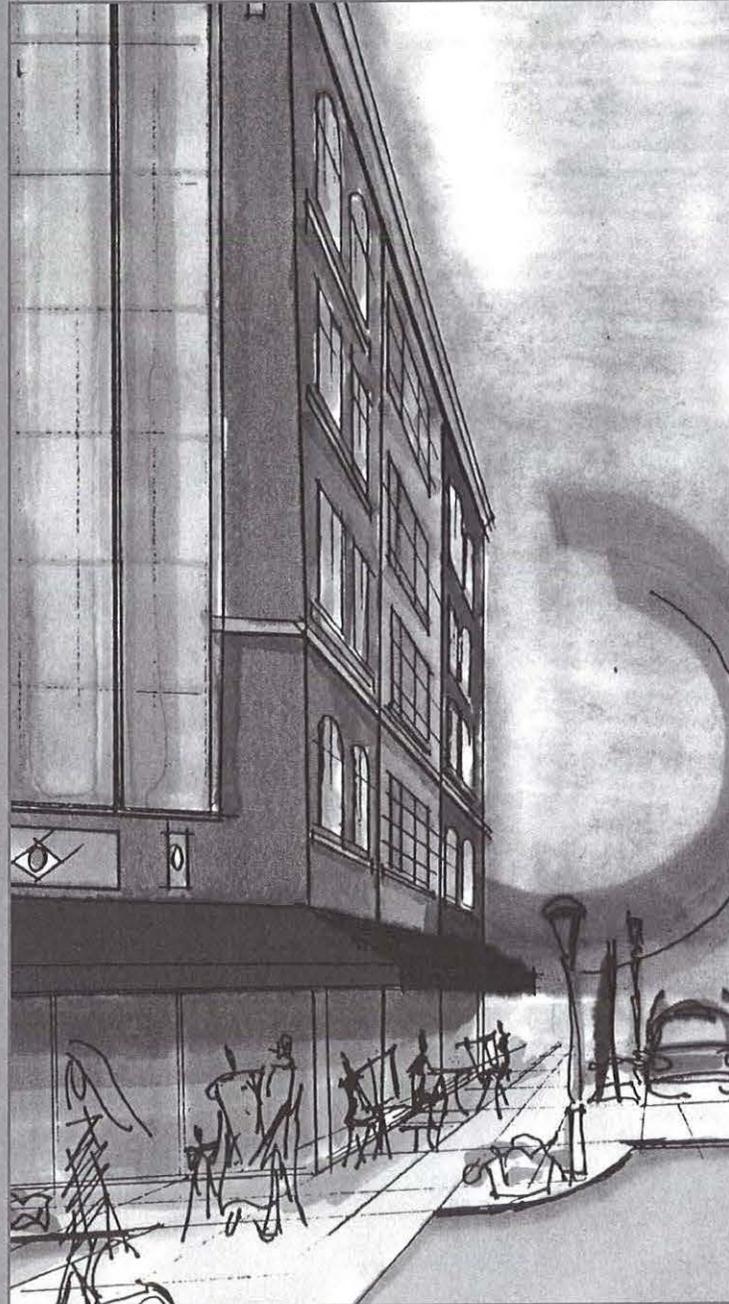


*Planning
office*



Amended Hahnes Redevelopment Plan

Township of Montclair, Essex County, New Jersey

 Heyer, Gruel & Associates

July 2003

AMENDED HAHNES REDEVELOPMENT PLAN

Township of Montclair,
Essex County, NJ

July 2003

Prepared by
Heyer, Gruel & Associates
63 Church Street, 2nd Floor
New Brunswick, New Jersey 08901
732-828-2200
mail@hgapa.com

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12



Susan Gruel, P.P. #1955

O-12-48
ADOPTED ORDINANCE
TOWNSHIP OF MONTCLAIR

H
Planning
S. Wood
K. Craft

ORDINANCE ADOPTING AN AMENDMENT TO THE AMENDED HAHNE'S REDEVELOPMENT PLAN TO INCLUDE ASSISTED LIVING FACILITIES AS A PERMITTED USE

May 22, 2012

WHEREAS, on September 21, 1999 and November 11, 1999, the Township Council authorized the Planning Board to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1*, et seq., (the "Act") to determine whether certain parcels of land in the Township constituted areas in need of redevelopment; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*; and

WHEREAS, thereafter on April 10, 2000, the Planning Board adopted the recommendations and findings of the Preliminary Investigation and Map prepared by David G. Roberts, Schoor DePalma, Inc., dated January 4, 2000 (the "Preliminary Investigation Report"), and found that the properties identified as Block 2205, Lot 2, Block 2208, Lot 17 and Block 2206, Lot 13 (the "Designated Parcels") satisfied certain statutory criteria and thus constituted an area in need of redevelopment; and

WHEREAS, on January 30, 2001, the Township Council accepted the facts and findings of the Preliminary Investigation Report and the finding of the Planning Board as set forth in its April 10, 2000 Resolution and designated the Designated Parcels as an area in need of redevelopment (the "Hahne's Redevelopment Site") and authorized the Planning Board to prepare, in accordance with the Act, a redevelopment plan for the Hahne's Redevelopment Site; and

WHEREAS, the Planning Board retained the firm of Heyer, Gruel and Associates ("Planning Consultant") to prepare the Hahne's Redevelopment Site Redevelopment Plan (the "Plan") and, at its February 11 and March 11, 2002 meetings, heard a presentation from the Planning Consultant; and

WHEREAS, following modifications of the plan as directed by the Planning Board and by the Township Council, the Township Council adopted the Plan on April 2, 2002; and

WHEREAS, on June 10, 2003, after hearing a presentation by the Planning Consultant on amendments to the Plan, the Council referred amendments to the Plan to the Planning Board for its consideration and recommendation, pursuant to *N.J.S.A. 40A:12A-7(e)* and

WHEREAS, on June 16, 2003, the Planning Board considered the amendments referred by the Council and recommended that the amendments referred by the Council be adopted with the exception of the amendments to the parking requirements at the

Hahne's Site, and such amendments were adopted by the Council on August 19, 2003; and

WHEREAS, the Planning Board considered further amendments to the redevelopment plan on February 14, 2011 and March 2, 2011 and concluded that certain changes be made to the redevelopment plan as summarized in a memorandum dated March 3, 2011 which were adopted by the Council by ordinance on March 8, 2011; and

WHEREAS, the designated developer has requested that the Redevelopment Plan be amended to permit a 6-story, 88-unit assisted living facility as a permitted use with through a letter dated March 14, 2012; and

WHEREAS, on March 20, 2012, after hearing a presentation by the designated developer and Fountain Square Properties on amendments to the Plan, the Council referred amendments to the Plan to the Planning Board for its consideration and recommendation, pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, on April 3, 2012, the Council adopted an amendment to the Hahne's Redevelopment Plan to include assisted living facilities as a permitted use on the Church Street lot and to add a parking requirement for an assisted living facility of .5 spaces per unit; and

WHEREAS, the amendment adopted by the Council on April 3rd referenced an 88-bed facility, as opposed to an 88-unit facility;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR THAT THE AMENDED HAHNE'S REDEVELOPMENT PLAN BE FURTHER AMENDED AS FOLLOWS WITH ADDITIONS NOTED IN UNDERLINE BOLDFACE TYPE AND DELETIONS NOTED AS STRIKETHROUGHS:

1. Page 10 –Land Use Standards – Principal Permitted Uses for the Church Street Lot. The principal permitted uses for the Church Street lot should be amended to include the following: “Mixed-use building consisting of an ~~88-bed~~**unit** assisted living facility and first floor commercial use which may include retail sales and services; restaurant and eating establishments; banks; offices; and health clubs. An assisted living residence is a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and assisted living services. At least 10 percent of the beds shall be reserved for low- and moderate income residents pursuant to N.J.A.C. 5:97-6.11.”

RECORD OF COUNCIL VOTE											
	YES	NO	ABS	N.V.	AB		YES	NO	ABS	N.V.	AB
Councilor Africk	✓					Councilor Murnick		✓			
Councilor Baskerville	✓					Councilor Terry		✓			
Mayor Fried	✓					Deputy Mayor Weller-Demming	✓				
Councilor Lewis	✓										
X - Indicate Vote ABS - Abstain N.V. - Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted by the Council of the Township of Montclair, in the County of Essex, at its meeting held on June 12, 2012.

Linda S. Wanat
 Linda S. Wanat
 Clerk of the Township of Montclair, N.J.

