



## **AMENDMENT #1 to REDEVELOPMENT PLAN for REHABILITATION in the BOROUGH of METUCHEN**

Various Project Areas

Borough of Metuchen, Middlesex County, State of New Jersey

Endorsed by the Planning Board on December 3, 2020

Adopted by the Borough Council by Ordinance 2020-20 on December 14, 2020

Prepared by LRK, Inc.

November 17, 2020



# Amendment #1 to Redevelopment Plan for Rehabilitation in the Borough of Metuchen

Block 121, Lot 9 | 410 Main Street

Block 114, Lots 24, 25, 26 & 66 | 429 Main Street

Block 113, Lots 4 & 6 | 67 Pearl Street

Block 113, Lots 39, 41 & 43 | 581-587 Middlesex Avenue

Borough of Metuchen, Middlesex County, State of New Jersey



Prepared on behalf of:


Metuchen Borough Council  
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Metuchen, NJ 08840



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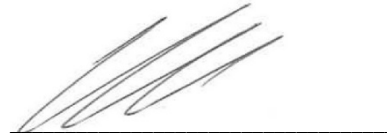
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The original copy of this document was appropriately signed and sealed in accordance with N.J.S.A. 45:14A-1 et seq.



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## 1.0 Introduction

### 1.1 Overview

The Borough of Metuchen (the “Borough” or “Metuchen”) is 2.8 square miles (1,836 acres) in area, surrounded entirely by the Township of Edison, and is situated in Middlesex County in the eastern-central portion of the State of New Jersey. Metuchen is within 30 miles of New York City, has a passenger/commuter rail line station in the downtown area and is surrounded by established residential neighborhoods. As a built-up community, there is limited vacant land for development. Therefore, redevelopment opportunities play an important role in the Borough’s limited growth.

As noted in Metuchen’s 2016 Master Plan Reexamination Report, “Metuchen has always been a community concerned with preserving its unique character” and recommends that the Borough prepare a Vision Plan to address the downtown area, areas in need of redevelopment, and parks and open space, among other key topics.

Beginning in late 2019, the Mayor and Council of the Borough of Metuchen (the “Borough Council”) began a process regarding the designation of the entire area within the Borough as an “Area in Need of Rehabilitation” pursuant to the New Jersey Local Redevelopment and Housing Law (the “LRHL”), N.J.S.A. 40A:12A-1 et seq.

On February 3, 2020, the Borough Council adopted Resolution 2020-50, declaring the entire Borough as “Area in Need of Rehabilitation”. The original “Redevelopment Plan for Rehabilitation in the Borough of Metuchen” was subsequently adopted by the Borough Council by Ordinance 2020-10 on May 26, 2020. These redevelopment planning activities will help prevent further deterioration and promote desirable rehabilitation and redevelopment within the Borough, consistent with the goals and objectives of the Master Plan.

Recently, interest was expressed by multiple parties to develop certain properties throughout the downtown area. The Borough seeks to utilize the rehabilitation designation in order to be proactive in developing a guide to plan redevelopment activities within the downtown area.

By statutory authorization, this Redevelopment Plan, consistent with the LRHL, is being implemented to enable a more focused approach for the rehabilitation and redevelopment of certain portions of the Rehabilitation Area within the Borough (the “Project Areas”). In order to address conditions within the Borough and stimulate private investment, the Borough Council has determined that the appropriate course of action to prevent further deterioration of the Rehabilitation Area is to rehabilitate and redevelop the Rehabilitation Area in accordance with the LRHL.

### 1.2 Designation of the Rehabilitation Area

The process, consistent with applicable state statutes, followed by the Borough Council in the determination as to the Borough’s qualification and designation as an “Area in Need of

Rehabilitation” was that the Borough Council, upon favorable recommendation from the Borough’s Planning Board, adopted Resolution 2020-50 declaring the entire Borough an “Area in Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14.

More specifically, the Borough took the following actions:

- On November 12, 2019, the Borough Council adopted Resolution 2019-287, referring a proposed “Rehabilitation Area Designation” for the entire Borough to the Planning Board for its statutory review pursuant to N.J.S.A. 40A:12A-14(a) within 45 days.
- The Planning Board, at its meeting on December 5, 2019, reviewed and considered the proposed designation and, through its adopted resolution, determined that the entire area of the municipality satisfies one of the criteria set forth in N.J.S.A. 40A:12A-14(a), specifically that a majority of the water and sewer infrastructure in the entire area of the municipality is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote the overall development of the community. As such, the Planning Board recommended that the Borough Council adopt the resolution designating the entire area of the municipality as an “Area in Need of Rehabilitation”.
- On February 3, 2020, the Borough Council adopted Resolution 2020-50, formally designating the entirety of the Borough an “Area in Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14.

### 1.3 Original Redevelopment Plan Preparation Process

A redevelopment plan must be prepared and adopted by ordinance prior to undertaking any rehabilitation or redevelopment project in all or a portion of the rehabilitation area. The process, which is consistent with applicable state statutes, was followed by the Borough in the preparation of the original Borough-wide Redevelopment Plan.

More specifically, the Borough took the following actions:

- On April 27, 2020, the Borough Council introduced Ordinance 2020-10 entitled “An Ordinance Adopting a Redevelopment Plan for the Entirety of the Borough of Metuchen, a Designated Rehabilitation Area”. The Borough Council also adopted Resolution 2020-111, authorizing the Planning Board to review the redevelopment plan entitled “Redevelopment Plan for Rehabilitation in the Borough of Metuchen” dated March 2020, and to report its findings to the Borough Council within 45 days.
- The Planning Board, at its public meeting on May 7, 2020, considered the redevelopment plan and, through Resolution 05-2020, determined that the redevelopment plan is consistent with the Metuchen Master Plan and that it is in the best interest of the Borough to adopt the resolution as its official report to the Borough

Council as required by N.J.S.A. 40A:12A-7(e).

- On May 26, 2020, the Borough Council adopted Ordinance 2020-10, formally adopting the redevelopment plan for entire municipality, providing a realistic opportunity for the development and rehabilitation of the Borough and incorporating the underlying zoning currently in effect throughout the Borough.

#### 1.4 Amendment to the Redevelopment Plan for Specific Projects

The Borough has been in discussions with multiple Conditional Redevelopers regarding the rehabilitation and redevelopment of the Project Areas. The Conditional Redevelopers have presented redevelopment concepts to the Borough, and all parties seek to rehabilitate and redevelop the Rehabilitation Area in accordance with the Redevelopment Plan.

The LRHL, at N.J.S.A. 40A:12A-8(f) authorizes the Borough to arrange or contract with a redeveloper for the undertaking of any project or redevelopment work in an area designated as in need of rehabilitation or redevelopment. The Conditional Redevelopers each executed a Memorandum of Understanding (“MOU”) with the Borough, evidencing the parties’ agreement to conduct negotiations toward the formulation of a Redevelopment Agreement for the respective Projects.

As such, in order to facilitate the development of the Project Areas, the original Borough-wide Redevelopment Plan is hereby amended with this redevelopment plan entitled “Amendment #1 to Redevelopment Plan for Rehabilitation in the Borough of Metuchen” (the “Redevelopment Plan” or “Plan”) and specifically pertains to the following specific Project Areas:

- Project Area #1: Block 121, Lot 9, which is commonly known as 410 Main Street;
- Project Area #2: Block 114, Lots 24, 25, 26 & 66, which is commonly known as 429 Main Street;
- Project Area #3: Block 113, Lots 4 & 6, which is commonly known as 67 Pearl Street; and,
- Project Area #4: Block 113, Lots 39, 41 & 43, which is commonly known as 581-587 Middlesex Avenue.

## 2.0 Redevelopment Statute

### 2.1 Purpose of the Redevelopment Statute

New Jersey's Local Redevelopment and Housing Law (the "LRHL") was designed by the Legislature to guide municipalities and local governments through the process of redevelopment and rehabilitation, finding at N.J.S.A. 40A:12A-2.a. that:

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

Generally speaking, the LRHL is a planning and financial tool that empowers municipalities and local governments with a number of redevelopment activities, including the ability to initiate a process that can transform underutilized or poorly designed properties with the principal goal of promoting the physical development that will be most conducive to the social and economic improvement of the State and its municipalities.

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

A redevelopment plan must indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and indicate proposed land uses and building requirements in the rehabilitation area. The process has been used successfully throughout New Jersey to creatively improve properties meeting statutory criteria.

### 2.2 Statutory Requirements of a Redevelopment Plan

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

- A. 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.
- B. Proposed land uses and building requirements in the project area.
- C. 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.

