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**Changing Places: The Tips and Traps of Converting
Existing Projects to a Different and New Use**

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I. Introduction.

As the U.S. economy continues to shift – primarily the result of advances in technology – traditional buildings that served as landmarks in the community have begun a decline to functional obsolescence. In other words, the once crowded shopping mall that functioned as the town square or the local factory that served as a pillar of the regional economy cease to exist and be profitable because they have become financially uncompetitive, or their original use is no longer viable in the current economic climate. These closures not only result in unemployment, but may also contribute to urban decay, declining property values, and lower tax revenues. In addition to these economic consequences, the vacant, deteriorating structures remain a visible and painful reminder of a community’s once prosperous past. In many cases, these obsolete buildings remain vacant for decades. Something must be done to revitalize the community and address these aging structures.

In recent years, many of these dated structures have been given a second life through the process commonly known as “adaptive reuse.” Through creative design and engineering, these once obsolete structures are being repurposed for a multitude of uses. For example, abandoned factories are being turned into apartment complexes and vacant shopping malls are being transformed into public health and wellness centers. The possibilities for these projects are only limited by the imaginations of the relevant stakeholders. More importantly, the adaptive reuse of these structures not only eliminates blight, but it may also serve as an economic driver for the surrounding community.

This paper is intended to answer the question – what is adaptive reuse? First, we seek to define the phrase itself. Second, we discuss the economic, social, and environmental benefits associated with adaptive reuse projects. Third, we review important considerations for adaptive

reuse projects. Finally, we provide two current examples of ongoing adaptive reuse projects and offer readers some important and practical takeaways to consider when dealing with these types of projects.

II. What is Adaptive Reuse?

The phrase “adaptive reuse” is thought to have first entered our lexicon in the mid-1970s, primarily in response to the “clean-sweep” planning concept that took hold in the early to mid-twentieth century. This planning concept, the theory that all new construction should begin with a clean slate, would quickly fall out of favor because of rising energy costs and staunch opposition from conservation and environmental movements. The industry began to focus on saving and transforming pre-existing buildings. This concept has come to be known as “adaptive reuse,”¹ which has been broadly defined as “any building work and intervention to change its capacity, function or performance to adjust, reuse or upgrade a building to suit new conditions or requirements.” An adaptive reuse project can be as complex as transforming an abandoned factory into a mixed-use development or as simple as converting a building with rental units into a condominium through the recording of certain documents. Simply stated, adaptive reuse is the revitalization and reuse of a building that has outlived its original purpose, due to obsolescence or redundancy. Thus, adaptive reuse is a means of repurposing obsolete buildings for the benefit of multiple stakeholders, including the property owner, the surrounding properties and community, local and state governments, and, most importantly, the public.

Although most adaptive reuse projects concern buildings, some of the most innovative projects transform outdated or unused infrastructure into community features. For example, New York City’s High Line is a public park built on a historic freight rail line elevated above the streets on Manhattan’s West Side. The rail line was saved from demolition by neighborhood

residents and transformed into a hybrid public space where visitors experience nature, art, and design.

III. Adaptive Reuse vs. Historic Preservation.

Although similar concepts, adaptive reuse differs from historic preservation. Historic preservation is commonly defined as the “act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.”² Conversely, adaptive reuse of a building provides greater autonomy to permit preservation of a portion of the building’s identity, while also incorporating new components unrelated to the original intended use.

The renovation of Congress Hall in Cape May, New Jersey is a prime example of the historic preservation of a building. Originally constructed in 1816, Congress Hall was a seasonal destination for over a century. Located, at the time, in the nation’s foremost seaside resort, Congress Hall attracted visitors from Philadelphia, New York, Baltimore, and Washington, D.C., even hosting four United States Presidents during the 1800s.³

