



Preliminary Investigation of a Non-Condemnation Area in Need of Redevelopment Downtown Area - Tract C Expansion

Block 2202, Lots 1, 13, 19, 31, 37, 38 & 39

Borough of Highland Park, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | November 22, 2023 | **DRAFT**



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Borough of Highland Park, Middlesex County, New Jersey

Recommended by the Planning Board on Month DD, 2023

Adopted by the Borough Council on Month DD, 2023



Prepared on behalf of:

Highland Park Planning Board

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1 | INTRODUCTION

1.1 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 play. The Borough has been proactively engaging in redevelopment projects as a tool for stimulating private investment throughout Highland Park, particularly within the downtown area, in accordance with the New Jersey Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40:A:12A-1 et seq.

Beginning in 2005, the Borough Council designated parts of the downtown area along Raritan Avenue as “areas in need of redevelopment” under the LRHL. In order to facilitate the development of these areas, the Borough Council adopted the “Highland Park Downtown Redevelopment Plan” (the “2005 Redevelopment Plan”). 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:

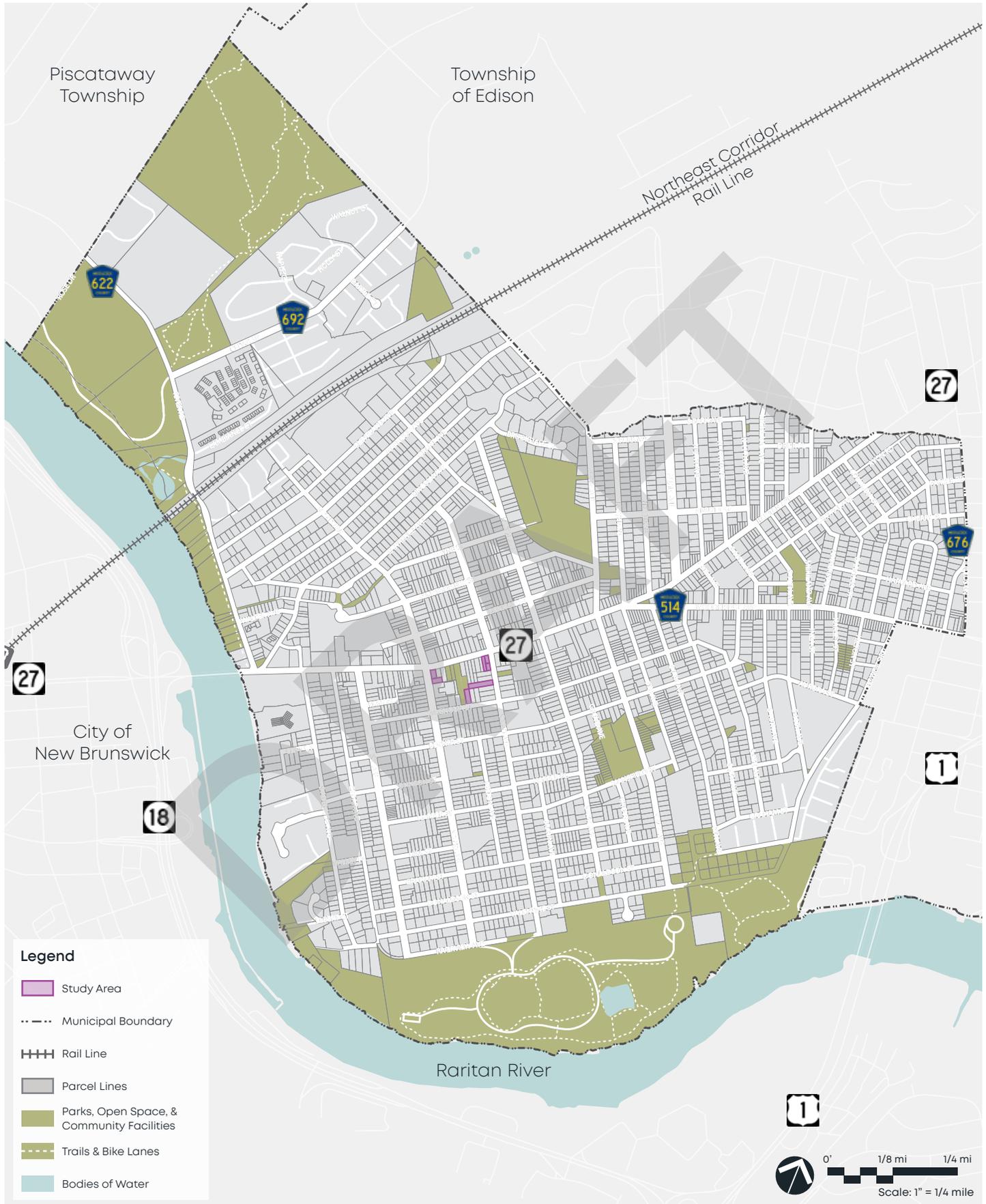
- Ensure a vibrant downtown and commercial corridors;
- Encourage infill development that is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns; and,
- Preserve and enhance the character and small town feel of the community.

In 2020, the Borough initiated a new redevelopment planning process to create a plan with a more focused approach for the rehabilitation and redevelopment of various properties within the downtown area. Following extensive community outreach, input and feedback, the Borough Council adopted the “Downtown Redevelopment Plan for Tracts A - D,” (the “2021 Redevelopment Plan”).

Following the adoption of the 2021 Redevelopment Plan, the Borough issued a Request for Proposals (“RFP”) with specific expectations for the redevelopment of each tract, and emphasized the importance of community amenities and strategic land uses. The Borough allowed RFP respondents to propose redevelopment on adjacent properties outside of the designated redevelopment area, so long as the proposal demonstrated the importance of including the additional properties in the proposed project.

Relative to the area referred to as “Tract C,” the Borough evaluated several proposals from multiple RFP respondents and ultimately selected 232 Raritan Avenue, LLC (Garden Homes) as the conditional redeveloper. Their initial proposed concept plan included additional properties that were not included within the redevelopment area as defined by the 2021 Redevelopment Plan.

Map 1. Context Map



While the Borough could have proceeded with an amended redevelopment plan to incorporate additional properties under the rehabilitation designation, the Borough ultimately determined that it was in the best interest of the community that a preliminary investigation be conducted to potentially expand the redevelopment designation for the remainder of the block fronting on Raritan Avenue as well as other properties that may facilitate access to the expanded redevelopment area, prior to undertaking any amendments to the 2021 Redevelopment Plan.

It should be noted that this preliminary investigation does not constitute an endorsement or recommendation for a specific plan or strategy for the additional properties. Any subsequent redevelopment plan, plan amendment, or strategy remains in the purview of the Borough Council.

1.2 STUDY AUTHORIZATION

At its meeting on February 21, 2023, the Borough Council adopted Resolution No. 2-23-71. 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 any of the properties identified on the Borough Tax Maps as Block 2202, Lots 1, 13, 19, 31, 37, 38 and 39, 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.”

Later in 2023, the Planning Board 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 preliminary investigation on behalf of the Borough.

1.3 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.”

Map 2. Study Area Map



1.4 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, goals and objectives of the Master Plan, goals and strategies of the 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 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.

1.5 SUMMARY OF FINDINGS

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.”

The table below summarizes the findings of this Study regarding the statutory criterion’s applicability to each property within the Study Area.

Table 1. Study Area Evaluation Summary

Block	Lot	Address	Statutory Criteria								Section 3
			A	B	C	D	E	F	G	H	
2202	1	202 Raritan Avenue				X				X	
2202	31	11 South 2nd Avenue									X
2202	37	242 Raritan Avenue									X
2202	38	246 Raritan Avenue	X			X				X	
2202	39	10 South 3rd Avenue				X				X	
2202	13	24 South 3rd Avenue	X			X				X	
2202	19	225 Magnolia Street									X

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2 | REDEVELOPMENT STATUTE

2.1 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.

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 redevelopment powers, 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 before the effective date of PL 2013, c.159.

Once an area has been designated a rehabilitation and/or redevelopment area, a redevelopment plan may be prepared to utilize various planning and financial tools to eliminate the 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 that facilitate the desired redevelopment of the 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.

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.



2.2 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.

2.3 REDEVELOPMENT PROCEDURE

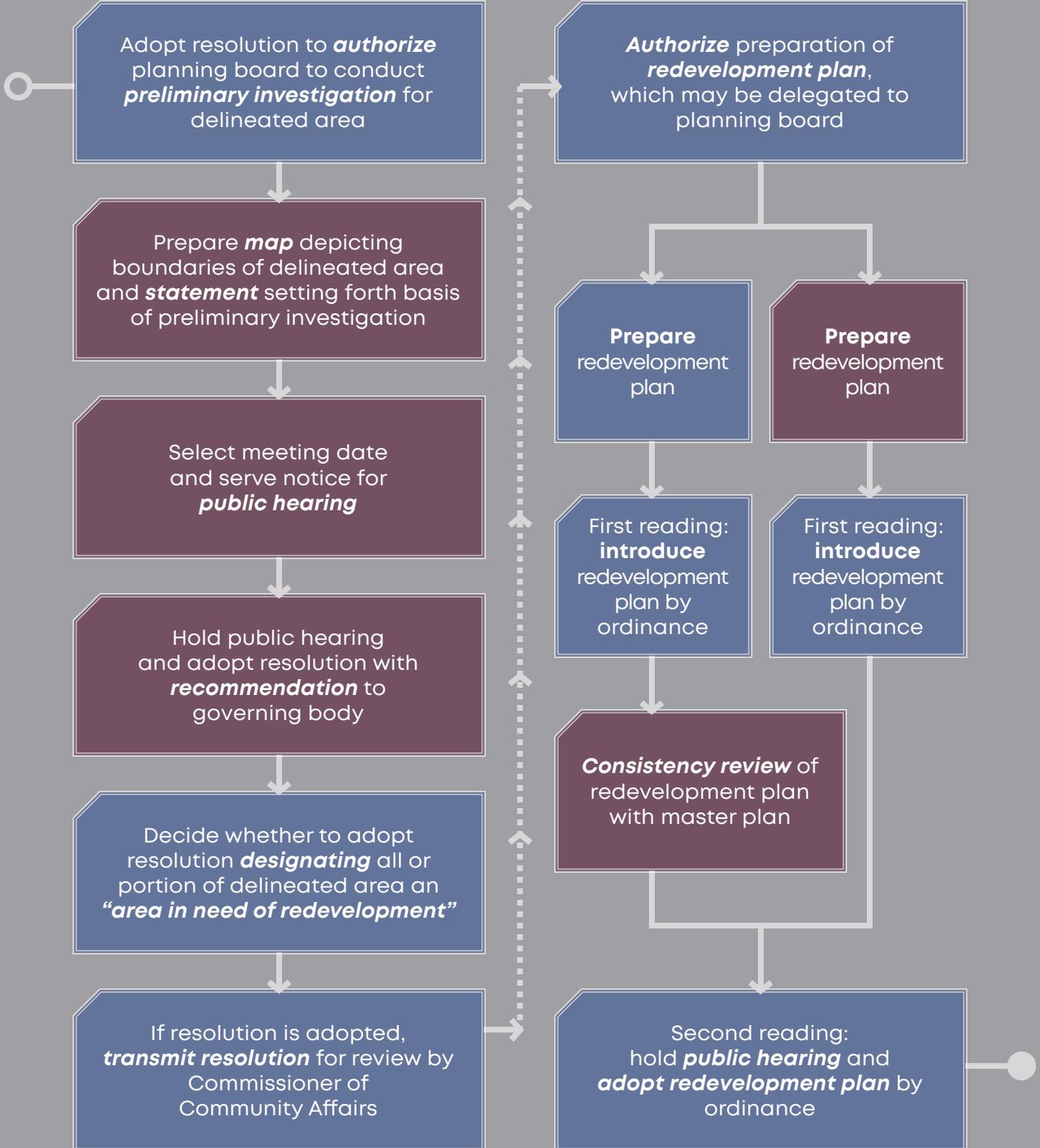
The LRHL provides a detailed process for the municipality and local government to follow in order to exercise its redevelopment powers. This process is meant, in part, to ensure that the public is given adequate notice and an opportunity to participate in the public process and that the governing body 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 more fully described on the following pages.