B
Planning

O-12-28
ADOPTED ORDINANCE
TOWNSHIP OF MONTCLAIR

ORDINANCE ADOPTING AN AMENDMENT TO THE AMENDED HAHNE'S REDEVELOPMENT PLAN TO INCLUDE ASSISTED LIVING FACILITIES AS A PERMITTED USE

April 3, 2012

WHEREAS, on September 21, 1999 and November 11, 1999, the Township Council authorized the Planning Board to conduct a preliminary investigation pursuant to *N.J.S.A.* 40A:12A-6 of the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, et seq., (the "Act") to determine whether certain parcels of land in the Township constituted areas in need of redevelopment; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A.* 40A:12A-6; and

WHEREAS, thereafter on April 10, 2000, the Planning Board adopted the recommendations and findings of the Preliminary Investigation and Map prepared by David G. Roberts, Schoor DePalma, Inc., dated January 4, 2000 (the "Preliminary Investigation Report"), and found that the properties identified as Block 2205, Lot 2, Block 2208, Lot 17 and Block 2206, Lot 13 (the "Designated Parcels") satisfied certain statutory criteria and thus constituted an area in need of redevelopment; and

WHEREAS, on January 30, 2001, the Township Council accepted the facts and findings of the Preliminary Investigation Report and the finding of the Planning Board as set forth in its April 10, 2000 Resolution and designated the Designated Parcels as an area in need of redevelopment (the "Hahne's Redevelopment Site") and authorized the Planning Board to prepare, in accordance with the Act, a redevelopment plan for the Hahne's Redevelopment Site; and

WHEREAS, the Planning Board retained the firm of Heyer, Gruel and Associates ("Planning Consultant") to prepare the Hahne's Redevelopment Site Redevelopment Plan (the "Plan") and, at its February 11 and March 11, 2002 meetings, heard a presentation from the Planning Consultant; and

WHEREAS, following modifications of the plan as directed by the Planning Board and by the Township Council, the Township Council adopted the Plan on April 2, 2002; and

WHEREAS, on June 10, 2003, after hearing a presentation by the Planning Consultant on amendments to the Plan, the Council referred amendments to the Plan to the Planning Board for its consideration and recommendation, pursuant to *N.J.S.A.* 40A:12A-7(e) and

WHEREAS, on June 16, 2003, the Planning Board considered the amendments referred by the Council and recommended that the amendments referred by the Council be adopted with the exception of the amendments to the parking requirements at the Hahne's Site, and such amendments were adopted by the Council on August 19, 2003; and

WHEREAS, the Planning Board considered further amendments to the redevelopment plan on February 14, 2011 and March 2, 2011 and concluded that certain changes be made to the redevelopment plan as summarized in a memorandum dated March 3, 2011 which were adopted by the Council by ordinance on March 8, 2011; and

WHEREAS, the designated developer has requested that the Redevelopment Plan be amended to permit a 6-story, 88-bed assisted living facility as a permitted use with through a letter dated March 14, 2012; and

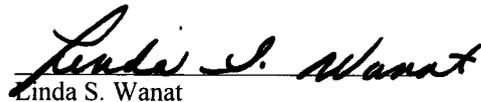
WHEREAS, on March 20, 2012, after hearing a presentation by the designated developer and Fountain Square Properties on amendments to the Plan, the Council referred amendments to the Plan to the Planning Board for its consideration and recommendation, pursuant to *N.J.S.A. 40A:12A-7(e)*; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR THAT THE AMENDED HAHNE'S REDEVELOPMENT PLAN BE FURTHER AMENDED AS FOLLOWS WITH ADDITIONS NOTED IN BOLDFACE TYPE:

1. Page 10 –Land Use Standards – Principal Permitted Uses for the Church Street Lot. The principal permitted uses for the Church Street lot should be amended to include the following: **“Mixed-use building consisting of an 88- bed assisted living facility and first floor commercial use which may include retail sales and services; restaurant and eating establishments; banks; offices; and health clubs. An assisted living residence is a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and assisted living services. At least 10 percent of the beds shall be reserved for low and moderate income residents pursuant to N.J.A.C. 5:97-6.11.”**
2. Page 10 – Land Use Standards - Bulk Standards for the Church Street Lot. The bulk requirements for the Church Street Lot should be amended as follows:
 - Maximum building height: 5 stories
 - Parking
 - **Assisted Living Facility: .5 spaces per unit.**

RECORD OF COUNCIL VOTE											
	YES	NO	ABS	N.V.	AB		YES	NO	ABS	N.V.	AB
Councilor Africk	✓					Councilor Murnick	✓				
Councilor Baskerville	✓					Councilor Terry		✓			
Mayor Fried	✓					Deputy Mayor Weller-Demming	✓				
Councilor Lewis	✓										
X - Indicate Vote ABS - Abstain N.V. - Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted by the Council of the Township of Montclair, in the County of Essex, at its meeting held on May 1, 2012.


 Linda S. Wanat
 Clerk of the Township of Montclair, N.J.

A

O-11-15
ADOPTED ORDINANCE
TOWNSHIP OF MONTCLAIR

Planning
S. Wood
K. Craft
R. Magliaro
J. Teubner
Finance
Chief Sabagh

ORDINANCE ADOPTING AN AMENDMENT TO THE AMENDED HAHNE'S
REDEVELOPMENT PLAN

March 8, 2011

WHEREAS, on September 21, 1999 and November 11, 1999, the Township Council authorized the Planning Board to conduct a preliminary investigation pursuant to *N.J.S.A. 40A:12A-6* of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1*, et seq., (the "Act") to determine whether certain parcels of land in the Township constituted areas in need of redevelopment; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*; and

WHEREAS, thereafter on April 10, 2000, the Planning Board adopted the recommendations and findings of the Preliminary Investigation and Map prepared by David G. Roberts, Schoor DePalma, Inc., dated January 4, 2000 (the "Preliminary Investigation Report"), and found that the properties identified as Block 2205, Lot 2, Block 2208, Lot 17 and Block 2206, Lot 13 (the "Designated Parcels") satisfied certain statutory criteria and thus constituted an area in need of redevelopment; and

WHEREAS, on January 30, 2001, the Township Council accepted the facts and findings of the Preliminary Investigation Report and the finding of the Planning Board as set forth in its April 10, 2000 Resolution and designated the Designated Parcels as an area in need of redevelopment (the "Hahne's Redevelopment Site") and authorized the Planning Board to prepare, in accordance with the Act, a redevelopment plan for the Hahne's Redevelopment Site; and

WHEREAS, the Planning Board retained the firm of Heyer, Gruel and Associates ("Planning Consultant") to prepare the Hahne's Redevelopment Site Redevelopment Plan (the "Plan") and, at its February 11 and March 11, 2002 meeting, heard a presentation from the Planning Consultant; and

WHEREAS, following modifications of the plan as directed by the Planning Board and by the Township Council, the Township Council adopted the Plan on April 2, 2002; and

WHEREAS, on June 10, 2003, after hearing a presentation by the Planning Consultant on amendments to the Plan, the Council referred amendments to the Plan to the Planning Board for its consideration and recommendation, pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, on June 16, 2003, the Planning Board considered the amendments referred by the Council and recommended that the amendments referred by the Council be adopted with the exception of the amendments to the parking requirements at the

Hahne's Site, and such amendments were adopted by the Council on August 19, 2003; and

WHEREAS, the Planning Board considered further amendments to the redevelopment plan on February 14, 2011 and March 2, 2011 and concluded that certain changes be made to the redevelopment plan as summarized in a memorandum dated March 3, 2011; and

WHEREAS, the Council has reviewed the proposed amendments to the Redevelopment Plan and finds that the proposed amendments are consistent with the goals and objectives of the Township Master Plan and that adoption of the proposed amendments would be in the best interests of the Township and its residents; and

WHEREAS, the Township Council wishes to approve the proposed amendments which reflect the recommendations of the Planning Board and the reasoning supporting the recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONTCLAIR THAT THE AMENDED HAHNE'S REDEVELOPMENT PLAN BE FURTHER AMENDED AS FOLLOWS WITH ADDITIONS NOTED IN UNDERLINE BOLDFACE TYPE AND DELETIONS NOTED AS STRIKETHROUGHS:

1. Page 9 - Land Use Standards – Principal Permitted Uses for the Hahne's Site. The first paragraph on page 8 should be amended as follows: "Retail uses shall be required on the street level; retail uses may include restaurants and eating establishments, retail sales and service uses, health clubs, banks, physical therapy establishments, real estate offices and educational play centers.
2. Page 9 – Land Use Standards – Bulk Standards for the Hahne's Site. The parking requirement should be amended as follows: "Residential Minimum: ~~4-3~~ 1.1 spaces per unit. "
3. Page 10 – Land Use Standards – Principal Permitted Uses for the Church Street Lot. The principal permitted uses for the Church Street lot should be amended as follows: "Mixed-use development with ~~retail~~ commercial uses required on the street level and residential uses permitted on the upper floors. ~~Retail~~ Commercial uses include retail sales and services; restaurant and eating establishments; banks; offices; and health clubs. No drive-through uses shall be permitted."
4. Page 10 – Land Use Standards - Bulk Standards for the Church Street Lot. The parking requirements for the Church Street Lot should be amended as follows: "As The Church Street lot is currently used for municipal parking, with 106 spaces. The redeveloper should provide, at a minimum, 20 parking spaces on-site available to the general public, with the net amount of the 106 parking spaces plus any additional parking demand created by the development ~~currently available for public parking on-site, or~~ provided within the Redevelopment Area or other adjacent areas as contemplated in this Plan, or through a financial and/or material

contribution to the Township of between \$155,243 and \$175,000 to improve parking conditions at existing public lots in the area, as follows:

Fullerton Deck

- a. Remove all parking meters from Fullerton Deck, including housings, mechanicals, sticker/signage and mounting brackets.
- b. Install four (4) multi-space meters.
- c. Electrical work to power the multi-space meters.
- d. Install new signage indicating how to use multi-space parking meters and where to find permit parking (top level).
- e. Design, fabricate and install signage on North Fullerton and Park Street that directs patrons to the Fullerton Deck
- f. 10% contingency for project

Surrounding Area

- a. Remove meters on Church Street, between Bloomfield and South Park, as well as meters on The Crescent, between South Fullerton and South Park.
- b. Replace meters on Church Street with two (2) paystations to allow for variable rate setting.
- c. Remove existing meters and replace meters on The Crescent with two (2) paystations.
- d. Install new signage on Church Street and The Crescent that directs patrons to use the new paystations.
- e. 10% contingency for project.

