



REDEVELOPMENT PLAN FOR **340 MOUNT KEMBLE AVENUE**  
TOWNSHIP OF MORRIS, NEW JERSEY

PREPARED FOR THE TOWNSHIP OF MORRIS PLANNING BOARD BY

**PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC**

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REDEVELOPMENT PLAN FOR 340 MOUNT KEMBLE AVENUE  
BLOCK 6101, Lot 5  
IN THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY

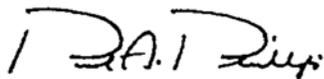
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The original of this plan was signed and sealed in accordance with N.J.S.A. 13:41-1.2

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# I INTRODUCTION

## I.A Statutory Basis for the Redevelopment Plan

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This Redevelopment Plan has been prepared for property known as 340 Mt. Kemble Avenue and referred to as Block 6101, Lot 5 (the “Redevelopment Area”), on the Official Tax Maps of Morris Township (the “Township”) in Morris County, New Jersey. The Redevelopment Area is located between Mt. Kemble Avenue (US Route 202) and Interstate 287 in the southern portion of the Township adjacent to the municipal border with Harding Township. The site measures approximately 40 acres and is presently developed with a large, three story office building and associated parking areas. The location of the Redevelopment Area is shown in Figure 1.

The New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land within a municipality constitute an area in need of redevelopment, as set forth in N.J.S.A. 40A:12A-5 of the Redevelopment Law. The Township Committee by Resolution No. 77-19 authorized the Planning Board to conduct such an investigation. In a meeting on April 1, 2019, the Planning Board adopted a resolution authorizing Phillips Preiss Grygiel Leheny Hughes LLC to undertake the study on its behalf. On May 6, 2019, the Planning Board held a public hearing on the investigation study entitled “Area in Need of Redevelopment Investigation for Block 6101, Lot 5 in the Township of Morris, New Jersey.” Upon conclusion of the public hearing, the Planning Board recommended to the Township Committee that the subject property be designated as a non-condemnation area in need of redevelopment. On May 15, 2019, the Township adopted a resolution (Resolution No. 101-19) designating the area as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law.

## I.B Description of Redevelopment Area Boundaries

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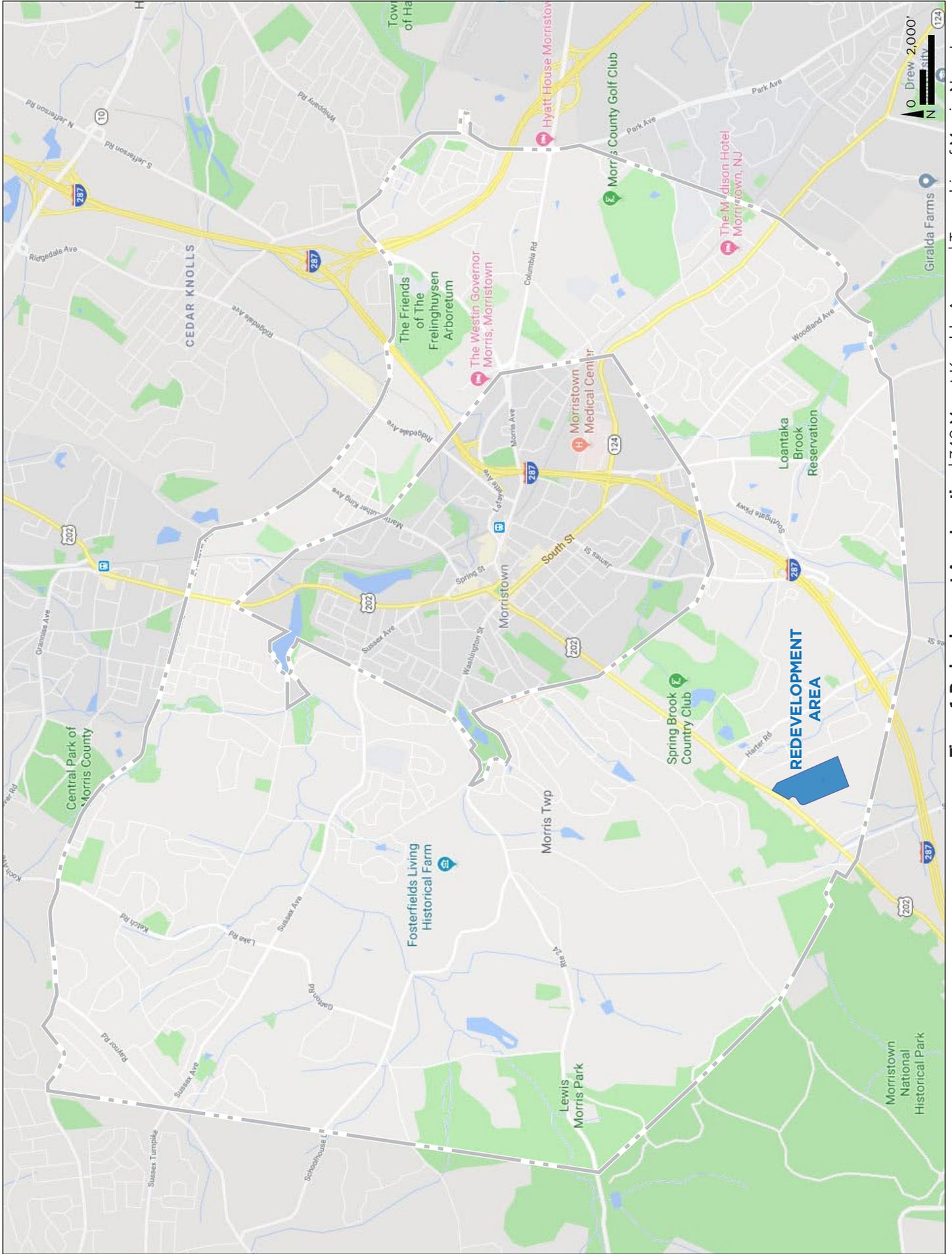
The boundary of the Redevelopment Area is shown in Figure 2. The area is roughly bounded by Mt. Kemble Avenue to the north and residences along Frederick Place to the east. Across Mt. Kemble Avenue to the north are the Mountain Shadows townhomes and the Center for Spiritual Living. To the immediate south and west are office buildings and associated parking areas, whose addresses are 350 and 360 Mt. Kemble Avenue (Block 6101, Lot 4) and 412 Mt. Kemble Avenue (Block 6101, Lot 1). Further to the west are residential uses along Route 202 and Blackwell Avenue and further to the south is Route 287. The Study Area is irregularly shaped with approximately ±535 feet of frontage on Mt. Kemble Avenue. The property is accessed via a driveway from Mt. Kemble Avenue near its northerly property line. There is a second access drive directly south of the property line on adjacent Block 6101, Lot 4 that is shared between the two properties, together with Block 6101, Lot 1, via an access easement.

