

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE # 19-03

**ORDINANCE OF THE BOROUGH OF ALLENDALE,
COUNTY OF BERGEN, NEW JERSEY, ADOPTING A
REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES
STUATED ALONG WEST CRESCENT AVENUE.**

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

WHEREAS, in accordance with the Redevelopment Law, the Borough Council of (“Council”) of the Borough of Allendale (the “Borough”) on June 28, 2018, adopted a Resolution designating the properties identified in Figure 1 of the attached Redevelopment Plan as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, in order to facilitate the proper use of the Property and effectuate the use of same, the Borough has determined to develop a redevelopment plan for the Property pursuant to the authority granted under the Local Redevelopment and Housing Law, *N.J.S.A. 40A: 12A-1 et seq.*; and

WHEREAS, due to the continued conditions of the properties in the Redevelopment area the Borough Council finds it necessary to implement the 2019 Borough of Allendale Redevelopment Plan to provide for a multi-family overlay zone at Block 1005, Lot 20 and Lot 3 as well as a portion of Lot 11 (if applicable) situated at 220 West Crescent Avenue or 230 West Crescent Avenue and to require a site plan application be completed and submitted to the Allendale Land Use Board for the Board’s approval, said site plan application shall be submitted by the potential redeveloper of the Property; and

WHEREAS, the Redevelopment Plan, dated February 12 2019, is on file with the Borough Clerk (the “2019 Borough of Allendale Redevelopment Plan”) and provides the development standards for the Property, including but not limited to multi-family use provisions as stipulated in the Redevelopment Plan; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, the Land Use Board must review the Redevelopment Plan and transmit its comments relating to the Redevelopment Plan to the Borough in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, upon receipt of the Land Use Board's comments relating to the Redevelopment Plan, the Borough Council believes that the adoption of the 2019 Borough of Allendale Redevelopment Plan is in the best interest of the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Allendale as follows:

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

Section 2. The Redevelopment Plan dated February 12, 2019 and attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 3. The Borough Council hereby finds and determines that pursuant to the Redevelopment Plan, that the Designated Redeveloper shall execute a Redevelopment Agreement, and all other documents necessary to bring the project to completion. Accordingly, a site plan, with bulk standards must be filed by the designated redeveloper with the Allendale Land Use Board for the Redevelopment Plan to be effectuated.

Section 4. The Governing Body may transfer or sell any municipal property pursuant to N.J.S.A. 40A:12A-8 g. "...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary". The Borough owned property located at 220 and 230 West Crescent Avenue (Block 1005, Lots 3 and 20 and a portion of Lot 11) which are hereby authorized to be sold pursuant to the terms and conditions of the Redevelopment Agreement and other pertinent documents.

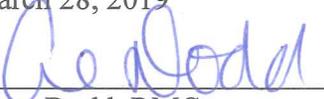
Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

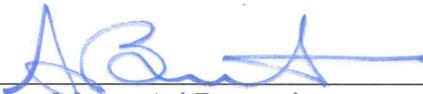
Section 6. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 7. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

	Motion	Second	Yea	Nay	Absent	Abstain
Homan		✓	✓			
O'Connell					✓	
O'Toole			✓			
Sasso			✓			
Strauch			✓			
Wilczynski	✓		✓			
Bernstein						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on March 28, 2019


 Anne Dodd, RMC
 Municipal Clerk


 Mayor Ari Bernstein

1 Introduction

A BASIS FOR THE PLAN

This Redevelopment Plan has been prepared for an area of the Borough of Allendale, Bergen County, New Jersey, situated in Planning Area-1 as specified in the State Development and Redevelopment Plan (“SDRP”). The properties are situated along West Crescent Avenue, specifically, Block 1005, Lots 3 and Lot 20 and a portion of Block 1005, Lot 11 having street addresses of 230 W. Crescent Avenue and 220 W. Crescent Avenue (these parcels, including the to be repurposed portion of Lot 11, shall be considered and known as the “Property”, or “Properties”, and the “Redevelopment Plan Area”). The Redevelopment Plan Area is in an industrial zoning district and is currently owned by the Borough of Allendale. The following Figure 1 shows the property details.

Figure 1.

