

PLAINFIELD AVENUE REDEVELOPMENT PLAN

City of Plainfield, New Jersey

August 3, 2017

Prepared by :



Nishuane Group, LLC,
105 Grove Street, Suite 1
Montclair, NJ 07042



Plainfield Avenue Redevelopment Plan

City of Plainfield, New Jersey

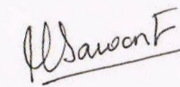
August 3, 2017

Prepared by:



Michele S. Delisfort, PP, AICP
New Jersey Professional Planner
(PP) License#: 33L100615500

Prepared for:



Veena Sawant, PP, AICP
New Jersey Professional Planner
(PP) License#: 33LII00632400



The original of this report was signed in accordance with NJSA 45:14A-12

TABLE OF CONTENTS

PLAINFIELD AVENUE PLAN



1.0 INTRODUCTION	5
2.0 DISTRICT OVERVIEW	7
2.1 Planning Area Boundary	
2.2 Existing Zoning	
2.3 District Issues	
3.0 THE REDEVELOPMENT PLAN	12
3.1 Purpose	
3.2 Goals and Objectives	
3.3 Compatibility with State and Local Plans	
3.4 Statutory Basis for the Redevelopment Plan	
4.0 PROPOSED LAND USE PLAN	16
4.1 Land Use Plan	
4.2 Hardship Exception	
4.3 District Standards	
4.4 Design Standards	
5.0 PROJECT REVIEW PROCESS AND AMENDMENTS TO THE PLAN	22
5.1 Site Plan and Subdivision Applications	
5.2 Deviations	
5.3 Relief from applicability of other regulations	

TABLE OF CONTENTS

PLAINFIELD AVENUE



6.0 IMPLEMENTATION OF THE PLAN

24

- 6.1 Selection of Redevelopers
- 6.2 Certification of Completion
- 6.3 Statutorily Permitted Actions
- 6.4 Agreements with Re-Developer
- 6.5 Equal Opportunity
- 6.6 Period of Applicability
- 6.7 Relocation Assistance
- 6.8 Plan Duration-Certificates of Completion and Compliance

