

MEADTOWN THEATER

BLOCK 45301 LOT 102

BOROUGH OF KINNELON NJ
DECEMBER 5, 2024

NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT INVESTIGATION

HEARING PURPOSE:

Does Block 45301, Lot 102, the former Meadtown Theater site, meet the criteria for designation as a Non-condemnation Area in Need of Redevelopment?

INTRODUCTION – STUDY AREA OVERVIEW

- Block 45301, Lot 102
- 2.6 +/- acres
- Adjacent to the Butler Borough municipal boundary
- Frontage on Kakeout Rd. (no access)
- Rear of shopping center
- Access to Route 23 via Block 54, Lot 1.03
- Near fully developed



STATUTORY AUTHORITY & PROCESS

1. The Governing Body authorizes an Investigation
 - Resolution: 6.17.24, adopted June 20, 2024
2. The Planning Board prepares a map of the Study Area.
3. The Planning Board conducts the Investigation and holds a Public Hearing.
4. The Planning Board makes a recommendation, and the Governing Body may adopt a Resolution designating the Study Area as An Area in Need of Redevelopment.
5. The Planning Board or Governing Body authorizes the preparation of a Redevelopment Plan.
6. The Governing Body adopts the Redevelopment Plan after referral to the Planning Board and a Public Hearing.

POWERS GRANTED UNDER THE LRHL

- Redevelopment plan adoption – may establish stronger zoning parameters than otherwise permitted
- Land acquisition
- Long-term tax abatements and exemptions
- Area clearance for site improvements
- Negotiation and execution of contracts with private developers and/or public agencies
- Making loans to developers
- Entering properties for investigations/surveys
- Relocation contracting

STUDY AREA DESCRIPTION

- 2.6 +/- acres
- Former theater building
- 157 parking spaces
 - 30 leased to NJDOT
- Functions as one site with adjacent lot in Butler (54 / 1.03)
 - Shared access
 - Shared parking
- Kakeout Rd. frontage
 - No access



STUDY AREA DESCRIPTION

- Env. constraints
 - .446 ac. steep slopes
- Restricted Commercial Zone District
- Highlands Preservation Area, Existing Community Zone
- NJ Transit bus stop northwest of site
 - 750 feet from building



STUDY AREA DESCRIPTION – FORMER THEATER

- 5,084 square feet
- Constructed in early 1970s
- Vacant since 2013
- Use variances granted in 2021 & 2022
 - Neither were implemented



REDEVELOPMENT CRITERIA

- 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.
- 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 building 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.
- 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.
- 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**.
- 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**.

REDEVELOPMENT CRITERIA

- f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been **destroyed, consumed by fire, demolished, or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty** in such a way that the aggregate assessed value of the area has been materially depreciated.
- g) In any municipality in which an **enterprise zone** has been designated pursuant to the “New Jersey Urban Enterprise Zones Act,” P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.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.
- h) The designation of the delineated area is **consistent with smart growth planning principles** adopted pursuant to law or regulation.

In addition to the above criteria, the LRHL states:

A redevelopment area may include lands, 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:12-3)

CRITERIA APPLICABLE TO THE STUDY AREA

- 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 building 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.
- 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.
- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

CRITERION B - VACANCY

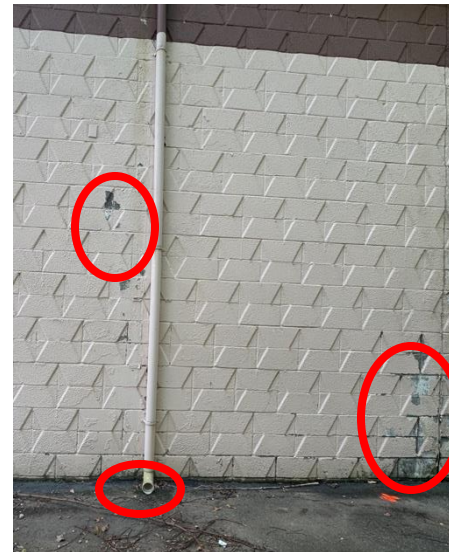
- Vacant for more than 10 years
 - Property condition report
 - Cinema Treasures Article
 - Use variance resolutions (2021, 2022)
 - Site visit
- The building remains vacant despite two land use approvals
- Lack of permits or certificates for the last 10 years.
- \$74,000 decrease in improvement value since 2001



