

BOROUGH OF HIGHLAND PARK

REQUEST FOR PROPOSALS

**ACQUISITION AND REDEVELOPMENT OF
TRACTS A, C, AND D WITHIN THE DOWNTOWN
REDEVELOPMENT AREA**

ISSUE DATE: DECEMBER 10, 2021

RESPONSE DUE DATE: MAY 6, 2022

List of Attachments Constituting Part of the RFP

- 1. Downtown Redevelopment Plan for Tracts A-D (Appendix A)**
- 2. Interim Cost and Conditional Designation Agreement (Appendix B)**

The Borough of Highland Park (the “**Borough**”) issues this request for proposals (“**RFP**”) pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”) and all other applicable laws. Any successful Respondent (defined below) is required to redevelop the Redevelopment Site (as defined in Section II herein), or any portion thereof, or such other area that includes all or a portion of the Redevelopment Site as may be approved by the Borough, in accordance with the Redevelopment Law and as set forth in a redevelopment agreement with the Borough.

All responses to this RFP (a “**Proposal**”) shall be prepared at the cost and expense of the prospective purchaser/redeveloper who proposes a project in response to the RFP. The Borough is not responsible for paying any costs or expenses associated with the preparation of a Proposal.

Respondent and its contractors and subcontractors must always comply with all applicable obligations pursuant to The New Jersey Campaign Contributions and Expenditure Reporting Act, *N.J.S.A. 19:44A-1, et seq.*, and any local or municipal restrictions adopted in accordance with said Act.

This RFP constitutes an invitation for responsive submissions to the Borough and does not represent an offer, obligation or agreement on the part of the Borough. The Borough reserves the right to protect the best interests of the Borough, to waive any technical errors, to request clarification of any submission, to reject any submission (or any part thereof) for any reason whatsoever, or to reject all Proposals for any reason whatsoever. The Borough reserves the right at any time to withdraw this RFP or modify the schedule or requirements set forth herein.

The Borough reserves the right, if it is deemed to be in the public interest, to enter directly into negotiations with one or more Respondents, or to reissue a request for proposals in order to advance the planning and disposition process. This RFP does not commit the Borough to any disposition process or to enter negotiations with any Respondent. While every effort has been made to provide accurate information within this RFP regarding the Redevelopment Area, including the Redevelopment Site, the Borough is not bound by any of the statements or assumptions set forth herein.

I. BACKGROUND

The Borough is 1.9 square miles in area, situated in the western portion of Middlesex County, located within central New Jersey. The Borough is adjacent to the City of New Brunswick and Rutgers University to the south, Township of Edison to the north and east, and Piscataway Township to the north and west. While well-served by major roadways, the Borough is proximate to the Northeast Corridor Rail Line stations in New Brunswick and Edison, which allows for commuting to New York City, Trenton and points beyond such as Philadelphia, Boston and Washington D.C. Highland Park has a walkable downtown which makes for a more vibrant living experience.

Over the past 20 years, the Borough has undertaken several planning activities to make the community a vital and sustainable place to live, work and place. Among various efforts in creating

this vision and in order to address conditions within the Borough and stimulate private investment, the Mayor and Council (the “**Borough Council**”) have determined that the appropriate course of action is to redevelop and rehabilitate the Borough in accordance with the Redevelopment Law.

On September 14, 2021, by Ordinance 21-230 the Borough Council adopted the Downtown Redevelopment Plan for Tracts A-D (the “**Redevelopment Plan**”). The overriding goal of this Redevelopment Plan is to bring more people to live, work and shop along Raritan Avenue. This requires addressing the challenges that have previously hampered downtown redevelopment due to potential sites scattered in different blocks, often constrained by small size and odd dimensions. These existing physical limitations make it unfeasible to redevelop both a new mixed-use building and on-site parking on many properties. Private parking on each small redevelopment site would require access from new driveways along Raritan Avenue making it more dangerous for everyone walking or driving in the downtown.

The 2019 Master Plan (the “**Master Plan**”) sets a goal to support a thriving downtown by leveraging reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development while recognizing the challenges of an e-commerce era. The Planning Board adopted the Master Plan in December 2019, unaware that a few months later a global pandemic would unleash more formidable challenges to the future of downtown.

As 2020 progressed, the impacts of the pandemic became more evident with several long-time establishments temporarily or permanently closed as well as an emerging “new reality” that post-pandemic life would be different. For the Borough, like almost every local government across the country, it became clear that new strategies and actions would be necessary to re-position the community for the post-pandemic period – sitting still and taking no action was not an option.

Fortunately, during 2020 opportunities to advance downtown redevelopment consistent with the Master Plan in the downtown emerged. The strategy of utilizing a centralized parking facility to untap the potential redevelopment on a series of nearby sites is a strategy used successfully in other downtowns by permitting additional density on in-fill sites.

Using the Master Plan as a guide, the Borough can reinvent its downtown in a post-Covid 19 world as we experience a fundamental reordering in where and how the U.S. labor force works and lives. Already, the shift to remote working has brought a dramatic increase in demand for housing in New Jersey along with a decrease in demand for traditional retail and restaurant space. Many skilled technology workers, knowledge workers, and professionals have a new freedom and flexibility to choose where they want to live.

Fortunately, Highland Park has the physical framework to attract new residents, but still needs to increase its downtown vibrancy, as called for in the Master Plan.

II. SITE DESCRIPTION

The Borough seeks one or more qualified developer(s) or redevelopment team(s) (a “**Respondent**”) to respond to this RFP with submissions of redevelopment proposals (a “**Proposal**”) and statements of their qualifications to redevelop all or a portion of the following

properties (the “**Redevelopment Site**”) and such other adjacent properties as may be proposed for redevelopment by a Respondent and approved by Borough (Tract B is specifically excluded because the current property owner of Tract B intends to develop such property consistent with the Redevelopment Plan although parking from same may have to be accommodated in any central parking facility):

Tract A		
<u>Block</u> <u>[Former Block]</u>	<u>Lot</u>	<u>Street Address</u>
1704 [173]	41	133 Raritan Ave. *
1704 [173]	42	127 Raritan Ave. *
1704 [173]	43	125 Raritan Ave.
1704 [173]	44	Denison St. +
1704 [173]	45	Denison St. +
1704 [173]	46	125 Raritan Ave.
1704 [173]	47	115 Raritan Ave.
1704 [173]	48	101 Raritan Ave. *
1704 [173]	49	125 Raritan Ave.
1704 [173]	Portion of Lot 20	110 – 148 Montgomery St.
Tract C		
2202 [22]	4	212 Raritan Ave. *
2202 [22]	32.02	220 Raritan Ave. *
2202 [22]	33.01	222 Raritan Ave. *
Tract D		
1604 [158]	20	15 North 3rd Ave.
1604 [158]	21	15 North 3rd Ave.
1604 [158]	22	15 North 3rd Ave.
1604 [158]	23	15 North 3rd Ave.
1604 [158]	24	315 Raritan Ave.
1604 [158]	25	315 Raritan Ave.
1604 [158]	26	316 Raritan Ave.
1604 [158]	42	315 Raritan Ave.
1604 [158]	50	315 Raritan Ave.
1604 [158]	51	315 Raritan Ave.
1604 [158]	Portion of Lot 47	301 – 303 Raritan Ave.
1603 [162]	36	247 Raritan Ave.
1603 [162]	36	247 Raritan Ave.
1603 [162]	36	247 Raritan Ave.

- * **Denotes Borough-owned property**
- + **Denotes condemnation area**

The Borough seeks to identify Respondent(s) with the ability and capacity to commence a redevelopment project as described in this RFP. **Proposals may be for the entire Redevelopment**

Site or a portion of the Redevelopment Site and may include properties adjacent to the Redevelopment Site. The details regarding the Redevelopment Site are found below.

The Downtown Redevelopment Plan for Tracts A-D is attached to this RFP.

A. Tract A

Tract A is commonly known as Block 1704 [173], Lots 41-49 and a portion of Lot 20. The Tract is located mid-block in the downtown area generally between South 1st Avenue and North 2nd Avenue. It is bounded to the south by Raritan Avenue (New Jersey State Route 27), to the north by the Highland Montgomery Apartments and the dead-end portion of Denison Street, to the west by a pedestrian walkway and a two-story office building behind same, and to the east by a two-story mixed-use building nearing completion at 137-139 Raritan Avenue and the rear yards of 2 1/2-story residential dwellings fronting North 2nd Avenue.

Tract A is irregular in shape, with over 460 feet of frontage along Raritan Avenue, with varying depth ranging between 155 and 215 feet, and comprises of approximately 85,600 square feet (1.97 acres) in area. One of the unique features of this area is its topography, such that the portion of the Tract along Raritan Avenue is over a full story above the portion of the Tract along Denison Street, with trees and steep slopes mainly located closer to Denison Street. This change in grade could provide for convenient rear access to the lower level of the buildings, including potential parking underneath.

The phased redevelopment concepts for Tract A allows for short-term redevelopment of four lots contained in Phase 1 and several options for longer-term assembling and phasing of properties in Phase 2. Redevelopment of both phases of Tract A involves assembling multiple properties to accommodate infill with new taller mixed-use buildings that help establish a “gateway” to enhance the sense of arrival into the downtown on Raritan Avenue. These new mixed-use buildings will include activated ground level frontage along Raritan Avenue and residential, office or hotel uses to the rear and on upper levels that will bring more people to live, work, stay and shop along Raritan Avenue.

Redevelopment and design concepts for Tract A include the following:

- The top story of new taller buildings to be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the Raritan River and downtown New Brunswick.
- Non-residential space fronting along Raritan Avenue should be designed with storefront-type display windows, however the amount of new ground floor retail or restaurant space should be limited by incorporating other “active street front” uses such as a lobby, gathering space, business center/workspace, café, and fitness center/exercise studio for residents, employees or hotel guests.
- New buildings should be designed with masonry façades defined by a base, middle and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.

- Provide primary access to the building from the front along Raritan Avenue for pedestrians and rear access from Denison Street to the lower level of the buildings for pedestrians and vehicles including potential parking under the buildings.
- Parking requirements for the use of the buildings should be “right-sized” for the proposed usage.

B. Tract C

Tract C is commonly known as Block 2202 [22], Lots 4, 6.01, 32.01 & 33.01. The Tract is located mid-block in the downtown area between South 2nd Avenue and South 3rd Avenue. It is bounded to the north by Raritan Avenue (New Jersey State Route 27), to the south by Magnolia Street, to the east by a 2 1/2-story office building fronting Raritan Avenue and two-story residential dwelling fronting Magnolia Street, and to the west by a two-story mixed-use building containing The Cook & The Carpenter Bakeshop fronting Raritan Avenue, the Reformed Church of Highland Park fronting South 2nd Avenue, and a 1 1/2-story residential dwelling fronting Magnolia Street.

Tract C contains 3 Borough-owned properties that presently provide several public uses, including Main Street Highland Park offices and a parking lot that provides dozens of public parking spaces and functions as a community gathering space for events throughout the year.

Tract C is irregular in shape, with approximately 150 feet of frontage along Raritan Avenue, approximately 54 feet of frontage along Magnolia Street, with varying depth ranging between 150 and 430 feet, and comprises of approximately 46,400 square feet (1.07 acres) in area. The topography ascends gradually at the front of the Tract along Raritan Avenue and is relatively flat for the remainder of the Tract toward Magnolia Street.

The redevelopment concept for Tract C allows for infill with one new taller mixed-use “courtyard building” serving as a focal point to “terminate the vista” looking up Raritan Avenue after crossing the bridge. Tract C features public space in the form of a plaza at Raritan Avenue connecting to an interior garden courtyard that provides access to the rear of the Reformed Church and continues as a walkway along a parking area to Magnolia Street. Due to the limited retail frontage on this block, this mixed-use building should strictly limit new commercial storefront space and include activated ground level frontage along Raritan Avenue with residential apartments on upper levels and along the courtyard to the rear that will bring more people to live, work and shop along Raritan Avenue.

Redevelopment and design concepts for Tract C include the following:

- This new building should extend to Raritan Avenue with one or two wings that frame a public plaza along Raritan Avenue that connects to an interior garden courtyard that creates a mid-block greenspace framed which is shared between the new building and the Reformed Church.
- The public plaza and interior garden courtyard should be designed with landscaping, seating and other improvements to accommodate usage by residents of the building, users of the Reformed Church, residents of the surrounding neighborhood and the public.

- The rear portions or wings of this building may be reduced in height and should be carefully located and designed to minimize direct views, orientation toward and balconies overlooking neighboring residences.
- This location terminates the view looking up Raritan Avenue from between 1st and 2nd Avenues at a location where the street bends slightly and further enhance the sense of arrival into the downtown in concert with the “gateway” created on Tracts A and B.
- The top story of this new building should be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the Raritan River and downtown New Brunswick.
- Non-residential space fronting along Raritan Avenue should be designed with storefront-type display windows, however the amount of new ground floor retail or restaurant space should be limited by allowing other “active street front” uses such as a lobby, gathering space, business center/workspace and fitness center/exercise studio for residents.
- Provide primary pedestrian access to the building from the front along Raritan Avenue pedestrian connectivity to the interior garden courtyard, rear parking area and walkways linking to Magnolia Street.
- Parking requirements for the use of the buildings should be “right-sized” for the proposed usage.
- Limit service to the building for loading and trash/recycling to the rear with access from Magnolia Street.

C. Tract D

Tract D is commonly known as Block 1604 [158], Lots 20-26, 42, 50-51 and a portion of Lot 47; and Block 1603 [162], Lots 36-38. The Tract consists of multiple properties on both sides of North 3rd Avenue. It is bounded to the south by Raritan Avenue (New Jersey State Route 27), to the north by Denison Street, to the west by office buildings fronting North 3rd Avenue and lot improved only with a parking lot fronting Raritan Avenue, and to the east by a residential dwelling fronting Denison Street and a 2 1/2-story office building fronting Raritan Avenue. The Tract surrounds several properties that front Raritan Avenue, including a one-story Provident bank building and drive-through facility, and three 2 1/2-story residential-scale buildings with one- to two-story front additions, containing office and retail uses.

Tract D is irregular in shape and comprises of 3 distinct parts. Block 1603 [162], Lots 36-38 is situated on the western portion of the Tract, with approximately 50 feet of frontage along Raritan Avenue, approximately 165 feet of frontage along North 3rd Avenue, and comprises of approximately 8,000 square feet (0.18 acres) in area. Block 1604 [158], Lots 20-26, 42, 50-51 and a portion of Lot 47 is situated on the eastern portion of the Tract, with approximately 70 feet of frontage along Raritan Avenue, approximately 225 feet of frontage along Denison Street, an average depth of approximately 325 feet, and comprises of approximately 51,700 square feet (1.19 acres) in area. The North 3rd Avenue public right-of-way is situated in between, spanning 80 feet in width and approximately 320 feet in depth, and comprises of approximately 25,600 square feet (0.59 acres) in area.

Taken together, Tract D spans approximately 355 feet in width and approximately 325 feet, with a total of 85,300 square feet or nearly 2 acres of land in the central core of the downtown

area. The entire Tract gradually descends in grade from Raritan Avenue toward Denison Street.

The redevelopment concepts for Tract D are anchored by a new taller “landmark” mixed-use building at the corner of North 3rd Avenue and Raritan Avenue. A large existing surface parking lot at the corner of North 3rd Avenue and Denison Street could be transformed into a centralized common parking facility containing a multi-level structure with a “liner space” that could be programmed for public use as an art gallery/exhibition/performance space. The location of the parking structure on North 3rd Avenue allows covered vehicular, including accessible spaces, and bicycle parking to be conveniently located for patrons of the farmers market, which will be relocated across Raritan Avenue onto South 3rd Avenue in the space presently used for “Town Tables” with additional space to be provided in the municipal parking lot on South 3rd Avenue.

A new taller mixed-use building in a mid-block location on Raritan Avenue would back-up and attach to the parking structure. Attaching to the parking structure and screening it from view along Denison Street would be a lower scale “residential liner building” designed to serve as a compatible transition to the surrounding neighborhood. The new mixed-use buildings on Tract D will include activated ground level frontage along Raritan Avenue and residential apartments on upper levels that will bring more people to live, work, stay and shop along Raritan Avenue.

Redevelopment and design Concepts for Tract D include the following:

- Retaining North 3rd Avenue as a two-way street open to full vehicular accessibility. However, this right-of-way may be redesigned with wider sidewalks and “shared space” treatment and could occasionally be closed for special events on a temporary basis.
- The multi-level parking structure may provide limited ground floor spaces for public parking protected from the elements, including accessible spaces and bicycle parking, serve as an origin/destination point for a shuttle to downtown New Brunswick and the train station, and incorporate a “liner space” into the North 3rd Avenue frontage that could be programmed for public use such as an art gallery/performance/exhibition space.
- Establish a new taller “landmark” mixed-use building at the corner of North 3rd and Raritan Avenue that will visually anchor this important corner of the plaza with a ground floor restaurant that wraps both street frontages with outdoor seating.
- Establish a second taller mixed-use building on Tract D that also fronts on Raritan Avenue by taking advantage of a mid-block location where a building can be attached to the parking structure on Tract D.
- The top story of both new mixed-use buildings should be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the 3rd Avenue plaza and downtown Highland Park.
- Non-residential space fronting along Raritan Avenue and North 3rd Avenue should be designed with storefront-type display windows and may incorporate other “active street front” uses such as a lobby, gathering space, business center/workspace, café, and fitness center/exercise studio for residents.

- New buildings should be designed with masonry façades defined by a base, middle and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Screening the parking structure from view along Denison Street would be a “residential-scale liner building” designed with a varied streetscape rhythm including porches and verandas that reflects and serves as a compatible transition to the surrounding neighborhood.
- Provide primary pedestrian access to the mixed-use buildings from Raritan Avenue or North 3rd Avenue and to the “residential-scale liner building” from Denison Street, except buildings attached to the parking structure may accommodate direct-access from parking to apartments for residents.
- Provide rear access from Denison Street to the lower level of the buildings for pedestrians and vehicles including potential parking under the buildings.
- Limit service to the buildings for loading and trash/recycling to the rear accessed from North 3rd Avenue or the parking structure.
- Parking requirements for the proposed use of the buildings should be “right-sized” and allow parking to be provided using any of the following: on-site or off-site spaces located in the centralized parking structure proposed on Tract D or an alternate arrangement for a centralized parking facility on Tract D.
- Tract D is entirely privately owned and will require the consent of the property owner in connection with any development on such Tract D.

III. DEVELOPMENT PROGRAM GOALS

The Borough seeks Proposal(s) which achieve the goals of the Redevelopment Plan, maximize the Redevelopment Site’s and immediate areas potential and benefit and complement the surrounding area. Specifically, the Borough seeks Proposals which address one or more of the following:

- Creation of a “town square” public space for daily gathering and special events – a feature the community overwhelmingly supports.
- Improve “first mile/last mile” connectivity to downtown New Brunswick, Rutgers University and the train station by a variety of modes including pedestrian/bicycle improvements to the Route 27 bridge, jitney, ride share, and bus.
- Reprogramming the appropriate mix of downtown retail, service, entertainment, boutique hotel, remote working hubs, business incubators and creative “maker space.”
- Enhance pedestrian and bicycle safety and accessibility.
- Utilize green building/infrastructure in construction and operation of the project.
- Expand the downtown customer base with demographic segments who desire to live, walk, shop, work, and ride transit as well as affordable housing close to employment and education.
- Incentivize long-stalled redevelopment with a centralized parking strategy to accommodate the demand and by selectively increasing building height and density only on opportunity sites.
- Meet or surpass the Borough’s commitment to affordable housing as described in Section 86-1 et seq. of the Borough Code.

IV. RFP RESPONSE

A. GENERAL REQUIREMENTS AND DEADLINES

During the RFP application period, no oral interpretation of any requirement of the RFP will be given to any prospective Respondents. Questions regarding this RFP may be submitted periodically via email to: Teri Jover, Borough Administrator, at tjover@hpboro.com, with a copy to J. Nicholas Strasser, Esq., at nstrasser@msbnj.com, until no later than 4:00 p.m. on March 25, 2022. Responses to questions will be periodically posted on the Borough website as and when received. **It is the responsibility of all prospective Respondents to check the Borough's website periodically for updates to this RFP as well as any responses to questions.**

Proposals may be submitted via email, hand delivered to the Borough's offices, sent by email, U.S. certified mail return receipt requested, or sent by private courier service. Proposals submitted via email must be sent in PDF format to Teri Jover, Borough Administrator, at tjover@hpboro.com, with a copy to J. Nicholas Strasser, Esq., at nstrasser@msbnj.com. Proposals submitted via certified mail, private courier service or hand delivery must include 3 paper copies and 1 electronic copy (on CD or USB drive format preferred) of the Proposal. All Proposals must be delivered no later than 12:00 PM on May 6, 2022, to the Borough of Highland Park, Attn. Teri Jover, Brough Administrator, 221 South Fifth Street, Highland Park, NJ 08904. The Borough shall not be responsible for the loss, non-delivery, or physical condition of Proposals sent by mail or courier service.

All Proposals must include a non-refundable submission fee of \$3,000.00, which must be paid at the time of submission of the Proposal, except if a Respondent's Proposal is submitted via email, then such Respondent shall mail the submission fee to the Borough, and the Borough shall receive the submission fee, no later than May 6, 2022. Proposals that include payment of the submission fee by check, which check is dishonored for insufficient funds, shall be considered to have not included the submission fee and may be rejected. Any Proposals received after the deadline or without a submission fee may be rejected.

All Proposals will become the property of the Borough and will not be returned to the Respondent.

<u>Key Dates</u>	
Issuance of RFP	December 10, 2022
RFP Questions Due to Borough	March 25, 2022
RFP Responses Due to the Borough	May 6, 2022

Respondent should not rely on the information contained in this RFP, but instead should conduct their own investigation and inquiry regarding the Redevelopment Site and independently assure themselves of the conditions and regulations affecting the Redevelopment Site, including but not limited to environmental conditions. The Borough will consider Proposals that include

financial incentives, including a payment in lieu of taxes, but the Borough does not guarantee that such financial incentives will be awarded.

B. FORMAT OF PROPOSALS

The Borough requires a standard format for all Proposals submitted to ensure that clear, concise and complete statements are available from each Respondent in response to the RFP requirements. It is recommended that Respondent utilize headings, section numbers and/or page numbers to organize its Proposals. The Borough is not under any obligation to search for clarification through additional or unformatted information submitted as a supplement to the formatted Proposal. Where a Proposal contains conflicting information, the Borough at its option may either request clarification or may consider the information submitted unresponsive.

Each Proposal submitted must contain, in sequence and with the appropriate heading, each of the following sections:

1. Title Page
2. Executive Summary
3. Proposal for the Project
4. Project Financing
5. Proposal for acquisition of Borough owned portions of the Redevelopment Site, if such property is the subject of the Proposal
6. Proposal for sale, lease, joint venture, or other relationship with owners of private property that is part of the Proposal
7. Government Responsibilities
8. Experience and Qualifications; Key Personnel

These required sections are further described and defined as follows:

1. Title Page

The Proposal must include a title page, which identifies the proposed project, the Respondent's firm, name of the Respondent's primary contact, Respondent's address, telephone number and e-mail address.

2. Executive Summary

A summary of the key points and highlights of the Proposal which should illustrate why the Respondent is best suited for the project.

3. Proposal for the Project

Include a detailed description of the Respondent's proposed project, including capital improvements, concept plans, three-dimensional massing models, architectural elevations, perspective renderings, site sections, and similar illustrative materials, etc. Respondent should highlight any risks it deems to be significant enough in nature which could delay or stop the proposed project. All Proposals shall comply with the zoning and planning requirements of the Redevelopment Plan, although the Borough will consider reasonable changes to the

Redevelopment Plan that may be included in a Proposal, provided it meets the Borough's goals. Proposed Redevelopment Plan amendments should be set forth in the Proposal. The Borough will also consider proposals that seek to expand the Project Site by including new parcels in the Redevelopment Area. The Proposal should describe such additional properties and the importance of including them in the proposed project.

4. Project Financing

Provide a breakdown of the total of all projected development costs and the sources of all anticipated funds to meet those costs.

The Respondent must state their financial offer for the purchase of the portion of the Redevelopment Site owned by the Borough.

The Borough makes no representation as to the state of remediation of the Redevelopment Area or delivery of environmentally remediated property including Borough-owned property.

5. Proposal for acquisition of Borough owned portions of the Redevelopment Site, if such property is the subject of the Proposal

To the extent it is part of Respondent's Proposal, the Proposal should include a proposal to acquire any Borough owned properties necessary for the proposed redevelopment project.

6. Proposal for the inclusion of privately owned property as part of the proposed redevelopment project

To the extent it is part of Respondent's Proposal, the Proposal should describe all privately owned parcels necessary for the proposed redevelopment project as well as the consent of such private property owners for the proposed redevelopment.

7. Government Responsibilities

The Respondent should specifically describe the expectations relating to the responsibilities and/or financial commitments (or otherwise) the Respondent is expecting of the Borough throughout the life of the proposed project including payments-in-lieu-taxes and such financial incentives that may be required from the State.

