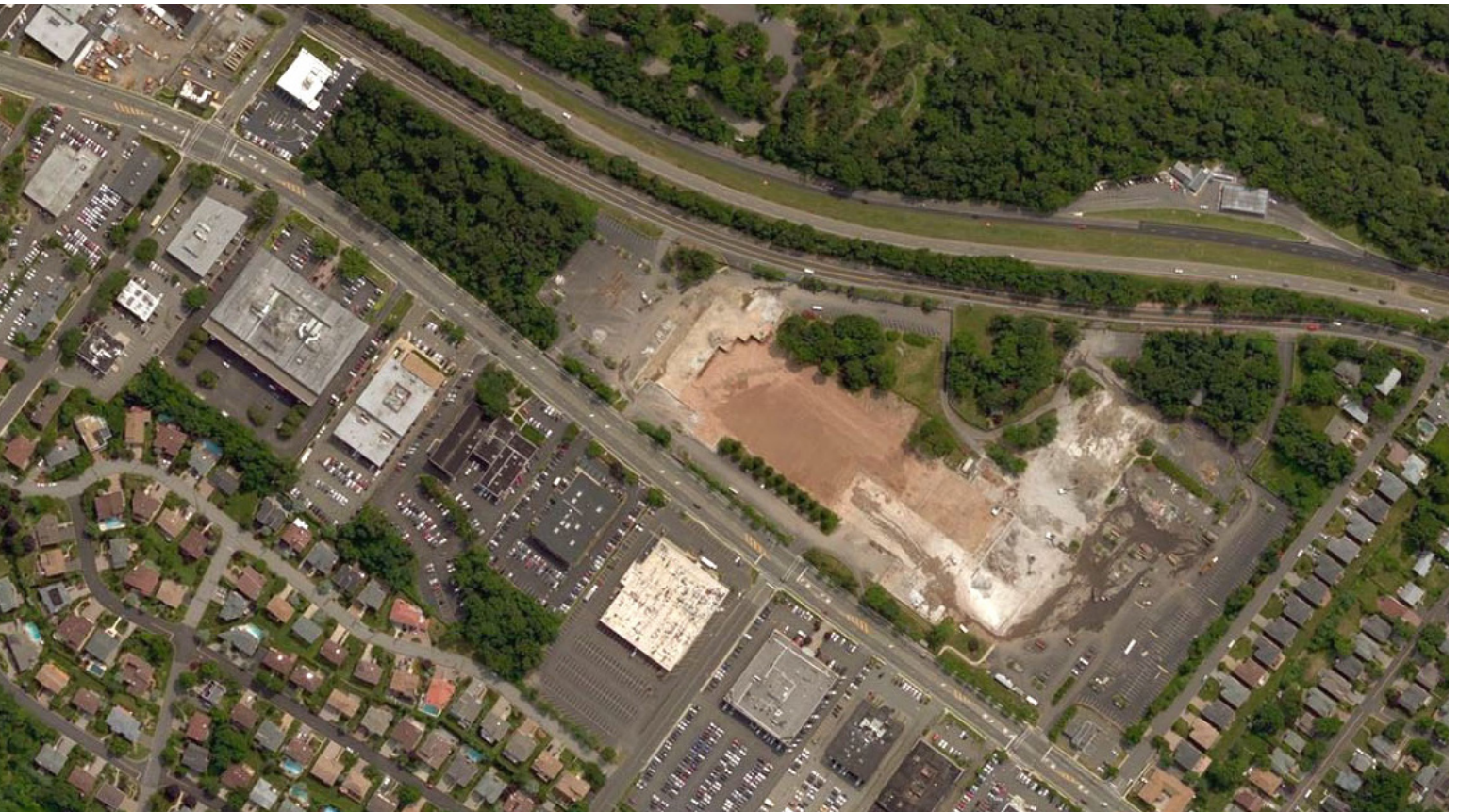


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**AMENDMENT TO THE LAND USE ELEMENT OF THE
BOROUGH OF ENGLEWOOD CLIFFS MASTER PLAN FOR BLOCK 207, LOT 6**



PREPARED FOR THE ENGLEWOOD CLIFFS PLANNING BOARD
by PHILLIPS PREISS GRYGIEL LLC | PLANNING & REAL ESTATE CONSULTANTS | DECEMBER 2015

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I. Introduction

The purpose of this Amendment to the Land Use Element of the Borough of Englewood Cliffs Master Plan is to guide the planning and development of a large and unique property on the east side of Sylvan Avenue in a manner consistent with the Borough's planning goals and objectives. Specifically, this document sets forth the planning rationale in support of a new zoning classification for Block 207, Lot 6 (the "subject property") that is intended to encourage modern corporate office development.

In 2012, the Englewood Cliffs Zoning Board of Adjustment (ZBA) granted a "d(6)" height variance and site plan approval to LG Electronics USA to facilitate the development of an 8-story office facility located on the subject property. Several parties instituted legal challenges to the ZBA approval. This approval was upheld by the Superior Court of New Jersey, Law Division, Bergen County in 2013, but was later overturned by the Superior Court of New Jersey, Appellate Division in a case decided in October 2015 (Jacoby v. Englewood Cliffs Board of Adjustment).

