

# **REDEVELOPMENT PLAN**

## **BARNES TRACT**

### **Block 14, Lot 14**

**Prepared for:**

**Borough of Mountainside**

**Mayor and Council**

**By:**

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## **INTRODUCTION**

On November 3, 2015, the Barnes area (Bk14, L14) was deemed “an area in need of redevelopment” per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) by the Mayor and Council and the Borough Planner was directed to prepare a redevelopment plan for the site. This Redevelopment Plan serves to fulfill the statutory requirements pursuant to the LRHL.

The Barnes Tract Redevelopment Plan:

- Will become the formal planning document for redevelopment of the area;
- Is a collaborative effort of the Mayor and Council and the Borough Planning Board;
- Presents a zoning plan and permitted uses and standards of the district;
- Sets forth the implementation strategy of the Plan; and

The Barnes Tract is an important component of the Borough Fair Share Plan granted repose by the Union County Superior Court. The use and development were adopted by ordinance 1219-2104 on June 17, 2014.

## **STATUTORY REQUIREMENTS**

According to State statute, the Redevelopment Plan shall include an outline for planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

- its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
- proposed land uses and building requirements in the project area;
- adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
- an identification of any property within the redevelopment area which is proposed to be acquired in accordance with the Redevelopment Plan; and
- any significant relationship of the Redevelopment Plan to:
  - the Master Plans of contiguous municipalities;
  - the Master Plan of the County in which the municipality is located and
  - the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” PL 1985, C398 (C52:18A-196 et al).

## **REDEVELOPMENT GOALS AND OBJECTIVES**

The goals of the Barnes Tract Redevelopment Plan are:

1. To transform underutilized property into fully productive uses, advance the objectives of the Borough Affordable Housing Plan and

2. To serve as the guiding document required for the Mayor and Council and Planning Board for the area.

The objectives of the Barnes Tract Redevelopment Plan are:

1. Develop the area by providing opportunities for redevelopment of the tract by redevelopers.
2. Create land use and building requirements specific to the redevelopment area that will promote the development of a pedestrian friendly, human scale neighborhood with a cohesive, unified Colonial design theme.
3. Utilize high quality design standards in construction of buildings and improvements.
4. Provide for a variety of affordable market rate housing and income restricted units.

### **STATEMENT OF STATUTORY COMPLIANCE**

The Barnes Tract Redevelopment Plan fully complies with State statutes.

#### ***Consistency with Local Objectives:***

This redevelopment Plan is sufficiently complete to define redevelopment, improvements, zoning changes, planning concepts and building requirements.

#### ***Proposed Land Uses and Bulk Requirements:***

This redevelopment plan includes maps and text sufficient to describe proposed land uses and bulk requirements for the Barnes Redevelopment Area. The Borough of Mountainside and its designated redeveloper will comply with the "Relocation Assistance Law of 1967", P.L. 1967, c.79 and the Relocation Assistance Act, P.L. 1971, C. 362 as and if applicable.

#### ***Identification of Property Proposed to be Acquired:***

The redevelopment plan is sufficient to identify the property within the redevelopment area. No property is proposed to be acquired as a result of this plan.

#### ***Relationship to Local, County and State Plans:***

The Barnes Tract Redevelopment Plan conforms to the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.S. 1985. Its policy of providing appropriate densities to make efficient use of existing infrastructure, while maintaining the character of the area in accordance with plan objectives.

This Redevelopment Plan is compatible with the Master Plans of adjacent municipalities. No community is remotely near the site.

#### ***Relationship to Municipal Land Use Law:***

This Redevelopment Plan is a part of the Master Plan and describes its relationship to Municipal

Land Use Law and creates no conflict with development regulations.

***Civil Rights and Affirmative Action:***

The Borough of Mountainside agrees to take leadership within the community, to ensure compliance with Title VI of the Civil Rights Act of 1964, and Title VII as amended in March 1972 and with all the affirmative action requirements of the State of New Jersey, including those requirements of P.L. 1975 and the regulations issued by the State of New Jersey and the Borough of Mountainside.

**GENERAL PROVISIONS OF THIS PLAN**

Land use provisions and building requirements for the Barnes Redevelopment Area are deemed necessary as minimum requirements in the interest of public health, safety, convenience and general welfare. They are intended to provide a frame of reference for physical development of the project area. Developers will be given flexibility in project planning and design so long as buildings and improvements reflect quality, permanence and physical integration through design elements. The Borough has not attempted in these controls to anticipate every possible design or land use solution. Rather, project proposals will be evaluated as to how they achieve the objectives of this Plan.

