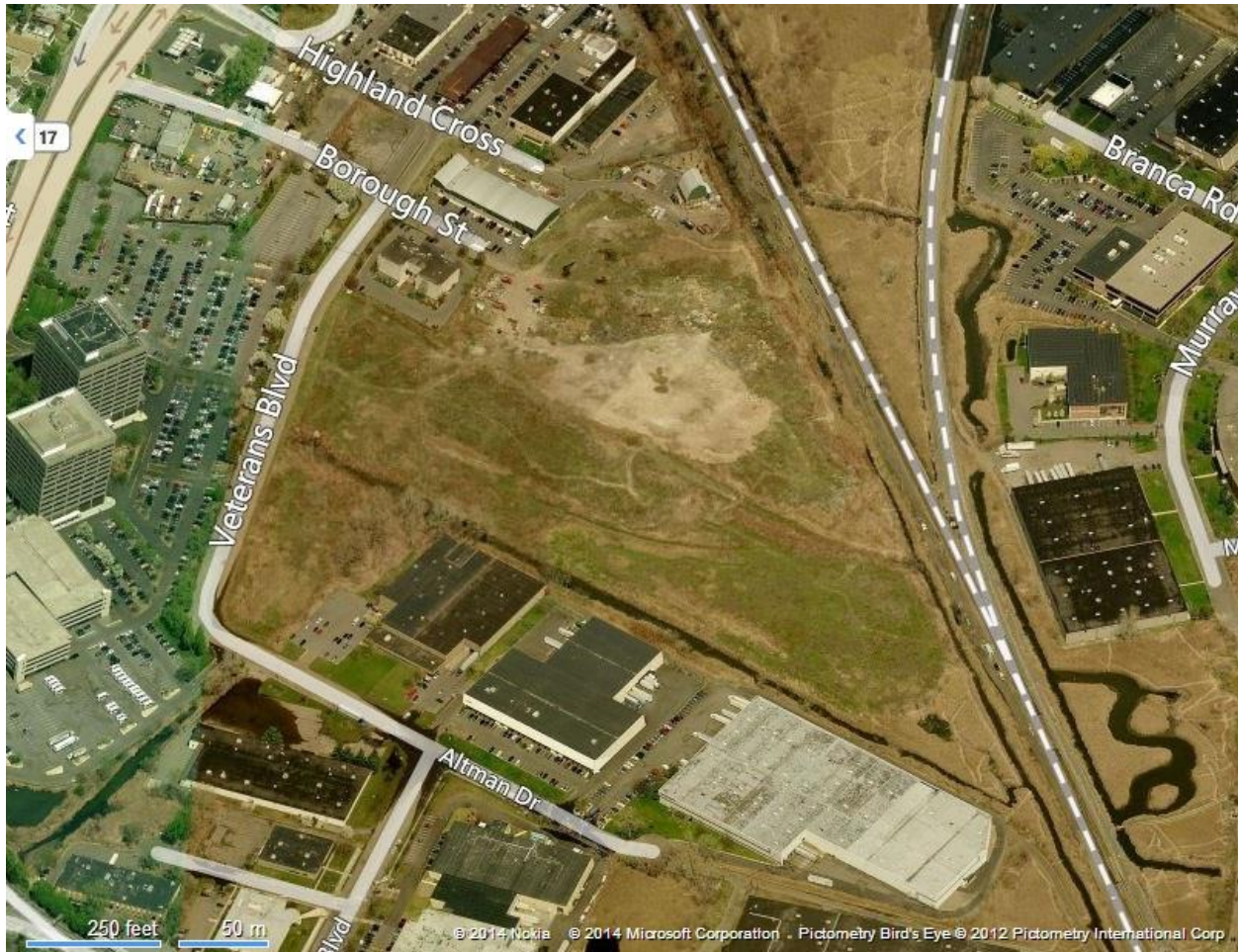


# HIGHLAND CROSS REDEVELOPMENT PLAN

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**As Adopted by NJMC Resolution No. 98-67 on November 25, 1998  
Amended by NJMC Resolution No. 01-17 on March 28, 2001  
Amended by NJMC Resolution No. 14-38 on September 24, 2014  
Amended by NJSEA Resolution No. 2019-31 on October 17, 2019**

**Prepared by the  
New Jersey Sports and Exposition Authority**



**NEW JERSEY SPORTS & EXPOSITION AUTHORITY**

**HIGHLAND CROSS  
REDEVELOPMENT PLAN**

**OCTOBER 2019**

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It is certified that all copies of this document are in conformance with the one that was signed and sealed by Sara J. Sundell, New Jersey Professional Planner License No. 5527.