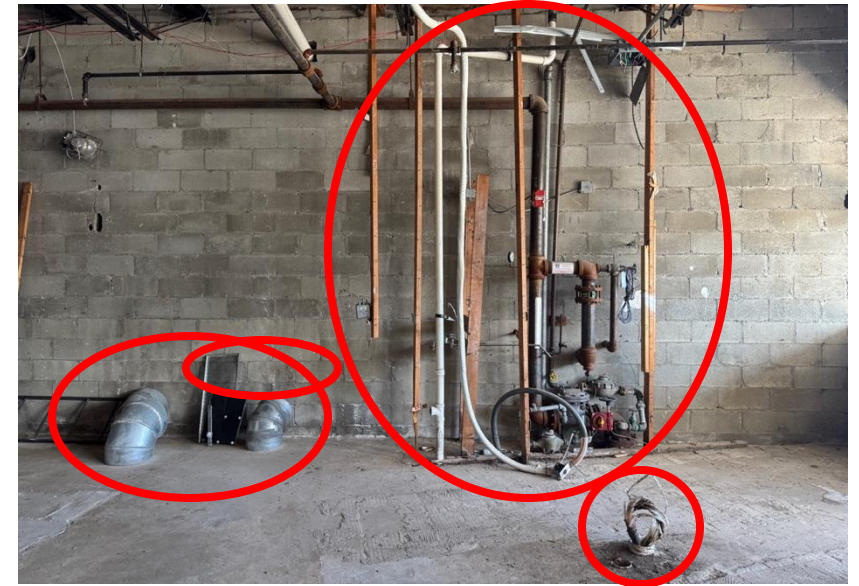
Above: Building interior in a state of vacancy.

CRITERION B – GREAT STATE OF DISREPAIR

- State of disrepair:
 - Exposed pipes and wires,
 - Broken window and graffiti,
 - Trash and debris, and
 - Unconnected gutters which empty to the parking lot without collection.



Above : Northern side of building loss of masonry and holes, rust and deterioration of the exterior door, graffiti, and a gutter which empties to the parking lot without collection.



Above: Exposed pipes and wires, as well as trash.



Above: Graffiti, exposed wires, dilapidated wall condition and graffiti (graphic graffiti has been redacted).

CRITERION B - GREAT STATE OF DISREPAIR



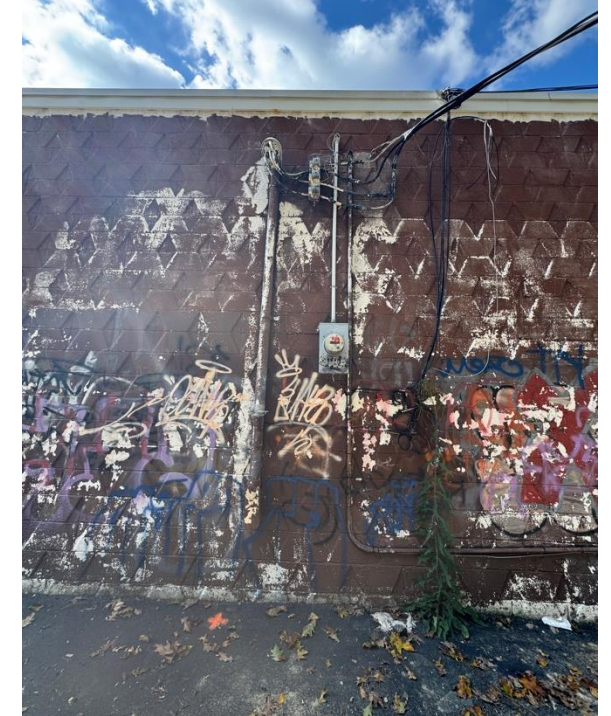
Left: Northern side of building with masonry loss and holes in the building exterior, as well as a gutter which empties to parking lot without collection.



Above: Trash and debris remaining in building.



Above: Unconnected and hanging lights, exposed wires, and trash.



Left: Rear wall with significant graffiti.

CRITERION D – OBSOLESCENCE & FAULTY ARRANGEMENT/DESIGN

- Setback from Route 23 provides minimal visibility
 - 450 +/- feet



CRITERION D – OBSOLESCENCE & FAULTY ARRANGEMENT/DESIGN

- Building configuration
 - Few windows and does not have the size or configuration typical for modern commercial uses
- Lack of stormwater detention/retention or pervious areas to mitigate stormwater runoff



Rear of building, facing west.



Above: Parking lot in poor condition with no stormwater detention/retention.

CRITERION D - DILAPIDATION

- Exterior wall dilapidation with missing masonry and holes, as well as other dilapidated conditions



Above Front railing in need of replacement



Above: Front and southern side of building with missing masonry and holes in the exterior wall.

