

**EXECUTIVE SESSION, IF ANY, BEGINS AT 6:30 PM**

THE Redevelopment Entity Meeting WILL BEGIN AT 7:00 PM  
OR IMMEDIATELY AFTER THE CONCLUSION OF EXECUTIVE SESSION

Redevelopment Entity Meeting of Town Council

Tuesday, August 13, 2019

Statement of Compliance with Open Public Meetings Act

- I. Call to Order
- II. Roll Call
- III. Executive Session: Pending Litigation
- IV. Moment of Silence
- V. Pledge of Allegiance
- VI. Consent Agenda
  1. Approval of Minutes - June 13, 2019 Redevelopment Entity Regular Meeting
- VII. Presentation
  1. Potential Amendments to the Spring Street Redevelopment Plan
- VIII. Public Hearing
- IX. Council Comments
- X. Regular Business
  - A. Resolutions for Adoption
    - Resolution No. R-132-2019**

RESOLUTION DESIGNATING MORRIS STREET 2015, LLC AS REDEVELOPER OF THE PROPERTY KNOWN AS LOTS 13, 14 AND 15, BLOCK 3701 IN THE TOWN OF MORRISTOWN, AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH MORRIS STREET 2015, LLC AND APPROVING THE CONSISTENCY REVIEW MATERIALS FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN

Purpose: To designate Morris Street 2015, LLC as redeveloper of Block 3701, Lots 13, 14 & 15; to authorize the execution of a redevelopment agreement with Morris Street 2015, LLC; and to approve the consistency review materials for the redevelopment of said property
- XI. Adjournment

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: August 13, 2019

Re: Approval of Minutes - June 13, 2019 Redevelopment Entity Regular Meeting

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: August 13, 2019

Re: Potential Amendments to the Spring Street Redevelopment Plan

**TOWN OF MORRISTOWN****RESOLUTION R-132-2019****RESOLUTION DESIGNATING MORRIS STREET 2015, LLC AS REDEVELOPER OF THE PROPERTY KNOWN AS LOTS 13, 14 AND 15, BLOCK 3701 IN THE TOWN OF MORRISTOWN, AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH MORRIS STREET 2015, LLC AND APPROVING THE CONSISTENCY REVIEW MATERIALS FOR THE REDEVELOPMENT OF SUCH PROPERTY IN ACCORDANCE WITH THE REDEVELOPMENT PLAN**

**WHEREAS**, the governing body of the Town of Morristown (the “Town Council”) is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

**WHEREAS**, pursuant to Resolution R-124-06, adopted on June 27, 2006, the Town Council authorized and directed the Morristown Planning Board (the “Planning Board”) to undertake a preliminary study to determine whether certain properties comprising of Block 3701, Lots 10, 11, 13, 14 and 15 as shown on the Tax Map of the Town of Morristown (the “Study Area”) meets the criteria for designation as an “area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-6 of the Local Redevelopment and Housing Law (the “Redevelopment Law”); and

**WHEREAS**, pursuant to Resolution R-170-06, adopted on September 14, 2006, the Town Council authorized and directed the Planning Board to undertake a preliminary study to determine whether certain properties comprising of Block 3701, Lots 12, 16, 17, 18 and 19 and Block 3702, Lot 18, as shown on the Tax Map of the Town of Morristown (these properties, as well as the Study Area are combined to be referred to as the “Expanded Study Area”), meet the criteria for designation as an “area in need of redevelopment” pursuant under the Redevelopment Law; and

**WHEREAS**, the Planning Board conducted a preliminary investigation of the Expanded Study Area in accordance with the guidelines set forth in N.J.S.A. 40A:12A-6 to determine whether the Expanded Study Area is an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Planning Board recommended that, based on its preliminary investigation and findings of fact, the Expanded Study Area may be designated an area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, in Resolution R-34-07, dated March 19, 2007, and in accordance with the Redevelopment Law, the Town Council, acting as redevelopment entity, (a) determined to remove Block 3701, Lots 16, 17 and 19 from the Expanded Study Area, and (b) designated the properties located along Ford Avenue and Morris Street identified as Block 3701, Lots 10, 11, 12, 13, 14, 15 and 18, and Block 3702, Lot 18 on the tax map of the Town of Morristown as an area in need of redevelopment (the “Redevelopment Area”); and

**WHEREAS**, in furtherance of the redevelopment of the Redevelopment Area, the Town Council directed Jonathan Rose Companies, LLC to prepare a redevelopment plan, dated October 5, 2012, which contains a detailed development program and design criteria for the properties located at 10 Ford Avenue and 185 Morris Street, and identified, respectively, as Block 3701, Lots 10 and 11, while providing a general redevelopment approach for the larger Redevelopment Area (the “Original Redevelopment Plan”); and

**WHEREAS**, on October 11, 2012, the Town Council introduced an ordinance to adopt the Original Redevelopment Plan, and on November 8, 2012, the Town Council adopted the Redevelopment Plan, pursuant to Ordinance O-38-12; and

**WHEREAS**, Morris Street 2015, LLC is the fee owner of Lots 13, 14 and 15, Block 3701 (the “Property”), which is located within the Redevelopment Area; and

**WHEREAS**, in furtherance of the redevelopment of the Redevelopment Area, Town Council adopted a redevelopment plan, entitled “Morris Street Redevelopment Plan Phase II,” dated March 8, 2019 (the “Redevelopment Plan”), which contains a detailed development program and design criteria for the premises designated as Lots 13, 14 and 15, Block 3701 on the official Tax Map of the Town of Morristown; and