By the 1990s, the hotel had been rendered functionally obsolete, suffering from original design flaws, structural damage, and years of deferred maintenance. The property was purchased out of bankruptcy in 1995, which would ultimately prove to be the necessary catalyst to restore this once proud landmark to its national prominence. The restoration of Congress Hall included the painstaking cleaning and reinstallation of approximately 158,000 original bricks, the installation of 11 miles of new plumbing and 47 miles of new wiring throughout the interior, the replacement of approximately 18,000 slate shingles on the hotel’s roof, the incorporation of 70

tons of structural steel to support the building's decaying wooden support beams, and the reconstruction of the hotel's 55 signature, exterior yellow columns. In total, the restoration of Congress Hall took over seven years and \$25 million dollars to complete.⁴

Today, the refurbished hotel has established itself as a prime destination for families, offering two on-site restaurants, several gift shops and boutiques, two swimming pools, and a spa.



A photo of Congress Hall, Cape May, New Jersey, after historic preservation.

Source: Congress Hall

Despite these modern-day luxuries, Congress Hall, through historic preservation, has preserved many of the building's original components that made it a historical landmark.

IV. Benefits Contributing to the Rise in Popularity of Adaptive Reuse.

Adaptive reuse itself offers various advantages, such as economic, social, and environmental benefits.

A. Economic Benefits

The economic benefits derived from an adaptive reuse project flow directly to the property owner and the public. For the property owner, the economic benefits are found in lower material and labor costs, and shorter construction times as compared to new construction. It has been estimated that rehabilitation projects such as those utilizing adaptive reuse cost

approximately 16% less in construction costs and have an 18% shorter construction period.⁵ This is mainly due to structural materials already being in place, and expensive problems such as asbestos removal and foundation subsidence are avoided. The embodied energy savings from not demolishing a building also play a part economically. As mentioned earlier, embodied energy can represent 20-30% of a building's energy use over its lifetime.⁶ Removing this energy use from the construction phase translates into economic savings by avoiding associated energy costs.⁷

In addition to lower construction costs, property owners can benefit from federal and state governments support of preservation activities through tax incentive programs and specialized financing. For example, the Federal Rehabilitation Investment Tax Credit (RITC), administered by the United States Department of Interior and the Department of Treasury, encourages adaptive reuse of historic structures through tax credits. Under the RITC, a 20% tax credit is available for the rehabilitation and use of certified historic structures that are used for income producing purposes. The RITC was a critical factor in the rehabilitation of the 1930s-era art deco Indianapolis Coca-Cola Bottling Plant. The reuse of the plant is part of a larger, \$300 million, 12-acre mixed-use development in Indianapolis' Massachusetts Avenue Commercial Historic District.⁸

The public also stands to benefit from the repurposing of vacant structures within the community. An adaptive reuse project is labor intensive, thus creating well-paying jobs during the construction phase. For example, one report found labor makes up 50% of costs of new construction, while on adaptive reuse projects this figure is 60-70%.⁹ Furthermore, the repurposed building, once completed, will likely provide long-term positions for local members of the community. The public benefits, however, are not limited just to jobs. Rather, the

transformation of a once vacant building into a productive part of the community will reverberate throughout the surrounding area. A 2009 study found that the value of properties located near redeveloped brownfield increased 11.4% as a result of the redevelopment.¹⁰

As is often the case, buildings no longer needed for their original purpose most often become dilapidated and vacant. These once productive properties have now become a source of blight for cities; their association with crime, increased risk to health and welfare, plunging property values, and escalating municipal costs make them problems in and of themselves, contributing to overall community decline and disinvestment that were once critical.¹¹ Local governments bear the cost of maintaining, administering, and demolishing vacant and abandoned properties as well as servicing them with police and fire protection and public infrastructure. One study calculated that the city of Philadelphia spends more than \$20 million annually to maintain some 40,000 vacant properties, which cost a conservatively estimated \$5 million per year in lost tax revenue to the city and school district.¹² Through adaptive reuse, vacant buildings, and their negative impact on the quality of life, can be removed from our communities.

