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1. INTRODUCTION

Situated between the Morristown Green and Morristown Train Station, the intersection of Spring Street and Morris Street and its surrounding parcels are a focal point of the ongoing revitalization of abandoned or underutilized assets within Morristown. The area subject to this Redevelopment Plan is simultaneously a gateway to the downtown, promising development opportunity, community hub, and potential amenity for residents and visitors alike. It is paramount that modern planning and policy strategies are implemented in through this Redevelopment Plan to maximize the public benefit.

In 2004, the Town of Morristown's Council determined that the Block 3505, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 8, 9, 11, 12, 13, and 14 and Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq (Resolution R-28-04, adopted January 13, 2004). Subsequent to this declaration, Block 3504, portion of Lot 1 and Block 3505, Lot 16 were incorporated into the area by action of the Council in 2006. An initial redevelopment plan was adopted for this area in 2007. Several other parcels were later determined to be an area in need of redevelopment, including Blocks 10 and 10.01 of Lot 3505, by action of the Council in October 2008. The collective parcels designated as an Area in Need of Redevelopment (the "Spring Street Redevelopment Area") were collectively governed by the Spring Street Redevelopment Plan, adopted by the Morristown Town Council on December 11, 2008 (the "2008 Plan"). The 2008 Plan governed the land uses of the following parcels:

- Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12
- Block 3504, Lot 1 (portion)
- Block 3505, Lots 1, 2, 3, 4, 5, 6, 7 (and all associated condominium qualifiers), 8, 9 (1), 9 (2), 10, 10.01, 11, 12, 13, 14, 15 (portion), and 16

Figure 1 below illustrates the location of the Spring Street Redevelopment Area within the context of the Town.

Since the adoption of the Spring Street Redevelopment Plan in 2008, there have been dramatic economic shifts at the local and regional level. These shifts necessitate the issuance of an amendment to the 2008 Spring Street Redevelopment Plan so that redevelopment may be effectuated. The need for an amendment was acknowledged in the Town's 2014 Master Plan, Morristown Moving Forward. This document (the "Spring Street Redevelopment Plan: Phase 3 Amendment," "Plan," "Amended Plan," "Redevelopment Plan," or "Amendment") replaces the regulations of the 2008 Plan as they apply to Phases 3 and 4, as well as to a limited portion of other phases, which may be required for an expanded right of way, as defined herein.

The specific properties governed by this plan amendment are:

- Block 3505, Lots 1, 2, 3 (portion), 10, 10.01, 11, 12, 13, 14, and 15 (portion)
- Block 4901, Lots 7 and 8.

The properties governed by this Plan may henceforth be identified as the "Site," "Area," or "Amended Plan Area". Figure 2 below illustrates the portions of the 2008 Spring Street Redevelopment Plan subject to the Amended Plan.

Standards applying to Phases 1 and 2 included in the 2008 Plan, unless otherwise noted herein, remain unchanged. The Town acknowledges that further amendment of the 2008 Plan may be required to effectuate redevelopment of the properties contained within these phases.

1.1. **Redevelopment Area Context Map**

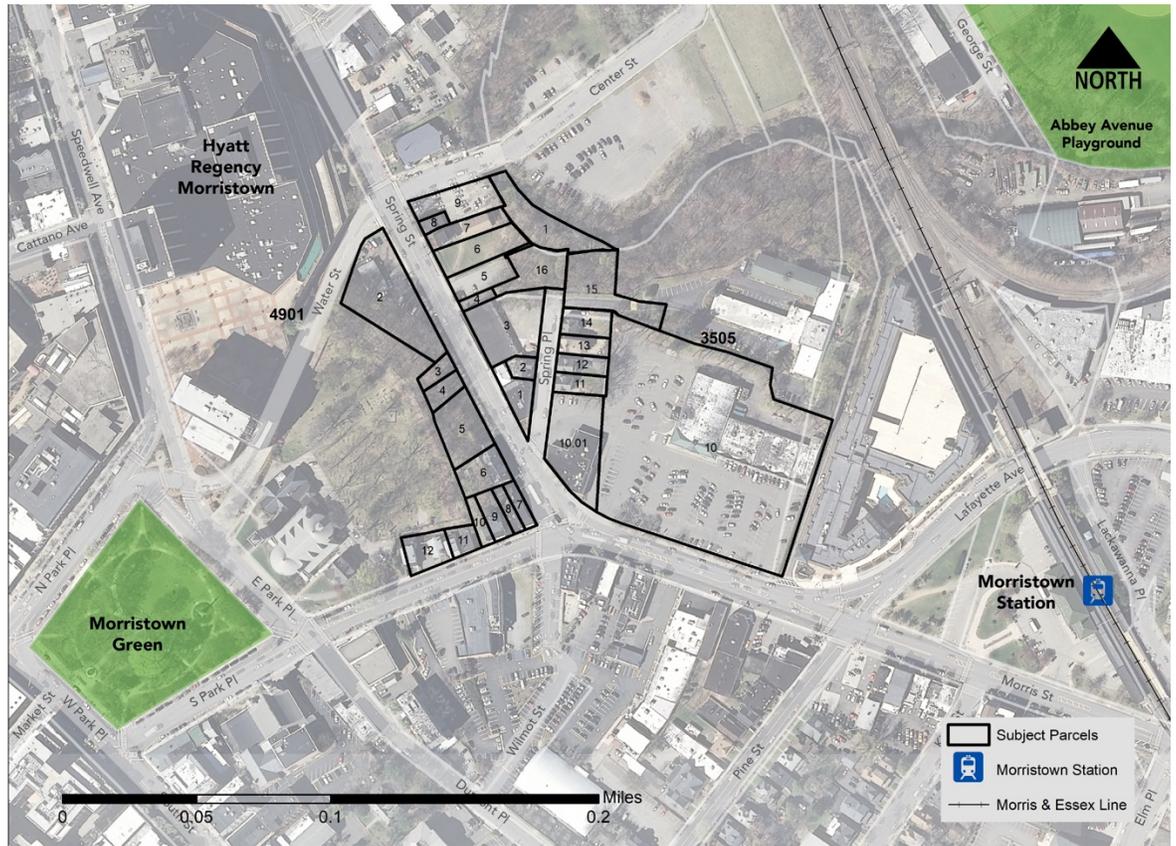


Figure 1: Spring Street Redevelopment Area

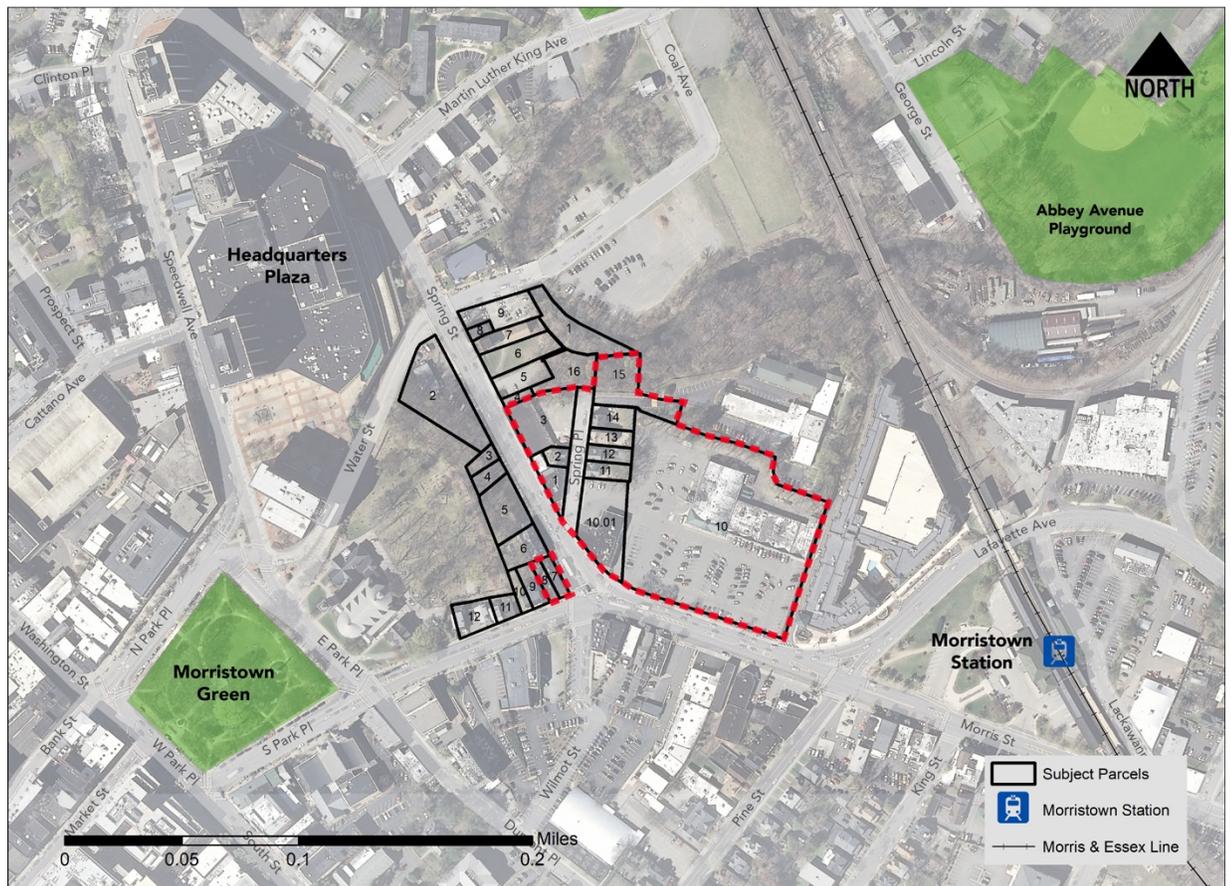


Figure 2: Spring Street Redevelopment Area Subject to 2019 Amendment

1.2. Plan Overview

The development standards set forth in the Amendment permit the conversion of the Area properties into a modern, pedestrian-oriented, and sustainable mixed-use development with office, retail, and open space. Careful attention to site planning, building design, and public improvements on the site will ultimately result in a development that serves both its occupants and members of the greater Morristown community.

Due to the Area’s importance to the economic well-being of Morristown, its proximity to local neighborhoods, and its strategic location between the Morristown Green and Morristown Train Station, this Redevelopment Plan puts a premium on context-sensitive solutions that provide benefits in the daily life of the community. Prior to crafting this Redevelopment Plan, multiple outreach workshops and presentations were held to gauge the community’s needs and desires for the project.

1.2.1. In accordance with the LRHL [N.J.S.A. 40A: 12A-7. A.2], this Plan establishes the following proposed requirements for the Amended Area:

- Land Uses
- Bulk Standards
- Design Criteria
- Building Requirements

Unless otherwise stated herein, the provisions set forth in the Amended Plan shall supersede, govern, and control the standards set forth in the Land Development Ordinance adopted by the Town of Morristown in June of 2018 and amended in November of 2018, including, without limitation, the District, Building, and Design Standards set forth therein, as well as the applicable standards set forth for the Amended Plan Area in the 2008 Plan. Any standard, definition, or regulation in the Town of Morristown Municipal Code that is not specifically addressed by a superseding standard, definition, or regulation in this Redevelopment Plan shall apply as part of this Redevelopment Plan. The Town Administration, in consultation with the Town professionals, shall make the final determination as to the consistency of a redevelopment project with this Plan.

1.3. Phasing

The 2008 Plan divided the Spring Street Redevelopment Area into four phases. This Amendment is limited to the properties defined as Phases 3 and 4 in the 2008 Plan, as well as Block 4901, Lots 7 and 8 and Block 3505, Portion of Lot 3. These properties will be referred to as Phases 3 and 3.1. The phase boundaries and respective blocks and lots are reflected in the figure below.

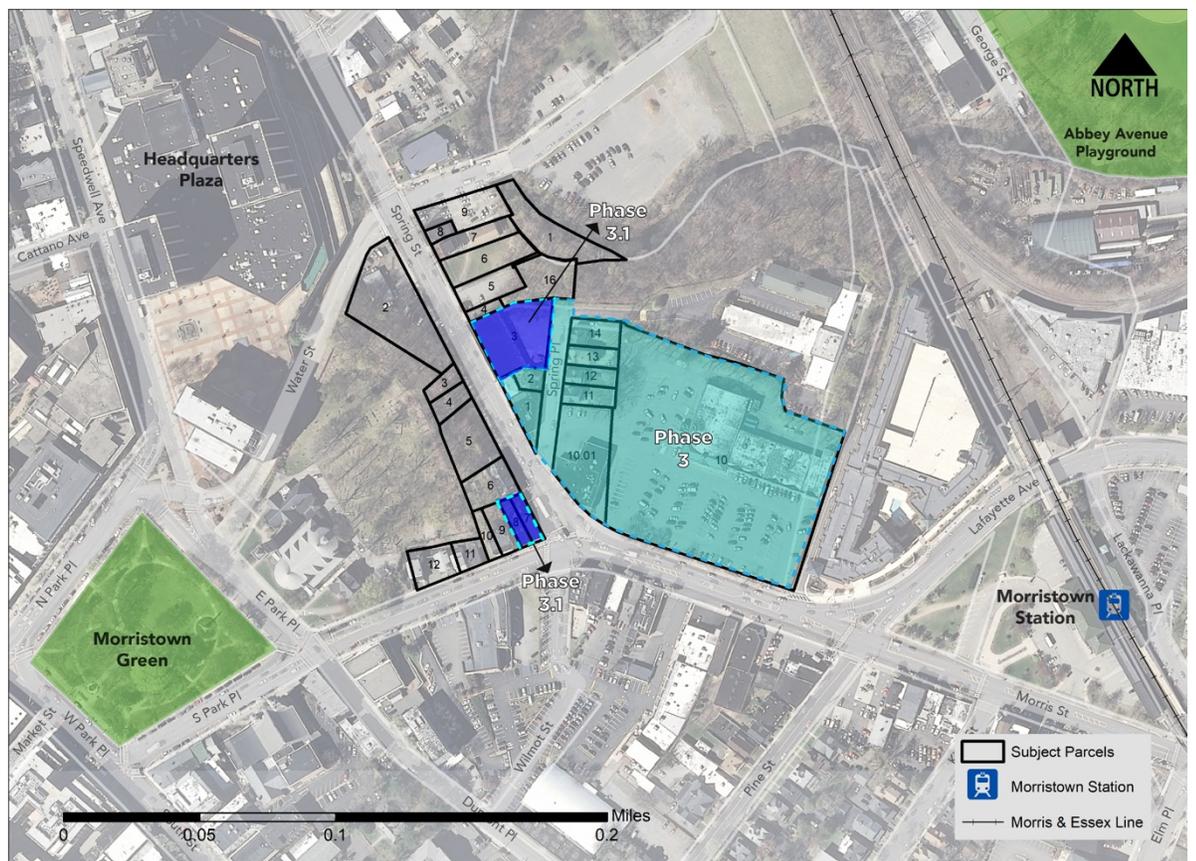


Figure 3: 2019 Phasing Map

1.3.1. Phase 3.1

Phase 3.1 is defined as Block 4901, Lots 7 and 8, and Block 3505, Portion of Lot 3, specifically the portion adjacent to Spring Place. These parcels are anticipated to be used for right of way expansion.

Should these parcels not be used for this purpose as a component of Phase 3, these parcels will retain the development rights as defined in the 2008 Plan.

1.3.2 Block 3505, Lot 15

A portion of Block 3505, Lot 15 as identified on the Town of Morristown's tax maps was included in the 2008 Plan. As a result of this Amendment, this portion of Lot 15 shall be henceforth governed consistently with the balance of Block 3505, Lot 15 in accordance with the applicable standards noted on the maps incorporated in the Morristown Land Development Ordinance dated November 20, 2018.

2. LOCAL REDEVELOPMENT AND HOUSING LAW

The Town of Morristown determined that the use of the redevelopment powers granted to municipalities under the Local Redevelopment and Housing Law (LRHL) (N.J.S.A 40A:12A-1, et. Seq) would be the most effective approach to revitalize the parcels contained in the Spring Street Redevelopment Area.

The Area was designated by the Town of Morristown as an "Area in Need of Redevelopment" in accordance with the LRHL in 2004, 2006, and 2008. The Town of Morristown does not intend to acquire any property within the Spring Street Redevelopment Area for the purposes of executing this Redevelopment Plan. The corresponding resolutions designating the properties as an "Area in Need of Redevelopment" are included in Appendix D.

For more information, refer to Local Redevelopment and Housing Law (LRHL) Regulations + Policy (Appendix A).

3. RELATION TO OTHER PLANS

Pursuant to the LRHL, "all provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan" (N.J.S.A 40A:12A-7(d)). The Amended Plan is significantly consistent with and intended to effectuate the Town's 2014 Master Plan, known as "Morristown Moving Forward." This Plan is also consistent with the following plans as detailed in Appendix B.

- Local Master Plan
 - Mobility and Streets Plan
 - Land Use and Community Form Plan
- Morristown Train Station Redevelopment Plan
- Surrounding Communities' Master Plans
- Adjacent County Master Plan
- Morris County Master Plan
 - Circulation Element
 - Bicycle and Pedestrian Element
 - Open Space Element
- NJ State Development and Redevelopment Plan
- NJ State Strategic Plan
- NJ Smart Growth Principles

4. SITE DESCRIPTION

4.1. Property Area + Location

The figure below outlines the properties and lands subject to the Amended Plan. The Area is comprised of Block 3505, Lots 1, 2, a portion of 3, 10, 10.01, 11, 12, 13, 14, and a portion of 15 as well as Block 4901, Lots 7 and 8. Portions or all of the rights-of-way of Bishop Nazery Way (Center Street), Spring Street, Morris Street, and Spring Place, are subject to improvement as a means of effectuating the Redevelopment Plan.

The largest portion of the Site is Block 3505, which is bound by Morris Street to the south, Spring Street to the west, Bishop Nazery Way to the northwest, the Highlands development to the east, and the Whippany River and an assisted senior living facility to the north. The lots in Block 4901 are bound by Spring Street to the northeast, Morris Street to the southeast, the First Presbyterian Church and its cemetery to the south and southwest, and Water Street to the west.

4.2. Project Area Map

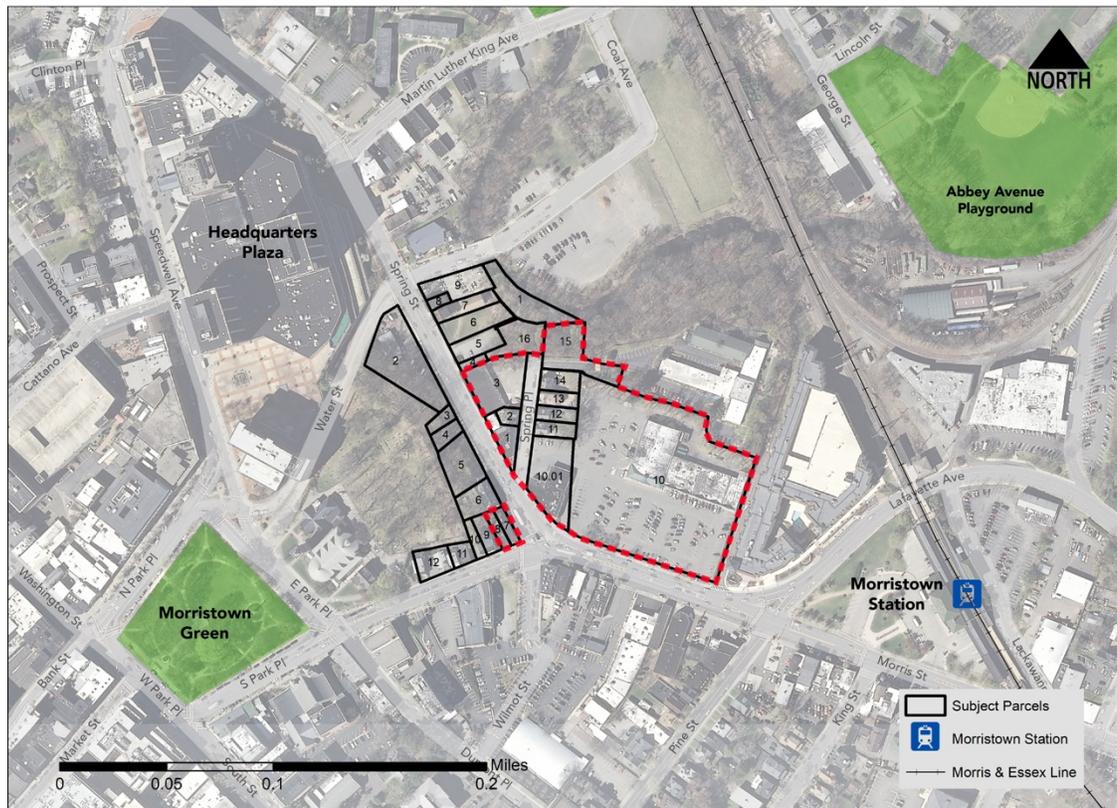


Figure 4: Area Subject to 2019 Amendment

4.3. Property History

As mentioned, the Redevelopment Area is closely associated with and located nearby to two community anchors: the Morristown Green and Morristown Train Station. As such, the Site’s history is closely associated with these assets. While the Green has been an important town center since the Town’s founding in 1715, the construction of the Morristown Train Station in 1835 as the terminus of the Morris & Essex Railroad pulled the Town’s center of gravity northeast, and encouraged new development around the Station and the rail right-of-way. Residences, tenements, a school room, a saloon, grocery, a blacksmith, and a marble works were established on and around the site by 1885. In 1896, the Morristown Memorial Hospital was established on the site.

At the turn of the century, a blacksmith and the First Independent Methodist Church were built north of the newly constructed Spring Place. The hospital expanded considerably between 1901

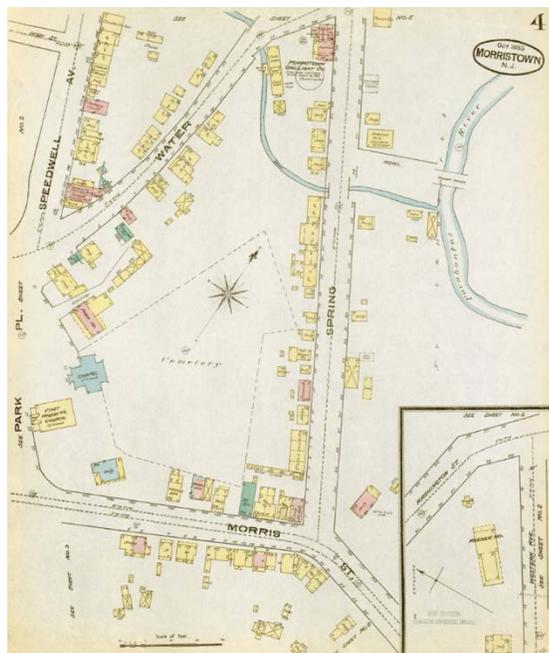
and 1909 into two wards, a clinic, a main building, and a separate nurse's home to accommodate the needs of a growing population. By 1918, most of the modern-day lots were established on the site along Spring Place and Block 4901. These included residences, a hat maker, a barber, the Union Baptist Church, and a several mixed-use buildings with dwellings located above or behind the storefronts.

The area changed significantly throughout the middle of the 20th century, as ongoing transitions made Morristown increasingly automobile centric. Construction of the strip mall-style shopping center began in the 1950s, replacing the hospital. Soon after, the autobody currently along Spring Street replaced residences. Interstate 287 reached Morristown by 1970, and the nature of the area continued to change thereafter with the construction of Lafayette Avenue past the Train Station.

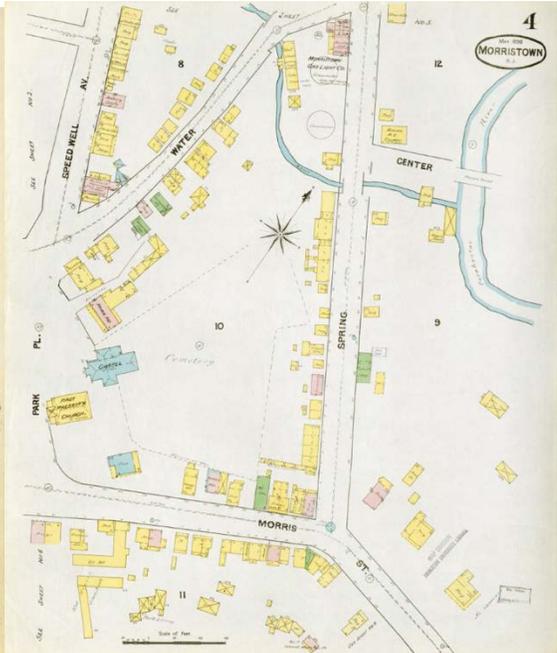
The new vehicular corridor created by Lafayette Avenue and Interstate-287 embodied the land uses and transportation designs of this era of development, which were primarily concerned with accommodating motor vehicle traffic and lifestyles centered around the automobile. While Morristown has since evolved considerably, the buildings on the site have changed very little.

The figures below reflect the evolution of the Area over time.

1885

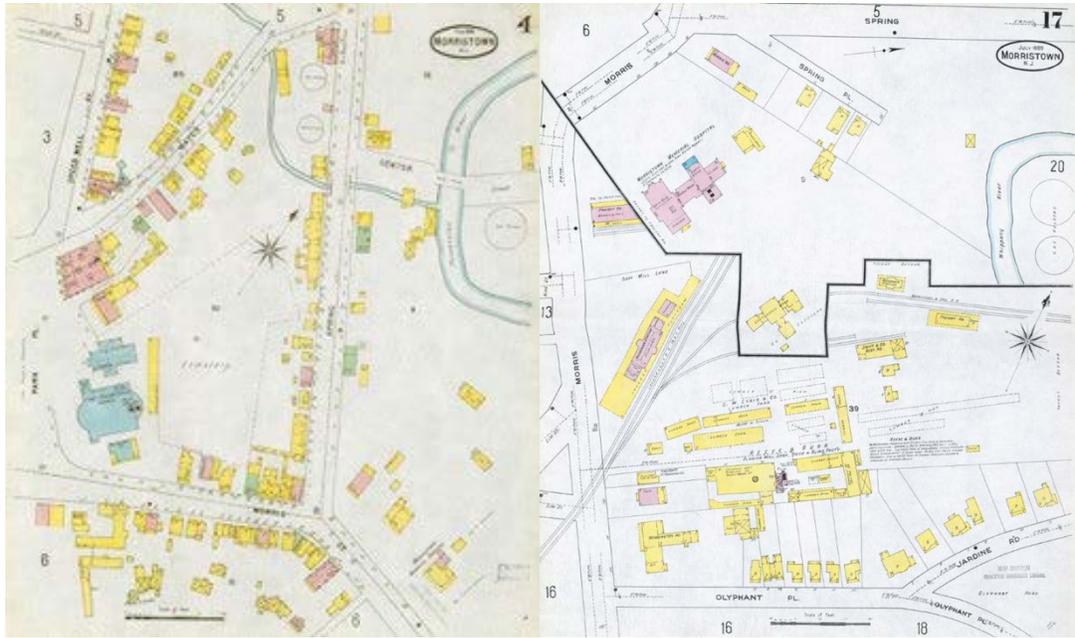


1890



1896

1909



1909

1918

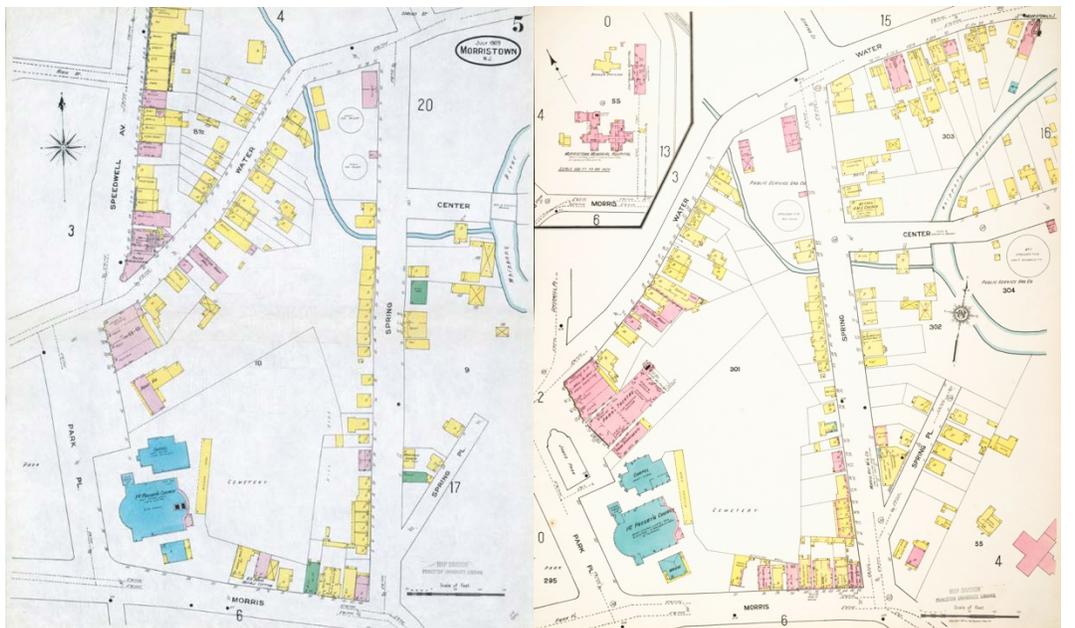


Figure 5: Historic Sanborn maps showing property evolution.

4.4. Existing Conditions

4.4.1. Existing Development

The portion of the Spring Street Redevelopment Area governed by the Amendment is predominantly occupied by the Midtown Shopping Center and the associated parking lot. The Midtown Shopping Center is a 1-story retail facility of roughly 32,000 square feet. Currently, the Midtown Shopping Center is home to approximately twelve commercial tenants. Specific commercial uses include restaurants, a grocery store, and service establishments like a nail salon. The site is served by roughly 200 surface parking spaces.

4.4.2. Existing Zoning

The current zoning for the site is governed by the Spring Street Redevelopment Plan as adopted by the Town of Morristown on December 11, 2018. The Spring Street Redevelopment Plan is included as Appendix E.

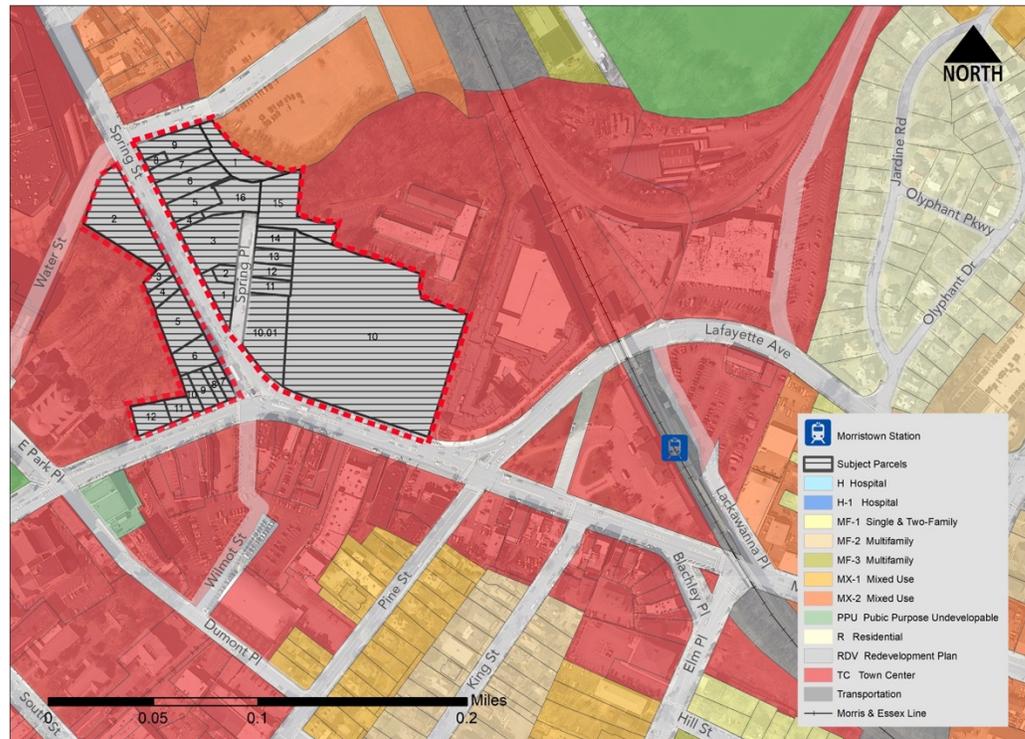


Figure 6: Existing zoning in and around the Spring Street Redevelopment Area.

4.4.3. Neighborhood Context

The Spring Street Redevelopment Area is an important gateway to downtown Morristown and a transition point between the Green and the Morristown Train Station. Proper use and design in the area is vital to linking the two parts of Town and providing a welcoming, modern, and vibrant environment.

To the east of the Redevelopment Area is the Highlands, a mixed-use residential development with structured parking for both the building's residents and the commuters. Built in 2010, it replaced surface parking on the grounds of what used to be a rail freight yard.

East of the Highlands is the Morristown Train Station. The station is a major stop along New Jersey Transit's Morris & Essex Line, which offers direct passenger service eastbound to New York Pennsylvania Station and westbound to Hackettstown, New Jersey. As the Morris & Essex Line is a major line for commuters to Manhattan, it has frequent service at both morning and evening peak commuting hours.

Headquarters Plaza, the subject of an urban renewal project beginning in 1966, provides a stark contrast to the projects permitted through this Redevelopment Plan. Headquarters Plaza demolished numerous residential and commercial buildings to construct what are a multi-building complex with offices, a hotel, a shopping mall, and a multi-level parking structure.

To the north of the site is the Second Ward neighborhood. The poor quality of pedestrian infrastructure, high vehicle traffic on Speedwell Avenue and Spring Street, and design of Headquarters Plaza, which literally turns its back to the neighborhood with its parking garage, contribute to a retail “dead-zone” and physical separation between the Second Ward neighborhood and the rest of town. These conditions also likely result in Headquarters Plaza shopping mall and Pioneer Park being underutilized. While not part of the scope of this redevelopment plan, the Town is currently overseeing improvements to make Pioneer Plaza more hospitable and welcoming.

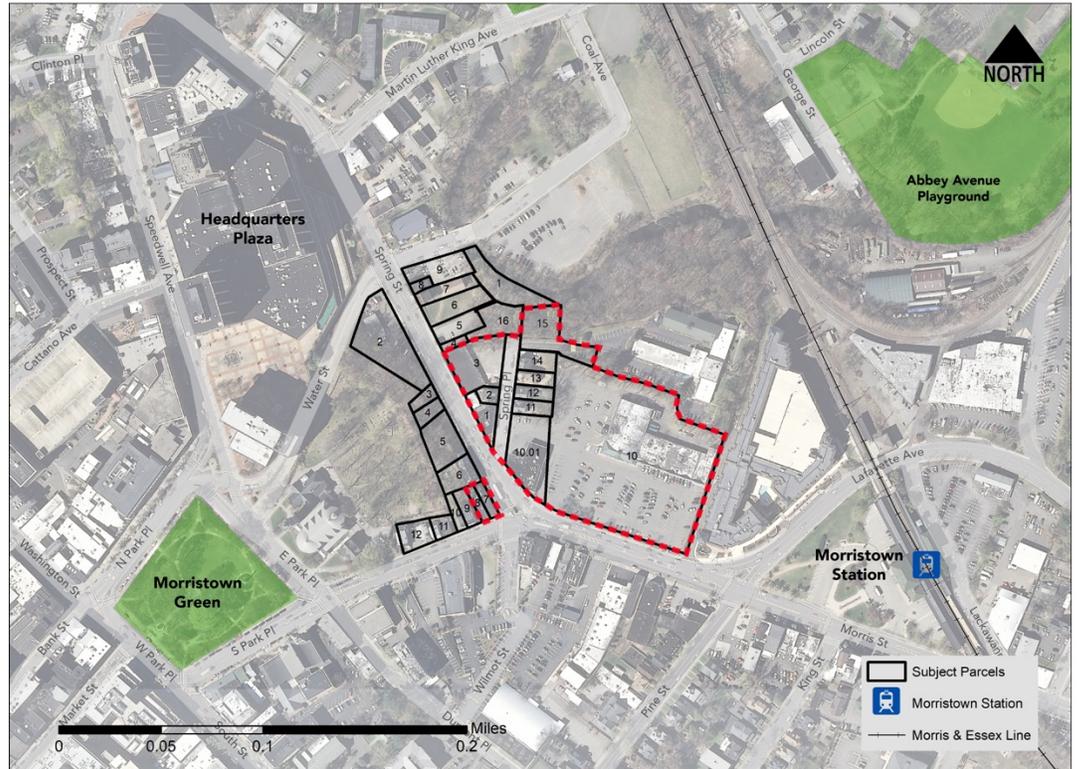


Figure 7: Spring Street Redevelopment Area and neighborhood context.

4.4.4. Property Restrictions

- Topography + Slope:** Topography within the Area varies. Particular changes in elevation are present on the southwest and northwest sides of Spring Street, and on Spring Street moving away from Morris Street. Where possible, projects should use this change in topography to enhance design features.
- Traffic:** The Area is located in one of the most highly trafficked areas in Morristown. Maintaining effective vehicular circulation in the redevelopment area is essential to the local and regional economies and transportation network. To this end, any project proposed within the Area must comply with the mobility improvement standards described in Section 5.3.2.
- Viewsheds:** Because of the height permitted through the Redevelopment Plan, there is concern about the impact of the building on the views of surrounding residential and commercial developments. Project design should be cognizant of the impact the development will have on the viewsheds of nearby properties and redevelopers may be asked to provide alternative perspective views of the project.

- **Morris + Spring Street Detour Plan:** Because of the importance of Morris and Spring Street to traffic patterns within Morristown and the region, a detailed construction detour plan must be submitted as a component of any project.
- **Spring Place:** Phase 3 is currently served by Spring Place, a minor road that provides connectivity to the Spring Hills Morristown Assisted Senior Living Center (Block 3505, Lot 15). Spring Place may be vacated or realigned as a component of the Phase 3 redevelopment, subject to the approval of the Planning Board and pursuant to terms articulated in a Redeveloper Agreement to be executed between the Town and redeveloper. Safe and appropriate access to Block 3505, Lot 15 must be preserved at all times, including during construction.
- **Ingress and Egress to Morris Street:** For properties in Phase 3, entry/egress to and from Morris Street is limited to right in/right out.

4.4.5. Mobility + Circulation

There are two rights-of-way specifically and most affected by development within the Amended Plan Area: Morris Street and Spring Street. Redevelopment should be considerate of its impacts on circulation along these roads, as well as nearby public transit assets.