In addition, the improvements to the Fullerton Deck shall include improvements to lighting, security and dynamic information signage. Substitutions for individual line items may be made at the discretion of the Parking Authority. Payment of the financial contribution or delivery of the materials shall be made to the Township before any building permits are issued for redevelopment of the Church Street lot.

As part of a site plan application, the redeveloper shall submit and implement a parking management plan to maximize efficient use of on-site parking to provide additional shared parking to the public which will supplement the 20 public spaces being provided.

5. On Page 10 - Land Use Standards - Bulk Standards for the Church Street Lot - The last requirement under parking should be revised to indicate "Residential: Minimum ~~1-3~~ 1.1 spaces per unit."
6. Page 10 – Land Use Standards – The first paragraph under design standards for the Church Street Lot should be amended as follows: "The redevelopment of the Church

Street lot shall not result in the reduction of existing parking that is currently available for public and municipal purposes. Rather, The redevelopment project shall be designed to provide parking for new uses and to increase the supply of available parking in the downtown or improve the conditions of existing parking areas within the Central Business District.

7. Page 11 – Design Standards – Church Street Lot. The following additional requirement should be added: “A minimum of sixty (60) percent of the ground commercial façade shall be comprised of transparent glass.”

RECORD OF COUNCIL VOTE											
	YES	NO	ABS	N.V.	AB		YES	NO	ABS	N.V.	AB
Councilor Africk	✓					Councilor Murnick	✓				
Councilor Baskerville		✓				Councilor Terry	✓				
Mayor Fried	✓					Deputy Mayor Weller-Demming	✓				
Councilor Lewis	✓										
X - Indicate Vote ABS - Abstain N.V. - Not Voting AB - Absent											

I HEREBY CERTIFY the foregoing to be a true copy of an ordinance adopted by the Council of the Township of Montclair, in the County of Essex, at their meeting held on March 22, 2011.


 Linda S. Wanat
 Municipal Clerk, Township of Montclair, N.J.

Introduction

Montclair has long recognized the importance of its Central Business District ("CBD") to the community. An economically strong and thriving CBD contributes positively to the Township's tax base and provides entertainment, shopping and employment opportunities for its residents. In many ways, the CBD is an essential component of Montclair's identity and its quality of life. Consequently, the Township's planning efforts have focused on ways to stimulate investment and promote economic revitalization within the CBD. In particular, the redevelopment of the former Hahne's Department Store has been identified as a critical component of the Township's strategy to revitalize the CBD.

Available parking within the CBD has become a significant land use planning issue in Montclair. Without an adequate supply of parking the Township's efforts to revitalize the CBD will be severely limited. Consequently, the Township has considered ways to increase parking availability within and proximate to the CBD. The Township has determined that additional parking can be created in the CBD as part of redevelopment efforts that promote public-private partnerships to create new public parking facilities, while meeting the parking needs of the new development.

Montclair Township has also determined that the use of the redevelopment powers provided to municipalities via state statute will be an effective planning and implementation strategy to achieve its goals of downtown revitalization and the redevelopment of the Hahne's site. Based on the Planning Board's recommendation, the Township Council adopted a resolution on January 30, 2001, declaring the properties containing the former Hahne's Department store (the "Hahne's site"), the associated surface parking lot located across the street from the Hahne's site on Church Street (the "Church Street lot"), and The Crescent municipal parking lot to be "an area in need of redevelopment" pursuant to the Local Redevelopment Housing Law ("LRHL").

This Plan is an amendment to the Hahne's Redevelopment Plan which was originally adopted by the Township Council on April 2, 2002, and required a mix of residential, retail, and parking uses on the three sites. In May 2002, the Township solicited a Request for Proposals (RFP) and received several responses. Some of the proposals that were submitted differed in several significant ways from the adopted Hahne's Redevelopment Plan. Accordingly, the Township commissioned an impact assessment study, the purpose of which was to review and analyze the proposals based upon criteria set forth in the Hahne's Redevelopment Plan. This Plan supersedes the original Hahne's Redevelopment Plan.

This Plan is written pursuant to Section 40A:12A-7 of the LRHL which provides that "no redevelopment projects shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body upon its finding that the specifically delineated project area is located in an area in need of redevelopment or an area in need of rehabilitation or in both..." according to criteria set forth in Section 5 or Section 14 of PL 1992, C.79 (C. 40A:12A-5 or C. 40A:12A-14), as appropriate.



45 Church Street is a six-story multi-family building located caddy corner from the former Hahnes building.

Statutory Requirements

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

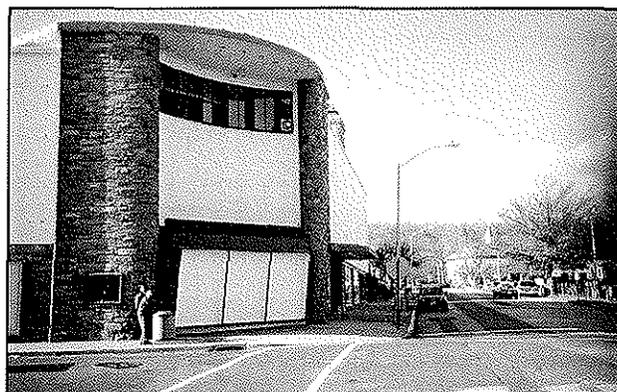
1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the area;
3. 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 displacees will be available to them in the existing local housing market;
4. An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan;
5. Any significant relationship of the Redevelopment Plan to:
 - The Master Plans of contiguous municipalities;
 - The Master Plan of the County in which the municipality is located; and
 - The State Development and Redevelopment Plan adopted pursuant to the State Planning Act P.L. 1985, C.398 (C.52:18A-196 et al.)

Area Description

The Hahne's Redevelopment Area (the "Area") includes portions of three tax blocks located within the Township's CBD, as shown on the enclosed aerial and tax maps. The properties are located to the south of the Bloomfield Avenue commercial corridor, east of Trinity Place, west of South Fullerton Avenue, and north of The Crescent. The three lots that comprise the designated Redevelopment Area include:

The Hahne's Site (Block 2205, Lot 2)

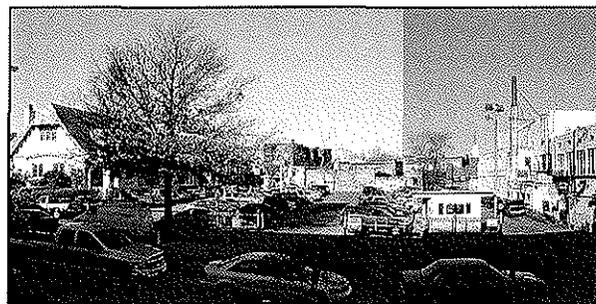
The Hahne's Site contains approximately 1.3 acres. The property is irregular in shape, with 297 feet of frontage on South Park Street, 116 feet of frontage on Church Street, and 105 feet of frontage on Trinity Place. The lot contains the former Hahne's Department Store, which has been vacant since 1989. The two-story masonry building is 30 feet high and contains approximately 108,000 square feet of floor area, including two floor plates of 45,000 square feet each, and a basement of 18,000 square feet. The westernmost portion of the property adjacent to Trinity Place is currently used as a surface parking lot.



