

O: 2015-10A

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY ADOPTING AMENDMENTS TO THE REVISED PHILLIPSBURG COMMERCE PARK REDEVELOPMENT PLAN FOR THE FORMER INGERSOLL RAND PROPERTY COMMONLY KNOWN AS BLOCK 3201, LOTS 7.01, 7.02, 7.03, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 7.10, 7.11, 7.12 AND 7.13, BLOCK 3301, LOTS 1, 2, 4, 4.01, 5 AND 6.

WHEREAS, the Town Council of the Town of Phillipsburg, in the County of Warren, State of New Jersey (the “**Town**”), a public body corporate and politic of the State of New Jersey (the “**State**”), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), to determine whether certain parcels of land within the Town constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, in 2000 and 2004, in accordance with the criteria set forth in the Redevelopment Law, the Town identified and designated the former Ingersoll Rand property commonly known as Block 3201, Lots 7.01, 7.02, 7.03, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 7.10, 7.11, 7.12 and 7.13, Block 3301, Lots 1, 2, 4, 4.01, 5 and 6 on the tax map of the Town as an “area in need of redevelopment” (the “**Redevelopment Area**”); and

WHEREAS, in 2000, the Town adopted a redevelopment plan for the Redevelopment Area which was later amended by the “*Revised Phillipsburg Commerce Park Redevelopment Plan*” (the “**Original Redevelopment Plan**”) adopted on November 4, 2013; and

WHEREAS, the Town Council has determined that certain amendments to the Original Redevelopment Plan relating to bulk standards, in the form attached hereto as Exhibit A (the “**Redevelopment Plan Amendment**”), be considered to accommodate and facilitate development within the Redevelopment Area; and

WHEREAS, the Planning Board must review the Redevelopment Plan Amendment and transmit its recommendations relating to the Redevelopment Plan Amendments to the Town Council in accordance with the provisions of *N.J.S.A. 40A:12A-7* of the Redevelopment Law; and

WHEREAS, upon receipt of the Planning Board’s recommendations relating to the Redevelopment Plan Amendment, the Town Council believes that the adoption of the Redevelopment Plan Amendment is in the best interests of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AS FOLLOWS:

FIRST READING

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Contingent upon the receipt of the Planning Board's recommendations, the Redevelopment Plan Amendment, attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

Section 3. Except to the extent amended by the Redevelopment Plan Amendment as adopted hereby, all other terms and provisions of the Original Redevelopment Plan shall continue in full force and effect.

Section 4. The zoning district map in the zoning ordinance of the Town is hereby amended to include the "Redevelopment Area" per the boundaries described in the Original Redevelopment Plan and the Redevelopment Plan Amendment.

Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance and the Redevelopment Plan Amendment shall be available for public inspection at the office of the Town Clerk during regular business hours.

Section 7. This Ordinance shall take effect in accordance with all applicable laws.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council of the Town of Phillipsburg at their June 09, 2015 meeting.

VICTORIA L. KLEINER, RMC
Municipal Clerk

Proposed Amendments to the November 4, 2013 Phillipsburg Commerce Park Redevelopment Plan.

Additions are shown underlined and in blue thus.

Deletions are shown in red and struck through ~~thus~~.

Section 3.4.3 Design Standards

The following design standards will be applied to all development in the redevelopment area. Any elements not covered by these standards will be subject to other appropriate provisions of this redevelopment plan and/or the Phillipsburg Zoning Ordinance. All redevelopment activities are also subject to applicable state and federal requirements.

(a) General

Building Height – The maximum height of all structures in the redevelopment area is as follows:

- Permitted uses a through k: 50 feet.
- Permitted uses l and m: 30 feet.

The planning board may allow certain ~~minimal~~ exceptions for architectural ornamentation and rooftop mechanical equipment including an accessory solar energy system during the site plan review process if it can be demonstrated that the exception will contribute to the architectural theme of the development or is necessary for the safe and efficient operation of the building; and will not create a visual detriment to surrounding properties. All rooftop mechanical equipment must be screened from view.

For the purposes of this section, an accessory solar energy system is defined as one or more roof-mounted solar collector devices and solar related equipment that supplies electrical or thermal power for the principal use of the property on which the solar energy system is located, except that excess electrical power generated and not presently needed for on-site use may be used by a utility company.

F.A.R. – The maximum floor area ratio for all permitted uses other than small-scale retail shops and service establishments is ~~0.4~~ 0.5.

(e) Complete Streets

All public roads within the redevelopment area will be designed in conformance with Phillipsburg's "complete streets" policy to ensure safe and efficient circulation for pedestrians, bicycles, cars, trucks, and busses. Complete streets include such features as sidewalks, enhanced crosswalks, curb extensions, pedestrian signals, bike lanes, bus stops/shelters, landscaped medians, and roundabouts based on the intended function of the roadway.

FIRST READING

(f) Green Buildings

All buildings and facilities should be constructed in general accordance with the initiatives of the LEED (Leadership in Energy & Environmental Design) Green Building Rating System or other comparable system for measuring sustainability. The LEED system is a voluntary national standard that defines high performance green buildings, which are healthier, more environmentally responsible, and more efficient structures.

Green buildings blend environmental, economic, and occupant-oriented performance features designed to:

- Improve air and water quality
- Reduce solid waste
- Conserve natural resources
- Minimize strain on local infrastructure
- Reduce energy and operating costs
- Optimize life-cycle economic performance
- Improve air, thermal and acoustic environments
- Enhance occupant comfort and health

Buildings constructed in accordance with the LEED rating system often optimize the use of natural daylight and ventilation, capture water runoff for internal use, utilize finishes and materials low in volatile organic compounds to improve indoor air quality, utilize recycled and renewable building materials, optimize climatic conditions for internal heating and cooling through site orientation and design, utilize energy efficient equipment and systems, and maximize the use of local materials to limit transportation costs.

The extent to which green design standards will be employed in a given project will be outlined in the redevelopment agreement between the redeveloper and the Town.

JUNE 02, 2015 (meeting)

Amendment to the Phillipsburg Commerce Park Redevelopment Plan

Section 5. PROCEDURAL REQUIREMENTS

5.3.3 Planning Board

All development applications will be submitted to the Phillipsburg Planning Board, either directly or through the Town Council as provided for in Sections 5.3.1 and 5.3.2. The application process will follow the usual site plan and subdivision procedures outlined in the Municipal Land Use Law and applicable Town ordinances.

FIRST READING

Prior to any site plan or subdivision approval, a General Development Plan (GDP) for the entire tract shall be prepared and submitted by the redeveloper to the planning board for its review and approval. Any subsequent subdivision or development of land in the redevelopment area shall be in accordance with the approved GDP. The GDP shall be prepared in accordance with the provisions of the Municipal Land Use Law at 40:55D-45.1 through 45.8.

The planning board will deem any application for redevelopment and/or rehabilitation for any property subject to this redevelopment plan incomplete if the applicant has not received approval from the Town Council in accordance with Section 5.3.2 indicating that the application is consistent with the redevelopment plan and redevelopment agreement.

The planning board may grant certain waivers from the requirements of this redevelopment plan in accordance with Section 3.3. All other proposed deviations from the plan would require a request to the Town Council for an amendment to the redevelopment plan. The Town Council is under no obligation to grant an amendment but may do so in its sole discretion.