After the 2012 ZBA approval, the Borough asked its planning consultant at the time, Burgis Associates, to study a potential rezoning of properties located to the east of Sylvan Avenue within the southerly portion of the B-2 district to allow taller buildings. This resulted in the adoption of an ordinance (Ordinance No. 12-20) that created a "B-2A Overlay" district which tied tract size to height for these particular properties. Subsequently in August 2014, Englewood Cliffs also adopted an ordinance amending its Zoning Ordinance to prohibit the construction of any building in excess of 35 feet in height in any zoning district within the Borough, which effectively nullified the building heights permitted under the B-2A Overlay zoning.

In light of the above actions, the Borough has retained Phillips Preiss Grygiel LLC ("PPG") to provide zoning and master plan recommendations for the subject property and larger Sylvan Avenue corridor consistent with an agreement with certain parties settling litigation against the 2012 ZBA approval. The case settlement agreement dated June 17, 2015 is between Scenic Hudson, Inc., New Jersey State Federation of Women's Clubs, Margo Moss, Jakob Franke, and LG Electronics USA, Inc. and provides standards for development on the subject property. This Master Plan Amendment has been prepared in response to the Appellate Division ruling and the settlement agreement noted above.

The remaining chapters are organized as follows: Chapter II describes the locational and physical characteristics of the subject property; Chapter III discusses the zoning of the subject property and the surrounding lands along the Sylvan Avenue corridor; Chapter IV details the planning rationale in support of a Master Plan Amendment advocating a new zoning designation for the subject property; Chapter V considers the Master Plan Amendment in relation to the master plans of adjoining municipalities, the County Master Plan, the State Development and Redevelopment Plan, and the District Solid Waste Management Plan; and Chapter V provides a summary of the Master Plan Amendment from an overall policy standpoint.

II. Description of Subject Property

The subject property is located on the east side of Sylvan Avenue in the southerly portion of the Borough of Englewood Cliffs (see Figure 1). This 27.03 acre tract is known as 111 Sylvan Avenue and is referred to as Block 207, Lot 6 on the Borough's tax maps. As discussed below, the property had previously been occupied by several corporate users, but the buildings have since been demolished. The tract has substantial exposure with approximately 2,000 feet of frontage along Sylvan Avenue and approximately 2,200 feet of frontage along Hudson Terrace (which is located between the subject property and the Palisades Parkway). In addition, it has approximately 750 feet of frontage along Van Nostrand Avenue. Historically, access was provided via seven driveways located along Sylvan Avenue and six along Hudson Terrace. The property also possesses a varying lot depth which ranges from approximately 1,020 feet along its southerly boundary to approximately 240 feet at its northerly boundary. A few small wetlands areas are located within the easterly portion of the tract and a large wooded area of approximately 3.5 acres is located in its northerly section. There is also a change in grade from the property's high point along Sylvan Avenue down to Hudson Terrace (measuring approximately 35 feet within the southerly portion of the tract and approximately 10 feet within its northerly portion).

As illustrated by the aerial photograph in Figure 2, the subject property is currently vacant. It was most recently improved with an approximately 412,000 square foot three-story office and distribution facility with approximately 1,047 surface parking spaces. The building coverage was approximately 22.4 percent and the total impervious coverage on the site was approximately 57.5 percent. According to the Borough of Englewood Cliffs Comprehensive Master Plan, the sprawling low-rise mixed-use facility was originally constructed and occupied by Prentice-Hall in 1953 as the first major corporate tenant in the community. Later, a check-processing subsidiary of Citigroup occupied the property until its closure in 2011.