The repurposed building may eliminate crime, create new employment opportunities for local citizens and revitalize surrounding retail and restaurants. An example of these benefits can be seen in the adaptive reuse of the Schmidt's Brewery in Philadelphia, Pennsylvania. For over 20 years, the Schmidt's Brewery sat vacant in the Northern Liberties section of Philadelphia. However, in 2009 the brewery was transformed into the Piazza at Schmidt's, which consists of multiple restaurants, office space and residential apartments. The benefits were not restricted to the Piazza property, the adaptive reuse of the Schmidt's Brewery is credited, in-part, with reviving this section of Philadelphia.

B. Social Benefits

The repurposing of a vacant and underutilized building may result in significant social benefits, including job creation, eradication of blight, crime reduction, and creation of a “sense of place” for those in the community. An adaptive reuse project may connect the present to the past, and also create a sense of place for those in the community. Thus, repurposing of obsolete structures provides social benefits that would otherwise not be available were the building to remain vacant or be demolished. Furthermore, by reducing the amount of ruined or unused buildings through adaptive reuse projects, crime is likely to be reduced within the neighborhood, thus creating a better social life for members of the community.

The social benefits of adaptive reuses are sometimes felt most from smaller projects. In Riverton, New Jersey, an existing industrial lot located adjacent to the Borough’s main street business district and a River Line Light Rail station, is being repurposed into a craft brewery and tasting room with indoor and outdoor seating.

The 0.986 +/- acre site contained a five-bay brick industrial building and a large gravel parking lot, historically used for the pre-existing non-confirming use of storage and service of commercial vehicles and other heavy industrial equipment. The site was zoned for business and commercial uses, more consistent with the main street businesses in the immediate area. When a prospective tenant for dumpster storage and hauling operations failed to receive a use variance, a local entrepreneur looking for a location for his craft brewery jumped on the opportunity.

Brewery Thirty-Three developed a site plan utilizing the building’s existing footprint to house its brewing equipment, bottling and canning operations, and tasting room. The brewery also utilized the expansive parking lot to support outdoor seating, while providing ample parking.



The walkable nature of Riverton’s main street business district, along with the proximity of a light rail station across the street, allows for both transit-oriented development and park-once visits that create an environment uniquely suitable for businesses such as a craft brewery.

Many New Jersey towns have welcomed craft breweries, as nearby restaurants and retail shops benefit from increased foot traffic both from locals and brewery tourists visiting their tasting rooms. Since craft breweries are often designed to highlight the characteristics of their respective communities, they quickly become an integral part of a community’s social fabric.

Because of this, the proximity of a neighboring residential district to Brewery Thirty-Three was seen by residents as a benefit and an attraction, in stark contrast to the prior industrial use. Brewery Thirty-Three will serve as the local hot-spot for public and private events, and fills a gap in Riverton’s otherwise quaint yet vibrant business district. The site will also be significantly improved by landscaping, removal of chain linked fencing, and facade improvements, and will integrate seamlessly into the Borough’s existing business district.



Side-by-side comparison of the project.

C. Environmental Benefits

In addition to economic and social benefits, adaptive reuse projects yield environmental benefits. Most notably, adaptive reuse is less burdensome on the environment compared to demolition and new construction. This remains true even for a newly constructed, energy efficient building. A 2017 study by Assefa & Ambler found that adaptive reuse can lower environmental impacts in multiple categories such as fossil fuel consumption and global warming potential by 20-41%. The Preservation Green Lab at the National Trust for Historic Preservation published a study concluding that it would take between 10 to 80 years for a new building, which is 30% more efficient than an average-performing, existing building, to overcome the negative impact of new construction to the climate.¹³

Moreover, the repurposing of structures keeps building material out of the landfill, thus preserving the energy and carbon that was devoted to originally producing these structures. This concept is known as embodied energy, which has been defined as “the energy consumed by all of the processes associated with the production of a building, from the acquisition of natural resources to product delivery, including mining, manufacturing of materials and equipment,

transport and administrative functions.”¹⁴ A 2007 study found that embodied energy can comprise 20-30% of a building’s primary energy use over a 40-50 year life cycle¹⁵, and some estimates can put this figure as high as 70% for some buildings.¹⁶ Moreover, according to the Department of Housing and Urban Development (HUD), construction and building account for approximately 136 million tons of waste annually, nearly half of which is generated by the demolition of buildings.¹⁷

