



Preliminary Investigation of a Non-Condensation Area in Need of Redevelopment Stop & Shop Site and Adjacent Commercial Properties

Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, 36 & 37

Borough of Highland Park, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | November 23, 2022

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Borough of Highland Park, Middlesex County, New Jersey

Recommended by the Planning Board on December 8, 2022

Adopted by the Borough Council on December 20, 2022



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After learning that the Stop & Shop would soon be closing its doors, the Mayor and Borough Council (the “Borough Council”) believed it was in the best interest of the community that a preliminary investigation occur with respect to the Stop & Shop property and adjacent commercial properties along Raritan Avenue. By doing so, the Borough Council seeks to undertake a proactive role in facilitating the redevelopment of the area, including potentially attracting a new grocery store in the heart of the downtown area.

The area in question consists of six (6) separate properties located along the south side of Raritan Avenue between South 4th Avenue and South 5th Avenue. The properties include buildings occupied by the Wells Fargo Bank branch building, a small collection of shops known as Park Town Center, the Stop & Shop grocery store, and the Landmark Supply / The Loft Salon building, together with associated surface parking areas and a stub public right-of-way that provides access to several of the properties from South 4th Avenue.

While the entirety of the Borough, including the above properties, is currently designated an “area in need of rehabilitation” (or “rehabilitation area”), the Borough Council seeks the ability to pursue all of the tools under the “area in need of redevelopment” (or “redevelopment area”) designation, except for the power of eminent domain, pursuant to the New Jersey Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40A:12A-1 et seq.

To that end, the Borough Council directed the Planning Board to conduct a preliminary investigation (or “Study”) of the properties identified on the Borough Tax Maps as Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, 36 and 37, along with all streets and rights-of-way appurtenant thereto (the “Study Area”) to determine whether the Study Area meets the statutory criteria for designation as a “non-condemnation area in need of redevelopment” pursuant to the requirements and criteria set forth by the LRHL. The Borough Council subsequently directed the Borough Planner to conduct the Study and prepare this report to summarize the planning analysis for the Planning Board’s review and subsequent recommendation back to the Borough Council.

As such, the following report provides: an examination of the Study Area’s existing buildings and site improvements, including multiple site inspections, and a review of the historic development approvals, permits and departmental records; an assessment of the existing zoning, goals and objectives of the Master Plan, goals and strategies of the Land Use Plan Element, and the State Plan; and a property-by-property evaluation of the statutory criteria as set forth by the LRHL.

Ultimately, this Study finds that the Study Area displays characteristics which satisfy the statutory criteria and provides a recommendation that the Study Area be designated a “non-condemnation area in need of redevelopment.”

Map 1. Context Map



2.1 OVERVIEW

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 certain conditions within the Borough and stimulate private investment, the Borough Council has determined that the appropriate course of action is to rehabilitate and redevelop the Borough in accordance with the LRHL.

On June 21, 2005, the Borough Council designated certain areas along Raritan Avenue in the downtown area as an “area in need of redevelopment” under the LRHL. In order to facilitate the development of these areas, the Borough Council adopted a redevelopment plan entitled “Highland Park Downtown Redevelopment Plan” dated September 13, 2005. However, one of the major problems identified in both the 2010 and 2019 Master Plan Reexamination Reports has been the lack of development activity in the downtown’s designated redevelopment areas.

On December 20, 2016, the Borough Council adopted Ordinance 16-1921, declaring the entire area within the Borough as an “area in need of rehabilitation” under the LRHL.

This designation is meant to 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 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.

Over the past several years, the Borough has been proactive by engaging in a number of redevelopment projects, which include:

- Amending certain zoning provisions in the “Highland Park Downtown Redevelopment Plan” which ultimately helped to facilitate the review, approval and development of a 5-unit mixed-use building at 137-139 Raritan Avenue;
- Preparing a site-specific redevelopment plan, conducting a non-condemnation preliminary investigation, amending the redevelopment plan (including certain off-site infrastructure improvements as community benefits), and the review, approval and development of a 40-unit multi-family building at 31 River Road;
- Preparing a site-specific redevelopment plan (including a series of off-site infrastructure improvements as community benefits), and the review, approval and ongoing development of a private girls’ school at 433 Cleveland Avenue;
- Conducting a condemnation preliminary investigation of the Gateway Redevelopment Area (the Gun & Boat / storage building, adjacent vacant lot fronting Raritan Avenue and small vacant lots fronting Dennison Street);

- Preparing a scattered sites redevelopment plan entitled “Downtown Redevelopment Plan for Tracts A – D” which calls for a series of mixed-use buildings and public spaces to be developed along Raritan Avenue in the downtown area, and seeking and selecting qualified redevelopers through an RFP process;
- Actively preparing a redevelopment plan for various properties within the Cleveland Avenue corridor; and,
- Actively preparing a redevelopment plan for various properties within the North Raritan Avenue corridor.

Meanwhile, after recently learning that the Stop & Shop along Raritan Avenue will soon be closing, the Borough Council believed it was in the best interest of the community that a preliminary investigation occur with respect to the Stop & Shop property and the remainder of the Study Area along Raritan Avenue.

In regards to the grocery store’s pending closure, Mayor Gayle Brill Mittler stated the following on her social media platforms:

“
I will do everything I can to find a positive solution to this situation. It is one of my highest priorities to make sure we have a grocery store in town... We have a pretty significant redevelopment plan that we put in place for Highland Park. We’re already seeing the fruits of that plan on some of the properties we have put into the redevelopment plan where developers are clamoring to build... That would include additional residents which may make it more enticing for a supermarket of some kind to be in Highland Park.
 ”

In summary, this Study is the Borough’s first step in a planning process to explore and advance potential redevelopment options for the Study Area, and must be done prior to the adoption of any redevelopment plan under the redevelopment designation; otherwise, a redevelopment plan can still be prepared (irrespective of this Study) under the current rehabilitation designation, which applies to the entire municipality.

It should be noted that this Study does not constitute an endorsement or recommendation for a specific plan or strategy for the Study Area. Any subsequent redevelopment plan or strategy remains in the purview of the Borough Council to evaluate during the next step involving the preparation of a redevelopment plan under either the redevelopment designation (that is, if the Borough Council concludes that all or a portion of the Study Area constitutes an “area in need of redevelopment”) or under the present rehabilitation designation (as noted above, the Study Area is already designated as “an area in need of rehabilitation”).

2.2 STUDY AUTHORIZATION

At its regular meeting of September 6, 2022, the Borough Council adopted Resolution No. 9-22-221. This resolution (Appendix A) authorized and directed the Planning Board to conduct a preliminary investigation (or “Study”) pursuant to N.J.S.A. 40A:12A-6 to determine whether the properties identified on the Borough Tax Maps as Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, 36 and 37, along with all streets and rights of way appurtenant thereto (the “Study Area”) to determine whether all or a portion of the Study Area meets the statutory criteria set forth at N.J.S.A. 40A:12A-3 or -5 for designation as an “area in need of redevelopment” under the LRHL, and whether all or a portion of said Study Area should be designated as an “area in need of redevelopment.”

At the same meeting, the Borough Council adopted Resolution 9-22-222. This resolution (Appendix B) recognized the need for the services of a licensed Professional Planner to provide professional planning services in connection with the preliminary investigation, and authorized and directed LRK, Inc. to conduct the Study on behalf of the Borough.

2.3 NON-CONDEMNATION

As of 2013, the New Jersey State Legislature (the “Legislature”) requires that preliminary investigations state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (a “non-condemnation area in need of redevelopment”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (a “condemnation area in need of redevelopment”).

The Borough Council, in accordance with the above requirements, indicated in its resolution to the Planning Board that the Study Area was being considered as a “non-condemnation area in need of redevelopment.”

2.4 SCOPE OF STUDY

As previously noted, this Study is the Borough’s first step in a planning process to explore and advance potential redevelopment options, including additional tools, for the Study Area. The scope of the planning effort encompassed the following tasks:

- Conduct an inventory, catalog and examine the physical conditions and characteristics of the existing buildings and site improvements within the Study Area;
- Review the physical and digital records pertaining to the properties within the Study Area;
- Review and assess the current zoning classification, Master Plan, Land Use Plan Element and the State Plan, and how they relate to the Study Area and the surrounding neighborhood;
- Depict to what extent the existing physical conditions and characteristics meet the statutory criteria for designation as “a non-condemnation area in need of redevelopment”; and,

- Indicate findings and propose recommendations relative to determining if the Study Area should be designated as a “non-condemnation area in need of redevelopment.”

As part of this multi-step process, multiple site inspections of the buildings and grounds of the Study Area and the surrounding neighborhood were conducted in order to observe and document the existing physical conditions and characteristics of the Study Area. Additionally, the scope of this Study also included a review of the following documents:

- Planning & Zoning: development approvals, permits and violations;
- Construction / Code Enforcement & County Health Department: permits and violations;
- Police and Fire Departments: records and reports;
- Property ownership and tax assessment data;
- Environmental notification and status reports;
- Geographic Information System (GIS) maps, aerial photography and available data sets;
- Sanborn maps & available historic aerial photography;
- Highland Park Tax Maps;
- Highland Park Land Use Ordinance and Zoning Map;
- Highland Park Master Plan and Land Use Plan Element;
- New Jersey State Development and Redevelopment Plan; and,
- New Jersey Draft Strategic Plan.

2.5 STUDY SECTIONS

The remainder of the Study consists of the following additional sections::

- Section 3 reviews the purpose and outlines the advantages of the Redevelopment Statute, outlines the Redevelopment Process, and provides an overview of the statutory criteria;
- Section 4 describes the Study Area, its development history, ownership and tax assessment data, environmental assessment, analysis of its existing zoning, its relationship to the Highland Park Master Plan and identification of relevant State planning goals and objectives as well as Smart Growth principles;
- Section 5 provides an overview and evaluation of the Study Area, based upon the field observations, photographic documentation and analysis of available documentation;
- Section 6 provides the conclusion and recommendations to the Borough Council relative to determining if all or a portion of the Study Area should be designated as a “non-condemnation area in need of redevelopment;” and,
- Section 7 includes any applicable appendices.

3

REDEVELOPMENT STATUTE

3.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature enacted the Local Redevelopment and Housing Law (the “LRHL”), which was largely based on the 1949 Blighted Areas Act. The Legislature revised, consolidated and ultimately replaced the State’s various redevelopment statutes with a new statute concerning redevelopment and housing by the State’s local governments, and prescribing the powers, duties and functions of those governments with respect to redevelopment and housing functions.

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of rehabilitation and redevelopment, 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 physical development most conducive to the social and economic improvement of the State and its municipalities.

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 rehabilitation and/or redevelopment area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a “condemnation area in need of redevelopment” or have been designated as a redevelopment area prior to the effective date of P.L. 2013, c.159.

Once an area has been designated a rehabilitation and/or redevelopment area, a redevelopment plan may be prepared in order to utilize various planning and financial tools to, primarily, eliminate those conditions that cause the area to be considered a rehabilitation and/or redevelopment area, to make redevelopment projects more feasible by utilizing financial subsidies or other incentive programs offered by various agencies, and to foster public-private partnerships to facilitate the desired redevelopment of the area.

REDEVELOPMENT IN HIGHLAND PARK



31 River Road

The Redevelopment Area is located in the western portion of the Borough, and is directly opposite the Environmental Education Center and the Raritan River Greenway. The one-acre lot contained a one-story medical office building containing approximately 11,000 SF of floor area, which stood isolated within a primarily residential area.

The plan promoted multi-family housing in order to attract new markets like empty-nesters and millennials to the community. The Borough incorporated neighborhood input into the plan, including goals and objectives that maintained the existing rear parking lot and vegetation as well as improved existing pedestrian and bicycling issues.

The ultimate redevelopment, now known as "The Frederick," was completed with 34 market-rate and six (6) affordable units.

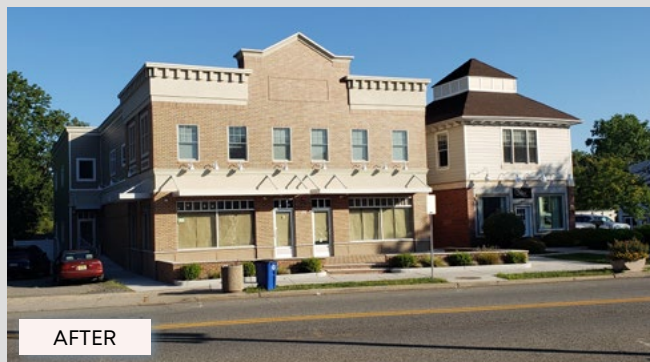


137-139 Raritan Avenue

A small one-story commercial building with limited parking facilities originally stood at 137-139 Raritan Ave. The 2005 Downtown Redevelopment Plan was amended in 2017 to permit residential uses on the ground floor at the rear of the building, providing for needed accessible and affordable housing.

The plan also permitted off-site parking (set at one (1) parking space within 1,000 feet of the property for each residential unit and prohibiting curb cuts along Raritan Avenue), which allowed for the project to move forward after delays.

The redevelopment project culminated in a mixed-use building that expanded the first floor and added a second story to accommodate 2,860 SF of commercial space, four (4) market-rate units and one (1) affordable unit.



When a redevelopment plan is being considered for a designated rehabilitation and/or redevelopment area, the redevelopment plan must indicate, among other things, 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 rehabilitation and/or redevelopment area.

From a practical standpoint, a redevelopment plan is essentially a combined “mini” master plan and zoning ordinance for the designated rehabilitation and/or redevelopment area, and may prescribe specific zoning regulations and detailed development and design standards that reflect the community’s vision and desired improvement of the area.

The redevelopment planning process has been used successfully throughout the State, including within the Borough, to creatively improve properties which meet the statutory criteria into healthier, more vibrant and/or economically productive land uses.

