

Borough of Somerville, NJ
Redevelopment Plan
West Main Street Area

Adopted February 17, 2004
Amended December 6, 2004
Amended September 2007
Amended May 2010
Amended June 2015
June 2017

Introduction

In October 2003, the Somerville Planning Board recommended to the Borough Council that an area located at the western end of Main Street (Block 117, Lot 1 and Block 118, Lot 21) be designated as an "Area in Need of Redevelopment", according to the New Jersey Local Redevelopment and Housing Law (LRHL).

The Borough Council approved this recommendation at its November 3, 2003 meeting and requested the Planning Board to prepare a Redevelopment Plan for the area, in accordance with the LRHL.

On March 24, 2010, the Somerville Planning Board recommended to the Borough Council that properties known as Block 117, Lots 1.01 and 2 bounded by Division Street, South Street and Veterans Memorial Drive and located adjacent to Block 117, Lot 1 and Block 118, Lot 21 be designated as an "Area in Need of Redevelopment", according to the New Jersey Local Redevelopment and Housing Law (LRHL). The Borough Council approved this recommendation by adopting a resolution at its April 5, 2010 meeting.

This Redevelopment Plan was originally adopted by the Borough Council on February 17, 2004 and amended on December 6, 2004, September 2007 and May 2010. The May 2010 amendment of the Redevelopment Plan was to include Block 117, Lots 1.01 & 2, however the requirements set forth herein shall not be applicable to these properties until such time as specific requirements for the

redevelopment of these properties have been determined, unless otherwise stated herein.

The West Main Street Redevelopment Area

The Redevelopment Area as designated by the governing body includes the following properties:

1. Block 118, Lot 21 is owned by the Borough of Somerville. It is approximately 19,890 s.f. in size or .46 acres. The property currently functions as a metered surface parking lot available to the public, with no structures on site. This property also includes a roadway, which acts as an extension of Union Street; however it is not a dedicated public street nor is it intended to be a public street.

2. At the time the Redevelopment Plan was adopted in February 2004, Block 117, Lot 1 was owned by JSM at Somerville, LLC, (hereinafter "JSM"), the designated redeveloper for this property. Formerly known as the Landmark Shopping Center (the "Landmark Site"), the property totals approximately 13.553 acres and previously contained a one-story shopping center of several buildings with - approximately 139,452 s.f. of gross leasable area with the rest of the site being surface parking. JSM subsequently demolished the one-story shopping center. JSM has since subdivided the property - to create six (6) lots and received amended site plan approval from the Planning Board. The six (6) new lots were transferred to various LLCs controlled by JSM, some of which properties have been improved. Following are the new lots and improvements constructed on same:
 - i. Block 117, Lot 1.02, owned by Somerville Urban Renewal Phase 1, L.L.C., which contains a "World Class Shoprite, consisting of 78,382 square feet;
 - ii. Block 117, Lot 1.03, owned by Somerville Urban Renewal Phase 2, L.L.C., which contains the L-Shaped Building consisting of five (5) stories with 30,600 square feet of commercial space and 108 residential units;
 - iii. Block 117, Lot 1.04, owned by Somerville Town Center Urban Renewal, L.L.C., which contains the South Davenport Street extension to be conveyed to the Borough upon completion of the project;

- iv. Block 117.01, Lot 1.03, owned by Somerville Town Center Urban Renewal, L.L.C., which is currently vacant;
 - v. Block 117.01, Lot 1.04, owned by Somerville Urban Renewal Phase 1A, L.L.C., which contains a 4,335 square foot bank building; and
 - vi. Block 118, Lot 21.01, owned by Somerville Town Center Parking, L.L.C., which contains a surface parking lot adjacent to the Borough owned parking located on Block 118, Lot 21.
3. Block 117, Lots 1.01 & 2 is owned by P.O. Plaza Management, L.L.C. The property is approximately 2 acres and contains a five story office building, which is currently occupied and a two level parking structure providing parking for the office building. (See Attachment A, Map of Area)
 4. The Expanded West Main Street Redevelopment Area includes Block 115, Lots 6, 8, 17, 18, 19, 20, 20.01, 21, 22, 23, 24, 25, 26, 27, 32, 32.01 and Hunterdon Street has multiple property owners.

Background and Project Objectives

Since at least 1990, there has been a growing consensus among Somerville leaders that the Landmark Site has the potential to function as the downtown's "western anchor" but that it was not meeting this potential in its then (and now) current state. Organized discussion and analysis at the time resulted in the 1991 "Downtown Vision Plan". Participant shapers of the plan included Somerville's then-Mayor and Borough Council members, the Borough Planning Board, Somerset Alliance for the Future, the District Management Corporation, the Somerville Business and Professional Association, the Borough's Parking and Traffic Committee, the Architectural Review Board, the County Board of Freeholders, the County Planning Board and the County Department of Economic Development.

On October 23, 1991 the Somerville Planning Board approved the Vision Plan and stated that it "...establishes goals, objectives and policies for the central business district and transitional areas and should be adopted as an integral part of the Master Plan."

Specific to this Redevelopment Plan's limited area of concentration, the 1991 Vision Plan recognized that the Landmark Site was not being properly utilized, stating:

Larger development sites (such as the Eastern Gateway site and the Landmark site) should be intensely developed in keeping with the scale and character of Main Street.

