

31 RIVER ROAD REDEVELOPMENT PLAN
BOROUGH OF HIGHLAND PARK,
MIDDLESEX COUNTY

Adopted by the Governing Body by Ordinance 18-1978 on December 18, 2018.

December 4, 2018

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BOROUGH OF HIGHLAND PARK,
MIDDLESEX COUNTY

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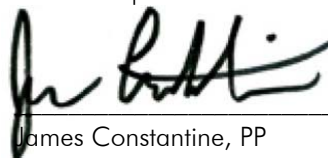
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Introduction

The Borough of Highland Park (the “**Borough**”), 1.9 square miles in area, is situated in the western portion of Middlesex county. The Borough is adjacent to the city of New Brunswick to the south, Edison to the North and East, and Piscataway to the North and West. It is proximate to the NJ Northeast Corridor line station in New Brunswick which allows for commuting to either New York City or Trenton. Unlike most municipalities in New Jersey, Highland Park has a downtown which makes for a more vibrant living experience.

On December 20, 2016, the Borough Council of the Borough adopted Ordinance 16-1921, declaring the entire area within the Borough of Highland Park as an “area in need of rehabilitation” under the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (the “**LHRL**”).

This designation is expected to prevent further deterioration and to promote the overall development of the Borough. Furthermore, this designation will promote the goals and objectives of the Master Plan, which include to ensure a vibrant downtown and commercial corridors, to expand opportunities for mixed-use development in the downtown, to encourage in-fill development that is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns, and to preserve and enhance the character and small town feel of the community.

On December 4, 2018, the Borough Council of the Borough adopted Resolution 12-18-338 designating certain property identified as Block 183, Lot 24 on the official tax map of the Borough and commonly known as 31 River Road, Highland Park, New Jersey (the “**Redevelopment Area**”) as a Non-Condemnation Redevelopment Area.

The Redevelopment Area consists of a single lot totaling approximately 1 acre; it contains a nearly vacant medical office building at the corner of River Road & Walter Avenue, and the Borough is working to develop a plan to guide its potential future redevelopment.

Statutory Requirements

According to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

- A. Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
- B. Proposed land uses and building requirements in the project area;

- C. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
- D. An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan;
- E. Any significant relationship of the redevelopment plan to:
 - 1. The master plans of contiguous municipalities;
 - 2. The master plan of the County in which the municipality is located; and
 - 3. The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, c. 398(N.J.S.A. 52:18A-196, et seq.).
- F. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households, as defined pursuant to section 4 of P.L. 1985 c. 222 (N.J.S.A. 52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure.
- G. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.

This Redevelopment Plan provides a guide for the development of the Redevelopment Area. The following is a review of the Redevelopment Area, the district land use standards, as well as administrative procedures and requirements for the implementation of the Plan.

Planning Context

Existing Conditions

The 31 River Road Redevelopment Area is situated in the western region of the Borough. The Redevelopment Area is bound to the north by the Walter Avenue, to the east and south by a residential neighborhood, and to the west by River Road. The Redevelopment Area is also located directly opposite the Environmental Education Center located on River Road, which was constructed as a focal point to the Raritan River Greenway. There are no wetlands or environmentally sensitive areas and no contaminated sites are presently known within the Redevelopment Area.



Figure 1: Aerial view of Redevelopment Area (boundary in red)



Figure 2: Bird's eye view of Redevelopment Area

The Redevelopment Area consists of a single lot totaling approximately 1 acre; it contains a nearly vacant, approximately 11,000 square foot medical office building, located at the corner of River Road and Walter Avenue. The Borough seeks the demolition of the existing structure, but the preservation of the location of the surface parking lot at the rear of the Redevelopment Area as well as the existing perimeter buffer vegetation and mature trees along the streetscape to the extent possible.



Figure 3: Street view of Redevelopment Area from River Road



Figure 4: Street view of Redevelopment Area from Walter Avenue

Circulation and Public Transportation

Raritan Avenue, NJ Route 27, is the Borough’s “Main Street”. Upon entering the Borough, Route 27 becomes two-lane Raritan Avenue, intersecting River Road and continuing for approximately 1.5 miles through downtown and the outskirts of the Borough. The core of the downtown is located along Raritan Avenue and it has been the primary focus of the community’s revitalization efforts.