REDEVELOPMENT PROCEDURE SUMMARY

Preliminary Investigation

Redevelopment Plan



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.

2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE

2005 Area in Need of Redevelopment Designation

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

The Borough Council adopted a resolution, as amended, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether the area including Block 2201 [13], Lots 1-4, 6-9, 46, and 49-50; Block 2202 [22], Lots 2-4, 6-9, 32.01, 33.01, and 34-36; Block 31, Lots 3-6, 17-25, and 33; Block 143, Lots 35-40; Block 1603 [162], Lots 34-35, and 39; and Block 1704 [173], Lots 34-37, 41-49, and 52-53 (the “delineated area”) met the criteria as an “area in need of redevelopment” as defined in the LRHL.

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

2005 Highland Park Downtown Redevelopment Plan

On September 13, 2005, the Borough Council adopted Ordinance No. 1667, formally adopting the “Highland Park Downtown Redevelopment Plan,” prepared by Wallace Roberts & Todd, LLC, dated September 13, 2005 (the “2005 Redevelopment Plan”). It is noted that the ordinance indicates that the 2005 Redevelopment Plan supersedes the existing land use regulations affecting the designated redevelopment area.

Drawing from various elements of the 2003 Master Plan, Highland Park 2020: A Sustainable Community, and other planning efforts, the 2005 Redevelopment Plan established a vision statement that sought to create “a diverse main street where residents, visitors, and businesses are able to thrive in a safe, pedestrian-friendly, and ecologically-conscious environment.”

The 2005 Redevelopment Plan created goals within the context of prior planning initiatives in the Borough, each of which were meant to help implement a safe, walkable, mixed-use downtown, and to support sustainable infill and rehabilitation efforts. Additionally, the 2005 Redevelopment Plan provides for a series of block-specific illustrative conceptual development approaches for various properties along Raritan Avenue, together with general and block-specific design guidelines.

Amendments to 2005 Redevelopment Plan

One of the major problems identified in both the 2010 and 2019 Master Plan Reexamination Reports has been the lack of development activity throughout the various downtown’s designated redevelopment areas, in part due to the inconsistent boundaries on each block within the designated redevelopment area and overly rigid requirements. In the years following

the adoption of the 2005 Redevelopment Plan, the Borough Council considered and adopted seven (7) amendments from 2006 through 2018, which attempted to address these challenges.

2016 Borough-Wide Rehabilitation Designation

On December 20, 2016, the Borough Council adopted Ordinance No. 16-1921, declaring the entire area within the Borough, including Tract C, an “area in need of rehabilitation” in accordance with 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 corridor;
- Encourage infill development that is compatible with the scale, density and design of the Borough’s existing residential neighborhoods and historic development patterns;
- Preserve and enhance the character and small town feel of the community.

2021 Downtown Redevelopment Plan for Tracts A - D

On September 1, 2020, the Borough Council adopted Resolution No. 9-20-246, authorizing the preparation of a redevelopment plan to enable a more focused approach for the rehabilitation and redevelopment of four (4) non-contiguous properties, including Block 1704 [173], Lots 41-49 and portion of Lot 20 (or “Tract A”); Block 2201 [13], Lots 6 and 9 (or “Tract B”); Block 2202 [22], Lots 4, 32.02 and 33.01 (or “Tract C”); and Block 1604 [158], Lots 20-26, 42, 50-51 and portion of Lot 47 as well as Block 1603 [162], Lots 36-38 (or “Tract D”).

Over the course of a year-long planning effort, the Borough prepared a number of preliminary redevelopment concepts and visualizations and held a number of stakeholder meetings with residents and businesses in proximity to the various tracts. It was acknowledged that redevelopment could impact adjacent property owners.

On September 14, 2021, the Borough Council adopted Ordinance No. 21-2030, formally adopting the “Downtown Redevelopment Plan for Tracts A - D,” prepared by LRK, Inc., dated July 13, 2021 (the “2021 Redevelopment Plan”). Similar to the 2005 Redevelopment Plan, it is noted that the ordinance indicates that the 2021 Redevelopment Plan supersedes the existing land use regulations affecting the designated redevelopment area.

Relative to Tract C, the redevelopment plan allows for infill with one or more new taller mixed-use or multi-family buildings serving as a focal point to “terminate the vista” looking up Raritan Avenue after crossing the bridge from New Brunswick. The vision for “Tract C” suggests a multi-use public plaza along Raritan Avenue, a more efficient parking area, and access from Raritan Avenue to Magnolia Street and beyond. The redevelopment plan recognizes the limited retail frontage on the block, and suggests limiting commercial storefront space and include activated ground level frontage along Raritan Avenue with residential apartments that will bring more people to live, work and shop along Raritan Avenue.

2021-2022 RFP Process

In December 2021, the Borough issued a Request for Proposals (“RFP”) that invited qualified redevelopers to respond with redevelopment proposal submissions and statements of qualifications. The RFP outlined specific expectations for the redevelopment of each tract, emphasizing the importance of community amenities or other strategic land uses considered favorable as detailed in the 2021 Redevelopment Plan. The Borough sought proposals which maximized each redevelopment area’s potential and address concepts such as the creation of a “town square” for public gathering, an expanded downtown customer base, and a centralized parking strategy, if feasible.

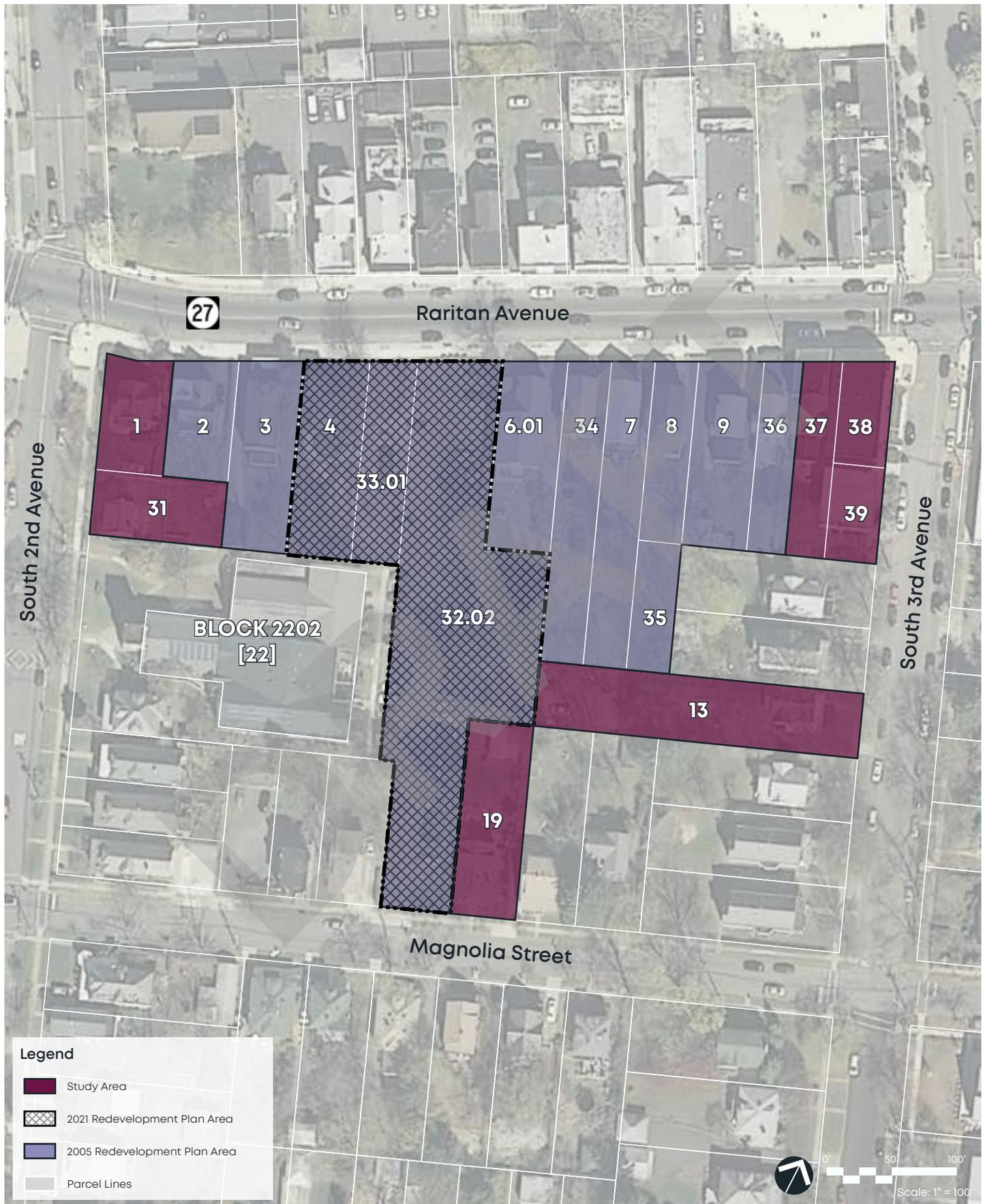
In anticipation of developers seeking to potentially expand the developable footprint, the Borough invited RFP respondents to propose redevelopment on adjacent properties outside of the designated redevelopment area. Any such proposals were required to demonstrate the importance of including the additional properties in the proposed project. Respondents were also asked to specifically describe any financial or other responsibilities expected of the Borough during the life of the proposed project. The Borough considered proposals that included financial incentives, such as Payment in Lieu of Taxes (“PILOT”), though it was not guaranteed that the Borough would award any such incentives. Over the course of several months, the Borough received and evaluated several proposals from multiple RFP respondents.

On August 2, 2022, the Borough Council adopted a resolution designating 232 Raritan Avenue, LLC as the conditional developer for Tract C. Their initial concept plan included additional properties that were not included within the redevelopment area as defined in the 2021 Redevelopment Plan. After initial discussions and considerations regarding the additional properties, the Borough ultimately determined that it was in the best interest of the community that a preliminary investigation be conducted to potentially expand the redevelopment designation for the remainder of the block fronting on Raritan Avenue as well as other properties that may facilitate improved access, circulation and parking that would serve the expanded redevelopment area and adjacent properties, prior to amending the 2021 Redevelopment Plan.

2023 Study Authorization

As previously noted, on February 21, 2023, the Borough Council adopted Resolution No. 2-23-71 authorizing and directing the Planning Board to undertake a preliminary investigation 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.”

Map 3. Consolidated Study Area Map



2.5 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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3 | STUDY AREA CONTEXT

3.1 OVERVIEW

The Study Area is situated in the central region of the Borough and in the downtown area, located on the south side of Raritan Avenue (New Jersey State Route 27) between South 2nd Avenue and South 3rd Avenue. The Study Area consists of seven (7) separate properties that, collectively, encompass less than a single acre of land.