- **Morris Street:** Morris Street (CR 510) is a heavily traversed arterial that runs from the Morristown Green to I-287 where it becomes Morris Avenue. The street is a key commercial corridor for the Town and has attracted numerous development projects and proposals in recent years. These projects, and the continued development of Morristown as a residential, employment, and cultural center, have resulted in traffic growth on the corridor. This growth is anticipated to expand in future years—the circulation element of the Morris County Master Plan, for example, projects roughly 15% growth in daily volumes along Morris Street by 2040.
- **Spring Street:** While a relatively short street, Spring Street provides a vital connection between Morris Street and Speedwell Avenue, two major town connectors. Recent studies of Spring Street, including the Morristown Mobility Initiative, noted drivers on Spring Street experience significant queues while moving southbound during the PM peak hours.
- **Rail Ridership:** Access to points within the region via NJ Transit’s Morristown Train Station is central feature for downtown Morristown and this Redevelopment Plan. The Morris and Essex Line provides users with connections to Dover, New Jersey and Penn Station in Midtown Manhattan.
- **Bus Access:** Bus access is provided in and around the Area at a variety of locations. These bus lines and corresponding locations are:
 - NJT 871: Morristown-Boonton-Willowbrook
 - Morris Street + East Park Place, Elm Street + Morris Street, Water Street + Spring Street
 - NJT 872: Morristown-Route 10-Livingston
 - Water Street + Spring Street
 - NJT 873: Greystone-Morristown-Livingston
 - Morris Street + East Park Place
 - NJT 874: Morristown-Willowbrook

- Morris Street + East Park Place, Elm Street + Morris Street, Water Street + Spring Street
- NJT 875: Morristown-Dover-Roxbury
 - Morris Street + East Park Place
- NJ 880: Morristown-Dover-Rockaway
 - Morris Street + East Park Place

5. PUBLIC PURPOSES

5.1. Description of Amended Plan Area

- Block 3505, Lot 1
- Block 3505, Lot 2
- Block 3505, Lot 3 (portion)
- Block 3505, Lot 10
- Block 3505, Lot 10.01
- Block 3505, Lot 11
- Block 3505, Lot 12
- Block 3505, Lot 13
- Block 3505, Lot 14
- Block 3505, Lot 15 (portion)
- Block 4901, Lot 7
- Block 4901, Lot 8

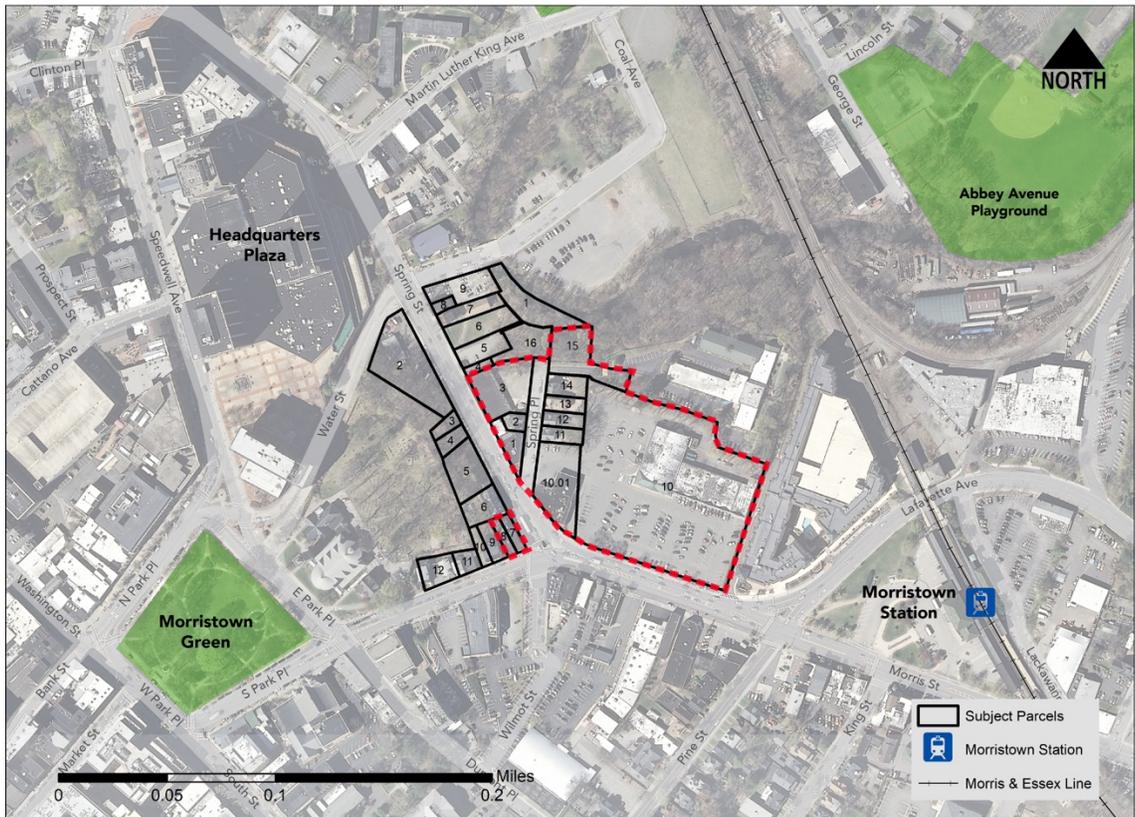


Figure 8: Amended Plan Area

5.2. Goals + Objectives

5.2.1. Create balanced circulation patterns that serve multiple modes of transportation

- Continue to effectuate Morristown’s Town-wide complete streets policy, aimed at designing rights-of-way to accommodate all modes of transportation, including walking, biking, and driving.
 - Develop streets and circulation patterns that balance the needs of vehicles, pedestrians, and cyclists.
 - Create safe, comfortable, and exciting areas that will attract pedestrian activity and give people a reason to linger and explore.
- Incorporate pedestrian-oriented street elements that can improve safety and increase the opportunity for interaction, including adequate street lighting, public benches, picnic areas, bicycle parking facilities, art installations, street trees, crosswalks, associated safety signage, and other various streetscape elements.

5.2.2. Introduce high quality architecture

- Encourage the development of iconic architecture that respects the existing neighborhood fabric and provides a visual gateway to downtown Morristown.
- Design the office and retail development to encourage walkability in the neighborhood and provide local “eyes and ears” on a busy travel corridor.
- Enhance the visual characteristics of the area and improve safety for pedestrians, bicyclists, and motor vehicles alike.

5.2.3. Incorporate green infrastructure + sustainable design

- Incorporate street trees and green infrastructure elements into planned building and landscaping designs to reduce runoff and improve local water quality.
- Encourage the use of sustainable building standards and materials to reduce environmental impact.

5.2.4. Provide human-oriented public space

- Improve the visual character and the physical safety of Morris Street and Spring Street through landscaping, architectural, and streetscaping design elements.
- Coordinate design for public space and streetscape elements that utilize similar plantings, visual cues, and sidewalks to create a uniform and attractive public realm.
- Create flexible, programmable public spaces that can be used for passive recreation and/or special events
- Design public and open spaces in and around the property to provide the opportunity for social interaction and enjoyment. This includes areas for outdoor dining and passive outdoor recreation.

5.2.5. Promote economic development in Transit District

- Build upon previous transit district initiatives to integrate to create job opportunities and spaces for local businesses to thrive.
- Support ongoing redevelopment and reinvestment within Morristown through the accommodation of unique and attractive uses within the transit district.
- Increase the number of people and foot traffic near the train station to provide a critical mass to maintain and grow retail, businesses, events, and specialized programs throughout downtown.

5.2.6. Encourage neighborhood revitalization

- Safeguard the health, safety, and welfare of the residents of Morristown through the repositioning of underutilized property that can contribute to the economic wellbeing of the Town.

5.3. Circulation + Public Space Improvements

The Amended Plan affects a vital location in Morristown that is utilized by thousands of drivers and pedestrians every day. Based on the crucial nature of the location, it is essential that redevelopment projects actively make the location, safer, more vibrant, and activated. To that end, the Redevelopment Plan envisions a series of public space interventions and circulation improvements that will advance the Plan objectives.

5.3.1. Phase 3 Public Space Improvements

The Amended Plan Area includes four types of discreet public spaces (shown in Figure 9): (1) Pedestrian Promenade/Retail Walk; (2) Streetscape Plaza; (3) The Plaza; and (4) Drop-off Court. The image below displays a conceptual layout of how these areas may be configured:

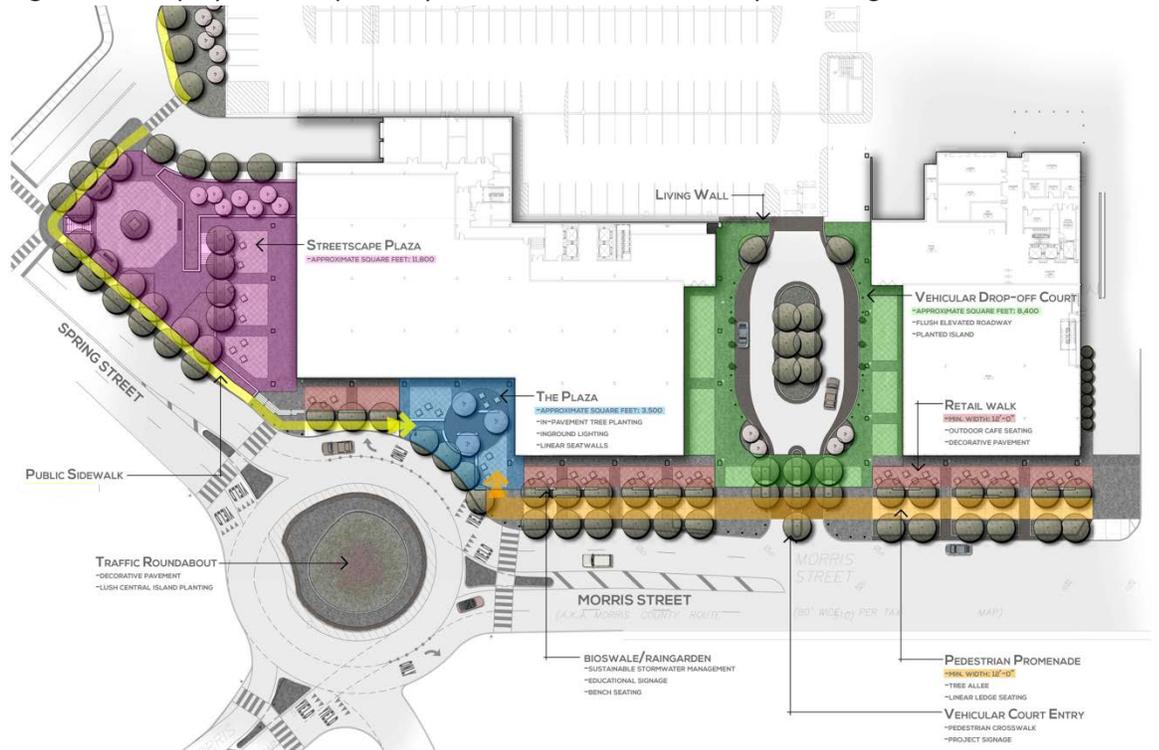


Figure 9: Public spaces in Amended Plan Area.

All public space improvements must be designed by a licensed landscape architect. While defined separately herein, each of these improvements should be integrated and function as components of a larger space. Detailed design specifications to be incorporated into each of these spaces are included in Section 6.1.6. These spaces and design intent behind each are described more fully below:

- **Public Space Improvement Guidelines:** Each of the public space improvements required in Phase 3 should adhere to the following guidelines:
 - Landscaping will include trees, shrubs, groundcover and similar materials that shall be designed to provide buffering, ornamental, and environmental

related functions. A mixture of species is encouraged to address these varied objectives. Landscaping shall be designed to allow adequate sight distances for pedestrian and vehicular safety.

- Bicycle racks should be placed throughout public spaces and shall be permanently mounted, conveniently placed, and attractively designed.
 - Decorative planters and similar landscaping apparatus should be utilized to accent entries and define pedestrian/vehicular uses. Planter placement shall not interfere with pedestrian or vehicular circulation and shall complement architecture in material and color.
 - Trash and recycling receptacles shall be located throughout the public spaces. All plazas shall have trash receptacles. Receptacles shall be permanently mounted and attractively designed. High capacity compaction receptacles should be considered to reduce operating costs.
 - Seatwalls or benches shall be coordinated with street trees and located along the public spaces to provide varied seating opportunities for the public. Café style seating is encouraged along retail frontages for outdoor dining.
 - Sidewalks should be concrete with accents of alternative higher end finishes like pavers or colored/stamped concrete.
 - Spaces within 10 feet of buildings in plazas and courtyards and within 18' of buildings along the Pedestrian Promenade, can be used for retail purposes such as sidewalk dining and similar uses. Access in these areas may be limited to paying customers. All other areas shall be publicly accessible.
 - Efforts should be made to reduce heat island effect in public spaces.
 - Additional guidelines for Streetscape + Public Space Design are included in section 5.3.4.
- Pedestrian Promenade/Retail Walk: The Pedestrian Promenade/Retail Walk is a tree lined allee that will run from the eastern edge of Phase 3 on Morris Street to the intersection of Morris Street and Spring Street. This area shall be landscaped with a double row of trees that create an attractive atmosphere for pedestrians. The Morris Street Promenade may incorporate separated infrastructure for bicyclists, although this is not a required element of the promenade. The promenade should be roughly 40' wide as measured from curb line to ground floor building façade at its eastern extent and may gradually become narrower as it moves west on Morris Street. At no point shall the width of the Morris Street promenade as measured from the curb line to the ground floor building façade be less than 30'. The materials used should complement and be in harmony with the building architecture. Pavers, stamped concrete, and decorative materials are encouraged.



Figure 10: Art on Denver's 16th Street Mall, a promenade with mixed uses and open space.

The promenade is comprised of two key elements. On the outside (Morris Street side), a pedestrian zone will be designed with linear ledge seating. This will be the primary zone for pedestrians moving the redevelopment area. On the inside (building side), the promenade will abut retail and other active ground floor uses and be accented with outdoor seating and decorative pavement. Outdoor dining will be encouraged in this area. Each element of the promenade should be at least 15' in width in most locations. A buffer may be provided between the two elements. The buffer may be created using art, landscaping, or other means. In no circumstance shall the width of the sidewalk dedicated to pedestrian passage unobstructed by furniture, landscaping, or similar improvements, be less than 10'.



Figure 11: Sample rendering of the Pedestrian Promenade/Retail Walk.

Green stormwater management features like bioswales or raingardens should be incorporated into the design of the promenade.



Figure 11: Green infrastructure being used as a buffer between pedestrian and vehicular areas.

- **The Plaza:** The Plaza shall be located at the northeast intersection of Spring Street and Morris Street. The Plaza serves as a linking location between the more prominent Streetscape Plaza and the Pedestrian Promenade/Retail Walk. Landscaping should be used within The Plaza to create a hospitable environment within the plaza, and on the outside to create an attractive barrier between the plaza and the intersection to create a sense of respite for users of the Plaza. The Plaza should have seating areas, ample and attractive lighting, and may be integrated with the adjacent retail uses. The Plaza should include pavers or colored/stamped concrete to complement and accent the architectural materials of the buildings. The Plaza shall be at least 2,500 square feet inclusive of planting and hardscape.
- **Streetscape Plaza:** The Streetscape Plaza shall be located at the western edge of the Promenade. This Plaza will be at multiple grades to accommodate for changing topography. Access between the two shall be ADA compliant and achieved in a creative and attractive manner. As the terminus of, or entrance to, the promenade, the plaza should serve as a gateway into the area and be landscaped accordingly. The Streetscape Plaza shall be a minimum of 10,000 square feet inclusive of planting and hardscape. The Streetscape Plaza should have a frontage of roughly 210' frontage along Spring Street from the western edge of the West Building to the adjacent parcel boundary of Lot 3, inclusive of any drives or roads. Sidewalks between the Spring Place Plaza and Spring Street shall be at least 10'.



Figure 12: Mulberry Commons in Newark, NJ is a multi-level open space adjacent to an office building that provides a range of recreational uses.

- Drop-Off Court: The Drop-Off Court is a multi-use space that sits along Morris Street and serves as a focal point between the three buildings permitted within Phase 3. The Drop-Off Court should function as a place where pedestrians can feel safe and at ease, while still facilitating smooth circulation through the area. The Drop-Off Court should be at least 8,000 square feet inclusive of planting and hardscape, and function as a pick-up and drop-off area for visitors and employees of the Phase 3 development. Elements of the Drop-Off Court should include attractive seating, varied landscaping, and adequate lighting. Entry to the Drop-Off Court from Morris Street shall be designed in a manner that is receptive to the needs of both pedestrians and vehicles. This may be accomplished via a tabled entry, bollards, strategic use of materials, or similar interventions. Adequate provision for drop-off and pick-up by ride sharing services shall be provided in the Drop-Off Court.



Figure 13: Integration of pedestrian and vehicular uses at the entrance to the Central Courtyard

- Block 4901, Lots 7 and 8: As noted in Section 1.3.1, Block 4901, Lots 7 and 8 are anticipated to be used for right of way expansion. Should these properties be used for this purpose, the remainder of each property not used for right of way shall be maintained as public space and designed in accordance with the applicable standards of section 6.1.6.
- Spring Street Sidewalk Improvements: During Phase 3 implementation, redeveloper shall facilitate the reconstruction of the northern sidewalk of Spring Street from Spring Place to Bishop Nazery Way according to Morristown Partnership Standards as described in 6.3.4. The redeveloper may satisfy this obligation in one of the following ways:
 - Construct and complete the improvements as a component of and concurrent with the Phase 3 construction.
 - Provide a deposit into an escrow fund or implement another funding mechanism (e.g., a performance bond) to the extent reasonably acceptable to the Town, the terms of which shall be set forth in the redevelopment agreement, including but not limited to (a) the timing/duration of the redeveloper's obligation to implement/complete such improvements (b) the amount of funding to be placed in the escrow (based on a cost estimate prepared by a licensed engineer and approved by the Town in its reasonable discretion) and when such escrow deposit or other funding mechanism shall be established, and (c) the release of the redeveloper from such obligation if the improvements are implemented by another entity.
 - Any other mechanism determined by the Town and Redeveloper to be mutually acceptable and to be memorialized in a Redevelopment Agreement.

5.3.2. Spring Street and Morris Street Mobility Improvements

Existing Conditions and Improvements Overview

The Spring Street and Morris Street intersection experiences heavy volumes and high queues, particularly for southbound vehicles turning left from Spring Street onto Morris Street headed toward I-287. Based on existing conditions measured in 2016 as part of the Morristown Mobility Initiative (MMI), and as supported through recent traffic counts, vehicles making this movement experienced an average delay of 73 seconds during the AM peak and 63 seconds during the PM peak. A portion of the volume in the intersection originates from the existing shopping center, which adds roughly 139 new vehicle trips per hour during the AM peak and 221 new vehicle trips per hour during the PM peak.

The Phase 3 project will address the traffic problems associated with the intersection by converting the intersection of Morris Spring and Spring Street into a multi-lane roundabout and implementing additional corridor improvements. These corridor improvements include:

- Installation of a traffic signal at Spring Street and Spring Place with associated queue loop detectors and anticipated operational parameters
- Traffic signal timing modifications to Spring Street and Martin Luther King Avenue, Morris Street and Elm Street, Morris Street and Lafayette Avenue, Morris Street and Ridgedale Avenue, and Morris Street and Ford Avenue
- Parking modifications on westbound Morris Street between Elm Street and Ridgedale Avenue, as may be necessary to provide a second eastbound through lane;
- Parking modifications on eastbound Morris Street between Dumont Place and Spring Street, as may be necessary to provide sufficient width for a second entry lane into the roundabout.

The final design and implementation logistics (ie., funding plan, construction schedule, etc.) of all right of way improvements shall be in accordance with the terms of a Redevelopment Agreement, as may be executed between the Town and Redeveloper. The construction of the roundabouts and these improvements, while recommended for implementation of this plan, may require additional local, County, or State approval.

Roundabout Operation

Based on traffic analysis reviewed by the Town and informed by the MMI it has been determined that construction of the Phase 3 project (including construction of a multi-lane roundabout and the additional corridor improvements described above) is anticipated to improve the operating conditions of the intersection at Morris Street and Spring Street. Specifically, in the “Build Condition” (defined as the projected 2022 traffic volumes that include the proposed Phase 3 project, the planned Morristown Parking Authority Lot 10 garage, development authorized under the Morristown Train Station Redevelopment Plan, development authorized under the Morristown Morris Street Phase II Redevelopment Plan and 1% compounded background growth) the intersection is anticipated to operate at an overall level of service “B” during the AM peak hour and a level of service “C” during the PM peak hour. This represents a measurable improvement to the delays experienced at the intersection during the AM and PM peaks compared to the findings from the 2016 Morristown Mobility Initiative.

Based on broader corridor analysis, it has also been determined that the roundabout is not anticipated to experience queuing from adjacent intersections that would result in “gridlock” conditions.

Network Functionality

At the network level, analysis demonstrates that additional traffic generated by the project is not projected to significantly degrade the overall functionality of the Morris Street corridor or other key intersections in the area. The table below reflects the functionality of key intersections in the No-Build and Build conditions at peak hours.

Route*	No-Build (AM)	Build (AM)	No-Build (PM)	Build (PM)
Ridgedale Avenue and Morris Street	D	C	C	D**
Morris Street and Elm Street/Lackawanna Place	C	C	D	E**
Morris Street and Lafayette Avenue/Pine Street	C	C	C	C
Morris Street and Park Place/Dumont Place	D	C	E	E
Spring Street and Bishop Nazery Way/Water Street	A	A	A	A
Spring Street and Martin Luther King Avenue	B	B	B	B
Speedwell Avenue and Spring Street	C	C	C	C
Spring Street and Spring Place	-	-	A	A

*Levels of service are reflective of overall intersection functionality, not individual movements.

As indicated in the table above, functionality of the overall circulation network is not projected to be significantly degraded as a result of implementation of the Phase 3 project. However, two specific intersections (indicated in the table above with a double asterisk (“**”)) may be negatively impacted in the Build Condition without additional mitigation. At this time, specific mitigative measures have been preliminarily identified to offset any negative impacts, but these interventions will require further analysis. To that end, any Redevelopment Agreement executed between the Town and Redeveloper shall specify the final design of mitigation mechanisms. Prior to the execution of a Redevelopment Agreement, redeveloper shall submit to the Redevelopment Entity a report prepared by a qualified traffic engineer and reviewed by the Town’s engineer that (1) identifies proposed mitigative measures (2) substantiates their mitigative impacts upon negatively impacted intersections, and (3) provides construction cost estimates for their implementation. It should be noted that the mechanism for funding and implementing these mitigative measures, like all proposed public improvements undertaken in furtherance of this Redevelopment Plan, shall be specified within a Redevelopment Agreement to be executed between the Town and Redeveloper.

The improvements to operational efficiency of the Morris Street and Spring Street intersection resulting from the roundabout in conjunction with a lack of significant degradation to network intersections suggests that the proposed improvements will result in improvements to corridor travel time. Based on analysis conducted, corridor travel times during AM and PM peak hours are projected to be generally reduced or maintained for the following trip movements:

- Speedwell Avenue to Ridgedale Avenue

- Ridgedale Avenue to Speedwell Avenue
- Dumont Place to Ridgedale Avenue
- Ridgedale Avenue to Dumont Place

Mobility Submissions

In order to further substantiate the findings outlined in this section, the Phase 3 redeveloper shall submit a traffic impact study to be reviewed by the Town's engineer detailing the impacts of the proposed project both to the Governing Body prior to execution of any Redevelopment Agreement and to the Planning Board as a component of any Site Plan Application. The traffic study shall:

- Conform with standards published by the Institute of Traffic Engineers.
- Incorporate the data provided via the Town-wide Synchro models generated from the Morristown Mobility Initiative. Data generated through the redeveloper's Traffic Impact Study shall be provided to the Town for review and incorporation into the Town-wide Synchro models. The developer is not required to update the Town's mobility study or Synchro models.
- Analyze the following intersections:
 - Ridgedale Avenue and Morris Street
 - Morris Street and Elm Street/Lackawanna Place
 - Morris Street and Pine Street/Lafayette Avenue
 - Morris Street and Spring Street
 - Morris Street and Dumont Place/Park Place
 - Spring Street and Spring Place
 - Spring Street and Bishop Nazery Way/Water Street
 - Spring Street and Martin Luther King Avenue
 - Speedwell Avenue and Spring Street
- Confirm the findings detailed above relating to corridor travel times, intersection operation, and impact on specified intersections.
- For any intersection where negative impacts are identified either herein or in any future traffic impact study, mitigative measures shall be identified; their impact upon the specified intersections shall be substantiated; and cost estimates for implementation shall be provided. (Note: cost estimates are only required for submissions to Redevelopment Entity prior to execution of a Redevelopment Agreement).
- Include a review of access management pertaining to driveways proposed in the project in relation to existing access points along the Morris Street corridor. This review shall assess the appropriateness of a median along Morris Street within the frontage of the proposed project.
- Include an assessment of existing off-site features within the traffic study area including, but not limited to:
 - Traffic control devices
 - Pedestrian crossings and sidewalks
 - Geometries of existing and proposed rights-of-way
 - Off-and-on-street loading areas
 - Bicycle infrastructure
- Include a detailed construction staging and detour plan addressing all users (vehicles, bikes, and pedestrians) with an associated construction schedule.
- Include a traffic signal warrant analysis for review by the Town for proposed traffic signals, particularly at Spring Place.

- Include an assessment regarding the proposed modification to directionality or alignment of lanes, roadways, and/or driveways affected by modifications to the intersection (including, but not limited to Wilmot Street).

In addition to the traffic study described above, the redeveloper shall also submit to the Planning Board the following mobility items as a component of their site plan application.

- A transportation demand management (TDM) plan. The TDM program shall be implemented with first occupancy of the development by redeveloper and tenants with a target goal for non-auto mode share of 25% under all future conditions. The parameters of the TDM plan shall be outlined in the Redevelopment Agreement to be executed by Town and Redeveloper.
- A detailed plan for training and educating the public on roundabout functionality for bicyclists, pedestrians, and vehicles.
- A vehicular and pedestrian signage plan.

Roundabout Design Standards and Planning Board Review

While a conceptual roundabout design has been evaluated to determine feasibility and functionality within the network, the roundabout has not been fully engineered. This Plan defers to the Planning Board to ensure that the roundabout is designed to proper engineering standards and incorporates sufficient features to ensure the safety of pedestrians and cyclists, including vulnerable users like seniors, children, and visually impaired citizens. In its review of the proposed roundabout, the Planning Board should prioritize design alternatives that would improve the functionality of the intersection for cyclists and pedestrians relative to the existing conditions. To this end, the Planning Board in its review of the roundabout during the Site Plan process shall ensure that the following standards are met:

- The roundabout shall be designed in accordance with NCHRP Roundabouts: An Informational Guide and other applicable guidance.
- The roundabout and associated infrastructure shall provide safe and ADA compliant accommodations for bike and pedestrian access. At a minimum, the roundabout shall incorporate the following features:
 - Twelve foot (12') wide striped crosswalks at all pedestrian crossings, including a crosswalk at the intersection of Morris Street and Wilmot Street
 - Protected pedestrian refuge islands
 - Rectangular Rapid Flashing Beacons (RRFB) or equivalent, including pole mounted signs, in-pavement lighting and verbal warnings to accommodate visually impaired pedestrians;
 - Landscaped buffers
 - Bicycle-friendly curb ramps
 - Raised lane dividers
- Additional interventions beyond the features detailed above shall be analyzed by the redeveloper and evaluated by the Planning Board for suitability. Where pedestrian accommodations negatively affect vehicular circulation, the traffic study shall describe the cost/benefit of the accommodation with regard to pedestrian mobility and vehicular congestion mitigation. In these cases, this Redevelopment Plan strongly encourages the Planning Board to prioritize pedestrian accommodations. The redeveloper is encouraged to consult Morris

County Engineering regarding these interventions in advance of submission to the Planning Board. At a minimum, additional accommodations that should be analyzed for suitability shall include:

- Staggered crosswalk alignments
- Pedestrian Hybrid Beacons (HAWK Signals)
- Shared-use path around the perimeter of the roundabout to accommodate pedestrians and bicyclists in accordance with NCHRP Roundabouts: An Informational Guide and AASHTO Guide for the Development of Bicycle Facilities, Fourth Edition
- In-road pedestrian signage
- Crosswalk lighting
- Raised or tabled crosswalks
- Textured pavement marking to delineate crosswalks
- Textured roadway segments

The Planning Board retains discretion to require additional submissions to substantiate the safety and functionality of the roundabout and/or associated interventions. While the Planning Board may approve a roundabout or other intervention in the course of a site plan review, intersection modifications remain subject to review and approval by applicable County and State entities.

5.4. Public Art

Projects within the Amended Plan must comply with Morristown’s “Percent for Art” program. The standards of the program are elaborated below, and shall be applicable to all new development projects in the Redevelopment Area. This includes new, ground-up construction, as well as expansions of existing structures that add habitable floor area.

5.4.1. Requirement

Each redevelopment project shall provide for the installation and maintenance of exterior Public Art on the property being developed or adjacent publicly owned properties, including, but not limited to, the train station and any public space identified herein. Public Art must be continuously maintained in good condition after installation. No piece of Public Art may be removed without prior approval by the Town’s Zoning Officer, except for required maintenance and repair.

5.4.2. Process

As part of any site plan submission to the Planning Board, the redeveloper shall include a proposal for meeting this public art requirement.

5.4.3. Qualified Art Forms

Forms of public art used to satisfy the requirement of this section may include but are not limited to:

- **Sculpture:** in any material or combination of materials. Sculpture may be situated in open areas of outdoor public space. Sculptures may also be included within commercial or residential building lobbies so long as they are clearly visible from the public realm.
- **Painting:** all media, including, but not limited to, murals.

- **Mosaics:** pictures of decorative designs made by setting small colored pieces, such as stone or tile, into a surface.
- **Artwork:** in clay, wood, metal, plastics or other materials.
- **Unique Architectural Features:** one-of-a-kind building features and site enhancements including gates, benches, water features, green walls, walkways or other public realm items.

5.4.4. Submission Requirements

Submissions shall provide enough information to allow for assessment pursuant to the Evaluation Guidelines, below. At minimum, the requirements shall include:

- **Proposal:** conceptual plans that include the specific location and orientation of proposed piece. A sample, model, photography or image of the proposed piece. Material samples and finishes, as needed. Written description of the project. Statement of ongoing maintenance.
- **Artist Portfolio:** the resume of at least one visual artist or public designer.
- **Budget:** that includes all qualified costs attributable to public art installation.

5.4.5. Valuation

- The 'Percent for Art' requirement shall not exceed \$200,000 for projects in Phase 3.
- Qualified costs shall include fabrications (design, labor, fabrication); mounting fixtures; illumination as needed.
- Nonqualified costs shall include artist procurement costs; architect and landscape architect fees; land costs; mass produced objects; long-term operating expenses; landscape not integral to the design.

5.4.6. Alternative Plan

- Redevelopers may submit alternative proposals that do not conform to the criteria above, but nonetheless enhance public life, placemaking, cultural significance and economic viability of the area immediately surrounding the Redevelopment Area. Alternative proposals may include provision of publicly viewable gallery space for rotating displays or agreement to partner with local institutions to provide financial support for programming or special arts-related events in the immediate vicinity of the project.

5.5. Affordability

Pursuant to N.J.S.A 40A:12A-7(b) and the New Jersey Fair Housing Act (N.J.S.A 52:27D-301 et. Seq.), this Redevelopment Plan incorporates the affordable housing requirements set forth in Article VIII A (Affordable Housing Overlay Zone) of the Morristown LDO and further supported by the Morristown Housing Element & Fair Share Plan (2018) as well as the 2014 Morristown Master Plan. The Town of Morristown's affordable housing requirement specifies a 15% affordable housing requirement for residential rental buildings and a 20% obligation for residential for-sale buildings. Additionally, the Town allows for half of the obligation to be located off-site for new development within the Town's jurisdiction as part of the Housing Element & Fair Share Plan of 2018. Development under this plan shall conform to the requirements listed in the Fair Share Plan and all other applicable ordinances, regulations, and statutes related to affordable housing, including the Statewide Non-residential Development Fee Act which requires a fee of 2.5% of the equalized assessed value of the land and improvements.

5.6. Small + Locally Owned Business Development

In order to advance the Plan objective of creating job opportunities and spaces for local businesses to thrive, the Redevelopment Agreement between the Town and Redeveloper shall identify physical and/or operational measures to encourage the development of small scale businesses. Measures may include, but are not limited to, a business incubation program, the establishment of small subsidized retail spaces, mentorship programs, or other similar interventions.

6. LAND USE (SEE APPENDIX C FOR DEFINITIONS)

6.1. Phase 3

6.1.1. Land Uses

- A. Permitted Principal Uses
 - A.1. Mixed-Use Office Campus

- B. Permitted Accessory Uses
 - B.1. Any uses that are customary and incidental to permitted principal uses
 - B.2. Public plaza, open space
 - B.3. Public plaza
 - B.4. Roof deck
 - B.5. Lobby
 - B.6. Terrace
 - B.7. Parking structure

- C. Prohibited Uses
 - C.1. Any uses not specifically permitted herein.

6.1.2. Bulk + Density Standards

A. Lot Requirements:

Minimum Lot Area, Square Feet	170,000/190,000
Minimum Lot Width, Feet	500/600
Minimum Lot Depth, Feet	300/350
Maximum Coverage, Improved	95%
Maximum Building Coverage	70%

Should Spring Place be preserved as a public right of way, the lower lot requirements prevail. In all other cases, the higher lot requirements prevail.

- B. Number of Buildings and Building Standards:** The Mixed-Use Office Campus shall be comprised of three integrated primary structures. These buildings shall be

heretofore referred to as: East Building, West Building, and Parking Structure. The image below shows the conceptual layout of these buildings.



Figure 14: Conceptual layout of building footprints.

B.1. East Building

B.1.a. **Building Placement + Setback Requirements:** The East Building shall be located in the southeast portion of Phase 3. The East Building shall comply with the following setback requirements:

Setback from:	Minimum	Maximum
Front Yard (Morris Street)	30'	45'
Side Yard (Block 3605, Lot 1)	30'	45'
Rear Yard	85'	100'
West Building	75'	130'

B.1.b. **Maximum Height:** The maximum height of the building shall be 95'. The maximum number of stories in the building shall be six.

B.1.c. **Building Footprint:** The building footprint shall not be greater than 25,000 square feet.

B.1.d. **Active Ground Floor Uses:** At least 75% of street frontages and public spaces defined in Section 5.3.3 shall include Active Ground Floor Uses.

B.1.e. **Building Separation:**

e.1. For the first 120' from the curb there shall be at least 100' separation between east and west buildings at the ground floor and at least 75' separation at upper levels. From this point moving away from the curb the separation shall be permitted to narrow to 75' at the ground floor and upper levels.

B.1.f. **Building Stepback:** A minimum 20' stepback shall be provided at the 6th floor of the Morris Street façade.

B.1.g. **Arcade Overhang:** There shall be an arcade/overhang with a minimum of depth of 20' on the west side of the building. This overhang shall be permitted for a distance of 145' from the curb line. There shall be an arcade/overhang with a minimum depth of 5' on the south side of the building.

B.2. West Building

B.2.a. Building Placement + Setback Requirements: The West Building shall be located in the southwest portion of Phase 3. The West Building shall comply with the following setback requirements:

Setback from:	Minimum	Maximum
Front Yard (Morris Street)	25'	40'
Front Yard (Spring Street)	8' above 1 st floor; 18' (excluding columns) at street level	n/a
Front Yard (roundabout, if proposed and approved)	15'	n/a
Northwest Corner Setback from Block 3505, Lot 3	110'	n/a
Rear Yard	120'	n/a

B.2.b. **Maximum Height:** The maximum height of the building shall be 105'. The maximum number of stories in the building shall be seven.

B.2.c. **Building Footprint:** The maximum building footprint shall not be greater than 40,000 square feet.

B.2.d. **Active Ground Floor Uses:** At least 75% of street frontages and public spaces defined in Section 5.3.3 shall include Active Ground Floor Uses.

B.2.e. **Façade Articulation:** The south facing façade of the West Building shall be comprised of two primary façade planes. The break between the planes shall be no less than 40.' No uninterrupted façade plane shall be greater than 150'.

- B.2.f. **Building Stepback:** A minimum 15' stepback shall be provided at the 7th floor for a minimum of 45% of the south façade. A minimum 15 stepback shall be provided at the 7th floor for a minimum of 40% of the west façade.
- B.2.g. **Arcade/Overhang:** There shall be an arcade/overhang with a minimum of depth of 10' for a minimum 50% of the façade on the west side of the building on the west side of the building. There shall be an arcade/overhang with a minimum depth of 5' on the south side of the building for a minimum of 80% of the building.

B.3. Parking Structure

- B.3.a. **Building Placement + Setback Requirements:** The Parking Structure shall be located in the rear of Phase 3. The parking structure shall adhere to the following setback requirements:

Setback from:	Minimum	Maximum
Front Yard (Morris Street)	165'	n/a
Front Yard (Spring Street)	100'	n/a
Side Yard (Block 3605, Lot 1)	135'	n/a
Side Yard (Block 3505, Lot 16)	50'	n/a
Rear Yard	10'	n/a

- B.3.b. **Maximum Height:** The maximum height of the building shall be 65' as measured from the Morris Street parking entry grade level to the top of the garage parking level slab. Inclusive of the parapet, the maximum height of the parking structure is 70'.
- B.3.c. **Building Footprint:** The maximum building footprint shall not be greater than 65,000 square feet.

C. Vehicular Parking Requirements

Vehicular parking requirements shall conform to the standards in the Morristown Land Development Ordinance as amended November 20, 2018. Square footage for parking requirements shall be calculated based on Net Floor Area. Parking for retail uses shall be publicly accessible at rates comparable to those offered by the Morristown Parking Authority, with a small portion, to be determined by the Planning Board, available free for short-term (not more than 30 minutes) use.

D. Bicycle Parking Requirements

Bicycle parking requirements shall conform to the standards in the Morristown Land Development Ordinance as amended November 20, 2018. Square footage for parking requirements shall be calculated based on Net Floor Area.

E. Retaining Walls

A retaining wall may be placed no closer than 10' from Block 3505, Lot 15. An additional retaining wall may be placed along the westerly side of the current or realigned Spring Place on or adjacent to Block 3505, Lot 3. No retaining wall should be taller than 8'.

6.1.3. Building Design Standards

The Building Design guidelines contained within this Plan establish a thoughtful foundation for good urban planning and architectural design for the Redevelopment Area. To that end, building and public space design should be guided by the following standards.

A. East and West Building Design

The East and West buildings in Phase 3 should exhibit the following design characteristics.

- **Materials & Color:** The architectural expression should be a balanced composition of warm masonry, metal panels, and floor to ceiling glass. Sustainable building materials should be used where possible.
- **Entry Treatment:** Street level entrances are provided with glass storefronts, open trellis canopies, and architectural lighting. Signage can be placed on retail canopies. Office building entrances should be positioned strategically to enhance the visibility of office building lobbies.
- **Overall Building Design:** The overall building architecture should seek to create a strong urban identity that is functional, efficient, contextually appropriate, and sympathetic to both nature and the surrounding neighborhood context. Ground floor storefronts may be setback to create shaded and arcaded walks that frame office lobby entrances. Generally, the development in Phase 3 should be designed to create a modern urban street front that reflects timeless and distinctive architecture.
- **Site Design:** Street facing facades should be set back in order to create broad and inviting landscaped plazas that incorporate green planting, seating, and lighting. Phase 3 should consist of two office buildings with retail bases and an embedded parking structure that is minimally visible from the street. A landscaped arrival court should serve each building lobby entrance and take great care in separating pedestrian and vehicular circulation. Service entrances should be strategically screened from view. Ground floor building lobbies should be visible from the arrival courtyard.
- **Façade Articulation:** Façade articulation for the East and West buildings shall, to the satisfaction of the Planning Board, be accomplished by a combination of projections in masonry, recessions of glazing systems, variations in materials, and use of similar strategies to create depth and scale along the façade. An architectural feature is encouraged at the break in the façade plane of the West Building.

The following sections contain specific design standards that shall govern the applicable building design components:

1. Vertical Rhythm:

- a. **Generally:** The design of all structures shall incorporate a clear visual division between the base, middle and top as described below. These elements shall be established using cornice lines, windows or similar horizontal architectural elements.
 - i. **Building Base:** Building bases should be as open as possible to allow high levels of visibility for ground level retail or other active uses.

Ground level setbacks providing covered or partially covered arcades or colonnades are highly encouraged.