3.2 ADVANTAGES OF A REDEVELOPMENT PLAN

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

- Offers more flexibility than conventional zoning which is not limited to redevelopment involving the built form, and can include specific areas to be up-zoned or down-zoned, specific structures to be preserved, areas to be preserved as open space and improved as public gathering spaces, parks or other landscape features, as well as the provision for off-tract infrastructure improvements and community benefits.
- The preparation of a site-specific conceptual plan that can prescribe structures and areas to be preserved, land use, intensity of use, residential density, build-to lines, setbacks, height, scale, massing, form, site layout including the location of new structures, parking and pedestrian improvements, streetscape improvements, and other off-site improvements.
- The exercise of greater control over design of any project including detailed development and design standards regulating the layout, design and appearance of future buildings and site improvements.
- The ability to require certain green infrastructure, sustainable design standards or features, and universal design techniques and strategies be incorporated into the project.
- Empowers the municipality to require that preservation components and future improvements be phased and constructed exactly as detailed and completed within a specific period of time.
- Enables the municipality and property owner to work 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.

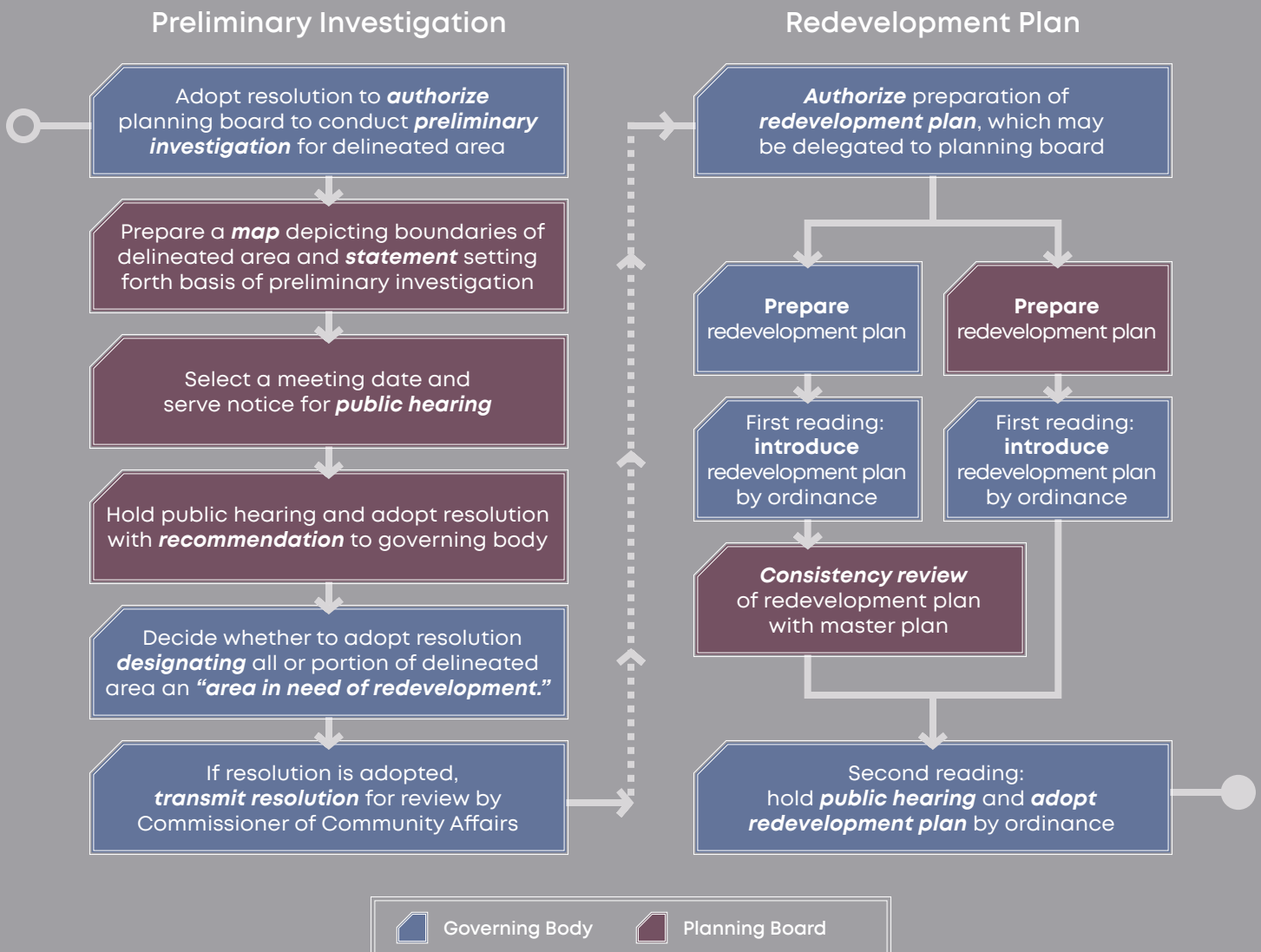
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

3.3 REDEVELOPMENT PROCEDURE

The LRHL provides a detailed process for the municipality and local government to follow in order to exercise its redevelopment powers. This process is meant, in part, to ensure that the public is given adequate notice and an opportunity to participate in the public process and that the governing body acts in concert with the goals and objectives of the municipality's master plan. Recognizing the planning board's role as the steward of the master plan, these steps require the planning board to make recommendations to the governing body.

A summary of the process is provided below, and is more fully described on the following pages.

REDEVELOPMENT PROCEDURE SUMMARY



Preliminary Investigation

The following is a summary of N.J.S.A. 40A:12A-6, concerning the procedure for the preliminary investigation for determination of a delineated area as a redevelopment area, as well as related public hearing and notice requirements:

- The process begins as the governing body, by resolution, authorizes the planning board to undertake a preliminary investigation to determine whether the delineated area is an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5
 - The resolution shall state whether the “area in need of redevelopment” determination shall authorize the municipality to use all redevelopment powers other than the use of eminent domain (in which case, it shall be referred to as a “non-condemnation area in need of redevelopment”) or if shall authorize all redevelopment powers including the use of eminent domain (in which case, it shall be referred to as a “condemnation area in need of redevelopment”).
- The planning board then prepares a **map** depicting the boundaries of the delineated area, the location of various properties included therein, and a **statement** setting forth the basis for the preliminary investigation. Generally, the governing body or the planning board, by resolution, enters into an agreement with a licensed professional planner to prepare a summary report presenting the findings of the preliminary investigation (that is, the map and the statement).
- After the preliminary investigation is complete, the planning board specifies a date for and gives notice of a public hearing.
 - The notice shall set forth the general boundaries for the delineated area and shall state that a map (and statement) has been prepared and can be inspected at the municipal clerk’s office. Consistent with the governing body’s initial resolution, the notice shall specifically state that the “area in need of redevelopment” determination shall not or shall authorize with municipality to exercise the power of eminent domain.
 - A copy of the notice shall be published in a newspaper of general circulation in the municipality once each week for two (2) consecutive weeks, and the last publication shall not be less than 10 days prior to the hearing date.
 - A copy of the notice shall be mailed at least 10 days prior to the hearing date to the last owner of, and claimants of an interest in, each property within the delineated area.
- At the public hearing, the planning board, generally through the licensed professional planner, presents the findings of the preliminary investigation, and allows for all interested or affected parties to give testimony. All oral or written objections are made part of the public record. At the conclusion of the public hearing, the planning board, by resolution, recommends whether all or a portion of the delineated area be determined (or not be determined) by the governing body to be an “area in need of redevelopment.”
- After receipt of the recommendation from the planning board, the governing body, by resolution, may determine that all or a portion of the delineated area as an “area in need of redevelopment.”
- When the resolution is adopted, the municipal clerk shall transmit a copy of the resolution to the Commissioner of Community Affairs for review. The determination shall not take effect without approval of the commissioner. If the commissioner does not issue an approval or disapproval within 30 calendar days, the determination shall be deemed approved. If

the determination is of an area in which development or redevelopment is encouraged (by any State law or regulation), the determination shall take effect immediately after transmission.

- The notice of the determination shall be served within 10 days after the determination, upon the last owner of each property within the delineated area and any person who filed a written objection.
- If the governing body's initial resolution stated that the "area in need of redevelopment" determination shall not or shall authorize with municipality to exercise the power of eminent domain, the notice shall indicate that the determination operates as a finding of public purpose and authorizes the municipality to exercise the power of eminent domain; any legal action to challenge the determination must be commenced within 45 days of receipt of notice.

Redevelopment Plan

Following the designation of a delineated area as a rehabilitation or redevelopment area, a redevelopment plan, or an amendment or revision to an existing redevelopment plan, may be prepared. The following is a summary of N.J.S.A. 40A:12A-7, concerning the procedure for adoption of a redevelopment plan as well as related public hearing requirements:

- Either the governing body can prepare a redevelopment plan, or it can direct the planning board prepare a redevelopment plan, setting forth the goals, objectives, and specific actions to be taken with regard to the designated rehabilitation or redevelopment area in accordance with the criteria established under N.J.S.A. 40A:12A-7.
- If the governing body prepares the redevelopment plan, the governing body introduces the redevelopment plan via ordinance for first reading and adopts a resolution referring the proposed redevelopment plan to the planning board for review and recommendation to the governing body, in the same manner as adoption of land development ordinances.
 - The planning board, within 45 days after referral, reviews the proposed redevelopment plan and adopts a resolution containing a report and recommendations to governing body. The report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning the inconsistencies and other appropriate matters.
 - The governing body holds a public hearing on the redevelopment plan ordinance and, taking into consideration the recommendations of the planning board, may then act on the redevelopment plan by passing the ordinance adopting the redevelopment plan.
- If the planning board prepares the redevelopment plan, the governing body is relieved of the referral requirements contained above. After the redevelopment plan is prepared, the governing body introduces the redevelopment plan via ordinance for first reading and thereafter holds a public hearing on the redevelopment plan ordinance, in the same manner as adoption of other municipal ordinances.
- In either case, where the redevelopment plan supersedes the existing zoning ordinance, rather than constituting an overlay zoning, the governing body also adopts an amendment to the zoning map.

3.4 STATUTORY CRITERIA

In 1947, the New Jersey Constitution was amended to add the so-called “Blighted Areas Clause,” which was initially intended by the Legislature to provide for a wide range of activities to facilitate investment in what it viewed as blighted areas. Article VIII, Section III, paragraph 1 of the Constitution reads as follows:

“The clearance, replanning, development or redevelopment of blighted areas shall be a public purpose and public use, for which private property may be taken or acquired. Municipal, public or private corporations may be authorized by law to undertake such clearance, replanning, development or redevelopment; and improvements made for these purposes and uses, or for any of them, may be exempted from taxation, in whole or in part, for a limited period of time during which the profits of and dividends payable by any private corporation enjoying such tax exemption shall be limited by law. The conditions of use, ownership, management and control of such improvements shall be regulated by law.”

The LRHL implements this provision of the Constitution by authorizing municipalities and local governments to designate a “redevelopment area” or “area in need of redevelopment,” as defined pursuant to N.J.S.A. 40A:12A-3. The LRHL further elaborates that a delineated area may be determined to be in need of redevelopment if, after a preliminary investigation, the governing body concludes that the delineated area exhibits any one (1) of the eight (8) statutory criteria listed under N.J.S.A. 40A:12A-5, which are outlined on the opposite page.

It is noted that the LRHL does not require all properties located within a delineated area to be in need of redevelopment, but rather that a majority or generality of properties meet the criteria for determination. In fact, the very definition of “redevelopment area” or “area in need of redevelopment” as referred to above continues by specifically stating that “a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.” This is commonly referred to as the “**Section 3**” criteria.

Furthermore, according to *The Redevelopment Handbook: A Guide to Rebuilding New Jersey’s Communities, 2nd Edition*, this section allows for the inclusion of properties that do not meet the statutory criteria but are “essential to be included in the designation to effectively redevelop the area.” Examples include properties located within and surrounded by otherwise blighted areas, properties that are needed to provide access to an area to be redeveloped, properties that are needed for infrastructure or utilities, or properties that otherwise could be determined to be critical to the area’s successful redevelopment.

REDEVELOPMENT STATUTORY CRITERIA

- A | Deterioration.** The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- B | Abandoned Commercial and Industrial Buildings.** The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- C | Public and Vacant Land.** Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- D | Obsolete Layout and Design.** Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- E | Property Ownership and Title Issues.** A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- F | Fire and Natural Disasters.** Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- G | Urban Enterprise Zones.** In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- H | Smart Growth Consistency.** The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Finally, Criterion H applies to all properties that either meet other criteria or are determined to be necessary for the effective redevelopment under the Section 3 criteria. As previously noted, Criterion H states: “the designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.”

The Smart Growth is best defined as development that encourages compact, transit-accessible, pedestrian-oriented, and environmental sustainable development. The core principles of Smart Growth as outlined by the Smart Growth Network and cited by the United States Environmental Protection Agency include:

- Mix land uses;
- Take advantage of compact building design;
- Create a range of housing opportunities and choices;
- Create walkable neighborhoods;
- Foster distinctive, attractive communities with a strong sense of place;
- Preserve open space, farmland, natural beauty, and critical environmental areas;
- Strengthen and direct development towards existing communities;
- Provide a variety of transportation choices;
- Make development decisions predictable, fair, and cost effective; and,
- Encourage community and stakeholder collaboration in development decisions.

Smart Growth is a concept that is inherent in the New Jersey State Development and Redevelopment Plan. The New Jersey Office for Planning Advocacy has developed a definition of a “Smart Growth” area to include any one of the following:

- Metropolitan Planning Area (PA1);
- Suburban Planning Area (PA2);
- A designated center;
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the State Planning Commission;
- A smart growth area designated by the New Jersey Meadowlands Commission; and,
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town as designated by the New Jersey Pinelands Commission.

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STUDY AREA CONTEXT

4.1 OVERVIEW

The Study Area is situated in the central region of the Borough in the heart of the downtown core, on the south side of Raritan Avenue (New Jersey State Route 27) between South 4th Avenue and South 5th Avenue. The Study Area consists of six (6) separate properties (altogether containing 13 individual lots) and a stub public right-of-way, encompassing approximately 3.6 acres.

The Study Area is irregularly shaped, with approximately 523.27 feet of frontage along the south side of Raritan Avenue, 250 feet of frontage along the east side of South 4th Avenue, 267.85 feet of frontage along the west side of South 5th Avenue, and abuts residential dwellings to the south, which front on South 4th Avenue, Magnolia Street and South 5th Avenue.