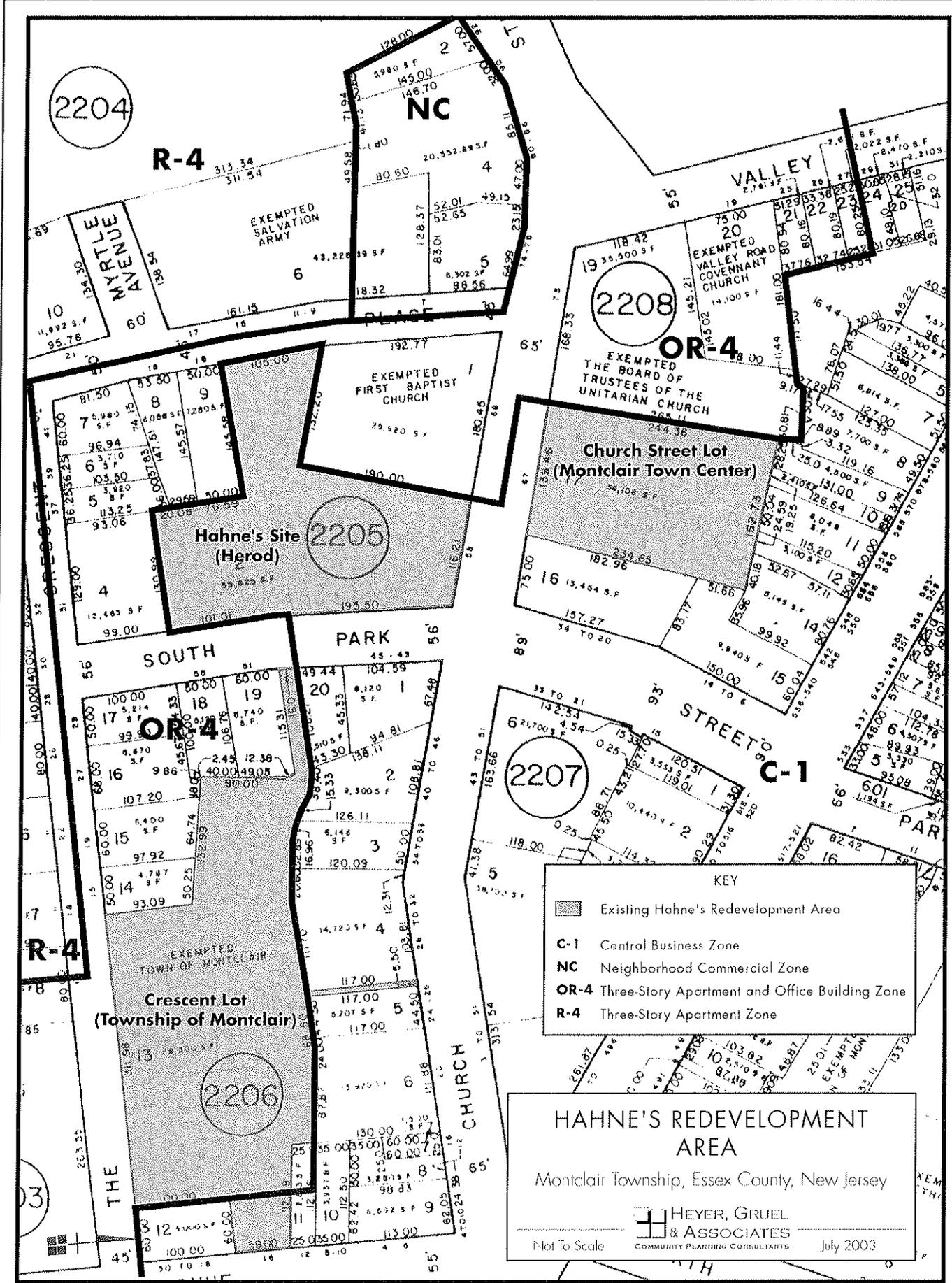
View of the former Hahnes building .

The Church Street Lot (Block 2208, Lot 17)

The Church Street Lot (a.k.a. the Hahne's parking lot) contains approximately 0.8 acres. The tract is rectangular in shape, with approximately 140 feet of frontage on Church Street. The lot is developed with a paved parking lot, which accommodates approximately 131 vehicles, and a small kiosk for the lot attendant. The site had been previously used as a parking lot for the Hahne's Department Store. The lot is leased to the Township as a municipally operated



View of the Church Street lot.





KEY

 Existing Hahne's Redevelopment Area

HAHNE'S REDEVELOPMENT AREA

Montclair Township, Essex County, New Jersey

 **HEYER, GRUEL & ASSOCIATES**
COMMUNITY PLANNING CONSULTANTS

Not To Scale July 2003

parking lot. To the west of the lot is the Unitarian Church, and to the north and east are the retail and office uses that front onto Bloomfield Avenue and South Park Street, respectively.

The Crescent Parking Lot (Block 2206, Lot 13)

The Crescent Parking Lot is located to the south of the commercial and mixed-use buildings fronting on Church Street and between multi-family residential uses located along The Crescent. The property occupies a substantial portion of the Block 2206 between South Fullerton Avenue and South Park Street. The Crescent Parking Lot contains approximately 1.8 acres. The tract is irregular in shape, with 312 feet of frontage on The Crescent, 58 feet of frontage on South Fullerton Avenue, 16 feet of frontage on South Park Street, and 6 feet of frontage on Church Street. The lot is developed with a municipally owned and operated surface parking lot, which contains 179 parking spaces.

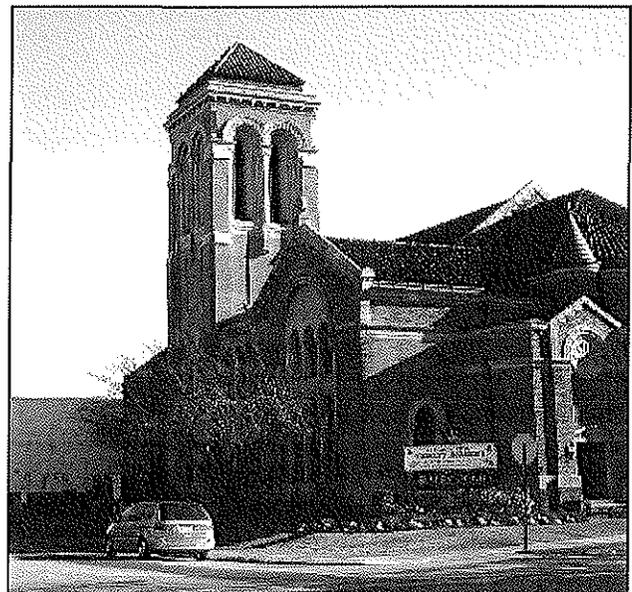
Surrounding Land Uses

Land uses surrounding the Redevelopment Area include a mix of commercial, residential and public uses. Many of the buildings are in a mixed-use arrangement with retail commercial or other non-residential uses on the first floor and residential uses on the upper floors. The three properties in the redevelopment area are located to the south of the Bloomfield Avenue commercial corridor. Existing commercial uses proximate to the Redevelopment Area are located primarily along Church Street and South Park Street to the north of the existing ingress driveway to The Crescent Lot. These uses consist of restaurants, small retail sales, specialty shops, personal service establishments, and boutiques.

Quasi-public uses are located to the west of the Redevelopment Area. The Christ Church, located on the corner of Trinity Place and Church Street, is adjacent to the western boundary of the Hahne's Site. The Unitarian Church, located on the north side of Church Street across from Trinity Place, is adjacent to the western boundary of the Church Street Lot.

Residential uses in the area include primarily multi-family residential developments and residential apartments in the upper floors of mixed-use buildings. Less intensive residential development is located along portions of The Crescent, Trinity Place and the eastern side of South Park Street, south of the entrance driveway into The Crescent Parking Lot. These include single family, as well as two or three family frame dwellings. A number of these dwellings include professional office space.

A review of the land uses surrounding the Redevelopment Area leads to the conclusion that the area functions as a "transitional" area at the edge of the CBD, with more intensive uses located to the north and less intensive residential and quasi-public uses to the south and west. The transitional nature of the area provides a land use planning rationale and foundation for the building requirements and design standards contained in the Redevelopment Plan, including the types of uses, building massing, and scale of the proposed redevelopment projects. Because of the differing impacts of these factors on each of the three redevelopment sites, the plan objectives and standards for each property within the designated redevelopment area are addressed separately in the redevelopment plan.



The Christ Church with the former Hahnes Building in the lower left corner.

Plan Principles

The Redevelopment Plan seeks to build upon the existing strengths and character of the Township of Montclair. The Redevelopment Area is intended to become a high-quality mixed-use development that will revitalize Montclair's CBD. The following principles guide the Plan.

Revitalization

Recognizing the importance of an economically strong and thriving CBD, the Township's recent planning efforts have focused on stimulating investment and promoting economic vitality within the CBD. For years, the Hahne's Department Store stood as a prestigious anchor for the downtown business district. Its closure in 1989 left behind a vacant behemoth in one of the most prominent locations in the downtown. The prolonged vacancy of the Hahne's building has negatively affected municipal revenues, resulted in reduced foot traffic, and jeopardized the viability of nearby stores. By requiring a high-quality mixed-use development on the Hahne's site, it is the intent of this Plan to broaden the Township's tax base, improve the aesthetic image of the downtown, and increase pedestrian circulation in the area.

Location and Context

One of the most important aspects of the Redevelopment Area is its location within Montclair. Situated on the edge of the CBD, the Area, as mentioned previously, serves as a transition area between several different land use zones. While development of the Area is intended to provide a mixed-use downtown anchor, it is vital that redevelopment of the Area respect the height, massing, and intensity of surrounding land uses. In addition, sensitivity to the surrounding area requires that new development be architecturally compatible with the pattern, material and color of the surrounding buildings, which will ensure a consistent and attractive streetscape. This Plan regulates development through the establishment of bulk standards, setbacks, and design guidelines. The desired result is a high-quality mixed-use project that is compatible with its surroundings while still retaining a character of its own.