V. Important Considerations and Challenges.

A. Unforeseen Environmental Contamination

The presence of contamination can be a significant barrier to the adaptive reuse of an existing structure, both in terms of added costs and liability. The contaminated components and hazardous materials of old buildings need to be assessed on an individual basis. Things like asbestos, lead paint, and mold are often discovered during the renovation process. The uncertainty that these contaminants may be located on the property, and discovered during construction, has a big effect on any potential investment in this type of property.¹⁸

B. Incorrect or Non-Existent Records

The incomplete or non-existent construction plans and drawings for older structures can prove to be an obstacle for any developer seeking to repurpose a building.¹⁹

C. Building Codes Compliance

Building codes have changed dramatically in the past few decades. Any renovation project will need to meet today’s building codes and accessibility standards. This includes major health and safety upgrades to meet building, seismic, and fire safety standards, as well as possible updates to comply with the Americans with Disabilities Act.²⁰

To address these potential barriers to adaptive reuse projects, specialized building codes have been developed in the past decade for existing buildings to make adaptive reuse easier and more attainable.²¹ For example, the City of Los Angeles, California has enacted legislation that has been effective in spurring adaptive reuse projects throughout the city. The Los Angeles ordinance includes four provisions that are particularly important in facilitating adaptive reuse projects: (1) allowing by-right use changes without triggering California Environmental Quality Act (CEQA) requirements or discretionary approvals, (2) not requiring buildings to provide any net new parking, (3) allowing a one-story addition on the roof by right, and (4) adding new building codes specific to adaptive reuse projects that clarify building code requirements.

D. Functional Issues

An adaptive reuse project is likely to result in some functional obstacles for the developer of the property. Most buildings that are being repurposed were constructed in the nineteenth and twentieth centuries. Thus, the building's mechanical and electrical systems likely need to be upgraded to current standards. Additionally, buildings with complicated and distinctive shapes and tightly-spaced structural columns will be difficult to conform with current standards.²² For instance, vertical support elements (such as the elevator, stair core, or mechanical shafts) may need relocation for more efficient unit layout. Even in cases where only minimal reconfiguration of vertical circulation elements is proposed, residential uses come with more intense plumbing, mechanical, electrical, and HVAC system requirements that often result in a complete "gut job" of the building.²³