4.2 EXISTING DEVELOPMENT

Presently, the Study Area is entirely developed with several one-story buildings, associated paved surface parking and loading areas, and limited landscaped or buffer areas.

Starting at the northwest corner, Lot 1 is developed with a one-story Wells Fargo Bank branch building with a drive-through facility. Adjoining Lot 1 to the south is a narrow public right-of-way that stubs, containing a drive aisle, and Lots 34 & 36, and Lot 35; taken together, they are developed with a surface parking area that is accessible from South 4th Avenue and provides the parking needs for Wells Fargo Bank.

Adjoining Lot 1 to the east is Lot 2, which is developed with a one-story multi-tenanted building known as Park Town Center, containing the Highland Park branch of the United States Post Office and six (6) other storefront businesses including a convenience retail store, dry cleaner, laundromat, and casual dining restaurants. The building fronts on Raritan Avenue and is served by a surface parking and loading area situated at the rear of the property which is accessible only through the stub public right-of-way from South 4th Avenue.

Moving to the east is the largest property of the Study Area, comprising of Lots 3, 4, 5, 6, 8, 30 and 37, which is developed with a one-story Stop & Shop grocery store situated at the rear of the property, and a large surface parking area at the front of the property along Raritan Avenue. The surface parking area is accessible by a two-way driveway from South 5th Avenue, a one-way ingress driveway from Raritan Avenue, a one-way egress driveway to Raritan Avenue and a two-way driveway that serves as an extension of the stub public right-of-way from South 4th Avenue.

Finally, Lot 7 is developed with a one-story building with a partial second floor, which takes up the entire property, known as Landmark Supply Inc. / The Loft Salon. The first floor is presently used by a pharmaceutical and medical supply distributor business and the second floor is presently used by a boutique hair salon.

Map 2. Location Map



4.3 DEVELOPMENT HISTORY

The historic development pattern of Highland Park is typical of many smaller, older suburbs. Raritan Avenue, serving as the Borough's main street, has generally retained much of its compact built form that was generally developed with frame dwellings with modest front yard areas. Over time, one- and two-story additions were constructed in front of the dwellings, and together with existing and infill masonry buildings, an active street front evolved, containing a variety of retail storefronts and service businesses. This pattern of development extended throughout the Raritan Avenue corridor, including within the Study Area.

The 1936 Sanborn map to the right depicts multiple frame dwellings (in yellow) with one-story porches and small detached garages, a large used auto sales lot, a one-story cinder block building (in blue), and a one-story brick building (in red) which was utilized for auto sales and service.

As evidenced through research of Sanborn and historic aerial maps, development approvals, permits and other records, the Study Area has been developed and redeveloped several times over the past several decades.



1936 Sanborn Map

Block 3002, Lot 1 - The Wells Fargo Bank property was originally developed with a 2½-story frame dwelling with a wrap-around porch situated at the corner of Raritan Avenue and South 4th Avenue. Following site plan approval in 1971, the dwelling was demolished and the property was redeveloped with a one-story masonry bank building for New Brunswick Savings Bank, together with a small surface parking area and a drive-through facility. In 1983, site plan approval was granted to expand the building and drive-through facility. The addition took the place of the small surface parking area, which was relocated onto the adjoining stub public right-of-way and Lots 34 & 36, and Lot 35. Over the ensuing years, New Brunswick Savings Bank was acquired by and/or re-branded as Constellation Bank, CoreStates Bank, First Union Bank, Wachovia Bank and, finally, Wells Fargo Bank, receiving site plan approval and/or sign variances.

Block 3002, Lot 2 - The Park Town Center property remained generally unimproved until the late 1940s or early 1950s, when the used auto sales lot was redeveloped with a small one-story masonry building situated at the northeast corner of the property, together with a paved L-shaped parking area accessible from Raritan Avenue. In the late 1950s or early 1960s, the building was expanded to fill up the remainder of the property's frontage along Raritan Avenue. The parking and loading area was reorganized and limited to the rear of the property, accessible only through the stub public right-of-way, which was created by ordinance in 1961.

Since the 1960's, the building has largely remained unchanged, with the exception of substantial facade renovations that received site plan approval in 1997. Otherwise, individual tenants have obtained permits for various interior renovations, awnings and signage, generally whenever there was a change of occupancy.

Block 3002, Lots 3, 4, 5, 6, 8, 30 & 37 - The Stop & Shop property is comprised of several properties. Among them, Lots 3 and 4 were originally developed with two (2) two-story frame dwellings with front porches on deep, narrow lots situated in the middle of the block. By the late 1940s or early 1950s, the dwellings were demolished and the property was redeveloped with a one-story, approximately 16,000 square foot grocery store, known then as the Food Fair building, that fronted directly on Raritan Avenue.



Photo of Food Fair Building

Between 1969 and 1971, the Food Fair building was demolished and permits were issued for the construction of a larger one-story, approximately 26,000 square foot grocery store situated at the extreme rear of the property and a large exposed surface parking area at the front of the property along Raritan Avenue. Initially opened as Pantry Pride, the grocery store was acquired and/or re-branded as Food Town, Edwards Super Food Store and, finally, Stop & Shop.

In 1996, following reorganization from Food Town to Edwards Super Food Store, and in coordination with Borough officials, site plan approval and various sign variances were granted, which approval also permitted the reconfiguration of the existing surface parking lot to improve circulation and provide additional landscaping.

Lot 6 was originally developed with a one-story cinder block building that was utilized as a laundromat for a number of years. In 1988, the property owner sought to replace the building with a new two-story commercial/office building and certain improvements to the surface parking area. While the application was approved by the Planning Board, the project never moved forward. One year later in 1989, the existing building was demolished and this lot was paved and striped, apparently without having received site plan approval. The property owner eventually obtained site plan approval the following year in 1990.

Block 3002, Lot 7 - The Landmark Supply Inc. / The Loft Salon property was originally developed as a one-story brick building with a partial second floor situated at the front of the building. Once the original automotive use vacated, the building has been used by a mix of uses over the years, including retail businesses, personal services establishments, and processing / supply businesses. It is noted that the building that remains standing appears to be that shown on the 1936 Sanborn map while all other properties in the Study Area have been redeveloped.

Block 3002, Lots 34 & 36 - This property was originally developed with a 2½-story masonry dwelling, which was eventually demolished in the 1980s to accommodate the expanded parking area for Wells Fargo Bank.

Block 3002, Lot 35 - This property was originally the side yard area of the dwelling on Lots 34 & 36, mentioned above. It was improved in the 1980s to accommodate the expanded parking area for Wells Fargo Bank.

4.4 PROPERTY OWNERSHIP

All six (6) properties are owned by a private party, with three (3) properties sharing a common owner and each of the remaining three (3) properties individually owned by other parties. When taken together with the stub public right-of-way, the Study Area comprises of approximately 3.6 acres, as summarized in the table below:

Table 1. Property Ownership

Block	Lot(s)	Class	Address	Owner	Acreage*
3002	1	4A	400 Raritan Avenue	Wachovia Corporation c/o T Reuters	0.3280
3002	2	4A	406-418 Raritan Avenue	Park Town Center LLC	0.5105
3002	3-6, 8, 30 & 37	4A	420-424 Raritan Avenue	Nassau Wd Ind c/o Engie Insight M57186	2.2802
3002	7	4A	438-440 Raritan Avenue	Equipcare Limited Liability Co.	0.1148
3002	34 & 36	1	21 South 4th Avenue	Wachovia Corporation c/o T Reuters	0.1872
3002	35	1	21 South 4th Avenue	Wachovia Corporation c/o T Reuters	0.1165
Right-of-Way				Borough of Highland Park	0.0689
Total					3.6062

Note: The acreage values listed in the table above are approximate and were derived by calculating the area utilizing available online GIS mapping tools provided by the New Jersey Department of Environmental Protection. Therefore, the acreage values listed in the table above may not match the acreage values found in property tax records.

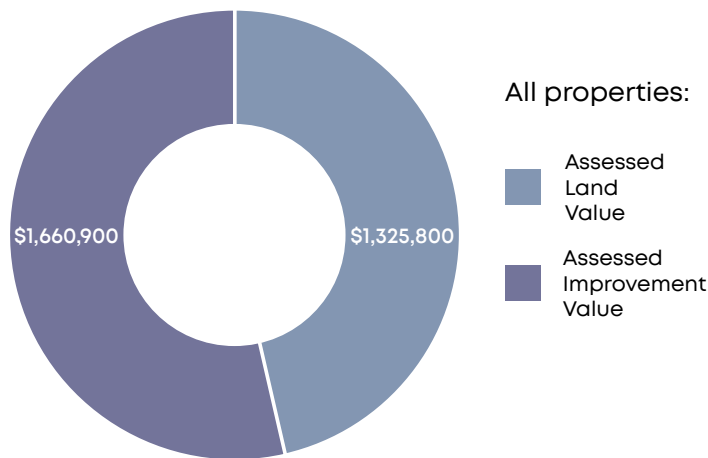


4.5 PROPERTY ASSESSMENT

Property tax records derived from the State of New Jersey Division of Taxation’s database were analyzed to determine the land, improvement, and net assessed value of each property within the Study Area as well as the prior year’s property taxes paid. As noted on the State website, the record details contained within the database are as of December, 2021.

Table 2. Property Assessment

Block	Lot(s)	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	Prior Year Taxes
3002	1	\$173,400	\$324,000	\$497,400	\$43,965.19
3002	2	\$334,500	\$360,000	\$694,500	\$61,386.86
3002	3-6, 8, 30 & 37	\$621,400	\$734,400	\$1,355,800	\$119,839.16
3002	7	\$97,500	\$242,500	\$340,000	\$30,052.60
3002	34 & 36	\$62,000	\$0	\$62,000	\$5,480.18
3002	35	\$37,000	\$0	\$37,000	\$3,270.43
Right-of-Way		\$0	\$0	\$0	\$0.00
Totals		\$1,325,800	\$1,660,900	\$2,986,700	\$263,994.42



As noted in the table above and accompanying figure, the Study Area has a total assessed land value of \$1,325,800, a total assessed improvement value of \$1,660,900, and a total net assessed value of \$2,986,700.

Note: the assessments contained herein have remain unchanged for at least the past four (4) years.

4.6 ENVIRONMENTAL ASSESSMENT

Environmental Monitoring - Highland Park Cleaners at 412 Raritan Avenue is an Air Quality Permitted Facility, with the General Permit approved on August 20, 2019 and remains valid for five (5) years. (PI ID L1509).

Sites & Facilities - Highland Park Cleaners is identified as a Dry Cleaner facility and is monitored by NJDEP. While the Study Area contains a number of sites that are enumerated through the New Jersey Environmental Management System (NJEMS), none are classified as Groundwater Contamination Areas - Currently Known Extent (CKE) or Classification Exception Area (CEA), or Known Contaminated Sites (KCS). Sites that are listed on the NJEMS may be regulated by the NJDEP under one or more of its regulatory permitting or enforcement programs, or they may otherwise be of some interest to a NJDEP program. A list of the sites are provided in the table below:

Table 3. NJEMS List

Site ID	P*	PI ID	Site Name	Active	Address
5797	Air	L1509	EMBI Corp DBA Highland Park Cleaners	Yes	412 Raritan Avenue
	HW	NJX000268185	Highland Park Cleaners	No	
	Rtw	64122100000	Highland Park Cleaners Inc.	Yes	
227625	RtK	00000011142	Lily Bakery Inc	Yes	416 Raritan Avenue
291942	HW	NJD982188484	Highland Park Laundry & Dry Cleaning	No	440 Raritan Avenue**
318568	HW	NJP000789008	PSE&G	No	N 5th & Raritan
485678	P	NL003002	Dollar City	Yes	408 Raritan Avenue

* Program Names: Air = Air; HW = Hazardous Waste; P: Pesticides; RtK = Pollution Prevention / Right to Know

** The NJDEP DataMiner report detail for Site ID 291942 refers to 65 Woodbridge Avenue

Land - There are no wetlands as identified by the New Jersey Department of Environmental Protection (NJDEP) and no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency (FEMA) within the Study Area.

Utilities - The Study Area is serviced by PSE&G for electric utilities, PSE&G for gas utilities, and is located within a sewer service area.

Soils & Geology - Upon review of the Web Soil Survey provided by the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), the Study Area contains a single map unit identified as “KkuB—Klinesville—Urban land complex, 0 to 6 percent slopes.” This soil map unit is characterized as shallow, somewhat excessively drained soils, typically with a depth to bedroom ranging from 10 to 20 inches. The Study Area is generally situated over the Passaic Formation (reddish-brown shale, siltstone and mudstone) bedrock and two crossing cycles of the Passaic Formation Gray bed bedrock (gray to black silty mudstone and others).

4.7 ZONING CLASSIFICATION

The Study Area is located in the Central Business District (CBD) Zone. The remainder of the lots within the block are situated in the Professional Office (PO) Zone, where fronting on South 4th and South 5th Avenues, and the Two-Family Residential (RB) Zone, where fronting on Magnolia Street. The PO and RB zones serve as a transition between the CBD Zone and the large Single-Family Residential (RA) Zone.

