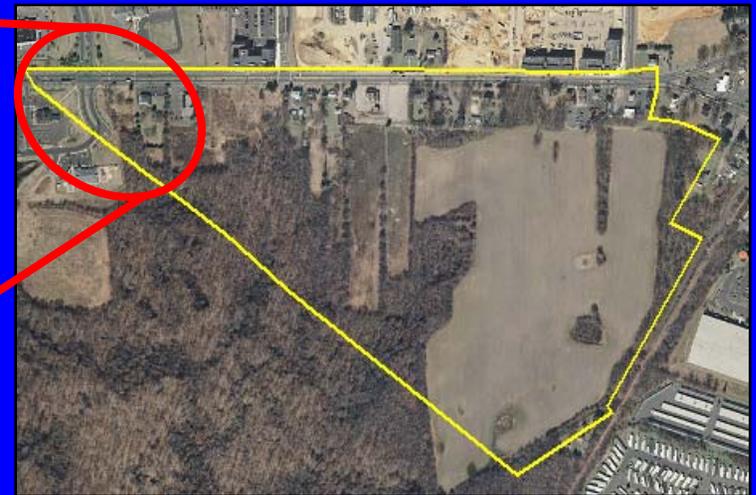
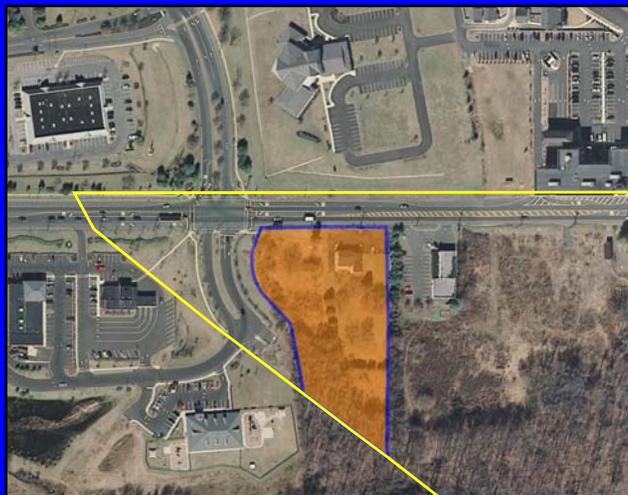


***NORTHERN TRACT: PARCEL A  
AMENDMENTS to the  
REDEVELOPMENT PLAN  
TOWN CENTER SOUTH REDEVELOPMENT AREA  
Robbinsville Township, Mercer County, New Jersey***



Submitted: September 12, 2012  
Adopted: September 27, 2012





*Northern Tract: Parcel A Amendments  
to the Redevelopment Plan  
Town Center South Redevelopment Area  
Robbinsville Township, Mercer County, N.J.*

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**Greenbaum, Rowe, Smith & Davis LLP**

The original of this document has been signed  
and sealed pursuant to N.J.S.A. 45:14A-12.

Respectfully Submitted:  
**REMINGTON, VERNICK & ARANGO ENGINEERS**  
By:

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NJ Professional Planners License # LI005598

**Richard G. Arango, P.E., C.M.E.**  
Executive Vice President





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## CONVENTIONS FOR THESE AMENDMENTS

- A. The term “Redevelopment Plan” used throughout this document shall refer to the duly adopted *Redevelopment Plan for the Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey*, prepared by Remington, Vernick & Arango Engineers (dated February 27, 2012).
- B. The terms “this Amendment” or “these Amendments” used throughout this document shall refer generically to this instant document and collectively to the several amendments, clarifications, supplements and other modifications to the Redevelopment Plan described herein.
- C. Unless differentiated by context, the term Redevelopment Plan as used herein shall include the provisions of this Amendment.

### D. Section Numbering

Unless otherwise indicated, section numbering in this Amendment remains identical to the section numbering in the Redevelopment Plan.

Where a change to a particular section of the Redevelopment Plan is required, such change is made by this Amendment within the numbering system of the Redevelopment Plan. Such changes are limited to Northern Tract: Parcel A, with the original language of the Redevelopment Plan remaining for the balance of the Redevelopment Area.