The Redevelopment Area is located at the intersection of River Road and Walter Avenue in Highland Park, near the foot of the bridge crossing the Raritan River to New Brunswick and less than one (1) mile from New Brunswick Station. River Road stretches for over one (1) mile in the western region of the Borough following the curving west bank of the Raritan River along which runs a park system leading to John Park and the Rutgers Preserve. Directly across River Road is the Highland Park Environmental Center and a trail connected to the East Coast Greenway.

The Redevelopment Area is along the route of the Merriewold shuttle that provides access from residents living at the Merriewold at Highland Park to the New Brunswick Station. The Redevelopment Area is also within a 10- to 15-minute walk from the New Brunswick Station and a five (5) minute walk from New Jersey Transit bus routes 810 and 814, which has a stop along Raritan Avenue at Adelaide Avenue.

Existing Zoning and Land Use

The existing zoning for the Redevelopment Area is PO Professional Office Zone which zoning extends to the entirety of the block in which the Redevelopment Area is located. The PO Zone permits offices (professional, business and medical) and apartments as an accessory use, if located on upper floors above offices, as well as single-family homes. The 2003 Borough Master Plan determined to allow two-family homes and single-family homes as permitted uses and apartments as accessory uses above offices.

The other areas in the Borough that are zoned PO Professional Office are on the back half of blocks along Raritan Avenue where this zone acts as a transition between the CBD and the RA Single Family Residential Zone. This PO Zone is different from the others because it encompasses an entire block and is situated in a transition location where several different zoning districts meet other than the CBD:

- To the south of this block are two blocks in the RMM Midrise Residential Zone, which permits mid-rise residential structures between three and five stories in height, depending on surrounding conditions.
- Across Lincoln Avenue from this block is the RB Two Family Residential Zone and behind that the RMG Garden Apartments Zone extending east.
- Across Walter Avenue from the Redevelopment Area is the RA Single Family Residential Zone, which extends to the north.

The predominant land use in the Borough is single family residential, covering 36% of the Borough's land area. While lot sizes vary throughout the Borough, the typical residential lot located along Walter Avenue is 36 feet wide and 3,420 square feet in area, which is smaller than most of the Borough's residential lots. Generally, existing homes are older, well-maintained structures that exhibit details of their period of construction.



Figures 5 through 8 (left to right): Examples of typical residences along Walter Avenue

From a land-use perspective, transforming the Redevelopment Area to an appropriate form of residential use represents a continuation and/or expansion of the presently permitted residential uses in the PO Zone (single-family homes and accessory apartments) as well as a compatible transition from other residential uses permitted in all of the adjacent zones surrounding the Redevelopment Area.

Goals and Objectives

Goals

The primary purpose of this Redevelopment Plan (the “**Redevelopment Plan**”) is to encourage the redevelopment of the Redevelopment Area by providing quality multi-family housing options for a variety of household types and incomes and to ensure any new residential redevelopment is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns. Multi-family options at this location near Raritan Avenue and within walking distance to New Brunswick could create an opportunity to help diversify the Borough’s housing stock by targeting two compatible demographic segments/household types - empty-nesters and the Millennial generation. Both groups have fewer school-age children, less cars per household and tend to generate lower rates of vehicular trips if they live in a location that is within walking distance to mass transit, employment and daily services including restaurants. Empty-nesters and Millennials also compose two segments of what is sometimes referred to as “renters-by-choice” because they prefer not to own a home or condo as a lifestyle choice.

This Redevelopment Plan has the following goals:

- A. Take advantage of a unique sustainable development opportunity to provide the most energy-efficient form of living by providing attached multi-family housing within walking distance of transit.
- B. Ensure any residential redevelopment along Walter Avenue will be composed of a smaller-scale, limited height and design character that reflects the neighborhood;
- C. Limit any larger multi-family building to the River Road frontage where it can act as a buffer for the neighborhood from this heavily travelled corridor;
- D. Improve existing traffic, pedestrian, bicycling and parking issues to make the neighborhood safer and more livable;
- E. Retain existing perimeter buffer vegetation and mature trees along the streetscape to the extent possible; and
- F. Limit vehicular access to the existing driveways and maintain the location of the parking at the rear of the Redevelopment Area.