Going into more detail in its discussion of downtown anchors, the Vision Plan stated:

Two major mixed-use development sites are identified at either end of Main Street offering the potential to establish major activity anchors in conjunction with the governmental sectors. [Note: one of the two development sites is identified as the Landmark site, the "Western Anchor".] ...The development program for the mixed-use developments should include: office, retail, cultural/entertainment, conference, hotel and residential uses...the mixed-use developments provide the greatest potential for major new economic investment.

Summing up its recognition of the Landmark Site's lack of proper utilization, the 1991 Vision Plan made two points:

- ✚ *Value can be created on the Landmark property immediately through preparation of this action plan and commencing implementation of the first construction phase during 1992.*
- ✚ *The productivity of retail space in the center and on the street can be increased through renovation in conjunction with newly constructed facilities.*

Eleven years later, at the time of the Landmark property's sale to its current owner, the Courier-News carried an article entitled "Shopping Center Sold to Developer: Improvements Probable for Landmark at Somerville". The staff writer, Kara L. Richardson, stated that "The center, which has pedestrian access on West Main Street but opens to traffic on Veterans Memorial Drive, has long been on borough officials' list of properties to revamp." The writer reported that "Township officials have been hoping the shopping center, which was built in the 1970s, would be taken over and redeveloped." And: "Borough officials have been chomping at the bit to redevelop the Landmark."

In 2004, Somerville's Mayor and Council proposed working together with the Landmark Site's new owner to convert the property into a modern, mixed use project with greater density aimed at truly making the site Main Street's "Western Anchor".

On November 3, 2005, JSM was designated as redeveloper by the Borough Council to construct a mixed use development and entered into a Redevelopment Agreement with the Borough on May 31, 2005.

JSM received site plan and subdivision approval from the Planning Board on April 13, 2005 for the construction of:

- ☒ Up to 272 Residential Units
- ☒ 147,000 s.f. Retail
- ☒ 74,600 s.f. Office
- ☒ Residential Parking Deck
- ☒ Public Parking Deck
- ☒ Surface Parking

Due to litigation related to removal of tenants, JSM was prevented from proceeding with construction of the approved mixed use development. The subsequent change in market conditions further affected JSM's ability to proceed with the project. As a result, the Borough and JSM negotiated certain changes to the project and amendments to the Redevelopment Agreement in order for the project to proceed.

The parties executed an Amended and Restated Redevelopment Agreement on November 15, 2010. JSM subsequently received amended site plan approvals between 2007 and 2013 for the project and has constructed a number of buildings, including a supermarket, commercial space and residential units. The project remains a mixed use development and JSM and its affiliates expect to complete construction of the second phase of the project, which may include a health club/spa and structured parking, which requires further amendments to this Redevelopment Plan and are reflected herein.

As a result of the expansion of the Redevelopment Area, on April 5, 2010, the Borough designated Plaza Redevelopment, LLC as redeveloper of Block 117, Lots 1.01 and 2 (hereinafter referred to as "Plaza Redevelopment"), which entity is affiliated with the owner of these properties (Somerville T.I.C., I, L.L.C.), which designation expired.

The Borough and JSM are currently negotiating further amendments to the Amended and Restated Redevelopment Agreement. Any changes to the current approved site plan shall require amended site plan approval by the Planning Board.

Relationship to Local Objectives

As mentioned earlier, the 1991 Vision Plan, incorporated into the Master Plan, recommended the type of mixed use development now envisioned in this Redevelopment Plan. Succinctly, the "local objective" at stake here is the revitalization of Main Street's western end. The Redevelopment Plan is intended to assist in accomplishing this objective. This objective remains valid 25 years later.

Consistent with State, County and local objectives, this Redevelopment Plan aims to achieve a better balance between local consumers and commercial opportunities. This concentration near the heart of the commercial district will:

- a. Add purchasing demand that benefits shops, services and restaurants, thus building more job opportunities and enhanced business opportunities. The result will also add amenities serving the entire population of the Borough.
- b. Improve the balance of Public Transit versus driving, putting a higher proportion of Borough commuters within walking distance of the Raritan Valley Line NJ Transit Station. In addition, improved traffic movement will result from this planned connection of the commercial center to the vacant area south of the railroad right of way. The extension of Davenport Street will also serve this need for improved vehicular circulation.

The mixed use feature of the plan will add pedestrian walking opportunities for recreation, shopping and dining. The result will be a business district that is actively used by pedestrians. Moreover, the business district will be better served by the proposed public parking structure. This facility will help compress destinations in the downtown by eliminating the vast wasted space occupied by surface parking, further encouraging more shopping.

To facilitate a quick and timely response to day-to-day construction, site and finish issues, any proposed change (field change) to any site plans as approved by the Borough Planning Board may be reviewed by a committee established by the Planning Board for this purpose. These items are limited to aesthetics regarding building colors/finishes, pavers design/layout, pedestrian circulation elements (cross walks, striping, location of bike racks, etc), retaining wall colors/style,

aesthetics of fencing, canopy and layout colors. The recommended committee changes will be approved by resolution by the Planning Board (should the Board agree to the changes). The changes will be included in the performance guarantee (e.g. performance bond). The designated redeveloper shall acknowledge that the performance guarantee covers the approved field changes.

Relationship to Other Plans

This Redevelopment Plan remains consistent with the 1991 Vision Plan which was incorporated into the Borough's Master Plan.

This Redevelopment Plan is solely concerned with a portion of the central business district. Its adoption will not impact other communities or their master plans. The Plan is not expected to have any significant effect on County roads or utilities and is not in conflict with the County Master Plan which favors growth of designated centers.

