330-334 RARITAN AVENUE
REDEVELOPMENT PLAN

Block 3001, Lots 17, 18, 19, 20, 21, 22 & 33

Borough of Highland Park, Middlesex County, New Jersey

Prepared by **LRK, Inc.** | October 16, 2025

HIGH
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PARK

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Redevelopment Plan

Block 3001, Lots 17, 18, 19, 20, 21, 22 & 33

Borough of Highland Park, Middlesex County, New Jersey

Endorsed by the Planning Board on November 13, 2025

Adopted by the Borough Council by Ordinance No. 25-2117 on November 25, 2025

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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. Its 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. 40A: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 certain properties as "areas in need of redevelopment," and prepared several 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

1.2 PURPOSE OF THIS REDEVELOPMENT PLAN

Beginning in 2003, the Borough embarked on a process to create a vision for the future, and evaluated several areas in the downtown for potential redevelopment, including the area on the south side of Raritan Avenue between South 3rd Avenue and South 4th Avenue which comprises primarily the Rite Aid property, located at 330-334 Raritan Avenue, as well as other properties fronting Raritan Avenue and Borough-owned property fronting South 3rd Avenue. In 2005, these downtown areas were designated an "area in need of redevelopment" and, later in 2005, a redevelopment plan was adopted, providing an overall vision and block-specific approach and design standards for each area within the downtown.

In 2010, following litigation between Rite Aid and the Borough concerning the redevelopment designation, the parties entered into a settlement agreement such that, following certain renovations and improvements undertaken by Rite Aid, the Rite Aid property would be removed from the designated downtown redevelopment area, and the downtown redevelopment plan would be amended to remove the Rite Aid property.

In 2016, following community engagement and education regarding the many benefits of redevelopment, the Borough designated the entirety of the municipality - including the Rite Aid property - as an "area in need of rehabilitation."

Ultimately, while the Rite Aid property is no longer under the redevelopment designation and subject to the downtown redevelopment plan, a redevelopment plan may still be considered for the Rite Aid property under the municipal-wide rehabilitation designation.

Recently, Rite Aid has been facing financial challenges due to a combination of factors, including shifts toward online shopping and prescription delivery services, lawsuits related to the opioid crisis, increased competition from other retailers and big box stores, and debt. In May 2025, Rite Aid Corporation filed for its second voluntary Chapter 11 bankruptcy, which allows the company to restructure its debts and sell off its assets, including store leases - as such, the company has closed a number of stores nationally, including the Highland Park store.

Much like when the nearby Stop & Shop announced its closure, the Borough has taken a proactive approach to assist residents to transfer prescriptions, manage home delivery services, and offer transportation services. Additionally, the Borough has been collaborating with the property owner and commercial brokers to market the space and identify potential new tenants as well as possibly redevelopment involving a new mixed-use building.

Accordingly, the purpose of this redevelopment plan is to create a site-specific implementation plan for the rehabilitation and/or redevelopment of the existing Rite Aid property, including providing additional permitted principal uses that are appropriate for the large-format store and to require improved access and circulation within and surrounding the Rite Aid property.

In order to stimulate private investment, promote community benefits, prevent further deterioration, and advance desirable rehabilitation and/or redevelopment within the Borough, consistent with the vision, goals, and objectives of the Master Plan, the Borough Council seeks to rehabilitate and/or redevelop Block 3001, Lots 17, 18, 19, 20, 21, 22, and 33 (the "Project Area") in accordance with this redevelopment plan entitled "330-334 Raritan Avenue Redevelopment Plan" (the "Redevelopment Plan" or "Plan").

Map 2. Project Area Map

2 REDEVELOPMENT STATUTE

2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

In 1992, the New Jersey State Legislature (the "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.