## I.C Redevelopment Area History and Existing Land Use

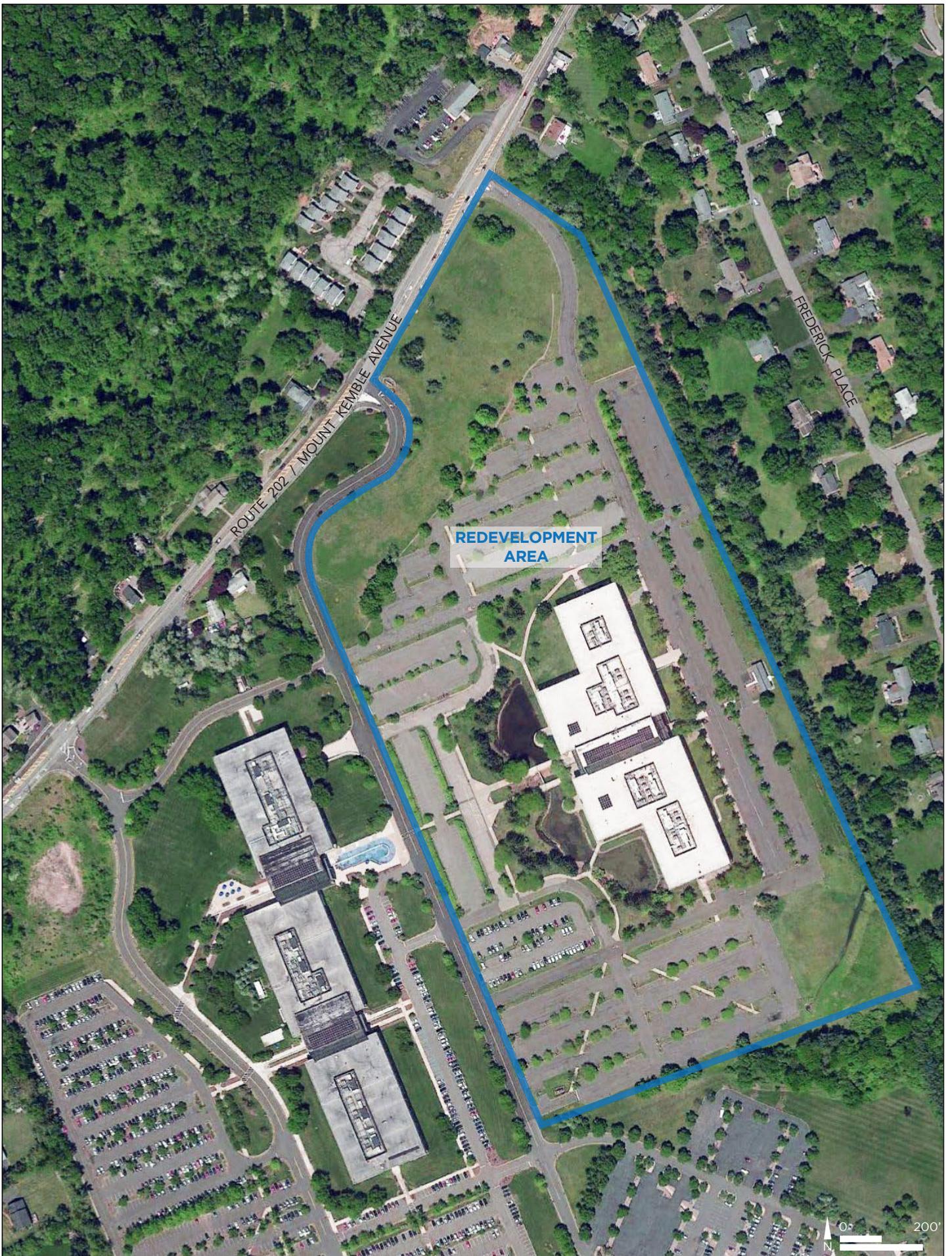
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The office building on Block 6101, Lot 5 was historically known as Kemble Plaza I. According to tax records, the building was constructed in 1986. It was developed by Mack-Cali and leased to AT&T Inc. (“AT&T”) for use as a regional headquarters. Mack-Cali sold the building in 2004 to Falcon Real Estate. AT&T was the sole occupant of building until the corporation vacated the building in 2014 when its lease expired. Falcon subsequently defaulted on its loan and the property transferred to commercial mortgage special servicer, LNR Partners, Inc. (“LNR”) and went into foreclosure in December 2015. In 2016, 340 Mt. Kemble Owner

LLC/ Onyx Management acquired the building from LNR through an auction. In December 2017, the Morris Township Zoning Board of Adjustment approved an application for the owner to construct a ±23,820 square foot addition to the existing building and create additional parking areas as well as landscaping and signage improvements. Modifications to the December 2017 site plan approval were subsequently granted by the Zoning Board in June 2020 and August 2020.