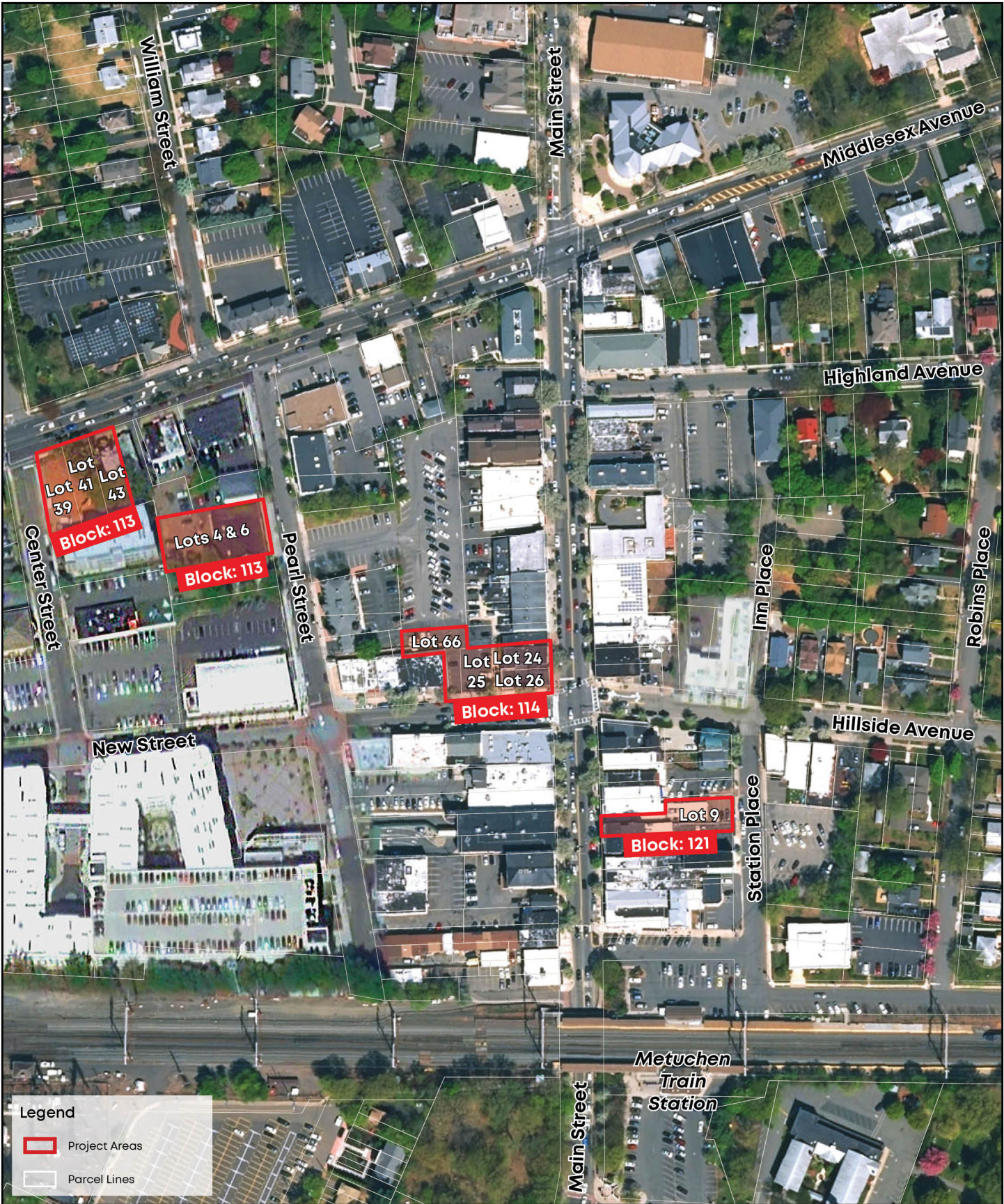
- D. An identification of any property within the rehabilitation area which is proposed to be acquired in accordance with the redevelopment plan.
- E. Any significant relationship of the redevelopment plan to:
  - 1. the master plans of contiguous municipalities;
  - 2. the master plan of the county in which the municipality is located;
  - 3. the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.); and,
  - 4. The local ordinances and master plan.
- F. 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.
- G. 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 rehabilitation 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.
- H. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

### 3.0 Description of Project Area

As was stated above, the entirety of the Borough has been determined to be an “Area in Need of Rehabilitation” by the Borough Council. The original Borough-wide Redevelopment Plan is applicable to all areas within the Borough of Metuchen that are not currently the subject of existing specific redevelopment plans.

This Redevelopment Plan amends the original Borough-wide Redevelopment Plan and specifically pertains to the following Project Areas, as identified in exhibits and described on the following pages:

- Project Area #1: Block 121, Lot 9, which is commonly known as 410 Main Street;
- Project Area #2: Block 114, Lots 24, 25, 26 & 66, which is commonly known as 429 Main Street;
- Project Area #3: Block 113, Lots 4 & 6, which is commonly known as 67 Pearl Street; and,
- Project Area #4: Block 113, Lots 39, 41 & 43, which is commonly known as 581-587 Middlesex Avenue.



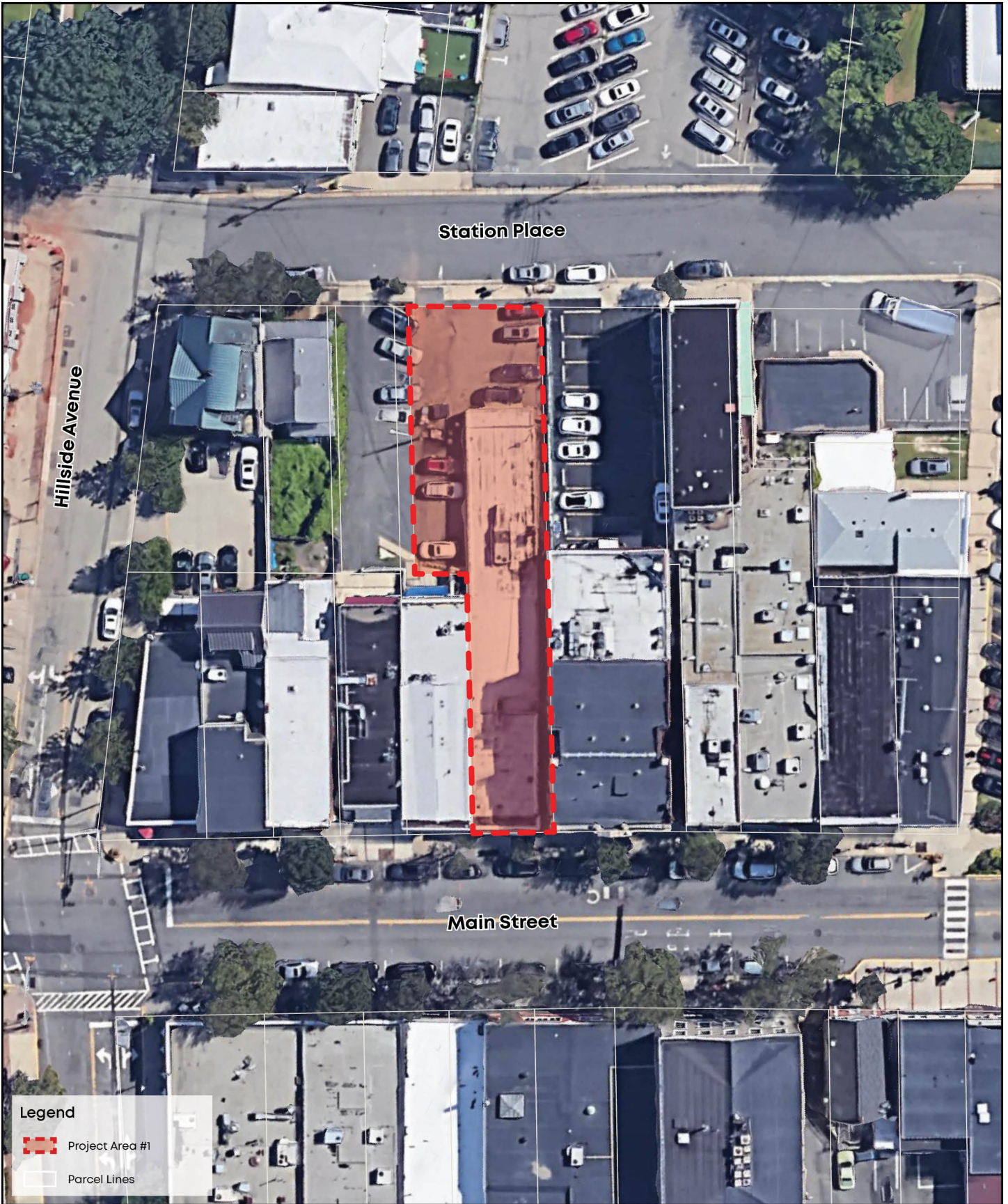
**Amendment #1 to Redevelopment Plan for Rehabilitation in the Borough of Metuchen**