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 structures to be preserved, specific areas to be up-zoned or down-zoned, and specific areas to be preserved as open space and improved as public gathering spaces or parks, as well as the provision for off-tract infrastructure improvements and community benefits.
- The preparation of a site-specific conceptual plan that can prescribe specific land uses, area requirements, intensity of use, residential density, build-to lines, setbacks, coverage requirements, height, scale, massing, form, and site layout including the location of new structures and parking areas, pedestrian improvements, and streetscape improvements, as well as the provision for off-site improvements.
- The exercise of greater control over design of any project including detailed development and design standards regulating the layout, design, and appearance of future buildings and site improvements.
- The ability to require certain green infrastructure, sustainable design, and universal design features and strategies to 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 the property owner / redeveloper to work in a productive public-private partnering process.
- Authorizes the municipality to designate a qualified redeveloper and define the role and obligations of the redeveloper through a redevelopment agreement that helps protect community interests.
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

2.3 REDEVELOPMENT PROCEDURE

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

2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE

2005 REDEVELOPMENT STUDY (DOWNTOWN AREA)

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, authorizing and directing the Planning Board to undertake a preliminary investigation to determine whether the area including Block 13 (now 2201), Lots 1-4, 6-9, 46, 49, and 50; Block 22 (now 2202), Lots 2-4, 6-9, 32.01, 33.01, and 34-36; Block 31 (now 3001), Lots 3-4, 6, 17-25, and 33; Block 143 (now 1403), Lots 35-40; Block 162 (now 1603), Lots 34, 35, and 39; and Block 173 (now 1704), Lots 34-37, 41-49, 52, and 53 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 through January 20, 2005, the Planning Board reviewed a preliminary investigation report entitled "Downtown Redevelopment Study Area Determination of Need, March 2004" and supplemented on September 9, 2004, prepared by Orth-Rodgers Associates, Inc. This report concluded that the delineated area as defined above met the criteria for redevelopment designation pursuant to N.J.S.A. 40A:12A-3 and various subsections of N.J.S.A. 40A:12A-5. Following the duly noticed hearing, 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.

It is noted that the Project Area, being part of the delineated area as defined above, by virtue of the adopted resolution, was designated an "area in need of redevelopment."

2005 HIGHLAND PARK DOWNTOWN REDEVELOPMENT PLAN

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 the 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. The adopted ordinance indicates that the adopted redevelopment plan supersedes the existing zoning 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.

It is noted that the Project Area, by virtue of the adopted ordinance, became subject to the zoning regulations promulgated by the 2005 Redevelopment Plan.

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 redevelopment area

designation of Block 31 (now 3001), Lots 17-22 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 c) 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 service 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 service station closed in or around 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 service 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.

It is noted that the Project Area, by virtue of the July 2010 amendment, was no longer subject to the zoning regulations promulgated by the 2005 Redevelopment Plan, and reverted back to its original zoning, the CBD Central Business District Zone and PO Professional Office Zone. Block 3001, Lots 3, 4, 6, 23, 24, and 25 remain subject to the 2005 Redevelopment Plan.

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.

It is noted that the Project Area, being part of the municipal-wide delineated area as defined above, by virtue of the adopted resolution, was designated an "area in need of rehabilitation."

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 as follows:

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.

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3 PROJECT AREA DESCRIPTION

3.1 OVERVIEW

The Project Area property is situated in the downtown area of the Borough, located on the south side of Raritan Avenue (New Jersey State Route 27) and west side of South 4th Avenue. The Project Area is bounded to the west by a recently-closed daycare & preschool, a small Borough-owned parking area, and a residential dwelling fronting South 3rd Avenue, and to the south by residential dwellings fronting South 4th Avenue and Magnolia Street.

The Project Area comprises one (1) property containing seven (7) tax lots within Block 3001. The property is irregular in shape, approximately 72,745 square feet (1.67 acres) in area, with approximately 120 feet of frontage along Raritan Avenue, and approximately 137 feet of frontage along South 4th Avenue. Lots 20, 21, and 22 contain a vacant one-story commercial building consisting of approximately 15,000 square feet, previously used by Rite Aid Pharmacy. Lots 17, 18, 19, and 33 contain a large parking area consisting of approximately 60 parking spaces. It is noted that there is a driveway located at the northwestern corner of Lot 33, however it is not contiguous with the larger parking area on the rest of the property. This driveway is accessible through the aforementioned Borough-owned parking area, and provides access to a surface parking area located at the rear of Lots 24 and 25.