VI. Adaptive Reuse in Action

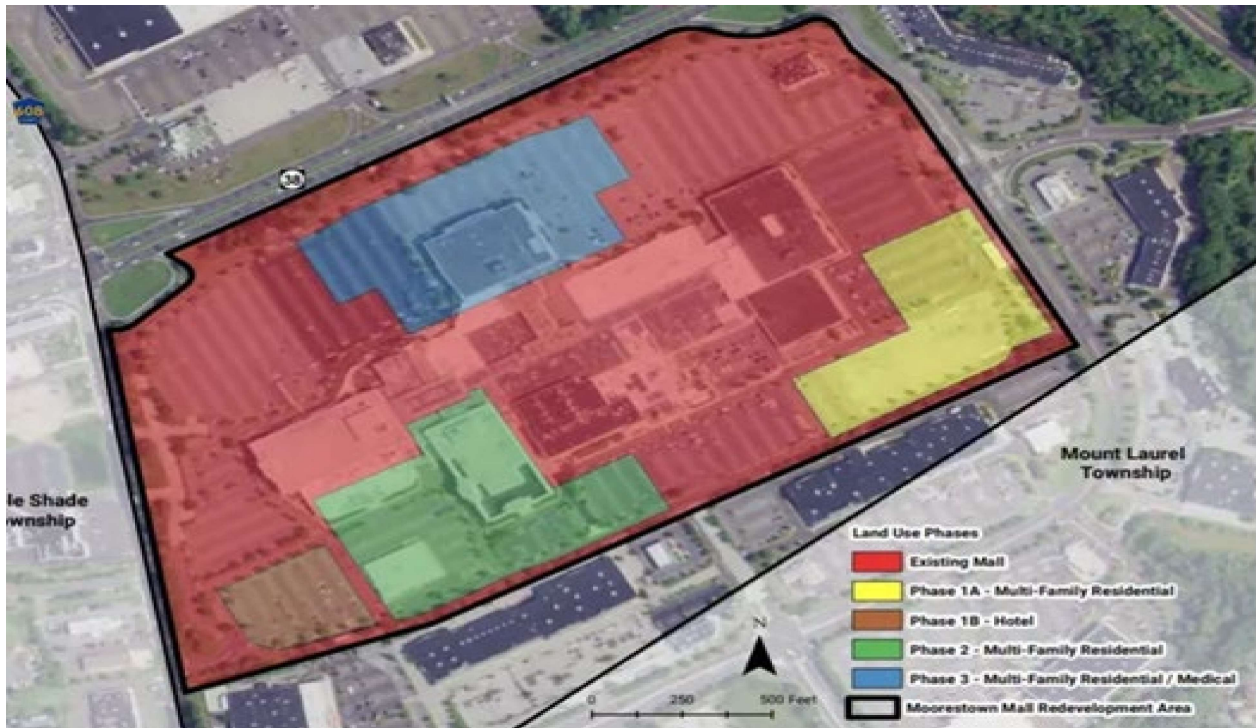
A. *Case Study No. 1 - The Moorestown Mall Redevelopment Area (Moorestown, NJ)*

Building:	Moorestown Mall ²⁴
Location:	Moorestown, New Jersey
Legal Basis:	Local Redevelopment & Housing Law ²⁵
Function	Mixed-Use (Retail; Residential; Healthcare; Hotel)
Owner	Multiple Owners
Engineer	Stout & Caldwell Engineers, LLC (Healthcare facility)
Architect:	Array Architects (Healthcare facility)

Like many shopping malls across the country, the Moorestown Mall faced its share of challenges over the years. Moorestown, which was a historically “dry” town, issued its first liquor licenses in 2011 for restaurants at the Mall to help revitalize it. Since 2017, the Mall lost three (3) of its anchor tenants: Macy’s, Lord & Taylor and Sears. Despite the Mall’s location near State highways and higher density residential areas, the loss of these anchor tenants had a significant financial impact on the remaining retail facilities and restaurants in the Mall. However, by working with municipal stakeholders, and creative planning, the Moorestown Mall is being transformed into a mixed-use inclusionary development, which will take advantage of its proximity to State highways, public transit, and existing water and sewer capacity. This transformation began with the Mall property being designated as an area in need of redevelopment. Thereafter, a redevelopment agreement was entered into between the owner of the Moorestown Mall, Pennsylvania Real Estate Investment Trust (“PREIT”), and the Township of Moorestown, pursuant to New Jersey’s Local Redevelopment & Housing Law.

The Moorestown Mall has been a part of South Jersey for nearly six decades, having first opened its doors in 1963. The Mall was originally home to anchor tenants Sears, Gimbels, Wanamaker's, and Woolworths. The central enclosed mall consists of approximately 475,000 square feet of floor area, with four anchor units branching off the building. The Redevelopment

Agreement provides for a three-phase, mixed-use inclusionary development on the Moorestown Mall property, including up to 1,065 residential units, along with an affordable housing component, a full-service hotel, and a healthcare facility, while still maintaining parts of the existing mall, including restaurants, a movie theater, and various pad sites. The redevelopment of the Mall involves everything from the adaptive reuse of the Sears Department Store to new ground up construction.



The Moorestown Mall Redevelopment Plan established three phases of redevelopment for the Morristown Mall property.

Source – Moorestown Mall Redevelopment Plan



A rendering of the multi-family housing proposed for the Moorestown Mall property.