- ii. Middle: The middle of the building should accommodate a balanced rhythm of materials with a mixture of horizontal and vertical elements.
- iii. Top: The top of building should be capped with a clearly articulated cornice with articulation on both Morris and Spring Streets.
- b. Vertical rhythm shall be defined utilizing the following techniques:
 - i. Varied materials: Buildings should be designed using a balanced composition of warm masonry materials complimented by varying colors of metal composite panel that are articulated to recall loft style lintel supports over windows.
 - ii. Fenestration changes: Large open expanses of glass will be provided at retail bases while glazing in the middle of the building will include large punched openings. The tops of the buildings will be further articulated using continuous bands of floor to ceiling glass.
 - iii. Columns and piers: The retail base of buildings should use masonry, metal columns, and piers, to reinforce the vertical articulation of the building
 - iv. Stepbacks: Stepbacks should be provided on the upper levels of buildings to break down the scale of the street facades and to provide an opportunity for roof terraces as building amenities.
- c. Building base and ground floor shall be clearly defined utilizing the following architectural elements: The building base and ground floor should incorporate clearly articulated colonnade columns and/or piers. The building base and ground floor may also incorporate metal canopies.
- d. Roof Standards. The top of each building shall be subject to the following standards:
 - i. Rooftop building mechanical equipment should be screened from view in a manner complementary with building architecture and strategically placed so as to minimize visibility to adjacent pedestrians at street level to the satisfaction of the Planning Board.

2. Horizontal Rhythm

- a. Generally: Building architecture should create a sense of horizontal rhythm through articulation, fenestration, and materials.
- b. Scale of Modulation: Above the retail level, vertical masonry piers should be provided at approximately 15' intervals with glazed punched openings. Architectural metal "lintels" should be placed between piers in a style reminiscent of loft style architecture in Morristown. A more contemporary language may be used at the corners where an expanse of glass and metal slides past the masonry to create a crisp and contemporary expression. At the retail level, entrances should be placed regularly to ensure a vibrant pedestrian environment in compliance with the TC district standards of the Land Development Ordinance as adopted November 2018.

3. Façade Planes:

- a. Morris Street: The façade plane on Morris Street should be setback to accommodate the landscaped promenade and then further set back from the colonnade to create an upper terrace.

- b. Spring Street: The façade plane on Spring Street should be setback to accommodate the landscaped promenade and then further set back from the colonnade to create an upper terrace.
- 4. Building Openings and Entries
 - a. Primary building entries: each frontage/façade facing a public right-of-way shall have at least one principle functional entry.
 - b. Retail entries: retail spaces must have primary entrances directly accessible from a public sidewalk or pedestrian plaza.
- 5. Fenestration Standards
 - a. Transparency requirements: building facades shall contain transparent glass as per the following standards:
 - i. Office facades: Street facing office facades should have between 50% and 75% transparency. Courtyard or rear facing facades may have between 20% and 75% transparency.
 - ii. Ground level: Ground level facades should have 60% to 80% transparency.
 - iii. Additional requirements:
 - 1. All commercial windows must be kept free from internal obstructions. Interior furniture, fixtures, and other obstructions taller than the windowsill must be placed at least three (3) feet from the window area.
 - 2. Commercial windows must be kept open and visible (unshuttered) at night.
 - 3. Efforts should be made to reduce bird-strikes through appropriate window treatments.
- 6. Materials
 - a. Generally:
 - i. All sides of a building within public view shall use the same materials and colors as the primary facades. All sides within public view shall incorporate a balanced composition of warm masonry, metal panels, and floor to ceiling glass.
 - ii. Façade materials should be selected and assembled so that the building appears heavier at the base and lighter at the top. Materials shall also be used to define or accentuate key design elements. Materials shall be used to define the top, middle and base of the building as follows:
 - 1. Base: A balanced composition of storefront windows, warm masonry materials complimented by varying colors of metal composite panels, open trellis canopies, and architectural lighting.
 - 2. Middle: Large glazing in the middle of the building should have large punched openings with a balanced composition of warm masonry materials and articulated loft style “lintel” supports over windows.
 - 3. Top: A composition of vision glass and metal composite panels should be capped with a clearly articulated cornice with projection on both Morris and Spring Streets.
 - b. Permitted primary materials:
 - i. Glass
 - ii. Masonry

- iii. Metal
- iv. Primary materials shall be used for at least 80% of the building façade.
- c. Permitted secondary materials:
 - i. Fiber and cement panels
 - ii. Other masonry
 - iii. Spandrel glass
 - iv. Metal details

B. Parking Structure Design

- A. To the greatest extent realistically feasible, all above ground parking structures should be screened by habitable building space.
- B. Parking that is unable to be screened by habitable building space should be screened by alternative means to the satisfaction of the Planning Board,, including but not limited to, the façade facing Block 3505, Lot 15:
 - i. Landscaping
 - a. If existing landscaping, vegetation, or trees are proposed as a screening mechanism, Town Arborist shall confirm continued viability of said landscaping, vegetation, or trees. In addition, the Planning Board shall, as a part of Site Plan Review, impose reasonable additional requirements if necessary for supplemental and/or replacement vegetation, landscaping, or trees necessary to satisfy the purpose of the buffer.
 - ii. Green walls
 - iii. Tensile fabric facades/façade cladding
 - iv. Faux glass windows
 - v. Public art
 - vi. Scrim
- C. Garage fenestration shall be designed to shield vehicle headlights from exterior view to the greatest extent possible.
- D. Garage openings: Garage openings shall not detract from the pedestrian environment and as such shall be limited in number and location. Pedestrian entrances to structured parking should be separated from vehicle entries. If entrances cannot be separated, safe pedestrian entry and exits should be provided by differentiating between pedestrian and vehicle zones by using different materials, modifying elevations, or other strategies. The size and scale of garage doors should be minimized.

6.1.4. Lighting Standards

- Luminance, illuminance, and lighting locations shall be compliant with the Morristown Land Development ordinance unless otherwise notes.
- Lights are to be fully shielded, full cut off fixtures to prevent light spillage onto off-site properties or upward into the sky and minimum one-half horizontal foot-candle required in all areas.
- All lights, including those mounted on the proposed building, within public spaces and those installed along the property by the redeveloper, should be dimmable and capable of control by timer.

- Lighting should complement and enhance the building and streetscape design.
- Any pathways shall be lit for pedestrians in addition to any street lighting that is proposed.
- Architectural and accent is required on structures and should be off between the hours of 11:00 pm and 5:00 am.
- Safety lighting is required on structures.
- Lighting features shall be consistent with the Morristown Partnership Streetscape Program. Streetlights and lighting features shall comply with “dark sky” standards as specified by the International Dark Sky Association.

6.1.5. Signage Standards

Unless otherwise stated herein, this Redevelopment Plan incorporates the signage requirements contained in the Morristown Land Development Ordinance. Where the Redevelopment Plan conflicts with the Morristown Land Development Ordinance, the Redevelopment Plan supersedes.

- **Wayfinding Signage**

- Developer should propose a series of wayfinding signs that will complement the design of the building and ease the flow of all modes of transportation in, around, through and by the Area. Wayfinding should be located throughout the site as well as at points of entrance and egress from the site. Wayfinding should be harmonious with other wayfinding currently used in Morristown.

At minimum the signage should provide pedestrian and vehicle wayfinding for the following points of interest: the Morristown Train Station, Public Parking within Area, the Downtown, the Morristown Green, I-287 and other significant features relating to users within the Area. The developer may apply for an exemption from this wayfinding requirement should they successfully demonstrate that wayfinding of the nature described is already sufficiently provided.

- Developer will be required to submit Town-approved cut sheets, renderings and a site plan for the proposed design and location of the wayfinding signage as a component of site plan approval.

- **Building Identification**

All buildings shall have a clearly visible street number address attached to the building façade facing the primary street frontage. Street name signs at corner of buildings located at road intersections are acceptable so long as they are approved by the local emergency services coordinator.

- **Retail Signage**

- Retail establishments are permitted one (1) wall sign and one (1) blade sign per frontage.
- Retail signs may be securely pin-mounted or printed directly onto the surface of the façade, or onto wood, metal or other appropriate architectural

material that is flat mounted and horizontally within or just above the framed façade opening.

- **Wall Signs**
 - Shall not exceed thirty (30) inches in height.
 - Shall not extend beyond height of the storefront space.
 - Shall be at least thirty (30) inches from each edge of the storefront width.
- **Blade Sign**
 - Shall not exceed six (6) square feet in area
 - Shall not exceed thirty-six (36) inches in height
 - Shall not project more than three (3) feet from the façade
 - The bottom of any blade sign shall be no less than seven (7) feet above the ground directly below the sign. The top of any blade sign shall be no higher than 18’.
- **Awning Sign**
 - Lettering is permitted on the front vertical panel of an awning so long as letter height is no larger than seven (7) inches.
 - No back-lit translucent awning is permitted, except that where an awning contains lettering the letters themselves may be translucent, provided that the remainder of the awning material is opaque and incapable of transmitting any light during nighttime hours.
 - Awning signs are permitted to protrude a maximum of four (4) feet from the principle façade. The signs are permitted to project into the right-of-way on the condition they are a minimum of ten (10) feet above grade. The sign may not encroach within two (2) feet of the curbline. No plastic awnings are permitted.
- **Prohibited Signs**
 - Off-site or Billboard Sign
 - Ground Sign
 - Post Sign
 - Pylon Sign
- **Office Tenant Sign**
 - Office tenant signs are signs primarily used to identify office tenants within buildings. Office tenant signs shall be subject to the following limitations:
 - Office tenant signs shall only be used to identify tenants occupying at least 25% of the building on which the sign is affixed.
 - Office tenant signs shall be placed within the top two stories of the building on which they are affixed.
 - East building:

- Two office tenant signs are permitted on the East building. One sign may be on the Morris Street façade and one sign may be on the east façade.
- No office tenant sign shall be taller than 4’ as measured from the lowest point of the sign to the highest point of the sign.
- No office tenant sign shall be longer than 15’ as measured from the left most extent of the sign to the right most extent of the sign.
- The total area of any office tenant sign shall not be more than 60 square feet.
- West building:
 - No more than five office tenant signs may be permitted on the West Building.
 - Up to two office tenant signs are permitted on the Spring Street façade of the West Building.
 - Up to three office tenant signs are permitted on the Morris Street façade of the West Building.
 - Up to three office tenant signs are permitted on the East Façade of the West Building.
 - No office tenant sign shall be taller than 4’ as measured from the lowest point of the sign to the highest point of the sign.
 - No office tenant sign shall be longer than 30’ as measured from the left most extent of the sign to the right most extent of the sign.
 - The total area of any office tenant sign shall not be more than 90 square feet.
- **Additional Requirements**
 - All signage shall be subject to Planning Board site plan review and approval.
 - No fluorescent or glowing paint is permitted for any signage.
 - No flashing signs are permitted.
 - No internally illuminated signs on are permitted above the first floor.
 - Paper, posters, impermanent banners, or other temporary signage is not allowed on any façade of the building.
 - No signs or advertising devices that are rooftop mounted, intermittently illuminated, flashing, or moving are allowed.
 - Signs that may be mistaken for traffic control devices are prohibited.
 - Signage above the second story of any structure, except as otherwise noted for Office Tenant signs prohibited.
 - Freestanding signs are prohibited except for way-finding identification and kiosks. Kiosks and way-finding identification are permitted with the review and approval of the Planning Board.
 - Freestanding signage located in the public right-of-way is prohibited, except for way-finding identification and kiosks.
 - Informational kiosks and way-finding signage are permitted with a maximum of eight (8) square feet of signage area. Tenant listings are permitted. Advertising is prohibited on kiosks.

6.1.6. Streetscape + Public Space Design Standards

Streetscaping + public space design shall, at a minimum, adhere to the following standards and shall be designed to conform with the Morristown Partnership Streetscape Standards. To that end, streetscape, public spaces, and building facades shall be designed by the redeveloper to indicate a clear sense of safety upon entry to the building. The path from the street to the building entrance should be clear and welcoming. Best efforts shall be made to coordinate plaza areas with the architectural composition and vernacular of the adjacent façade. Furthermore, streetscapes indicate to users their priority in the larger urban environment. If not designed considerately so that all users can utilize these spaces flexibly and comfortably, these public environs detract and devalue the surrounding buildings and spaces. All public spaces shall be designed by a licensed Landscape Architect.

- **Sidewalks**

- The Morristown Partnership Streetscape Standards shall serve as the basis for sidewalk design.
- The Planning Board may consider modifications to the Morristown Partnership standard that would benefit the pedestrian experience and/or would contribute to a unique identity.
- Modifications to the Morristown Partnership standard should coincide with the overall design of the façade and continue architectural themes, spacing and/or rhythm along the horizontal sidewalk plane.
- ADA compliant tactile pavers shall be used to define the edge of any service drive or driveways.
- Tactile pavers shall be installed to the same standards required by ADA at the base of public sidewalk curb ramps and should indicate to pedestrians that they are entering the driveway.
- Sidewalks are required along both sides of all new and improved streets.
- All streets shall have sidewalks on each side and sidewalks shall not be less than six (6) feet in width.
- Where outdoor dining is proposed, sidewalks are to be a minimum of 15 feet wide.
- Any modifications to the public right-of-way shall be subject to approval from the Town of Morristown Engineering Division.

- **Pedestrian Crossings**

- Pedestrian crossings are required at the intersections of:
 - Morris Street (north) and Morris Street (south) on both sides of the intersection with Spring Street
 - Wilmot Street (west) and Wilmot Street (east) at the intersection of Morris Street
 - Morris Street and Spring Street
- Curbs shall be extended at corners to minimize the crossing distance for pedestrians.

- High-quality pavers, stamped concrete, or similar materials are encouraged to give the Redevelopment Area a 'signature' look.
- Crosswalk treatment shall be designed to maximize visibility.
- Warning signage shall be installed as necessary.
- Crosswalks shall be a minimum of ten (10) feet wide.
- Pedestrian ramps should be extended horizontally to the extent practicable. (This design technique will reduce the dominance of the automobile by blending the pedestrian and vehicle realms.)
- Illuminated bollards are encouraged at crosswalks. Figure 15 shows an example of illuminated pedestrian bollards.



Figure 15: Bollards with lighting.

- **Public Space Lighting**
 - Lights are to be provided at a minimum of fifty (50) foot intervals along all public streets, at all intersections, pedestrian crossings, and major access points, or bicycle and pedestrian facilities accessible to the public and should be no taller than fifteen (15) feet.
 - Lights are to be fully shielded, full cut off fixtures to prevent light spillage onto nearby properties or upward into the sky. Lighting is to be LED lamps providing "warm-white" light (CCT<3,000 K or S/P ratio <1.2) and not less than one-half horizontal foot-candle average lighting level at the ground surface.
 - Any pathways shall be lit for pedestrians in addition to any street lighting that is proposed.
 - Developer shall propose a palette of fixtures, and finishes for lighting that are modern, human-oriented and imaginative.
 - "Cobra" type light fixtures shall be prohibited except where required to provide appropriate foot candles at pedestrian walkways.
 - Lighting at crosswalks are required to enhance pedestrian safety and shall provide clear illumination of the area. Lighting at crosswalks may include fixed, traditional lighting, or lighting along the crosswalk itself. Figure 16 below shows an acceptable example of lighting at crosswalks.



Figure 16: Smart lighting at a crosswalk. Cordoba, Spain.

- **Street Trees**
 - Street trees are required to conform with the Town’s tree well rejuvenation program and subject to approval by the Morristown Engineering Division.
 - Brick or Belgian block pavers at the perimeter of tree pits shall be permitted where the architecture requires special treatment.
 - Raingardens and/or bioswales in tree pits are encouraged.
 - Pollution resistant street shade trees are to be planted along both sides of the street, at regular intervals pending species type, of twenty (20) feet on center if a small street tree with a canopy spread up to 30’, or spaced at forty (40) feet on center intervals if a medium or large tree with a canopy spread above thirty (30) feet. Trees shall be a minimum of three-and-a-half (3.5) inch diameter at breast height. The Town Arborist shall approve species and location of trees.
 - Tree irrigation bags must be installed and maintained for at least six (6) months after planting.
 - Locations that are not reasonably feasible due to lack of sun exposure, conflicts with utilities, or other contextual challenges may replace the requirement to provide street trees with alternative plantings or streetscape design.
 - Street trees should be coordinated with site lighting.

- **Landscaping**
 - Landscaped beds, gardens, and planting strips must be incorporated into the plazas and public spaces, particularly in locations that separate vehicles from pedestrians and where blank facades or utilities are present.
 - Shrubs, flowers, and ground cover should be designed to reduce expansive areas of mulch. Planting sizes and spacing should be provided for review and approval.

- Rain gardens and bioswales are encouraged to the greatest extent practicable.
- All plantings will be installed free from disease and in accordance with the American Nurseryman Standards.
- Planting areas shall include a drip irrigation system.

- **Street Furniture**

- Street furniture shall be provided along streetscapes and public spaces.
- Any street furniture provided, including but not limited to benches, trash receptacles, and tables, shall be located such that a minimum of eight (8) feet of unobstructed sidewalk remains for the safe passage of pedestrians.



Figure 17: Sample seating style and furniture design, New York, NY

- Benches shall be provided at a maximum of every seventy-five (75) feet on center in retail/commercial areas. Alternatives will be considered by the Town Council and/or Planning Board.
- The edge of any street furniture shall be at least two (2) feet away from the curb face of the right-of-way.
- Trash receptacles are to be provided at regular intervals along pedestrian walkways, including public rights-of-way, at a minimum of 200 feet on center. The use of compacting trash receptacles is encouraged.
- Street furniture must be designed to accommodate people of all ages and abilities and be compliant with ADA requirements and New Jersey Barrier Free Subcode.
- Developer shall propose a palate of furniture, fixtures, and finishes for seating that are modern, human-oriented and imaginative.
- Proposals shall include lighting features that create an ambient glow, rather than direct lighting.



Figure 18: Sample seating style and furniture design. Boston, Massachusetts.

- **Roadway Construction**
 - All developers shall adhere to the recommendations of The Morristown Master Plan Circulation Element's Bicycle & Pedestrian Plan, which advocates for the development of additional bicycle and pedestrian paths throughout Morristown.
 - Roadways are to be designed to promote controlled traffic patterns and speeds (i.e. raised crosswalks, signage, traffic lights, street parking).
 - Decorative concrete paving patterns, where provided, shall be a stamped concrete system like Bomanite or equivalent. Installation shall be in accordance with manufacturer's recommendations. Stamped patterns shall be like a brick or cobblestone.
 - Roadways shall meet all construction standards specified in the Morristown Land Development Ordinance.
 - The NJ Department of Transportation (DOT) shall have final authority over street design and related specifications with respect to all State roadways. The Morris County Department of Public Works shall have final authority over street design and related specifications with respect to all County roadways.
 - Redevelopers shall make commercially reasonable, best efforts to locate transformers in locations that do not negatively affect the pedestrian experience in and around the site.

- **Stormwater**
 - The NJ Department of Transportation (DOT) and/or the County of Morris shall have final authority over street design and related specifications with respect to all State or County roadways, as may be the case.

- Morristown requires that new construction generate zero net increase in peak flow volume and flow rate off site between pre- and post- construction conditions for the 2, 10, and 100-year storms.
- **Retaining Walls**
 - Retaining walls may be required as a component of site improvements. If retaining walls are required, best efforts shall be made by the developer to minimize the impact of the walls on site design and circulation.
 - Retaining walls should use colors or material consistent with site design to reduce visual impact.
 - Retaining walls should be designed in a manner that is harmonious with the balance of the site design. Efforts should be made to design retaining walls in an attractive manner through treatments like landscaping, art, or other interventions.

6.1.7. Parking

- **Automotive Parking**
 - All parking areas shall meet or exceed Americans Disability Act (ADA) standards.
 - Parking spaces shall measure nine (9) feet wide by eighteen (18) feet deep.
 - Compact car spaces measuring eight (8) feet wide by sixteen (16) feet deep, shall be permitted provided the total number does not exceed 20% of the total parking provided.
 - All parking area aisles shall measure a minimum of twenty-two (22) feet in width for perpendicular parking. Where diagonal parking is provided, aisles may be a minimum of eighteen (18) feet in width.
 - Vehicular access to parking facilities shall be located and designed to minimize conflicts with pedestrian circulation.
 - Parking shall incorporate accommodations for electric vehicles as required by the Land Development Ordinance.
 - All parking plans must show structural support columns to accurately depict feasibility of parking spaces and drive aisles.
 - An increase of more than ten percent (10%) of the required minimum parking shall constitute a deviation.
- **Bicycle Parking**
 - **Indoor Parking**
 - **Identification:** Site plans shall show the proposed location of bike and active transportation parking/storage facilities on the site and on the building floor plan design. A construction detail of the bike rack or facilities shall be provided by the redeveloper.
 - **Accessibility:** Any required indoor bicycle parking/storage room must be in a convenient and accessible location to a public

sidewalk with no more than four vertical steps between the bicycle room and the sidewalk. Ramps and elevators may be utilized to provide access to bike storage not located at the first-floor level.

- **Layout:** Bicycle parking shall, at a minimum, consist of a room within a building,, a secure enclosure within a parking garage, or a similar setup providing similar security and protection from the elements. Efforts should be made to accommodate bike-to-work trips through a variety of related facilities such as storage lockers, changing rooms, showers and similar interventions.
- **Security:** Where bicycle parking is required, facilities should be at least as protected and secure as any automobile parking provided.
- **Outdoor Parking:**
 - Bicycle parking shall be located so as not to block the pedestrian path on a sidewalk or within a site. A minimum of six (6) feet of unobstructed passage is required on public sidewalks.
 - Bicycle parking facilities within an automobile parking area shall be separated by a physical barrier (i.e., bollards, reflective wands, curbs, wheel stops, poles, etc.) to protect bicycles from damage by cars.
 - Bike racks must be securely attached to concrete footings and made to withstand severe weather and permanent exposure to the elements.
 - All bike racks shall be located at least twenty-four (24) inches in all directions from a wall, door, driveway, parking lot, or roadway curb face, landscaping, or other obstruction that would render use of the racks difficult or impractical.
 - Size and style of bike rack shall be approved by the Morristown Planning Board.
 - Bicycle parking should be sited in a highly visible location, such as within view of passers-by, retail activity, office windows, an attendant or other personnel to discourage theft and vandalism and promote awareness of existence and availability.

6.1.8. Loading + Unloading

As indicated above, the sufficiency and safety of loading areas shall be assessed as part of the required Traffic Impact Study.

The following parameters are provided to guide location and design of loading areas ultimately determined to be required by the Traffic Impact Study and the Town’s evaluation thereof:

- Commercial service needs (trash storage, move-in, etc.) should be conducted indoors in a centralized location. Trash compaction is encouraged. If trash storage must be conducted outside, it shall be fully enclosed in a masonry structure that complements the building architecture and be secured via visually solid gates.
- A thoughtful and institutive signage, striping and wayfinding plan shall be developed and implemented to formalize vehicular loading and unloading operations.
- Passenger pick-up and drop-off (I.e. rideshare, kiss-and-ride, waiting area) shall occur in a designated area.

7. ADMINISTRATION

7.1. Applicability

The standards and procedures contained within Section 7, Administration, shall apply to all projects within the Spring Street Redevelopment Area, regardless of phase.

7.2. Validity of Plan

If any section, subsection, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be deemed by a court of competent jurisdiction to be invalid, such part(s) shall be severed and the invalidity thereby shall not affect, impair or invalidate the remainder of the Redevelopment Plan.

7.3. Computations

When a numerical calculation of zoning standards for a particular lot results in a fractional number, such numbers shall be rounded down to the next whole number for fractions less than .500 and rounded up for fractions .500 and above.

7.4. Other Actions by the Town in Furtherance of the Plan

Other actions may be taken by the Town in its sole discretion, to further the goals of the Plan. These actions may include, but shall not be limited to, provisions for public infrastructure necessary to service new development and vacation of public utility easements and other easements and rights-of-way as may be necessary for redevelopment. The costs for such actions shall be borne by the designated redeveloper(s).

Prior to Council adoption of a Redevelopment Agreement, the Town will provide an information session to the Council and public, presenting the Town's traffic analysis of the proposed project's town-wide impacts on motor vehicle circulation from Speedwell Avenue to Ridgedale Avenue and from the Green to Ridgedale Avenue, to show that the Project does not materially impact the Town's proposed roadway improvements at Speedwell Avenue, the Green and the Morristown Parking Authority's proposed Lot 10 parking structure.

7.5. Town Designation – Redevelopment Agreement

7.5.1. Usage of the word “developer”

Anytime the word “developer” is utilized in this Redevelopment Plan, the same shall mean the redeveloper or redeveloper(s) that may be designated by the Town in accordance with a developer designation or Redeveloper Agreement to be executed between the Town and applicable entities.

7.6. Approval Process

This Redevelopment Plan requires the redeveloper to submit all conceptual plans to the Administration for review and authorization to proceed before the Planning Board prior to submitting a site plan or subdivision application to the Planning Board. The Town, by and through

the Administration, acting as the redevelopment agency, will be required to review and authorize same as a condition precedent to submission of an application before the Planning Board.

7.6.1. Redevelopment Agreement

Prior to application to the Planning Board for Site Plan and Subdivision review, the Town Council shall pass a resolution authorizing a redevelopment agreement between the Town and redeveloper. Only redevelopers with an executed redevelopment agreement with the Town shall have standing to submit an application to the Planning Board.

7.6.2. Site Plan and Subdivision Review

Prior to commencement of construction, site plans for the construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.), shall be submitted by the applicants for review and approval by the Planning Board of the Town of Morristown so that compliance with this Redevelopment Plan can be determined.

Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan or otherwise established in the subdivision ordinance of the Town of Morristown. The office/retail component, open space component, and its sub components may be subdivided subject to Planning Board approval to allow for separate ownership and/or financing purposes. In order to provide design flexibility, there shall be no minimum lot area, depth, width, yard, or any other bulk requirements for the individual subdivided lots, provided that the project as a whole complies the requirements of the Redevelopment Plan. In addition, any structure creating the possibility of diverse ownership (ie., subdivision or condominium association) shall be governed by a management plan, the parameters of which are to be set forth in any Redevelopment Agreement to be executed between the Town and Redeveloper. Without limiting the generality of the foregoing, a lot may be created without frontage on a public street provided such lot has appropriate access to a public street and the right to such access is established by an easement recorded in the Morris County Clerk's office or otherwise as provided by law. No construction or alteration to existing or proposed buildings shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

In addition to the above-mentioned items, the following items shall be submitted as part of a site plan application:

- **Mandatory Submissions**
 - Technical loading and unloading study including but not limited to a list of expected deliveries, analysis of loading space required for each delivery, and the ability to specify the delivery time of each delivery.
 - Public Art submission report including narrative description of public art component that addresses all aspects of Section 6.4.5. of this document, including but not limited to budget, name of designer, and narrative description.

- Copy of applications or conceptual designs that have been or will be submitted to NJDOT, Morris County, and any other applicable local, state, or federal agencies.
- Requirements included in 5.3.2.
- Streetscape/landscape design package including name of designer and design drawings.
- **Conditional Submissions**
 - When proposing the use of ground mounted electrical transformers within the confines of the Redevelopment Area, a narrative explanation shall be provided that identifies other possible locations and feasibility considerations of each site and provides an explanation for the reasonable infeasibility of alternative sites.
 - When proposing the construction of a roundabout, a public presentation of regional traffic patterns, particularly as they related to the proposed roundabout, should be prepared.
 - When proposing accessory roof decks, a report including design drawings and operations shall be provided.

After introduction of the redevelopment plan ordinance, the planning board shall issue a report back to the Governing Body noting their findings and conclusions. In this report, the Planning Board may inform the Governing Body of any additional improvements or modifications that may be required to improve the functionality of the project. These improvements may be incorporated via an amendment the Redeveloper Agreement and/or become conditions of any subsequent site plan application.

7.6.3. Local Permits + Approvals by Other Agencies

Redeveloper shall be required to obtain a Zoning Permit upon demonstration of compliance with all conditions contained in any resolution of approval from the Planning Board. Redeveloper shall be required to provide, prior to issuance of a zoning permit, copies of all approvals necessary to implement public improvements. Only upon issuance of a zoning permit shall the Town's Construction Code Official issue Building Permits or similar approvals to allow construction to commence.

The redeveloper shall be required to provide the Town with copies of all permit applications made to federal, state and county agencies upon filing such applications, as may be required by the Redevelopment Agreement to be executed between the redeveloper(s) and the Town.

7.7. Deviations

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason for exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece

of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan. 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 NJSA 40:55D-12. a. and b.

Notwithstanding the above, any changes to the uses permitted in this Redevelopment Area shall be permitted only by means of an amendment of the Redevelopment Plan by the Morristown Town Council, and only upon a finding that such deviation be would be consistent with and the furtherance of the goals and objectives of this Redevelopment Plan.

7.8. Severability

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

7.9. 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 to be detrimental to the public health, safety or general welfare.

7.10. Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be effected or executed by the Town of Morristown or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Town of Morristown, or the developer, upon the basis of race, creed, color, national origin, ancestry, affectional preference, marital status or gender in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color, national origin, ancestry, affectional preference, marital status or gender.

7.11. Redevelopment Actions

The Town of Morristown shall have such powers and duties as set forth in the LRHL and as may be conferred by this Redevelopment Plan, including, but not limited to, the authority to acquire real property without eminent domain, to relocate residents and businesses, to designate redevelopers, to establish clear terms and conditions for redevelopment through the negotiation, execution, and administration of redevelopment agreements, and to do such other things as permitted by law.

7.12. Relocation Requirements

The redeveloper will comply with any applicable New Jersey law or regulation applicable to relocation of tenants within the redevelopment area. No housing units, temporary or permanent, shall need relocation under this Redevelopment Plan.

7.13. Escrows

At a minimum, the Redevelopment Agreement shall provide that the redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the Town and the professional consultants retained by the Town to negotiate the Redevelopment Agreement, undertake any studies in connection with the project, review the proposed redevelopment project and advise the Town on any and all aspects of the redevelopment process and as otherwise set forth in the Redevelopment Agreement.

7.14. Infrastructure

The redeveloper, at the redeveloper's cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection of traffic control measures, water service, sanitary sewer service, stormwater management, and flood mitigation measures to the project, in addition to all required tie-in or connection fees. The redeveloper shall also be responsible for providing, at the redeveloper's cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on and off-site traffic controls and road improvements for the, project or required due to the impacts of the project. The redeveloper shall be required to receive all necessary approvals for infrastructure, including at the County and State level as applicable.

7.15. Procedures for Amending the Plan

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A request for same may be submitted to the Morristown Town Council. The Town of Morristown reserves the right to amend this plan. A non-refundable application fee of \$10,000 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the Town. The Town, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey and other additional professionals as may be required by the Town.

7.16. Redevelopment Plan Duration

The provisions of this Redevelopment Plan specifying the redevelopment of the Redevelopment Area and the requirements and restriction with respect thereto shall be in effect for a period of fifty (50) years from the date of adoption of this Redevelopment Plan by the Morristown Town Council.

7.17. Certificates of Completion

Upon completion of a project, the developer shall submit for a Certificate of Completion. Concurrently, a zoning ordinance amendment shall be submitted to the Morristown Town Council requesting that the zoning for the subject parcel(s) be incorporated into the Town Code to ensure that the standards remain applicable.

7.18. Land Use Map Amendments

The adoption of this Redevelopment Plan or any amendments thereto shall automatically allow for any necessary modifications to the official Morristown Land Use Map to ensure consistency between the two documents.

7.19. Additional Superseding Provisions

The standards contained within this Redevelopment Plan shall supersede any conflicting standards contained within the Land Development Ordinance (LDO) of the Town of Morristown or other applicable Town of Morristown codes or ordinances.

7.19.1. Terms and Definitions

- Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the Zoning Ordinance of the Town of Morristown.

7.19.2. Other Applicable Design and Performance Standards

- Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Land Development Ordinance of the Town of Morristown.

7.20. Other Provisions

7.20.1. This Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved public utilities, recreation and community facilities and other public improvements. This Redevelopment Plan has laid out various programs and strategies requiring implementation to carry out the objectives set forth herein.

7.20.2. This Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.

7.20.3. The diagrams, images and other graphic representations provided in this Redevelopment Plan are intended to provide a framework for interpretation of the written standards and regulations contained herein. Nothing in this Redevelopment Plan shall preclude the partial redevelopment of a block depicted in such diagrams, images or other graphic representations, provided that such subdivision or re-subdivision and partial redevelopment of a block is fully in conformance with the written standards and regulations contained herein.

7.20.4. Final adoption of this Plan by the Town Council of the Town of Morristown shall be considered an amendment of the Town Zoning Map.

7.20.5. No land is proposed to be acquired by the Town to implement this Redevelopment Plan. The NJ Department of Transportation (DOT) shall have final authority over street design and related specifications with respect to all State roadways.

7.21. Other Redevelopment Actions

In carrying out this Redevelopment Plan, the Town of Morristown and any designated redeveloper(s) may be required to undertake a variety of redevelopment actions. These may include but will not be limited to anything permitted under the LRHL.

7.22. Public Improvement Approvals

It is recognized that the public improvement requirements within this plan will require approval of third-party organizations. Construction of improvements shall not commence until all required approvals are received from third party agencies.

8. APPENDIX A: LOCAL REDEVELOPMENT AND HOUSING LAW

New Jersey's Local Redevelopment and Housing Law (the "LRHL") empowers local governments to initiate a process by which designated properties that meet certain statutory criteria can be transformed to advance the public interest. Once an area is designated "in need of redevelopment" in accordance with statutory criteria, municipalities may adopt Redevelopment Plans and employ several planning and financial tools to make redevelopment projects more feasible to remove deleterious conditions. A redevelopment designation may also qualify projects in the Redevelopment Area for financial subsidies or other incentive programs offered by the State of New Jersey.

8.1. Process

The LRHL requires local governments to follow a process involving a series of steps before they may exercise powers under the LRHL. The process is designed to ensure that the public is given adequate notice and opportunity to participate in the public process. Further, the redevelopment process requires the Governing Body and Planning Board interact to ensure that all redevelopment actions consider the municipal Master Plan. The steps required are generally as follows:

- 8.1.1.** The Governing Body must adopt a resolution directing the Planning Board to perform a preliminary investigation to determine whether a specified area is in need of redevelopment according to criteria set forth in the LRHL (N.J.S.A. 40A:12A-5).
- 8.1.2.** The resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the Redevelopment Area determination shall authorize the municipality to use all those powers for use in a Redevelopment Area other than the use of eminent domain (non-condemnation redevelopment area) or whether the Redevelopment Area determination shall authorize the municipality to use all those powers for use in a Redevelopment Area, including the power of eminent domain (condemnation Redevelopment Area).
- 8.1.3.** The Planning Board must prepare and make available a map delineating the boundaries of the proposed Redevelopment Area, specifying the parcels to be included and investigated. A statement setting forth the basis of the investigation or the preliminary statement should accompany this map.
- 8.1.4.** The Planning Board must conduct the investigation and produce a report presenting the findings. The Board must also hold a duly noticed hearing to present the results of the investigation and to allow interested parties to give testimony. The Planning Board then may adopt a resolution recommending a course of action to the Governing Body.
- 8.1.5.** The Governing Body may accept, reject, or modify this recommendation by adopting a resolution designating lands recommended by the Planning Board as an "Area in Need of Redevelopment." The Governing Body must make the final determination as to the Non-Condensation Redevelopment Area boundaries.
- 8.1.6.** If the Governing Body resolution assigning the investigation to the Planning Board states that the redevelopment determination shall establish a Condemnation Redevelopment Area, then the notice of the final determination shall indicate that:
 - the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain to acquire property in the Redevelopment Area, and
 - legal action to challenge the final determination must be commenced within forty-five (45) days of receipt of notice and that failure to do so shall preclude an owner from later raising such challenge.

- 8.1.7.** A Redevelopment Plan may be prepared establishing the goals, objectives, and specific actions to be taken with regard to the “Area in Need of Redevelopment.”
- 8.1.8.** The Governing Body may then act on the Plan by passing an ordinance adopting the Plan as an amendment to the municipal Zoning Ordinance. Only after completion of this process is a municipality able to exercise the powers under the LRHL.

8.2. Redevelopment Plan Content

The LRHL identifies required components to be included in a Redevelopment Plan. In accordance with N.J.S.A 40A:12A-7a, the Redevelopment Plan must include an outline for the planning, development, redevelopment or rehabilitation of a project area which is sufficient to indicate:

- 8.2.1.** 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.
- 8.2.2.** Proposed land uses and building requirements in the project area.
- 8.2.3.** 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.
- 8.2.4.** An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan.
- 8.2.5.** 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.).

9. APPENDIX B: RELATION TO OTHER PLANS

9.1. Local Master Plan

The Morristown Master Plan, “Morristown Moving Forward,” was adopted in 2014. The goals in the Master Plan are laid out in two different sections, the “Mobility and Streets Plan” and the “Land Use and Community Form Plan.” This Redevelopment Plan is consistent with and effectuates the Master Plan goals, including those listed below.

Mobility and Streets Plan

9.1.1. **Goal 1: Complete, pedestrian and bike friendly streets.**

- Objective 1.1: Safely and conveniently connect residents, workers, and visitors to the various employment, residential, shopping, and recreational opportunities in Town.
- Objective 1.2: Create attractive, lively streetscapes that support socializing, walking, biking, and accessibility.

This Redevelopment Plan outlines descriptions for public right of way enhancements that will ultimately result in attractive and lively streetscapes along Morris and Spring Streets. The design of these streetscapes is intended to achieve the Master Plan objectives highlighted above.

9.1.2. **Goal 2: Accessible and Convenient Public Transit**

- Objective 2.1: Improve transit service operations, access, and convenience to promote increased ridership.

This Redevelopment Plan includes provisions for increasing transit ridership, focused on the Morristown Train Station’s Morristown Line run by New Jersey Transit. There are also provisions for infrastructure supporting bicycle and for-hire vehicles.

9.1.3. **Goal 3: Minimize Negative Impacts of Traffic on Local and Regional Roadways.**

- Objective 3.1: Promote walkable, human-scale design that respects Morristown’s historic character.
- Objective 3.2: Balance regional traffic access and placemaking.

This Redevelopment Plan promotes connectivity within Downtown Morristown for pedestrians, bicyclists, and motorists alike. Additionally, the Plan will ultimately result in the redesign and improvement of Morris and Spring Streets.

9.1.4. **Goal 4: Parking that Supports Walkability, Transit Ridership, and Sustainable Development.**

- Objective 4.1: Make full use of existing parking facilities by improving efficiency and convenience for pedestrians, bicyclists, and motorists.

The Redevelopment Area contains land currently used for public parking. This Redevelopment Plan calls to remove this surface parking use and develop structured parking within the building. The encouragement of structured parking furthers the efficiency and convenience of parking at the site.

Land Use and Community Form Plan

9.1.5. **Goal 2: Economic Prosperity + Resiliency**

- Objective 2.1: Preserve + enhance the downtown experience to support economic development + residential growth.

The Spring Street Redevelopment Area is a crucial gateway area to downtown Morristown and many of the Town's neighborhoods. This Redevelopment Plan contains stipulations for residential development, including an affordable housing contribution with proximity to major transit assets.

9.1.6. Goal 3: Sustainable, Pedestrian-Friendly Building + Site Design

- Objective 3.1: Promote walkable, human-scale design that respects Morristown's historic character.
- Objective 3.2: Promote sustainable building practices.

This Redevelopment Plan sets forth building requirements that will result in architectural and spatial design conducive to walkability and responds to the area's neighborhood context.

9.1.7. Goal 4: Active, Connected Streets + Public Places

Objective 4.1: Create attractive, lively streetscapes that support socializing, walking, biking, + accessibility.

This Redevelopment Plan contains standards aimed to promote Objective 4.1 by demonstrating a variety of potential public improvements designed to promote the social lives of area residents.

9.2. Morristown Train Station Redevelopment Plan

This Redevelopment Plan largely continues the goals and objectives of the Morristown Train Station Redevelopment Plan, as both pursue and effectuate the town's efforts to revitalize the train station corridor with pedestrian and community-oriented design that facilitates non-vehicular movement between the downtown and Morristown Train Station. Open space to permit socialization and passive recreation, as well as human-scale development and landscaping, aim to create an inviting, safe environment for residents, commuters, shoppers, and other visitors.

9.3. Surrounding Communities' Master Plans

The Redevelopment Area is located near the geographic center of Morristown and will have negligible impacts on surrounding municipalities, as it is approximately .47 miles away from the closest municipal borders with Morris Township, of which Morristown is an enclave.

9.4. Adjacent County Master Plan

Despite the lack of a Master Plan for Essex County, the objective of the redevelopment in vacant and/or underutilized properties to create jobs and generate economic activity is consistent with the land use planning goals of the County's Planning Board.

