

**ORDINANCE NO. 24-2097  
BOROUGH OF HIGHLAND PARK  
COUNTY OF MIDDLESEX**

**AN ORDINANCE OF THE BOROUGH OF HIGHLAND  
PARK, COUNTY OF MIDDLESEX, STATE OF NEW  
JERSEY, AMENDING THE DOWNTOWN  
REDEVELOPMENT PLAN FOR TRACTS A-D.**

**WHEREAS**, the Borough of Highland Park, a public body corporate and politic of the State of New Jersey (the “**Borough**”) is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the “**Redevelopment Law**”) to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

**WHEREAS**, by Ordinance No. 16-1921, adopted on December 20, 2016, the Council of the Borough (the “**Council**”) designated the entire area within the Borough as an area in need of rehabilitation, including Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39 (the “**Property**”) in accordance with the Redevelopment Law; and

**WHEREAS**, by Resolution No. 4-24-131, adopted on April 16, 2024, the Council designated the Property, along with all streets and rights of way appurtenant thereto, as a non-condemnation redevelopment area; and

**WHEREAS**, on September 14, 2021, the Council approved Ordinance No. 21-2030 adopting the “Downtown Redevelopment Plan for Tracts A-D” (the “**Redevelopment Plan**”); and

**WHEREAS**, LRK, Inc. (the “**Planner**”) prepared an amendment to the Redevelopment Plan, which is entitled the “Downtown Redevelopment Plan for Tracts A-D, as amended through October 2024” (the “**Amended Redevelopment Plan**”) which, among other changes, incorporates the Property into the Amended Redevelopment Plan; and

**WHEREAS**, by Resolution No.10-24-240, adopted on October 15, 2024, the Council referred the Amended Redevelopment Plan to the Borough Planning Board (the “**Planning Board**”) for its review and comment; and

**WHEREAS**, on \_\_\_\_\_, 2024, the Planning Board reviewed the Amended Redevelopment Plan and determined that it was substantially consistent with the Borough’s Master Plan; and

**WHEREAS**, following such review the Planning Board has rendered its report and recommendations to the Council and by resolution recommended the adoption of the Redevelopment Plan pursuant to *N.J.S.A.* 40A:12A-7(e); and

**WHEREAS**, the Council hereby finds it appropriate for the Amended Redevelopment Plan to be adopted for the Property and that the Amended Redevelopment Plan is substantially consistent with the Master Plan for the Borough; and

**WHEREAS**, the Council now desires to adopt the Amended Redevelopment Plan and to direct that the applicable provisions of the Borough’s Zoning Ordinance and Map be amended and superseded to reflect the provisions of the Redevelopment Plan, as and to the extent set forth therein.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HIGHLAND PARK AS FOLLOWS:**

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

**Section 2.** The recommendations of the Planning Board are hereby accepted, and the Amended Redevelopment Plan, attached hereto as **Exhibit A**, is hereby adopted pursuant to the terms of the Redevelopment Law.

**Section 3.** The zoning district map and the zoning ordinance of the Borough are hereby amended to incorporate and reflect the Amended Redevelopment Plan, and, to the extent provided in the Amended Redevelopment Plan, are superseded thereby.

**Section 4.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Section 5.** A copy of this Ordinance and the Amended Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

**Section 6.** This Ordinance shall take effect in accordance with all applicable laws.

Introduced and Passed on First Reading: October 15, 2024

Adopted: \_\_\_\_\_, 2024

Approved: \_\_\_\_\_, 2024

Attest:

\_\_\_\_\_  
Jennifer Santiago, Borough Clerk

\_\_\_\_\_  
Elsie Foster, Mayor

**Exhibit A**

*Amended Downtown Redevelopment Plan for Tracts A-D*



HIGH  
LAND  
PARK

# DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A-D AMENDED THROUGH OCTOBER 2024

**Tract A:** Block 1704, Lots 41-49, & Portion of Lot 20

**Tract B:** Block 2201, Lots 6 & 9

**Tract C:** Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36

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

Borough of Highland Park, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | October 8, 2024



# Downtown Redevelopment Plan for Tracts A-D

## Amended Through October 2024

**Tract A:** Block 1704, Lots 41-49, & Portion of Lot 20

**Tract B:** Block 2201, Lots 6 & 9

**Tract C:** Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36

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

Borough of Highland Park, Middlesex County, New Jersey

Endorsed by the Planning Board on Month ##, 20##

Adopted by the Borough Council by Ordinance ##-#### on Month ##, 20##



Prepared on behalf of:

**Highland Park Borough Council**

Borough Hall

221 South 5th Avenue

Highland Park, NJ 08904



Prepared by:

**LRK, Inc.**

1218 Chestnut Street, 5th Floor

Philadelphia, PA 19107

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

Handwritten signature of James P. Constantine in black ink.

James P. Constantine, PP  
NJPP License No. 3982

Handwritten signature of Chris S. Cosenza in black ink.

Chris S. Cosenza, AICP, PP, LEED AP  
NJPP License No. 6344



# ACKNOWLEDGMENTS

## MAYOR & BOROUGH COUNCIL

<b>Mayor</b>	<i>Elsie Foster</i>	<b>Councilmember</b>	<i>Matthew Hale</i>
<b>Council President</b>	<i>Matthew Hersh</i>	<b>Councilmember</b>	<i>Stephany Kim Chohan</i>
<b>Councilmember</b>	<i>Tara Canavera</i>	<b>Councilmember</b>	<i>Jason Postelnik</i>
<b>Councilmember</b>	<i>Philip George</i>		
<b>Borough Attorney</b>	<i>Sapana Shah, Esq., Rainone Coughlin Minchello, LLC</i>		
<b>Borough Administrator</b>	<i>Teri Jover</i>		
<b>Borough Clerk</b>	<i>Jennifer Santiago, RMC, CMR</i>		

## PLANNING BOARD

<b>Class I Member</b>	<i>Elsie Foster</i>	<b>Class IV Member</b>	<i>Alvin Chin</i>
<b>Designee, Vice Chair</b>	<i>Padraic Millet</i>	<b>Class IV Member</b>	<i>Khalidra Hadhazy</i>
<b>Class II Member</b>	<i>Scott Brescher</i>	<b>Class IV Member</b>	<i>Paul Lanaris</i>
<b>Class III Member, Liaison</b>	<i>Matthew Hale</i>	<b>Class IV Member</b>	<i>Jeff Perlman</i>
<b>Class IV Member, Chair</b>	<i>Rebecca Hand</i>	<b>Alternate I</b>	<i>Dan Stern Cardinale</i>
<b>Class IV Member, Secretary</b>	<i>Allan Williams</i>	<b>Alternate II</b>	<i>Stephen Eisdorfer</i>
<b>Board Attorney</b>	<i>Roger W. Thomas, Esq., Dolan and Dolan, P.A.</i>		
<b>Board Engineer</b>	<i>Bruce M. Koch, PE, PP, CME, CME Associates</i>		
<b>Board Planner</b>	<i>Chris S. Cosenza, AICP, PP, LEED AP, LRK, Inc.</i>		
<b>Coordinator</b>	<i>Jennifer Santiago, RMC, CMR</i>		
<b>Recording Secretary</b>	<i>Maureen Pampinto</i>		

## BOROUGH PROFESSIONALS

<b>Redevelopment Attorney</b>	<i>Joseph P. Baumann, Jr., Esq., McManimon, Scotland &amp; Baumann, LLC</i>		
	<i>J. Nicholas Strasser, Esq., McManimon, Scotland &amp; Baumann, LLC</i>		
<b>Borough Engineer</b>	<i>Bruce M. Koch, PE, PP, CME, CME Associates</i>		
<b>Borough Planner</b>	<i>Jim Constantine, PP, LRK, Inc.</i>		

## BOROUGH STAFF

<b>Construction Official</b>	<i>Scott Brescher</i>
<b>Zoning Official</b>	<i>Mike Mullin</i>



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# 1 | INTRODUCTION

## 1.1 OVERVIEW

Highland Park's tree-lined, pedestrian- and bicycle-friendly streets, and its walkable downtown create a unique sense of place for its residents. Highland Park's proximity to Rutgers University - New Brunswick makes the Borough of Highland Park (the "Borough") a part of the college community across the Raritan River. These key amenities are sought after by Millennials and Empty Nesters alike, both of which are already-growing demographic groups in Highland Park.

Over the past 20 years, the Borough has undertaken several planning activities to make the community a vital and sustainable place to live, work, and play. The Mayor and Highland Park Borough Council (the "Borough Council") have proactively engaged in a number of redevelopment projects designed to stimulate private investment throughout the Borough, particularly within the downtown area and other commercial corridors, in accordance with the New Jersey Local Redevelopment and Housing Law (the "LRHL") at [N.J.S.A. 40:A:12A-1 et seq.](#)

Among numerous redevelopment actions taken to date, the Borough Council has designated the entire municipality as an "area in need of rehabilitation," conducted several preliminary investigations, designated many properties as "areas in need of redevelopment," and prepared several site-specific redevelopment plans throughout the Borough.

Concurrently, the Borough has recognized a need for significant and continued attention to the downtown area, acknowledging that past revitalization efforts have had limited impact for a variety of reasons and previous redevelopment efforts had never gotten off the ground.

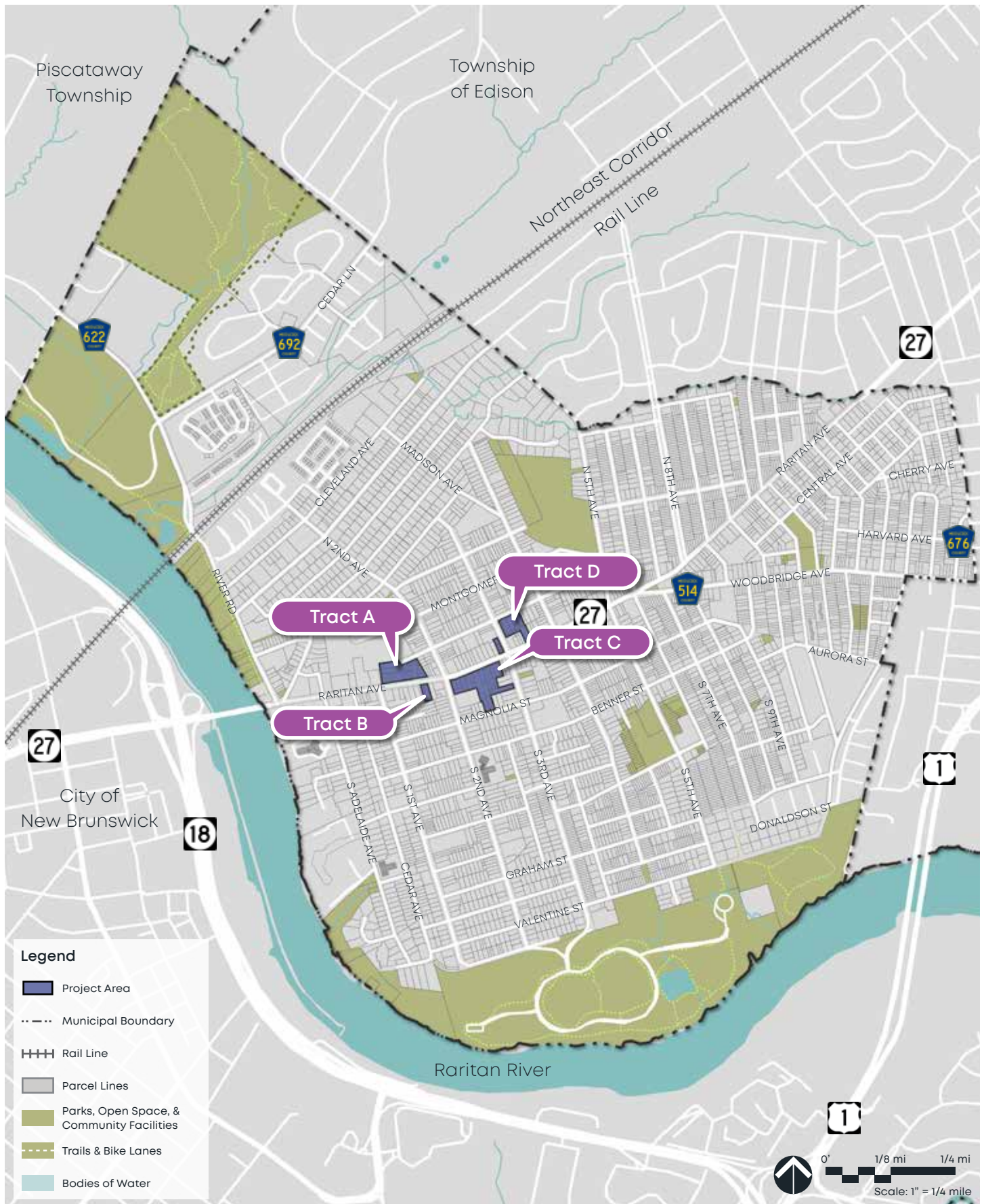
Ultimately, the Borough seeks to implement the Borough of Highland Park 2019 Master Plan (the "Master Plan"), concentrating on the specific strategies identified for the downtown area in the Land Use Plan Element of the Master Plan. During the extensive public engagement process for the Master Plan, only 9% of survey respondents stated that they would like the downtown area to "remain the same," demonstrating a strong community desire for the revitalization of the downtown area.

The Land Use Plan Element of the Master Plan provides a vision statement for the downtown area, which reads as follows:

### DOWNTOWN AREA VISION

*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.*

# Map 1. Context Map



## DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

## 1.2 PURPOSE OF THIS REDEVELOPMENT PLAN

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

Following the adoption of the 2021 Redevelopment Plan, in 2022, the Borough issued a Request for Proposals ("RFP") with specific expectations for the redevelopment of each tract, and allowed RFP respondents to propose redevelopment on adjacent properties. The Borough evaluated several proposals from multiple RFP respondents and, in 2023, selected Tantum Fidelco HP LLC (now HP RarDen Redevelopment LLC) as the conditional redeveloper for Tract A, and 232 Raritan Avenue, LLC (Garden Homes) as the conditional redeveloper for Tract C.

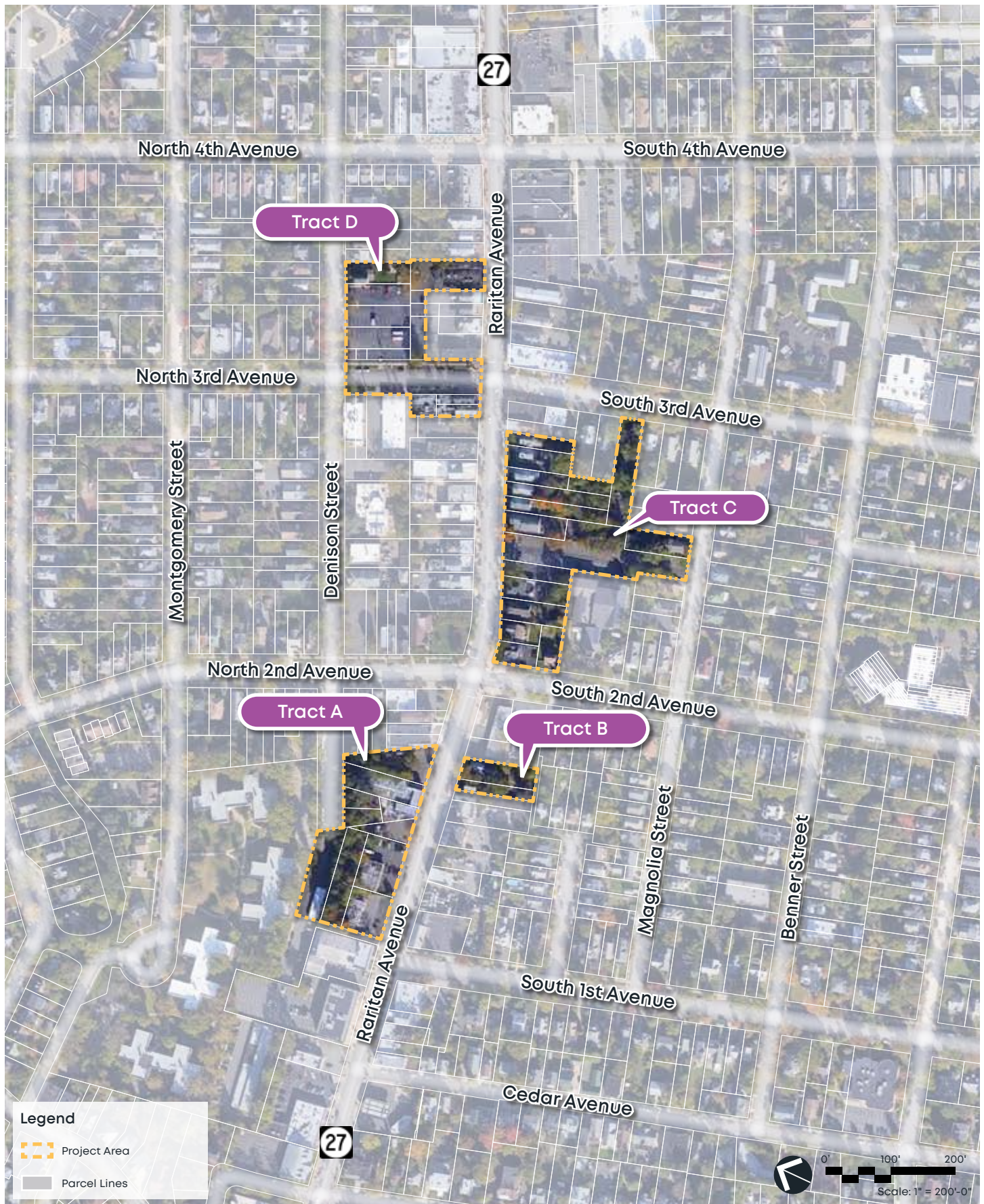
The Garden Homes proposal for Tract C included properties outside of the 2021 Redevelopment Plan's boundaries and as such, later in 2023, the Borough Council authorized a preliminary investigation to determine if these additional properties qualified as areas in need of redevelopment. In 2024, the Borough Council designated several additional adjacent properties as a "non-condemnation area in need of redevelopment."

Working in collaboration with Garden Homes, the Borough has continued to study and advance planning concepts for the expanded Tract C redevelopment area as well as a new pedestrian plaza at South 3rd Avenue, and how they could be integrated with and complement each other. The Borough held a community meeting in June 2024 to provide an overview of the proposed Tract C concept plan and the status of the future pedestrian plaza, as well as to allow for the community to review the plans in more detail, ask questions, and offer input.

Accordingly, the purpose of this redevelopment plan is to amend the 2021 Redevelopment Plan by incorporating additional properties to the Tract C redevelopment area, and providing for an enhanced shared vision and updated zoning standards for the same. This amended plan permits a larger mixed-use building, together with a series of public benefits including multiple public spaces to serve as an extension of the future pedestrian plaza - with the principal goal to bring more people to live, work, and shop along Raritan Avenue. It is noted that the initial vision and zoning standards for Tract A, B, and D remain in this amended plan, without substantial modification.

In order to stimulate private investment, promote community benefits, prevent further deterioration, and advance desirable rehabilitation and/or redevelopment within the Borough (all consistent with the vision, goals, and objectives of the Master Plan), the Borough Council seeks to rehabilitate and/or redevelop Block 1704, Lots 41-49 and a portion of Lot 20 (known as "Tract A"), Block 2201, Lots 6 and 9 (known as "Tract B"), Block 2202, Lots 1-4, 6.01, 7-9, 31, 32.02, 33.01, 34, 35, and 36 (known as "Tract C"), and Block 1604, Lots 20-26, 42, 50, 51, and a portion of Lot 47 as well as Block 1603, Lots 36-38 (known as "Tract D") (collectively, the "Project Area") in accordance with this redevelopment plan entitled "Downtown Redevelopment Plan for Tracts A - D Amended Through October 2024" (the "Redevelopment Plan").

## Map 2. Project Area Map



### DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

# 2 | REDEVELOPMENT STATUTE

## 2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature enacted 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 P.L. 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



BEFORE



AFTER

### 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 and one (1) affordable unit.



BEFORE



AFTER



## 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:

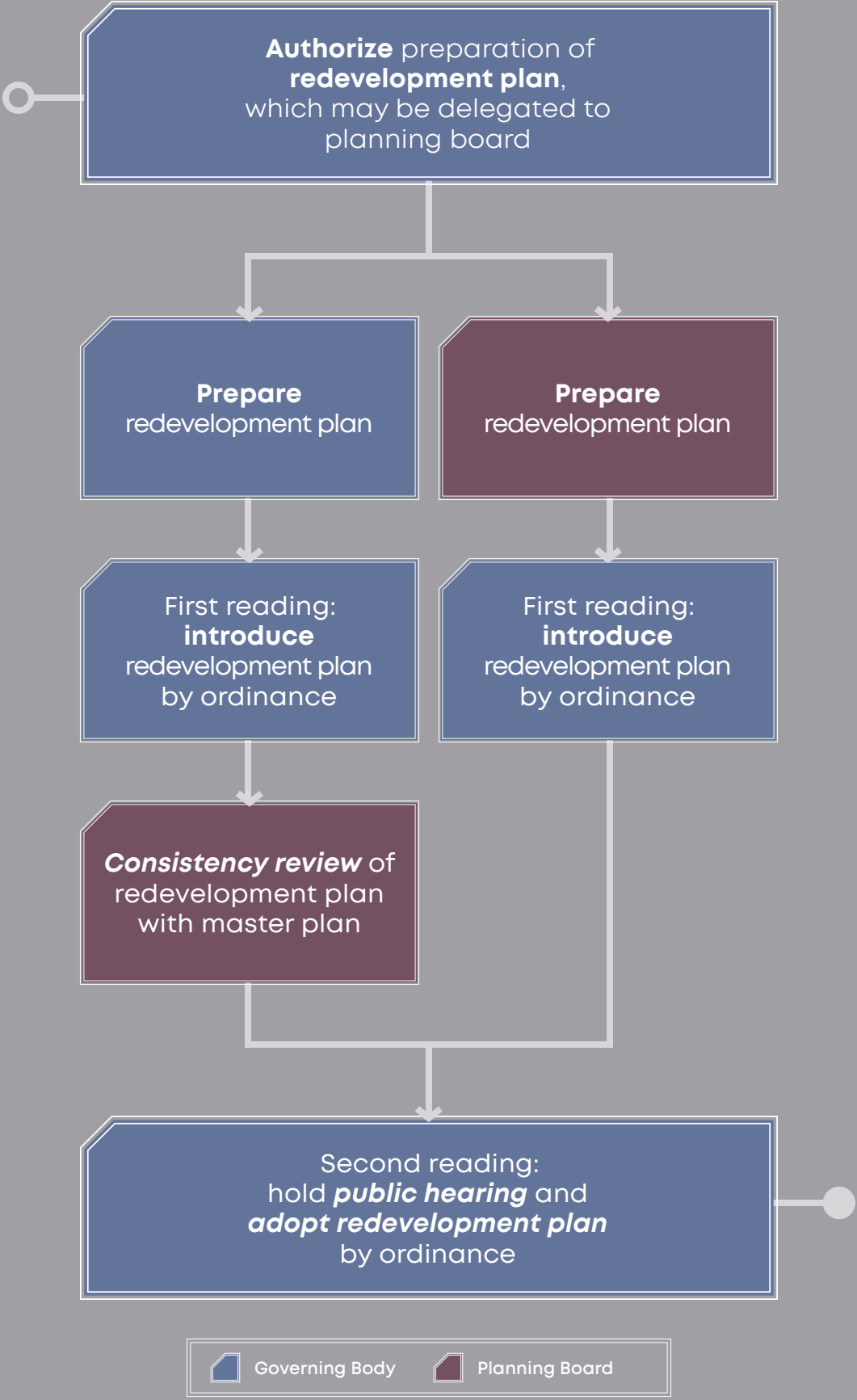
- Offers more flexibility than conventional zoning which is not limited to redevelopment involving the built form and can include specific areas to be up-zoned or down-zoned, specific structures to be preserved, specific areas to be preserved as open space and/or improved as public gathering spaces, parks, or other landscape features, as well as provisions 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 the 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 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 (which can be the property owner) 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 page.