Block 121, Lot 9; Block 114, Lots 24, 25, 26 & 66; Block 113, Lots 4 & 6; Block 113, Lots 39, 41 & 43

Borough of Metuchen, Middlesex County, NJ

**Exhibit A  
Aerial Map**





**Amendment #1 to Redevelopment Plan for Rehabilitation in the Borough of Metuchen**

Project Area #1: Block 121, Lot 9 | 410 Main Street

Borough of Metuchen, Middlesex County, NJ

**Exhibit B  
Aerial Map**





### **Project Area #1: Block 121, Lot 9; 410 Main Street**

Project Area #1 is a mid-block through-lot in the downtown area, located less than 300 feet from the Metuchen train station. The property is located on the east side of Main Street (Middlesex County Road 531) and west side of Station Place. The property is irregular in shape, with approximately 30 feet of frontage along Main Street and approximately 49 feet of frontage along Station Place, and comprises of approximately 7,931 square feet (0.182 acres) in area. The existing grade is such that the portion of the property along Station Place is several feet above the portion of the property along Main Street.

The property presently contains a one-story commercial building with an articulated front façade that primarily faces and relates to Main Street. At the rear of the building is a non-descript parking area that encroaches on the Station Place public right-of-way, and is missing multiple sidewalk slabs, street trees, and street furniture.



Figure 1. Google Street View along Main Street.



Figure 2. Google Street View along Station Place.

The property is located in the B-1 Central Business District which generally permits uses typically found in a traditional downtown, including retail shops and stores, personal service businesses, restaurants as well as upper floor offices and apartments. The B-1 District extends to the entirety of the block and adjacent blocks that have frontage on Main Street in between Middlesex Avenue (New Jersey State Route 27) and the Northeast Corridor rail line. Surrounding the B-1 District to the east is the R-2 Residential District and to the west is the D-1 Downtown Development District.

There is no vacant land for development in the B-1 District. As such, future growth will continue to occur primarily through adaptive reuse, occasional infill, and redevelopment of previously developed properties. Recognizing the need to maintain its compact town center, the Borough has adopted policies and ordinances to address changing circumstances in the downtown area, including several new policies to promote downtown reinvestment.

The 2016 Master Plan Reexamination Report succinctly states: “these ... policies were targeted to help stimulate interest and ‘unlock’ the latent value of properties that are too small or otherwise constrained to make it unfeasible to construct both a building and the required

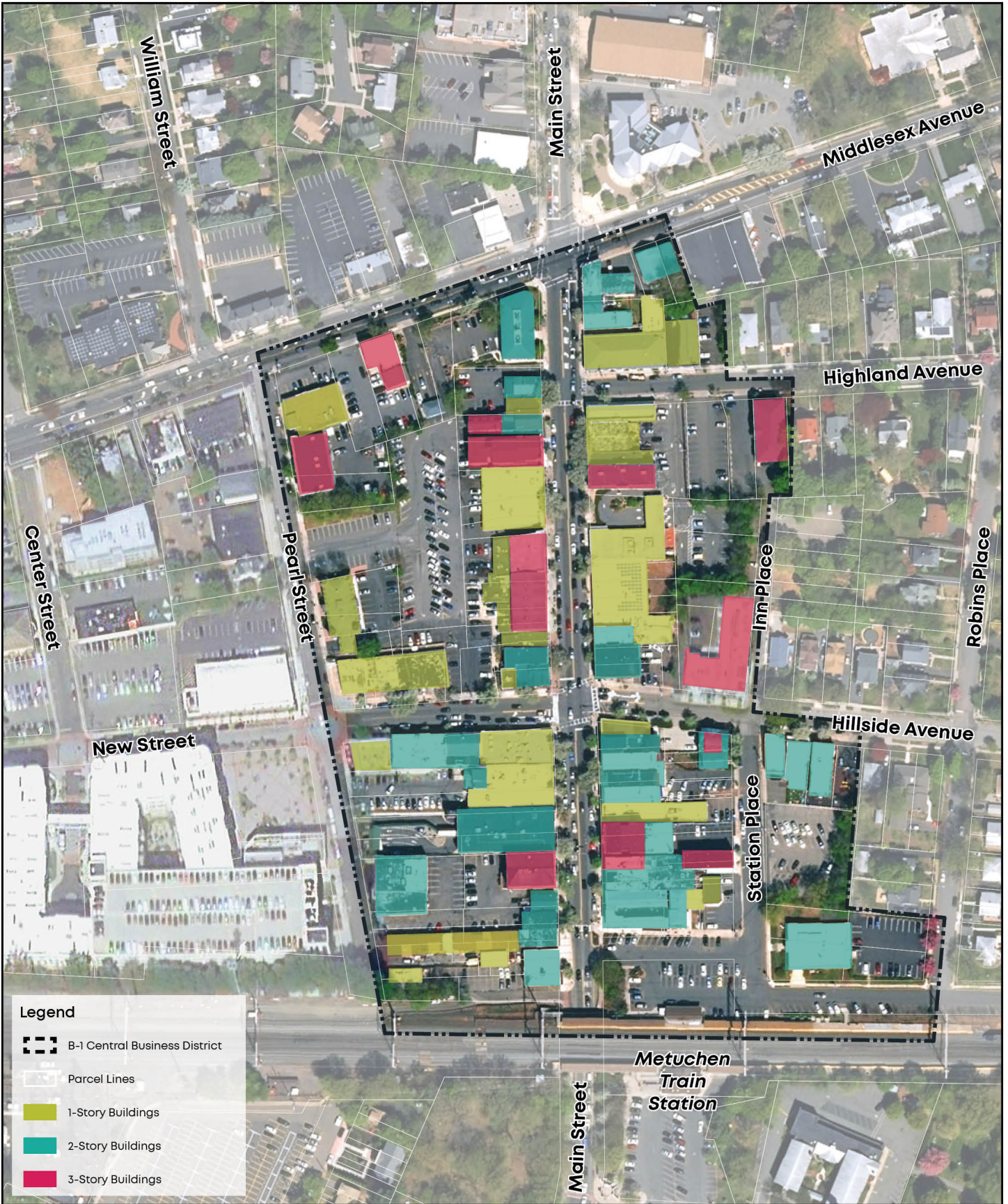
on-site parking. In such situations, the required on-site parking on the property itself acts as an effective constraint to redevelopment.” These policies were implemented by enacting ordinances to reduce parking requirements and institute a payment in lieu of parking (“PILOP”) provision, among others.

Additionally, the Borough has a long-standing policy of promoting downtown housing, which has occurred mainly through upper-story conversions and additions along Main Street and redevelopment of larger-scale mixed-use commercial and residential infill and redevelopment projects throughout the downtown area.

Given the size and shape of the property, its location in proximity to bus service, mass transit and the Metuchen train station, greater construction costs, and to take advantage of the Borough’s location-efficient parking policies, it is appropriate to consider development of a multi-story mixed-use building with “right-sized” parking requirements located off-site. The development also has an opportunity to fill in a large gap and address long-standing pedestrian connectivity issues within the Station Place streetscape.

With respect to overall massing and height, the Main Street core has historically had a range of one-, two-, and three-story buildings, as evidenced in the exhibit on the following page. One of the defining built form characteristics of Main Street is the presence of the two tallest three-story buildings which sit opposite one another at the middle of their respective blocks. The Metuchen National Bank building at 406 Main Street and Robins Hall at 401 Main Street are 48 feet and 54 feet in height, respectively, as measured along Main Street.

In order to promote a desirable development pattern with a special focus on higher-quality design and to preserve the unique character of the downtown area, it is appropriate that development does not exceed the prevailing height that is defined by these historic buildings, but may have a fourth floor provided sufficient building step-backs are provided to minimize its visual impact on these two established tall buildings or the overall streetscape.