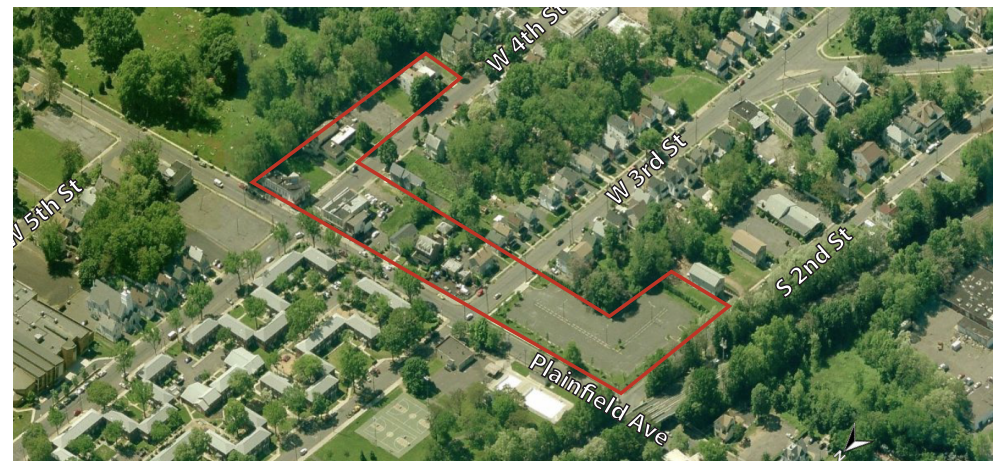


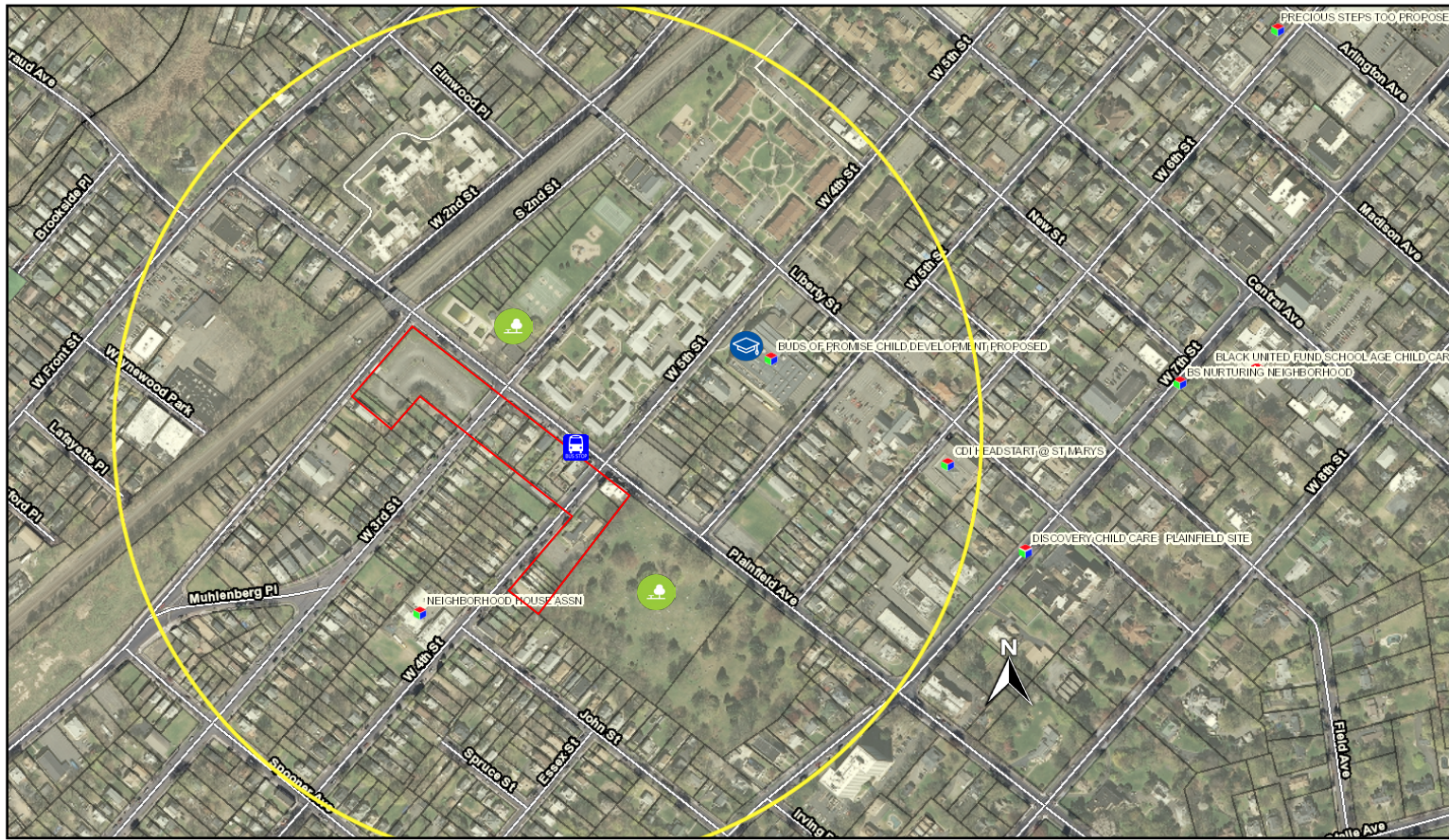
1.0 INTRODUCTION

PLAINFIELD AVE

According to the 2010 U.S. Census, the study area is comprised of census tracts 39400, blocks 1000, 1001, 1002, which has a combined population of 714 people. The plan area contains 20 parcels, which in total measure approximately 4.16 acres of land. The boundaries are southern side of Plainfield Avenue between South Second Street (West) and West 4th Street (East). The plan area is located in the western portion of the City along Plainfield Avenue. The surrounding area landmarks consist of the Hannah Atkins Playground, Baptist Cemetery and Methodist Cemetery. The area is located along a residential corridor consisting of commercial storefronts and parking lots.

In the late 1800's the corridor was primarily residential with the two religious cemeteries. The dwelling units were two-story frame buildings. It wasn't until the 1900s, commercial storefront were added to the front of a few residential building. In the late 1900's, Block 111, structures fronting on Plainfield Avenue were cleared for the existing parking lot. The plan area contains 20 parcels and are shown in tax maps 131





Map 1: Study Area Assets Map

and 113. This report relies upon the Plainfield Tax Assessor's list as the basis for identifying the study area's block and lots as well as ownership information. Tax block and lot numbers for the properties studied in this report are included herein within Table 1.