# REDEVELOPMENT PLAN PROCEDURE SUMMARY



## 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 13 (now 2201), Lots 1, 2, 3, 4, 6, 7, 8, 9, 46, 49, and 50; Block 22 (now 2202), Lots 2, 3, 4, 6, 7, 8, 9, 32.01, 33.01, 34, 35, and 36; Block 31 (now 3001), Lots 3, 4, 5, 6, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 33; Block 143 (now 1403), Lots 35, 36, 37, 38, 39, and 40; Block 162 (now 1603), Lots 34, 35, and 39; and Block 173 (now 1704), Lots 34, 35, 36, 37, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52, and 53 (collectively, 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

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

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

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

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

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

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

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

## **AMENDMENTS TO THE 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 downtown area, in part due to the inconsistent boundaries on each block within the designated redevelopment area and overly rigid requirements. In the years following the adoption of the 2005 Redevelopment Plan, the Borough Council considered and adopted several amendments which attempted to address these challenges, including the following:

1. On August 1, 2006, the Borough Council adopted Ordinance No. 1693, which sought to bring about greater clarity and efficiency in the implementation of the 2005 Redevelopment Plan. This amendment: a) added a stipulation that an application for development within the designated redevelopment area would not be deemed complete or heard by the Planning Board unless and until a redevelopment agreement between the Borough Council and the applicant has been executed; and, b) clarified, in the case where the property owner is designated as the redeveloper, that the execution of a redevelopment agreement would be required, similar to what would be required of a third party redeveloper.
2. On March 6, 2007, the Borough Council adopted Ordinance No. 1714, which acknowledged the unique characteristic of Block 162 (now 1603), Lot 39 (commonly known as 18 North 3rd Avenue) as the only property in the designated redevelopment area not fronting on Raritan Avenue and whose prior zoning designation was Professional Office (PO). This amendment amended the principal uses specifically within Block 162 (now 1603), Lot 39, by increasing the amount of medical professional office space that could be on the ground floor of a building, from 50% to 60%.
3. On July 6, 2010, the Borough Council adopted Ordinance No. 10-1790, which addressed litigation between Rite Aid and the Borough concerning the designation of Block 31 (now 3001), Lots 17, 18, 19, 20, 21, 22, and 33 (commonly known as 332 Raritan Avenue) as a redevelopment area. In light of various renovations and improvements to the Rite Aid property, this amendment: a) removed the Rite Aid property from the Borough’s redevelopment area designation; b) removed the Rite Aid property from the 2005 Redevelopment Plan (specifically within Appendix B); and, 3) declared that the Rite Aid property to be consistent with the standards and requirements of the 2005 Redevelopment Plan.

4. On October 5, 2010, the Borough Council adopted Ordinance No. 10-1795, which removed the exceptions pertaining to the former Sunoco gas/repair station on Block 13 (now 2201), Lots 7 and 46 (commonly known as 138-148 Raritan Avenue). The 2005 Redevelopment Plan noted the unique configuration of the pre-existing non-conforming use, permitting it to remain so long as the property was renovated and enhanced. However, the former Sunoco station closed on or about July 2009, and the property owner subsequently removed the underground gasoline storage tanks as well as the metal canopy superstructure. This amendment: a) deleted the exception (of allowing the gas/repair station use to remain) and b) reaffirmed that the property is subject to all of the provisions of the 2005 Redevelopment Plan.
5. On February 21, 2017, the Borough Council adopted Ordinance No. 17-1929, which amended specific provisions of the 2005 Redevelopment Plan pertaining to Block 173 (now 1704), Lots 36 and 37 (commonly known as 137 & 139 Raritan Avenue). This amendment a) removed several and modified other permitted principal and accessory uses, added office uses as permitted conditional uses, and added on-site parking as a prohibited use; b) established more precise site-specific bulk regulations; and, c) established a parking standard requiring a minimum of one (1) parking space for each residential unit to be located within 1,000 feet of the property and reiterating the prohibition of curb cuts along Raritan Avenue.
6. On December 5, 2017, the Borough Council adopted Ordinance No. 17-1954, which amended specific provisions of the 2005 Redevelopment Plan pertaining to all property within the designated redevelopment area. This amendment a) permitted up to one (1) residential unit to be located on the first floor at the rear of a building; b) reaffirmed the parking standard as adopted in the prior amendment; and, c) deleted the provision that states “No Borough funds shall be used for acquisition of real property for redevelopment projects.”
7. On August 14, 2018, the Borough Council adopted Ordinance No. 18-1963, which amended specific provisions of the 2005 Redevelopment Plan pertaining to Block 13 (now 2201), Lots 9 and 6 (commonly known as 130 & 134 Raritan Avenue). This amendment a) permitted residential uses to be located on the ground floor at the rear of the building; b) permitted a maximum of four (4) stories and a fifth story provided it is stepped back a minimum of 10 feet from the front façade below; c) required side yard setbacks to allow for fenestration; d) established a parking standard requiring a minimum of one (1) parking space for each residential unit located on site and parking for employees of ground-floor non-residential uses to be located on or off site, provided that such parking spaces are located within 1,000 feet of the property; and, e) required three (3) of the 16 residential units to be provided as affordable housing units.

## 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 the Project Area, an “area in need of rehabilitation” in accordance with the LRHL. This designation will prevent further deterioration and promote the overall development of the Borough, consistent with the goals and objectives of the Master Plan, which include to:

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

## 2019-2020 CONDEMNATION AREA IN NEED OF REDEVELOPMENT STUDY

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

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

Following the duly noticed hearing, the Planning Board adopted Resolution No. 2020-03, recommending the Borough Council designate the Study Area as a “condemnation area in need of redevelopment.” On April 21, 2020, based upon the Planning Board’s recommendation, the Borough Council adopted Resolution No. 4-20-147, formally designating Block 173 (now 1704), Lots 41, 42, 44, and 45 - a portion of the future Tract A - as a “condemnation area in need of redevelopment” in accordance with the LRHL.

## 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 groups of properties, including Block 173 (now 1704), Lots 41-49 and portion of Lot 20 (known as “Tract A”); Block 13 (now 2201), Lots 6 and 9 (known as “Tract B”); **Block 22 (now 2202), Lots 4, 32.02, and 33.01 (known as the original “Tract C”); and** Block 158 (now 1604), Lots 20-26, 42, 50-51, and portion of Lot 47 as well as Block 162 (now 1603), Lots 36-38 (known as “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.

The Borough Council prepared and referred a redevelopment plan entitled "Downtown Redevelopment Plan for Tracts A - D," prepared by LRK, Inc., dated July 13, 2021 (the "2021 Redevelopment Plan") to the Planning Board for its review and recommendations. The redevelopment plan was reviewed extensively and the feedback given by the Planning Board, as well as that of the public, was incorporated into the finalized plan.

Following a robust public hearing, on September 14, 2021, the Borough Council adopted Ordinance No. 21-2030, formally adopting 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.

The 2021 Redevelopment Plan established a new framework, vision, and implementation plan including developing meaningful and purposeful public gathering spaces, implementing better transportation and affordable housing options, and improving walkability throughout the downtown area, together with tract-specific standards for the four (4) tracts in the downtown area.

## **2021-2022 REQUEST FOR PROPOSALS & REDEVELOPER SELECTION**

On December 10, 2021, the Borough issued a Request for Proposals ("RFP") that invited qualified redevelopers within the development community to respond with redevelopment proposal submissions and statements of qualifications for Tracts A, C, and D. 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.

On March 29, 2022, the Borough issued an addendum to the RFP, advising respondents to take into consideration several questions and answers, including clarifying that:

- Respondents could submit proposals for one or multiple tracts;
- Financial incentives were still "on the table";
- Ubry's and Classic Cleaners were privately owned businesses and to include them in any proposed project would require the respective property owners' consent;
- Providing off-site parking in a centralized parking facility on Tract D would require the property owner's consent;



- Accommodating parking for the Reformed Church is to be incorporated in any proposed project on Tract C;
- Proposals must meet or surpass the Borough's commitment to affordable housing, including ensuring that affordable units to have access to the same amenities as market-rate units; and,
- There is no set limitation on residential density in the 2021 Redevelopment Plan.

The Borough received several responses on May 6, 2022, with proposals ranging in scale from one tract to all four (4) tracts. Ultimately, the Borough selected the following proposals:

- On August 2, 2022, the Borough authorized a resolution to designate 232 Raritan Avenue, LLC (Garden Homes) as the conditional redeveloper for Tract C.
- On November 22, 2022, the Borough authorized a resolution to designate Tantum Fidelco HP LLC (now HP RarDen Redevelopment) as the conditional redeveloper for Tract A.

The resolutions allowed for the selected redevelopers to pursue pre-development activities including but not limited to review of conditional developer's proposal as well as negotiation and preparation of a redevelopment agreement.

Specific to Tract C, the concept plan presented by 232 Raritan Avenue, LLC included additional properties that were not included within the redevelopment area as defined in the 2021 Redevelopment Plan.

For background purposes, in 2005, the properties designated as Block 22 (now 2202), Lots 2, 3, 4, 6 (since subdivided and now known as 6.01), 7, 8, 9, 32.01 (since consolidated and now known as 32.02), 33.01, 34, 35, and 36 were designated an "area in need of redevelopment," and while the 2005 Redevelopment Plan considered conceptual development approaches for said properties, the 2021 Redevelopment Plan sought to focus redevelopment efforts on Borough-owned properties designated as Block 2202, Lots 4, 32.02, and 33.01.

The conditional redeveloper, in its proposal, considered not only Borough-owned properties as identified in the 2021 Redevelopment Plan and several other properties as identified in the 2005 Redevelopment Plan, but the real possibility of being able to assemble other properties outside the redevelopment area designation, but otherwise under the municipal-wide rehabilitation designation.

In considering potentially expanding the Tract C redevelopment area, the Borough Council sought to take advantage of the opportunity to take a step back and consider a broader view of a more expansive redevelopment project - including improved access, circulation, and on-site parking management scheme that would serve an expanded redevelopment area and adjacent properties - as well as to enable long-term financial incentives that would not be possible for a redevelopment project involving properties under the rehabilitation area designation. From a practical perspective, it is necessary for all properties to be under the redevelopment area designation in order to facilitate a long-term financial agreement.

Ultimately, the Borough 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 as described above, prior to amending the 2021 Redevelopment Plan.

### **2023-2024 NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT STUDY**

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 Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39 (the "Study Area"), met the statutory criteria set forth at N.J.S.A. 40A:12A-3 or -5 for designation as a "non-condemnation area in need of redevelopment" under the LRHL, and whether all or a portion of said Study Area should be designated as an "non-condemnation area in need of redevelopment."

On December 14, 2023, the Planning Board conducted a public hearing at which it reviewed a report entitled "Preliminary Investigation of a Non-condemnation Area in Need of Redevelopment - Downtown Area - Tract C Expansion," prepared by LRK, Inc., dated November 22, 2023. This report concluded that the Study Area met the criteria for redevelopment designation pursuant to N.J.S.A. 40A:12A-3 and subsection(s) "a," "d," "h" of N.J.S.A. 40A:12A-5.

Following the duly noticed hearing, the Planning Board adopted Resolution No. 2024-01, recommending the Borough Council designate the Study Area as a "non-condemnation area in need of redevelopment." On April 16, 2024, based upon the Planning Board's recommendation, the Borough Council adopted Resolution No. 4-24-131, formally designating Block 2202, Lots 1, 13, 19, 31, 37, 38, and 39 as a "non-condemnation area in need of redevelopment" in accordance with the LRHL.

By virtue of this action, the redevelopment area designation expanded to the entirety of Tract C as outlined in this Redevelopment Plan, such that there is no longer a mix of non-redevelopment area and redevelopment area designations within the same delineated area. It is noted that this Redevelopment Plan does not include Block 2202, Lots 37, 38, and 39, which the Borough has determined would require a special focus and separate redevelopment plan to be considered in the future.

## 2.5 STATUTORY CRITERIA

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area. Specifically, N.J.S.A. 40A:12A-7(a) requires the provisions listed on the following page.

## STATUTORY REQUIREMENTS OF A REDEVELOPMENT PLAN

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- 1** | Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- 2** | Proposed land uses and building requirements in the project area.
- 3** | Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- 4** | An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- 5** | Any significant relationship of the redevelopment plan to:
  - (a) the master plans of contiguous municipalities;
  - (b) the master plan of the county in which the municipality is located; and,
  - (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act,” P.L. 1985, c. 398 (C. 52:18A-196 et al.).
- 6** | As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c. 222 (C. 52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
- 7** | A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L. 1985, c. 222 (C. 52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” P.L. 1985, c. 222 (C. 52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
- 8** | Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

# 3 | PROJECT AREA CONTEXT

## 3.1 OVERVIEW

The Project Area is situated generally in the center of the Borough, straddling both sides of Raritan Avenue (New Jersey State Route 27) between South 1st Avenue and midway between North 3rd Avenue and North 4th Avenue, and bisected by several streets. As such, the Project Area is not a contiguous assemblage of properties, but rather four (4) separate groups of properties having varying shapes and sizes.

This portion of Raritan Avenue - located within the core of the downtown area - features a variety of uses - including a popular Farmers Market - appropriate for a downtown setting, but also includes several vacant storefronts, vacant properties, and multiple automotive-centric uses. Additionally, as it relates to Tract A and B, during the community engagement process in the development of the Master Plan, one participant succinctly stated, "I love the feel of our community, [but] the area between 1st and 2nd needs major attention."



Aerial View of Tract A, looking north.



Aerial view of Tract B, looking south.



Aerial View of Tract C, looking south.



Aerial View of Tract D, looking north.

Map 3. Project Area Map



DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

## 3.2 TRACT A

### OVERVIEW

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

Tract A is irregular in shape, with over 460 feet of frontage along Raritan Avenue, with varying depth ranging between 110 and 210 feet, and comprises approximately 84,070 square feet (1.93 acres) in area. One of the unique features of this area is its topography, such that the portion of the Tract along Raritan Avenue is over a full story above the portion of the Tract along Denison Street, with trees and steep slopes in close proximity to Denison Street.

### EXISTING CONDITIONS

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

**Block 1704, Lot 41 (133 Raritan Avenue) and Lot 42 (127 Raritan Avenue)** - Known as the former "Gun and Boat" property, Lots 41 and 42 are Borough-owned through lots with frontages on both Raritan Avenue and Denison Street.

Lot 41 is recognized as a vacant lot, but otherwise presently contains a small parking lot and curb cut along Raritan Avenue as well as unimproved/overgrown yard area and steep slopes along Denison Street.

Lot 42 presently contains a two-story mixed-use building fronting on Raritan Avenue and a large one-story storage building attached to the rear, both of which have had limited occupancy and improvements over the last several years.

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

**Block 1704, Lots 44 and 45** - Lots 44 and 45 are Borough-owned vacant lots that presently contains unimproved/overgrown land and steep slopes along the dead-end portion of Denison Street.



Google Maps aerial view of Tract A, looking northeast.



View of Classic Cleaners and former Gun & Boat buildings from Raritan Avenue.



View of Gun & Boat parking area from Raritan Avenue.



View of side of Gun & Boat building and driveway along Raritan Avenue sidewalk.

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38



**Block 1704, Lot 47 (115 Raritan Avenue)** - Known as the "Ubry's" property, Lot 47 presently contains a one-story automobile repair shop situated at the rear of the property. The remainder of the property is paved as a parking lot with two (2) wide curb cuts along Raritan Avenue.

**Block 1704, Lot 48 (101 Raritan Avenue)** - Known as the former "Bergen Auto" property, Lot 48 is Borough-owned that presently contains a vacant one-story automobile repair shop situated at the rear of the property. Like the adjacent lot noted above, the remainder of the property is paved as a parking lot with two (2) wide curb cuts along Raritan Avenue.

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

## **CURRENT REDEVELOPMENT DESIGNATION**

All properties within Tract A are situated in the Borough-wide "area in need of rehabilitation" designation established in 2016. Additionally, all properties - with the exception of Lot 20 - are situated in an "area in need of redevelopment" by virtue of a study completed and designation adopted in 2005. Lots 41, 42, 44, and 45 are further situated in a "condemnation area in need of redevelopment" by virtue of a study completed and designation adopted in 2020. At the time of publication of this Redevelopment Plan - the Borough Council has authorized and directed the Planning Board to determine whether Lots 43, 46, and 49 qualified as a "condemnation area in need of redevelopment." As noted above, Lot 20 is the only property that is designated an "area in need of rehabilitation" and not an "area in need of redevelopment."

## **EXISTING ZONING DESIGNATION**

All properties within Tract A are situated in the 2021 Redevelopment Plan area and, by extension, this Redevelopment Plan. As noted in Chapter 1, the initial vision and zoning standards for Tract A, B, and D remain in this plan, without substantial modification.



Google Street View of former Bergen Auto from Raritan Avenue.



Google Street View of Ubry's from Raritan Avenue.



View of Denison Street looking toward rear of Tract A.



View of building at rear of Tract A.



View of overgrown yard area along Denison Street.



Google Street View of one-story garages and drive aisle associated with Highland Montgomery Apartments.

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

## PROPERTY OWNERSHIP

Tract A comprises eight (8) properties covering approximately 1.93 acres; property ownership is summarized in the table below:

**Table 1. Tract A Property Ownership**

Block	Lot	Class	Address	Owner	Acreage <sup>1</sup>
1704	41	15C	133 Raritan Ave	Highland Park Borough	0.26
1704	42	15C	127 Raritan Ave	Highland Park Borough	0.23
1704	43, 46, 49	4A	125 Raritan Ave	Bethel Realty Corp.	0.45
1704	44	15C	Denison St	Highland Park Borough	0.09
1704	45	15C	Denison St	Highland Park Borough	0.09
1704	47	4A	115 Raritan Ave	Richards, C. & Ubry, Donald c/o Ubry's	0.28
1704	48	15C	101 Raritan Ave	Highland Park Borough	0.22
1704	Portion of 20	4C	110-148 Montgomery St	Highland Montgomery, LLC	0.31
<b>Total</b>					<b>1.93<sup>2</sup></b>

*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 above may not match the acreage values found in property tax records.*

*Note 2: Individual lot acreages may not add up to total lot acreage due to rounding.*

## PROPERTY ASSESSMENT

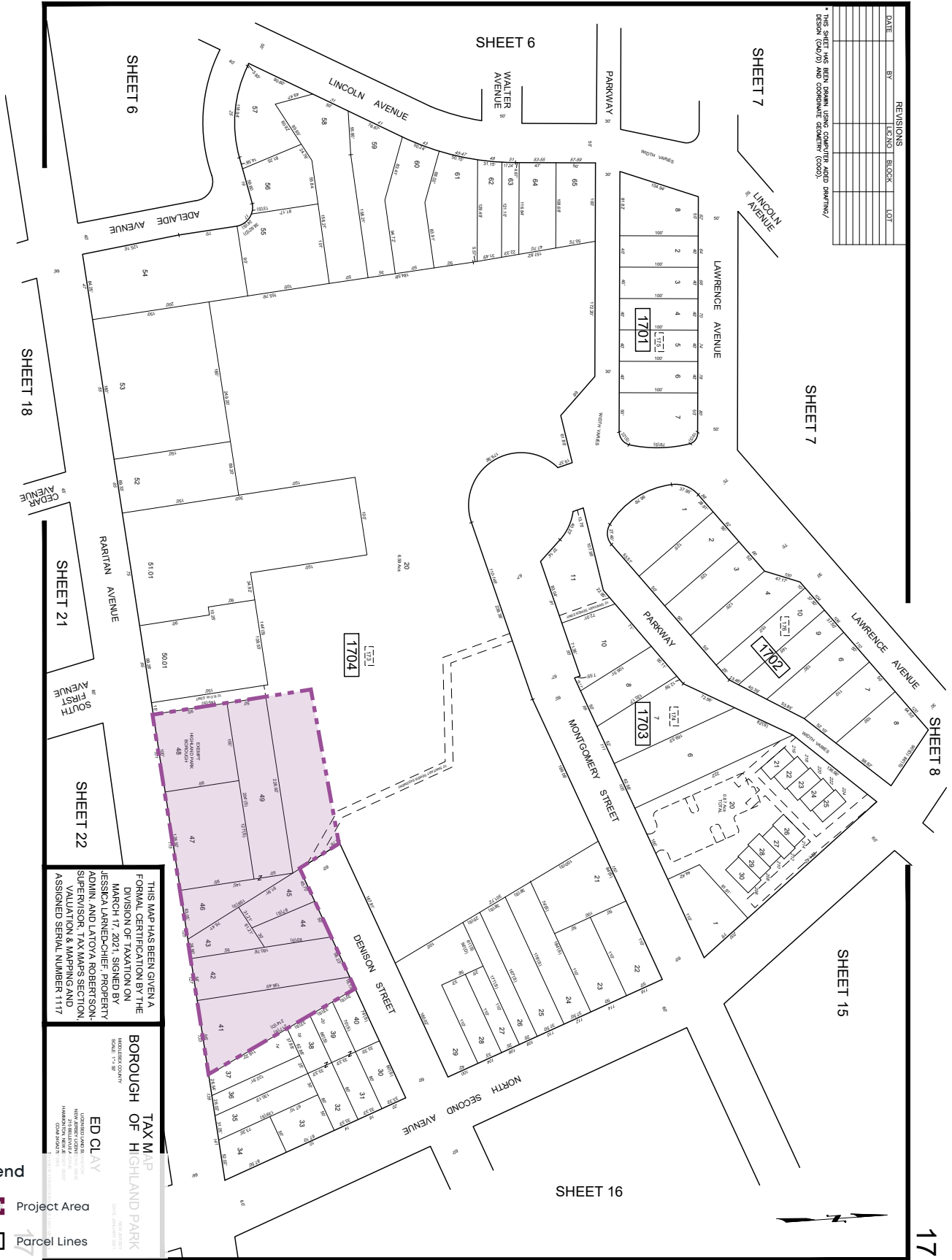
Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area as of January 2024. The Project Area has a improvement ratio of approximately 37% as summarized in the table below.

**Table 2. Tract A Property Assessment<sup>1</sup>**

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value
1704	41	\$200,000	\$5,000	\$205,000
1704	42	\$200,000	\$250,000	\$450,000
1704	43, 46, 49	\$400,000	\$328,800	\$728,800
1704	44	\$75,000	-	\$75,000
1704	45	\$75,000	-	\$75,000
1704	47	\$300,000	\$180,000	\$480,000
1704	48	\$300,000	\$180,000	\$480,000
<b>Totals</b>		<b>\$1,550,000</b>	<b>\$943,800</b>	<b>\$2,493,800</b>

*Note 1: Lot 20 was not included for the purposes of calculating assessed values*

Map 4. Borough of Highland Park Tax Map Sheet 17



DATE	BY	REVISIONS	LENO	BLOCK	LOT

THIS MAP HAS BEEN GIVEN A  
 FORMAL CERTIFICATION BY THE  
 DIVISION OF TAXATION ON  
 MARCH 17, 2021, SIGNED BY  
 JESSICA LARSEN-CHEIF, PROPERTY  
 ADMIN. AND LATOYA ROBERTSON,  
 SUPERVISOR, TAX MAPS SECTION.  
 SURVEY, VALUATION & MAPPING AND  
 ASSIGNED SERIAL NUMBER 11177

**TAX MAP**  
 OF **HIGHLAND PARK**  
 HIGHLAND COUNTY  
 SCALE: 1" = 80'

**ED CLAY**  
 HIGHLAND COUNTY ENGINEER  
 1000 NORTH SECOND AVENUE  
 HIGHLAND PARK, NJ 07030  
 (908) 982-1234  
 www.hIGHLANDCOUNTY.NJ.GOV

- Legend**
-  Project Area
  -  Parcel Lines

### **3.3 TRACT B**

#### **OVERVIEW**

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

Tract B is nearly rectangular in shape, with approximately 75 feet of frontage along Raritan Avenue, with an average depth of approximately 170 feet, and comprises approximately 13,276 square feet (0.30 acres) in area. The portion of the Tract along Raritan Avenue is approximately one-half story below the rear yard areas, with trees, steep slopes and retaining walls within the front yard area along Raritan Avenue. The front yard condition creates somewhat of a “gap” within the streetscape, since the existing buildings do not meet the sidewalk, whereas neighboring buildings have direct frontage upon the sidewalk.

#### **EXISTING CONDITIONS**

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

#### **CURRENT REDEVELOPMENT DESIGNATION**

Both properties within Tract B are situated in the Borough-wide "area in need of rehabilitation" designation established in 2016. Additionally, both properties are situated in an "area in need of redevelopment" by virtue of a study completed and designation adopted in 2005.

#### **EXISTING ZONING DESIGNATION**

All properties within Tract B are situated in the 2021 Redevelopment Plan area and, by extension, this Redevelopment Plan. As noted in Chapter 1, the initial vision and zoning standards for Tract A, B, and D remain in this plan, without substantial modification.



Google Maps aerial view of Tract B, looking southeast.



Google Street View of Tract B from Raritan Avenue.



Google Street View of Tract B from Raritan Avenue.



View of rear yard at end of alley along rear of Tract B



View of alley along rear of Tract B

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

## PROPERTY OWNERSHIP

Tract B comprises two (2) properties covering approximately 0.30 acres; property ownership is summarized in the table below:

**Table 3. Tract B Property Ownership**

Block	Lot	Class	Address	Owner	Acreage <sup>1</sup>
2201	6	4A	134 Raritan Ave	Route 27 Associates LLC	0.20
2201	9	2	130 Raritan Ave	Route 27 Associates LLC	0.10
<b>Total</b>					<b>0.30<sup>2</sup></b>

*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 above may not match the acreage values found in property tax records.*

*Note 2: Individual lot acreages may not add up to total lot acreage due to rounding.*

## PROPERTY ASSESSMENT

Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area as of January 2024. The Project Area has a improvement ratio of approximately 43% as summarized in the table below.