Parking

The economic success and viability of any community's CBD is partially dependent on the amount and location of parking within the CBD. It is crucial that new development not result in the reduction of existing parking resources in the downtown, provide adequate parking for new uses, and, if possible, contribute additional parking for municipal purposes. This plan ensures these results by establishing three primary parking principles for the Hahne's Redevelopment Area. Those principles are as follows:

1. All new development in the Area that contains residential uses must provide adequate parking for those uses on-site.
2. All new commercial uses in the Area must provide adequate parking for those uses on-site and/or within the Hahne's Area.
3. New development in the Area should not result in the reduction of existing parking resources in the Area. Parking resources in the Orange Road Redevelopment Area and/or the development of other parking alternatives in adjacent areas may be considered in satisfying this principle.

Goals and Objectives of the Redevelopment Plan

The primary goal of the redevelopment plan is to redevelop each of the three parcels in the redevelopment area consistently with the long-range planning objectives of Montclair Township, including:

- Revitalize the Township's Central Business District;
- Redevelop underutilized or vacant commercial property;
- Broaden the Township's tax base;
- Provide for a wide range of housing affordability and housing opportunities in the Township;
- Increase municipal parking while minimizing the fiscal burden on the Township; and
- Promote a public arts initiative consistent with the Montclair Arts Plan.

To achieve these goals, the redevelopment of the former Hahne's site is of critical importance. The redevelopment of the Hahne's site into a new mixed-use development will be the cornerstone of both this redevelopment plan and the future revitalization of the CBD.

The redevelopment plan proposes that the redevelopment of the Hahne's site and the other parcels in the redevelopment area be undertaken in a manner consistent with sound planning practice, which recognizes the relationship of these properties with surrounding land uses and building forms. In addition, the redevelopment of the three parcels shall be complementary to and supportive of existing commercial uses in proximity to the redevelopment area. In particular, the plan is designed to increase pedestrian activity in the area, provide sufficient parking for new uses and additional parking for existing uses in the CBD, and improve the aesthetic image of the downtown.

The Township is also sensitive to the realities of the real estate market place and the financial risks and practical limitations inherent in undertaking any redevelopment project. Consequently, the redevelopment plan is designed to provide some flexibility of approach in the design of the project so long as the enumerated goals and objectives of the plan are achieved. It is the intent of the Township to establish, where possible, an effective public-private partnership in redeveloping the area.

Relationship of Plan to Township Land Development Regulations

The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. In order to implement this Redevelopment Plan consistent with the goals and objectives of the Plan, the Plan supersedes the use, bulk, and design standard provisions of the Township Land Development Regulations unless specifically

referenced. Other standards and submission requirements relating to all zones in the Township not specifically enumerated herein as detailed in the Township Land Development Ordinance shall apply.

Any deviation from standards of this Plan that results in a 'd' variance pursuant to N.J.S.A 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Township Zoning Board of Adjustment. 'C' variance relief pursuant to N.J.S.A 40:55D-70c and design waivers may be addressed by the Planning Board through the development application process. All developments must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A 40:55D, et seq.

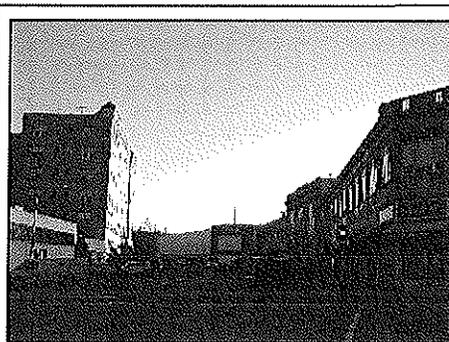
Land Use Standards

Hahne's Site

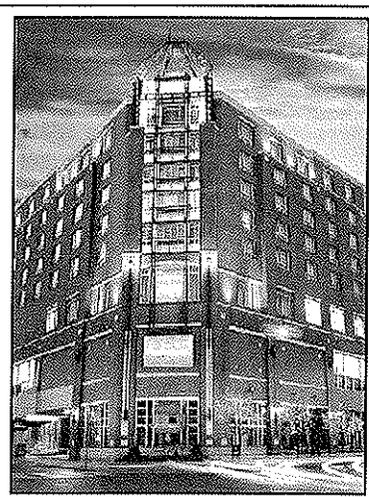
Purpose: The purpose of the redevelopment project for the Hahne's site is to create a high quality mixed-use project containing retail uses on the first floor and residential uses on the upper floors of the development.

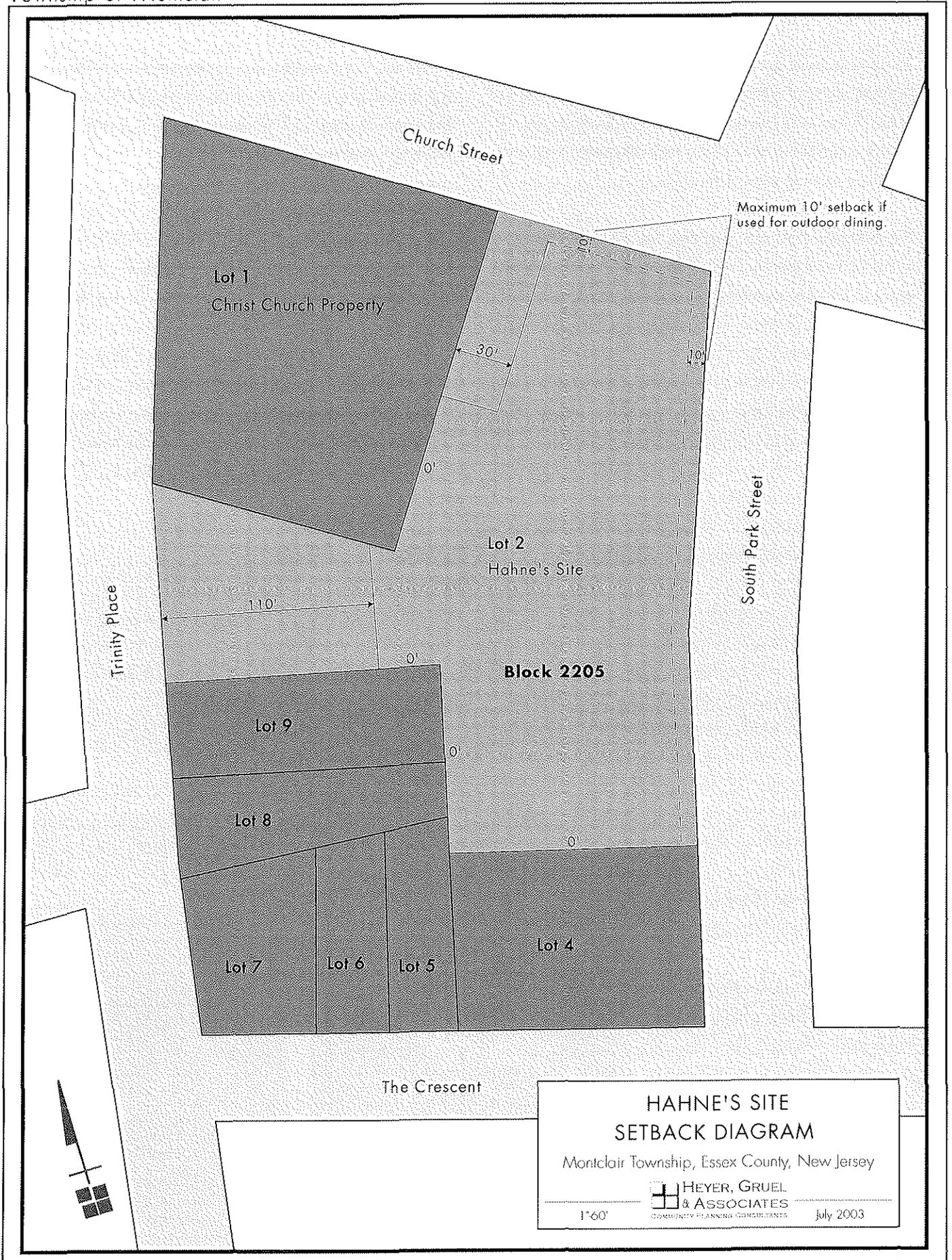
Principal Permitted Uses:

- Mixed-use development, with retail uses on the street level and residential uses on the upper floors. Retail and/or office uses may be permitted on the second floor;



Creation of a prominent vertical design element on the former Hahnes site can create a dynamic focal point for the project's surrounding area. Compare the photograph at left of the former Hahnes building with the photograph at right of a mixed-use building with vertical design element.





- Retail uses shall be required on the street level; retail uses may include restaurants and eating establishments, retail sales and service uses, health clubs and banks. No drive-thru uses shall be permitted.

Accessory Uses: Any uses deemed incidental and accessory to the principal uses.