For purposes of evaluating the Respondent's Proposal, the Borough makes no representation as to responsibility for remediation of the Redevelopment Site or delivery of environmentally remediated property.

8. Experience and Qualifications; Key Personnel

Include a brief history of the Respondent and how its experience is analogous to and qualifies it to meet the requirements of the RFP. The citation of specific projects that are currently being developed or have been completed in the past is strongly encouraged.

Identify the proposed project team, the role that each proposed team member will assume and detailing the qualifications for the role that the team member possesses. This should include the Respondent as well as attorneys, architects, engineers, contractors, builders, and financiers.

V. REDEVELOPMENT AGREEMENT

The successful Respondent(s) (the “**Redeveloper**”) will be required to enter into a Redevelopment Agreement with the Borough. Upon conditional designation as the Conditional Redeveloper, the successful Respondent(s) shall enter into an Interim Cost and Conditional Designation Agreement with the Borough to defray the Borough’s expenses pending execution of the Redevelopment Agreement.

Neither the Borough’s acceptance of a Proposal nor the Borough’s conditional designation of successful Respondent(s) as a redeveloper will create any rights or obligations regarding such Respondent(s) until the full execution of the Redevelopment Agreement. The Borough will have the option to terminate negotiation of a Redevelopment Agreement at any time without cause, including on the basis that the Borough is not satisfied with the progress of negotiations. The successful Respondent shall have no cause of action or right to damages arising from the termination of negotiations with the Respondent prior to the Borough’s execution of a Redevelopment Agreement with the Respondent(s).

VI. EVALUATION PROCESS

The Borough will evaluate Proposals based on their completeness, feasibility, responsiveness to the RFP requirements and redevelopment goals described herein, strength of the development approach, innovation of the Proposal, and Respondent’s comparable experience and capacity to successfully complete the proposed project.

The Borough will evaluate Proposals based consideration of key criteria, which includes, but is not limited to:

- Conformance to RFP format requirements
- Appropriateness of proposed project to RFP requirements and the goals of the Redevelopment Plan
- Timeframe for completion of the proposed project
- Development team qualifications, comparable prior experience and capacity
- Soundness of the Respondent’s financial plan and commitments
- Vision and quality of development approach
- Public benefits from the proposed project, including the proposed number of affordable housing units and the goals articulated in Section III above
- Commitment to diversity regarding utilization of minority and women-owned business enterprises and local businesses and workers
- Financial feasibility and capacity
- Adherence to the Development Program Goals set forth in Section III.

Proposals that implement the Borough's centralized parking strategy will be particularly well received by the Borough.

The Borough shall not be obligated to explain the results of the evaluation process to any Respondent. The Borough may elect to ask some or all Respondents to give presentations on their Proposals. The Proposal(s) determined by the Borough and its professionals to best satisfy the criteria and goals of the Redevelopment Plan and RFP requirements will be recommended to the Borough Council for consideration. The Borough Council will consider the recommendation and, at its discretion, vote on whether to: recommend the Proposal(s), conditionally designate the successful Respondent(s) as redeveloper and authorize the execution of Interim Cost and Conditional Designation Agreement(s) (a form of which is included in Exhibit B). It is expected that the successful Respondent(s) will execute Redevelopment Agreement(s) within 6 months of designation by the Borough Council.

The Borough reserves the right to:

- Select a short list of Respondents;
- Enter exclusive negotiations with selected Respondent(s) with the intent of entering into a redevelopment agreement(s).
- Request additional information from any Respondent, including references related to past or current projects; or
- Take no action.

VII. DISCLAIMERS

- A. Respondent is responsible for ensuring that its Proposal is compliant with all applicable Federal, State, and local laws, regulations and ordinances.
- B. Respondent acknowledges that the preparation and submission of a Proposal is at its own risk and expense, and in no event may it seek reimbursement or contribution from the Borough.
- C. In an effort to foster the timely redevelopment of the Redevelopment Site, each Respondent acknowledges that by submitting a Proposal, such Respondent waives its right to file or maintain, through itself or any other party with which it is affiliated, any action or proceeding challenging determinations made by the Borough pursuant to this RFP.
- D. The successful Respondent must have sufficient monetary resources to provide for all predevelopment costs associated with the proposed project. The Borough will not provide any funding to pay for predevelopment costs including, but not limited to, architectural and engineering fees, legal fees, environmental reports or testing, financing and syndication costs, and surveys.
- E. Designation of a successful Respondent as redeveloper for a proposed project will not create any rights whatsoever in the successful Respondent until the execution by the Borough of a redevelopment agreement.

- F. The Borough in its sole discretion will have the option to terminate negotiations at any time if not satisfied with the progress of negotiations.
- G. The Borough reserves the right to reject all Proposals.
- H. Any successful Respondent is required to comply with requirements of the Law Against Discrimination, P.L. 1975, Ch. 127, *N.J.A.C.* 10:5-31, *et seq.*, the Affirmative Action Rules, *N.J.A.C.* 17:27-1.1, *et seq.*, the Americans with Disabilities Act of 1990, 42 U.S.C. § 2101, *et seq.*

Exhibit A

Downtown Redevelopment Plan for Tracts A-D



DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D

Borough of Highland Park
Middlesex County, New Jersey

Adopted by the Borough Council by Ordinance 21-2030 on September 14, 2021

Prepared by LRK, Inc.

July 13, 2021

**Downtown Redevelopment Plan
For Tracts A - D**

Tract A: Block 1704 [173], Lots 41-49 & Portion of Lot 20

Tract B: Block 2201 [13], Lots 6 & 9

Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01

Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 & Portion of Lot 47;
Block 1603 [162], Lots 36-38

Borough of Highland Park, Middlesex County, New Jersey

Prepared on behalf of:




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Prepared by:



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The original copy of this document was appropriately signed and sealed in accordance with N.J.S.A. 45:14A-1 et seq.



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1.0 Introduction

1.1 Overview

Highland Park’s tree-lined, pedestrian- and bicycle-friendly streets and its walkable downtown creates a unique sense of place for its residents, more than half of whom are affiliated with Rutgers University, making the Borough a part of the college community across the Raritan River. These key amenities are sought after by both Millennial and “Empty Nesters” alike, an already-growing demographic of Highland Park.

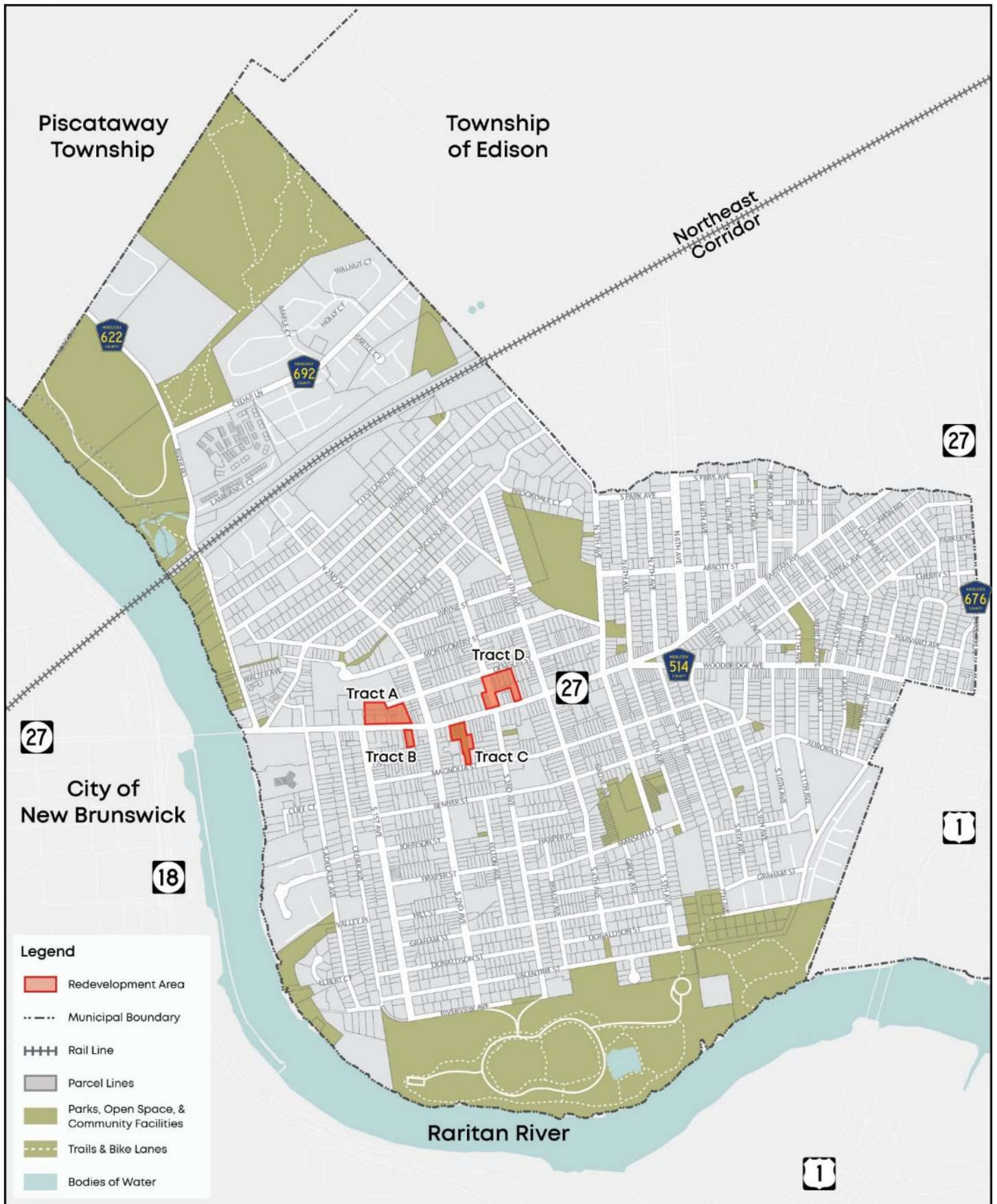
Over the past 20 years, the Borough has undertaken several planning activities in efforts to make the community a vital and sustainable place to live, work and place. In order to address conditions within the Borough and stimulate private investment, the Mayor and Council (“Borough Council”) have determined that the appropriate course of action is to redevelop and rehabilitate the Borough in accordance with the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (the “LRHL”).



Focus Area Map of 4 downtown tracts.

On September 1, 2020, the Borough Council adopted Resolution No. 9-20-246, authorizing the preparation of a redevelopment plan for certain properties (“Tracts”) within the downtown area. This document entitled the *Downtown Redevelopment Plan for Tracts A – D* (“Redevelopment Plan”), is consistent with the LRHL, implements the 2019 Master Plan, includes stakeholder input and community feedback, and is being implemented to enable a more focused approach for the redevelopment and rehabilitation of the following Tracts:

- **Tract A:** Block 1704 [173], Lots 41-49 and portion of Lot 20;
- **Tract B:** Block 2201 [13], Lots 6 & 9;
- **Tract C:** Block 2202 [22], Lots 4, 32.02 & 33.01; and,
- **Tract D:** Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; and Block 1603 [162], Lots 36-38.



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

**Exhibit A
 Location Map**



1.2 The Purpose of This Redevelopment Plan

For several decades, Highland Park has recognized a need for significant and sustained attention to the downtown business district. However, revitalization efforts have had limited impact for a variety of reasons and redevelopment efforts have never gotten off the ground. The purpose of this Redevelopment Plan is to take a more focused approach to “jump-starting” downtown redevelopment.

This Redevelopment Plan implements the 2019 Master Plan (the “Master Plan”), which involved extensive community participation including hundreds of people who attended community workshops and took part in an online survey in which only 9% of respondents said they would like to see downtown “remain the same.” During the Master Plan process, citizens identified the following issues/concerns related to downtown:

- Need for a “town square” public gathering space and lack of a proper mix/diversity of retail and activities.
- Create mixed-use development with higher density housing, including multi-family and affordable units.
- Address vacant properties, empty storefronts, and high turnover of businesses that make the streetscape unpleasant and presenting a sense of neglect.
- Lack of consolidated parking near major attractions, like the farmers market, lends itself to a fragmented downtown experience.

The Master Plan sets a goal to **support a thriving downtown** by leveraging reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development while recognizing the challenges of an e-commerce era. The Planning Board adopted the Master Plan in December 2019, unaware that a few months later a global pandemic would unleash more formidable challenges to the future of downtown.

As 2020 evolved, the impacts of the pandemic became more evident with a number of long-time establishments temporarily or permanently closed as well as an emerging “new reality” that post-pandemic life may be different. For the Borough, like almost every local government across the country, it became clear that new strategies and actions would be necessary for the community to re-position in the post-pandemic period – sitting still and taking no action was not an option.

Fortunately, during 2020, opportunities to advance downtown redevelopment consistent with the Master Plan emerged. The Borough identified a possible strategy of utilizing a centralized parking facility to un-tap the potential redevelopment on a series of nearby sites (which are themselves constrained) - a strategy that is used successfully in other downtowns by permitting additional density on infill sites.

This redevelopment approach targets Millennials as well as empty-nesters who are less auto-oriented in their daily lives and desire a “live-walk-work/learn-shop” lifestyle. This is already a reality for many Borough residents as evidenced by the high percentage of households that currently have no vehicles or just one car available (53.1% of households as per 2019 ACS 5-Year

Estimates). Remote parking may also allow downtown housing to be attractive to transit riders with improved connectivity to downtown New Brunswick, something the Borough has long envisioned.

Using the Master Plan as a guide, the Borough can reinvent its downtown in a post Covid-19 world as we experience a fundamental reordering in where and how the U.S. labor force works and lives. Already, the shift to remote working has brought a dramatic increase in demand for housing in New Jersey along with a decrease in demand for traditional retail and restaurant space. Many skilled techies, knowledge workers and professionals have a new freedom and flexibility to choose where they want to live.

The Wall Street Journal recently featured, “How Remote Work Is Reshaping America’s Urban Geography” by Richard Florida and Adam Ozimek, which outlined the emerging post-pandemic opportunity for small communities:

This rapid reordering accelerates a trend that has been under way for years. And it doesn’t just change the dynamic between workers and companies. It is affecting the economic fates of cities and communities large and small, but especially smaller ones: They can now develop and build their economies based on remote workers and....evolve into more complete live-work communities, or what urbanists call “15-minute neighborhoods,” in which all the necessities of life, work, play and education can be found within a walk or bike ride from home. When you spend more time working from home, living in a vibrant neighborhood matters more.

Fortunately, Highland Park has the physical framework to attract new residents, but still needs to increase its downtown vibrancy, as called for in the Master Plan.

Consistent with the Master Plan, this downtown redevelopment effort and plan includes:

- Creation of a “town square” public space for daily gathering and special events – a feature the community overwhelmingly supports.
- Reprogramming the appropriate mix of downtown retail, service, entertainment, boutique hotel, remote working hubs, business incubators and creative “maker space.”
- Expand the downtown customer base with demographic segments who desire to live, walk, shop, work and ride transit as well as affordable housing close to employment and education.
- Incentivize long-stalled redevelopment with a centralized parking strategy and by selectively increasing building height and density only on opportunity sites.
- Improve “first mile/last mile” connectivity to downtown New Brunswick, Rutgers University and the train station by a variety of modes including pedestrian/bicycle improvements to the Route 27 bridge, jitney, ride share, and bus.

The downtown redevelopment planning process will be ongoing and continue to respond to community feedback.

1.3 Redevelopment Goals, Objectives and Strategies

Implementing the Master Plan

In 2020, the Mayor and Council (“Borough Council”) embarked on this Redevelopment Plan by preparing redevelopment plans for four downtown tracts to implement the 2019 Master Plan Reexamination and Land Use Plan Element, which includes Land Use Goals to **Support a Thriving Downtown** and **Promote Housing Diversity**.

Highland Park’s Master Plan involved extensive community participation in developing the following Vision for Downtown:

Leverage reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development and support a walkable community with a vibrant, thriving downtown that recognizes the challenges of an e-commerce era.

This Redevelopment Plan advances the above Master Plan Land Use Goals and Vision for Downtown by preparing redevelopment plans for four downtown tracts utilizing the following Downtown Strategies from the Master Plan:

- **Custom-tailor infill/redevelopment**
- **Expand the Downtown resident customer base**
- **Establish a public gathering space**
- **Expand the variety of active ground floor uses**
- **Prepare a Parking Management Plan**

Community Outreach, Input and Feedback

The Master Plan served as the foundation in preparing this Redevelopment Plan. In September 2020, the first step in a multi-step process of implementing the Master Plan began with the preparation of preliminary redevelopment concepts and visualizations to be used in public outreach. In October, a series of stakeholder meetings was held with residents and businesses in proximity to the four tracts. In November, the preliminary redevelopment concepts and visualizations along with feedback from the stakeholder meetings was shared in a public presentation at a Borough Council Redevelopment Entity meeting.

Stakeholder outreach and community feedback is ongoing and has been incorporated into this Redevelopment Plan. Borough professional staff have held follow-up meetings with several owners of commercial property not presently included in the redevelopment plans, but who could be significantly impacted by the proposals. It is hoped that some property owners who are not part of these plans will become interested in joining the redevelopment effort.

A Goal to Activate Downtown

The overriding goal of this Redevelopment Plan is to bring more people to live, work and shop

along Raritan Avenue. This requires addressing the challenges that have previously hampered downtown redevelopment due to potential sites scattered in different blocks, often constrained by small size and odd dimensions. These existing physical limitations make it unfeasible to redevelop both a new mixed-use building and on-site parking on many properties. Private parking on each small redevelopment site would require access from new driveways along Raritan Avenue making it more dangerous for everyone walking or driving in the downtown.

Exploring Centralized Parking as a Strategy

To address these challenges, this Redevelopment Plan explores the Master Plan strategy of using a centralized parking facility which allows un-tapping the potential redevelopment on a series of sites located within a five-minute walk of a shared, common parking structure. Locating a parking structure is challenging due to the need for a site which is centrally located and accessible from multiple routes, and large enough to accommodate the dimensions required for parking floorplates.

In Highland Park, a parking structure is a strategy to facilitate mixed-use redevelopment rather than accommodate customers or commuters as in other downtowns. One benefit of centralized parking experienced by other downtowns is additional foot traffic passing by downtown shops and restaurants by residents walking to and from parking. This will also attract younger and empty-nester residents who are less auto-oriented in their daily lives and desire a “live-walk-work/learn-shop” lifestyle which is already an attraction for many Borough residents. Remote parking may help allow downtown housing to be attractive to transit riders if planned in conjunction with launching a shuttle service to downtown New Brunswick, something the Borough has long envisioned (and an element of the sustainable transportation strategies identified by the Master Plan). Discussions between the Borough and Rutgers University have begun and are ongoing at this time.

A multi-level parking structure offers several other opportunities:

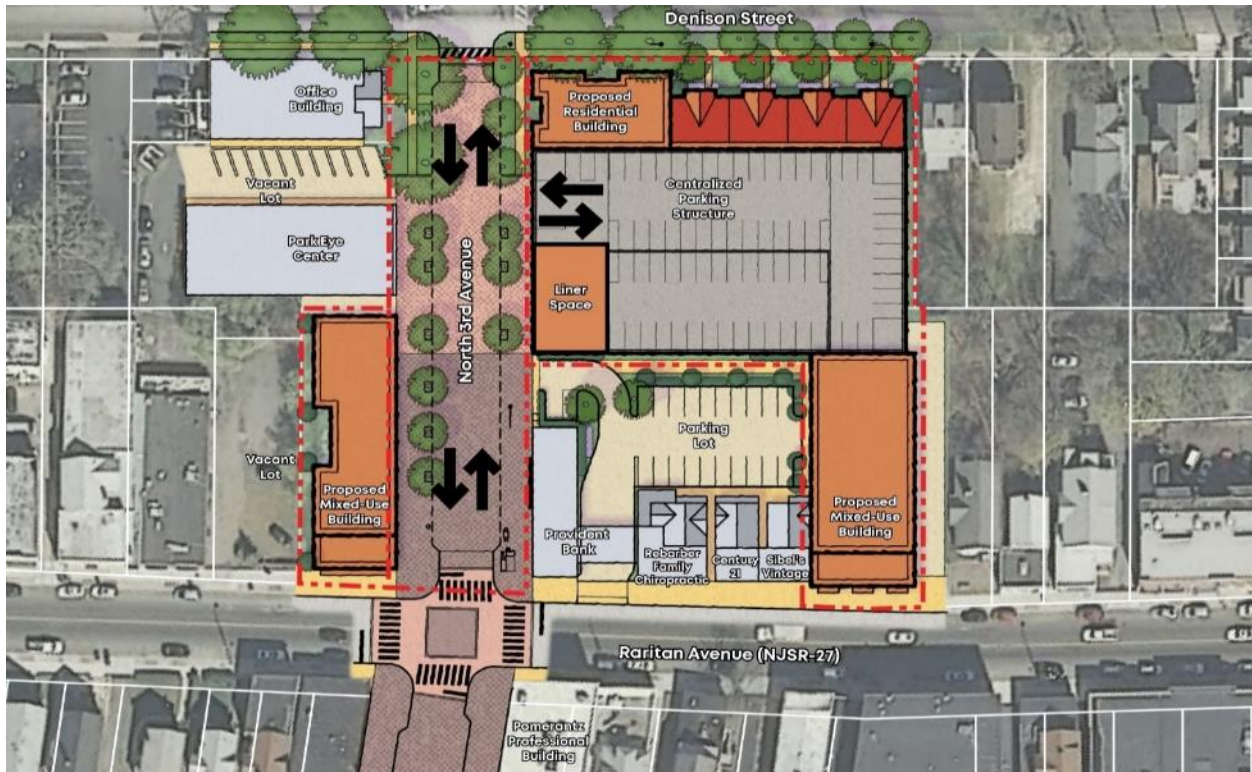
- Availability of ground floor spaces for public parking protected from the elements.
- Providing an origin/destination point for a shuttle to downtown New Brunswick and the train station.
- Creating a “liner space” along the North 3rd Avenue street frontage of the structure that could be programmed for public use such as an art gallery/performance space.

Utilizing a centralized parking structure as a strategy to implement mixed-use redevelopment was outlined in the 2005 Highland Park Redevelopment Plan. The 2005 Redevelopment Plan encourages both coordinated and structured parking as a means of allowing development. Guidelines to mitigate the impacts of parking structures include: providing active ground floor uses that face the street; “wrapping” parking structures with office or residential uses to screen decks from the street and nearby residential areas; designing parking structures to display similar architectural quality on all sides and not express sloping decks in the façade; and encouraging underground parking.

It is important to recognize that while the benefits of a centralized parking structure appear to be significant, it is not without challenges. During the extensive public comment period prior to the formation of this Redevelopment Plan, it was the concept of a centralized parking structure that attracted the most concern among residents. It is also important to recognize that there are several variables that affect the size, financing and management of a centralized parking structure. Because of these factors, it will be important for the Borough to conduct a comprehensive Borough-wide parking review and develop a comprehensive parking management plan prior to the implementation of any particular centralized parking strategy.



A centralized parking facility on Tract D would be within a five-minute walking distance of Tracts A – D.



Concept plan illustration showing a centralized parking structure on Tract D; however, the redevelopment concepts have been revised so that North 3rd Avenue will remain a two-way street.

Establishing a Public Gathering Space for the Community

This Redevelopment Plan advances the Master Plan strategy of creating a downtown public gathering space, like a town square, a concept that has strong public support. Previously, this public space was envisioned at the present farmers market site which would severely limit the redevelopment potential of the Borough-owned and controlled property at Tract C. This Redevelopment Plan recommends the following:

- On Tract D, North 3rd Avenue remains a two-way street open to full vehicular access. This right-of-way may be redesigned with wider sidewalks and “shared space” treatments so it could occasionally be closed for special programs and events like National Night Out.
- Exploring permanently closing the portion of South 3rd Avenue presently closed for the “Town Tables” as the new location for the farmers market and other programs, utilizing the municipal parking lot on South 3rd Avenue for additional space as needed.
- On Tract C, incorporate a multi-use public plaza along Raritan Avenue (unless or until there is another location devoted for that public plaza).

Community input for the Master Plan and feedback from the stakeholder and community outreach in this Redevelopment Plan has demonstrated strong support for permanent public space in the downtown. Advancing the South 3rd Avenue public space for the farmers market on a permanent basis will require discussions between the Borough and the New Jersey Department of Transportation (“NJDOT”) since Raritan Avenue is a state highway.

Additional public spaces are incorporated on Tracts B and C as mid-block garden courtyards. Tract B includes a landscaped “pocket park” with seating and other improvements behind the proposed building accessed via a new walkway that provides pedestrian access from Park Place across the rear yard and connecting to Raritan Avenue via stairs along the east side of the building. Tract C includes an interior garden courtyard that creates a mid-block greenspace shared with the Reformed Church that provides a pedestrian connection between the multi-use public space/green along Raritan Avenue and Magnolia Street.