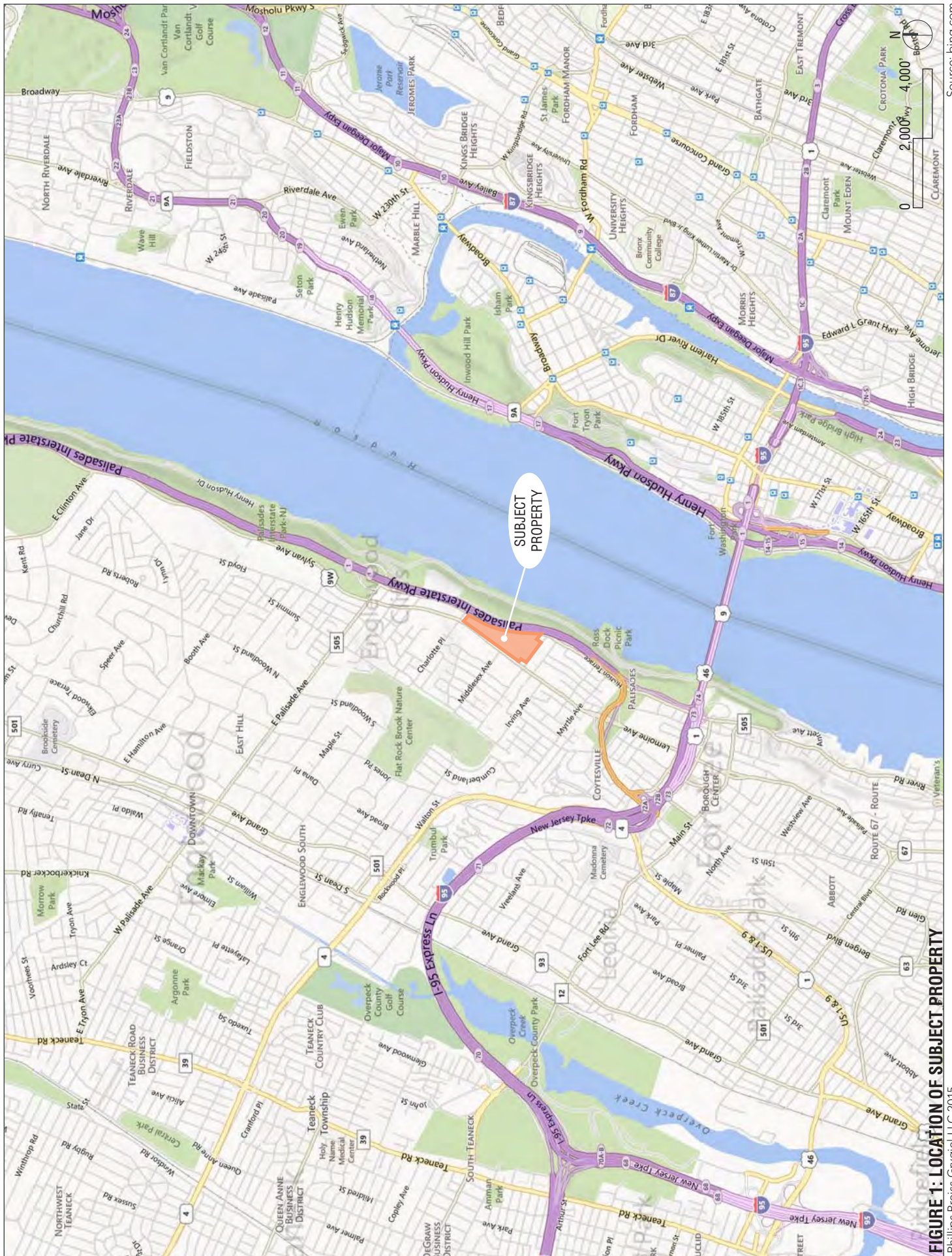


FIGURE 1: LOCATION OF SUBJECT PROPERTY

Phillips Press Grygiel LLC 2015

Source: bing.com



FIGURE 2: AERIAL PHOTOGRAPH OF THE SUBJECT PROPERTY

III. Zoning and Master Plan Designations of the Sylvan Avenue Corridor Generally and the Subject Property in Particular

A. Zoning Classification of the Subject Property and the Sylvan Avenue Corridor in General

1) Description of “B” Zones along Sylvan Avenue

Sylvan Avenue is the primary commercial corridor within Englewood Cliffs. As shown in Figure 3, the Borough has historically utilized three “B” zone classifications to control development along Sylvan Avenue: the B-2 Limited Business district, the B-3 Special Retail district and the B-4 Restricted Commercial district. The B-2 district comprises over 80% of the lands with frontage along the corridor and is intended principally for office and laboratory/research use. The B-3 zone is located within the stretch of Sylvan Avenue which begins to the south at the Borough’s border with Fort Lee Borough and extends north to Van Nostrand Avenue. The intent of the B-3 district is to encourage professional offices and to modernize an area of traditional smaller retail establishments and restaurants. The B-4 district is oriented around the intersection of Sylvan Avenue and Palisade Avenue and permits offices and banks without drive-in facilities as principal uses. The maximum height permitted along Sylvan Avenue is 2 stories and either 30 feet (in the B-3 zone) or 35 feet (in the B-2 and B-4 zones). As will be explained in Subsection 3, the B-2A Overlay district, adopted in 2012, allowed the development of taller buildings in a portion of the B-2 zone by tying maximum permitted height to tract size.

2) B-2 Zone Regulations

The subject property is located within the B-2 zone, which is the most restrictive of the “B” zones located along Sylvan Avenue. It comprises two distinct sections: a northerly section located along the west side of Sylvan Avenue between Demarest Avenue and the Tenafly border and a southerly section bounded by Van Nostrand Avenue to the south; Hudson Terrace to the east; Sherwood Avenue to the north; and the rear lot lines of the properties along Sylvan Avenue to the west.

The B-2 zone permits business offices, professional offices, governmental and corporate offices; laboratory and research facilities; and houses of worship. Accessory parking areas are permitted on the same lot as the principal use. The bulk and height requirements for the B-2 zone are indicated in Table 2.

 B Zone
  B-2A Overlay
  Subject Property



FIGURE 3: “B” ZONES ALONG SYLVAN AVENUE

Phillips Preiss Grygiel LLC 2015

Source: Borough of Englewood Cliffs Zoning Map

Table 2: Bulk and Height Requirements for the B-2 Zone

Regulation	Requirement
Minimum lot area	80,000 sq. ft.
Minimum lot width	125 ft.
Minimum front yard	60 ft.
Minimum rear yard	20% of lot depth
Minimum side yard	30 feet
Minimum both side yard	60 feet
Minimum corner side yard	30 feet
Maximum lot coverage	33.3%
Maximum building height	35 feet / 2 stories

The buffer requirement south of Hollywood Avenue and north of Van Nostrand Avenue is 50 feet; to north of Hollywood Avenue and south of Sanford Drive is 120 feet.

The southerly segment of the B-2 zone, which encompasses the subject property, contains a mix of uses and lot sizes that belie the current B-2 zoning. In fact, approximately half of the lots do not conform to the 80,000 square feet tract size requirement. Meanwhile, with an area of over 27 acres, Block 207, Lot 6 greatly exceeds the minimum lot area for the B-2 district.