The Study Area, as a whole, is not a contiguous assemblage of properties; however, all of the lots are adjacent to the previously-designated redevelopment area that otherwise encompasses a significant portion of Block 2202, and all of the properties are situated within the municipal-wide rehabilitation area.

The block presently contains a number of non-retail-based anchor uses, including the Reformed Church of Highland Park, as well as Main Street Highland Park and associated parking area that accommodates the Highland Park Farmers Market and other community events; otherwise, the majority of the frontage along Raritan Avenue contains office uses and there are several non-conforming uses throughout the block.

The church provides many opportunities to bring people together, including regular mass, community meetings, operates a cafe and thrift shop, and supports refugee resettlement efforts. Additionally, the large surface parking area in the middle of the block supports the church, Main Street Highland Park and the Highland Park Farmers Market, which bring in vendors from around the region. The parking area is partially improved with a shade structure in honor of the late Borough Councilwoman Susan Welkovits, together with picnic tables, chairs, planters and other street furniture.



3.2 EXISTING CONDITIONS

Presently, all lots within the Study Area are entirely developed, having a variety of building typologies and land uses, and are situated in different zoning districts.

Starting at the northwest corner, Lots 1 and 31 are contiguous, forming an “L” shape, having 50.33 feet of frontage along Raritan Avenue and 150 feet of frontage along South 2nd Avenue. Lot 1 contains a 2 1/2-story building containing offices uses, together with a small ancillary parking area at the rear of the building. Lot 31 contains a 1 1/2-story single-family detached dwelling owned and managed by the church as an affordable housing unit.

On the opposite side of the block, Lots 37, 38 and 39 are contiguous, nearly rectangular in shape, having 70.23 feet of frontage along Raritan Avenue and 164 feet of frontage along South 3rd Avenue. Lot 37 contains a 2-story mixed-use building situated in front of a 2 1/2-story residential building. Lot 38 contains a 1-story commercial building containing two (2) traditional storefronts facing Raritan Avenue and South 3rd Avenue, along with an office use at the rear of the building facing South 3rd Avenue. Lot 39 contains a 2-story mixed-use building containing a storefront facing South 3rd Avenue and a residential use above.

Lot 13 is rectangular in shape, located on the east side of the block, having 50 feet of frontage along South 3rd Avenue and is 250 feet in depth. The property contains a 2 1/2-story converted residential building containing a day-care and office uses in front of a 2-story multifamily building, together with a small playground area and rear parking area.

Finally, Lot 19 is rectangular in shape, located on the south side of the block, having 50 feet of frontage along Magnolia Street and is 150 feet in depth. The property contains a traditional 1 1/2-story single-family detached dwelling, and is directly adjacent to the driveway and the large surface parking area in the center of the block as described above.



Property Ownership

All seven (7) properties are owned by different entities. When taken together, the Study Area comprises of approximately 0.94 acres, as summarized in the table below.

Table 2. Property Ownership

Block	Lot	Class	Address	Owner	Acreage ¹
2202	1	4A	202 Raritan Ave	232 Raritan Avenue LLC ²	0.11
2202	31	15D	11 South 2nd Ave	Reformed Church of HP Affordable	0.11
2202	37	4A	242 Raritan Ave	Kyriakoulis Mandalozis	0.11
2202	38	4A	246 Raritan Ave	246 Raritan Avenue LLC	0.08
2202	39	4A	10 South 3rd Ave	8 South 3rd LLC	0.07
2202	13	4A	24 South 3rd Ave	South Third Associates LLC	0.29
2202	19	2	225 Magnolia St	Pamela Neeff	0.17
Total					0.94

Note 1: The acreage values listed 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 below may not match the acreage values found in property tax records.

Note 2: Block 2202, Lot 1 was recently sold on October 21, 2022.

Property Assessment

Property tax records derived from Borough of Highland Park tax records 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 billed, as of April 2023. The Study Area has a improvement ratio of approximately 89% (meaning land value is greater than improvement value) with total taxes paid of \$88,938.13, as summarized in the table below

Table 3. Property Assessment

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	2022 Taxes
2202	1	\$300,000	\$310,000	\$610,000	\$16,088.59
2202	31	\$210,000	\$158,100	\$368,100	\$0.00
2202	37	\$300,000	\$175,300	\$475,300	\$10,235.75
2202	38	\$300,000	\$279,400	\$579,400	\$16,733.92
2202	39	\$200,000	\$268,200	\$468,200	\$15,810.73
2202	13	\$400,000	\$355,500	\$755,500	\$20,199.51
2202	19	\$202,500	\$148,400	\$350,900	\$9,869.63
Totals		\$1,912,500	\$1,694,900	\$3,607,400	\$88,938.13

Note: there were no open liens nor any liens that were redeemed over the past five (5) years.

Environmental Assessment

Sites & Facilities - The Study Area contains multiple sites that are enumerated through the New Jersey Department of Environmental Protection (“NJDEP”) New Jersey Environmental Management System (“NJEMS”); however, 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 4. NJEMS List

Site ID	P ¹	PI ID	Site Name	Active	Address
377214 ²	SR	467487	R M F Management	Yes	248 Raritan Ave
360987	SR	974171	Infinite Minds Infancy Care	Yes	24 South 3rd Ave

Note 1: Program Names: SR = Site Remediation

Note 2: The NJDEP DataMiner report detail for Site ID 377214 did not have any information beyond its identification noted above

There are a number of program interest sites surrounding the Study Area, including several associated with the former Sunoco station located across South 2nd Avenue from Lots 1 and 31.

Land - There are no wetlands as identified by the 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.

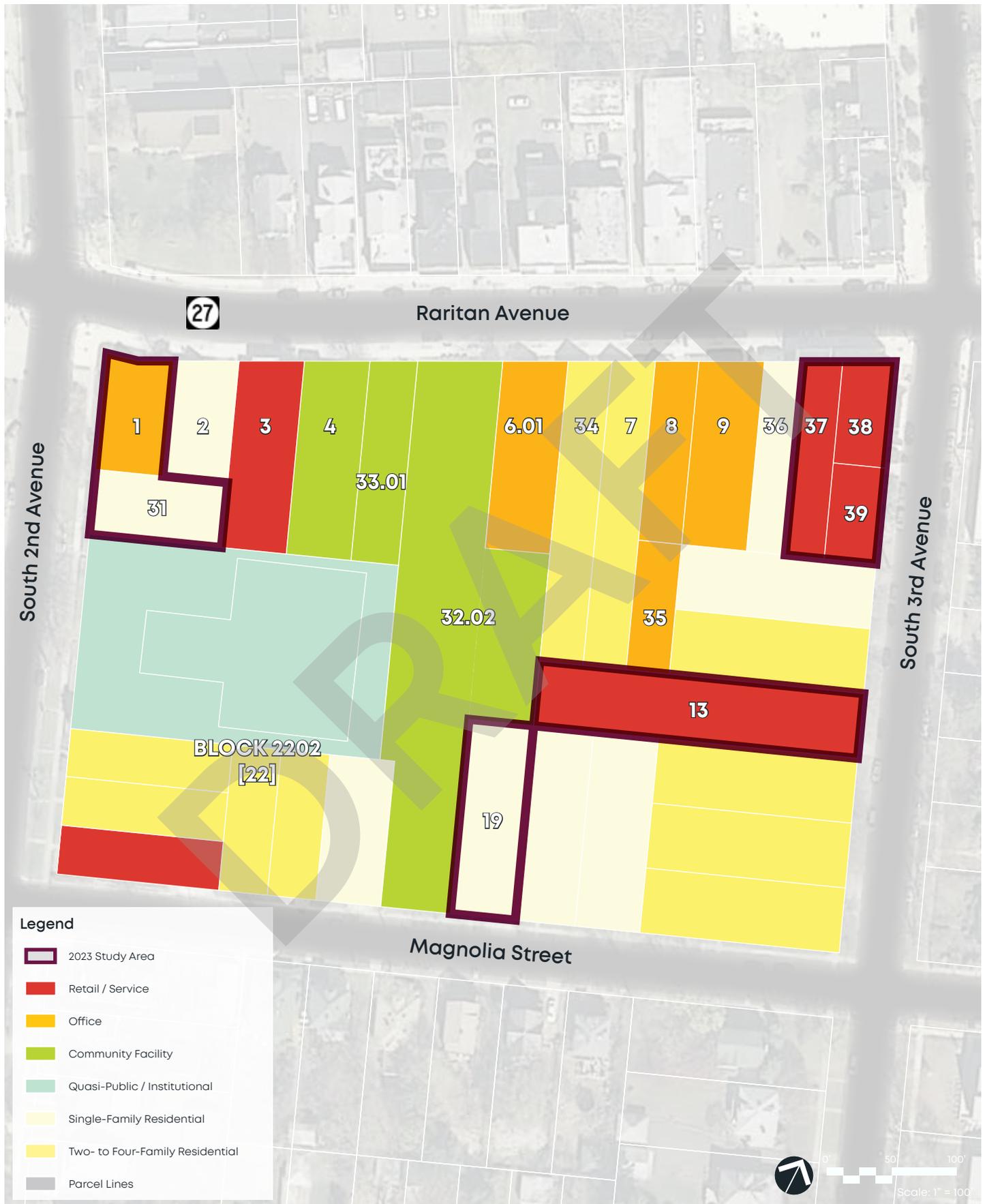
Historic Preservation - The 2003 Master Plan notes that 202 Raritan Avenue (Lot 1) is one of several sites eligible for listing on the New Jersey and National Registers of Historic Places.

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 bedrock ranging from 10 to 20 inches.

All of Highland Park sits atop the Passaic Formation (reddish-brown shale, siltstone and mudstone) bedrock and a single crossing cycle of Passaic Formation Gray bed bedrock that cuts diagonally across the block, from the southwest to the northeast.

Land Use - The Study Area, as does the remainder of the block, contains a variety of land uses, ranging from single-family detached dwellings to mixed-use to quasi-public / institutional uses. The land use map, as shown on the following page, was generally derived from the 2019 Master Plan, with minor updates, but may not accurately reflect specific land uses, including where there are of mix of uses.

Map 5. Land Use Map



Zoning Classification

The majority of the Study Area - Lots 1, 31, 37, 38 & 39 - is situated in the CBD Central Business District Zone, with Lot 13 located in the PO Professional Office Zone and Lot 19 in the RA Single-Family Residential Zone. The remainder of the lots within the block fronting on Raritan Avenue are situated in the superseding zoning promulgated by either the 2005 Redevelopment Plan or the 2021 Redevelopment Plan. The remainder of the lots within the block are situated in the CBD Zone (limited to the Reformed Church of Highland Park fronting on South 2nd Avenue), the PO Zone (for the remaining lots fronting on South 2nd Avenue and all lots fronting on South 3rd Avenue), and the RA Zone (for those lots fronting on Magnolia Street).

The CBD Zone generally permits traditional downtown retail and office uses, with limited residential uses, and typical bulk standards generally found in smaller, older downtowns. The PO Zone is intended to serve as a transition between the commercial corridor of Raritan Avenue and the residential neighborhoods to the north and south, allowing traditional office space, medical offices, and single-family homes, and the RA Zone allows for detached single-family homes. In addition to use and bulk standards, Article XVII of the Highland Park Land Development Ordinance lays out urban design and architecture guidelines applicable to the CBD and PO Zones, aimed at ensuring that development 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 other features.