**Table 4. Tract B Property Assessment**

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value
2201	6	\$300,000	\$150,000	\$450,000
2201	9	\$191,700	\$224,500	\$416,200
<b>Totals</b>		<b>\$491,700</b>	<b>\$374,500</b>	<b>\$866,200</b>

Map 5. Borough of Highland Park Tax Map Sheet 22





## 3.4 TRACT C

### OVERVIEW

Tract C is designated as Block 2202, Lots 1, 2, 3, 4, 6.01, 7, 8, 9, 13, 19, 31, 32.02, 33.01, 34, 35, and 36. The Tract is located mid-block in the downtown area between South 2nd Avenue and South 3rd Avenue. It is bounded to the north by Raritan Avenue (New Jersey State Route 27), to the south by Magnolia Street, to the east by a mixed-use building containing Salon Envy on the ground floor, and to the west by the Reformed Church of Highland Park fronting on South 2nd Avenue.

Tract C is irregular in shape, with approximately 530 feet of frontage along Raritan Avenue with varying depth ranging from between 150 and 450 feet. The Tract also has 50 feet of frontage along South 3rd Avenue, 150 feet of frontage along South 2nd Avenue, and 100 feet of frontage along Magnolia Street. The Tract comprises approximately 131,986 square feet (3.03 acres) in area. Similar to Tract B, the portion of the Tract along Raritan Avenue is approximately one-half story below the middle of the Tract, and gradually rises in grade for the remainder of the Tract toward Magnolia Street.

### EXISTING CONDITIONS

**Block 2202, Lot 1 (202 Raritan Avenue)** - Lot 1 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. The driveway is accessible from South 2nd Avenue, in close proximity to Raritan Avenue.

**Block 2202, Lot 2 (204 Raritan Avenue)** - Lot 2 presently contains a 2 1/2-story frame dwelling with a driveway accessible from Raritan Avenue. There is some vegetation separating the property from the adjacent Lot 3 as well as a larger mature tree along Raritan Avenue.

**Block 2202, Lot 3 (208 Raritan Avenue)** - Lot 3 presently contains a 2 1/2-story frame masonry and frame building, with the first floor extending to the sidewalk along on Raritan Avenue. There is a driveway to the right side of the building with access from Raritan Avenue, leading to a small parking area and a small accessory structure located at the rear of the property.

**Block 2202, Lot 4 (212 Raritan Avenue)** - Known as the "Main Street Highland Park" property, Lot 4 presently contains a small two-story masonry and frame building fronting on Raritan Avenue, together with a rear one-story addition adorned with art murals and signage.

**Block 2202, Lot 6.01 (226 Raritan Avenue)** - Known as the "Central Jersey Prosthodontics" property, Lot 6.01 presently contains a 2 1/2-story frame mixed-use building, together with a small parking area located at the rear of the property accessible by way of a narrow shared driveway (shared with Lot 34) from Raritan Avenue.

**Block 2202, Lot 32.02 (220 Raritan Avenue) and Lot 33.01 (222 Raritan Avenue)** – Known as the "Farmers Market" property, Lots 32.02 and 33.01 presently contain a large parking area - accessible from Magnolia Street - that functions as a community gathering space for events such as the Farmers Market and Outdoor Movie Theater, among others. A wood frame and



Google Maps aerial view of Tract C, looking southeast.



View of Tract C from Raritan Avenue.



View of parking area at rear of Tract C.



Google Street View of Tract C from Raritan Avenue.



Google Street View of Tract C from Raritan Avenue.

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

metal roof pavilion dedicated to the late Councilwoman Susan Welkovits is situated at the front of the property along Raritan Avenue, together with bicycle facilities and public art.

**Block 2202, Lot 34 (228 Raritan Avenue)** - Lot 34 presently contains a 2 1/2-story frame building, together with a small parking area located at the rear of the property accessible by way of a narrow shared driveway (shared with Lot 6.01) from Raritan Avenue.

**Block 2202, Lot 7 (232 Raritan Avenue)** - Lot 7 is currently vacant, with the previous structure having been demolished and all site improvements removed earlier in 2024.

**Block 2202, Lots 8 and 35 (234 Raritan Avenue)** - Lot 8 presently contains a 2 1/2-story frame mixed-use building, together with a shared driveway (shared with Lot 9) from Raritan Avenue leading to a defined parking area located at the rear of the property. Lot 35, which is land-locked and behind Lot 8, mainly contains dense vegetation and several mature trees.

**Block 2202, Lot 9 (238 Raritan Avenue)** - Lot 9 presently contains a 2-1/2 story frame building, together with a shared driveway (shared with Lot 8) from Raritan Avenue leading to a defined parking area and private garages located at the rear of the property.

**Block 2202, Lot 36 (240 Raritan Avenue)** - Lot 36 presently contains a 2-1/2 story frame dwelling that does not have a driveway nor any on-site parking. There is an apparent billboard located at the front of the building, directly adjacent to the neighboring mixed-use building.

**Block 2202, Lot 13 (24 South 3rd Avenue)** - Lot 13 presently contains a 2 1/2-story frame building in front of a 2-story block building, together with a driveway on the left side of the property leading to a stone parking area and a small playground area. The frame building contains a daycare center and office space and the block building contains several apartments.

**Block 2202, Lot 19 (225 Magnolia Street)** - Lot 19 presently contains a 1 1/2-story frame dwelling, together with a deep front porch and a stone driveway in the front yard area leading to a detached garage in the rear yard area. The property is well-manicured, containing extensive landscaping and several mature trees.

**Block 2202, Lot 31 (11 South 2nd Avenue)** - Lot 31 presently contains a 1 1/2-story frame dwelling that does not have a driveway nor any on-site parking. The rear yard area has been divided, with one portion serving as the backyard for the residence and the other portion serving as a playground area managed by the adjacent Reformed Church of Highland Park.

## CURRENT REDEVELOPMENT DESIGNATION

All properties within Tract C are situated in the Borough-wide "area in need of rehabilitation" designation established in 2016. Additionally, Lots 2, 3, 4, 6.01, 7, 8, 9, 32.02, 33.01, 34, 35, and 36 are situated in an "area in need of redevelopment" by virtue of a study completed and designation adopted in 2005, and Lots 1, 13, 19, and 31 are situated in a "non-condemnation area in need of redevelopment" by virtue of a study completed and designated adopted earlier in 2024.

## EXISTING ZONING DESIGNATION

While Lots 2, 3, 6.01, 7, 8, 9, 34, 35, and 36 are situated in the 2005 Redevelopment Plan area and Lots 4, 32.02, and 33.01 are situated in the original 2021 Redevelopment Plan area, Lots 1 and 31



*View of Lot 13 from South 3rd Avenue.*



*View of rear yard area of Lot 13.*



*View of Farmers Market from Raritan Avenue.*



*View of rear-yard area of Lot 31.*



*View of Lot 1 from Raritan Avenue.*



*View of Lot 19 from Magnolia Street.*

are currently in the CBD Central Business District Zone, Lot 13 is currently in the PO Professional Office Zone, and Lot 19 is currently in the RA Single-Family Residential Zone. By adoption of this Redevelopment Plan, all properties within Tract C will be subject to the zoning standards contained in this Redevelopment Plan.

## PROPERTY OWNERSHIP

Tract C comprises 15 properties covering approximately 3.03 acres; property ownership is summarized in the table below.

**Table 5. Tract C Property Ownership**

Block	Lot	Class	Address	Owner	Acreage <sup>1</sup>
2202	1	4A	202 Raritan Ave	232 Raritan Avenue LLC	0.11
2202	2	2	204 Raritan Ave	MSKN Properties LLC	0.11
2202	3	4A	208 Raritan Ave	232 Raritan Avenue LLC	0.17
2202	4	15C	212 Raritan Ave	Highland Park Borough	0.18
2202	6.01	4A	226 Raritan Ave	232 Raritan Avenue LLC	0.17
2202	7	2	232 Raritan Ave	232 Raritan Avenue LLC	0.19
2202	8, 35	4A	234 Raritan Ave	232 Raritan Avenue LLC	0.19
2202	9	4A	238 Raritan Ave	232 Raritan Avenue LLC	0.17
2202	13	4A	24 South 3rd Ave	South Third Associates LLC	0.29
2202	19	2	225 Magnolia St.	Neeff, Pamela & O'Hare, Miriam G	0.17
2202	31	15D	11 South 2nd Ave	Reformed Church of HP Affordable	0.11
2202	32.02	15C	222 Raritan Ave	Borough of Highland Park-Comm. Ctr	0.75
2202	33.01	15C	220 Raritan Ave	Borough of Highland Park-Comm. Ctr	0.13
2202	34	2	228 Raritan Ave	232 Raritan Avenue LLC	0.18
2202	36	2	240 Raritan Ave	232 Raritan Avenue LLC	0.11
<b>Total</b>					<b>3.03<sup>2</sup></b>

*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 above may not match the acreage values found in property tax records.*

*Note 2: Individual lot acreages may not add up to total lot acreage due to rounding.*

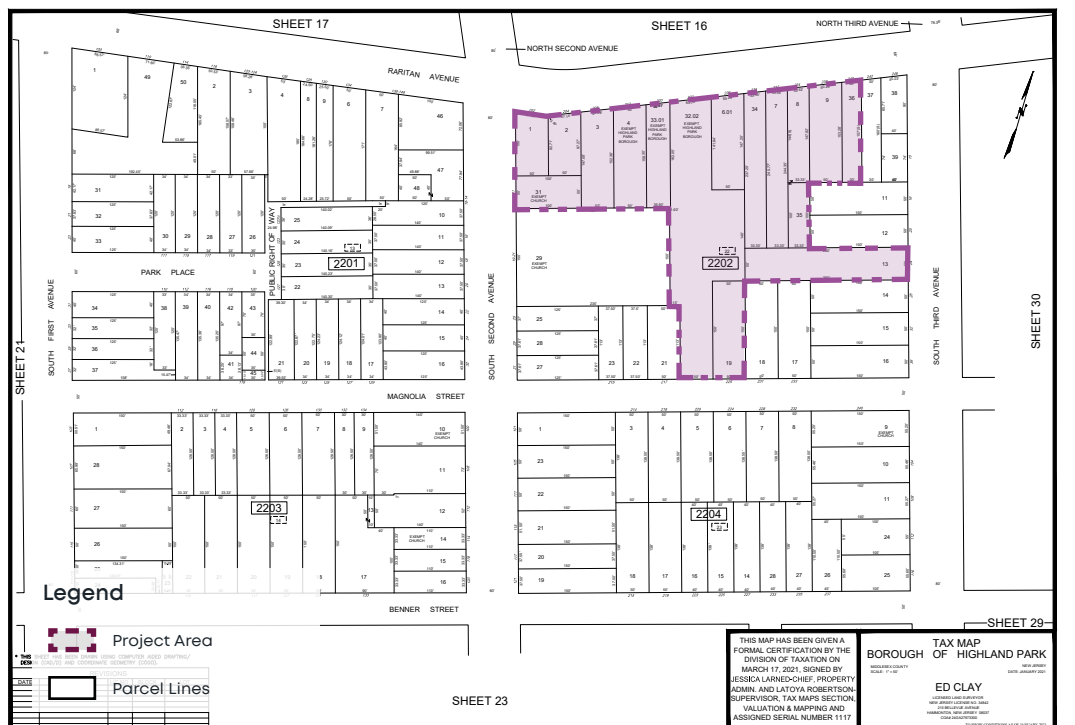
## PROPERTY ASSESSMENT

Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area as of January 2024. The Project Area has a improvement ratio of approximately 50% as summarized in the table on the following page.

**Table 6. Tract C Property Assessment**

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value
2202	1	\$300,000	\$310,000	\$610,000
2202	2	\$169,000	\$329,200	\$498,200
2202	3	\$350,000	\$452,500	\$802,500
2202	4	\$200,000	\$216,300	\$416,300
2202	6.01	\$300,000	\$375,500	\$675,500
2202	7	\$161,900	\$205,100	\$367,000
2202	8, 35	\$200,000	\$287,800	\$487,800
2202	9	\$200,000	\$153,500	\$353,500
2202	13	\$400,000	\$355,500	\$755,500
2202	19	\$202,500	\$148,400	\$350,900
2202	31	\$210,000	\$158,100	\$368,100
2202	32.02	\$400,000	\$31,500	\$431,500
2202	33.01	\$200,000	-	\$200,000
2202	34	\$161,900	\$416,900	\$578,800
2202	36	\$155,400	\$180,600	\$336,000
<b>Totals</b>		<b>\$3,610,700</b>	<b>\$3,620,900</b>	<b>\$7,231,600</b>

**Map 6. Borough of Highland Park Tax Map Sheet 22**



## 3.5 TRACT D

### OVERVIEW

Tract D is designated as Block 1604, Lots 20, 21, 22, 23, 24, 25, 26, 42, 50, 51, and a portion of Lot 47 as well as Block 1603, Lots 36, 37, and 38. The Tract consists of multiple properties on both sides of North 3rd Avenue. It is bounded to the south by Raritan Avenue (New Jersey State Route 27), to the north by Denison Street, to the west by office buildings fronting North 3rd Avenue and a surface parking area fronting Raritan Avenue, and to the east by a 2 1/2-story frame office building fronting Raritan Avenue and a 2 1/2-story frame dwelling fronting Denison Street. The Tract surrounds several properties that front Raritan Avenue, including a one-story Provident Bank building and drive-through facility, and three (3) 2 1/2-story residential-scale buildings with one- to two-story front additions, containing office and retail uses.

Tract D is irregular in shape and comprises multiple distinct parts. Block 1603, Lots 36, 37, and 38 is situated on the western portion of the Tract, with approximately 50 feet of frontage along Raritan Avenue, approximately 165 feet of frontage along North 3rd Avenue, and comprises approximately 8,000 square feet (0.18 acres) in area. Block 1604, Lots 20, 21, 22, 23, 24, 25, 26, 42, 50, 51, and a portion of Lot 47 is situated on the eastern portion of the Tract, with approximately 70 feet of frontage along Raritan Avenue, approximately 225 feet of frontage along Denison Street, an average depth of approximately 325 feet, and comprises approximately 50,965 square feet (1.17 acres) in area.

Taken together and combined with the 80-foot-wide North 3rd Avenue right-of-way, Tract D spans approximately 355 feet in width and approximately 325 feet in depth, with a total of 85,300 square feet or nearly 2 acres of land in the central core of the downtown area. The entire Tract gradually descends in grade from Raritan Avenue toward Denison Street.

### EXISTING CONDITIONS

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

**Block 1604, Lots 20, 21, 22, and 23 (15 North 3rd Avenue)** – The properties presently contain a parking area that is fully exposed to both North 3rd Avenue and Denison Street. The parking area is 75 feet in width, is inefficient in layout due to the oversized drive aisle, is accessible by way of a wide driveway from Denison Street, and does not connect to other adjacent parking lots.

**Block 1604, Lots 24, 25, 42, 50, and 51 (315 Raritan Avenue)** – Known as the “Bridge Turkish & Mediterranean Grill” property, Lot 42 presently contains a one-story restaurant building fronting on Raritan Avenue, with a curb cut along Raritan Avenue and driveway located on the right side of the building, providing access to the multiple parking lots both on and adjacent to the property and overall Tract. Lots 24, 25, 50, and 51 presently contain a parking



Google Maps aerial view of Tract D, looking northeast.



View of southeast corner of Tract D from Raritan Avenue.



View of southwest corner of Tract D from Raritan Avenue.



View of northwest corner of Tract D from Denison Street.



View of northeast corner of Tract D from Denison Street.

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38



lot that, again, is fully exposed to Denison Street. The parking area is approximately 95 feet in width, is inefficient in layout due to the oversized drive aisle, and is accessible by way of a driveway on Lot 42 and a wide driveway from Denison Street.

**Block 1604, Lot 26 (316 Denison Street)** – Lot 26 presently contains a 2 1/2-story frame dwelling with a long driveway located on the left side of the dwelling. The dwelling has a modest front yard area comparable to other homes along Denison Street, and is situated directly adjacent to the large parking areas that extend to North 3rd Avenue.

**Block 1604, Portion of Lot 47 (301-303 Raritan Avenue)** – Known as the “Provident Bank” property, Lot 47 presently contains a one-story bank with a drive-through facility that has egress to a wide curb cut along Raritan Avenue. The portion of the property that is within Tract D is limited to the northernmost 25’ of the property, which contains a landscape island and approximately 10 parking spaces. The drive aisle that serves the aforesaid parking spaces falls outside of Tract D.

**Block 1603, Lots 36, 37, and 38 (247 Raritan Avenue)** – Known as the “Blue Horse” property, Lots 36, 37, and 38 presently contain two (2) 2 1/2-story attached residential-scale buildings and a rear one-story addition that collectively house a restaurant, banquet hall, and other upper-story uses. The buildings cover the entire property, with parking provided across North 3rd Avenue on Block 1604, Lots 20, 21, 22, and 23.

## **CURRENT REDEVELOPMENT DESIGNATION**

All properties within Tract D are situated in the Borough-wide "area in need of rehabilitation" designation established in 2016. However, none of the properties are situated in an "area in need of redevelopment."

## **EXISTING ZONING DESIGNATION**

All properties within Tract D are situated in the 2021 Redevelopment Plan area and, by extension, this Redevelopment Plan. As noted in Chapter 1, the initial vision and zoning standards for Tract A, B, and D remain in this plan, without substantial modification.



View of west side of existing building on Block 1603.



View of largely empty parking lot on Block 1604.



Google Street View of Tract D from Raritan Avenue, looking west.



Google Street View of Tract D from Denison Street, looking west.

## PROPERTY OWNERSHIP

Tract D comprises five (5) properties covering approximately 1.35 acres; property ownership is summarized in the table below:

**Table 7. Tract D Property Ownership**

Block	Lot	Class	Address	Owner	Acreage <sup>1</sup>
1603	36,37,38	4A	247 Raritan Ave	4R Kidz, II LLC c/o Polos	0.18
1604	20,21,22,23	4A	15 N 3rd Ave	4R Kidz, II LLC c/o Polos	0.26
1604	24,25,42,50,51	4A	315 Raritan Ave	4R Kidz LLC	0.66
1604	26	2	316 Denison St	Polos, H James & Rita	0.17
1604	Portion of 47	4A	301-303 Raritan Ave	First Savings Bank, S.L.A/Provident	0.08
<b>Total</b>					<b>1.35<sup>2</sup></b>

*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 above may not match the acreage values found in property tax records.*

*Note 2: Individual lot acreages may not add up to total lot acreage due to rounding.*

## PROPERTY ASSESSMENT

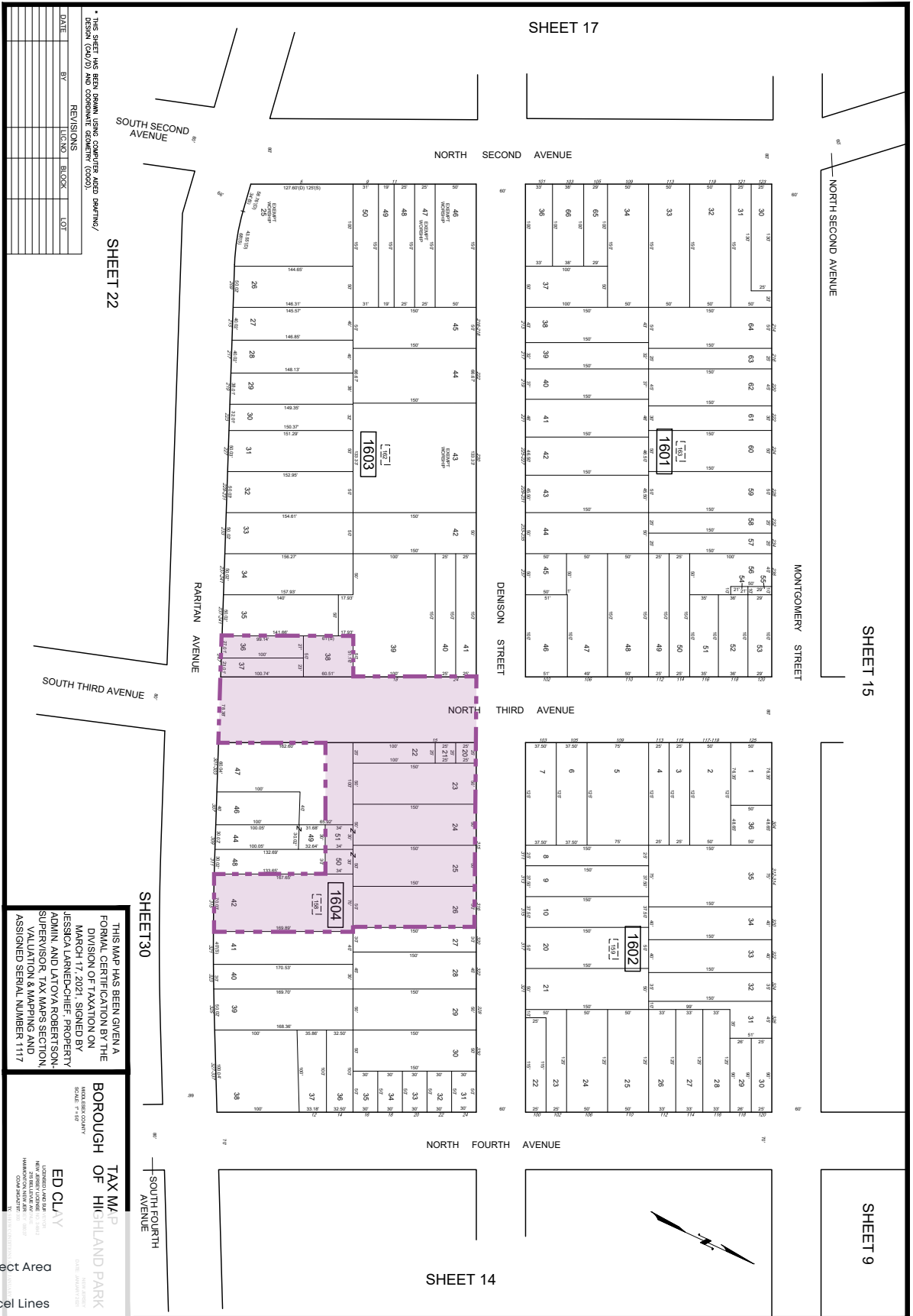
Property tax records derived from the Middlesex County Property Assessment Search Hub were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area as of January 2024. The Project Area has a improvement ratio of approximately 40% as summarized in the table below.

**Table 8. Tract D Property Assessment<sup>1</sup>**

Block	Lot	Assessed Land Value	Assessed Improvement Value	Net Assessed Value
1603	36,37,38	\$500,000	\$672,500	\$1,172,500
1604	20,21,22,23	\$250,000	\$16,900	\$266,900
1604	24,25,42,50,51	\$700,000	\$333,200	\$1,033,200
1604	26	\$238,500	\$137,000	\$375,500
<b>Totals</b>		<b>\$1,688,500</b>	<b>\$1,159,600</b>	<b>\$2,848,100</b>

*Note 1: Lot 47 was not included for the purposes of calculating assessed values*

# Map 7. Borough of Highland Park Tax Map Sheet 16



**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**  
 Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

### 3.6 EXISTING LAND USE

#### ENVIRONMENTAL ASSESSMENT

**Sites & Facilities** - The Project Area contains multiple sites that are enumerated through the New Jersey Department of Environmental Protection (“NJDEP”) New Jersey Environmental Management System (“NJEMS”). Sites that are listed on the NJEMS, as shown in the table below, 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.