Where no changes to a particular section of the Redevelopment Plan are necessary, such section is **excluded** from this Amendment. Accordingly, section numbering in this Amendment is **not necessarily sequential**.

Where new material is required, such material is inserted as a new section in as sequential an order as is possible. Such new material is limited to Northern Tract: Parcel A, with the original language of the Redevelopment Plan remaining for the balance of the Redevelopment Area.

### E. Exhibit Numbering

Where no change to a particular Exhibit contained in the Redevelopment Plan is necessary, such Exhibit referenced in this Amendment by excluded from the document for brevity.

Where a change to a particular Exhibit contained in the Redevelopment Plan is required, such revised Exhibit is included in this Amendment under the same Exhibit number as in the Redevelopment Plan, except that such modified Exhibit shall be designated with the letter ‘A’ (i.e., “Exhibit 12.1 A.”). Such changes are limited to Northern Tract: Parcel A, with the original Redevelopment Plan Exhibit remaining for the balance of the Redevelopment Area.

New Exhibits commence numbering where the Exhibits from the Redevelopment Plan end (i.e., Exhibit 12.30). Accordingly, Exhibit numbering in this Amendment is **not necessarily sequential**. Such new Exhibits are limited to Northern Tract: Parcel A, with the unchanged Redevelopment Plan Exhibits remaining for the balance of the Redevelopment Area.

### F. Footnote Numbering

Footnote numbering in this Amendment is sequential and bears no relationship to the footnote numbering in the Redevelopment Plan.





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**G. Maps & Graphics**

Generally, the maps and graphics contained in the body of the Redevelopment Plan have been omitted in this Amendment for brevity. Unless specifically modified by this Amendment, such maps and graphics remain unchanged.

**H. Conflicts**

Should any conflict occur between the provisions of the Redevelopment Plan and this Amendment, the provisions of this Amendment shall govern.



**1.0 INTRODUCTION**

1.1 In October 2010, the Township Council of the Township of Robbinsville<sup>1</sup> declared<sup>2</sup> a portion of the Township’s Town Center<sup>3</sup> to be an Area In Need of Redevelopment pursuant to New Jersey’s *Local Redevelopment and Housing Law*.<sup>4</sup>

**1.2 Redeveloper Solicitation & Designation**

Immediately upon adoption of the Redevelopment Plan, the Township issued a public Redeveloper Solicitation for the Redevelopment Area. Interested parties were invited to submit Expressions of Interest outlining their qualifications for Redeveloper designation and their proposed Project.

After review of the Expressions of Interest received, the Governing Body designated respondent “The Ferber Company, Inc.”<sup>5</sup> as Redeveloper Candidate for Block 1, Lots 1.01, 2 and 3,<sup>6</sup> and authorizing the commencement of negotiations of a Redevelopment Agreement with Ferber for a Walgreen’s pharmacy

and convenience store at the Subject Property (hereinafter designated “Northern Tract: Parcel A” or “Parcel A”).

Ferber’s Expression of Interest reflected a Project which is designed to achieve the Municipal Goals & Objectives of the Redevelopment Plan AND provided the Township with demonstrated evidence of Ferber’s experience and qualifications in developing and, with Walgreen’s, operating the type, size and scope of the Project proposed.

**1.3 Northern Tract: Parcel A Amendment to the Redevelopment Plan**

1.3.1 The Township has worked to finalize details related to the redevelopment of Parcel A, and has identified certain revisions to the Redevelopment Plan which specifically pertain to Parcel A as being necessary and appropriate to achieve the project concept as submitted.

Such revisions are contained in this Amendment to the Redevelopment Plan.

This Amendment is not intended to replace the Redevelopment Plan, but to modify, enhance and supplement the provisions of the Redevelopment Plan as applied to Parcel A. Accordingly:

<sup>1</sup> “Governing Body”

<sup>2</sup> via Township Resolution No. 2010-202 (on file with the Township Clerk)

<sup>3</sup> Reference Exhibits in Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey, prepared by Remington, Vernick & Arango Engineers (dated February 27, 2012) [“Redevelopment Plan”].