As for the redevelopment plan areas, the zoning pursuant to the 2005 Redevelopment Plan Area is similar to the CBD Zone. There are generally limited setback requirements and building height may range from a minimum of two (2) stories to a maximum of three (3) stories, with a fourth floor permitted provided that it is stepped back. Among various amendments to the redevelopment plan included allowing limited residential apartments on the ground floor and setting the parking standard to a minimum of one (1) parking space per residential unit, which may be satisfied off-site. Design standards include provisions to encourage active ground floor uses along the street, structured and underground parking, wrapping said parking structures with office or residential uses, and ensuring that facade design includes similar architectural features as surrounding buildings. Specific requirements for Block 2202 included the concept of a Community Arts Center and open space plaza.

The zoning pursuant to the 2021 Redevelopment Plan promotes infill and mixed-use development aimed to activate Raritan Avenue, including residential apartments on upper floors aimed to bring more people to live, work, and shop along the corridor. The plan aims to limit new ground floor retail or restaurant space allowing for "active street front" uses, such as a lobby space, co-working space, fitness center, other residential amenities and public gathering space.. Similar to the 2005 Redevelopment Plan, there are limited setback requirements and building height may range up to four (4) stories, with a fifth floor permitted provided that it is stepped back. Design standards included various parking strategies, including structured parking, short-term on-street parking / loading areas, and accessible parking spaces. Specific to Block 2202, the redevelopment plan sought to provide infill multifamily development with sufficient parking and improved pedestrian connectivity to accommodate the daily needs of residents or business uses both within and surrounding the redevelopment area.

Map 6. Zoning Map

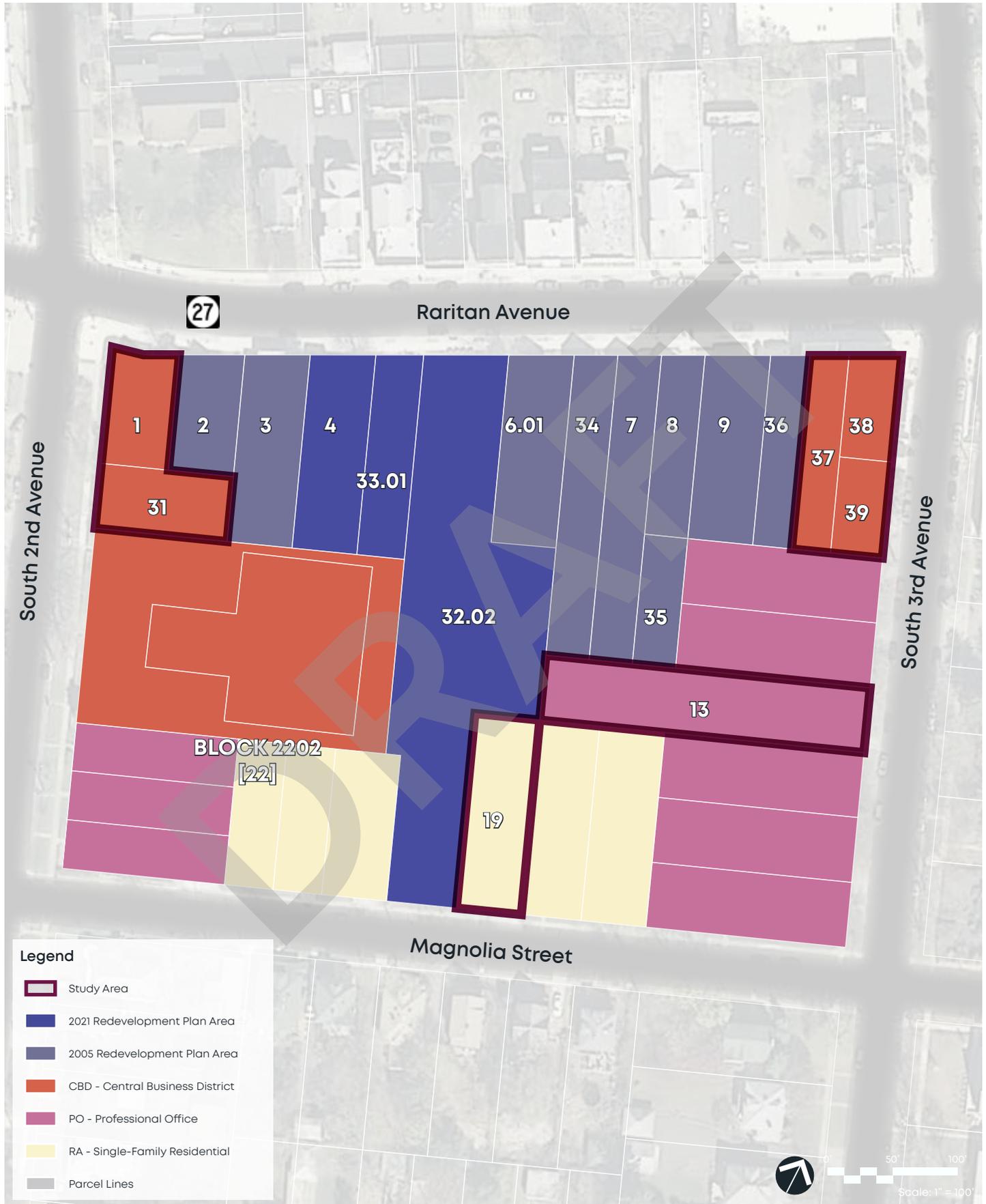


Table 5. Zoning Chart for the CBD Zone

Applicability			
Block 2202, Lots 1, 31, 37, 38 & 39			
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 (except on the ground floor); Outdoor cafes; Public assembly facilities and spaces (where integrated into a mixed-use building); Carry-out restaurants (subject to various conditions); Medical cannabis dispensaries; and, Class 5 cannabis retailers and Class 6 cannabis delivery services.			
Permitted Accessory Uses			
Off-street parking spaces; Off-street loading spaces; Business, professional and governmental offices (except on the ground floor); Residential uses (except on the ground floor); Fences, walls and hedges; Satellite dish antenna (receive only); Outdoor cafes; Sidewalk displays; and, Artist studios and artistic instruction space (not exceeding 33% of the ground floor and subject to various conditions).			
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
		Max. Dwelling Units / Building	33% of GFA

Table 6. Zoning Chart for the PO Zone

Applicability			
Block 2202, Lot 13			
Permitted Principal Uses			
Professional and business offices; Offices for practicing physicians, dentists, psychologists and other professions dealing in the medical profession; Single-family homes; and, Laboratories.			
Permitted Accessory Uses			
Apartments on upper floors above professional offices; Off-street parking lots and private parking garages; Off-street loading and ramp areas; Fences, walls and hedges; and, Satellite dish antenna (receive only).			
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)	N/A
Min. Lot Width (Feet)	50	Max. Height (Stories)	2.5
Min. Lot Depth (Feet)	100	Max. Height (Feet)	35
Yards		Coverage	
Min. Front Yard (Feet)	20	Max. Lot Coverage	50%
Min. 1 Side Yard (Feet)	10	Max. Impervious Coverage	80%
Min. 2 Side Yards (Feet)	20	Density	
Min. Rear Yard (Feet)	25	Min. GFA (SF)	2,500
		Max. Dwelling Units / Building	N/A

Table 7. Zoning Chart for the RA Zone

Applicability			
Block 2202, Lot 19			
Permitted Principal Uses			
Single-family detached dwellings.			
Permitted Accessory Uses			
Private garage space; Greenhouses, tool sheds and other similar structures; Private recreational facilities, such as but not limited to swimming pools, tennis courts, home gyms and satellite dish antennas (receive only), provided these uses shall be noncommercial and that lighting shall be directed away from adjacent lots; Fences, walls and hedges; and, Home occupations.			
Conditional Uses			
Churches, synagogues and other similar places of worship, parish houses, and convents; 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 and offices; and, Public parks and playgrounds.			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	5,000	Min. Height (Stories)	N/A
Min. Lot Width (Feet)	50	Max. Height (Stories)	2.5
Min. Lot Depth (Feet)	100	Max. Height (Feet)	35
Yards		Coverage	
Min. Front Yard (Feet)	20	Max. Lot Coverage	30%
Min. 1 Side Yard (Feet)	10	Max. Impervious Coverage	40%
Min. 2 Side Yards (Feet)	20	Density	
Min. Rear Yard (Feet)	20	Min. GFA (SF)	1,500
		Max. Dwelling Units / Building	1

Table 8. Zoning Chart for the 2005 Redevelopment Plan

Applicability			
Block 2202, Lots 2, 3, 6.01, 7, 8, 9, 34, 35 & 36 (All outside of Study Area; for reference only)			
Permitted Principal Uses			
Retail businesses; Personal service establishments; Banks; Food consumption establishments (except drive-in or carry out restaurants); Package stores and taverns; Artist studios; Business, professional and governmental offices; Residential uses; Public assembly facilities and spaces, theaters and cinemas (where integrated into a mixed-use building along Raritan Avenue); and, Medical professional offices (subject to various conditions).			
Permitted Accessory Uses			
Off-Street parking and loading spaces; Fences, walls and hedges; Satellite dish antenna (receive only); Outdoor cafes; Sidewalk displays; Artist studios and artistic instruction space (not exceeding 33% of the ground floor and subject to various conditions); and, Public utility facilities required to provide direct service of the utility to the consumers such as transformers and pumping stations, but not warehouses, service or storage and treatment yards.			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	N/A	Min. Height (Stories)	2
Min. Lot Width (Feet)	N/A	Max. Height (Stories)	3 ¹
Min. Lot Depth (Feet)	N/A	Max. Height (Feet)	N/A
Yards		Coverage	
Min. Front Yard (Feet)	0 (from sidewalk)	Max. Lot Coverage	N/A
Min. 1 Side Yard (Feet)	N/A	Max. Impervious Coverage	N/A
Min. 2 Side Yards (Feet)	N/A	Density	
Min. Rear Yard (Feet)	N/A	Min. GFA (SF)	N/A
		Max. Dwelling Units / Building	N/A

Note 1: An additional story is permitted subject to various conditions.

Table 9. Zoning Chart for the 2021 Redevelopment Plan

Applicability			
Block 2202, Lots 4, 32.02 & 33.01 (All outside of Study Area; for reference only)			
Permitted Principal Uses			
Retail businesses; Personal service establishments; Indoor amusement businesses; Indoor recreation facilities; Spas, massage and somatic therapy establishments; Banks and fiduciary institutions (except drive-through banks); Food and beverage consumption establishments (except drive-through restaurants); Package stores, taverns, limited breweries, and brew pubs; Artists, artisan and crafts-person studios and workshops; Studios for the visual and performing arts; Museums and other cultural and civic facilities; Public assembly facilities and spaces (where integrated into a mixed-use building along Raritan Avenue); Offices; Nursery schools and day-care centers; Residential uses (subject to various conditions); Live/Work units (subject to conditions); Hotels; and, Pocket parks, plazas and courtyards.			
Permitted Accessory Uses			
Off-street parking; Off-street loading; Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, and alleys; Kiosks; Street furniture, planters, and streetlights; Fences, walls, retaining walls, hedges and other landscape elements; Open trellis; Outdoor cafes and outdoor dining structures; Sidewalk displays; Active and passive recreation facilities; Property management and leasing offices; Public utility facilities required to provide direct service of the utility to the consumers such as transformers and pumping stations, but not warehouses, service or storage and treatment yards; Refuse and recycling enclosures; and, Signage; Murals, banners, public art, community signage and digital display screens.			
Bulk Regulations			
Lot		Height	
Min. Lot Area (SF)	N/A	Min. Height (Stories)	2
Min. Lot Width (Feet)	N/A	Max. Height (Stories)	4 ¹
Min. Lot Depth (Feet)	N/A	Max. Height (Feet)	N/A
Yards		Coverage	
Min. From Raritan Avenue (Feet)	0	Max. Lot Coverage	70%
Min. From Magnolia Street (Feet)	200	Max. Impervious Coverage	90%
Min. Side Yard (Feet)	5	Density	
Min. From Any Residential Lot (Feet)	10	Min. GFA (SF)	N/A
Min. From Lot 29 (Feet)	25	Max. Dwelling Units / Building	N/A

Note 1: An additional story is permitted subject to various conditions.