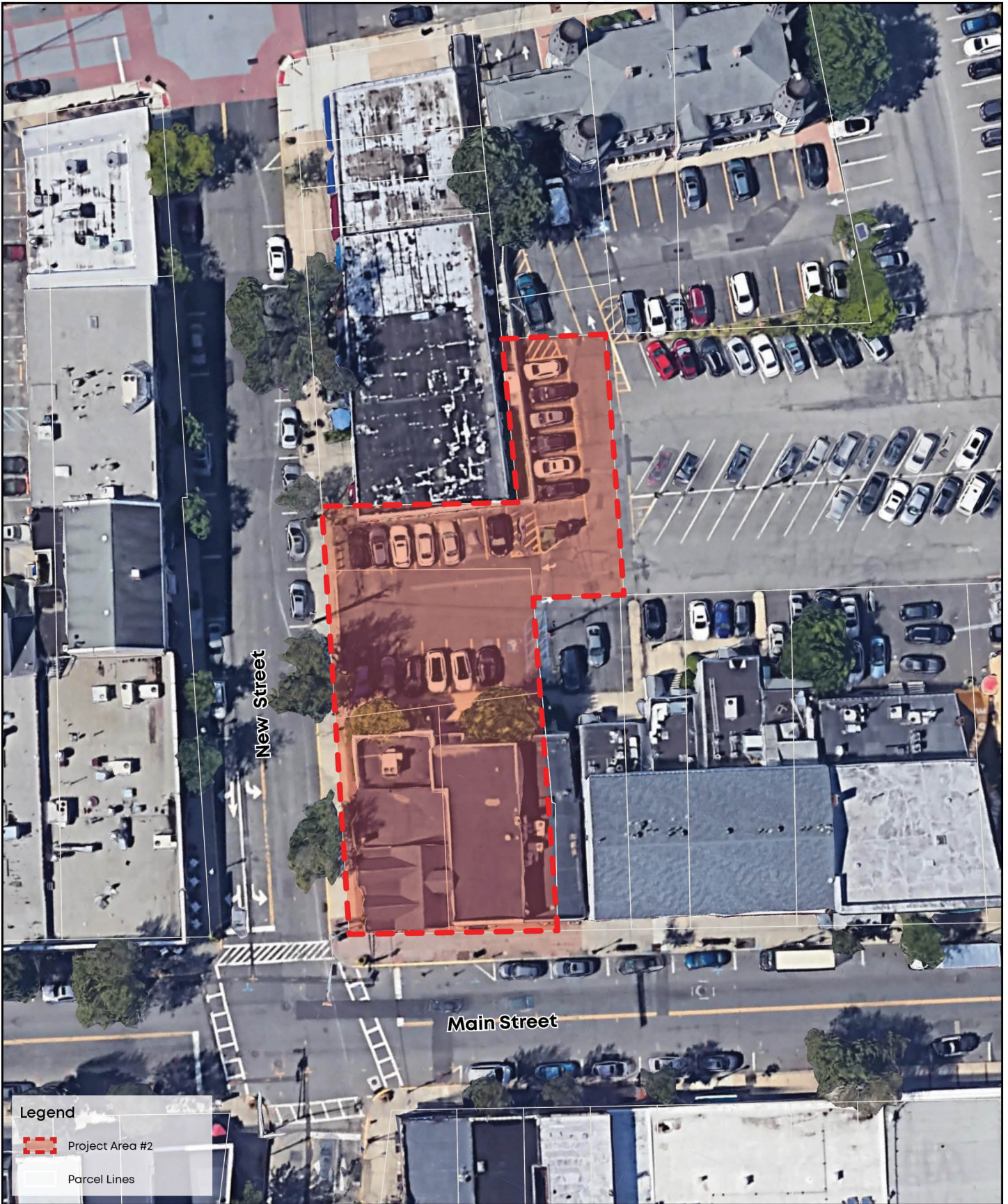
**Amendment #1 to Redevelopment Plan for Rehabilitation in the Borough of Metuchen**

Block 121, Lot 9; Block 114, Lots 24, 25, 26 & 66; Block 113, Lots 4 & 6; Block 113, Lots 39, 41 & 43

Borough of Metuchen, Middlesex County, NJ

**Exhibit C  
Height Analysis Map**





**Amendment #1 to Redevelopment Plan for  
Rehabilitation in the Borough of Metuchen**  
Project Area #2: Block 114, Lots 24, 25, 26 & 66 | 429 Main Street  
Borough of Metuchen, Middlesex County, NJ

**Exhibit D  
Aerial Map**



## Project Area #2: Block 114, Lots 24, 25, 26 & 66; 429 Main Street

Project Area #2 is a corner lot located at the central intersection of the Main Street core. The property is located on the west side of Main Street (Middlesex County Road 531) and north side of New Street. The property is irregular in shape, with approximately 83 feet of frontage along Main Street and approximately 154 feet of frontage along New Street, and comprises of approximately 15,889 square feet (0.365 acres) in area. The existing grade gradually slopes down from Main Street toward Pearl Street, with a grade change of approximately four (4) feet.



Figure 3. Google Street View along Main Street.

The property presently contains multiple one- and two-story interconnected commercial buildings serving various functions for Metuchen Savings Bank for many years. The group of buildings primarily faces and relates to Main Street, with secondary frontage and community signage along New Street. At the rear of the buildings is a well-maintained parking area; however, with almost no buffering and screening, this expanse of asphalt is highly visible to the New Street streetscape.



Figure 4. Google Street View along New Street.

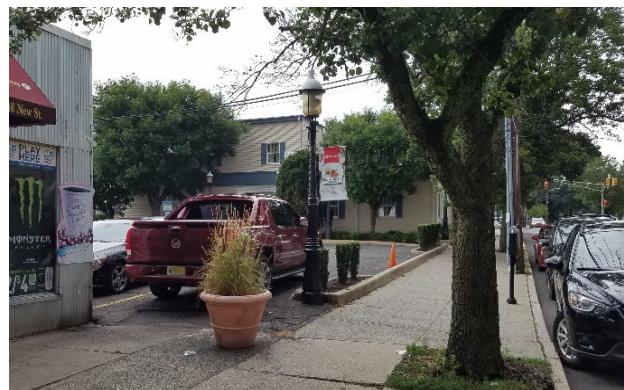


Figure 5. Photograph of rear parking area.

The property is located in the B-1 Central Business District which generally permits uses typically found in a traditional downtown, including banks and financial institutions. While drive-through banks are not a permitted use in the B-1 District, such uses have been accommodated in downtown Metuchen previously at three (3) locations: 442 Main Street, the corner of Middlesex Avenue and Main Street and at 54-56 Pearl Street. In all of these locations, internal circulation and drive-through lanes are contained and limited to the interior of these other properties with access from adjacent parking areas.

As previously mentioned, the B-1 District extends to the entirety of the block and for adjacent blocks that have frontage on Main Street in between Middlesex Avenue (New Jersey State Route 27) and the Northeast Corridor rail line. Surrounding the B-1 District to the east is the R-2 Residential District and to the west is the D-1 Downtown Development District.

Metuchen Savings Bank recently merged with Manasquan Bank, and the combined company seeks to remain in Metuchen by consolidating its various properties into a single new bank facility with a drive-through service located at the rear of the property, accessed from a public parking area and completely screened from view on the adjacent street.

The Borough has a long track record of focusing on improving its economic base by coordinating and facilitating revitalization efforts in and around the downtown area. As such, the Borough seeks to forge a public-private partnership through this redevelopment plan by retaining the bank use as a strong and reputable anchor at the central intersection of the Main Street core.

In order to promote a desirable development pattern with a special focus on higher-quality design and to preserve the unique character of the downtown area, it is appropriate that development accommodates a prominent building design that is reflective of historic corner buildings and that is compatible with the scale of adjacent buildings in the downtown area.

Additionally, given the nature of the drive-through use and the Borough's commitment to its Complete Streets Policy to encourage safe access and mobility for all users of all ages and abilities, it is appropriate to fill in the large "gap" in the New Street streetscape with a highly-detailed masonry wall which, with the agreement of the redeveloper, may accommodate murals, public art, and/or community signage, and enhance pedestrian connectivity along the New Street streetscape.



**Amendment #1 to Redevelopment Plan for  
Rehabilitation in the Borough of Metuchen**

Project Area #3: Block 113, Lots 4 & 6 | 67 Pearl Street

Borough of Metuchen, Middlesex County, NJ

**Exhibit E  
Aerial Map**



### Project Area #3: Block 113, Lots 4 & 6; 67 Pearl Street

Project Area #3 is a mid-block through-lot in the downtown area, located less than 300 feet from the Town Plaza, one block from Main Street and less than a five-minute walking distance from the Metuchen train station. The property is located on the west side of Pearl Street, 172 feet south of Middlesex Avenue (New Jersey State Route 27). The property is rectangular in shape, with 80 feet of frontage along Pearl Street and having an average depth of 160 feet, and comprises of 12,800 square feet (0.294 acres) in area. The existing grade gradually slopes down from Pearl Street toward the rear of the property, with a grade change of approximately two (2) feet.