Essex County Comprehensive Transportation Plan

Essex County adopted its Comprehensive Transportation Plan in 2013. The Plan embraces a Complete Streets policy, and its goals, below, are consistent with this Redevelopment Plan's focus on safe circulation for pedestrians, cyclists, and motorists; improving pedestrian and bicycle infrastructure; connectivity between various modes of transit and economic development in proximity to the train station:

- Maintain a Safe & Efficient Roadway System
- Increase the Use of Mass Transit
- Increase and/or provide opportunities for walking & bicycling
- Connectivity for all modes of Transportation

- Foster and Support Development & Industrial Growth

9.5. Morris County Master Plan

This Redevelopment Plan is largely consistent with the 1975 Morris County Master Plan, which aims to address sprawl and sustainability in the greater region. Pursuant to N.J.S.A. 40A: 12A-7(a)(5), this Redevelopment Plan relates directly to the goals and objectives of the Morris County Master Plan, including:

- Make fuller use of existing transportation lines and facilities. The County Plan forecasted that transit would achieve a greater influence on the region’s development as an imperative alternative to the motor vehicle and its impacts of congestion, pollution, and encouragement of sprawl.
- Find a more feasible alternative to the present situation of “strip mall” commercial development found on major roads, and single-family homes on unnecessarily large lots. The County Plan points out that the elderly and young couples do not need large living areas. Therefore, goals for Morris County’s future should include adequate provision for other types of housing in sufficient numbers to provide choice for all residents.
- “Cluster” future growth around definable town centers and transportation facilities to include commercial and office employment as well as residential, with land use intensity decreasing as distance from the town center increases.

Since 1975, Morris County has updated each Element of its Master Plan separately. Relevant updated Elements are as follows.

9.5.1. Circulation Element

The Circulation Element, updated in 2018, is the most recently updated of the Master Plan Elements. This Redevelopment Plan is consistent with the goals of the Circulation Element, including:

- Goal 1: Improve the safety, accessibility, and efficiency of Morris County’s transportation network
 - 1.1: Reduce congestion and improve safety on County Roads
- Goal 2: Conduct a coordinated, comprehensive, and cooperative transportation planning process
 - 2.4 Incorporate the needs of businesses, employees, residents, and others in transportation planning.
 - 2.5 Support integration of land uses and transportation planning

9.5.2. Bicycle and Pedestrian Element

The Bicycle and Pedestrian Element was updated in 1998. The Redevelopment Plan is greatly consistent with and effectuates the goals and objectives of this Element, including:

- Goal 1: Establish a coordinated bicycle and pedestrian network.
 - Encourage the completion of gaps in existing sidewalk networks, especially for connections to major trip attractions such as schools, parks, downtowns, or other shopping/service amenities.
 - Encourage bicycle and pedestrian travel to major destinations by establishing efficient links to minimize travel time.
 - Integrate the bicycle and pedestrian network with the transit system.

- Encourage the expansion of the bicycle and pedestrian system to include additional scenic, recreational, and commuter routes.
- Recommend the inclusion of bicycle storage facilities, such as bicycle racks and lockers, at major trip destinations.
- Recommend safety devices at appropriate locations to minimize conflict between bicyclists, pedestrians, and motorists.
- Goal 2: Develop planning policies and procedures that encourage opportunities for bicycling and walking
 - Encourage municipalities to examine land use practices to provide opportunities for bicycle and pedestrian travel.
- Goal 4: Promote public awareness and acceptance of bicycling and walking as alternative modes of transportation.
 - Encourage bicycle use and walking as alternatives to single occupancy automobile trips.
- Goal 5: Create safe bicycle and pedestrian facilities.

9.5.3. Open Space Element

The Open Space Element was last updated in 1988. This Plan is consistent with the goals of the Open Space Element, including:

- Goal 2: To provide adequate recreational facilities to all Morris County residents through both public and private sectors.
- Goal 3: To provide open space in balance with other land uses throughout the county.
- Goal 6: To establish attractive community design, consisting of a visually pleasant landscape with environmental amenity.

9.6. NJ State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) was adopted in 2001 and organized the state into several planning areas. The Redevelopment Area is located within the Metropolitan Planning Area, (PA-1) of the SDRP. The following intent was documented for PA-1:

- Provide for much of State's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The SDRP also puts forth statewide goals, including:

- Revitalize the state's cities and towns;
- Promote beneficial economic growth, development and renewal for all residents of New Jersey;
- Provide adequate housing at a reasonable cost; and
- Preserve and enhance areas with historic, cultural, scenic, open space and recreational value.

This Redevelopment Plan effectuates the above goals, as it will maintain and develop employment opportunities; upgrade the use of land near the train station to continue economic development; manage local traffic congestion and reduce pollution; provide open space to provide passive recreation and event space; and encourage transit opportunities for connections with the

Metropolitan Planning Area and between the Metropolitan Planning Area, suburban employment centers, and the Philadelphia and New York metropolitan areas.

9.7. NJ State Strategic Plan

The New Jersey State Planning Commission released its final draft of the State Strategic Plan (SSP) on November 14, 2011. Compared to the SDRP, the SSP emphasizes a more “proactive, aggressive, and strategic approach to planning for the State’s future. An approach that aligns clear goals with sound decision making and coordination among government entities will better position New Jersey for growth opportunities and allow New Jersey to once again complete for an capitalize on growth opportunities.”

Central to the SSP is its contemplation of development in Smart Growth locations and regional centers. This Redevelopment Plan furthers the following objectives, goals, and findings of the SSP:

- Capitalizes on the “desirability of Transit Hubs” by providing the necessary design and building conditions for concentration of jobs, retail, and public amenities.
- Creates a neighborhood orientation to transit that is intended to serve residents, visitors, and commuters. The SSP supports development in walkable communities with a variety of housing and transit options, activities and amenities are the preferred choices future homebuyers will put at a premium.
- Strengthens Morristown’s Transit Village through a greater concentration of commercial activity near its train station, which the SSP identifies as a catalyst for private investment and a robust local economy.
- Offers a Smart Growth “neighborhood of choice” by promoting a safe and convenient urban location that caters to millennials and retirees, providing a talent pool that will attract and cluster employers in target industries.
- Effectuates the following “Garden State Values:” 1) Concentrate Development and Mix Uses; 2) Prioritize Redevelopment, Infill, and Existing Infrastructure; 3) Increase Job and Business Opportunities in Priority Growth Investment Areas; 4) Create High-Quality, Livable Places; 5) Provide Transportation Choice + Efficient Mobility of Goods; 6) Diversify Housing Opportunities; and 7) Make Decisions with Regional Framework.

9.8. NJ Smart Growth Principles

Smart Growth in New Jersey encourages a compact form of development and redevelopment in recognized Centers as stipulated in the State Development and Redevelopment Plan and the State Strategic Plan, including existing infrastructure that serves the economic, the community, and the environment. This Redevelopment Plan is an innovative Smart Growth project and conforms to New Jersey’s Smart Growth Principles, including:

- It provides for a synergistic mix of land uses in a compact, clusters, community design and includes a range of housing choice and transportation opportunity.
- The planned public amenities and urban design create a walkable neighborhood that offers upgrades to the current use for residents, commuters, and visitors, alike.
- This Redevelopment Plan continues to build on the Town’s efforts to spark development and redevelopment in its downtown and direct growth to an area with existing infrastructure.
- The public amenities and urban design create a walkable neighborhood with architecture, and urban design adds to a distinctive, attractive community offering a sense of place.
- The Redevelopment Area programming and design recommendations include a wide range of transportation improvements and promote active transportation options, including walking, bicycling, scooters, and transit.

- This Redevelopment Plan provides a framework for equitable, predictable, and efficient development decision making.
- The Redevelopment Plan expands upon a collaborative and transparent redevelopment process, developed through community and stakeholder collaboration.

10. **APPENDIX C: DEFINITIONS**

Active Ground Floor Use: Active ground floor use shall mean any use that generates a high amount of pedestrian traffic. Active uses shall include art gallery; artisanal workshop; bar, tavern and nightclub; convenience store; grocery store; supermarket;-service, business or personal; restaurant; retail; theater and similar uses; and General Commercial uses as defined herein. Office space, co-working, and residential uses shall not be considered to be active uses, except that office and co-working uses can be considered to be active uses when the first 30 feet of building depth is dedicated to common gathering and meeting spaces, and the use occupies no more than 50 percent of the street frontage.

Amenity Area – Amenity area shall mean an area dedicated to residential tenants providing non-commercial conveniences and/or entertainment/recreation. Common items include laundry facilities, exercise rooms, outdoor spaces, media room, gathering space, grilling areas, and other similar features.

Apartment Building – A residential building designed for occupancy by five or more families living independently of each other in units attached via one or more common roofs, walls or floors.

Automotive Rental - Any establishment that makes motorized vehicles available for use by the public on a limited time basis measured in increments of one day or more.

Automotive Repair and Sale - Any establishment that provides services related to the proper functioning and maintenance of automobiles.

Automotive Share - Any establishment that makes motorized vehicles available for use by members of a service on a limited time basis, usually for durations of less than a day.

Awning Sign - A sign located on or incorporated into the design of an awning. The sign area of an awning or canopy sign shall be the total width times the total height of the canopy area(s) covered by any lettering, logo or other characters, symbols or figures. Note: All awning or canopy signs exceeding ten (10) feet in width shall constitute a façade change requiring approval by the Planning Board.

Basement – Basement shall mean that part of a building which is partially below and partially above grade and have at least one-half of its height above grade (see “cellar”). A basement used for any purpose other than storage, parking, or building maintenance shall be considered a floor or story for the purposes of calculating height limitations.

Bicycle and Active Transportation Depot, Publicly Accessible – An indoor facility, open and accessible to the public, that provides protected and secure bicycle and active transportation parking, often includes elevated parking to increase the number of bicycles, scooters, and other active transportation modes permitted to park in the space.

Bicycle Share - Any establishment that makes bicycles available for use by members of a service on a limited time basis, usually for durations of less than a day.

Blade Sign - A sign attached perpendicular to an exterior wall of a building. No blade sign shall be constructed or erected to extend above the roof line of the structure to which it is affixed.

Building Height (feet) - The vertical distance measured by either of the following methodologies as chosen by Applicant:

- *Singular Measurement:* The vertical distance shall be measured from the base of the building to the top of the building.

- *Incremental Measurement*: The building may be broken down into multiple sections no smaller than 30 feet or 30% of the building width/depth (whichever is smaller). Each section shall be measured as the vertical distance measured from the base of the section to the top of the building section. The greatest building height of the building sections shall be the building height.
- *Building Height Exception*: No building or structure shall have a height, either in feet or stories, greater than permitted in the district in which it is located, except that chimneys, steeples, water towers used in conjunction with a building, radio or television antennas, air conditioning and building mechanicals, elevator and elevator machinery, stairwells, and structures housing the same may be erected provided that such structures shall not exceed the height regulation by more than 20%, shall be set back at least 10' from any street fronting facades, and shall comply with the applicable design standards noted in this Plan.

Building Height (stories) – Shall mean the number of stories measured from the residential entrance at the plaza level to the top of the building, not including the roof deck or appurtenant structures.

Cellar – Cellar shall mean that portion of a building which is partly or completely below grade and having at least one-half of its height below grade. A cellar shall be used only for storage, parking, or building maintenance purposes, and shall not be considered a story for purposes of calculating height restrictions.

Commercial, General – Uses including co-working; retail businesses; restaurant, carry-out/fast food; restaurant, coffee shop/café; restaurant, food hall; restaurant, liquor licensed; restaurant, sit down; fitness center.

Community Facilities -- Community meeting rooms, childcare facilities, health clubs and recreation centers, and spaces used for similar community oriented uses.

Co-Working – An office use in which common and unassigned office space is made available to individuals and companies on a short-term basis, including daily rates. Assigned office spaces and longer lease periods may be included in this definition so long as they are still provided access to a common use space and common facilities. Long term assigned (increments greater than 1 month) office space without access to common use space and common facilities shall be considered to fall within the definition of Office, General and Professional.

Coverage, Building— The percentage of a lot covered by building area.

Coverage, Improved—The percentage of a lot covered by or devoted to all man-made improvements, including but not limited to all buildings and structures, pavement, parking area (whether paved or unpaved), sidewalks and driveways, but excluding natural or landscaped areas and any deductions or exemptions specified within this ordinance.

Drive Through - A commercial facility or structure that is designed to allow patrons to order and receive goods and services via a service window or mechanical device while remaining in their vehicles.

Dwelling - A building designed or intended to be used or occupied for residential purposes.

Family - One (1) or more persons occupying a premise(s) and living as a permanent and stable single housekeeping unit as distinguished from a group occupying a boarding house, rooming house or hotel, as herein defined.

FAR— shall mean the sum of the area of all floors of buildings or structures on-site compared to the total area of the site. Included in this definition is the square footage associated with all parking garage footage associated with all parking garage levels. Excluded from this definition is any square footage associated with roof-top decks.

First Floor Level – The level of the building immediately above the Plaza Level.

Fitness Center – A use for physical fitness which may include, but is not limited to, such equipment as weight resistance machines, game courts, swimming facilities, saunas, showers, and lockers. The use may include pro shops, as well as instructional programs for members and guests.

General Commercial -- Uses including co-working; retail businesses; restaurant, carry-out/fast food; restaurant, coffee shop/café; restaurant, food hall; restaurant, liquor licensed; restaurant, sit down; fitness center.

Ground Sign - A sign which is mounted in or upon the ground, and not elevated through the use of upright braces or poles.

Incremental Measurement: The building may be broken down into multiple sections no smaller than 30 feet or 30% of the building width/depth (whichever is smaller). Each section shall be measured as the vertical distance measured from the base of the section to the top of the building section. The greatest building height of the building sections shall be the building height.

Leasing Office - Leasing Office shall mean an area dedicated on a permanent or temporary basis for leasing of residential units and management of tenant contracts.

Live/Work - Live/Work shall mean a single, enclosed private space, no larger than 800 square feet, which combines one dwelling unit with one of the following uses: artisan workshop, media production, office (general and professional), or services (business or personal).

Lobby – Lobby shall mean the space in a building dedicated to entrance to residential units that are not directly accessible from the street. Often a lobby will have a concierge desk, waiting seats, and other items that create a hospitable environment.

Mixed Use – A building containing a combination of permitted principal use(s) and conditional use(s).

Mixed Use Office Campus – A complex containing one or more buildings that contain Active Ground Floor Uses and General and Professional Office uses in the upper stories.

Net Floor Area – Net floor area is total interior area of a building less elevator shafts, utility rooms, closets, furnace rooms, boiler rooms, air-conditioning rooms, rest rooms, basement storage, maintenance rooms, or similar non-leased maintenance facilities.

Nightclub - Any premises licensed to provide for the on-premises consumption of alcoholic beverages, and where the principal use or function during regular meal hours (i.e., between 10:00 a.m. and 11:00 p.m.) is the sale of food, and the principal use or function after regular meal hours is the selling of alcoholic beverages and incident thereto may be the retail sale or consumption of food as a permitted use, consistent with N.J.S.A. 33:12 et seq., and where any of the following elements exist: (a) more than thirty (30%) percent of the floor area of the establishment is devoted to an entertainment portion of the business; or (b) the occupancy rate is either more than 130% of the number of seats or less than 12 square feet per occupant. Entertainment shall not include background music, whether live or recorded, whose primary purpose is to create an atmosphere or ambiance.

Off-site Sign - A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term off-site sign shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial message.

Office, General and Professional - A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government, and generally furnished with desks, tables, files and communication equipment, including offices of general, business, executive, legal, accounting, architect, planning, engineer, real estate, contractor and employment agencies, but excluding medical offices. Prototyping, product testing and laboratory work shall not be considered an office use. This use is also known herein as General and Professional Office uses.

Parking - The storing of vehicles on a temporary basis. When the parking serves uses on the same property, it shall be considered an accessory use. When the parking serves off-site uses, it shall be treated as a principal use.

Parking, Public – Shall mean the provision of parking spaces for use by the public, for a fee, under the management of an organization either public or private.

Parking Structure – A public or private structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade or either partially or totally above grade with those levels being either open or enclosed.

Public Plaza - An open space defined by surrounding buildings and/or streets, designed for Civic purposes and Commercial activities, not merely leftover areas between buildings.

Public Plaza, Open Space – Includes only that part of the ground area of a zoning lot which is devoted to outdoor active or passive recreational space, greenery and services which are normally carried on outdoors. Open space must conform to the minimum dimensions prescribed for the appropriate district and may not be devoted to private roadways open to vehicular transportation, accessory off-street parking space or accessory of street loading berths. There shall be no private structures on the ground, except structures which are privately owned and publicly accessible. When above grade, open space must be safe, adequately surfaced and protected, and accessible and available to the public.

Post Sign - A freestanding sign elevated above the ground level through the use of poles or braces, with a total height no greater than six feet.

Pylon Sign - A freestanding sign elevated above the ground level through the use of poles or braces, with a total height greater than six feet.

Restaurant, Carry Out/Fast Food - A commercial fast food establishment serving primarily prepared or rapidly prepared food by order over the counter in disposable containers, bags or packages for consumption either on or off the premises.

Restaurant, Coffee Shop/Cafe - An establishment serving primarily non-alcoholic beverages such as coffee or tea. The sale of pastries, baked goods, and food, not requiring the use of an oven, grill, or stove may be included as an activity of a coffee shop or cafe.

Restaurant, Food Hall - An establishment containing a variety of food vendors exhibiting characteristics consistent with Restaurants, Carry Out/Fast Food; Restaurant, Coffee Shop/Café; Restaurant, Liquor Licensed; or Restaurant, Sit Down.

Restaurant, Liquor Licensed - Any premises licensed to provide for the on-premises consumption of alcoholic beverages, and which at all times meets all of the following elements: (a) the sale of alcoholic beverages is incidental to the sale of food and not the primary source of revenue for the premises; (b) no “cover” or other minimum fee is charged to enter the premises at any time, provided, however that this provision shall not be construed to apply to fixed price meals, or complimentary glasses of champagne on holiday occasions such as Thanksgiving or New Year’s Eve, or during special events approved by the Morristown ABC; and (c) the occupancy rate is either no more than 130% the number of seats or no fewer than 12 square feet per occupant.

Restaurant, Sit Down - An eating establishment that is regularly and used principally for the purpose of providing meals to the public and at all times maintains cooking facilities and serves its customers at tables employing waiters or waitresses, as opposed to a fast food establishment or cafeteria. No alcoholic beverages are available for sale. BYOB may be available for beer and wine only. A restaurant can host a variety of cooking methods that may include an open cooking area, in which patrons are provided an opportunity to observe or interact with kitchen staff.

Retail Business The business of selling or renting goods or merchandise to consumers, as opposed to wholesaling, but excluding all forms of retailing otherwise specifically regulated by or prohibited by the Morristown Land Development Ordinance, and otherwise unlawful sale or rental. Selling of prepared foods shall not be included in the definition of retail business.

Roof Deck – A Roof Deck shall mean an open common space available to tenants and their guests located on the roof of the building.

Setback, Front Yard – Front Yard setbacks shall be measured from the property line.

Sexually Oriented Business -

- 1) A commercial establishment which as one of its principal business purposes offers for sale, rental, or display any of the following: books, magazines, periodicals or other printed material, or photographs, films, motion pictures, video cassettes, slides or other visual representations which depict or describe a specified sexual activity or specified anatomical area; or still or motion picture machines, projectors or other image-producing devices which show images to one person per machine at any one time, and where the images so displayed are characterized by the depiction of a specified sexual activity or specified anatomical area; or instruments, devices, or paraphernalia which are designed for use in connection with a specified sexual activity;
- 2) A commercial establishment which regularly features live performances characterized by the exposure of a specified anatomical area or by a specified sexual activity, or which regularly shows films, motion pictures, video cassettes, slides, or other photographic representations which depict or describe a specified sexual activity or specified anatomical area.
- 3) As pertaining to the determination of a sexually oriented business,
 - a) Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.
 - b) Specified anatomical area means:
 - i) Less than completely and opaquely covered human genitals, pubic region, buttock or female breasts below a point immediately above the top of the areola; or

- ii) Human male genitals in a discernibly turgid state, even if covered.
- c) Specified sexual activity means:
 - i) The fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast; or
 - ii) Any actual or simulated act of human masturbation, sexual intercourse or deviant sexual intercourse.

Shared Streets – A shared street shall mean a roadway that is intended to blend various modes of transportation and communicates the delineation of space through different materials. The design intent is to reduce the dominance of motor vehicles by promoting pedestrian and bicycling activity, using the road space as a place in addition to its mobility and access purposes.

Singular Measurement: The vertical distance shall be measured from the base of the building to the top of the building.

Terrace— An unenclosed porch open to the sky.

Townhomes – A Townhome is a series of adjoining one-family dwelling units each of which is separated from the adjacent dwelling unit by a wall extending from the foundation through the roof, and structurally independent of the corresponding wall of the adjoining unit. They shall have an unobstructed front and rear wall to be used for access, light and ventilation.

Townhomes, Stacked – A variation on the Townhome is the Stacked Townhome, with two similarly sized one-family dwelling units integrated into the footprint of a Townhome.

Wall Sign - A sign which is affixed to or painted on an exterior wall of any building. Such signs shall project not more than eight (8) inches from the building wall or parts thereof. No wall sign shall be constructed or erected to extend above the roof line of the structure to which it is affixed.

Wayfinding Signage – A system of signs, varying in design and content, intended to provide consistent visual language that allows residents and visitors to easily gain local geographic knowledge of nearby attractions. Signage type can vary to include area maps, fingerpost signs, or totems. The overall system shall be designed thematically consistent with the overall architectural design of the area and contain key information for both motorists and pedestrians.

Window Sign - A sign which is affixed to any window or glass portion of any door.

11. APPENDIX D: RESOLUTIONS DESIGNATING THE REDEVELOPMENT AREA AS AN “AREA IN NEED OF REDEVELOPMENT.”

Approving Sub Area 3 - as recommended by the Planning Board

TOWN OF MORRISTOWN

RESOLUTION R-28-04

**RESOLUTION DETERMINING PORTIONS OF SUB-AREA 3
OF THE SPEEDWELL REDEVELOPMENT AREA TO BE AN AREA IN NEED
OF REDEVELOPMENT, IN ACCORDANCE WITH THE
PLANNING BOARD RECOMMENDATION**

WHEREAS, in accordance with direction from the Council, the Planning Board has undertaken a study of properties in the vicinity of Speedwell Avenue, Early Street, Clinton Place, Coal Avenue, Center Street and Morris Avenue, to determine whether they meet the statutory criteria as "properties in need of redevelopment" within the meaning of the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Planning Board retained the services of planning consultants, Abeles, Phillips, Preiss and Shapiro, Inc., which presented its findings and recommendations in a study dated December 2002; and

WHEREAS, subsequent to the receiving the planners' recommendations, the Planning Board held hearings on April 28, 2003, May 22, 2003 and July 24, 2003, and received comments from the public; and

WHEREAS, the Planning Board conducted its final hearing on August 28, 2003, and submitted a resolution, a copy of which is annexed hereto and made a part hereof, recommending that the enumerated properties be deemed "areas in need of redevelopment; and

WHEREAS, the Planning Board recommended that a portion of the study area designated as Sub-Area 3, along Spring Street between Martin Luther King Avenue and Morris Street, and exclusive of the Midtown Shopping Center and the nursing home behind the shopping center be designated as an area in need of redevelopment; and

WHEREAS, the Council concurs with the Planning Board recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, being the governing body thereof as follows:

1. The following properties, as designated by block and lot, are hereby deemed to be properties in need of redevelopment:

Portions of Sub-Area 3, along Spring Street between Martin Luther King Avenue and Morris Street, and exclusive of the Midtown Shopping Center and the nursing home behind the shopping center, and specifically designated as Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12; and Block 3505; Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 8, 9, 11, 12, 13 and 14.

2. Within 10 days, the Clerk is hereby directed to mail to any persons who filed written objections to the designation of included areas with the Planning Board, and who provided an address to which such notice may be sent.
3. The Planning Board is further directed to prepare a redevelopment plan for the area designated by this resolution as being in need of redevelopment.

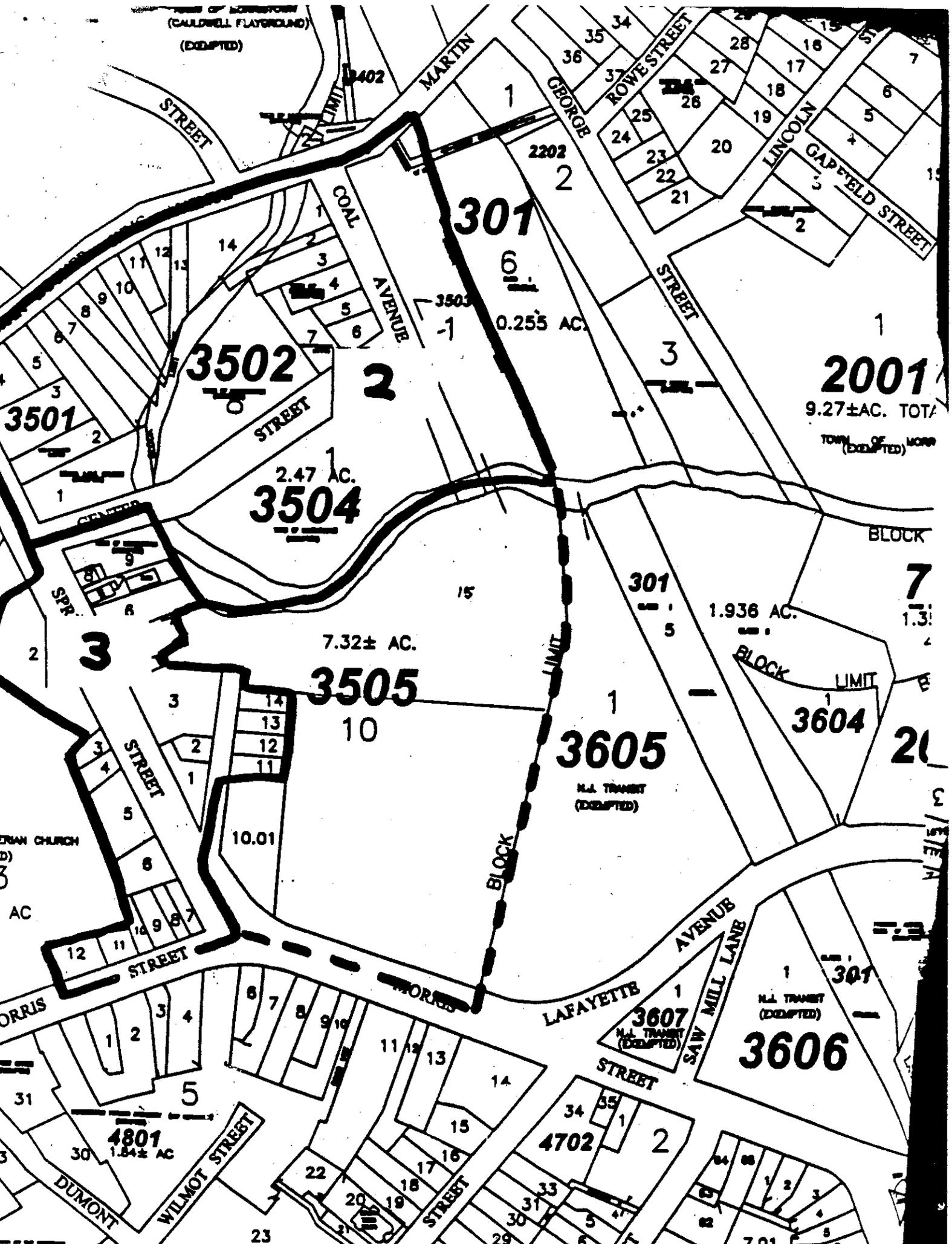
I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at a regular meeting of the Town Council held on Tuesday, January 13, 2004, at the Morristown Council Room at 200 South Street, Morristown, New Jersey, beginning at 7:30 p.m., prevailing time.

DATED: January 15, 2004



Matthew Stechauner
Deputy Town Clerk

REAR OF BOWENWAY
(CALDWELL PLAYGROUND)
(EXEMPTED)



301

6

0.255 AC.

3502

2

2.47 AC.
3504

7.32± AC.

3505

10

10.01

3605

M.L. TRAMIT
(EXEMPTED)

1.936 AC.

3604

3606

M.L. TRAMIT
(EXEMPTED)

3501

2001

9.27± AC. TOTAL

TOWN OF MORRIS
(EXEMPTED)

20

7

1.31

EBAN CHURCH
(BY)

AC

ORRIS

DUMONT

WILNOT STREET

LAFAYETTE AVENUE
SAW MILL LANE

STREET

COAL AVENUE

MARTIN

GEORGE

ROW STREET

LINCOLN

GAPFIELD STREET

STREET

STREET

BLOCK

BLOCK

LIMIT

BLOCK

3/4 E 1/4 N

ORRIS

STREET

MORRIS

LAFAYETTE

STREET

SAW MILL LANE

STREET

4702

4801

1.84± AC

STREET

3607

M.L. TRAMIT
(EXEMPTED)

301

M.L. TRAMIT
(EXEMPTED)

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TOWN OF MORRISTOWN**RESOLUTION R-220-06**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, COUNTY OF MORRIS, NEW JERSEY DETERMINING THAT THE AREA GENERALLY REFERRED TO AS BLOCK 3504, A PORTION OF LOT 1, BLOCK 3505, A PORTION OF LOT 15 AND BLOCK 3505, LOT 16 QUALIFIES AND IS DETERMINED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. AND IS INCLUDED AS PART OF THE SPRING STREET REDEVELOPMENT AREA

WHEREAS, by Resolution R-28-04, adopted on January 13, 2004, the Town Council of the Town of Morristown determined that certain lands, including those known as Block 3505, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 8, 9, 11, 12, 13 and 14 and Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in the Town of Morristown were "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6 and to be known as the Spring Street Redevelopment Area; and

WHEREAS, pursuant to Resolution R-84-06, adopted on May 23, 2006, the Town Council of the Town of Morristown authorized and directed the Morristown Planning Board (the "Planning Board") to undertake a preliminary study to determine whether Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15 and Block 3505, Lot 16 as shown on the Tax Map of the Town of Morristown (the "Study Area") meets the criteria for designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board has conducted a preliminary investigation of the area in accordance with the guidelines set forth in N.J.S.A. 40A:12A-6 to determine whether the Study Area is an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board caused notice of the hearing to be published and caused a copy of the notice to be mailed, at least ten days prior to the date set for the hearing, to the last owner of the properties within the Study Area according to the assessment records of the Town; and

WHEREAS, the Planning Board conducted a public hearing on this matter on October 26, 2006; and

WHEREAS, a report was prepared and presented to the Planning Board that set forth certain findings with respect to the eligibility of the area as an "area in need of redevelopment" in accordance with the provisions N.J.S.A. 40A:12A-5; and

WHEREAS, Paul Phillips of Phillips, Preiss Shapiro & Associates, Inc., a licensed professional planner was accepted as an expert and presented extensive testimony supporting and supplementing the aforesaid report and addressing the statutory criteria; and

WHEREAS, no written objections were received; and

WHEREAS, testimony was presented by members of the public; and

WHEREAS, as a result of its finding of fact, the Planning Board, by resolution adopted November 9, 2006, which is incorporated herein by reference (the "Planning Board Resolution"), concluded:

1. As recommended by Phillips Preiss Shapiro Associates, Inc., the portions of the current rights-of-way of Center, Spring, Water and Morris Streets, studied with the lands comprising of Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, and Block 3505, Lot 16, should not be determined as "an area in need of redevelopment", will remain as public streets, and will not be included in the Spring Street Redevelopment Area.
2. The study area properties are bounded by the Whippany River and the existing Spring Street Redevelopment Area. From a land use standpoint, the vast majority of the proposed area acreage consists of undeveloped land. Of the roughly one acre of property that encompasses the area, only a small portion is improved, in this case with a relatively steep driveway serving the assisted living facility. The remaining properties are essentially wooded, vacant tracts. Lot 1 has no effective roadway access and is also considerably below the grade of Spring Place. The remaining properties are accessed via Spring Place. Lot 16 is also below the grade of Spring Place. The area portion of Lot 15, which is not improved with the driveway, is wooded and steeply sloped towards the Whippany River.
3. **Block 3504, Portion of Lot 1** meets the criteria of N.J.S.A. 40A:12A-5 (c) and N.J.S.A. 40A:12A-5 (e). The proposed area is 0.23 acres and is located on the south side of the Whippany River ("the south portion"). The bulk of Lot 1 is located on the north side of the Whippany River ("the north portion"). The north portion of Lot 1 is roughly 2 acres in size, and because of its location was evaluated as part of sub-area 2 of the 2002 Redevelopment Study for Three Select Areas within the Town of Morristown, New Jersey ("the 2002 redevelopment study"). It became part of what is also known as the Coal and Center Redevelopment Area. The southern portion was evaluated in the 2002 redevelopment study as part of sub-area 3 (i.e. Spring Street Redevelopment Area) and was identified as part of an "unknown lot" owned by the Town of Morristown. At the time the study was completed in 2002, it was unclear that it was part of Lot 1 in Block 3504. It should be noted that the "unknown lot" is now referred to as Lot 16 in Block 3505.
4. The southerly portion of Lot 1 is semi-circular in shape with an area of approximately 10,182 square feet. The parcel lies south of Center Street and is bounded on the north by the Whippany River; on the east by Lot 15 in Block 3505; on the south and west by Lots 16, 5, 6, 7 and 9, also in Block 3505. Lots 5, 6, 7 and 9 are all within the existing Spring Street Redevelopment Area. The subject property is mostly level, although there are steep slopes along the river's edge. The property is vacant and wooded and is about 30 feet below the elevation of Spring Place. The parcel is also narrow in depth, measuring only approximately 50 feet from the top of the bank to its border with Lot 16. This vacant tract has no direct access to Spring Place other than via the contiguous Lot 16. Given its shallow depth and its elevation of approximately 30 feet below Spring Place, as well as its remote location, the property is virtually undevelopable as a stand-alone parcel. Although this portion of Lot 1 does have minimal frontage on Center Street, such frontage appears insufficient for purposes of access due to the proximity of the Whippany River and associated appurtenances (i.e. drainage structures). As such, it is unlikely to be developed except as part of a larger assemblage. The proposed area is stagnant and unproductive

within the context of its location and zoning, and it has the potential to better contribute to the economic vitality of Morristown as part of the Spring Street Redevelopment Area.

5. **Block 3505, Portion of Lot 15** meets the criteria of N.J.S.A. 40A:12A-3. The portion of the proposed area in Lot 15 comprises of approximately 24,025 square feet, and is part of a larger, approximately 4.5 acre parcel (i.e. the entirety of Lot 15), which was previously evaluated as part of the 2002 redevelopment study for sub-area 3. Lot 15 is located immediately north of the Midtown Shopping Center on Morris Street and abuts the Whippany River and the Morristown NJ Transit rail station to the north and east, respectively. The property is improved with an assisted living facility, which is accessed via a driveway at the north end of Spring Place. The portion of Lot 15 which is currently under study includes a section of this driveway.
6. The subject lands are irregularly shaped and share borders with several adjacent properties, as well as with the balance of Lot 15. These include a section of its southern boundary extending approximately 100 feet along Block 3505, Lot 14; a section along its western boundary extending approximately 35 feet along Spring Place, and approximately 77 feet along Lot 16; and a section of its northern boundary extending approximately 108 feet along Lot 1 and the Whippany River. Its eastern boundaries are part of the remainder of Lot 15 and include an approximately 84 foot border extending south from the Whippany River. A title search for Lot 15 revealed that this property was originally part of Block 3505, Lot 10, which was subdivided in 1998 into Lots 10 and 15. In 2001, the land was transferred from M.R.C. Company, L.L.C. to the Spring Place Assisted Living Center, L.L.C.
7. The proposed area in the portion of Lot 15 consists of the paved driveway for the Spring Hills at Morristown Assisted Living Facility, as well as a retaining wall, stockade fence and concrete walk which line the driveway. The driveway on this portion of Lot 15 slopes upward in an easterly direction above Spring Place. To the north of the driveway, the property slopes steeply downwards towards Lot 1 and the Whippany River. The western boundary of the property is approximately 35 feet higher at its border with Spring Place than at its border with Lot 1 and the Whippany River. The steeply-sloped section of the property is heavily wooded. Adjacent to and south of the driveway is a stockade fence which surrounds adjacent Lot 14. There is also a shed located on this portion of Lot 15 which also extends onto Lot 14.
8. The 2002 redevelopment study found Lot 15 in its entirety to be in good condition and thus it did not qualify as an "area in need of redevelopment." Although the condition of the property has not changed since that time, a portion of Lot 15 is considered necessary to effectuate an appropriate redevelopment scheme within the Spring Street Redevelopment Area. More specifically, the current access to Lot 15 (i.e. Morristown Assisted Living Facility) via Spring Place will need to be changed and the provision of alternative access will impact at least a portion of Lot 15 as its existing access drive will require physical modification.
9. Access to the existing assisted living facility is currently provided via Spring Place, a local street extending from Spring Street and essentially dead-ending at the assisted living facility property. Spring Place meets Spring Street at an acute angle at a location approximately 100 feet west of the signalized intersection of Spring Street and Morris Street. The existing intersection currently operates with poor levels of service, particularly with regard to left turn movements exiting Spring Place. In addition, the acute geometry of the intersection provides substandard sight lines and motorist confusion in turning to

and from the intersection. These conditions are compounded by the proximity of the intersection to the intersection of Morris Street and Spring Street, a heavily traveled and signalized intersection.

10. Development within the existing Spring Street Redevelopment Area will further compound these problems if there is no change in the existing traffic pattern. Any redevelopment efforts will require that existing Spring Place be either vacated or substantially reconstructed. As a result, an alternative access to the assisted living facility will be necessary. The alternative access that is currently contemplated is a prospective new roadway connection to Center Street running roughly parallel with Spring Street in the vicinity of the Whippany River. This alternative access would not only serve the redevelopment area, but would also serve as a new access to the assisted living facility. The bulk of Spring Place would be vacated, with the remaining portion closest to Spring Street continuing to provide access to the Midtown Shopping Center, but with a redesign to accommodate a conventional 90 degree intersection that would improve traffic flow and turning movements. Because of the differences in grade between the contemplated new access road and the grade of the existing assisted living driveway, a relatively significant portion of the driveway must be regraded to connect with the grade of the new road. This will require that the referenced portion of Lot 15 be incorporated into the larger Spring Street Redevelopment Area in order to better contribute to the economic vitality of Morristown.
11. **Block 3505, Lot 16** meets the criteria of N.J.S.A. 40A:12A-5 (c) and N.J.S.A. 40A:12A-5 (e). The proposed area is approximately 10,000 square feet in size and was evaluated as part of sub-area 3 of the 2002 redevelopment study. It is an irregularly-shaped property located at the terminus of Spring Place. The property shares a border with Lot 1 to the north, with Lot 15 to the east, with Spring Place and Lot 3 to the south, with Lot 4 to the southeast, and with Lot 5 to the west.
12. The 2002 redevelopment study identified the property as part of the "unknown lot" (together with the southern portion of Block 3504, Lot 1 described above) owned by the Town of Morristown. At the time the study was completed, neither the history nor boundaries of this property were known, in part because it did not appear on Town tax maps. The resolution authorizing the examination of this study area, as well as tax map 35 of the Town of Morristown, prepared and provided by David Avery at Richard F. Smith, Jr., Professional Land Surveyor, denotes this parcel as Block 3505, Lot 16. However, on October 17, 2006, the Morristown Tax Assessor indicated that on page 35 of the books in the Assessor's office, Lot 16 was not denoted, nor was it listed in the tax records. A title search further revealed that this property was originally a part of Block 3505, Lot 10, which was acquired by Putterman, et al., in 1952 from the Morristown Memorial Hospital. In 1996, Block 3505, Lots 10 and 10.01 were transferred from the heirs of Putterman, et al. to Morristown Center Associates, L.L.C. In 1998, Morristown Center Associates, L.L.C. subdivided Lot 10 into Lots 10 and 15. At the same time, Morristown Center Associates dedicated a portion of Lot 10 to the Town of Morristown as a "right-of-way for the future construction of a cul-de-sac at the end of Spring Place" made pursuant to a "Resolution adopted by the Town of Morristown Board of Adjustment on February 4, 1998". The property was subsequently deemed exempt and removed from the Town's tax rolls, however the referenced cul-de-sac was never created. The property is currently a wooded vacant lot and is steeply sloped; changing in elevation from approximately 336 feet above sea level at its border with Spring Place to approximately 304 feet above sea level at its border with Lot 1. The property is vacant, stagnant and unproductive within the context of its location and zoning, and it has the potential to better contribute to the economic vitality of Morristown as part of the Spring Street Redevelopment Area.