<sup>4</sup> N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Statute”)

<sup>5</sup> “Ferber”

<sup>6</sup> Township Resolution No. 2012-165 (on file with the Township Clerk)



**Northern Tract: Parcel A Amendments  
to the Redevelopment Plan  
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- A. The Introduction (section 1.0), Definitions (section 2.0), Town Center South Redevelopment Area [description] (section 3.0), Redeveloper Solicitation, Selection & Designation (section 5.0), Redevelopment Provisions (section 7.0), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0) and the Open Space, Landscaping & Streetscaping Provisions (section 10.0) contained in the Redevelopment Plan are modified *to the extent addressed herein*.
  
- B. The Municipal Goals & Objectives (section 4.0), Anticipated Redevelopment Actions (section 6.0), Equal Opportunity (section 11.0), Provisions Necessary to Meet Statutory Requirements (section 12.0), Effective Date, Durations of Provisions & Amendment Provisions (section 13.0) and Certificate of Completion and Compliance Provisions (section 14.0) contained in the Redevelopment Plan remain unchanged and applicable.



## 2.0 DEFINITIONS

Definitions in the Redevelopment Plan are sequentially numbered in alphabetical order. Where any of the following definitions amend an existing definition in the Redevelopment Plan, such new language retains its original definition number.

New definitions commence numbering after 2.114, which is the last definition in the Redevelopment Plan.

- 2.67 “Publication” shall mean the date printed on the cover of the Redevelopment Plan or this Amendment, as the case may be, which shall signify the date the Redevelopment Plan or this Amendment was finalized for printing.
- 2.74 “Redevelopment Plan” shall mean the duly adopted Redevelopment Plan for the Town Center South Redevelopment Area, Robbinsville Township, Mercer County, New Jersey, prepared by Remington, Vernick & Arango Engineers (dated February 27, 2012).
- 2.107 “Township Code” shall mean, unless otherwise cited, Chapter 142 of the Robbinsville Township Municipal Code,<sup>7</sup> as modified through the Redevelopment Plan and this Amendment, and as may be amended from time-to-time.

Since the February 2012 adoption of the Redevelopment Plan, the Township has made certain amendments to Chapter 142. Accordingly, the regulations of Chapter 142 current at the time of a Redeveloper’s submission to the Planning Board for Review & Approval shall govern ~ *to the extent that such regulations are not modified by the Redevelopment Plan or this Amendment.*

While this Amendment attempts to address all issues related to construction of a Redevelopment Project on Parcel A, it recognizes that there may continue to be provisions of Chapter 142 and the Redevelopment Plan that may impact Project Design. Such issues shall be addressed between the Township and the Redeveloper as identified.

Additionally, and consistent with section 7.2.4 B. of the Redevelopment Plan, this Amendment continues to vest the Planning Board with the power to grant departures<sup>8</sup> from the regulations contained in Chapter 142, the Town Center Plan and the Redevelopment Plan requested by the Redeveloper.

- 2.115 “Amendment” shall mean this instant document entitled Northern Tract: Parcel A Amendment to the Redevelopment Plan, Town Center South Redevelopment Area, Robbinsville Township,

<sup>7</sup> On file with the Township Clerk or available via <http://www.robbinsville-twp.org/>

<sup>8</sup> Such departures shall be considered “deviations” under the Redevelopment Statute and not ‘variances’ under the *Municipal Land Use Law*.



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Mercer County, New Jersey, prepared by Remington, Vernick & Arango Engineers (date indicated on cover).

Upon adoption by the Governing Body, this Amendment shall work in conjunction with the Redevelopment Plan to jointly satisfy all statutory requirements for a Redevelopment Plan under N.J.S.A. 40A:12A-3 and 12A-7.