**Figure 1: Redevelopment Area Location | 340 Mount Kemble Avenue | Township of Morris, New Jersey**  
 PHILLIPS PREISS GRYGIELLEHENY HUGHES LLC 2021



**Figure 2: Aerial Context** | 340 Mount Kemble Avenue | Township of Morris, New Jersey  
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## II PLAN VISION AND OBJECTIVES

### II.A Redevelopment Plan Goals and Objectives

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This Redevelopment Plan provides a framework for the redevelopment of 340 Mt. Kemble Avenue in Morris Township, New Jersey. The Redevelopment Plan sets forth standards and guidelines for land use, bulk, parking and design. The specific goals and objectives of the Redevelopment Plan are as follows:

- To allow for the continuation of corporate office use while also providing for a complementary hotel use.
- To improve the aesthetics of the property and establish site and building design standards that will foster high-quality development within the Redevelopment Area.
- To foster appropriate relationships between buildings, streets, parking areas, walkways and landscaped areas within the Redevelopment Area and in the context of the surrounding area.
- To enhance the economic viability of existing non-residential uses along the Mt. Kemble Avenue corridor in the Township.
- To promote a strong and sustainable economic environment that encourages attractive commercial and business development, employment opportunities, an enhanced tax base, and convenient and quality facilities, services and amenities, for both residents and the business community.
- To ensure that infill development and redevelopment is accomplished in a manner that complements the overall community and respects the existing development in the Township while minimizing impacts on adjacent residential neighborhoods.

### II.B Relationship to Local Objectives

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#### II.B.1 Morris Township Master Plan

The Township's most recent Comprehensive Master Plan was prepared in 1994. Reexamination reports were adopted in 2001 and August 2007 (subsequently amended in 2009), and most recently in August 2017 (the "2017 Report"). The 2017 Report noted the following with particular relevance to the Redevelopment Area:

*"As a result of a variety of economic and market factors, since 2007, several of the Township's commercial and industrial districts have undergone change. In particular, as a number of long-standing corporate users/businesses have relocated to other locations, the Township has had to consider alternative forms of development, including mixed-use options, for those sites/zones. As this trend is expected to continue, and as the sluggish office market is not anticipated to strengthen any time soon, the following specific policy goals are included as part of this Reexamination Report:*

- *Analyze the Township's major arterials and commercial corridors to assess current conditions and evaluate whether existing zoning is adequate and determine what improvements are needed*
- *Explore innovative redevelopment schemes/zoning alternatives for underutilized or obsolete commercial office and industrial sites, and especially within the Township's OL zone districts,*

*and consider mixed-use development (to include residential use) as part of any potential reuse/rezoning scheme.”*

Additionally, the 2017 Report offered the following specific recommendation for land use and zoning/development regulations: “Consider zoning for potential repurposing/redevelopment of commercial properties.” The 2017 Report further recommended that:

*“The Township should evaluate the current Master Plan and zoning designations for existing commercial office sites, and especially those located within the Township’s OL zones. As existing office parks/campuses continue to face market challenges and seek alternative forms of development to remain productive, there will be a need to consider future Master Plan and zone changes that allow for viable redevelopment scenarios while also affording adequate protections to maintain the quality of life of residents of Morris Township.”*

This Redevelopment Plan is substantially consistent with the above-referenced 2017 Master Plan recommendations.

### III LAND USE & DEVELOPMENT PLAN

#### III.A Note on Plan Terminology

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

“Shall” means that a developer is required to comply with the specific regulation, without deviation.

“Should” means that a developer is encouraged to comply but is not required to do so. The Planning Board will entertain any modification that meets the underlying spirit and intent of the regulation and/or the Redevelopment Plan generally.

#### III.B Allowable Land Uses

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##### III.B.1 Principal Permitted Uses

Permitted principal uses:

- Office building
- Hotel

##### III.B.2 Accessory Uses

Permitted accessory uses to the office building shall include:

- Off-street parking and loading facilities
- Service areas defined as ancillary rooms, areas or facilities associated with building service, providing such features as mechanical facilities, transformers and trash and recycling rooms
- Any other use which is subordinate and customarily incidental to an office building.

Permitted accessory uses to the hotel shall include:

- Off-street parking and loading facilities
- Restaurants and/or dining areas
- Lounge/bar areas
- Fitness facilities including swimming pools
- Business centers
- A banquet room
- Meeting rooms
- Management offices
- Service areas defined as ancillary rooms, areas or facilities associated with building service, providing such features as mechanical facilities, transformers, laundry rooms or service and trash and recycling rooms
- Any other use which is subordinate and customarily incidental to a hotel.

### **III.C Bulk Standards**

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#### **III.C.1 Maximum Number of Principal Buildings Per Lot**

There shall a maximum of two principal buildings per lot.

#### **III.C.2 Maximum Floor Area**

##### ***III.C.2.a Office Building***

The maximum floor area of the office building shall be 415,000 square feet.