1. The Borough and the Planning Board specifically reserve the right to review and approve the redevelopers' plan and specifications with respect to their conformance to the redevelopment plan. Such a review shall be based on submissions to the Borough Planning Board of a site plan locating the proposed project in the redevelopment area; a site plan that complies with Borough site plan regulations illustrating all site features; and building elevations for all facades.
2. Subdivisions of lots and parcels of land within the redevelopment area shall be in accordance with requirements of this Plan, the Borough Subdivision and Site Plan requirements and applicable requirements of the Borough Zoning Ordinance.
3. The redeveloper shall also comply with the requirements of the Local Redevelopment and Housing Law, P.L. 1992, Chapter 79.

**LAND USE PLAN**

The permitted uses and design standards within the redevelopment area and the design standards that apply to the area are detailed in the District Standards and Design Standards sections, below.

***Relationship of Plan to the Borough Plan Development Regulations:***

The standards contained within this redevelopment plan shall supersede the existing zoning of the area and shall apply to any redevelopment project designed to implement this plan. Where regulations of this plan conflict with the Zoning Ordinance or design standards, this plan shall control.

***Exceptions to Standards:***

Variation from the development requirements and design standards set forth by this redevelopment plan may be necessary in certain limited circumstances, such as the building size standard. In such instances, the Planning Board may grant reasonable exceptions from certain bulk, parking or design requirements if the designated redeveloper demonstrates that such design exception(s) will not substantially impair the intent of the redevelopment plan and will not present a substantial detriment to the public health, safety and welfare.

To gain approval of such modification or waiver of a development requirement or design standard, the applicant shall demonstrate that the resulting change will:

1. Generally satisfy the redevelopment plan's goals and objectives;
2. Be designated in accordance with the Borough's normally acceptable engineering, planning and/or architectural practices;
3. Not have an adverse impact on the physical, visual or spatial characteristics of the overall development plan for the parcel or tract to be developed or adjacent or nearby properties;
4. Generally enhance the overall development plan for the tract;
5. Not have an adverse impact on the physical, visual or spatial characteristics of the exiting streetscape in which such development is located or of the redevelopment plan; and
6. Not reduce the useful life or increase the cost of maintenance of the improvement to be modified or otherwise have an adverse impact on the long-term function of the development.

Deviations from the uses permitted in the area shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough Mayor and Council.

***Provisions Related to Rehabilitation:***

There are no structures at the site. No rehabilitation activities are planned.

***Provisions Related to Off-Site Improvements:***

The extent of the redeveloper's responsibility for any installation or upgrade of infrastructure related to their project, whether on-site or off-site, will be outlined in a redeveloper's agreement with the Borough. Off-site responsibility for properties not covered under the redeveloper's agreement will be determined in the same manner as other development projects throughout the Borough during the permit and/or site plan review phases.

All infrastructure improvements shall comply with applicable local, state and federal codes including the Americans with Disabilities Act. All streetscape improvements shall also comply with applicable standards found in this Redevelopment Plan. All utilities shall be placed underground, unless otherwise authorized by the Mayor and Council.

***Housing Development District Standards and Use Standards:***

The objectives and standards set forth hereafter are designated to implement, in phases, the Affordable Housing Plan Element. The uses and standards for development are permitted only within the redevelopment zone as shown on the Official Zoning Map.

The intent and purpose of the redevelopment zone is to implement the Affordable Housing Plan Element of the adopted Master Plan of the Borough of Mountainside. This subsection provides for the implementation of the B/AH zone. The objectives are to provide and encourage development of housing affordable to low and moderate income households as defined by Law, as well as middle income, age targeted and adult households.

***Development Standards and Requirements:***

A. Permitted Uses. No building, structure or premises shall be used and no building or structure shall be erected or structurally altered except for the following uses:

- (1) Townhouses.
- (2) Apartments.
- (3) In the B/AH zone non-residential uses limited to and subject to all restrictions and standards of the B zone and as set forth in Section 1100.
- (4) In the L-I/AH and OB/AH non-residential uses limited to and subject to all restrictions and standards of the L-I and OB zones and as set forth in Section 1013 and 1014 respectively.