A handwritten signature in blue ink, appearing to read "Sara J. Sundell", is written over a horizontal line.

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## **I. Redevelopment Plan Statutory Criteria**

### **A. REQUISITE PLAN INFORMATION**

*\*Pursuant to Public Law 2015, Chapter 19, the New Jersey Meadowlands Commission (NJMC) has become part of the New Jersey Sports and Exposition Authority (NJSEA), effective February 5, 2015.*

The New Jersey Sports and Exposition Authority's (NJSEA) enabling legislation authorizes the NJSEA to prepare and adopt redevelopment plans within the Hackensack Meadowlands District (District), pursuant to N.J.S.A. 5:10A-24. The redevelopment area criteria are set forth in N.J.A.C. 19:3-5. This subchapter of the District Zoning Regulations states the framework for the identification of areas in need of redevelopment and provides the procedure to carry out and effectuate the redevelopment of an area.

As set forth in N.J.A.C. 19:3-5.8, redevelopment plans shall include the following information:

1. An outline for the development, rehabilitation or redevelopment of the subject area, accounting for area-specific planning objectives relating to land uses, population density, traffic and public transportation improvements, public utilities, recreational and community facilities, and other public improvements;
2. The proposed land uses and building requirements in the redevelopment area; and
3. The relationship of the redevelopment plan to the Master Plan for the Hackensack Meadowlands District.

### **B. SPECIFIC PLAN REQUIREMENTS**

#### **1. Site Description and History**

In 1998, the NJMC and the Borough of Rutherford conducted a study of properties fronting on Highland Cross and those generally fronting on Borough Street to determine their potential as being areas in-need of redevelopment. The *Investigation of the Proposed Highland Cross Redevelopment Area* resulted in an in-need of redevelopment designation of an approximately 30-acre area, primarily located within the Hackensack Meadowlands District (HMD). The Highland Cross Redevelopment Plan was initially adopted by the NJMC in November 1998 and later amended in March 2001 and September 2014.

The Highland Cross Redevelopment Area is located in the eastern section of the Borough of Rutherford and is surrounded by a mix of office, commercial, and warehouse uses. It is generally bounded by Veterans Boulevard to the north, light industrial uses to the northeast, NJ Transit's Bergen and Pascack Valley railroad lines to the east, and office and warehouse uses to the south. The Meadows Office Complex, located between Route 17 northbound and Veterans Boulevard and just outside of the HMD, is one of the more visible office buildings in the area. State Highways Route 17 and Route 3 are located to the west and south of the site and provide access to and from the area.

In 2001, a major subdivision was undertaken within a portion of the redevelopment area that divided it into several large development parcels. New block and lot designations were assigned when the subdivision was approved. The Highland Cross Redevelopment Area includes the following parcels located in the Borough of Rutherford within the HMD:

<b>Block/Lot designation</b>	<b>Total Area (acres)</b>	<b>Rutherford Lot Area* (acres)</b>	<b>HMD Lot Area (acres)</b>
219.04/ 1	22.72	0.59	22.13
219.04/ 2.01	1.56	0.87	0.69
219.04/ 2.02	0.93	0	0.93
219.04/ 3	2.31	0	2.31
219.04/ 61	0.94	0.60	0.34
219.02/ 65.05	0.69	0	0.69
219.02/ 65.06	0.39	0	0.39
219.02/ 65.07	0.50	0	0.50
<b>Total</b>	<b>30.04</b>	<b>2.06</b>	<b>27.98</b>

Source: MERI GIS

*\* These portions of the properties that are located outside of the HMD are not included in redevelopment plan.*

Linque-H.C. Partners, LLC (Linque) is the designated developer for the Highland Cross Redevelopment Area and is responsible for the environmental remediation of the subject properties prior to construction. Linque received NJMC conditional zoning certificate approval for the development of the area in phases, including approvals for the municipal DPW garage and salt barn in October 2001 and a 216-room hotel in May 2002. In May 2003, Linque also received zoning certificate approval for two 461,488 square foot office buildings, for a total of approximately 923,000 square feet, and two parking garages, one with 1,204 spaces and the other with 1,493 spaces. Due to market conditions in the region, the approved development was not constructed with the exception of a municipal DPW garage and salt barn and the foundation of the 216-room hotel.