Figure 6. Google Street View along Pearl Street

The property presently contains a one-story masonry commercial building with a brick façade that primarily faces and relates to Pearl Street. The building contains three (3) storefront leaseholds, of which two (2) are presently vacant. The building has a front yard setback varying between 9 and 10 feet from Pearl Street, which respects the prevailing pattern along this side of the street on this block. However, the front yard area features a large expanse of newly-constructed downtown sidewalk with no street trees and landscaping, which stands in direct contrast of neighboring yard treatments.

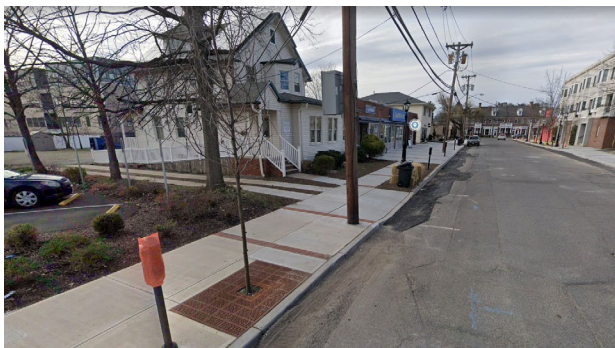


Figure 7. Google Street View of yard treatments of neighboring properties on Pearl Street.



Figure 8. Google Street View of yard treatments of neighboring properties on Pearl Street.



At the rear of the building is a parking area that occupies the entire rear yard area and contains approximately 16 parking spaces. The parking area is inefficient, such that it is oversized with excessive paving relative to the width of the drive aisle and the layout of parking spaces. Access to the parking area is gained through a 17-foot-wide access easement that runs to the northwest toward Middlesex Avenue over adjacent Lot 45. There is a narrow driveway immediately to the north of the property on adjacent Lot 2, which provides for a physical connection between Pearl Street and rear parking area; however, there is no known access easement.



Figure 9. Google Street View of rear parking area, which has since been repaved.

The property is located at the eastern edge of the D-1 Downtown Development District which generally permits uses traditionally found in downtown blocks that are not within the Main Street core. At this particular location, retail shops and stores are not permitted, while apartments and offices are permitted on the ground floor.

The D-1 District extends from the B-1 District to the east to Trailhead Park to the west, in between Middlesex Avenue and the Northeast Corridor rail line. Surrounding the D-1 District to the east is the B-1 District, to the north is the B-3 Office Business District and the F-1 Franklin Development District, and to the south and west is the B-3 District.

Like the B-1 District, future growth in the D-1 District will occur primarily through adaptive reuse, occasional infill, and redevelopment of previously developed properties.

While the Master Plan recognizes that “reinvestment is a sign of a robust downtown economy,” one regulatory constraint that deters such reinvestment is parking regulations, particularly for smaller infill lots in the core of the downtown area, like Project Area #3.

Recognizing the need to institute more progressive management strategies to “right size” parking requirements to function in a much more efficient and effective manner, the Borough has adopted policies and ordinances to reduce parking requirements, among others.

Using this property as a case study, the approximate 5,740-square-foot building would have previously required a range of 23 parking spaces (for office uses) to 32 parking spaces (for personal service businesses), under the long-standing parking regulations. Therefore, prior to the adoption of the revised location-efficient parking requirements, a conforming application would have resulted in the reduction of the existing building by more than half, and the introduction of another curb cut and driveway in the downtown area.

Additionally, the Borough has a long-standing policy of promoting downtown housing, including residential uses on the ground floor, where appropriate, as a means of expanding the local market for downtown businesses and to prevent oversaturating and cannibalizing the market with additional non-residential space, which is especially important given the current economic climate.

Given the size of the property, its location in the downtown area, its proximity to the Town Plaza and multi-modal transportation options, greater construction costs, and to take advantage of the Borough's location-efficient parking policies, it is appropriate to consider development of a multi-story mixed-use building with limited non-residential space and "right-sized" parking requirements. This development would be consistent with other downtown infill and redevelopment projects with ground-level residential units, such as the adjacent 22 Center Street property adjacent to the rear of the property, nearby Woodmont Metro, and the apartment building at 25 Hillside Avenue.

In order to promote a desirable development pattern with a special focus on higher-quality design and to preserve the unique character of the downtown area, it is appropriate that development provides a traditional building form that incorporates recognizable and compatible urban design elements that consider both the non-residential and residential uses on the ground floor.

Additionally, the Pearl Street streetscape between Middlesex Avenue and the Town Plaza is generally defined by modest setbacks and small landscaped areas. As such, it is appropriate that the development enhance the corridor with appropriate yard and streetscape treatments, tree plantings and landscaping design similar in nature of the above-mentioned projects and respond to the unique streetscape conditions along Pearl Street.



**Legend**

-  Project Area #4
-  Parcel Lines

LRK

**Amendment #1 to Redevelopment Plan for  
Rehabilitation in the Borough of Metuchen**

Project Area #4: Block 113, Lots 39, 41 & 43 | 581 Middlesex Avenue

Borough of Metuchen, Middlesex County, NJ

**Exhibit F  
Aerial Map**



#### **Project Area #4: Block 113, Lots 39, 41 & 43; 581-587 Middlesex Avenue**

Project Area #4 is a corner lot located approximately a five-minute walking distance from the Metuchen train station. The property is located on the south side of Middlesex Avenue (NJ State Route 27) and east side of Center Street. The property is nearly rectangular in shape, with approximately 120 feet of frontage along Middlesex Avenue and approximately 121 feet of frontage along Center Street, and comprises of approximately 15,475 square feet (0.355 acres) in area. The existing grade is essentially flat throughout the property.



Figure 10. Google Street View along Middlesex Avenue.

The property presently contains a vacant 2½-story frame dwelling with a driveway leading to a rear parking area on Lot 43, and vacant land on Lots 39 & 41. Taken together, the property represents a large vacant “gap” in the Middlesex Avenue streetscape.

The property is located in the D-1 Downtown Development District which generally permits uses traditionally found in downtown blocks that are not within the Main Street core, therefore, retail shops and stores are not permitted at this location. Apartments are also permitted, provided that substantial buffering is provided which represents an outdated zoning provision from a period decades ago when there was no market demand for urban living along heavily-travelled Route 27.

As previously mentioned, the D-1 District extends from the B-1 District to the east to Trailhead Park to the west, in between Middlesex Avenue and the Northeast Corridor rail line. Surrounding the D-1 District to the east is the B-1 District, to the north is the B-3 Office Business District and the F-1 Franklin Development District, and to the south and west is the B-3 District.

The Borough has long been proactive to changing circumstances of the retail marketplace. Thirty years ago, the Borough eliminated retail uses in numerous outlying zoning districts in an effort to protect and concentrate retail along Main Street, and to prevent the “strip

mallings” of the downtown area beyond the Main Street core.

Several years ago, the Borough established a Planned Commercial Unit Development and the Downtown Gateway Overlay Zone, which led to large-scale mixed-use redevelopment projects including Woodmont Metro in place of the Pearl Street parking facility as well as the Whole Foods Market to re-establish an in-town supermarket use as an anchor use for the downtown.

In promoting reinvestment of smaller infill sites in the core of the downtown area, like Project Area #4, the Borough adopted policies and ordinances to reduce parking requirements, institute a payment in lieu of parking (“PILOP”) provision, and continue to promote downtown housing as a means of expanding the local market for downtown businesses.

Given the location of the property along Middlesex Avenue, between the retail core of Main Street and the supermarket anchoring the Downtown Gateway west of Lake Avenue, it is appropriate to consider development of a multi-story residential building with “right-sized” parking requirements. This development would be consistent with other downtown residential infill and redevelopment projects located along the edge of the downtown area, such as the adjacent 22 Center Street property to the south and Franklin Square located directly across Middlesex Avenue.

The development has an opportunity to improve safety by removing an existing driveway along Middlesex Avenue and provide for a potential future connection to adjacent lots such that other driveways along Middlesex Avenue can be eliminated. The development also has an opportunity to fill in a large “gap” and address the lack of identity and improve pedestrian connectivity throughout the Middlesex Avenue and Center Street streetscapes.

Finally, the Middlesex Avenue streetscape between Main Street and the Downtown Gateway is generally defined by modest setbacks and well-landscaped yard areas. As such, it is appropriate that the development enhance the corridor with yard treatments, tree plantings and landscaping design compatible with the Costello Runyon Funeral Home and Franklin Square located directly across Middlesex Avenue.