##### ***III.C.2.b Hotel***

The maximum floor area of the hotel shall be 130,000 square feet.

#### **III.C.3 Maximum Rooms and Size of Accessory Use Areas in Hotel**

##### ***III.C.3.a Hotel Rooms***

The maximum number of hotel rooms shall be 225.

##### ***III.C.3.b Maximum Size of Lounge/Dining/Bar Areas***

The total number of seats in the restaurant/dining area shall not exceed 200.

##### ***III.C.3.c Meeting Rooms and Banquet Room***

In no event shall the floor area of a banquet room exceed 4,500 square feet and in no event shall the floor area of either a banquet room and meeting rooms or exclusively meeting rooms exceed 6,000 square feet.

#### **III.C.4 Building Height**

Building height shall be defined and measured consistent with the definition for “Building Height” in Section 57-3 of the Township of Morris Code.

##### ***III.C.4.a Office Building***

The maximum height of the office building shall not exceed 67.5 feet and 3 stories.

##### ***III.C.4.b Hotel***

The maximum height of the hotel shall not exceed 4 stories and 50 feet.

### **III.D Setback and Coverage Requirements**

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#### **III.D.1 Building Setbacks**

##### ***III.D.1.a Office Building***

The minimum setbacks shall be as follows:

- Setback from Mt. Kemble Avenue: 600 feet
- Setback from Eastern Property Line: 300 feet
- Setback from Western Property Line: 350 feet
- Setback from Southern Property Line: 400 feet.

### **III.D.1.b Hotel**

The minimum setbacks shall be as follows:

- Setback from Mt. Kemble Avenue: 1,200 feet
- Setback from Eastern Property Line: 350 feet
- Setback from Western Property Line: 75 feet
- Setback from Southern Property Line: 40 feet

The approximate (allowable) building envelope for the hotel is depicted in Figure 3.

### **III.D.1.c Distance Between Buildings**

The minimum distance between the office and hotel buildings shall be 175 feet.

## **III.D.2 Building and Improvement Coverage**

### **III.D.2.a Maximum Building Coverage**

The maximum building coverage shall be 10 percent.

### **III.D.2.b Maximum Impervious Coverage**

The maximum impervious coverage shall be 55 percent.

## **III.E Parking and Loading**

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### **III.E.1 Minimum Off-Street Parking and Loading Requirements**

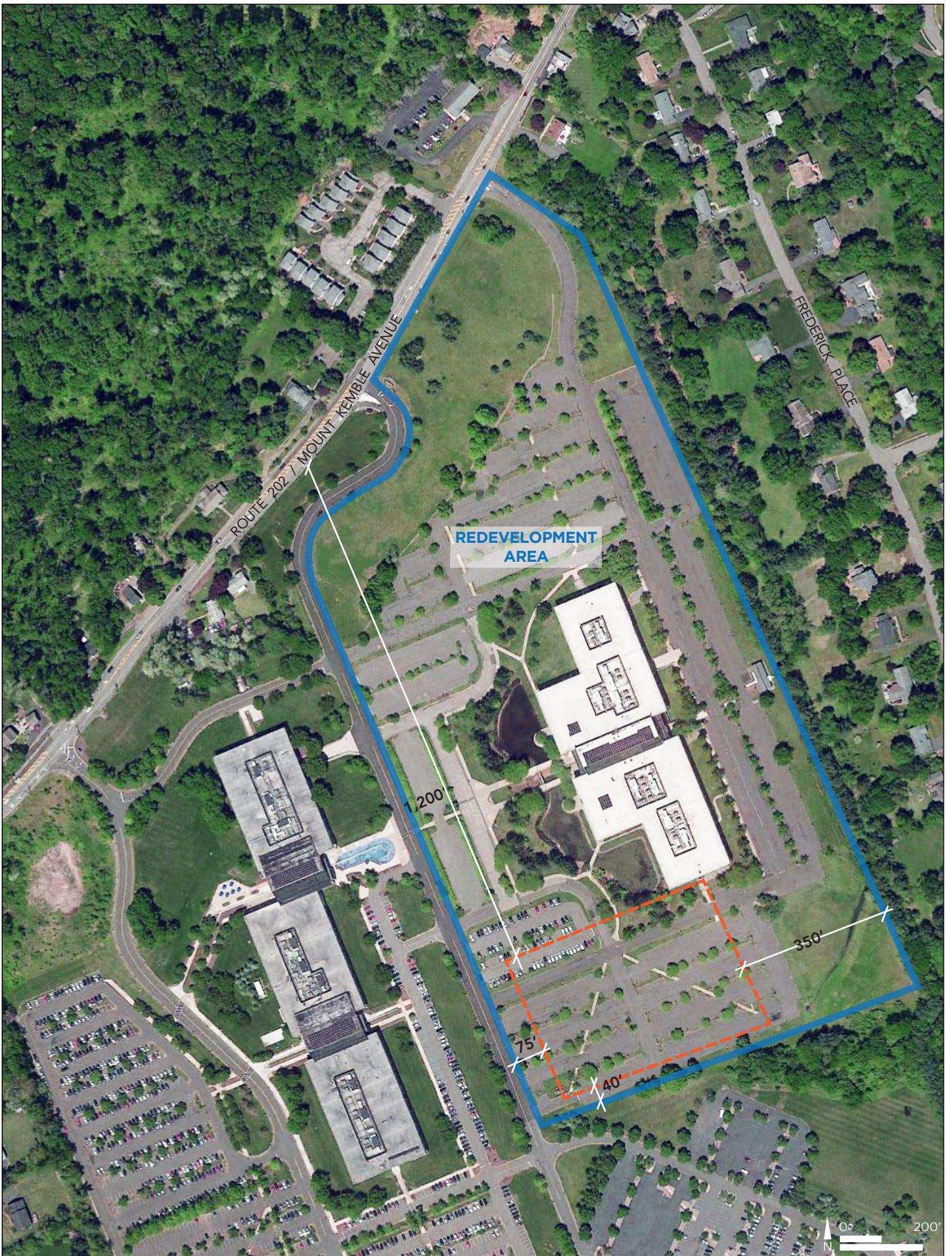
A minimum parking ratio of 4 spaces per 1,000 square feet of gross floor area shall apply to the office building. For the hotel use, the minimum parking ratio shall be 1 space per hotel room. For any accessory dining/restaurant areas additional parking shall be provided at a minimum ratio of 1 space per 3 seats and for any accessory meeting room or ballroom space additional parking shall be provided at a minimum ratio of 1 space per 100 square feet of gross floor area. Off-street parking spaces shall be at least 9 feet in width and 18 feet in length.