Source – PREIT

The initial phase of the redevelopment of the Moorestown Mall property, Phase 1, is split into two sub-phases. Phase 1A - Multi-Family is located on the southeastern corner of the Moorestown Mall property and is intended to be redeveloped with inclusionary multi-family residential housing, and customary accessory uses and amenities. Not only do these phases provide much needed housing, but they will also provide a new, critical mass of potential customers for the Mall.

The second sub-phase of Phase I, Phase 1B – Hotel, is located on the southwestern corner of the Moorestown Mall property and will be redeveloped with a 112,000 sq. ft. full-service hotel, and customary accessory uses and amenities.

Phase 2 of the Moorestown Mall Redevelopment Project encompasses the southern portion of the tract, including the former Lord & Taylor anchor store, a portion of the former Macy’s anchor store, the Sears Auto Center and associated parking and circulation areas. Phase 2 is intended to be redeveloped with inclusionary, multi-family residential housing, and customary accessory uses and amenities.

Phase 3 of the Mooretown Mall Redevelopment Project is being implemented by Cooper University Health Care (“Cooper”), a leading health care provider in Southern New Jersey, to acquire and repurpose the 166,000-square-foot former Sears Department Store. The adaptive

reuse of the Sears building will not only bring additional healthcare services to the area, but will also provide an additional critical mass of people (employees and patients) to visit the Mall. From an adaptive reuse perspective, Cooper is redeveloping the three-level building with an outpatient care facility, which will offer diagnosis, treatment, procedures and related health services. The reused building will also include physician practice spaces, an ambulatory surgery center, an imaging department, and a radiation oncology suite for cancer patients.



The former Sears building located at the Moorestown Mall, Moorestown, New Jersey.

Source – Google Earth



A rendering of the new Cooper University Health Care Outpatient facility.

Source – Cooper University Health Care

The adaptive reuse of the Sears building takes advantage of much of the existing infrastructure, including parking lots and stormwater management utility pipes, while upgrading infrastructure as needed. Cross easements were entered into to allow the healthcare facility to seamlessly become part of the revitalized Mall, and demolition and construction activities were carefully reviewed with the Township and other stakeholders at the Mall to minimize disruptions to other businesses.

B. *Case Study No. 2 - NexusPark (Columbus, IN)*²⁶

<i>Building:</i>	Fair Oaks Mall
<i>Location:</i>	Columbus, Indiana
<i>Legal Basis:</i>	Public-Private Partnership
<i>Function:</i>	Health & Recreational Campus
<i>Owner:</i>	Fair Oaks Community Development Corporation
<i>Architect:</i>	Perkins & Will

Adaptive reuse of buildings is not limited to the private sector, as evidenced by the public-private partnership between the City of Columbus, Indiana and Columbus Regional



A rendering of the exterior front entrance of the NexusPark project.

Source – NexusPark

Health (“CRH”) to refurbish the former Fair Oaks Mall located in Columbus, Indiana.

Built in 1989, the 412,750 sq. ft. Fair Oaks Mall building is located on 36 acres in Columbus, Indiana. Like many enclosed shopping malls, the Fair Oaks Mall suffered from a decline in tenants and visitors. The Mall’s decline concerned community leaders, fearing that further blight could have a devastating effect on the community and lead to further deterioration of the properties surrounding the Mall. As a result of these concerns, the City of Columbus partnered with CRH to form the Fair Oaks Community Development Corporation (“FOCDC”). The FOCDC was the vehicle for purchasing and reusing the Fair Oaks Mall as a public health, wellness and recreation-focused campus.

The transformation of the 34-year-old Fair Oaks Mall into a modern, public wellness center presented the FOCDC and its professionals with unique challenges. For example, the structure’s thin exterior masonry walls and light gauge framing were inadequate under the current seismic code. As a result, additional time and resources were expended to upgrade and strengthen the structure’s exterior walls. However, this process was further complicated by the need to remove center portions of the wall to allow natural light into the interior of the building, thus further weakening the exterior masonry walls. Ultimately, these two functional needs placed unforeseen hardships on the project timeline and budget.