**Table 9. NJEMS List**

Site ID	PI	PI ID	Site Name	Active	Address
5794	Air	L1547	Classic Cleaners	Yes	125 Raritan Ave
5794	HW	NJX000319095	Classic Cleaners	No	125 Raritan Ave
5794	SR	622033	Bethel Realty Co	Yes	125 Raritan Ave
594825	SR	747269	Denison St Vacant Lots	Yes	Denison St
23419	RTK	45358200000	Ubry Inc.	Yes	115 Raritan Ave
23419	SR	004442	Ubry's Inc.	Yes	115 Raritan Ave
24727	SR	33500700000	B&H Service Co Inc	No	101 Raritan Ave
24727	PP/RTK	00923	Bergen's Car Care Center	Yes	101 Raritan Ave
479856	SRP-PI	605304	128 Raritan Ave	Yes	128 Raritan Ave
5795	Air	G1636	Highland Park Service Center	Yes	126 Raritan Ave
5795	HW/NR	NJX000329672	Highland Park Service Center Inc	Yes	126 Raritan Ave
5795	RTK	53702100000	CarCar Collision LLC	Yes	126 Raritan Ave
5795	SR	032895	Highland Park Service Center Inc	Yes	126 Raritan Ave

*Note 1: Program Names: HW = Hazardous Waste; SR = Site Remediation; RTK = Right to Know; PP = Pollution Prevention; NR = Non-Regulated*

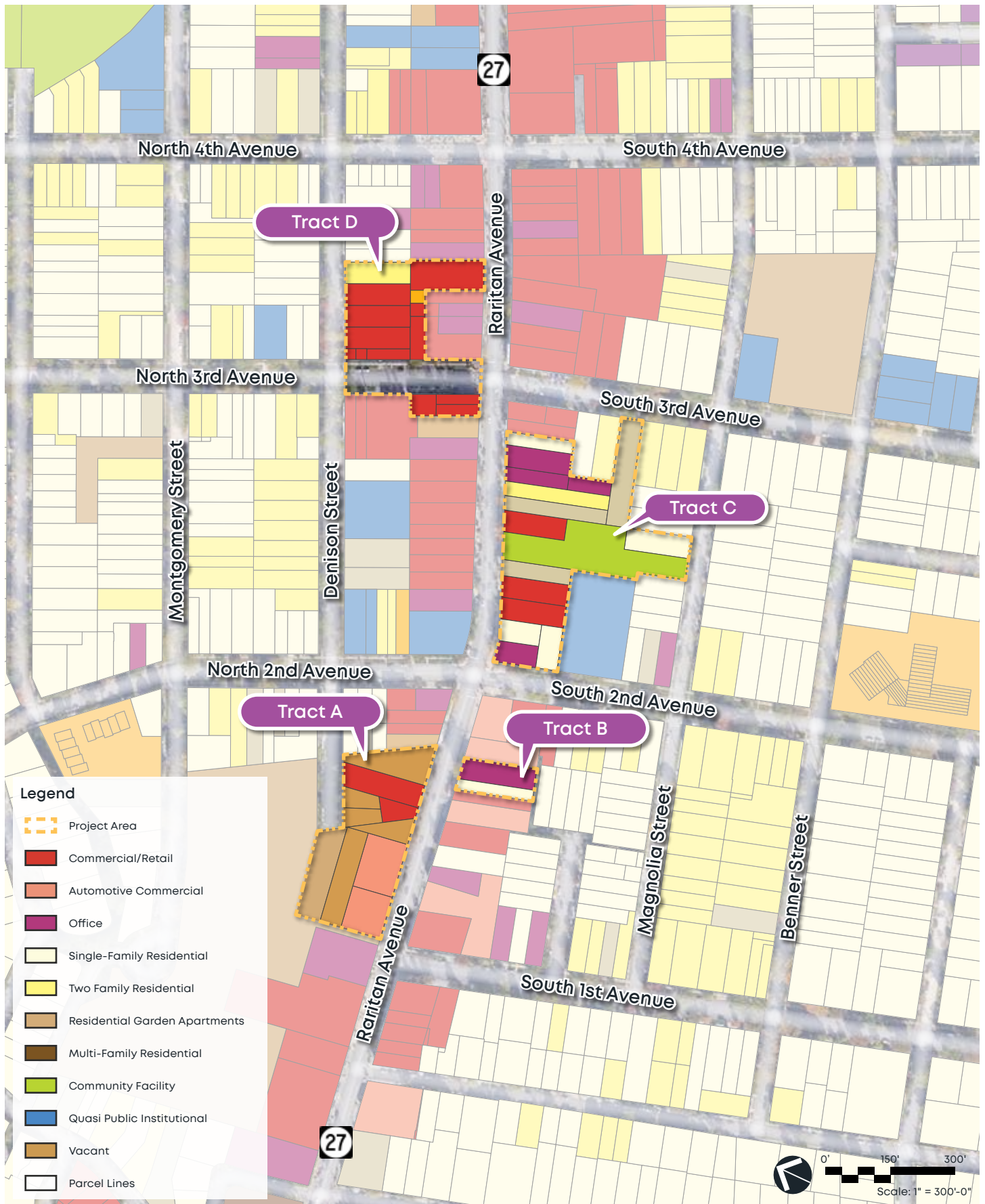
**Land** - There are no wetlands as identified by the NJDEP and no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency (“FEMA”) within the Project Area.

**Utilities** - The Project 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 (Tract C; Block 2202, 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 Project 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.

# Map 8. Existing Land Use Map



**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**  
 Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

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 downtown area, from the southwest to the northeast.

*Land Use* - The Project Area 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 prior page, was generally derived from the Master Plan, with minor updates, but may not accurately reflect specific land uses.

### **3.7 EXISTING ZONING**

All of Tracts A, B, D, and a portion of Tract C - Block 2202, Lots 4, 32.02, and 33.01 - are already situated in the 2021 Redevelopment Plan and, by extension, this Redevelopment Plan. Other portions of Tract C - Block 2202, Lots 2, 3, 6.01, 7, 8, 9, 34, 35, and 36 - are situated in the 2005 Redevelopment Plan area, Lots 1 and 31 are currently in the CBD Central Business District Zone, Lot 13 is currently in the PO Professional Office Zone, and Lot 19 is currently in the RA Single-Family Residential Zone.

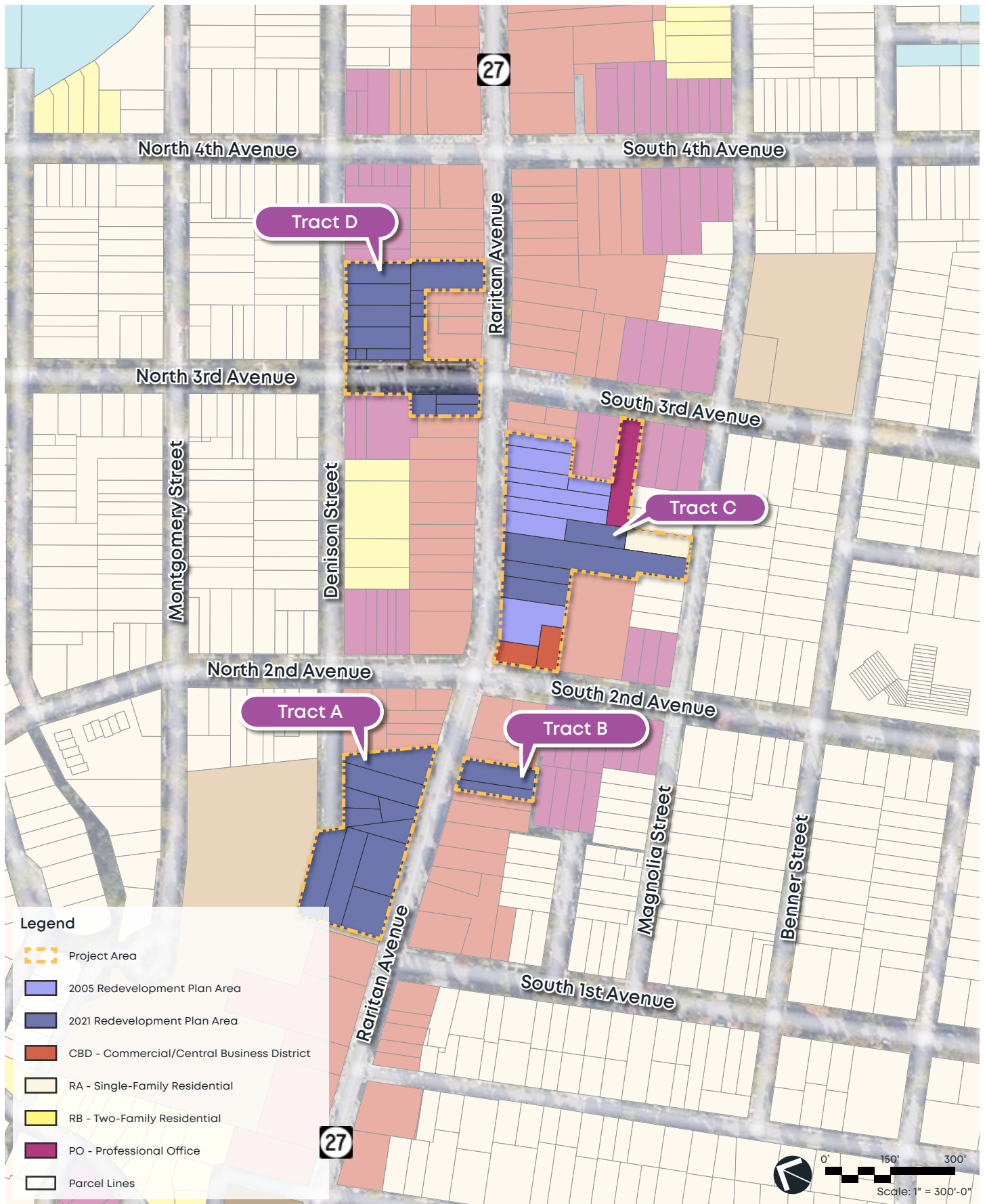
The CBD Zone generally permits traditional downtown retail and office uses, with limited residential uses, and typical bulk standards generally found in smaller, older downtowns. The PO Zone is intended to serve as a transition between the commercial corridor of Raritan Avenue and the residential neighborhoods 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 to the 2005 Redevelopment Plan area, it has similar zoning to that of 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.

Additionally, 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. Certain tract-specific requirements included community-based use(s) as well as an open space plaza on Tract C.

# Map 9. Existing Zoning Map



## DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38



**Table 10. Zoning Chart for the 2005 Redevelopment Plan**

Applicability			
Tract C: Block 2202, Lots 2, 3, 6.01, 7, 8, 9, 34, 35, and 36			
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 <sup>1</sup>
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 11: Zoning Chart for the CBD Zone**

Applicability			
Tract C: Block 2202, Lots 1 and 31			
Permitted Principal Uses			
All uses permitted in §230-140.B for the CBD Zone; Retail businesses; Personal service establishments; Banks and financial institutions (subject to various conditions); Food consumption establishments (except drive-in/or fast-food restaurants); Package stores and taverns; Artist studios (subject to various conditions); Outdoor cafes, including temporary outdoor dining on the public sidewalk (subject to various conditions); Public assembly facilities and spaces (subject to various conditions); Carry-out restaurants (subject to various conditions); Medical cannabis dispensaries; Class 5 cannabis retailers and Class 6 cannabis delivery services (subject to requirements set forth in Chapter 136).			
Permitted Accessory Uses			
Off-street parking spaces; Off-street loading areas; Business, professional and governmental offices located above commercial uses, not occupying the ground floor; Residential uses shall be permitted subject to various conditions; Fences, walls, and hedges; Satellite dish antenna (receive only); Outdoor cafes; Sidewalk displays; Artist studios and artistic instruction spaces as an accessory use to art galleries, art supply stores and other arts-related uses (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)	N/A
Min. Lot Width (Feet)	50	Max. Height (Stories)	4 <sup>1</sup>
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 <sup>2</sup>
		Max. Dwelling Units / Building	N/A

Note 1: Pursuant to Ordinance No. 1609, minimum height in the CBD District is two (2) full stories above grade

Note 2: See specific zone requirements

**Table 12. Zoning Chart for the PO Zone**

Applicability			
Tract C: 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 13. Zoning Chart for the RA Zone**

Applicability			
Tract C: 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	Varies
Min. 1 Side Yard (Feet)	Varies	Max. Impervious Coverage	Varies
Min. 2 Side Yards (Feet)	Varies	Density	
Min. Rear Yard (Feet)	20	Min. GFA (SF)	1,500
		Max. Dwelling Units / Building	1

# 4 | RELATIONSHIP TO OTHER PLANS

## 4.1 RELATIONSHIP TO BOROUGH'S LAND DEVELOPMENT ORDINANCE

The zoning standards set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area, and any subdivision and/or site plan application shall require the execution of a redevelopment agreement in order to apply. In the case of individual lot applications for single- and two-family detached dwellings, a redevelopment agreement shall not be required.

## 4.2 RELATIONSHIP TO BOROUGH'S MASTER PLAN

### 2003 MASTER PLAN

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

### 2010 MASTER PLAN REEXAMINATION REPORT

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

## 2019 MASTER PLAN & LAND USE PLAN ELEMENT

The 2019 Master Plan Reexamination Report discusses the Borough's desire to create a desirable living and working environment, to protect its environmental resources, and to promote sound land development. As such, the overall goals of the Master Plan 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 two (2) Community "Open House" Meetings, the Arts in the Park event, and a comprehensive online survey that allowed nearly 600 people to participate in the process, offering thousands of responses and comments.



*Participants provided feedback during the master planning process, which was incorporated into the 2021 Redevelopment Plan and, therefore, this Redevelopment Plan.*

Based on public input, only 9% of survey respondents said they would like to see the downtown area to “remain the same,” demonstrating the community's support for change in the downtown area. During the master planning process, common issues/concerns pertaining to the downtown area raised by the community included:

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

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

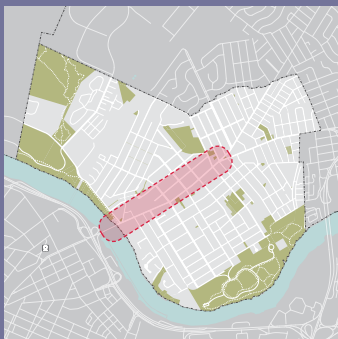


*As part of the master planning process, participants provided site-specific feedback on “sticky notes”.*

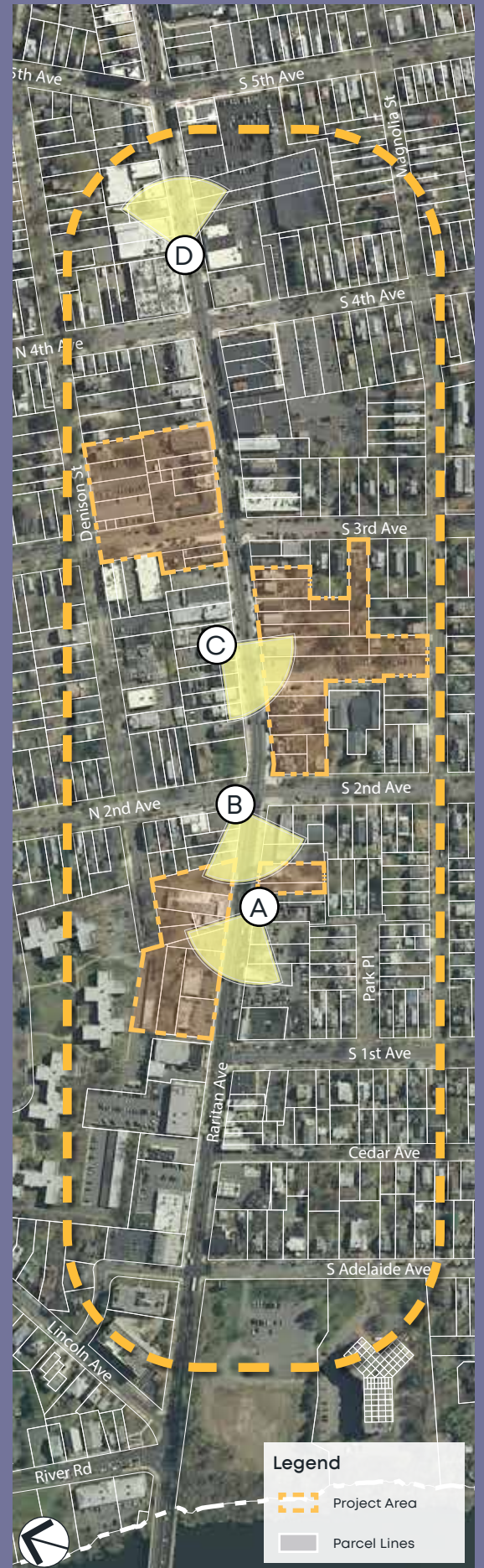
While the downtown area already offers a range of options and a popular Farmers Market, respondents to the online survey ranked “a town square public space” as the top choice among features and activities that would make them come to the downtown area more often. The Master Plan contemplates some form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

# DOWNTOWN AREA

## 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.





Prior master plan documents were comprehensively reevaluated, resulting in the establishment of a consolidated set of goals and recommendations for the various plan elements contained in the Master Plan, including the following Land Use Goals:

1. **Embrace the old & new** - Preserve the Borough's unique and inherent town qualities while evolving to meet current conditions and emerging trends.
2. **Promote housing diversity** - Promote a variety of housing types (e.g., single-family, multi-family, apartment, townhomes, rental, ownership, etc.) to serve a diverse population (e.g., age, income, family living structure, etc.) and fit the character of existing residential neighborhoods.
3. **Support a thriving downtown** - Leverage reinvestment, revitalization, infill, and redevelopment to expand opportunities for mixed-use development, while recognizing the challenges of an e-commerce era, and supporting the desire for a walkable community with a vibrant, thriving downtown.
4. **Create a sense of arrival** - Enhance the Borough's several gateways to mark arrival into the community.
5. **Transform outdated commercial corridors** - Enrich the mix of uses along Upper Raritan, Woodbridge, and Cleveland Avenues to support safer, more attractive, and livable Complete Streets.
6. **Advance sustainability & resiliency** - Build upon and expand environmentally sensitive practices, resiliency efforts, and sustainable development.
7. **Enhance open spaces, public gathering spaces & green/blue linkages** - Improve open space trails and amenities, create a downtown square and smaller plazas as corridors redevelop, and enhance pedestrian/bicycle linkages between parks/open spaces and to/along the river.

As such, the Master Plan recommends taking advantage of redevelopment tools, expanding the range of permitted uses, reinforcing distinctive place-making, incorporating context-sensitive design standards, improving the aesthetics and functionality of the streetscape, and better manage parking.

Drawing from community feedback, the Land Use Plan Element of the Master Plan provides a vision statement for the downtown area, which reads 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 AREA STRATEGIES

The following strategies are specific to the downtown area 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 area 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 area.
- » **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.

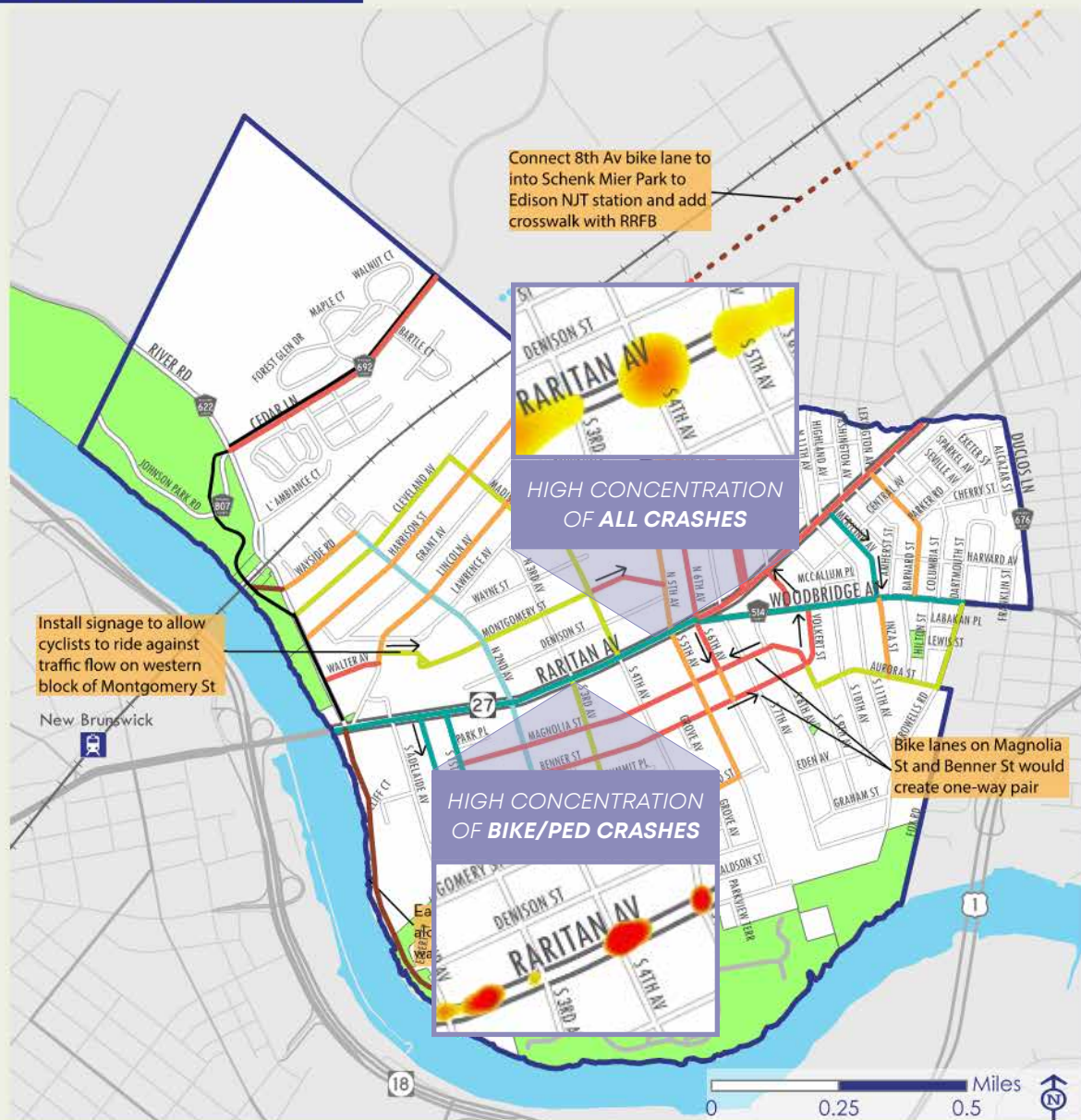
## 2019 HIGHLAND PARK BICYCLE & PEDESTRIAN PLAN

The 2019 Highland Park Bicycle & Pedestrian Plan (the "Bike-Ped Plan") identified strategies and improvements to promote active transportation (like bicycling and walking) as safe, comfortable, and attractive modes of transportation that serve residents, support local business, and draw economic investment into the downtown area and commercial corridors. The Bike-Ped Plan seeks to improve mobility, safety, accessibility, and equity for all road users and provides recommendations based on the "4 E's": Engineering, Education, Enforcement, and Encouragement.

The Bike-Ped Plan is fundamental to how this Redevelopment Plan is conceptualized and advanced in the following ways:

- Leveraging development and redevelopment activity to advance various streetscape improvements such as:
  - Filling sidewalk gaps.
  - Repairing existing sidewalks.
  - Modifying and/or eliminating existing driveway access, particularly along Raritan Avenue.
  - Installing bicycle parking that calm traffic and make for a safer pedestrian and cycling environment.
  - Driveway crossing improvements prioritizing pedestrians such as continuous sidewalks with grades that continue across driveways.
- Enhancing connectivity and access throughout the Borough to bicycle infrastructure, parks, and neighboring municipalities.
- Considering adopting a bicycle parking ordinance to ensure appropriate bicycle parking is provided throughout the Borough.
- Ensuring the incorporation of appropriate bicycle and pedestrian accommodations such as:
  - Establishing preferred design standards for covered bicycle parking.
  - Spot bike improvements such as dedicated signage on bicycle/pedestrian shared areas

06 BICYCLE NETWORK CONCEPTS



MAP 16: Proposed Bicycle Network



- |   |   |
|---|---|
| <p>Within Highland Park</p> <ul style="list-style-type: none"> <li><span style="color: red;">—</span> Buffered or Separated Bicycle Lane</li> <li><span style="color: teal;">—</span> Bicycle Lane</li> <li><span style="color: lightblue;">—</span> Advisory Bicycle Lane</li> <li><span style="color: brown;">—</span> Shared-use Path</li> <li><span style="color: orange;">—</span> Shared Lane Markings</li> <li><span style="color: yellow;">—</span> Bike Boulevard</li> </ul> | <p>Outside Highland Park</p> <ul style="list-style-type: none"> <li><span style="color: red;">- - -</span> Buffered or Separated Bicycle Lane</li> <li><span style="color: brown;">- - -</span> Shared-use Path</li> <li><span style="color: teal;">- - -</span> Bicycle Lane</li> </ul> <p>Existing</p> <ul style="list-style-type: none"> <li><span style="color: black;">—</span> Shared-use Path</li> </ul> |
|---|---|

The Bike-Ped Plan notes a high concentration of both vehicle and pedestrian/bicycle crashes within the downtown area, including areas directly along the frontage of the Project Area.

### **4.3 RELATIONSHIP TO CONTIGUOUS MUNICIPALITIES**

The Project Area is not physically contiguous to the adjacent municipalities of the City of New Brunswick, Edison Township and Piscataway Township. Given the Project Area’s location within the Borough and distance from municipal boundaries, the redevelopment of the Project Area will generally not impact or affect those communities. Additionally, this Redevelopment Plan encourages redevelopment to occur in an already developed area.