Bulk Standards:

- Maximum residential density: 80 dwelling units per acre. A 10 percent affordable housing component shall be included.
- Maximum building height: 7 stories
- Building Setbacks (see attached diagram):
 - o Minimum setback to South Park and Church Streets: 0 feet
 - o Maximum setback to South Park and Church Streets: 10 feet if used for outdoor amenities.
 - o Minimum setback to east side of Christ Church: 30 feet for a distance of 100 feet from the Church Street right-of-way. The remaining yard setback to the Christ Church lot shall be a minimum of 0 feet.
 - o Minimum setback to Trinity Place: 110 feet



Four-story multi-family building adjacent to former Hahnes site. Note architectural details and massing of building.

- o Minimum remaining yard setback: 0 feet
- Parking:
 - o Residential: Minimum 1.3 spaces per unit. All residential spaces shall be accommodated on-site.
 - o Non-residential: Minimum 2.5 spaces per 1,000 gross square footage. All non-residential parking shall be accommodated on-site or within the Hahne's Redevelopment Area (Church Street lot and/or Crescent parking deck).

Design Standards:

- The project shall include a prominent vertical design element at the corner of South Park Street and Church Street. This architectural feature shall be designed in a manner to create visual interest and provide a termination point for the South Park Street corridor as viewed from Bloomfield Avenue and Church Street.
- The project shall be designed in a manner that minimizes the impact of the development on the adjacent Christ Church. In particular, a generous setback shall be required between the new building and the stained glass window on the east side of Christ Church. If possible, an open space area or courtyard shall be provided within the setback area to allow for light and air to enter the stained glass window, and to provide an amenity for the occupants of the new building.
- The building shall be consistent with the existing styles, materials, colors and details of surrounding buildings.
- The project shall contain a focal point across from the driveway entrance to The Crescent parking lot. The focal point should encourage pedestrian movement through the area and may incorporate a public arts feature in the design.
- The building shall contain an articulated façade and significant architectural setbacks sufficient to mitigate the bulk of the building.
- All mechanical equipment shall be hidden from view from the street if located atop the building.

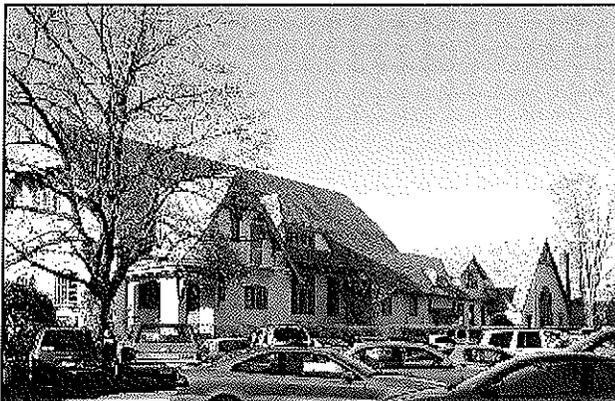
- The project shall be designed to ensure a safe and efficient flow of vehicular traffic both on and off-site. Where possible, loading activities for commercial uses shall occur on-site.
- The project shall include features to improve the streetscape adjacent to the site, including decorative lighting, street trees, landscaping, and pedestrian linkages and amenities.
- The project shall include a public art component.

Church Street Lot

Purpose: The primary purpose is development of the Church Street site as either a mixed-use project or a hotel. The design of the redevelopment project shall be coordinated with the redevelopment of the Hahne's site as part of a comprehensive redevelopment project for the two sites.

Principal Permitted Uses:

- Mixed-use development with retail uses required on the street level and residential uses permitted on the upper floors. Retail uses include retail sales and service, restaurant and eating establishments, banks and health clubs. No drive-thru uses shall be permitted.
- Minimum 100-room hotel and optional accessory retail. No residential uses shall be permitted.
- Multi-level publicly-owned parking deck and mixed-use development – maximum four levels over ground level with first floor retail or other non-residential use.



View of Unitarian Church through the Church Street lot.

Accessory Uses: Any uses deemed incidental and accessory to the principal uses.

Bulk Standards:

- Maximum building height: 5 stories
- Maximum residential density: 65 units per acre, of which 10% of the units shall be affordable housing.
- Minimum front yard setback: 0 feet
- Maximum front yard setback: 10 feet
- Minimum side and rear yard setbacks: 0 feet
- Parking: As the Church Street lot is currently used for municipal parking, the redeveloper should provide, at a minimum, the net amount of spaces currently available for public parking on-site or within the Redevelopment Area or other adjacent areas as contemplated in this Plan. Additional parking standards:
 - Non-residential: Minimum 2.5 spaces per 1,000 gross square footage. Non-residential spaces shall be accommodated on the Church Street lot and/or Crescent parking deck.
 - Hotel: Minimum 1 space per room. Any conference facility; 1 parking space per 4 seats plus 1 space per 250 square feet of general assembly area. Hotel spaces shall be accommodated on-site or within the Redevelopment Area or other adjacent areas as contemplated in this Plan.
 - Residential: Minimum 1.3 spaces per unit. Residential spaces shall be accommodated on-site.

Design Standards:

- The redevelopment of the Church Street lot shall not result in the reduction of existing parking that is currently available for public and municipal purposes. Rather, the redevelopment project shall be designed to provide parking for new uses and to increase the supply of available parking in the downtown.
- If possible, the project shall include a pedestrian linkage to Bloomfield Avenue. The redeveloper may propose the use of the adjacent property fronting on Bloomfield Avenue which contains the Screening Zone and associated alley way, or other properties fronting on Bloomfield Avenue to create this design element.

- The project shall be designed to protect the adjacent Unitarian Church through architectural details and design sensitivity.
- The development shall be architecturally compatible with the architectural style of the Church Street commercial area.
- The design of the Church Street lot shall be coordinated with the redevelopment of the Hahne's site to ensure architectural compatibility.

The Crescent Municipal Parking Lot

Purpose: The purpose of The Crescent redevelopment project is the creation of a multi-story public parking deck. The Township, through its municipal parking authority, is currently proceeding with the design and construction of the Crescent Deck.

Principal Permitted Uses:

- Multi-story public parking deck

Accessory Uses: Any uses deemed incidental and accessory to the principal use.

Bulk Standards:

- Minimum building height: 4 levels
- Maximum building height: 5 levels
- Setbacks: See site plan
- Access to the Crescent Deck shall be designed to be compatible with the circulation patterns of the existing street network.
- The project shall provide a strong pedestrian connection between the Crescent Deck and the Church Street retail area.

Design Standards:

- The Crescent parking deck, particularly The Crescent facade, shall be designed to reduce the appearance of the vertical height of the structure and to complement the residential nature of the streetscape.

- The parking structure shall contain an articulated façade, and should be architecturally compatible with the architectural style of the Church Street commercial area.
- The project shall include features to improve the streetscape adjacent to the site, including decorative lighting, street trees, landscaping, and pedestrian linkages and amenities.
- Lighting:
 - o Lighting on all levels must take into account potential spillover effects on surrounding buildings, especially residential buildings.
 - o Lighting along lot frontage and interior on-site lighting shall consist of "Montclair Style" street lighting or a similar style currently provided in the downtown.
- Existing walkways that transverse the property on the north and south sides shall be replaced.
- Interior walkways shall consist of decorative pavers.
- All surface parking spaces on the site shall be sufficiently screened from adjacent properties and roadways through the use of trees and shrubs.

General Design Standards

Traffic and Circulation

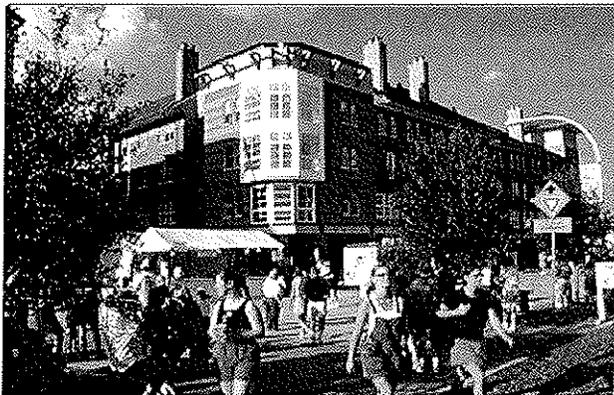
Any traffic and circulation improvements shall be designed in conjunction with an overall plan for the Redevelopment Area. The plan shall provide for an integrated system of on-site and off-site vehicular circulation, storage and service parking consistent with the enumerated goals of the Redevelopment Plan. Pedestrian crosswalks and other traffic calming techniques shall be used to encourage safe pedestrian circulation throughout the Redevelopment Area. The redeveloper shall provide improvements to the circulation, so as to provide safe and efficient vehicular ingress/egress and pedestrian circulation. A pedestrian connection from the former Hahne's site to the Church Street parking lot, and from the Crescent parking lot to the Church Street commercial district shall be encouraged through the use of pavers. Additionally, pavers shall be used at pedestrian street crossings.

Architecture and Building Design

The development of the Redevelopment Area shall be architecturally consistent with the style, materials, color and details of surrounding buildings. Facades shall be attractive and interesting when viewed from the immediate streetscape and from a distance. Parking deck facades at street level shall be designed to emulate building facades rather than typical deck structures. All benches, trash receptacles and other street or site furniture shall be compatible with the architecture of the building and shall complement the building features.