3.2 PROPERTY OWNERSHIP & ASSESSMENT

Upon review of property tax records derived from the Middlesex County Property Assessment Search Hub, the property is presently owned by Winick Gardens, LLC % Rite Aid Corp, who purchased the property in January 2014 for $5,200,000. The current tax assessment is $4,268,200, of which $1,962,300 is attributed to land value and $2,305,900 is attributed to improvement value.

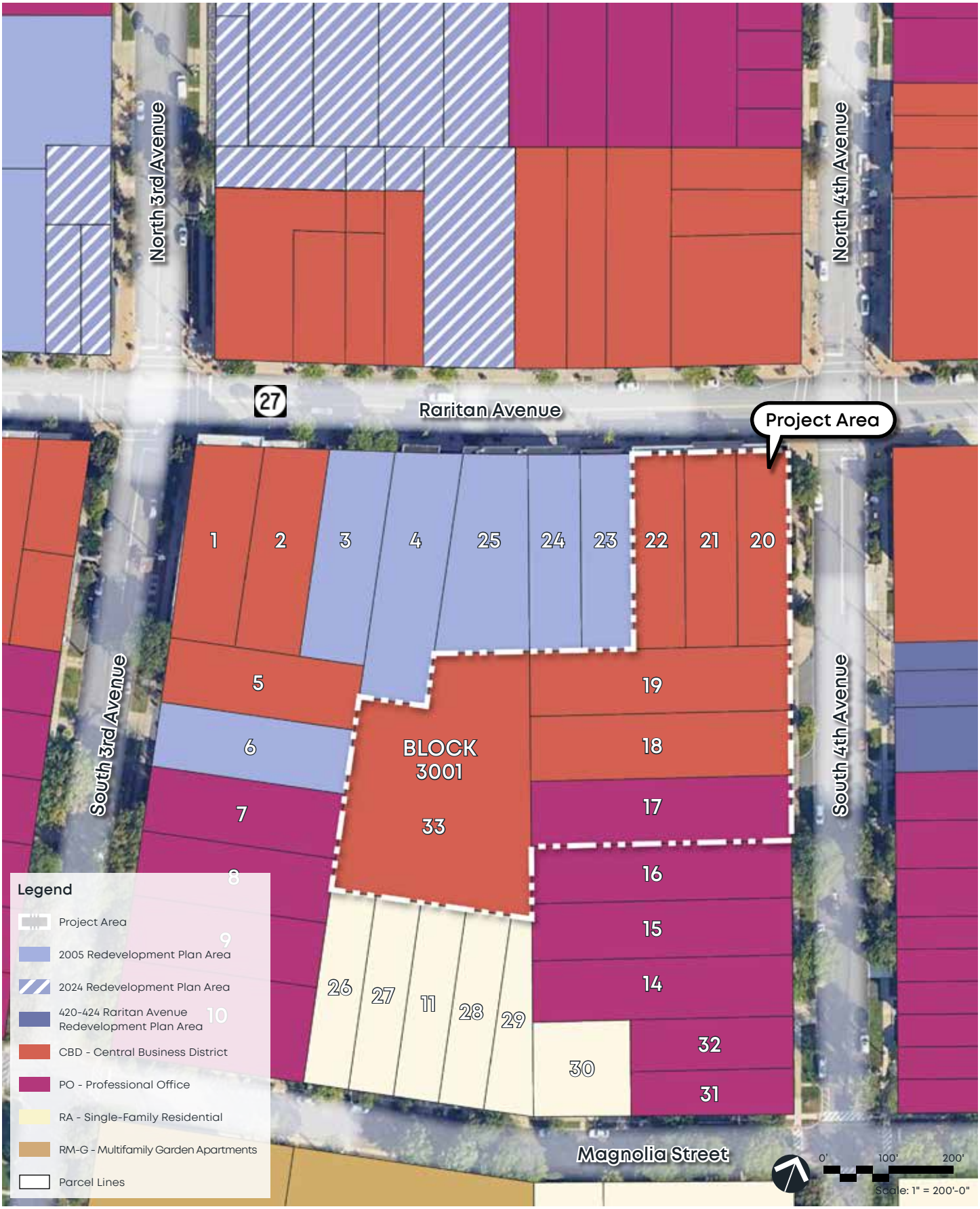
3.3 EXISTING LAND USE & ZONING

There are no wetlands as identified by the New Jersey Department of Environmental Protection ("NJDEP") and no high risk (1.0% chance of flooding) or low-to-moderate risk (0.2% chance of flooding) flood hazard areas as identified by the Federal Emergency Management Agency ("FEMA") within the Project Area. The Project Area is serviced by PSE&G for electric and gas utilities, and is located within a sewer service area.