A minimum of one off-street loading space shall be provided for the office building and a minimum of one off-street loading space shall be provided for the hotel building.

### **III.E.2 Shared Parking**

Shared parking shall be permitted subject to Planning Board approval as a means to reduce the total parking supply that would otherwise be required based on the parking ratios listed above. Shared parking takes advantage of variation in the periods of maximum usage among different land uses, allowing different uses to share the same given parking spaces if they have different time-of-day or day-of-week peak usage patterns.

If shared parking is followed, the developer shall submit a shared parking study employing the methodologies established by the Urban Land Institute or other commonly accepted source which demonstrates that:



**Figure 3: Approximate Building Envelope for Hotel | 340 Mount Kemble Avenue | Township of Morris, New Jersey**  
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- The particular combination of uses and the peak periods of demand for parking and/or loading spaces, as applicable, are such that a lesser number of spaces are necessary to meet the total parking and/or loading needs for the development at all times; and
- Parking shall be located to be reasonably convenient, safe and suitable for the various uses, buildings and/or lots involved in the shared parking program.

### III.E.3 Electric Vehicle Charging Stations

The requirements for provision of electric vehicle charging stations as set forth in Chapter 95, Zoning, of the Morris Township Code, shall apply.

## III.F Site Access and Circulation

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### III.F.1 Vehicular Access

Access to the Redevelopment Area shall be via the existing driveways into the site: one from Mt. Kemble Avenue near its northerly property line; another directly south of the property line on adjacent Block 6101, Lot 4 that is shared between the two properties via an access easement.

### III.F.2 Pedestrian Circulation

Sidewalks and crosswalks shall be provided where appropriate to provide safe pedestrian circulation across internal roadways and parking areas. In particular, there shall be an appropriate pedestrian connection between the office and hotel building entrances.

## III.G Landscaping and Buffers

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A detailed landscaping plan indicating the type, size and spacing of all grasses, plants, shrubs, and evergreen and deciduous trees shall be submitted as part of any application for site plan approval.

### III.G.1 Buffer Between Redevelopment Area and Adjacent Residential Uses

Where the Redevelopment Area directly abuts residential uses on Frederick Place, a landscape buffer shall be provided in order to provide screening to the adjacent residences. Such buffering may include existing vegetation, new plantings or a combination of each. Fences shall be permitted which may be constructed of metal, wood, or other material with a high-quality, attractive appearance. Chain link fences are prohibited. The adequacy of the buffer shall be subject to Planning Board approval. There shall be no invasive tree or other landscaping species.

### III.G.2 Parking Area Landscaping

Street trees and other plant material shall be provided in landscaped islands at the ends of parking rows. Landscaped islands shall be at least 6 feet in width. Trees should be tolerant of roadway and parking lot environments.

## III.H Open Space

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All areas not devoted to buildings, internal access drives, parking area or walkways shall be landscaped with grass and/or grass in combination with evergreen and deciduous trees and shrubs in a variety of species and sizes.

### **III.I December 2017, June 2020 and August 2020 Approvals**

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This Redevelopment Plan recognizes that in connection with Block 6101, Lot 5 the Morris Township Zoning Board of Adjustment granted a series of approvals beginning in December 2017 (Application No. BA-18-17) when the Board granted preliminary and final site plan approval, together with “c” variance relief as well as a d(4) floor area ratio variance, for an addition to the existing building and other modifications to the site, including increasing the number of parking spaces and changing landscaping and signage. In June 2020 (Application No. BA-07-20) the Zoning Board granted amended site plan approval authorizing a series of building façade changes and rooftop equipment and screening modifications. In August 2020 (Application No. BA-10-20) the Zoning Board granted amended site plan approval to permit a façade sign and installation of an emergency generator within the parking area which eliminated 5 spaces. Any site plan changes that are not consistent with said approvals, including the addition of any new hotel building, shall be subject to site plan approval from the Planning Board. Otherwise, said approvals shall remain valid as part of this Redevelopment Plan.

### **III.J Office Building Design**

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Any architectural changes to the building that are not consistent with the Zoning Board approvals referenced herein shall be subject to Planning Board approval.

### **III.K Hotel Building Design**

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#### **III.K.1 Orientation**

The hotel shall be oriented such that, unlike the existing office building, the lengthier facades (i.e., front and rear) face Mt. Kemble Avenue and Block 6101, Lot 4 and the ends of the building face Block 6101, Lot 1 and the eastern property line.

