ENGLEWOOD CLIFFS REHABILITATION PLAN

Block 127, Lots 20.01; Block 131, Lots 1 & 5; Block 132, Lots 1, 2, 3, & 6; Block 134, Lots 2, 3, 4, 6, & 7; Block 201, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 14; Block 205, Lots 1, 2, 3, & 4; and Block 206, Lots 1, 2, 3, & 26

PREPARED BY:

MASER CONSULTING P.A.

FOR THE

Borough of Englewood Cliffs

BERGEN COUNTY

NEW JERSEY

July 13, 2017

Mayor and Council

Mayor Mario M. Kranjac
Council President Carrol McMorrow
Councilman Edward Aversa
Councilwoman Gloria Oh
Councilman Mark Park
Councilman Ellen Park
Councilman William Woo

Planning Board

Russell Porrino, Chairman
Aurel Villari, Vice Chairman
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Ronald Kilmartin
Mary O'Shea
Wook J. Hyun, Alternate
Kyle Hutchins, Alternate
Councilman Mark Park, Council Representative
J.P. Lee, Borough Representative

Redevelopment Consultants

Maser Consulting P.A.
Eileen F. Banyra, AICP, PP
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1.0 Introduction

In accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (LRHL), on June 14, 2017 the Mayor and Council adopted a resolution (17-120) entitled "Resolution Referring Study of B-3 Zone to Borough's Combined Planning Board". The Mayor and Council directed the Combined Planning Board to review and comment on the resolution.

The purpose of this report is to provide additional information to support the findings of the City Council and to hear from the public regarding the recommendations and identification of the area as an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14.

The report finds that the Study Area meets the conditions for an Area in Need of Rehabilitation designation pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq., herein referred to as LRHL) and is based on the following factual findings:

1) The majority of the water and sewer infrastructure in the delineated area far exceeds the minimum infrastructure age of 50 years old and is in need of repair or substantial maintenance, and

2) A program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community.

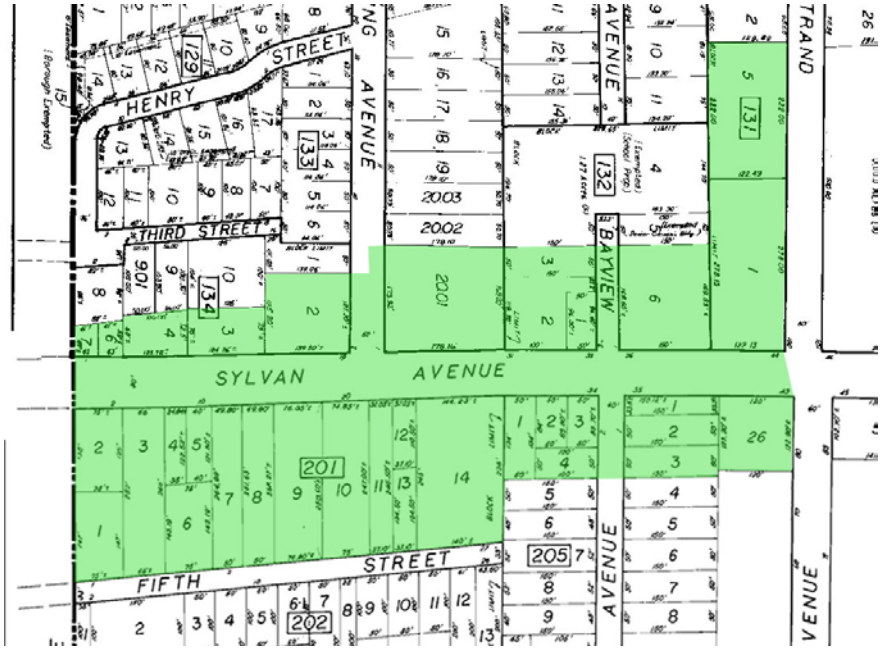

Figure 1: Redevelopment Area

2.0 Rehabilitation Area

2.1 Area Description

The designated Rehabilitation Area is a 12.44 acre area consisting of Block 127, Lots 20.01; Block 131, Lots 1 & 5; Block 132, Lots 1, 2, 3, & 6; Block 134, Lots 2, 3, 4, 6, & 7; Block 201, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, & 14; Block 205, Lots 1, 2, 3, & 4; and Block 206, Lots 1, 2, 3, & 26. These parcels are located in the B-3 zone, flanks Sylvan Avenue between the Fort Lee Borough line and Van Nostrand Avenue.