Pedestrian Realm and Streetscape

The streetscape shall be designed in a manner to create a pedestrian friendly environment that encourages activ-



Example of pedestrian activity adjacent to a mixed use building.

ity at the street level through the use of entrance details, decorative lighting, ornamentation, signage and marquees articulating entranceways. The design of the Hahne's and Church Street lots should provide pedestrian areas and "bump-outs" for outdoor restaurant seating, pedestrian amenities and an area for performing arts, pursuant to the Montclair Arts Plan. The design of the sidewalk areas shall be coordinated with the Township's Departments of Planning and Community Development and public works.

Landscaping

Street trees shall be planted along the Church Street, South Park Street and The Crescent frontage. Trees and landscaping shall be provided in accordance with Township standards.



Example of an interior courtyard which may be created for a local point on former Hahnes site across from the existing egress point on The Crescent lot.

Lighting

Lighting along lot frontage shall be decorative lighting consisting of "Montclair Style" street lighting or a similar style currently provided in the Downtown.

Sidewalks

Sidewalks shall be a minimum of six (6) feet wide and include paving elements and decorative pavers. Crosswalks shall be decorative and complementary in material and design to sidewalks.

Signage

No signage shall be permitted above the first level of any development. Only building signs shall be permitted along South Park and Church Streets. All signs must face South Park Street, Church Street and Trinity Place in accordance with existing Township standards.



Example of wide sidewalks and decorative streetscape.

Loading

Loading needs shall be addressed as a component of any proposed development.

Off-Site Improvements

The redeveloper shall provide improvements to the circulation, so as to provide safe and efficient vehicular ingress/egress and pedestrian circulation. A pedestrian connection from the former Hahne's site to the Church Street lot, and from the Crescent parking lot to the Church Street commercial district shall be encouraged through the use of pavers. Additionally, pavers shall be used at pedestrian street crossings.

Public Art

In an effort to develop opportunities for working artists, educate art students and publicly display art works, the Township of Montclair recognizes the need for a comprehensive public arts initiative. In order to build an arts presence throughout the Township, the Montclair Arts Plan, adopted June 2001 and prepared by the Division of Art and Cultural Development, recommends that new development and redevelopment projects include public art in their design. Public art components can include, but are not limited to, sculpture gardens, facade design, structural design elements (fences, pathways, railings) and areas for rotating exhibits.

The Hahne's Redevelopment Plan offers a unique opportunity to implement the recommendations of the Montclair Arts Plan through the provisions of a public art component in the design of the project. Consequently, the Redevelopment Plan shall include a public art component consisting of at least one of the following elements in each of the projects:

- Incorporation of art representations within the design of the deck facades, fencing or railings; and
- Provision of areas for the placement of statuary or other art displays and rotating exhibits. The design of the proposed arts component shall be coordinated with the Department of Planning and Community Development.

- Sidewalk areas or small plazas for street performances or other similar entertainment.

Proposed Concept Plan

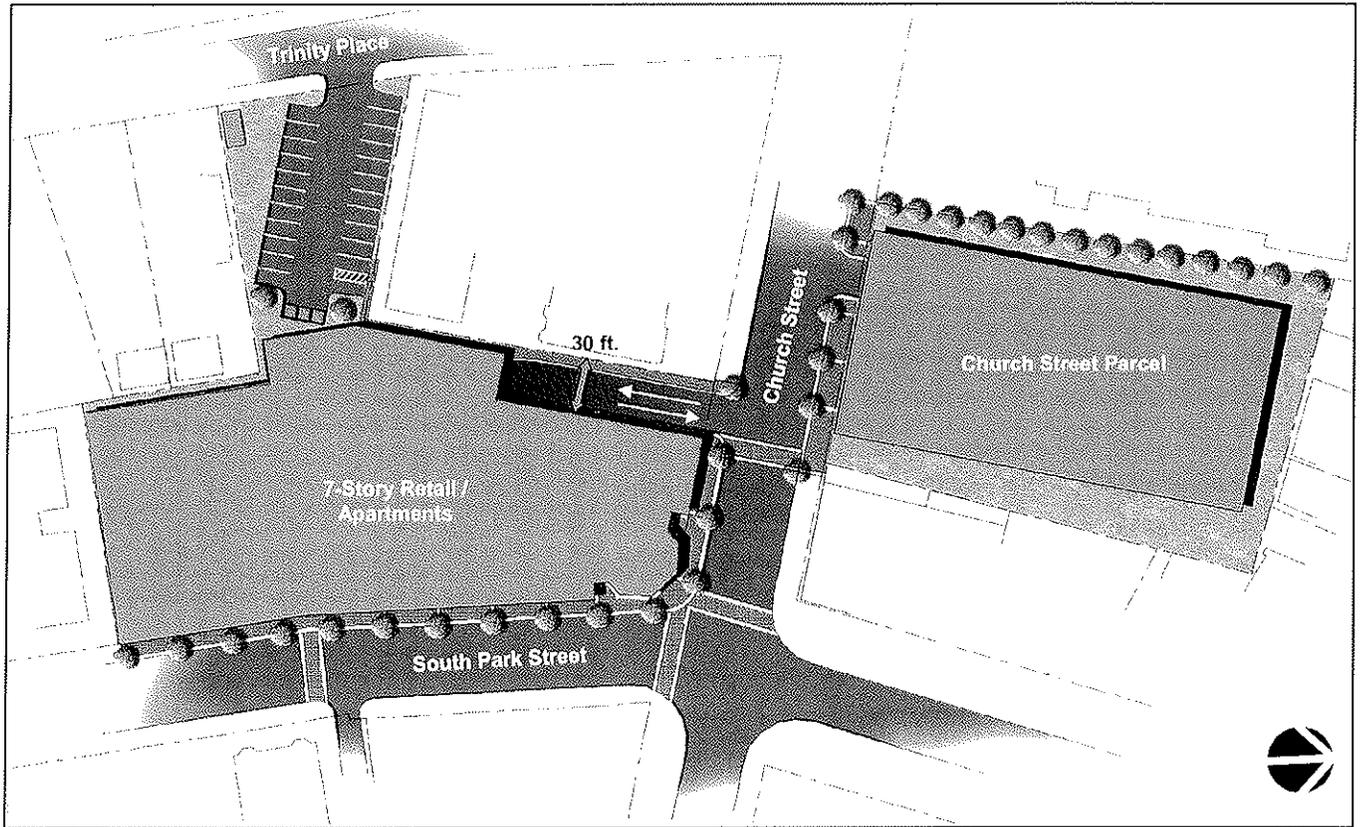
The Township has been actively discussing and formulating an implementation strategy for the Redevelopment Area. The Concept Plan for the Hahne's site proposes a 7-story mixed-use building with one level of underground parking. Above the first floor, the proposed building utilizes architectural stepbacks, recesses and projections, and articulated façade. These features are essential, as they serve to mitigate the height and bulk of the proposed building. The attached concept plan and elevation show the type of development proposed. The proposed building includes the following:

- Approximately 37,152 square feet of retail space on the first floor.
- Approximately 3,546 square feet of retail space on the second floor.
- Approximately 103 residential units.