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3.3 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.”

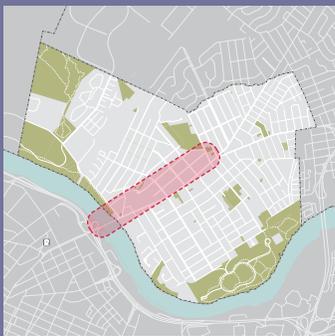
During the master plan process, common issues/concerns pertaining to the downtown area raised by the community included:

- 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.

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.**

DOWNTOWN 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 enhance the streetscape and pedestrian environment along Raritan Avenue.

To do so, and to achieve other goals such as facilitating rehabilitation, reinvestment and revitalization, activation of corridors, expansion of living opportunities, and improved 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, the series of specific strategies on the following page 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.

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.

3.4 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 policies, 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.

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 & 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 comment and hearings. 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 on the State, the vote was postponed and, to this day, the State has not acted on the plan.

4 | STUDY AREA EVALUATION

4.1 SUMMARY

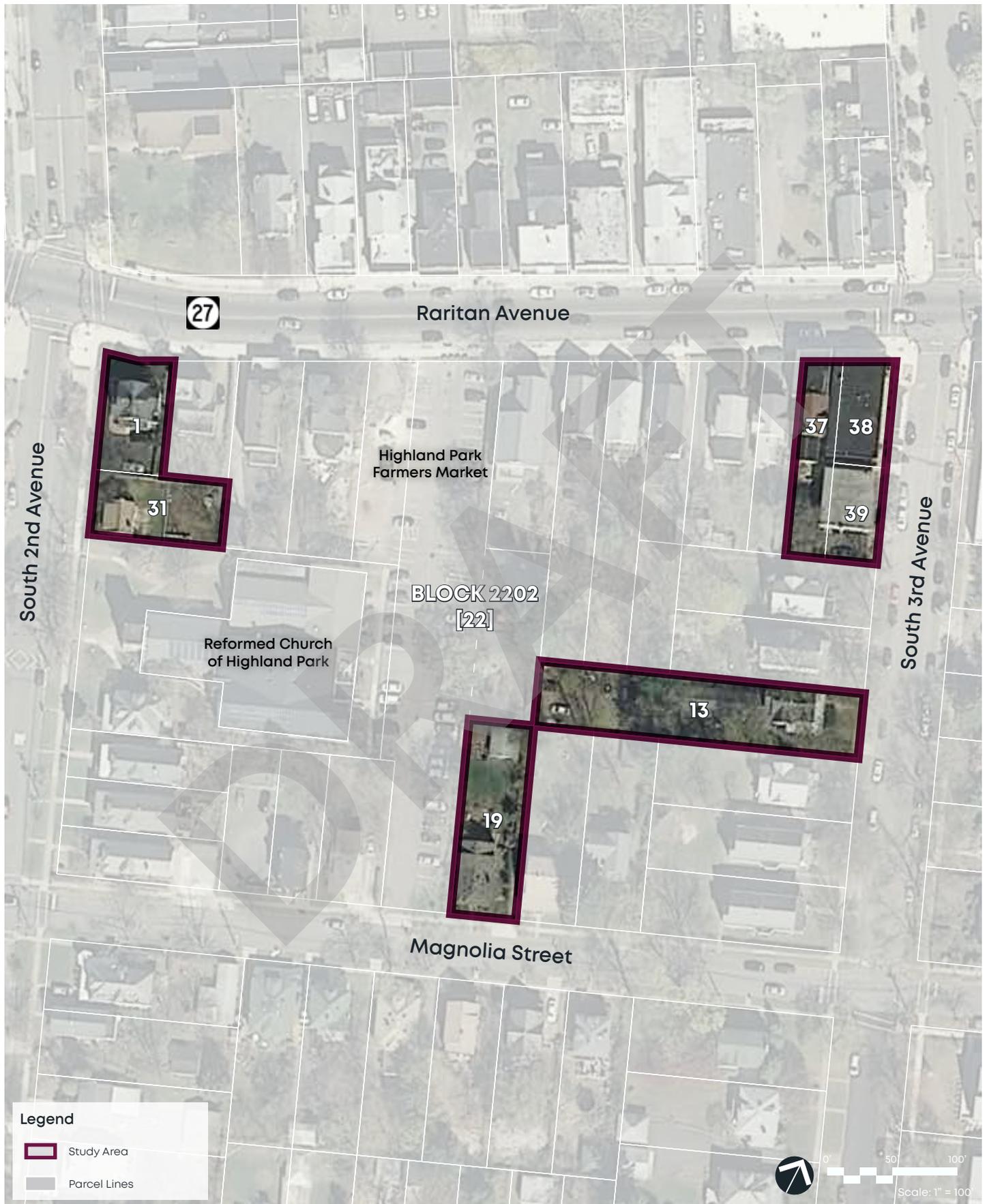
The following is an evaluation of each property within the Study Area as it relates to the statutory criteria for designation as a non-condemnation area in need of redevelopment. The evaluations were based on site inspections of the buildings and grounds as well as a review of each property’s physical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

The table below summarizes the findings of this Study 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 10. Study Area Evaluation Summary

Block	Lot	Address	Statutory Criteria								Section 3
			A	B	C	D	E	F	G	H	
2202	1	202 Raritan Avenue				X				X	
2202	31	11 South 2nd Avenue									X
2202	37	242 Raritan Avenue									X
2202	38	246 Raritan Avenue	X			X				X	
2202	39	10 South 3rd Avenue				X				X	
2202	13	24 South 3rd Avenue	X			X				X	
2202	19	225 Magnolia Street									X

Map 7. Study Area Map



4.2 BLOCK 2202, LOT 1 | 202 RARITAN AVENUE

PROPERTY INFORMATION

Property Owner:

232 Raritan Avenue LLC

Property Owner Address:

820 Morris Tpk
Short Hills, NJ 07078

Acreage:

0.11 acres

Land Use:

Office

Zoning District:

CBD Zone

Redevelopment Designation(s):

Borough-Wide Area in
Need of Rehabilitation

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 1 is non-conforming with respect to lot area and lot depth, and presently contains a non-conforming use given that offices are not permitted on the ground floor in the CBD Zone.

The property is a corner lot, located on the south side of Raritan Avenue (New Jersey State Route 27) and east side of South 2nd Avenue. The property is nearly rectangular in shape, approximately 4,817.75 square feet (0.11 acres) in area, with 50.53 feet of frontage along Raritan Avenue, 100 feet of frontage along South 2nd Avenue, and having a minimum depth of 92.71 feet.

The property presently contains a 2 1/2-story frame building initially constructed as a residence and was eventually converted to office use. The building has a front porch and

an accessible ramp that wraps around from Raritan Avenue, along South 2nd Avenue and to the surface parking area at the rear of the property. There is a driveway that is accessible from South 2nd Avenue, and wraps in front of the accessible ramp and provides access to the parking area at the rear of the property containing four (4) parking spaces. There is dense vegetation and shade trees along the left side of the property as well as several street trees along both the Raritan Avenue and South 2nd Avenue public rights-of-way.

Records Summary

The property has been subject to board actions taken in 1980 and 1994.

In December 1980, permission was sought from the Zoning Board of Adjustment to maintain a driveway and curb cut along South 2nd Avenue that was apparently constructed without permits. The setback requirement for a driveway is 50 feet from Raritan Avenue; however, only 32 feet was proposed and ultimately approved upon determination that there was exceptional and undue hardship due to topographic conditions.

In February 1994, the property received preliminary and final major site plan approval with variances to convert the existing residence to retail/professional office, specifically optometry sales and services, as well as the construction of an addition and a small parking area. Variances were required for the lot, which were pre-existing, as well as for a free-standing sign since the same is not permitted in the CBD Zone.

The first floor was proposed to be used for the sale and service of eyeglasses and contacts, with a future tenant to occupy the second floor, while the third floor and basement were proposed to be used for storage. The 2-story addition was proposed to accommodate a stairway and expand first floor retail space. The parking area, as proposed and approved violates a number of provisions of the ordinance, including the number of parking spaces, size of both standard and accessible parking spaces, width of the driveway, setbacks from property lines, and lack of buffering. The approval included an agreement to lease six (6) to seven (7) off-site parking spaces under a long-term 10-year lease within a private or municipal lot, with additional off-site parking spaces potentially necessary for the future tenant on the second floor.

The free-standing sign received variances, mainly due to the CBD Zone having a prohibition of such sign type. The justification for the variance relied on not further disturbing the facade and character of the building with a wall-mounted sign, the property having a deep front yard setback, and the sign being limited in size and located within a planting bed.

Upon review of various records, permits were regularly issued from the 1980s through the 2000s, including various sign permits, replacement of the roof and repair of a walkway; however, there has only single electrical or plumbing permit issued in the past 25 years, indicating that there may be a number of deferred maintenance projects. There have been a few police/fire calls, mainly limited to fire alarms.



Property Inspection Findings

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 site plan design best practices. The parking area lacks adequately designed vehicular ingress and egress, defined parking spaces, accommodations for accessible parking, pedestrian amenities, and buffering.

The driveway providing access to the rear parking area from the street is located in close proximity with street intersection, making ingress and egress difficult when there is more than one vehicle at the traffic signal.

The driveway has a tight turning radius, tightly wraps around the building, and is shielded by tall shrubbery that hampers visibility and violates the clear sight triangle, making it difficult for multiple motorists to safely traverse the property simultaneously and creating a potentially unsafe condition for passersby on the public sidewalk.

The parking area lacks adequate space to back out of the end parking spaces and sufficiently turn towards the point of egress. The parking area also lacks an accessible ADA parking space, striped access aisle and signage.

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 various depressions and settlement, which may contribute to ponding and subsequent freeze-thaw weathering, slipping hazards, mosquito breeding and pest management issues, as well as cracked, broken and missing pavement. Unimproved edge conditions have allowed loose asphalt and debris to accumulate throughout the perimeter of the parking area.



ADA Access to Building

The parking area also lacks a safe, protected accessible route to the building entry, as the concrete slab leading to the pedestrian ramp contains a lip greater than 1/4 of an inch. Additionally, there concrete walkway lacks



bollards, fencing, or other means of separation, creating a condition that may be unsafe for pedestrians as they are not protected from vehicles entering the parking area.

Solid Waste & Recycling

There is a lack of designated space for solid waste and recycling as no trash enclosure is provided, which are otherwise common for non-residential or mixed-use buildings. Immediately adjacent to the Bilco door, there is limited space being utilized for ad hoc storage of solid waste and recycling, along with various overgrowth, litter, and debris collecting at the base of the Bilco door.

Building Exterior

The building exterior is generally in fair condition, but is beginning to show signs of deterioration. Portions of the front porch railing contains missing and loose balusters. There is apparent water damage and moderate deterioration in parts of the exterior facade, including the exterior facade, trim, soffit, and foundation of the building.