3) B-2A Overlay

In October 2012, the Borough of Englewood Cliffs created an overlay zone, known as the B-2A, which encompassed the subject property and others in the vicinity (see Figure 3). The permitted principal uses in the B-2A zone are business offices, professional offices, corporate offices and laboratory and research facilities. The maximum height requirement is 6 stories for properties larger than 5 acres; 8 stories are allowed on tracts larger than 25 acres. Parking garages with a maximum height of four stories or 60 feet are permitted on tracts greater than 20 acres; for parcels at least 5 acres a maximum height of three stories and 40 feet is permitted for parking garages.

Table 3: Bulk, Height and Other Requirements for the B-2A Overlay Zone

Regulation	Overlay Standard No. 1	Overlay Standard No. 2
Min./Max. Lot Area	Min: > 5 acres Max: 25 acres	Min: >25 acres
Min. Lot Width	250 feet	500 feet
Min. Front Yard	60 feet	60 feet
Min. Side Yard	60 feet	100 feet
Min. Rear Yard	22.5% of lot depth	25% of lot depth
Min. Corner Lot Setback to Street	75 feet	100 feet
Max. Lot Coverage	22.5%	20%
Max. Impervious Coverage	40%	35%
Max. Building Height	6 stories/90 feet	8 stories/150 feet

Additionally, a 100 foot buffer is required on B-2A properties abutting “residential lots.”

4) Height Limit

In August 2014, the Mayor and Council of the Borough of Englewood Cliffs adopted Ordinance 2014-11, which amended the Borough’s Zoning Ordinance to prohibit the construction of any building in excess of 35 feet in height in any zoning district in the municipality.

B. Master Plan Designation and Relevant Land Use Policies

The Borough of Englewood Cliffs Comprehensive Master Plan (2001) places the subject property within the “Limited Business” category in the Land Use Plan (see Figure 4). The boundaries of the Limited Business area are consistent with the existing boundaries of the Borough’s B-2 zone, except for several publicly-owned properties which are placed under “public” land use categories. The Master Plan notes that the Limited Business areas include “business and professional offices, governmental uses and corporate offices.” These areas “represent the largest non-residential land use in the Borough” and “account for the overwhelming majority of all non-residential taxable lands in the Borough.” The Plan further states that “these uses represent the engine that sustains economic vitality to the community.” The 2003 Master Plan Reexamination Report recommended specific changes to the buffer requirements for the “B” zones along the Sylvan Avenue corridor. No other changes or significant land use policies related to the subject property were proposed.

A 2007 study of the “B” zones along Sylvan Avenue, prepared by Phillips Preiss Shapiro Associates on behalf of the Planning Board, emphasized that the “campus-style configuration” of the subject property

(i.e., Block 207, Lot 6) is “somewhat out-of-character with the largely 1- to 2-acre office sites in the area.” Noting its similarities to the CNBC and Unilever campuses within the northerly portion of the B-2 district, the 2007 study recommended that this particular tract be considered for placement within “any new corporate office district” established along the corridor. Subsequently, the Planning Board’s 2009 Master Plan Reexamination proposed a new “B-5” zone district for certain properties located within the existing B-2 zone. The Plan made the following statement:

It is recommended that the current B-2 zoning district be separated into two distinctive zones, as the northern section of the district has dissimilar characteristics than that of the remainder of the zone. Furthermore, the current zone regulations fail to support the large-scale corporate office presence that exists in the northern section of the B-2 zone. In fact, the existing bulk standards are too permissive, particularly relative to lot size and setbacks. It is therefore recommended that a new corporate office land use classification be created in the land use plan, and hence, a new B-5 zone classification be established in accordance with the proposed zoning map.

The Reexamination Report also set forth potential use and bulk regulations for a B-5 zone:

In the new B-5 zone, permitted uses should be limited exclusively to professional offices and corporate office/research facilities. The minimum lot size for these lots in the new B-5 zone should be increased from 80,000 square feet found in the current B-2 zone to at least 5 acres and possibly 15 acres to avoid potential future subdivision of these large corporate campuses. Similarly, the allowable 60-foot front yard setback requirement found in the old B-2 zoning regulations should be increased and an overall impervious coverage limitation should be established to protect the expanses of green space in this district. A front yard landscaping requirement should be considered as well.

The “Proposed Zoning Map” contained in the 2009 Reexamination Report showed the subject property along with several large corporate campus properties in the northerly portion of the B-2 district within the proposed new B-5 zone. The Report also provided several recommendations to enhance buffer and landscaping requirements throughout all of the “B” zones and also to relax the off-street parking requirements for corporate office uses. Despite those prior studies and Master Plan recommendations, Block 207, Lot 6 remained within the B-2 zone until the adoption of the B-2A Overlay zone.