Notwithstanding the many challenges, once completed, the 526,000-square-foot planned campus, now named “NexusPark,” will be dedicated to health and wellness-related uses, including group exercise areas and fitness studios, sports courts, a demonstration kitchen, cardiac center, hydrotherapy pool, and nutritional and clinical services operated by CRH. In addition to CRH-led outpatient health services and fitness facilities, the campus will still provide consumers with retail shopping and restaurants and house the administrative offices of the Parks Department for the City of Columbus.



A rendering of the conceptual master plan for the NexusPark adaptive reuse project.

Source – Fair Oaks Mall Master Plan

The adaptive reuse of the Fair Oaks Mall building into the NexusPark campus is viewed as a transformational project for the City of Columbus and its citizens. Through careful planning, and public investment, an obsolete use of the Fair Oaks Mall building has been replaced with uses that benefit the surrounding community.

VII. Takeaways

When considering whether a property is suitable for adaptive use, certain basic requirements must be met, including:

- *Location.* The location of the property in terms of its proposed use rather than its past use must be evaluated. Because these properties frequently will be in older and potentially declining neighborhoods, it is particularly important that the location be satisfactory. Furthermore, the location of the property may be susceptible to an increased risk of vandalism and/or theft during the life of the project.²⁷
- *Land Use and Zoning.* The adaptive reuse of property may result in a non-conforming use under the municipality's zoning code. In this situation, a developer will need to work closely with local officials to obtain the necessary land use approvals to develop the chosen site. However, not surprisingly, many local governments have taken steps to amend their zoning code to promote adaptive reuse. For example, Los Angeles, California has adopted an ordinance that provides an expedited approval process for adaptive reuse projects.²⁸ In addition, it is important to investigate whether the existing utility infrastructure is adequate, and whether there is sufficient water and sewer capacity for the use, especially if the new use is more intensive.

- *Physical Condition of Structure.* While older properties often have distinct advantages compared to new construction (higher ceilings, thicker walls, larger window areas), the buildings also may pose insuperable difficulties. For example, the building may not comply with current building codes or concrete structures may not permit extensive remodeling. A potentially greater concern are structural defects that may render the property unsafe and in need of demolition. Moreover, hazardous materials, such as asbestos and lead paint, will need to be located and properly disposed. To address such defects, professional experts must conduct a physical examination of the property.
- *Physical Condition of Land.* In many adaptive reuse projects, the structure's original use may have resulted in contamination of the property. The full extent of the contamination is often not known until the property is analyzed by the appropriate professionals.
- *Allocation of Risk.* The design professionals for an adaptive reuse project must be allowed to be creative and innovative. Because of the inherent risks associated with an adaptive reuse project, property owners may need to be flexible in negotiating liability and insurance requirements with professionals.
- *Incentives.* Federal and state tax credits may be available for adaptive reuse projects. Many states and local governments have programs that provide for the payment in lieu of taxes upon completion of a redevelopment project, as well as grants for historic preservation and environmental abatement.

VIII. Conclusion

The adaptive reuse process is likely to become more common as our cities continue to age, and the buildings therein become obsolete. As with any construction project, there are risks in attempting to repurpose an obsolete building. However, such risks pale in comparison to the multitude of benefits that may be derived from successfully completing an adaptive reuse project.

¹ Lanz, F. & Pendlebury, J. (2022): *Adaptive Reuse: A Critical Review*, The Journal of Architecture, DOI: 10.1080/13602365.2022.2105381

² *The Secretary of the Interior's Standards for the Treatment of Historic Properties - Technical Preservation Services* (U.S. National Park Service) available at: <https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm>

³ In the Region/New Jersey; *Restoring the Glory of an Early Hotel in Cape May*, Rachelle Garbarine December 16, 2001. <https://www.nytimes.com/2001/12/16/realestate/in-the-region-new-jersey-restoring-the-glory-of-an-early-hotel-in-cape-may.html>