## 4.0 Statement of Goals and Objectives

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

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

The Borough is also desirous of using this Redevelopment Plan to advance the goals, objectives and recommendations of the Master Plan related to the downtown area, which include:

- A. Leverage significant public and private investment in the Town Plaza, Pearl Street parking structure to act as a catalyst for reinvestment and improved connectivity along the New Street corridor between Main Street and Lake Avenue.
- B. Promote downtown reinvestment to properties located in within the B-1 Central Business District, B-3 Office Business District and D-1 Downtown Development District which form the core of the downtown business and mixed-use zones.
- C. Stimulate interest and “unlock” the latent value of properties that are too small or otherwise constrained to make it unfeasible to construct both a building and the required on-site parking by promoting incentives such as reduced parking requirements and Payments in Lieu of Parking (PILOP) on properties located within 1,250 feet of the Pearl Street parking structure.
- D. Improve the Borough's economic base by coordinating and facilitating revitalization and infill development in and around the downtown including harnessing the strong demand for downtown housing in order to strengthen the local base for downtown retail and increasing tax ratables.

## 5.0 Proposed Land Uses & Building Requirements

Any development that occurs within the Rehabilitation Area shall comply with all statutes of the State of New Jersey governing development and redevelopment, including but not limited to N.J.S.A. 40:55D-1 et seq. and 40A:12A-1 et seq. Additionally, it is necessary to establish the following:

- A. The development, rehabilitation, or redevelopment of the Project Areas shall effectuate the Goals and Objectives of the Redevelopment Plan.
- B. The zoning standards set forth in this Redevelopment Plan shall be an overlay to the underlying zoning within the Rehabilitation Area as provided for in the LRHL at N.J.S.A. 40A:12A-7c.
- C. Any developer who wishes to avail itself to the use, density, bulk, and coverage controls, and development and design standards for the Rehabilitation Area as set forth in this Redevelopment Plan, must first be named a redeveloper and entered into a Redevelopment Agreement with the Borough of Metuchen.
- D. It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those issues are subject to the Borough's Zoning and Land Development Ordinance (the "Ordinance") and all other codes and regulations of the Borough of Metuchen not contravened in this Redevelopment Plan as permitted by N.J.S.A. 40A:12A-7a(2).

This Redevelopment Plan comprises of four (4) separate Project Areas, each exhibiting differences in planned intensity and nature of development. As such, the following provisions are divided into subsections that pertain to each Project Area, followed by certain provisions that pertain to all Project Areas.

## 5.1 Project Area #1: Block 121, Lot 9; 410 Main Street



Figure 11. Bird's eye view of Project Area #1, looking southeast, outlined in red. Source: Google Maps; screen captured on July 27, 2020.



Figure 12. Bird's eye view of conceptual building massing within Project Area #1.

### Purpose

The intent for Project Area #1 is to retain the existing Main Street building facade while redeveloping the remaining land to accommodate a multi-story mixed-use building. Given the size and shape of the Project Area and its downtown location near multiple municipal or public parking facilities and the Metuchen train station, off-street parking areas are not permitted. Up to 15 dwelling units (apartments) may be proposed within this Project Area.



## Land Use Standards

The regulations pertaining to land use standards contained herein shall apply to all development in Project Area #1. The Planning Board shall not grant variances from these standards as they constitute mandatory components of the Redevelopment Plan.

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

- A. Retail shops and stores.
- B. Personal service businesses.
- C. Physical fitness studios.
- D. Indoor recreational businesses, including, but not limited to, arcades, axe-throwing, virtual reality, escape rooms and other amusement activities.
- E. Studios for the visual and performing arts, including, but not limited to, performance and gallery spaces.
- F. Massage and somatic therapy establishments.
- G. Eating and drinking establishments, except fast-food restaurants and drive-in restaurants.
- H. Banks and other financial institutions, except drive-in banks.
- I. Nursery schools and day-care centers.
- J. Offices and workspaces, including, but not limited to, shared and co-working spaces, except located on the ground floor fronting on Main Street.
- K. Apartments, except located on the ground floor fronting on Main Street.
- L. Any other principal use permitted in the B-1 District, as may be amended from time to time.

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

- A. Pedestrian walkways, ramps, alleys and other similar type of pedestrian service lanes.
- B. Signage for uses on the site.
- C. Fences, walls, retaining walls, hedges, and other landscape elements.
- D. Other uses and structures deemed to be permitted accessory uses and structures.

## Bulk Standards

The regulations pertaining to area, setback, coverage, and height standards contained herein shall apply to all development in Project Area #1. The Planning Board may grant

variances from these standards, pursuant to N.J.S.A. 40:55D-70.c.

5.1.3. Area and Bulk Standards.

- A. Lot Area: Entirety of Project Area #1.
- B. Minimum Front Yard Setback from Main Street: Maintain setback of existing building.
- C. Minimum Front Yard Setback from Station Place: 0 feet.
- D. Minimum Side Yard Setback from Lot 8: Maintain setback of existing building; four (4) feet to the building / rear addition fronting Station Place.
- E. Minimum Side Yard Setback from Block 121, Lot 10: 0 feet for the first 100 feet as measured from Main Street; six (6) feet for the balance of the site toward Station Place.
- F. Coverage Requirements.
  - 1. Maximum Building Coverage: 80%
  - 2. Maximum Impervious Coverage: 100%
- G. Height\* Requirements.
  - 1. Maximum Building Height in Stories: 3 stories, except as provided below.
  - 2. Maximum Building Height in Feet: 40 feet as measured along Main Street and 35 feet as measured along Station Place, except as provided below.
  - 3. A fourth story and 10 additional feet in height shall be permitted provided that the fourth-floor façade is set back a minimum of 25 feet from the third-floor façade below, as measured from both Main Street and Station Place.

\*Height is defined in Section 5.5.3. below.

**Development and Design Standards**

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area #1, which shall be an overlay to current applicable regulations contained in Part IV of the Ordinance. All other regulations contained in Part IV of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

5.1.4. Parking.

- A. The parking requirement for residential uses shall be a minimum of one (1) parking space for each residential unit.
- B. There shall be no parking requirement for non-residential uses.
- C. There shall be no driveway access from any street and there shall be no parking provided on-site.

- D. A payment in lieu of parking (PILOP) for residential uses shall be provided in accordance with §110-154.F of the Ordinance.
- E. Parking for residential uses shall be provided off-site in a municipal or public parking facility.
- F. Indoor bicycle storage rooms within the building, appropriately sized storage areas, on wall-mounted or ceiling hooks or closets within a residential unit, and/or exterior bicycle rack(s) shall be provided to accommodate a minimum of one (1) bicycle for each residential unit.

5.1.5. Sidewalks and pedestrian walkways.

- A. Public sidewalks constructed with decorative brick bands shall be provided in the public right-of-way along the Main Street and Station Place frontages adjacent to the Project Area, in accordance with §110-147.D of the Ordinance. Where such public sidewalks along the street extend beyond the public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the public sidewalk located on private property.
- B. Pedestrian walkways shall be provided on both sides of the building footprint of the rear addition fronting Station Place in order to provide pedestrian access from the public sidewalk within the Station Place public right-of-way to building entrance(s) and the refuse and recycling area(s). Such walkways shall not be required to connect to Main Street.

5.1.6. Refuse and Recycling.

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within each unit, the building and/or in an exterior alcove area within the building footprint. Refuse and recycling receptacles shall not be located within pedestrian walkways or alleys.
- B. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be screened from public view.
- C. Such screening 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 the adjacent buildings in the downtown area.
- 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 residents and recycling personnel.

5.1.7. Landscaping.

- A. Street trees shall be provided at intervals of approximately 30 to 35 feet along the

street, whether existing or proposed. Any new tree shall be a minimum size of three (3) inches in caliper at time of planting.

- B. Street furniture, benches, bicycle racks, planters and/or other landscape features shall be provided, where feasible, along public sidewalks.
- C. Bollards, planters and/or other landscape features may be provided, where feasible, along pedestrian walkways where adjacent to existing parking areas on adjacent lots.

5.1.8. Lighting.

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

5.1.9. Building Design.

- A. The architectural design shall retain the existing Main Street building façade. The Station Place façade 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.
- B. The ground floor shall be comprised of storefront bays such that the ground floor façade along each street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with a sign band area and/or lintel. Upper-floor windows shall be vertically proportioned and be vertically aligned with the location of windows and doors on the ground floor below.
- C. All sides of the building not along a street shall be architecturally compatible with the street-facing facades in regard to style, materials, colors and details. The non-street-facing facades and the fourth story may consist of simplified features so as to read as a less obvious feature and not compete with the adjacent historic building.
- D. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with adjacent buildings in the downtown area. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
- E. Permitted building materials for street-facing exterior wall surfaces shall primarily

consist of dimensional brick and may include fiber cement siding and/or smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone and EIFS are not permitted building materials.