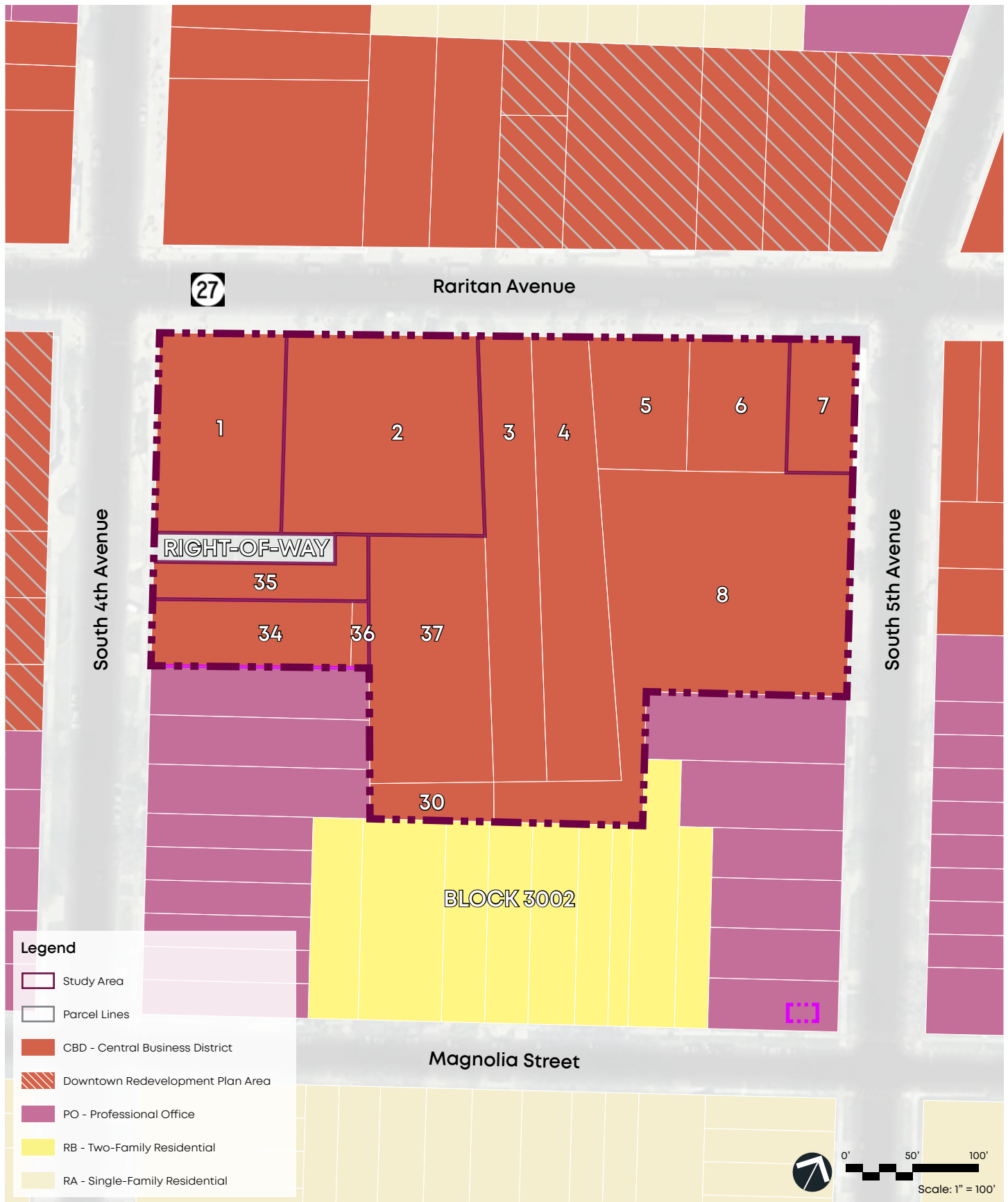
The CBD Zone generally permits traditional downtown retail and office uses, with limited residential uses, and typical bulk standards generally found in smaller, older suburbs, as outlined in the table below.

Table 4. Zoning Chart for CBD Zone

Permitted Principal Uses			
Retail businesses; Personal service establishments; Banks and financial institutions on second floor or above; Food consumption establishments (except drive-in and/or fast-food restaurants); Package stores and taverns; Artist studios and artistic instruction space are permitted as principal uses on all floors except for the ground, street-level floor; Outdoor cafes including temporary outdoor dining on the public sidewalk, provided said outdoor dining does not inhibit pedestrian traffic; Public assembly facilities and spaces, including but not limited to theaters and cinemas, where the use is integrated into a mixed-use building with retail frontage along an arterial road; and, Carry-out restaurants (with certain conditions).			
Permitted Accessory Uses			
Off-street parking spaces; Off-street loading spaces; Business, professional and governmental offices located above commercial uses, not occupying the ground floor; Residential uses shall be permitted only on the second floor and above and may be located on the same floor with other permitted uses; Fences, walls and hedges; Satellite dish antenna (receive only); Outdoor cafes; Sidewalk displays; and, Artist studios and artistic instruction space are permitted accessory uses to art galleries, art supplies stores and other arts-related retail uses, provided they do not occupy more than 33% of the total area of the ground floor, and provided that all windows facing Raritan Avenue or any side street are maintained with a retail display focus.			
Conditional Uses			
Public utility facilities required to provide the direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards.			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	5,000	Min. Height (Stories)	2
Min. Lot Width (Feet)	50	Max. Height (Stories)	4
Min. Lot Depth (Feet)	100	Max. Height (Feet)	50
Yards		Coverage	
Min. Front Yard (Feet)	N/A	Max. Lot Coverage	75%
Min. 1 Side Yard (Feet)	N/A	Max. Impervious Coverage	90%
Min. 2 Side Yards (Feet)	N/A	Density	
Min. Rear Yard (Feet)	20	Min. GFA (SF)	1,000
Min. Distance between Buildings	N/A	Max. Dwelling Units / Building	33% of GFA

In addition to use and bulk standards, Article XVII of the Highland Park Land Development Ordinance lays out urban design and architecture guidelines aimed at ensuring development in the CBD Zone that is sensitive to the area’s context and unique qualities. The guidelines outline considerations for pedestrian linkages, parking lot landscaping, parking structures, streetscape elements, facade composition, storefront design, among and features.

Map 4. Zoning Map



4.8 RELATIONSHIP TO THE MASTER PLAN

The 2019 Master Plan Reexamination Report (the “Master Plan”) discusses the Borough’s desire to create a desirable living and working environment, to protect its environmental resources, and to promote sound land development. To that end, the most recently expressed master plan goals are as follows:

To preserve and enhance the character and small town feel of the community;

To ensure a vibrant downtown and commercial corridors;

To protect the Borough’s environmentally sensitive areas; and,

To promote a high quality of life for all residents.

The development of the 2019 update to the Master Plan (and, simultaneously, a strategic update of the Land Use Plan Element) 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 the downtown area “remain the same.”

During the master plan process, common issues/concerns pertaining to the downtown area raised by the community included:

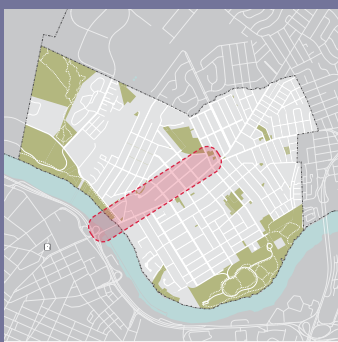
- Create mixed-use development with higher density housing, including multi-family and affordable units;
- Address the high number of vacant properties, empty storefronts, and high turnover of businesses that make the streetscape unpleasant and presenting a sense of neglect;
- There is a lack of a proper mix/diversity of retail and activities;
- Too many exposed parking lots create gaps in the streetscape along Raritan Avenue;

Additionally, comments were made specifically regarding the Stop & Shop grocery store. Given its centralized location within the community along Raritan Avenue, the grocery store is walkable and serves as an anchor for the downtown area; however, the community indicated that it needed to be upgraded.

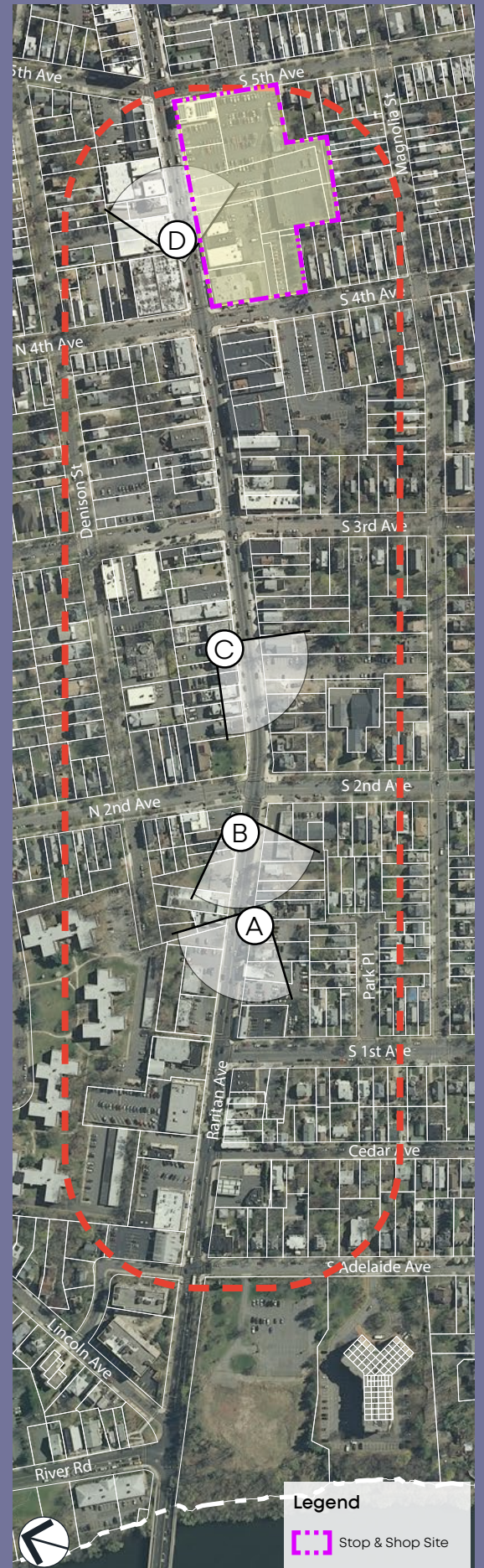
Drawing from community feedback as expressed above, prior master plan documents were comprehensively reevaluated, resulting in the establishment in a consolidated set of goals and recommendations for the various plan elements contained in the Master Plan. A common theme that emerges from these established goals and recommendations is the community’s desire to **support a thriving downtown** and **transform outdated commercial corridors**.

RARITAN AVENUE EXISTING CONDITIONS

LAND USE PLAN ELEMENT



Existing conditions along Raritan Avenue in the **downtown area** include numerous “gaps” in the streetscape created by vacant properties and exposed parking lots.





From the Land Use Plan Element of the Master Plan, the above sketch depicts the possibility of infill development to fill in the gap in the street frontage.

To do so, and to achieve other goals such as facilitating rehabilitation, reinvestment and revitalization, activation of corridors, expansion of living opportunities, and improving mobility, the Master Plan recommends taking advantage of redevelopment tools, expand the range of permitted uses, reinforce distinctive place-making, incorporate context-sensitive design standards, improve the aesthetics and functionality of the streetscape (including creating safer Complete Streets), and better manage parking.

The Land Use Plan Element provides a vision statement for the Downtown Sub-Area & Corridor, within which the Study Area is a part, 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..”

To implement the vision for downtown development, a series of specific strategies were developed based on key issues identified during the master planning process as well as public input from the online survey and community open houses, as outlined on the following page.

DOWNTOWN STRATEGIES

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.

4.9 RELATIONSHIP TO THE STATE PLAN

State Development and Redevelopment Plan

In March, 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the “SDRP”). The purpose of the SDRP is to

“Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.”

The SDRP promotes Smart Growth in New Jersey by guiding State-level development and redevelopment policy as well as local and regional planning efforts to centers and areas where infrastructure is available or could be extended to developed or developing suburbs and urban areas.

According to the SDRP, statewide goals are to be achieved through the flexible application of SDRP’s statewide polices, which are designed to improve the planning and coordination of public policy decisions among all levels of government.

The SDRP’s eight (8) statewide goals are as follows:

Goal 1: Revitalize the State’s cities and towns.

Goal 2: Conserve the State’s natural resources and systems.

Goal 3: Promote beneficial economic growth, development and renewal for all New Jersey residents.

Goal 4: Protect the environment, prevent and clean up pollution.

Goal 5: Provide adequate public facilities and services at a reasonable cost.

Goal 6: Provide adequate housing at a reasonable cost.