13. The Board has considered the comments and testimony of the members of the public at the October 26, 2006 public hearing, and concludes that any objections voiced fail to rebut the findings set forth in the Redevelopment Study.

WHEREAS, the Planning Board recommends, based on its preliminary investigation and the factual findings set forth in its resolution, that the Study Area be designated an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY, as follows:

Section 1. That the Town Council of the Town of Morristown hereby accepts the findings of the Planning Board and determines that Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505 and Lot 16 as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown, referred to herein as the Study Area, qualifies as an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

Section 2. That Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15 and Block 3505, Lot 16 as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown shall become part of the Spring Street Redevelopment Area.

Section 3. That upon adoption of this resolution, the Town Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5).

Section 4. That within ten (10) days of the approval of the determination that Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15 and Block 3505, Lot 16 as shown on the Tax Map of the Town of Morristown qualifies as an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.), the Town Clerk shall serve, a notice of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

ATTEST:

ADOPTED:

MATTHEW K. STECHAUNER,
TOWN CLERK

ANTHONY J. CATTANO, JR.
COUNCIL PRESIDENT

need new version

W amendment

TOWN OF MORRISTOWN

RESOLUTION R- 220 -06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, COUNTY OF MORRIS, NEW JERSEY DETERMINING THAT THE AREA GENERALLY REFERRED TO AS BLOCK 3504, A PORTION OF LOT 1, BLOCK 3505, A PORTION OF LOT 15, BLOCK 3505, LOT 16 AND PORTIONS OF THE ~~CURRENT RIGHTS-OF-WAY OF CENTER, SPRING, WATER AND MORRIS STREETS~~ QUALIFIES AND IS DETERMINED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. AND IS INCLUDED AS PART OF THE SPRING STREET REDEVELOPMENT AREA

WHEREAS, by Resolution R-28-04, adopted on January 13, 2004, the Town Council of the Town of Morristown determined that certain lands, including those known as Block 3505, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 8, 9, 11, 12, 13 and 14 and Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in the Town of Morristown were "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6 and to be known as the Spring Street Redevelopment Area; and

WHEREAS, pursuant to Resolution R-84-06, adopted on May 23, 2006, the Town Council of the Town of Morristown authorized and directed the Morristown Planning Board (the "Planning Board") to undertake a preliminary study to determine whether Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16 and portions of the current rights-of-way of Center, Spring, Water and Morris Streets as shown on the Tax Map of the Town of Morristown (the "Study Area) meets the criteria for designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board has conducted a preliminary investigation of the area in accordance with the guidelines set forth in N.J.S.A. 40A:12A-6 to determine whether the Study Area is an "area in need of redevelopment" according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board caused notice of the hearing to be published and caused a copy of the notice to be mailed, at least ten days prior to the date set for the hearing, to the last owner of the properties within the Study Area according to the assessment records of the Town; and

WHEREAS, the Planning Board conducted a public hearing on this matter on October 26, 2006; and

WHEREAS, a report was prepared and presented to the Planning Board that set forth certain findings with respect to the eligibility of the area as an "area in need of redevelopment" in accordance with the provisions N.J.S.A 40A:12A-5; and

WHEREAS, Paul Phillips of Phillips, Preiss Shapiro & Associates, Inc., a licensed professional planner was accepted as an expert and presented extensive testimony supporting and supplementing the aforesaid report and addressing the statutory criteria; and

WHEREAS, no written objections were received; and

WHEREAS, testimony was presented by members of the public; and

WHEREAS, as a result of its finding of fact, the Planning Board, by resolution adopted November 9, 2006, which is incorporated herein by reference (the "Planning Board Resolution"), concluded:

1. As recommended by Phillips Preiss Shapiro Associates, Inc., the portions of the current rights-of-way of Center, Spring, Water and Morris Streets, studied with the lands comprising of Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, and Block 3505, Lot 16, should not be determined as "an area in need of redevelopment", will remain as public streets, and will not be included in the Spring Street Redevelopment Area.
2. The study area properties are bounded by the Whippany River and the existing Spring Street Redevelopment Area. From a land use standpoint, the vast majority of the proposed area acreage consists of undeveloped land. Of the roughly one acre of property that encompasses the area, only a small portion is improved, in this case with a relatively steep driveway serving the assisted living facility. The remaining properties are essentially wooded, vacant tracts. Lot 1 has no effective roadway access and is also considerably below the grade of Spring Place. The remaining properties are accessed via Spring Place. Lot 16 is also below the grade of Spring Place. The area portion of Lot 15, which is not improved with the driveway, is wooded and steeply sloped towards the Whippany River.
3. **Block 3504, Portion of Lot 1** meets the criteria of N.J.S.A. 40A:12A-5 (c) and N.J.S.A. 40A:12A-5 (e). The proposed area is 0.23 acres and is located on the south side of the Whippany River ("the south portion"). The bulk of Lot 1 is located on the north side of the Whippany River ("the north portion"). The north portion of Lot 1 is roughly 2 acres in size, and because of its location was evaluated as part of sub-area 2 of the 2002 Redevelopment Study for Three Select Areas within the Town of Morristown, New Jersey ("the 2002 redevelopment study"). It became part of what is also known as the Coal and Center Redevelopment Area. The southern portion was evaluated in the 2002 redevelopment study as part of sub-area 3 (i.e. Spring Street Redevelopment Area) and was identified as part of an "unknown lot" owned by the Town of Morristown. At the time the study was completed in 2002, it was unclear that it was part of Lot 1 in Block 3504. It should be noted that the "unknown lot" is now referred to as Lot 16 in Block 3505.
4. The southerly portion of Lot 1 is semi-circular in shape with an area of approximately 10,182 square feet. The parcel lies south of Center Street and is bounded on the north by the Whippany River; on the east by Lot 15 in Block 3505; on the south and west by Lots 16, 5, 6, 7 and 9, also in Block 3505. Lots 5, 6, 7 and 9 are all within the existing Spring Street Redevelopment Area. The subject property is mostly level, although there are steep slopes along the river's edge. The property is vacant and wooded and is about 30 feet below the elevation of Spring Place. The parcel is also narrow in depth, measuring only approximately 50 feet from the top of the bank to its border with Lot 16. This vacant tract has no direct access to Spring Place other than via the contiguous Lot 16. Given its shallow depth and its elevation of approximately 30 feet below Spring Place, as well as its remote location, the property is virtually undevelopable as a stand-alone parcel. Although this portion of Lot 1 does have minimal frontage on Center Street, such frontage appears insufficient for purposes of access due to the proximity of the Whippany River and associated appurtenances (i.e. drainage structures). As such, it is unlikely

to be developed except as part of a larger assemblage. The proposed area is stagnant and unproductive within the context of its location and zoning, and it has the potential to better contribute to the economic vitality of Morristown as part of the Spring Street Redevelopment Area.

5. **Block 3505, Portion of Lot 15** meets the criteria of N.J.S.A. 40A:12A-3. The portion of the proposed area in Lot 15 comprises of approximately 24,025 square feet, and is part of a larger, approximately 4.5 acre parcel (i.e. the entirety of Lot 15), which was previously evaluated as part of the 2002 redevelopment study for sub-area 3. Lot 15 is located immediately north of the Midtown Shopping Center on Morris Street and abuts the Whippany River and the Morristown NJ Transit rail station to the north and east, respectively. The property is improved with an assisted living facility, which is accessed via a driveway at the north end of Spring Place. The portion of Lot 15 which is currently under study includes a section of this driveway.
6. The subject lands are irregularly shaped and share borders with several adjacent properties, as well as with the balance of Lot 15. These include a section of its southern boundary extending approximately 100 feet along Block 3505, Lot 14; a section along its western boundary extending approximately 35 feet along Spring Place, and approximately 77 feet along Lot 16; and a section of its northern boundary extending approximately 108 feet along Lot 1 and the Whippany River. Its eastern boundaries are part of the remainder of Lot 15 and include an approximately 84 foot border extending south from the Whippany River. A title search for Lot 15 revealed that this property was originally part of Block 3505, Lot 10, which was subdivided in 1998 into Lots 10 and 15. In 2001, the land was transferred from M.R.C. Company, L.L.C. to the Spring Place Assisted Living Center, L.L.C.
7. The proposed area in the portion of Lot 15 consists of the paved driveway for the Spring Hills at Morristown Assisted Living Facility, as well as a retaining wall, stockade fence and concrete walk which line the driveway. The driveway on this portion of Lot 15 slopes upward in an easterly direction above Spring Place. To the north of the driveway, the property slopes steeply downwards towards Lot 1 and the Whippany River. The western boundary of the property is approximately 35 feet higher at its border with Spring Place than at its border with Lot 1 and the Whippany River. The steeply-sloped section of the property is heavily wooded. Adjacent to and south of the driveway is a stockade fence which surrounds adjacent Lot 14. There is also a shed located on this portion of Lot 15 which also extends onto Lot 14.
8. The 2002 redevelopment study found Lot 15 in its entirety to be in good condition and thus it did not qualify as an "area in need of redevelopment." Although the condition of the property has not changed since that time, a portion of Lot 15 is considered necessary to effectuate an appropriate redevelopment scheme within the Spring Street Redevelopment Area. More specifically, the current access to Lot 15 (i.e. Morristown Assisted Living Facility) via Spring Place will need to be changed and the provision of alternative access will impact at least a portion of Lot 15 as its existing access drive will require physical modification.
9. Access to the existing assisted living facility is currently provided via Spring Place, a local street extending from Spring Street and essentially dead-ending at the assisted living facility property. Spring Place meets Spring Street at an acute angle at a location approximately 100 feet west of the signalized intersection of Spring Street and Morris Street. The existing intersection currently operates with poor levels of service, particularly with regard to left turn movements exiting Spring Place. In addition, the

acute geometry of the intersection provides substandard sight lines and motorist confusion in turning to and from the intersection. These conditions are compounded by the proximity of the intersection to the intersection of Morris Street and Spring Street, a heavily traveled and signalized intersection.

10. Development within the existing Spring Street Redevelopment Area will further compound these problems if there is no change in the existing traffic pattern. Any redevelopment efforts will require that existing Spring Place be either vacated or substantially reconstructed. As a result, an alternative access to the assisted living facility will be necessary. The alternative access that is currently contemplated is a prospective new roadway connection to Center Street running roughly parallel with Spring Street in the vicinity of the Whippany River. This alternative access would not only serve the redevelopment area, but would also serve as a new access to the assisted living facility. The bulk of Spring Place would be vacated, with the remaining portion closest to Spring Street continuing to provide access to the Midtown Shopping Center, but with a redesign to accommodate a conventional 90 degree intersection that would improve traffic flow and turning movements. Because of the differences in grade between the contemplated new access road and the grade of the existing assisted living driveway, a relatively significant portion of the driveway must be regraded to connect with the grade of the new road. This will require that the referenced portion of Lot 15 be incorporated into the larger Spring Street Redevelopment Area in order to better contribute to the economic vitality of Morristown.
11. **Block 3505, Lot 16** meets the criteria of N.J.S.A. 40A:12A-5 (c) and N.J.S.A. 40A:12A-5 (e). The proposed area is approximately 10,000 square feet in size and was evaluated as part of sub-area 3 of the 2002 redevelopment study. It is an irregularly-shaped property located at the terminus of Spring Place. The property shares a border with Lot 1 to the north, with Lot 15 to the east, with Spring Place and Lot 3 to the south, with Lot 4 to the southeast, and with Lot 5 to the west.
12. The 2002 redevelopment study identified the property as part of the "unknown lot" (together with the southern portion of Block 3504, Lot 1 described above) owned by the Town of Morristown. At the time the study was completed, neither the history nor boundaries of this property were known, in part because it did not appear on Town tax maps. The resolution authorizing the examination of this study area, as well as tax map 35 of the Town of Morristown, prepared and provided by David Avery at Richard F. Smith, Jr., Professional Land Surveyor, denotes this parcel as Block 3505, Lot 16. However, on October 17, 2006, the Morristown Tax Assessor indicated that on page 35 of the books in the Assessor's office, Lot 16 was not denoted, nor was it listed in the tax records. A title search further revealed that this property was originally a part of Block 3505, Lot 10, which was acquired by Putterman, et al., in 1952 from the Morristown Memorial Hospital. In 1996, Block 3505, Lots 10 and 10.01 were transferred from the heirs of Putterman, et al. to Morristown Center Associates, L.L.C. In 1998, Morristown Center Associates, L.L.C. subdivided Lot 10 into Lots 10 and 15. At the same time, Morristown Center Associates dedicated a portion of Lot 10 to the Town of Morristown as a "right-of-way for the future construction of a cul-de-sac at the end of Spring Place" made pursuant to a "Resolution adopted by the Town of Morristown Board of Adjustment on February 4, 1998". The property was subsequently deemed exempt and removed from the Town's tax rolls, however the referenced cul-de-sac was never created. The property is currently a wooded vacant lot and is steeply sloped; changing in elevation from approximately 336 feet above sea level at its border with Spring Place to approximately 304 feet above sea level at its border with Lot 1. The property is vacant, stagnant and unproductive within the context of its location and zoning, and it has the potential to better contribute to the economic vitality of Morristown as part of the Spring Street Redevelopment Area.

13. The Board has considered the comments and testimony of the members of the public at the October 26, 2006 public hearing, and concludes that any objections voiced fail to rebut the findings set forth in the Redevelopment Study.

WHEREAS, the Planning Board recommends, based on its preliminary investigation and the factual findings set forth in its resolution, that the Study Area be designated an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY, as follows:

Section 1. That the Town Council of the Town of Morristown hereby accepts the findings of the Planning Board and determines that Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16 and portions of the current rights-of-way of Center, Spring, Water and Morris Streets as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown, referred to herein as the Study Area, qualifies as an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

Section 2. That Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16 and portions of the current rights-of-way of Center, Spring, Water and Morris Streets as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown shall become part of the Spring Street Redevelopment Area.

Section 3. That upon adoption of this resolution, the Town Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5).

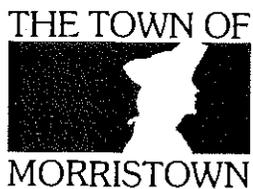
Section 4. That within ten (10) days of the approval of the determination that Block 3404, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16 ~~and portions of the current rights-of-way of Center, Spring, Water and Morris Streets as shown~~ on the Tax Map of the Town of Morristown qualifies as an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.), the Town Clerk shall serve, a notice of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

ATTEST:

ADOPTED:

MATTHEW K. STECHAUNER,
TOWN CLERK

ANTHONY J. CATTANO, JR.
COUNCIL PRESIDENT



200 South Street, P.O. Box 914
Morristown, NJ 07963-0914

Department of Public Works
Division of Land Use Administration
Tel.: (973) 292-6722
Fax: (973) 292-6663

November 27, 2006

To: Matthew Stechauner
Town Clerk

From: John Fugger
Administrative Officer
Planning Board



Re: Resolution #R-84-06

Matt:

Attached is a copy of the Resolution adopted by the Morristown Planning Board on November 9, 2006, memorializing its approval designating Block: 3504, a portion of lot: 1, block: 3505, a portion of lot: 15, and block: 3505, lot: 16, as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 ET SEQ. and to be included in the Spring Street Redevelopment Area.

Cc: Matthew O'Donnell, Esq.
Kathy Duane
Michael D'Altilio
Frank Regan

RESOLUTION OF THE MORRISTOWN PLANNING BOARD

RE: R-84-06; DECLARING BLOCK 3504, A PORTION OF LOT 1, BLOCK 3505, A PORTION OF LOT 15, AND BLOCK 3505, LOT 16, AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. AND INCLUDED IN THE SPRING STREET REDEVELOPMENT AREA.

WHEREAS, the Town Council of the Town of Morristown, by Resolution R-28-04, adopted on January 13, 2004, determined that certain lands, including those known as Block 3505, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 8, 9, 11, 12, 13, and 14, and Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, situate in the Town of Morristown, was an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6, and designated same to be known as the Spring Street Redevelopment Area; and

WHEREAS, by Resolution R-84-06, adopted on May 23, 2006, the Town Council of the Town of Morristown determined that certain land, including those known as Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16, and portions of the current rights-of-way of Center, Spring, Water and Morris Streets, as depicted more accurately on a plan prepared by Richard F. Smith, Jr., Professional Land Surveyor, dated April 30, 2005 and revised as of April 26, 2006, a copy of which is made part of this resolution by reference, in the Town of Morristown, was designated as an area "in need of redevelopment", pursuant to N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6, and that these lands should be included in the Spring Street Redevelopment Area; and

WHEREAS, before an area may be declared in need of redevelopment, it is necessary for the adoption of a resolution authorizing the Planning Board of the Town of Morristown ("Board") to undertake a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, on May 23, 2006, by Resolution R-84-06, the governing body of the Town of Morristown has directed the Board to examine whether the lands situated in Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16, and portions of the current rights-of-way of Center, Spring, Water and Morris Streets, should be determined "an area in need of redevelopment", pursuant to N.J.S.A. 40A:12A-3, and should be included in the Spring Street Redevelopment Area; and

WHEREAS, on July 27, 2006, the Board held a public hearing at Town Hall of the Town of Morristown during which it considered whether it would examine and conduct the necessary investigations and studies to determine whether the lands situated in Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, Block 3505, Lot 16, and portions of the current rights-of-way of Center, Spring, Water and Morris Streets should be determined as "an area in need of redevelopment", and should be included in the Spring Street Redevelopment Area; and

WHEREAS, on August 24, 2006 the Board, pursuant to N.J.S.A. 40A:12A-6, adopted a resolution authorizing a preliminary study to determine whether the proposed area meets the criteria for designation as a redevelopment area; and

WHEREAS, the proposed area is located in the central portion of Morristown and encompasses approximately 44,000 square feet of land or approximately 1 acre. It is bounded to the north and east by the Whippany River. The southeasterly boundary of the area consists of the majority of Block 3505, Lot 15, which is improved with the Spring Hills at Morristown Assisted Living Facility. Access to the facility is obtained via a driveway located at the north end of Spring Place, and is also contiguous to the Midtown Shopping Center. The area is surrounded to the south and west by the existing Spring Street Redevelopment Area, which includes commercial and residential properties lining both sides of Spring Place and fronting on Spring Street at its junction with Morris Street; and

WHEREAS, the proposed area consists of three parcels located at the end of Spring Place, which intersects with Spring Street near its intersection with Morris Street. The relevant portion of Lot 15 in Block 3305 includes the current driveway to the Spring Hills at Morristown Assisted Living Facility. Lot 16 is a steeply sloped and undeveloped parcel that is largely wooded. It was previously dedicated to the Town for use as a cul-de-sac. The relevant portion of Lot 1 in Block 3504 is also vacant and wooded, and is severed from the remainder of Lot 1 by the Whippany River. The portion of Lot 1 located to the north of the river is included in the Coal and Center Redevelopment Area; and

WHEREAS, on October 26, 2006, Paul Philips from Phillips Preiss Shapiro Associates, Inc. presented testimony to the Board of its study to determine whether the proposed area meets the criteria for designation as a redevelopment area, and entered the following into evidence:

- A-1 Page 6 of the Redevelopment Study for Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, and Block 3505, Lot 16, dated October 2006, prepared by Phillips Preiss Shapiro Associates, Inc., setting forth the land use within the study area; and
- A-2 Page 18 of the Redevelopment Study for Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, and Block 3505, Lot 16, dated October 2006, prepared by Phillips Preiss Shapiro Associates, Inc., setting forth the application of an area in need of redevelopment, satisfying the statutory criteria.

WHEREAS, pursuant to N.J.S.A. 40A:12A-5, an area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provide in Section 6 of P.L. 1992, c.79 (C40A:12A-6) the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the

municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the areas has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the New Jersey Urban Enterprise Zones Act, P.L. 1983, c. 303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c. 79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c. 431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c. 441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c. 79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

WHEREAS, pursuant to N.J.S.A. 40A:12A-3, a redevelopment area may also include lands, buildings, or improvements which of themselves are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part; and

WHEREAS, the Board has made the following findings and conclusions based upon the evidence presented:

1. As recommended by Phillips Preiss Shapiro Associates, Inc., the portions of the current rights-of-way of Center, Spring, Water and Morris Streets, studied with the lands comprising of Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, and Block 3505, Lot 16, should not be determined as "an area in need of redevelopment", will remain as public streets, and will not be included in the Spring Street Redevelopment Area.

2. The study area properties are bounded by the Whippany River and the existing Spring Street Redevelopment Area. From a land use standpoint, the vast majority of the proposed area acreage consists of undeveloped land. Of the roughly one acre of property that encompasses the area, only a small portion is improved, in this case with a relatively steep driveway serving the assisted living facility. The remaining properties are essentially wooded, vacant tracts. Lot 1 has no effective roadway access and is also considerably below the grade of Spring Place. The remaining properties are accessed via Spring Place. Lot 16 is also below the grade of Spring Place. The area portion of Lot 15, which is not improved with the driveway, is wooded and steeply sloped towards the Whippany River.
3. **Block 3504, Portion of Lot 1** meets the criteria of N.J.S.A. 40A:12A-5 (c) and N.J.S.A. 40A:12A-5 (e). The proposed area is 0.23 acres and is located on the south side of the Whippany River ("the south portion"). The bulk of Lot 1 is located on the north side of the Whippany River ("the north portion"). The north portion of Lot 1 is roughly 2 acres in size, and because of its location was evaluated as part of sub-area 2 of the 2002 Redevelopment Study for Three Select Areas within the Town of Morristown, New Jersey ("the 2002 redevelopment study"). It became part of what is also known as the Coal and Center Redevelopment Area. The southern portion was evaluated in the 2002 redevelopment study as part of sub-area 3 (i.e. Spring Street Redevelopment Area) and was identified as part of an "unknown lot" owned by the Town of Morristown. At the time the study was completed in 2002, it was unclear that it was part of Lot 1 in Block 3504. It should be noted that the "unknown lot" is now referred to as Lot 16 in Block 3505.
4. The southerly portion of Lot 1 is semi-circular in shape with an area of approximately 10,182 square feet. The parcel lies south of Center Street and is bounded on the north by the Whippany River; on the east by Lot 15 in Block 3505; on the south and west by Lots 16, 5, 6, 7 and 9, also in Block 3505. Lots 5, 6, 7 and 9 are all within the existing Spring Street Redevelopment Area. The subject property is mostly level, although there are steep slopes along the river's edge. The property is vacant and wooded and is about 30 feet below the elevation of Spring Place. The parcel is also narrow in depth, measuring only approximately 50 feet from the top of the bank to its border with Lot 16. This vacant tract has no direct access to Spring Place other than via the contiguous Lot 16. Given its shallow depth and its elevation of approximately 30 feet below Spring Place, as well as its remote location, the property is virtually undevelopable as a stand-alone parcel. Although this portion of Lot 1 does have minimal frontage on Center Street, such frontage appears insufficient for purposes of access due to the proximity of the Whippany River and associated appurtenances (i.e. drainage structures). As such, it is unlikely to be developed except as part of a larger assemblage. The proposed area is stagnant and unproductive within the context of its location and zoning, and it has the potential to better contribute to the economic vitality of Morristown as part of the Spring Street Redevelopment Area.
5. **Block 3505, Portion of Lot 15** meets the criteria of N.J.S.A. 40A:12A-3. The portion of the proposed area in Lot 15 comprises of approximately 24,025 square feet, and is part of a larger, approximately 4.5 acre parcel (i.e. the entirety of Lot 15), which was previously evaluated as part of the 2002 redevelopment study for sub-area 3. Lot 15 is located immediately north of the Midtown Shopping Center on Morris Street and abuts the

Whippany River and the Morristown NJ Transit rail station to the north and east, respectively. The property is improved with an assisted living facility, which is accessed via a driveway at the north end of Spring Place. The portion of Lot 15 which is currently under study includes a section of this driveway.

6. The subject lands are irregularly shaped and share borders with several adjacent properties, as well as with the balance of Lot 15. These include a section of its southern boundary extending approximately 100 feet along Block 3505, Lot 14; a section along its western boundary extending approximately 35 feet along Spring Place, and approximately 77 feet along Lot 16; and a section of its northern boundary extending approximately 108 feet along Lot 1 and the Whippany River. Its eastern boundaries are part of the remainder of Lot 15 and include an approximately 84 foot border extending south from the Whippany River. A title search for Lot 15 revealed that this property was originally part of Block 3505, Lot 10, which was subdivided in 1998 into Lots 10 and 15. In 2001, the land was transferred from M.R.C. Company, L.L.C. to the Spring Place Assisted Living Center, L.L.C.
7. The proposed area in the portion of Lot 15 consists of the paved driveway for the Spring Hills at Morristown Assisted Living Facility, as well as a retaining wall, stockade fence and concrete walk which line the driveway. The driveway on this portion of Lot 15 slopes upward in an easterly direction above Spring Place. To the north of the driveway, the property slopes steeply downwards towards Lot 1 and the Whippany River. The western boundary of the property is approximately 35 feet higher at its border with Spring Place than at its border with Lot 1 and the Whippany River. The steeply-sloped section of the property is heavily wooded. Adjacent to and south of the driveway is a stockade fence which surrounds adjacent Lot 14. There is also a shed located on this portion of Lot 15 which also extends onto Lot 14.
8. The 2002 redevelopment study found Lot 15 in its entirety to be in good condition and thus it did not qualify as an "area in need of redevelopment." Although the condition of the property has not changed since that time, a portion of Lot 15 is considered necessary to effectuate an appropriate redevelopment scheme within the Spring Street Redevelopment Area. More specifically, the current access to Lot 15 (i.e. Morristown Assisted Living Facility) via Spring Place will need to be changed and the provision of alternative access will impact at least a portion of Lot 15 as its existing access drive will require physical modification.
9. Access to the existing assisted living facility is currently provided via Spring Place, a local street extending from Spring Street and essentially dead-ending at the assisted living facility property. Spring Place meets Spring Street at an acute angle at a location approximately 100 feet west of the signalized intersection of Spring Street and Morris Street. The existing intersection currently operates with poor levels of service, particularly with regard to left turn movements exiting Spring Place. In addition, the acute geometry of the intersection provides substandard sight lines and motorist confusion in turning to and from the intersection. These conditions are compounded by the proximity of the

intersection to the intersection of Morris Street and Spring Street, a heavily traveled and signalized intersection.

10. Development within the existing Spring Street Redevelopment Area will further compound these problems if there is no change in the existing traffic pattern. Any redevelopment efforts will require that existing Spring Place be either vacated or substantially reconstructed. As a result, an alternative access to the assisted living facility will be necessary. The alternative access that is currently contemplated is a prospective new roadway connection to Center Street running roughly parallel with Spring Street in the vicinity of the Whippany River. This alternative access would not only serve the redevelopment area, but would also serve as a new access to the assisted living facility. The bulk of Spring Place would be vacated, with the remaining portion closest to Spring Street continuing to provide access to the Midtown Shopping Center, but with a redesign to accommodate a conventional 90 degree intersection that would improve traffic flow and turning movements. Because of the differences in grade between the contemplated new access road and the grade of the existing assisted living driveway, a relatively significant portion of the driveway must be regraded to connect with the grade of the new road. This will require that the referenced portion of Lot 15 be incorporated into the larger Spring Street Redevelopment Area in order to better contribute to the economic vitality of Morristown.
11. **Block 3505, Lot 16** meets the criteria of N.J.S.A. 40A:12A-5 (c) and N.J.S.A. 40A:12A-5 (e). The proposed area is approximately 10,000 square feet in size and was evaluated as part of sub-area 3 of the 2002 redevelopment study. It is an irregularly-shaped property located at the terminus of Spring Place. The property shares a border with Lot 1 to the north, with Lot 15 to the east, with Spring Place and Lot 3 to the south, with Lot 4 to the southeast, and with Lot 5 to the west.
12. The 2002 redevelopment study identified the property as part of the "unknown lot" (together with the southern portion of Block 3504, Lot 1 described above) owned by the Town of Morristown. At the time the study was completed, neither the history nor boundaries of this property were known, in part because it did not appear on Town tax maps. The resolution authorizing the examination of this study area, as well as tax map 35 of the Town of Morristown, prepared and provided by David Avery at Richard F. Smith, Jr., Professional Land Surveyor, denotes this parcel as Block 3505, Lot 16. However, on October 17, 2006, the Morristown Tax Assessor indicated that on page 35 of the books in the Assessor's office, Lot 16 was not denoted, nor was it listed in the tax records. A title search further revealed that this property was originally a part of Block 3505, Lot 10, which was acquired by Putterman, et al., in 1952 from the Morristown Memorial Hospital. In 1996, Block 3505, Lots 10 and 10.01 were transferred from the heirs of Putterman, et al. to Morristown Center Associates, L.L.C. In 1998, Morristown Center Associates, L.L.C. subdivided Lot 10 into Lots 10 and 15. At the same time, Morristown Center Associates dedicated a portion of Lot 10 to the Town of Morristown as a "right-of-way for the future construction of a cul-de-sac at the end of Spring Place" made pursuant to a "Resolution adopted by the Town of Morristown Board of Adjustment on February 4, 1998". The property was subsequently deemed exempt and removed from the Town's tax rolls, however the referenced cul-de-sac was never created. The property is currently a wooded

vacant lot and is steeply sloped; changing in elevation from approximately 336 feet above sea level at its border with Spring Place to approximately 304 feet above sea level at its border with Lot 1. The property is vacant, stagnant and unproductive within the context of its location and zoning, and it has the potential to better contribute to the economic vitality of Morristown as part of the Spring Street Redevelopment Area.

13. The Board has considered the comments and testimony of the members of the public at the October 26, 2006 public hearing, and concludes that any objections voiced fail to rebut the findings set forth in the Redevelopment Study.

WHEREAS, service of adjoiners, if required, and proof of publication has been prepared, served and filed by the Applicant in conformity with N.J.S.A. 40:55D-12; and

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby directs that the lands comprising of Block 3504, a portion of Lot 1, Block 3505, a portion of Lot 15, and Block 3505, Lot 16, should be determined as "an area in need of redevelopment", pursuant to N.J.S.A. 40A:12A-5, and included in the Spring Street Redevelopment Area.

I HEREBY CERTIFY that this is a true copy of a Resolution of the Town of Morristown Planning Board duly adopted at a regular public meeting held on November 9, 2006.

On motion of: NATM

Seconded by: FLANAGAN

The vote on the Resolution was as follows:

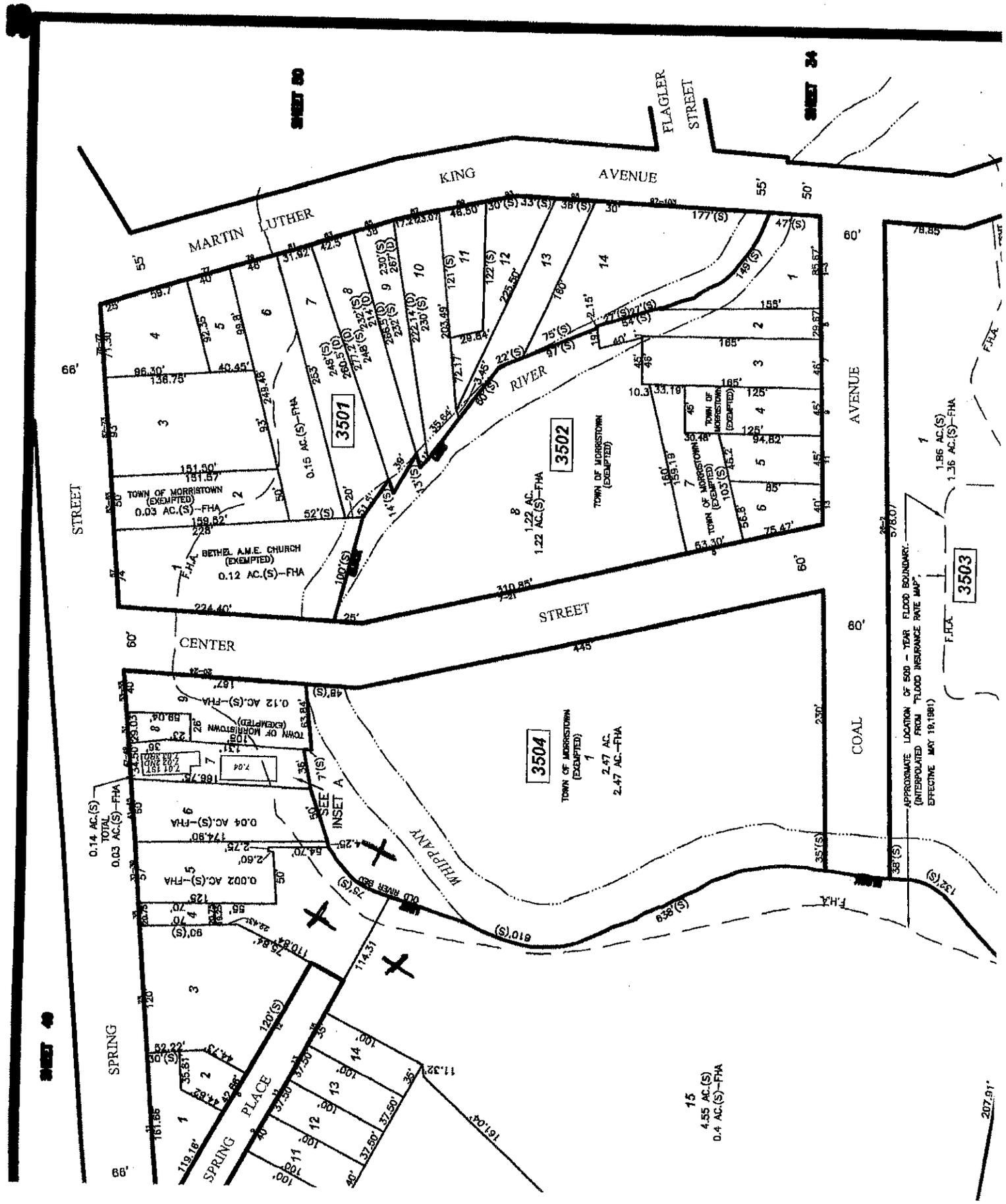
AYES: BETANCOURT, FLANAGAN, TIGHE, NATM, CRESTELLO
NAYS: NONE
ABSTAINING: NONE
ABSENT: KANE, DOUGHERTY, POOLER, STANLEY WITTENACK, DUANE

John Fuggger
JOHN FUGGER, Administrative Officer
Morristown Planning Board

Dated: 11/27/06

Prepared by: Matthew J. O'Donnell, Esq.
O'Donnell McCord & DeMarzo, PC
15 Mount Kemble Avenue
Morristown, New Jersey 07960

Spills



APPROXIMATE LOCATION OF 500-YEAR FLOOD BOUNDARY.
 (INTERPOLATED FROM FLOOD INSURANCE RATE MAP,
 EFFECTIVE MAY 19, 1981)

15
 4.55 AC(S)
 0.4 AC(S)-FHA

1
 1.56 AC(S)
 1.36 AC(S)-FHA

3504
 TOWN OF MORRISTOWN
 (EXEMPTED)
 1
 2.47 AC.
 2.47 AC.-FHA

3501

3502

3503



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH
101 SOUTH BROAD STREET
PO Box 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

SUSAN BASS LEVIN
Commissioner
EILEEN SWAN
Executive Director

December 21, 2006

Ms. Robin Kesselmeyer, Deputy Town Clerk
Town of Morristown
200 South Street
CN914
Morristown, New Jersey 07963-0914

Dear Ms. Kesselmeyer:

We are in receipt of Resolution No. 220-06 designating Block 3504, portion of Lot 1; Block 3505, portion of Lot 15; and Block 3505, Lot 16, as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6. The Office of Smart Growth (OSG) has determined that the designated area is situated in a Metropolitan Planning Area (PA-1), an area in which development and redevelopment are encouraged according to the State Development and Redevelopment Plan. The Town of Morristown's approval therefore took effect upon transmittal to the Department of Community Affairs, and no further action is necessary from the Department to effectuate your designation.

As you take the next steps in the redevelopment process, I encourage you to contact the Office of Smart Growth for technical assistance to assist your community in advancing these efforts. Please feel free to contact Courtenay Mercer, Planning Director within the Office of Smart Growth at (609)-943-9938 if you need further assistance.

Sincerely,

Eileen Swan
Executive Director

ES:lw

Cc: The Honorable Donald Cresitello, Mayor of Morristown
Courtenay Mercer, Planning Director, Office of Smart Growth



155
10/19

TOWN OF MORRISTOWN

RESOLUTION R -155-08

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, COUNTY OF MORRIS, NEW JERSEY DETERMINING THAT THE AREA GENERALLY REFERRED TO AS BLOCK 3505, LOTS 10 AND 10.01 QUALIFY AND ARE DETERMINED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ. AND ARE INCLUDED AS PART OF THE SPRING STREET REDEVELOPMENT AREA

WHEREAS, by Resolution R-28-04, adopted on January 13, 2004, the Town Council of the Town of Morristown determined that certain lands, including those known as Block 3505, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 8, 9, 11, 12, 13 and 14 and Block 4901, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in the Town of Morristown were “an area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-5 and 6 and to be known as the Spring Street Redevelopment Area; and

WHEREAS, by Resolution R-220-06, adopted on December 13, 2006, the Town Council of the Town of Morristown determined that certain lands, including those known as Block 3404, portion of Lot 1, 3505, pa portion of Lot 15 and Block 3505, Lot 16 as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown, referred to herein as the Study Area, qualifies as an “area in need of redevelopment” pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.) and should become part of the Spring Street Redevelopment Area; and

WHEREAS, pursuant to Resolution R-136-08, adopted on August 14, 2008, the Town Council of the Town of Morristown authorized and directed the Morristown Planning Board (the “Planning Board”) to undertake a preliminary study to determine whether Block 3505, Lot 10 and 10.01 as shown on the Tax Map of the Town of Morristown (the “Study Area) meets the criteria for designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board has conducted a preliminary investigation of the area in accordance with the guidelines set forth in N.J.S.A. 40A:12A-6 to determine whether the Study Area is an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board caused notice of the hearing to be published and caused a copy of the notice to be mailed, at least ten days prior to the date set for the hearing, to the last owner of the properties within the Study Area according to the assessment records of the Town; and

WHEREAS, the Planning Board conducted a public hearing on this matter on September 25, 2008; and

WHEREAS, a report was prepared and presented to the Planning Board that set forth certain findings with respect to the eligibility of the area as an “area in need of redevelopment” in accordance with the provisions N.J.S.A 40A:12A-5; and

WHEREAS, Paul Phillips of Phillips, Preiss Shapiro & Associates, Inc., a licensed professional planner was accepted as an expert and presented extensive testimony supporting and supplementing the aforesaid report and addressing the statutory criteria; and

WHEREAS, no written objections were received; and

WHEREAS, testimony was presented by members of the public; and

WHEREAS, as a result of its finding of fact, the Planning Board, by resolution adopted September 25, 2008, which is incorporated herein by reference (the "Planning Board Resolution"), concluded:

1. The study area is somewhat irregular in shape and is relatively level, sloping upwards somewhat from Morris Street to the north. From a land use standpoint, the vast majority of the study area land area is dedicated to open lot parking. Of the ± 4.0 acres of property that comprise the study area, only about twenty percent (20%) is improved with structures. The improvements consist of two (2) buildings: a $\pm 27,000$ square foot multi-use retail building and a second $\pm 7,500$ square foot "outbuilding." The multi-use retail building houses twelve (12) retail tenants, including a fast food restaurant. The outbuilding houses an auto service facility and two (2) other tenants.
2. The remaining lot area is almost completely paved for parking, resulting in impervious surfaces nearing one hundred percent (100%) of the lot area. The parking area has no curbing or islands to direct traffic and isolate parking spaces. There is also little or no landscaping. The drive-through lane for the existing fast food restaurant (i.e., where cars queue) share the same access aisle as cars parking within the center.
3. The study area has access at two (2) locations onto Morris Street and at one (1) location onto Spring Place. These include an ingress-only driveway on Morris Street at the eastern end of the study area; a second driveway providing ingress and egress located at the three-way intersection of Morris Street and Spring Street; and a third access providing both ingress and egress on Spring Place.
4. Block 3505, Lots 10 and 10.01 qualifies under Section 3 of the statute, as well as in accordance with criteria "d" and "h".
5. The designated redeveloper for the current Spring Street Redevelopment Plan has acquired Block 3505, Lots 10 and 10.01 and it is now possible to meet some of the parking required in the initial development phases outside of the existing redevelopment area. This allows the redeveloper to integrate the balance of the study area into the existing Spring Street redevelopment area and create a coordinated, transit-oriented mixed-use project. With the Spring Street Redevelopment Area and the study area effectively under common ownership, there is now a logical basis to extend the boundaries of the Spring Street Redevelopment Area further east such that they directly adjoin the new "Highlands at Morristown Station" project. The intervening area (i.e., balance of the study area) would then become available for the final phases of development, which would likely include a mix of uses (residential, retail, offices, hotel) and a new parking deck designed to serve the entire redevelopment area.