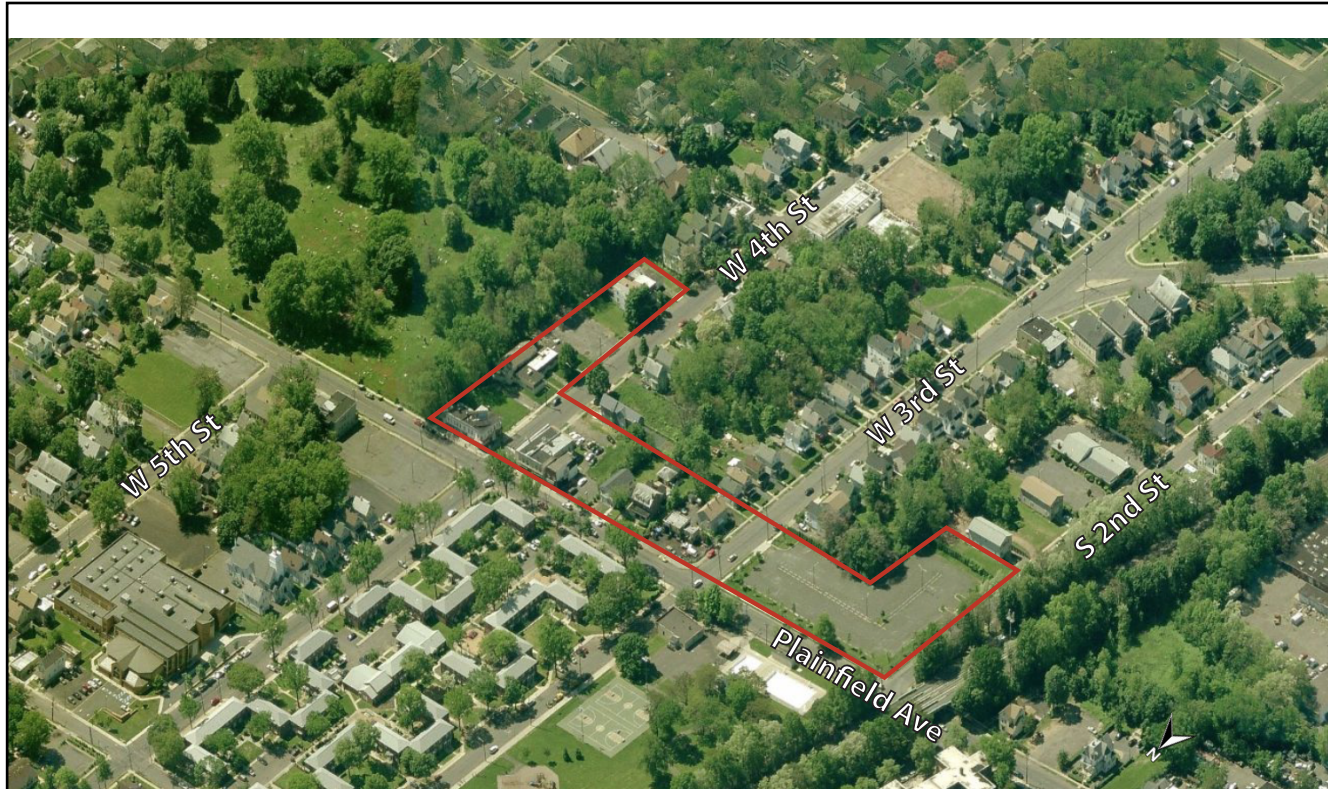
Map 2: Map showing blocks with the area

Table 1: Tax Block and Lot for the Study Area

Block	Lots
109	33-41
111	16, 17, 18.01
501	6, 8-12.01, 14.01, 16

2.0 DISTRICT OVERVIEW

PLAINFIELD AVE

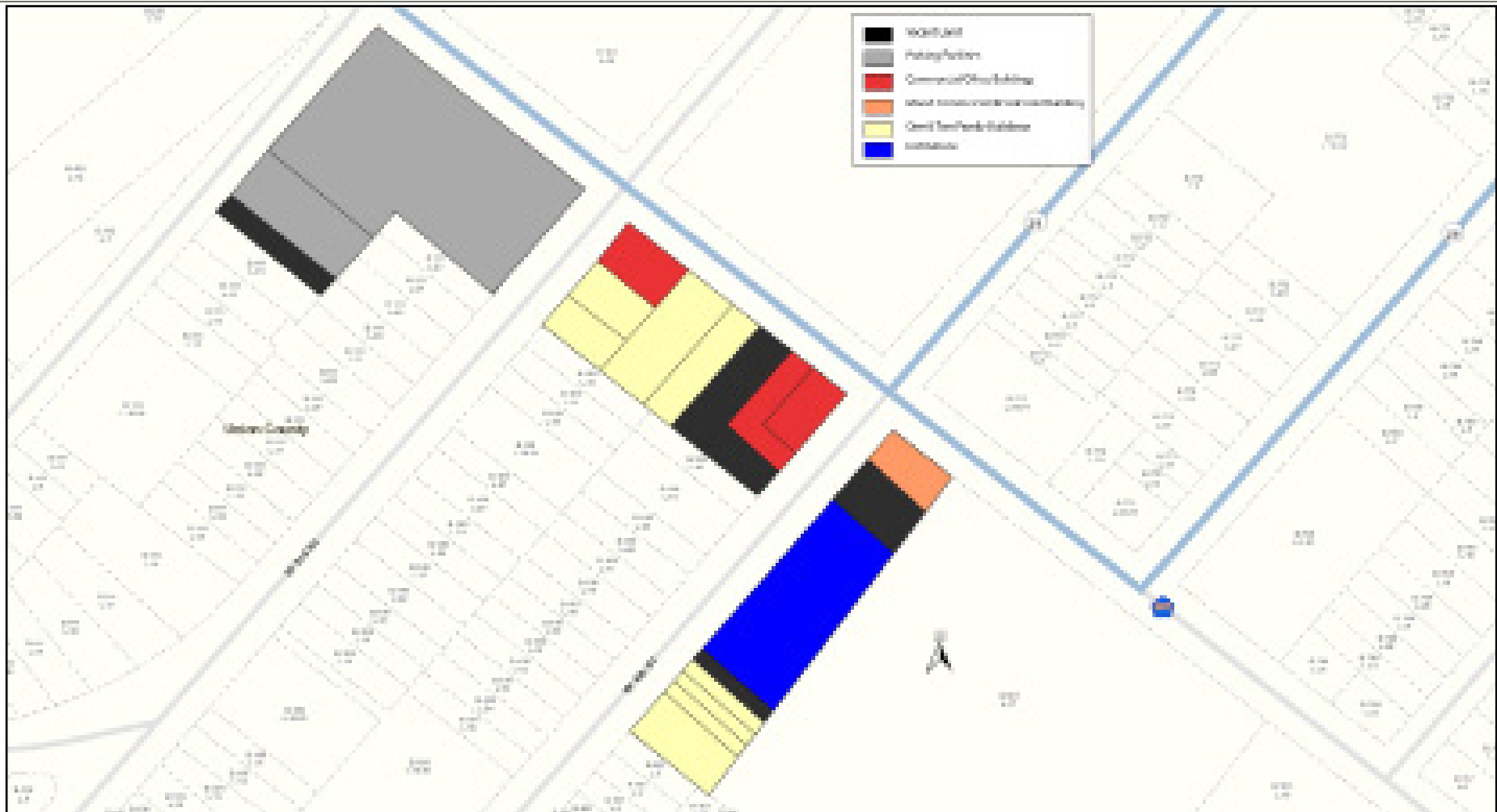


Map 3: Plainfield Ave Plan Area Boundary

2.1 PLANNING AREA BOUNDARY

The designated area is in the western portion of the city and occupies a land area of approximately 4.16 acres. The boundaries are southern side of Plainfield Avenue between South Second Street (West) and West 4th Street (East).

The neighborhood is well served by public transport as the Plainfield Train Station is 0.64 miles away from the study area. Additionally, the NJ TRANSIT bus line 819 has several stops along Plainfield Avenue (North).