Design Concepts and Proposed Uses

The redevelopment concepts depict a range of conceptual massing and design for the proposed mixed-use buildings on the four tracts. Slightly taller buildings are illustrated only fronting at Raritan Avenue at key locations to achieve the following:

- Create a “gateway” flanked by taller buildings to enhance the sense of arrival into the downtown on Tracts A and B.
- Provide a focal point building to “terminate the vista” looking up Raritan Avenue and to act as a “landmark” for the multi-use plaza/green on Tract C.
- Establish a “landmark” building of distinguished architectural design or place-making significance along Raritan Avenue, to anchor the corner of North 3rd Avenue on Tract D opposite the new public space located across Raritan Avenue on South 3rd Avenue.
- Take advantage of a mid-block location where a building can be attached to the parking structure on Tract D.



Concept perspective rendering of Tracts A and B illustrate how a “gateway” will enhance the sense of arrival to downtown.

Taller buildings are proposed only at the above-identified locations that include design standards which require the top story to be stepped-back behind a terrace facing the street. The proposed building lining the garage along Denison Street is illustrated as primarily a three-story building with massing broken into a series of projections and recesses and verandas facing the street to reflect the residential character of the existing residences across the street.

As identified in the Master Plan, downtown mixed-use redevelopment needs to carefully locate and limit any new retail space to reinforce the viability of what presently exists. The redevelopment concepts limit new ground floor retail space by providing other “active street front” uses such as lobbies, gathering spaces, business centers/workspace and fitness rooms for residents of the apartments in the buildings.

It is envisioned that loft-style apartments with modern amenities will ideally target a market of primarily younger and empty-nesters households which tend to be smaller with few or no school age children. The Borough is committed to meeting all of its affordable housing obligations which would include setting aside a minimum of 15% of all new apartments to be affordable to low- and moderate-income households. Affordable units would have access to the same amenities as market-rate units including any common ground floor resident spaces and upper floor terraces.

Changes to the Redevelopment Concepts Based on Community Feedback

Several changes are incorporated into this Redevelopment Plan, which are based on community feedback:

- The plan accommodates phased development which allows the flexibility for discreet individual projects on Tracts A – D to move forward independently.
- A commitment to creating permanent public spaces – exploring relocating the farmers market on South 3rd Avenue and a multi-use public plaza along Raritan Avenue on Tract C (unless or until there is another location devoted for that public plaza) - which will ensure that the public space needs of the community are accommodated.
- The inclusion of limited on-site parking, accessible parking and/or reserved on-street short-term parking/loading to better accommodate the daily needs of residents and to potentially incorporate some form of shared parking with neighboring users and/or residents.
- If a centralized parking structure is not built on Tract D, the Borough will have the flexibility to adjust the density of the development program on one or more Tracts and/or explore alternate locations for centralized parking which may or may not involve a multi-level parking structure.
- Tract C may consist of one or more buildings and the rear portions or wings of the building(s) may be reduced in height and should be carefully located and designed to minimize direct views, orientation toward and balconies overlooking neighboring residences.

2.0 Redevelopment Statute

2.1 Purpose of the Redevelopment Statute

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of redevelopment and rehabilitation, finding at N.J.S.A. 40A:12A-2.a. that:

“There exist, have existed and persist in various communities of this State conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.”

Generally speaking, the LRHL is a planning and financial tool that grants municipalities and local governments a number of redevelopment powers, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting the physical development that will be most conducive to the social and economic improvement of the State and its municipalities. The LRHL provides a detailed process for the municipality to follow in order to exercise its redevelopment powers.

According to the LRHL, before the municipality is authorized to exercise any of its redevelopment powers and before any redevelopment project is undertaken, a specified area must be designated a redevelopment and/or rehabilitation area by resolution, and a redevelopment plan must be prepared and adopted by ordinance.

A redevelopment plan must indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and indicate proposed land uses and building requirements in the designated redevelopment and/or rehabilitation area.

This redevelopment planning process has been used successfully throughout New Jersey to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

2.2 Advantages of a Redevelopment Plan

The advantages of a redevelopment plan are that it empowers additional municipal authority permitting the use of special flexible Smart Growth planning tools not available under conventional zoning, including the following:

- Greater control than conventional zoning which is not limited to redevelopment involving built form and can include structures to be preserved, areas to be down-zoned, areas to be preserved as open space and improved as parks or other landscape features, as well as the provision of off-site improvements.
- Preparation of a site-specific conceptual plan that can prescribe structures and open space to be preserved, land use, density, setbacks, form, scale, site layout including the

location of new structures, streetscape and public space improvements, off-site improvements, etc.

- The exercise of greater control over design of any project including detailed provisions regulating the preservation of structures and open space, as well as the layout, design and appearance of any future building or improvement.
- The ability to require that preservation components and future improvements be phased and constructed exactly as detailed and completed within a specific period.
- Enables the municipality and property owner to work together in a public-private partnering process.
- Authorizes the municipality to designate a qualified redeveloper and define the role and obligations of the redeveloper through a redevelopment agreement that helps protect community interests.

2.3 Redevelopment Process

Following the designation of a specified area as a redevelopment and/or rehabilitation area, a redevelopment plan, or an amendment or revision to a redevelopment plan must be prepared and approved by the Borough Council following input from the Highland Park Planning Board.

2.4 Redevelopment Actions Taken to Date

Area in Need of Redevelopment Designation

As noted in the 2003 Master Plan, the Borough was, at the time of its publication in May 2003, “in the process of evaluating areas in the downtown ... to determine if they meet the criteria for an area in need of redevelopment.”

The Borough Council adopted a resolution, as amended, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether the area including Block 2201 [13], Lots 1-4, 6-9, 46, and 49-50; Block 2202 [22], Lots 2-4, 6-9, 32.01, 33.01, and 34-36; Block 31, Lots 3-6, 17-25, and 33; Block 143, Lots 35-40; Block 1603 [162], Lots 34-35, and 39; and Block 1704 [173], Lots 34-37, 41-49, and 52-53 (“Delineated Area”) met the criteria as an “area in need of redevelopment” as defined in the LRHL. It is noted that the majority of Tract A, with the exception of Lot 20, and all of Tracts B & C are part of this Delineated Area. The entirety of Tract D falls outside this Delineated Area

Beginning October 14, 2004 and over the course of several public hearings, the Planning Board reviewed a preliminary investigation report entitled *Downtown Study Area Determination of Needs Report*, prepared by Orth-Rodgers Associates, Inc. On January 20, 2005, the Planning Board adopted a resolution recommending the Borough Council designate the Delineated Area an “area in need of redevelopment.” On June 21, 2005, based upon the Planning Board’s recommendations, the Borough Council adopted Resolution No. 6-05-239, formally designating the Delineated Area an “area in need of redevelopment” in accordance with the LRHL.

2005 Highland Park Downtown Redevelopment Plan

To facilitate the development of the designated redevelopment area, the Borough Council referred a redevelopment plan entitled *Highland Park Downtown Redevelopment Plan*, prepared by Wallace Roberts & Todd, LLC, to the Planning Board for its review and recommendations. The Planning Board subsequently reviewed such redevelopment plan and reported its recommendations back to the Borough Council by its written report. On September 13, 2005, the Borough Council adopted Ordinance No. 1667, formally adopting the *Highland Park Downtown Redevelopment Plan* (“2005 Redevelopment Plan”). It is noted that the ordinance indicates that the 2005 Redevelopment Plan supersedes the existing land use regulations affecting the designated redevelopment area.

Building off of key initiatives identified from a two-day design workshop in April 2003 focused on the downtown area, and drawing from the various elements of the 2003 Master Plan, *Highland Park 2020: A Sustainable Community* and other planning efforts, the 2005 Redevelopment Plan established the following vision statement:

Highland Park Downtown is a diverse main street where residents, visitors, and businesses are able to thrive in a safe, pedestrian-friendly, and ecologically-conscious environment.

In an effort to help achieve this vision, the 2005 Redevelopment Plan developed the following goals within the context of prior planning initiatives in the Borough:

Goal 1 - A safe, walkable, mixed-use downtown

Goal 2 – Environmentally, economically, and socially sustainable infill & rehabilitation

The 2005 Redevelopment Plan provides a more comprehensive plan for the designated redevelopment area by using principles of Smart Growth, along with a land use concept and guidelines which foster urban economic revitalization while maintaining the Borough’s small town pedestrian scale. Additionally, the 2005 Redevelopment Plan provides for a series of block-specific illustrative conceptual development approaches for various properties along Raritan Avenue, together with general and block-specific design guidelines.

Amendments to Redevelopment Plan

One of the major problems identified in both the 2010 and 2019 Master Plan Reexamination Reports has been the lack of development activity throughout the various downtown’s designated redevelopment areas, in part due to the inconsistent boundaries on each block within the designated redevelopment area and overly rigid requirements. In the years following the adoption of the 2005 Redevelopment Plan, the Borough Council considered and adopted several amendments which attempted to address these challenges, including the following:

1. On August 1, 2006, the Borough Council adopted Ordinance No. 1693, which sought to bring about greater clarity and efficiency in the implementation of the 2005 Redevelopment Plan. This amendment: a) added a stipulation that an application for development within the designated redevelopment area would not be deemed complete or heard by the

Planning Board unless and until a redevelopment agreement between the Borough Council and the applicant has been executed; and, b) clarified, in the case where the property owner(s) is designated as redeveloper, that the execution of a redevelopment agreement would be required, similar to what would be required of a third party redeveloper.

2. On March 6, 2007, the Borough Council adopted Ordinance No. 1714, which acknowledged the unique characteristic of Block 1603 [162], Lot 39 (commonly known as 18 North 3rd Avenue) as the only property in the designated redevelopment area not fronting on Raritan Avenue and whose prior zone designation was Professional Office (PO). This amendment amended the principal uses specifically within Block 1603 [162], Lot 39, by increasing the amount of medical professional office space that could be on the ground floor of a building, from 50% to 60%.
3. On July 6, 2010, the Borough Council adopted Ordinance No. 10-1790, which addressed certain litigation between Rite Aid and the Borough concerning the designation of Block 31, Lots 17 through 22, and 33 (commonly known as 332 Raritan Avenue) as a redevelopment area. In light of various renovations and improvements to the Rite Aid property, this amendment: a) removed the Rite Aid property from the Borough's redevelopment area designation; b) removed the Rite Aid property from the 2005 Redevelopment Plan (specifically within Appendix B); and, 3) declared that the Rite Aid property is now consistent with the standards and requirements of the 2005 Redevelopment Plan.
4. On October 5, 2010, the Borough Council adopted Ordinance No. 10-1795, which removed the exceptions pertaining to the former Sunoco gas/repair station on Block 2201 [13], Lots 7 and 46 (commonly known as 138-148 Raritan Avenue). The 2005 Redevelopment Plan noted the unique configuration of the pre-existing non-conforming use, permitting it to remain so long as the property was renovated and enhanced. However, the former Sunoco station closed on or about July 2009, and the property owner subsequently removed the underground gasoline storage tanks as well as the metal canopy superstructure. This amendment: a) deleted the exception (of allowing the gas/repair station use to remain) and b) reaffirmed that the property is subject to all of the provisions of the 2005 Redevelopment Plan.
5. On February 21, 2017, the Borough Council adopted Ordinance No. 17-1929, which amended specific provisions of the 2005 Redevelopment Plan pertaining to Block 1704 [173], Lots 36 and 37 (commonly known as 137 & 139 Raritan Avenue). This property is immediately adjacent to the east of the Tract A. This amendment a) removed several and modified other permitted principal and accessory uses, added office uses as permitted conditional uses, and added parking as a prohibited use; b) set more precise site-specific bulk regulations; and, c) set a parking standard such that 1 parking space within 1,000 feet of the property for each residential unit and that curb cuts are prohibited on Raritan Avenue.
6. On December 5, 2017, the Borough Council adopted Ordinance No. 17-1954, which amended specific provisions of the 2005 Redevelopment Plan pertaining to all property within the 2005 Redevelopment Plan redevelopment area, including the Tracts A (except for Lot 20), B and C. This amendment a) added 1 residential unit on the first floor in the rear of a building

as a permitted principal use; b) reaffirmed the parking standard as adopted in the prior amendment; and, c) deleted the provision that states “No Borough funds shall be used for acquisition of real property for redevelopment projects” as it related to all properties.

7. On August 14, 2018, the Borough Council adopted Ordinance No. 18-1963, which amended specific provisions of the 2005 Redevelopment Plan pertaining to Tract B: Block 2201 [13], Lots 9 and 6 (commonly known as 130 & 134 Raritan Avenue). This amendment a) permitted residential uses on the ground floor at the rear of the building; b) permitted a maximum of 4 stories and a fifth story provided it is stepped back a minimum of 10 feet from the front façade; c) required side yard setbacks to allow for windows; d) set parking standards to require 1 parking space for each residential unit located on site and parking for employees of ground floor non-residential uses located on or off site, provided that such parking spaces are within 1,000 feet of the property; and, e) required 3 of the 16 residential units to be provided as affordable housing units.

Borough-Wide Rehabilitation Designation

On December 20, 2016, the Borough Council adopted Ordinance No. 16-1921, declaring the entire area within the Borough, including Tracts A, B, C and D, an “area in need of rehabilitation” in accordance with the LRHL. This designation will prevent further deterioration and promote the overall development of the Borough, consistent with the goals and objectives of the Master Plan, which include to:

- Ensure a vibrant downtown and commercial corridor;
- Encourage infill development that is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns;
- Preserve and enhance the character and small town feel of the community.

Condemnation Area in Need of Redevelopment Designation

On August 6, 2019, the Borough Council adopted Resolution No. 8-19-237, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether a portion of Tract A, specifically Block 1704 [173], Lots 41, 42, 44 and 45 (“Study Area”), qualified as a “condemnation area in need of redevelopment.”

On February 13, 2020, the Planning Board conducted a public hearing at which it reviewed a report entitled *Preliminary Investigation of a Condemnation Area in Need of Redevelopment - Gateway Redevelopment Area*, prepared by LRK, Inc., dated January 29, 2020. This report concluded that the Study Area meets the criteria for redevelopment designation pursuant to subsection(s) “a”, “c”, “d”, “e” and “h” of N.J.S.A. 40A:12A-5.

Following the duly noticed hearing, the Planning Board adopted Resolution No. 2020-03 recommending the Borough Council designate the Study Area as a “condemnation area in need of redevelopment.” On April 21, 2020, based upon the Planning Board’s recommendation, the

Borough Council adopted Resolution No. 4-20-147, formally designating a portion of Tract A, specifically Block 1704 [173], Lots 41, 42, 44 and 45, as a “condemnation area in need of redevelopment” in accordance with the LRHL.

It is noted that the Study Area (that is, the Gun & Boat, its parking area and 2 small vacant lots fronting Denison Street) within Tract A are the only parcels designated as a “condemnation area in need of redevelopment.” Other parcels within Tract A, such as Classic Cleaners, Ubry’s, Bergen Auto, and the portion of the Highland Montgomery Apartments property, and the entirety of Tracts B, C and D are not in the “condemnation area in need of redevelopment.”

Authorization for Downtown Redevelopment Plan for Tracts A - D

On September 1, 2020, the Borough Council adopted Resolution No. 9-20-246, authorizing the preparation of this Redevelopment Plan.

2.5 Statutory Requirements of a Redevelopment Plan

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area as well as certain provisions as outlined at N.J.S.A. 40A:12A-7(a).

3.0 Redevelopment Planning Context

3.1 Master Plan

2003 Master Plan

The 2003 Master Plan identified challenges to downtown revitalization and established as one of its main goals **“to ensure a vibrant downtown and commercial corridors.”** The Master Plan identified objectives including: **“expand opportunities for mixed-use development in the downtown”**; **“promote a vital Central Business District through revitalization, redevelopment and development of a comprehensive vision and marketing strategy”**; and **“encourage residential units in the downtown above stores.”** The 2003 Master Plan recommended a comprehensive revitalization strategy and fully explore the use of State’s redevelopment statute in order to facilitate improvements throughout the downtown area.

2010 Master Plan Reexamination Report

The 2010 Master Plan Reexamination Report acknowledged the Borough’s focus on the importance of environmental sustainability and redevelopment and recommended that regulations and guidelines related to sustainable development and green building be incorporated into the Master Plan and land development ordinances. In the Appendix, the report provided the results of interviews with various departments and commissions, including the Redevelopment Agency, which noted its interest **“in making the Raritan Avenue Downtown more attractive to people and hopes to see an increase of foot traffic on this street.”** Additionally, the Redevelopment Agency “sees the area between 1st and 2nd Avenue as a key block for redevelopment.”

2019 Master Plan Reexamination Report and Land Use Plan Element

As summarized in the Executive Summary and based on the issues and vision identified during the Master Plan planning process, the 2019 Master Plan Reexamination and Land Use Plan Element established the follow Land Use Goals:

1. **Embrace the old & new** - Preserve the Borough’s unique and inherent town qualities while evolving to meet current conditions and emerging trends.
2. **Promote housing diversity** - Promote a variety of housing types (e.g., single-family, multi-family, apartment, townhomes, rental, ownership, etc.) to serve a diverse population (e.g., age, income, family living structure, etc.) and fit the character of existing residential neighborhoods.
3. **Support a thriving downtown** - Leverage reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development, while recognizing the challenges of an e-commerce era, and supporting the desire for a walkable community with a vibrant, thriving downtown.
4. **Create a sense of arrival** - Enhance the Borough’s several gateways to mark arrival into the community.

5. **Transform outdated commercial corridors** - Enrich the mix of uses along Upper Raritan, Woodbridge, and Cleveland Avenues to support safer, more attractive, and livable Complete Streets.
6. **Advance sustainability & resiliency** - Build upon and expand environmentally sensitive practices, resiliency efforts, and sustainable development.
7. **Enhance open spaces, public gathering spaces & green/blue linkages** - Improve open space trails and amenities, create a downtown square and smaller plazas as corridors redevelop, and enhance pedestrian/bicycle linkages between parks/open spaces and to/along the river.

The Master Plan involved extensive community participation in comprehensive placed-based neighborhood-scale vision planning to support the Borough’s commercial corridors, including establishing the following Vision for Downtown:

Leverage reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development and support a walkable community with a vibrant, thriving downtown that recognizes the challenges of an e-commerce era.

The 2019 Master Plan Reexamination Report and Land Use Plan Element included a series of strategies that were specific to Downtown, including:

- **Custom-tailor infill/redevelopment** by utilizing site-specific Redevelopment Plans for uses desired by residents and to address varying property assemblages on a range of different block conditions.
- **Expand the Downtown resident customer base** for local businesses, encourage mixed use development and expand the range of residential living opportunities, including ground floor apartments on side streets and in courtyards in the Downtown.
- **Establish a public gathering space**, like a town square, in order to bring people together at a special place, add activity for nearby businesses, provide a venue to promote the arts and host special events.
- **Prepare a Parking Management Plan** that evaluates parking needs in relation to leveraging revitalization, infill, and redevelopment by better managing on-street parking, “right-sizing” parking requirements to actual demand, encouraging cooperative and shared parking arrangements, and permitting off-site parking as a strategy to develop smaller properties.
- **Expand the variety of active ground floor uses** to diversify the mix of retail, service, and entertainment uses including creative “maker spaces”, artist/crafts-person studios and real estate offices to better activate the Downtown throughout all hours and add vitality in this challenging age of online retailing and e-commerce.

3.2 Building on Community Engagement

Community engagement was a critical element of the 2019 master planning effort, which included

2 Community “Open House” Meetings, the Arts in the Park event, and a comprehensive Online Survey that allowed nearly 600 participants to participate in the process, offering thousands of responses and comments.



Participants provided feedback during the 2019 master planning process, which was incorporated into this Redevelopment Plan.

Based on public input from the 2 Community “Open House” Meetings, Arts in the Park event, and the Online Survey, it is evident that the community supports change in the downtown area. According to the Online Survey, only 9% of respondents would like to see the corridor remain the same. When taking all of the public input together, several common issues were identified as they pertain to the downtown area, including the following:

- **Issue 1** - Downtown needs mixed-use development with higher density housing, including multi-family and affordable units.
- **Issue 2** - There are a high number of vacant properties, empty storefronts, and high turnover of businesses making the streetscape unpleasant and presenting a sense of neglect along parts of Raritan Avenue, specifically between 2nd Avenue and River Road.
- **Issue 4** - Too many auto-oriented businesses and exposed parking lots create gaps in the streetscape along the Avenue.
- **Issue 5** – A lack of consolidated parking near major attractions, like the farmers market, lends itself to a fragmented downtown experience.

Among the specific comments raised relative to the downtown area, one participant stated, “Aim to develop more, [in order] to add mixed-use business and residential buildings that would benefit the town.” As noted on the prior page, commonly identified issues included exposed parking lots along Raritan Avenue and the lack of consolidated parking, both of which fragments the downtown experience. Related to that topic, one participant stated, “As much as I like green space instead of empty store fronts, we actually need one parking garage in the Downtown.”



As part of the master planning process, participants provided site-specific feedback on “sticky notes”.

While the downtown area already offers a range of options and a popular farmers market, respondents to the Online Survey ranked “a town square public space” as the top choice among features and activities that would make them come to the downtown area more often. The Master Plan contemplates some form of public gathering space on Tract C, for example, with a portion of the remainder of the Tract designated as an infill/redevelopment opportunity. Additionally, the Arts in the Park event is recognized as a local example of “tactical urbanism”, helping to bring vibrancy to the downtown area in the form of a public gathering space within the street. Finally, as it relates to Tract A and Tract B, one participant succinctly stated, “I love the feel of our community, [but] the area between 1st and 2nd needs major attention.”

3.3 Bicycle & Pedestrian Plan

2019 Bicycle & Pedestrian Plan

The 2019 Bicycle & Pedestrian Plan is fundamental to how this Redevelopment Plan is conceptualized and advanced in the following ways:

- Leveraging private development activity to advance streetscape improvements, filling sidewalk gaps, repairing existing sidewalks, modifying/eliminating existing driveway access, installing bicycle parking and intersection/roadway improvements that calm traffic and make for a safer pedestrian and cycling environment.
- Establishing preferred design standards for covered bicycle parking and incorporating such in redevelopment site plans.
- Ensuring new development includes appropriate bicycle and pedestrian accommodations.

4.0 Statement of Goals and Objectives

4.1 Overall Goals and Objectives

The Borough seeks to alleviate the conditions found in the downtown area and support use of each Tract in a manner which will better contribute to serve the public health, safety and welfare of the community and the region. To achieve this overall goal, the following goals and objectives have been established:

1. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause each Tract to be considered an “area in need of redevelopment” and/or “area in need of rehabilitation.”
2. The stimulation of private investment in each Tract by assembling sites and assisting as necessary and appropriate to support such rehabilitation.
3. The making available of the full range of benefits and inducements for each Tract, including, federal, state, county and local government funding.
4. Foster public-private partnerships to accomplish revitalization of each Tract in a manner that best serves the needs of the community, strengthens the local economy, attracts residents to the area, and contributes to the continuing vitality of the Borough.