The Borough of Allendale, New Jersey		
Scope of Potential W. Crescent Avenue ANR		
BI-LOT	PROPERTY OWNER	Property Location
1005-20	Borough of Allendale	220 W. Crescent Avenue
1005-3	Borough of Allendale	230 W. Crescent Avenue
1005-11	Borough of Allendale	

Note: Lot 11 has been added pursuant to N.J.S.A. 40A12A-3.

This Redevelopment Plan has been prepared consistent with the State of New Jersey Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et seq. A principal purpose of this Plan is for the Borough of Allendale to sell (we also use the phrase “dispose of”) the Property to meet the objectives of this Plan, specifically the repurposing of the Property. The Allendale Governing Body may transfer any municipal property pursuant to N.J.S.A. 40A:12A-8 g. which states that a municipality may “...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary” when the municipal property is included in a Redevelopment Plan area and subject to a Redevelopment Plan.

On April 26, 2018, the Borough of Allendale Council adopted a resolution stipulating that a preliminary investigation be made by the Allendale Planning Board to determine whether the aforesaid two (2) properties qualify as an “area in need of redevelopment” in accordance with the criteria specified in the New Jersey Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-5. The Borough of Allendale Council (“Council”) authorized such a preliminary redevelopment investigation be undertaken by the Allendale Land Use Board (“Planning Board”) to determine if the identified properties satisfy the specific criteria of the LRHL. A study was conducted to assist the Planning Board in their statutory deliberations to determine if the properties under study satisfy the statutory criteria of an area in need of redevelopment.

A report entitled *“Redevelopment Investigation Report. A study dated June 12, 2018, to assist the Allendale Land Use Board as well as the Mayor and Council in determining whether certain properties located in the Borough of Allendale...Satisfy the statutory criteria of the New Jersey Local Housing and Redevelopment Law....”* was presented to the Planning Board and Mayor and Council.

A third Borough owned parcel at Block 1005, Lot 11 has been added pursuant to the provisions of N.J.S.A. 40A:12A-3. This additional parcel will allow for a cohesive Redevelopment Plan Area.

After holding a public meeting on June 20, 2018 regarding the Redevelopment Plan Area and conducting a public hearing thereon the Allendale Planning Board determined the redevelopment study properties satisfy the criteria for designation as an area in need of redevelopment. On June 28, 2018, the Borough Council adopted a Resolution indicating the Borough Council reviewed the Planning Board recommendations and further determined that the Properties qualify as an area in need of redevelopment for non-condemnation purposes under the Redevelopment Law. Therefore, the Property was designated as a non-condemnation Redevelopment Area in accordance with the relevant provisions of the Redevelopment Law.

To further the proper development, use and disposition of the Properties the Borough of Allendale on July 5, 2018 issued a Solicitation of Interest (SOI)/Request for Qualifications (RFQ (the “SOI/RFQ”). The purpose of the SOI/RFQ was to obtain realistic market driven proposals to repurpose these properties so as to improve the Redevelopment Area and provide an important public purpose-a new municipal building. On September 7, 2018 three sealed proposals were received by the Borough. The proposals submitted were from reputable entities and the Borough proceeded to structure a repurposing plan which in part resulted in this Redevelopment Plan.

B. NOTE ON PLAN TERMINOLOGY

Throughout this Redevelopment Plan, a distinction is made in the redevelopment regulations between “shall” and “should.”

- “Shall” means that a redeveloper is required to comply with the specific regulation, without any deviations.
- “Should” means that a redeveloper is encouraged to comply but is not necessarily required to do so.

This Redevelopment Plan envisions that the designated Redeveloper, will build a new municipal building together with the private land uses called for in the response to the SOI/RFQ and concept plan, including a self-storage facility and multi-family residences, which said residences will play a part in meeting the Borough’s affordable housing requirements. The Borough will convey the entire Property (both parcels identified in Figure 1) to the designated Redeveloper and then occupy (“receive back”) a new municipal building as part of this Redevelopment Plan.

