster

☐

Not applicable

G: Urban Enterprise Zone (tax abatement and exemptions only)

☐

Not applicable

Continued on next page...

Redevelopment Study and Preliminary Investigation Report

Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34

Block 51, Lot 34 (Continued)

Redevelopment Criteria Analysis:

H: Smart growth consistency

Designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be

- *consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the New Jersey State Development and Redevelopment Plan, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).*

Status:

The parcel may be declared to be in need of redevelopment in accordance with the “e” and “h” criteria. As described elsewhere in this report, Block 51, Lot 34 is also needed for the effective redevelopment of the area.