Building Interior

The building interior is generally in good condition, with some limited circulation within the back of house areas on the first floor; otherwise, the public areas on the first floor and the entire second floor all appear to be well maintained.

There is a moderate amount of clutter and various debris accumulated in the basement, limiting circulation. The basement is also showing signs of moderate deterioration, such as peeling paint, water stains along with the possibility of mold growth in certain areas.

Summary

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.

Additionally, because the property qualifies under any one of Criteria A through G of the LRHL, the property also can be determined an area in need of redevelopment pursuant in accordance with **Criterion H** of the LRHL.



4.3 BLOCK 2202, LOT 31 | 11 SOUTH 2ND AVENUE

PROPERTY INFORMATION

Property Owner:

Reformed Church of
HP Affordable

Property Owner Address:

19-21 South 2nd Avenue
Highland Park, NJ 08904

Acreage:

0.11 acres

Land Use:

Single-Family Residential

Zoning District:

CBD Zone

**Redevelopment
Designation(s):**

Borough-Wide Area in
Need of Rehabilitation

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 31 is a conforming lot, and presently contains a non-conforming use given that single-family detached dwellings are not permitted in the CBD Zone.

The property is a mid-block lot, in between Lot 1 and the Reformed Church of Highland Park, located on the east side of South 2nd Avenue. The property is rectangular in shape, 5,000 square feet (0.11 acres) in area, with 50 feet of frontage along 2nd Avenue, and having a depth of 100 feet.

The property presently contains a 1 1/2-story frame three-bedroom dwelling, and does not have a driveway, garage, or surface parking area. The rear yard area has been split in half, with the portion closer to the dwelling serving as the backyard for the residence and the other portion serving as a fenced playground area managed by the church.

As noted in the Borough's Housing Element and Fair Share Plan, the church leases the dwelling to very-low income family households. The property was acquired with funding from the NJHMFA's Special Needs Trust Fund, which was intended to cover costs associated with the acquisition and rehabilitation of the two-bedroom home into an affordable three-bedroom housing unit. "The unit received a certificate of occupancy on October 17, 2008. The unit is subject to 30-year affordability controls."

Records Summary

Consistent with the timing of converting the dwelling to an affordable housing unit, several permits were issued in 2007 and 2008 to replace various mechanical equipment, including other interior renovation work modifying a second-floor bedroom into two (2) bedrooms and replacing all of the electric wiring; however, no permits have been issued since that time.

From April 2018 to April 2023, representing a five-year reporting period, there have been 30 police/fire calls, however all may not be associated with incidents on the property itself. Among the various calls, there have been calls associated with ambulance calls, behavioral / mental health crisis, civil matter, disputes, harassment, several welfare checks and four (4) incidents of theft

DRAFT



Property Inspection Findings

Rear Yard Area

The property does not have full use of its property, as a portion of the rear yard is fenced off and serves as a playground area managed by the church, including an octagonal-shaped ball pit area as well as a shed, several play sets, and decorative benches.

Solid Waste & Recycling

There is a lack of designated space for solid waste and recycling, as solid waste and recycling receptacles as well as other trash and debris were left out in the open within the right side yard area, fully exposed to view to those walking along the public sidewalk and along the walkway leading to the playground area.



Building Exterior

The building exterior is generally in good condition, with minor deterioration in parts of the exterior facade, including chipping paint on the entry door frame and masonry chimney, vegetative overgrowth along the foundation, and several missing and broken slats within the window system associated with the enclosed front porch.

The front stairway lacks a landing and the steps themselves were in a state of minor disrepair, as evidenced by chipping paint and some wood rot.



Building Interior

The building interior is generally in fair condition, with somewhat limited circulation as the hallways and stairways are narrow which are further exacerbated by clutter throughout the home. The rooms, including the bedrooms, are generally smaller and there is an apparent lack of storage space in comparison to modern single-family detached dwellings.

In particular, the kitchen is very narrow, as there is limited space in between the range and the cabinetry / counter top space on the opposite side, such that there is insufficient space for a person to stand in front of the range and open the oven door.

Additionally, there is insufficient space for the refrigerator, as it is located in the dining room instead, taking up a significant portion of the dining room itself.



At least one outlet was exposed without its protective cover and at least one extension cord was being used to power other devices.

On the second floor, the bathroom had minor deterioration and the bedrooms were apparently locked (from the hallway side).

In the basement, the mechanical equipment appeared to be in good condition, but it was noted that the dryer vent was not properly venting to the exterior. There are also showing signs of minor deterioration, such as peeling paint, water stains along with the possibility of mold growth in certain areas.

Summary

While there were various deteriorating conditions found throughout the home, it does not appear that they rise to the finding of having substandard, unsafe and obsolescent characteristics, dilapidated conditions, faulty arrangement or design or obsolete layout at this time.

However, the property may qualify as a non-condemnation area in need of redevelopment under the **“Section 3 Criteria.”** As previously discussed, “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.”

In this case, given the property’s location fronting on South 2nd Avenue, a side street, and it being adjacent to the already-designated redevelopment area, this property can serve as an appropriate access point and help improve circulation within the overall redevelopment area. This additional access point would also relieve the pressure from the only access point to the already-designated redevelopment area, from Magnolia Street, by distributing traffic to multiple access points.

Providing additional access points from other than Raritan Avenue furthers the Borough’s desire to reduce curb cuts along Raritan Avenue so as to allow for improved pedestrian traffic in the downtown. Combining Lot 31 with Lot 1 also encourages and allows for improved opportunities for a design element at the intersection of South 2nd Avenue and Raritan Avenue as the southern anchor to a redevelopment project.



4.4 BLOCK 2202, LOT 37 | 242 RARITAN AVENUE

PROPERTY INFORMATION

Property Owner:

Kyriakoulis Mandalozis

Property Owner Address:

242 Raritan Avenue
Highland Park, NJ 08904

Acreage:

0.11 acres

Land Use:

Mixed-Use

Zoning District:

CBD Zone

Redevelopment Designation(s):

Borough-Wide Area in
Need of Rehabilitation

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 37 is non-conforming with respect to lot area and lot width, and presently contains a non-conforming use given that apartments are not permitted on the ground floor in the CBD Zone.

The property is a mid-block lot, located on the south side of Raritan Avenue (New Jersey State Route 27). The property is nearly rectangular in shape, approximately 4,755 square feet (0.11 acres) in area, with 30 feet of frontage along Raritan Avenue, and having a minimum depth of approximately 157 feet.

The property presently contains two-story building in front of a 2 1/2 story frame building, and does not have a driveway, garage, or surface parking area. The rear yard area is generally well maintained, fenced-in and contains

a concrete patio area and an above-ground pool. There is a street tree within the Raritan Avenue public right-of-way.

The multiple building typology is typical of the early development of Raritan Avenue, which was originally developed with predominantly frame dwellings with modest front yard areas. Over time, one- and two-story additions and infill masonry buildings intended for commercial use were constructed in front of the dwellings, concealing the dwellings from view. Over time, some dwellings have continued to be used as a single-family detached dwelling, other dwellings were converted into multiple dwellings or additional commercial space, or some dwellings were demolished altogether.

In the case of Lot 37, the 2 1/2-story dwelling was retained and converted into two (2) apartments, with one on the ground floor and another on the second floor. The two-story addition in front has a commercial space occupied by a personal service establishment “Salon Envy” on the ground floor with another apartment on the second floor. It is noted that, notwithstanding the second-floor apartment, there are no second-floor windows facing Raritan Avenue, which contrasts from the character of the block and, generally, the downtown area.

Records Summary

A review of the file shows that permits were regularly issued in the 1970s and 1980s; however, there were a number of concerns raised regarding hazardous conditions from 1989 through the mid-1990s, including a declaration of an unsafe structure, a stop work order for extensive work beyond the scope of the original permit, among others. Since that time, permits have been issued for interior renovations and signage for Salon Envy in 2000 and 2001, along with other improvements in 2008 and a partial re-roof in 2014; however, there appear not to have been any mechanical upgrades to the apartments since the mid-1990s.

Over a five-year reporting period ending April 2023, there have been 24 police/fire calls; however, half of them are attributable to traffic-related incidents.



Property Inspection Findings

Rear Yard Area

The rear yard area, serving the residential uses on the property, is relatively well-maintained and includes a generous patio area and an above-ground pool.

While the gate / fence system surrounding the yard area was not self-closing nor self-latching, it is noted that the ladder flips up, preventing unsupervised and unwanted entry when the pool is not in use.



Building Exterior

The exterior of the building is generally in good condition, particularly “Salon Envy” storefront, which is one of the most attractive and well-designed storefronts in the community, with only minor staining of the fabric awning.

Otherwise, there were minor deteriorating conditions, including some water damage and exposed underlayment found surrounding in the stairway at the center of the narrow alley, some water damage at the base of the Bilco door, and chipping paint on the window surrounds of the upper-story rear windows.



Building Interior

There was no access to the interior.



Summary

The property does not meet the statutory criteria for redevelopment under the LRHL.

However, the property may qualify as a non-condemnation area in need of redevelopment under the “**Section 3 Criteria.**” As previously discussed, “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.”

In this case, the property is situated between property to the west that was previously designated an area in need of redevelopment and property to the east that is part of this Study that is recommended to be qualified as an area in need of redevelopment.

As noted in the 2010 and 2019 Master Plan Reexamination Reports, one of the major problems that was identified was the lack of activity in the downtown’s redevelopment areas, which is due, in part, of the “checkerboard” pattern of the previously-designated redevelopment areas.

Here, part of the exploration of potentially expanding the redevelopment area, through this Study and potentially an amended redevelopment plan, is to, primarily, improve access and circulation for the redevelopment area and the overall block in general, as well as to extend the redevelopment area to the entire block face along Raritan Avenue, which would enable for more flexibility for siting buildings, parking facilities, public gathering spaces, and other amenities.

The ultimate development of the entire frontage of Block 2202 along Raritan Avenue will also provide an opportunity to create a design element at the northern corner of the block that will not only introduce the project from the north but, perhaps more importantly, provide connectivity to the future farmer’s market / community space in development on South 3rd Avenue.

4.5 BLOCK 2202, LOT 38 | 246-248 RARITAN AVENUE & 8 SOUTH 3RD AVENUE

PROPERTY INFORMATION

Property Owner:

246 Raritan Avenue LLC

Property Owner Address:

246 Raritan Avenue
Highland Park, NJ 08904

Acreage:

0.08 acres

Land Use:

Retail & Restaurant

Zoning District:

CBD Zone

Redevelopment Designation(s):

Borough-Wide Area in
Need of Rehabilitation

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 38 is non-conforming lot with respect to lot area, lot width and lot depth, and presently contains a non-conforming use given that offices are not permitted on the ground floor in the CBD Zone.

The property is a corner lot, located on the south side of Raritan Avenue (New Jersey State Route 27) and west side of South 3rd Avenue. The property is nearly rectangular in shape, approximately 3,514.20 square feet (0.08 acres) in area, with 40.23 feet of frontage along Raritan Avenue, 90 feet of frontage along South 3rd Avenue, and having a minimum depth of 85.71 feet.

The property presently contains a one-story masonry building occupying the entirety of the lot, except for a small driveway and/or loading area at the rear of the property

accessible from South 3rd Avenue. There are several street trees within both the Raritan Avenue and South 3rd Avenue public rights-of-way. Additionally, the property directly abuts the portion of the South 3rd Avenue public right-of-way that was temporarily closed during the COVID-19 pandemic to accommodate the Town Tables.