C. DEFINITIONS

For the purposes of this Redevelopment Plan, and in addition to any terms defined within the body of this document, the following terms shall have the meaning as set forth below. Terms not defined herein shall have the meaning set forth in the Borough of Allendale Zoning and Land Use Ordinances. If a term used in this Redevelopment Plan is not defined in the Borough of Allendale Land Development Ordinance, the definition in the Municipal Land Use Law or the Local Redevelopment and Housing Law shall apply. Terms presented in singular or plural, masculine or feminine, shall be construed within the context in which they occur.

“Borough” shall mean the Borough of Allendale, a body corporate and politic, and unless otherwise indicated, includes its Governing Body, elected officials, officers and staff. Within the context of the various sections of this document, the terms “Borough” and “Governing Body” shall mean the Governing Body of the Borough of Allendale, acting in its capacity as “Redevelopment Entity.” This Governing Body in Allendale is the Council, a seven member Governing Body, including the Mayor.

“Development Ordinance” shall mean Borough of Allendale Land Use Procedures Ordinance § 40-1 et seq. This Development Ordinance shall be considered in conjunction with the Borough’s “Zoning Ordinance”. Specifically, the section of the Borough Code at § 270 establishment of Zoning districts. The zoning district applicable to the properties included in this Redevelopment Plan is the Industrial Zone D-1 at § 270 of the Borough Code.

“Governing Body” shall mean the Council including the Mayor, of the Borough of Allendale. Within the context of the various sections of this document, the terms “Borough” and “Governing Body” shall mean the Governing Body of the Borough of Allendale, acting in its capacity as “Redevelopment Agency”, or “Redevelopment Entity”.

“Municipal Land Use Law” shall mean N.J.S.A. 40:55D-1 et seq.

“Planning Board” and/or “Land Use Board” shall mean the Borough of Allendale Planning Board. Please note that the LRHL refers to the role of the Planning Board although in some jurisdictions have a Land Use Board. For the purposes of this Redevelopment Plan these boards shall be considered as the same.

“Redeveloper” shall mean the Corporation, partnership or other entity designated by the Redevelopment Entity as Redeveloper pursuant to N.J.S.A. 40A:12A-1 et seq. and having entered into a Redevelopment Agreement with the Redevelopment Entity for the purposes of advancing this Redevelopment Plan. Similarly, nothing herein shall prohibit a group, or team, comprised of more than one affiliated entity from combining to form a Redeveloper for the purposes of effectuating this Redevelopment Plan.

It should be noted that prior to entering a Financial Agreement an Urban Renewal Entity (“URE”) shall be created and be the designated Redeveloper, pursuant to the provisions of N.J.S.A. 40A:20-1 et seq. the Long Term Tax Exemption law (“LTTE”).

“Redeveloper’s Agreement”, or “Redevelopment Agreement” shall mean a contract made by and between a designated Redeveloper and the Borough as the Redevelopment Agency or Entity which shall detail the specific rights, responsibilities and obligations of the Borough and said Redeveloper related to the construction and operation of a Redevelopment Project.

“Redevelopment Area” shall mean that area within the Borough of Allendale described in Chapter 3 and having been determined to be An Area In Need of Redevelopment (“ANR”) pursuant to a Borough of Allendale Resolution.

“Redevelopment Agency” (or “Entity”) shall mean the Governing Body of the Borough of Allendale, acting as the implementing agent for this Redevelopment Plan in accordance with and under the provisions of N.J.S.A. 40A:12A-1 et seq.

Within the context of the various sections of this document, the terms “Borough” and “Governing Body” shall mean the Governing Body of the Borough of Allendale, acting in its capacity as the “Redevelopment Agency or Entity.”

“Redevelopment Parcel” shall mean any of the specific Properties included in the designated ANR. Collectively, these Parcels comprise the Redevelopment Plan area.

“Redevelopment Plan” shall mean this document entitled 2019 Allendale Redevelopment Plan, together with the implementing Borough Ordinance(s), as may be amended from time to time.

“Redevelopment Project” shall mean the construction, rehabilitation, renovation, when undertaken and, if applicable, and the construction of buildings, facilities and/or other improvements in the Redevelopment Area in accordance with this Redevelopment Plan. For the purposes of a Certificate of Completion and Compliance pursuant to the Redevelopment Agreement a certificate of completion may be issued for any independent Project component or use, such as residences, self-storage facilities, or offices.