This Redevelopment Plan remains consistent with the 2001 NJ State Development and Redevelopment Plan.

Somerville is a member of a three municipality Regional Center and this "center designation" is intended to facilitate population and commercial growth in the center. Further, this State designation reflects decisions made in the Cross Acceptance process in which adjacent municipalities and the County government participated. This Redevelopment Plan is not in conflict with the State Plan.

The Borough has adopted a redevelopment plan for the Somerville Station and Landfill Redevelopment Area, which contemplates a mixed use development anchored by the New Jersey Transit rail station with the goal of linking the redevelopment of the West Main Street Redevelopment Area to the Station and Landfill Redevelopment Area through pedestrian and vehicular connections.

The Borough has also adopted a redevelopment plan for the East Central Business District Redevelopment Area, which contemplates mixed-use development with the goal of linking the redevelopment of the West Main Street Redevelopment Area to the East Central Business District Redevelopment Area through pedestrian and vehicular connections.

Proposed Land Uses

This Redevelopment Plan creates a central business district zone called the "Redevelopment Zone District" which includes Block 117, Lots 1, 1.01, 1.02, 1.03, 1.04 and 2; Block 117.01, Lots 1.03 and 1.04; and Block 118, Lots 21 and 21.01, as shown in Attachment A. This Redevelopment Plan supersedes all applicable provisions of the Borough's Zoning Regulations. This Redevelopment Plan may be amended for Block 117, Lots 1.01 and 2 as requirements for these properties are determined. All other land development regulations shall remain applicable, unless otherwise stated and provided for herein.

The proposed land uses, residential, retail, office, commercial, parking are all permitted in the Redevelopment Zone District and are defined in more detail in the section below entitled "Redevelopment Zone District Requirements".

Relocation

The proposed projects require no relocation. No temporary or permanent relocation of residents is contemplated, since there are no residential units currently located in the Redevelopment Area. If relocation is required pursuant to any redevelopment actions by the Borough, all relocation assistance laws and regulations shall be complied with by the Borough. Any relocation assistance provided by the Borough shall be paid for by the redeveloper(s) pursuant to the terms and conditions of a redevelopment agreement.

The Borough has provided relocation assistance to businesses that have previously been displaced as a result of actions taken by the Borough in furtherance of the redevelopment of the Redevelopment Area.

Acquisition

Redevelopment of the Redevelopment Area may require the transfer of title to land owned by one or more of the owners of property in the Redevelopment Area. Any necessary title transfer arrangement will be addressed in redevelopment agreements between the Borough and the redeveloper(s) or the redeveloper(s) and the property owners. No other property acquisition by the Borough is contemplated in this Redevelopment Plan. Any acquisition costs shall be paid for by the redeveloper(s) pursuant to the terms and conditions of a redevelopment agreement or other applicable agreements.

The Borough participated in the termination of a number of leases of former tenants located in the Redevelopment Area in furtherance of the redevelopment of the Redevelopment Area and in doing so has fully complied with all statutory and regulatory requirements.

WEST MAIN STREET REDEVELOPMENT ZONE DISTRICT REQUIREMENTS

These requirements are only applicable to Block 117, Lots 1, 1.02, 1.03 and 1.04; Block 117.01, Lots 1.03 and 1.04; and Block 118, Lots 21 and 21.01.

A. Permitted Principal Uses

The following principal uses shall be permitted within the Redevelopment Zone District. Any interpretation of permitted uses shall be at the discretion of the zoning officer who is permitted to rely on applicable provisions of the Borough's Land Use Ordinance.

1. Multifamily residential dwelling units in the same building as nonresidential uses.
2. Retail sales uses limited to:
 - Paint, glass and wallpaper stores
 - Hardware stores
 - Department stores, variety stores, miscellaneous general merchandise stores
 - Grocery stores, meat & fish markets, fruit & vegetables markets, candy, nut and confectionery stores, dairy products stores, retail bakeries, miscellaneous food stores
 - Auto and home supply stores
 - Men's, boys, women's and family clothing stores, women's and men's accessory and specialty stores, children's and infants' wear stores, shoe stores and miscellaneous apparel and accessory stores
 - Home furniture and furnishings stores, household appliance stores, radio, television and computer stores
 - Eating and drinking places, and including sidewalk cafes
 - Drug stores and proprietary stores
 - Liquor stores
 - Used merchandise stores
 - Miscellaneous shopping goods stores
 - Nonstore retailers

- Other retail stores including but not limited to florists, tobacco stores, news stands, optical goods stores and craft stores.
3. Financial, insurance and real estate offices and institutions, limited to:
 - Depository institutions
 - Nondepository credit institutions
 - Security and commodity brokers
 - Insurance carriers
 - Insurance agents, brokers and service
 - Real estate operators, lessors, agents and managers
 - Title abstract offices
 - Subdividers and developers
 - Holding and other investment offices
 - Establishments providing or promoting conferences and seminars
 4. Hotels
 5. Personal service uses, limited to:
 - Laundry, cleaning and garment services
 - Portrait photographic studios
 - Beauty and barber shops
 - Shoe repair & shoeshine parlors
 - Miscellaneous personal services (no bail bonds or check cashing)
 - Gym or Fitness Center
 - Health Club
 - Day Spa
 - Wellness Center (including basic outpatient medical services and psychological counseling).
 6. Business service uses limited to the following:
 - Advertising
 - Consumer credit reporting, mercantile reporting, adjustment and collection agencies
 - Mailing, reproduction, commercial art and photography, and stenographic services
 - Services to buildings
 - Computer and data processing services
 - Miscellaneous equipment rental and leasing
 - Miscellaneous business services