The building contains three (3) separate commercial spaces. At the interior of the property along Raritan Avenue, the commercial space with an address of 246 Raritan Avenue was previously occupied by a personal service establishment “Make Me Take Me” and is presently vacant. At the intersection of Raritan Avenue and South 3rd Avenue, the commercial space with an address of 248 Raritan Avenue is presently occupied by a restaurant use “KitTea Bubble Tea.” Further south along South 3rd Avenue is a small office space with an address of 8 South 3rd Avenue, and is presently occupied by a dispatch office “Highland Park Taxi.”

Records Summary

Permits have been regularly issued over the past 50 years, including permits for tenant fit-outs, signage, oil tank removal, oil tank installation, mechanical equipment, among others.

In 1980, permits for a major renovation project were approved for The Corner Confectionery at 248 Raritan Avenue, including facade renovations as well as a series of streetscape improvements including brick paving, flower boxes, benches, bike rack and garbage cans.

In 1997, permits for Trio Gifts at 246 Raritan Avenue were approved, which included renovations as part of the Facade Improvement Program, which included new windows, awnings and masonry planters.

A review of the police/fire calls over the past five (5) years indicated only three (3) minor incidents were documented.



Property Inspection Findings

Driveway Apron

There is no off-street parking area; however, there is a curb cut that at one point provided access to a shared driveway situated on the property and the adjacent property. The driveway is now encumbered by a stairway leading to the basement.

Therefore, the driveway no longer functions as such; however, the curb cut remains, inviting vehicles to improperly park on the driveway apron and partially block the public sidewalk and the street. Additionally, there is large shrubbery next to the driveway apron, which hampers visibility and violates the clear sight triangle, creating a potentially unsafe condition for passersby on the public sidewalk.

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



Solid Waste & Recycling

There is a lack of designated space for solid waste and recycling as no trash enclosure is provided, which are otherwise common for non-residential or mixed-use buildings. Adjacent to the stairway leading to the basement, there are several trash and recycling receptacles and barrels in disarray that overwhelm the space and are fully exposed to view to passersby on the public sidewalk. Several of the barrels have standing water, which may create a breeding ground for mosquitoes.



Additionally, the stairway leading to the basement serves as an apparent dumpster, the bottom of which contains various trash, litter, debris, and a water heater. There also appears to be running water amidst the trash at the bottom of the stairs, which may contribute to pest management issues, water damage and other hazards.



Building Exterior

The building exterior is generally in poor to fair condition, showing moderate deficiencies, including horizontal and vertical displacement as well as bulging of the brick facade, particularly along South 3rd Avenue. Mortar has been

patched in various portions of the brick facade; however, several portions remain in a state of disrepair, requiring significant re-pointing and/or reconstruction.

There is significant water staining throughout the brick facade, particularly at the metal coping system, which does not appear to be properly fastened to the wall system. This separation may cause water infiltration, which may further exacerbate issues with the brick facade including pest management issues, water damage and other hazards.

Additionally, at least one basement window was broken and one of the storefront windows systems had a significant crack, which is fully exposed to passersby along the public sidewalk.

Building Interior

The building interior varied from fair to good condition. The office space along South 3rd Avenue has been divided up into very small rooms. One of the front had its blinds drawn (at all times, it appears) and featured a mattress and other person effects. The corner store appeared to be in good condition; however, there was no access to the back of house areas. There was no access to the interior store along Raritan Avenue.

There is a significant amount of clutter and food storage in the basement, significantly limiting circulation. The basement is also showing signs of minor deterioration, such as water stains in various areas of the basement.

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, 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.

Additionally, because the property qualifies under any one of Criteria A through G of the LRHL, the property also can be determined an area in need of redevelopment pursuant in accordance with **Criterion H** of the LRHL.



4.6 BLOCK 2202, LOT 39 | 10 SOUTH 3RD AVENUE

PROPERTY INFORMATION

Property Owner:
8 South 3rd LLC

Property Owner Address:
10 South 3rd Avenue
Highland Park, NJ 08904

Acreage:
0.07 acres

Land Use:
Mixed-Use

Zoning District:
CBD Zone

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

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 39 is non-conforming lot with respect to lot area and lot depth, and presently contains uses permitted in the CBD Zone.

The property is a mid-block lot, located on the west side of South 3rd Avenue. The property is rectangular in shape, 2,960 square feet (0.08 acres) in area, with 74 feet of frontage along South 3rd Avenue and having a depth of only 40 feet.

The property presently contains a two-story masonry building occupying the majority of the lot, together with a small surface parking area containing four (4) parking spaces located at the left side of the property accessible from South 3rd Avenue. There is buffer landscaping along the left side of the surface parking area as well as dense vegetation and a shade tree located within the South 3rd

Avenue public right-of-way. Additionally, the property directly abuts the portion of the South 3rd Avenue public right-of-way that was temporarily closed during the COVID-19 pandemic to accommodate the Town Tables.

The building contains a personal service establishment “SpeakMusic Conservatory” located on the ground floor and a three-bedroom apartment on the second floor.

Records Summary

In June 1993, an application to the Planning Board was approved for a waiver of site plan for a change of use from a travel agency to a psychologist office without having adequate parking. The resolution indicated that no parking spaces exist for the staff on the ground floor, but were available off-site in the municipal lot across South 3rd Avenue. At the time, the applicant agreed to rent five (5) spaces to provide parking spaces for staff occupying the ground floor. The parking spaces provided on site were intended to be reserved for the second floor residence.

Several permits have been issued over the past 40 years, including major interior renovation work completed in 1985, 1993, 2010 and 2014.

A review of the police/fire calls over the past five (5) years indicated only three (3) minor incidents were documented.

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Property Inspection Findings

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 site plan design best practices. The parking area lacks adequately designed vehicular ingress and egress, all of the accommodations for accessible parking, pedestrian amenities and buffering.

The parking area is not served by a driveway that delineates a single point of ingress and egress and separates the parking area from the public sidewalk and street. In this case, the parking area is directly adjacent to the public sidewalk and street, such that maneuvering in and out of the parking spaces require backing into the public sidewalk and the street.

Additionally, if there was a vehicle parked in one of the parking spaces directly adjacent to the public sidewalk, maneuvering in and out of the adjacent parking spaces would be hampered by poor visibility, creating another potentially unsafe condition for passersby on the public sidewalk. Finally, the parking area directly abuts overgrown shrubbery on the left side and the building on the right side, both of which hamper visibility and violate the clear sight triangle, creating yet another potentially unsafe condition for passersby on the public sidewalk.

One of the parking spaces is marked as an accessible parking space; however, there is no striped access aisle or signage. If there was a vehicle parked in the adjacent parking space, there would be very little room for a person with a mobility impairment to exit their vehicle, and there would be no room whatsoever to unload a wheelchair, scooter, walker or similar device to transport a person with a moderate or severe mobility disability from their vehicle to the building.

The parking area lacks sufficient buffering around all sides of the parking area, and protective measures between the parking area and the building, masonry chimney, HVAC mechanical equipment and fencing.

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

Solid Waste & Recycling

There is a lack of designated space for solid waste and recycling as no trash enclosure is provided, which are otherwise common for non-residential or mixed-use buildings. Multiple trash and recycling receptacles are otherwise situated in between the building and the parking area, fully exposed to view of passersby on the public sidewalk, and potentially blocking emergency egress from the side door.

Building Exterior

The building exterior is generally in good condition, with no major deficiencies or deferred maintenance observed during the site inspection, other than water staining on the brick facade, below the central scupper box.

Building Interior

The building interior of the first floor is generally in good condition. There was no access to the second floor. The basement is experiencing some water infiltration, as evidenced by minor water damage and possible mold growth at the corners where foundation walls meet. This may be caused by the damaged roof leader system, where water appears to collect along the base of the building and into the basement.

Summary

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.

Additionally, because the property qualifies under any one of Criteria A through G of the LRHL, the property also can be determined an area in need of redevelopment pursuant in accordance with **Criterion H** of the LRHL.



4.7 BLOCK 2202, LOT 13 | 24 SOUTH 3RD AVENUE

PROPERTY INFORMATION

Property Owner:
South Third Associates LLC

Property Owner Address:
Box 1425
Highland Park, NJ 08904

Acreage:
0.29 acres

Land Use:
Mixed-Use

Zoning District:
PO Zone

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

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 13 is a conforming lot, and presently contains non-conforming uses given that a day facility is not permitted in the PO Zone and apartments are not permitted to be on the ground floor in the PO Zone.

The property is a mid-block lot, located on the west side of South 3rd Avenue. The property is rectangular in shape, 12,500 square feet (0.29 acres) in area, with 50 feet of frontage along South 3rd Avenue and having a depth of 250 feet.

The property presently contains a 2 1/2-story frame building in front of a two-story block building, together with a driveway on the left side of the property leading to a stone parking area containing several parking spaces. There are several mature shrubs located along the front of the property and multiple mature shade trees located at the

rear of the property. Additionally, there is a large mature street tree located within the South 3rd Avenue public right-of-way.

The 2 1/2-story frame building is presently occupied by a daycare center “Infinite Minds Infancy Care” on the ground floor with ancillary office space on the second floor. The two-story block building contains four (4) walk-up apartments, accessible by an central exterior stairway located adjacent to the driveway. At the rear of the daycare center, there is an accessible ramp that provides access to a small fenced-in playground area located in between the apartments and the stone parking area.

Records Summary

In December 1995, an application for preliminary and final major site plan was approved to convert the existing single family detached dwelling to a daycare center for occupancy by “Yellow Brick Road.” The resolution indicates that the existing property contained a single family detached dwelling and a two-story four-family dwelling. It was noted that there is no access between the two (2) buildings, which are otherwise separated by a fire wall. There was a third two-story building at the rear of the property, which was proposed to be removed to accommodate additional parking spaces.

It is noted that Yellow Brick Road has since moved its operations across South 3rd Avenue, and the daycare center is now presently occupied by “Infinite Minds Infancy Care.”

Upon review of various records, there have been a number of permits issued, mainly for alterations associated with the daycare center in 1996, 2007 and 2022; however, there has generally been a lack of electrical or plumbing permits associated with the apartments in the past 25 years, indicating that there may be a number of deferred maintenance projects.

Additionally, there have been over 30 police/fire calls over the past five (5) years, including several calls associated with ambulance calls, behavioral / mental health crisis, disputes, harassment, landlord-tenant disputes, missing persons and welfare checks, indicating that there may presently be an incompatible mix of uses on the property.



Property Inspection Findings

Driveway and Parking Area Design

The driveway along the left side of the property provides access to the parking area in the rear yard area. However, the driveway is encumbered by a stairway serving as the main entry to the upper floor apartments, which protrudes well into the driveway.

Additionally, there is no walkway from the public sidewalk or the rear parking area to the main entry. Both conditions force users to walk in the middle of the driveway, in conflict with motorists utilizing the driveway.

Finally, the driveway directly abuts the main entry to and patio areas of the ground floor apartments, without any protective measures.

The present layout of the rear parking area is generally conforming; however, it does not appear to have been maintained for several years. Wheel stops have shifted and sunken into the ground, such that they no longer serve their intended purpose.

The delineation between the edge of the parking area and the fence has weathered away. As a result, the fencing and adjacent properties no longer have any protective measures from the vehicles utilizing the parking area.

The site was initially designed with accessible parking amenities; however, the access aisle no longer conforms with current guidelines, the striping for the access aisle has significantly faded and there no longer is any signage.