“State” shall mean the State of New Jersey and shall include all applicable agencies and instrumentalities thereof.

2 Purpose/Vision

A. PURPOSE

This Redevelopment Plan establishes the objectives for the Properties and general standards for the repurposing of the Properties, including amending the Industrial zoning district (D-1) to permit multi-family residences as an overlay zone. As indicated in the SOI/RFQ the Borough of Allendale desires to 1-build a municipal building of approximately 15,000 square feet (additional municipal storage space is also desirable), 2-have the successful respondent build sufficient space so as to attract quality commercial space and a residential development component consistent with affordable housing requirements-with a focus on senior citizen and workforce housing (defined as a certain percent of market rate housing), and, 3-provide sufficient parking resources. These uses reflect flexible conditions to allow the Borough to choose reasonable terms best satisfying the public need.

B. PUBLIC POLICY GOALS

- 1) Provide the mechanism for a public/private partnership designed to promote economic development in the Redevelopment Area, through the proper arrangement of properties and to provide a repurposed business (such as a self-storage facility) with access to their site.
- 2) Prevent the spread of faulty arrangement of properties where tractor trailer truck traffic is encroaching on the bucolic W. Crescent Avenue corridor.
- 3) Assist the Borough in complying with the affordable housing agreements and protocols. Through this process, reverse the conditions in the Redevelopment Area which represent a potential detriment to the safety, health and welfare of the community (example tractor trailer commercial traffic).
- 4) Where appropriate, utilize redevelopment, financial and non-financial incentives and programs to attract appropriate land uses to the Redevelopment Area.

C. REDEVELOPMENT PLAN OBJECTIVES

- 1) Enact such elements and controls which will allow for the repurposing of lands within the Redevelopment Area consistent with the Purpose and intent of this Redevelopment Plan while respecting the environmental constraints apparent in the Redevelopment Plan area
- 2) Enact such elements and controls as may be necessary and appropriate to allow lands having deteriorated structures and foundations situated on them to be redeveloped; and to ensure that any such use will conform to the character of the Redevelopment Area envisioned by this Redevelopment Plan.
- 3) Reconfirm Plan and development compliance with § 40-of the General Ordinances of the Borough of Allendale (“Code”).
- 4) To the extent reasonably practicable work with the designated Redeveloper(s) to minimize disruption of the community both within and adjacent to the Redevelopment Area during construction activities and to ameliorate traffic control issues. However, extensive infrastructure improvements may be required.

5) Establish Redevelopment Plan elements and controls which allow for planned development in a mutually supportive environment consistent with Smart Growth principles and state mandated affordable housing requirements.

6) This Redevelopment Plan provide the structure to comply with the provisions of N.J.S.A. 40A:12A-7 "Adoption of redevelopment plan". The following statutory elements are covered in this Redevelopment Plan. To wit:

7. a. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c. 79 (C.40A:12A-5 or 40A:12A-14), as appropriate.

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

*(1) Its relationship to definite 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. **{Because the elimination of heavy commercial tractor trailer traffic will be greatly reduced and community facilities, a new municipal building, are to be constructed upon the Property a direct relationship to local objectives is apparent.}***

*(2) Proposed land uses and building requirements in the project area. **{The outline of the land uses is stipulated in the SOI/RFQ and in the response thereto.}***

(3) 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. (N/A)

*(4) An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan. **{Pursuant to the Redevelopment Agreement the Redeveloper will acquire Borough property. However, the Borough will not acquire any new or additional property to effectuate this Plan, with the possible exception of easements and rights of way.}***

(5) Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State

*Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.). **{This Redevelopment Plan area is in a PA-1 planning area, an urban development area. We have reviewed the adjoining municipal master plans and find no inconsistencies with this Redevelopment Plan.}***

(6) As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure. **(N/A)**

(7) a. plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section. **(N/A)**

b. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan. **{The provision of affordable together with market rate housing is a principle purpose of this Plan. Twenty-nine units will be "non-market" units, of which twenty (20) are age-restricted and six (6) are COAH type units, with an additional three (3) below market units for first responders.**

c. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof. **{The property at Lot 20, from Figure 1 will have an overlay district component of multi-family uses.}**

d. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan. **{This Plan is consistent with the master plan and continues the underlying zoning.}**