4.2 Specific Goals and Objectives

This Redevelopment Plan implements a range of Goals and Strategies outlined in the Highland Park Master Plan as follows:

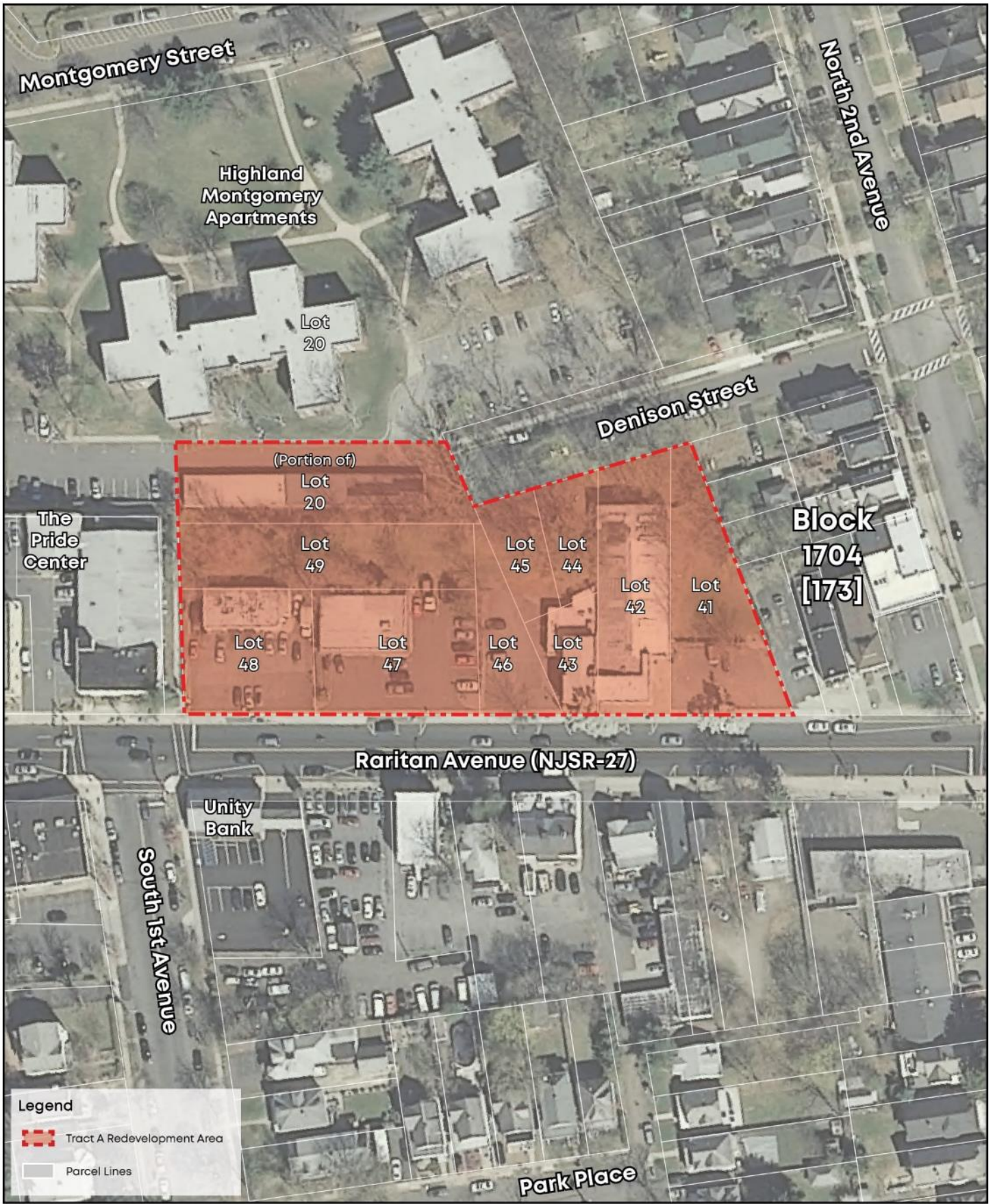
1. Implement the Vision for each Tract as outlined in the Executive Summary.
2. Support a thriving downtown by evolving to meet current conditions and emerging trends.
3. Leverage reinvestment, revitalization, infill and redevelopment by encouraging mixed use development.
4. Custom-tailor infill/redevelopment utilizing site-specific redevelopment plans.
5. Promote housing diversity to serve a diverse population and expand the downtown resident customer base for local businesses.
6. Expand the range of residential living opportunities, including ground floor apartments on side streets and courtyards, and bring additional residents to live in the downtown.
7. “Right-size” parking requirements to actual demand.
8. Encourage cooperative and shared parking arrangements and permit off-site parking as a strategy to develop smaller properties.
9. Create a sense of arrival by enhancing the Borough’s gateways to mark arrival into the community.
10. Advance sustainability by expanding sustainable development.

5.0 Vision, Uses & Standards

5.1 Intent and Purpose

Any development that occurs within each Tract 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. Additionally, it is necessary to establish the following:

- A. The development, redevelopment, or rehabilitation of each Tract shall effectuate the Goals and Objectives of this Redevelopment Plan.
- B. The zoning standards as set forth in this Redevelopment Plan shall supersede the underlying zoning within each Tract as provided for in the LRHL at N.J.S.A. 40A:12A-7(c), and are effective only upon adoption of this Redevelopment Plan.
- C. It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those issues are subject to the Borough's Zoning and Land Development Ordinance (the "Ordinance") and all other codes and regulations of the Borough of Highland Park not contravened in this Redevelopment Plan.



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit B - Tract A Identification Map



5.2 Tract A

The Vision

The phased redevelopment concepts for Tract A allows for short-term redevelopment of four lots contained in Phase 1 and several options for longer-term assembling and phasing of properties in Phase 2. Redevelopment of both phases of Tract A involves assembling multiple properties to accommodate infill with new taller mixed-use buildings that help establish a “gateway” to enhance the sense of arrival into the downtown on Raritan Avenue. These new mixed-use buildings will include activated ground level frontage along Raritan Avenue and residential, office or hotel uses to the rear and on upper levels that will bring more people to live, work, stay and shop along Raritan Avenue.

Redevelopment and design concepts for Tract A include the following:

- The top story of new taller buildings to be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the Raritan River and downtown New Brunswick.
- Non-residential space fronting along Raritan Avenue should be designed with storefront-type display windows, however the amount of new ground floor retail or restaurant space should be limited by incorporating other “active street front” uses such as a lobby, gathering space, business center/workspace, café, and fitness center/exercise studio for residents, employees or hotel guests.
- New buildings should be designed with masonry façades defined by a base, middle and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Provide primary access to the building from the front along Raritan Avenue for pedestrians and rear access from Denison Street to the lower level of the buildings for pedestrians and vehicles including potential parking under the buildings.
- Parking requirements for the use of the buildings should be “right-sized” for the proposed usage.
- Based on community feedback, Phase 1 has the flexibility to utilize either on-site or off-site parking arrangements or some combination depending on the parking projected for the ultimate development program. To provide flexibility, parking may be provided using any of the following: on-site spaces located on the lower level of buildings in Phase 1 or Phase 2 with access from Denison Street; off-site spaces located in the centralized parking structure proposed on Tract D; or off-site spaces located in a centralized parking facility at another location.
- Based on community feedback, a limited number of reserved on-street short-term parking/loading spaces shall be provided along either Raritan Avenue or Denison Street to accommodate the daily needs of residents, hotel guests or business uses at this site.
- Limit service to the buildings for loading and trash/recycling to the rear lower level accessed from Denison Street.



Concept perspective rendering of Tract A looking northeast from Raritan Avenue. A taller building at this location can create a “gateway” and enhance the sense of arrival to downtown.

Description of Project Area

Tract A is commonly known as Block 1704 [173], Lots 41-49 and a portion of Lot 20. The Tract is located mid-block in the downtown area generally between South 1st Avenue and North 2nd Avenue. It is bounded to the south by Raritan Avenue (New Jersey State Route 27), to the north by the Highland Montgomery Apartments and the dead-end portion of Denison Street, to the west by a pedestrian walkway and a two-story office building behind same, and to the east by a two-story mixed-use building nearing completion at 137-139 Raritan Avenue and the rear yards of 2 1/2-story residential dwellings fronting North 2nd Avenue.

Tract A is irregular in shape, with over 460 feet of frontage along Raritan Avenue, with varying depth ranging between 155 and 215 feet, and comprises of approximately 85,600 square feet (1.97 acres) in area. One of the unique features of this area is its topography, such that the portion of the Tract along Raritan Avenue is over a full story above the portion of the Tract along Denison Street, with trees and steep slopes mainly located closer to Denison Street.



Google Maps bird's eye view of Tract A outlined in yellow, looking northeast.



View of Tract A from Raritan Avenue.



View of Tract A from Raritan Avenue.



View of Denison Street looking toward rear of Tract A.



View of Tract A from Denison Street.

Existing Land Uses

Tract A contains a mix of land uses including vacant buildings and vacant land, with contamination issues associated with several individual properties. The Tract features several curb cuts, parking lots along the sidewalk, and lacks street trees and streetscape furniture, all of which contribute to a nondescript and unsafe pedestrian experience along Raritan Avenue.

Block 1704 [173], Lot 41; 133 Raritan Avenue & Lot 42; 127 Raritan Avenue - Known as the "Gun and Boat" property, Lots 41 & 42 are through lots with frontages on both Raritan Avenue and Denison Street. Lot 41 is recognized as a vacant lot, but otherwise contains a small parking lot and curb cut along Raritan Avenue as well as unimproved/overgrown yard area and steep slopes along Denison Street. Lot 42 contains a two-story mixed-use building fronting on Raritan Avenue and a large one-story storage building attached to the rear, both of which have had limited occupancy and improvements over the last several years.

Block 1704 [173], Lots 43, 46 & 49; 125 Raritan Avenue - Known as the "Classic Cleaners" property, Lot 43 contains a two-story mixed-use building fronting on Raritan Avenue, with a small parking lot and curb cut along Raritan Avenue on Lot 46, and unimproved/overgrown land located on Lot 49. Lot 49 is essentially land-locked in between Lots 47 & 48 to the south and Lot 20 to the north.

Block 1704 [173], Lots 44 & 45 - Lots 44 & 45 are small vacant lots containing unimproved/overgrown land and steep slopes along the dead-end portion of Denison Street.

Block 1704 [173], Lot 47; 115 Raritan Avenue - Known as the "Ubry's" property, Lot 47 contains a one-story automobile repair shop situated at the rear of the property. The remainder of the property is paved as a parking lot and 2 wide curb cuts along Raritan Avenue.

Block 1704 [173], Lot 48; 101 Raritan Avenue - Known as the "Bergen Auto" property, Lot 48 is Borough-owned and contains a vacant one-story automobile repair shop situated at the rear of the property. Like the adjacent lot noted above, the remainder of the property is paved as a parking lot and 2 wide curb cuts along Raritan Avenue.

Block 1704 [173], Lot 20; 110-148 Montgomery Street - Known as the "Highland Montgomery Apartments" property, Lot 20 is a large parcel containing multiple 3-story garden apartment buildings, parking lots, meandering walkways and various manicured green spaces. The portion of Lot 20 within the Tract A is limited to the southernmost portion of the parcel, starting at the northerly lot line of Lot 49 and extending approximately 65 to 70 feet north, to include one-story garages and the adjacent drive aisle. The drive aisle serves as an extension of the dead-end portion of Denison Street, providing access to parking lots within the apartment complex.

Environmental Characteristics

There are no flood zones or wetlands presently mapped within Tract A and it is otherwise located within a water/sewer service area. However, as noted above, there are contamination issues associated with several individual properties within the Tract and are in various stages of investigation and/or remediation.

Existing Zoning / Redevelopment Designations

The majority of Tract A is regulated by the 2005 Redevelopment Plan, as amended from time to time, which supersedes the underlying CBD Central Business District Zone. The entire Tract falls in the Borough-wide Rehabilitation Area.

The land use regulations under Part IV.A. of the 2005 Redevelopment Plan generally permits traditional downtown uses such as retail businesses, personal service establishments, banks, restaurants, artist studios, medical professional offices with certain conditions as well as general offices and residential uses not on the ground floor. As noted earlier, the 2005 Redevelopment Plan has been amended to allow for limited residential uses on the ground floor.

With respect to bulk regulations, there are generally no setback requirements, the minimum height is 2 stories, and the maximum height is 3 stories. An additional story may be allowed, provided that the fourth floor is stepped back 10 feet from the front façade, except that the fourth-story step-back is not required for those buildings fronting on a public plaza or open space (so long as the entire building is set back more than 10 feet) and for tower features at building entrances or the corners of the building (so long as the length of these features are not greater than 35% of the length of the lot line it faces, or 15 feet, whichever is greater). It is noted that the underlying CBD Central Business District Zone permits buildings to be up to 4 stories and 50 feet in height without the fourth-story step-back requirements as otherwise provided in the 2005 Redevelopment Plan.

Other specific regulations include a 50% shared parking allowance for combining weekday uses with evening/weekend uses in the same building, no parking between buildings and Raritan Avenue or otherwise fronting on Raritan Avenue, and primary access points to parking lots and facilities from streets other than Raritan Avenue. Among the various amendments to the 2005 Redevelopment Plan include setting a parking standard of 1 parking space per residential unit, which can be satisfied off-site within 1,000 feet of the property.

The general design guidelines under Part IV.B. of the redevelopment plan include a series of standards related to building orientation, scale & massing, entrances & fenestration, services, parking lots, parking garage design, public art, materials, accessibility, erosion control and stormwater management, as well as Green Building certification, reducing heat island effect, light pollution, energy efficiency, and water efficiency. The redevelopment plan encourages the use of structured (and underground) parking when it creates open space and to allow for other development; guidelines to mitigate any potential negative impacts included provisions for active ground floor uses along the street, wrapping structures with office or residential uses and ensuring the façade design included similar architectural features as surrounding buildings.

The illustrative conceptual development approaches under Appendix C of the 2005 Redevelopment Plan provides conceptual development approaches, but not necessarily prescriptions, for each specific block. As it relates specifically to Tract A, the 2005 Redevelopment Plan acknowledges the unique nature of the topography in the eastern portion of Block 1704 [173], such that it descends from Raritan Avenue to Denison Street by more than a full story, which affords the potential for structured parking accessible from Denison Street that would support 4-story mixed-use residential infill development yielding “significant office or residential use over

retail frontage.”

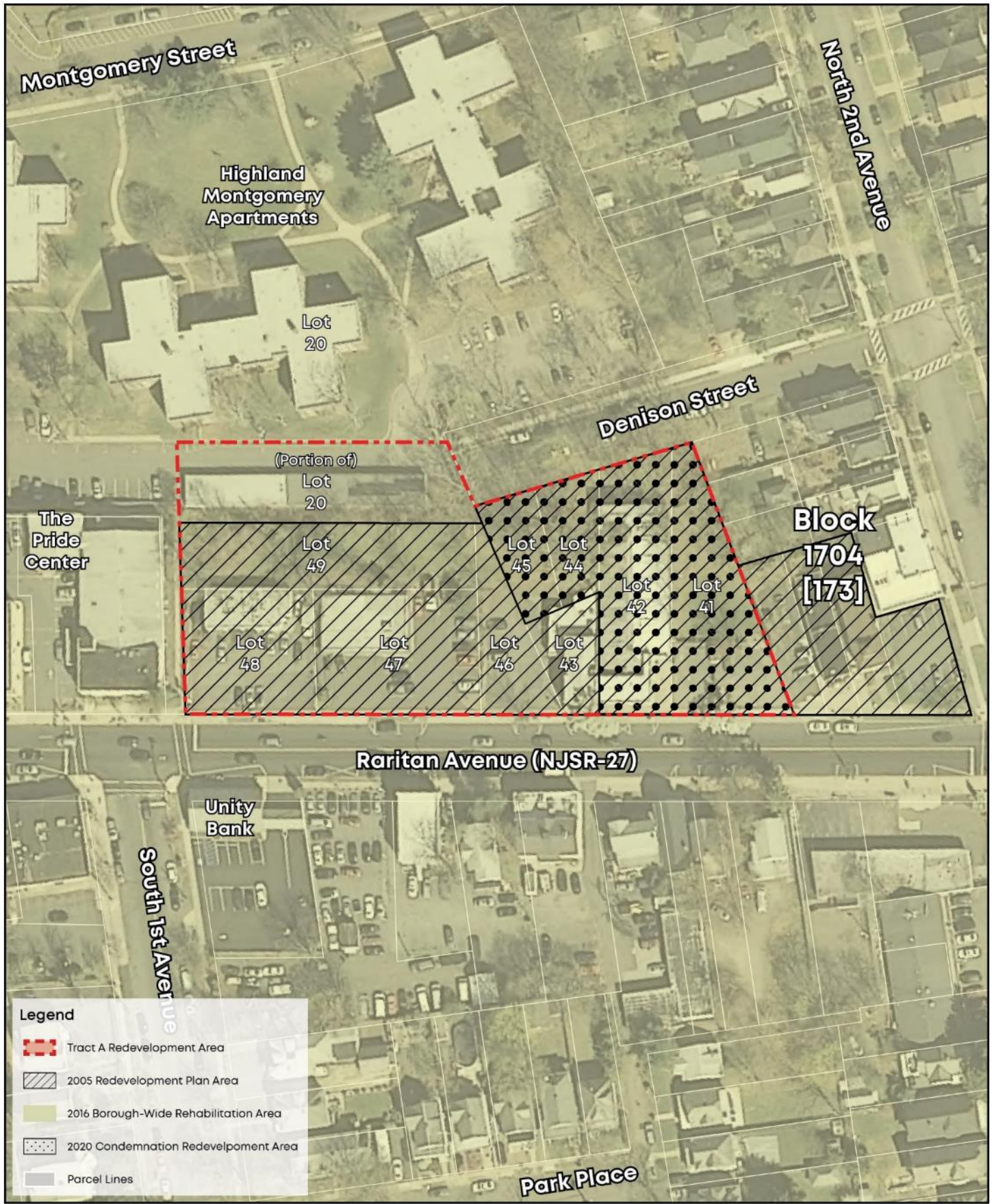
The portion of Lot 20 within Tract A is located in the RM-G Residential Multifamily – Garden Apartment Zone. The RM-G Zone permits garden apartments as well as single-family residential dwellings, with garden apartments subject to minimum lot size requirement of 2 acres, various setback and building separation distance requirements, and a series of specific regulations related to maximum density, size of buildings, size of each dwelling unit, landscaped buffer, open space, parking (two off-street parking spaces per dwelling unit), and signage.

As noted above, various portions of Tract A are subject to different rehabilitation and redevelopment area designations. The table below and accompanying Exhibit C on the following page are being provided to clearly indicate which portions of Tract A fall into the 2005 Redevelopment Plan Area, 2016 Borough-Wide Rehabilitation Area and the 2020 Condemnation Redevelopment Area.

Block	Lot	Address	2005 Redevelopment Plan Area	2016 Borough-Wide Rehabilitation Area	2020 Condemnation Redevelopment Area
1704 [173]	41	Gun & Boat Parking Lot 133 Raritan Avenue	X	X	X
1704 [173]	42	Gun & Boat Building 127 Raritan Avenue	X	X	X
1704 [173]	43, 46, 49	Classic Cleaners 125 Raritan Avenue	X	X	
1704 [173]	44	Vacant Lot Denison Street	X	X	X
1704 [173]	45	Vacant Lot Denison Street	X	X	X
1704 [173]	47	Ubry's 115 Raritan Avenue	X	X	
1704 [173]	48	Bergen Auto 101 Raritan Avenue	X	X	
1704 [173]	20*	Highland Montgomery Apartments 110-148 Montgomery Street		X	

* Only the southernmost portion of Lot 20 is included in Tract A.

As previously noted, the Gun & Boat, its parking area and 2 small vacant lots fronting Denison Street within Tract A are the only parcels designated as a “condemnation area in need of redevelopment.” Other parcels within Tract A, such as Classic Cleaners, Ubry’s, Bergen Auto, and the portion of the Highland Montgomery Apartments property, and the entirety of Tracts B, C and D are not in the “condemnation area in need of redevelopment.”



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit C - Tract A Designation Areas



Land Use Standards

The regulations pertaining to land use standards contained herein shall apply to all development within Tract A. The Planning Board shall not grant variances from these standards as they constitute mandatory components of this Redevelopment Plan.

5.2.1. Permitted principal uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses.

- A. Retail businesses, including, but not limited to, specialty and gift shops and boutiques.
- B. Personal service establishments.
- C. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms and other activities.
- D. Indoor recreation facilities, including dance studios, yoga studios, other instructional studios, physical fitness studios and fitness centers.
- E. Spas, massage and somatic therapy establishments.
- F. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), but excluding drive-through banks.
- G. Food and beverage consumption establishments, carry-out restaurants, luncheonettes and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
- H. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
- I. Artists, artisan and crafts-person studios and workshops, and similar creative workspaces and maker spaces.
- J. Studios for the visual and performing arts, including, but not limited to, performance and gallery spaces, and artistic instruction space.
- K. Museums and other cultural and civic facilities.
- L. Public assembly facilities and spaces, theaters and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
- M. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.
- N. Nursery schools and day-care centers.
- O. Residential uses, except dwellings located on the ground floor directly fronting on Raritan Avenue, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other amenities and services.

- P. Live/Work units, except that the “Live” portion of the unit shall not be located on the ground floor directly fronting on Raritan Avenue.
- Q. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other amenities and services.
- R. Pocket parks, plazas and courtyards.
- S. Any other principal use permitted in the underlying CBD Central Business District Zone, as may be amended from time to time.

5.2.2. Permitted accessory uses and structures. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use or structure.

- A. Off-street parking , including parking structures under or attached to a permitted principal use, for residents, employees, customers, and/or the general public.
- B. Off-street loading.
- C. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys and other similar type of public and semi-public spaces.
- D. Kiosks, including digital display screens.
- E. Street furniture, planters, and streetlights.
- F. Fences, walls, retaining walls, hedges and other landscape elements.
- G. Open trellis and other similar overhead shade/landscape structures.
- H. Outdoor cafes and outdoor dining structures.
- I. Sidewalk displays.
- J. Active and passive recreation facilities including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents and/or hotel users.
- K. Property management and leasing offices services the uses in the Tract.
- L. Public utility facilities required to provide direct service of the utility to the consumers such as transformers and pumping stations, but not warehouses, service or storage and treatment yards.
- M. Refuse and recycling enclosures.
- N. Signage for uses on the site.
- O. Murals, banners, public art, community signage and digital display screens.
- P. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

Bulk Standards

The regulations pertaining to area, setback, coverage and height standards contained herein shall apply to all development within Tract A. The Planning Board may grant variances from these standards, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-70.c.

5.2.3. Area and Bulk Standards

- A. There shall be no minimum lot area or lot dimension requirements. Individual components within the Tract may be developed in phases.
- B. Building Setbacks.
 - 1. Minimum setback from Raritan Avenue: 0 feet.
 - 2. Minimum setback from Denison Street: 10 feet.
 - 3. Minimum setback from Lot 20: 0 feet; 5 feet if Lot 20 is not part of the development.
 - 4. Minimum setback from eastern Tract boundary: 10 feet.
 - 5. Minimum setback from western Tract boundary: 5 feet.
- C. Coverage Requirements.
 - 1. Maximum Building Coverage: 75%
 - 2. Maximum Impervious Coverage: 90%
- D. Height Requirements.
 - 1. Minimum Building Height in Stories: 3 stories.
 - 2. Maximum Building Height in Stories: 4 stories, except a fifth story fronting Raritan Avenue with a lower-level fronting on Denison Street shall be permitted, provided that the fifth-floor façade is set back a minimum of 15 feet from the façade of the fourth floor below, as measured from Raritan Avenue and a minimum of ten feet from the floor below as measured from Denison Street.
 - 3. To create a distinctive landmark gateway, buildings may feature a taller, articulated tower feature along Raritan Avenue. This tower feature shall not be required to have a setback at the fifth floor. The width of the tower feature shall not be greater than 30 feet.

Tract-Specific Development & Design Standards

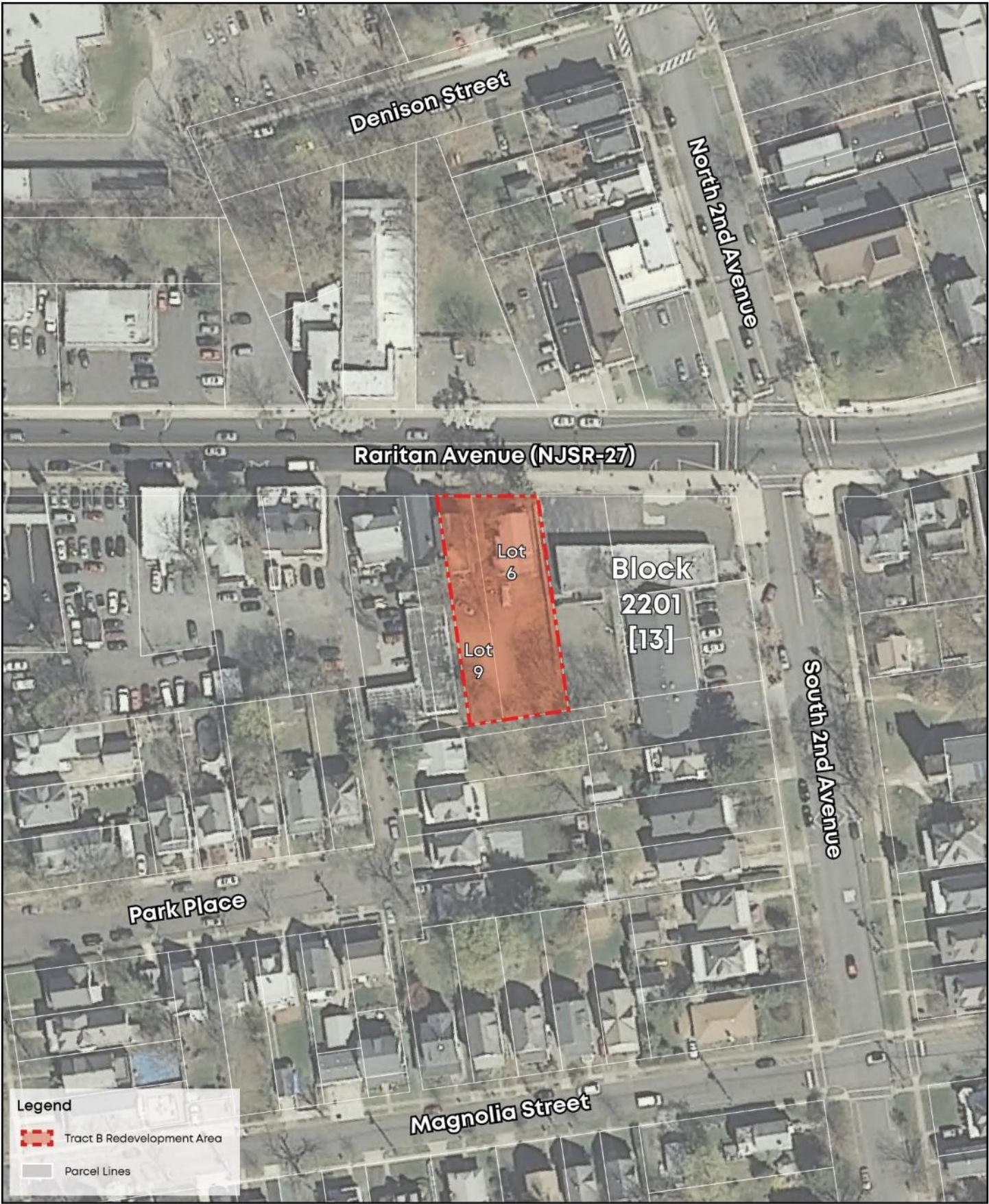
The regulations pertaining to development and design standards contained herein shall apply to all development within Tract A. All other regulations contained in Section 5.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

5.2.4. Parking and Loading Standards

- A. Underground and/or podium parking structures shall be permitted, accessed from Denison Street.
- B. If parking is provided off-site, a limited number of reserved short-term parking/loading and/or accessible spaces shall be located on-street along either Raritan Avenue or Denison Street to accommodate the daily needs of residents, hotel guests or business uses at this site.
- C. The existing off-street parking lot associated with the Classic Cleaners in Tract A may remain, provided that the parking lot is buffered and screened from public view.
- D. Loading services including trash/recycling shall be located at the rear lower level of all buildings, accessed from Denison Street.