Englewood Cliffs New Jersey Land Use Plan

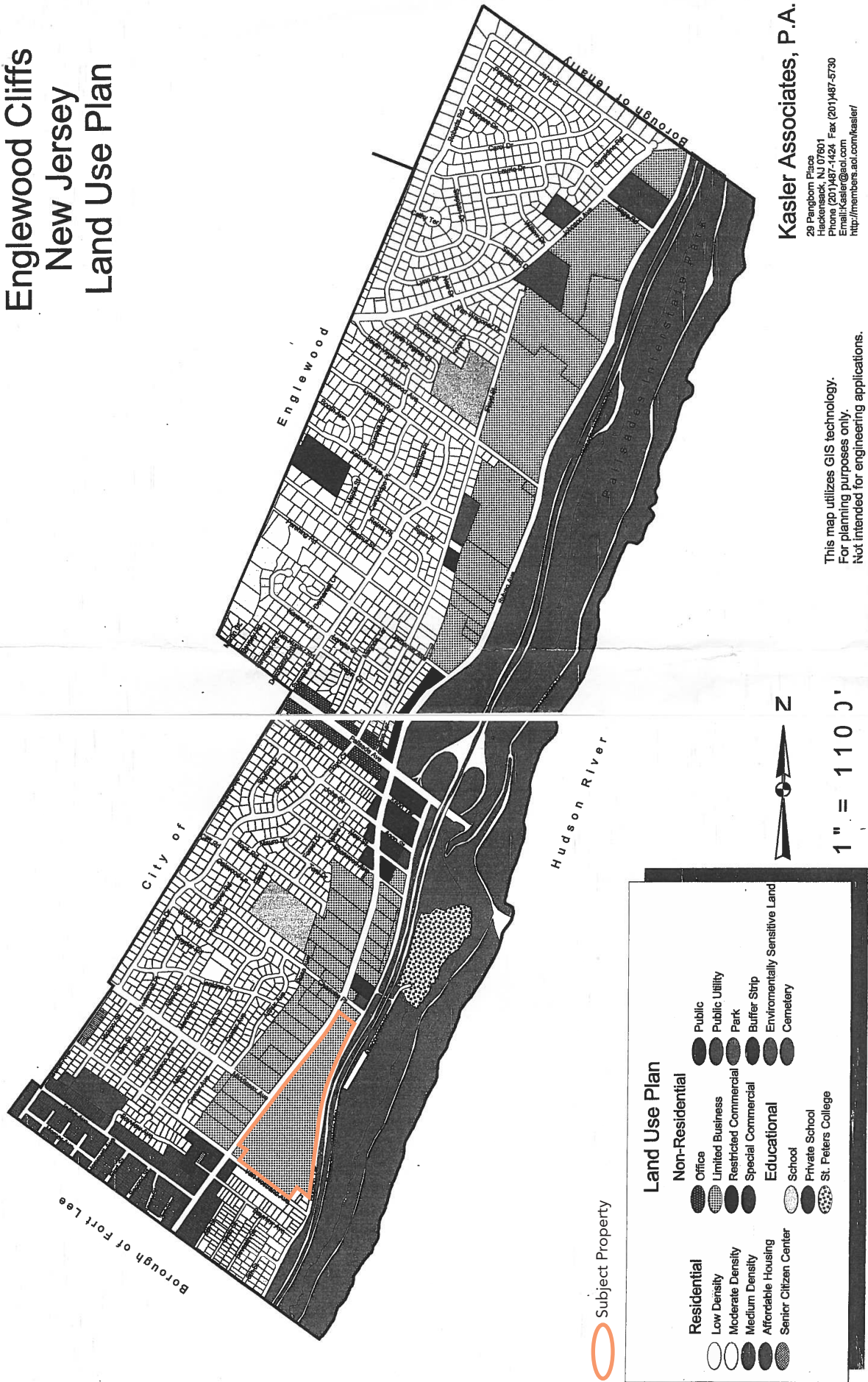


FIGURE 4: MASTER PLAN LAND USE DESIGNATION OF THE SUBJECT PROPERTY

Phillips Preiss Grygiel LLC 2015

Source: Borough of Englewood Cliffs Comprehensive Master Plan

IV. Recommended Master Plan Classification and Zoning for the Subject Property

In consideration of 1) the ZBA's approval of the LG corporate headquarters project; 2) the subsequent litigation and settlement; and 3) the adoption of the B-2A Overlay zone, the Planning Board is re-evaluating its Master Plan policies with respect to potential corporate office development within the "B-2" zone along the Sylvan Avenue corridor. The following sets forth the reasons for focusing on the subject property in particular and also describes the planning basis for an Amendment to the Borough's Master Plan which supports a new zone classification for the subject property, while retaining the underlying B-2 classification for the balance of the B-2A Overlay zone. The chapter also summarizes the benefits of a new zone from a Master Plan perspective and identifies numerous Master Plan objectives and purposes of the Municipal Land Use Law which are advanced.

A. Planning Rationale in Support of an Amendment to the Master Plan Land Use Element

The physical characteristics, surrounding land uses and current conditions of the subject property stand out within the context of the "Limited Business" area along the Sylvan Avenue corridor. In terms of redevelopment potential for new corporate office development, much of the remainder of the area is constrained by surrounding residential land uses as well as the physical limitations of the properties themselves. As noted, the Limited Business area is principally intended to promote office development and is broken up into two distinct segments along Sylvan Avenue. The northerly segment possesses a different character than its southerly counterpart. It contains large corporate campus facilities for CNBC, Unilever and others which are well-suited to the large tracts located along the westerly frontage of Sylvan Avenue (the easterly frontage is undevelopable). The low-rise form of those campuses is appropriate considering the residential neighborhood located to the west and the substantial depth and frontage of each property. However, a more intensive development scheme (i.e., with buildings taller than 35 feet) would be challenging to implement without creating detrimental impacts on residential areas. Consequently, the current zoning scheme for the northerly segment of the Limited Business area – which encourages low-rise corporate campus uses – remains appropriate.