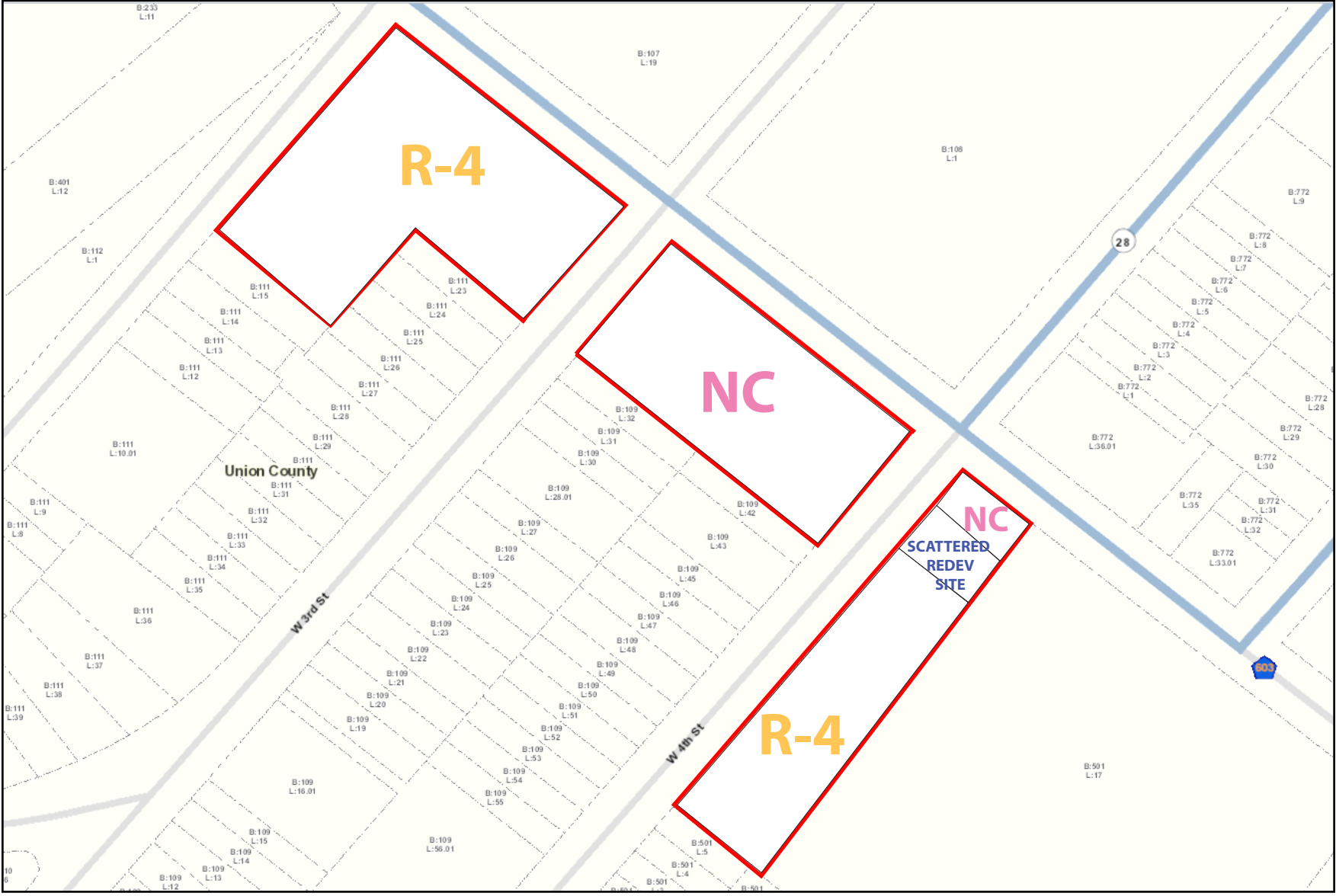


Map 3: Plainfield Ave Existing Land Use Map

2.2 EXISTING ZONING

The designated redevelopment area contains 20 parcels, of which three (3) contain commercial/office uses, eight (8) contain residential uses, vacant (5) are vacant, two (2) contain parking lots, one (1) institutional use and one (1) mix-use parcel.

The zoning of an area indicates uses that are permitted on a particular property and the subsequent ordinance stipulates standards regarding the building height, lot coverage, setbacks, parking requirements, etc. The zoning ordinance also sets forth standards regarding site design such as lighting, landscaping and architectural requirements. Plainfield is currently zoned into 38 separate districts. The plan area is located in the Moderate Density Residential (R-4) and Neighborhood Commercial (NC) zones.



Map 4: Existing Zoning Map

Neighborhood Commercial (NC)

The purpose of the NC zone is to promote commercial areas that serve the immediate surrounding neighborhood. The regulations for the zone are crafted such that the scale and intensity of the development would be compatible with and complement the existing character of the neighborhood. Block 109, Lots 33-41 and Block 501, Lot 16 falls within this zone.

The NC zone currently permits mixed-use residential dwellings, child care centers (permitted in all non-residential zones pursuant to N.J.S.A 40:55D-66.6), retail, personal service establishments, laundromats, offices, banks, funeral homes/mortuary, restaurants, community centers, (public and non-profit), nursing homes, houses of worship, assisted living facilities, senior citizen housing, adult day care facility, recording studios and repair shops. Any other uses are not permitted.

The ordinance encourages medium to high density, mixed-use developments. The commercial uses within the zone specifically cater to the needs of the residents of the neighborhood. Businesses allowed in this zone mostly provide day-to-day services to the residents and do not permit larger, big-box commercial or high-rise residential developments.

The ordinance allows for the creation of smaller lots with a minimum lot area of 5,000 square feet. It also allows for a significantly higher building coverage (60%) and lot area coverage (80%), which is comparable to the City's Mixed Use and Commercial Zone. With the front and side yard setback requirement at zero feet, the ordinance allows buildings in the zone to be designed closer to the sidewalk and the street thereby, offering proximity, front oriented, increased accessibility and visibility to residents and adding vitality and liveliness to the neighborhood. The main idea is to create a compact, vibrant, pedestrian-friendly neighborhood.

Moderate Density Residential (R-4)

This zone is designed for single and two-family development at a density not to exceed 5.8 dwelling units per acre for single-family units and 8.7 units per acre for two-family units. Block 111, Lot 16, 17, 18.01 and Block 501, Lots 6, 8-12.01 fall with this zone.

The R-4 zone currently permits single-family and two-family dwelling units and community residences as per N.J.S.A 40:55D-66.1. Allowable accessory uses for this zone are home occupations and family day care homes per N.J.S.A. 40:50D-66.5b. Any other uses are not permitted.

The ordinance allows for the creation of smaller lots with a minimum lot area of 7,500 square feet for single family and 10,000 square feet for two-family. It also allows for a significantly higher building coverage (25%) and lot area coverage (40%) for both single and two-family homes. With the front setback requirement as 25 feet and side yard setback requirement at 10 feet, the ordinance allows buildings in the zone to be designed to create a suburban lifestyle for resident. The main idea is to limit the amount of density and avoid urban sprawl. The goal is sustain the low density character of the neighborhood.