In the Edison Township's Roadway Classifications Map, Route 27 is considered a “principal arterial” and is characterized as a roadway with significant hazards and impediments to support pedestrian and bicycle movement. Additionally, the Circulation Plan Element included recommendations to upgrade or redevelop underutilized properties and take meaningful steps towards improving pedestrian infrastructure. The proposed site improvements such as improved access and circulation within and surrounding the Project Area as required in this Redevelopment Plan would support improved pedestrian movement within this high-speed, high-traffic area along Route 27.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the master plans of the City of New Brunswick, Edison Township and Piscataway Township.

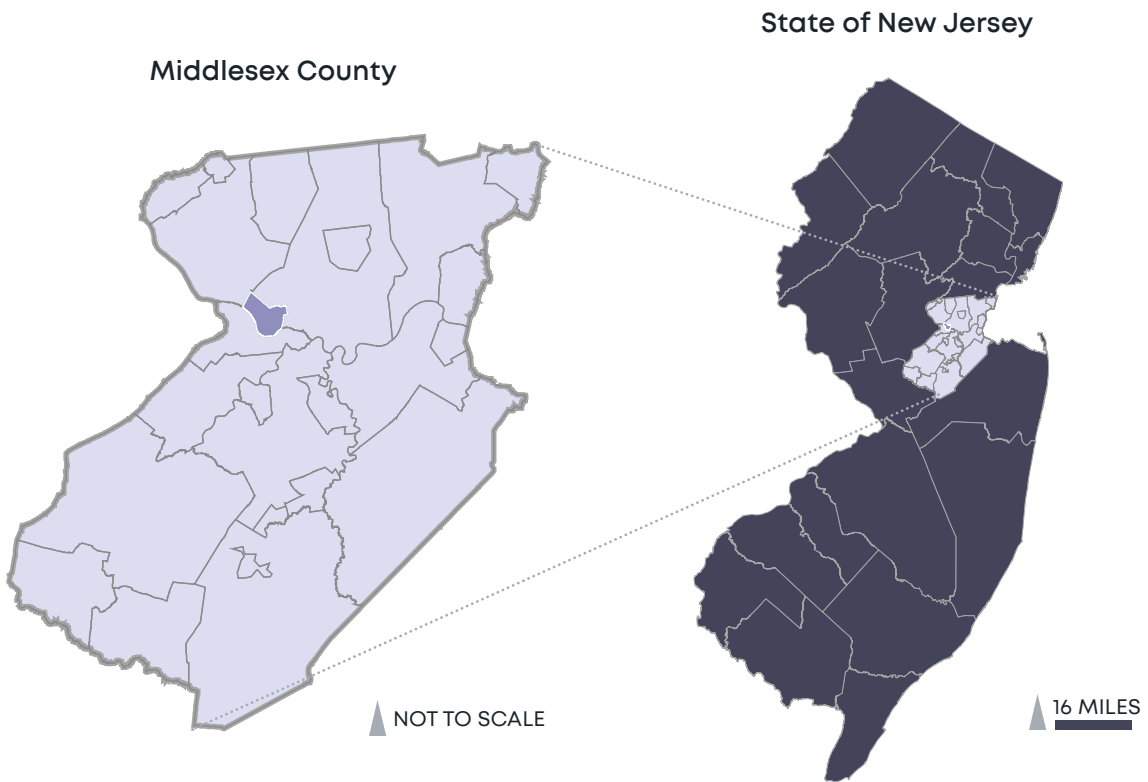
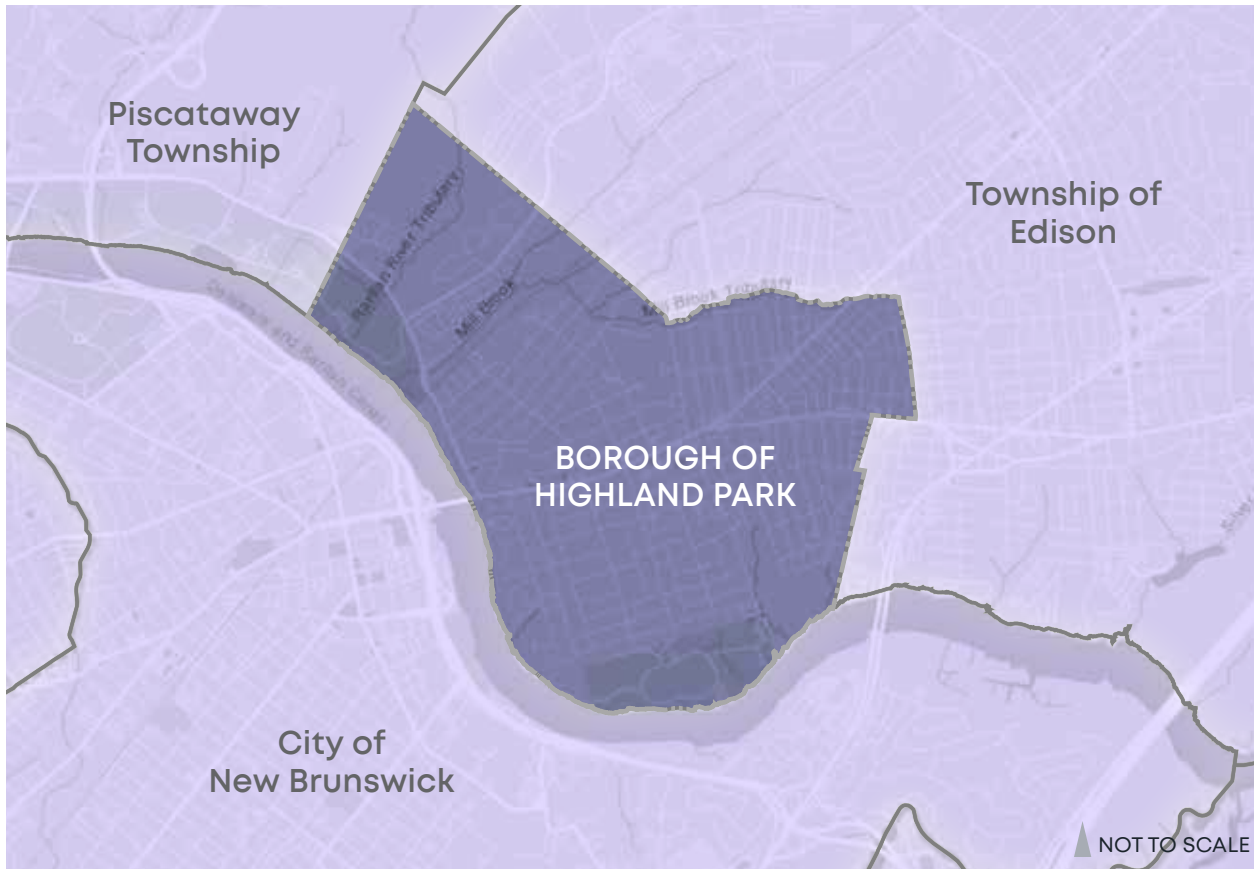
### **4.4 RELATIONSHIP TO MIDDLESEX COUNTY**

The Middlesex County Comprehensive Plan adopted by the Middlesex County Planning Board is currently being updated. According to Middlesex County representatives, there is no anticipated completion date of the Land Use Element of the Comprehensive Plan. As it is anticipated the Land Use Element will be written after adoption of this Redevelopment Plan, it is expected the Middlesex County Planning Board will take this Redevelopment Plan into consideration when drafting its Comprehensive Plan.

According to the Middlesex County Transportation Master Plan, Route 27 is identified as one of the most congested routes in the County. The proposed site improvements such as improved access and circulation within and surrounding the Project Area as required in this Redevelopment Plan align with the overall goals and strategies for transportation including promoting safety, improving mobility, and reducing traffic congestion.

Additionally, this Redevelopment Plan aligns with the goals of the Middlesex County Open Space & Recreation plan by adhering to and promoting the community’s health and resiliency, preservation of natural resources, and the enhancement of social and physical environments.

Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Middlesex County Comprehensive Plan.



## 4.5 RELATIONSHIP TO THE STATE PLAN

### STATE DEVELOPMENT AND REDEVELOPMENT PLAN

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

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

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

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

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

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

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

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

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

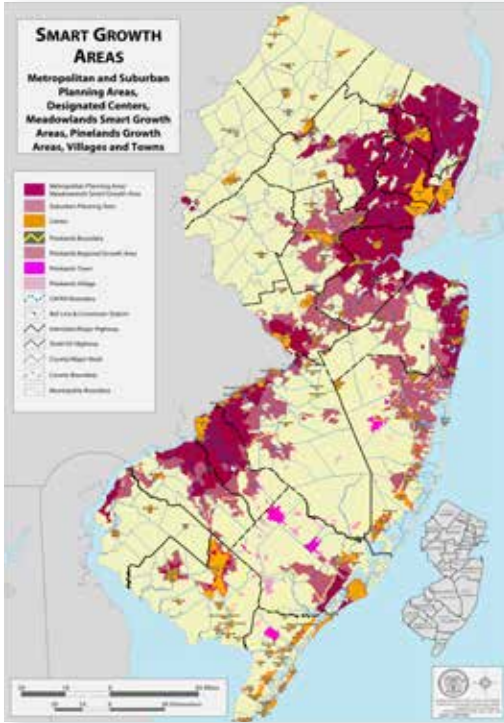
**Goal 5:** Provide adequate public facilities and services at a reasonable cost.

**Goal 6:** Provide adequate housing at a reasonable cost.

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

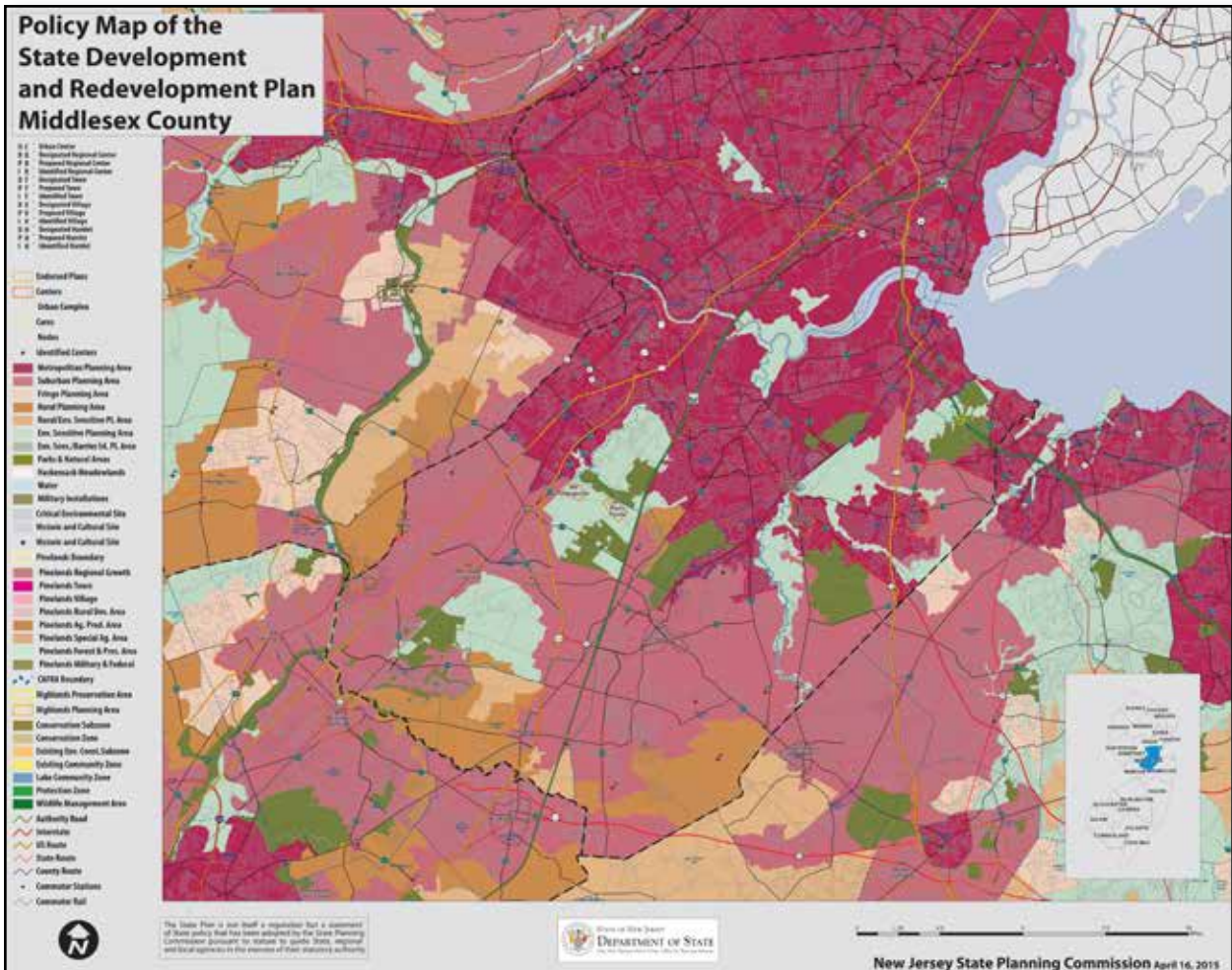
**Goal 8:** Ensure sound and integrated planning and implementation statewide.

## STATE PLAN POLICY MAP



The SDRP also provides a State Plan Policy Map as shown to the left, which divides the State into several planning areas as well as the identification of “centers” and “environs”. Planning areas serve a critical role in the SDRP by setting forth policy objectives that guide implementation of the SDRP’s statewide polices within each area, guide local planning on the location and size of centers within the planning area, and protect or enhance the environs of these centers.

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



## DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6,01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38



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.

# 5 | VISION

## 5.1 INITIAL VISION FOR THE PROJECT AREA

### COMMUNITY VISION THROUGH THE MASTER PLAN

The Borough seeks to implement the Master Plan - which includes Land Use Goals to **Support a Thriving Downtown and Promote Housing Diversity** - by being proactive with downtown redevelopment. During the extensive public engagement process for the Master Plan as well as in subsequent public engagement efforts since its adoption, community members have identified the need for a "town square" public gathering space and creation of mixed-use development with higher density housing in the downtown area.

After the Master Plan was adopted in December 2019, the Borough endured through a global pandemic that unleashed formidable challenges to the future of the downtown area. As 2020 evolved, the Borough sought to reinvent its downtown area in a post COVID-19 world; fortunately, opportunities emerged to advance downtown redevelopment for a series of sites within the downtown area, including a possible strategy of utilizing a centralized parking facility and establishing a public gathering space.

### COMMUNITY OUTREACH, INPUT, AND FEEDBACK

The Master Plan served as the foundation in preparing the original redevelopment plan. In September 2020, the first step in a multi-step process of implementing the Master Plan began with the preparation of preliminary redevelopment concepts and visualizations to be used in public outreach. In October 2020, a series of stakeholder meetings was held with residents and businesses in proximity to four (4) tracts in the downtown area. In November 2020, the redevelopment concepts and visualizations along with feedback from the stakeholder meetings were shared in a public presentation at a Borough Council Redevelopment Entity meeting.

Stakeholder outreach and community feedback was incorporated into the original redevelopment plan. Further to that point, Borough professional staff held follow-up meetings with several property owners of adjacent commercial properties not included in the initial concepts, but who could have been significantly impacted by the proposals. The expressed hope was that some property owners who were not part of the initial concepts would become interested in joining the redevelopment effort in the future.

### A GOAL TO ACTIVATE THE DOWNTOWN AREA

The overriding goal of downtown redevelopment planning efforts is to bring more people to live, work, and shop along Raritan Avenue. This requires addressing the challenges that have previously hampered downtown redevelopment. These challenges include: potential sites scattered in different blocks and sites constrained by small size and odd dimensions. Generally, these existing physical limitations make it unfeasible to redevelop both a new mixed-use building and on-site parking on many small properties as doing so would require access from new driveways along Raritan Avenue. This is not only inconsistent with the Master Plan, but would make it more dangerous for everyone walking or driving in the downtown area.

## EXPLORING CENTRALIZED PARKING AS A STRATEGY

To address these challenges, the Borough has explored a centralized parking facility which would "un-tap" the potential redevelopment on a series of sites located within a five-minute walk of a shared, common parking structure. Locating a parking structure is challenging due to the need for a site which is centrally located and accessible from multiple routes, and large enough to accommodate the dimensions required for parking floor plates.

In Highland Park, a parking structure is a strategy to facilitate mixed-use redevelopment rather than accommodate customers or commuters as in other downtowns. One benefit of centralized parking experienced by other downtowns is additional foot traffic passing by downtown shops and restaurants by residents walking to and from parking. This also attracts residents who are less auto-oriented in their daily lives and desire a "live-walk-work/learn-shop" lifestyle which is already an attraction for many Borough residents.

The Borough recognized that while the benefits of a centralized parking structure appear to be significant, it is not without challenges. During the extensive public comment period prior to the formulation of the downtown redevelopment planning effort, it was the concept of a centralized parking structure that attracted the most concern among residents. It is also important to recognize that there are several variables that affect the size, financing and management of a centralized parking structure.

Because of the factors outlined above, it was expressed in the original redevelopment plan that the Borough conduct a comprehensive Borough-wide parking review and develop a comprehensive parking management plan prior to the implementation of any particular centralized parking strategy, and allow for other projects with on-site parking to independently move forward.

## ESTABLISHING A PUBLIC GATHERING SPACE FOR THE COMMUNITY

The Borough has also been exploring the creation of a downtown public gathering space, like a town square, a concept that has and continues to have strong public support. Previously, this public space was envisioned at the present Farmers Market site which would severely limit the redevelopment potential of the Borough-owned and controlled property at Tract C. As such, in the formulation of the original redevelopment plan, the Borough recommended the following:

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

Community input for the Master Plan and feedback from the stakeholder and community outreach in the development of the original redevelopment plan demonstrated strong support for permanent public space in the downtown area. Advancing the South 3rd Avenue public space for the Farmers Market on a permanent basis would require discussions between the Borough and the New Jersey Department of Transportation (“NJDOT”) since Raritan Avenue is a State Highway. Additionally, other smaller public spaces were incorporated into the redevelopment concepts for Tracts B and C as mid-block garden courtyards and public gathering spaces.

It is noted that, since the adoption of the original redevelopment plan, the Borough entered into discussions with NJDOT and have since obtained the required permit to create a public plaza on South 3rd Avenue.

## DESIGN CONCEPTS AND PROPOSED USES

As the original redevelopment plan was finalized, the redevelopment concepts depicted a range of conceptual massing and design for the proposed mixed-use buildings on the four (4) tracts. Slightly taller buildings are illustrated only fronting at Raritan Avenue at key locations to achieve the following:

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

The original redevelopment plan considered taller buildings proposed only at the above-identified locations that included design standards which require the top story to be stepped-back behind a terrace facing the street. Additionally, the redevelopment concept for Tract D considered a building lining the parking structure along Denison Street primarily to be a three-story building with massing broken into a series of projections and recesses and verandas facing the street to reflect the residential character of the existing residences across the street.

As identified in the Master Plan, the Borough recognized that downtown mixed-use redevelopment needed to carefully locate and limit any new retail space to reinforce the viability of what presently existed. For example, the redevelopment concept for Tract C in particular limited new ground floor retail space by providing other “active street front” uses such as lobbies, gathering spaces, business centers/workspace and fitness rooms for residents of the apartments in the building.

It was envisioned that loft-style apartments with modern amenities would ideally target a market of primarily younger and Empty Nester households which tend to be smaller with few

or no school-age children. The Borough has been committed to meeting all of its affordable housing obligations which would include setting aside apartments to be affordable to very low-, low-, and moderate-income households. Affordable units would have access to the same amenities as market-rate units including any common ground floor resident spaces and upper floor terraces.

## **CHANGES TO THE REDEVELOPMENT CONCEPTS BASED ON COMMUNITY FEEDBACK**

During the course of developing the original redevelopment plan, the Borough Council considered the redevelopment plan; however, adoption had been delayed because the Planning Board had not yet adopted a resolution incorporating its views on the proposed redevelopment plan. Over the course of several months during the summer of 2021, several changes were incorporated to the redevelopment concepts based on community feedback, including:

- Accommodating phased development to allow the flexibility for individual projects on Tracts A – D to move forward independently.
- Committing to creating permanent public spaces, including exploring relocating the Farmers Market on South 3rd Avenue and a multi-use public plaza along Raritan Avenue on Tract C - unless or until there is another location devoted for that public plaza - which would ensure that the public space needs of the community are properly accommodated.
- Providing for the inclusion of limited on-site public parking, accessible parking, and/or reserved on-street short-term parking/loading to better accommodate the daily needs of residents and to potentially incorporate some form of shared parking with neighboring users and/or residents.
- If a centralized parking structure was not built on Tract D, providing the Borough the flexibility needed to adjust the density of the development program on one or more Tracts and/or explore alternate locations for centralized parking which may or may not involve a multi-level parking structure.
- Clarifying that Tract C may consist of one or more buildings and the rear portions or wings of the building(s) may be reduced in height so as to carefully locate and design the building(s) to minimize direct views, orientation toward, and balconies overlooking neighboring residences.

## **AMENDMENTS TO THE ORIGINAL REDEVELOPMENT PLAN**

As indicated in the original redevelopment plan, the redevelopment planning process will be ongoing and continue to respond to community feedback. As such, it is anticipated that the Borough will continue to study and advance planning concepts for the various tracts, and amend the tract-specific vision and regulations from time to time.

## 5.2 STATEMENT OF GOALS & OBJECTIVES

The Borough seeks to alleviate the conditions found in the Project Area and support the use and re-use of properties to better serve the public health, safety, and welfare of the community and the region. As such, this Redevelopment Plan seeks to implement the following general goals and objectives that apply to all redevelopment projects:

- A. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the Project Area to be considered an “area in need of rehabilitation” and, where applicable, an “area in need of redevelopment.”
- B. The stimulation of private investment in the Project Area by assembling sites and assisting as necessary and appropriate to support such rehabilitation and, where applicable, redevelopment.
- C. The making available of the full range of benefits and inducements for the Project Area, including: federal, state, county, and local government funding.
- D. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents and small businesses to the area, and contributes to the continuing vitality of the Borough.

Additionally, this Redevelopment Plan is also intended to implement the overall Vision and advance the following specific goals and objectives as it relates to the Project Area:

- A. Create a “town square” public space for daily gathering and special events - a feature the community overwhelmingly supports - and enhance the sense of place through a series of small-scale public gathering spaces, walkways, and outdoor seating areas.
- B. Support a thriving downtown by evolving to meet current conditions and emerging trends.
- C. Leverage reinvestment, revitalization, infill, and redevelopment by encouraging mixed-use development.
- D. Promote housing diversity with a range of residential living opportunities - including ground-floor apartments - to serve a diverse population.
- E. Expand the downtown resident customer base who desire to live, walk, work/learn, shop, and ride transit, and support local businesses.
- F. Provide an appropriate mix of downtown retail, service, entertainment, boutique hotel, remote working hubs, business incubators, and creative “maker spaces.”
- G. “Right-size” parking requirements to actual demand
- H. Encourage cooperative and shared parking arrangements - including centralized parking, if feasible - and permit off-site parking as a strategy to develop smaller properties.

- I. Improve “first mile/last mile” connectivity to downtown New Brunswick, Rutgers University and the train station by a variety of modes including pedestrian/bicycle improvements to the Route 27 bridge, jitney, ride share, and bus.
- J. Create a sense of arrival by enhancing the Borough’s gateways to mark arrival into the community, through street trees, extensive landscaping, streetscape improvements, public art, and signage compatible with other areas in the Borough.
- K. Advance sustainability by expanding sustainable development.



# 6 | PROPOSED ZONING REGULATIONS

## 6.1 PURPOSE & OVERVIEW

Any development that occurs within the Project Area shall comply with all statutes of the State of New Jersey governing development, rehabilitation, and redevelopment, including but not limited to the Municipal Land Use Law (the “MLUL”) at N.J.S.A. 40:55D-1 et seq. and the Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40A:12A-1 et seq. Additionally, it is necessary to establish the following:

- A. The development, rehabilitation, or redevelopment of the Project Area shall effectuate the Vision and the established Goals and Objectives of this Redevelopment Plan.
- B. The zoning regulations set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area as provided for in N.J.S.A. 40A:12A-7.c., and any subdivision and/or site plan application shall require the execution of a redevelopment agreement in order to apply. In the case of individual lot applications for single- and two-family detached dwellings, a redevelopment agreement shall not be required.
- C. It is intended and expressly understood that any zoning regulations and development and design standards not specifically addressed in this Redevelopment Plan shall continue to apply as set forth in the Highland Park Land Development Ordinance (the “Ordinance”) and all other codes and regulations as set forth in the Code of the Borough of Highland Park (the “Code”) not contravened in this Redevelopment Plan.
- D. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance and the Code.