The southerly segment of the Limited Business area consists of the 27-acre subject property, as well as a number of small lots improved with office/commercial uses. Unlike the northerly segment, both sides of Sylvan Avenue are fully developed. The properties to the west of Sylvan Avenue in this area comprise small lots with limited depth that abut residential uses to the west. Most of these lots are in the range of two to three acres in area and none exceeds five acres. Meanwhile, lands along the easterly frontage of Sylvan Avenue other than the subject property are smaller, developed office properties, all of which are roughly an acre in area or less. The B-2 zone's regulations are in fact designed for development of smaller properties, with a minimum lot area requirement of just under two acres.

By comparison, the subject property is substantially larger in size and is presently vacant. This parcel presents a unique opportunity for redevelopment by a single corporate user. Given its acreage and undeveloped status, it merits special consideration from a planning/zoning standpoint relative to all other properties within the Limited Business district which have very different development characteristics (i.e., small sites developed with buildings). The subject property also does not directly abut any residential uses. There are residential uses on the south side of Van Nostrand Avenue across from the southern boundary of the subject property, but given the site's size and width at its southern end, there is ample room to require significant setbacks and buffering from these closest residential uses. The ability to provide such separation and to allow additional development on portions of the site away from residential uses provides an opportunity to advance a new zoning classification for this property, with its own regulations intended for a larger-scale redevelopment project.

Among the reasons to explore the potential for larger-scale – and taller (i.e., greater than 35 feet) – buildings for the subject property is the growing evidence that sprawling low-rise single-user corporate campuses with expansive parking fields have become outmoded in New Jersey.¹ Taller buildings with open floor plans and cutting-edge architecture are highly valued by modern high-tech, biotech and financial/professional services corporations and also preferred by the next generation of workers who are more likely to live in or near urban areas. Also, there is growing interest in the sustainability benefits of taller development due to the ability to maximize natural light, reduce the amount of impervious coverage on a property and provide greater amounts of open space. Properly crafted zoning regulations can allow for larger-scale development, such as a major headquarters of a global corporation, that furthers the welfare of the community without creating substantial detrimental impacts on the community.

Meanwhile, there is a need for an improved regulatory scheme for the provisions of buffers and landscaping as well. As described in Chapter III, the 2009 Master Plan Reexamination noted that “buffers are of particular significance” along the Sylvan Avenue corridor and determined that “requiring front yard landscaping would enhance the overall image and streetscape along Sylvan Avenue.” The Master Plan Reexamination also emphasized that “introduction of a maximum impervious coverage standard would assure landscaping and green space as part of any future development.”

Based on an analysis of the subject property and its physical and locational context with the Sylvan Avenue corridor, it is evident that the property is deserving of unique treatment from a Master Plan and zoning standpoint. In fact, a new business zone classification for this large tract represents a valid approach to facilitating corporate office development in a manner that would also implement the Borough's Master Plan objectives regarding improved open space buffer and aesthetic requirements for this portion of Sylvan Avenue. The primary purpose of this zone classification would be to provide a new regulatory scheme which allows a large-scale office facility with taller buildings than currently allowed in the B-2

¹ See “Reinventing the New Jersey Economy: New Metropolitan and Regional Employment Dynamics,” *Rutgers Regional Report*, Bloustein School at Rutgers University, December 2012.

Englewood Cliffs New Jersey Land Use Plan



FIGURE 5: RECOMMENDED MASTER PLAN CLASSIFICATION FOR THE SUBJECT PROPERTY

Phillips Preiss Grygiel LLC 2015

Source: Borough of Englewood Cliffs Comprehensive Master Plan

zone, but also well below heights which were permitted in accordance with the B-2A Overlay zone. The proposed new heights would also be in keeping with the previously cited 6/17/15 case settlement agreement. At the same time, a set of carefully-crafted bulk standards regulating setbacks, buffers and coverage would alleviate the potential for detrimental visual, environmental and other impacts on the surrounding community. It should be emphasized that the boundaries of this new business zone are proposed to be limited exclusively to Block 207, Lot 6, as none of the other properties in the current B-2A Overlay zone possess the same characteristics as this ±27 acre tract. Figure 5 illustrates the recommended boundaries for a new business zone classification as shown on the Land Use Plan of the Borough of Englewood Cliffs Comprehensive Master Plan.

B. Recommended Requirements for a New B-5 Business Zone

In terms of implementation, it is recommended that the governing body consider a zoning ordinance amendment to create a new district entitled the B-5 Business zone consistent with the boundaries shown in Figure 5, which coincides with that of Lot 6 in Block 207. As indicated, although not part of any prior Master Plan Amendment, it is recommended that the B-2A Overlay zone district, which included Lot 6 in Block 207 as well as over a dozen additional lots as part of a continuous stretch of properties along the east side of Sylvan Avenue, be rescinded in its entirety. The following standards are proposed to regulate new development within the B-5 zone (see Table 4).