2.2 Existing Zoning

The Redevelopment Area is located within the Special Retail – B-3 zone district as shown on the Borough's Zoning Map. The B-3 zone permits the following:

Principal permitted uses:

1. Boutique-type retail establishments not exceeding one thousand six hundred (1,600) sq. ft. of ground floor total area, including florist, gift shop, apparel shop, drug store/pharmacy, jewelry store, portrait studio, art gallery, specialty sports store, luggage store.
2. Accessory parking areas on the same lot as the principal use.
3. Professional offices.

Conditional uses:

1. Eating and drinking establishments, excluding fast food restaurants.

Uses specifically prohibited in this zone:

1. Sales of VCRs, radios, televisions, cell phones or any electrical appliances; sale or rental of video tapes, records, discs and toys.
2. The operation of a taxi, limousine or livery service or other similar businesses and the parking or storage of said vehicles in connection with said business.

2.3 Existing Conditions

The Area is developed as a commercial corridor, with a mixture of new and old structures housing a variety of retail and office uses. Several buildings are underutilized and/or in disrepair. The street running through the area (Sylvan Avenue) is a State road, leaving the Borough with limited ability to modify the right-of-way. However, the width of the road and speed of vehicles on the road contributes to a sense of discomfort for pedestrians. Additionally, relatively narrow sidewalks and inconsistent front yard setbacks make a front landscaping buffer or street trees a challenge.

However, several restaurants and a new daycare located in the Area have done well. It is the goal, therefore, to recognize the challenges of the area and simultaneously build off of these assets.

Of the 33 parcels, 27 have an improvement ratio under 50%. At least six properties show signs of neglect. (See Appendix 7.3, Select area photographs.) And, several others were at least partially vacant or untenanted. The vast majority of structures are well over 50 years old.

3.0 The Need for Rehabilitation

3.1 Statuatory Criteria

The criteria for designating an Area in Need of Rehabilitation Area as identified in the Local Redevelopment Housing Law (LRHL), N.J.S. 40A:12A-14et. seq., does not require the satisfaction of one of the eight criteria required of a redevelopment investigation. An area may be designated as an Area in Need of Rehabilitation by the governing body if it is determined that the area exhibits either one of the following conditions:

(1) a significant portion of structures therein are in a deteriorated or substandard condition;

(2) more than half of the housing stock in the delineated area is at least 50 years old;

(3) there is a pattern of vacancy, abandonment or underutilization of properties in the area;

(4) there is a persistent arrearage of property tax payments on properties in the area;

(5) environmental contamination is discouraging improvements and investment in properties in the area; or

(6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

Once the conditions are determined satisfied and upon an affirmative declaration of such, the Borough may proceed to the preparation of a Redevelopment Plan. (N.J.S.A 40A:12A-1 et seq.)

The Planning Board's role in the AIN process is to make recommendations concerning the determination and to forward those recommendations to the governing body.

3.2 The Process

The designation process for an Area in Need of Rehabilitation (AIN) differs significantly in both criteria and process from an Area in Need of Redevelopment investigation. The AIN process requires no formal investigation, public hearing or notice other than notice as typically required for any public meeting. The statute for rehabilitation (40A:12A-14.a. & b.) identifies the following process required for an AIN determination:

a. Prior to adoption of the resolution, the governing body is required to submit the resolution to the municipal planning board for review. Within 45 days of receipt of the proposed resolution, the planning board is required to submit its recommendations, including any modifications that it may recommend to the governing body for consideration. Thereafter, or after the expiration of the 45 days if the municipal planning board does not submit recommendations, the governing body may adopt the resolution, with or without modification.

Or

b. A delineated area shall be deemed to have been determined to be an area in need of rehabilitation in accordance with the provisions of this act if it has heretofore been determined to be an area in need of rehabilitation pursuant to P.L. 1975, c.104 (C.54:4-3.72 et seq.), P.L. 1977, c.12 (C.54:4-3.95 et seq.) or P.L. 1979, c.233 (C.54:4-3.121 et. seq.)