## **5.0 REDEVELOPER SOLICITATION, SELECTION & DESIGNATION**

### **5.1 Redeveloper Solicitation & Selection**

5.1.1 The Redeveloper solicitation and selection process that resulted in Ferber being designated Redeveloper Candidate is summarized in section 1.2 of this Amendment.



**7.0 REDEVELOPMENT PROVISIONS**

**7.1 Review Procedures, Responsibilities & Authority**

7.1.1 By referring this Amendment to the Planning Board for its review and recommendation, the Governing Body has approved the Project Concepts and Description of Project Elements proposed for Northern Tract: Parcel A. Such approval both accepts the Project for the community and finds that the Project is consistent with the Redevelopment Plan, as modified via this Amendment.

7.1.2 Redevelopment Plan section 7.1.2 is modified to the extent described in section 7.1.1 hereinabove.

7.1.4 Within the context of Redevelopment Plan sections 7.1.1, 7.1.2 and 7.1.3, as modified by this Amendment, and subject to the requirements of the Relevant Permitting Agencies, as applicable:

- A. The Governing Body shall retain sole authority for the interpretation or clarification of the Redevelopment Plan and these Amendments, including the permissibility of any use proposed for Northern Tract: Parcel A, as well as the extent to which any non-quantifiable design standard ~ either within the Redevelopment Plan, the Township Code, the Town Center Plan or these Amendments ~ conforms to the intent of the Redevelopment Plan.

Such an interpretation will relieve the need for a Deviation under Redevelopment Plan section 7.2.1 D. 1.

**7.2 Standards & Controls of General Applicability**

7.2.1 Governing Regulations

D. Except where otherwise modified by the Redevelopment Plan or these Amendments ~ and specifically including Redevelopment Plan subsection 7.2.1 E. ~ the Redevelopment Area shall be governed by the standards and regulations contained in the Township Code. By reference, such provisions are included in and adopted by the Redevelopment Plan.

Should a County, State or Federal code or regulation contain comparable but less restrictive provisions than set forth in the Redevelopment Plan, the standards set forth in the Redevelopment Plan and this Amendment shall govern.

Interpretation or clarification of any conflicts or inconsistencies between provisions of the Township Code, the Town Center Plan, the Redevelopment Plan and this Amendment shall be made by the Governing Body, acting in its capacity as Redevelopment Entity for the Redevelopment Area.



Unless clearly dictated by the circumstances involved, any such conflict or inconsistency shall be resolved in favor of the provisions of the Redevelopment Plan or this Amendment.

7.2.4 Variances, Departures, Deviations & Design Waivers

The Provisions of the Redevelopment Plan and this Amendment flow from the Township’s power to (re)plan designated Redevelopment Areas under the *Local Redevelopment and Housing Law*<sup>9</sup> and not from the Township’s power to zone under the *Municipal Land Use Law*.<sup>10</sup> It is therefore within the context of the *Local Redevelopment and Housing Law* and not the *Municipal Land Use Law* that the Township has adopted the Redevelopment Provisions (section 7.0) and other regulations of the Redevelopment Plan, as amended herein, and further incorporates specific components of the Township Code and Town Center Plan into the Redevelopment Plan.

Accordingly:

B. The Redevelopment Plan does not recognize the ‘bulk (‘c’) variance’ process under the *Municipal Land Use Law*<sup>11</sup>. The processes for deviating from specific Building Limit Controls and other

design regulations of the Redevelopment Plan, as amended herein, follow:

1. Deviation Allowance

a. The Planning Board may, at time of Site Plan Review & Approval and without formal amendment to the Redevelopment Plan or these Amendments, approve departures from the Building Limit Controls (sections 7.4.1 C. and 7.4.2 C.) and the *quantifiable* requirements of the Architectural Controls (section 7.5), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0), Open Space, Landscaping & Streetscaping Provisions (section 10.0) of the Redevelopment Plan and these Amendments, and from the *quantifiable* regulations of the Township Code and Town Center Plan, as may be requested by the Redeveloper ~ to a maximum of twenty percent (20%) Deviation Allowance from the subject regulation, for a Project whose totality of architecture exhibits, in the sole opinion of the Board, superior design and quality, and further provided that such departure(s) are, in the opinion of the Board, consistent with the intent of the Redevelopment Plan.