7. Automobile parking, including both surface parking and parking decks.
 - Parking decks can include below grade parking areas
8. Miscellaneous repair services, limited to:
 - Electrical repair shops
 - Watch, clock and jewelry repair
 - Miscellaneous repair shops
9. Motion picture services, limited to:
 - Motion picture theaters
 - Video tape/DVD rental
10. Amusement and recreation services limited to:
 - Dance studios, schools and halls (No dance clubs for minors)
 - Producers, orchestras and entertainers
 - Miscellaneous amusement and recreation services
 - Public and non-profit parks
11. Health services, limited to:
 - Offices and clinics of medical doctors, dentists, osteopathic physicians and other health practitioners (out patient services)
 - Home health care services
 - Medical and dental laboratories
12. Legal services
13. Libraries
14. Social services
 - Child care centers
 - Other social services
15. Museums, art galleries
16. Membership organizations, limited to:
 - Business, professional, labor, civic, social and political associations, including campaign offices (limited to 9 months of continuous operation)
 - Other membership organizations

17. Engineering, accounting, research and management services, limited to:
 - Engineering, architectural and surveying services
 - Accounting, auditing and bookkeeping services
 - Management and public relations services
18. Other services, limited to authors, lecturers, radio commentators, song writers, weather forecasters, writers and artists.
19. Public uses, including but not limited to the following:
 - Municipal buildings and uses
 - Public safety buildings and uses
 - Public parks
 - Other governmental uses
20. Transportation services, limited to the following:
 - Arrangement of passenger transportation
 - Arrangement of transportation of freight and cargo
21. Landscape counseling, planning

Note regarding non-permitted uses: Only one drive-through use, e.g., restaurant or bank, shall be permitted, provided that no drive-up lanes shall be permitted to have direct access to the proposed Davenport Street extension.

B. Lot, Bulk and Intensity of Development Standards

1. Minimum lot area, width, depth: none.
2. Minimum front and rear yards: none for principal buildings.
3. Minimum side yards: none
4. Maximum building height: 5 stories/75 feet
5. Maximum building coverage: 90%.
6. Maximum density:
 - Up to 300 residential units;
 - Up to 210,000 square feet of retail or commercial space;

7. Maximum floor area ratio: none (limited by height, coverage, parking requirements).

C. Other Requirements

1. Residential use requirements.

- a. Location. Apartments and uses accessory to the same may be located on the upper floors or ground floors, but not on any basement floor nor on the ground floor of any building in the following locations:

- Within any facade facing Main Street.
- Within any facade facing Davenport Street within 60 feet of the Main Street right-of-way.
- Within any facade facing Doughty Avenue within 60 feet of the Main Street right-of-way.
- Within any facade facing Union Street.

Notwithstanding the foregoing, internal elevator shafts and stairwells serving apartments may be located on ground floors and on basement floors and further provided that basement areas may be used for dead storage or mechanical space for utilities for residential apartments.

- b. Number of bedrooms.

- (1) Each dwelling unit shall contain at least one bedroom, but not more than three bedrooms.
- (2) At least 33% of all dwelling units shall be one-bedroom units. In the event of phased development, this requirement shall apply to each phase of the redevelopment.
- (3) No more than 5% of all dwelling units shall be three bedrooms.

- c. Minimum habitable floor area per dwelling unit.

One-bedroom unit: 800 square feet

Two-bedroom unit: 1,000 square feet

Three-bedroom unit: 1,200 square feet

Habitable floor area shall be measured to the interior face of the walls that define the limits of the apartment, and shall exclude common hallways, stair wells, elevator shafts and other common areas, such as but not limited to common utility areas, ventilation shafts and chimneys, and shall exclude any basement areas.

2. Architectural design.

- a. Building facades. Building facades that face Main Street, South Doughty Avenue or Davenport Street shall be designed in a manner compatible with the existing historical facades on Main Street, particularly as to building materials, colors and textures, building projections and recesses, fenestration, storefront design and roof design.

The facade of the supermarket shall be designed in a manner compatible with the balance of the Redevelopment Area and with existing historical facades on Main Street, except as to building height.

- b. Cornice, parapet. The facades of buildings that face Main Street or Davenport Street shall be provided with a decorative cornice or parapet on the highest building level.
- c. Roofs. The roof of building facades that face Main Street or Davenport Street shall either be flat or gabled provided that they are designed to appear flat from street level, except that towers and other ornamental features shall be exempt from this requirement, provided such towers and features are minor in extent.
- d. Ground floor entrances. All nonresidential ground floor uses that front upon Main Street, Davenport Street, Doughty Avenue or Veteran's Memorial Drive shall provide an entrance from and exit to the public sidewalk in the street upon which the subject property has frontage, which entrance shall be the primary entrance and remain open to the public at all times during business hours, provided that in the case of a ground floor use that fronts upon a street and a surface parking

area, a secondary entrance/exit shall be provided in the facade facing the surface parking area.