Objectives

The Borough's objectives in redeveloping the Redevelopment Area, as set forth below, focus on improving the entire Highland Park community, attracting new investment to the Borough, and preserving the predominantly residential character of the Redevelopment Area. Future objectives include:

- A. Stabilize the Redevelopment Area by eliminating negative and/or blighting influences. Prevent the spread of such influences by the application of comprehensive and enforceable zoning controls.
- B. Maximize tax revenue, generate new tax ratables or otherwise provide for substantial financial return to the public sector by redeveloping and returning to active and productive use, the underdeveloped, underutilized and/or underproductive land [which is not likely to be developed solely through the instrumentality of private capital].
- C. Stimulate private development and maximize the development potential of the Redevelopment Area by permitting flexibility in land use, project design, and building regulations while protecting, to the maximum extent practicable, surrounding land uses.
- D. Increase the value of residential properties throughout the neighborhood and stimulate reinvestment and home improvements outside of the Redevelopment Area.
- E. Promote the efficient and effective provision of necessary infrastructure and related services for the Redevelopment Area while addressing economic, regulatory, and permitting issues which may impede infrastructure improvements.
- F. Institute provisions to promote a planned, residential development in a mutually supportive environment consistent with applicable smart growth new urbanism principles.
- G. Utilize zoning and non-financial incentives and programs where appropriate to achieve these goals and objectives.
- H. Ensure that all uses within the Redevelopment Area are compatible with the surrounding neighborhood and environment.
- I. To the extent reasonably practicable, work with a designated redeveloper to minimize disruption of the residential communities adjacent to the Redevelopment Area during and after construction.

Public Participation

In addition to the above objectives, the Borough sought to provide an opportunity for neighborhood input and feedback in the creation of the Redevelopment Plan. The Borough facilitated a Neighborhood Open House on March 22, 2018 at the Senior/Youth Center at 220 South 6th Avenue, by inviting neighboring residents and other interested citizens and stakeholders to help identify existing issues, ask questions and provide feedback on future options for the Redevelopment Area.

What places in the Neighborhood do you like **MOST** and **LEAST** ?
 Where are the Traffic & Pedestrian **Hot Spots** ?



Figures 9 through 11 (clockwise from left): At the Neighborhood Open House, “Dot-macracry” mapping allowed residents to identify places they like the most and least as well as traffic and pedestrian hot spots



Figure 12: At the Neighborhood Open House, a series of photographs depicting various building massing and architectural styles allowed residents to place green dots on images of massing and architectural styles that would best fit the existing neighborhood character, and red dots on least preferred, which provided guidance for the Redevelopment Plan

Redevelopment Plan Proposals

In order to effectuate the goals and objectives it is necessary to institute new use and bulk zoning controls applicable to the properties located within the Redevelopment Area as detailed herein. To that end, this Redevelopment Plan creates the 31 River Road Redevelopment District.

This Redevelopment Plan has a goal of providing quality housing options for a variety of household types and incomes. The planned development scheme includes attached, semi-attached and multi-family residential units containing any combination of apartments, townhouses, stacked townhouses, duplexes or multiplex dwellings not exceeding a total of forty (40) units within the Redevelopment Area.

The proposed redevelopment of the Redevelopment Area shall address the existing facilities within the Redevelopment Area, including circulation, "road diet" with a two-way cycle track on Walter Avenue to help calm traffic and safely connect Borough citizens to the trail system located across River Road as well as pedestrian and bicycle infrastructure improvements to make the neighborhood safer and more livable.