<sup>9</sup> N.J.S.A. 40A:12A-8

<sup>10</sup> N.J.S.A. 40:55D-62

<sup>11</sup> N.J.S.A. 40:55d-70c



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Requests for such relief shall require clear justification as to why the standard should be relaxed. Such justification shall generally conform with the requirements for Variance relief under N.J.S.A. 40:55D-70c., which otherwise would be required were the Project not developed under the Redevelopment process.

In reviewing such requests, the Planning Board shall have the flexibility to consider the request on the totality of its merits and not on the rigid requirements of the Positive and Negative Criteria otherwise required for Variance relief.

2. Design Waivers

a. The Redeveloper Candidate may petition the Governing Body for departure(s) from the *non-quantifiable* provisions of the Architectural Controls (section 7.5), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0), and Open Space, Landscaping & Streetscaping Provisions (section 10.0) of the Redevelopment Plan and these amendments, and from the *non-quantifiable* regulations of the Township Code and Town Center Plan, in the form of Design Waivers requested either

along with submission of an Expression of Interest or as part of the Redevelopment Agreement negotiations process.

Any Design Waiver accepted by the Governing Body shall explicitly be included within this Amendment, which shall be appended as an exhibit to the executed Redevelopment Agreement, upon which it shall be treated as being consistent with the Redevelopment Plan. Waivers not so included shall be addressed within subsection b. below.

b. The Redeveloper may petition the Planning Board for departure(s) from the *non-quantifiable* provisions of the Architectural Controls (section 7.5), Circulation, Parking & Loading Plan (section 8.0), Utility & Easement Controls (section 9.0), and Open Space, Landscaping & Streetscaping Provisions (section 10.0) of the Redevelopment Plan and these Amendments, and from the non-quantifiable regulations of the Township Code and Town Center Plan, in the form of Design Waivers requested at time of Review & Approval. Requests for such relief shall require clear justification as to why the standard should be relaxed.



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In reviewing such requests, the Planning Board shall have the flexibility to consider the request on the totality of its merits.

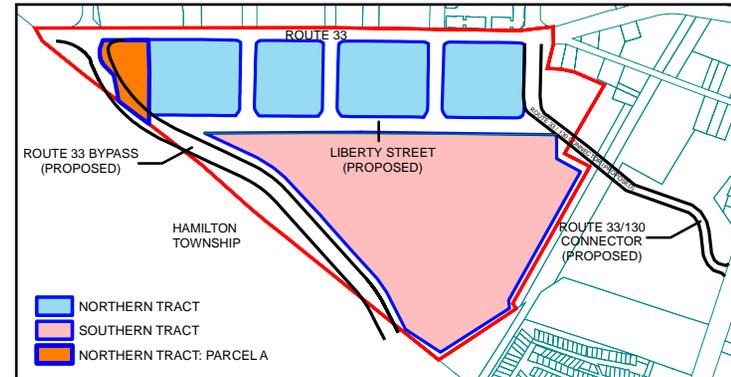
**7.3 Parcelization Plan**

The Parcelization Plan divides the Redevelopment Area into an approximately 26 gross acre<sup>12</sup> Northern Tract and an approximately 36.8 gross acre<sup>13</sup> Southern Tract; with each Tract programmed for specific land uses and building controls detailed in section 7.4 herein.

The Development Regulations (section 7.4) of the Redevelopment Plan, as amended herein, provide standards for the physical (re)development of each Redevelopment Tract. Within this framework, Redevelopers and their designers are encouraged to exercise maximum ingenuity and creativity in order to achieve the Goals & Objectives (section 4.0) of the Plan.

**7.3.1A Northern Tract: Parcel A**

In order to address the needs of the Ferber proposal without impacting lands beyond Block 1, Lots 1.01, 2 and 3, this Amendment subdivides Block 1, Lots 1.01, 2 and 3 from the Northern Tract.