This Redevelopment Plan addresses multiple areas within the overall Project Area, each exhibiting differences in planned intensity and nature of development. As such, the Project Area is divided into the following areas:

- A. Tract A: Block 1704, Lots 41, 42, 43, 44, 45, 46, 47, 48, 49, and a portion of Lot 20.
- B. Tract B: Block 2201, Lots 6 and 9.
- C. Tract C: Block 2202, Lots 1, 2, 3, 4, 6.01, 7, 8, 9, 13, 19, 31, 32.02, 33.01, 34, 35, and 36.
- D. Tract D: Block 1604, Lots 20, 21, 22, 23, 24, 25, 26, 42, 50, 51, and a portion of Lot 47; and Block 1603, Lots 36, 37, and 38.

Additionally, the area & bulk regulations as prescribed herein shall apply to the boundaries of the above-defined Tracts as generally depicted on Map 10, and not to individual lots that may be created as a result of a consolidation and/or subdivision.

Map 10. Project Area Map



**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

## 6.2 TRACT A

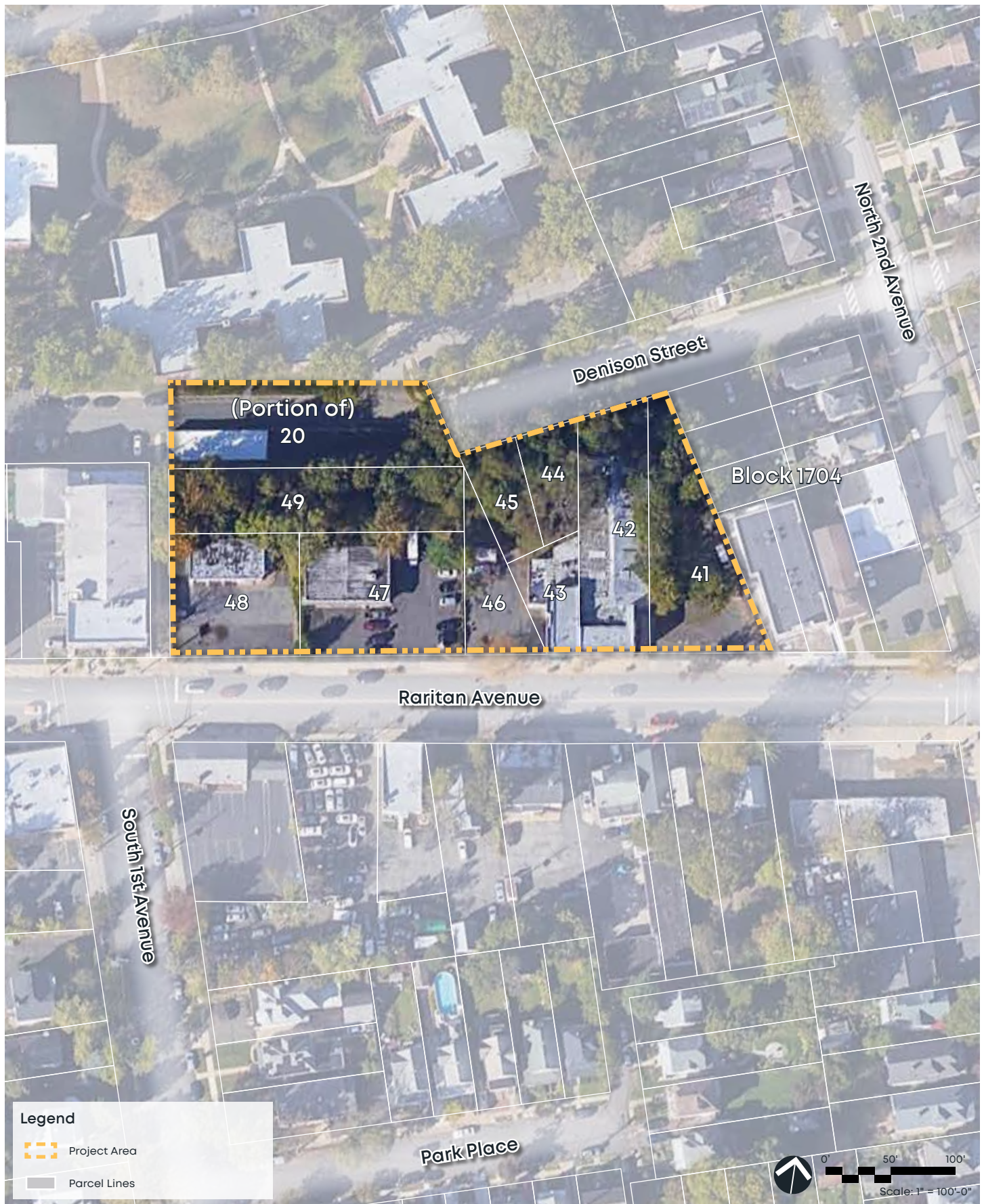
### 6.2.1. THE VISION

The phased redevelopment concepts for Tract A allows for short-term redevelopment of four (4) lots contained in Phase 1 and several options for longer-term assembling and phasing of properties in Phase 2. Redevelopment of both phases of Tract A involves assembling multiple properties to accommodate infill with new taller mixed-use buildings that help establish a “gateway” to enhance the sense of arrival into the downtown area on Raritan Avenue. These new mixed-use buildings will include activated ground level frontage along Raritan Avenue and residential, office, or hotel uses to the rear and on upper levels that will bring more people to live, work, stay, and shop along Raritan Avenue



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

Map 11. Tract A Map



**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6,01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

Redevelopment and design concepts for Tract A include the following:

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

## 6.2.2. LAND USE REGULATIONS

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

### 6.2.2.1. PERMITTED PRINCIPAL USES.

- A. The following principal uses and structures shall be permitted in Tract A:
1. Retail businesses, including, but not limited to, specialty stores, gift shops, boutiques, and other similar shops.
  2. Personal service establishments.
  3. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms, and other similar activities.
  4. Indoor recreation facilities, including, but not limited to, dance studios, yoga studios, instructional studios, physical fitness studios, fitness centers, and other similar facilities.
  5. Spas, massage, bodywork, and somatic therapy establishments.
  6. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), except drive-through banks.
  7. Food and beverage consumption establishments, carry-out restaurants, luncheonettes, and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
  8. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
  9. Artist, artisan, and crafts-person studios and workshops, and other similar creative workspaces and maker spaces.
  10. Studios for the visual and performing arts, including, but not limited to, performance space, gallery space, artistic instruction space, and other similar spaces.
  11. Museums and other cultural and civic facilities.
  12. Public assembly facilities and spaces, theaters, and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
  13. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors, or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.

14. Nursery schools and day-care centers.
15. Residential uses, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other similar amenities and services, except dwelling units located on the ground floor directly fronting on Raritan Avenue.
16. Live/Work units, except the “Live” portion of the units located on the ground floor directly fronting on Raritan Avenue.
17. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other similar amenities and services.
18. Pocket parks, plazas, and courtyards.
19. Any other principal use permitted in the CBD Central Business District Zone, as may be amended from time to time.

#### **6.2.2.2. PERMITTED ACCESSORY USES.**

- A. The following accessory uses and structures shall be permitted in Tract A:
  1. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers, and/or the general public.
  2. Off-street loading.
  3. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys, and other similar public and semi-public spaces.
  4. Kiosks, including digital display screens.
  5. Street furniture, planters, and streetlights.
  6. Fences, walls, retaining walls, hedges, and other similar landscape elements.
  7. Open trellis and other similar overhead shade/landscape structures.
  8. Outdoor cafes and outdoor dining structures.
  9. Sidewalk displays.
  10. Active and passive recreation facilities, including fitness/recreation facilities, pools, courtyards, gardens, roof top terraces, and other similar amenities, for residents and/or hotel users.
  11. Property management and leasing offices serving the uses in the Tract.
  12. 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.

13. Refuse and recycling enclosures.
14. Signage for uses on the site.
15. Murals, banners, public art, community signage, and digital display screens.
16. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

### 6.2.3. AREA & BULK REGULATIONS

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

#### 6.2.3.1. AREA & BULK REGULATIONS

- A. The following area and bulk regulations shall apply to all development within Tract A:

##### Area Requirements

1. There shall be no minimum lot area nor lot dimensional requirements. Individual components within the Tract may be developed in phases.

##### Building Setback Requirements

2. Minimum setback from Raritan Avenue: 0 feet.
3. Minimum setback from Denison Street: 10 feet.
4. Minimum setback from Lot 20: 0 feet; 5 feet if Lot 20 is not part of the development.
5. Minimum setback from eastern Tract boundary: 10 feet.
6. Minimum setback from western Tract boundary: 5 feet.

##### Coverage Requirements

7. Maximum building coverage: 75%
8. Maximum impervious coverage: 90%

##### Height\*\* Requirements

9. Minimum building height in stories: 3 stories.
10. Maximum building height in stories: 4 stories, except a fifth story fronting Raritan Avenue with a lower-level fronting on Denison Street shall be permitted, provided that the fifth-floor façade is set back a minimum of 15 feet from the façade of the fourth floor below, as measured from Raritan Avenue and a minimum of 10 feet from the floor below as measured from Denison Street.
11. To create a distinctive landmark gateway, buildings may feature a taller,



articulated tower feature along Raritan Avenue. This tower feature shall not be required to have a setback at the fifth floor. The width of the tower feature shall not be greater than 30 feet.

\*\* Height is defined in Section 6.6 below.

#### **6.2.4. TRACT-SPECIFIC DEVELOPMENT & DESIGN STANDARDS**

The provisions pertaining to development and design standards contained herein shall apply to all development within Tract A. All other standards contained in Section 6.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

##### **6.2.4.1. PARKING & LOADING STANDARDS**

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

##### **6.2.4.2. TRAFFIC CALMING & BICYCLE CORRALS**

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

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## 6.3 TRACT B

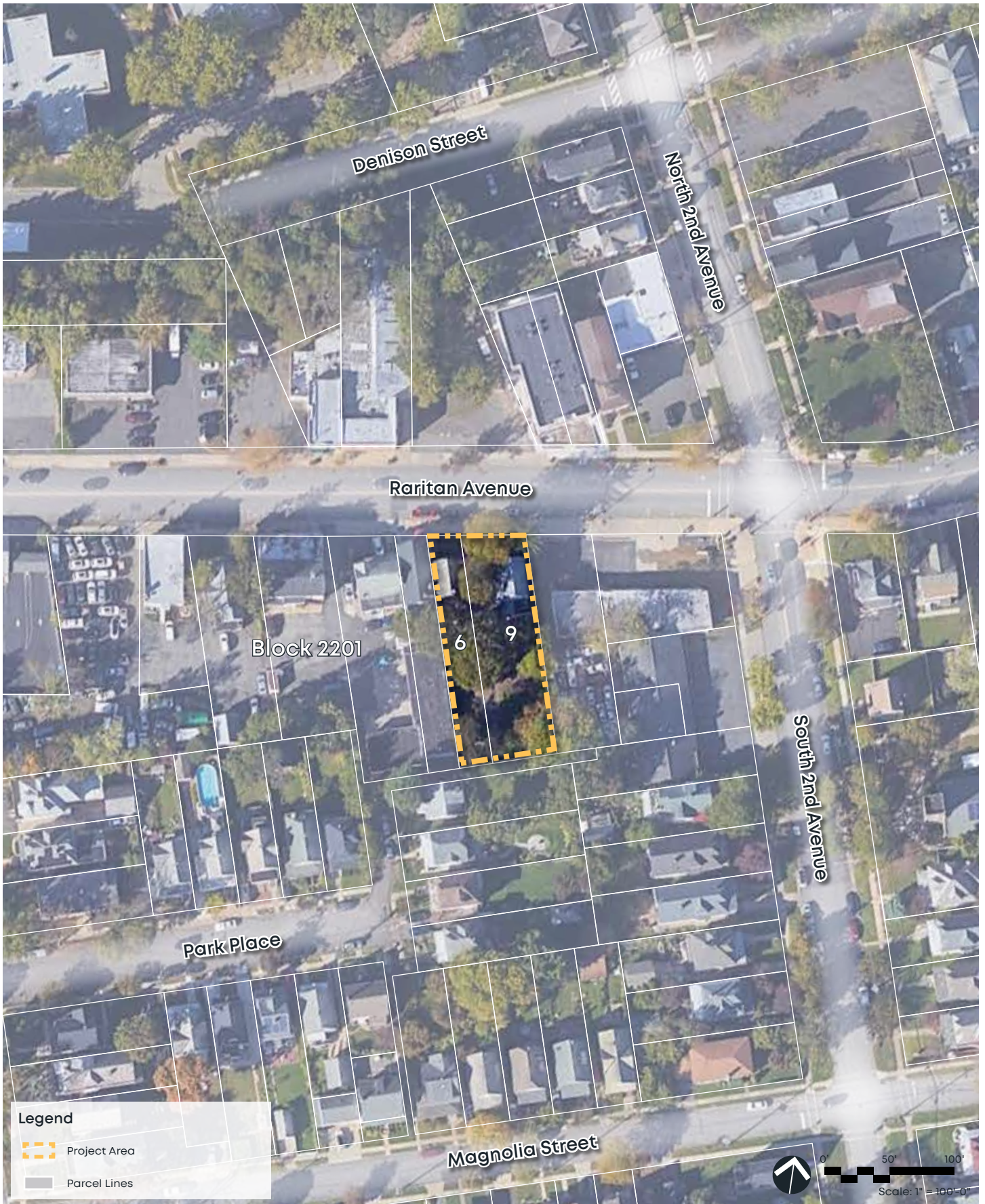
### 6.3.1. THE VISION

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



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

Map 12. Tract B Map



**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

Redevelopment and design concepts for Tract B include the following:

- The top story of this new taller building to be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the Raritan River and downtown New Brunswick.
- Non-residential space fronting along Raritan Avenue should be designed with storefront-type display windows and a new ground floor commercial space and an “active street front” entry lobby for residents.
- New buildings should be designed with masonry façades defined by a base, middle, and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Provide primary access to the building from the front along Raritan Avenue for pedestrians and short-term parking/loading spaces for vehicles to accommodate the daily needs of residents or business uses at this site.
- Prohibit any vehicular access, parking or servicing to the rear of the building from the existing eight (8) foot wide alley accessed from Park Place with the exception for public safety emergency access.
- Improve the existing 8-foot-wide alley at the rear with landscaping and a new walkway to provide pedestrian access from Park Place across the rear yard and connecting to Raritan Avenue via stairs along the east side of the building.
- The rear yard area will include two (2) open spaces: a landscaped “pocket park” with seating and other improvements for public access and use by residents of the building and the surrounding neighborhood and; a semi-private garden, patio and outdoor kitchen for residents to enjoy gathering, grilling, and dining with direct access from the rear of the building.
- Parking requirements for the proposed use should be “right-sized” and require all parking to be provided off-site in spaces located in the centralized parking structure proposed on Tract D or at another location.
- Based on community feedback, a limited number of reserved on-street short-term parking/loading spaces shall be provided along Raritan Avenue to accommodate the daily needs of residents or business uses at this site.
- Limit service to the building for loading and trash/recycling to the side of the building at the front accessed from Raritan Avenue.

## 6.3.2. LAND USE REGULATIONS

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

### 6.3.2.1. PERMITTED PRINCIPAL USES.

- A. The following principal uses and structures shall be permitted in Tract B:
1. Retail businesses, including, but not limited to, specialty stores, gift shops, boutiques, and other similar shops.
  2. Personal service establishments.
  3. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms, and other similar activities.
  4. Indoor recreation facilities, including, but not limited to, dance studios, yoga studios, instructional studios, physical fitness studios, fitness centers, and other similar facilities.
  5. Spas, massage, bodywork, and somatic therapy establishments.
  6. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), except drive-through banks.
  7. Food and beverage consumption establishments, carry-out restaurants, luncheonettes, and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
  8. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
  9. Artist, artisan, and crafts-person studios and workshops, and other similar creative workspaces and maker spaces.
  10. Studios for the visual and performing arts, including, but not limited to, performance space, gallery space, artistic instruction space, and other similar spaces.
  11. Museums and other cultural and civic facilities.
  12. Public assembly facilities and spaces, theaters, and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
  13. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors, or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.

14. Nursery schools and day-care centers.
15. Residential uses, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other similar amenities and services, except dwelling units located on the ground floor directly fronting on Raritan Avenue.
16. Live/Work units, except the “Live” portion of the units located on the ground floor directly fronting on Raritan Avenue.
17. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other similar amenities and services.
18. Pocket parks, plazas, and courtyards.
19. Any other principal use permitted in the CBD Central Business District Zone, as may be amended from time to time.

#### **6.3.2.2. PERMITTED ACCESSORY USES.**

- A. The following accessory uses and structures shall be permitted in Tract B:
  1. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers, and/or the general public.
  2. Off-street loading.
  3. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys, and other similar public and semi-public spaces.
  4. Kiosks, including digital display screens.
  5. Street furniture, planters, and streetlights.
  6. Fences, walls, retaining walls, hedges, and other similar landscape elements.
  7. Open trellis and other similar overhead shade/landscape structures.
  8. Outdoor cafes and outdoor dining structures.
  9. Sidewalk displays.
  10. Active and passive recreation facilities, including fitness/recreation facilities, pools, courtyards, gardens, roof top terraces, and other similar amenities, for residents and/or hotel users.
  11. Property management and leasing offices serving the uses in the Tract.
  12. 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.

13. Refuse and recycling enclosures.
14. Signage for uses on the site.
15. Murals, banners, public art, community signage, and digital display screens.
16. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

### 6.3.3. AREA & BULK REGULATIONS

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

#### 6.3.3.1. AREA & BULK REGULATIONS

- A. The following area and bulk regulations shall apply to all development within Tract B:

##### Area Requirements

1. The entirety of the Tract.

##### Building Setback Requirements

2. Minimum setback from Raritan Avenue: 0 feet.
3. Minimum setback from rear alley: 30 feet.
4. Minimum side yard setback: 5 feet.

##### Coverage Requirements

5. Maximum building coverage: 70%
6. Maximum impervious coverage: 90%

##### Height\*\* Requirements

7. Minimum building height in stories: 3 stories.
8. Maximum building height in stories: 4 stories, except a fifth story fronting Raritan Avenue shall be permitted, provided that the fifth-floor façade is set back a minimum of 10 feet from the façade of the fourth floor below, as measured from Raritan Avenue.

\*\* Height is defined in Section 6.6 below.

### 6.3.4. TRACT-SPECIFIC DEVELOPMENT & DESIGN STANDARDS

The provisions pertaining to development and design standards contained herein shall apply to all development within Tract B. All other standards contained in Section 6.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.



#### **6.3.4.1. PARKING & LOADING STANDARDS**

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

#### **6.3.4.2. TRAFFIC CALMING & BICYCLE CORRALS**

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

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## **6.4 TRACT C**

### **6.4.1. THE VISION**

#### **THE INITIAL VISION**

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

#### **EXPANDING TRACT C REDEVELOPMENT AREA**

As previously noted, following the adoption of the 2021 Redevelopment Plan and issuing an RFP, the Borough evaluated several proposals from multiple RFP respondents and, in 2023, selected 232 Raritan Avenue, LLC (Garden Homes) as the conditional redeveloper for Tract C.

The Garden Homes proposal for Tract C included properties outside of the 2021 Redevelopment Plan's boundaries (as permitted by the RFP) and as such, later in 2023, the Borough Council authorized a preliminary investigation to determine if these additional properties qualified as areas in need of redevelopment. It should be noted that some of these additional properties were previously designated in 2005, so the new study focused on seven (7) lots not under the redevelopment designation. In 2024, the Borough Council, upon favorable recommendation from the Planing Board, designated several additional properties as a "non-condemnation area in need of redevelopment," thus expanding the Tract C redevelopment area.

#### **REFINING THE VISION**

Working in collaboration with Garden Homes, the Borough has continued to study and advance planning concepts for the expanded Tract C redevelopment area as well as a new pedestrian plaza at South 3rd Avenue, and how they could be integrated with and complement each other. Given the larger redevelopment footprint, it was necessary to address a number of urban design issues including - breaking the building into smaller building forms while still allowing for the taller building forms in the center of the block, improving public access to the rear parking areas, and identifying additional public benefits - while maintaining the spirit of the initial vision for the Tract C redevelopment area.

In June 2024, the Borough held a community meeting at the Highland Park High School cafeteria to present the concept plan and preliminary renderings of the proposed project. Following an overview presentation by Borough officials - including an update on the South 3rd Avenue plaza - and representatives from 232 Raritan Avenue, LLC, attendees were given the opportunity to visit information stations to discuss their ideas and concerns about the

Map 13. Tract C Map





*Community Meeting held at the Highland Park High School cafeteria on June 5, 2024.*

proposed project. At the meeting, the public was given an opportunity to speak about the proposed project, and comment cards were collected and later reviewed.

Community feedback was generally positive, noting the need for new housing and additional foot traffic on Raritan Avenue (with several attendees commenting on the need for more options for people looking to downsize and stay in the community) as well as the attractive building design of the proposed building. Other community members voiced concerns about the timing, design, and maintenance of the new pedestrian plaza at South 3rd Avenue and continued accommodations for the Farmers Market.

As to the proposed project, the vision and zoning standards for the expanded Tract C redevelopment area have been refined based on community feedback, as follows:

- Ensure that the larger building is broken down into smaller building forms, including varying massing, roof forms, architectural styles, materials, colors, and details, such that the overall building has the appearance of multiple buildings built up over time.
- Further articulate the design of the building at the top floor, consider outdoor spaces such as balconies, patios, and roof decks.
- Allow the zoning standards and the design of the commercial spaces (particularly in response to the concept of a two-story restaurant) to be flexible in order to properly respond to the market and accommodate such uses as a theater, party / event room, food market, or other co-op / flex space.
- Improve pedestrian / bicycle / vehicular circulation, signage, and public art along the proposed pedestrian walkway and the existing parking area, as well as address long-standing issues associated with the existing driveway at Magnolia Street.
- Enhance the streetscape with provisions for wide sidewalks with street trees, planters, and other street furniture.
- Carefully manage stormwater with provisions for additional landscaping, shade trees, permeable surfaces, green / blue roofs, and other Green Infrastructure strategies.



Concept rendering showing how building is broken down into multiple smaller-scale elements



Existing conditions photo and representative illustrative rendering from the South, as presented at the community meeting



Existing conditions photo and representative illustrative rendering from the center of the block, as presented at the community meeting

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6.01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

## 6.4.2. LAND USE REGULATIONS

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

In the case of an individual lot where the principal use is a single- or two-family detached dwelling, the Zoning Board of Adjustment shall retain jurisdiction and may grant variances from the applicable regulations, pursuant to N.J.S.A. 40:55D-70.d.

### 6.4.2.1. PERMITTED PRINCIPAL USES.

A. The following principal uses and structures shall be permitted in Tract C:

1. Residential uses, including such uses located on the ground floor. Such uses may include common spaces for residents such as lobbies, active and passive recreational facilities, collaboration and/or shared spaces, and other similar amenities and services, which may also be located on the ground floor.
2. Live/Work units.
3. Single-family detached dwelling, on Block 2202, Lots 13, 19, and 36 only.
4. Retail businesses, including, but not limited to, boutiques, gift shops, specialty stores, and other similar shops and stores.
5. Personal service establishments.
6. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms, and other similar activities.
7. Indoor recreational facilities, including, but not limited to, dance studios, yoga studios, physical fitness studios, fitness centers, and other similar facilities and studios.
8. Spas, massage, bodywork, and somatic therapy establishments.
9. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), except drive-through banks.
10. Food and beverage consumption establishments, carry-out restaurants, luncheonettes, and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
11. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
12. Artist, artisan, and crafts-person studios and workshops, and other similar creative workspaces and maker spaces.
13. Studios for the visual and performing arts, including, but not limited to, performance space, gallery space, artistic instructional space, and other similar spaces.

14. Museums and other cultural and civic facilities.
15. Public assembly facilities and spaces, including, but not limited to, theaters, cinemas, meeting halls, and other similar spaces.
16. Flex spaces, including, but not limited to, demonstration kitchens, event rental space, party rental space, and other similar spaces.
17. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors, or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.
18. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, active and passive recreational facilities, collaboration and/or shared spaces, workspaces/ business centers, and other similar amenities and services.
19. Nursery schools and day-care centers.
20. Public and private preschools.
21. Pocket parks, plazas, and courtyards.
22. Public facilities.
23. Any other principal use and structure permitted in the CBD Central Business District Zone, as may be amended from time to time.