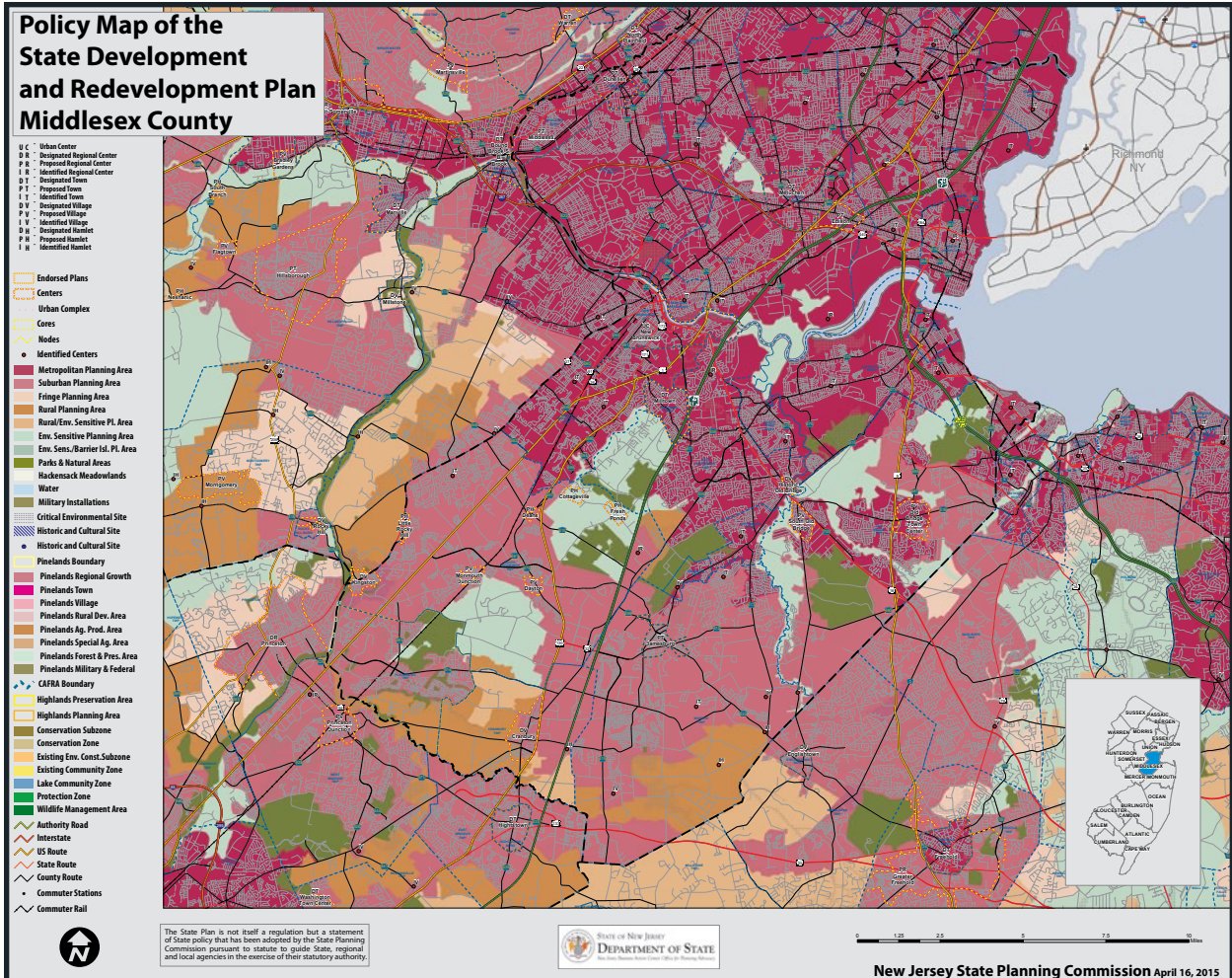
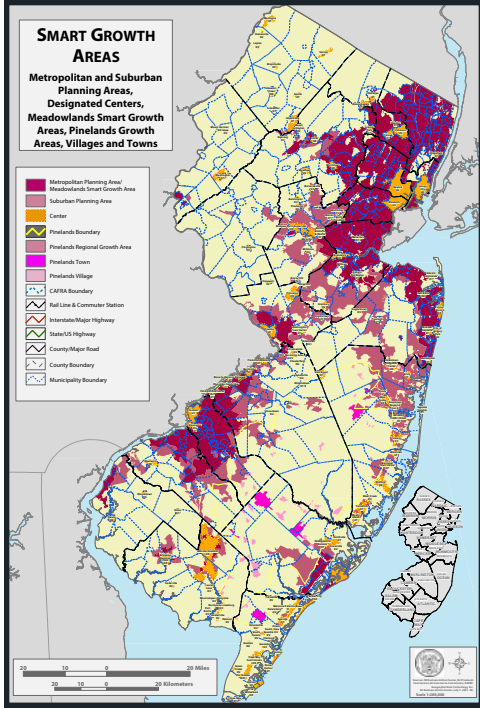
Goal 7: Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.

Goal 8: Ensure sound and integrated planning and implementation statewide.

State Plan Policy Map

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”. Planning areas serve a critical role in the SDRP by setting forth policy objectives that guide implementation of the SDRP’s statewide policies within each area, guide local planning on the location and size of centers within the planning area, and protect or enhance the environs of these centers.

It is noted that the Borough of Highland Park is identified as an “Identified Town” as depicted below on the [State Plan] Policy Map of the State Development and Redevelopment Plan [for] Middlesex County. The Master Plan indicates that the Borough meets all of the criteria for a Town Center as outlined by the SDRP.



According to the State Plan Policy Map, the Borough of Highland Park is contained entirely within the Metropolitan Planning Area (PAI), which classification denotes a Smart Growth area and generally includes developed communities that range from large urban centers to post-war suburbs.

In the Metropolitan Planning Area, the SDRP's goals and objectives are as follows:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The SDRP provides a series of policy objectives intended as guidelines for planning activities in the Metropolitan Planning Area, including:

- Promote redevelopment and development neighborhoods of Centers;
- Provide a full range of housing choices through redevelopment;
- Promote economic development by encouraging infill development, public/private partnerships and infrastructure improvements that support an identified role for the community;
- Maintain and enhance a transportation system that capitalizes on high-density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency;
- Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile; and,
- Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.

Draft Strategic State Plan

In October, 2011, the draft State Strategic Plan was proposed as an update to the SDRP. The plan was designed to provide the framework for the State to "focus its policies and investments on vibrant regions by fostering targeted job growth, supporting effective regional planning and preserving the State's critical resources."

The plan outlined four (4) specific goals to guide planning at the State level:

Goal 1: **Targeted Economic Growth:** Enhance opportunities to attract and grow industries of statewide, regional and international importance.

Goal 2: **Effective Regional Planning:** Guide and inform regional planning enabling each region of the State to experience appropriate growth based on its desires and assets.

Goal 3: **Preservation, Protection and Enhancement of Critical State Resources:** Ensure that strategies for growth include preservation, protection and enhancement of the State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing their role in economic growth and the quality of life for New Jersey residents.

Goal 4: **Tactical Alignment of Government:** Prioritize effective resource allocation, coordination, cooperation and communication among entities that play a role in meeting the mission of this Plan.

To address the statutory requirement of the State Planning Act relative to coordinating planning activities, the State established a series of the following "Garden State Values" that are intended to advise the criteria for identification of "Priority Growth Investment Areas" throughout the State:

Value 1: Concentrate Development and Mix Uses

Value 2: Prioritize Redevelopment, Infill, and Existing Infrastructure

Value 3: Increase Job and Business Opportunities in Priority Growth Investment Areas

Value 4: Create High-Quality, Livable Places

Value 5: Provide Transportation Choice & Efficient Mobility of Goods

Value 6: Advance Equity

Value 7: Diversify Housing Opportunities

Value 8: Provide for Healthy Communities through Environmental Protection and Enhancement

Value 9: Protect, Restore and Enhance Agricultural, Recreational and Heritage Lands

Value 10: Make Decisions within a Regional Framework

The draft plan and the draft Infrastructure Needs Assessment was released for public comments and hearings later in 2011 and throughout 2012. Several public hearings were held and a vote had been scheduled in November, 2012 to adopt the plan; however, in light of the significant impact of Superstorm Sandy had on the State, the vote was postponed and, to this day, the State has not acted on the plan.

5 | STUDY AREA EVALUATION

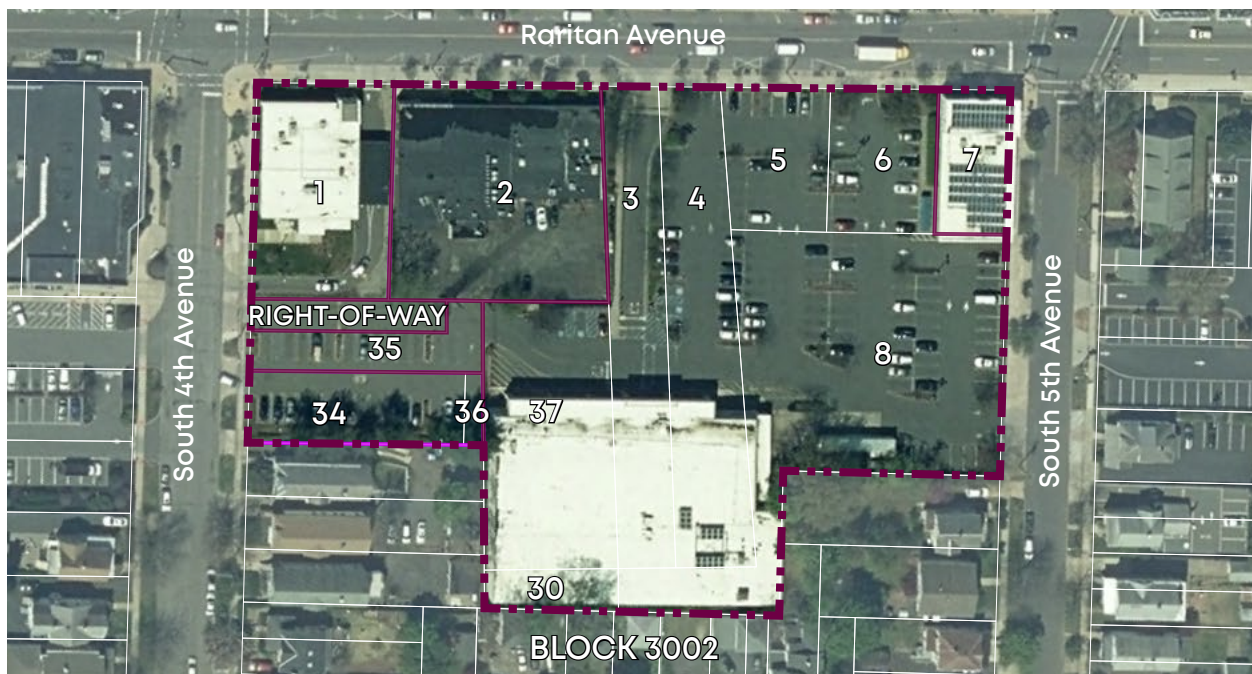
5.1 SUMMARY

The following is an evaluation of each property within the Study Area as it relates to the statutory criteria for designation as a non-condemnation area in need of redevelopment. The evaluations were based on site inspections of the buildings and grounds as well as a review of each property's physical characteristics and conditions, occupancy, ownership status, and a review of other relevant data.

The table below summarizes this Study's findings regarding the statutory criteria's applicability to each property within the Study Area. As previously noted, Criteria H applies to all properties that either meet other statutory criteria or Section 3 criteria, and Section 3 criteria may be applicable to any property if its inclusion is found necessary for the effective redevelopment of the area of which it is a part, even if the property itself does not necessarily meet any of the other statutory criteria.

Table 5. Study Area Evaluation Summary

Block	Lot(s)	Address	Statutory Criteria								Section 3
			A	B	C	D	E	F	G	H	
3002	1	400 Raritan Avenue				X				X	
3002	2	406-418 Raritan Avenue	X			X				X	
3002	3-6, 8, 30 & 37	420-424 Raritan Avenue	X			X				X	
3002	7	438-440 Raritan Avenue									X
3002	34 & 36	21 South 4th Avenue				X				X	
3002	35	21 South 4th Avenue				X				X	



5.2 BLOCK 3002, LOT 1: 400 RARITAN AVENUE



Property Information

Property Owner:
Wachovia Corporation
c/o T Reuters

Property Owner Address:
P.O. Box 2609
Carlsbad, CA 92018

Property Use:
Bank

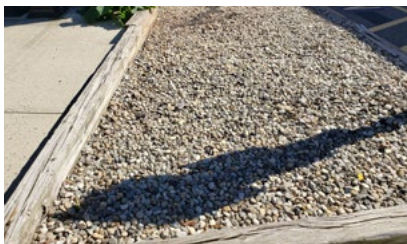
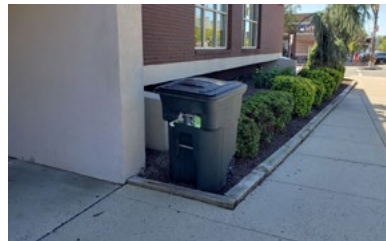
Business Name:
Wells Fargo Bank

Property Acreage:
0.3280 acres

Zoning District:
CBD Central Business
District Zone

**Redevelopment
Designation(s):**
Town-Wide Area in Need of
Rehabilitation (2016)

Representative Photos



Property Description

Block 3002, Lot 1 is a rectangular-shaped corner lot with 95 feet of frontage along the south side of Raritan Avenue, 150 feet of frontage along the east side of South 4th Avenue, 95 feet of frontage along the north side of the stub public right-of-way, and is approximately 14,250 square feet (0.3280 acres) in area. The property conforms to the bulk requirements of the zoning ordinance; however, the building is non-conforming with the minimum height requirement, and potentially other ordinance standards.

The property is improved with a one-story, approximately 5,200 square foot masonry building fronting Raritan Avenue, together with a full basement and a drive-through facility. The drive-through facility circulates one-way around the building, accessible from South 4th Avenue, providing two (2) stacking lanes on the east side of the building, and exits onto Raritan Avenue. Signage at Raritan Avenue indicates that left turns are prohibited. There is no surface parking area on the property itself; instead it is located off-site on the stub public right-of-way, Lots 34 & 36, and Lot 35 located south of the property beyond the stub public right-of-way.

While an interior inspection was made, Wells Fargo Bank requested that no photographs be taken of the interior of the building. The building is used by Wells Fargo Bank, providing for a number of banking services and containing several individual office spaces accessible from a large centralized open area. The basement contains a break room, storage and support areas.

Drive-Through Facility & Driveways

The drive-through facility completely surrounds the building, and there are limited pedestrian connections to the parking area. For those who park in the parking area, they must cross multiple driveways before they can safely access the public sidewalk, then down the walkway to the rear of the building. In many cases, it was observed that pedestrians simply walk across or through the drive-through lanes and adjacent loose stone bed. This condition may contribute to a circulation pattern that is unsafe for motorists, bicyclists and pedestrians.

The driveway apron associated with the ingress access point along South 4th Avenue, along with several sidewalk and walkway slabs, and curbing are cracked or heaved, or otherwise in some state of disrepair. It is noted that the cartway within South 4th Avenue was recently repaved as part of a road paving project.

The driveway apron associated with the egress access point along Raritan Avenue is excessive in width, much wider than the standard driveway width for one-way traffic, notwithstanding the yellow striping. The proximity of the driveway to the adjacent buildings limits driver visibility. The driveway is not well defined, featuring dilapidated wooden railroad ties that serve as the border of a large loose stone bed and a short concrete curb that is immediately adjacent to the bank building. Additionally, a lack of bollards or other vehicular safety devices may result in vehicles making contact with the building. The lack of driveway definition and buffer contributes to a condition that is unsafe for pedestrians utilizing the public sidewalk along Raritan Avenue.

Landscaping & Landscape Buffer

There are several shrubs located within a mulch bed along Raritan Avenue and the rear yard area between the building and drive-through facility is well maintained with a manicured lawn area and landscaped. The remainder of the property generally lacks a variety of landscaping or any landscaping at all. The loose stone bed itself contains no landscaping whatsoever; at the rear of the stone bed, near the stub public right-of-way, stone has migrated onto a mulch bed area and spilled onto the drive-through lanes, and there are various patches of asphalt that appear to have been spilled or dumped onto the property.