- F. Any mechanical equipment and HVAC units shall be located on the roof and screened from public view. 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 shall be prohibited. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building.
- G. Residential units shall be at least 450 square feet in area for studios, 600 square feet in area for one-bedroom units, 700 square feet in area for two-bedroom units and 800 square feet in area for three-bedroom units. In addition, units with three bedrooms or more shall have at least 1 ½ bathrooms.
- H. Stormwater shall be managed and designed to afford protection of ground surfaces, including, but not limited to, to prevent ponding and icing on within the existing alley adjacent to the building.

## 5.2 Project Area #2: Block 114, Lots 24, 25, 26 & 66; 429 Main Street



Figure 13. Bird's eye view of Project Area #2, looking northwest, outlined in red. Source: Google Maps; screen captured on July 27, 2020.



Figure 14. Bird's eye view of conceptual building massing within Project Area #2.

### Purpose

The intent for Project Area #2 is to provide for a multi-story bank/office building that is oriented to front on both Main Street and New Street by wrapping and articulating the corner. The primary entrance is to be located at the corner and the site is to include a rear parking area with accessory drive-through service. However, internal vehicular circulation is to be contained and screened from Main Street and New Street through a combination of a masonry wall and landscaping so as to suitably to screen views and which, with the

agreement of the redeveloper, may accommodate murals, public art and/or community signage. Any provisions for murals, public art and/or community signage will be further coordinated between the redeveloper and the Borough at a later date. No dwelling units may be proposed within this Project Area.

### **Land Use Standards**

The regulations pertaining to land use standards contained herein shall apply to all development in Project Area #2. The Planning Board shall not grant variances from these standards as they constitute mandatory components of the Redevelopment Plan.

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

- A. Banks and other financial institutions.
- B. Offices and workspaces, including, but not limited to, shared and co-working spaces, except located on the ground floor fronting on Main Street.

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

- A. Driveways, off-street parking areas and loading areas, provided such has access only from the New Street public parking facility on adjacent Lot 68.
- B. Plazas, courtyards, pedestrian walkways, ramps, alleys and other similar type of public and semipublic spaces.
- C. Drive-through canopy.
- D. Signage for uses on the site.
- E. Murals, public art and/or community signage.
- F. Fences, walls, retaining walls, hedges, and other landscape elements.
- G. Open trellis or other similar overhead landscape structures.
- H. Refuse and recycling enclosures.
- I. Other uses and structures deemed to be permitted accessory uses and structures.

### **Bulk Standards**

The regulations pertaining to area, setback, coverage, and height standards contained herein shall apply to all development in Project Area #2. The Planning Board may grant variances from these standards, pursuant to N.J.S.A. 40:55D-70.c.

5.2.3. Area and Bulk Standards.

- A. Lot Area: Entirety of Project Area #2.
- B. Minimum Front Yard Setback from Main Street: Match front yard setback from Main Street of building on Block 114, Lot 61.
- C. Minimum Front Yard Setback from New Street: 2 feet to building; 18 feet to face of drive-through canopy.
- D. Minimum Side Yard Setback from Block 114, Lot 61: 5 feet; 30 feet to face of drive-through canopy.
- E. Minimum Rear Yard setback from Block 114, Lot 56: 100 feet; 30 feet to face of drive-through canopy.
- F. Coverage Requirements.
  - 1. Maximum Building Coverage: 25%
  - 2. Maximum Impervious Coverage: 96%
- G. Height\* Requirements.
  - 1. Maximum Building Height in Stories: 2 stories.
  - 2. Maximum Building Height in Feet: 35 feet as measured along the front lot line along Main Street.

\*Height is defined in Section 5.5.3. below.

### **Development and Design Standards**

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area #2, which shall be an overlay to current applicable regulations contained in Part IV of the Ordinance. All other regulations contained in Part IV of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

#### 5.2.4. Parking.

- A. The parking requirement shall be a minimum of one (1) parking space for each 1,000 square feet of floor area.
- B. There shall be no driveway access from any street. Driveway access and internal vehicular circulation shall be accessed from the New Street public parking facility on the adjacent Lot 68.
- C. The existing one-way drive-aisle serving perpendicular parking stalls at the northwest portion of Project Area #2 shall be permitted to remain at approximately 17.5 feet in width.
- D. Exterior bicycle rack(s) shall be provided to accommodate a minimum of six (6) bicycles.



5.2.5. Sidewalks and pedestrian walkways.

- A. Public sidewalks constructed with decorative brick bands shall be provided in the public right-of-way along the Main Street and New Street frontages adjacent to the Project Area, in accordance with §110-147.D of the Ordinance. Where such public sidewalks along the street extend beyond the public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the public sidewalk located on private property.
- B. A pedestrian walkway shall be provided along the north side of the building in order to provide pedestrian access from the rear parking area to the public sidewalk within the Main Street public right-of-way.
- C. A protected pedestrian walkway shall be provided within the existing 5' wide easement along the west side of the Project Area in order to provide pedestrian access from the rear parking area and New Street public parking facility on Block 114, Lot 68 to the public sidewalk within the New Street public right-of-way.

5.2.6. Refuse and Recycling.

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within each use, the building and/or on the site.
- B. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be screened from public view.
- C. Such screening 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 the adjacent buildings in the downtown area.
- 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 employees and recycling personnel.

5.2.7. Landscaping.

- A. Street trees shall be provided at intervals of approximately 30 to 35 feet along the street, whether existing or proposed. Any new tree shall be a minimum size of three (3) inches in caliper at time of planting.
- B. All portions of the Project Area not utilized by buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.

- C. A masonry wall shall be provided in between the drive-through circulation area and the public sidewalk within the New Street public right-of-way in order to suitably screen views of the drive-through circulation area and which may include murals, public art and/or community signage.
- D. Such wall shall be six (6) feet in height above grade and comprise of a regular rhythm of brick piers and/or decorative panels, and shall be constructed of brick with a cast stone or brick cap that is architecturally compatible with the style of the building.
- E. Such wall may accommodate an open trellis or other similar overhead landscape features, provided that the overall structure does not exceed 10 feet in height above grade.
- F. A regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features shall be provided, where feasible, along public sidewalks.
- G. Bollards, planters and/or other landscape features may be provided, where feasible, along pedestrian walkways where adjacent to existing parking areas on adjacent lots.

#### 5.2.8. Lighting.

- A. Street lighting shall be provided along the Main Street and New Street frontages adjacent to the Project Area, whether existing or proposed, in accordance with §110-157 of the Ordinance.
- B. All pedestrian areas shall be provided with pedestrian-scale light fixtures.
- C. Lighting may be provided by a combination of ground recessed lighting, bollard lighting, wall-mounted or recessed lighting.
- D. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward. Soft ambient up-lighting shall be permitted.
- E. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

#### 5.2.9. Building Design.

- A. The architectural design of the building shall incorporate a chamfered corner tower element to face and relate to both Main Street and New Street with the primary entrance located at the corner. The corner tower element shall be a minimum of 30 inches taller than the remainder of the building.
- B. 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.
- C. The ground floor shall be comprised of a regular rhythm of storefront bays such that the ground floor façade along each street is predominately glazed. The glazing

materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with a masonry lintel. Upper-floor windows shall be vertically proportioned and be vertically aligned with the location of windows and doors on the ground floor below.

- D. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with the style, materials, colors and details of the front façade.
- E. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with adjacent buildings in the downtown area. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
- F. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and may include fiber cement siding and smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone and EIFS are not permitted building materials.
- G. Any mechanical equipment and HVAC units shall be screened from public view. Such screening shall be designed to be architecturally compatible with the style, materials, colors and details of such building.

#### 5.2.10. Signage.

- A. The primary building sign shall be located on the corner tower element. Such sign shall be a wall-mounted sign, with the maximum size of sign not exceeding 30 square feet, the maximum height of sign not exceeding three (3) feet, and the maximum width of sign not exceeding 12 feet. All dimensions shall be computed by determining the largest overall horizontal and vertical dimensions of the overall sign letters, characters and logos.
- B. Additionally, up to two (2) blade signs shall be permitted, one on either end of the corner tower element.
- C. The provision and maintenance for public art display boards and/or community signage shall be determined in the redevelopment agreement.
- D. All other signage shall be indicated in a comprehensive sign package, including, but not limited to, rear, canopy, directional and all other contemplated signage. Such sign package shall provide sufficient information regarding the proposed materials, colors finishes and/or details for review and approval by the Planning Board.

### 5.3 Project Area #3: Block 113, Lots 4 & 6; 67 Pearl Street



Figure 15. Bird's eye view of Project Area #3, looking south, outlined in red. Source: Google Maps; screen captured on November 9, 2020.



Figure 16. Bird's eye view of conceptual building massing within Project Area #3.