⁴ *Id.*

⁵ Burkhardt, F., (2017). *Embracing Adaptive Reuse for Corporate Real Estate | Trade and Industry Development*, <https://www.tradeandindustrydev.com/industry/embracing-adaptivereuse-corporate-real-estate-12810>

⁶ Gorgolewski, M., (2017). *Resource Salvation: The Architecture of Reuse*. John Wiley & Sons, Incorporated, Newark, United Kingdom

⁷ Australian Department of Environment & Heritage, (2004). *Adaptive reuse: preserving our past, building our future*. Dept. of the Environment and Heritage, Canberra

⁸ Case Study: Coca-Cola Bottling Plant, Indianapolis, Indiana <https://www.nps.gov/articles/000/coca-cola-bottling-plant.htm>

⁹ Rypkema, D.D., (2008). *Heritage Conservation and the Local Economy*. Global Urban Management Magazine 3

¹⁰ De Sousa, C.A., Wu, C. and Westphal, L.M, 2009.. “Assessing the Effect of Publicly Assisted Brownfield Redevelopment on Surrounding Property Values.” *Economic Development Quarterly* 23, no. 2: 95–110. <https://doi.org/10.1177/0891242408328379>

¹¹ Accordino, J. and Johnson, G. (2000). *Addressing the Vacant and Abandoned Property Problem*, *Journal of Urban Affairs* 22:3, 302–3

¹² Econsult Corporation, Penn Institute for Urban Research, and May 8 Consulting. 2010. *Vacant Land Management in Philadelphia: The Costs of the Current System and the Benefits of Reform*, Redevelopment Authority of the City of Philadelphia, 9, 11

¹³ *The Greenest Building: Quantifying the Environmental Value of Building Reuse*, (Washington, D.C.: Preservation Green Lab, National Trust for Historic Preservation, 2011)

¹⁴ Australian Department of Environment & Heritage, (2004). *Adaptive reuse: preserving our past, building our future*. Dept. of the Environment and Heritage, Canberra

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- ¹⁵ Itard, L., Klunder, G., (2007). Comparing environmental impacts of renovated housing stock with new construction. *Building Research & Information* 35, 252–267.
<https://doi.org/10.1080/09613210601068161>
- ¹⁶ Gorgolewski, M., (2017). *Resource Salvation: The Architecture of Reuse*. John Wiley & Sons, Incorporated, Newark, United Kingdom
- ¹⁷ HUD, Dept. of Housing and Urban Development (HUD), (2003). *A report on the feasibility of deconstruction: An investigation of deconstruction activities in four cities*.
- ¹⁸ De Silva, D. and Perera, K. (2016). *Barriers and Challenges of Adaptive Reuse of Buildings*, available at:
https://www.researchgate.net/publication/319879628_Barriers_and_Challenges_of_Adaptive_Reuse_of_Buildings/link/59bdfd860f7e9b48a29ba0bb/download
- ¹⁹ *Id.*
- ²⁰ 42 U.S.C. §12101
- ²¹ *See Note 7*
- ²² *Id.*
- ²³ Garcia, D. and Kwon, E. (2021). *Adaptive Reuse Challenges and Opportunities in California*, available at: <https://turnercenter.berkeley.edu/wp-content/uploads/2021/11/Adaptive-Reuse-November-2021.pdf>
- ²⁴ *Moorestown Mall Redevelopment Plan*, July 26, 2021
- ²⁵ *N.J.S.A. 40A:12A-1 et seq.*
- ²⁶ *Fair Oaks Mall, A Master Plan Guiding the Future of Fair Oaks Mall, Donner Park and Centre, Surrounding Area Connectivity, and Land Use*, July 2020
- ²⁷ *Real Estate Investor's Deskbook* §12:189 (3d ed.), Adaptive Reuse.
- ²⁸ City of Los Angeles, *Adaptive Reuse Handbook* (2d ed., Feb. 2006), <http://www.scag.ca.gov/Housing/pdfs/summit/housing/Adaptive-Reuse-Book-LA.pdf>