Solid Waste & Recycling

There is no defined trash enclosure with screening with screening on the property.

Building Exterior

The exterior of the building is generally well-maintained; however, there is evidence of some water infiltration and/or water damage on certain areas of the brick facade, some cracked and/or missing portions of the stucco facade, and evidence of water staining on the metal seam roof structure. Roof-top mechanical equipment is fully exposed to public view from the street and the public sidewalks along Raritan Avenue and South 4th Avenue.

Building Interior

The interior of the building is in good condition; however, various spaces appear to be underutilized as not all offices were in use and the centralized open space is excessively large. There is no elevator to allow for employees having a mobility disability to be able to access the break room in the basement, and the basement itself is largely empty and unused. As such, the interior of the building shows signs of functional obsolescence.

Summary

Due to a combination of the dilapidated conditions, faulty arrangement or design and/or obsolete layout of various improvements, the property is detrimental to the safety, health, morals and welfare of the community in accordance with **Criterion D** of the LRHL.

5.3 BLOCK 3002, LOT 2: 406-418 RARITAN AVENUE



Property Information

Property Owner:
Park Town Center LLC

Property Owner Address:
16 Dogwood Drive
Hillsborough, NJ 08844

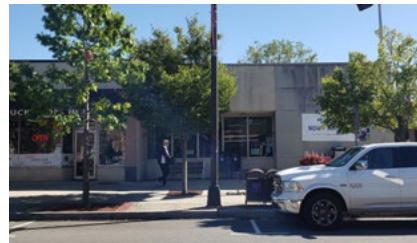
Property Use:
Retail businesses, personal service establishments, food consumption establishments

Business Name:
Various, including United States Post Office

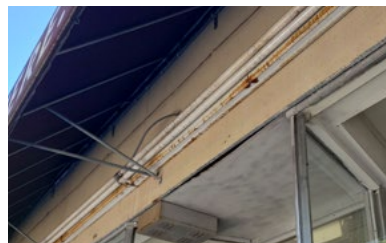
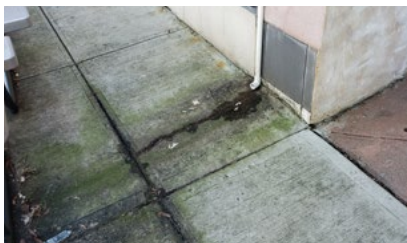
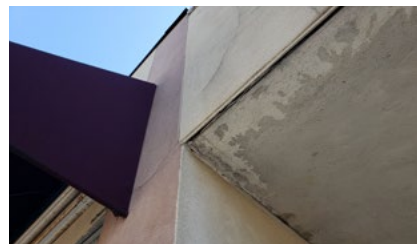
Property Acreage:
0.5105 acres

Zoning District:
CBD Central Business District Zone

Redevelopment Designation(s):
Town-Wide Area in Need of Rehabilitation (2016)



Representative Photos



Representative Photos (Continued)



Property Description

Block 3002, Lot 2 is an irregularly-shaped mid-block through lot with 143.35 feet of frontage along the south side of Raritan Avenue, partial frontage on the north side of the stub public right-of-way, a depth of approximately 150 feet, and is approximately 23,237 square feet (0.5105 acres) in area. The property conforms to the bulk requirements of the zoning ordinance; however, the building is non-conforming with the minimum height and impervious coverage requirements, and potentially other ordinance standards.

The property is improved with a one-story, approximately 10,400 square foot multi-tenanted masonry building fronting Raritan Avenue, together with a partial basement and a rear parking area. The parking and loading area is accessible by way of a two-way driveway accessed from the stub public right-of-way and South 4th Avenue. There is a narrow paved walkway adjacent to a chain-link fence along the east side of the building, which provides the only physical connection between Raritan Avenue and the rear parking and loading area.

The building itself contains a small collection of shops known as Park Town Center, including the Highland Park branch of the United States Post Office, and six (6) other businesses, including

a convenience store, dry cleaners, laundromat, a vacant store, and two (2) casual restaurants. Each leasehold is accessible from both Raritan Avenue and the rear parking and loading area, with the Post Office having a loading dock. The older portion of the building (containing the four (4) leaseholds to the east) contains an unfinished basement, while the other portion of the building (containing the Post Office and two (2) adjacent leaseholds) sits on a slab.

Parking Area Design

The present layout of the rear parking area is non-conforming with respect to the zoning ordinance and obsolete in terms of best practices in land use and site planning. The parking area lacks adequately designed vehicular ingress and egress, defined parking spaces, accommodations for accessible parking, and pedestrian amenities.

The driveway providing access to the rear parking area from the stub public right-of-way lacks a depressed concrete curb and instead is paved over with asphalt in the form of an apparent “bump” as noted by the adjacent warning sign. This was done in an effort to prevent stormwater runoff from adjacent properties to the south, from entering the property.

Stormwater runoff on the property appears to negatively impact the building, particularly the Post Office. There is a broken trench inlet and a series of sandbags to prevent stormwater runoff to entering the loading dock. There is also a sump pit and sump pump that collects and redistributes stormwater runoff from area of the loading dock to the loose stone bed on the adjacent property.

The entire rear yard area is paved, and lacks any drive aisle definition, buffering, screening or adequately designed delineated edge treatment. The portion of the parking area adjacent to the Stop & Shop property is separated by a combination of a concrete curb and a series of broken and deteriorating wheel stops, which are set back only a few inches from the property line. Additionally, there are no handicap-accessible parking spaces, associated access aisles nor signage, and there are no pedestrian amenities, such as walkways, landscaping and pedestrian-scale lighting. Striping delineating parking spaces are non-existent.

These conditions may result in driver confusion and contribute to a circulation pattern that is unsafe for motorists, bicyclists and pedestrians.

Parking Area Condition

The parking area shows significant signs of deterioration as evidenced by vegetative overgrowth, various depressions and settlement contributing to ponding, as well as cracked, broken and missing pavement and large potholes. Unimproved edge conditions have allowed loose asphalt, debris, and litter to accumulate throughout the parking area.

Solid Waste & Recycling

There is a lack of designated space for solid waste and recycling. There are no trash enclosures or dumpsters provided, despite the size of the building and number of businesses. Immediately outside the rear entrances, the space is being used for ad hoc storage of solid, waste, recycling and supplies in a way that presents a collision or tripping hazard for those

entering and exiting the building. Various overgrowth, litter, and debris are found along the rear of the building.

Numerous solid waste and recycling bins are perched unsecured atop the edge of the parking area that slopes downwards, leading to a condition in which bins could roll down, spill out its contents onto the parking area or collide with a vehicle or a pedestrian. The lack of maintenance and/or deteriorating conditions constitute a hazard or nuisance to persons and/or adjacent properties.

Building Exterior

The exterior of the building is in fair condition, with the stucco facade showing signs of deterioration, dilapidation and otherwise in a state of disrepair. The stucco facade exhibits cracking, water infiltration, and water damage, particularly above most of the storefront windows. In certain areas, the stucco finish has broken off, exposing the underlying substructure to the elements.

Several awnings are showing signs of severe deterioration, and multiple lighting tracks and associated electrical components under certain awnings are unshielded, exposed to the elements, and showing signs of rust. The roof structure associated with the Post Office loading dock shows signs of significant rust. The building also has several broken and/or boarded-up windows, particularly along the side wall associated with the Post Office.

Building Interior

The interior of each leasehold varies in condition, depending on the level of interior renovation work, generally prompted whenever there is a change of occupancy. Certain leaseholds appear to have underutilized back-of-house areas, where narrow hallways and public restrooms are used for needed additional storage areas. Those leaseholds having a basement generally exhibited water damage as evidenced by severe water staining on wood framing and block walls as well as rotting sub-floors.

Deferred Maintenance

A review of the permit file indicates that there has been a relative lack of maintenance for certain leaseholds. For example, there are gaps in the permit history that would otherwise show that certain leaseholds have been routinely or periodically maintained, such as replacing roofing, storefront windows, heating, ventilation, air conditioning and other mechanical equipment.

Summary

Due to the substandard, unsafe and obsolescent characteristics of certain leaseholds and generally, the overall building, the property is conducive to unwholesome living or working conditions in accordance with **Criterion A** of the LRHL.

Due to a combination of the dilapidated conditions, faulty arrangement or design and obsolete layout of various improvements, the property is detrimental to the safety, health, morals and welfare of the community in accordance with **Criterion D** of the LRHL.

5.4 BLOCK 3002, LOTS 3, 4, 5, 6, 8, 30, 37: 420-424 RARITAN AVENUE



Property Information

Property Owner:

Nassau Wd Ind
c/o Engie Insight MS7186

Property Owner Address:

P.O. Box 2440
Spokane, WA 99210

Property Use:

Retail business

Business Name:

Stop & Shop

Property Acreage:

2.2802 acres

Zoning District:

CBD Central Business
District Zone

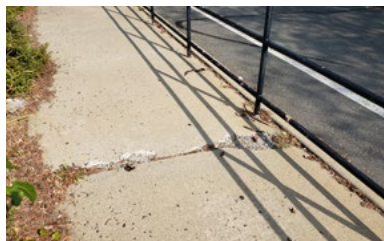
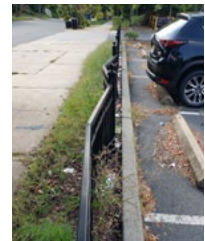
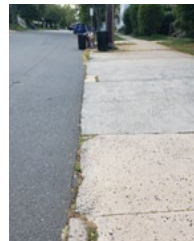
Redevelopment

Designation(s):

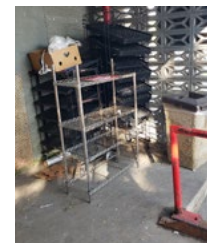
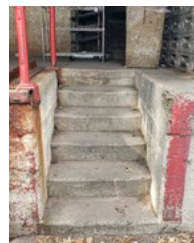
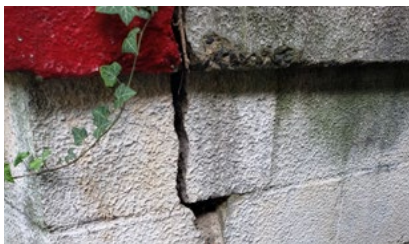
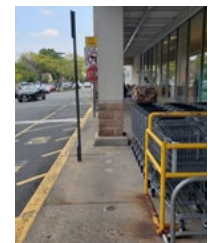
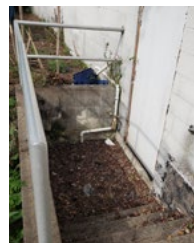
Town-Wide Area in Need of
Rehabilitation (2016)



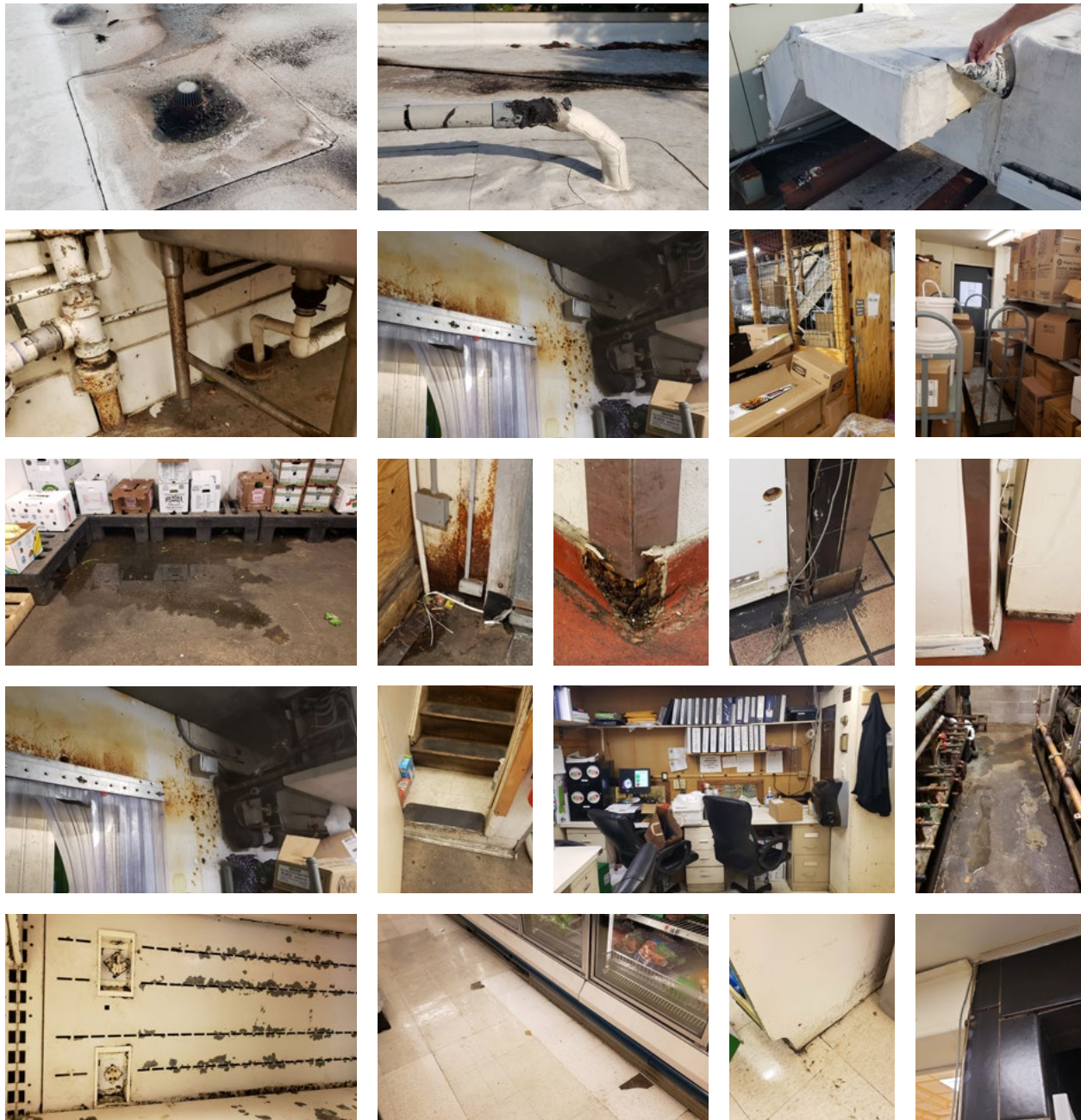
Representative Photos



Representative Photos (Continued)



Representative Photos (Continued)



Property Description

Block 3002, Lot 2 is an irregularly-shaped corner lot with 234.92 feet of frontage along the south side of Raritan Avenue, 167.85 feet of frontage along the west side of South 5th Avenue, and is approximately 99,320 square feet (2.2802 acres) in area. The property conforms to the bulk requirements of the zoning ordinance; however the building is non-conforming with the minimum height and rear yard setback requirements, and potentially other ordinance standards.