As to land use, the Project Area contains a commercial use. As to zoning, the Project Area was previously situated within the 2005 Downtown Redevelopment Plan Area, and is now split-zoned, with the majority of the property situated within the CBD Central Business District Zone and Lot 17 situated within the PO Professional Office Zone.

The CBD Zone generally permits traditional downtown retail and office uses (except on the ground floor), and typical bulk standards generally found in smaller, older downtowns. There are generally limited setback requirements and building height may range from a minimum of two (2) stories to a maximum of four (4) stories. The PO Zone serves as a transitional zone between the CBD and RA Zones, and permits offices, laboratories, and single-family dwellings, with apartments permitted as an accessory use above professional offices. Bulk standards are compatible with those found in residential zones throughout the Borough.

Map 3. Existing Zoning Map



4 RELATIONSHIP TO OTHER PLANS

4.1 RELATIONSHIP TO BOROUGH'S LAND DEVELOPMENT ORDINANCE

As further elaborated in Section 6, the zoning regulations set forth in this Redevelopment Plan shall supersede the underlying zoning within the Project Area.

4.2 RELATIONSHIP TO BOROUGH'S MASTER PLAN

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.

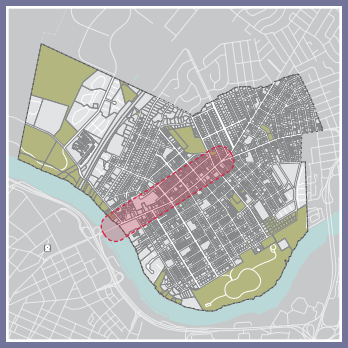
Based on public input, only 9% of survey respondents said they would like to see the downtown area to "remain the same," demonstrating the community's support for change in the downtown area. During the master planning process, common issues/concerns pertaining to the downtown area raised by the community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

- 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.
- A lack of consolidated parking near major attractions, like the Farmers Market, lends itself to a fragmented downtown experience.

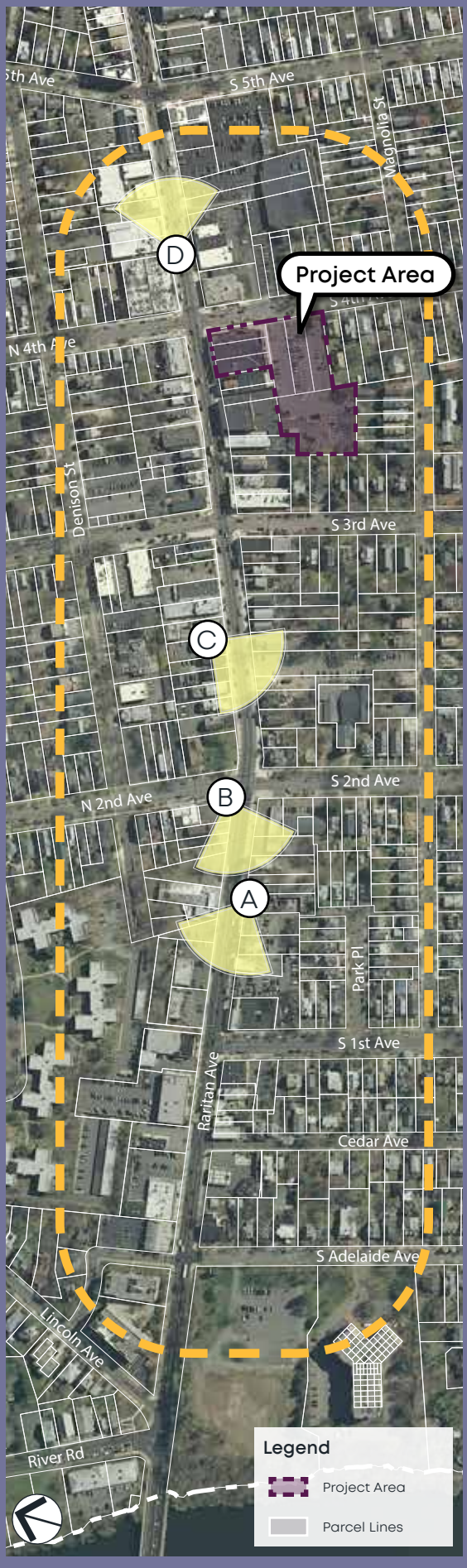
Therefore, it is anticipated that this Redevelopment Plan will advance the goals of the Borough's Master Plan.