- Interior wall dilapidation with missing masonry and holes



Above: Rear and northern side of building with extensive graffiti, missing masonry and deterioration of the exterior door.



Above: Holes in the building interior wall.

CRITERION D – ATTRACTIVE NUISANCE

- Break-ins & graffiti
- Detrimental to safety, health, morals, or welfare of the community:
 - Exposed pipes and wires
 - Graffiti
 - Trash and debris
 - Collapsed planters and railings in need of replacement



Left: Building front, facing south, with dents and a collapsed planter bed.



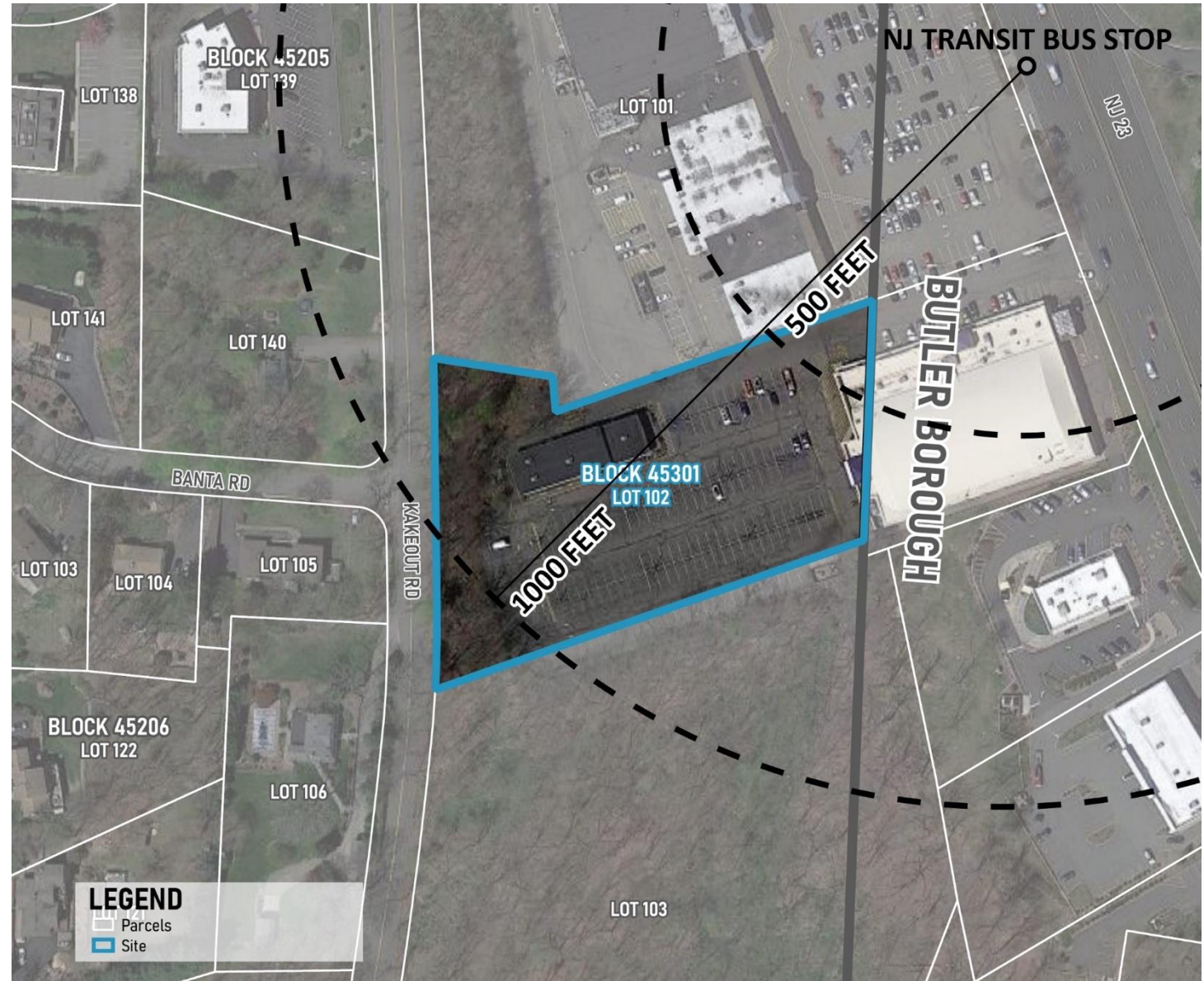
Above Graffiti on northern side exterior door



Above Graffiti on the interior building walls (graphic graffiti redacted).