B. Area, yard and building requirements are as follows:

- (1) Minimum area – 200,000 sf
- (2) Maximum density
  - (a) 6 dwelling units/acre
- (3) Bulk and yard requirements.
  - (a) The maximum percent lot coverage by residential buildings shall be forty (40%) percent for the B/AH zone. This restriction excludes common facilities such as clubhouses, gazebos, maintenance sheds, shelters and similar structures.
  - (b) Maximum percent total impervious coverage is eighty (80%) percent for the B/AH zone.
  - (c) Building height. No buildings shall exceed a height of 2½ stories or thirty-six (36) feet.
  - (d) Minimum setback for front yard is five (5) feet for non-residential and mixed use buildings and thirty (30) feet for residential buildings in the B/AH zone. Minimum setback for side and rear yard is twenty-five (25) feet.

(e) Off-street parking. Off-street parking spaces shall be provided in accordance with applicable Residential Site Improvement Standards (RSIS) N.J.S.A. 5:21-4.14 (parking).

(4) No parking shall be permitted in the required side and rear yard setback area.

(5) Lighting standards for common areas shall conform to standards as set forth in this chapter.

(6) Roads. All interior roads shall be private streets and conform to applicable RSIS standards.

(7) Signs. Project ID sign shall be permitted at maximum of 50 sf in size.

C. Establishment of owners association. Where units are sold the developer shall provide for an organization for the ownership and maintenance of any common facilities and recreation facilities, landscaped areas, internal roadways and other amenities in the development for the benefit of owners and residents of the development. The documentation establishing such owner's association shall be subject to the approval of the Borough Attorney.

D. Recreation facilities.

(1) The areas within the common open space shall provide recreation facilities appropriate for the size of the development.

(2) The common open space and recreation facilities located on the development shall be available on an equal basis to all residents of the development.

(3) The recreation facilities may include a central recreation complex, swimming pool, tennis courts, picnic areas and similar facilities.

(4) The recreation facilities shall include meandering open space and trail system linking residential dwellings and other structures located within and without the development.

E. Sidewalk and walkways.

(1) A system of contiguous walkways shall be provided throughout the development, including its common areas, for safe pedestrian movement.

(2) Walkways within common areas shall connect to sidewalks along streets.

F. Buffers.

(1) Buffers must be a minimum of twenty-five (25) feet from all property lines of the tract where abutting existing single family homes. These shall either be preserved with natural vegetation or landscaped to provide a visual buffer from adjacent properties.

- (2) Buffering shall provide a year-round visual screen in order to minimize adverse impacts on the site from adjacent areas. Buffering shall also ensure privacy for dwelling units and minimize adverse impacts from traffic, noise and light.
  - (3) Buffering shall consist of a berm and either fencing or evergreens or combinations of materials to achieve the stated buffering objectives.
- G. Low and moderate income housing requirement. Required percentage of affordable units to be constructed on-site. The developer shall designate and set aside twenty (20%) percent of the total dwelling units as affordable to low and moderate income households.
- H. Permitted Accessory Building and Uses. Accessory uses customary and incidental to the principal use, including but not limited to those specified. The term accessory use shall not include a business nor any building or unit not located on the same lot with the principal building to which it is accessory.
- (1) Private garages and carports.
  - (2) Private swimming pools and tennis courts provided such uses shall comply with the minimum required yard depth requirement for the principal building.
  - (3) Outdoor barbecue structures.
  - (4) Storage buildings.
- I. Conditional uses. None.
- J. Accessibility requirements:
- (1) The first floor of all dwelling units shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:93.

***Design Standards for Barnes Tract Redevelopment Area Zone:***

The general design theme for the Barnes Tract Redevelopment Area shall be generally colonial. Buildings, signage and all other improvements shall be designed to follow a Colonial theme to the extent possible. The following Design Standards shall apply to the Area, and shall be utilized to carry out the design theme of the Area.

- A. Applicability. These guidelines and standards shall apply to all applications for development within the Area.
- B. General Design Standards.
- 1. The building itself should be designed with an eye toward architectural detailing that can be unique, and compliment the appearance of adjacent structures.
  - 2. Buildings shall have varied and interesting facades. Use of texture and window variations shall be encouraged.

3. Pitched roofs are required.
4. Buildings greater than 1 story in height are strongly encouraged.
5. Entryways shall give orientation and add aesthetically pleasing character to the front facade.
6. Entrances shall include such features as canopies or porticos, overhangs, arcades, recesses/projections, raised corniced parapets over the doors, peaked roof forms and arches.

C. Continuity of Treatment. The architectural treatment of a façade or roof shall be completely continued around all visibly exposed sides of a building. All sides of building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details. In the instance of multi-story buildings, the architectural treatment and building materials of the first floor shall be compatible with upper stories.