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.



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 within an already developed area.

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 Master Plan.

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 various areas, including land use, housing, redevelopment, among others.

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

According to the State Plan Policy Map, the Borough of Highland Park is contained entirely within the Metropolitan Planning Area (PA1), 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.

Therefore, it is anticipated that this Redevelopment Plan will advance the purpose, goals, and objectives of the SDRP.

5 VISION

5.1 VISION FOR THE PROJECT AREA

This Redevelopment Plan's approach to rehabilitation and/or redevelopment of the Project Area contemplates establishing flexible zoning regulations and context-sensitive development and design standards to permit, among other things, the adaptive reuse of the large-format commercial building into medical facilities and related uses, in addition to the uses already permitted in the CBD Central Business District Zone.

Generally speaking, adaptive reuse of existing buildings has a number of environmentally friendly and sustainable benefits, including reduced carbon footprint associated with the extraction, production, and transportation of new construction materials, and therefore reduce the cost of construction.

Additionally, the Borough seeks to create opportunities to improve pedestrian and vehicular circulation between South 3rd Avenue and South 4th Avenue, particularly given the planned improvements within a portion of the South 3rd Avenue public right-of-way to create a public gathering space as well as the expansion and improvements to the Borough-owned properties fronting South 3rd Avenue to create a flexible space and more efficient parking area to serve numerous community events, including the Farmers Market. The improved access and consolidated circulation will also provide opportunities to provide rear access to other properties fronting Raritan Avenue, eliminate curb cuts and driveways along Raritan Avenue, and enable a more productive and comprehensive redevelopment strategy for the Project Area in the future.

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 the Project Area 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."

B. The making available of the full range of benefits and inducements for the Project Area, including: federal, state, county and local government funding.

C. 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.

6 PROPOSED ZONING REQUIREMENTS

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 LRHL. 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-7c.

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.

6.2 LAND USE REGULATIONS

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

6.2.1. PERMITTED PRINCIPAL USES.

A. The following principal uses and structures shall be permitted within the Project Area.

1. Retail businesses, including, but not limited to, boutiques, gift shops, specialty stores, and other similar shops and stores.
2. Personal service establishments.
3. Spas, massage, bodywork, and somatic therapy establishments.
4. Banks and fiduciary institutions, including walk-up automated teller machines (ATM), except drive-through banks.
5. Food and beverage consumption establishments, carry-out restaurants, luncheonettes, and delicatessens, including outdoor dining and walk-up services, except drive-through and/or fast-food restaurants.
6. Package stores, taverns, breweries, and brew pubs, including outdoor dining.
7. Artist, artisan, and crafts-person studios and workshops, and other similar

creative workspaces and maker spaces.

8. Studios for the visual and performing arts, performance space, gallery space, artistic instruction space, and other similar spaces.
9. Museums and other cultural and civic facilities.
10. Public assembly facilities and spaces, including, but not limited to, theaters, cinemas, meeting halls, and other similar spaces.
11. Residential uses, including common spaces for residents such as lobbies, fitness and passive recreation facilities, business center and other similar amenities and services, except dwelling units located on the ground floor directly fronting on Raritan Avenue.
12. Live/work units, except the "Live" portion of the units located on the ground floor directly fronting on Raritan Avenue.
13. Pocket parks, plazas, and courtyards.
14. Public facilities.

6.2.2. PERMITTED ACCESSORY USES

A. The following accessory uses and structures shall be permitted in the Project Area:

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. Community signage, kiosks, digital display screens, murals, and public art.
12. Property management and leasing offices serving the uses in the Project Area.
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.