5.2.5. Traffic Calming and Bicycle Corrals

- A. Utilize traffic calming elements such as landscaping, seating and public art to reinforce the “gateway” along the Raritan Avenue established by the taller buildings facing one another on Tracts A and B.
- B. Install a bicycle corral in front of the building on Raritan Avenue as a traffic calming element.



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit D - Tract B Identification Map



5.3 Tract B

The Vision

The redevelopment concept for Tract B allows for infill with one new taller mixed-use building that, combined with Phase 1 of Tract directly across the street, helps establish a “gateway” to enhance the sense of arrival into the downtown on Raritan Avenue. The new mixed-use building on Tract B will include activated ground level frontage along Raritan Avenue and residential apartments on upper levels and to the rear that will bring more people to live, work and shop along Raritan Avenue.

Redevelopment and design concepts for Tract B include the following:

- The top story of this new taller building to be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the Raritan River and downtown New Brunswick.
- Non-residential space fronting along Raritan Avenue should be designed with storefront-type display windows and a new ground floor commercial space and an “active street front” entry lobby for residents.
- New buildings should be designed with masonry façades defined by a base, middle and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Provide primary access to the building from the front along Raritan Avenue for pedestrians and short-term parking/loading spaces for vehicles to accommodate the daily needs of residents or business uses at this site.
- Prohibit any vehicular access, parking or servicing to the rear of the building from the existing eight (8) foot wide alley accessed from Park Place with the exception of public safety emergency access.
- Improve the existing 8-foot-wide alley at the rear with landscaping and a new walkway to provide pedestrian access from Park Place across the rear yard and connecting to Raritan Avenue via stairs along the east side of the building.
- The rear yard area will include two open spaces: a landscaped “pocket park” with seating and other improvements for public access and use by residents of the building and the surrounding neighborhood and; a semi-private garden, patio and outdoor kitchen for residents to enjoy gathering, grilling and dining with direct access from the rear of the building.
- Parking requirements for the proposed use should be “right-sized” and require all parking to be provided off-site in spaces located in the centralized parking structure proposed on Tract D or at another location.
- Based on community feedback, a limited number of reserved on-street short-term parking/loading spaces shall be provided along Raritan Avenue to accommodate the daily needs of residents or business uses at this site.
- Limit service to the building for loading and trash/recycling to the side of the building at the front accessed from Raritan Avenue.



Concept Perspective Rendering of Tract B, looking northeast from Raritan Avenue. A taller building at this location flanks the “gateway” in combination with the building across Raritan Avenue on Tract A, enhancing the sense of arrival to downtown.

Description of Project Area

Tract B is commonly known as Block 2201 [13], Lots 6 & 9. The Tract is located mid-block in the downtown area between South 1st Avenue and South 2nd Avenue. It is bounded to the north by Raritan Avenue (New Jersey State Route 27), to the west by a mixed-use building containing the Meroy restaurant on the ground floor, to the east by the vacant Sunoco gas/repair station, and to the south by a narrow alley and the rear yard of a 1 1/2-story residential dwelling fronting Park Place.

Tract B is nearly rectangular in shape, with approximately 75 feet of frontage along Raritan Avenue, with an average depth of approximately 170 feet, and comprises of approximately 12,800 square feet (0.29 acres) in area. The portion of the Tract along Raritan Avenue is approximately one-half story below the rear of the Tract, with trees, steep slopes and retaining walls in the front yard area along Raritan Avenue. The front yard condition creates somewhat of a “gap” within the streetscape, since the existing buildings do not meet the sidewalk.



Google Maps bird's eye view of Tract B outlined in yellow, looking southwest.



Google Maps Street View of Tract B from Raritan Avenue. View of alley along rear of Tract B.

Existing Land Uses

Tract B contains two 2 1/2-story residential dwellings situated toward the front of the property, with modest front yard areas and deep, but overgrown, rear yard areas. There are no curb cuts along Raritan Avenue and access is provided through the narrow alley at the rear of the Tract; however, there are no defined parking lots in the rear yard areas. It is noted that the 2005 Redevelopment Plan indicated that Lot 6 was previously used as an impound lot.

Existing Zoning / Redevelopment Designations

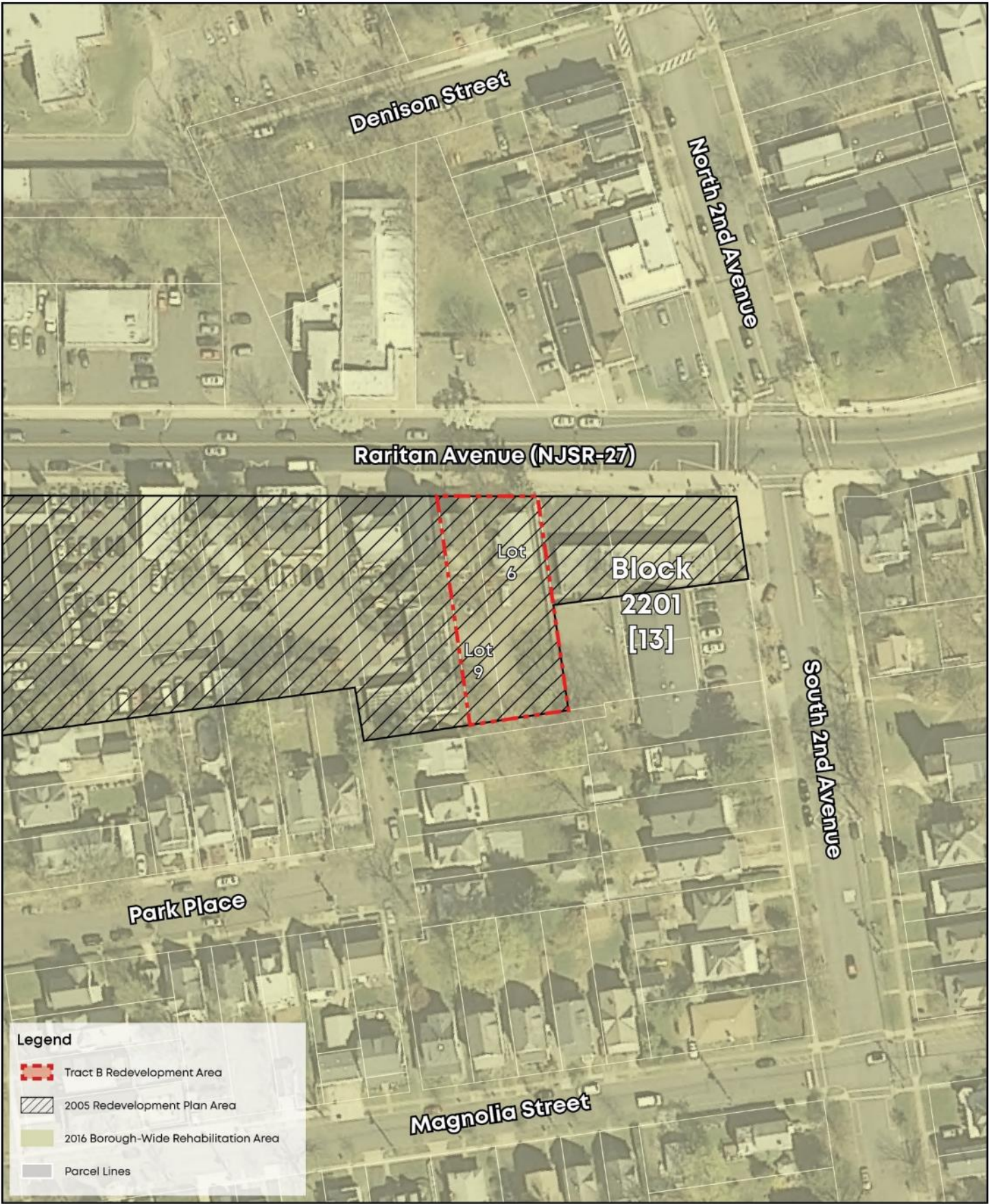
The entirety of the Tract is situated in the 2005 Redevelopment Plan redevelopment area as well as the Borough-Wide Rehabilitation Area. As previously noted, the 2005 Redevelopment Plan generally permits traditional downtown uses such as retail & service uses, offices, restaurants as well as apartments, has limited setback requirements, requires buildings to be 2 to 3 stories in

height, with a fourth story permitted under certain conditions. One parking space is required for each residential unit, may be located off-site, and may be shared. Again, the redevelopment plan encourages the use of structured (and underground) parking; however, this Tract has unique conditions that make access to and the siting of such parking facilities challenging.

The 2005 Redevelopment Plan provides a range of potential development concepts for the applicable redevelopment plan areas within Block 2201 [13], including Tract B, that represent “Strategic Infill and Rehabilitation” and “Comprehensive Redevelopment.” The rehabilitation concept contemplated the residential buildings on Tract B being rehabilitated and a new parking lot behind all of the proposed and existing buildings, with access from South 1st Avenue, while the comprehensive concept considered several mixed-use buildings and larger parking lot in the rear.

Interest was expressed by a local developer to develop Tract B generally in accordance with the 2005 Redevelopment plan. Initial concepts were shared with the then Redevelopment Agency, which considered a mixed-use building with parking in the rear yard area, accessible by way of the narrow alley to Park Place. Working in cooperation with the developer, the Borough amended the 2005 Redevelopment Plan in 2018, to permit a maximum of 4 stories and a fifth story provided it is stepped back a minimum of 10 feet from the front façade among other amendments.

Additionally, following a Screening Committee Meeting to review the prior concept plan, the local developer and members of the Screening Committee visited the Tract and consulted with neighboring residents, who articulated various concerns regarding parking access to a rear parking lot by way of the existing narrow alley, as well as other issues pertaining to nearby businesses that utilize Park Place for access, trash removal, among others. It was at this time that the concept of a rear public/private open space was considered in lieu of a rear parking lot, which allowed for the consideration of additional dwelling units and parking to be provided off-site.



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit E - Tract A Designation Areas



Land Use Standards

The regulations pertaining to land use standards contained herein shall apply to all development within Tract B. The Planning Board shall not grant variances from these standards as they constitute mandatory components of this Redevelopment Plan.

5.3.1. Permitted principal uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses.

- A. Retail businesses, including, but not limited to, specialty and gift shops and boutiques.
- B. Personal service establishments.
- C. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms and other activities.
- D. Indoor recreation facilities, including dance studios, yoga studios, other instructional studios, physical fitness studios and fitness centers.
- E. Spas, massage and somatic therapy establishments.
- F. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), but excluding drive-through banks.
- G. Food and beverage consumption establishments, carry-out restaurants, luncheonettes and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
- H. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
- I. Artists, artisan and crafts-person studios and workshops, and similar creative workspaces and maker spaces.
- J. Studios for the visual and performing arts, including, but not limited to, performance and gallery spaces, and artistic instruction space.
- K. Museums and other cultural and civic facilities.
- L. Public assembly facilities and spaces, theaters and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
- M. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.
- N. Nursery schools and day-care centers.
- O. Residential uses, except dwellings located on the ground floor directly fronting on Raritan Avenue, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other amenities and services.

- P. Live/Work units, except that the “Live” portion of the unit shall not be located on the ground floor directly fronting on Raritan Avenue.
- Q. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other amenities and services.
- R. Pocket parks, plazas and courtyards.
- S. Any other principal use permitted in the underlying CBD Central Business District Zone, as may be amended from time to time.

5.3.2. Permitted accessory uses and structures. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use or structure.

- A. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers and/or the general public.
- B. Off-street loading.
- C. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys and other similar type of public and semi-public spaces.
- D. Kiosks, including digital display screens.
- E. Street furniture, planters, and streetlights.
- F. Fences, walls, retaining walls, hedges and other landscape elements.
- G. Open trellis and other similar overhead shade/landscape structures.
- H. Outdoor cafes and outdoor dining structures.
- I. Sidewalk displays.
- J. Active and passive recreation facilities including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents and/or hotel users.
- K. Property management and leasing offices services the uses in the Tract.
- L. Public utility facilities required to provide direct service of the utility to the consumers such as transformers and pumping stations, but not warehouses, service or storage and treatment yards.
- M. Refuse and recycling enclosures.
- N. Signage for uses on the site.
- O. Murals, banners, public art, community signage and digital display screens.
- P. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

Bulk Standards

The regulations pertaining to area, setback, coverage and height standards contained herein shall apply to all development within Tract B. The Planning Board may grant variances from these standards, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-70.c.

5.3.3. Area and Bulk Standards

- A. Lot Area: The entirety of the Tract.
- B. Building Setbacks.
 - 1. Minimum setback from Raritan Avenue: 0 feet.
 - 2. Minimum setback from rear alley: 30 feet.
 - 3. Minimum side yard setback: 5 feet.
- C. Coverage Requirements.
 - 1. Maximum Building Coverage: 70%
 - 2. Maximum Impervious Coverage: 90%
- D. Height Requirements.
 - 1. Minimum Building Height in Stories: 3 stories.
 - 2. Maximum Building Height in Stories: 4 stories, except a fifth story fronting Raritan Avenue shall be permitted, provided that the fifth-floor façade is set back a minimum of 10 feet from the façade of the fourth floor below, as measured from Raritan Avenue.

Tract-Specific Development & Design Standards

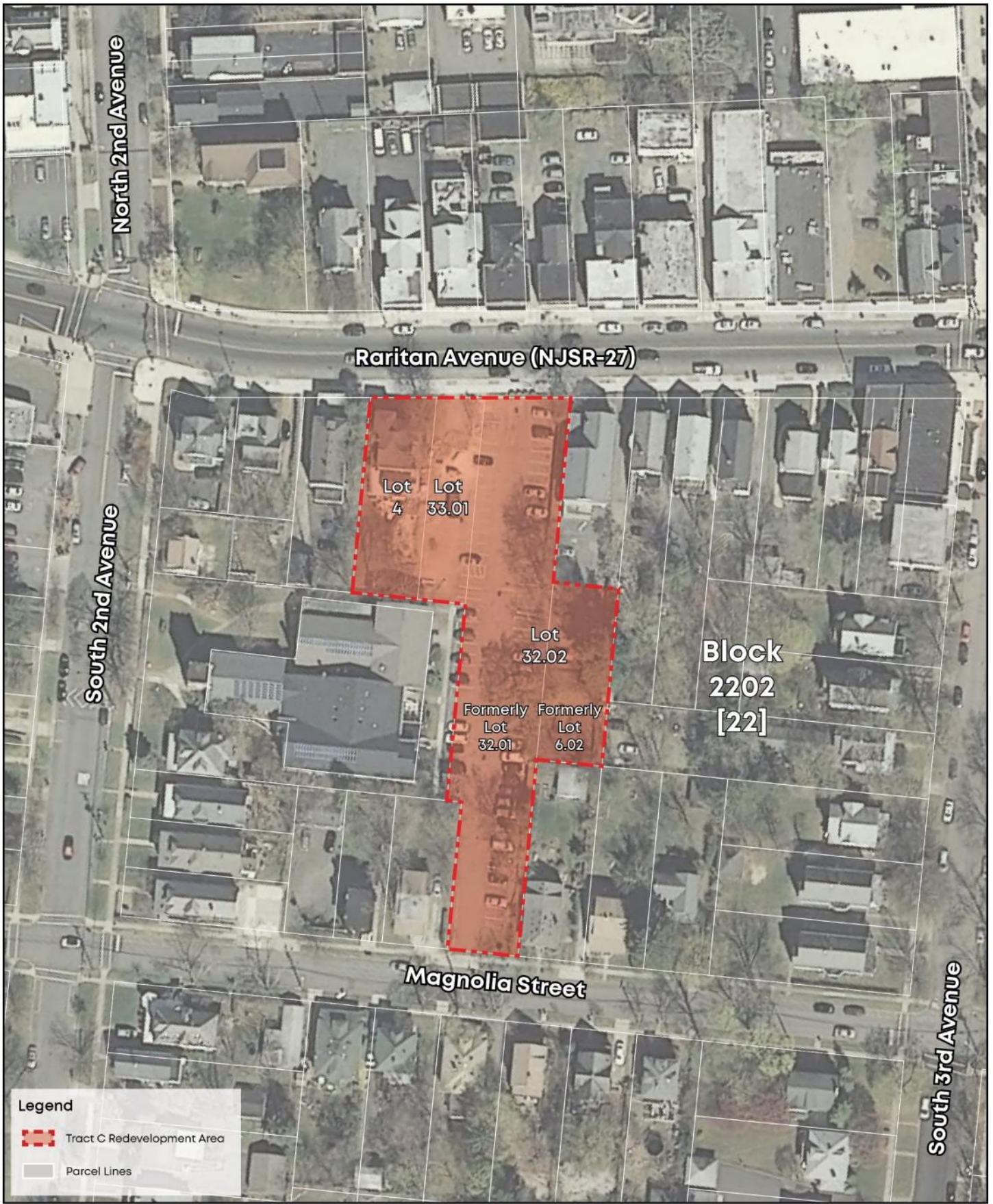
The regulations pertaining to development and design standards contained herein shall apply to all development within Tract B. All other regulations contained in Section 5.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

5.3.4. Parking and Loading Standards

- A. If parking is provided on-site, access shall be from an adjacent property without utilizing the rear alley and/or Park Place.
- B. If parking is provided off-site, a limited number of reserved short-term parking/loading and/or accessible spaces shall be located on-street along Raritan Avenue to accommodate the daily needs of residents, hotel guests or business uses at this site.
- C. Loading services including trash/recycling shall be located to the side of the building near the front, accessed from Raritan Avenue.

5.3.5. Traffic Calming and Bicycle Corrals

- A. Utilize traffic calming elements such as landscaping, seating and public art to reinforce the “gateway” along the Raritan Avenue established by the taller buildings facing one another on Tracts A and B.
- B. Install a bicycle corral in front of the building on Raritan Avenue as a traffic calming element.



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit F - Tract C Identification Map



5.4 Tract C

The Vision

The redevelopment concept for Tract C allows for infill with one or more new taller mixed-use or multi-family buildings serving as a focal point to “terminate the vista” looking up Raritan Avenue after crossing the bridge. Tract C features public space in the form of a multi-use public plaza at Raritan Avenue (unless or until there is another location devoted for that public plaza) connecting to an interior garden courtyard that provides access to the rear of the Reformed Church and continues as a walkway along a parking area to Magnolia Street. Due to the limited retail frontage on this block, any mixed-use building should strictly limit new commercial storefront space and include activated ground level frontage along Raritan Avenue with residential apartments on upper levels and along the ground level of the courtyard that will bring more people to live, work and shop along Raritan Avenue.

Redevelopment and design concepts for Tract C include the following:

- New buildings should extend to Raritan Avenue and frame the multi-use public plaza along Raritan Avenue that connects to an interior garden courtyard that creates a mid-block greenspace shared between the new buildings and the Reformed Church.
- The multi-use public plaza and interior garden courtyard should be designed with landscaping, seating and other improvements to accommodate usage by residents of the building, users of the Reformed Church, residents of the surrounding neighborhood and the public.
- Based on community feedback, the rear portions or wings of new buildings may be reduced in height and should be carefully located and designed to minimize direct views, orientation toward and balconies overlooking neighboring residences.
- This location terminates the view looking up Raritan Avenue from between 1st and 2nd Avenues at a location where the street bends slightly and further enhance the sense of arrival into the downtown in concert with the “gateway” created on Tracts A and B.
- The top story of any new buildings fronting Raritan Avenue should be stepped-back behind a terrace which could be utilized as a common outdoor space with views of the Raritan River and downtown New Brunswick.
- Non-residential space fronting along Raritan Avenue should be designed with storefront-type display windows, however the amount of new ground floor retail or restaurant space should be limited by allowing other “active street front” uses such as a lobby, gathering space, business center/workspace and fitness center/exercise studio for residents.
- New buildings should be designed with masonry façades defined by a base, middle and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Provide primary pedestrian access to any new buildings from the front along Raritan Avenue or the interior garden courtyard and walkways linking to Magnolia Street.
- Parking requirements for the use of the buildings should be “right-sized” for the proposed

usage.

- Based on community feedback, Tract C has the flexibility to utilize some combination of on-site and off-site parking arrangements depending on the parking projected for the ultimate development program. To provide flexibility, parking may be provided using any of the following: on-site spaces located to the rear and/or on the lower level of building with access from Magnolia Street; off-site spaces located in the centralized parking structure proposed on Tract D; or off-site spaces located in a centralized parking facility at another location.
- Based on community feedback, a limited number of on-site spaces serving this building and shared with several uses at the Reformed Church will need to be accommodated in a reconfigured parking lot accessed from Magnolia Street.
- Based on community feedback, a limited number of reserved on-street short-term parking/loading spaces should be provided along either Raritan Avenue or in the rear parking area to accommodate the daily needs of residents or business uses at this site.
- Limit service to the building for loading and trash/recycling to the rear with access from Magnolia Street.

Description of Project Area

Tract C is commonly known as Block 2202 [22], Lots 4, 32.02 & 33.01. The Tract is located mid-block in the downtown area between South 2nd Avenue and South 3rd Avenue. It is bounded to the north by Raritan Avenue (New Jersey State Route 27), to the south by Magnolia Street, to the east by a 2 1/2-story office building fronting Raritan Avenue and two-story residential dwelling fronting Magnolia Street, and to the west by a two-story mixed-use building containing The Cook & The Carpenter Bakeshop fronting Raritan Avenue, the Reformed Church of Highland Park fronting South 2nd Avenue, and a 1 1/2-story residential dwelling fronting Magnolia Street.

Tract C is irregular in shape, with approximately 150 feet of frontage along Raritan Avenue, approximately 54 feet of frontage along Magnolia Street, with varying depth ranging between 150 and 430 feet, and comprises of approximately 46,400 square feet (1.07 acres) in area. The topography ascends gradually at the front of the Tract along Raritan Avenue and is relatively flat for the remainder of the Tract toward Magnolia Street.



Google Maps eye view of Tract C outlined in yellow, looking southwest.



View of Tract C from Raritan Avenue.



View of parking lot at rear of Tract C.

Existing Land Uses

Tract C contains 3 Borough-owned properties that presently provide a number of public uses, including Main Street Highland Park offices and a parking lot that provides dozens of public parking spaces and functions as a community gathering space for events throughout the year.

Block 2202 [22], Lot 4; 212 Raritan Avenue - Known as the "Main Street Highland Park" property, Lot 4 contains a two-story mixed-use building fronting on Raritan Avenue, recently constructed metal ADA ramp, rear one-story addition adorned with art murals and signage, and an undefined parking area at the rear that is accessible through the adjacent Lot 33.01.