The property is improved with a one-story, approximately 26,000 square foot masonry building situated at the rear of the property, together with a large surface parking area that primarily

fronts Raritan Avenue but also has frontage along South 5th Avenue, along with a loading area that primarily fronts toward South 5th Avenue. The surface parking area is accessible by a two-way driveway from South 5th Avenue, a one-way ingress driveway from Raritan Avenue, a one-way egress driveway to Raritan Avenue, and a two-way driveway that serves as an extension of the stub public right-of-way from South 4th Avenue.

Adjacent to the one-way ingress driveway from Raritan Avenue, a private walkway provides pedestrian access from the public sidewalk to an area generally located at the front of the building.

Frontage Conditions / Driveways

Frontage conditions along the perimeter of the property, including the public sidewalk and driveway aprons reveal signs of deterioration.

The public sidewalk along South 4th Avenue contains extensive cracking, asphalt patching, vegetative protrusion and overgrowth, particularly where tree roots have begun to impact the public sidewalk. Some sidewalk slabs are broken and represent an unsafe tripping hazard. The adjacent driveway apron appears to have been constructed as a monolithic pour and lacks a depressed curb and associated expansion joints. An overgrown tree is beginning to block the stop sign signaling exiting vehicles to stop for pedestrians and traffic before entering the roadway. While all parking spaces along the sidewalk feature wheel stops, several of them have either dislodged or are in a state of disrepair, and therefore no longer serve their intended purpose, resulting in a lack of protection for pedestrians on the public sidewalk from vehicles using parking spaces. As such, it appears that vehicles have hit and dented the adjacent metal fence in multiple areas. Litter and debris have collected in the area between the sidewalk and wheel stops.

Any buffer between the public sidewalk and head-in parking stalls along Raritan Avenue is nonexistent. The parking area is fully exposed to the streetscape, separated by only wheel stops and a metal cart corral. While there are wheel stops, several of them have either dislodged or are in a state of disrepair, and therefore no longer serve their intended purpose, resulting in a lack of protection for pedestrians on the public sidewalk from vehicles using parking spaces. The adjacent driveway apron is excessive in width, significantly wider than the standard driveway width of 12 feet for one-way traffic. Additionally, curbing is cracked, various metal grates show signs of rust and deterioration in the surrounding concrete. Bollards are displaying various signs of rust and are positioned in a way that minimizes functionality and interferes with the limited landscape buffer that exists.

These conditions promote unsafe maneuvering where vehicles utilize an excessively wide driveway apron crossing the public sidewalk and where vehicles can park into head-in parking spaces along Raritan Avenue, where they may potentially encroach into the public sidewalk and strike pedestrians.

Parking Area Design

The present layout of the parking area is non-conforming with respect to the zoning ordinance as well as best practices in land use and site planning, as the building is oriented to front towards a parking area, and the parking area itself is located between the building and the

public right-of-way.

Several of the existing landscape islands are undersized to a degree that trees and plantings can not be accommodated, which may contribute to exacerbating the urban heat island effect and resulting in increased stormwater runoff.

There is a group of accessible parking spaces that are situated between the drive aisle along the front of the building and the rear of adjacent Park Town Center property, and are not served by pedestrian facilities. This results in an unsafe condition where pedestrians, including those with a mobility disability, are forced to walk into the drive aisle in order to access the pedestrian network.

The pedestrian walkway leading users from Raritan Avenue into the property has a noticeable slope which may impede mobility and accessibility. In addition to large depressions and cracks between sidewalk slabs, the edge of the walkway closest to the building is not accessible at all due to excessive cracking, significant settlement and lack of the tactile warning pad. The railing and wooden stockade fencing along the walkway do not extend along the entire length of the walkway.

The walkway generally protects pedestrians from the adjacent driveway and crosswalks are provided between the edge of the walkway to the building; however, there is no cohesive structure guiding pedestrian movement or safety measures. Pedestrians enter a large paved area, fully exposed, and have to cross multiple, long drive aisles, without the benefit of refuge areas or safety devices.

In essence, pedestrians are forced to navigate a “no-man’s land” and take great risk between the parking area and the building. Additionally, the layout of the walkway along the front of the building is not ADA-compliant, as it is narrow, blocked by cart corrals, and bike racks, and visibility is impeded by columns abutting the walkway.

A review of Police records shows that there were at least 14 accidents that occurred in the parking area, from January 1, 2019 to the present alone. Three (3) of the accidents involved pedestrians, including one in April, 2019 in which the pedestrian tragically passed away due to injuries from the accident.

These conditions result in driver and pedestrian confusion and contribute to an unsafe circulation pattern that is particularly dangerous for motorists, bicyclists, and pedestrians.

Parking Area Condition

The parking area appears to not have been repaved in many years. Pavement markings have been painted and repainted in a conflicting manner that may cause confusion. The markings delineating the fire lane and other areas are faded and nearing a state of illegibility.

Various cracks and outdated patching can be found throughout the parking area, which may be aggravated further by ponding and the freeze-thaw cycle. Several light poles are tilted or crooked, and several sign posts are missing signage. Taken together, these posts may be potential collision hazards for motorists. Various sections of the metal fence and wooden stockade fence associated with the walkway exhibit various stages of disrepair, including dents, posts that are not plumb, and overgrowth which extend out into the walkway and further

impedes safe pedestrian access. Additionally, improvements like benches placed around the building are dilapidated to the point of being unusable. On the right side of the building, adjacent to Lots 34 & 36 and Lot 35, the retaining wall and railings atop are failing and in need of replacement.

Loading Area

Adjacent to the loading area, the damaged retaining wall featuring significant displacement is in need of evaluation by a structural engineer to facilitate its repair. Exposed rebar and rust can be seen in multiple locations within the loading area, along with significant cracking, depressions, and debris throughout. The loading dock walls are rusted and damaged, including a significant crack, all of which represent major failure. Mold exists on the sides of the loading dock and along its bottom edge.

Crowded conditions inside the store, as explored below, necessitate ad-hoc outdoor storage. A large number of recycling bins and other equipment are surrounded by debris that has piled up around the ad-hoc storage area, including broken wheel stops and platforms with exposed rebar. The loading dock stairs lack handrails and therefore do not comply with code. The concrete pad in front of the loading dock and trench inlet are damaged beyond repair. Several parking spaces are between the loading area, compactor, and cart storage area along the rear edge of the property, which represents an unproductive use of the space.

Building Exterior

The structure is in generally poor condition. There is evidence of major structural issues as seen from the exterior of the building, particularly at the right side and rear of the building. Over time, these conditions may cause failure to the structure, and require the intervention of a structural engineer to determine the best cause of repair.

Settlement can be seen in the right rear corner of the building which will require repairs to the foundation in order to preserve the integrity of the structure. At the rear of the building, the rear door appears to have allowed water to enter the building, as evidenced by rust and the installation of a sump pump at the bottom of the landing to divert water away from the building.

Building Roof

Multiple areas of the roof have loose and/or damaged flashing that is causing water infiltration into the building, leading to damage to interior ceiling and walls. This condition will eventually cause mold. Additionally, flashing associated with rooftop-mounted HVAC units are rusting and in the early stages of failure, which may lead to additional water entry points into the building.

Building Interior

The layout of the grocery store is obsolete with poor circulation and storage conditions.

The original layout of the warehouse space has been modified over the years to include additional, oversized coolers, a high-risk lockup cage area, a receiving manager's office and an ADA-compliant bathroom facility. These incremental improvements have resulted in an incoherent layout and haphazard circulation within the warehouse, a lack of adequate

workspaces, various small and overcrowded storage area, and overcrowded circulation areas.

In other back-of-house areas on the first floor, plumbing waste systems have a negative pitch and do not drain correctly. Floor drains need to be cleaned, properly maintained, and further evaluated for corrective measures. There appears to be an outward pitch in the rear right floor on the sales floor, with potential for settlement or foundation issues that necessitate an assessment by a structural engineer. The rear door is the only rear exit to the building and may be required to serve as an emergency access route; however, the door is currently blocked by coolers on the sales floor.

The building includes two (2) separate mezzanine levels, a manager's office and an area for employees including a break room, locker room and restroom facilities as well as a mechanical room. These levels are not served by an elevator, and therefore are not ADA-compliant. The stairway leading to the manager's office is narrow and is not code-compliant. The office space itself does not lend itself to a wholesome working environment, as there are no exterior windows, there is a lack of adequate workspace due to overcrowding from various furniture and paper files. The other mezzanine also suffers from similar conditions, as there are no exterior windows and the restrooms are not ADA- and/or code-compliant. Within the mechanical room, current cooling compressors exhibit significant rust and corrosion, and therefore are at the end of their useful life and will require imminent maintenance.

Multiple areas within the building show signs of water entry over time, which may result in mold in these areas. Rusting, discoloration, and failures can be seen in many areas, and contribute to unhealthy conditions for employees in particular. Chipped paint and debris add to a sense of clutter, and depressions in the floor, bulging walls and sagging ceiling tiles illustrate a lack of maintenance and various failures that result in an unsafe workplace. There are multiple areas within the main part of the store that show such signs of damage, wear and tear, wood rot, and rust on various coolers and equipment. These conditions may potentially be unsafe for customers.

Summary

Due to the substandard, unsafe and obsolescent characteristics of the building, the property is conducive to unwholesome living or working conditions in accordance with **Criterion A** of the LRHL.

Due to a combination of the dilapidated conditions, overcrowding, faulty arrangement or design and obsolete layout of various improvements, the property is detrimental to the safety, health, morals and welfare of the community in accordance with **Criterion D** of the LRHL.

5.5 BLOCK 3002, LOT 7: 438-440 RARITAN AVENUE



Property Information

Property Owner:
Equipcare Limited
Liability Co.

Property Owner Address:
17 Phillips Road
Edison, NJ 08817

Property Use:
Personal service
establishments

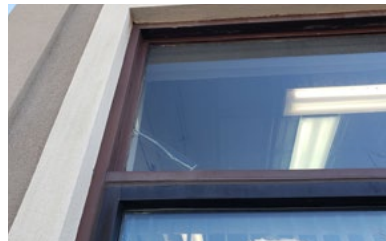
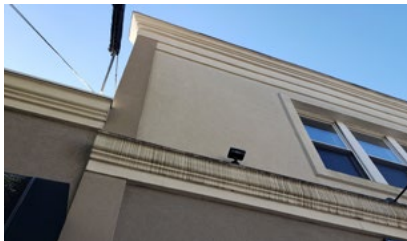
Business Name:
Landmark Supply Inc. (1st Fl)
The Loft Salon (2nd Fl)

Property Acreage:
0.1148 acres

Zoning District:
CBD Central Business
District Zone

**Redevelopment
Designation(s):**
Town-Wide Area in Need of
Rehabilitation (2016)

Representative Photos



Property Description

Block 3002, Lot 7 is a rectangular-shaped corner lot with 50 feet of frontage along the south side of Raritan Avenue and 100 feet of frontage along the west side of South 5th Avenue, and is approximately 5,000 square feet (0.1148 acres) in area. The property conforms to the bulk requirements of the zoning ordinance; however, the building is non-conforming with the rear yard setback, lot and impervious coverage requirements, and potentially other ordinance standards.

The property is improved with a one-story masonry building with a partial second floor fronting Raritan Avenue. The building contains approximately 6,250 square feet, with 5,000 square feet on the first floor and 1,250 square feet on the second floor. The building occupies the entire property, with no surface parking area on the property itself; instead, employees and customers park on-street and in various off-street parking areas, including within the Stop & Shop property.

While an interior inspection was made of the first floor, access was not gained to the second floor. The first floor is presently used by a pharmaceutical and medical supply distributor business, known as Landmark Supply Inc., with a sales office at the front and processing, storage and office areas at the rear. The second floor is presently used by a boutique hair salon, known as The Loft Salon, and is accessible by a entry stairway from South 5th Avenue. A solar energy system has been installed on both the larger, lower flat roof structure as well as the smaller, upper flat roof structure.

Solid Waste & Recycling

The existing businesses generally do not generate a high volume of solid waste and recycling. Given that the building occupies the entire property, solid waste & recycling is generally placed in two (2) receptacles located on the walkway immediately adjacent to the building, accessible by the Stop & Shop parking area.

Building Exterior

The exterior of the building is generally well-maintained, with some staining on the first floor and second floor cornices, various staining, patching and shallow divots on the stucco facade, a small crack in the storefront window system, and small cracks and chipping on the slab foundation.

Building Interior

The interior of the building is in very good condition, having recently been renovated and generally well-maintained. The building has retained the high-ceiling storefront space along Raritan Avenue that was originally used for auto sales and an overhead door / opening along South 5th Avenue that was originally used to transport vehicles into the building for servicing. There were no major issues found, other than some workspaces, storage areas and hallways overflowing with supplies. Permits were regularly filed for various improvements and maintenance over the years.

Summary

The property does not meet the statutory criteria for redevelopment under the LRHL based on the above findings. However, the property may also qualify as a non-condemnation area in need of redevelopment under the “**Section 3 Criteria**” as previously discussed, which states that “A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective development of the area of which they are a part.”