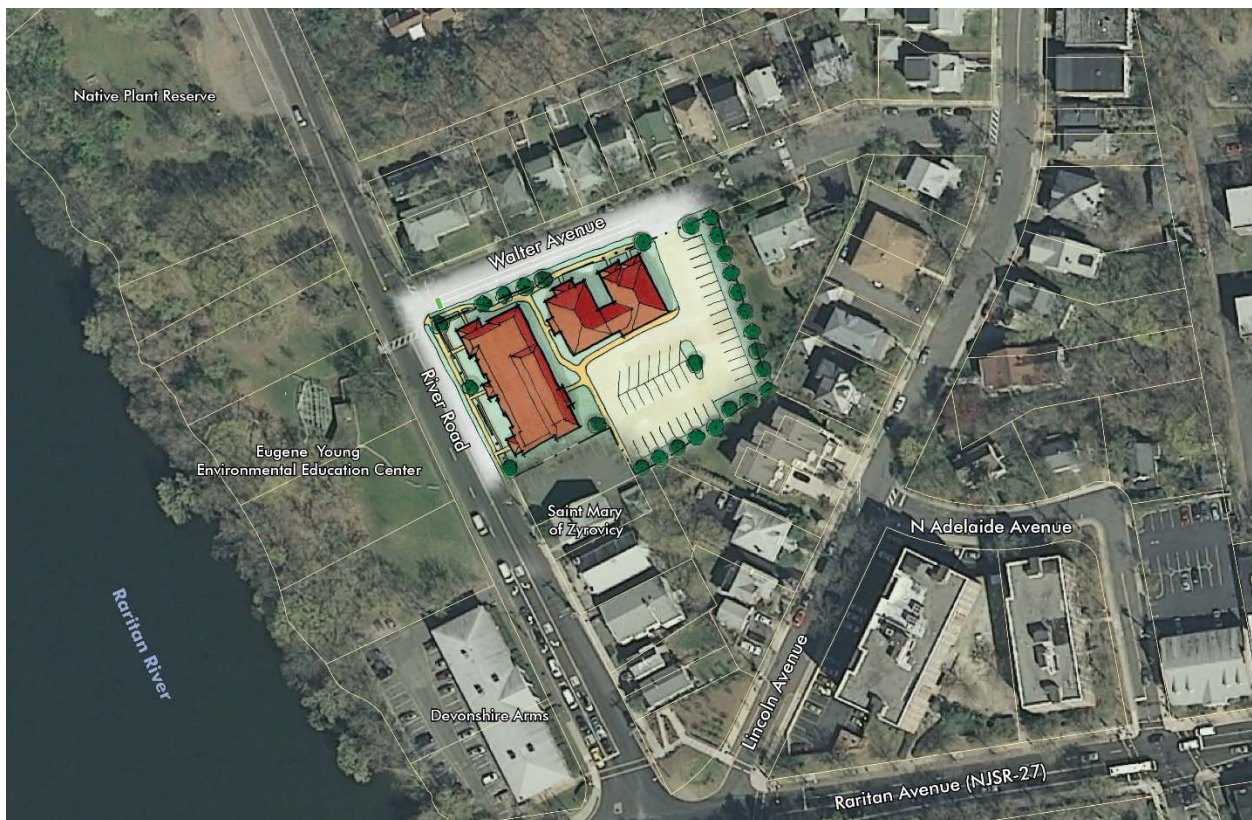


Figure 13: Concept Plan illustrating potential arrangement of building massing and parking in accordance with the Redevelopment Plan



Figure 14: Rendering of potential massing and character in accordance with the Redevelopment Plan as viewed from the intersection of River Road and Walter Avenue; note the “road diet” with a two-way cycle track on Walter Avenue to help calm traffic and safely connect Borough citizens to the trail system located across River Road



Figure 15: Rendering of potential massing and character in accordance with the Redevelopment Plan as viewed from River Road; note the use of low-walled terraces and balconies to enhance livability along a busy road and take advantage of river views

Redevelopment Area

Intent and Purpose

- A. The Zoning Map shall be amended to include a new zoning district for the Redevelopment Area. The Redevelopment Area shall constitute a superseding zoning district within the Redevelopment Area as provided for in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-7c).
- B. The Redevelopment Area shall effectuate the goals and objectives of the Redevelopment Plan. The Redevelopment Area creates superseding design and bulk standards for the Redevelopment Area.
- C. The plan is to provide a residential planned development scheme in order to entice new homeowners and business owners to the Redevelopment Area and the Borough.
- D. The site development shall include streetscape improvements, including street trees, front yard landscaping treatments, "road diet" with two-way cycle track on Walter Avenue and other features designed to maximize the appeal of the Redevelopment Area.
- E. Any redevelopment shall address the existing facilities within the Redevelopment Area are addressed.

The total permitted residential density of the Redevelopment Area is forty (40) units; of which fifteen (15) percent (6 units) will be set aside to be developed as affordable units for low- and moderate-income households. These low- and moderate-income housing units must be built throughout the entire Redevelopment Area (not clustered). Not clustering low- and moderate-income units, and allowing them to be constructed, spread out and intermingled with market rate units, provides for a more economically sustainable and humane neighborhood that is socially diverse and will ensure the long-term success of this development.