The Borough Council has taken the first steps in this process by adopting a resolution titled "Resolution Referring Study of B-3 Zone to Borough's Combined Planning Board" and dated June 14, 2017 (Appendix) requested that the Combined Planning Board conduct a public hearing and make recommendations.

4.0 Relationship to Local Objectives

In the review of the AIN determination, it is important for the Planning Board to give consideration to the Borough's planning documents. The Master Plan and Reexamination Report are the relevant documents as they provide the basis for the long range planning and zoning efforts for the Borough. The information provided in these documents provides insight into the area with both specific and general recommendations.

In short, these documents reveal a decade-long conversation as to the need for improvements and/or rezoning in the B-3 zone. Within these documents, recommendations specifically for redevelopment lead to and fully support this Area in Need of Rehabilitation Study.

4.1 2007 Planning Report – Study of B-3 Zone

In 2007, the planning firm of Phillips Preiss Shapiro Associates, Inc. was retained to undertake an analysis of the B-3 Zone with the ultimate objective of setting forth recommendations designed to stimulate appropriate redevelopment in this district.

Ultimately the report recommends improved buffers and landscaping along Sylvan Avenue in an effort to establish a consistent streetscape, coupled with a maximum impervious coverage standard in order to further stress the importance of landscaping and greenery. More basic zoning adjustments, such as an expanded list of permitted uses, an increase in permitted lot size, and an FAR incentive are also suggested.

The report went on to identify redevelopment opportunities found through lot consolidation and/or cooperation, which would enhance development potential and simplify circulation.

4.2 2009 Master Plan Reexamination Report

The 2009 Master Plan Reexamination Report makes several statements which relate to this Area.

As it pertains to the maintenance and enhancement of "established neighborhood areas," the encouragement of high quality development of "the limited undeveloped areas of the Borough," and in an effort to "upgrade and improve the business areas of the community," the report notes that:

> *"The Borough of Englewood Cliffs has, in recent years, evaluated conditions along the Sylvan Avenue corridor. Studies of this corridor were performed and identified land use concerns that included the appropriateness of the existing development, the adequacy of currently [sic] land use regulations, and recommended changes in these regulations to improve the aesthetics and functionality of the corridor."*

It goes on to say that,

> *"Based on analysis of existing conditions and current zone standards for properties within the Sylvan Avenue corridor, certain actions are recommended to address land use concerns and to strengthen the existing zoning along this thoroughfare.*

Making these recommended changes will continue to promote the Borough's Master Plan goals of upgrading and improving the municipality's business areas. It is further recommended that the zoning ordinance and map be amended to reflect this master plan amendment."

The Reexamination Report also recommends specific changes to the B-3 zone, including but not limited to:

- Create opportunities for new limited retail commercial development within the district.
- Improve traffic flow and seek to reduce the number of curb cuts along Sylvan Avenue.
- Establish zoning incentives that encourage:
  - Redevelopment and/or rehabilitation of properties;
  - Consolidation of contiguous lots under common ownership;
  - Shared access and parking.
- Modify the zoning regulations in order to foster a unified streetscape and parking scenario while at the same time encouraging redevelopment within the district.
- Require front yard landscaping and limit the amount of impervious surfaces in the front yards.
- Require parking in the rear of the property; no parking should be permitted in the front yard.

4.3 2013 Land Use Plan Element – B-3 Zoning District Study

In 2013, the planning firm of Burgis Associates was retained to conduct a study of the existing land uses in the B-3 Business District, and provide planning, zoning and design recommendations to revitalize and encourage investment in the B-3 District properties.

Among the recommendations set forth in this report are traffic calming measures, increased diversity of permitted uses, improved connectivity within and between parking areas, added on-street parking on Sylvan Avenue, a unified streetscape design with landscaping improvements, safer pedestrian crossings, and the possibility of a public space.

4.4 2015 Study of "B-3" Zone Along Sylvan Avenue

In response to the LG approval just north of this Rehabilitation Study Area, Englewood Cliffs retained a planning firm (Phillips Preiss Grygiel LLC) to study the future of the B-3 zone and what steps could be taken to improve the Area. Specifically, this report was tasked "to undertake an in-depth investigation of the "B-3" zone with the ultimate objective of developing a series of recommendations designed to stimulate appropriate redevelopment in this district."