3 Context

A. SURROUNDING AREA CONTEXT-RESIDENTIAL HOUSING AS A PERMITTED USE

- 1) Prior to receiving site plan approval, the Redeveloper shall perform a comprehensive traffic study describing the impact of the proposed development and providing for adequate on-site traffic circulation.
- 2) The Property situated at Block 1005, Lot 20 shall have multi-family residential properties of a maximum of sixty (60) units as a “Primary intended use” Zoning Ordinance. The Redeveloper shall, within thirty days of adoption of this Redevelopment Plan by the adoption of the requisite Borough Council Ordinance, provide a specific schedule of bulk standards, which shall be consistent with any conceptual site plan submitted in response to the SOI/RFQ.
- 3) Accordingly, § 270-72 A. 9 of the municipal code is hereby amended (added) to permit as an additional permitted use at Block 1005, Lot 20 the multi-family residences. This shall be considered the D-1 Multi-residential overlay zone. The density limitation shall be a maximum of sixty (60) units shall be permitted on this parcel in an attractive three-story arrangement. The designated Redeveloper shall submit a site plan application consistent with the following schedule of bulk standards which may be deviated from upon approval of the Planning Board.

Bulk Standards in the D-1 Overlay Zone and Applicable to the Properties in the D-1 Zone Situated in the Redevelopment Plan area.	
Minimum Lot Area	0.75 AC
Minimum Front Yard Setback	50 FT
Minimum Side Yard Setback	5 FT
Minimum Rear Yard Setback ¹	5 FT
Maximum Building Coverage	55%
Maximum Impervious Coverage	95%
Maximum Floor Area Ratio	100%
Maximum Height-excluded chimneys and appurtenances, not exceeding 20% of the roof area.	3 Stories/48 FT
The Rear yard set-back requirement is hereby waived where rear yard abuts a railroad or public utility right-of-way having a width of a minimum of fifty (50) feet.	
Loading Requirements	
Minimum Area or Size of Loading Space	None
Off-Street Parking Requirements-Where Appropriate.	
Minimum Size of Parking Space	9 FT x 18 FT
Minimum Aisle Width for Two-Way 90 Degree Parking	24 FT
Minimum Parking Setback from Front Property Lines	15 FT

BOROUGH OF ALLENDALE 2019 REDEVELOPMENT PLAN AT WEST CRESCENT AVENUE
BENECKE ECONOMICS, FEBRUARY 12, 2019

Minimum Number of Parking Spaces	<p style="text-align: center;">Office Use: 1 parking space/stall per 250 SF of GFA</p> <p style="text-align: center;">Residential Use: 1.8 parking space/stall per 1-bedroom unit 2 parking spaces, stalls per 2-bedroom unit</p> <p style="text-align: center;">Warehouse or Self-Storage Facility: 1 per 10,000 GFA</p>
Reference: New Jersey Residential Site Improvement Standards (NJAC 5.21-4.14).	

Signage	
Bulk Regulations-These provisions may be deviated upon a finding by the Planning Board that the deviation is necessary and warranted.	Proposed Redevelopment Plan Statistics
Freestanding Signs in D-1 Zone	
Maximum Number of Freestanding Signs	1 per business and eight (8) in the Redevelopment Plan area.
Maximum Height	10 FT
Maximum Size of Sign Face	30 SF
Minimum Setback	3 FT from Public R.O.W., including Sidewalks and Streets
If the sign is not flush with the ground, the bottom of the sign shall not be less than 2 feet or greater than 4 feet above ground.	
Façade Signs in D-1 Zone	
Maximum Number of Façade Signs	1 along the front façade of the building for each Occupant/Tenant
Maximum Size of Façade Signs	10% of the front building façade area

A RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS AND OBJECTIVES

The existing zoning district is enabled by the original zoning ordinance(s) and thereby is consistent with the master plan of the Borough. Moreover, the multi-family residences are part of an affordable housing agreement to provide housing opportunities in Allendale.