Linque submitted a petition for a new proposed redevelopment plan for the subject property in May 2008. In addition, Linque also requested a determination that the subject property be deemed suitable for residential use. In March 2009, the NJMC Board of Commissioners passed Resolution No. 09-32 stating that the redevelopment area is suitable for housing, as determined by the criteria in the “Interim Policies Governing Affordable Housing Development in the Meadowlands District” (Interim Policies), which became effective on July 24, 2008, subject to several conditions.

Upon the conclusion of the site suitability process, public hearings were held on March 31 and April 1, 2009, regarding proposed amendments to the redevelopment plan. The proposed amended plan was forwarded to the Hackensack Meadowlands Municipal Committee (HMMC) on May 26, 2009. At their June 30, 2009, meeting, the HMMC conditionally rejected the proposed amendment to the redevelopment plan.

The NJMC Board of Commissioners passed Resolution 10-92 on December 16, 2010, which rejected the proposed amendments to the plan as proposed. The resolution directed NJMC staff to revisit the redevelopment plan amendment in order to establish development densities within the redevelopment plan whose impacts could be reasonably mitigated so as not to have a detrimental impact on the community and the surrounding roadway network. NJMC staff was further directed

to consult with both the developer and the municipality in the establishment of the development densities for the redevelopment area, which resulted in the 2014 redevelopment plan amendment, approved on September 24, 2014 via the passage of Resolution No. 14-38.

Subsequent to the 2009 site suitability determination and resulting 2014 redevelopment plan amendment, the developer was unable to implement its proposal pursuant to the suitability review conditions. Of note, the previous determination required that the developer “provide for safe pedestrian circulation and access to the portion of the Rutherford community located west of Route 17, including provisions for accessibility, for the diverse residents and users of the Redevelopment Area.” This condition posed difficulties that were not attainable due to several factors, including the roadway configuration. The intersection of Highland Cross and Route 17 has historically proven to be very dangerous for pedestrians, and the developer was unable to provide a workable solution.

The 2009 site suitability determination expired in 2014, and the site was re-evaluated by the NJSEA in 2017 in light of the aforementioned difficulties and deemed unsuitable via the passage of Resolution 2018-03. The amendment, requested on November 3, 2017, proposes commercial and industrial uses and does not include residential uses.

## **2. Land Use**

The following general land use assumptions were contemplated in the selection of the development options for the area:

- a. Within the limits outlined in this plan, development shall be permitted only to the extent that existing utility, transportation, and municipal infrastructure can support it or to the extent that the developer is willing to provide improvements that will support it.
- b. For a development proposal that requires an improvement to mitigate an impact identified in a Project Impact Assessment, the developer shall enter into an agreement with the NJSEA prior to the issuance of a zoning certificate for the project.
- c. Appropriate buffers shall be provided adjacent to wetlands and/or environmentally sensitive areas.
- d. It is the sole responsibility of the developer to perform due diligence in determining if there is any contamination remaining from a former use of any site or from any other activity that may have occurred on a site. The developer shall perform any environmental clean-up deemed necessary for the proposed uses, pursuant to the approved methodology of the New Jersey Department of Environmental Protection.

## **3. Transportation Infrastructure**

The redevelopment area is located within a highly-developed regional transportation network. Route 17, a major north-south highway in the area, is located to the west of the tract and provides connections to Route 3, Route 46, and Route 80, which connect to the New Jersey Turnpike and Hudson River crossings to New York City. The eastern portion of the tract abuts NJ Transit’s Bergen line.

Several roadway construction projects in the area have been implemented, including additional Route 17 northbound and southbound travel lanes in the immediate vicinity of traffic signals that

were completed in 2011. The widening of Route 3 in the area of the Passaic River Bridge was completed in 2013.

The redevelopment area is accessible from Route 17 via both Highland Cross and the Route 3 Service Road North. Veterans Boulevard, which runs parallel to Route 17, provides access to the redevelopment area from Highland Cross, Borough Street, and the Route 3 Service Road North. Veterans Boulevard's wide roadway width was designed to accommodate tractor trailers. The roadway has no sidewalks and only contains on-street parking south of Altman Drive.