6. An expanded redevelopment area further provides an opportunity for the Town of Morristown to devise an appropriate and comprehensive redevelopment plan which considers necessary traffic and access improvements along these key segments of Morris and Spring Streets. This would encompass the stretch of the roadway from Lafayette Avenue to Center Street. It would also allow for improved internal circulation and potential connections (pedestrian and/or vehicular) to other projects in the area, most notably the "Highlands at Morristown Station." An expanded redevelopment area would provide a means to improve traffic and pedestrian flows generally along this important downtown corridor. The inclusion of the study area property as part of an expanded Spring Street Redevelopment Area is considered necessary to effectuate an appropriate redevelopment scheme. As such, there is a legitimate basis to include the study area as part of an expanded Spring Street Redevelopment Area under so-called "Section 3" of the redevelopment statute, which states:

"a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to public health, safety or welfare, but the inclusion of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part".

7. The study area further qualifies for redevelopment designation under criteria "d" of the redevelopment statute. Although the study area is presently utilized and is in reasonably good condition, it suffers from an obsolete layout and design, and especially in the context of access. Specifically, the eastern driveway on Morris Street adjoins the "outlet" of a two-lane dedicated right-turn lane from Lafayette Avenue (at the intersection of Lafayette Avenue and Morris Street). The Lafayette Avenue right-turn lane is designed to provide continuous movement from southbound Lafayette Avenue onto westbound Morris Avenue. However, the location of the driveway at this point creates a dangerous "weaving" movement whenever westbound cars on Morris Street attempt to make a right turn into the shopping center and cross the flow of traffic from Lafayette Avenue. In addition, Morris Street eastbound traffic making a left turn into the shopping center has limited queuing space on Morris Avenue, thereby creating a potential bottleneck condition. The easterly driveway itself is also located within fifty (50) feet of the entrance to the adjacent property (the "Highlands" project site, now under development), which creates a potentially confusing situation on the part of motorists looking for the driveway to the existing shopping center.
8. The second access to the shopping center on Morris Avenue allows ingress and egress at the intersection of Morris Street and Spring Street. However, the presence of the dedicated right turn from Morris Street westbound onto Spring Street, with a traffic island further separating the lane from main roadway, creates a problematic, if not dangerous condition. Short of attempting to drive around the island, vehicles egressing the shopping center at this location cannot exit onto Morris Street, either eastbound or westbound.
9. The third access to the study area (i.e., shopping center) is on Spring Place via a two-way driveway that is shared with the automobile service facility located on Lot 10.01. This driveway provides only indirect access to Morris Street and Spring Street via Spring Place. Egress from the study area requires exiting onto Spring Place first, where the distance between the egress driveway and the Spring Street intersection is no more than fifty (50) feet. Since this is a stop sign controlled intersection, the inevitable queue of cars at the stop sign results in a backup into the driveway. The queue at the Spring Street intersection with Morris Street (for those motorists who wish to make a left turn onto Morris

Street eastbound) often blocks a left turn from Spring Place since the distance between the two intersections is only ± 150 feet. A queue of up to a half a dozen vehicles on Spring Street results in a backup on Spring Place and ultimately into the shopping center.

10. All of the study area's (i.e., shopping center's) access points are poorly designed and effectively constrain the free flow of traffic into and out of the shopping center. As such, the current access improvements represent a faulty and obsolete design that is detrimental to the welfare and safety of the community, thereby qualifying the study area for redevelopment area designation under criteria "d" of the statute.
11. Mitigation options available to cure these deficiencies would entail reconfiguration of the existing access, most probably including closing of the existing Morris Street driveways and replacement with a single driveway on Morris Street aligned with Wilmot Street on the opposite side of the roadway. While it is recognized that Morris County (Morris Street) and the Town of Morristown (Spring Street and Spring Place) could undertake such a project and also acquire any right-of-way necessary for such work, in the context of the continued (i.e., long-term) use of the premises as a shopping center, any access changes or driveway closings create other problems. This is due to the fact that the existing configuration of the study area parking lot, and layout of parking and circulation aisles within the parking lot, cannot readily accommodate major access changes. The existing study area parking space and aisle configuration is designed to work with access from the ends (i.e., from the east and west ends), not from a central location on Morris Street. The study area parking lot would have to be completely redesigned to accommodate the relocation of the driveways. The drive aisles would have to be reconfigured, relocated and widened. The parking spaces would have to be realigned and relocated, and some parking would be lost.
12. Since a portion of the study area property is now considered necessary to effectuate redevelopment (as part of an expanded Spring Street Redevelopment Area), a redevelopment scheme for the entire shopping center property would permit an overall reconfiguration of access and a complete redesign of vehicle circulation on the property. It would also permit other beneficial road improvements along Morris Street and at the intersection of Morris Street and Spring Street, including the relocation or closing of access drives to the study area and Spring Place.
13. Block 3505, Lots 10 and 10.01 further qualifies for redevelopment designation under criteria "h" of the statute as it is centrally located within a "band" of redevelopment areas that are intended to benefit from their proximity to the Morristown NJ Transit rail station and whose focus is on "transit-oriented" development. By all accepted planning standards, transit-oriented development embodies the principles of "smart growth." The adjacent "Highlands at Morristown Station," which is now in construction, is a classic example of a smart growth project. The Town of Morristown has adopted redevelopment plans on at least two other nearby smart growth projects (the Spring Street Redevelopment Plan and the Speedwell Avenue Redevelopment Plan) as well. The study area is also flanked by additional redevelopment areas/projects on both sides (i.e., Morris Street Redevelopment Area, the Center and Coal Redevelopment Area and the Lafayette/Firehouse Redevelopment Area) and is within a short walk of the Morristown NJ Transit rail station. The exclusion of the subject property from what will otherwise be a continuum of smart growth redevelopment projects would not only leave a gaping hole in the middle of that stretch, but it would also negate much of what Morristown has been seeking to achieve in terms of promoting smart growth within its downtown core.

14. The existing Midtown Shopping Center (i.e., study area) is very much out of context with the remainder of downtown Morristown. It is of a "traditional" suburban design with large expanses of parking and drive-through service for one of the tenants. The parking lot is devoid of curbed dividers/islands or landscaping, and is especially lacking in pedestrian sidewalks or marked crosswalks. It is a vehicular-oriented commercial facility, providing little if any accommodation for pedestrians. Redevelopment of the surrounding areas for transit-oriented, pedestrian-focused development will only exacerbate the problem. Whereas such a shopping center layout may have been appropriate at this location in years past, in the current environment it can only be an impediment to the successful redevelopment of these transit-oriented, pedestrian focused, "smart growth" projects. For all of these reasons, the study area (as part of an expanded Spring Street Redevelopment Area) qualifies for redevelopment area designation under criteria "h" of the statute.
15. The Board finds credible and persuasive the testimony and study that was presented by Phillips Preiss Shapiro Associates, Inc., and further finds that the information contained in the Redevelopment Study supports a finding that the proposed area, comprising of Block 3505, Lots 10 and 10.01 meets the statutory criteria for "an area in need of redevelopment".
16. The Board has considered the comments and testimony of the members of the public, if any at the September 25, 2008 public hearing, and concludes that any objections voiced fail to rebut the findings set forth in the Redevelopment Study.

WHEREAS, the Planning Board recommends, based on its preliminary investigation and the factual findings set forth in its resolution, that the Study Area be designated an "area in need of redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY, as follows:

Section 1. That the Town Council of the Town of Morristown hereby accepts the findings of the Planning Board and determines that Block 3505, Lots 10 and 10.01 as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown, referred to herein as the Study Area, qualifies as an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

Section 2. That Block 3505, Lots 10 and 10.01 as shown on the Tax Map of the Town of Morristown as shown on the Tax Map of the Town of Morristown shall become part of the Spring Street Redevelopment Area.

Section 3. That upon adoption of this resolution, the Town Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5).

Section 4. That within ten (10) days of the approval of the determination that Block 3505, Lots 10 and 10.01 as shown on the Tax Map of the Town of Morristown qualifies as an "area in need of redevelopment" pursuant to the provisions of the Local Redevelopment Act and Housing Law (N.J.S.A. 40A:12A-1 et seq.), the

Town Clerk shall serve, a notice of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

Section 5. That upon the adoption of this Resolution, the Town Clerk shall serve a notice of the determination upon the last owner of the properties within the Study Area according to the assessment records of the Town, which notice shall be in accordance with the requirements set forth in *Harrison Redevelopment Agency v. DeRose*, 398 N.J. Super. 361 (App. Div. 2008).

I, Robin J. Kesselmeyer, Deputy Town Clerk of the Town of Morristown, do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular Redevelopment Town Council meeting held on October 9, 2008.

Dated: October 14, 2008



Robin J. Kesselmeyer
Deputy Town Clerk

Town Clerk shall serve, a notice of the determination, upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent.

Section 5. That upon the adoption of this Resolution, the Town Clerk shall serve a notice of the determination upon the last owner of the properties within the Study Area according to the assessment records of the Town, which notice shall be in accordance with the requirements set forth in *Harrison Redevelopment Agency v. DeRose*, 398 N.J. Super. 361 (App. Div. 2008).

ATTEST:

ADOPTED:

MATTHEW K. STECHAUNER,
TOWN CLERK

ANTHONY J. CATTANO, JR.
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on October 9, 2008 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at ____ P.M., prevailing time.

DATED: October ____, 2008

Matthew Stechauner, Town Clerk

THE TOWN OF



MORRISTOWN

OFFICE OF THE TOWN CLERK
Matthew K. Stechauner - Town Clerk
Robin J. Kesselmeyer - Deputy Town Clerk

October 14, 2008

Joseph V. Doria, Jr., Commissioner
Department of Community Affairs
101 South Broad Street
PO Box 800
Trenton, NJ 08625-0800

Re: Resolution R-155-08

Dear Commissioner Doria,

Enclosed please find two certified copies of Morristown Town Council Resolution, R-155-08 entitled "A Resolution of the Town Council of the Town of Morristown, County of Morris, New Jersey Determining that the Area Generally Referred to as Block 3505, Lots 10 and 10.01 Qualify and are Determined as an Area in Need of Redevelopment Pursuant to N.J.S.A. 40A:12A-1 Et Seq. and are Included as Part of the Spring Street Redevelopment Area."

Please return one copy of R-155-08 to this office marked filed. If you have any questions you may contact me at (973) 292-6639.

Thank you,

A handwritten signature in black ink that reads "Robin J. Kesselmeyer". The signature is written in a cursive style and is positioned above the printed name.

Robin J. Kesselmeyer
Deputy Town Clerk

Cc: Frank Regan, Esq.
Michael D'Altilio

12. APPENDIX E: SPRING STREET REDEVELOPMENT PLAN



SPRING STREET

REDEVELOPMENT PLAN
AS AMENDED
ADOPTED DECEMBER 11, 2008

Town of Morristown, New Jersey

Prepared by:
Phillips Preiss Shapiro Associates, Inc.

Spring Street Redevelopment Plan

SpringSt_Redev_Dec12_08.doc

12/17/08

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1 INTRODUCTION

1.1 Background

The Spring Street Redevelopment Area (hereafter also referred to as “Plan Area”) includes parcels on both sides of Spring Street, between Center and Water Streets to the west and Morris Street to the east; as well as a large parcel on the north side of Morris Street, east of Spring Street, which currently accommodates the Midtown Shopping Center.

The Plan Area presents a unique opportunity for the Town of Morristown. The Spring Street Redevelopment Area is close to many of Morristown’s existing and planned assets, including the downtown, the Town Green, the NJ Transit station, the Whippany River, the proposed Patriots Path riverfront trail, retail and civic facilities, and regional highways. The Plan Area has the potential for a level and quality of development that will transform the Spring and Morris Street corridors from their current condition of low-intensity development along traffic-dominated streets to a mixed-use, classic townscape with a more comfortable pedestrian environment. Similar to the scale of the traditional buildings around the Town Green, the Spring Street Area is envisioned for low- to mid-rise, human-scaled development.

The *Spring Street Redevelopment Plan* (hereafter also referred to as “Redevelopment Plan”) sets forth the terms and conditions under which the Plan Area may be redeveloped by a Town-designated redeveloper. The Plan establishes allowable land uses and intensities, building massing and design standards, necessary public improvements and an overall project phasing schedule. The Plan also incorporates standards for smart growth¹ and pedestrian-friendly design.

1.2 Statutory Basis for the Plan

The *Redevelopment Plan* has been prepared in furtherance of the Town of Morristown Council’s original determination on January 13, 2004 (Resolution R-28-04) that the area meets the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq. The Plan Area includes the majority of “Sub-Area 3” described in the 2003 *Redevelopment Study for Three Select Areas within the Town of Morristown, New Jersey*.

¹ “Smart Growth,” as set forth in the *State Development and Redevelopment Plan*, means well-planned, well-managed growth that adds new homes, creates new jobs and promotes redevelopment and urban revitalization, while preserving open space, farmland, and environmental resources.

In addition, several smaller parcels not originally included in Resolution R-28-04 have been added. These include a portion of Lot 1 in Block 3504, a portion of Lot 15 in Block 3505, and all of Lot 16 in Block 3505 (shown further below in **Figure 3, Block and Lot Map**). These areas were incorporated into the Plan Area by action of the City Council in 2006. A Redevelopment Plan was subsequently adopted for the above-mentioned area in 2007.

Most recently, Lots 10 and 10.01 in Block 3505 were added to the Spring Street Redevelopment Area through a determination by the Town Council in October 2008 that these parcels qualify for “area in need of redevelopment” status as part of an expanded redevelopment district. These two lots comprise approximately 4 acres and currently accommodate the Midtown Shopping Center, a suburban-style automobile-oriented shopping center with a large front parking lot.

1.3 Plan Area Context

1.3.1 LOCATION AND EXISTING CONDITIONS

The Plan Area is located in close proximity to the Town Green (one block southwest) and the train station (one block northeast). The Area’s location within central Morristown is shown in **Figure 1, Site Location**, and its built context is shown in **Figure 2, Aerial Photo**.

The Town Green is the focal point in downtown Morristown. Together with the development and buildings that frame it, the Town Green serves as an excellent example of a public space with a traditional, pedestrian-scaled built form. The Whippany River forms part of the Plan Area’s northeastern boundary. On the west side of Spring Street, just outside the Plan Area, is the massive Headquarters Plaza commercial development, which encompasses a series of towers over a large parking garage base. Along Spring Street, within the Plan Area, are several older apartment complexes and industrial buildings, auto service uses and vacant parcels. The Midtown Shopping Center, now within the Plan Area, is a prototypical automobile-oriented suburban-style shopping center with two multi-tenant single-story retail buildings.

Streets within the Plan Area carry a significant amount of traffic. To keep traffic moving along the Morris Street-Spring Street-Speedwell Avenue corridor, Lafayette Avenue has two dedicated right-turn lanes onto Morris Street westbound, while Morris Street has a dedicated right-turn lane onto Spring Street westbound. The Midtown Shopping Center has two vehicular access points along Morris Street at either end of its parking lot. Its westerly access, which provides ingress and egress, is located at the often congested Spring / Morris Street intersection. Its easterly access is located in the area where the two dedicated right turns from Lafayette Avenue enter Spring Street, which makes for turning conflicts and dangerous weaving movements. A third ingress/ egress point is

onto Spring Place, which connects with Spring Street in close proximity to the busy intersection of Spring and Morris Streets.

1.3.2 PLAN AREA BLOCKS & LOTS

The Plan Area consists of the following tax blocks and lots, as shown in **Figure 3, Block and Lot Map**. The total Plan Area is approximately 8.47 acres.

- Block 4901: Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12
- Block 3504: Lot 1 (portion)
- Block 3505: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9(1), 9(2), 10, 10.01, 11, 12, 13, 14, 15 (portion), and 16.

In addition, portions of the rights-of-way of Center, Spring, Water, and Morris Streets, while not included within the Plan Area, are subject to improvement as a means of effectuating the Redevelopment Plan. In addition, the entirety of Spring Place will be vacated as part of the Plan.

1.3.3 OTHER REDEVELOPMENT AREAS

The Spring Street Redevelopment Area is located near several other downtown redevelopment districts. All of these redevelopment districts benefit from their proximity to downtown and transit.

The *Center / Coal Redevelopment Area* includes the area directly west of the Plan Area, between the Whippany River and the train tracks, as well as the area along the north side of Spring Street. Although the Redevelopment Plan is still taking shape, it is anticipated to allow for four-to-five story mixed-use buildings along Spring Street, lower-scale residential development along Center Street closer to the train tracks, and open space and a trail system along the river.

To the west of the Town Green, the area included within the *Epsteins Rehabilitation Plan* is currently in construction and will include a mix of townhouses, loft-style residences, offices, a parking garage and several mixed-use buildings up to seven stories in height, with ground floor retail space facing the Green.

Farther west, the area along Speedwell Avenue, past its intersection with Spring Street, is the subject of the approved *Speedwell Avenue Redevelopment Plan*. The Plan provides for mixed-use retail and residential buildings up to six stories in height.

More recently, two additional areas have been designated as areas in need of redevelopment: the *Lafayette / Firehouse Redevelopment Area* and the *Morris Street Redevelopment Area*. Each is within close proximity to the N.J. Transit rail station. A redevelopment plan has not been prepared for either of these areas.

Finally, a new project directly adjacent to the Spring Street Redevelopment Area is setting the tone for pedestrian-friendly, transit-oriented development. The *Highlands at*

Morristown Station is located just opposite the Morristown train station, and occupies an area that was rezoned to TVC- Transit Village Core back in 1999. The surface parking lot used by NJ Transit commuters is being transformed into a mixed-use project with 218 units of housing, 8,000 square feet of retail space, and a parking garage for residents, shoppers, and commuters.

1.4 Plan Overview

1.4.1 PHASING

To accommodate future development that appropriately responds to economic and market forces and provides for the orderly transition of existing uses, the Plan provides for multiple phases. Each phase includes regulations for land use and building height and bulk that will distribute the allowable yield and public amenities throughout the Plan Area.

1.4.2 YIELD

The Redevelopment Plan establishes a range of land uses, with minimum and maximum development thresholds as follows:

- Between 275 and 325 residential units
- Between 55,000 and 65,000 square feet of retail space
- Between 55,000 and 65,000 square feet of office space
- A hotel with between 125 and 175 rooms.

The maximum allowable building height is six (6) stories relative to the sidewalk grade at all points along both sides of Spring Street. As a practical matter, due to sloping grades and restrictions on the locations of parking levels within buildings (**Section 4.5.2**), many of the buildings in these locations will only be four or five stories. Along Morris Street south of Spring Street the maximum allowable building height is four (4) stories. On Morris Street east of Spring Street, up to eight (8) stories are permitted.

The Plan further imposes requirements with regard to floor area ratio (FAR) and residential density (see **Section 4.3**):

- For Phases 1 and 2 combined, the maximum FAR is 1.6 and the maximum residential density is 60 units per acre.
- For Phases 3 and 4 combined, the maximum FAR is 2.0 and there is no maximum residential density since the buildings are anticipated to include a mix of uses.

1.4.3 PEDESTRIAN-FRIENDLY DESIGN

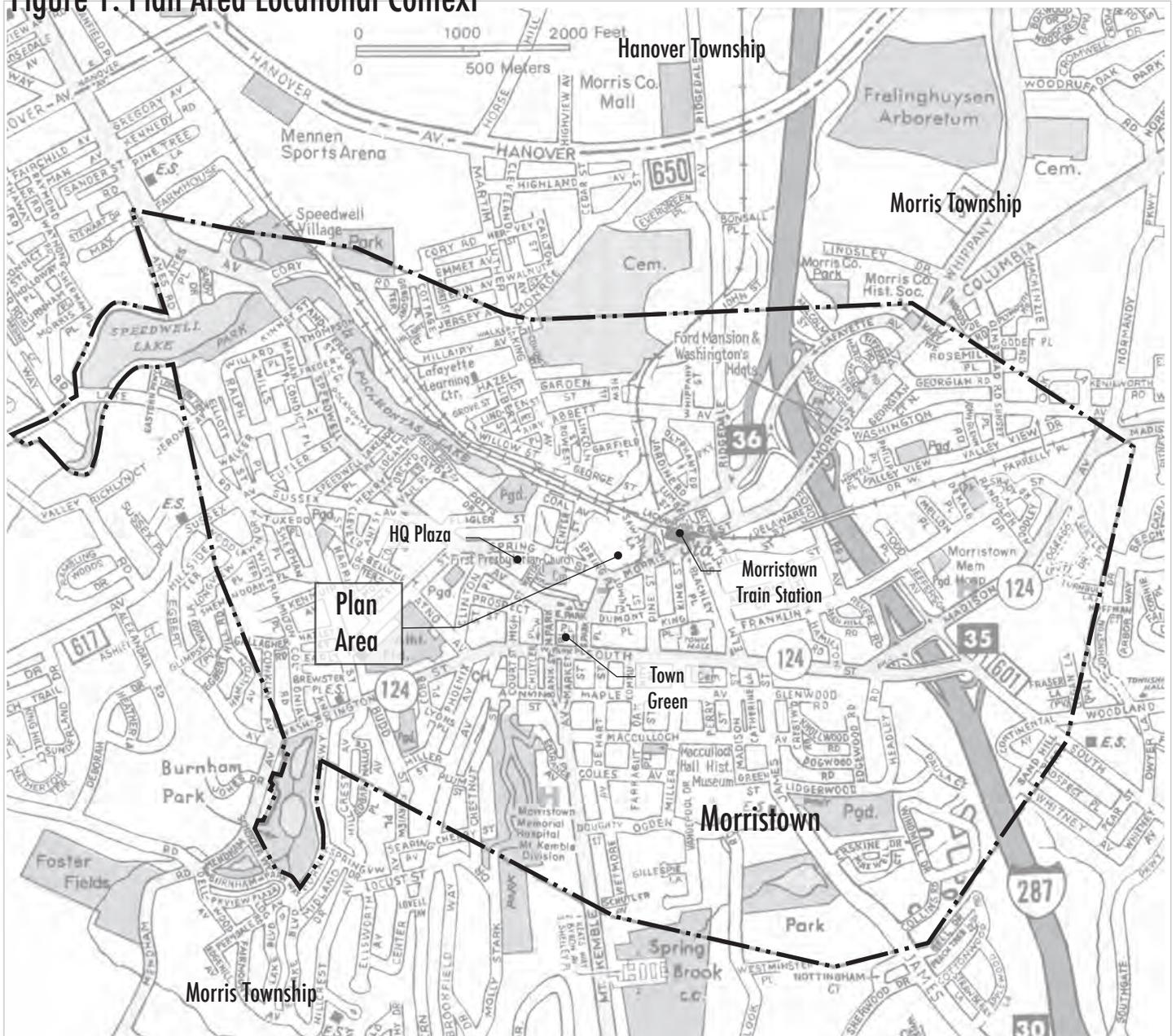
Basic Requirements

The Plan seeks to foster attractive streetscapes with high-quality design, visually-interesting building facades, and detailed site planning requirements. Building bulk is regulated through changes in vertical and horizontal massing; the location of parking is regulated with architectural detailing and landscaping standards and designed to screen any street-facing structured parking areas; sidewalks and crosswalks are required; and curb cuts are limited. These and other requirements will help to create a pedestrian-friendly environment that complements the existing context of downtown Morristown.

Incentives for High-Quality Design

The Plan improves the pedestrian environment for the area in proximity to the Morristown transit station and downtown. A wider sidewalk with a double row of street trees along Morris Street east of Spring Street will create a high-quality environment for people walking between the train station and the Town Green.

Figure 1: Plan Area Locational Context

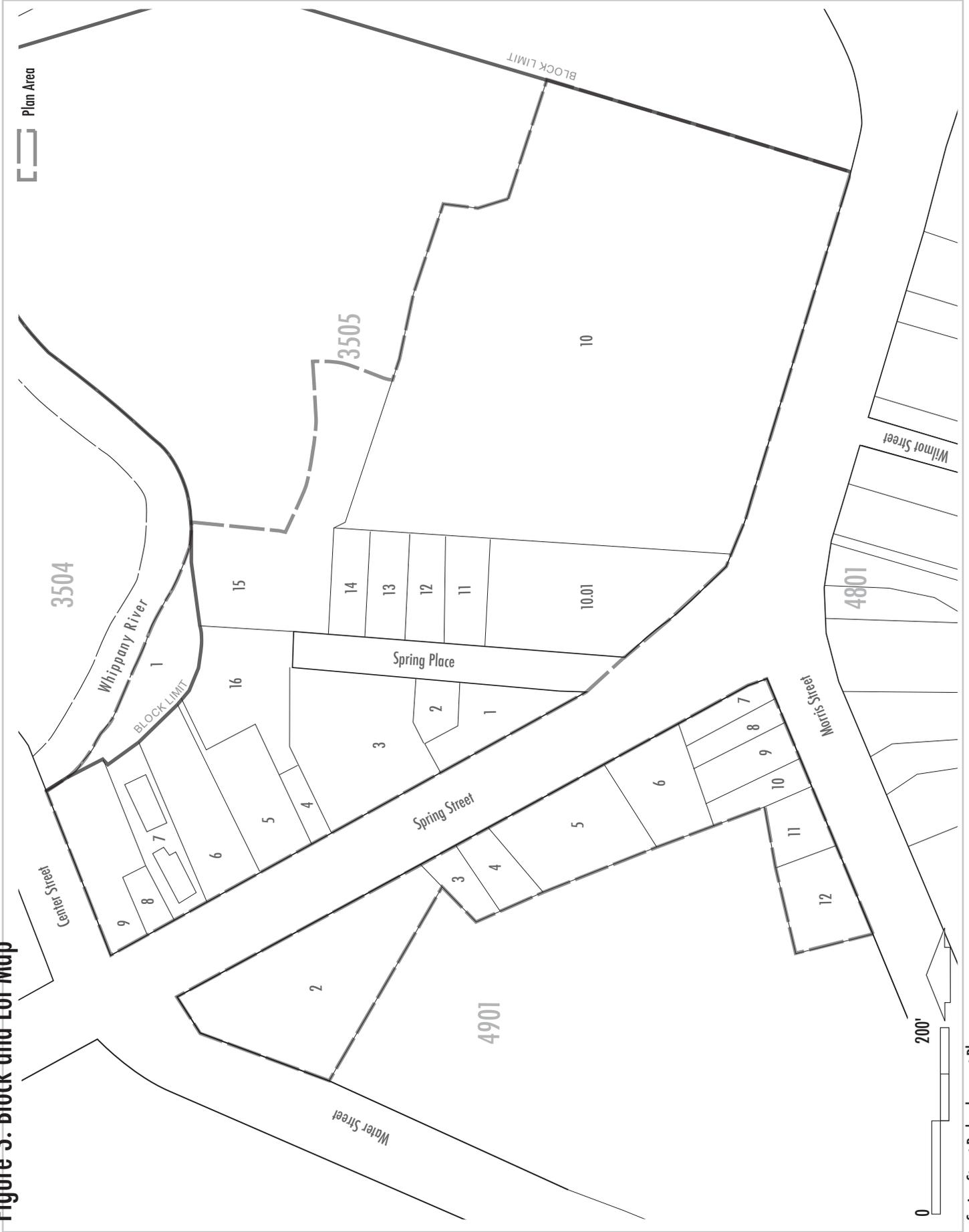


Spring Street Redevelopment Plan
 Phillips Preiss Shapiro Associates, Inc. 2008

Figure 2: Aerial Photo



Figure 3: Block and Lot Map



2 VISION, GOALS & CONTEXT

2.1 Redevelopment Plan Vision

The Plan Area presents a challenge and an opportunity for innovative design. The Area slopes down from the First Presbyterian Church towards the Whippany River to the north. The south side of Spring Street, in particular, is steeply sloped, making it difficult to accommodate structured parking while maintaining an active, pedestrian-friendly presence along the street. Meanwhile, the most level part of the Plan Area is characterized by complex turning movements, frequent curb cuts, large parking lots, and low-scale buildings that do not positively contribute to the downtown environment.

The Plan meets these challenges and focuses on the creation of a pedestrian-friendly environment by framing streets with buildings and/or significant street landscaping. Where possible, buildings are placed close to the sidewalk, and parking is screened behind ground-floor retail spaces and unique architectural facade treatments and plantings. The Plan is intended to create well-proportioned and human-scaled buildings through the use of building massing, detailing on the ground level, and special architectural emphasis at the corner of Spring and Morris Streets. Another benefit of the Plan will be a more rational roadway system that minimizes traffic conflicts, centralizes turning movements, and places greater emphasis on pedestrian safety and comfort.

One example of how buildings may be designed, sited, and massed to comply with the regulations within this Redevelopment Plan are shown in **Figure 4, Illustrative Conceptual Plan** and in **Appendix 10.2**.

2.2 Redevelopment Plan Goals

By adoption of this Spring Street Redevelopment Plan, the Town of Morristown seeks to accomplish the following goals:

Eliminate Blight

- To eliminate existing blighting influences in the Plan Area, including buildings in poor repair and inappropriate land uses.

Make Efficient Use of Central Location

- To take advantage of the Area's adjacency to the Morristown Train Station by creating a transit-friendly development.
- To allow for more efficient use of land by encouraging a well-planned, mixed-use development.

Figure 4: Illustrative Conceptual Plan



Spur Economic Development

- To expand the level of residential and commercial activity in the Plan Area, thereby increasing the potential for economic activity and job creation, as well as expansion of the Town's tax base.
- To add market-rate and affordable housing close to the train station, and expand the amount of retail, office, and hotel space in downtown Morristown.
- To increase the number of people living downtown and supporting the Central Business District (CBD).

Improve the Public Realm

- To provide a system of sidewalks and crosswalks that encourage a safe, engaging and pedestrian-friendly experience that enhances walkability and helps improve connections to the downtown, train station, Patriot's Path trail, and other areas.
- To provide a street network that can help to relieve traffic congestion in the CBD, and particularly along Morris and Spring Streets.
- To enhance the gateways to the CBD by creating visual landmarks.
- To create pocket parks, plazas, and other pedestrian environments that promote security, pedestrian activities, and social interaction, and bring new street life to the area.
- To enhance the visual character of Morris and Spring Streets through landscape and streetscape improvements.

Foster High-Quality Design

- To design contemporary residential and mixed-use buildings that draw upon and strengthen the architectural design vocabulary of Morristown.
- To create buildings, streetscapes and pedestrian amenities that will act as a focal point for the adjacent neighborhoods and a logical transition to the remainder of the CBD.

2.3 Relationship to Master Plan Goals and Objectives

The first *Comprehensive Master Plan for the Town of Morristown* was adopted in 1978, and revised in 1981. Subsequent reexaminations were prepared, and a new *Master Plan* was prepared and adopted in 2003. A re-examination report was prepared in 2008. This section evaluates the Redevelopment Plan with respect to both the 1978 and the 2003 Master Plans, as well as the 2008 Reexamination.

2.3.1 1978 MASTER PLAN

The 1978 *Master Plan* goals place a strong emphasis on encouraging "additional tax-producing uses such as office and commercial facilities," and on increasing the intensity of existing commercially zoned land. The 1978 *Master Plan* goals are very general, and nearly all are subsumed within the expanded 2003 *Master Plan* goals. This Redevelopment Plan is substantially in compliance with the 1978 *Master Plan* goals.

2.3.2 2003 MASTER PLAN

The 2003 *Master Plan* expands upon the goals from the 1978 *Master Plan*, organizing them into goals and objectives, and adds new language related to multi-modal transportation (including improving the pedestrian environment and enhancing access to transit); environmental protection; historic preservation; and affordable housing. The 2003 Master Plan's goals generally lend support to the Spring Street Redevelopment Plan, in particular through its recommendation for context-sensitive mixed-use development in the Central Business District. The goals and objectives from **Part I** of the 2003 *Master Plan* that relate to the Redevelopment Plan are addressed below, followed by a brief explanation of how the Plan compares to the goals. The Redevelopment Plan deviates from the 2003 *Master Plan* only in terms of one goal (regarding *Environmental Protection*), and the Redevelopment Plan incorporates measures to compensate for this. Overall, the Redevelopment Plan is substantially in compliance with the 2003 *Master Plan* goals.

Quality of Life, Section 1.2.02

- *Encourage private investment and the commitment needed to make the Town a more pleasant place to live and work* (Obj. 2). The Plan brings a major new project to the Town on lands acquired and assembled substantially through private investment actions.
- *Preserve and protect the existing Town Green and its environs, which are major elements of the community's identity* (Obj. 3). The Plan does not intrude upon the Town Green, nor the adjacent First Presbyterians Church cemetery.

Land Use, Section 1.2.03

- *To preserve the viability of Morristown as a Designated Regional Center and County seat by maintaining its diversity as a residential, commercial, professional, cultural, and service center* (Obj. 3). By bringing additional residential development to downtown Morristown, the Plan increases the diversity of housing choices in the municipality and provides additional support for downtown businesses. The Plan also provides for retail, office, and hotel development to further complement the mixed-use nature of the downtown.

Environmental Protection, Section 1.2.04

- *Respect the portion of the natural environment still remaining in and around Morristown* (Goal 1). **The Plan does not fully comply with this goal**; the Plan will result in development on a portion of the steep and wooded hill below the First Presbyterian Church cemetery. It will also intrude closer upon the Whippany River by creating a driveway in a currently wooded area. Both of these impacts will remove natural habitat and increase the amount of impervious surfaces in the Town. However, to compensate for this and reduce overall environmental impacts, this Plan requires that buildings be designed according to "green design" principles, as defined through LEED Certification.
- *To encourage the use of mass transit facilities and/or transportation alternatives that minimize the use of the internal combustion engine* (Obj. 2). *To control non-point*

source pollution within Morristown – this will be done through green roofs on flat roof areas (Obj. 1). By placing higher densities near the train station, the Plan takes advantage of existing commuter rail service and enables new households to own fewer cars. In addition, the Plan requires that development obtain LEED certification; use of green roofs is typically employed to obtain such certification.

Circulation, Section 1.2.05

- *Provide a pedestrian network that connects all parts of the community (Obj. 2).* The Plan provides for generous sidewalks lined with pedestrian-scaled buildings and shaded by generous street trees and other plantings. These elements are particularly strong along the pedestrian route that is most heavily used, i.e. the north side of Morris Street in the area west of the train station.
- *Provide a sufficient amount of off-street parking in appropriate locations (Obj. 3).* The Plan provides off-street parking, but minimizes the amount of parking in recognition of the area's proximity to transit service. Where structured parking would be visible from the sidewalk, the Plan requires architectural screening and/or landscape plantings to help hide the parking. The Plan provides an incentive to place parking behind buildings, through a shared parking arrangement that could in turn free up some parking for wider public use.

Economic Development, Section 1.2.06

- *Install and encourage streetscape and other aesthetic improvements throughout the Town (Obj. 1). Encourage the adaptive reuse and development of underutilized and "brownfield" properties (Obj. 4.).* The Plan will improve the streetscapes of Spring and Morris Streets via street trees, pocket parks and plazas, making it more enjoyable for pedestrians. The project also provides for infill of underutilized properties with higher-intensity development that takes advantage of the central location and transit proximity.

Population, 1.2.07

- *Provide for an appropriate level of low- and moderate-income housing (Obj. 1).* The Plan requires that the current COAH rules be applied for the affordable housing obligation, and that the affordable units be provided on-site within the project.
- *Encourage a limited amount of high-density housing in selected portions of the CBD (Obj. 2).* The Plan allows higher heights, with a higher density of housing, within one block of the train station.
- *Encourage a balance of housing types (Obj. 4).* While the bulk of the housing envisioned in this Plan is apartments, townhouses are an option on lower levels.

Building Compatibility, 1.2.08

- *Consider the historical importance of surrounding buildings in determining the appropriate height of a new structure (Goal 1, Obj. 2).* The Plan restricts building heights to five to six stories (depending on finished street grade) along Spring Street, well below the height of the bluff below the First Presbyterian Church. Closer to the train station, the Plan allows up to eight stories in order to make best use of the transit-accessible location.

- *Encourage the use of design standards to guide the construction, reconstruction, or alteration of all buildings within the community.* (Goal 2, Obj. 1) The Plan provides detailed standards for building bulk and design to ensure that buildings will be pedestrian-friendly and compatible with surrounding development.
- *New buildings should be encouraged to reflect the historic character of the community, rather than to attempt to replicate it.* (Goal 2, Obj. 2) The Plan's design guidelines allow flexibility within building design, including materials and architectural style, while regulating massing and bulk to create new buildings that will harmonize with the pattern of historical development.

Historic Preservation, 1.2.09

- *Ensure that where development occurs, particularly within the CBD, that new structures are compatible with existing predominant architectural style of the neighborhood* (Obj. 2). While there is little in the way of a consistent style in and around the Plan Area, the Plan provides design guidelines to foster a traditional, pedestrian-friendly scale of development.

Housing, 1.1.10

- *Allow the types of density required for affordable housing* (Obj. 12). The Plan allows moderate to high densities that provide the economic means for developers to provide affordable housing on-site.
- *To encourage a limited amount of high density housing within appropriate areas of the Central Business District and close to mass transit facilities* (Objective 4, p. 2-7). The western half of the Plan Area is within the CBD, while much of the eastern half is very close to the train station.

2.3.3 2008 REEXAMINATION

The 2008 Master Plan Reexamination indicates that “[U]nquestionably the most significant trend [in] land uses since the 2003 Master Plan is the naming of the seven Redevelopment Zones.... One objective is to “encourage high density residential development in the redevelopment zones along the Speedwell Avenue – Spring Street – Morris Street corridor.” The Reexamination also recommends that as part of redevelopment, traffic studies be conducted for the corridor. It further states that “The Speedwell Avenue – Spring Street – Morris Street corridor is the primary focus of the reexamination of the Traffic Circulation Plan.” The Reexamination also recognizes the importance of pedestrian traffic in Morristown, and includes an objective advocating that the Town “provide a effective barrier-free network for pedestrian movements.” Finally, the Reexamination states that provision of public parking should be a priority, projecting a growth of about 77 new spaces per year in the next 25 years (a total of nearly 5,800 spaces).

The Redevelopment Plan supports the Master Plan Reexamination objectives discussed above. The Plan permits higher-density residential development, and even requires a minimum number of new housing units, so that this centrally-located land is well-used. The Plan accommodates improvements to the Spring – Morris Street corridor, including more logical curb cut locations, coordinated intersections, and improved sidewalks.