D. Roof. The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, color and details of such building. Pitched roofs shall be required. Roofs and rooflines shall conform to the following standards:

1. No flat roof shall be permitted on a building.
2. Mansard roofs shall not be permitted.
3. Architectural embellishments that add visual interest to roofs, such as dormers, belvederes, masonry chimneys and such similar elements shall be permitted, provided that such are architecturally compatible with the style, materials, colors and details of the building.
4. For all roofs, the minimum permitted roof pitch shall be seven on twelve.
5. Roofline offsets shall be provided along any roof measuring longer than fifty (50) feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long roofline.

E. Windows. Windows shall be architecturally compatible with the style, materials, colors and details of a building. Windows shall be vertically proportioned.

F. Doors and Entrances. All entrances to a building shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, porticoes, porches, overhangs, railings, balustrades and other such elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of such building.

G. Physical Plant. All air-conditioning units, HVAC systems, exhaust pipes or stacks and elevator housing shall be shielded from view. Such shielding shall be accomplished by utilizing the walls or roof of the building and be designed to be architecturally compatible with the style, materials, colors and details of such building.

H. Materials, Colors and Details. All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other.

I. Shutters. The use of shutters on building facades shall be encouraged.

J. Lighting. Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used on the site. Consideration shall also be given to the type of light source utilized and the light quality such produces. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas of a site shall be the same or compatible. The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited.

K. All buildings shall have a basement and access for all market rate units in the building.

L. All units shall, at minimum, be equipped with Energy Star certified appliances and utilities and further, the redeveloper is encouraged to advance and/or achieve LEED standards and/or certification.

***Parking Design Standards:***

A. Provision of parking spaces. The design and number of parking spaces required per this Redevelopment Plan shall be provided in conformance with RSIS (NJAC 5:21-4.14 through 4.16). Each market rate unit shall have at least one garage parking space.

All residential development shall comply with the Borough of Mountainside Zoning Code Section 914 (b) (19).

B. Screening. Where buffers are required in this Redevelopment Plan, there shall be provided along the exterior lot line of the development a continuous, year-round planting screen at least 6 feet in height.

***Streetscape/Landscape Design Standards:***

Interior roadway shall provide streetscape elements including sidewalk, lampposts, benches, trash receptacles and planters.

Street trees shall be provided in accord with applicable Borough requirements.

**PROPERTY ACQUISITION AND RELOCATION**

The Borough will not exercise its power of condemnation in the redevelopment area.

***Relocation:***

The Borough will provide all displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law, should relocation be necessary. No relocation is planned.

## **PLAN RELATIONSHIP TO DEFINITIVE LOCAL OBJECTIVES**

The redevelopment of the Barnes Tract was not specifically discussed in the Borough Master Plan, Housing Plan Element, however is consistent with the Housing Plan objectives and principles of the Master Plan. Further, the Barnes Tract Redevelopment Plan is a sub-element of the Master Plan.

## **RELATIONSHIP TO OTHER PLANS**

The proposed Redevelopment Plan has no impact upon the Master Plans of adjacent municipalities. No municipality is contiguous to the redevelopment area.

### ***State Development and Redevelopment Plan (SDRP):***

The State Development and Redevelopment Plan (SDRP) places the redevelopment area in Planning Area 2 (PA2). The Redevelopment Plan is consistent with the planning goals and objectives of the SDRP which encourages infill development and redevelopment of areas containing existing infrastructure.

## **ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS**

### ***Amending the Redevelopment Plan:***

Upon compliance with the requirements of applicable law, the Mayor and Council of the Borough may amend, revise or modify this Redevelopment Plan, as circumstances may make such changes appropriate.

### ***Duration of the Redevelopment Plan:***

The Redevelopment Plan, as amended, shall be in full force and effect for a period of thirty (30) years from the date of adoption of this Plan by the Mayor and Council.

### ***Application for Development/Redevelopment:***

No application for development or redevelopment in the area may be filed with the Planning Board until such time as the applicant has applied for and received a designation as a redeveloper from the Mayor and Council and has executed a Redevelopment Agreement with the Mayor and Council providing for the proposed application.

### ***Conveyance of Land:***

The Mayor and Council may sell, lease or otherwise convey to a redeveloper for redevelopment, subject to the restrictions, controls and requirements of this Redevelopment Plan, all or any portion of the land within the redevelopment area which becomes available to disposal by the municipality as a result of public action under this Plan. The Borough reserves the right to formulate an agreement under any of the above referenced arrangements and to enforce resale covenants.

### ***Redevelopment Entity:***

The Mayor and Council shall serve as the redevelopment entity hereunder.