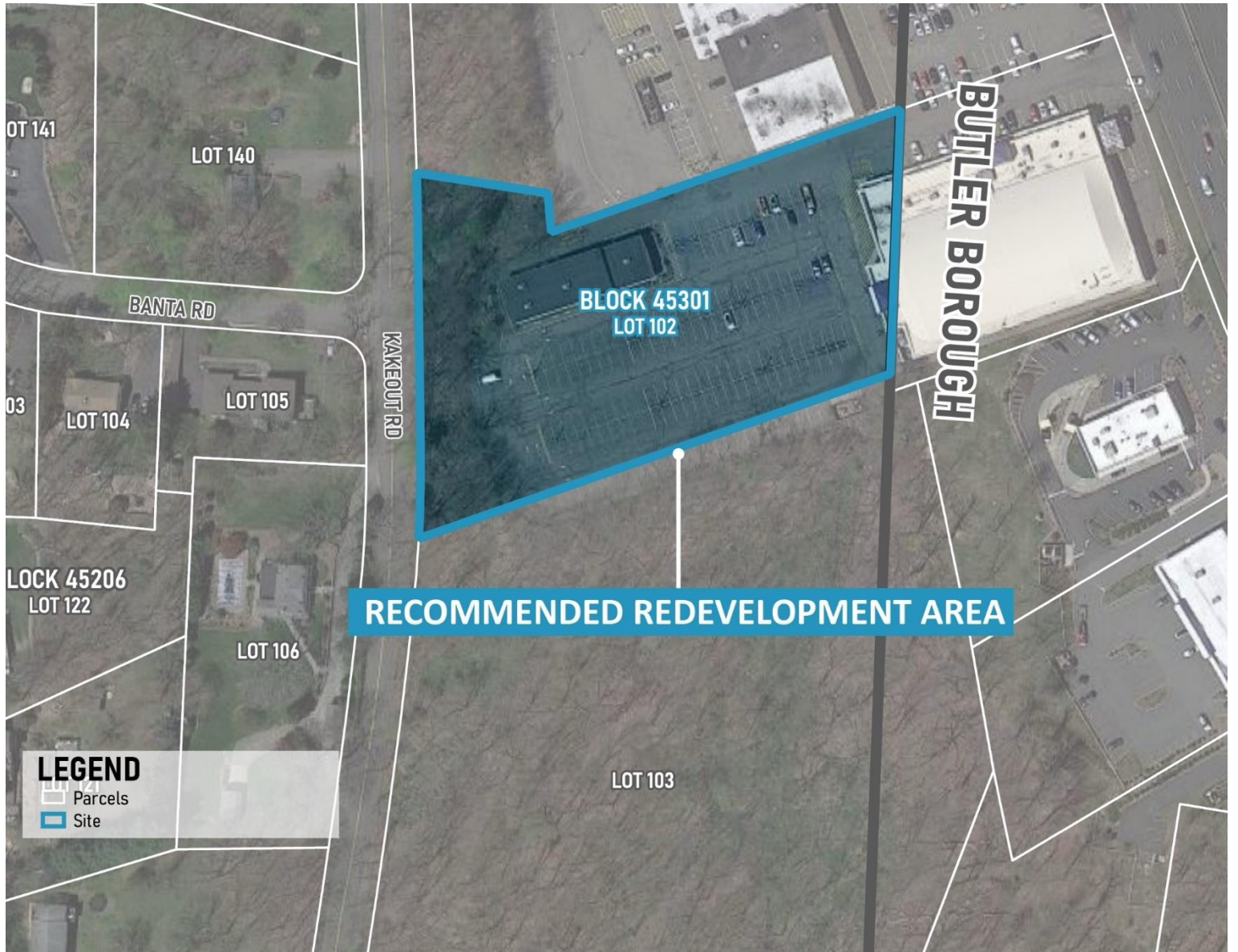
CRITERION H – SMART GROWTH

- Near fully developed
- Within 1000 feet of NJ Transit Bus Stop
- Highlands RMP Goals and Policies promote redevelopment such sites
 - Highlands Preservation Area, Existing Community Zone
- Near fully developed
- Served by transit, road, water, sewer infrastructure



RECOMMENDATION

- Block 45301, Lot 102 meets criteria:
 - B,
 - D, and
 - H
- Designate the Study Area a non-condemnation Area in Need of Redevelopment



THANK YOU!

QUESTIONS?