B. RELATIONSHIP TO ZONING ORDINANCE

This Redevelopment Plan shall NOT replace or supersede any provision of the Borough of Allendale Land Use Ordinance regulating development in the Redevelopment Area, with the exception of the nuanced notations included in this Plan and through the addition (inclusion in the zoning ordinance) of the Overlay Zone. In any situation where zoning issues are not specifically addressed herein, the Allendale Land Use Ordinance shall be applicable. Final adoption of this Plan by the Council shall be considered an amendment of the Borough of Allendale Zoning Map inasmuch as the multi-family use (Overlay Zone) is now a permitted use at Block 1005, Lot 20.

4 Use and Bulk Regulations

A. STANDARDS AND CONTROLS OF GENERAL APPLICABILITY

1) The controls and regulations governing land use and structural form specified herein are designed to promote the redevelopment of the Redevelopment Area in accordance with the purpose, goals and objectives of this Redevelopment Plan. As such, they are intended to provide a setting within which the Redeveloper and their designers are encouraged to generate detailed plans in order to produce a Redevelopment Project of outstanding design and superior quality.

2) Upon approval of the Redevelopment Agreement, the Governing Body shall have found the Project land uses and repurposing concepts consistent with the Redevelopment Plan. Further: Except where otherwise required by any of the aforesaid Planning Board approvals this Redevelopment Plan and the Redevelopment Area shall be governed by Site Plan Submission Requirements and Subdivision Submission Requirements of the Allendale Borough Land Use Ordinance. By reference herewith the Redevelopment Project shall be constructed in accordance with the Redevelopment Plan and approved site plan. Any modification that would cause a “d” variance pursuant to N.J.S.A. 40:55D-70(d) shall require the Redeveloper to seek an amendment by the Governing Body to the Redevelopment Plan. Any modification from the Redevelopment Plan or the approved site plan, that would be deemed a “design waiver” or a “bulk standard deviation”, which shall be considered as the equivalent of and akin to the provisions of a “c” variance pursuant to N.J.S.A. 40:55D-70(c), shall be submitted to the Borough Planning Board for consideration as part of a site plan application by the Redeveloper, subject to prior review of the Borough Planner. However, the multi-residential property bulk standards shall not be inconsistent with the concept plan (if any) submitted with the response to the SOL/RFQ.

3) Project Plans, including the site plan, for the pertinent Redevelopment Project(s) shall be reviewed and approved by the Borough Engineer and Land Use Board (Planning Board).

4) Applicability of Other Regulations

a. The provisions of this Redevelopment Plan are those of the Borough of Allendale and do not substitute for any law, code, rule or regulation established by any State or Federal agency. All development within the Redevelopment Area shall comply with such laws, codes, rules and regulations as may be applicable.

b. The above notwithstanding, whenever a code or regulation contains comparable but less restrictive provisions or requirements than set forth in this Redevelopment Plan, the standards set forth herein shall govern.

c. The Borough recognizes that certain environmental issues may exist within Redevelopment Area lands, including, but not limited to, wetlands. The Redeveloper shall comply with all State and Federal environmental regulations.

5 Site Design

A. LANDSCAPING

Landscaping shall be utilized to complement open space areas, at points such as, but not limited to, courtyards, site driveways and building entries. Landscaping shall be provided in common areas, and intersection areas. All areas not covered by Roadways, or not in a natural state (for example – wooded areas) shall be attractively planted and well-maintained. Landscape plantings shall incorporate indigenous vegetation and may introduce accent features such as beach grasses.

B. LIGHTING AND SIGNAGE

A lighting plan and a signage plan shall be provided to the Allendale Land Use Board (“LUB”) at the time of site plan application. Adequate lighting shall be provided for all sensitive pedestrian and vehicular traffic areas (building entrances, courtyards, parking areas, sharp turns, merging lands, intersections, etc.). A traffic engineer shall certify the adequacy of the lighting plan. Lighting shall be designed to provide for safe movement of pedestrians and vehicles. All outdoor lighting shall be downcast and illuminate only the intended areas.

Curbs shall be installed around all parking areas and along driveways unless waived by recommendation of the Borough Engineer and approved by the Land Use Board.

Signs shall be attractive and must not disturb neighboring properties. The signage plan shall be submitted to the Allendale Land Use Board and approved by the LUB.