**7.4 Development Regulations**

**7.4.1A Northern Tract: Parcel A**

The intent of Northern Tract: Parcel A is to provide a setting for the development of a national pharmacy retail store with drive-thru service in the Redevelopment Area.

**A. Permitted Principal Uses**

In addition to the Principal Uses permitted in the Northern Tract under Redevelopment Plan section 7.4.1, this Amendment permits the following as Permitted Principal Uses in Northern Tract: Parcel A:

- 1. Commercial, Office, Retail and/or Urban Apartment Buildings, which may, but need not be, multistory, mixed-use structures.

<sup>12</sup> Acreage calculations are approximate. A Property Survey, performed by a licensed Land Surveyor, is required for precise measurements.



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**B. Permitted Accessory Uses**

- 1 Permitted Accessory Uses for Northern Tract: Parcel A shall be the same as Accessory Uses permitted for the Northern Tract under Redevelopment Plan section 7.4.1 B.
- 2 Staging for the construction of the Redevelopment Project on Northern Tract: Parcel A, including materials storage, construction trailers for office use, sales trailers, parking and all other activities normally associated with development.

**C. Building Limit Controls**

The following Building Limit Controls are designed to work in concert with the existing and proposed rights-of-way detailed under the Circulation Plan (Redevelopment Plan section 8.1).

Buildings shall be oriented toward Route 33 and shall consist of commercial / retail uses on the ground level and, if multistory, mixed-use structures, shall have apartment dwellings or offices on the upper levels (generally, office on the 2<sup>nd</sup> story and dwelling units above). While such buildings may vary in terms of footprint and architectural elevations, they shall generally be compatible, in style and detailing, to the buildings fronting the north side of Route 33.

Site and building design shall employ mass, scale, layout, materials, and architectural and other distinguishing features in order to establish a traditional civic character and prominence for Parcel A. Within this context, the following site and building controls shall be flexibly interpreted in order to achieve the desired effect.

CATEGORY	REGULATION	
Minimum Parcel Size	The combined Block 1, Lots 1.01, 2 & 3. <sup>13</sup>	
Minimum Parcel Width	The Width of the combined Block 1, Lots 1.01, 2 & 3. <sup>14</sup>	
Minimum Parcel Depth	The Depth of the combined Block 1, Lots 1.01, 2 & 3. <sup>14</sup>	
Route 33 Setback	Minimum: 80'	Maximum: 95'
Setback from Washington Boulevard	Minimum: 50'	Maximum: 65'
Maximum Building Height	4½ Stories & 48' + architectural features	
Maximum Impervious Surface Coverage	80%	

<sup>13</sup> Adjusted for any proposed rights-of-way



CATEGORY	REGULATION
Min. Dwelling Unit Size	650 s.f.
Maximum FAR	1.3
Maximum Residential Density	<b>No Maximum Established</b> Density shall be a product of the number of units achievable in the space permitted based on the minimum permitted unit size.

**7.5 Architectural Controls**

The following Architectural Controls ~ modified from those contained in the Redevelopment Plan ~ apply only to Northern Tract: Parcel A. Where not modified herein, the Architectural controls of the Redevelopment Plan remain in place.

**7.5.2 Building Orientation**

- B. Buildings shall be located to front towards and relate to public streets, both functionally and visually.
  
- E. Parcel A is a gateway to the Redevelopment Area. Buildings thereon may mark the transition via massing, height, materials and/or architectural embellishment to obtain a gateway effect.

**7.5.4 Roofs & Roof Materials**

- A. Roof types may be front or side gable, gambrel, mansard, hipped, salt box, flat or combinations thereof. The recommended pitch for the principle roof (where not flat) should be 9/12. The principal pitch may be lowered if there are overhanging eaves that are either bracketed or have exposed rafters.
  
- B. Roofline orientation should vary to the highest extent practicable.
  
- C. Shed roofs are permitted only when attached to a principal roof or parapet wall.  
  
Flat roofs should have an articulated cornice line that generally corresponds to a consistent cornice line on neighboring buildings.