Despite the tract's proximity to these highways, access and circulation issues on adjoining ramps and roadways are a significant concern. Route 17 and Route 3 both experience significant congestion during peak periods of travel. Additionally, all redevelopment area traffic must travel through the intersections of Route 17 and Highland Cross, Route 17 and Borough Street, Route 17 South Ramp and Service Road or Route 3 Service Road North and Veterans Boulevard in order to access the site. The current configurations of these intersections have limited capacity and rights-of-way. Specific roadway design characteristics and limitations will further hinder potential mitigation measures. A comprehensive traffic and circulation study of the area and all associated mitigation shall also be required of the developer of the redevelopment area at the time of zoning certificate application, to address the specific development.

#### **4. Public Utilities**

Within the Borough of Rutherford, SUEZ provides potable water and Public Service Electric and Gas Company provides both gas and electricity. The Bergen County Utilities Authority provides sanitary sewerage treatment to the area.

#### **5. Recreation Facilities**

According to the Borough's Master Plan, adopted December 20, 2007, municipal parkland and open space areas account for approximately 47 acres in the Borough. The largest park in Rutherford, Memorial Park, comprises over 39 acres and affords baseball, softball, basketball, tennis, a football stadium, and an all-weather track to its residents. A smaller municipal park, Wall Field, is located on the northwest corner of the intersection of Highland Cross/Route 17/Meadow Road.

#### **6. Community Services**

The Rutherford Police Department, located at 184 Park Avenue, employs approximately 35 uniformed officers. The Rutherford Volunteer Fire Department maintains fire houses and equipment at three locations within the Borough, 348 Union Avenue, 40 Ames Avenue, and 400 Mortimer Avenue. The Borough's volunteer squad includes 75 firefighters and the department is a member of the South Bergen Zone 1 Mutual Aid Association. At the time of development, the demand for police, fire, and emergency medical services shall be identified in the Project Impact Assessment (PIA). The required elements of the PIA are set forth in N.J.A.C. 19:4-10.1 *et seq.*

#### **7. Identification of Property to be Acquired**

NJSEA does not intend to acquire any of the properties within the redevelopment area at this time.



## **8. Significant Relationships to Hackensack Meadowlands District Master Plan and Regulations**

The 1972 Hackensack Meadowlands Comprehensive Land Use Plan (original master plan) and the District's first Official Zoning Map designated the subject area as Light Industrial and Distribution B. The purpose of this zone was to accommodate a wide range of industrial, distribution and commercial uses that generated a minimum of detrimental environmental effects.

The first major revision to the original Hackensack Meadowlands Comprehensive Land Use Plan was adopted as the NJMC Master Plan, in January 2004. The 2004 Master Plan provided an updated vision for the Meadowlands District, reflecting smart growth principles and sustainable development objectives, and recommended that the Highland Cross Redevelopment Area be designated as an Employment Center, including a mix of land uses such as office, warehouse-distribution, and industrial facilities.

## **9. Smart Growth and Sustainability**

The NJSEA recognizes the State of New Jersey's use of smart growth principles to guide land use decisions and develop strategies to address conservation challenges. In the Hackensack Meadowlands District, smart growth principles such as economic growth and redevelopment are promoted in the planning and zoning activities of the NJSEA.

The District's Zoning Regulations also promote smart growth through sustainability initiatives, including the adoption of regulations encouraging sustainable green building practices. N.J.A.C. 19:4-6.6 provides incentives for applicants to the NJSEA to utilize green building practices or install alternative green building components, such as those recognized in green building certification programs, including the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) certification.

## **II. Potential Implementation Strategies**

### **A. POWERS OF THE REDEVELOPMENT AGENCY**

Pursuant to N.J.S.A. 5:10A-23, The NJSEA has the exclusive power to declare a portion of the Hackensack Meadowlands District in need of redevelopment.