**WHEREAS**, Morris Street 2015, LLC has requested that the Town Council, as a redevelopment entity, enter into a Redevelopment Agreement with the Morris Street 2015, LLC providing for the Morris Street 2015, LLC’s redevelopment of Lots 13, 14 and 15, Block 3701 in accordance with the Redevelopment Plan; and

**WHEREAS**, under Section 6.3.4.A, Wayfinding Signage, of the Redevelopment Plan, any prospective redeveloper is required to submit cut sheets, renderings, and site plan of the proposed project wayfinding signage to Town Council for approval prior to execution of the Redevelopment Agreement; and

**WHEREAS**, under Section 6.3.5, Traffic Impact Statement Summary, of the Redevelopment Plan, any prospective redeveloper shall conduct a traffic impact study for the

proposed residential and retail uses of the proposed project and submit same to Town Council for approval prior to execution of a Redevelopment Agreement with the Town; and

**WHEREAS**, under Section 7.4, Approval Process, of the Redevelopment Plan, any prospective redeveloper shall submit all plans to the Town Administration for review and authorization to proceed before the Planning Board prior to submitting a site plan or subdivision application to the Planning Board and prior to execution of a Redevelopment Agreement with the Town; and

**WHEREAS**, Morris Street 2015, LLC submitted the following to Town Council and Administration: (a) architectural plans and elevations, including signage, prepared by MVMK Architecture & Design, revised through May 29, 2019, consisting of three (3) sheets; (b) plans entitled “Preliminary & Final Major Site Plan for Morris Street 2015, LLC Proposed Mixed-Use Development with Multi-Family Residential”, prepared by Bohler Engineering, dated June 11, 2019, consisting of fifteen (15) sheets; (c) architectural plans, prepared by MVMK Architecture & Design, dated April 29, 2019, consisting of nine (9) sheets; (d) color renderings prepared by MVMK Architecture & Design, consisting of two (2) sheets; (e) landscaping plans, prepared by David Lustberg, dated June 3, 2019; and (f) a traffic report entitled “Traffic Impact Study”, prepared by Dynamic Traffic, dated December 4, 2019 and revised through August 8, 2019 (collectively, the “Consistency Review Materials”); and

**WHEREAS**, the Town Council and Administration, in consultation with the Town’s professional, have reviewed the Consistency Review Materials and have determined that same are generally consistent with the Redevelopment Plan; and

**WHEREAS**, Town Council desires to approve the Consistency Review Materials for the purpose of permitting Morris Street 2015, LLC to submit a site plan and/or subdivision application to the Planning Board that is consistent with the Consistency Review Materials; and

**WHEREAS**, the Town Council further desires to enter into a Redevelopment Agreement with Morris Street 2015, LLC, and upon the full execution of such redevelopment agreement by the Town of Morristown and Morris Street 2015, LLC, recognize Morris Street 2015, LLC as redeveloper of the Property as provided for and in accordance with the provisions of the Redevelopment Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Town Council, hereby authorize Morris Street 2015, LLC to submit a site plan and/or subdivision application to the Planning Board that is consistent with the Consistency Review Materials; and

**BE IT FURTHER RESOLVED**, that the Mayor and Town Council, as a redevelopment entity, hereby authorize the execution of a Redevelopment Agreement by and between the Town of Morristown, as a redevelopment entity, and Morris Street 2015, LLC, concerning the property identified as Lots 13, 14 and 15, Block 3701 on the Tax Map of the Town of Morristown in such a form deemed advisable by the Town Attorney or Special Redevelopment Counsel, subject to any and all conditions contained herein and such revisions as deemed advisable by the Town Attorney or Special Redevelopment Counsel; and

**BE IT FURTHER RESOLVED**, that the Mayor and Town Council, upon the full execution of a Redevelopment Agreement by the Town of Morristown and Morris Street 2015, LLC, will recognize Morris Street 2015, LLC as redeveloper of the property identified as Lots 13, 14 and 15, Block 3701 on the Tax Map of the Town of Morristown as provided for and in accordance with the provisions of the Redevelopment Law; and

**BE IT FURTHER RESOLVED**, that said recognition of Morris Street 2015, LLC as redeveloper of the property identified as Lots 13, 14 and 15, Block 3701 on the Tax Map of the Town of Morristown is subject to and contingent upon Morris Street 2015, LLC (1) working collaboratively with the Town’s Planning Division regarding Morris Street 2015, LLC’s proposed development on the Property; (2) meeting with the Morristown Department of Public Works to coordinate the timing and design of public and private infrastructure improvements, including road resurfacing projects, if any; (3) using good faith best efforts to negotiate and collaborate with the owners of any property abutting and/or adjacent to the Property in determining a fair and equitable allocation of responsibility for the cost, construction, repair and maintenance of any common elements within the Redevelopment Plan, such as shared roadways and drives, sidewalks, retaining walls and similar common improvements, if any; (4) paying any and all costs incurred by the Town of Morristown related to the implementation of this project as set forth in the Redevelopment Agreement and entering into an escrow agreement with the Town, or replenishing any such escrow account already created as requested by the Town; and (5) satisfying any other terms and conditions contained within the Redevelopment Agreement and required as part of any approval of the Morristown Planning Board; and

**BE IT FURTHER RESOLVED** that the Mayor and Town Council, upon the full execution of a Redevelopment Agreement by the Mayor and Clerk of the Town of Morristown and Morris Street 2015, LLC, are hereby authorized to perform the obligations and enforce the rights of the Town under such Redevelopment Agreement.

ATTEST:

ADOPTED:

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MARGOT G. KAYE ,  
TOWN CLERK

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TOSHIBA FOSTER  
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on August 13, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:00 PM, prevailing time.

DATED: August 13, 2019

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Margot G. Kaye, Town Clerk