#### **6.4.2.2. PERMITTED ACCESSORY USES.**

- A. The following accessory uses and structures shall be permitted in Tract C:
  1. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers, and/or the general public.
  2. Off-street loading.
  3. Active and passive recreational facilities, including physical fitness studios, pools, courtyards, gardens, roof top terraces, and other similar amenities.
  4. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys, and other similar public and semi-public spaces.
  5. Fences, walls, retaining walls, hedges, and other similar landscape elements.
  6. Open trellis and other similar overhead shade/landscape structures.
  7. Outdoor cafes and outdoor dining structures.
  8. Street furniture, planters, and streetlights.



9. Sidewalk displays.
  10. Signage for uses on the site.
  11. Murals, banners, community signage, kiosks, digital display screens, and public art.
  12. Property management and leasing offices serving the uses in the Tract.
  13. Refuse and recycling enclosures.
  14. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.
- B. The following accessory uses and structures shall be permitted on individual lots where the principal use is a single- or two-family detached dwelling:
1. Driveways, carports, and garages.
  2. Private recreational facilities, including, but not limited to, home gyms, pools, sport courts, and other similar amenities.
  3. Gardens and landscaped areas, including, but not limited to, fountains, ponds, and other similar features.
  4. Greenhouses, storage / tool sheds, and other similar structures.
  5. Patios, decks, gazebos, and other similar structures.
  6. Fences, walls, retaining walls, hedges, and other similar landscape elements.
  7. Home occupations.
  8. Satellite dish antenna (receive only).
  9. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

#### **6.4.2.3. PERMITTED CONDITIONAL USES.**

- A. The following conditional uses and structures shall be permitted in Tract C:
1. Public utility facilities required to provide direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, service or storage and treatment yards.
  2. Any other conditional use and structure permitted in the CBD Central Business District Zone, as may be amended from time to time.

### 6.4.3. AREA & BULK REGULATIONS

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

In the case of an individual lot where the principal use is a single- or two-family detached dwelling, the Zoning Board of Adjustment shall retain jurisdiction and may grant variances from the applicable regulations, pursuant to N.J.S.A. 40:55D-70.c and/or N.J.S.A. 40:55D-70.d.

#### 6.4.3.1. AREA & BULK REGULATIONS

A. The following area and bulk regulations shall apply to all development within Tract C:

##### Area Requirements

1. There shall be no minimum lot area nor lot dimensional requirements.

##### Building Setback Requirements

2. Setbacks from Raritan Avenue:
  - a. Minimum setback: 0 feet.
  - b. Average minimum setback\* for those portions of the building containing public gathering space fronting Raritan Avenue: 35 feet to ground floor; 5 feet to upper floors.
  - c. Average minimum setback\* for those portions of the building containing dwelling units located on the ground floor fronting Raritan Avenue: 10 feet.
  - d. Average minimum setback\* for those portions of the building containing all other uses located on the ground floor fronting Raritan Avenue: 5 feet.

\* Average setback is defined in Section 6.6 below.
3. Setbacks from South 2nd Avenue:
  - a. Minimum setback: 0 feet.
  - b. Average minimum setback\*: 5 feet.

\* Average setback is defined in Section 6.6 below.
4. Setbacks from Block 2202, Lot 29:
  - a. Minimum setback for those portions of the building within 100 feet from South 2nd Avenue: 5 feet to ground floor; 15 feet to upper floors.
  - b. Minimum setback from those portions of the building located 100 feet or greater from South 2nd Avenue: 5 feet to ground floor; 40 feet to upper floors.
5. Minimum setback from Magnolia Street: 200 feet.

6. Minimum setback from any lot fronting South 3rd Avenue and Magnolia Street, and not fronting Raritan Avenue: 10 feet.
7. Minimum setback from any lot fronting Raritan Avenue: 5 feet.

#### Coverage Requirements

8. Maximum building coverage: 70%; amenity decks and/or interior courtyards over parking areas shall be exempt from the calculation of building coverage.
9. Maximum impervious coverage: 90%; additional impervious coverage shall be permitted provided that the additional impervious coverage beyond 90% consists of green areas of amenity decks and/or interior courtyards over parking areas, green roofs, blue roofs, cisterns, pervious pavement systems, pervious surfaces, rain gardens, and/or other green infrastructure elements.

#### Height\*\* Requirements

10. Maximum building height in stories.
  - a. Maximum building height for those portions of the building within 50 feet from South 2nd Avenue: 3 ½ stories, except a 4 ½ story corner tower feature shall be permitted, provided that the width of the corner tower feature does not exceed 30 feet.
  - b. Maximum building height for those portions of the building located 50 feet or greater from South 2nd Avenue: 3 ½ stories, except a fourth and fifth story shall be permitted, provided that the fourth- and fifth-floor facades are set back a minimum of 10 feet from the façade of the third floor below.
  - c. Maximum building height for those portions of the building located 200 feet or greater from South 2nd Avenue: 5 stories.

\*\* Height is defined in Section 6.6 below.

- B. The following area and bulk regulations shall apply to individual lots where the principal use is a single- or two-family detached dwelling:

#### Area Requirements

1. Minimum Lot Area: 5,000 square feet.
2. Minimum Lot Width: 50 feet.
3. Minimum Lot Depth: 100 feet.

#### Building Setback, Coverage, and Height Requirements

4. All requirements pertaining to single- and two-family detached dwellings promulgated by the underlying Ordinance.

#### **6.4.4. TRACT-SPECIFIC DEVELOPMENT & DESIGN STANDARDS**

The provisions pertaining to supplementary regulations contained herein shall apply to all development within Tract C. All other standards contained in Section 6.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

In the case of an individual lot where the principal use is a single- or two-family detached dwelling, the following development and design standards shall not apply, except where otherwise specified below.

##### **6.4.4.1. PUBLIC GATHERING SPACES & EXISTING OPEN SPACE**

- A. A minimum of 7,000 square feet of public gathering space shall be provided on the Tract, of which a minimum of 3,000 square feet shall be exterior space and a minimum of 3,000 square feet shall be interior space.
- B. If applicable, a portion or all of the interior space may be converted to non-residential space in the future.
- C. If applicable, the existing open space managed by the Reformed Church of Highland Park on Block 2202, Lot 31 may be relocated within the Tract or on nearby property outside the Tract.
- D. The final design and maintenance of the public gathering spaces and, if applicable, the future conversion of interior space to non-residential space and relocated open space shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

##### **6.4.4.2. OVERALL CIRCULATION & OFF-SITE IMPROVEMENTS**

- A. Where development has frontage along Raritan Avenue, all existing curb cuts and driveways shall be removed.
- B. Where development has frontage along South 2nd Avenue, all existing curb cuts and driveways shall be removed. A new curb cut and driveway along South 2nd Avenue shall be provided accommodating vehicular and pedestrian access to the rear parking area of the development. The minimum driveway setback from the intersection of Raritan Avenue and South 2nd Avenue shall be 100 feet.
- C. Where development has frontage along Magnolia Street, the existing curb cut and driveway shall be maintained. The existing landscaped area shall be replaced and/or supplemented with additional landscaping as necessary in order to provide sufficient buffering and screening of the rear parking area from the adjacent properties.
- D. In the case where a portion of Block 2202, Lot 19 is subdivided and the rear portion of such lot is integrated into the development, the additional area shall be permitted to be used for additional parking and enhanced buffering and screening of the rear parking area from the adjacent properties.

- E. In the case where the entirety of Block 2202, Lot 19 is integrated into the development, the existing curb cut and driveway along Magnolia Street shall be relocated as necessary to accommodate head-in parking on both sides of the rear parking area. Additionally, a minimum 10-foot-wide buffer area shall be provided in order to provide enhanced buffering and screening of the rear parking area from the adjacent properties.
- F. In the case where a portion of Block 2202, Lot 13 is subdivided and the rear portion of such lot is integrated into the development, the additional area shall be permitted to be used for additional parking and enhanced buffering and screening of the rear parking area from the adjacent properties. The existing driveway on Block 2202, Lot 13 may be extended accommodating vehicular and/or pedestrian access to the rear parking area of the development. If applicable, any displaced parking spaces associated with the existing uses on Block 2202, Lot 13 may be integrated within the development and made available to such uses.
- G. In the case where the entirety of Block 2202, Lot 13 is integrated into the development, the existing curb cut and driveway shall be maintained and shall be extended accommodating vehicular and/or pedestrian access to the rear parking area of the development. If applicable, any displaced parking spaces associated with the existing uses on Block 2202, Lot 13 may be integrated within the development and made available to such uses. Additionally, the existing landscaped area along the driveway shall be replaced and/or supplemented with additional landscaping as necessary in order to provide sufficient buffering and screening of the rear parking area from the adjacent properties.
- H. The existing billboard on Block 2202, Lot 36 shall be removed.

#### **6.4.4.3. OFF-STREET PARKING & LOADING AREAS.**

- A. A minimum of 40 parking spaces shall be provided on the Tract and made available for use by the general public.
- B. Underground and/or structured parking shall be permitted on the Tract, accessed from the rear parking area.
- C. Loading services including trash/recycling shall be located at the rear of the building, accessed from South 2nd Avenue. Such loading services shall not be permitted to be accessed from Magnolia Street.
- D. Loading zones on the street may be established on Raritan Avenue and/or South 2nd Avenue, where permitted by law.

#### **6.4.4.4. TRAFFIC CALMING & BICYCLE CORRALS**

- A. Traffic calming elements such as landscaping, seating, and/or public art shall be utilized to extend the multi-use plaza/green along the Raritan Avenue on the Tract.
- B. At least one (1) bicycle corral along the Raritan Avenue frontage shall be incorporated as a traffic calming element.

#### **6.4.4.5. PEDESTRIAN PASSAGEWAY**

- A. A pedestrian passageway shall be provided to permit public access from Raritan Avenue to Magnolia Street. The passageway, whether located in between buildings or through a building, shall have a minimum width of 20 feet and minimum vertical clearance of eight (8) feet.
- B. The passageway shall include accessible ramps, publicly-accessible elevators / lifts, bollards, pedestrian-scale signage, landscaping, lighting, public art, and/or other features to ensure that such passageway is universally accessible, safe, and comfortable.
- C. The final design and maintenance of the passageway shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

#### **6.4.4.6. BUILDING DESIGN**

- A. The street-fronting facades of the building shall be articulated such that it is broken down into smaller massing elements and building forms as follows:
  - 1. There shall be a minimum of five (5) different building typologies, each of which shall have a minimum width of 30 feet and a maximum width of 200 feet.
  - 2. Each building typology shall be differentiated from other building typologies by different architectural styles, incorporating massing, fenestration, materials, colors, and details that reflect the defining characteristics and identifying features of the architectural style selected for each building typology.
- B. For those portions of the building containing dwelling units on the ground floor fronting Raritan Avenue, such portions of the building shall occupy no greater than 40% of the building frontage along Raritan Avenue and shall be located no closer than 50 feet from the intersection of Raritan Avenue and South 2nd Avenue. Additionally, such dwelling units shall be raised from ground level by a minimum of 30 inches, and be provided with stoops.
- C. All other dwelling units on the ground floor, where permitted, shall face an amenity deck, internal courtyard, and/or the side or rear of other properties surrounding the Tract, and shall not primarily face any parking areas.

## 6.5 TRACT D

### 6.5.1. THE VISION

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

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



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

Map 14. Tract D Map



**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38





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



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

**DOWNTOWN REDEVELOPMENT PLAN FOR TRACTS A - D AMENDED THROUGH OCTOBER 2024**

Tract A: Block 1704, Lots 41-49, & Portion of Lot 20 | Tract B: Block 2201, Lots 6 & 9 | Tract C: Block 2202, Lots 1-4, 6, 01, 7-9, 13, 19, 31, 32.02, 33.01, & 34-36 | Tract D: Block 1604, Lots 20-26, 42, 50-51, & Portion of Lot 47; Block 1603, Lots 36-38

Redevelopment and design Concepts for Tract D include the following:

- Retaining North 3rd Avenue as a two-way street open to full vehicular accessibility. However, this right-of-way may be redesigned with wider sidewalks and “shared space” treatment and could occasionally be closed for special events on a temporary basis.
- The multi-level parking structure may provide limited ground floor spaces for public parking protected from the elements, including accessible spaces and bicycle parking, serve as an origin/destination point for a shuttle to downtown New Brunswick and the train station, and incorporate a “liner space” into the North 3rd Avenue frontage that could be programmed for public use such as an art gallery/performance/exhibition space.
- Establish a new taller “landmark” mixed-use building at the corner of North 3rd and Raritan Avenue that will visually anchor this important corner of the plaza with a ground floor restaurant that wraps both street frontages with outdoor seating.
- Establish a second taller mixed-use building on Tract D that also fronts on Raritan Avenue by taking advantage of a mid-block location where a building can be attached to the parking structure on Tract D.
- The top story of both new mixed-use buildings should be stepped-back behind a terrace facing Raritan Avenue which could be utilized as a common outdoor space with views of the 3rd Avenue plaza and downtown Highland Park.
- Non-residential space fronting along Raritan Avenue and North 3rd Avenue should be designed with storefront-type display windows and may incorporate other “active street front” uses such as a lobby, gathering space, business center/workspace, café, and fitness center/exercise studio for residents.
- New buildings should be designed with masonry façades defined by a base, middle, and cap that utilizes vertical bays, horizontal expression lines, projections and recesses.
- Screening the parking structure from view along Denison Street would be a “residential-scale liner building” designed with a varied streetscape rhythm including porches and verandas that reflects and serves as a compatible transition to the surrounding neighborhood.
- Provide primary pedestrian access to the mixed-use buildings from Raritan Avenue or North 3rd Avenue and to the “residential-scale liner building” from Denison Street, except buildings attached to the parking structure may accommodate direct-access from parking to apartments for residents.
- Provide rear access from Denison Street to the lower level of the buildings for pedestrians and vehicles including potential parking under the buildings.
- Limit service to the buildings for loading and trash/recycling to the rear accessed from North 3rd Avenue or the parking structure.
- Parking requirements for the proposed use of the buildings should be “right-sized” and allow parking to be provided using any of the following: on-site or off-site spaces located in the centralized parking structure proposed on Tract D or an alternate arrangement for a centralized parking facility on Tract D.

## 6.5.2. LAND USE REGULATIONS

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

### 6.5.2.1. PERMITTED PRINCIPAL USES.

- A. The following principal uses and structures shall be permitted in Tract D:
1. Retail businesses, including, but not limited to, specialty stores, gift shops, boutiques, and other similar shops.
  2. Personal service establishments.
  3. Indoor amusement businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms, and other similar activities.
  4. Indoor recreation facilities, including, but not limited to, dance studios, yoga studios, instructional studios, physical fitness studios, fitness centers, and other similar facilities.
  5. Spas, massage, bodywork, and somatic therapy establishments.
  6. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), except drive-through banks.
  7. Food and beverage consumption establishments, carry-out restaurants, luncheonettes, and delicatessens, including outdoor dining and walk-up services, except drive-through restaurants.
  8. Package stores, taverns, limited breweries, and brew pubs, including outdoor dining.
  9. Artist, artisan, and crafts-person studios and workshops, and other similar creative workspaces and maker spaces.
  10. Studios for the visual and performing arts, including, but not limited to, performance space, gallery space, artistic instruction space, and other similar spaces.
  11. Museums and other cultural and civic facilities.
  12. Public assembly facilities and spaces, theaters, and cinemas, where the use is integrated into mixed-use buildings with another permitted use on the ground floor fronting on Raritan Avenue.
  13. Offices, including, but not limited to, professional offices (e.g., physicians, lawyers, financial advisors, or architects); commercial offices (e.g., realtors or travel agencies); and governmental offices (e.g., post office branch); and shared and co-working spaces, except individual office space on the ground floor directly fronting on Raritan Avenue.

14. Nursery schools and day-care centers.
15. Residential uses, including common spaces for residents such as lobbies, fitness and passive recreation facilities, workspaces/business center, and other similar amenities and services, except dwelling units located on the ground floor directly fronting on Raritan Avenue.
16. Live/Work units, except the “Live” portion of the units located on the ground floor directly fronting on Raritan Avenue.
17. Hotels, including conference space, food and beverage establishments, and common spaces for guests such as lobbies, gathering spaces, fitness and passive recreation facilities, workspaces/business centers, and other similar amenities and services.
18. Pocket parks, plazas, and courtyards.
19. Any other principal use permitted in the CBD Central Business District Zone, as may be amended from time to time.

#### **6.5.2.2. PERMITTED ACCESSORY USES.**

- A. The following accessory uses and structures shall be permitted in Tract D:
  1. Off-street parking, including parking structures under or attached to a permitted principal use, for residents, employees, customers, and/or the general public.
  2. Off-street loading.
  3. Plazas, courtyards, gardens, patios, pedestrian walkways, ramps, stairways, alleys, and other similar public and semi-public spaces.
  4. Kiosks, including digital display screens.
  5. Street furniture, planters, and streetlights.
  6. Fences, walls, retaining walls, hedges, and other similar landscape elements.
  7. Open trellis and other similar overhead shade/landscape structures.
  8. Outdoor cafes and outdoor dining structures.
  9. Sidewalk displays.
  10. Active and passive recreation facilities, including fitness/recreation facilities, pools, courtyards, gardens, roof top terraces, and other similar amenities, for residents and/or hotel users.
  11. Property management and leasing offices serving the uses in the Tract.
  12. 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.

13. Refuse and recycling enclosures.
14. Signage for uses on the site.
15. Murals, banners, public art, community signage, and digital display screens.
16. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

### 6.5.3. AREA & BULK REGULATIONS

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

#### 6.5.3.1. AREA & BULK REGULATIONS

- A. The following area and bulk regulations shall apply to all development within Tract D:

##### Area Requirements

1. There shall be no minimum lot area or lot dimension requirements. Individual components within the Tract may be developed in phases.

##### Building Setback Requirements

2. Minimum setback from Raritan Avenue: 0 feet.
3. Minimum setback from North 3rd Avenue: 0 feet.
4. Minimum setback from Denison Street: 5 feet for the portion of Tract D frontage along Denison Street within 90 feet of North 3rd Avenue; 20 feet for the remainder of Tract D frontage along Denison Street.
5. Minimum setback from portion of Lot 47 not in Tract D and Lots 48 & 49: 0 feet.
6. Minimum setback from all other Tract boundaries: 5 feet.

##### Coverage Requirements

7. Maximum building coverage: 90%
8. Maximum impervious coverage: 100% on Block 1603; 95% on Block 1604.

##### Height\*\* Requirements

9. Minimum building height in stories: 3 stories.
10. Maximum building height in stories along Denison Street: 3 1/2 stories, except a full fourth story fronting Denison Street shall be permitted, provided that the fourth story is within 90 feet of North 3rd Avenue.
11. Maximum building height in stories along Raritan Avenue: 4 stories, except a

fifth story fronting Raritan Avenue and/or North 3rd Avenue shall be permitted, provided that the fifth-floor façade is set back a minimum of 15 feet from the façade of the fourth floor below, as measured from Raritan Avenue and/or North 3rd Avenue.

12. Maximum building height for parking structure: 5 levels; levels located partially or wholly below grade shall not be counted in calculating the number of levels.

\*\* Height is defined in Section 6.6 below.

#### **6.5.4. TRACT-SPECIFIC DEVELOPMENT & DESIGN STANDARDS**

The provisions pertaining to development and design standards contained herein shall apply to all development within Tract D. All other standards contained in Section 6.7 shall also apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

##### **6.5.4.1. PARKING & LOADING STANDARDS**

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

##### **6.5.4.2. ENHANCED PEDESTRIAN CROSSINGS, TRAFFIC CALMING & BICYCLE CORRALS**

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

## 6.6 SUPPLEMENTARY REGULATIONS

The provisions pertaining to supplementary regulations contained herein shall apply to all development within the Project Area. Unless specifically superseded below, all other regulations contained in Part 4 Zoning of the Ordinance shall apply. The Planning Board may grant variances from these regulations, pursuant to N.J.S.A. 40:55D-70.c.

In the case of an individual lot where the principal use is a single- or two-family detached dwelling, the Zoning Board of Adjustment shall retain jurisdiction and may grant variances from the applicable regulations, pursuant to N.J.S.A. 40:55D-70.c. and/or N.J.S.A. 40:55D-70.d.

### 6.6.1. PERMITTED PROJECTIONS

- A. Non-enclosed one-story porches, porticos, stoops, entrance platforms, and elevated walkways leading to the front entrance on the ground floor shall be permitted to project not more than eight (8) feet into a front yard setback.
- B. Non-enclosed one-story porches, porticos, stoops, entrance platforms, elevated walkways, and uncovered decks leading to the basement or the ground floor shall be permitted to project not more than four (4) feet into a side or rear yard setback.
- C. Cornices, eaves, other roof overhangs, chimneys, gutters, downspouts, balconies, bay windows, and box bay windows shall be permitted to project not more than three (3) feet into any yard setback.
- D. Belt courses, windowsills, and other similar ornamental features shall be permitted to project not more than one (1) foot into any yard setback.
- E. Ramps and stairways leading to a building entrance shall be permitted to project into any yard setback, without limitation, provided that they are not closer than three (3) feet to a side or rear lot line and do not encroach into a public right-of-way.
- F. Awnings and structural canopies shall be permitted to project not more than eight (8) feet into any yard setback and, if applicable, into the public right-of-way, provided that they have a minimum vertical clearance of eight (8) feet and are set back a minimum of 10 feet from the curblin along a parking area, driveway, or street.
- G. Covered motor court entries or port-cocheres associated with a hotel use may project into the yard setback toward Denison Street, provided that it does not encroach into the public right-of-way.

### 6.6.2. DEFINITION OF AVERAGE MINIMUM SETBACK

- A. Average setback calculations shall be measured by drawing lines at 10- or 20-foot intervals from the front lot to the building, exclusive of permitted projections, at right angles to the front lot line, and averaging the length of these lines.

### 6.6.3. DEFINITION OF HEIGHT

- A. Building height calculations shall exclude building service equipment (e.g., condensers, cooling towers, exhaust fans, and other similar mechanical equipment) and any associated screening devices, solar panels, bulkheads, stair enclosures, roof access stairwells, elevator penthouses, skylights or atrium structures, flagpoles and architectural appurtenances (e.g., chimneys, cupolas, towers, belfries, lanterns, spires, steeples, and other similar elements), provided that such shall not extend more than 10 feet above the allowable building height. Additionally, building height calculations shall exclude fire walls, parapet walls, cornices, and other similar elements, provided that such shall not extend more than four (4) feet above the allowable building height.
- B. Mezzanines and lofts - areas or spaces within a dwelling unit or non-residential space not greater than two-thirds of the floor area or space below - shall not constitute a story or half story and shall be considered part of the story below.
- C. A half story shall be defined as that portion of a building under a gable, hip, or gambrel roof in which the wall plates of the street-fronting exterior walls are not more than four (4) feet above the floor of such half story. Dormers, cross gables, and other similar roof structures shall be permitted to provide visual interest.

## 6.7 DEVELOPMENT & DESIGN STANDARDS

The provisions pertaining to development and design standards contained herein shall apply to all development in Project Area. Unless specifically superseded below, all other regulations contained in Part 3 Performance Standards of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

These development and design standards shall not apply to Block 2202, Lot 19, where the principal use on such lot is a single-family detached dwelling.

### 6.7.1. OVERALL CIRCULATION & OFF-SITE IMPROVEMENTS

- A. The overall streetscape along Raritan Avenue and all other streets shall be designed to enhance the public realm, by emphasizing and prioritizing pedestrian safety, accessibility, and connectivity, as envisioned by the Borough's Master Plan.

### 6.7.2. PARKING REQUIREMENTS

- A. Parking requirements for non-residential uses shall be regulated as follows:
  - 1. The minimum parking requirement for all non-residential uses shall be one (1) parking space for each 1,000 square feet of gross floor area.
  - 2. The minimum parking requirement for office uses shall be one (1) parking space for each 500 square feet of gross floor area.
  - 3. The minimum parking requirement for hotel uses shall be a 0.70 parking spaces for each room.