2.3 DISTRICT ISSUES

The neighborhood is faced with several issues and challenges that the Redevelopment Plan intends to address. These challenges have been identified by the City's planning department, economic development office, supporting consultants, developers, local businesses and residents. In its quest to better understand the existing conditions, the City initiated an area investigation which helped identify critical issues to be mitigated by this plan. Issues plaguing the area are listed below:



- **Stagnant commercial and retail growth:**
The area lacks sufficient retail and commercial uses to support the needs of existing and future residents



- **Limited housing options:**
The designated area was selected to be included in the Redevelopment Area due to the lack of housing options and mixed-use

in the district.



developments.

- **Vacant properties:**
Four parcels within the area are underutilized and vacant. They together measure approximately half an acre.



- **Underutilization of properties:**
Two parcels with the plan area contain surface parking. These lots are underutilized in an area that is ripe for development.

3.0 THE REDEVELOPMENT PLAN

PLAINFIELD AVE

3.1 PURPOSE

The Plainfield Avenue Redevelopment Plan serves as a guide for future development and redevelopment within the target area. It sets forth a framework for design standards and statutory guidelines that will enhance and improve this area. The zoning and design standards in this plan shall supersede the City's current Land Use Ordinance, procedures, site plan review regulations and Zoning Ordinance where applicable.

The primary goal of the plan is to create a mixed use neighborhood where retail uses cater directly to the daily needs of the neighborhood residents. The plan is based on leveraging the area assets to create a mixed-use neighborhood that will set a precedent for smart growth development while, also being consistent with the State Planning Act. The Redevelopment Plan's main goals are consistent with the State Development and Redevelopment Plan (SDRP).

3.2 GOALS AND OBJECTIVE

Proximity to the train station and easy access to other public transport present the area with an unique opportunity to attract new development that will catalyze activity and economic development which in turn will benefit residents of the neighborhood. The Redevelopment Plan therefore, intends to satisfy the following policy goals and objectives for development in the Plainfield Avenue- Mixed-Use District (P-MUD):



1

Promote Mixed-Use Development



2

Improve Economic Development



3

Manage Parking and Traffic



4

Increase Sustainability

1

Promote Mixed-Use Development and Activity

- Improve existing neighborhood identity while creating new places and neighborhood anchors.
- Promote mixed-use neighborhood development along areas served by public transport.
- Leverage the City's assets to optimize neighborhood development and increase retail and pedestrian activity within the area.
- Enhance the area's role as a hub of activity and a vibrant neighborhood.
- Provide a variety of housing options.

2

Improve Economic Development

- Contribute to job creation for the residents.
- Attract retail and restaurant uses that create added employment for existing and future residents.
- Create institutional and open spaces that generate educational and community building benefits while triggering economic opportunities for entrepreneurs.

3

Manage Parking and Traffic

- Maximize opportunities for shared and mixed-use facilities.
- Encourage shared parking between different uses.
- Minimize traffic impacts to residential neighborhoods.

4

Increase Sustainability

- Support a walkable corridor through pedestrian-oriented streetscapes and investments in the public realm.
- Reduce the heat island effect through street trees, vegetated corridors, and intensive & extensive green roofs.
- Encourage use and reuse of energy efficient materials.

3.3 COMPATIBILITY WITH STATE AND LOCAL PLANS

This Plan is consistent with the goals and policies of the SDRP because redevelopment activity is being promoted in a Metropolitan Planning Area (PA1) which is also considered to be a growth area under the State Plan. Further, this Plan is consistent with another goal of the SDRP to place an emphasis on promoting economic development by encouraging infill development and opportunity for public/private partnership. The Plan is also in general compliance with the Master Plan of Union County.

Master Plan

The 2009 Land Use Plan Element of the Master Plan sets forth the goals and objectives to guide future development in the City. Specific to the context of the investigation area, certain goals and objectives that support the redevelopment study are as follows:

Objective 1: Existing residential neighborhoods will be preserved to protect and enhance their character.

Objective 2: Development and redevelopment should be responsive to the needs of the Plainfield community by ameliorating conditions suggestive of physical and economic deterioration, by supporting sustainability, creating economic opportunity and providing a variety of housing. Redevelopment planning is to be implemented in a comprehensive city-wide manner and where appropriate to promote transit oriented design.

Objective 5: The City should promote a diverse and strong economy with opportunities for employment over a range of occupational classifications.

Policy 5.1 - Business Retention, Expansion and Growth. The City should support the retention and expansion of existing businesses consistent with the land use ordinance and provide new areas for growth. These efforts should be

undertaken within existing commercial corridors, the various Neighborhood Commercial zones throughout the City, and where designated, in TOD areas, and areas along the Raritan Valley Line which connect them, so to enhance economic opportunity through the introduction of a range of permitted commercial uses.

Objective 20: Redevelopment activities undertaken by the City should be consistent with the Master Plan.

Policy 20.1 - Targeted Areas. Redevelopment initiatives should be employed throughout the City in areas manifesting conditions suggestive of economic and physical deterioration consistent with the criteria established under the LRHL and deemed appropriate for redevelopment by this master plan (N.J.S.A. 40A;12A-1 et seq.).



197 Scattered Site Redevelopment Plan

Two of the parcels (Block 501, Lot 14.01 and Block 111, Lot 16) within the Plan Area are listed as a Scattered Site Redevelopment Area. In 1999, the City Council adopted a resolution which declared 197 properties located throughout the City as Areas in Need of Redevelopment. These properties were either City-owned, in foreclosure and/or bankrupt. Grouping these single sites into one redevelopment plan was a tactic used by the City to control the blight conditions in stable neighborhoods. As properties are rehabilitated or redeveloped either through private or public investments, the Plan is then amended to remove productive properties. The City, since the creation of the Plan has reduced the list to 74 properties as of January, 2011.



3.4 STATUTORY BASIS FOR THE REDEVELOPMENT PLAN

This Plan (the “Plan”) is prepared on the basis that the City Council designated the Plainfield Avenue area as “An Area in Need of Redevelopment” pursuant to the New Jersey Local Housing and Redevelopment Law (LRHL) on May 8, 2017, Resolution number 194-17.

This determination was based on a finding that the entire plan area meets the Smart Growth criteria. One of the total twenty properties (Block 111, Lot 18.01) has environmental concerns or is a potential brownfield location.