(Formerly) Block 2202 [22], Lot 32.01; 220 Raritan Avenue (now part of consolidated Lot 32.02) & Lot 33.01; 222 Raritan Avenue - Known as the "Farmers Market" property, Lots 32.01 & 33.01 contain a large parking lot accessible from Magnolia Street. The pavement covers nearly the entirety of the properties, has an inefficient layout mainly due its size and shape and has limited buffering and screening around its perimeter. While the pavement extends to the public sidewalk along Raritan Avenue, several large planters provide visual and physical separation. Additionally, the frontage of the property has been

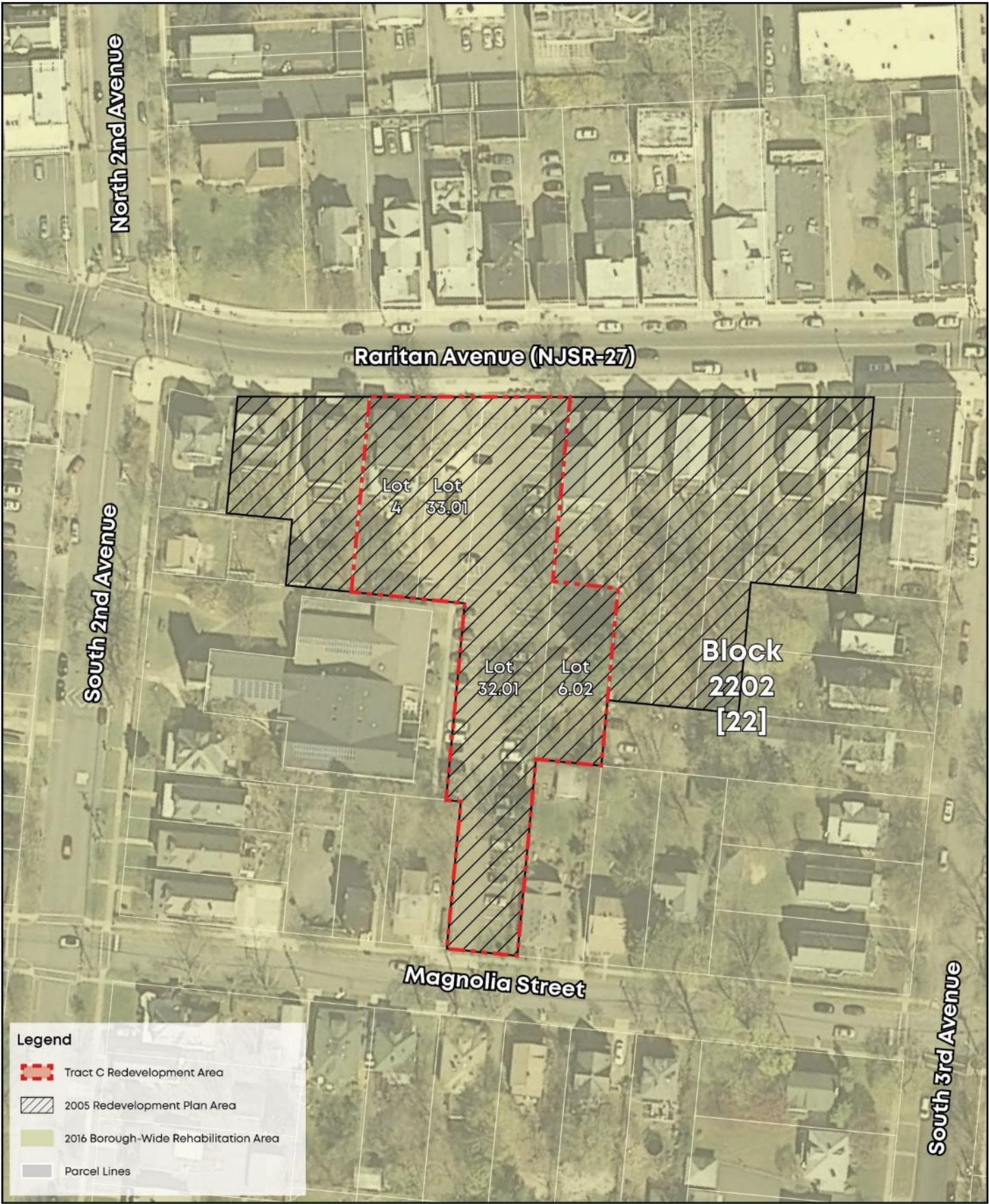
improved with a wood frame and metal roof pavilion recently dedicated to the late Councilwoman Susan Welkovits, along with bicycle facilities, public art and other infrastructure improvements. The parking lot functions as a community gathering space for events such as the Farmers Market and Outdoor Movie Theater, among others.

(Formerly) Block 2202 [22], Lot 6.02 (now part of consolidated Lot 32.02) – The former Lot 6 contains a 2 1/2-story office building fronting Raritan Avenue and a parking lot at the rear of the property accessible by way of a shared narrow driveway from Raritan Avenue. The lot was recently subdivided, with the newly-created northerly lot (Lot 6.01) containing the building and a portion of the existing parking lot, and the newly-created southerly lot (Lot 6.02) - measuring approximately 50 feet wide and approximately 140 feet deep – containing the remainder of the existing parking lot and unimproved lawn area at the extreme rear of the property. The southerly lot (Lot 6.02) has since been merged with the above-mentioned Lot 32.01 into consolidated Lot 32.02.

Existing Zoning / Redevelopment Designations

The entirety of the Tract is situated in the 2005 Redevelopment Plan redevelopment area as well as the Borough-Wide Rehabilitation Area. As previously noted, the 2005 Redevelopment Plan generally permits traditional downtown uses such as retail & service uses, offices, restaurants as well as apartments, has limited setback requirements, requires buildings to be 2 to 3 stories in height, with a fourth story permitted under certain conditions. One parking space is required for each residential unit, may be located off-site, and may be shared. The redevelopment plan encourages the use of structured (and underground) parking; however, like Tract B, the size and shape of this Tract make the siting of such parking facilities challenging.

The 2005 Redevelopment Plan provides a range of potential development concepts for the applicable redevelopment plan areas within Block 2202 [22], including Tract C, that represent “Strategic Infill and Rehabilitation” and “Comprehensive Redevelopment.” The rehabilitation concept contemplated a new Community and Arts Center on the west side of the delineated redevelopment area, including a portion of Tract C, with a smaller but more defined public plaza at the front of Tract C along Raritan Avenue and the remainder of the Tract to retain and expand the parking lot beyond onto adjacent properties. The comprehensive concept for Tract C remained the same, with the only variation between the concepts being a mixed-use building on properties east of Tract C.



Legend

- Tract C Redevelopment Area
- 2005 Redevelopment Plan Area
- 2016 Borough-Wide Rehabilitation Area
- Parcel Lines



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit G - Tract C Designation Areas



Land Use Standards

The regulations pertaining to land use standards contained herein shall apply to all development within Tract C. The Planning Board shall not grant variances from these standards as they constitute mandatory components of this Redevelopment Plan.

5.4.1. Permitted principal uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses.

- A. Retail businesses, including, but not limited to, specialty and gift shops and boutiques.
- B. Personal service establishments.
- C. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms and other activities.
- D. Indoor recreation facilities, including dance studios, yoga studios, other instructional studios, physical fitness studios and fitness centers.
- E. Spas, massage and somatic therapy establishments.
- F. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), but excluding drive-through banks.
- G. Food and beverage consumption establishments, carry-out restaurants, luncheonettes and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
- H. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
- I. Artists, artisan and crafts-person studios and workshops, and similar creative workspaces and maker spaces.
- J. Studios for the visual and performing arts, including, but not limited to, performance and gallery spaces, and artistic instruction space.
- K. Museums and other cultural and civic facilities.
- L. Public assembly facilities and spaces, theaters and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
- M. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.
- N. Nursery schools and day-care centers.
- O. Residential uses, except dwellings located on the ground floor directly fronting on Raritan Avenue, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other amenities and services.

- P. Live/Work units, except that the “Live” portion of the unit shall not be located on the ground floor directly fronting on Raritan Avenue.
- Q. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other amenities and services.
- R. Pocket parks, plazas and courtyards.
- S. Any other principal use permitted in the underlying CBD Central Business District Zone, as may be amended from time to time.

5.4.2. Permitted accessory uses and structures. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use or structure.

- A. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers, and/or the general public.
- B. Off-street loading.
- C. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys and other similar type of public and semi-public spaces.
- D. Kiosks, including digital display screens.
- E. Street furniture, planters, and streetlights.
- F. Fences, walls, retaining walls, hedges and other landscape elements.
- G. Open trellis and other similar overhead shade/landscape structures.
- H. Outdoor cafes and outdoor dining structures.
- I. Sidewalk displays.
- J. Active and passive recreation facilities including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents and/or hotel users.
- K. Property management and leasing offices services the uses in the Tract.
- L. Public utility facilities required to provide direct service of the utility to the consumers such as transformers and pumping stations, but not warehouses, service or storage and treatment yards.
- M. Refuse and recycling enclosures.
- N. Signage for uses on the site.
- O. Murals, banners, public art, community signage and digital display screens.
- P. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

Bulk Standards

The regulations pertaining to area, setback, coverage and height standards contained herein shall apply to all development within Tract C. The Planning Board may grant variances from these standards, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-70.c.

5.4.3. Area and Bulk Standards

- A. Lot Area: The entirety of the Tract.
- B. Building Setbacks.
 - 1. Minimum setback from Raritan Avenue: 0 feet, except for the portion of the building framing the public plaza which shall be set back accordingly.
 - 2. Minimum setback from Magnolia Street: 200 feet.
 - 3. Minimum side yard setback: 5 feet.
 - 4. Minimum setback from any residential lot: 10 feet.
 - 5. Minimum setback from Lot 29: 25 feet.
- C. Coverage Requirements.
 - 1. Maximum Building Coverage: 70%
 - 2. Maximum Impervious Coverage: 90%
- D. Height Requirements.
 - 1. Minimum Building Height in Stories: 2 stories.
 - 2. Maximum Building Height in Stories: 4 stories, except a fifth story fronting Raritan Avenue shall be permitted, provided that the fifth-floor façade is set back a minimum of 40 feet from Raritan Avenue or aligned with the stepped-back portion of the building on the ground floor, whichever is greater.

Tract-Specific Development & Design Standards

The regulations pertaining to development and design standards contained herein shall apply to all development within Tract C. All other regulations contained in Section 5.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

5.4.4. Parking and Loading Standards

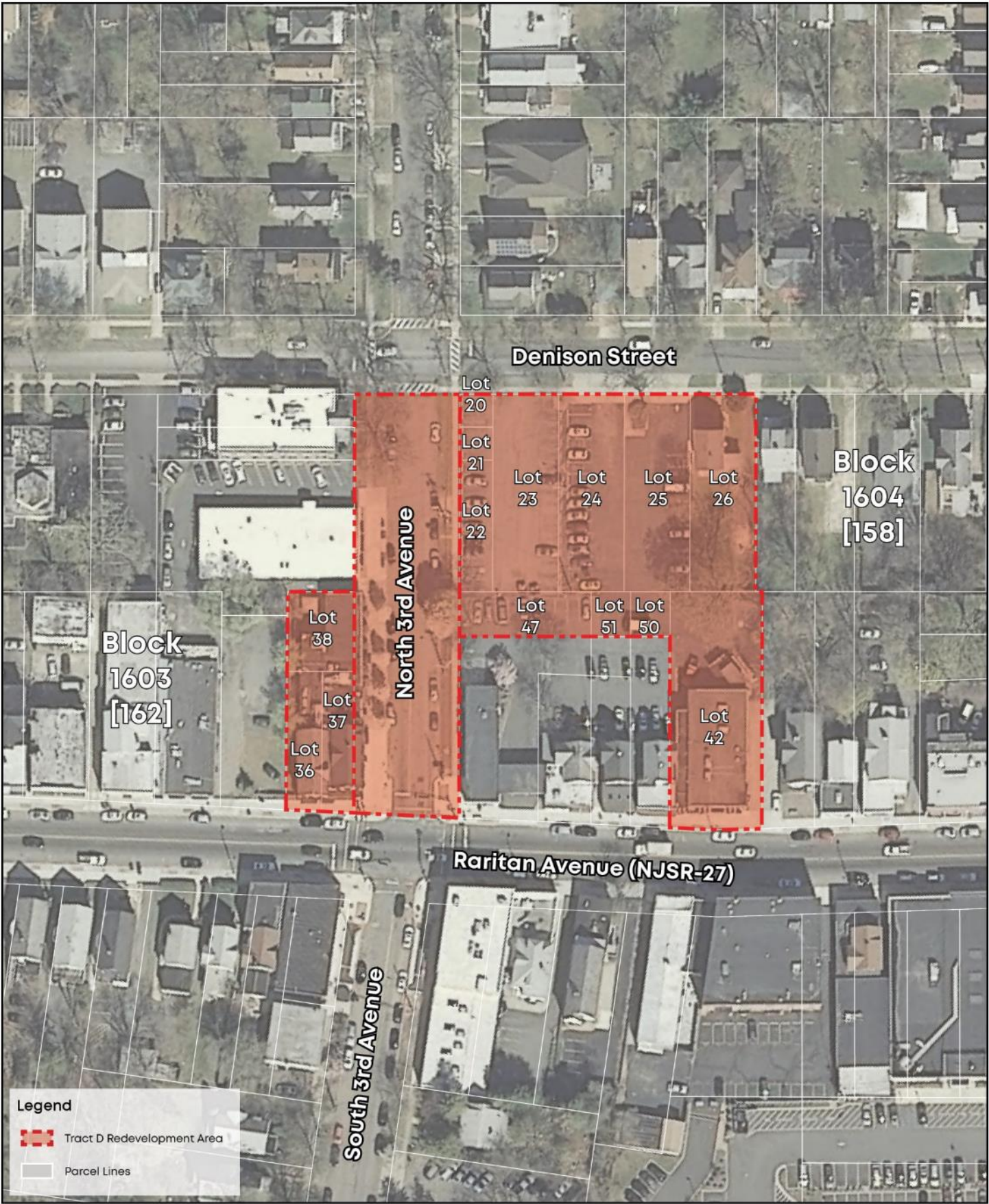
- A. Underground parking shall be permitted on Tract C, accessed from the rear parking area.
- B. If parking is provided off-site, a limited number of reserved short-term parking/loading and/or accessible spaces shall be located on-street along Raritan Avenue and/or off-

street in the rear parking area to accommodate the daily needs of residents or business uses at this site.

- C. Loading services including trash/recycling shall be located at the rear of the building, accessed from the rear parking area.

5.4.5. Traffic Calming and Bicycle Corrals

- A. Utilize traffic calming elements such as landscaping, seating and public art to extend the multi-use plaza/green along the Raritan Avenue on Tract C.
- B. Install a bicycle corral along the Raritan Avenue frontage as a traffic calming element.



Legend

- Tract D Redevelopment Area
- Parcel Lines



Downtown Redevelopment Plan for Tracts A - D
 Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [113], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38
 Borough of Highland Park, Middlesex County, NJ

Exhibit H - Tract D Identification Map

0' 50' 100'
 Scale: 1" = 100'-0"

5.5 Tract D

The Vision

The redevelopment concepts for Tract D are anchored by a new taller “landmark” mixed-use building at the corner of North 3rd Avenue and Raritan Avenue. A large existing surface parking lot at the corner of North 3rd Avenue and Denison Street would be transformed into a centralized common parking facility containing a multi-level structure with a “liner space” that could be programmed for public use as an art gallery/exhibition/performance space. The location of the parking structure on North 3rd Avenue allows covered vehicular, including accessible spaces, and bicycle parking to be conveniently located for patrons of the farmers market, which will be relocated across Raritan Avenue onto South 3rd Avenue in the space presently used for “Town Tables” with additional space to be provided in the municipal parking lot on South 3rd Avenue.

A new taller mixed-use building in a mid-block location on Raritan Avenue would back-up and attach to the parking structure. Attaching to the parking structure and screening it from view along Denison Street would be a lower scale “residential liner building” designed to serve as a compatible transition to the surrounding neighborhood. The new mixed-use buildings on Tract D will include activated ground level frontage along Raritan Avenue and residential apartments on upper levels that will bring more people to live, work, stay and shop along Raritan Avenue.

Redevelopment and design Concepts for Tract D include the following:

- Retaining North 3rd Avenue as a two-way street open to full vehicular accessibility. However, this right-of-way may be redesigned with wider sidewalks and “shared space” treatment and could occasionally be closed for special events on a temporary basis.
- The multi-level parking structure may provide limited ground floor spaces for public parking protected from the elements, including accessible spaces and bicycle parking, serve as an origin/destination point for a shuttle to downtown New Brunswick and the train station, and incorporate a “liner space” into the North 3rd Avenue frontage that could be programmed for public use such as an art gallery/performance/exhibition space.
- Establish a new taller “landmark” mixed-use building at the corner of North 3rd and Raritan Avenue that will visually anchor this important corner of the plaza with a ground floor restaurant that wraps both street frontages with outdoor seating.
- Establish a second taller mixed-use building on Tract D that also fronts on Raritan Avenue by taking advantage of a mid-block location where a building can be attached to the parking structure on Tract D.
- The top story of both new mixed-use buildings should be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the 3rd Avenue plaza and downtown Highland Park.
- Non-residential space fronting along Raritan Avenue and North 3rd Avenue should be designed with storefront-type display windows and may incorporate other “active street front” uses such as a lobby, gathering space, business center/workspace, café, and fitness

center/exercise studio for residents.

- New buildings should be designed with masonry façades defined by a base, middle and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Screening the parking structure from view along Denison Street would be a “residential-scale liner building” designed with a varied streetscape rhythm including porches and verandas that reflects and serves as a compatible transition to the surrounding neighborhood.
- Provide primary pedestrian access to the mixed-use buildings from Raritan Avenue or North 3rd Avenue and to the “residential-scale liner building” from Denison Street, except buildings attached to the parking structure may accommodate direct-access from parking to apartments for residents.
- Provide rear access from Denison Street to the lower level of the buildings for pedestrians and vehicles including potential parking under the buildings.
- Limit service to the buildings for loading and trash/recycling to the rear accessed from North 3rd Avenue or the parking structure.
- Parking requirements for the proposed use of the buildings should be “right-sized” and allow parking to be provided using any of the following: on-site or off-site spaces located in the centralized parking structure proposed on Tract D or an alternate arrangement for a centralized parking facility on Tract D.



A new taller building on the left corner would act as a “landmark” at the North 3rd Avenue intersection with Raritan

Avenue.



Concept Perspective Rendering of Tract D looking south on North 3rd Avenue from Denison Street. A “liner building” screens the parking structure from the residential neighborhood and creates a visual transition from downtown.



Concept Perspective Rendering of Tract D looking west from Denison Street. A “residential-scale liner building” screens the parking structure and reflects the design character of the surrounding residential neighborhood.

Description of Project Area

Tract D is commonly known as Block 1604 [158], Lots 20-26, 42, 50-51 and a portion of Lot 47; and Block 1603 [162], Lots 36-38. The Tract consists of multiple properties on both sides of North 3rd Avenue. It is bounded to the south by Raritan Avenue (New Jersey State Route 27), to the north by Denison Street, to the west by office buildings fronting North 3rd Avenue and lot improved only with a parking lot fronting Raritan Avenue, and to the east by a residential dwelling fronting Denison Street and a 2 1/2-story office building fronting Raritan Avenue. The Tract surrounds several properties that front Raritan Avenue, including a one-story Provident bank building and drive-through facility, and three (3) 2 1/2-story residential-scale buildings with one- to two-story front additions, containing office and retail uses.

Tract D is irregular in shape and comprises of 3 distinct parts. Block 1603 [162], Lots 36-38 is situated on the western portion of the Tract, with approximately 50 feet of frontage along Raritan Avenue, approximately 165 feet of frontage along North 3rd Avenue, and comprises of approximately 8,000 square feet (0.18 acres) in area. Block 1604 [158], Lots 20-26, 42, 50-51 and a portion of Lot 47 is situated on the eastern portion of the Tract, with approximately 70 feet of frontage along Raritan Avenue, approximately 225 feet of frontage along Denison Street, an average depth of approximately 325 feet, and comprises of approximately 51,700 square feet (1.19 acres) in area. The North 3rd Avenue public right-of-way is situated in between, spanning 80 feet in width and approximately 320 feet in depth, and comprises of approximately 25,600 square feet (0.59 acres) in area.

Taken together, Tract D spans approximately 355 feet in width and approximately 325 feet, with a total of 85,300 square feet or nearly 2 acres of land in the central core of the downtown area. The entire Tract gradually descends in grade from Raritan Avenue toward Denison Street.



Google Maps bird's eye view of Tract D outlined in yellow, looking north.



View of southeast corner of Tract D from Raritan Avenue.



View of southwest corner of Tract D from Raritan Avenue and southern terminus of North 3rd Avenue.



View of northwest corner of Tract D from Denison Street.



View of northeast corner of Tract D from Denison Street



View of west side of existing building on Block 1603 [162]



View of largely empty parking lot on Block 1604 [158]

Existing Land Uses

Tract D contains a mix of land uses, and features several curb cuts, several parking lots, including a large parking lot that is fully exposed along several hundred feet of its perimeter toward several residential dwellings on Denison Street. The streetscape generally lacks healthy street trees and has an inconsistent rhythm of streetscape furniture typically found throughout the downtown area. The lack of improvements represents an inefficient use of land, particularly in light of its location in the core of the downtown area.

Block 1604 [158], Lots 20-23; 15 North 3rd Avenue – Lots 20-23 contain a parking lot that is fully exposed to both North 3rd Avenue and Denison Street. The parking lot is 75 feet in width, is inefficient in layout due to the oversized drive aisle, is accessible by way of a wide driveway from Denison Street and does not connect to other adjacent parking lots.

Block 1604 [158], Lots 24-25, 42, 50 & 51; 315 Raritan Avenue – Known as the “Bridge Turkish & Mediterranean Grill” property, Lot 42 contains a one-story restaurant building fronting on Raritan

Avenue, with a curb cut along Raritan Avenue and driveway situated to the right side of the building, providing access to the multiple parking lots both on and adjacent to the property and overall Tract. Lots 24-25, 50 & 51 contain a parking lot that, again, is fully exposed to Denison Street. The parking lot is approximately 95 feet in width, is inefficient in layout due to the oversized drive aisle, is accessible by way of the driveway on Lot 42 and the wide driveway from Denison Street.

Block 1604 [158], Lot 26; 316 Denison Street – Lot 26 is a 50-foot by 150-foot lot containing a 2 1/2-story residential dwelling with a long driveway situated to the left side of the dwelling. The dwelling has a modest front yard area comparable to other homes along Denison Street, with limited landscaping throughout. The dwelling is directly adjacent to the large parking lots that extend to North 3rd Avenue.

Block 1604 [158], Portion of Lot 47; 301-303 Raritan Avenue – Known as the “Provident Bank” property, Lot 47 contains a one-story bank with a drive-through facility that has egress to a wide curb cut along Raritan Avenue. The portion of the property that is within Tract D is limited to the northernmost 25’ of the property, which contains a landscape island and 10 parking spaces. The drive aisle that serves the 10 parking spaces and provides circulation from North 3rd Avenue into the remainder of the parking lot on Lot 47 fall outside of Tract D.

Block 1603 [162], Lots 36-38; 247 Raritan Avenue – Known as the “Blue Horse” property, Lots 36-38 contain two 2 1/2-story attached residential-scale buildings and a rear one-story addition that collectively contain a restaurant, banquet hall, and other upper-story uses. The entire building covers the entire property, with parking provided across North 3rd Avenue on Block 1604 [158], Lots 20-23.

Existing Zoning / Redevelopment Designations

The existing zoning for Tract D is such that those lots that have frontage along Raritan Avenue are situated in the CBD Central Business District Zone, while those lots that have frontage along Denison Street are situated in the PO Professional Office Zone. It is noted that the 2005 Redevelopment Plan redevelopment area does not include any portion of Tract D, but does include properties immediately west of Block 1603 [162], Lots 36-38. As of 2016, Tract D falls into the Borough-Wide Rehabilitation Area.

The Central Business District Zone generally permits traditional downtown uses such as retail, offices and restaurants as principal uses and upper-story apartments as a permitted accessory use. Lots must be at least 5,000 square feet in area, do not require setbacks other than a 20-foot rear yard setback, and do not require minimum distances between buildings. Buildings are required to be a minimum of 2 stories and a maximum of 4 stories and 50 feet in height. A maximum of 75% lot coverage and 90% impervious coverage are permitted. The zoning regulations also provide for signage regulations that are specific to CBD Zone.