- e. Ground floor storefront. Any new building which faces Main Street, Davenport Street or a surface parking area shall contain a transparent window area on the ground floor which comprises not less than forty percent (40%) of the ground floor facade area which faces the street or not more than 10% if facing a surface parking area.
 - f. Canopies/Awnings. Canopies and/or awnings that extend over the sidewalk will be allowed as long as they do not impede the flow of pedestrian traffic and are designed and constructed to compliment the scale and style of the building façade.
 - g. Architectural Review Board Design Guidelines. All facade designs shall be reviewed by the Borough Planning Board at the time of the application hearing. While not a completeness item for site plan review, Developer shall submit Façade design elevations to the Architectural Review Board ("ARB") for review and comment prior to the Planning Boards hearing for site plan approval.
3. Street and streetscape design. In addition to any improvements determined necessary by traffic studies for any redevelopment proposal, the following shall be required:
- a. Main Street.
 - (1) Cartway: The cartway width and design shall remain the same as existing before redevelopment, except as determined otherwise by the Board based upon traffic studies and N.J.D.O.T. requirements.
 - (2) Sidewalk improvements (e.g., pavers, street trees, lighting, planters, etc.) shall be provided and/or maintained consistent with existing sidewalk improvements in the Special Improvement District.
 - (3) Minimum sidewalk width: 15 feet, measured from the street curb to the building.

b. Davenport Street.

- (1) JSM shall construct an extension of Davenport Street, intersecting Main Street at the existing Davenport Street intersection and connecting West Main Street to Veterans Memorial Drive. This extension shall be a dedicated public street. In the event that the redevelopment described by this Redevelopment Plan is phased, the Davenport Street extension shall be constructed as part of the first or initial phase.
- (2) Minimum number of lanes of travel: at least 2 lanes, plus any dedicated turning lanes, with the final number to be determined by the Planning Board based upon traffic studies.
- (3) Parallel parking shall be provided on both sides of the street.
- (4) Minimum cartway width, including parking: 44 feet, with the final width to be determined by the Board based upon traffic studies.
- (5) Minimum sidewalk width: 12 feet in front of nonresidential uses, provided an occasional reduction to 10 feet may be permitted as determined by the Planning Board in order to accommodate improved architectural design, and further provided that a reduced width may also be permitted as determined by the Planning Board if necessary to accommodate N.J.D.O.T. requirements at the intersection with Main Street. In front of residential uses, 10 feet of walkway, including any area for street trees, benches or public planters, plus up to 4 feet of landscaped area. Sidewalk width is to be measured from the street curb to the building except as otherwise indicated.
- (6) Sidewalk improvements (e.g., pavers, street trees, lighting, planters, etc.) shall be provided consistent with existing sidewalk improvements in the Special Improvement District, except that street trees shall

be planted below ground and be covered with metal grates that are flush with the sidewalk elevation

c. Veterans Memorial Drive.

- (1) Minimum number of lanes of travel, including dedicated turning lanes (if any): 3, with the final number to be determined by the Board based upon traffic studies.
- (2) Parallel parking shall be provided on both sides of street wherever possible.
- (3) Minimum cartway width, including parking: 50 feet, with the final width to be determined by the Board based upon traffic studies.
- (4) Dedicated left turn lanes shall be provided as determined by the Board.
- (5) Topography of the roadway shall be designed to accommodate future connection to the Landfill Redevelopment Area via an underpass beneath the railroad.
- (6) Sidewalk improvements (e.g., pavers, street trees, lighting, planters, etc.) shall be provided consistent with the existing sidewalk improvements in the Special Improvement District; except that street trees shall be planted below ground and be covered with metal grates that are flush with the sidewalk elevation, and the sidewalk can be comprised of concrete.
- (7) Minimum sidewalk width: 8 feet, measured from the street curb to the building.

d. South Street.

- (1) South Street shall incorporate special design considerations for grocery store delivery area access and for access to any parking deck which might be constructed in this area as determined by the Planning Board based upon traffic studies.

Additionally that portion of South Street within the grocery store delivery area shall be appropriately identified with signage as a delivery entrance only, with no through traffic allowed.

e. Union Street.

- (1) Union Street sidewalk improvements shall be constructed of concrete with a depressed curb to facilitate the unloading of supplies for retail and restaurant use.
- (2) Street lights will be compatible with those within the SID.

f. South Doughty Avenue.

- (1) Sidewalk and curb improvements shall be consistent with the existing improvements within the SID; except any street trees planted within the right-of-way shall be planted below ground and be covered with metal grates that are flush with the sidewalk elevation. All improvements to be approved by borough engineer.

4. Maximum number of principal buildings: not limited.
5. Parking requirements.
 - a. The parking demand for the development varies based on upon by the type and size of the retail/commercial space and the number of apartments (including bedroom distribution) proposed. As part of the site plan submission, the designated developer shall provide a comprehensive parking analysis that demonstrates that the proposed parking is adequate for the intended development. The parking analysis may include a shared parking analysis using the current ULI shared parking methodology. Granting of site plan approval requires that the Planning Board finds that the proposed parking is adequate for the development.
 - b. Any on-street parking constructed by the developer within the right-of-ways of Davenport Street extension or

Veterans Memorial Drive along the street frontage of the redevelopment area shall be credited as parking spaces in determining compliance with the parking requirement.