The Plan provides an incentive -- in the form of shared parking -- to place parking behind buildings in Phases 3 and 4 in order to improve the pedestrian environment, and specifically the walking route between the train station and heart of downtown Morristown. The shared parking approach would use parking spaces more efficiently among the different uses in the Plan Area, which could in turn permit some spaces within the proposed parking structure to be made available for generalized public use.

2.4 Relationship to Land Use Plan and Zoning

2.4.1 MASTER PLAN, 1978

Land Use Map

In the Town's 1978 *Master Plan*, a Long Range Plan map shows the desired long-range land uses. The north of Spring Street, between Spring Place and Speedwell Avenue, is identified as a "Low Intensity Commercial" use corridor, intended to provide a buffer between the high-density urban renewal area and the residential areas to the west. The northeastern side of Morris Avenue, southeast of Spring Place, is designated for mixed-use development.

Within the Plan Area, most of the area south of Spring Street is included within the CBD land use classification. For the CBD, the Master Plan recommends streetscape and landscaping improvements and guidelines for retail storefronts and signage. Covered pedestrian walkways are suggested as a way for the town to compete with major suburban malls. The Plan cited the impending Headquarters Plaza urban renewal project and the continuing strength of major department stores for vitality downtown.

Zoning

The zoning classifications (dating to 1969) within the Redevelopment Plan Area shown in the 1978 *Master Plan* are similar to those employed today, except that there was no separate CBD zoning district at that time. Instead, in 1978, a B Business zone covered most of the commercial-retail districts that are now considered part of downtown Morristown.

2.4.2 MASTER PLAN, 2003

Land Use Map

According to the Land Use Plan Map from Part Two of the 2003 *Master Plan*, the Redevelopment Plan Area falls within three different land use categories (B, RG, and CBD).

- The UR-159 land use designation has been removed from the Plan Area and the 2003 *Master Plan* shows the area at the southwest corner of Spring Street and Water Street in the CBD zone.

- The area on the south side of Spring Street within the Plan Area falls within the CBD land use classification. The Land Use Plan of the 2003 Master Plan recommends that the CBD zoning for this area be changed to a proposed CBD-1 zone (“Central Business District – 3 Stories”). For the Town overall, the *Master Plan* recommends that the CBD zone be split into the CBD-1 zone for three-story heights north of the green (i.e., including this portion of the Plan Area), and CBD-2 for five-story heights south of the green.
- Most of the Plan Area on the north side of Spring Street falls within the Business (B) zone. The 2003 Master Plan’s Land Use Plan does not propose any changes to this classification.
- A small area at Center and Spring Streets falls within the Garden Apartment (RG) zone. The 2003 Land Use Plan does not propose any changes to this classification.

The *Redevelopment Plan* provides for moderate-density residential and mixed-use development in the area closest to the train station. Although buildings will somewhat exceed the recommended heights for the corresponding land use designations in the *Master Plan*, the allowable uses under the *Redevelopment Plan* comply with these land use designations. Therefore, the *Redevelopment Plan* is substantially consistent with and designed to effectuate the Land Use Plan Element of the 2003 *Master Plan* and the 2008 Reexamination. South of Spring Street, the Redevelopment Plan will provide residential uses, which are compatible with the CBD land use designation; however, due to the challenges of providing structured parking on a sloping site, the buildings will exceed the *Master Plan’s* recommended heights by one to three stories. Similarly, north of Spring Street, the uses in the buildings at the corner of Center Street will be compatible with the Garden Apartment land use designation, however, such buildings will exceed the recommended height by one to three stories. Other development proposed north of Spring Street will comply with the recommended uses for the Business land use designation. Although buildings in this area will exceed the height recommended for the Business use designation, they are compatible with a recommendation in the 2003 *Master Plan* that proposes allowing mid-rise residential in B zones with a maximum density of 50 units per acre, and prohibiting ground-floor housing. This new recommendation suggests that the *Master Plan* was moving towards allowing higher densities and heights in this area with proximity to the train station.

Zoning

The current zoning for the Plan Area is shown in **Figure 5, Zoning Districts**, and is described below.

2.4.3 CURRENT ZONING

CBD Zone

The current CBD zoning allows offices and retail businesses; however, all ground-floor uses must be retail. Restaurants (except fast food businesses), funeral homes, clubs, hotels, and theaters are also permitted, as well as all uses permitted in the RG district

(namely, garden apartments, two-to four-family homes, and single family homes.) The existing CBD zone allows up to 5 stories and 55 feet in height.

The 2003 *Master Plan* recommends that residential development be allowed as a permitted use in the CBD-1 zone – presumably meaning the higher-density types such as apartments -- with restrictions on the use of ground floor space for residential, and a suggested maximum density of 50 units per acre. This is similar to the M-1 Mid-Rise Apartment zone. According to the *Master Plan*, “Mid-rise residential structures (in the CBD) are reasonable and desirable” (part 2, p. 2-12). However, since the *Master Plan* states that maximum heights of new buildings in the CBD-1 zone should be 3 stories, and in the CBD-2 zone should be 5 stories, the definition of a “mid-rise” is evidently fairly low.

UR-159 Urban Renewal Zone

The UR-159 Zone was created for the Headquarters Plaza development. Most of the allowable land uses, including apartment houses and mixed-use buildings, are restricted to 12 stories and 132 feet; however, office buildings are allowed up to 14 stories and 182 feet. There is no density or FAR requirement; however, the maximum lot coverage is 70 percent.

B Business Zone

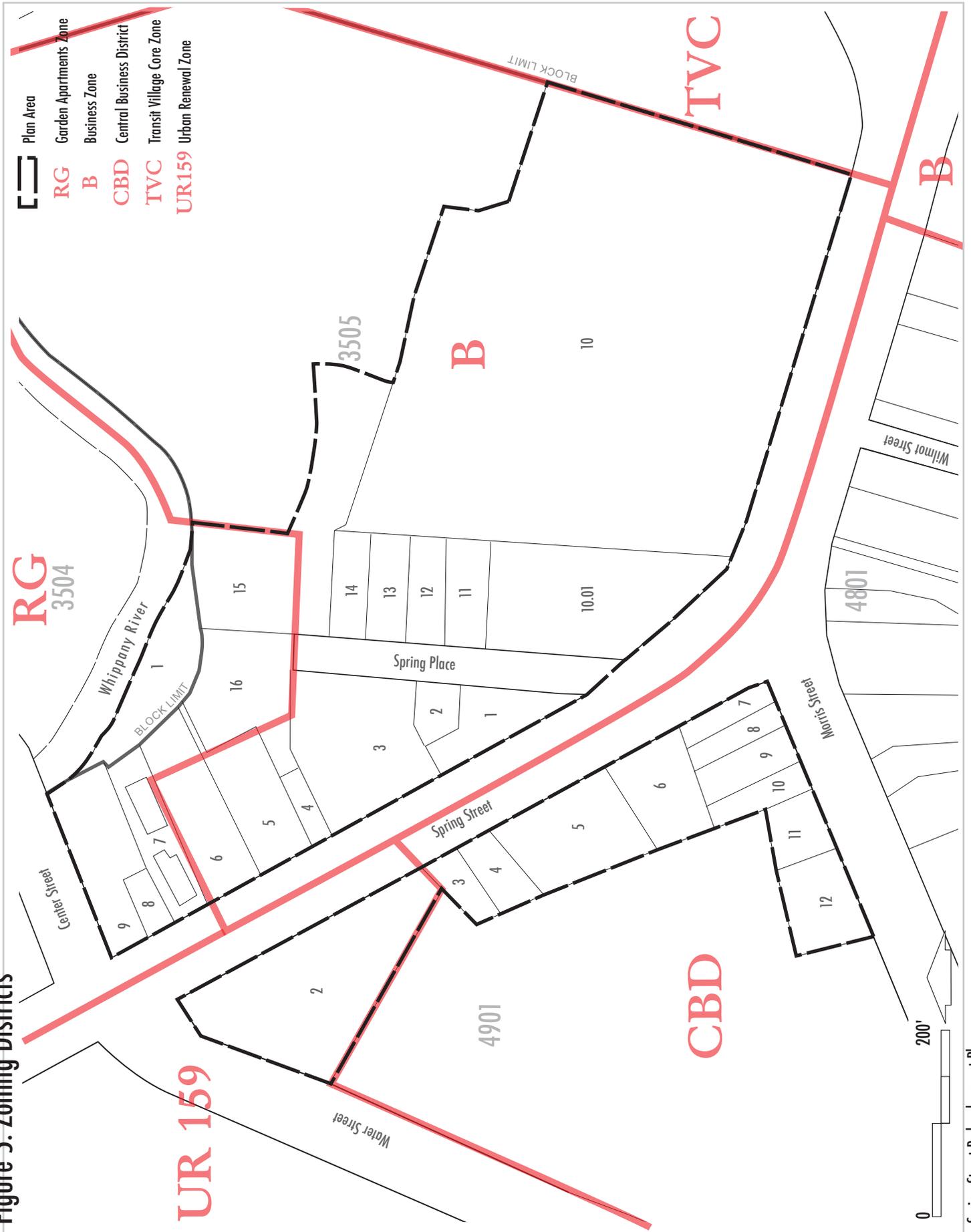
B Business zoning permits offices, retail and personal services, restaurants, and theaters as principal uses, and combinations of these uses within a single building. The B zone also allows the same residential uses that are permitted in the RG Garden Apartment zone; namely, one- to four-family residences and two-story garden apartments. The B zone also allows fast-food establishments, bowling alleys, churches, schools, parking lots, and garages as conditional uses. Minimum yards are 10 feet front, 15/5 feet side, and 25 feet rear.

The B zone’s maximum building height is 3 stories and 35 feet. However, the 2003 *Master Plan* (Section 2.2.02, Item J) proposes allowing mid-rise residential development in B zones with a maximum density of 50 units per acre, and prohibiting ground-floor housing. The *Master Plan* further makes the increased density contingent on the availability of sufficient parking and on compliance with the Housing Plan Element and a Fair Share Plan, at such time as the Town may adopt one.

RG Garden Apartment Zone

A small portion of the Area falls within the RG Garden Apartment Residential zone, which permits 1-family to 4-family dwellings; two-story garden apartments up to 16 units per acre with a minimum lot area of 1 acre; and some institutional uses on a conditional basis. The maximum building height is 3 stories and 35 feet. Minimum yards are 25 or 30 feet front, 25/10 or 60/20 feet side, and 30 or 40 feet rear.

Figure 5: Zoning Districts



Building Heights and Densities

The height regulations and, where applicable, densities from the existing zoning classification are shown in **Table 1** below. The TVC Transit Village Core zone is also shown; it is a useful comparison because it is also intended to foster transit-oriented and pedestrian-friendly development.

Table 1. Zoning Classifications Relevant to the Plan Area

Zone	Maximum Height	Maximum Density or Intensity
Zoning Classifications Falling within the Redevelopment Plan Area		
CBD zone	5 stories, 55 feet	None stated
B Business	3 stories, 35 feet	16 units per acre (one to four-family residences and garden apartments, equivalent to RG zone)
RG, Garden Apartments	2 stories, 28 feet	16 units per acre
UR-159 Urban Renewal	For most uses, 12 stories, up to 132 feet; for offices, 14 stories, 182 feet	none stated
Other Zoning Classifications in Morristown		
TVC, Transit Village Core	5 stories, 55 feet for mixed-use structures and hotels; 5 stories, 65 feet for parking structures	60 units/acre

Except for the small portion of the Plan Area falling within the UR-159 zone, most of the heights proposed within this Redevelopment Plan exceed to some extent both the existing zoning classification heights shown in **Table 1** and the 2003 *Master Plan's* recommended heights.

In most of the Plan Area, building heights in excess of the current zoning are required in order to accommodate the proposed development and respond to topographical constraints that effectively reduce the amount of land available for building. Specifically:

- On the south side of Spring Street (Phase 2), which falls within the CBD Zone, the Plan allows up to six stories and 66 feet at all points of each building. This requirement makes accommodation for the sloping site grade, the need for structured parking within buildings, and the prohibitive expense of creating below-grade parking for moderate-density development. Thus, the Plan's overall height in this area is somewhat taller than that allowed through the existing CBD zoning.

Spring Street Redevelopment Plan

- On the north side of Spring Street (Phases 1 and 3), the Plan's heights are regulated in the same manner as described above for the south side of Spring Street. In this location, the existing RG and B zones only permit 2 to 3 stories, respectively. The Plan's higher allowable heights are necessary to accommodate structured parking and are appropriate given the site's excellent transit accessibility.
- Along Morris Street east of Spring Street, the Plan allows up to 8 stories, much higher than the 3 stories allowed in the B zone. Again, the Plan's higher heights are necessary to accommodate structured parking, and are appropriate to take advantage of the site's excellent transit accessibility.

The Plan imposes density requirements only for Phases 1 and 2, where the maximum density averaged across both Phases is 60 units per acre. This density is higher than that allowed under current zoning for these locations, but it matches that of the adjacent TVC, Transit Village Core zoning district. The higher density is appropriate for the transit-accessible location.

Allowing a higher range of densities and building heights also provides the economic means for a developer to meet the design and community-based requirements in this Plan, such as high-quality and pedestrian-friendly design and affordable units. The Plan includes design controls and form-based regulations that will help reduce the perceived intensity of development and improve the appearance and function of Spring Street. Compared to the existing zoning, the Plan will create a more urban streetscape, with minimal setbacks and taller building heights that frame the street and improve the walking environment.

3 PHASING, ACCESS & OPEN SPACE

3.1 Phasing Plan

The Redevelopment Plan area requires careful phasing in order to accommodate the orderly redevelopment of existing structures and uses, the closures of certain streets, the reconfigurations of intersections, and the construction of new accessways both for the Plan Area properties as well as the adjacent Spring Hills at Morristown assisted living center. An orderly phasing plan is also required in order to provide the necessary parking supply for each portion of the Plan Area.

The Redevelopment Plan requires that properties be phased and developed in the order described below. Each phase includes certain street circulation or access point changes. The Plan also requires that certain public amenities – pocket parks, plazas, and walkways – be built as part of each Phase, so that the community benefits at every stage. No phase may begin until the required aspects of the prior phases have been completed or are under construction. Refer to **Figure 6, Phasing and Access**.

3.1.1 PHASE 1

Development at Spring and Center Streets

Phase 1 allows for the development of lands on the north side of Spring Street, east of Center Street. The easterly boundary of Phase 1 falls roughly halfway between Center and Morris Streets. Phase 1 includes Block 3505, Lots 1 through 9 and Lot 16.

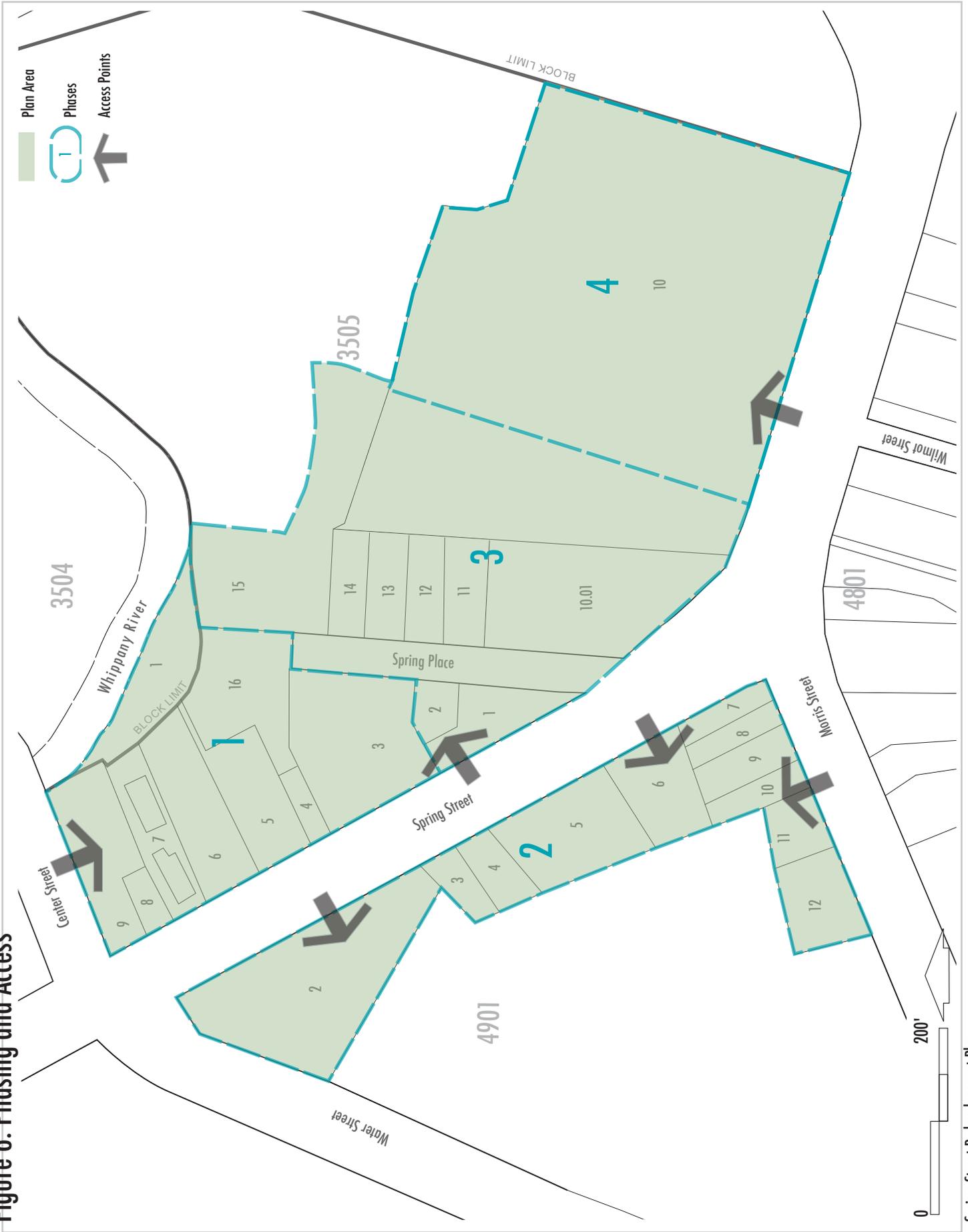
Conversion of Center Street to Two-Way Operation

Center Street is currently one-way northbound from Spring Street. A driveway connecting to Spring Street shall be constructed at the rear of the Plan Area to serve the buildings on the north of Spring Street as well as (in a later phase) the Spring Hills at Morristown assisted living community to the east. A portion of Center Street, from Spring Street to the new driveway, shall be converted to two-way operation in order to allow vehicular ingress and egress to the driveway.

Public Open Space

Development shall provide one pocket park for public use at the corner of Spring and Center Streets. More details are provided in **Section 3.3.1, below**.

Figure 6: Phasing and Access



3.1.2 PHASE 2

Development on the South Side of Spring Street and on Morris Street South of Spring Street

In Phase 2, the entire southern side of Spring Street between Water and Morris Streets shall be developed, as well as the western side of Morris Street south of Spring Street.

Public Open Space

Development shall provide one pocket park for public use at the middle of the block along Spring Street, between Water and Morris Streets. More details are provided in **Section 3.3.2, below.**

3.1.3 PHASE 3

Development on the North Side of Spring Street, near Intersection with Morris Street

Phase 3 allows for development of lands on the north side of Spring Street, east of Phase 1 and extending to Phase 4. The boundary between Phases 3 and 4 is not fixed, but falls roughly at the northwestern edge of the main buildings in the existing Midtown Shopping Center.

Vacation of Spring Place

At the start of **Phase 3**, the entirety of Spring Place shall be vacated. The existing buildings that have access from this street will be removed as part of the redevelopment. The ingress/egress point for the Midtown Shopping Center onto Spring Place shall be closed.

Phase 3 shall include a new driveway serving the Plan Area on the north side of Spring Street, intersecting Spring Street at a right angle. The driveway shall be located at the western edge of Phase 3, roughly in the middle of the block between Center and Morris Streets.

Phase 3 shall also extend the rear access driveway connection to Center Street from Phase 1, connecting it to the new driveway from Spring Street. The access point for the Spring Hills at Morristown assisted living community, which currently connects to Spring Place, shall also be moved to this rear driveway. Some re-grading of the Spring Hills property will be necessary to accommodate the new driveway.

Public Open Space

Development shall provide one pocket park or plaza for public use, with frontage along Spring Street. More details are provided in **Section 3.3.3 below.**

3.1.4 PHASE 4

Development on Morris Street, East of Spring Street

In Phase 4, the final parcels of land shall be redeveloped. The Midtown Shopping Center shall be removed and new development built in its place.

The two existing curb cuts to the Midtown Shopping Center on Morris Street shall be closed, and a new central entry point and new curb cut shall be provided on Morris Street opposite Wilmot Street (roughly 200 feet east along the north side of Morris Street). This will serve to reduce conflicts by centralizing turning movements related to Phases 3 and 4 at the existing Spring Street / Wilmot Street intersection.

Redesign of Spring / Morris Streets Intersection

The intersection of Spring and Morris Streets shall be redesigned to add lanes on Spring Street, eastbound and adjust turning movements, including prohibition of left turns from northbound Morris Street.

Public Open Space

Development shall provide a widened pedestrian area including a sidewalk walkway along the northern side of Morris Street with a double row of street trees. Additional details are provided in **Section 3.2.1** below.

3.2 Street Design

The following improvements shall be made to the streets listed below.

3.2.1 SIDEWALKS

Spring Street

A sidewalk of a minimum 10 feet in width, including areas for street tree and grass planting, shall be provided. Where there is no retail development along Spring Street, a grass strip of a minimum 4 feet in width is required between the paved walking portion of the sidewalk and the curb so as to accommodate street trees.

Morris Street

South of Spring Street, Morris Street shall include a sidewalk of a minimum 12 feet in width, including areas for regular street tree planting.

East of Spring Street, a pedestrian area at least 30 feet wide shall be provided on the north side of Morris Street. The pedestrian area shall include a sidewalk walkway of at least 10 feet clear, paved with high-quality decorative and/or accent materials to distinguish it from other sidewalk areas in the Plan Area. The 30-foot pedestrian area shall

also include benches and pedestrian-scale lighting. It shall be planted with a double row of street trees (each row parallel to the street) so as to create a shady, tree-lined corridor or “allée” for pedestrians passing from the train station to the heart of downtown Morristown, and also to visually define the street edge in the absence of buildings. Finally, a low brick wall topped with a wrought-iron style fence shall be provided between the pedestrian area and the parking lot, to serve as a further buffer between pedestrians and parked cars.

Water Street

Along the east side of Water Street, a public sidewalk of a minimum 6 feet in width shall be provided. Street trees are recommended, but not required, along this portion of Water Street because of the constrained right-of-way section as it passes in a cut between Headquarters Plaza and the First Congregational Church cemetery.

Center Street

As stated in Section 3.1.1 above, Center Street shall be converted to two-way operation between Spring Street and the rear driveway serving Phase 1 of the Plan Area. The portion of Center Street bordering the Plan Area shall be improved with a sidewalk of minimum 10 feet in width, including areas for street tree and grass planting. Since there will be no retail development along Center Street, a grass strip of a minimum 4 feet in width is required between the paved walking portion of the sidewalk and the curb to accommodate street trees.

3.2.2 CROSSWALKS

Crosswalks shall at a minimum have brightly colored, contrasting paint markings. It is strongly encouraged that crosswalks also include textured paving or raised beds to slow down drivers where appropriate.

At Intersections

Signalized intersection crosswalks are required in the following locations:

- At the intersection of Spring and Morris Streets.
- At the intersection at Spring, Water and Center Streets.

Across Curb Cuts

Crosswalks are required across Plan Area curb cuts that interrupt sidewalks on the north side of Spring and Morris Streets, where pedestrian and vehicular traffic levels are expected to be highest.

Mid-block Crosswalks

A mid-block crosswalk on Spring Street between Water Street and Morris Street should be considered in order to reduce pedestrian crossing distances on this very long block. This is particularly important because it is anticipated that a portion of the parking for residences on the south side of Spring Street will be provided across the street, on the north side of Spring Street. A pedestrian-activated traffic light should be considered in concert with any mid-block crosswalk.

A midblock crosswalk should also be considered across Morris Street at Wilmot Street to compensate for the lack of pedestrian crossing areas along Morris Street. As mentioned, the continuous right-turn lanes at the Lafayette Avenue/Morris Street and Morris Street/Spring Street require that pedestrians walk all the way to the north side of the Spring/Morris Street intersection to cross Morris Street at a signalized crosswalk.

The need for pedestrian safety must, however, be balanced against the need to move traffic along Spring and Morris Streets at a measured pace. Therefore, a traffic analysis will need to be conducted to assess whether the proposed mid-block crosswalks would cause undue traffic disruption and queuing.

3.2.3 STREET TREES

Street trees shall be planted within sidewalk areas, regularly spaced at approximately 30- to 40-foot intervals. Street trees shall be a minimum of 3.5 inches in caliper and 16 feet high at the time of planting. All street tree types and sizes shall be recommended by a local arborist or landscape architect designated by the Planning Board.

Street trees shall be planted in adequately sized tree wells, with appropriate watering and feeding techniques. The area around the tree may be planted with groundcover, covered with decorative grates, or paved with decorative pavers. Where possible, the area around the tree shall be protected by a low fence. In addition, streetscape design must incorporate provisions for stormwater infiltration and retention by providing bio swales along sidewalk areas. Bio swales may be provided in lieu of the requirement for a grass strip between the paved walking portion of the sidewalk and the curb, as noted in **Section 3.2**.

3.2.4 STREET LIGHTING

A unified design family of lighting standards shall be used for posts and fixtures throughout the Plan Area. Street lighting shall generally comply with the standards of the Morristown Partnership. The Planning Board shall give final approval of the fixture, pole type, and location.

Streetlights should produce a spectrum in the daylight-incandescent range. All lighting shall be selected to comply with “dark sky” standards, shielded to minimize leakage into the night sky and prevent direct glare into adjacent residential windows.

3.2.5 STREETScape MATERIALS

All curbing shall be granite curbing or poured concrete; asphalt curbing is expressly forbidden. Sidewalks shall be constructed of textured paving materials or concrete. Alternatives to concrete include granite, bluestone, and approved gray concrete pavers. No more than three paving materials or colors should be used on sidewalks.

3.2.6 BICYCLE RACKS

Bicycle racks shall be provided on sidewalks and/or other publicly-accessible portions of the Plan Area as follows: on both sides of Spring Street, along Morris Street south of Spring Street, and either within the Phase 4 area or along Morris Street bordering the Phase 4 development.

3.2.7 OBSTRUCTIONS

Trash receptacles, mailboxes, bicycle racks, and vending racks shall be located at the outer edge of the sidewalk. Such items may encroach upon a portion of the sidewalk, provided that a 4-foot clear aisle is maintained, not including the area reserved for street tree planting. Benches shall be placed against building walls or at street edges facing retail storefronts.

3.3 Open Space Requirements

Small parks and plazas are required throughout the Plan Area and shall provide places to sit and rest along the street. The required parks and plazas below shall be built as described in each Phase, and shall be permanent improvements; that is, they may not be removed or altered in subsequent phases.

3.3.1 PHASE 1 POCKET PARK

On the north side of Spring Street, a “pocket park” shall be provided. This park shall incorporate plantings to create a softer, green appearance that counteracts the ground-floor facades of the adjacent buildings, which are anticipated to include primarily parking. The park shall be adjacent to Center and Spring Streets. The park shall average at least 30 feet wide (parallel to Spring Street) and shall extend from Spring Street to the rear access driveway serving the Plan Area. This park shall be landscaped with grass lawn areas, trees, and flowering plants and shall include benches and lighting.

3.3.2 PHASE 2 POCKET PARK

On the south side of Spring Street, a small park shall be created along the frontage of Spring Street, at the center of the block (i.e., not adjacent to Water or Morris Streets). The Park shall measure at least 120 feet wide (parallel to Spring Street) by 25 feet deep. The park shall be landscaped with trees and plantings. Benches and lighting shall be provided. Given that the park is likely to be located where the hillside rises to the south,

the design should accommodate the change in grade through creative stairs, stonework, terracing, and seating at multiple levels. A driveway serving adjacent buildings is permitted to border only one side of this park.

3.3.3 PHASE 3 POCKET PARK OR PLAZA

In Phase 3, one or two parks and/or plazas shall be provided along the frontage of Spring Street. However, the park / plaza locations should take into account the requirement (in **Section 6.3.2**) that buildings closest to the intersection include corner treatments to help frame the intersection as a landmark and gateway. The required park(s) or plaza(s) may be either hardscaped with decorative paving or planted with grass, or a combination of the two; in either case, plantings, benches, and lighting shall be provided. The total amount of park and plaza space in Phase 3 shall be at least 3,000 square feet.

3.3.4 PHASE 4

Phase 4 does not have any park or plaza requirement. However, a widened pedestrian area with sidewalk, landscaping, seating, shade trees, and a low wall/fence combination are required. For more information, refer back to the discussion of Morris Street sidewalks in **Section 3.2.1**.

4 LAND USE, YIELD & PARKING

4.1 Intent

This chapter describes the types and amounts of land uses permitted in the Plan Area, as well as the required parking ratios for such uses. The allowable land uses are intended to bring a diversity and intensity to the area that will boost pedestrian activity levels, resulting in a more active street life, and produce both market rate and affordable housing. The parking requirements specify a maximum allowable parking ratio, in recognition of the area's proximity to the Morristown train station, and offer the incentive of shared parking to further reduce the required number of spaces if certain design requirements are met. Subsequent chapters provide further detail on building massing and design.

4.2 Permitted Land Uses

The following uses shall be permitted within the Spring Street Redevelopment Area.

- **Multi-Family Residential.** Multi-family residential uses are premises available for long-term human habitation by means of ownership or rental, but excluding premises offered for rental for periods of less than a month's duration; excludes all boarding houses and rooming houses.
- **Townhouses.** Townhouses are an attached housing product in which each dwelling unit is distributed vertically over several levels. Each townhouse has its own front yard and shares one or both sidewalls with adjacent units. Townhouses in a traditional downtown setting typically have parking garages at the rear, accessed by an alley. Townhouses are also permitted and encouraged at the base of multi-family buildings, particularly as a means to shield parking levels.
- **Retail.** Retail uses include stores, restaurants, and similar facilities including, by way of example but not limitation, markets, entertainment establishments, restaurants, cafes, bars, health and fitness clubs, clothing stores, and boutique retailers. All retail businesses shall be located in the ground floor of mixed-use buildings or parking garages; stand-alone retail businesses are prohibited. Drive-through or drive-in retail uses are prohibited.
- **Outdoor Dining.** Permitted subject to clear pedestrian passage.
- **Offices,** only in Phase 4. General and professional offices. No office space is permitted on the first level of buildings.
- **Hotels,** only in Phase 4.
- **Community Facilities.** Community meeting rooms, childcare facilities, health clubs and recreation centers, and church support facilities (including Sunday schools).
- **Mixed-use.** Buildings may include any two or more of the above permitted uses, subject to the restrictions listed above for each use and Phase and to the standards governing ground-floor uses described in **Section 4.2.2.**

- **Open space.** Publicly-accessible parks, plazas, and courtyards.

4.2.1 ACCESSORY USES

- **Surface Parking**, both for Plan Area development needs and for general public use. Permitted only in Phases 1, 3, and 4, subject to requirements of **Sections 4.5.2** and **Section 3.2.1**.
- **Structured Parking**, both for Plan Area development needs and for general public use. Structured parking is permitted on the first two floors as part of a residential building (only in Phases 1 and 2) and in a structure with possible ground-floor retail (only in Phase 3). See **Section 4.5.2** for further requirements. There is no limit on the number of parking levels that are fully below-grade along the parking structure's entire perimeter.

4.2.2 GROUND-FLOOR USE RESTRICTIONS

Definition of Ground Floor

The “**ground floor**” is defined as the level of the building closest to the grade of the street or adjoining public walkway at a given point. Because of the sloping topography of the Plan Area, the ground floor in one location may be different than the ground floor at another location.

Spring Street

Along Spring Street between Center and Morris Streets in Phases 1 and 2, structured parking is a permitted ground-floor use. Refer to **Section 6.5** for more regulations governing the screening of such structured parking along Spring Street.

Retail, community facility, church support facilities, and residential uses are encouraged on the ground level of buildings fronting on Spring Street in Phases 1 and 2, but it is recognized that this may be difficult due to the desire to accommodate parking within the building, the high cost of putting parking below grade, and the shallow parcel depths that preclude putting active uses in front of parking areas.

In Phase 3, ground floor uses shall consist only of retail, community facility, church support facilities, and/or housing.

Lobbies leading to uses on the ground floor or upper stories are permitted at any location on the ground floor in all Phases.

Morris Street

Along Morris Street south of Spring Street, the ground floor shall be used for retail businesses or community uses.

Along Morris Street east of Spring Street, the ground floor frontage shall be used for retail businesses or hotel lobbies. Offices and residential uses shall not occupy street-facing ground floor frontages.

4.3 Development Yield

The following yield is permitted in the Plan Area:

- Residential: Between 275 and 325 housing units, including all required affordable housing units
- Retail: Between 50,000 and 65,000 square feet
- Office: Between 55,000 and 65,000 square feet
- Hotel: Between 125 and 175 rooms.

In addition, the following density and/or Floor Area Ratio (FAR) requirements shall apply:

- For Phases 1 and 2 combined, the maximum FAR is 1.6 *and* the maximum density is 60 residential units per acre.
- For Phases 3 and 4 combined, the maximum FAR is 2.0. Density in terms of residential units per acre is not provided because buildings will have a mix of uses.

Measurement of FAR excludes floor area devoted to structured parking and standalone parking garages (permitted in Phase 3 only).

4.4 Affordable Housing Requirement

The 2008 Substantive and Procedural Rules (“The New Third Round Rules”) of the New Jersey Council on Affordable Housing (COAH) shall apply, as follows:

- One (1) affordable unit shall be provided for every four (4) market-rate residential units constructed; i.e. 20 percent of the total residential units shall be affordable;
- A fee shall be paid to the Town of Morristown equal to 2.5 percent of the equalized assessed value of the land and improvements for all new non-residential construction, unless such non-residential fee is exempted by P.L. 2008 Chapter 46.

To the extent that the applicable Third Round COAH Rules are amended subsequent to the date of adoption of this Redevelopment Plan then the relevant regulations in effect at the time site plan approval is granted shall apply.

The affordable housing requirement shall be provided on-site and affordable units shall be integrated with market-rate units. The affordable units shall be provided as part of (not in addition to) the maximum allowable residential yield of the development.

In addition, no more than 25 percent of the affordable units may be age-restricted.

4.5 Parking

4.5.1 PARKING RATIOS

Standard Requirements

Development shall comply with the following parking requirements.

- Residential uses shall provide a minimum level of off-street parking of 1.5 spaces per unit. This is lower than State *Residential Site Improvement Standards* (RSIS), which require 2.0 spaces per unit for garden and midrise apartments (buildings up to nine stories in height).² The lower allowable parking ratio for the Plan Area is appropriate for pedestrian-friendly development and recognizes its proximity to transit service, and its downtown location. Further, the 1.5 spaces per unit ratio fits within the area's prevailing vehicle ownership pattern. Census data from 2000 show that the vehicle ownership rate for the four block groups surrounding the area averages about 1.4 vehicles per household.
- Retail uses shall provide 3.0 off-street parking spaces per 1,000 square feet of floor area.
- Office uses shall provide 2.5 off-street parking spaces per 1,000 square feet of floor area.
- Hotel uses shall provide 0.5 spaces per room.
- Church or community uses shall provide 4 off-street parking spaces per 1,000 square feet of floor area.

4.5.2 PARKING LOCATION

Parking for Residential Units in Phases 1 and 2

A minimum of 0.5 parking space for each residential unit in Phases 1 and 2 shall be provided within said phases, regardless of the number of bedrooms. Any additional parking spaces, or fraction thereof, for such residential units may be provided within the Phase 3 or Phase 4 area.

Given the slope of the Plan Area along Spring Street, structured parking in residential or mixed-use buildings may be placed fully or partially above-grade. In Phase 2, no structured parking (fully or partially above-grade) is allowed in building areas along Morris Street (south of Spring Street). The goal of the following regulations is to use the sloping street / sidewalk grade to help disguise some of the parking. The following requirements apply to all buildings in Phases 1 and 2 in the Plan Area, with the exception of building areas along Morris Street (south of Spring Street), and are illustrated in **Figure 7, Parking and Building Height in Phases 1 and 2**. Refer to **Section 4.2.2** for the definition of "ground floor."

- At the highest-grade elevation point along the building's street frontage, a maximum of one (1) level of parking is permitted fully or partially above-grade.
- At the lowest grade elevation point along the building's street frontage, a maximum of two (2) levels of parking are permitted fully or partially above-grade.

² RSIS's 2.0 spaces per unit is required when no distribution of units by number of bedrooms is provided; more precise parking requirements are provided when bedroom distribution is known, but are still higher than the standard of 1.5 spaces per unit prescribed in this *Plan*.

- Allowable parking levels defined above may extend the length of the building, but there shall be no parking on levels higher than those outlined above (that is, parking may not “step up” into a higher floor of the building at a higher grade elevation.) In effect, within sloping areas, the number of above-grade parking levels shall decrease as the grade rises.

Structured Parking in Phase 3

Structures whose main purpose is to serve as parking garages for any of the uses within the Plan Area are permitted only in Phase 3.

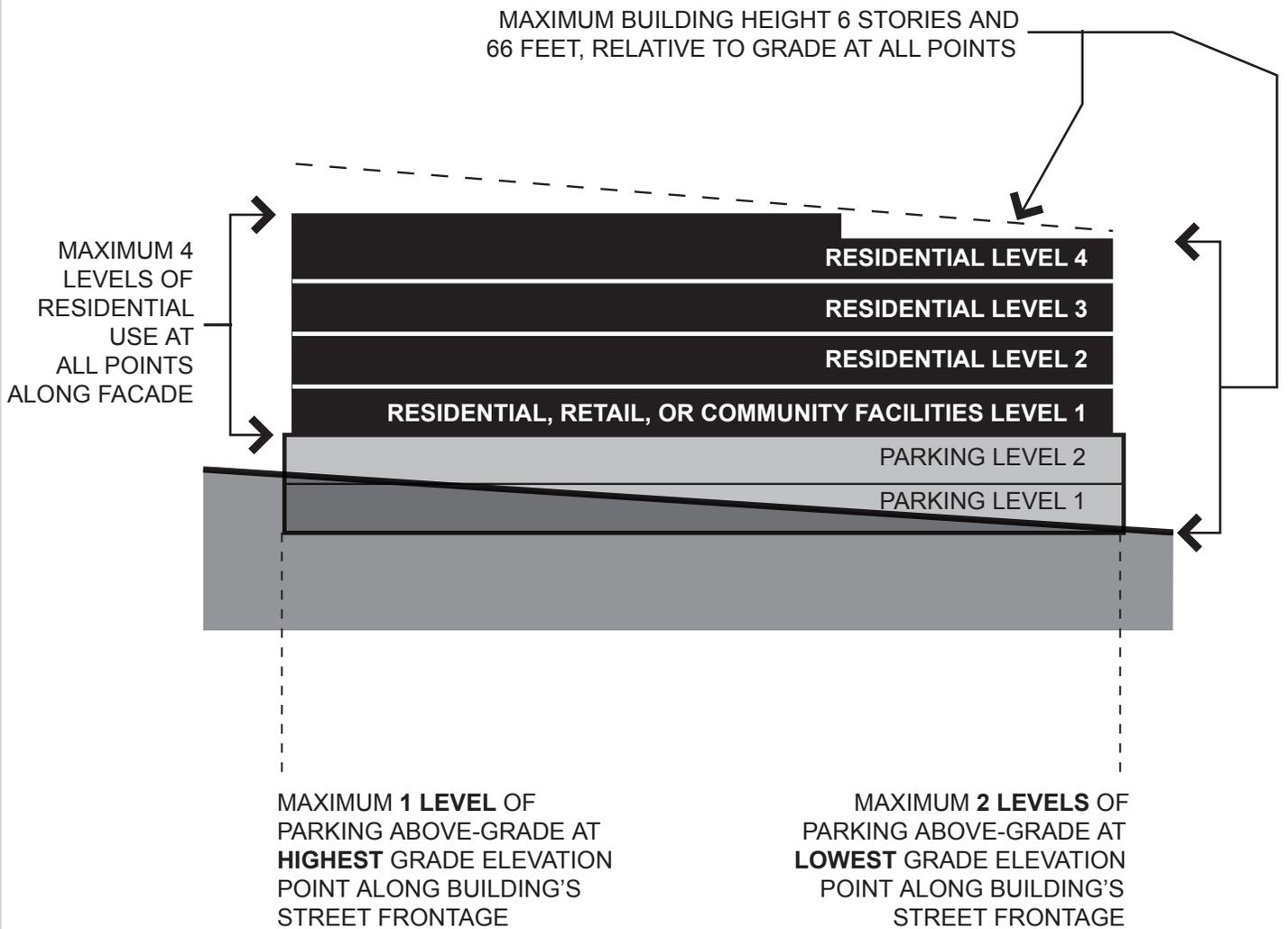
In Phase 3, structured parking shall be set back at least 100 feet from Spring Street and shall be located behind buildings having frontage on Spring Street. The ground floor of any parking garage in Phase 3 is required to include retail use where the façade is visible from Spring Street. Ground-floor space is encouraged to include retail use where the facade is visible from Phase 4 pedestrian areas, surface parking areas, or Morris Street.