The purpose of this Plan is to establish a redevelopment plan to guide future development and redevelopment within the Plan Area as well as set forth a framework for design standards and guidelines that will invigorate this area. The regulatory and design standards in this plan shall supersede applicable provisions of the City’s current Land Use Procedures Ordinance, Land Subdivision (site plan) Ordinance, and Zoning Ordinance as codified under Section 17:9, of the City’s Revised General Ordinances as amended where applicable.

4.0 PROPOSED LAND USE PLAN

PLAINFIELD AVE



Map 5: Proposed Land Use Plan

4.1 LAND USE PLAN

This section describes the proposed land use plan and provides a framework to implement the City's vision for this neighborhood. The subsequent zoning regulations lay the foundation and provide guidelines for any development that occurs in the area. Currently, the Plan Area is located in the Neighborhood Commercial Zone District (NC) and Moderate Density Residential (R-4) Zone District). This Plan proposes Plainfield Avenue- Mixed-Use District (P-MUD) for the entire area.

4.2 HARDSHIP EXCEPTION

All properties in the Plainfield Avenue Redevelopment Area lie within the Special Flood Hazard Area (Zone AO). In accordance to the applicable and proposed Flood Hazard regulations, the lowest habitable floor space should be constructed 4 feet above the Design Flood Elevation (DFE). Pursuant to N.J.A.C. 7:13-15.1, the developers, however, have the option to apply for and obtain a hardship exception for access from NJDEP, in connection with an individual permit for the property and the proposed development.

4.3 District Standards

The district standards reflect the vision for the proposed Plainfield Avenue Redevelopment Plan; the permitted and accessory uses; bulk standards; and other regulatory requirements specific to the zone. The general Design Standards identified in the redevelopment plan apply to this redevelopment area. Landscaping, Buffer and Screening and Signage shall comply with the City's Ordinance section 17:9-24, 17:9-44 and 17:9-51, respectively.

PLAINFIELD AVENUE- MIXED-USE DISTRICT (P-MUD)

It is the intent of this Plan to encourage redevelopment of the Plan Area with residential, retail, restaurant, and public space uses that enhance the vitality of Plainfield Avenue; to take advantage of the proximity to the train station; and easy access to public transport. The zone includes features of a traditional mixed-use neighborhood. This district includes ground floor retail use with apartments on upper floors. Significant portions of the ground floor are covered by retail uses that encourage pedestrian activity at street level. Buildings are located close to the sidewalk of the street right-of-way (0 to 5 ft.) and side yard setbacks are not required. Since the area is envisioned to be busy with pedestrian activities, the required sidewalks will be wide and will include continual street tree planting. This zone contains tight spatial enclosure of buildings and a combination of residential and non-residential intensity while providing the necessary parking and open space. The zone also allows for relaxed parking requirements to encourage shared parking between different uses.

Permitted Uses:

<ul style="list-style-type: none"> • Mixed Use buildings; • Studio, one and two-bedroom apartments over retail uses; • Retail; • Office; • Professional Office; • Personal Service Establishment; 	<ul style="list-style-type: none"> • Restaurant; • Community Center, public and non-profit; • House of worship; • Sports and fitness center; • Child-care facilities; and, • Urban Farms.
---	---

Accessory Uses:

Health club, gym and other such recreational facilities associated with the residential uses, plazas, outdoor dining, parking, including structured parking, and other uses customarily incidental to the principal use.

Definition:

Urban farms are places where plants are cultivated and distributed. These type of uses are found in urban settings and are built exclusively for education or training purposes.

Regulation	Required
Plainfield Avenue- Mixed-Use District (P-MUD)	
Minimum Lot Area	10,000 square feet
Setbacks	
Minimum front yard setback	0'
Maximum front yard setback	5'
Minimum side yard setback	5'
Minimum combined side yard setback	10'
Minimum rear yard setback from property line	10'
Requirements for all other properties in the TSC Zone	
Maximum building coverage	80%
Maximum impervious coverage	90%
Density	70 units/acre
Floor area ratio(FAR)	3
Maximum building height	55'
Maximum number of stories	5
Maximum number of stories within the first 20 feet of the public right-of-way	3
Other requirements	
Minimum commercial space not including amenities (Ground floor)	30% of the building coverage
Minimum first floor height	12'
Minimum restaurant use	15% of the commercial
Minimum open space required	5% of the property

Bulk Standards

General Standards

- a) Parking lots shall be located to the rear of any buildings and /or within the building footprint away from public view.
- b) Parking areas shall be appropriately screened with architectural features and façade materials that are compatible with the ground floor retail uses.
- c) Shared driveways and shipping and receiving points are encouraged to reduce the number of curb openings, enhance the streetscape and promote traffic safety.
- d) The entire street frontage along Plainfield Avenue shall be retail use on the ground floor, with the exception of an entrance lobby serving the residential use. Driveway entrances to the surface parking area must be located to the rear of the building.
- e) No residential uses shall be permitted on the ground floor.
- f) A minimum of 30% of the building coverage on the ground floor shall be retail use.
- g) Studio, one-bedroom and two-bedroom units shall be a minimum of 500 square feet, 750 square feet and 1,000 square feet, respectively.
- h) No more than twenty (20) percent of the total residential use shall be studio apartments.
- i) Parking ratios for all permitted uses listed under Section 4.3 shall be in accordance with the Section 17:9-42 of the City's Ordinance.
- j) A roof-top garden or landscaped roof area shall be provided on every newly constructed building in the zone, except when used for child-care. The green roof area shall be in excess of the required 5% open space.
- k) Where building setbacks create terraces, landscaping is encouraged.
- l) Sustainable design practices and LEED certifiable buildings are strongly encouraged.
- m) When designing plazas and public spaces the usage of permeable surfaces and materials are strongly encouraged.
- n) Shared parking arrangement among land uses are encouraged. A maximum of 20% reduction in the parking requirement is allowed for residential/retail uses that have a shared parking arrangement.
- o) All signs shall be in accordance with TODD-CBD sign regulation of the Ordinance.
- p) With the exception of driveways and entrances to the parking garage, the entire frontage along Plainfield Avenue shall be occupied by retail use.
- q) There shall be a minimum setback of twenty (20) feet along the public right-of-way after the first three stories.