- c. Within and around the perimeter of any surface parking area, there shall be provided landscaped islands. Excluded from this requirement are surface levels of parking decks and parking spaces that have direct access from a street or other public roadway.
- d. A parking deck or decks may be constructed as part of the redevelopment of the Redevelopment Area. A parking deck may be constructed by or for, owned and managed by the Borough for public parking, which parking shall also be made available for the use of tenants and customers of the private redevelopment(s) and the availability of such parking may be considered by the Planning Board, as part of its site plan review. Private parking decks are permitted to meet parking requirements for the development of Block 117, Lots 1, 1.02, 1.03 and 1.04; Block 117.01, Lots 1.03 and 1.04; and Block 118, Lots 21 and 21.01. The owner of a parking deck located on Block 117.01, Lot 1.03 shall be entitled to lease or allocate parking spaces reserved for its exclusive use in such parking deck to satisfy the parking requirements for any permitted uses located in the North Area which front on West Main Street in projects owned or operated by any affiliated entity or the owner of the parking deck whether such projects are contiguous to the parking deck or separated by West Main Street, provided the owner continues to satisfy the parking requirements for the development on Block 117, Lots 1, 1.02, 1.03 and 1.04; Block 117.01, Lots 1.03 and 1.04; and Block 118, Lots 21 and 21.01. The lease or allocation of parking as permitted herein shall be in perpetuity pursuant to a recorded deed restriction.
- e. Any supermarket within the Redevelopment Area is permitted to construct a mezzanine as part of its usable space. Such mezzanine space shall not be subject to any parking requirement. A mezzanine is defined as the intermediate floor above the ground floor, used for offices, and staff lunch and rest rooms only.

- f. Notwithstanding existing Borough ordinances, a supermarket within the Redevelopment Area is allowed to utilize external covered walkways directly in front of the building to display and sell merchandise. All merchandise must be displayed appropriately and not restrict pedestrian access/exit to the supermarket. Boxed, crated and palleted merchandise is not permitted

6. Signs.

- a. Wall signs shall be as permitted and required for the B-1 zone district by § 102-119., except that any supermarket tenant shall be permitted to erect either the wall signs permitted in the B-1 district or the following wall signs, whichever is less restrictive:
 - (1) A primary sign identifying the supermarket name, with a maximum area of 111 square feet and a maximum vertical dimension of 6 feet.
 - (2) A secondary sign related to the primary sign, with a maximum area of 37 square feet and a maximum vertical dimension of 2 feet.
 - (3) A tertiary sign with a maximum area of 43 square feet and a maximum vertical dimension of 2 feet.
- b. A monument sign, or other identification sign, (i.e., mounted directed on the ground or on a sign base that is mounted directly on the ground, and not elevated by pylons or poles above the ground) shall be permitted facing Main Street at South Doughty Avenue, complying with the following standards:
 - (1) The sign may identify the center and/or the primary retail anchor in the center.
 - (2) The maximum display surface area of the sign shall be determined by the Planning Board.
 - (3) The maximum height of the sign shall not exceed 8 feet above normal grade.

- (4) The sign shall be located at least 5 feet from the right-of-way line of Main Street and South Doughty Avenue, provided that the sign shall not encroach into any required sight lines at the intersections of streets and driveways.
- (5) Additional Wayfinding signs maybe permitted at the intersection of Main Street and Davenport Street extension upon submission and approval by the Planning Board
 - a. A pylon sign may be permitted facing towards Veterans Memorial Highway that may identify the primary business establishments plus the business establishments having their primary entrance on Main Street.

Such pylon sign shall not exceed 20 feet in height unless redeveloper can prove sight lines restrict visibility at this height. The final design to be determined by the Planning Board based upon providing continuity with Main Street design guidelines.

7. Affordable Housing Requirements.

A redeveloper may be required to address an affordable housing obligation generated by any development if an obligation is imposed upon the Borough by the State. The terms and specifics concerning how such obligation will be addressed shall be determined by the Borough Council and may be set forth in a redevelopment agreement between the Borough and the redeveloper.

- 8. Applicability of Special Improvement District Provisions. The Redevelopment Area shall continue to be designated as part of the Special Improvement District.
- 9. The redeveloper may construct a multi-story nonresidential building or buildings along the west side of the Davenport Street extension. The ground floor of such building or buildings shall be devoted to nonresidential use(s).

10. Phased Development. Phased development shall be permitted, provided that the development shall comply with all applicable regulations at the completion of each phase. In addition, a redeveloper shall submit a phasing plan as part of its submission to the Planning Board for site plan approval.
11. Temporary Uses. The following uses are permitted temporarily during construction: construction trailers no larger than 720 square feet and storage trailers no larger than 500 square feet.
12. Deviations from the Redevelopment Zone District Requirements and Requirements of the Land Use Ordinance.

The Planning Board may review and retain jurisdiction over applications requiring relief for deviations from the lot, bulk and intensity of development standards and other requirements in this Redevelopment Plan or other Borough ordinances, excluding the following:

- Variations that would require a 'd' variance pursuant to the N.J. Municipal Land Use Law at N.J.S.A. 40:55D-70.
- Paragraphs 7, 8 & 12 of Part C above.

Accordingly, an amendment to the Redevelopment Plan shall not be necessary if the redeveloper(s) or property owner desires to deviate from the bulk provisions set forth in this Redevelopment Plan or the pertinent sections of Borough's Land Development Ordinance, or from the design standards set forth in this Redevelopment Plan or other applicable Borough ordinances. All requests for such relief shall be made to the Planning Board accompanied by a complete application for development as otherwise required by Borough ordinance. Decisions on such requests shall be made in accordance with the legal standards set forth in N.J.S.A. 40:55D-70c, in the case of requests for relief from zoning standards, and in accordance with the legal standards set forth in N.J.S.A. 40:55D-51, in the case of requests for relief from design standards.