The thrust of the report is that the B-3 Special Retail zone is not being utilized to its potential. The report identifies that "one of the problems with the current zoning is that it is providing little or no incentive for property owners to redevelop their properties." The zoning was intended to "stimulate conversions of residential structures to retail use," although access and parking issues preclude this in some cases.

The report recommends, among other things, eliminating the maximum lot area requirement of 10,000 square feet, and that an FAR standard be enacted to incentivize development. A maximum impervious coverage requirement should be enacted to facilitate efforts on the part of the Borough to more effectively manage stormwater as well as beautify the corridor. And, the report recommends lowering the retail parking standard, while encouraging shared parking, especially on contiguous lots.

The report also recommends expanding the permitted uses along the corridor as well as eliminating the maximum floor area limits, promoting a unified streetscape plan, and increasing parking/improving circulation in the area.

5.0 Engineering Analysis

The Study Area was evaluated by the Planning Board's consulting engineer. This evaluation is important as this AIN study and any future designation is based on an evaluation of the infrastructure and any resulting determination that may satisfy the rehabilitation criteria.

It has been determined that the water and sewer infrastructure in the area is more than fifty years old, as affirmed in the engineering letter provided in the Appendix of this report. As such, the area qualifies as "In Need of Rehabilitation," as reiterated in Section 6.0 below.

6.0 Evaluation for Conformance with Area in Need of Rehabilitation Criteria

6.1 Study Methodology

The analysis of the Study Area included review of tax records, physical inspection and review of information from the Planning Department, as well as discussions with the consulting engineer, Andy Hipolit, PE, PP, CME.

6.2 Study Conclusions & Recommendation

The analysis finds that the Study Area is an area in need of rehabilitation based on the following findings presented in the report and as set forth in N.J.S.A. 40A:12A-14a(6).:

- The majority of the water and sewer infrastructure in the delineated area far exceeds the minimum infrastructure age of 50 years old and is in need of repair or substantial maintenance.

7.0 Appendix

7.1 Engineering Letter

MASER CONSULTING P.A.

Engineers
Planners
Surveyors
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Environmental Scientists

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MEMORANDUM

To: **Englewood Cliffs Planning Board**

From: **Andrew R. Hipolit, P.E., P.P., C.M.E., Planning Board Engineer**

Date: **July 11, 2017**

Re: **Area In Need of Rehabilitation**
Existing Water and Sanitary Sewer Study
Borough of Englewood Cliffs, Bergen County, New Jersey
MC Project No. ECP-109

Information Sources

This report is based on information obtained from the following sources:

a. Telephone conversation with Elizabeth Kenyon of Suez, on June 29, 2017;
b. Site visits of the Study Area, conducted on June 29, 2017;
c. Review of Sanitary Sewer System Mapping, dated March 1964, provided by Englewood Cliffs Department of Public Works (Photos #1A & 1B)

Description of Existing Sanitary Sewer Utility

Maser Consulting has reviewed the information available, as of June 29, 2017, for the existing sanitary sewer system within the Study Area. The Following information is based on our review:

- The sanitary sewer infrastructure is located on Sylvan Avenue.

- The Sanitary Sewer System Map, dated 1964, depicts the existing Sanitary Sewer along Sylvan Avenue between West Bayview Ave and the Fort Lee border (see Photos #1A & 1B)