- In accordance with N.J.S.A. 5:10A-24, The NJSEA shall prepare and adopt a redevelopment plan for each area in the district determined by the NJSEA to be an area in need.
- In undertaking projects pursuant to any redevelopment plan, the NJSEA may:
  - a. Acquire, by condemnation or otherwise, real or personal property, or any interest therein, including such property as it may deem necessary or proper, although temporarily not required for such purposes, in an area in need and in any area within the district designated by the NJSEA as necessary for relocation of residents, industry, or commerce displaced from a redevelopment area;
  - b. Clear or reclaim any area so acquired and install, construct, or reconstruct projects therein necessary to prepare such area for development;
  - c. Relocate or arrange or contract with public or private agencies for the relocation of residents, industry, or commerce displaced from the area in need;
  - d. Dispose of real property so acquired by sale, lease, or exchange for the uses and purposes specified in the redevelopment plan, to any person or public agency;
  - e. Study the recommendations of the constituent municipality's planning board impacted by the redevelopment plan for redevelopment of any area within that municipality and make its own investigations as to current trends in the area in need, as established by the NJSEA;
  - f. By contract or contracts with public agencies or redevelopers or by its own employees' or consultants' plan, plan, construct, reconstruct, operate, maintain, and repair any redevelopment or other project or any part thereof; and
  - g. Make and adopt plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and for the enforcement of codes and laws relating to the use of land, the use and occupancy of buildings and improvements, and the control over the pollution of water and air and the disposal of solid waste.

### **III. Selected Land Use Option**

#### **A. SELECTION OF RECOMMENDED LAND USE**

This redevelopment plan recommends the establishment of a commercial and industrial development in the redevelopment area. The comprehensive planning of the redevelopment tract will result in a cohesive development in the Hackensack Meadowlands District.

#### **B. REDEVELOPMENT STANDARDS**

##### **1. Definitions**

All words not described in this redevelopment plan shall have the definitions as listed in the adopted District Zoning Regulations, or in the absence of such, in the dictionary.

##### **2. Other Standards Not Discussed Herein**

The standards contained within this redevelopment plan shall supersede the applicable zoning regulations at N.J.A.C. 19:4-1 *et seq.* District Zoning Regulations shall apply with respect to any requirements or standards not specifically set forth herein.

## **IV. Land Use and Bulk Standards**

### **A. PURPOSE**

The purpose of the Highland Cross Redevelopment Plan is to accommodate industrial and commercial land uses complementary to existing businesses in the immediate area. The proximity of this redevelopment area to the New York market and the multi-modal infrastructure network creates a unique advantage for economic growth. The implementation of this redevelopment plan will enhance the diversification of the regional economy while providing jobs for a range of skill levels and expanding the ratable base for the community.

### **B. LAND USES**

#### **1. Permitted Uses**

- a. Banks;
- b. Commercial recreation, indoor;
- c. Day care facilities;
- d. Essential public services;
- e. Health centers;
- f. Hotels;
- g. Institutional uses;
- h. Offices;
- i. Parks or recreation facilities;
- j. Personal services;
- k. Public utility uses, light;
- l. Restaurants;
- m. Retail;
- n. Self-storage facility; and
- o. Warehouse and distribution facilities.

#### **2. Special Exception Uses**

- a. Commercial recreation, outdoor.

### **C. DESIGN CRITERIA**

#### **1. Site Layout**

- a. The site layout shall promote efficient site circulation and vehicular movement.
- b. Minimum lot area: 1 acre

#### **2. Bulk Regulations**

- a. Setbacks
  - i. The minimum front yard setback shall be 50 feet, 25 feet for appropriately screened surface parking

- ii. The minimum side and rear yard setbacks shall be 25 feet, except minimum side yard setback shall be 15 feet where adjacent to municipally-owned property.
  - iii. NJ Transit's Bergen Line right-of-way shall not be considered a front yard for the purposes of this redevelopment plan.
- b. Maximum lot coverage: 60 percent;
  - c. Minimum open space: 20 percent;
  - d. Minimum lowest floor elevations for structures within designated 100-year flood zones shall be established one foot above the applicable 100-year base flood elevations determined from the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM).

### **3. Height Limitations**

The maximum building height shall be 210 feet, provided that in no event shall any building be higher than the adjacent Meadows Office Complex. The maximum height of parking decks shall be limited to five stories.

### **4. Design Standards**

Developers are encouraged to incorporate sustainable design principles in the Highland Cross Redevelopment Area. Employing green building methods from the onset of a project provides environmental, economic, and social benefits. Benefits of building with sustainable methods include reductions in energy costs and waste.