13. Notwithstanding the provisions in paragraph 12.a above, a site plan application based upon this Redevelopment Plan may be filed and processed in accordance with this

Redevelopment Plan prior to execution of a redevelopment agreement between the Borough and the redeveloper, provided that any approval of such site plan shall have as a condition precedent the execution of such a redevelopment agreement, and further provided that no development permits based upon this Redevelopment Plan shall be issued until such redevelopment agreement is fully executed by all parties.

14. In order to facilitate the redevelopment of the Redevelopment Area in accordance with this Redevelopment Plan, a redeveloper shall be permitted to subdivide any property within the Redevelopment Area in any configuration it deems reasonable, provided that any such subdivision shall be subject to applicable State laws and Planning Board approval.
15. Notwithstanding existing borough ordinance, the redeveloper will be released from any requirement to provide shade trees in addition to those shown in the site plan, provided the site plan shows an increase in shade trees to be planted in the redevelopment area compared to what currently exists.
16. Basement space may be used by any tenant in a building for a use that is ancillary and accessory to the principal permitted uses in the building, including uses such as food preparation, storage, service support, freezers, refrigerators and offices provided that basement space meets current building code.

Implementing the Redevelopment Plan

The following restrictions and controls on redevelopment are hereby imposed in connection with this Redevelopment Plan:

- a. The designated redeveloper(s) shall be obligated to enter into a redevelopment agreement with the Borough prior to the commencement of any Redevelopment Area development and/or improvements as permitted in this Redevelopment Plan.
- b. The redeveloper(s), its successors or assigns, shall develop the land within the Redevelopment Area for the uses specified in this Redevelopment Plan.

- c. Until completion of the required improvements, the redeveloper(s) shall not be permitted to sell, lease or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Borough subject to transfers which may be permitted in a redevelopment agreement and for leases entered into by the designated redeveloper(s) with tenants in the ordinary course of business.
- d. Upon completion of the required improvements in any phase, 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.
- e. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s), the Borough, 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, gender, sexual orientation or marital status as determined in more detail in a redevelopment agreement.
- f. Neither the redeveloper(s) nor the Borough, or the successors, lessees, or assigns of either of them, shall discriminate upon the basis of race, color, creed, religion, ancestry, national origin, gender, sexual orientation 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.

Amendments to the Approved Redevelopment Plan

This Redevelopment Plan may be amended from time to time in accordance with applicable law.

ATTACHMENT A – MAP OF REDEVELOPMENT AREA



Borough of Somerville, NJ
Redevelopment Plan
North Area Amendment to the West Main Street
Redevelopment Plan
June 2015

Introduction

This document is an amendment to the adopted West Main Street Redevelopment Plan and will become part of the overall Redevelopment Plan for West Main Street and is known as North Area Amendment.

Background and Project Objectives

During 2014 the Borough Council instructed the Borough Planning Board to undertake an investigation of the area to the north side of West Main street Bounded by South Doughty to the west, Davenport Street to the east and Hunterdon Street to the north, Block 115 Lots 6 and 8 located on West High Street were later added to this study at the request of the Borough Council.

In August 2014 the planning Board made a recommendation to the Borough Council that the study area met the criteria for an area in need and should be declared an area in need of redevelopment and added to the existing West Main Street Redevelopment Area by an amendment to that plan.

On November 3, 2014 The Borough Council designated Block 115 Lots 6, 8, 17, 18, 19, 20, 20.01, 21, 22, 23, 24, 25, 26, 27, 28,32,and 32.01 as a Non-Condernation Redevelopment Area, thus the Borough Council or its designated redevelopment entity cannot acquire or condemn property by exercising the power of eminent domain.

On May 27th, 2015, the Planning Board held a public meeting to discuss the newly designated redevelopment area with stakeholders. The recommendations were to allow residential buildings on properties

fronting on Davenport Street and Doughty Avenue (side streets off West Main Street) and provide density incentives.

Relationship to Local Objectives, Relationship to Other Plans

Stated in the West Main Street Redevelopment Plan above.

Proposed Land Uses

This amendment to the Redevelopment Plan creates a mixed use zone called the "North Redevelopment Area" which includes Block 115, Lots 6, 8, 17, 18, 19, 20, 20.01, 21, 22, 23, 24, 25, 26, 27, 28, 32, and 32.01 as shown in Attachment B. This Redevelopment Plan amendment supersedes all applicable provisions of the Borough's Zoning Regulations. All other land development regulations shall remain applicable, unless otherwise stated and provided for herein.

The principal uses permitted within the Redevelopment Area on the following lots; Block 115, Lots 17, 18, 19, 20, 20.01, 21, 22, 23, 24, 25, 26, 27, 28, 32, and 32.01, are stated in the Borough zoning regulations for the B1 zone district, as detailed in Schedule "A" of the Borough land development ordinance.

The permitted principal uses for Block 115, Lots 6 & 8 are as stated in the Borough zoning regulations for the PO-R zone district; and fire buildings or houses for both private and public entities are permitted principal uses. Any interpretation of permitted uses shall be at the discretion of the zoning officer who is permitted to rely on applicable provisions of the Borough's Land Use Ordinance.