6.2.3. PERMITTED CONDITIONAL USES

A. The following conditional uses and structures shall be permitted in the Project Area:

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.

6.2.4. PERMITTED PRINCIPAL USES REQUIRING A REDEVELOPMENT AGREEMENT

A. The following principal uses and structures shall be permitted provided that a Redevelopment Agreement is entered into between the Redevelopment Entity and the Redeveloper, prior to the commencement of such use or, if applicable, submission of a subdivision and/or site plan application:

1. Medical facilities, including, but not limited to, urgent care facilities, outpatient surgical centers, and other similar facilities.
2. Nursery schools and child day-care centers.
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, fitness centers, gyms, health clubs, and other similar facilities.
5. 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 located on the ground floor directly fronting on Raritan Avenue.

6.3 AREA & BULK REGULATIONS

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

6.3.1. AREA & BULK REGULATIONS

A. The following area and bulk regulations shall apply to the Project Area:

Area Requirements

1. Minimum Lot Area: N/A
2. Minimum Lot Width: N/A

3. Minimum Lot Depth: N/A

Setback Requirements

4. Front Yard Setback from Raritan Avenue: Average prevailing front yard setback of adjacent buildings located between South 3rd Avenue and South 4th Avenue along the south side of Raritan Avenue.
5. Minimum Yard Setback from South 4th Avenue: 0 feet.
6. Maximum Yard Setback from South 4th Avenue: 10 feet.
7. Minimum Yard Setback from adjacent properties fronting South 4th Avenue & Magnolia Street: 20 feet.
8. Minimum Yard Setback from all other property lines: 0 feet.

Coverage Requirements

9. Maximum Building Coverage: 70%
10. Maximum Impervious Coverage: 90%

Height* Requirements

11. Maximum Building Height in stories: 4 stories.
12. Maximum Building Height in feet: 50 feet.

*Height is defined in Section 6.4.2. below.

B. The following bulk regulations shall apply to all accessory structures, inclusive of A/C condenser units, generators, above-ground oil tanks, and other mechanical equipment:

Location Requirements

1. No accessory structure shall be located in a front yard area, unless otherwise specified herein.

Setback Requirements

2. Minimum Side and Rear Yard Setbacks for accessory structures not exceeding 100 square feet in area: 3 feet.
3. Minimum Side and Rear Yard Setbacks for accessory structures greater than 100 square feet in area: 5 feet.

Height* Requirements

4. Maximum Building Height in stories: 1 1/2 stories.
5. Maximum Building Height in feet: 20 feet.

*Height is defined in Section 6.4.2. below.

6.4 SUPPLEMENTARY REGULATIONS

The regulations 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.

6.4.1. PERMITTED PROJECTIONS

A. 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 and, where applicable, into any public right-of-way.

B. Water tables, belt courses, windowsills, lintels, pilasters, and other similar ornamental features shall be permitted to project not more than one (1) foot into any yard setback and, where applicable, into any public right-of-way.

C. 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 any public right-of-way.

D Awnings and structural canopies shall be permitted to project not more than eight (8) feet into any yard setback and, where applicable, into any 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 curbline along a parking area, driveway, or street.

6.4.2. DEFINITION OF HEIGHT

A. Building height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls, exclusive of grade separation requirements and grading necessary to direct stormwater runoff away from the building.

B. 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.

C. 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.

D. 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.

6.5 DEVELOPMENT & DESIGN STANDARDS

The standards pertaining to development and design standards contained herein shall apply to all development in Project Area. Unless specifically superseded below, all other standards 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.

6.5.1. 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.

B. Where a Redevelopment Agreement is required as provided herein, a cross-access and parking easement between the Project Area and the Borough-owned properties fronting South 3rd Avenue shall be provided to improve pedestrian and vehicular circulation between South 3rd Avenue and South 4th Avenue.

C. For purposes of this Redevelopment Plan, any improvements associated with providing pedestrian and vehicular connections between the Project Area and the Borough-owned properties, and/or between the Project Area and other properties fronting Raritan Avenue, shall not require site plan approval.