The zoning regulations acknowledge that the New Jersey Residential Site Improvement Standards (“RSIS”) does not specifically address parking requirements for residential units in mixed-use buildings in a downtown setting with transit and pedestrian facilities and contemplates the application of a waiver where necessary. Parking for non-residential uses is generally based on

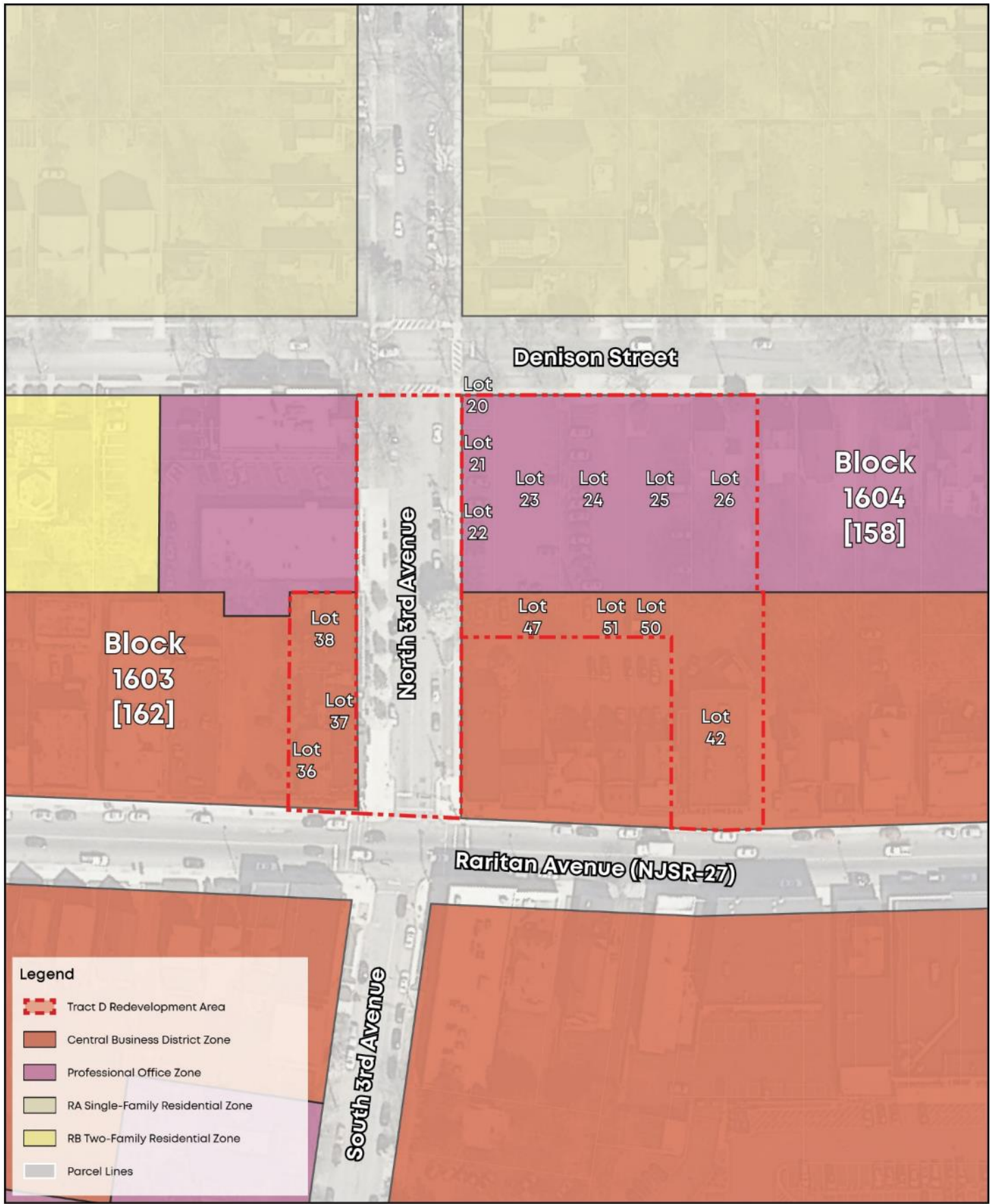
the anticipated intensity, and shared parking is permitted. Off-street parking spaces are permitted accessory uses, which are defined as an off-street parking area for vehicles; a parking area is further defined as public or private land designed and used for parking motor vehicles, including parking lots, garages, among others. Additionally, off-site parking is permitted as-of-right, provided that such parking is located within 2 blocks of the property.

The Professional Office Zone effectively serves as a “transition zone” between the Central Business District Zone and adjacent residential areas. The PO Zone permits offices as well as single-family homes as principal uses and upper-story apartments as a permitted accessory use. Lots must also be at least 5,000 square feet in area, require modest setbacks similar to those required residential zones, except the rear yard setback is 25 feet as opposed to 20 feet, and require at least 20 feet in between buildings. Buildings are allowed to be up to a maximum of 2 1/2 stories and 25 feet in height. A maximum of 50% lot coverage and 80% impervious coverage are permitted. The zoning regulations provide for a much greater number of parking spaces for medical professional office uses and is silent regarding residential uses; therefore, it is assumed that RSIS takes precedence, including for residential units in mixed-use buildings. Off-street parking lots and private parking garages are permitted accessory uses, with a private parking garage defined as a building or space which provides for ... the storage of motor vehicles and/or a home occupation.

Additionally, properties in both the Central Business District Zone and Professional Office Zone are subject to Article XVII Design Standards and Guidelines in the C, PO and CBD Districts. The purpose of the standards and guidelines is to ensure that all development consider its context, and a series of objectives, including:

...to preserve and enhance the CBD District's unique qualities, to reinforce its pedestrian circulation, and to guide and encourage rehabilitation and new construction that is compatible with traditional form and scale; to encourage new development and redevelopment in the PO District which is compatible in form and scale with the surrounding residential neighborhood.

Notwithstanding the somewhat ambiguous language contained in the CBD and PO zones regarding parking structures as provided above, the zoning ordinance anticipates the use of parking structures in the downtown. Within the Design Standards and Guidelines (again, in the C, PO and CBD Districts) are specific standards pertaining to parking structures which include general design rules for the composition of building materials, ensuring the continuity of the streetscape and regulating access to such parking facilities.



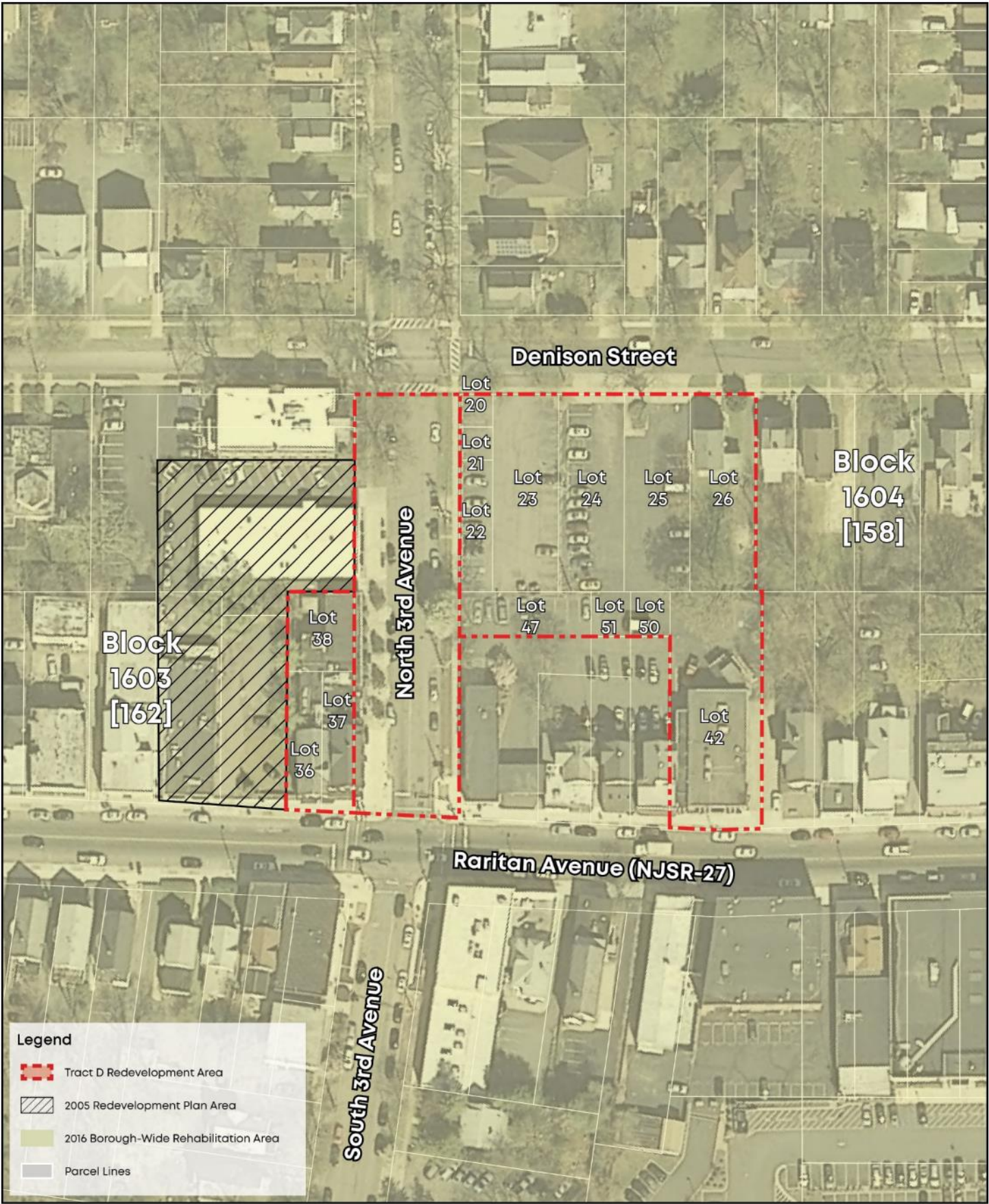
Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38





Borough of Highland Park, Middlesex County, NJ

**Exhibit I - Tract D
Zoning Classification**





Legend

-  Tract D Redevelopment Area
-  2005 Redevelopment Plan Area
-  2016 Borough-Wide Rehabilitation Area
-  Parcel Lines



Downtown Redevelopment Plan for Tracts A - D

Tract A: Block 1704 [173], Lots 41-49 and portion of Lot 20; Tract B: Block 2201 [13], Lots 6 & 9; Tract C: Block 2202 [22], Lots 4, 32.02 & 33.01; Tract D: Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47; Block 1603 [162], Lots 36-38

Borough of Highland Park, Middlesex County, NJ

Exhibit J - Tract D Designation Areas



Land Use Standards

The regulations pertaining to land use standards contained herein shall apply to all development within Tract D. The Planning Board shall not grant variances from these standards as they constitute mandatory components of this Redevelopment Plan.

5.5.1. Permitted principal uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses.

- A. Retail businesses, including, but not limited to, specialty and gift shops and boutiques.
- B. Personal service establishments.
- C. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms and other activities.
- D. Indoor recreation facilities, including dance studios, yoga studios, other instructional studios, physical fitness studios and fitness centers.
- E. Spas, massage and somatic therapy establishments.
- F. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), but excluding drive-through banks.
- G. Food and beverage consumption establishments, carry-out restaurants, luncheonettes and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
- H. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
- I. Artists, artisan and crafts-person studios and workshops, and similar creative workspaces and maker spaces.
- J. Studios for the visual and performing arts, including, but not limited to, performance and gallery spaces, and artistic instruction space.
- K. Museums and other cultural and civic facilities.
- L. Public assembly facilities and spaces, theaters and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
- M. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.
- N. Nursery schools and day-care centers.
- O. Residential uses, except dwellings located on the ground floor directly fronting on Raritan Avenue, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other amenities and services.

- P. Live/Work units, except that the “Live” portion of the unit shall not be located on the ground floor directly fronting on Raritan Avenue.
- Q. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other amenities and services.
- R. Pocket parks, plazas and courtyards.
- S. Any other principal use permitted in the underlying CBD Central Business District Zone, as may be amended from time to time.

5.5.2. Permitted accessory uses and structures. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use or structure.

- A. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers and/or the general public.
- B. Off-street loading.
- C. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys and other similar type of public and semi-public spaces.
- D. Kiosks, including digital display screens.
- E. Street furniture, planters, and streetlights.
- F. Fences, walls, retaining walls, hedges and other landscape elements.
- G. Open trellis and other similar overhead shade/landscape structures.
- H. Outdoor cafes and outdoor dining structures.
- I. Sidewalk displays.
- J. Active and passive recreation facilities including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents and/or hotel users.
- K. Property management and leasing offices services the uses in the Tract.
- L. Public utility facilities required to provide direct service of the utility to the consumers such as transformers and pumping stations, but not warehouses, service or storage and treatment yards.
- M. Refuse and recycling enclosures.
- N. Signage for uses on the site.
- O. Murals, banners, public art, community signage and digital display screens.
- P. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

Bulk Standards

The regulations pertaining to area, setback, coverage and height standards contained herein shall apply to all development within Tract D. The Planning Board may grant variances from these standards, pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-70.c.

5.5.3. Area and Bulk Standards

- A. There shall be no minimum lot area or lot dimension requirements. Individual components within the Tract may be developed in phases.
- B. Building Setbacks.
 - 1. Minimum setback from Raritan Avenue: 0 feet.
 - 2. Minimum setback from North 3rd Avenue: 0 feet.
 - 3. Minimum setback from Denison Street: 5 feet for the portion of Tract D frontage along Denison Street within 90 feet of North 3rd Avenue; 20 feet for the remainder of Tract D frontage along Denison Street.
 - 4. Minimum setback from portion of Lot 47 not in Tract D and Lots 48 & 49: 0 feet.
 - 5. Minimum setback from all other Tract boundaries: 5 feet.
- C. Coverage Requirements.
 - 1. Maximum Building Coverage: 90%
 - 2. Maximum Impervious Coverage: 100% on Block 1603 [162]; 95% on Block 1604 [158].
- D. Height Requirements.
 - 1. Minimum Building Height in Stories: 3 stories.
 - 2. Maximum Building Height in Stories along Denison Street: 3 1/2 stories, except a full fourth story fronting Denison Street shall be permitted, provided that the fourth story is within 90 feet of North 3rd Avenue.
 - 3. Maximum Building Height in Stories along Raritan Avenue: 4 stories, except a fifth story fronting Raritan Avenue and/or North 3rd Avenue shall be permitted, provided that the fifth-floor façade is set back a minimum of 15 feet from the façade of the fourth floor below, as measured from Raritan Avenue and/or North 3rd Avenue.
 - 4. Maximum Building Height for Parking Structure: 5 levels; levels located partially or wholly below grade shall not be counted in calculating the number of levels.

Tract-Specific Development & Design Standards

The regulations pertaining to development and design standards contained herein shall apply to all development within Tract D. All other regulations contained in Section 5.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to

5.5.4. Parking and Loading Standards

- A. Underground, podium and/or above-grade parking structures shall be permitted, provided that any portion of the parking structure that is above grade is “wrapped” with a liner building to screen such structure from Denison Street.
- B. A limited number of reserved short-term parking/loading and/or accessible spaces may be provided along either Raritan Avenue, Denison Street or North 3rd Avenue to accommodate the daily needs of residents or business uses at this site.
- C. Loading services including trash/recycling shall be located at the rear of all buildings, accessed from North 3rd Avenue, the parking structure or a rear parking/service area.

5.5.5. Enhanced Pedestrian Crossings, Traffic Calming and Bicycle Corrals

- A. Improve pedestrian visibility and safety at the 3rd Avenue intersection with Raritan Avenue by utilizing high visibility crosswalk striping, daylighting, pedestrian crossing signage and, if permitted by the NJDOT, integration of public art onto the intersection surface in the form of an intersection “tattoo”.
- B. Utilize traffic calming elements such as landscaping, seating and public art to reinforce the “landmark” established along the Raritan Avenue by the taller building at the corner of North 3rd Avenue.
- C. Install bicycle corrals in front of the buildings on Raritan Avenue as a traffic calming element.

5.6 Supplementary Standards

5.6.1. Permitted Projections. The following standards shall apply to all Tracts.

- A. Cornices, eaves, chimneys, gutters, downspouts, cantilevered roofs, uncovered balconies and bay windows shall be permitted to project not more than 3 feet from the building into any yard setback and/or public right-of-way.
- B. Belt courses, window sills and other similar ornamental features may project not more than 9 inches into any yard setback and/or public right-of-way.
- C. Ramps and stairways leading to a building entrance may project into any yard setback, provided that they do not encroach into the public right-of-way.
- D. Awnings and canopies may project over a sidewalk and/or in the public right-of-way, provided that such structure has a minimum vertical clearance of 8 feet and is set back a minimum of 4 feet from curb line along the street.

- E. Covered motor court entries or port-cocheres associated with a hotel use may project into the yard setback toward Denison Street, provided that it does not encroach into the public right-of-way.

5.7 Development and Design Standards

The regulations pertaining to development and design standards contained herein shall apply to development within each Tract. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

5.7.1. Parking Requirements

- A. Parking requirements for residential uses shall be regulated as follows:
 - 1. The parking requirement for residential uses, including live/work units, shall be a minimum of 1 parking space for each residential unit.
 - 2. It is recognized that the parking requirement established herein are less than that required under the New Jersey Residential Site Improvement Standards (“RSIS”) (N.J.A.C. 5:21-1 et seq.). Consequently, any action by the Planning Board shall require a finding of a *de minimus* exception from RSIS pursuant to N.J.A.C. 5:21-3.1(f)1.
 - 3. Residential lease agreements shall include clauses such that tenants are required to park their vehicles within their assigned parking lot and may not park on nearby streets or adjacent private parking lots.
- B. Parking requirements for non-residential uses shall be regulated as follows:
 - 1. Non-residential uses may rely on shared parking without the provision of dedicated parking, except for employees; therefore, the parking requirement for non-residential uses, except for specific uses indicated below, shall be a minimum of 1 parking space for each 1,000 square feet of gross floor area.
 - 2. The parking requirement for hotel uses shall be a minimum of 0.70 parking spaces for each room.
 - 3. The parking requirement for office uses shall be a minimum of 1 parking space for each 500 square feet of gross floor area.
- C. Parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of the mix of uses, parking demands of specific uses, proximity to public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute’s Shared Parking Analysis or other generally accepted standards applicable to shared parking.
- D. A portion or all of the total parking requirement may be satisfied offsite, provided that such parking spaces are located within 1,000 feet of the Tract.

- E. Provisions for electrical vehicle charging stations shall be provided at the location on-site or off-site where parking is provided. A minimum of 20% of parking spaces provided on the site shall be pre-wired (including sufficient electrical capacity, installation of electrical conduit and appropriately sized subpanels) to accommodate electrical vehicle charging stations to be connected in the future. A minimum of 33% of such parking spaces shall be provided with fully operational stations at the time a Certificate of Occupancy is issued.
- F. Provisions for bicycle parking shall be provided to accommodate a minimum of 1 bicycle for each residential unit on the Tract with one or more of the following: indoor bicycle storage rooms, appropriately sized storage areas within the building, or on wall-mounted hooks, ceiling hooks or closets within a residential unit, and/or covered exterior bicycle rack(s).

5.7.2. Parking Structures

- A. Vehicular access to parking structures shall be designed in a manner that does not negatively affect pedestrian circulation along a public street and/or within the Tract.
- B. All facades of parking structures shall provide visual interest by utilizing one or more of the following treatments: compatible and/or complementary materials, colors, finishes and details as found on a primary façade or on surrounding buildings; exterior cladding in a vine-covered trellis; or landscape screening.

5.7.3. Public Streets & Sidewalks

- A. The redeveloper shall restore the surface of the street to its original and proper condition to address existing conditions and those areas disturbed for the installation of new curbing and sidewalk where none presently exist.
- B. Sidewalks shall be provided in the public right-of-way along all street frontages within the Tract. Where such sidewalks along the street extend beyond the public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the sidewalk located on private property.
- C. Along Raritan Avenue, sidewalks shall be constructed of materials, colors and/or patterns consistent with the existing Raritan Avenue infrastructure. The sidewalk shall be a minimum of 10 feet in width, and shall extend from the curb line to the building façade, with an area to accommodate a regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features and street trees within the furnishing zone along the curb line and/or landscaping beds along the building façade.
- D. Along Denison Street, the location and width of sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Tract, but in no case shall the sidewalk be less than 4 feet in width.
- E. Sidewalks shall continue uninterrupted across all driveway and alley openings with the apron design accommodating a continuous sidewalk.

- F. Planting strips within the furnishing zone along the curb line may be improved with green infrastructure elements as provided herein. In no instance, however, shall a planting strip be permitted to be covered with asphalt or loose stones of any variety.

5.7.4. Pedestrian Walkways

- A. Walkways providing pedestrian connection between public sidewalks and entrances to buildings within the Tract shall be provided.
- B. Within individual developments or phases, walkways shall be provided providing pedestrian connection between entrances and parking lots, outdoor amenity spaces and other pedestrian accessible locations, including the pedestrian walkway connecting Raritan Avenue and the Highland Park Montgomery Apartments.

5.7.5. Buffering & Screening

- A. Existing surface parking lots along a public street shall be provided with a combination of a masonry wall and ground-level landscaping in order to suitably screen views of the surface parking lot.
- B. Such masonry wall shall be generally 3 feet in height above grade and comprise of a regular rhythm of brick piers and shall be constructed of brick with a cast stone or brick cap that is architecturally compatible with the style of the building.

5.7.6. Landscaping

- A. Street trees shall be provided at intervals of approximately 30 to 35 feet along public streets, whether existing or proposed. Any new street tree shall be a minimum size of 3 inches in caliper at time of planting.
- B. Shade trees shall be provided within yard areas, along the perimeter of parking lots, and within landscape islands within parking lots, to the extent practical. Any new shade tree shall be a minimum size of 2 inches in caliper at time of planting.
- C. All portions of the Tract not utilized by buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.
- D. Ground-level dwelling units may have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of intensive and extensive landscaping, including hedging and landscape edging, as well as decorative brick knee walls and fencing. The terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby and/or other dwelling units to a height of 4 feet above grade

and partial screening above 4 feet.

- E. Bollards, planters and/or other landscape features may be provided, where feasible, along pedestrian walkways where adjacent to existing surface parking lots.

5.7.7. Lighting

- A. All pedestrian areas shall be provided with pedestrian-scale light fixtures.
- B. Lighting may be provided by a combination of ground recessed lighting, bollard lighting, wall-mounted or recessed lighting.
- C. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward. Soft ambient up-lighting shall be permitted.
- D. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

5.7.8. Refuse and Recycling

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within the building being served, in an exterior alcove area within the building being served, and/or located at the rear or lower level of the building.
- B. Collection vehicles shall be able to access refuse and recycling facilities without interference from parked vehicles or other obstacles.
- C. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be screened from public view within or outside the Tract.
- D. Such screening shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architectural style of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of the adjacent buildings in the downtown area.
- E. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by residents and recycling personnel.
- F. Any receptacles or dumpsters located in exterior areas shall be covered and equipped with signage indicating the materials to be placed therein.
- G. Shared facilities shall be permitted, whether located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.

5.7.9. Mechanical Equipment

- A. Any mechanical equipment and HVAC units shall be located on the roof and screened from public view.

- B. Through-the-wall HVAC units may be permitted, provided that those units in any street-facing façade shall be designed such that the associated wall vent and grille is centered beneath a window opening or is integrated into a design element such that it has the appearance of a window opening.
- C. Through-the-window and exterior wall-mounted HVAC units shall be prohibited.
- D. Such screening shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architectural style of the building.

5.7.10. Utilities

- A. All development within the Tract 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 to the extent practical.
- B. Any utilities or infrastructure servicing the Tract that need repair or replacement shall be addressed in the Redevelopment Agreement.

5.7.11. Stormwater Management & Green Infrastructure

- A. 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.
- B. All development within the Tract, including development that does not qualify as a Major Development in accordance with NJDEP, shall incorporate NJDEP Stormwater Best Management Practices for both grey and green infrastructure. Consideration should be given to maximize treatment for water quality and groundwater recharge to the extent practical and to manage water quantity prior to entering the Borough’s stormwater collection system.
- C. All development shall incorporate multiple elements from the following Green Infrastructure (GI) strategies or features:

At the Building Scale

1. Green roofs are partly or completely covered vegetative roofs that can be made as small as an exterior door overhang or as large as an entire roof, and can be used capture stormwater runoff from either a flat or sloping roof surface, improve air and water quality, reduce the urban heat island effect, and extend the life of roofing materials. Green roofs can be simple, shallow planting areas (extensive green roofs) or they can include deeper soils and more elaborate plantings (intensive green roofs).
2. Rain barrels & cisterns are storage tanks fed by downspouts from buildings that can capture and store stormwater runoff, which can then be used for watering of site plantings, therefore reducing demand for potable water for irrigation, or can

be used for other non-potable uses.

3. Downspout planter boxes are open-topped containers fed by downspouts from buildings that can capture and use stormwater runoff for self-irrigation or can be used to delay runoff release to the stormwater collection system through an overflow.

Within Yard Areas

4. Infiltration beds and/or underground storage facilities are utilized under patios, terraces, walkways, parking lots and other paved areas, often with the use of pervious paving, which can be used to allow for local stormwater infiltration and recharge of groundwater at that location, or can be used to store stormwater for slow-release to the stormwater collection system. Underground storage capacity may be sized to receive stormwater from adjacent properties.
5. Landscape islands are designed to receive runoff and reduce the amount of runoff from adjacent paved areas, particularly parking lots. If properly designed, these landscape islands provide adequate soils and sufficient water to enable healthy shade tree growth around the perimeter of and within parking lots.
6. Vegetative bioswales provide stormwater capture and conveyance areas while rain gardens hold, filter and infiltrate a large amount of stormwater during rain events. Both of these strategies remove nonpoint source pollutants from stormwater runoff, allow for recharge of groundwater and/or for slow release to the stormwater collection system.