4.4 DESIGN STANDARDS

Plainfield envisions a vibrant and attractive setting for this neighborhood along Plainfield Avenue. The City recognizes that a number of urban design improvements are necessary in order to achieve this vision. These improvements include pedestrian and parking upgrades to new mixed-use developments; all aiming at increasing the desirability of this area as a place of residence and commerce. The key elements on which the design standards are listed below:

Building, Mass and form

- a) Architectural massing is encouraged.
- b) Primary entrances shall be conveniently oriented to public streets or plazas to allow safe, convenient access to and from transit facilities and/or services.
- c) Buildings should be placed to minimize the number of driveways along Plainfield Avenue and primary pedestrian routes.



- d) Buildings should include, at the street level, design elements that encourage pedestrian interest such as large display windows, multiple entries, and clear signage.
- e) Building entries may be recessed into the façade and partially covered, allowing pedestrians to escape inclement weather.
- f) Buildings with expansive blank walls are prohibited. Only blank walls adjacent to through-block sidewalks are permitted; however these must be treated with landscaping, artwork, or other treatment.

Architectural standards and Façade treatments

- a) Structures should be designed to encourage architectural variety within an overall framework of design continuity.
- b) A 'human scale' of development shall be achieved at grade and along street frontage through the use of building elements such as enhanced entrances, corners, display windows, doors, columns,

awnings, canopies, and graphic panels. These are encouraged to provide a visually attractive environment and help alleviate the monotony of pedestrian trips.

c) Architectural features such as dormers, bay windows, balconies, etc. may be permitted to project over pedestrian sidewalks, with a minimum clearance of 8.5 feet, to within four feet of a curb.

d) Architectural features are to be provided when using a flat roof; these features are to include a parapet wall accented with a cornice and frieze. Capped roof or sloping roof structures are encouraged.

e) Spatial gaps created in the street-wall by parking or other non-pedestrian areas should be minimized.

f) Multi-tenant buildings shall provide varied storefronts. Upper floors may be coordinated with ground floors through common materials and colors.

g) Design emphasis shall be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint, and

such details as piers, columns, and framing should be utilized to reinforce versatility.

h) Side and rear yard elevations should receive architectural treatments comparable to the front facades when public access or public parking is provided next to the buildings.

i) If a parking deck/ structure is constructed, the facade elevations shall receive architectural treatment that complements the principal building.

j) The building design is to incorporate to the greatest extent practicable green design techniques and promote energy efficiency through the choice of materials and major systems.

k) Buildings on corner lots may be required to incorporate an architectural or pedestrian-oriented feature at the corner. Many options are possible including plazas, artwork, turrets, curved corners, etc.

l) After the first three stories, buildings • twenty (20) feet from the





Material and Texture

a) A variety of materials may be appropriate and utilized. Masonry, which works well at the base of the building, can vary in size, color, and texture, and enable the provision of a decorative pattern or band.

b) The use of fabric or metal canopies is to be encouraged, especially over storefronts, at entrances or over display windows. These may display address and logo of the retail establishment.

Services standards

a) All loading areas should be located in a rear yard and screened from view from public rights-of-ways.

b) Service areas and storage yards should be screened from public view.

c) Service areas should be designed to fit within a site and

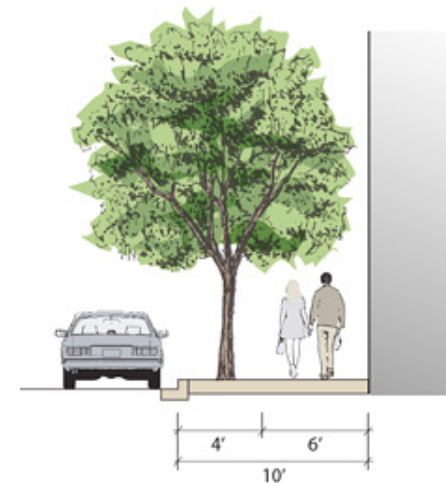
screened from views with walls, fencing, landscaping or other materials that complement adjacent buildings and provide screening in all seasons.

d) Individual loading, service, and utility areas for businesses are discouraged. Shared service areas should be considered for ease of maintenance and improved aesthetics as well as the potential to create new site area for landscaping and/or parking spaces.

Sidewalks

a) Six-foot wide sidewalks shall be installed throughout the redevelopment area.

b) There shall be a landscaped buffer of 4 feet between the parking lane and the side walk.



5.0 PROJECT REVIEW PROCESS AND AMENDMENTS OF THE PLAN

PLAINFIELD AVE

5.1 SITE PLAN AND SUBDIVISION APPLICATIONS

In the execution of this redevelopment plan, it should be noted that development and subdivision within the area shall be governed by the requirements set forth under the applicable development regulations of the City of Plainfield. Redevelopment activities shall be in conformance with the adopted redevelopment plan which may be amended from time to time in accordance with law.

Site plan review, as may be required, shall be conducted by the Planning Board of the City of Plainfield, pursuant to the provision of the Municipal Land Use Law N.J.S.A. 40:55D-1 et. seq.

All leases, agreements, deeds, and other instruments from, or between, the City, and to, or with a redeveloper, shall comply with the applicable provisions of Title 40, Chapter 37A.

5.2 DEVIATIONS

The Zoning Board of Adjustment may review and retain jurisdiction over applications requiring relief for deviations, other than with respect to permitted uses, from this redevelopment plan or other City development ordinances. Accordingly, an amendment to the redevelopment plan shall not be necessary

if the selected redeveloper(s) or property owner desires to deviate from the bulk provisions set forth in this redevelopment plan or the pertinent sections of City's Land Development Ordinance, or from the design standards set forth in this redevelopment plan or other City development ordinances. All requests for such relief shall be made to the Zoning Board accompanied by a complete application for development as otherwise required by City ordinance.