6.5.2. PARKING REQUIREMENTS

A. Parking requirements for non-residential uses shall be regulated as follows:

1. The minimum parking requirement for medical facilities and offices shall be one (1) parking space for each 500 square feet of gross floor area.

2. The minimum parking requirement for nursery schools and child day-care centers shall be one (1) parking space for each teacher plus one (1) parking space for each four (4) children.

3. The minimum parking requirement for all other non-residential uses shall be one (1) parking space for each 1,000 square feet of gross floor area.

B. Parking requirements for residential uses shall be regulated as follows:

1. The minimum parking requirement for residential uses shall be 1.33 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.

C. Provisions for electric vehicle ("EV") charging infrastructure and/or stations shall be provided in the Project Area 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 bicycle parking required 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.

6.5.3. 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 Project Area.

B. All street-facing facades of parking structures shall provide visual interest by utilizing one or more of the following treatments: i. compatible and/or complementary materials, colors, finishes, and details as found on a primary façade of surrounding buildings; ii. a regular rhythm of individual openings having the appearance of storefront bays and/or window treatments, such that the facade along the street has the appearance of being predominately glazed; iii. exterior cladding in a vine-covered trellis; and/or iv.

landscape screening.

C. A combination of flowering and evergreen trees shall be provided at intervals of approximately 10 to 20 feet, together with foundation landscaping consisting of shrub plantings, lawn, and other vegetative ground cover, along all exposed facades of parking structures.

6.5.4. 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. Such screening shall consist of either a combination of landscaping and a low masonry wall, or an enhanced landscape buffer. Where a low masonry wall is utilized, such wall 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 within the Project Area, 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 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 the Project Area.

G. The minimum parking stall size for compact parking spaces shall be eight (8) feet wide by 16 feet long.

6.5.5. 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 and/or other treatments designed in collaboration with the Borough. The sidewalk shall extend from the curbline to the building façade, with an area to accommodate a regular rhythm of street furniture including benches, bicycle racks, and planters, lamp posts, and street trees located within the furnishing zone along the curbline and/or within landscape 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 Project Area, 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. Asphalt, other paving, or loose stones of any variety shall be prohibited in any planting strip between the curbline and the sidewalk.

F. Where sidewalks intersect driveways within any public right-of-way, such sidewalks shall continue uninterrupted across driveways, and the associated driveway aprons shall be designed to accommodate a continuous sidewalk.

6.5.6. PEDESTRIAN WALKWAYS

A. Walkways shall be provided in order to provide a pedestrian connection between sidewalks and building entrances.

B. Walkways shall be provided in order to provide a pedestrian connection between building entrances and parking areas, outdoor amenity spaces, and other pedestrian accessible locations.

6.5.7. 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 enclosure 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 the Project Area boundary 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.

6.5.8. 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.

6.5.9. 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 downtown.

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: i. ground recessed lighting; ii. bollard lighting; iii. wall-mounted sconces; and/or iv. 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, and full cut-off, and shall not exceed a color temperature of 3,300K.

6.5.10. 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, as follows:

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.

6.5.11. BUILDING DESIGN

A. The following standards shall apply where the adaptive reuse of the existing building is proposed to be utilized:

1. The existing entrance to the building along Raritan Avenue shall be maintained, both functionally and visually, as the primary entrance to the building. The existing entrance to the building from the rear parking area may be maintained only as a secondary entrance to the building.

2. The existing art display cases along the exterior of the building shall be maintained for use by the Borough. Such art display cases may be replaced in-kind, relocated, and/or enlarged, and additional art display cases may be allowed, subject to the review and approval of the Borough Administrator / Economic Development Director.

3. It is encouraged, but not required, for traditional storefronts to be constructed on both sides of the entrance of the building along Raritan Avenue. Such storefronts shall be designed to be compatible with the overall character of the facade, to maximize pedestrian interest, and to maintained a pedestrian scale, subject to the review and approval of the Borough Administrator / Economic Development Director.

B. The following standards shall apply in the event that an addition is proposed to the existing building, or the existing building is demolished and is proposed to be replaced with a new building:

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 a cornice, lintel, and/or sign band 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 panels, and may include smooth finished stucco and metal panels. Decorative features may consist of precast stone, wood, fiber cement, and PVC. Cultured stone, EIFS, and vinyl shall be prohibited.