**7.5.7 Windows**

*C. Windows for the Northern Tract: Parcel A*

- 1. Windows should be between 24" and 36" above the finished floor and should be architecturally compatible to and in proportion with the facade treatment. Aluminum framed plate glass "Storefronts" are prohibited.
  
- 2. Primary display windows should occupy a minimum of 25% of the ground floor façades of the walls containing such windows.



- 5. Outer window glazing should be set back a minimum of 3” from the outer plane of the wall. At minimum, there should be a decorated lintel, face frame and drip mold over the windows.

and should be in character with the architectural style of the building. Towers should not exceed 15’x15’.

7.5.9 Trim / Eaves & other Decorative Building Elements

A. *Building Trim*

- 1. Pitched-roof buildings should be, at a minimum, trimmed with gable and eave boards all around. Trim ornamentation may be elaborated to any of the following:

- Plain or decorated frieze;
- Overhanging eaves;
- Boxed cornice;
- Denticulated cornice; and/or
- Ornate Italianate bracketed cornice.

- 2. Tight eaves should be finished by molding. Windows should have decorative lintel with sill and side trim. Non-masonry structures should have corner boards.

- A. Towers are permitted on buildings located in prominent positions requiring special architectural treatment. Towers should not extend more than 15’ above the roof ridge line,

7.5.12 Chimneys

Chimneys should be clad in either brick, stone, stucco or clapboard, and should be located at gable ends or centrally. Chimney tops should have decorative details (e.g., corbelling). Flues should be painted the color of the roof.

7.5.13 Colors

- G. Delete in its entirety

7.5.14 Heating, Air Conditioning & Telecommunications

Air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be screened from ground-level (eye-level) view from public rights-of-way and adjacent properties by use of walls, fencing, roof elements, penthouse-type screening devices or landscaping.

7.5.17 Signage

- H. Signage featuring color and the use of dramatic corporate icons is encouraged, as is the use of neon lighting or similar material to create sculptural logo or iconographic images.





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An electronic, variable message reader board is permitted, provided that such element is incorporated within a larger sign that serves as the type of Redevelopment Area gateway feature permitted under section 7.5.2 E. Messages shall be limited to in store advertising, activities or events within the Parcel A Redevelopment Project and to inform the general public of governmental, civic and similar activities or events.



**8.0 CIRCULATION, PARKING & LOADING PLAN**

**8.1 Circulation**

**8.1.2 Northern Tract**

D. The geometry of Northern Tract: Parcel A will result in the termination of Liberty Street<sup>14</sup> along the eastern lot line of Parcel A instead of extending to the Route 33 Bypass (and along the southern line of Parcel A) as conceptually depicted in the Redevelopment Plan. Accordingly, the Redeveloper of Parcel A need only construct an appropriate interconnection with the to-be-constructed Liberty Street once the final geometry of the right-of-way is established by the Township.

**8.1.6 Additional Guidelines**

B. The width of the sidewalks on the south side of Route 33 shall transition between the widths of the sidewalks on either side of the lot in question.

Elsewhere, commercial sidewalks shall have a minimum width of 5’.

E. Curbing is required on all streets. Curb radii shall be at the discretion of the Township Engineer.

H. While sidewalks shall be required on both sides of a street, Redevelopers are only required to install sidewalks on a side of a street where their Redevelopment Project is located.

**8.2 Parking**

**8.2.1 General Requirements**

H. On-street parking may be provided as curbside parallel, or angle parking located along both or alternating sides of the streets.

Diagonal head-in parking may be permitted along the front of commercial uses and/or public open space.

Curbside parking shall not be permitted within 25’ of an intersection.

I. Deleted in its entirety.

**8.2.3 Off-Street Parking: Mid-Rise (Urban Apartment, Mixed-Use & Commercial) Buildings**

B. Deleted in its entirety.

E. Off-street parking lots, together with their access aisles, driveways and fire lanes, shall not occupy more than 60% of the total lot area.