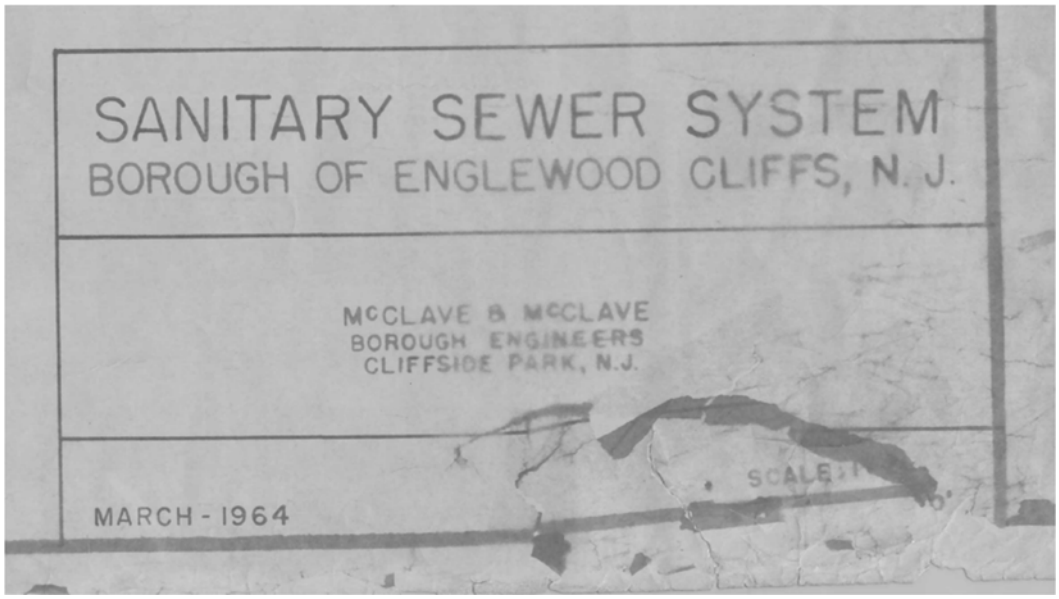


Photo #1A: Title block of Sanitary Sewer System Map, dated March 1964

Photo #1B: Area of Sylvan Avenue to Fort Lee border

- Based on a site visit, discussion with the DPW Manager, and review of the Borough Sanitary Sewer Maps dated 1964, the Sanitary Sewer main in Sylvan Avenue and in the B-3 Zone is at least 53 years old.

Description of Existing Water Utility

Maser Consulting has reviewed the information available, as of July 6, 2017, for the existing potable water system within the Study Area. The Following information is based on our review:

- The water utility infrastructure is located on Sylvan Avenue
- The water main was constructed in 1890 as confirmed by Elizabeth Kenyon from Suez. Photo #1 depicts Suez's Water Main Documentation System, showing an installation date of 1/1/1890. Based on the review of the items outlined in this memo the Water Main in the B-3 Zone of Sylvan Avenue is 127 years old (see Photo #2)