The Local Redevelopment Housing Law contemplates that in reviewing a redevelopment plan, the Planning Board will carry out a function analogous to its normal function in reviewing applications for development under the Municipal Land Use Law. The Zoning Board also has jurisdiction to carry out the functions it ordinarily would discharge under the MLUL, in particular, the granting of use variances from the overlay requirements of the redevelopment plan as well as from the requirements of the underlying zoning ordinance. As such, any use variances would be properly directed to the Zoning Board.

Any deviation from permitted standards, which would typically result in a "d" variance, shall be addressed as an amendment to the Plan. The Zoning Board shall not have authority to allow deviations, which would result in a "d" variance.

5.3 RELIEF FROM OR APPLICABILITY OF OTHER REGULATIONS

All other uses shall be required to comply with the Residential Site Improvement Standards parking regulations. For all other regulations not addressed in this plan Chapter 17 - The Land Use Ordinance of the City of Plainfield shall apply.

6.0 IMPLEMENTATION OF THE PLAN

PLAINFIELD AVE

6.1 SELECTION OF REDEVELOPERS

This Plan is to be implemented in accordance with the procedures of the Local Redevelopment and Housing Law. Only the redeveloper formally designated by the City Council of the City of Plainfield and/ or its designee can undertake redevelopment activity in the redevelopment zone to which this Plan relates. Redevelopers will be selected based on qualifications including, but not limited to, the following:

- Experience with constructing comparable projects generally;
- Capability to finance the construction of proposed improvements;
- Capability to perform given resources committed to other projects;
- Demonstration of ability to observe project schedules; and,
- Ability to provide references for verification.

The City may conditionally designate a redeveloper to undertake the redevelopment plan with which to exclusively negotiate the terms and conditions of a redeveloper agreement. The City's conditional designation of a redeveloper, and the conduct of exclusive negotiations, shall last no longer than 6 months. If a redevelopers agreement is not executed by both parties within such a period, the City shall revoke its conditional redeveloper designation and may repeat the process with another redeveloper.

6.2 CERTIFICATION OF COMPLETION

A redevelopment project will be certified as being completed by the City upon final inspection and issuance of a certificate of occupancy by the construction official for all buildings and the release of all performance and maintenance bonds for improvements by the City Council. The City will issue a certificate of completion to the redeveloper, which will release the redeveloper from any further obligations under the redeveloper agreement for that project.

6.3 STATUTORILY PERMITTED ACTIONS

Upon the adoption of a redevelopment plan pursuant to section 7 of P.L. 1992, c. 79 (C.40A: 12A-7), the municipality or redevelopment entity designated by the governing body may proceed with the clearance, planning, development and redevelopment of the area designated in that plan. In order to carry out and effectuate the purposes of this act and the terms of the redevelopment plan, the municipality or designated redevelopment entity may:

- 1) Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c. 79 (C.40A:12A-29) and issue bonds.
- 2) Acquire, by condemnation, any land or building which is necessary for the redevelopment project, pursuant to subsection i. of Section 22 of P.L. 1992, c. 79 (C:40A-12-22).

- 3) Acquire any condemnation, any land or building which is necessary for the redevelopment project, pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c. 361 (C. 20:3-1 et. seq.).
- 4) Clear any area owned or acquired and install or reconstruct infrastructure
- 5) Prepare or arrange by contract for the provision of professional services and the preparation of plans by licensed professionals and/ or other consultants for the carrying out of redevelopment projects.
- 6) Arrange or contract with public agencies or redevelopers.
- 7) Lease or convey property or improvements without public bidding.
- 8) Enter upon buildings or property for conduct of investigations or surveys.
- 9) Provide for relocation assistance
- 10) Carry out a voluntary rehabilitation program and develop plans for the enforcement of codes and regulations relating to use and occupancy, rehabilitation, demolition, and removal of buildings or improvements.
- 11) Request the designation of particular areas as areas need off redevelopment or rehabilitation.

6.4 AGREEMENTS WITH (RE-)DEVELOPER

Agreements with developers shall note that only those uses established in the redevelopment plan shall be constructed, and prohibit, without approval of the redevelopment entity, the sale, leasing, or transferring of the redevelopment project, or portion thereof, without written consent. Agreements will also specify that the redeveloper is responsible for the performance of a Phase I Environmental Site Assessment to be conducted in accordance with American Section of the International Association for Testing Materials (ASTM) International Standards. Based upon information obtained from the Phase I study, testing will be performed at the discretion of the City. The redeveloper will bear the cost of needed environmental testing and required remediation, and will provide a guarantee to ensure said work in the form found acceptable to the City and the Union County Improvement Authority.

6.5 EQUAL OPPORTUNITY

The land within the project area shall not be restricted on the basis of race, creed, color, or national origin in the sale, use, lease, or occupancy thereof.

6.6 PERIOD OF APPLICABILITY

The provisions of this plan, specifying the redevelopment plan for the project area and requirements and restrictions with respect thereto, shall be in effect for a period yet unspecified until such time as the purpose of the plan has been satisfied and the designated district's need for redevelopment has been substantially alleviated.

6.8 RELOCATION ASSISTANCE

The Area governed by this Redevelopment Plan is a Non-Condemnation Redevelopment Area, which does not permit the City to acquire a property by condemnation. Prior to the undertaking of any voluntary acquisition of property by the designated redeveloper(s), to the extent required by law, a Workable Relocation Assistance Plan shall be submitted to and approved by the Department of Community Affairs in accordance with the requirements of N.J.A.C. 5:11-1.1 et seq. The City will not use its power of eminent domain to acquire property in this redevelopment area and, therefore, will not be responsible for relocation. If applicable, the designated Redeveloper shall, at its sole cost and expense, be responsible for providing Relocation Assistance. The Redeveloper shall comply with the requirements of the Relocation Assistance Act, N.J.S.A. 20:4-1, and the Relocation Assistance Law, N.J.S.A. 52:31B-1 et seq., if applicable. The Workable Relocation Assistance Plan shall also be submitted to be approved by the City of Plainfield and will be included in any related redevelopment agreement.

6.9 PLAN DURATION - CERTIFICATES OF COMPLETION AND COMPLIANCE

Upon the inspection and verification by the Mayor and Council that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area In Need of Redevelopment.