1. Multifamily buildings including ground floor residential units with street entry are permissible on any property fronting Davenport Street, North Doughty Avenues that located more than 60 feet from Main Street right-of-way.

Lot, Bulk and Intensity of Development Standards (excluding Block 115, Lots 6 & 8)

1. Minimum lot area, width, depth: none.
2. Minimum front and rear yards: none for principal buildings.
3. Minimum side yards: none

4. Maximum building height: 5 stories/75 feet on parcels fronting on Main Street, 5 stories/60 feet for parcels fronting on North Doughty Avenue and Davenport Street.
5. Maximum building coverage: 100%.
6. Maximum floor area ratio: none (limited by height, coverage, parking requirements).

The lot, bulk and intensity standards for Block 115, Lots 6 & 8) are as stated in the Boroughs Land Development Ordinance for PO-R zone district. High Street is within the Borough "Blue Stone" preservation area; the requirements for this area should be referred to when redevelopment is considered.

Relocation

No temporary or permanent relocation of residents is contemplated since this area is designated a Non-Condensation Redevelopment Area.

Acquisition

No property acquisition by the Borough is contemplated in this amendment to the Redevelopment Plan.

Other Requirements

The requirements within this area amendment are the same as detailed in the West Main Street Redevelopment Plan. Any modifications are detailed below:

1. Architectural design
 - a. Building facades. Building facades that face Main Street, South Doughty Avenue or Davenport Street shall be designed in a manner compatible with the existing facades on those Streets, particularly as to building materials, colors and textures, storefront design and roof design.
 - b. Cornice, parapet. The facades of buildings that face Main Street, South Doughty Avenue or Davenport Street within 60 feet of Main Street shall be provided with a decorative cornice or parapet on the highest building level.

- b. Roofs. The roof of building facades that face Main Street, South Doughty Avenue or Davenport Street shall either be flat or gabled provided that they are designed to appear flat from street level.
2. Ground floor entrances. All nonresidential ground floor uses that front upon Main Street, Davenport Street, or South Doughty Avenue shall provide an entrance from and exit to the public sidewalk in the street upon which the subject property has frontage, which entrance shall be the primary entrance and remain open to the public at all times during business hours, provided that in the case of a ground floor use that fronts upon a street and a surface parking area, a secondary entrance/exit shall be provided in the facade facing the surface parking area.
 3. Ground floor storefront. Any new building which faces Main Street, Davenport Street, North Doughty Avenue or a surface parking area shall contain a transparent window area on the ground floor which comprises not less than forty percent (40%) of the ground floor facade area which faces the street or not more than 30% if facing a surface parking area.
 4. Architectural Review Board Design Guidelines. All facade designs shall be reviewed by the Borough Planning Board at the time of the application hearing. While not a completeness item for site plan review. Developer shall submit Façade design elevations to the Architectural Review Board ("ARB") for review and comment prior to the Planning Boards hearing for site plan approval.
 5. Emergency Management Plan. Developer shall prepare and submit an Emergency Management Plan. This plan should include provisions for providing residents, electrical power for emergency lighting and heat to common areas and each residential unit, if practical. This should also include charging stations for portable electrically operated devices in a central location. If the building is over three (3) stories and equipped with elevators providing power to one (1) of the elevators may be a requirement. The Planning Board will make the final determination as to the adequacy of the Emergency Management Plan based upon input from the Office of Emergency Management. The plan needs to be submitted with the site plan application.

6. Sidewalk improvements.
Sidewalk improvements (e.g., pavers, street trees, lighting, planters, etc.) shall be provided consistent with existing sidewalk improvements in the Special Improvement District, except that street trees shall be planted below ground and be covered with metal grates that are flush with the sidewalk elevation that contains 8 cubic yards of engineering soil and the concrete pavers need to be installed on a 4" thick concrete "rat slab".

7. Parking requirements.
All residential developments shall comply with the RSIS onsite parking requirements. The onsite parking requirements for nonresidential developments shall be as stated in Schedule C of the Borough Land Development ordinance, unless otherwise permitted herein. The Planning Board will entertain granting of "C" parking variances if the Board finds that the proposed parking is sufficient for the application. A parking deck may be constructed by or for, owned and managed by the Borough for public parking, which parking shall also be made available for the use of tenants and customers of the private redevelopment(s) and the availability of such parking may be considered by the Planning Board. The owner of a parking deck located on Block 117.01, Lot 1.03 shall be entitled to lease or allocate parking spaces reserved for its exclusive use in such parking deck to satisfy the parking requirements for any permitted uses located in the North Area which front on West Main Street in projects owned or operated by any affiliated entity or the owner of the parking deck whether such projects are contiguous to the parking deck or separated by West Main Street, provided the owner continues to satisfy the parking requirements for the development on Block 117, Lots 1, 1.02, 1.03 and 1.04; Block 117.01, Lots 1.03 and 1.04; and Block 118, Lots 21 and 21.01. The lease or allocation of parking as permitted herein shall be in perpetuity pursuant to a recorded deed restriction.

8. Sanitary Sewer Main Capacity Investigation.
Any development proposing more than 4 residential dwellings or commercial development contributing more than 1,000 gallons per day (using NJDEP TWA methodology for estimating daily sewerage flows), is required to perform an investigation to ascertain that the proposed sanitary sewer

mains, which the development will tie into have adequate capacity. The results of the investigation are a completeness requirement for any land development application.

ATTACHMENT B – MAP OF AMENDED REDEVELOPMENT AREA