### **5. Façade Treatment**

- a. Façade treatments at grade and along street frontages for commercial uses shall utilize elements such as windows, doors, columns, awnings and canopies.
- b. Façade elevations of parking decks shall receive architectural treatment that complements the adjacent buildings façades. For example, window cut-outs, framing, and other architectural detailing should be used to reinforce the complementary appearance of the parking deck, integrating its design into the overall project.

### **6. Landscape/Open Space**

- a. Comprehensive Landscape Plan

A landscaping plan shall be submitted with applications for development within the Redevelopment Area.

- b. Landscape Features

- i. Passenger vehicle parking areas that contain parking rows longer than 30 parking spaces should have a six foot wide landscaped island to break up the expanse of the pavement. This requirement does not apply to parking spaces in parking garages or truck maneuvering

- areas adjacent to warehouse and distribution facilities.
- ii. All loading, utility connections, auto parking and truck/trailer parking areas shall be screened from public rights-of-way in accordance with the requirements contained in the Hackensack Meadowlands District Zoning Regulations.
- c. General Landscaping
- i. Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking and loading areas, mitigate adverse visual impacts and provide windbreaks for winter winds and summer cooling for buildings.
  - ii. The use of indigenous/native plant material is to be encouraged to establish sustainable landscapes that blend with the natural environment.
  - iii. Street trees shall be required along the roadway frontage. Such street trees shall be installed within the right-of-way between the sidewalk and curb along a uniform distance from and parallel to the street right-of-way line. The spacing of street trees shall be no farther than 60 feet on center.

## **7. Pedestrian Circulation**

- a. Sidewalks shall be provided in accordance with the following minimum requirements:
  - i. Minimum width of sidewalks on Veterans Boulevard: 4 feet
  - ii. Minimum width for sidewalks located along the frontage of retail structures: 6 feet
  - iii. Minimum width of all other sidewalks: 4 feet
- b. In order to provide for pedestrian and vehicular movement, appropriate traffic calming measures shall be implemented. Such measures may include, but are not necessarily limited to, the following:
  - i. Crosswalks shall be provided at all intersections and shall be constructed of a different paving material than the rest of the street.
  - ii. At locations where pedestrian circulation intersects with site driveways, traffic calming techniques such as speed bumps, speed tables and bump outs may be utilized to slow traffic, as needed.
- c. Developers are encouraged to provide a shuttle service between the subject site and other key locations (e.g., Rutherford train station, Rutherford downtown, etc.) to advance alternate means of transportation and pedestrian circulation in the region.

## **8. Parking and Loading Requirements.**

Parking and loading requirements shall be in conformance with Hackensack Meadowlands District Zoning Regulations, N.J.A.C. 19:4-8.4, Table 8-1, Parking and Loading Requirements.

## **9. Drainage**

All stormwater runoff shall be directed to stormwater drainage facilities for eventual subsurface or

stream disposal. All drainage ways shall be properly maintained and planted. All drainage plans approved shall be prepared in accordance with NJSEA and Borough zoning regulations, as applicable.

#### **10. Utilities**

- a. The developer is responsible for obtaining all applicable permits and coordinating the provision of utility service to the redevelopment area.
- b. All utilities shall be underground to the extent practicable.

#### **11. Signs**

Signage within the redevelopment area shall be designed in accordance with the requirements of N.J.A.C. 19:4-8.14.

#### **12. Environmental Performance Standards**

All uses shall comply with the Category B environmental performance standards at N.J.A.C. 19:4-7. All water quality standards contained in N.J.A.C. 19:4-7.9 *et seq.* shall apply as applicable.

#### **13. Site Remediation**

- a. The developer shall provide the NJSEA with all relevant correspondence and information regarding remediation of the subject property, including all plans, reports, and correspondence to and from the NJDEP and the developer's professionals, including their Licensed Site Remediation Professional (LSRP). The NJSEA acknowledges receipt of a Conditional No Further Action Letter with Requirements for Biennial Certification Remedial Action Type: Restricted Use for the Area of Concern issued April 10, 2012 by the New Jersey Department of Environmental Protection.
- b. The developer shall submit to the NJSEA a copy of any required deed notice(s) regarding engineering and/or institutional controls with respect to site remediation on the subject property(s), prior to issuance by the NJSEA of any temporary or final Certificate of Completion and/or Occupancy Certification within the Redevelopment Area.
- c. After the developer has completed remediation of the property in accordance with the approved engineering and institutional controls, the NJSEA, and/or its qualified consultant, may evaluate the remediation, including on-site independent sampling and testing in order to confirm the adequacy of the remediation effort.
  - i. The cost of the independent evaluation, sampling and testing shall be borne by the developer.
  - ii. The developer shall be responsible to resolve any issues regarding areas of the site that are determined by the independent testing to fail to meet the approval criteria, including institutional and engineering controls, prior to the issuance of any temporary or final Certificate of Completion and/or Occupancy Certification for development on the site or additional zoning certificates.