Land Use and Bulk Standards

- A. The following land use and bulk standards shall apply to the Redevelopment Area.
 - 1. Principal Permitted Uses:
 - a. Attached dwelling units
 - b. Semi-attached dwelling units
 - c. Multi-family dwelling units
 - d. The above Principal Permitted Uses shall be provided as a mix of studio, one-bedroom and two-bedroom units, except for affordable housing required to be three-bedroom units.
 - 2. Permitted Accessory Uses:
 - a. Parking located on the same lot as a residential use
 - b. Attached or detached garages for residential uses

- c. Attached or detached sheds for residential uses
 - d. Pedestrian walkways and bicycle paths
 - e. Such other accessory uses as are usual and customary to a residential site plan, such as, without limitation, signage, storm water management facilities, landscaping, site lighting, refuse/recycling facilities and related infrastructure.
3. All development within the Redevelopment Area shall be serviced with public, potable water and sanitary sewer, along with electric, natural gas, telephone and cable service; all utilities shall be placed underground.
 4. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, a dedicated lot or lots, or within easements located on privately-owned lands.
 5. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided under Chapter 230-Land Development.
- B. Setbacks for Building(s) Fronting on Walter Avenue
1. Minimum front yard setback: 13.5 feet (from which point buildings shall step back further from the street)
 2. Minimum side yard setback: 50 feet from eastern property line
- C. Setbacks for Building Fronting on River Road
1. Minimum front yard setback: 15 feet from River Road and Walter Avenue
 2. Minimum side yard setback: 10 feet from southern property line
- D. Accessory Structures:
1. Shall not be located in any front yard area
 2. Minimum side or rear yard setback: 5 feet
- E. Permitted Projections
1. Covered stoops, porches, verandas and balconies shall be permitted to project into the front yard setback not closer than 7.5 feet from the property line.
- F. Massing, Scale and Height for Building(s) Fronting on Walter Avenue
1. Composed of smaller-scale massing that reflects the massing of homes across Walter Avenue and shall be limited to two and one-half (2¹/₂) stories in height along the street frontage.
 2. May increase to three (3) stories in height provided that portion of the structure is set back a minimum of 25 feet from the street.
- G. Massing, Scale and Height of Building Fronting on River Road
1. One larger-scale building shall be oriented to the River Road street frontage where it acts as a buffer and gateway for the Walter Avenue neighborhood.
 2. Any building shall be designed using some combination of massing, scale, roof type, cornice, projections, recesses, materials, colors and other architectural treatments to minimize the visual impact of the height of such building.

3. Permitted a maximum height of three (3) stories, which may include mezzanines consistent with the definition from the International Building Code (Section 505.2). Mezzanines shall not constitute a story or half story and shall be considered a portion of the story below.
4. The Planning Board may permit a fourth floor that is set back from the street-facing facades with a terrace provided that the building is designed in accordance with subsection G.2 above to the satisfaction of the Planning Board.

Additional Requirements

A. Sign Standards

1. No signs shall be permitted, with the exception of the following:
 - a. One (1) free-standing sign provided that the sign complies with the following standards:
 1. Maximum size of signboard shall not exceed eight (8) square feet.
 2. Maximum height of signboard shall not exceed three (3) feet.
 3. Maximum width of signboard shall not exceed four (4) feet.
 4. Maximum height of characters shall not exceed eight (8) inches.
 5. Maximum height from ground level to uppermost portion of sign, including decorative and other supporting elements, shall be five (5) feet.
 6. Minimum setback from any property line shall be five (5) feet.
 7. No portion of such sign shall be within any clear sight triangle.
 8. No portion of such sign shall project or extend over sidewalks, walkways, driveways or parking lots.
 9. Such sign shall not be internally illuminated but may be externally illuminated, provided that the source of such illumination be directed to the signboard, not directly visible and limited as to intensity.
 10. Such sign shall comply with all other provisions pursuant to §230-115 of the Ordinance.
 - b. Exempt signs pursuant to §230-115.D of the Ordinance which shall otherwise comply with all other provisions pursuant to §230-115 of the Ordinance.