- B. Parking requirements for residential uses shall be regulated as follows:
1. The minimum parking requirement for residential uses shall be 1.00 parking spaces per dwelling unit, inclusive of live/work units.
  2. It is recognized that the residential parking requirements established herein are less than the maximum number of parking spaces required under the New Jersey Residential Site Improvement Standards (“RSIS”) at N.J.A.C. 5:21-1 et seq.
  3. Consequently, the Borough Council in adopting this Redevelopment Plan is establishing alternative parking standards from RSIS pursuant to N.J.A.C. 5:21-4.14. (c) that better reflect local conditions, including: i. household characteristics;; ii. access to mass transit; iii. geographic location (e.g., urban versus suburban location); and/or iv. [availability of] off-site parking resources.
  4. Tandem parking shall be permitted, provided that both parking spaces are associated with the same dwelling unit.
  5. Lease agreements shall include clauses such that tenants are required to primarily park their vehicles within the assigned parking area and may not park on nearby streets or adjacent private parking lots.
- C. Provisions for electric vehicle (“EV”) charging infrastructure and/or stations shall be provided on each Parcel in accordance with State law, including P.L. 2021, c. 171. Installation of electric vehicle supply equipment (“EVSE”) may be provided in lieu of Make-Ready parking spaces, as those terms are defined in P.L. 2021, c. 171.
- D. Parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of the mix of uses, parking demands of specific uses, proximity public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute’s Shared Parking Analysis or other generally accepted standards applicable to shared parking.
- E. Provisions for bicycle parking shall be provided to accommodate a minimum of one (1) bicycle for every 10 parking spaces for non-residential uses and a minimum of one (1) bicycle for every dwelling unit for residential uses, with one or more of the following: i. indoor bicycle storage rooms; ii. appropriately sized storage areas within the building; iii. on wall-mounted hooks, ceiling hooks, or closets within a residential unit; and/or iv. covered exterior bicycle rack(s). A minimum of 10% of bicycle parking required for residential uses shall be provided on the exterior for guests. A minimum of 50% of such bicycle parking shall be provided prior to the issuance of any Certificate of Occupancy, with future bicycle parking to be provided upon request by tenants.
- F. Bicycle parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that use will not generate a need for such facilities, or where the anticipated need is less than what would be required under this section or can be accommodated on an adjacent property within the Project Area or on adjacent property outside the Project Area.

### **6.7.3. PARKING STRUCTURES**

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

### **6.7.4. OFF-STREET PARKING AREAS**

- A. Parking areas shall be located to the rear of a building and/or the interior of the site where its visual impact to adjacent properties and the public right-of-way can be minimized. Parking areas shall be prohibited in any front yard area.
- B. Parking areas shall be suitably buffered and screened from public view, including the side streets. Such screening shall consist of either (1) a combination of landscaping and a low masonry wall or (2) an enhanced landscape buffer. Where a low masonry wall is utilized, such shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style, and character of other improvements within the Project Area. Where an enhanced landscape buffer is utilized, such buffer shall contain layers of ground-level landscaping, shrubs, evergreen trees, flowering trees, and shade trees, and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.
- C. The minimum driveway and parking area setback from the Project Area boundary shall be five (5) feet.
- D. The minimum driveway and parking area setback from any buildings, except for those areas necessary for accessing parking structures, off-street loading areas, and servicing refuse and recycling areas, shall be 10 feet.
- E. The minimum parking stall size for standard parking spaces shall be nine (9) feet wide by 18 feet long, except for accessible parking spaces and associated access aisles which shall be subject to standards promulgated by the Americans with Disabilities Act (“ADA”).
- F. Parking stalls designated for compact cars, which shall be no less than eight (8) feet wide and no less than 16 feet long, shall be permitted provided that the total number of compact parking spaces does not exceed 10% of the total number of parking spaces provided within each Tract.

### **6.7.5. STREETS, SIDEWALKS & CROSSWALKS**

- A. The Redeveloper shall restore the surface of the street to its original and proper condition to address existing conditions and those areas disturbed during construction.

- B. A public sidewalk shall be provided within all street frontages within the Project Area. Where such sidewalk along the street extends beyond the public right-of-way onto private property, the Redeveloper shall be required to provide a public access easement for the portion of the sidewalk located on private property.
- C. Along Raritan Avenue, sidewalks shall be constructed of materials, colors and/or patterns consistent with the existing infrastructure or otherwise designed in collaboration with the Borough in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper. The sidewalk shall extend from the curbline to the building façade, with an area to accommodate a regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features and street trees within the furnishing zone along the curbline and/or landscaping beds along the building façade.
- D. Along all other streets, the location and width of sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Tract, but in no case shall the sidewalk be less than five (5) feet in width.
- E. Planting strips between the curbline and the sidewalk and landscaping beds along the building façade, may include bio-retention swales or other Green Infrastructure elements, to the extent practical. In no instance, however, shall a planting strip be permitted to be covered with asphalt, other paving, or loose stones of any variety.
- F. Where sidewalks intersect at driveways within any public right-of-way, sidewalks shall continue uninterrupted across driveways, and the associated driveway aprons shall be designed to accommodate a continuous sidewalk.
- G. Where sidewalks intersect at driveways within the Project Area, accessible ramps and detectable warning surface pads shall be provided. Pedestrian crosswalks shall be provided across the streets with “continental” or ladder striping, which shall be two (2) feet in width and a minimum of eight (8) feet in length, spaced two (2) feet apart, subject to the agency having jurisdiction.

#### **6.7.6. PEDESTRIAN WALKWAYS**

- A. Walkways shall be provided in order to provide a pedestrian connection between public sidewalks and entrances of buildings.
- B. Walkways shall be provided in order to provide a pedestrian connection between entrances of buildings and parking areas, outdoor amenity spaces, and other pedestrian accessible locations.

#### **6.7.7. REFUSE & RECYCLING**

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within the building being served and/or in an exterior area on the property.
- B. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be suitably buffered and screened from public view. Such screening

shall consist of a combination of landscaping and a three-walled masonry enclosure with a self-closing and self-latching gate. Such masonry structure and gate shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other improvements within the Project Area.

- C. The minimum masonry enclosure setback from any property within the Project Area shall be five (5) feet.
- D. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by users and recycling personnel and/or collection vehicles.
- E. Any receptacles or dumpsters located in exterior areas shall be covered and equipped with signage indicating the materials to be placed therein.
- F. Shared facilities shall be permitted, whether located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.
- G. The collection, disposal, recycling and transportation of refuse and recyclable materials shall be by private carters and shall be performed in accordance with the Code.

#### **6.7.8. LANDSCAPING**

- A. Street trees shall be provided at intervals of approximately 30 to 50 feet along Raritan Avenue and all other streets, whether existing or proposed. Any new street tree shall be a minimum size of two-and-one-half (2 1/2) inches in caliper at time of planting.
- B. Shade trees shall be provided within yard areas, along the perimeter of parking areas, and within landscape islands within parking areas, to the extent practical, whether existing or proposed. Any new shade tree shall be a minimum size of two (2) inches in caliper at time of planting.
- C. All portions of the Project Area not utilized by structures or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized. To avoid monocultures, not more than 1/4 of the required plantings shall be of any one species.
- D. Where dwelling units are located on the ground floor, such shall be suitably buffered and screened from public view, and may have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of enhanced landscape buffer, including hedging and landscape edging, as well as a low masonry wall and/or decorative

fencing. Where provided, the terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby to a height of four (4) feet above grade and may provide for partial screening above four (4) feet.

#### **6.7.9. LIGHTING**

- A. Street lighting shall be provided along Raritan Avenue, whether existing or proposed. The type of fixture shall be consistent with the other fixtures utilized elsewhere in the Upper Raritan Avenue corridor.
- B. All parking and pedestrian areas shall be provided with pedestrian-scale light fixtures.
- C. Decorative and/or ambient lighting may be provided by one or more of the following: ground recessed lighting, bollard lighting, wall-mounted and/or recessed lighting.
- D. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward.
- E. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

#### **6.7.10. SIGNAGE**

- A. All signage shall be indicated in a comprehensive sign package, including, but not limited to, building-mounted vertical landmark signage along Raritan Avenue, wall-mounted, blade, awning, directional and all other contemplated signage, which may be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

#### **6.7.11. UTILITIES**

- A. All development shall be serviced with public, potable water and sanitary sewer, along with electric, natural gas, telephone, and cable service; all utilities shall be placed underground to the extent practical.
- B. Any existing infrastructure or utilities servicing the Project Area that are in need of repair or replacement shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

#### **6.7.12. STORMWATER MANAGEMENT & GREEN INFRASTRUCTURE**

- A. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, dedicated property or properties, or within easements located on private property.
- B. All development shall incorporate the use of decentralized small-scale Green Infrastructure elements, as required by N.J.A.C. 7:8, in order to: (a) maximize treatment for water quality and groundwater recharge to the extent practical; and (b) manage water quantity prior to discharging into the Borough's stormwater sewer system.

- C. All development shall incorporate multiple elements from the following Green Infrastructure (“GI”) strategies or features, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:

At the Building Scale

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

Within Yard Areas

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

Within the Public Right-of-Way

7. Street tree trenches are linear systems that combine street trees with an underground stormwater management system, which are designed to collect stormwater runoff from the public sidewalk and the street.

8. Pervious public sidewalk utilize pervious concrete or pavers that enable stormwater runoff to infiltrate the paved surface as opposed to pooling on top of the walking surface.
9. Curb bump-outs are landscape planters commonly located at street corners and mid-block lane tapers, and are constructed to introduce landscaping and collect stormwater runoff from the public sidewalk and the street.

### 6.7.13. BUILDING DESIGN

- A. All development shall address the following building design standards in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:
  1. The architectural design of the building shall provide architectural interest, articulation, and variety to the massing of the building and relieve the negative visual effect of a single, long wall.
  2. The building shall be composed of an articulated base, body, and cap across the entire façade. Each element shall be traditionally proportionate to the overall horizontal and vertical dimensions of the façade. In the case where the building is articulated into smaller building forms, each individual building form shall be similarly articulated.
  3. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of the building. All sides of a building shall be architecturally designed to be consistent with the style, materials, colors and details of the front façade. In the case where the building is articulated into smaller building forms, each individual building form shall be similarly treated.
  4. For those portions of the building containing non-residential uses on the ground floor, the ground floor of such portions of the building shall comprise a regular rhythm of storefront bays and window treatments such that the ground floor façade along the street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with an articulated lintel composed of detailed layers of relief that create depth and shadow.
  5. For those portions of the building containing dwelling units on the ground floor, the ground floor of such portions of the building shall utilize individual windows and doors, and may utilize varying architectural embellishments to express the attractiveness, identity, and individuality of the dwelling units.
  6. All materials, colors, finishes, and/or details used on the exterior of a building shall be architecturally compatible with the style of such building. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes, and/or details shall have such incorporated into the design of such building.

7. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and/or fiber cement siding, and may include smooth finished stucco and metal. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone, and EIFS are not permitted building materials.
8. Any mechanical equipment and HVAC units shall be located either on the ground in the side or rear yard area or on the roof, and screened from public view. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building. Through-the-wall HVAC units may be permitted, provided that those units in any street-facing façade shall be designed such that the associated wall vent and grille is centered beneath a window opening or is integrated into a design element that has the appearance of a window opening. Through-the-window and exterior wall-mounted HVAC units on street-facing facades shall be prohibited.

#### **6.7.14. SUSTAINABLE DESIGN**

- A. All development shall incorporate multiple elements from the following Sustainable Design strategies or features, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:

##### Renewable Energy

1. Solar Photovoltaic (“PV”) Readiness & sufficient space in order to accommodate future installation of Battery Storage Infrastructure

##### Passive Design

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

##### Energy Efficiency

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

##### Water Efficiency

10. Reduced or No Irrigation



11. WaterSense Rated Fixtures

Indoor Air Quality

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

Materials & Resources

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

#### **6.7.15. ACCESSIBILITY & UNIVERSAL DESIGN**

- A. All development within the Project Area shall comply with federal, state and local requirements regarding accessibility.
- B. All development within the Project Area is encouraged to utilize Universal Design techniques and strategies to create public and private spaces that are equally accessible to all people, regardless of age and abilities. This approach is intended to facilitate equitable design that is flexible, simple, intuitive, perceptible, has tolerance for error, utilizes low physical effort and appropriate for the intended use.
- C. All development shall incorporate multiple elements from the following Universal Design techniques and strategies, which shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper:
  1. At least one (1) elevator shall be sized to accommodate an open ambulance stretcher.
  2. Accessible ramps, where necessary, should be integrated in the site and building design to create a dignified, non-discernible and inclusive access point that facilitates mobility for all users.
  3. Accessible on-street parking spaces, where provided, should be located to minimize travel distances to public spaces and building access points.
  4. At least one automated door (via pushpad or other means of activation) to a main access point should be provided.

5. No-step ( $\frac{1}{4}$  to  $\frac{1}{2}$  inch thresholds) access to access points, patios, balconies and terraces should be provided to the extent practical.
6. Doorways should be specified to have at least 34-inch-wide clear openings, with door handles located between 34 and 38 inches above the floor.
7. Hallways should be designed to have at least 42-inch-wide clearances, with all controls, switches and outlets within the comfortable reach zone of between 24 and 48 inches above the floor.
8. Counters, where provided, should be designed at different heights.
9. Kitchen areas, where provided, should include cabinetry or areas that allow for a user to work in a seated position.
10. Laundry appliances, where provided, should be front-loaded.
11. Signage should be provided throughout, within sight lines and in alternate languages, in addition to English.

## **6.8 DEVELOPMENT OF PUBLIC ELECTRIC VEHICLE CHARGING INFRASTRUCTURE**

Provisions for electric vehicle (“EV”) charging infrastructure and stations for where parking facilities are provided on-site are regulated in Section 6.7.2 of this Redevelopment Plan.

This Redevelopment Plan anticipates the need for and development of public EV charging infrastructure and stations within the Project Area. Where a portion of the on-site parking facilities are anticipated to be shared with the public, those parking spaces to be shared with the public are encouraged to be provided with public EV charging infrastructure and stations.

Within Tract C, at least four (4) of the public parking spaces shall be Make-Ready, with two (2) of such spaces being provided with EV charging stations at the time of the issuance of a final Certificate of Occupancy.

Provisions for the development of public EV charging infrastructure and stations shall be addressed in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

## **6.9 AFFORDABLE HOUSING**

The Borough anticipates the relocation of Uniform Housing Affordability controlled housing units within the Project Area. Provisions for the relocation of such affordable housing units shall be in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

The provision of affordable housing within the Project Area, where applicable, shall be addressed in accordance with the Borough’s Affordable Housing Ordinance and Housing Element and Fair Share Plan, or, if applicable, in accordance with a Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

# 7 | GENERAL PROVISIONS

## 7.1 APPLICABILITY

The provisions and development procedures contained in this chapter shall apply to all projects within the Project Area.

## 7.2 DEFINITIONS

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

## 7.3 REDEVELOPMENT ENTITY

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of carrying out this Redevelopment Plan.

In doing so, the Borough Council shall have the powers as set forth in N.J.S.A. 40A:12A-15 and N.J.S.A. 40A:12A-22, and all other relevant provisions and statutes, to effectuate all of its duties, responsibilities, and all other activities as permitted by law in the execution and implementation of this Redevelopment Plan.

## 7.4 REDEVELOPER SELECTION

The Redevelopment Entity may, pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, select a single “Redeveloper” or multiple Redevelopers for the rehabilitation and/or redevelopment of the Project Area or portion thereof.

The Redevelopment Entity shall select the Redeveloper(s) based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of this Redevelopment Plan, and any additional criteria that demonstrate the Redeveloper’s ability to implement the Vision and the established Goals and Objectives of this Redevelopment Plan.

## EXCEPTION FOR SINGLE- AND TWO-FAMILY DETACHED DWELLINGS

In the case of individual lot applications for single- or two-family detached dwellings, the Redevelopment Entity shall not be required to select a Redeveloper, and the property owner or any applicant with the property owner's consent, shall not be required to be named a Redeveloper in order to make improvements to the property, so long as the property remains developed with a single- or two-family detached dwelling or is proposed to be developed with a new single- or two-family detached dwelling.

## **7.5 DEVELOPMENT PROCEDURE**

### **7.5.1. CONCEPT PLAN REVIEW**

Any Redeveloper(s) seeking to utilize the zoning established by this Redevelopment Plan shall make a formal proposal for development to the Redevelopment Director who may defer to the Redevelopment Entity and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan.

### **7.5.2. REDEVELOPMENT AGREEMENT**

Once the concept plan has been reviewed by the Redevelopment Director and/or Redevelopment Entity, the Redeveloper shall enter into a Redevelopment Agreement with the Redevelopment Entity that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions, and continuing controls as may be deemed necessary to effectuate the purposes of this Redevelopment Plan and the LRHL.

Execution of a Redevelopment Agreement shall be a mandatory checklist item for any Application for Development as the term is defined in N.J.S.A. 40:55D-3 and any such application shall not be deemed complete pursuant to N.J.S.A. 40:55D-10.3 until proof of an executed Redevelopment Agreement has been submitted as part of the application. Only upon execution of a Redevelopment Agreement may the Applicant submit an Application for Development to the Planning Board for completeness review.

### **7.5.3. APPLICATIONS FOR DEVELOPMENT**

Preliminary and final site plan and/or subdivision applications for any property within the Project Area shall be in accordance with the requirements with this Redevelopment Plan, and all applicable provisions of the Ordinance and the MLUL.

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

### **7.5.4. PLANNING BOARD REVIEW**

Preliminary and final site plan and/or subdivision review shall be conducted by the Planning Board pursuant to the MLUL. Applicants before the Planning Board shall provide public notice of such site plan and/or subdivision application in accordance with the public notice requirements as set forth in N.J.S.A. 40:55D-12(a) and (b).

## 7.5.5. DEVIATIONS FROM PROVISIONS OF APPROVED REDEVELOPMENT PLAN

All applications requiring relief for deviations from this Redevelopment Plan or the Ordinance shall be governed by the MLUL or any existing, or to be adopted, redevelopment plan for a specific site within the Project Area, provided that:

- A. No deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d)1 through (d)6; (ii) deviating from contractual obligations of a Redeveloper to the Redevelopment Entity; or (iii) deviating from any other mandatory component of this Redevelopment Plan. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Redevelopment Entity.
- B. Variances may be granted from provisions set forth in “Area & Bulk Standards” of this Redevelopment Plan or applicable provisions set forth in Part 4 "Zoning" of the Ordinance. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from provisions set forth in “Development & Design Standards” of this Redevelopment Plan or applicable provisions set forth in Part 3 "Performance Standards" of the Ordinance. Consideration of such exceptions shall be undertaken pursuant to N.J.S.A. 40:55D-51.
- D. Consideration of any request for waiver of submission requirements shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

## EXCEPTION FOR SINGLE- AND TWO-FAMILY DETACHED DWELLINGS

In the case of individual lot applications for single- or two-family detached dwellings, the property owner or any applicant with the property owner's consent, shall not be required to submit a concept plan or enter into a Redevelopment Agreement with the Redevelopment Entity in order to make improvements to the property, so long as the property remains developed with a single- or two-family detached dwelling or is proposed to be developed with a new single- or two-family detached dwelling.

## **7.6 AMENDMENTS TO APPROVED REDEVELOPMENT PLAN**

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

## **7.7 DURATION OF REDEVELOPMENT PLAN RESTRICTIONS**

This Redevelopment Plan and any modification thereof shall be in full force and effect for a period of thirty (30) years from the date the Borough first approves this Redevelopment Plan.

## **7.8 CERTIFICATES OF COMPLETION**

Upon completion of any project within the Project Area, the Redeveloper shall submit for a Certificate of Completion.

## **7.9 PROPERTY ACQUISITION**

Several properties within the Project Area are presently owned by the Borough while the remaining properties are designated as either an "area in need of rehabilitation" or "non-condemnation area in need of redevelopment."

The LRHL does not authorize property acquisition by eminent domain of properties designated as either "area in need of rehabilitation" or "non-condemnation area in need of redevelopment." Therefore, eminent domain is not anticipated nor is it enabled by this Redevelopment Plan for those properties. To the extent that any property will be acquired, any such property must be acquired by the Borough or designated Redeveloper(s) through private negotiation with the property owner(s).

Notwithstanding the above, nothing herein shall preclude any governmental entity, including the Borough, from utilizing eminent domain, in accordance with other applicable laws, to acquire any property for a public purpose.

## **7.10 RELOCATION OF DISPLACED RESIDENTS OR BUSINESSES**

Presently, there are several residents and businesses within the Project Area, who will be permitted to remain within the Project Area for the foreseeable future and/or have been incorporated into this Redevelopment Plan. Therefore, it is anticipated that there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan at this time.

Notwithstanding the above, in the case where any governmental entity, including the Borough, utilizes eminent domain in accordance with other applicable laws, to acquire any property for a public purpose, then a Workable Relocation Assistance Plan may be required.

## **7.11 ADVERSE INFLUENCES**

No use shall be permitted which will produce corrosive, toxic or noxious fumes, offensive noise, vibrations, smoke, dust, odors, heat, glare, and other objectionable influences found to be detrimental to the public health, safety or general welfare.

## **7.12 DISCRIMINATION BAN**

No covenant, lease, conveyance, or other instrument shall be effected or executed by the Redevelopment Entity or any Redeveloper whereby land, structures, occupancy or use of any part of the Project Area upon the basis of race, creed, color, national origin/nationality, ancestry, religion, age, sex, pregnancy, gender identity or expression, affectional or sexual orientation, marital status, familial status, or disability or perceived disability. Appropriate covenants shall prohibit such restrictions and shall be included in all instruments.

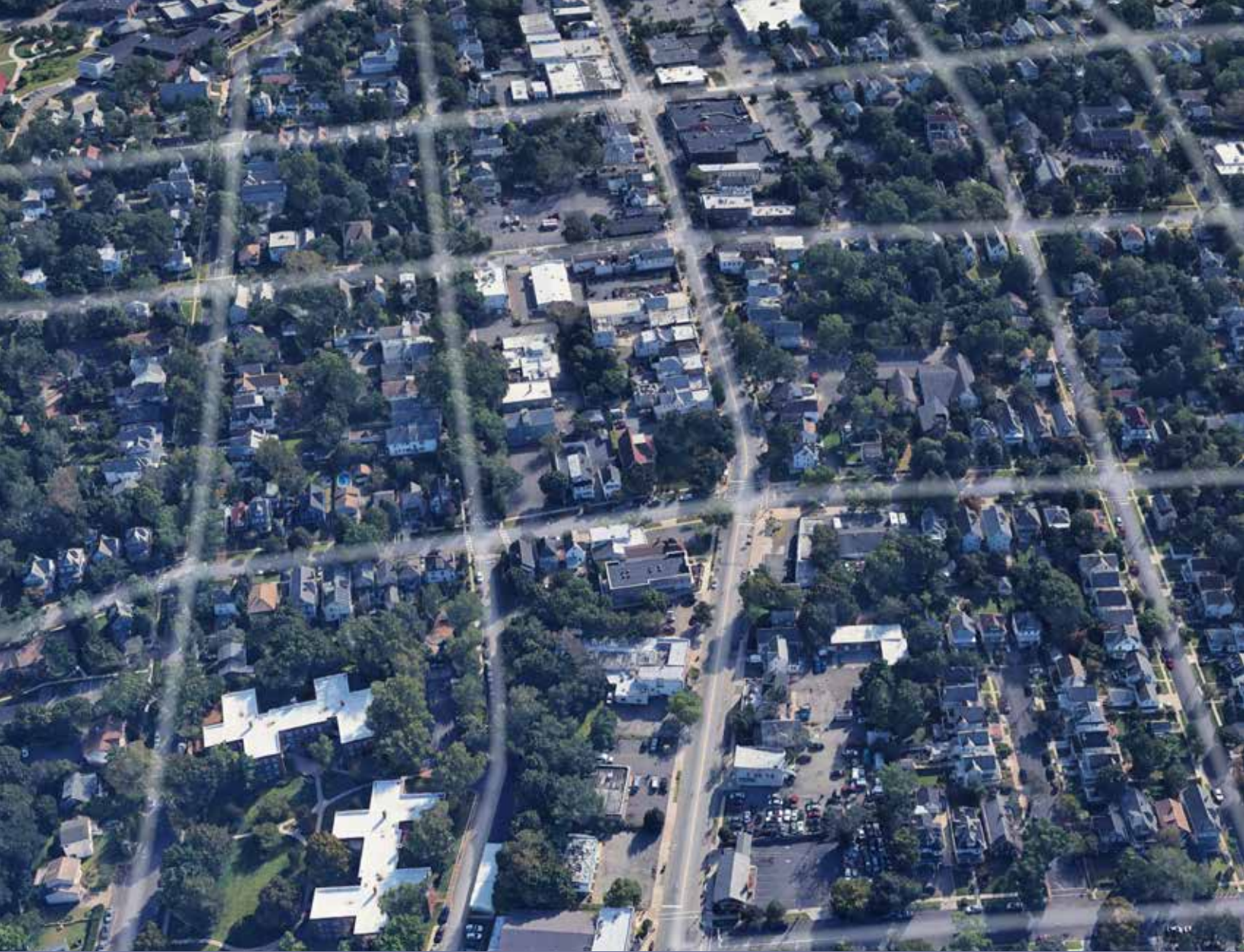
## **7.13 SEVERABILITY**

If any portion of this Redevelopment Plan, including any word, phrase, clause, section, or provision, should be judged invalid, illegal, or unconstitutional by a court of competent jurisdiction, such order shall not affect the remaining portions of this Redevelopment Plan which shall remain in full force and effect.

The provisions and development procedures contained in this chapter shall apply to all projects within the Project Area.

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