5.6 BLOCK 3002, LOTS 34 & 36 AND LOT 35: 21 SOUTH 4TH AVENUE



Property Information

Property Owner:

Wachovia Corporation
c/o T Reuters

Property Owner Address:

P.O. Box 2609
Carlsbad, CA 92018

Property Use:

Off-street parking spaces
(accessory to Lot 1)

Business Name:

Wells Fargo Bank (on Lot 1)

Property Acreage:

0.3037 acres (0.1872 acres for
Lots 34 & 36; 0.1165 acres for Lot 35)

Zoning District:

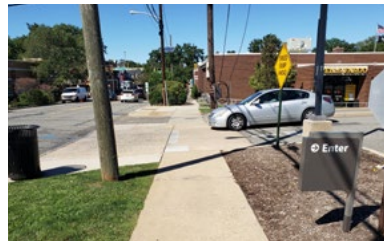
CBD Central Business
District Zone

**Redevelopment
Designation(s):**

Town-Wide Area in Need of
Rehabilitation (2016)



Representative Photos



Property Description

Block 3002, Lots 34 & 36 and Lot 35, taken together, is an irregularly-shaped mid-block lot with 78 feet of frontage along the east side of South 4th Avenue, approximately 136 feet of frontage along the south side and approximately 22 feet of frontage along the east side of the stub public right-of-way, and is approximately 13,230 square feet (0.3037 acres) in area. The two (2) properties, taken together, conform to the bulk requirements of the zoning ordinance;

however, Lot 35 on its own is non-conforming with the lot width and impervious coverage requirements, and potentially other ordinance standards. Additionally, the surface parking area is conforming with the use standards of the zoning ordinance, so long as it remains an accessory use to the principal use on Lot 1; the properties cannot be separated from Lot 1 without a use variance, unless the properties are redeveloped with a permitted principal use.

The properties are improved with a surface parking area that provides the parking needs for Wells Fargo Bank located on Lot 1 and is accessible by two (2) two-way driveways from South 4th Avenue. The northernmost driveway is situated within the stub public right-of-way, and allows for maneuverability into several parking spaces on the properties, and extends further east to provide access to the rear parking area on Lot 2 (associated with the Park Town Center property) and to the parking area on Lot 37 (associated with the Stop & Shop property).

Parking Area Design

The present layout of the rear parking area is inefficient and obsolete with respect to best practices in land use and site planning. The parking area lacks adequately designed drive aisles as well as accommodations for accessible parking, pedestrian amenities and buffering.

The parking area contains two (2) two-way drive aisles that serve only two (2) rows of parking - in other words, one of the rows of parking is accessible by two (2) drive aisles - making it extremely inefficient, contributing to excessive impervious coverage and the urban heat island effect. Additionally, when combined with the drive-through facility on the adjacent Lot 1, there are three (3) driveways in close proximity to each other, which may contribute to a condition that is confusing for motorists and unsafe for pedestrians utilizing the public sidewalk along South 4th Avenue.

The parking space immediately adjacent to the Stop & Shop property lacks sufficient space for a motorist to safely maneuver out of the parking space and into the driveway aisle. Additionally, where the southern drive aisle turns north to connect with the northern drive aisle, the connecting drive aisle lacks a standard landscape island that would otherwise allow for a motorist to safely circulate through the parking area without potentially colliding with a parked vehicle or pedestrians.

The parking area contains 29 parking spaces, which requires two (2) accessible spaces, one of which must be van accessible; however, only one (1) accessible space is provided.

There is a single row of parking, including one (1) accessible parking space and associated access aisle, with drive aisles immediately adjacent to either side of it, which results in a condition where pedestrians, including those with a mobility disability, are forced into a drive aisle in order to enter the pedestrian network, with no opportunity to seek refuge. For pedestrians accessing the Stop & Shop property, a pedestrian must walk between 100 to 200 feet before they are able to step out of the parking area and onto the walkway in front of the grocery store.

These conditions may result in driver confusion and contribute to a circulation pattern that is unsafe for motorists and especially pedestrians.

Parking Area Condition

The parking area shows signs of deterioration as evidenced by cracked and faulty patchwork in need of repair or upgrade, particularly around the drainage structure and along deteriorating curbs. Several elements appear to be deteriorating both structurally and superficially, such as eroding yellow bollards and light pole bases with exposed rebar, and obsolete rusted, crooked poles that pose an unsafe collision hazard for motorists while no longer serving their intended purpose.

The driveway aprons associated with both driveways along South 4th Avenue are cracked or heaved, or otherwise in some state of disrepair. As previously noted, the cartway within South 4th Avenue was recently repaved as part of a road paving project.

Landscaping & Landscape Buffer

The parking area also lacks sufficient buffering and screening for the adjacent residential and Stop & Shop properties, and lacks sufficient plantings and trees within existing landscape islands. It would appear that multiple trees and shrubs have been removed but not replaced.

Summary

Due to a combination of the dilapidated conditions, faulty arrangement or design and/or obsolete layout of various improvements, the properties are detrimental to the safety, health, morals and welfare of the community in accordance with **Criterion D** of the LRHL.

6

CONCLUSION

The foregoing Study was prepared at the direction and on behalf of the Planning Board to conduct a preliminary investigation of the properties identified on the Borough Tax Maps as Block 3002, Lots 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, 36 and 37, along with all streets and rights-of-way appurtenant thereto to determine whether the Study Area meets the statutory criteria for designation as a “non-condemnation area in need of redevelopment” pursuant to the requirements and criteria set forth by the LRHL.

The analysis shows that this designation is appropriate due to the existence of challenges mainly related to dilapidation, faulty arrangement or design, and/or obsolete layout and lack of maintenance or deteriorating conditions exhibited throughout the Study Area, as well as those properties that may not necessarily meet the statutory criteria, but the inclusion of which may be necessary, with or without change in their condition, for the effective development of the area of which they are a part.

Overcoming these existing hindrances while taking advantage of opportunities for preservation as well as redevelopment would allow these properties to become potentially useful and valuable for contributing to and serving the public health, safety and welfare of the surrounding area and community in general.

For the reasons articulated in this Study, it is recommended that the Borough Council and the Planning Board take the action necessary as prescribed by the LRHL to declare the properties located within the Study Area as a “non-condemnation area in need of redevelopment.”

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APPENDIX A: RESOLUTION 9-22-221

**BOROUGH OF HIGHLAND PARK
NO. 9-22-221**

RESOLUTION AUTHORIZING THE PLANNING BOARD TO CONDUCT AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 3002, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, AND 37 ON THE BOROUGH'S TAX MAP TO DETERMINE WHETHER THE PLANNING BOARD FINDS THAT THE PROPERTY SATISFIES THE LOCAL REDEVELOPMENT AND HOUSING LAW 'IN NEED' CRITERIA AND SHOULD BE DECLARED IN NEED OF REDEVELOPMENT WITHOUT CONDEMNATION POWERS

WHEREAS, the Local Redevelopment and Housing Law (the "LRHL"), N.J.S.A. 40A:12A-1 et seq., as amended and supplemented authorizes municipalities to determine whether certain parcels of land within the municipality constitute an area in need of redevelopment; and

WHEREAS, the Borough Council has determined to authorize the Highland Park Planning Board (the "**Planning Board**") to conduct a preliminary investigation of the grocery store property and certain other parcels adjacent to same identified on the Borough Tax Maps as BLOCK 3002, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, and 37, along with all streets and rights of way appurtenant thereto (collectively, the "**Study Area**") to determine whether all or a portion of the Study Area meets the criteria set forth in the LRHL, and whether all or a portion of said Study Area should be designated as an area in need of redevelopment; and

WHEREAS, the Study Area is currently designated as an "area in need of rehabilitation"; and

WHEREAS, the redevelopment area determination requested hereunder, in connection with the Study Area authorizes Borough Council to use all those powers provided by the LRHL for use in a redevelopment area except the power of eminent domain (a "**Non-Condemnation Redevelopment Area**"); and

WHEREAS, the Borough Council therefore authorizes and directs the Planning Board to conduct a preliminary investigation of the Study Area and to make recommendations to the Borough Council all in accordance with the LRHL,

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, New Jersey as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation, pursuant to the LRHL to determine if the Study Area satisfies the criteria set forth in the LRHL and should be designated a "Non-condemnation Redevelopment Area."

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein and appended thereto shall be a statement setting forth the basis of investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the LRHL, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area shall be an area in need of redevelopment.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment and evidence in support of those objection shall be received and considered by the Planning Board and shall be made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area and conducting a public hearing at which all objections to the proposed designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or a portion of the Study Area as a Non-condemnation Redevelopment Area.

Section 7. If any part of this resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 8. A copy of this resolution shall be filed in the Office of the Borough Clerk.

ADOPTED: September 6, 2022

ATTEST:


Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 6th day of September 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES				
Council Member	Ayes	Nays	Abstain	Absent
Canavera				<input checked="" type="checkbox"/>
Foster	<input checked="" type="checkbox"/>			
George	<input checked="" type="checkbox"/>			
Hale	<input checked="" type="checkbox"/>			
Hersh	<input checked="" type="checkbox"/>			
Kim-Chohan				<input checked="" type="checkbox"/>

APPENDIX B: RESOLUTION 9-22-222

BOROUGH OF HIGHLAND PARK NO. 9-22-222

RESOLUTION AUTHORIZING LRK TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE IF BLOCK 3002, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, AND 37 ON THE BOROUGH'S TAX MAP SATISFIES THE LOCAL REDEVELOPMENT AND HOUSING LAW "IN NEED" CRITERIA AND SHOULD BE DECLARED IN NEED OF REDEVELOPMENT WITHOUT CONDEMNATION POWERS AND PREPARE A REDEVELOPMENT PLAN FOR SUCH AREA

WHEREAS, the Local Redevelopment and Housing Law (the "LRHL"), N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented authorizes municipalities to determine whether certain parcels of land within the municipality constitute an area in need of redevelopment; and

WHEREAS, the Borough Council has determined to authorize the Highland Park Planning Board (the "Planning Board") to conduct a preliminary investigation of the grocery store property and certain other parcels adjacent to same identified on the Borough Tax Maps as BLOCK 3002, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 30, 34, 35, and 37, along with all streets and rights of way appurtenant thereto (collectively, the "Study Area") to determine whether all or a portion of the Study Area meets the criteria set forth in the LRHL, and whether all or a portion of said Study Area should be designated as an area in need of redevelopment; and

WHEREAS, the Study Area is currently designated as an "area in need of rehabilitation"; and

WHEREAS, because the Study Area is currently in an "area in need of rehabilitation" the Borough Council also authorized the preparation of a redevelopment plan; and

WHEREAS, LRK provided the Borough with a proposal, attached hereto as Exhibit A (the "Area in Need Study Proposal"), setting forth the manner and costs of the preparation of an area in need study for the Study Area; and

WHEREAS, LRK provided the Borough with a proposal, attached hereto as Exhibit B (the "Redevelopment Plan Proposal"), setting forth the manner and costs of the preparation of a redevelopment plan for the Study Area; and

WHEREAS, the Borough wishes to enter into an agreement with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of the area in need study for the Study Area, whichever is earlier, and for a contract amount not to exceed Seventeen Thousand Dollars (\$17,000.00), to be paid in accordance with the rates set forth in the Area in Need Study Proposal; and

WHEREAS, the Borough wishes to enter into an agreement with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of a redevelopment plan for the Study Area, whichever is earlier, and for a contract amount not to exceed Thirty-Six Thousand Dollars (\$36,000.00), to be paid in accordance with the rates set forth in the Redevelopment Plan Proposal; and

WHEREAS, the Borough hereby certifies that it has funds available to compensate LRK for the preparation of an area in need study and the preparation of a redevelopment plan for the Study Area in Account No. C-04-55-814-001 for an amount not to exceed \$53,000, as reflected by the certification of funds by the Chief Financial Officer, no. 2022-33; and

WHEREAS, said services are of a professional nature as to come within the purview of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, as being contracts for rendition of professional services that do not require competitive bidding; and

WHEREAS, notice of the award of these contracts shall be published in a newspaper of general circulation in accordance with N.J.S.A. 40A:11-5(1)(a)(i),

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Highland Park, New Jersey:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The Borough Council hereby authorizes a professional services contract with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of the area in need study for the Study Area, whichever is earlier, and for a contract amount not to exceed Seventeen Thousand Dollars (\$17,000.00), to be paid in accordance with the rates set forth in the Area in Need Study Proposal, all subject to the terms and conditions of the Borough's form professional services agreement.

Section 3. The Borough Council hereby authorizes a professional services contract with LRK for a term to expire either within one (1) year after the effective date of such agreement, or upon the completion of a redevelopment plan for the Study Area, whichever is earlier, and for a contract amount not to exceed Thirty-Six Thousand Dollars (\$36,000.00), to be paid in accordance with the rates set forth in the Redevelopment Plan Proposal, all subject to the terms and conditions of the Borough's form professional services agreement.

Section 4. The Mayor is hereby authorized and directed to execute professional services contracts in the form of the Area in Need Study Proposal and Redevelopment Plan Proposal attached hereto as Exhibit A and Exhibit B, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough's counsel and professionals.

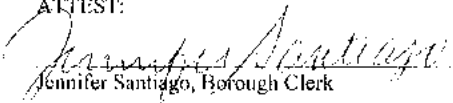
Section 5. The Borough Clerk is hereby authorized and directed, upon execution of the Area in Need Study Proposal and Redevelopment Plan Proposal in accordance with Section 4 hereof, to attest to the signature of the Mayor upon such documents and is hereby further authorized and directed to affix the corporate seal of the Borough upon such documents.

Section 6. This Resolution shall take effect immediately.

Section 7. A copy of this resolution shall be filed in the Office of the Borough Clerk.

ADOPTED: September 6, 2022

ATTEST:


Jennifer Santiago, Borough Clerk

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the above to be a true copy of a resolution adopted by the Borough Council of said Borough on the 6th day of September 2022.

Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES				
Council Member	Ayes	Nays	Abstain	Absent
Cannvera				✓
Foster	✓			
George	✓			
Halc	✓			
Hersh	✓			
Kim-Cheban				✓