B. Landscaping

1. The existing landscaping buffer and mature trees along the perimeter and streetscape of the Redevelopment Area shall be retained to the extent possible.
2. Shade trees shall be provided at intervals of approximately 30 to 35 feet along each side of all streets, whether existing or proposed.

3. Commercially reasonable landscaping shall be extensively and intensively provided throughout the front, side, and rear yards for residential uses.
4. All plant species shall thrive in permeable soils; plants native to the area are encouraged. Plant materials used in the private yards are encouraged to incorporate native species, including ground cover, perennials, ornamental grasses, shrubs, and trees. Salt and drought tolerant species native to New Jersey Shore communities are encouraged.
5. Front yards shall be defined by a combination of hedging, landscaping edging, metal fencing or decorative brick knee wall along public sidewalks.
6. Front yards may incorporate terraces or patios which shall be suitably integrated into the landscaping.
7. Planting shall be used around building foundations to improve the overall aesthetics and enhance the building.
8. All areas not utilized for structures, parking, driveways, or on pedestrian walkways shall be suitably landscaped and maintained in good condition.
9. Any plantings within sight triangles shall not exceed 36" in mature height.



Figures 16 and 17 (left to right): Preferred landscaping with front yards featuring a combination of hedging and decorative knee walls

C. Parking

1. Parking shall be located at the rear of the Redevelopment Area where it is less visible from Walter Avenue and River Road.
2. Parking shall be accessed from the existing two-way driveway on Walter Avenue with optional ingress from River Road.
3. The resident parking requirement shall be a minimum of one (1) parking space for each residential unit located on-site or off-site within 1,000 feet of the Redevelopment Area. The distribution and location of resident parking shall be determined to the satisfaction of the Planning Board based on the overall unit mix, the design of units and targeted household characteristics including propensity to use transit, the provision of shuttle service to the New Brunswick rail station, the accommodation of bicycle parking facilities, the provision of shared car parking and similar factors.
4. The provision of resident parking for market-rate units shall be “unbundled” from the cost of units and subject to a separate charge.
5. Guest parking shall be located on-site or off-site within 1,000 feet of the Redevelopment Area in an amount, distribution and location to the satisfaction of the Planning Board.
6. On-site parking shall include provision for electrical vehicle charging stations.
7. Indoor bicycle storage rooms and/or exterior covered bicycle racks shall be provided to accommodate a minimum of one (1) bicycle for each residential unit.

D. Refuse and Recycling Standards

1. Refuse and recycling facilities shall be provided to adequately accommodate the types of units in a location within each unit, the building or on site.
2. The location and provision of refuse and recycling facilities shall not be visible from the street.

E. Building Scale and Architectural Design Character

1. Buildings containing Principal Permitted Uses shall be provided in the form of one or more smaller-scale buildings fronting on Walter Avenue and one larger-scale building fronting on River Road. The Planning Board may permit such buildings to be attached if the appearance of multiple buildings is achieved to the satisfaction of the Planning Board.
2. Buildings shall be designed to reflect the Arts and Crafts design character found in portions of the surrounding neighborhood and preferred imagery identified during the Neighborhood Open House.
3. Buildings shall incorporate covered stoops, porches, verandas and/or balconies, and utilize front yard terraces and/or patios.

4. Permitted building materials for primary exterior wall surfaces shall include brick, fiber cement siding and smooth finished stucco. Trim materials may consist of precast stone, wood, cement fiber and PVC. Vinyl, cultured stone and EIFS are not permitted as building materials.



Figures 18 through 21: Preferred Architectural Design Character as selected during the Neighborhood Open House

General Provisions

Any development that occurs within the Redevelopment Area shall comply with the following as required by N.J.S.A. 40A:12A-1 et seq.:

- A. The Borough and any redeveloper shall comply with all statutes of the State of New Jersey governing development and redevelopment including but not limited to N.J.S.A. 40:55D-1 et seq. and 40A:12A-1 et seq.
- B. The Planning Board is authorized, but not required, to grant reasonable bulk variances and exceptions for minor deviations from the Redevelopment Plan Standards. For

purposes of this Redevelopment Plan, an exception for a minor deviation is akin to an approval which could be granted pursuant to N.J.S.A. 40:55D-70(c) or N.J.S.A. 40:55D-51(a) or (b). An exception equivalent to an approval pursuant to N.J.S.A. 40:55D-70(d) shall require an amendment of the Redevelopment Plan.