## **14. Prior Agreements**

All prior agreements between the Borough of Rutherford and the designated developer for the Highland Cross Redevelopment Area shall remain in full force and in effect. Any amendments to such agreements that may be necessary shall be subject to the approval of the NJSEA, pursuant to the agreement dated May 13, 1999, between the Borough of Rutherford and Linque-H.C. Partners, LLC.

### **D. Additional Development Requirements**

#### **1. Project Impact Assessment**

All projects shall prepare a Project Impact Assessment (PIA) in accordance with N.J.A.C. 19:4-10.1 *et seq.* The PIA shall provide information to allow the NJSEA to assess the probable effects of a proposed project.

For a development proposal that requires an improvement to mitigate an impact identified in a PIA, the developer shall enter into an agreement with the NJSEA prior to the issuance of a zoning certificate for the project.

#### **2. Traffic Impact Assessment**

All projects shall prepare a Traffic Impact Assessment (TIA) in accordance with N.J.A.C. 19:4-7.10 *et seq.* The TIA shall assess the traffic and circulation impacts of a proposed development and identify required improvements and mitigation, which shall be the responsibility of the applicant. In addition, all projects shall be required to meet the requirements of N.J.A.C. 19:7, "District Transportation Plan Rules."

The developer shall undertake a traffic impact analysis and circulation study in order to analyze both pedestrian and vehicular movement and the impacts any proposed development will have upon traffic and circulation in the area. In particular, at the time of application for a zoning certificate, the applicant shall conduct a detailed traffic and circulation analysis for the proposed development, including, the Route 17/Meadow Road/Highland Cross, Meadow Road/Route 17 Southbound Off-Ramp, Route 17/Union Avenue, Veterans Boulevard/Route 3 Service Road, and Veterans Boulevard/Site Driveway Intersections as approved by the NJSEA.

#### **3. Riparian Rights**

Riparian grants shall be secured for any land subject to the State's riparian interest pursuant to the Hackensack Meadowlands District Zoning Regulations.

#### **4. Affordable Housing Considerations**

With regard to affordable housing, the developer shall comply with the applicable requirements of the NJSEA; the New Jersey Council on Affordable Housing (COAH) or any future entity assuming the legal responsibilities of the Fair Housing Act; and P.L. 2008, Chapter 46, an act concerning affordable housing, revising and supplementing various parts of the statutory law, effective July 17, 2008, and



any applicable laws of other agencies having jurisdiction. Non-residential development shall comply with State of New Jersey statutes and regulations governing payment of non-residential development fees.

## 5. Redeveloper Requirements

- a. If the NJSEA elects to contract with a prospective redeveloper, pursuant to its authority under N.J.S.A. 13:17-6(j), 20(g), and or 21(b)6, prior to entering such contract, the redeveloper shall provide a financial report to the NJSEA assessing the financial viability of the redeveloper and/or redevelopment project. Such report shall contain, at a minimum, the following information:
  - i. Identification of each financial and/or equity partner having any financial contribution to, ownership of, or like interest in, the project.
  - ii. Identification of each member of the redevelopment team and major consultants, including, but not limited to, attorneys, engineers, architects, planners, project and construction managers, financial consultants, lobbyists, and public relations consultants. Resumes and/or curricula vitae and a statement clearly identifying the roles of each member shall be provided.
  - iii. The composition of the redeveloper's current real estate portfolio, including details regarding the type of project and number of square feet or units developed, owned and/or managed.
  - iv. Details regarding the redeveloper's history of securing financing for real estate development projects within the past 10 years, at a minimum, detailing the type of project; financing method(s), source(s) and amounts committed; and proposed and actual completion dates of projects.
  - v. A description of all pending real estate development projects by the redeveloper, under development pursuant to enforceable contracts, including project type, status, development schedule, and the financial commitment required by the redeveloper, including a description of the financing method(s), source(s) and amounts committed.
  - vi. Audited financial statements, including balance sheets and operating statements, prepared by a Certified Public Accountant (CPA) in accordance with Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board (FASB), 401 Merritt 7, PO Box 5116, Norwalk, CT 06856-5116, <http://www.fasb.org>, for the five most recent fiscal years, for the redeveloper and any financial and/or equity partner(s). Such statements shall evidence the ability to financially perform, including the value of assets each participant would contribute to the project and verification that such assets are available.
  - vii. A statement describing the methods and anticipated and committed sources for financing the project, including its construction, and identifying the expected equity requirements and anticipated sources of working capital.
  - viii. For the redeveloper, including both the corporate or business entity and the principals of the corporate or business entity and each member of the development team, a statement and complete listing regarding any debarments, suspensions, bankruptcy or loan defaults, legal proceedings, and/or adverse judgments, regarding any real estate development project and/or government contract regardless of the date of such occurrence.
  - ix. A fiscal impact analysis for the proposed redevelopment project pursuant to the requirements of N.J.A.C. 19:4-10.4(a)14.
  - x. Such other information as may be deemed necessary by the NJSEA staff.