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 and/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.

6.5.12. SUSTAINABLE DESIGN

A. All development shall incorporate multiple elements from the following Sustainable Design strategies or features, as follows:

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

6.5.13. 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, as follows:

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 (¼ to ½ 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.

6.6 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 6.5.2. 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.

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.

6.7 AFFORDABLE HOUSING

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units within the Project Area. Because it is anticipated that no affordable housing units are to be removed, no affordable housing units are anticipated to be replaced.

Provisions for 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.

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7 GENERAL PROVISIONS

7.1 APPLICABILITY

The provisions and development procedures contained herein 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 DEVELOPMENT PROCEDURE

7.4.1. CONDITIONAL REDEVELOPER DESIGNATION

Any property owner or applicant with the property owner's consent seeking to utilize the overlay zoning as provided at Section 6.2.4. or seeking approval that requires subdivision and/or site plan review shall contact the Borough Administrator / Economic Development Director, who may defer to the Redevelopment Entity, to be designated a Conditional Redeveloper.

The designation shall be contingent upon the Conditional Redeveloper agreeing to reimburse the Borough for any and all costs associated with the Borough's review of any materials and efforts involved in designating the property owner or applicant with the property owner's consent as the Conditional Redeveloper, authorizing an Interim Cost and Conditional Designation Agreement, and negotiating a formal Redevelopment Agreement.

For purposes of this Redevelopment Plan, this requirement may be waived at the sole discretion of the Borough Administrator / Economic Development Director.

7.4.2. CONCEPT PLAN REVIEW

Any property owner or applicant with the property owner's consent, or the Conditional Redeveloper, as the case may be, shall submit a formal proposal for concept plan review to the Borough Administrator / Economic Development Director, who may defer to the Redevelopment Entity, and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan.

7.4.3. REDEVELOPMENT AGREEMENT

Upon the approval of the concept plan by the Borough Administrator / Economic Development Director and/or Redevelopment Entity, the property owner or applicant with the property owner's consent, or the Conditional Redeveloper, as the case may be, shall enter into a Redevelopment Agreement with the Redevelopment Entity, thereby officially being designated the Redeveloper.

The Redevelopment Agreement shall comport with the requirements of N.J.S.A. 40A:12A-9, and may incorporate any other covenants, provisions, and continuing controls as may be deemed necessary to effectuate the purposes of this Redevelopment Plan and the LRHL.

7.4.4. ZONING PERMIT APPLICATION OR APPLICATION FOR DEVELOPMENT

Upon the execution of the Redevelopment Agreement, the Redeveloper shall submit a zoning permit application seeking approval for a change of occupancy or change use.

In the case where the Redeveloper also seeks approval that requires subdivision and/or site plan review, the Redeveloper shall submit an Application for Development in accordance with the requirements as set forth in this Redevelopment Plan, and all applicable provisions of the Ordinance and the MLUL.

Applications for Development shall be accompanied by such maps, documents, and materials in accordance with all relevant checklists. Additionally, the execution of a Redevelopment Agreement shall be a mandatory checklist item for any Application for Development and any such Application for Development 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 for Development.

Applications for Development may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Borough Administrator / Economic Development Director and/or Redevelopment Entity.

7.4.5. PLANNING BOARD REVIEW

Applications for Development shall be reviewed by the Planning Board pursuant to the MLUL. Applicants before the Planning Board shall provide public notice of such Application for Development in accordance with the public notice requirements as set forth in N.J.S.A. 40:55D-12(a) and (b).

7.4.6. DEVIATIONS FROM PROVISIONS OF APPROVED REDEVELOPMENT PLAN

Applications for Development seeking relief for deviations from this Redevelopment Plan and/or the Ordinance shall be reviewed by the Planning Board pursuant to the MLUL, 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.

7.5 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.

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

The Project Area has been designated as an "area in need of rehabilitation." As a result, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan under the LRHL. To the extent property will be acquired, all such property must be acquired by the 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, the existing building is vacant. 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.

NO LEFT TURN
N. Fourth Ave
RITE AID