C. UTILITIES

All new utility distribution lines and utility service connections from such lines to lighting and other fixtures in the Redevelopment area shall be located underground. To the extent possible, existing utility lines should also be relocated underground.

6 Plan Consistency Review

A RELATIONSHIP TO MASTER PLANS OF ADJACENT MUNICIPALITIES

The Redevelopment Plan provides for the redevelopment of a previously developed site in an area already served by infrastructure. For this reason and because the Property does not impact on an adjoining municipality this Redevelopment Plan does not interfere with any adjoining municipality's master plan.

B RELATIONSHIP TO THE BERGEN COUNTY MASTER PLAN

This Redevelopment Plan does not conflict with the County Master Plan.

7 Redevelopment Actions

A OUTLINE OF PROPOSED ACTIONS-IDENTIFYING THE PROPERTIES

1) Details of Properties Located in the Redevelopment Area

The Redevelopment Plan Area should be cleared of existing structures to the extent necessary, parking lots and other improvements, must be adequately constructed. The D-1 zoning district permits self-storage units which is a new proposed use. Further, the municipal building is an office use which is also permitted. The multi-family residences are an overlay to the existing D-1 zoning district.

B PROPERTIES TO BE DISPOSED OF-BOROUGH PROPERTY TRANSFER AUTHORIZED

The Borough of Allendale owns the Properties in the Redevelopment Plan Area. No property, other than easements or for the purpose of effectuating a right of way, will be acquired by the Borough to effectuate this Redevelopment Plan unless this Plan is amended. In the event there is a need for right-of-way vacation or conveyance of municipally owned land, the Borough may take any action necessary to accommodate the redevelopment of the site. This accommodation may also include any easements necessary to accommodate the anticipated development. In addition, the Borough may remove any structures situated upon the premises, located in the ANR, that pose a threat to the public health and safety.

The Governing Body may transfer the municipal property pursuant to N.J.S.A. 40A:12A-8 g. "...lease or convey property or improvements to any other party pursuant to this section, without public bidding and at such prices and upon such terms as it deems reasonable, provided that the lease or conveyance is made in conjunction with a redevelopment plan, notwithstanding the provisions of any law, rule, or regulation to the contrary". The terms and conditions of the repurposing of the Property shall be stipulated in the Redevelopment Agreement, including the construction, conveyance of property and the scope of the municipal building construction.

C. OTHER ACTIONS

In addition to the demolition and new construction described above, the Council may undertake other actions to further the goals of this plan.

These actions may include but shall not be limited to: (1) provisions for public infrastructure, (2) environmental preservation, (3) vacation of public utility easements and other easements and rights of way as may be necessary for redevelopment, and, (4) the conveyance and re-conveyance of property to accomplish a public purpose such as creating affordable and "over 55" housing opportunities and occupying a municipal building for public office and storage use.

In order to stimulate private sector investment and maximize Redeveloper timing and quality, the Borough recognizes certain financial and planning realities related to the redevelopment of the Redevelopment Area. Accordingly, the Borough may make available such assistance as may be reasonably necessary to aid development, including participating, either alone or with a Redeveloper, in state and federal grant programs and granting of tax incentives. This is a non-condemnation redevelopment area and the Borough will not be exercising its powers of eminent domain unless this Redevelopment Plan is amended. All such assistance shall be addressed within the context of the Redeveloper's Agreement.

8 General Provisions

A. ADVERSE INFLUENCES

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

B. APPROVALS BY OTHER AGENCIES

The redeveloper shall be required to provide the Borough with copies of all permits made to federal, state and county agencies upon filing such applications, as will be required by the Redevelopment Agreement to be executed between the redeveloper and the Borough.

C. CONSTRUCTION STAGING

Staging for construction conducted within the Redevelopment Area, including parking and all other activities normally attendant thereto, shall be permitted on all Redevelopment Parcels.

D. SITE PLAN DEVIATION REQUESTS

The Allendale Planning Board may grant bulk standard deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective including (roadway construction) or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper of such property. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b. Notwithstanding the above, any changes to the use permitted in the Redevelopment Plan Area shall be permitted only by means of an amendment to the Redevelopment Plan made by the Borough Governing Body.

E. DURATION OF THE PLAN

This Redevelopment Plan shall terminate on December 31, 2050.