- b. The redeveloper shall provide the following to the NJSEA, which shall be updated, at a minimum, every three months, beginning from the contract date, including any amendments:
  - i. The project pro-forma statement, prepared by a CPA in accordance with GAAP, which shall include, at a minimum, an income statement, balance sheet, and statement of cash flows.
  - ii. The projected development timeline.
  - iii. Any change in the financial report required in 5a above.
- c. Any redeveloper applying to any federal, state, county, or municipal government entity for financial assistance, including, but not limited to, loans, grants, or bonds, shall notify the NJSEA of such application in writing and shall provide copies to the NJSEA of all applications, formal correspondence and government actions regarding the requested financial assistance. The NJSEA staff shall provide any of the aforementioned entities with information about the project upon request. The NJSEA may make a request to the applicable government entity to participate in the process for the evaluation of financial assistance to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and the government entity from whom financial assistance is requested.
- d. Any redeveloper of a project within a redevelopment area for which municipal payment-in-lieu-of-taxes (PILOT) bonds are sought shall notify the NJSEA contemporaneously with the commencement of discussions with municipal officials regarding PILOT bonds and shall provide copies to the NJSEA of all correspondence and information regarding the PILOT bonds. The NJSEA staff shall provide the municipality with information about the project upon request. The NJSEA may make a request to the applicable government entity to participate in the process for the evaluation of PILOT bonds to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and municipality. The fiscal impact analysis required above shall evaluate the impact of PILOT bond financing on municipal tax rates and the Intermunicipal Tax Sharing Formula.

## **6. Approvals of Other Governmental Entities**

- a. Prior to the redevelopment of any property within the redevelopment area, the redeveloper shall procure any and all necessary permits and approvals from any federal, state, county, local, or municipal agency having jurisdiction.
- b. Any redeveloper filing an application with any other State entity for any permit related to the redevelopment project shall provide a copy of such permit application to the NJSEA contemporaneously with its filing and shall provide copies to the NJSEA of all correspondence and information regarding the permit application. The NJSEA staff shall provide the regulatory entity with information about the project upon request. The NJSEA may make a request to the regulatory entity to participate in the permitting process to facilitate communication among public entities involved in the project. Such participation may include, but is not limited to, attendance at meetings with the redeveloper and the regulatory entity.

- c. The applicant shall provide, to the NJSEA, proof of compliance with any requirements and/or restrictions from other regulatory agencies associated with the intended use(s) of the site. Additionally, copies of any future requirements and/or restrictions shall be submitted to the NJSEA by the designated developer immediately upon receipt.

## **V. Selected Redevelopment Plan**

### **A. IMPLEMENTATION STRATEGY**

This redevelopment plan shall be the regulatory instrument for the Highland Cross Redevelopment Area, along with the District Zoning Regulations, where applicable, and shall supersede all redevelopment plans and prior zoning for parcels of land contained within the portion of the redevelopment area under the jurisdiction of the NJSEA.

No actions, other than the adoption of this plan and review of applications submitted by the private sector to implement this plan, are proposed or contemplated by the NJSEA at this time.

# HIGHLAND CROSS REDEVELOPMENT AREA

## Rutherford, Bergen County, New Jersey