Within the Public Right-of-Way

7. Street tree trenches are linear systems that combines street trees with an underground stormwater management system, which are designed to collect stormwater runoff from the public sidewalk and the street.
8. Pervious public sidewalk utilizes pervious concrete or pavers that enable stormwater runoff to infiltrate the paved surface as opposed to pooling on top of the walking surface.
9. Curb bump-outs are landscape planters commonly located at street corners and mid-block lane tapers, and are constructed to introduce landscaping and collect stormwater runoff from the public sidewalk and the street.

5.7.12. Sustainable Design

- A. All development shall incorporate multiple elements from the following Sustainable Design standards or features:

Renewable Energy

1. Solar Photovoltaic (PV) Readiness & Battery Storage Infrastructure

Passive Design

2. Light-Colored, Reflective Roof Surface
3. Architectural Shading Devices
4. Operable Windows

Energy Efficiency

5. Occupancy and Daylighting Controls (in Common Areas)
6. Digital Programmable Thermostats
7. ENERGY STAR Certified Appliances
8. ENERGY STAR Certified Light Fixtures
9. ENERGY STAR Certified Windows

Water Efficiency

10. Reduced or No Irrigation
11. WaterSense Rated Fixtures

Indoor Air Quality

12. Air Tightness Verification by ASTM Testing
13. Protection/Flushing of HVAC Equipment & Ductwork
14. MERV 8+ Air Filters During Construction; MERV 13+ Air Filters For Occupancy
15. Prohibition of Indoor Combustion Devices
16. Low VOC Interior Paints, Finishes, Adhesives & Sealants
17. Formaldehyde-Free Casework, Cabinetry & Composite Wood Finishes
18. Smoke-Free Building Policy (in Common Areas)

Materials & Resources

19. FSC Certified Wood Products
20. Material Reuse During Construction & Demolition

5.7.13. Building Design

- A. The architectural design of the building shall incorporate building wall offsets, including projections (such as bay windows) and/or recesses, to provide architectural interest, articulation and variety to the massing of the building and relieve the negative visual effect of a single, long wall.
- B. The building shall be composed of an articulated base, middle, and cap across the entire façade. Each element shall be traditionally proportionate to the overall horizontal and

vertical dimensions of the façade.

- C. The ground floor shall be comprised of a regular rhythm of storefront bays and window treatments such that the ground floor façade along each street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with a sign band area and/or lintel composed of detailed layers of relief that create depth and shadow. Upper-floor windows shall be vertically proportioned and be vertically aligned with the location of windows and doors on the ground floor below.
- D. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with the style, materials, colors, finishes and details of the street-facing façade(s).
- E. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with adjacent buildings in the downtown area. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
- F. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and may include secondary elements of fiber cement siding and/or smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone and EIFS are not permitted building materials.

5.7.14. Signage

- A. All signage shall be indicated in a comprehensive sign package, including, but not limited to, wall-mounted, blade, awning/canopy, directional and all other contemplated signage. Such sign package shall provide sufficient information regarding the proposed materials, colors, finishes and/or details necessary for review and approval by the Planning Board.

5.7.15. Accessibility & Universal Design

- A. All development within the Tract shall comply with federal, state and local requirements regarding handicap accessibility.
- B. All development within the Tract is encouraged to utilize Universal Design techniques and strategies to create public and private spaces that are equally accessible to all people, regardless of age and abilities. This approach is intended to facilitate equitable design that is flexible, simple, intuitive, perceptible, has tolerance for error, utilizes low physical effort and appropriate for the intended use.
- C. All development shall incorporate multiple elements from the following Universal Design techniques and strategies:

1. Handicap-accessible ramps, where necessary, should be integrated in the site and building design to create a dignified, non-discernable and inclusive access point that facilitates mobility for all users.
2. Handicap-accessible on-street parking spaces, where provided, should be located to minimize travel distances to public spaces and building access points.
3. At least one automated door (via pushpad or other means of activation) to a main access point should be provided.
4. No-step ($\frac{1}{4}$ to $\frac{1}{2}$ inch thresholds) access to access points, patios, balconies and terraces should be provided to the extent practical.
5. Doorways should be specified to have at least 34-inch-wide clear openings, with door handles located between 34 and 38 inches above the floor.
6. Hallways should be designed to have at least 42-inch-wide clearances, with all controls, switches and outlets within the comfortable reach zone of between 24 and 48 inches above the floor.
7. Counters, where provided, should be designed at different heights.
8. Kitchen areas, where provided, should include cabinetry or areas that allow for a user to work in a seated position.
9. Laundry appliances, where provided, should be front-loaded.
10. Signage should be provided throughout, within sight lines and in alternate languages, in addition to English.

6.0 General Provisions

6.1 Definitions

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

6.2 Borough Council as Redevelopment Entity

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing and carrying out this Redevelopment Plan. In doing so, the Borough Council shall have the powers set forth in N.J.S.A. 40A:12A-15 and 40A:12A-22, and all other relevant statutes and regulations to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

6.3 Redeveloper Selection

Pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, the Redevelopment Entity may select a single redeveloper or multiple redevelopers for the redevelopment of each Tract or portion thereof. The Borough Council shall select the redeveloper(s) based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of this Redevelopment Plan, and additional criteria that demonstrate the redeveloper’s ability to implement the goals and objective of this Redevelopment Plan.

All property within each Tract must be developed in accordance with the requirements of this Redevelopment Plan, the Borough’s Zoning and Land Development Ordinance, and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.). Any private Redeveloper(s) (an entity wishing to avail itself of the opportunities set forth in N.J.S.A. 40A:12A-1 et seq.) will be required to contact the Redevelopment Entity to present its proposal.

6.4 Redevelopment Agreement

Once a redeveloper has been selected, the Borough shall enter into a “Redevelopment Agreement” with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions and continuing controls as may be deemed necessary to effectuate the purposes of the LRHL and this Redevelopment Plan.

6.5 Amendments to Approved Redevelopment Plan

The Borough may amend, revise or modify this Redevelopment Plan from time to time in accordance with the provisions of the LRHL, as may be amended.

6.6 Development of Public Electric Vehicle Charging Infrastructure

Provisions for electric vehicle charging station for use by future tenants where parking is provided on site is regulated in Section 5.0.

Where a portion of such on-site parking facilities are anticipated to be shared with the public, a portion of those parking spaces to be shared with the public are encouraged to be provided with electrical vehicle charging stations. Additionally, those Tracts having frontage on Denison Street, a portion of those on-street parking spaces along the Tract's frontage on Denison Street are encouraged to be provided with electrical vehicle charging infrastructure and/or stations. Provisions for the development of public electric vehicle charging infrastructure and/or stations shall be addressed in accordance with any redevelopment agreement entered into between a redeveloper and the Borough Council.

6.7 Affordable Housing

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within each Tract, where applicable, shall be addressed in accordance with the Borough's Housing Element and Fair Share Plan or, if applicable, in accordance with any redevelopment agreement entered into between a redeveloper and the Borough Council.

6.8 Property Acquisition

The property designated as Block 1704 [173], Lot 48 (the "Bergen Auto" property) within Tract A and the entirety of Tract C are owned by the Borough.

The properties designated as Block 1704 [173], Lots 41 & 42 (the "Gun & Boat" property) and Lots 44 & 45 (the small vacant lots fronting Denison Street) within Tract A are privately-owned and constitute as a Condemnation Area in Need of Redevelopment. As such, these particular properties may be acquired by the Borough through arms-length transactions or through condemnation pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c.361 (C.20:3-1 et seq.).

The remaining properties designated as Block 1704 [173], Lots 43, 46 & 49 (the "Classic Cleaners" property), Lot 47 (the "Ubry's" property) and Lot 20 (the "Highland Montgomery Apartments" property) within Tract A, and the entirety of Tracts B and D constitute as an Area in Need of Redevelopment and/or Borough-wide Area in Need of Rehabilitation. As a result, the LRHL does not authorize property acquisition of these properties by eminent domain. To the extent property will be required, these properties must be acquired by the Borough and/or designated redeveloper(s) through private negotiation with the property owner(s).

6.9 Relocation of Displaced Residents

There are no occupied residences within each Tract. Therefore, the Borough does not anticipate the need to provide for the temporary or permanent relocation of residents within each Tract.

The Classic Cleaners and Ubry's are presently operating within Tract A, Main Street Highland Park is presently operating within Tract C, and the Blue Horse and Bridge restaurants are presently operating within Tract D. Each of these businesses will be permitted to remain within their respective Tracts for the foreseeable future. Therefore, there will be no displacement of businesses requiring a Workable Relocation Assistance Plan at this time.

7.0 Development Plan Review and Approval

7.1 Concept Plan Review

Any redeveloper(s) seeking to utilize the zoning established by this Redevelopment Plan shall make a formal proposal for development to the Borough Council and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan.

7.2 Applications for Development

Once the concept plan is approved by the Borough Council and found consistent with this Redevelopment Plan, the redeveloper shall enter into a Redevelopment Agreement with the Borough Council. Execution of a Redevelopment Agreement shall be a mandatory checklist item for any application for development as the term is defined in N.J.S.A. 40:55D-3 and any such application shall not be deemed complete pursuant to N.J.S.A. 40:55D-10.3 until proof of an executed Redevelopment Agreement has been submitted as part of the application. Only upon execution of a Redevelopment Agreement may submit an application for development to the Planning Board for completeness review.

Preliminary and final site plan and/or subdivision applications for property within each Tract shall be in accordance with the requirements with this Redevelopment Plan and all applicable provisions of the Borough Land Development Ordinance.

Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Borough Council.

7.3 Planning Board Review

- A. Site plan or subdivision review shall be conducted by the Planning Board pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).
- B. Applicants before the Planning Board shall provide public notice of such site plan or subdivision application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12(a) and (b).

All applications requiring relief for deviations from this Redevelopment Plan or the Borough Land Development Ordinance shall be governed by the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) or any existing, or to be adopted, redevelopment plan for a specific site and/or project and/or each Tract, provided that:

- A. No deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d)1 through (d)6; (ii) deviating from the phasing plan for public improvements or other contractual obligations of a Redeveloper to the Borough Council; or (iii) deviating

from any other mandatory component of this Redevelopment Plan. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Borough Council.

- B. Variances may be granted from applicable “Area and Bulk Standards”. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from applicable “Development and Design Standards” or applicable provisions contained in Part 3 Performance Standards of the Borough Land Development Ordinance. Consideration of such exceptions shall be undertaken pursuant to N.J.S.A. 40:55D-51.
- D. Consideration of submission waivers shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

8.0 Relationship of the Redevelopment Plan to Other Plans

8.1 Borough Land Development Ordinance

As noted in Section 6.0, the zoning standards set forth in this Redevelopment Plan shall supersede the underlying zoning within each Tract.

8.2 Borough Master Plan

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 2019 Master Plan Reexamination Report are as follows:

- Ensure a vibrant downtown and commercial corridors;
- Encourage infill development that is compatible with the scale, density and design of the Borough's existing residential neighborhoods and historic development patterns; and,
- Preserve and enhance the character and small town feel of the community.

Additionally, all 4 Tracts are located within a Sub-Area & Corridor in the recently adopted 2019 Land Use Plan Element, which was completed simultaneously with the 2019 Master Plan Reexamination Report. The Land Use Plan Element provides a vision statement for the Downtown Sub-Area & Corridor, as follows:

“Leverage reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development and support a walkable community with a vibrant, thriving downtown that recognizes the challenges of an e-commerce era.”

The following strategies are specific to the Downtown and help advance the goals for the Land Use Plan Element of the Master Plan:

- **Custom-tailor infill/re-development** by utilizing site-specific Redevelopment Plans for uses desired by residents and to address varying property assemblages on a range of different block conditions.
- **Expand the variety of active ground floor uses** to diversify the mix of retail, service, and entertainment uses including creative “maker spaces”, artist/crafts-person studios and real estate offices to better activate the Downtown throughout all hours and add vitality in this challenging age of online retailing and e-commerce.
- **Expand the Downtown resident customer base** for local businesses, encourage mixed use development and expand the range of residential living opportunities, including ground floor apartments on side streets and in courtyards in the Downtown.
- **Establish a public gathering space**, like a town square, in order to bring people together at a special place, add activity for nearby businesses, provide a venue to promote the arts and host special events.
- **Prepare a Parking Management Plan** that evaluates parking needs in relation to

leveraging revitalization, infill, and redevelopment by better managing on-street parking, “right-sizing” parking requirements to actual demand, encouraging cooperative and shared parking arrangements, and permitting off-site parking as a strategy to develop smaller properties.

- **Create a Mixed-Use Transition Zone** that consolidates/expands the Professional Office and Two-Family Housing Zones to better accommodate a mix of uses and small-scale “missing middle” multi-family uses on blocks that transition from the Central Business District to single-family neighborhoods.
- **Encourage any level of upgrade and reinvestment** by working with programs such as Main Street Facade Improvement and Awning Assistance to maintain and enhance the look of the Central Business District.

8.3 Adjacent Municipalities

The 4 Tracts are not physically contiguous to the adjacent municipalities of the City of New Brunswick, Edison Township and Piscataway Township and therefore the redevelopment does not impact or affect those communities. Additionally, this Redevelopment Plan encourages redevelopment to occur in an already developed area. As such, the redevelopment of this area is generally consistent with the land uses or the Master Plan of City of New Brunswick, Edison Township and Piscataway Township. (N.J.S.A. 40A:12-7(a)5(a)).

8.4 Middlesex County Master Plan

This Redevelopment Plan is generally consistent with the Middlesex County Master Plan, a planning document that addresses sprawl and sustainability in the region, including improving mobility and providing an adequate and safe bicycle and pedestrian system.

It should be noted that the County has been in the process of updating its Master Plan.

8.5 State Development & 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. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP; however, the updated plan was never adopted. Therefore, the 2001 SDRP is the most current version.

The SDRP includes eight (8) statewide goals and several policies which are intended to implement the goals. The SDRP’s statewide goals are as follows:

1. Revitalize the State’s cities and towns.
2. Conserve the State’s natural resources and systems.
3. Promote beneficial economic growth, development and renewal for all New Jersey

residents.

4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.
6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
8. Ensure sound and integrated planning and implementation statewide.

This Redevelopment Plan is consistent with the SDRP, meeting several of the above statewide goals, including goals 1, 3, 6 and 8.

Additionally, the SDRP also provides a State Plan Policy Map, which divides the State into several planning areas as well as the identification of “Centers” and “Environs”. According to this map, the Borough of Highland Park is contained entirely within the Metropolitan Planning Area (or “PA1”), which includes developed communities that range from large urban centers to post-war suburbs.

In the Metropolitan Planning Area, the State Plan’s intention is to:

1. Provide for much of the state’s future redevelopment;
2. Revitalize cities and towns;
3. Promote growth in compact forms;
4. Stabilize older suburbs;
5. Redesign areas of sprawl; and
6. Protect the character of existing stable communities.

This Redevelopment Plan will serve to meet each of these goals.

8.6 Summary

This 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.

Exhibit B

Interim Cost and Conditional Designation Agreement

INTERIM COST AND CONDITIONAL DESIGNATION AGREEMENT
BY AND BETWEEN THE BOROUGH OF HIGHLAND PARK
AND []

THIS AGREEMENT dated as of ____, 202[] (“**Effective Date**”), by and between the **BOROUGH OF HIGHLAND PARK**, (the “**Borough**”), located at 221 South Fifth Street, Highland Park, New Jersey 08904, acting pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “**Redevelopment Law**”), and [], a [] company of the State of [New Jersey], located at [] (“**Conditional Redeveloper**”).

WITNESSETH

WHEREAS, the Redevelopment Law provides a process for municipalities to participate in the redevelopment and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, the Borough desires that the land located in an area which has been determined to be an area in need of redevelopment in accordance with the Redevelopment Law, designated as Block [], Lot [], more commonly known as [] in the Borough (the “**Project Site**”), be redeveloped in accordance with the Downtown Redevelopment Plan For Tracts A-D adopted by the Borough Council on September 14, 2021 (the “**Redevelopment Plan**”); and

WHEREAS, the Project Site is currently owned by [] (the “**Site Owner**”); and

[**WHEREAS**, the Conditional Redeveloper is under contract to purchase Project Site; and]

WHEREAS, on or about [], the Conditional Redeveloper submitted to the Borough a Proposal in response to a Request for Proposals issued by the Borough (“**RFP**”) and certain accompanying information seeking to be designated as the Redeveloper of the Project Site (collectively, the “**Proposal**”); and

WHEREAS, the Borough and the Conditional Redeveloper desire to negotiate a redevelopment agreement to redevelop the Project Site based generally upon the Proposal as a starting point for negotiations, subject to the provisions herein, and further review by the Borough; and

WHEREAS, the Borough shall, during the Interim Period, as that term is defined herein, negotiate exclusively with the Conditional Redeveloper regarding the Proposal for the redevelopment of the Project Site; and

WHEREAS, the Borough requires that the Conditional Redeveloper pay the reasonable costs incurred by the Borough associated with the review of the Proposal, the drafting and negotiation of a redevelopment agreement and any other related agreements or documents, and all other reasonable costs and expenses related to this matter prior to the execution of any redevelopment agreement, should such an Agreement ultimately be executed, or the determination by the Borough that such a redevelopment agreement cannot be executed, should that result occur; and

WHEREAS, payment of such costs by the Conditional Redeveloper in no way assures any particular result,

NOW, THEREFORE, for and in consideration of the promises and of the mutual representations, covenants and agreements herein set forth, the parties hereto, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

1. **Conditional Designation**. Upon the complete execution of this Agreement, the Conditional Redeveloper shall be designated as the Conditional Redeveloper of the Project Site. The Borough and Conditional Redeveloper shall negotiate in good faith all the issues identified herein and execute a redevelopment agreement within the Interim Period set forth herein. In the

event that the parties are unable to reach agreement on the terms of a redevelopment agreement, this Agreement shall be terminated and the designation set forth herein shall be automatically terminated, subject to the provisions herein and Conditional Redeveloper shall cease to have any liability to pay any further Borough professional costs and fees that were incurred after termination of this Agreement.

2. **Interim Period.** The term “**Interim Period**” shall mean the period of 180 calendar days commencing on the date of the full execution of this Agreement; provided however, that the Parties may continue to negotiate with each other beyond the initial 180 calendar days of the Interim Period without the necessity for any formal amendment to this Agreement, and this Agreement will remain in effect during such ongoing negotiations provided that either party may, in its sole discretion, terminate the agreement by written notice at any time after such 180 day period. Notwithstanding the foregoing, if at any time following the Interim Period it is reasonably determined by the Borough that a redevelopment agreement cannot be successfully negotiated and executed for any reason, the Borough may terminate this Agreement, subject to the provisions herein, upon 30 days written notice by Borough to Conditional Redeveloper and provided that Conditional Redeveloper is unable to cure the Borough’s reason for termination within said 30 day period, failing which the termination shall be deemed effective as of close of business on the thirtieth (30th) day following such written notice.

During the Interim Period, the Borough agrees to negotiate exclusively with the Conditional Redeveloper toward the preparation and execution of a redevelopment agreement, which shall include all the project details, terms and conditions, schedules, and financial arrangements between the Borough and the Conditional Redeveloper with respect to the redevelopment of the Project Site. During the Interim Period, either party may cease negotiations

and terminate this Agreement if the other party is not diligently negotiating in good faith or it is determined that a redevelopment agreement cannot be successfully negotiated and executed for any reason. In the event that this Agreement is terminated, then neither party hereto shall be bound by any further obligations hereunder to the other, except as may exist under Paragraph 3 pertaining to the Payment of Interim Costs.

3. **Payment of Interim Costs.** The Conditional Redeveloper shall pay or reimburse the Borough, as applicable, all reasonable professional fees and costs incurred by the Borough and as more thoroughly defined below in paragraph 3A which have been incurred by the Borough beginning on the Effective Date, and which shall continue to be incurred prior to the execution of any redevelopment agreement or the determination that such a redevelopment agreement cannot be executed, should that result occur.

A. **Definition of Interim Costs:** The term “**Interim Costs**” shall include, but not be limited to, all costs incurred by the Borough in connection with, related to or arising out of the designation of the Conditional Redeveloper as the Conditional Redeveloper of the Project Site, the drafting and negotiation of any redevelopment agreement and any other related agreements or documents, the review of any future revised proposal(s) submitted, and reasonable professional fees charged by any legal, engineering or financial consultant, contractor or vendor retained by the Borough in connection with same. The Conditional Redeveloper shall fully reimburse all Interim Costs incurred by the Borough, even if a redevelopment agreement between the Borough and Conditional Redeveloper is not executed notwithstanding the Borough and Conditional Redeveloper’s good faith, due diligent efforts to the contrary **except that** in no event shall the Conditional Redeveloper’s obligation to pay or reimburse the Borough include fees, costs and expenses of any litigation or action instituted by Borough or the Conditional Redeveloper relating

to any claim associated with the subject matter of the within Agreement and/or the Conditional Redeveloper's designation as Conditional Redeveloper. In the event of such litigation, the Borough and Conditional Redeveloper each shall be responsible for their own costs and expenses, inclusive of legal fees. In the event of any litigation or action instituted by a third party relating to any claim associated with the subject matter of the within Agreement and/or the Conditional Redeveloper's designation as Conditional Redeveloper, the Conditional Redeveloper shall be obligated to pay or reimburse the Borough for all fees, costs and expenses in connection with the defense of said litigation. The Conditional Redeveloper further agrees that in the event the Parties continue good faith negotiations following the expiration of the Interim Period, all Interim Costs incurred by the Borough following such expiration shall be included in the definition of Interim Costs and shall be reimbursed by the Conditional Redeveloper in the same manner as Interim Costs. Notwithstanding anything contained in this Paragraph 3A to the contrary.

B. Deposit of Project Funds: Concurrently with the full execution of this Agreement, Conditional Redeveloper shall pay \$25,000.00 ("**Project Funds**") to the Borough to be maintained in a separate, non-interest bearing escrow account by the Borough and to be drawn down upon by the Borough to cover Interim Costs. The Borough shall provide Conditional Redeveloper with detailed invoices setting forth the work, time expended, and costs incurred by the Borough which have been drawn down from the Project Funds. Within 15 days of the receipt by Conditional Redeveloper of written notice from the Borough that the amount of Project Funds has decreased to \$5,000.00 or less, Conditional Redeveloper shall promptly replenish the Project Funds to the amount of \$15,000.00. If at any time the Interim Costs exceed the amount of the Project Funds, on hand, the Borough shall provide Conditional Redeveloper payment notice and billing to support its requests for additional funds and within 15 days of receipt of the same the

Conditional Redeveloper agrees to remit payment to the Borough.

C. **Termination.** Subject to the terms herein, in the event that a redevelopment agreement is not ultimately executed, and this Agreement is terminated, the Borough shall draw down upon the Project Funds in order to pay all invoices for Interim Costs incurred up to the termination. Within 30 days from the date of termination, the Borough shall return all remaining Project Funds to the Conditional Redeveloper. In the event that a redevelopment agreement is ultimately executed, the Project Funds shall remain on deposit with the Borough to cover any additional Interim Costs incurred by the Borough and to cover any costs incurred by the Borough pursuant to the redevelopment agreement, which redevelopment agreement shall contain a provision providing for the payment of such costs.

4. **Scope.** The Parties have had preliminary discussions regarding the scope of the project to be covered by the redevelopment agreement. The Parties agree that the description set forth in the Proposal shall provide the basis for the commencement of the negotiations for the redevelopment agreement, subject to the provisions herein. The Parties further agree that the Parties are not bound by the description of the project set forth in the Proposal, nor does the Proposal contain an exhaustive list of all terms, conditions and obligations to be included in a redevelopment agreement. The continuing negotiations shall address several issues to refine the description set forth in the Proposal and determine where amendments to the Redevelopment Plan may arise.

5. **Entire Agreement.** This Agreement contains the entire agreement of the Parties with respect to the subject matter of this Agreement, and supersedes all prior negotiations, agreements and understandings with respect thereto.

6. **Controlling Law.** New Jersey law shall govern the within Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed,
all as of the date first above written.

[]

Attest:

By:

Name:

Title:

BOROUGH OF HIGHLAND PARK

Attest:

By:

Teri Jover,

Borough Administrator

[Signature Page for Interim Cost Agreement]

STATE OF NEW JERSEY)
) ss:
COUNTY OF MIDDLESEX)

I CERTIFY that on _____, 2021, _____ personally came before me, and this person acknowledged under oath, to my satisfaction, that this person, _____ is the [_____] of [_____] , which is the company named in this document; and signed and delivered this document as his/her act and deed on behalf of the said company.

Signed and sworn to before me
on _____, 2021.

Notary Public

STATE OF NEW JERSEY)
) ss:
COUNTY OF MIDDLESEX)

I CERTIFY that on _____, 2021, JOAN HULLINGS,
personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Clerk of the Borough of Highland Park, named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper
Borough of Highland Park official who is Teri Jover, Borough Administrator;
- (c) this document was signed and delivered by the Borough of Highland Park as its
voluntary act duly authorized by a proper resolution of the Borough of Highland Park; and
- (d) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before me
on _____, 2021.

Notary Public