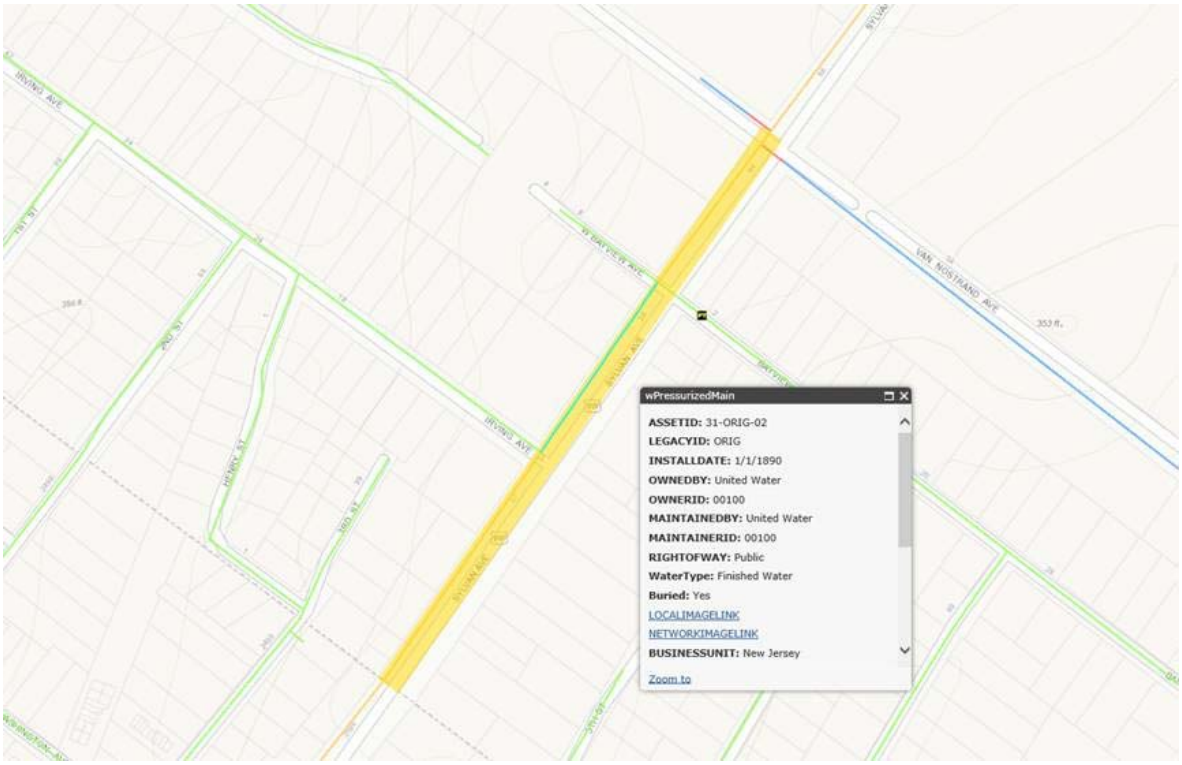


Photo #2: Suez Water Main Documentation System

7.2 **Resolution**

	MOTION	SECOND	YES	NO	ABSTAIN	RECUSE	ABSENT
AVERSA			✓				
E.PARK			✓				
OH			✓				
MCMORROW		✓	✓				
M. PARK	✓		✓				
WOO			✓				
MAYOR (TIE)							

BOROUGH OF ENGLEWOOD CLIFFS
BERGEN COUNTY, NEW JERSEY

RESOLUTION 17-120

RESOLUTION REFERRING STUDY OF B-3 ZONE TO BOROUGH'S COMBINED PLANNING BOARD

WHEREAS, the Borough of Englewood Cliffs desires to study methods and means for improvement to the real property, character and community of the B-3 zone within the Borough; and,

WHEREAS, the Borough included monies for the study of the B-3 Zone and reports thereto by the Borough's Planning Board and Borough and Board professionals; and,

WHEREAS, the Borough's Planning Board and its Master Plan Committee have begun the study of the B-3 Zone; and,

WHEREAS, the Planning Board Chairman has made request of the Governing Body for formal referral of the study to the Planning Board, which will produce such reports and receive such presentation and public comment as they require to undertake the study and to make recommendations to the Governing Body; and,

WHEREAS, the Mayor and Council held discussion of same at the regular Council meeting of June 14, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Englewood Cliffs, that the matter of study of the B-3 zone is referred to the Borough's combined Planning Board for undertaking of such studies, presentations and commentary as it determines is necessary so as to provide its recommendations to the Mayor and Council for improvement to the zone; and,

FURTHER RESOLVED, that the Planning Board is authorized to include the consideration of a designation of the B-3 zone as "An Area in Need of Rehabilitation" under the Redevelopment and Housing Law (the RHL), *N.J.S.A.* 40A:12A-1 et seq.

APPROVED by above Vote at the Council Meeting June 14, 2017.

BOROUGH OF ENGLEWOOD CLIFFS

By: _____
Mayor Mario M. Kranjac

Date signed: June 14, 2017

I certify that the foregoing is a true copy of a resolution adopted by the Mayor and Council of the Borough of Englewood Cliffs on June 14, 2017.