Adjacent to the accessible parking space is the playground area for the daycare center, enclosed by a five-foot-tall chain-link fence, which hampers visibility and violates the clear sight triangle, creating a potentially unsafe condition for residents and employees walking in the driveway and parking area.

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



Driveway and Parking Area Conditions

The driveway and paved portion of the parking area shows significant signs of deterioration as evidenced by various depressions and settlement, which may contribute to ponding and subsequent freeze-thaw weathering, slipping hazards, mosquito breeding and pest management issues, as well as cracked, broken and missing pavement.

Additionally, portions of the driveway slopes towards the building, including patio areas for the ground level apartments, allowing for water and debris to accumulate and cause damage along the foundation, and potentially contribute to water infiltration.

Finally, root systems appear to be dislodging portions of the driveway, which have allowed loose asphalt and debris to accumulate throughout the perimeter of the driveway and parking area.

Accessory Structure

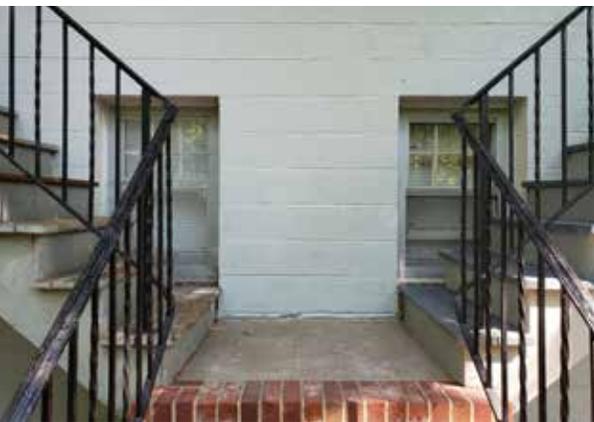
At the rear of the parking area is an accessory structure and apparent outdoor storage area, both of which take the place of multiple parking spaces, potentially in violation of the site plan approval and parking requirements.

Additionally, the ground support of the accessory structure is in severe disrepair, with large openings that allow debris to collect under the structure, and may contribute to water damage and pest management issues.

Solid Waste & Recycling

There is a lack of designated space for solid waste and recycling as no trash enclosure is provided, which are otherwise common for non-residential or mixed-use buildings. Multiple trash and recycling receptacles are otherwise situated in between the building and the driveway, fully exposed to view of residents, motorists and users of the daycare center.





Building Exterior

The building exterior shows various signs of minor to moderate deterioration, mainly on the sides of the 2 1/2-story frame building and throughout the two-story block building

As to the 2 1/2-story frame building, portions of the scallop shingle siding is in a state of disrepair and various portions of the fascia, soffit and window shutters are experiencing significant water damage and wood rot. There are branches and debris that have not been cleared from the roof, interfering with overhead utility wiring. Damage to the eaves have been improperly patched near the gutter.

As to the 2-story block building, various portions of the support columns and face of the second level balconies exhibit chipping paint and water damage. Portions of the second floor soffit is sinking. This separation may cause water infiltration, which may further exacerbate issues with the facade including pest management issues, water damage and other hazards.

Additionally, the stairway providing access to the second floor apartments blocks windows on the second floor, and the various portions of the structure are in a state of disrepair.

Building Interior

There was no access to the interior.

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, 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.

Additionally, because the property qualifies under any one of Criteria A through G of the LRHL, the property also can be determined an area in need of redevelopment pursuant in accordance with **Criterion H** of the LRHL.

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4.8 BLOCK 2202, LOT 19 | 225 MAGNOLIA STREET

PROPERTY INFORMATION

Property Owner:
Pamela Neeff

Property Owner Address:
225 Magnolia Street
Highland Park, NJ 08904

Acreage:
0.17 acres

Land Use:
Single-Family
Detached Dwelling

Zoning District:
RA Zone

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

STATUTORY CRITERIA MET:

- A. Deterioration
- B. Abandoned
- C. Public/Vacant
- D. Obsolete Layout
- E. Title Issues
- F. Natural Disaster
- G. Urban Enterprise
- H. Smart Growth
- Section 3



Overview

Lot 19 is a conforming lot, and presently contains a single-family detached dwelling, a permitted use in the RA Zone.

The property is a mid-block lot, located on the north side of Magnolia Street. The property is rectangular in shape, 7,500 square feet (0.17 acres) in area, with 50 feet of frontage along Magnolia Street and having a depth of 150 feet.

The property presently contains a 1 1/2-story frame dwelling, together with a deep front porch and a stone driveway in the front yard area as well as a detached garage and patio areas in the rear yard area. There is extensive foundation landscaping along the front of the porch and the rear yard is well-landscaped, containing a variety of plantings and trees. Additionally, there are two (2) street tree located within the Magnolia Street public right-of-way.

Records Summary

Upon review of various records, various permits have been issued over the past 30 years, particularly since 2006, including replacing the roof, an addition and various alterations.

Property Inspection Findings

Building Exterior & Interior

The building exterior is well maintained with lush landscaping, featuring only minor deterioration to the detached garage in the rear yard area. There was no access to the interior.

Summary

The property does not meet the statutory criteria for redevelopment under the LRHL.

However, the property may qualify as a non-condemnation area in need of redevelopment under the “**Section 3 Criteria.**” As previously discussed, “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.”

In this case, the property is adjacent to Lot 32.02, an already-designated redevelopment area. While the entire already-designated redevelopment area presently has access from Magnolia Street through Lot 32.02, its lot frontage is deficient in terms of the intended design of the site improvements.

The portion of Lot 32.02 contains a two-way driveway and head-in parking on the east side. These improvements require 42 feet of space, and given its proximity to single-family homes, generally require 5 to 10 feet of buffer on each side, for a total of up to 62 feet; however, the lot frontage is only 50 feet wide.

Lot 19, if it were integrated into Lot 32.02, would allow for properly designed parking for the benefit of the redevelopment area, the church and guest parking for the neighborhood, as well as improved buffering and screening for the benefit of the adjacent residential uses.



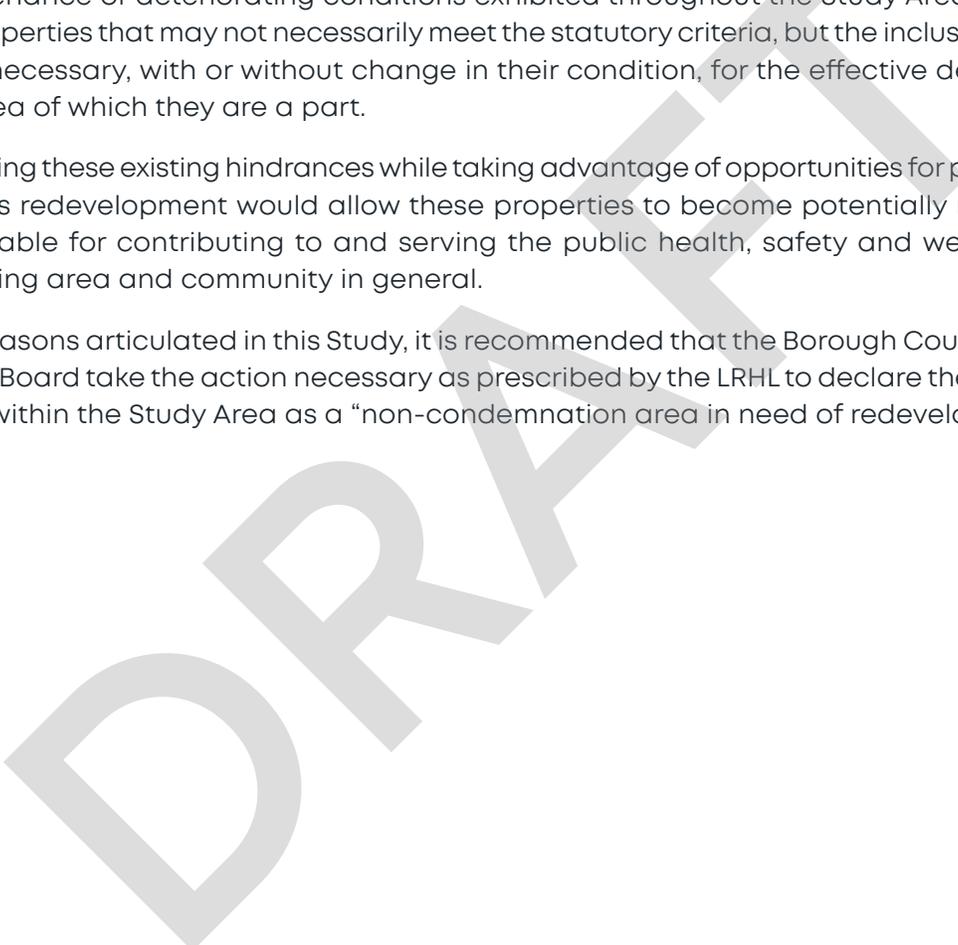
5 | CONCLUSION

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 more 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: BOROUGH COUNCIL RESOLUTION NO. 2-23-71

RESOLUTION NO. 2-23-71
BOROUGH OF HIGHLAND PARK
COUNTY OF MIDDLESEX

RESOLUTION AUTHORIZING THE PLANNING BOARD TO CONDUCT AN AREA IN NEED OF REDEVELOPMENT INVESTIGATION OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 2202, LOTS 1, 13, 19, 31, 37, 38, AND 39 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 AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LOONY RICKS KISS TO CONDUCT THE AREA IN NEED OF REDEVELOPMENT STUDY

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 parcels identified on the Borough Tax Maps as Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39, 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 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; and

WHEREAS, Looney Ricks Kiss ("LRK") provided the Borough with a proposal attached hereto as *Exhibit A* (the "Proposal") setting forth the manner and costs of performing the area in need study of the Study Area, a copy of which is on file with the Borough; 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 completion of the area in need study for the Study Area, whichever is earlier, and for a contract amount not to exceed Sixteen Thousand Dollars (\$16,000.00), to be paid in accordance with the rates set forth in the Proposal; and

WHEREAS, the Borough hereby certifies that it has funds available to compensate LRK for the area in need study for the Study Area; and

WHEREAS, funds for this purpose are available in the Trust Fund Account No. T-12-56-501-005, in an amount not to exceed \$16,000.00, and will be provided for in the 2023 Municipal Budget as adopted, as reflected by the certification of funds by the Chief Financial Officer no. 2023-25.

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 a contract for rendition of professional services that do not require competitive bidding; and

WHEREAS, notice of the award of this contract 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 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-Condensation 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-Condensation Redevelopment Area.

Section 7. The Borough Council hereby authorizes a professional services 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 \$16,000, to be paid in accordance with the rates set forth in the Proposal, all subject to the terms and conditions of the Borough's form professional services agreement.

Section 8. The Mayor is hereby authorized and directed to execute a professional services agreement in the form of the Proposal attached hereto as *Exhibit A*, with such changes,

omissions or amendments as the Mayor deems appropriate in consultation with the Borough's counsel and professionals.

Section 9. The Borough Clerk is hereby authorized and directed, upon execution of the Proposal in accordance with Section 8 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 10. 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 11. A copy of this resolution shall be filed in the Office of the Borough Clerk.

I, Jennifer Santiago, Borough Clerk of the Borough of Highland Park, New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Highland Park Borough Council at a meeting held on February 21, 2023.


Jennifer Santiago, Borough Clerk

RECORD OF COUNCIL VOTES

Council Member	Ayes	Nays	Abstain	Absent
Canavera	✓			
George	✓			
Hale	✓			
Hersh	✓			
Kim-Chohan	✓			
Postelnik			✓	

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