Table 4: Recommended Bulk, Height and Other Requirements for the B-5 Business Zone

Regulation	Requirement
Min. Lot Area	25 acres
Min. Lot Frontage	2,000 feet
Min. Front Yard	60 feet
Min. Side Yard (one/both)	60 feet/200 feet
Min. Rear Yard	25% of lot depth
Min. Corner Lot Setback to Street	100 feet
Max. Lot Coverage*	10% buildings only, 20% including parking garages
Max. Impervious Coverage*	45%
Max. Building Height	3 stories above parking garage/60 feet, except 4 stories above parking garage /70 feet permitted greater than 600 feet from the R-B1 zone
Max. Parking Garage Height	3 levels/30 feet to top of parapet, 40 feet to top of solar arrays
Min. Area for Private Common Open Space or Pedestrian Amenities**	5% of lot area

Required Buffer to R-B1 Zone	125 feet
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*If a vegetated green roof area is provided, an area equal to the portion of the roof covered by a vegetated green roof shall be exempted from lot coverage and impervious coverage calculations.

**Shall include all outdoor seating, gathering and recreation areas and walking trails.

Under the B-5 zone, the required buffer to the R-B1 zone should be increased to 125 feet. This will further mitigate the potential for detrimental impacts on the residential properties located along Van Nostrand Avenue, as would allowing additional height only beyond 600 feet from the R-B1 zone. Additionally, several modifications are recommended to encourage green building techniques and the provision of outdoor common space for employees. In particular, vegetated green roof areas would be exempted from impervious coverage calculations so as to encourage corporate office facilities to include green roof areas on buildings and parking garages. Also, a minimum requirement for outdoor common space amenities for employees is recommended to ensure that corporate tenants include walking paths, seating areas and recreation spaces for use by their employees. Strict regulations should be provided for signage in this zone.

C. Benefits of a New B-5 Business Zone

When compared to as-of-right redevelopment under the B-2 zone standards, the proposed B-5 zoning mandates increased setbacks, open space and buffers. It should also be emphasized that the former improvements on the subject property, including the 412,000 square feet of office space and 1,047 parking spaces, covered almost 60% of the site. Also, since the floor area can be provided in a taller building envelope (i.e., up to 4 stories above parking) there is a positive trade-off in terms of the impacts to the balance of the site. For instance, the percentage of the site covered by impervious surfaces can be cut to roughly three-fourths of what currently exists on the property. The building coverage can be reduced from the current requirement of 33.3% (per the B-2 zone) to 15% to 20% of the site. And the rear yard setback could be increased from 20% of lot depth to 25% of lot depth. Finally, the 125 foot buffer to the R-B1 zone is more than twice the distance provided under the B-2 zone. In summary, the new B-5 zoning would facilitate a state-of-the-art, corporate office prototype that provides tangible land use, environmental and aesthetic benefits in the form of additional open space, improved drainage and more landscaping.

From an impact standpoint, the subject property can certainly accommodate new development under the B-5 zoning without creating detrimental impacts on the surrounding properties or the community at large. As noted above, the increased setbacks, reduced coverage and additional open space drastically exceed that which would be provided by an as-of-right development under the B-2 zone. Perhaps most importantly, not only would side yard setbacks be increased dramatically, but where no green space is required under current B-2 zone standards, over half of the tract would be green space under the new B-5 zone. Such safeguards are intended to mitigate the impacts of buildings up to 70 feet in height (i.e., in lieu of the current 35 foot limit in the B-2 district). The land use and visual impacts on residential uses

would be minimal as well. The subject property is substantially separated from the residential neighborhoods located across Sylvan Avenue to the west. Additionally, there is a 125 foot buffer area separating the adjacent residential properties in the RB-1 zone. Finally, the property is located a substantial distance (i.e., across the Palisades Interstate Parkway) from the public parklands associated with the Palisades cliffs and thus would have no detrimental impacts on this area. In light of the existing tree line within the park, the proposed 70 foot building height restriction also minimizes any visual impacts on these historic resources as viewed from within or outside New Jersey, while still enabling reasonable development in an appropriate location.

D. Advancement of the Borough of Englewood Cliffs' Master Plan Goals and Objectives

The B-5 Business zone concept is substantially consistent with the goals and objectives of the Borough's Master Plan. Specifically, the following would be advanced by this proposal:

- *Objective #1: Established Neighborhood Areas.* To maintain and enhance the attractive and established character of Englewood Cliffs in both its residential and non-residential areas.

This objective would be furthered by ensuring that taller office buildings are restricted to a large tract located east of Sylvan Avenue (away from residential uses) and also by providing a 125 foot buffer to the RB-1 residential zone.

- *Objective #3: Preservation of the Environment.* To promote and protect environmentally sensitive areas including wetlands and wetlands buffers, flood prone buffers, steep sloping areas, the quality and purity of rivers and streams and areas of trees and other vegetative cover.

As enumerated above, the drastic reduction in impervious coverage allowed on the subject property as part of the B-5 Business zone allows more of the lands to be devoted to open space, buffers and setback areas. Additionally, this reduction minimizes potential impacts to the existing wetlands areas and other environmentally-sensitive features.

- *Objective #7: Appropriate Use of All Lands.* To encourage action to guide the appropriate use or development of lands in Englewood Cliffs in a manner which will promote the public health, safety, morals and general welfare.

The B-5 Business zone provides appropriate standards for new larger-scale office development on a property which is particularly suited to sustain appropriate redevelopment without incurring any detrimental impacts on the public good.