<sup>14</sup> Certain Township engineering documents reference the western leg of “Liberty Street” as “Freedom Street”. For the purposes of this Amendment, the name “Liberty Street” shall refer to the entire east-west right-of-way separating the Northern and Southern Parcels.



- F. Access-points to parking lots or loading areas shall be at least 12' from the property line, at least 30' wide at the throat and no greater than 70' wide at the street connection.

**8.2.4 Surface Parking Lots**

- B. Parking lot layout, landscaping, buffering and screening shall be provided to minimize direct views of parked vehicles from streets and sidewalks; avoid spillover light, glare, noise, or exhaust fumes onto adjacent properties; and provide the parking area with a reasonable measure of shade.

In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of a 3'-high, year-round visually impervious screen, hedge or wall, the height of which shall decrease where driveways approach sidewalks or walkways in order to provide adequate visibility of pedestrians from motor vehicles, and shall not interfere with clear sight triangle requirements.

- C. The interior of all parking lots shall be landscaped to provide shade and visual relief by way of protected planting islands or peninsulas within the perimeter of the lot.

Parking lots with 10 or fewer spaces may not require interior landscaping if the Planning

Board determines that there is adequate perimeter landscaping.

Parking lots with 11 or more spaces require one (1) deciduous shade tree per five (5) parking spaces. Choice of plant materials, buffer width, type of screening, location and frequency of tree planting shall be appropriate to the architecture of the Project to which the parking lot is intended to serve.

**8.2.5 Parking Analysis**

- F. In lieu of the above-cited methodologies, a Parking Analysis based on the experience of a Redeveloper and/or operator with multiple regional or national locations shall be acceptable.

**8.3 Loading**

- 8.3.5 No external loading docks are permitted. Delivery, loading and storage facilities shall be physically incorporated into the Redevelopment Project as necessary and shall not be visible from the public right-of-way or adjoining property.

This regulation shall not be interpreted to prohibit cabanas, food & beverage refrigerators, supply sheds or other similar facilities designed to service outdoor swimming pools, outdoor cafés or other amenities.



## **9.0 UTILITY & EASEMENT CONTROLS**

### **9.4.1 Detention Basins**

C. Basin embankments and the basins themselves shall be extensively landscaped with wet-site tolerant plant materials ~ it being the intention to recreate a seasonal and high-water wet ecosystem. The detention facility shall be sized to accommodate the future growth of vegetation planted in the basin.

Consistent with NJDEP's Best Management Practices manual, landscaping in the sand bed areas of infiltration basins shall not be required. Landscaping shall be provided at the perimeter of such areas.



## **10.0 OPEN SPACE, LANDSCAPING & STREETSCAPING PROVISIONS**

### **10.3 Streetscaping<sup>15</sup>**

10.3.2 Shall consist of traditional concrete paving for sidewalks, with color variations at driveway crosswalks,<sup>16</sup> street furniture and related items to demarcate public spaces and to help the Project blend in with the surrounding natural and built environment. Elements shall be appropriate to the Project proposed and shall be constructed of non-reflective materials.

Paved rights-of-way (streets) shall be traditional black asphalt.

10.3.7 The exposed surface of the rooftop decks of parking structures and decks and balconies when accessible as public open spaces ~ which are less than the Maximum Building Height within the Redevelopment Area or other lands within the Town Center and therefore visible from taller buildings ~ shall be treated with decorative

materials in order to create an aesthetic appearance from above.

Where said surfaces are pedestrian accessible, a minimum of 35% of the total exposed surface area not developed as an active use (i.e., outdoor café area) shall be landscaped as roof gardens. Treatment may or may not include live vegetation.

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<sup>15</sup> Reference Town Center Plan:

- section 5A12 for Walls, Fences and Hedges;
- section 5A16 for Paving Materials;
- sections 5A20 and 5A21 for Street and Park Furniture

<sup>16</sup> Including, but not be limited to, a combination of scored concrete, paver accents and such non-traditional / New Urbanist landscape design as curvilinear or meandering sidewalks with enhanced planting beds, rain gardens and other similar aesthetic treatment.