#### **III.K.2 Façade Differentiation**

The base of the hotel should be highlighted with a contrasting material, texture or color that is heavier in appearance than the main façade cladding, such as a stone base below a brick façade. The base may also project outwards from the middle of the building. The top of the base cladding may also be capped with a coping, cornice, or other dimensional transition. Low planters and base planting may be placed around the base for further emphasis.

The middle level of the hotel should be distinguished from the base by changes in material, façade detailing, or fenestration pattern and proportion. The top of the hotel encompasses the roof and/or roofline. Using features such as distinct and multiple architectural roof forms, clearly pronounced eaves, and distinct parapet designs and cornice treatments may achieve a well-defined building top. Building roof mass may also be broken up by towers, steeples, pediments and similar elements.

The hotel façade should divide its elevations into smaller parts or “bays”. A “bay” may be distinguished from adjacent portions of the facade by one or more of the following elements: a change in depth plane of at least one foot, extending upwards through all levels; a change in materials, texture, and/or fenestration pattern, but not simply color; a change in height; and articulation through elements such as columns, pilasters, gutters or expansion joints.

Any HVAC grilles should be sited consistently within the façade, such as below windows, and framed and designed to blend unobtrusively into the overall façade window composition. A high degree of transparency is encouraged for upper floors as well as lower floors, including by means of having multiple windows in larger suites, to help avoid expanses of blank facades.

### **III.K.3 Pedestrian Entries**

Pedestrian entries for the hotel should be clearly visible and highlighted within the front façade through projections, recessions, material changes, canopies, overhangs and/or lighting, not merely punched into the facade.

### **III.K.4 Building Materials and Architecture**

The architecture of the hotel should provide a coherent design theme using rooflines, building materials, fenestration patterns, entrance locations and massing. The hotel should use durable high-quality material. Façade cladding materials should be applied consistently and with the same level of detail on the front elevation and the side and rear elevations. Changes in material should occur at a structurally logical break point, and should not appear pasted-on. Stone and brick and similar materials should not be used above visually lighter-weight cladding such as stucco, clapboard, metal paneling or wood. Stone and brick should not be used across wide openings or across upper floors unless designed in tandem with visually appropriate structural framing members such as lintels or keystones.

### **III.K.5 Sustainable Design**

As part of the hotel design and construction, sustainable building practices, including provision for alternative energy sources, should be addressed.

## **III.L Signage**

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### **III.L.1 Office Building Signage**

All signage for the office building shall be in accordance with the Zoning Board approvals referenced herein. Any modifications to signage that are not consistent with said approvals shall be subject to Planning Board approval.

### **III.L.2 Hotel Signage**

The hotel shall be permitted to have building identification signage along the front and rear facades only. Such identification signage shall not exceed 5% of the total area of any such façade or 300 square feet, whichever is lesser. Any freestanding identification signage shall be subject to Planning Board approval.

## **III.M Lighting**

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Site lighting for the Redevelopment Area shall utilize fixtures that minimize adverse visual impacts, such as glare and overhead sky glow, on adjacent properties and on any public right-of-way. Light cutoff shields shall be provided where fixtures abut a residential use and in other locations as directed by the Planning Board. Use of LED light sources shall be required. Building facade lights shall be incorporated into the overall lighting plan design; fixtures shall be of compatible design and detail.

### **III.N Screening of Mechanicals and Trash Enclosures**

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Screening of ground-mounted mechanical equipment such as transformers, generators and similar equipment, is required in the form of fencing or landscaping, or both. Roof-top mechanical equipment such as HVAC equipment and elevator overruns shall be screened in roof wells recessed below the roof line in the case of pitched roofs or by solid and permanent roof-mounted screens in the case of flat roofs. Screening should be compatible with the architectural style, materials, and color of the building. Roof-top equipment shall comply with Section 95-30B. of the zoning ordinance of Morris Township.

Dumpsters and similar storage areas for trash and recycling collection shall be screened from view by means of fencing and landscaping.

### **III.O Utilities**

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All utility connections internal to the site shall be underground.

## IV RELATIONSHIP TO DEVELOPMENT REGULATIONS AND OTHER PLANS

### IV.A Relationship to the Morris Township Zoning and Land Development Ordinances

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This Redevelopment Plan shall supersede all provisions of the Chapter 95, Zoning and Chapter 57, Land Development Ordinances of the Morris Township Code, except where specific provisions of the Zoning Ordinance and Land Development Ordinance are expressly indicated as being applicable. In all situations where zoning and land development issues are not specifically addressed herein, the Morris Township Zoning and Land Development Ordinances shall, however, remain in effect. Adoption of this Redevelopment Plan by the Township Committee shall be considered an amendment to the Morris Township Zoning Map.

### IV.B Relationship to Master Plans of Adjacent Municipalities

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The Redevelopment Area is located in a section of Morris Township near the Township's borders with Harding Township and the Town of Morristown.