- C. The redeveloper shall be required to furnish escrows and performance guarantees as required by the Borough of Highland Park Planning & Zoning Board (N.J.S.A. 40:55D-53).

Relocation

In accordance with N.J.S.A. 40A:12A-7(a)(3) there is no need to provide for the temporary or permanent relocation of residents in the Redevelopment Area. No occupied residences are proposed to be acquired.

Acquisition

The Redevelopment Area is privately-owned and no property will be acquired to implement the Redevelopment Plan.

Relationship to Other Plans

Borough Land Development Ordinance

The Borough's Land Development Ordinance permits single family homes as primary uses and apartments on upper floors above professional offices as accessory uses in the Professional Office district. The standards contained within this Redevelopment Plan shall supersede the use, bulk, and dimensional regulations and/or design standards in the Borough Land Development Ordinance. In the case where a design standard is not covered in this Redevelopment Plan, the standards in the Borough Land Development Ordinance may be consulted for guidance in the context of the overall redevelopment project design and the intent of this Redevelopment Plan.

Borough Master Plan

The current Master Plan of the Borough of Highland Park was adopted May 5, 2003. A previous Master Plan had been adopted in 1995 with a Reexamination report completed June 2001. Prior to 1995 there had been a Master Plan prepared in 1980 and one in 1960. As required

by N.J.S.A. 40A:12A-7(d), this Redevelopment Plan helps to achieve the Master Plan Goals and Objectives as most recently expressed in the 2010 Periodic Reexamination Report as follows:

- A. Minimize conflicts between residential and nonresidential uses.
- B. Identify opportunities for revitalization, redevelopment and infill development in the Borough's non-residential districts.
- C. Encourage in-fill development that is compatible with the scale, density and design of the Borough's existing residential neighborhoods and historic development patterns.

Adjacent Municipalities

The Redevelopment Area is not physically contiguous to the adjacent municipalities of New Brunswick, Edison and Piscataway Townships and therefore the redevelopment does not impact or affect those communities. As such, the redevelopment of this area is not inconsistent with the land uses or the Master Plan of New Brunswick, Edison and Piscataway Townships. (N.J.S.A. 40A:12-7(a)(5)(a)).

Middlesex County Master Plan

This Redevelopment Plan is generally consistent with the Middlesex County Master Plan as it addresses sprawl and sustainability in the region, including clustering future development around definable town centers and transportation facilities, with land use intensity decreasing as distance from the town center increases as well as providing an adequate and safe bicycle and pedestrian system.

State Development and Redevelopment Plan

In 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the "SDRP"). The SDRP guides State-level development and redevelopment policy as well as local and regional planning efforts. This Redevelopment Plan is consistent with the SDRP.

Per the SDRP, The Borough of Highland Park is contained entirely within the Metropolitan Planning Area, PA1. The Metropolitan Planning Area includes developed communities that range from large urban centers to post-war suburbs. The intent of the PA1 designation is to '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'. Some of the policy objectives used to guide the development of PA1 Metropolitan Planning Areas that relate to this Redevelopment Plan are:

- A. Housing: Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse of nonresidential buildings, and the

introduction of new housing into appropriate nonresidential settings. Preserve the existing housing stock through maintenance, rehabilitation and flexible regulation.

- B. Transportation: Maintain and enhance a transportation system that capitalizes on high density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency, link Centers and Nodes, and create opportunities for transit-oriented redevelopment.
- C. Redevelopment: Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.

The Redevelopment Plan has no detrimental effect on the Master Plans of contiguous municipalities, the Master Plan of the County of Middlesex, or the State Development and Redevelopment Plan.

Affordable Housing

Pursuant to a Settlement Agreement between the Borough and Fair Share Housing Center (FSHC), approved by Borough Resolution # P2017-05 on December 20, 2017 and fully executed on December 22, 2017, the Borough is required to address an affordable housing obligation of 173 units through July 1, 2025. Consistent with the rules of the Council on Affordable Housing (COAH), 15% of the overall number of dwelling units constructed in the Redevelopment Area shall be set aside for low- and moderate-income households. .