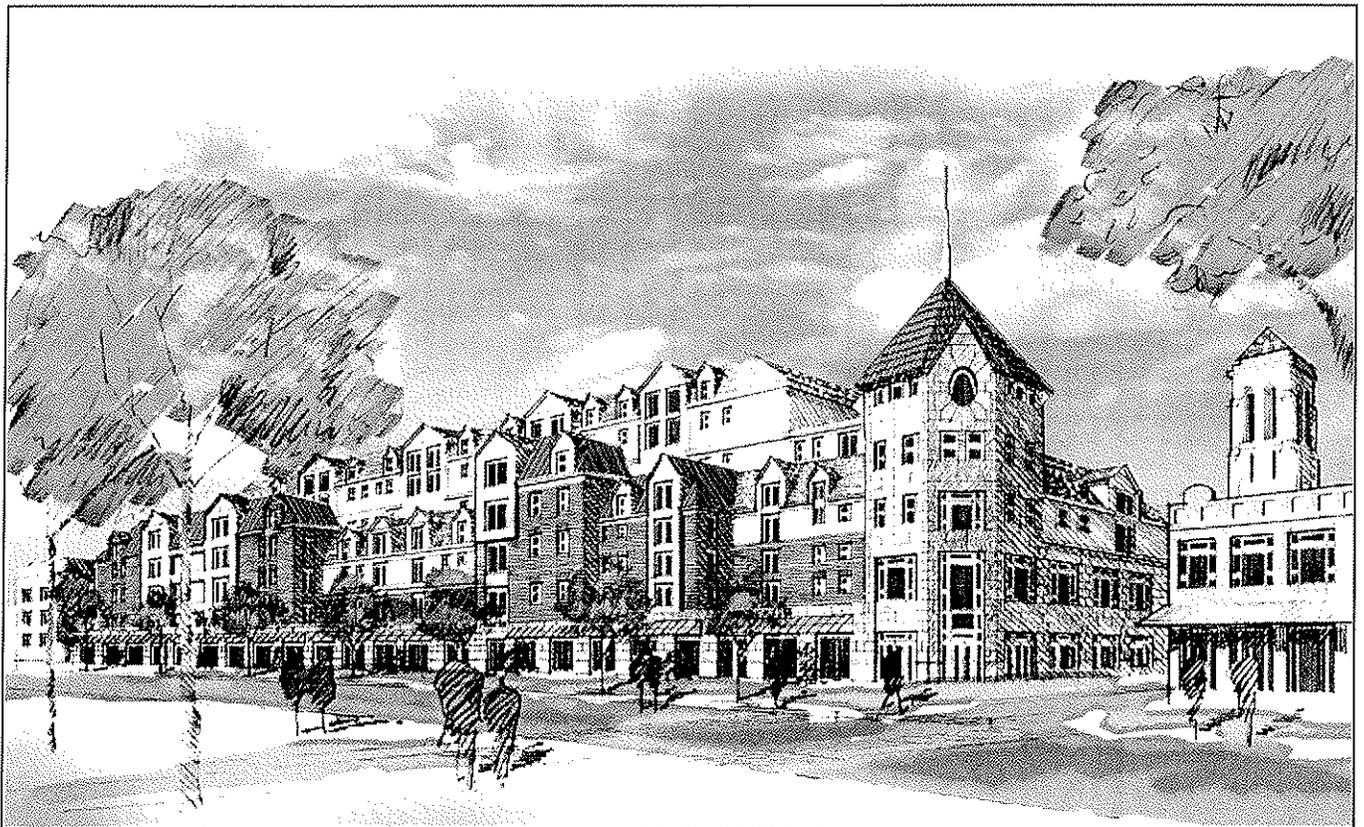
The Concept Plan shall not be binding on either the Township or the Planning Board. The evaluation of any proposal submitted under the Redevelopment Plan shall be based upon the sections of this redevelopment plan entitled "Relationship Plan to the Township Land Development Regulations", "Permitted Uses", "Bulk Standards" and "Design Standards".

Property To Be Acquired

The Redevelopment Plan may require the acquisition of the former Hahne's site and the Church Street parking lot through the use of eminent domain in accordance with the LRHL and eminent domain law. Private acquisition of these properties by the redeveloper(s) shall be pursued prior to any action by the Township. The Crescent lot is owned by the Township and, as such, does not need to be acquired.



Conceptual plan for the Hahne's Site.



Relocation

The Plan does not require the relocation of any businesses or residents. The Hahne's site is currently not operating so there is no need to relocate. The Redeveloper(s) shall prepare a Phasing Plan for the relocation of existing parking during construction.

Affordable Housing

The Montclair Township Planning Board adopted a Housing Element and Fair Share Plan in 1997 that received substantive certification from the New Jersey Council on Affordable Housing (COAH) in 1998. The Housing Plan noted that there are a significant number of low and moderate-income households in Montclair and stated that the Township should continue to address the housing needs of these families. The 1999 Master Plan Reexamination Report adopted by the Township Planning Board reaffirmed the goals and objectives of the 1997 Housing Element and made the provision of housing for a wide range of population and income groups one of the primary land use planning goals of the Township.

Increasing the availability of affordable housing in the Township continues to be one of the key goals of the Township Council. Accordingly, the Redevelopment Plan includes a requirement that 10 percent of the residential units must be affordable units pursuant to COAH guidelines.

Relationship to Definitive Local Objectives

The Redevelopment Plan is consistent with the goals and objectives of the Township as stated in the 1999 Master Plan Reexamination Report, specifically as it relates to the maximization of public parking in the downtown, revitalization of the CBD, redeveloping underutilized or vacant commercial properties, broadening the tax base of the Township and providing new opportunities for affordable housing. In addition, the Redevelopment Plan incorporates elements of the following related Plans of the Township:

- The Montclair Economic Development Corporation's (MEDC) Development Strategy for an Arts, Culture & Entertainment District dated February 1998 focuses on arts and entertainment as an economic development tool within the Township. The Redevelopment Plan is consistent with this strategy, specifically as it relates to encouraging a broader array of arts, cultural and entertainment activities and providing more effective parking and circulation for downtown visitors.
- The Crescent Parking Structure Report dated July 1999 proposes the creation of a public parking deck on The Crescent lot. The report includes design standards, facade renderings and planning improvements. The Redevelopment Plan incorporates the recommendations made in the report and, as such, is consistent with this planning document.
- The Montclair Arts Plan, which was adopted by the Township Council in June 2001, contains recommendations for the incorporation of a public arts component in new development and redevelopment in the Township. The Redevelopment Plan requires that a public arts component be incorporated into the design of the redevelopment project consistent with the Montclair Arts Plan.

Township of Montclair

The Redevelopment Plan is consistent with the goals of the Township as stated in the 1992 and 1999 Master Plan Reexamination Reports, specifically as it relates to the revitalization of the CBD and the expansion of parking opportunities in the downtown.

Adjacent Municipalities

The Township of Montclair is bordered by Glen Ridge Borough, Clifton City, and the Townships of West Orange, Little Falls, Cedar Grove, and Verona. None of these communities directly abut the Redevelopment Area. The intent of the Redevelopment Plan is to support the continued revitalization of the CBD, which does not conflict with the planning efforts of adjacent municipalities.

Essex County

The Essex County Master Plan was prepared in the early 1980's. Due to significant changes in the County since that time, both in terms of land use, socioeconomics and demographics, some aspects of the County Plan may not be specifically relevant to this Redevelopment Plan. However, the Redevelopment Plan is consistent with the County Plan's general land use and policy objectives.

In February 1998, Essex County adopted a Cross Acceptance Report regarding the State Plan. This Plan serves as the most recent County planning document. The Redevelopment Plan is consistent with a number of issues identified in the Cross Acceptance Report, including: the improvement of the visual image of the Township, downtown revitalization, and the placement of art in public spaces.

State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP), adopted March 1, 2001, designates the Township of Montclair as part of Metropolitan Planning Area 1 (PA1). According to the SDRP, most of the communities within this Planning Area are fully developed or almost fully developed with much of the new growth occurring through redevelopment. The following policy objectives are intended as guidelines for planning within communities located in the Metropolitan Planning Area:

- Land Use: Guide new development and redevelopment to ensure efficient and beneficial utilization of scarce land while capitalizing on the inherent public facility and service efficiencies of the concentrated development patterns.
- Economic Development: Promote economic development by encouraging redevelopment efforts such as infill and land assembly, public/private partnerships, and infrastructure improvements.
- Housing: The Township is fully developed and contains a variety of housing options ranging from apartments to single-family detached houses. Five historic districts have been identified for potential designation

and the Township is considering a revised ordinance to regulate demolition and renovation of structures in these areas. A Housing Element and Fair Share Plan was adopted in 1997 outlining policies on affordable housing and housing for the elderly and disabled. A \$55,000 two-year grant was awarded to the Township by NJDCA for affordable housing renovations in the New Street target neighborhood.

The Redevelopment Plan is consistent with these goals.

Administrative And Procedural Requirements

Amending the Redevelopment Plan

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

Duration of Plan

The Plan, as amended, shall be in full force and effect for 30 years from the date of approval of this Plan by the Township Council. The redeveloper(s) agreement may include provisions for the termination of the Plan.

Conveyance of Land

The Township may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls and requirements of the Plan, all or any portion of the land within the Redevelopment Area which becomes available to disposal by the Township as a result of public action under this Plan. The Township may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with the designated redeveloper(s) in connection with the construction of any aspect of the Plan.

Financing

The Township may use its redevelopment powers pursuant to the LRHL to provide financing for any aspect of the Plan. This may include (1) direct financing secured by the revenues from any portion of the project undertaken

pursuant to the Plan or by the general taxing power of the Township, or (2) making of any loans to the designated redeveloper(s), or (3) the extension of credit to the designated redeveloper(s) in such form as the Township determines is appropriate, including a Township guaranty of any loans made to the designated redeveloper(s), or (4) tax abatement and exemptions where appropriate.

Implementation of Redevelopment Plan

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper(s) and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force.

1. The redeveloper(s) will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
2. The redeveloper(s), its successors or assigns shall devote land within the Redevelopment Area to the uses specified in the Redevelopment Plan.
3. Until the completion of the improvements, the redeveloper(s) will not be permitted to sell, lease, or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Township Council except that this condition shall not apply to any lender to the redeveloper(s) in connection to the Plan.
4. Upon completion of the required improvements, the conditions determined to exist at the time the Redevelopment Area was determined to be in need of redevelopment shall be deemed to no longer exist, and the land and improvements hereon shall no longer be subject to eminent domain as result of those determinations.
5. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s), the Township Council, or the successors, lessees, or assigns of either of them, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.

6. Neither the redeveloper(s) nor the Township Council, nor the successors, lessees, or assigns or either of them shall discriminate upon the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Redevelopment Area.