F. EASEMENTS

No building shall be constructed over a public easement in the Redevelopment area without prior written approval of the Borough Engineer of the Borough of Allendale.

G. ESCROWS

The Redeveloper may be responsible to post sufficient escrows to cover agreed upon costs of the professional consultants retained by the Borough to review the proposed redevelopment project and advise the Borough on certain aspects of the redevelopment process incurred subsequent to the adoption of the Redevelopment Plan.

H. INTERPRETATION

Any appeal for interpretation for of any section of this Redevelopment Plan or Redevelopment Plan Area shall be made to the Governing Body, acting in its capacity as Redevelopment Agency (Entity) for this Redevelopment Plan.

I. NON-DISCRIMINATION PROVISIONS

No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Redevelopment Entity or by the Redeveloper (or any successors in interest) whereby the land or improvements in the Redevelopment Area is restricted, either by the Redevelopment Agency (Entity) or the Redeveloper whatsoever upon the basis of race, creed, color, ancestry, sex, national origin, family status, disability or sexual preference in the sale, lease, use or occupancy of any project premise. The Redeveloper (or any successors in interest) shall not discriminate in any manner or form whatsoever upon the basis of race, creed, color, ancestry, sex, national origin, family status, disability or sexual preference in the sale, lease, use or occupancy of any project premise.

The foregoing restrictions, as well as the provisions of N.J.S.A. 40A:12A-9, shall be implemented by appropriate covenants or other provisions in the Redeveloper's Agreement and/or disposition instruments as covenants running with the land.

J. REDEVELOPER DESIGNATION AND AGREEMENT

1) The designated redeveloper of land located in the Redevelopment Area shall be required to submit documentation to demonstrate compliance with the objectives of the Redevelopment Plan as well as compliance with the Borough's Development Regulations. This shall be accomplished by and through the submission of a Site Plan for review and approval by the Allendale Land Use Board.

2) The Borough and the Redeveloper shall enter into a Redevelopment Agreement as permitted by the LRHL at N.J.S.A. 40A:12A-9. The redeveloper's agreement shall contain the terms, conditions, specifications of any redevelopment action. The Agreement shall include:

- a) The Project Concept(s) and description of project elements for the undertakings proposed.
- b) A schedule for the commencement and completion of improvements, including the municipal building.
- c) A statement regarding compliance with the Objectives of this Redevelopment Plan.
- d) Provisions for termination of Redeveloper's status in the event of default by the Redeveloper.
- e) Such provisions as may be required by law.

K. SITE PLAN AND SUBDIVISION REVIEW

In order to cause this Redevelopment Plan to be effective a site plan approved by the Allendale Land Use Board consistent with this Redevelopment Plan and all applicable zoning requirements, including those modified by this Redevelopment Plan shall first be approved.

Said approved site plan shall be submitted on or before July 1, 2019. In addition, a Project Plan delineating the construction of improvements within the redevelopment area, prepared in accordance with the general requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), and, further, shall be submitted by the Redeveloper for review and approval by the Allendale Land Use Board. The Project Plan shall be approved pursuant to provisions of this Redevelopment Plan and the enabling ordinance thereto.

9 Other Provisions

In accordance with N.J.S.A. 40A:12A-1 et seq., the Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land use consistent with existing zoning and infrastructure improvements.
- The Redevelopment Plan, and the Ordinances of the Borough, stipulates the proposed land uses and building requirements for the redevelopment area.
- As indicated in Chapter 6, this Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Allendale. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- This Redevelopment Plan shall supplement the provisions of the Borough of Allendale zoning ordinance regulating development in the area addressed by this Redevelopment Plan.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

10 Procedure for Amending the Approved Plan

This Redevelopment Plan may be amended from time to time upon compliance with all applicable laws and statutes and only upon approval of the Governing Body. In addition to any other requirements, including but not limited to those imposed by N.J.S.A. 40A:12A-13, mutual agreement between the Borough and a Redeveloper is required where a Redevelopment Agreement is in place and where an amendment would change the controls governing the use of land under said Agreement.

This Redevelopment Plan has been prepared by BENECKE ECONOMICS.

Fred Suljic, P.P.
Robert Benecke