_____
Lisette M. Duffy, RMC, Borough Clerk

Date signed: June 14, 2017

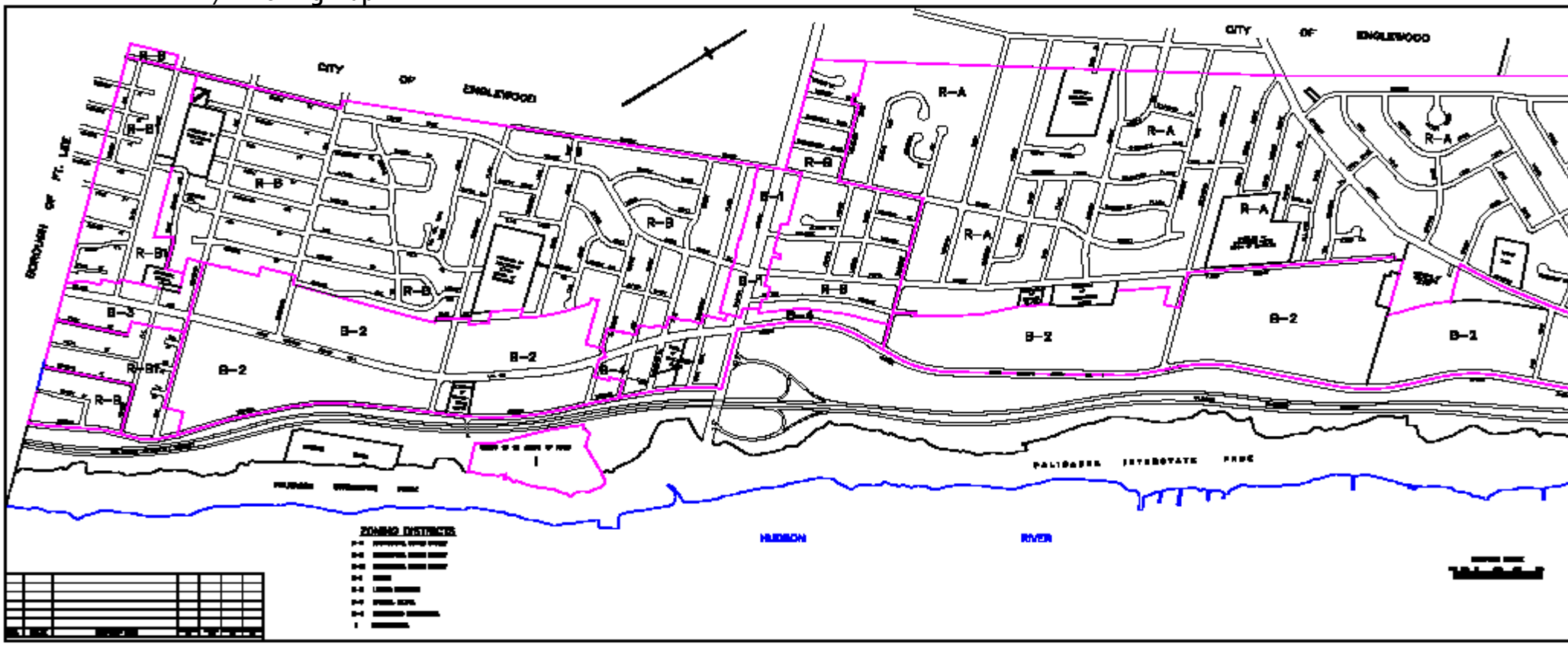
7.3 Area Map

HENRY ST
R-B
IRVING ST
W. BAYVIEW AVE
3RD ST
VAN NOSTRAND AVE
9W
B-3
E. BAYVIEW AVE
R-B1
5TH ST
AERIAL
BOROUGH OF ENGLEWOOD CLIFFS
BERGEN COUNTY NEW JERSEY
Legend
Study Area/B-3 Zone
Municipal Border
0 70 140
Feet
1 inch = 140 feet
This map was developed using NJDEP and County GIS digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.
MASER CONSULTING P.A.
June 2017