Surface Parking in Phases 3 and 4

Surface parking lots are permitted only in Phases 1, 3, and 4.

- In Phase 1, surface parking is permitted only behind buildings (i.e. with the front of buildings facing Spring Street), and no more than 20 such spaces are permitted.
- In Phase 3, no surface parking is permitted within 100 feet of Spring or Morris Streets, and such parking shall be located to the side or behind buildings (with respect to these streets), rather than in front of buildings.
- In Phase 4, surface parking is permitted adjacent to the street, subject to the design restrictions discussed in **Section 3.2.1**.

Figure 7: Parking and Building Height in Phases 1 and 2



4.5.3 PARKING ACCESS

The following number and type of curb cuts may be constructed to access off-street parking areas. **Refer to Figure 6: Phasing and Access.**

- On the north side of Spring Street: no more than one (1) curb cut may be provided.
- On the south side of Spring Street: no more than two (2) curb cuts may be provided.
- Along Morris Street east of Spring Street: no more than one (1) curb cut shall be provided.
- Along Morris Street south of Spring Street: no more than one (1) curb cut may be provided.
- Along Center Street: no more than one (1) curb cut may be provided.

Curb cut placement and design shall provide for safe and visible pedestrian crossing in front of any entrance or exit from parking areas. Crosswalks are encouraged across curb cuts, and are required in some locations (see **Section 3.2.2**).

4.6 Loading and Disposal Requirements

Each building shall be designed so as to accommodate easy access to garbage dumpsters and recyclable containers by residents and carters. Enclosed garbage and recycling facilities shall be provided within each building. All garbage and recycling shall be screened from view from the exterior of the building.

5 BUILDING BULK STANDARDS

5.1 Intent

This chapter regulates the building envelope and mass with the intention of minimizing the visual bulk of new buildings and creating forms that are complementary and sensitive to the surrounding area's scale and character. Building setback regulations require that buildings be placed close to public streets and sidewalks, where they create "streetwalls" that visually reinforce streets, parks and plazas as public spaces.

5.2 Building Height

5.2.1 MAXIMUM BUILDING HEIGHT

Height is expressed by the number of stories as well as by a total maximum building height.

The maximum height in feet, discussed below, is measured at the deck of a flat or mansard roof, or to the eave line of a sloped roof. The maximum height may be exceeded only by sloping roofs and by roof appurtenances and parapets, as described in the **Section 5.2.2** and **Section 5.2.3**.

Phases 1 and 2

Along Spring Street, *all* of the following components of building height must be met. The requirements set forth below allow building height to vary as necessary with the sloping grade, while precluding buildings that continually step upwards with the grade. Refer to **Figure 7, Parking and Building Height in Phases 1 and 2**.

- At all points along a building's street frontage, there shall be no more than four (4) levels of residential, retail and/or community facilities space as permitted in **Section 4.2**; and
- The maximum height, including parking levels, *at all points* along a building's street frontage with respect to the sidewalk grade is 6 stories and 66 feet.

Along Morris Street south of Spring Street in Phase 2, the maximum building height at all points with respect to the sidewalk grade shall be no more than 4 stories and 55 feet.

Phase 3

Along Spring Street and on Morris Street (in Phase 3), except those that are primarily intended to serve as parking garages, the maximum height for all buildings at all points shall be no more than 4 stories and 55 feet.

For any buildings primarily intended to serve as parking garages, the maximum height shall be 6 stories and 65 feet.

Phase 4

For buildings located along Morris Street east of Spring Street, the maximum building height for all buildings, except those that are primarily intended to serve as parking garages, shall be 8 stories and 90 feet.

For any buildings primarily intended to serve as parking garages (as allowed in Phase 4), the maximum height is 6 stories and 65 feet.

5.2.2 ADDITIONAL HEIGHT FOR SLOPING ROOFS

Pitched or sloping roofs may exceed the maximum building height limit by up to 20 feet at their uppermost peak or ridgeline. The additional height created within a building from a sloping roof may be used to construct cathedral ceilings, mezzanines, or loft levels for units on lower levels; however, a full new floor may not be created within the sloping roof area if it would cause the building to exceed the specified maximum number of stories in **Section 5.2.1**. Dormer windows are encouraged within sloping roof sections.

5.2.3 ADDITIONAL HEIGHT FOR ROOFTOP APPURTENANCES

Mechanical equipment, stairwells, and elevator shafts are exempt from the maximum height requirements, as are parapets and other features used for screening.

Rooftop mechanical equipment shall be set back at least 10 feet from upper-level building facades.

5.3 Building Setbacks

The following building setbacks are measured from the property line.

5.3.1 SPRING STREET

Along the north side of Spring Street in Phase 1, any structured parking within the base of residential buildings shall be set back at least 20 feet. All other uses, including building entries and lobbies, shall be set back between 3 to 20 feet. Off-street surface parking is permitted only behind buildings. See **Section 4.5.2** for additional requirements relating to the location of parking garages.

Along the south side of Spring Street in Phase 2, a 3- to 12-foot setback is permitted for all uses, including any structured parking within the base of residential buildings. No off-street surface parking is permitted between the street and the building.

For the north side of Spring Street in Phase 3, see **Section 4.5.2** for requirements about the location of parking. All other uses in this area, including building entries and lobbies, shall be set back between 3 to 20 feet.

5.3.2 MORRIS STREET

Along Morris Street east of Spring Street, a widened pedestrian area with a sidewalk, landscaping, low wall/fence, and a double row of street trees shall be provided. For more information, refer to the discussion of Morris Street sidewalks in **Section 3.2.1**. At least 60 feet of building frontage in this area shall be located within 25 feet of the back edge of this widened sidewalk (i.e., some building mass must be located close to the street even if there is a front parking lot). The remaining building mass may be located farther back from the public right-of-way.

Along Morris Street south of Spring Street, a 3 to 12 foot setback is permitted for all uses. No off-street surface parking is permitted between the street and the building.

5.3.3 CENTER STREET

Along Center Street, the minimum building setback is 30 feet. A park shall be created within the setback area, as described in **Section 3.3.1**. No off-street surface parking is permitted between the street and the building.

5.3.4 WATER STREET

Along Water Street, a 5 to 15 foot setback is permitted for all uses. No off-street surface parking is permitted between the street and the building.

5.4 Projections

Upper-Story

Projections are small architectural elements that are permitted to extend out from the primary façade plane. They serve to break up the building mass and create variety and interest in the façade design. Projections may extend up to three (3) feet into the minimum required building setback, but shall not extend into the public right-of-way. The only exception is for awnings and flat canopies, which are permitted to project up to three (3) feet into the public right-of-way.

Porches and Stoops

For any residential units provided on the ground floor of buildings, individual unit entries with porches or stoops are encouraged in order to increase buildings' connections to the street.

For any townhouses provided, whether stand-alone or connected to a larger multi-family building, porches or stoops are required at the first level of each unit.

Porches and stoops, including their steps, may not project beyond the property line.

5.5 Building Length

The maximum length of a building is restricted to 200 feet along any and all street-facing frontages. However, building lengths up to 350 feet are permitted if *one or more* of the following conditions are met:

- For any Phase, the building façade mass is broken up by a deep recess, minimum 30 feet deep and 20 feet wide, extending through all levels and rooftop forms of the building so that it appears as two separate buildings when viewed obliquely from the sidewalk. The recess should be located such that each building portion is no more than 200 feet long.
- For Phase 3 only, the building frontage is broken into lengths of less than 200 feet each by one of the parks or plaza required in **Section 3.3.3**.
- For Phase 4 only, the building is set back more than 100 feet from the street right-of-way.

6 BUILDING DESIGN STANDARDS

6.1 Intent

This chapter provides guidelines to encourage high quality and visually-interesting building design. The objective is for buildings to reflect the pedestrian-friendly elements of older, traditional buildings, while not being limited to copying historical design features. The regulations are also intended to disguise any parking located next to public streets by means of landscaping and architectural screening.

6.2 Horizontal Articulation

Buildings shall be horizontally subdivided into a base, middle, and top.

6.2.1 BASE

The base is the first one or two levels of the building, with respect to the sidewalk grade, including any exposed basement or parking level. The base shall be highlighted architecturally to visually ground the building. For example, horizontal banding, belt courses, variations in floor heights, building-mounted lighting, and overhangs may help define the base. Straight awnings and canopies are encouraged along storefronts and lobbies and over building entrances. A high proportion of glazing should be used on base levels that contain non-residential uses; stoops or porches should be used on base levels that contain residential space. The pattern of any storefronts within the base should relate to the building's vertical bay pattern.

Design for ground level facades should reflect the rhythms and proportions of traditional architectural elements found within downtown and central Morristown, for example: large display windows of clear glass, recessed entries, transom windows, storefront cornices with suitable locations for signs, awnings and canopies; or residential stoops and porches.

6.2.2 MIDDLE

The middle of the building shall be distinguished from the base and top by horizontal belt courses or cornices or changes in material, masonry, or fenestration pattern.

6.2.3 TOP

The top of a building shall be defined and differentiated at the topmost floor(s) and the roofline. The top shall be emphasized with a parapet wall, balustrade, cornice, coping, or a sloping roof. For the taller buildings permitted in Phase 4, the upper levels of the building should be designed to be visually lighter than the lower floors, such as through a lighter color material or a larger proportion of glazing.

Roofs

The rooflines of buildings shall follow the variation in bay massing. Pitched roofs with textured roofing materials are encouraged in order to soften the roofline, particularly for the taller buildings in Phase 4. Every effort shall be made to cluster rooftop appurtenances and to screen them from view.

6.3 Vertical Articulation

6.3.1 BAYS

Smaller traditional buildings in central Morristown range from approximately 15 to 50 feet wide, and larger traditional buildings are composed of a series of similarly-scaled bays. Buildings within the Plan Area shall continue this approach by breaking down large façade areas to appear as a series of different buildings or distinct bays each 15 to 50 feet wide.

Bays may be differentiated through variation in material, texture, masonry pattern, glazing pattern, or changes in façade plane. Each bay shall be expressed vertically through all building facades. The design of bays along each building façade should create a varied articulation; a monotonous repetition of the same bay along a very wide façade should be avoided.

6.3.2 CORNER TREATMENTS

The intersection of Spring and Morris Streets frames a long and important view in Morristown, and architectural treatments of buildings at this corner will emphasize its role as a gateway to the upper retail area in Town. Therefore, special corner treatments are required at the buildings in **Phases 2 and 3** that are located closest to the center of this intersection. These corner treatments should serve as visual landmarks. They may be expressed with projections; towers; variation in materials, massing, or setbacks for bays; variation in roof forms and height, or other architectural appurtenances appropriate to the scale and style selected.

6.4 Ground-Level Building Frontage Standards

6.4.1 RETAIL FRONTAGES

Retail storefronts should be framed by canopies or awnings. Canopies are flat projecting elements that may or may not be supported by wires. Awnings are fabric and hang diagonally. Awnings shall be straight (not curved), and awning ends shall be open (not boxed). Awnings and canopies shall project between 4 to 12 feet from the building façade and shall maintain a minimum vertical clearance of 8 feet above the sidewalk at all points.

6.4.2 RESIDENTIAL FRONTAGES

The finished floor of any ground-floor residential uses shall be at least two (2) feet above adjacent grade, and the bottom of residential window openings shall be a minimum of four (4) feet above grade.

Where ground-floor residential windows occur, a planter with a low wall or fence shall be provided next to the building façade to create a buffer for privacy. Planters shall provide a soil area at least 3 feet in depth (measured perpendicular to the building façade) for plantings. Walls shall be between 1 and 3 feet in height. Fences shall be between 2 and 4 feet in height.

6.5 Screening of Parking Structures

6.5.1 BORDER PLANTINGS

Where structured parking (whether an accessory garage or a separate parking garage structure) is located adjacent to a street at the ground floor (i.e. not located behind retail, lobbies or other uses) a planter or a planting bed shall be provided next to the building facade, with minimum depth three (3) feet (measured perpendicular to the façade), to soften the parking visibility.

6.5.2 ACCESSORY STRUCTURED PARKING

The appearance of structured parking located in buildings primarily intended for another use (i.e., parking areas in residential buildings) shall be disguised in facades facing public streets, plazas, and pocket parks, using *all* of the following components.

- Design of parking façades shall be integrated into the design of the base and/or middle of the building, and shall be architecturally integrated with the building façade both horizontally and vertically. Parking façades shall be broken into structural bays, following the bay pattern of the residential portions of the building.
- The same type and quality of materials used elsewhere in comparable portions of building facades shall be employed for parking area facades.
- All garage areas shall include regular window-type openings. The openings shall either appear as larger 'storefront' windows or mimic the upper-floor window typology of the buildings in which they are located. Ribbon-style windows are prohibited. Garage façade openings shall be designed to shield possible vehicle headlamp glare and leakage to adjacent streets, driveways, or residential units by means of translucent glass, spandrel glass, or planted trellises.
- Translucent glazing and/or trellises with plantings shall be used to add visual interest to parking garage window openings. Trellises should create a 'living wall' with varied plantings providing a variety of textures, colors, and species; the plantings should remain green at all seasons of the year. See **Figure 8** for selected examples. Decorative window grilles are encouraged as well.

Figure 8: Examples of Living Walls



Spring Street Redevelopment Plan
Phillips Preiss Shapiro Associates, Inc. 2008

6.5.3 PARKING GARAGE (PHASE 3)

The following requirements apply to parking garage facades that are visible from public streets, from surface parking lots within the Plan Area, or from the Spring Hills at Morristown assisted living community. The entirety of such façades shall be treated in the same manner.

- The facades of parking garages shall be broken up both horizontally and vertically by means of architectural detailing to emphasize and distinguish the base, middle, and top, and by structural bays of 15 to 50 foot widths.
- The same type and quality of materials used in the facades of adjacent buildings shall be employed for parking garage facades.
- The normally low ceiling heights and sloping levels associated with parking garages should be avoided or disguised from view of adjacent streets and driveways on the first level.
- Facades shall have window-style openings that echo windows of adjacent buildings. Ribbon-style windows are prohibited.
- Garage façade openings shall be designed to shield possible vehicle headlamp glare and leakage to adjacent streets, driveways, or residential units by means of translucent glass, spandrel glass, or planted trellises.

6.6 Building Transparency

6.6.1 WINDOWS

Window glass shall be clear or lightly-tinted. Energy efficient coatings that tint glass are permitted as long as the coating that is closest to clear is chosen to meet the energy criteria. Colored or stained window glass is permitted only for clerestory or transom windows. Translucent glass, which allows for shadows and silhouettes behind the glass, should be used rather than spandrel glass, which is virtually opaque, in areas where light is to be admitted while direct views are obscured (such as screened parking areas or mechanical rooms). Spandrel glass is permitted only in order to conceal structural elements (for example, supporting columns and floor slabs) and maintain a glazed façade appearance. Dark tinted, reflective, and mirrored window glass is prohibited.

Ground-level Windows

Any street-facing retail, office, or hotel space shall have glazing equal to at least 50 percent of the street-level façade area. Night security gates, grids, or any other security covering of windows is prohibited.

Any ground-level residential space shall provide windows equal to at least 25 percent of the street-level façade area.

Upper-level Windows

Upper-level floors shall have glazing equal to at least 25 percent of the upper façade area.

Residential windows shall be vertically-proportioned, though clusters of vertical windows within structurally-separate frames may be provided to create large expanses of glazing. All residential windows shall be framed using sill and lintel; punched windows with no decorative edging are not allowed.

Mullions and muntins on multi-pane windows provide privacy by diffusing problematic views and should be used on any ground-floor residential windows.

6.6.2 DOORS, ENTRIES, AND LOBBIES

All retail establishments within a building shall place their primary entrances at sidewalk grade and have their doors recessed so as not to swing out onto the public sidewalk.

Main entries to upper-level residential spaces shall be at-grade and be easily identifiable as such with prominent architectural features; they should not occur simply as voids between buildings.

6.7 Building Materials and Colors

The primary permitted facade materials are stone, masonry, brick, and stucco, with accents in metal. No more than three basic materials should be used on each façade bay. Variation in colors, textures, or accent materials may be used to emphasize vertical or horizontal differentiation.

Buildings shall use similar materials and detailing on all facades. Any changes in primary wall material should occur across a horizontal line, with the visually-heavier material below the lighter material, or at vertical change in plane. Façade materials should extend to a logical change in plane. Facades should be designed so that any expansion joints are rationalized by the logic of the composition. Expansion joint gaps should be colored to match the surrounding wall.

Pitched roof materials should use a texture and color that complements building facades.

Pedestrian entrance doors to garages shall be of a complementary architectural style to the building and be painted a complementary color to the building.

6.7.1 HVAC EQUIPMENT

The use of centralized heating ventilation and air conditioning (HVAC) systems is encouraged for residential uses because they are easier to disguise from public view. However, if individual HVAC or air conditioner units will be used in each residence, they

should be integrated into the façade design and disguised as much as possible. Window frames that provide logical panels for HVAC units are ideal. Through-the-wall punched HVAC openings should be avoided, but if they must be used, the openings and proportions should align in a logical manner to relate to the pattern of windows. If necessary to assist in downplaying their visibility, HVAC frames should be painted to match the colors of adjacent façade materials, and façade materials such as bricks should be laid in complementary patterns to match the texture of HVAC grilles.

6.7.2 ROOFTOP MECHANICAL EQUIPMENT

Any rooftop equipment visible from public streets shall be screened from view in a manner consistent with the architectural design and materials of the building.

6.7.3 TRASH, LOADING, AND UTILITIES

All machinery and the mechanical controls for same, including but not limited to transformers, junction boxes, lift stations, electrical meters, condensers, and signal boxes, shall be interior to the block or masked by building elements in a manner consistent with the design of the building. A wall of venting for mechanical rooms shall not be permitted.

6.8 Green Design

6.8.1 LEED CERTIFICATION

All buildings shall achieve certification under the Leadership in Energy and Environmental Design (LEED) rating system for green building design, sponsored by the US Green Building Council (USGBC). LEED certification ensures a high level of “green” building design and site planning. Broadly speaking, green building design goals include reduced energy and water use; use of sustainable, renewable, non-toxic and locally-produced materials; improved indoor air quality; environmentally-conscious site planning; and a location in a central, developed area with existing services and resources. The USGBC has developed a variety of standards for evaluating green building design in several categories, including LEED-NC (for New Construction), and is preparing pilot program guidelines for multifamily residential developments (LEED-ND for Neighborhood Development).

Specifically, buildings in the Plan Area shall achieve a certified or higher status; that is, a minimum score of 26 out of a total possible 69 points under the LEED-NC system, or a minimum score of 40 out of a total possible 106 points under the LEED-ND system. (LEED-ND is currently in pilot testing until 2009, when it is expected to become available for public use.)

6.8.2 GREEN ROOFS AND ROOFTOP TERRACES

As part of the LEED certification process, developers are encouraged to provide planted green roofs. Green roofs are included in LEED as a means to reduce the urban heat island effect. They reduce costs for cooling and heating, reduce the rate of runoff and stormwater loading, and increase building insulation. Green roofs may be 'intensive' (light shrubbery not to be walked on) or 'extensive' (landscaping that can be walked and played on).

Other roof areas should be designed as common landscaped terraces or courtyards for use of all building residents, and/or as private terraces connected to adjacent units.

6.9 Signage

6.9.1 RESIDENTIAL SIGNAGE

A lobby serving more than 20 units may have a sign naming the building, not to exceed twenty (20) square feet. The style of the lettering shall be in character with the architecture of the building and should not obstruct architectural features. Signage at entrances to individual ground-level units is limited to a street address panel or number not to exceed six (6) inches by six (6) inches each.

6.9.2 RETAIL SIGNAGE

Every retail establishment is permitted one facade sign and one hanging sign per sidewalk frontage.

- Façade and wall signs shall not exceed an average of 30 inches in height and shall not extend beyond the width of the storefront opening. Façade and wall signs may be individual letters or graphics pin-mounted onto the facade or mounted vertically atop a flat canopy and indirectly illuminated. Signs may be printed onto wood, metal or opaque glass panel that is mounted flat and horizontal within the enframed facade opening. No internally illuminated box signs are permitted. Individual internally illuminated box letters are permitted.
- Hanging signs shall not exceed four (4) square feet in area, and shall not exceed 18 inches in height, nor project more than three (3) feet from the façade.

Signs should be architecturally compatible with the style, composition, materials, colors and details of the building. Signs should not obscure or destroy the architectural details of a façade.

Signage is also permitted on retail windows, in the form of foil or silkscreen lettering applied directly to the glass; such signage should not substantially reduce the visibility into the retail space.

6.9.3 GENERAL REQUIREMENTS

The following signage requirements apply to all uses:

- All signage shall be subject to Site Plan review and approval by the Planning Board.
- No fluorescent or glowing paint is permitted for any signage within the Plan Area.
- No signs or advertising devices that are rooftop mounted, intermittently illuminated, flashing, or moving are allowed. Signs that might be mistaken for traffic control devices are also prohibited.
- Freestanding, pole-mounted, and monument-style signs are prohibited, with the exception of way-finding identification installed with the approval of the Town of Morristown.
- Signage above the second story of any structure is prohibited, except for a Hotel use.

7 PLAN CONSISTENCY REVIEW

7.1 Background

The Morris/Spring Street corridor, which serves as a downtown bypass connecting Speedwell Avenue with Morris Street and the train station, is an important link in the future of downtown Morristown. In that regard, the *Spring Street Redevelopment Plan* complements the Town's efforts in the adjacent Transit Village Core zone (closer to the Morristown railroad station), where higher density mixed-use development on the NJ Transit park-and-ride lot is now well underway. The Plan further helps to promote and restore the historic character of downtown while encouraging a greater diversity and intensity of housing types and land uses that promote activity and round-the-clock vitality in the area. The goals and objectives of the *Spring Street Redevelopment Plan* have their basis in three documents: the Town of Morristown *Master Plan* (2003) and *Reexamination Report* (2008) as previously discussed, the Morris County *Master Plan* (1975), and the New Jersey *State Development and Redevelopment Plan* (2001). The relationship between the goals outlined in these documents and the *Spring Street Redevelopment Plan* is described herein.

7.2 Effect on Adjoining Municipalities

Figure 1, Site Location shows that the Plan Area is close to the geographic center of Morristown. The nearest entrance and exit ramps to Interstate 287 are accessible within approximately half a mile. The Morristown transit station is less than $\frac{1}{2}$ of a mile away. The nearest border to an adjacent municipality is over a half mile away. Given the physical separation from adjoining municipalities, there will be no discernable impact on any of the adjoining communities.

7.3 Consistency with the Morris County Master Plan

The Spring Street Redevelopment Plan is generally consistent with the 1975 *Morris County Master Plan*, a seminal document that addresses sprawl and sustainability in the region. The Spring Street Redevelopment Plan relates directly to the goals, values, and objectives of the *Morris County Master Plan*, which aims to:

- Make fuller use of existing transportation lines and facilities. The County Plan anticipated that public transportation would achieve greater significance as it becomes a necessary alternative to the private automobile, with its attendant problems of pollution, energy availability, and congestion (p. 11).
- Promote a greater diversity of housing types. The County Plan points out that the elderly and young couples do not need large living areas. Therefore, the future goals for Morris County should include adequate provision for other types of housing in sufficient numbers to provide choice for all residents (p. 12).

- Find a more feasible alternative to the present situation of “strip” commercial development found on major roads, and single-family homes on unnecessarily large lots (p. 11).
- “Cluster” future growth around definable town centers and transportation facilities to include commercial and office employment as well as residential, with land use intensity decreasing as distance from the town center increases (p. 48).

7.4 Consistency with State Development and Redevelopment Plan

The Spring Street Redevelopment Plan furthers many of the goals and objectives outlined in the *New Jersey State Development and Redevelopment Plan* (“*State Plan*”) from 2001. Identified as a regional center in the *State Plan*, Morristown is obligated to promote transit-supportive intensities and uses that use land efficiently and help to reinforce downtown Morristown as a regional center. The following goals and objectives from the *State Plan* relate to the Spring Street Redevelopment Plan.

- Development and redevelopment opportunities will need to be consistent with the traditional urban fabric—intensities sufficient to support transit, a range of uses broad enough to encourage activity *beyond the traditional workday*, efficient use of infrastructure and physical design features that enhance public safety, encourage pedestrian activity and reduce dependence on the automobile (p. 190).
- The proximity of the Plan Area to downtown and the Town Green makes it an ideal town “core.” As such, the *State Plan* suggests that it should offer a myriad of commercial, cultural, and civic activities, with multistory and mixed-use buildings, shared parking, higher intensities, and provision for a high proportion of internal trips to be made on foot (p. 250). Uses such as restaurants, cafes, retail, and services generate pedestrian traffic and are recommended for such areas.

7.5 Consistency with State Smart Growth Principles

The State of New Jersey’s Office of Smart Growth has promulgated principles of Smart Growth to which redevelopment plans must conform. The Spring Street Redevelopment Plan is in maximum conformance with these principles. It provides a range of housing opportunities, supports a variety of transportation options, uses existing infrastructure, and is located in (and further enhances) a walkable neighborhood. It is mixed-use and compact, provides parks and plazas for public use, and will help foster a sense of place along Spring and Morris Streets.

8 GENERAL PROVISIONS

8.1 Validity of Plan

If any section, subsection, paragraph, division, subdivision, clause or provision of this Plan shall be deemed by the courts to be invalid, such adjudication shall only apply to the particular section, subsection, paragraph, division, subdivision, clause or provision in question, and the balance of the Plan shall be adjudged valid and effective.

8.2 Easements

No building shall be constructed over a public easement in the Plan Area without prior written approval of the Town of Morristown.

8.3 Site Plan and Subdivision Review

Prior to commencement of construction, site plans for the construction of improvements within the Plan Area, prepared in accordance with the requirements of the Municipal Land Use Law (NJSA 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Planning Board of the Town of Morristown so that compliance with the Redevelopment Plan can be determined.

Any subdivision of lots and parcels of land within the Plan Area shall be in accordance with the requirements of this Redevelopment Plan and the subdivision ordinance of the Town of Morristown.

No construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

8.4 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.

8.5 Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Council of the Town of Morristown or by a developer or any of his successors or assignees, whereby land within the Plan Area is restricted by the Council of the Town of Morristown, or the developer, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Plan Area on the basis of race, creed, color or national origin.

8.6 Deviation Requests

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason for 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 or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. 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 NJSA 40:55D-12.a and 12.b.

Notwithstanding the above, any changes to the uses permitted in the Plan Area shall be permitted only by means of an amendment of the Redevelopment Plan by the governing body, and only upon a finding that such deviation be would be consistent with and the furtherance of the goals and objectives of this Plan.

8.7 Other Provisions

In accordance with NJSA 40A:12A-1 et seq., known as 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 uses, density of population, and improved public utilities, recreation and community facilities and other public improvements. The Plan has

Spring Street Redevelopment Plan

laid out various programs and strategies requiring implementation in order to carry out the objectives of this Plan.

- The Redevelopment Plan lays out the proposed land uses and building requirements for the Plan Area.
- Implementation of the Redevelopment Plan does not contemplate the removal of any existing housing units occupied by low and moderate income households (i.e. presently subject to affordability controls). To the extent that any such units are removed as part of the Redevelopment Plan, they will be replaced in accordance with the applicable requirements set forth under N.J.S.A. 40A:12A-7.
- The standards contained within this Redevelopment Plan shall supersede the provisions of Part I, Zoning, and Part II, Signs, of the Town of Morristown's Land Development Ordinance (LDO). In the case where a particular land use or site standard is not covered in this plan, compliance with the LDO or other applicable Morristown code or ordinance shall be required.
- No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this Plan, as provided herein. Final adoption of this Plan by the Town Council of the Town of Morristown shall be considered an amendment of the Town Zoning Map.

9 PLAN IMPLEMENTATION

9.1 Redevelopment Actions

The Town of Morristown shall have such powers and duties as set forth in New Jersey's Local Redevelopment and Housing Law (LRHL) and as may be conferred by this Redevelopment Plan, including, but not limited to, the authority to acquire real property, to relocate residents and businesses, to designate redevelopers, to establish clear terms and conditions for redevelopment through the negotiation, execution, and administration of Redeveloper's Agreements, and to do such other things as provided by law.

9.1.1 PROPERTIES TO BE ACQUIRED

New Jersey law provides the Town of Morristown with the power of eminent domain to acquire properties for the purpose of redevelopment. It may be necessary for the Town to exercise its power of eminent domain on behalf of a redeveloper or redevelopers. Accordingly, the Town is hereby authorized to acquire any or all of the real property located within the Plan Area and all interest therein by contribution, gift, grant, bequest, purchase, exchange, condemnation, or otherwise, as it may deem necessary or proper for the purpose of implementing this Plan.

9.1.2 RELOCATION REQUIREMENTS

Implementation of the Redevelopment Plan may require the displacement and relocation of residents and businesses located within the Plan Area. At the time of property acquisition, the actual extent of displacement will be confirmed, and if it is necessary, a Workable Relocation Assistance Plan (WRAP) will be prepared and submitted to the New Jersey Department of Community Affairs for approval. The Town will comply with the requirements of the New Jersey State relocation statutes and regulations as applicable, and will provide all benefits and assistance required under the statute.

9.2 Zoning Changes

The Zoning Map of the Town of Morristown is hereby amended and shall be revised to show boundaries of the Plan Area defined in this plan and identify the district as "The Spring Street Redevelopment Area."

9.3 Required Landscape Plan

Prior to the commencement of construction within the Plan Area, a certified landscape architect shall prepare and present to the Planning Board an overall landscape plan for all public areas. Such landscape plan shall include street trees, sidewalk planting areas, and pocket parks and plazas; as well as building frontages where landscaping is re-

quired. In addition, designs for street furnishings, including decorative crosswalks, street lights and decorative / accent lighting, special paving, benches, and trash receptacles shall be included.

The following additional standards shall apply:

- The Landscape Plan shall include the highest and best quality decorative design materials available. The Landscape Plan shall identify at a minimum the type of architectural pavers, decorative lighting, tree species, and decorative site furnishings, including all specific color and material selections.
- All ground areas that are not paved shall be landscaped with shade trees, flowering trees, evergreen and deciduous shrubs, and/or perennials and bulbs. Use of native and drought-tolerant species is encouraged.
- All landscape materials shall have a two-year maintenance guarantee. Only plant materials with proven resistance to the urban environment should be utilized. Such lists are created by the Community Forestry Council, a division of the New Jersey Division of Parks & Forestry, or the New Jersey Nursery & Landscape Association. All plantings should be done following current horticultural practices for urban locations. A recommended list of those practices is set forth in the **Appendix: 10.1**.

9.4 Other Actions

In carrying out this Plan, the Town of Morristown and a designated redeveloper intend to undertake a variety of redevelopment actions. These will include but will not be limited to:

- Consolidation of tax lots acquired into one or more tax lot(s).
- Acquisition and assembly of suitable parcels of land for the construction of the proposed uses set forth in this plan. These uses may include retail, residential, offices, a hotel, and structured parking.
- Clearance of abandoned, deteriorated, or obsolete uses or structures on underutilized land areas, where necessary.
- Construction of new structures or other improvements.
- Provisions for public infrastructure necessary to service and support new development, including roadway improvements, utilities and improved streetscapes and beautification of the area.
- Environmental remediation.
- Vacation of public utility easements or rights-of-way as may be necessary for redevelopment.

9.5 Duration of the Plan

The provisions of this Plan specifying the redevelopment of the project area and the requirements and restriction with respect thereto shall be in effect for a period of fifty (50)

Spring Street Redevelopment Plan

years from the date of approval of this Redevelopment Plan by the Municipal Council of the Town of Morristown.

10 APPENDIX

10.1 Recommended Horticultural Practices

10.1.1 SOIL HANDLING AND TOP SOIL

- Soil excavated from construction areas shall be used as under-slab compacted fill or removed from the site. Any contaminants found must be remediated.
- All areas to be landscaped are to receive topsoil that is friable, fertile natural loam, free of subsoil, stones, roots, noxious plants and extraneous matter to a depth of 3 feet from finished grade as a subsoil cap and new planting root growth zone.
- The zone of discontinuity between existing subsoil and top soil should be broken to provide a transition zone if permitted by environmental remediation agreements. Till the subsoil, add several inches of topsoil then till these together before adding the remaining topsoil.
- Provide continuous 3-foot deep trenches of high quality topsoil for planting of street trees along streets to widths as specified between municipal curb and sidewalk in lieu of individual tree pits.
- Soil depth on rooftop gardens can vary according to plant type. Minimum soil depth for large trees should be 36 inches deep or 6 inches deeper than the root ball; 30 inches deep for small trees, 24 inches deep for shrubs and 12" deep for lawns or groundcover.

10.1.2 SOIL COMPACTION

- The deep soil structure of planting areas within parks and street allowances shall be loosely compacted and protected by barriers during construction from heavy compaction by equipment and stockpiling of materials.
- Granite cobbles or unit pavers set on an aggregate setting bed shall be placed around street trees where it is necessary to facilitate pedestrian movement directly at the base of each tree.
- An expanded slate soil admixture can be added to the sub-base for modular paving over planting trenches between street trees to compensate for compaction and promote root growth.
- Where heavy pedestrian circulation is expected, a concrete slab bridging over the continuous planting trench can provide a suitable pedestrian surface while preventing soil compaction in the tree trench. Another acceptable method to extend the root growth area is to use root pipes or drainage mats to provide root paths.
- In areas where pedestrian circulation is not conflicting with continuous tree planting trench, provide vegetative ground cover at base of tree and protect planted trench at periphery with low ornamental fences.

10.1.3 HYDROLOGY

- All street tree plantings shall have surface watering/ fertilizing access pipes and sub-surface drainage outlets.

- All sodded areas, planting beds and street tree strips shall have in ground irrigation systems.
- Site grading and permeable surfaces shall promote maximum return of clean rain-water within parkland, with flat areas graded to 2% minimum. Contaminated surface drainage shall be carried away from landscaped areas.
- All plants within rooftop gardens can experience a high evaporation rate due to the drying effects of wind and sun. Irrigation, mulches and moisture-holding soil additives shall be added to help reduce this moisture loss.

10.1.4 PLANT STOCK

- Listed plant species shall be thoroughly searched by a plant broker before consideration of species not listed.
- Street trees shall have a branch height of 6 feet minimum at planting.
- All street trees shall be of 3.5 inches caliper minimum.
- Red Oak shall be dug and planted only during the spring planting season.

10.1.5 PLANTING AND PLANT CARE

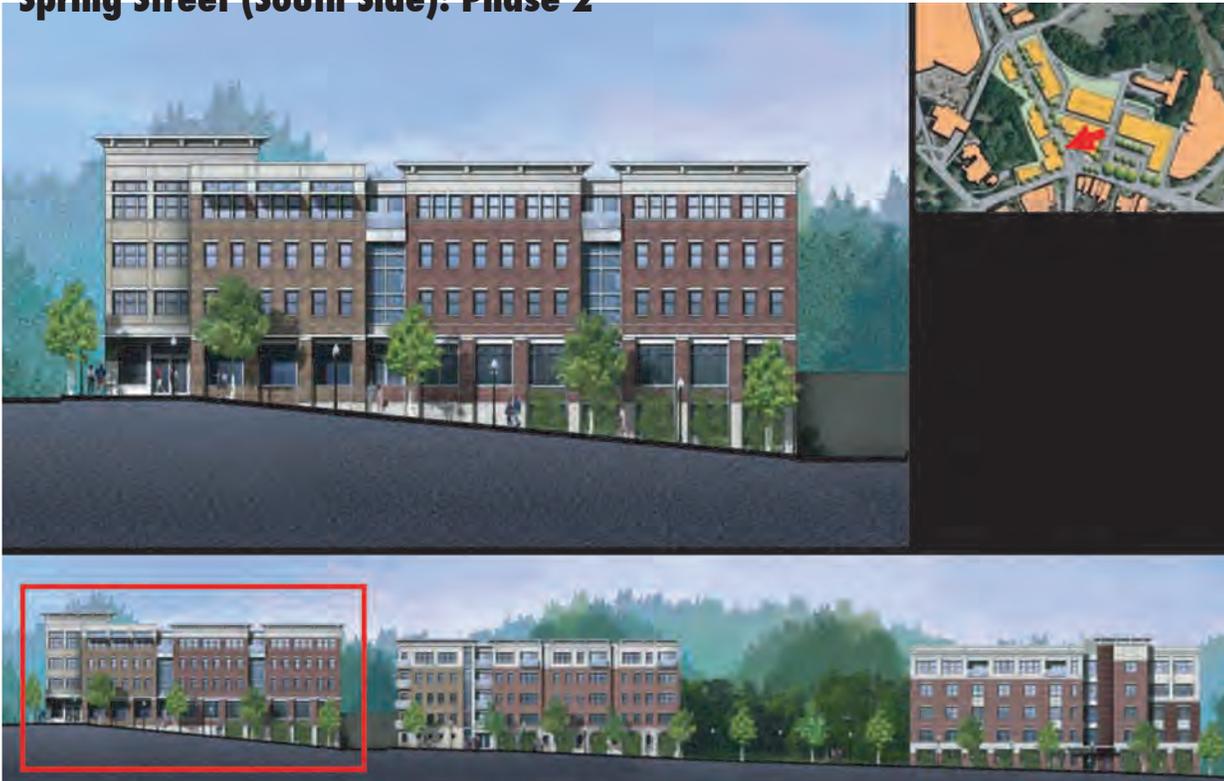
- Strategically phase street tree planting to ensure procurement of large quantities of uniform and consistently sized specimens of specifically selected species.
- Plant trees only during appropriate Spring and Fall planting seasons to the highest arboricultural industry standards.
- All trees shall be guaranteed against defects including death and unsatisfactory growth for a period of two years. All defective plants shall be removed immediately and replaced as soon as weather permits.
- Fertilization shall be yearly with a balanced, full spectrum inorganic commercial fertilizer applied at a rate adjusted to remedy deficiencies identified by soil testing reports.
- All trees shall be monitored and treated annually by the developer for potential disease or decline in physical condition.

10.2 Conceptual Elevations & Renderings

The following pages are provided herein in order to show the conceptual design and massing of the proposed redevelopment plan. These drawings should not be taken as final and may be subject to changes.

Appendix 10.2 Conceptual Elevations & Renderings

Spring Street (South Side): Phase 2



Spring Street (South Side): Phase 2



Appendix 10.2 Conceptual Elevations & Renderings

Spring Street (South Side): Phase 2



Morris Street (South of Spring Street): Phase 2



Spring Street (North Side): Phase 1



View from Interior Street: Phase 3



Perseperspective 1: Phase 4 - Mixed-Use Building (Hotel/Residential/Retail Uses)



Perseperspective 2: Morris and Spring Street Intersection