#### IV.B.1 Harding Township

The zoning districts in Harding Township closest to the Redevelopment Area are the R-2 Residence District and R-3 Residence District. These zones permit single family residential uses on lots three quarters of an acre or more in the R-2 district and 15,000 square feet or more in the R-3 district. The Land Use Element of the Master Plan for Harding, last amended in 2017, notes the following about land uses in this area of the Township:

*"The area along Sand Spring Road in Morris [located just south of the Redevelopment Area] and Harding is an area of some planning and zoning inconsistency between the townships. The area in Morris zoned for Office Building and Research Laboratory (OL-40 zone) uses while the area at the southern end of Sand Spring Road in Harding is zoned for R-2 and R-3 single family residential use. Most of the remaining vacant land in the area is zoned residential (in Harding). Access to these vacant lots is obtained from Morris Township through the OL-40 zone."*

Per Harding's 2017 Land Use Plan, the township's future land use policies for the R-2 zoned areas are to preserve "their established single-family residential neighborhood character and to maintain the continuity of the development pattern where infill development or redevelopment is possible." The Land Use Plan further states that:

*"These policies should also apply to two large undeveloped tracts of land east of the Sand Spring Road neighborhood near Morris Township. This area is essentially the rear "yards" of two major office developments in Morris Township [including the Redevelopment Area]. Together they comprise about 40 acres of land and are "landlocked" with no street frontage. Surrounding land uses include the I-287 highway corridor to the south, and the Blackwell Avenue and Frederick Place (in Morris Township) residential neighborhoods to the west and east, respectively. The eastern-most parcel is proposed for acquisition by Morris Township for recreation purposes. Currently, the only means of access to this area*

*is through the adjacent office developments. However, it may be possible to obtain access to the eastern-most parcel through the Frederick Place neighborhood in Morris Township. This area is designated within Planning Area 5 by the State Planning Commission. Harding has no plan to expand the sewer service area or extend sewer infrastructure from the adjacent service area in Morris Township. Any future development in this area for residential or recreational uses will also be limited by the presence of freshwater wetlands.”*

Additionally, it should be noted that the Planning Board of Harding adopted an Amended Housing Element and Fair Share Plan on December 17, 2018. The plan notes that on February 26, 2016, Mt. Kemble Associates was granted intervenor status in the Township’s declaratory judgment action. Mt. Kemble Associates is the owner of the property located at Block 23.02 Lot 5 which encompasses 15 acres on Harding’s northern border with Morris Township and is within the Morris Township sewer service area. The property is located between Route 202 (Mt. Kemble Avenue) and interstate 287. While the Property is within Harding Township’s borders, its access is from Route 202, which is located within Morris Township’s municipal boundary. The Mt. Kemble property in Harding will produce 80 market-rate for-sale townhouse units and 16 fee simple or rental affordable units, to be incorporated into the development as stacked flats. The Township prepared and adopted a zoning ordinance for the subject Property on July 9, 2018. The ordinance creates a new zone, entitled “TH-1 Townhouse Zone 1” that permits single-family, twin house, and/or townhouse development on the subject site with an affordable housing set-aside of 16 units, subject to the affordability controls of the Uniform Housing Affordability Controls N.J.A.C. 5:80-26.1 et seq. (“UHAC”).

This Redevelopment Plan permits office and hotel use whereas the nearest lands in Harding Township are classified for residential use under the Master Plan. Importantly, however, the existing office developments on Block 6101, Lot 4 and Block 6101, Lot 1 in Morris Township serve as a buffer between the Redevelopment Area and residentially-designated properties in Harding Township.

#### IV.B.2 Town of Morristown

The zoning districts in Morristown closest to the Redevelopment Area along Mt. Kemble Avenue are the MF-1 Single Family and Semi-Attached and the H-1 Hospital Development. These zoning districts were created to implement Morristown’s Master Plan adopted in 2014.

Permitted uses in the MF-1 district are single-family and two-family homes. According to the Zoning Code the identity of the MF-1 district is as follows:

*“These neighborhoods were constructed primarily before 1920, and contain a mix of one-and-two-family dwellings, occupied in some cases by property owners and in other cases by tenants. Detached residential structures dominate the character of MF-1 Districts. Generally speaking, properties MF-1 are developed with reduced yard setbacks and larger structures relative to lot size as compared to most single-family neighborhoods in town. MF-1 districts are walkable, and connect to essential services and neighborhood amenities.”*

Permitted uses in the H-1 Hospital Development district are hospitals; medical laboratories, rehabilitation centers, etc.; and nursing homes. According to the Zoning Code the intent of the H-1 District is serve as the zone for the Atlantic Rehabilitation Center. Buildings are permitted up to three stories in height.

This Redevelopment Plan envisions office use which currently exist in the Redevelopment Area, as well as a complementary hotel use. Because the Redevelopment Area does not directly abut Morristown, such uses will not have a significant impact on the aforementioned use classifications cited under the Morristown Master Plan.

## **IV.C Relationship to the Morris County Master Plan**

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### **IV.C.1 Future Land Use Element**

The Morris County Master Plan's Future Land Use Element was adopted in 1975 and is now 45 years old. Nevertheless, there are some land use goals for the "future of Morris County" stated in the 1975 Future Land Use Element which hold true today. For example, "Goal 2. Balanced and diversified economic growth, coordinated with transportation, utilities, and environmental limitations" states that the Plan "seeks to insure that jobs requiring various levels of skill and/or education will always be available to the citizens of the County" and that "for reasons of economy and efficiency" any new economic activities be located in areas easy to serve by utilities and easy to reach by some major transportation systems. This Redevelopment Plan is consistent with this goal as it allows for office and hotel uses that would create jobs requiring varying levels of skill and/or education. Additionally, the Redevelopment Area is well served by existing transportation networks, including Route 202, a major arterial roadway, as well as Route 287. The County Master Plan recommends among its objectives that "future economic activities be located within existing economic concentrations, and within feasible utility networks." This Redevelopment Plan, which envisions the concentration of non-residential uses in already developed areas served by existing utilities, is consistent with this objective.