7.4 Select area photographs

7.5 List of Properties

address	block	lot	owner	date of construction	value			%	size	use
					land	improvement	total			
44 Sylvan Ave	131	1	SYL ASSOCIATES, LLC	N/A	$1,247,400	$2,252,600	$3,500,000	64	33,916	office, retail service
126 Van Nostrand Ave		5	LAW (ETAL), SING WU	N/A	$634,400	$284,600	$919,000	31	8,580	office, retail service
33 Sylvan Ave	132	1	MIA TERRA REALTY CORP	1918	$615,000	$220,300	$835,300	26	4,750	retail service (loans)
31 Sylvan Ave		2	NATALINA REALTY CORP	1950	$785,700	$516,600	$1,302,300	40	13,379	service
W Bayview Ave		3	RONMAR PROPERTY MGMT LLC	N/A	$487,500	$0	$487,500	0	7,500	parking
38 Sylvan Ave		6	KOENIG,GUENTER & ANNELIESE	N/A	$1,527,000	$971,200	$2,489,200	39	25,350	retail service (salon)
21 Sylvan Ave	127	20.01	RONMAR PROPTY MGMT LLC	N/A	$1,986,400	$0	$1,986,400	0	30,260	daycare
19 Sylvan Ave	134	2	19 SYLVAN AVENUE LLC	1930	$1,095,600	$481,400	$1,577,000	31	18,624	retail sales
11 Sylvan Ave		3	NEOTO CORP	1930	$1,564,500	$465,100	$2,029,600	23	21,875	vacant
7 Sylvan Ave		4	RICHMONDN& SON MANAGEMENT CORP	N/A	$759,100	$440,900	$1,200,000	37	7,079	med office
3 Sylvan Ave		6	K.B. & B.B. CORP	1918	$486,300	$499,000	$985,300	51	2,537	med office
1 Sylvan Ave		7	ONE SYLVAN AVENUE LLC	1972	$463,200	$310,700	$773,900	40	2,107	gym, unknown above
2 Fifth St	201	1	2 FIFTH STREET ASSOCIATES LLC	N/A	$661,500	$0	$661,500	0	11,025	vacant
2 Sylvan Ave		2	2 SYLVAN ASSOCIATES LLC	1927	$607,500	$438,100	$1,045,600	42	10,125	retail sales
6 Sylvan Ave		3	ALAN REALTY MANAGEMENT LLC	N/A	$1,085,000	$955,000	$2,040,000	47	18,084	office
8 Sylvan Ave		4	WOO SHIN REALTY CORPORATION	1941	$258,300	$324,500	$600,800	57	4,270	vacant
10 Sylvan Ave		5	WOO SHIN REALTY CORPORATION	1960	$292,800	$470,300	$763,100	62	4,880	retail service (salon)
8 Fifth St		6	R & A LLC	N/A	$597,200	$0	$597,200	0	10,725	parking
12 Sylvan Ave		7	R & A LLC	1970	$795,000	$407,800	$1,202,800	34	13,150	retail service (salon)
14 Sylvan Ave		8	14 SYLVAN AVENUE, L.L.C.	1923	$780,000	$521,300	$1,301,300	40	13,000	restaurant
18 Sylvan Ave		9	18 SYLVAN ASSOC.	1940	$1,160,500	$189,500	$1,355,000	14	19,304	restaurant
20 Sylvan Ave		10	20 SYLVAN AVE LLC	1918	$1,120,500	$71,500	$1,192,000	6	18,675	vacant
22 Sylvan Ave		11	24 SYLVAN AVE ASSOC LLC	1903	$548,300	$300,900	$849,200	35	9,139	residential
24 Sylvan Ave		12	CIOFFI, JOSEPH & DORIS	1894	$246,400	$155,200	$401,600	39	4,070	TBD
24B Sylvan Ave		13	24-B SYLVAN AVE LLC	N/A	$299,700	$0	$299,700	0	4,958	vacant / rear
28 Sylvan Ave		14	28 SYLVAN AVE LLC	1905	$1,674,200	$75,800	$1,750,000	4	34,560	vacant / house rehab
30 Sylvan Ave	205	1	CIOFFI, JOSEPH JR	1905	$402,000	$523,000	$925,000	57	6,700	retail service (alarms)
32 Sylvan Ave		2	2 SYLVAN AVE LLC	1912	$252,000	$186,300	$438,300	43	4,200	vacant
34 Sylvan Ave		3	ATTANASI,LISA ANNE	N/A	$252,000	$247,000	$499,000	49	4,150	med office (vet)
4 Bayview Ave		4	32 SYLVAN AVE LLC	1915	$300,000	$3,900	$303,900	1	5,000	garage
35 Sylvan Ave	206	1	35 SYLVAN CORP	N/A	$371,300	$430,500	$801,800	54	4,950	retail sales & service, & gasoline
1 Bayview Ave		2	NIKOLAIDAS, D & H, & KLIDAS, T & E	1920	$450,000	$118,600	$568,600	21	7,500	residential
3 Bayview Ave		3	KIM,AE YOUNG	1966	$427,500	$187,900	$615,400	31	7,500	residential
41 Sylvan Ave		26	SYLVAN PLAZA LLC	N/A	$885,600	$1,622,200	$2,507,800	65	14,640	mixed use - retail sales, service, med ofc

* N/A - not available

7.6 Zoning Map