- *Objective #18: Buffer Areas.* To continue to maintain adequate buffer areas separating residential areas from nearby non-residential uses.

This objective is advanced by the provision of a 125 foot buffer – which is more than twice as large as the buffer required under the B-2 zone – to separate the subject property from the adjacent R-B1 residential zone.

- *Objective #19: Improvement of Business Area:* To upgrade and improve the business areas of the community, where appropriate, by providing off-street parking, upgrading landscaping, signage and street fixtures in a comprehensive and coordinated manner.

The B-5 Business zone greatly enhances the southerly portion of the Sylvan Avenue corridor. The increased landscaping and open space required will implement aesthetic and environmental improvements to the streetscape along this corridor while allowing the Borough to attract a major corporate facility.

E. Advancement of the Purposes of the Municipal Land Use Law

The B-5 Business zone directly advances at least five (5) purposes of the Municipal Land Use Law (NJSA 40:50D-2 et seq.), as follows:

- (a) *To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare.*
- The B-5 Business zone will guide the redevelopment of a key property within the Sylvan Avenue corridor in a manner that will lead to aesthetic, environmental and economic benefits for the Englewood Cliffs community, while avoiding the potential for detrimental impacts. It will also attract new jobs to the Borough which help stimulate the local economy and reinforce the southerly portion of the Sylvan Avenue corridor.
- (c) *To provide adequate light, air and open space.* The recommended standards for the B-5 Business zone ensure that adequate light, air and open space are provided to the community.
- (g) *To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.* The B-5 Business zone focuses new office development on a previously developed property which, by virtue of its size and location away from residential uses, can sustain taller

buildings while strengthening the Borough's open space, buffer and coverage requirements for this property. This will result in significant environmental benefits.

- (i) *To promote a desirable visual environment through creative development techniques and good civic design and arrangement.* The B-5 Business zone will encourage high-quality commercial architecture while maximizing the amount of open space and landscaping on the redeveloped property. This will result in an improved visual environment along the southerly portion of the Sylvan Avenue corridor.
- (j) *To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land.* The B-5 Business zone allows for the appropriate redevelopment of a large former office property while avoiding any disturbance to or adverse visual impacts on the Palisades cliffs or adjoining park lands. The zoning also requires greater amounts of open space than allowed under the current B-2 zone.

V. Relationship to State Development and Redevelopment Plan and Adjacent Municipalities

Relationship to State Development and Redevelopment Plan (SDRP)

On March 1, 2001, the State Planning Commission readopted the State Development and Redevelopment Plan (SDRP). In the SDRP, the subject property is classified as Planning Area 1, Metropolitan Planning Area (PA-1). The SDRP defines Metropolitan Planning Areas as areas which “provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities.” The Planning Board believes that the Master Plan Amendment creating the new B-5 Business zone classification for Block 207, Lot 6 is well-reconciled with the guiding policies and policy objectives of the adopted SDRP for Planning Area 1, Metropolitan Planning Area.

Consistent with the goals for the PA-1, the Board is satisfied that the B-5 Business zone classification will promote redevelopment needed to transform a large underutilized property into a state-of-the-art corporate office development that will ensure efficient utilization of scarce land resources while also carefully protecting the character of surrounding communities. The B-5 Business zone classification will also promote private sector investment and economic development in suitable core locations and in accordance with the objectives for PA-1. Such new zone designation also places compact redevelopment in a location well served by existing transportation networks, including Route 9W (Sylvan Avenue) and the Palisades Interstate Parkway.

Relationship to Adjoining Municipalities

Although the Borough of Englewood Cliffs borders three municipalities (Fort Lee to the south; Tenaflly to the north; and Englewood to the west), the location of the B-5 Business zone classification which is the basis for the Master Plan Amendment is sufficiently removed from any of these boundaries such that from a land use policy standpoint the development contemplated will have no substantive impact upon the various Master Plan designations within these adjacent municipalities (i.e, specifically where lands adjoin the Borough of Englewood Cliffs).

Relationship to Bergen County Master Plan

The Land Use Element of the Bergen County Master Plan has not been updated since 1973. While the land use conditions in the County have changed since that time, the Master Plan Amendment advocating the new B-5 Business zone classification does not conflict with the goals and policies of the County plan.

Relationship to District Solid Waste Management Plan

The Bergen County Utilities Authority is the agency empowered to supervise the implementation of the solid waste management plan for Bergen County. The plan was originally adopted in 1979 and was most recently updated in 2006. The Master Plan Amendment creating the new B-5 Business zone classification in no way conflicts with the County's solid waste management plan.

VI. Summary

The foregoing Amendment to the Land Use Element of the Borough of Englewood Cliffs Master Plan outlined the planning rationale and recommended parameters for a new Master Plan designation and zoning classification known as the B-5 Business zone for a single ±27 acre property known as Block 207, Lot 6, located along the east side of Sylvan Avenue in the southerly section of the Borough. The conclusions were based on an analysis of the physical characteristics of the subject tract and surrounding properties, and also the Borough's historic master plan and zoning treatment of the Sylvan Avenue corridor. The B-5 Business zone provides a number of benefits to the Englewood Cliffs community and also advance several of its Master Plan objectives. In order to implement this concept, it is recommended that the Borough adopt a new B-5 Business zone consistent with the land use policies and zoning parameters set forth in this Amendment.