The affordable housing units shall be created and administered according to COAH's rules . In the NJ Supreme Court decision known as Mount Laurel IV, the Court directed municipalities to prepare affordable housing plans in accordance with the "Second Round" rules promulgated by COAH at N.J.A.C. 5:93-1 et seq. Municipalities and developers continue to be obligated to comply with New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. Additionally, the affordable housing units shall be compliant with §230-174.A of the Borough code (or any section of the Borough's Code which may replace §230-174.A), which requires developers of affordable housing to construct affordable units in accordance with the UHAC. Specifically, the applicable UHAC standards include, but are not limited to, the following:

- A. Pursuant to the UHAC at N.J.A.C. 5:80-26.3(b)2, the combined number of efficiency and one-bedroom units shall be no greater than 20% of the total low- and moderate-income units, at least 30% of all low- and moderate-income units are two-bedroom units and at least 20% of all low- and moderate-income units are three-bedroom units.

These requirements shall only apply to the affordable units and need not apply to any market-rate units. The affordable housing units shall be subject to the occupancy standards at N.J.A.C. 5:80-26.6 if for-sale or N.J.A.C. 5:80-26.12 if rental.

- B. Pursuant to N.J.A.C. 5:80-26.3(a), at least 50% of the affordable housing units, including at least 50% of the affordable units within each bedroom distribution addressed above, shall be low-income units and the remainder may be moderate-income units.
- C. The affordable housing units shall be subject to affordability controls for at least 30-years as required by N.J.A.C. 5:80-26.5(a) if for-sale or N.J.A.C. 5:80-26.11(a) if rental.
- D. The affordable housing units shall be administered by an experienced affordable housing administrative agent, which may be selected by the developer or appointed by the Borough.

The Borough reserves the right to require that one (1) affordable unit created in the Redevelopment Area, provided that the affordable units are rental units, is affordable to a very-low income households, as defined in the Fair Housing Act. The Borough further reserves the right to request a waiver from the Court for the bedroom distribution requirements of the UHAC regulations.

Administration

General

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

Redevelopment Entity

As permitted under N.J.S.A. 40A:12A-4, the Governing Body is hereby designated the entity (the "**Redevelopment Entity**") to implement this Redevelopment Plan. When necessary for the implementation of this Plan, the Borough shall enter into a contract with a redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A:12A-4(c)). The redeveloper shall agree to retain interest in the project until the completion of construction and development of the specific project unless otherwise agreed in writing by the Governing Body. The redeveloper shall agree not to lease, sell, or transfer interest or any part thereof without prior written approval of the Governing Body as the Redevelopment Entity.

Redevelopment Agreement

The Planning Board shall not deem an application for site plan approval complete until a designated redeveloper has executed a redevelopment agreement with the Borough pursuant to the LHRL.

Time Limits

The redeveloper of a specific project within the development area shall begin the development of land and construction of improvements within a reasonable period of time to be determined in a contract between the Borough and a duly designated redeveloper (N.J.S.A. 40A:12A-8(f)).

Certificate of Completion

Upon the inspection and verification by the Borough that the redevelopment of the Redevelopment Area has been completed in accordance with the redevelopment agreement, Planning Board approvals and other applicable requirements, a Certificate of Completion will be issued to the redeveloper and the Redevelopment Area will be deemed no longer in need of redevelopment. This Redevelopment Plan will remain effective until the Redevelopment Area has been redeveloped and/or deemed no longer in need of redevelopment by the Governing Body.

Discrimination Ban

No covenant, lease conveyance, or other instrument shall be executed by the Borough or the redeveloper whereby land or structures with this redevelopment is restricted upon the basis of race creed, color, gender, marital status, age, disability, familial status, or national origin.

The termination of this Redevelopment Plan shall in no way permit the land or structures of the Redevelopment Area to be restricted on the basis of race, creed, color, gender, marital status, age, disability, familial status, or national origin.

Procedures for Amending the Plan

This Redevelopment Plan may be amended or revised from time to time in accordance with the requirements of law.

Repeal and Severability Statements

All ordinances or parts of ordinances inconsistent with this Redevelopment Plan are repealed to the extent of such inconsistency only. If any provision or regulation of this Redevelopment Plan should be judged invalid by a court of competent jurisdiction; such order or plan shall not affect the remaining portions of this Plan which shall remain in full force and effect.