## **IV.D Relationship to the State Development and Redevelopment Plan**

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The 2001 State Development and Redevelopment Plan (SDRP) classifies the Redevelopment Area as part of Planning Area 1, Metropolitan Planning Area (PA-1). The SDRP defines Metropolitan Planning Areas as areas which "provide for much of the state's future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities." This Redevelopment Plan is well-reconciled with the guiding policies and policy objectives of the adopted SDRP for the Planning Area 1, Metropolitan Planning Area. For example, consistent with the goals for the PA-1, this Redevelopment Plan will promote redevelopment within an already developed area while also carefully protecting the character of surrounding communities. Additionally, consistent with the SRDP objectives for PA-1, this Redevelopment Plan places compact redevelopment in a location well served by existing transportation networks, including Routes 202 and 287.

## **V REDEVELOPMENT ACTIONS**

### **V.A Outline of Proposed Actions**

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Construction of new structures and/or retrofitting of existing structures, together with other site improvements, will occur in accordance with this Redevelopment Plan. Other actions that may need to be undertaken to implement the Redevelopment Plan may include provisions for infrastructure necessary to service and support new development and creation and/or vacation of easements as may be necessary for redevelopment.

### **V.B Provision of Improvements**

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The designated redeveloper shall be responsible for the installation or upgrade of infrastructure related to the project, whether on-site or off-site. Infrastructure improvements may include, but are not limited to, gas, electric, water, sanitary and storm sewers, pumping stations, traffic control devices, telecommunications, streets, curbs, sidewalks, street lighting, street trees, and street furniture. The extent of the redeveloper's responsibility will be outlined in the redeveloper's agreement with Morris Township. All improvements shall comply with applicable federal, state and local law.

### **V.C Properties to be Acquired**

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No property acquisition on the part of Morris Township is required to implement the Redevelopment Plan.

### **V.D Demolition**

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In order for the project to proceed, it anticipated that portions of existing parking areas will be removed to accommodate new construction.

### **V.E Relocation**

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No relocation actions are required to implement the Redevelopment Plan.

### **V.F Other Actions**

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In addition to the new construction, several other actions may be taken to further the goals of this Plan. These actions may include but shall not be limited to the creation and/or vacation of public utility easements and other easements and rights of way as may be necessary for redevelopment.

## **VI GENERAL PROVISIONS**

### **VI.A Site Plan & Subdivision Review**

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Except as provided herein, prior to commencement of any new construction within the Redevelopment Area, a site plan prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Land Development Ordinance of Morris Township shall be submitted by the applicant for review and approval by the Planning Board of Morris Township so that compliance with the Redevelopment Plan can be determined. This shall also pertain to revisions or additions prior to, during and after completion of the improvements.

Any subdivision of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan or as otherwise established in the Land Development Ordinance of Morris Township. However, notwithstanding the above, permitted uses (i.e., office building and hotel) may be subdivided subject to Planning Board approval to allow for separate ownership and/or for financing purposes. In order to provide design flexibility there shall be no minimum lot area, depth, width or yard requirements associated with such internal subdivision provided that the project as a whole complies with the requirements of the Redevelopment Plan. A lot may be created without frontage on a public street provided such lot has appropriate access to a public street and the right to such access is established by an easement recorded in the Morris County Clerk's office or otherwise as provided by law.

### **VI.B Adverse Influences**

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

### **VI.C Non-Discrimination Provisions**

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No covenant, lease, conveyance or other instrument shall be affected or executed by the Morris Township Committee or by the developer or any of his/her successors or assignees, whereby land within the Redevelopment Area is restricted upon the basis of age, race, creed, religion, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, or sex in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.

Any contractor or subcontractor engaged to perform work within the Redevelopment Area shall, where applicable, state in all solicitations or advertisements for employees placed by or on behalf of the contractor, or subcontractor, that all qualified applicants will receive consideration for employment without regard to age, race, creed, religion, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability or sex.

There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of age, race, creed, religion, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, or sex in the sale, lease, use or occupancy thereof.

## **VI.D Duration of the Plan**

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The provisions of this Redevelopment Plan and the restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of approval by the Morris Township Committee.

## **VI.E Deviation Requests**

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The Planning Board may grant variances allowing deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any such regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of the Plan and the benefits of the deviation would substantially outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan. An application for a variance from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b.

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area or any change requiring a “d” variance in accordance with N.J.S.A. 40:55D-70 shall be permitted only by means of an amendment of the Redevelopment Plan by the Township Committee, and only upon a finding that such amendment would be consistent with and in furtherance of the goals and objectives of the Plan.

## **VI.F Procedure For Amending The Approved Plan**

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This Redevelopment Plan may be amended from time to time upon compliance with the requirements of State law. If the designated redeveloper requests such amendment said redeveloper shall pay an application fee of \$2,500 and shall further reimburse the Township for reasonable costs, fees and expenses to undertake such amendment.

## VII OTHER PROVISIONS

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

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- No relocation actions are required as part of this Redevelopment Plan.
- No property acquisition on the part of Morris Township is required as part of this Redevelopment Plan.
- The Redevelopment Plan is substantially consistent with the Master Plan for Morris Township, as well as with the Master Plans of the surrounding municipalities and Morris County. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- The Redevelopment Plan shall supersede all provisions of the Zoning Ordinance and Land Development Ordinance of Morris Township regulating development in the area addressed by this Redevelopment Plan. In all situations where zoning issues are not specifically addressed herein, Chapter 57, Land Development and Chapter 95, Zoning of the Morris Township Code shall, however, remain in effect. No “d” variance from the requirements herein shall be cognizant of the Zoning Board of Adjustment. Adoption of this Plan by the Township Committee shall be considered an amendment of the Morris Township Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.
- Any designated redeveloper must have a fully executed Redevelopment Agreement with the Township prior to making any applications to the Planning Board.