#### **Purpose**

The intent for Project Area #3 is to provide for a multi-story mixed-use building with limited non-residential space. The building is to be composed of a projecting corner element with a storefront bay on the ground floor, with the remainder of the building to be composed of simplified design elements that is residential in scale and character. The portion of the public sidewalk immediately fronting the ground-level residential units is to be removed and improved with appropriate yard and streetscape treatments. Off-street parking at the rear

of the property is to remain, but be improved with reduced impervious coverage and new handicap-accessible parking, access and signage, buffering and screening, and a shared refuse and recycling enclosure. Additional access easements and/or modifications to the existing access easement are encouraged, such that driveway(s) along Middlesex Avenue can be eliminated. The non-residential space shall be no less than 1,000 and no greater than 1,500 square feet of floor area. Up to 14 dwelling units (apartments) may be proposed within this Project Area.

### **Land Use Standards**

The regulations pertaining to land use standards contained herein shall apply to all development in Project Area #3. The Planning Board shall not grant variances from these standards as they constitute mandatory components of the Redevelopment Plan.

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

- A. Personal service businesses.
- B. Physical fitness studios.
- C. Studios for the visual and performing arts including performance and gallery spaces.
- D. Massage and somatic therapy establishments.
- E. Eating and drinking establishments, except fast-food restaurants and drive-in restaurants.
- F. Banks and other financial institutions, except drive-in banks.
- G. Nursery schools and day-care centers.
- H. Offices and workspaces, including shared and co-working spaces.
- I. Apartments.
- J. Live/work units, provided that they are on the ground floor. The workspace shall comply with provisions of home occupations contained in §110-100 of the Ordinance.
- K. Any other principal use permitted in the D-1 District, as may be amended from time to time.

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

- A. Off-street parking areas and loading areas, provided such has access only from adjacent Lot 45.
- B. Plazas, courtyards, patios, pedestrian walkways, ramps, alleys and other similar type of public and semipublic spaces.
- C. Signage for uses on the site.

- D. Fences, walls, retaining walls, hedges, and other landscape elements.
- E. Refuse and recycling enclosures.
- F. Other uses and structures deemed to be permitted accessory uses and structures.

**Bulk Standards**

The regulations pertaining to area, setback, coverage, and height standards contained herein shall apply to all development in Project Area #3. The Planning Board may grant variances from these standards, pursuant to N.J.S.A. 40:55D-70.c.

5.3.3. Area and Bulk Standards.

- A. Lot Area: Entirety of Project Area #3.
- B. Minimum Front Yard Setback from Pearl Street: Maintain setback of existing building, with the exception of a projecting corner element which may be up to three (3) feet closer to Pearl Street, subject to the design standards contained in Section 5.3.9.
- C. Minimum Side Yard Setbacks (each): 0 feet.
- D. Minimum Side Yard Setback (combined): 0 feet.
- E. Minimum Rear Yard setback: 75 feet.
- F. Coverage Requirements.
  - 1. Maximum Building Coverage: 50%
  - 2. Maximum Impervious Coverage: 95%
- G. Height\* Requirements.
  - 1. Maximum Building Height in Stories 3 stories.
  - 2. Maximum Building Height in Feet: 40 feet as measured along the front lot line along Pearl Street.

\*Height is defined in Section 5.5.3. below.

**Development and Design Standards**

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area #3, which shall be an overlay to current applicable regulations contained in Part IV of the Ordinance. All other regulations contained in Part IV of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

5.3.4. Parking.

- A. The parking requirement for residential uses shall be a minimum of one (1) parking space for each residential unit. The distribution and location of resident parking shall

be determined to the satisfaction of the Planning Board based on the overall unit mix, the design of units and targeted household characteristics including propensity to use transit, the proximity of the Metuchen train station, the accommodation of bicycle parking facilities, the provision of shared car parking and similar factors.

- B. The provision of resident parking for market-rate units shall be “unbundled” from the cost of units and subject to a separate charge to residents in addition to the rent for each residential unit.
- C. There shall be no additional parking required for any live/work unit(s).
- D. There shall be no parking requirement for non-residential uses.
- E. There shall be no driveway access from any street. Driveway access and internal vehicular circulation shall be accessed from adjacent lot(s).
- F. Redeveloper is encouraged to accommodate alternative routing on adjacent lot(s) to Pearl Street and potentially Center Street, such that existing driveway(s) along Middlesex Avenue can be eliminated. Should such become feasible, cross-access easements shall be prepared and/or existing cross-access easements shall be revised in coordination with the Borough.
- G. Provisions for electrical vehicle charging stations shall be provided. At least two (2) parking spaces shall be pre-wired (including sufficient electrical capacity, installation of electrical conduit and appropriately sized subpanels) to accommodate electrical vehicle charging stations to be connected in the future, and which shall be made available at the request of future tenants.
- H. Indoor bicycle storage rooms within the building, appropriately sized storage areas, on wall-mounted or ceiling hooks or closets within a residential unit, and/or exterior bicycle racks shall be provided to accommodate a minimum of one (1) bicycle for each residential unit.

#### 5.3.5. Sidewalks and pedestrian walkways.

- A. Public sidewalks constructed with decorative brick bands shall be provided in the public right-of-way along the Pearl Street frontage adjacent to the Project Area, in accordance with §110-147.D of the Ordinance. Where such public sidewalks along the street extend beyond the public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the public sidewalk located on private property.
- B. The portion of the public sidewalk immediately fronting the ground-level residential units shall be removed and be improved with appropriate yard and streetscape treatments in accordance with Section 5.3.7. Such ground-level residential units shall be designed to promote enhanced livability by providing direct access to small, semi-private landscaped terraces that are partially screened from the adjacent sidewalk.

The extent of the removal shall not extend beyond the central expansion joint coincident with the back of the sidewalk on adjacent Lot 8.

- C. A pedestrian walkway shall be provided at the rear of the building to facilitate access between the rear parking area and the building.
- D. The portion of the rear yard area immediately fronting the ground-level residential units shall be improved with appropriate landscape and yard treatments in accordance with Section 5.3.7. Such ground-level residential units are encouraged, but not required, to have direct access to small semi-private landscaped terraces.

#### 5.3.6. Refuse and Recycling.

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within each unit, the building and/or on the site. Refuse and recycling receptacles shall not be located within parking spaces, pedestrian walkways or alleys.
- B. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be screened from public view.
- C. Such screening 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 the adjacent buildings in the downtown area.
- 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 residents and recycling personnel.
- E. Shared facilities shall be permitted, whether located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.

#### 5.3.7. Landscaping.

- A. Street trees shall be provided at intervals of approximately 30 to 35 feet along the street, whether existing or proposed. Any new tree shall be a minimum size of three (3) inches in caliper at time of planting.
- B. Shade trees shall be provided at intervals of approximately 15 to 30 feet along the rear of the rear parking area. Any new 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 buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be



prioritized.

- D. Ground-level residential units that are planned to have direct access to small, semi-private landscaped terraces shall be designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of intensive and extensive landscaping, including hedging and landscape edging, as well as decorative brick knee walls and fencing. The terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby to a height of four (4) feet above grade and partial screening above four (4) feet.
- E. A regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features shall be provided, where feasible, along public sidewalks.
- F. Bollards, planters and/or other landscape features may be provided, where feasible, along pedestrian walkways where adjacent to existing parking areas on adjacent lots.

#### 5.3.8. Lighting.

- A. Street lighting shall be provided along the Pearl Street frontage adjacent to the Project Area, whether existing or proposed, in accordance with §110-157 of the Ordinance.
- B. All pedestrian areas shall be provided with pedestrian-scale light fixtures.
- C. Lighting may be provided by a combination of ground recessed lighting, bollard lighting, wall-mounted or recessed lighting.
- D. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward. Soft ambient up-lighting shall be permitted.
- E. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

#### 5.3.9. Building Design.

- A. The architectural design of the building shall incorporate a projecting corner element so as to provide architectural interest, articulation and variety to the massing of the building. Additionally, the corner element will provide visual focus to the portion of the building containing the non-residential use ground floor storefront use. The projecting corner element shall be a minimum of 16 feet and a maximum of 20 feet in width, shall project forward from the remainder of the building by a minimum distance of one (1) foot and a maximum distance of three (3) feet, shall be a minimum of 30 inches taller than the remainder of the building, and shall primarily consist of brick.
- B. The remainder of the building shall incorporate vertical design elements and building wall offsets, including projections (such as bay windows) and/or recesses, in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall along Pearl Street. The base of the

remainder of the building shall primarily consist of brick.

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

## 5.4 Project Area #4: Block 113, Lots 39, 41 & 43; 581-587 Middlesex Avenue

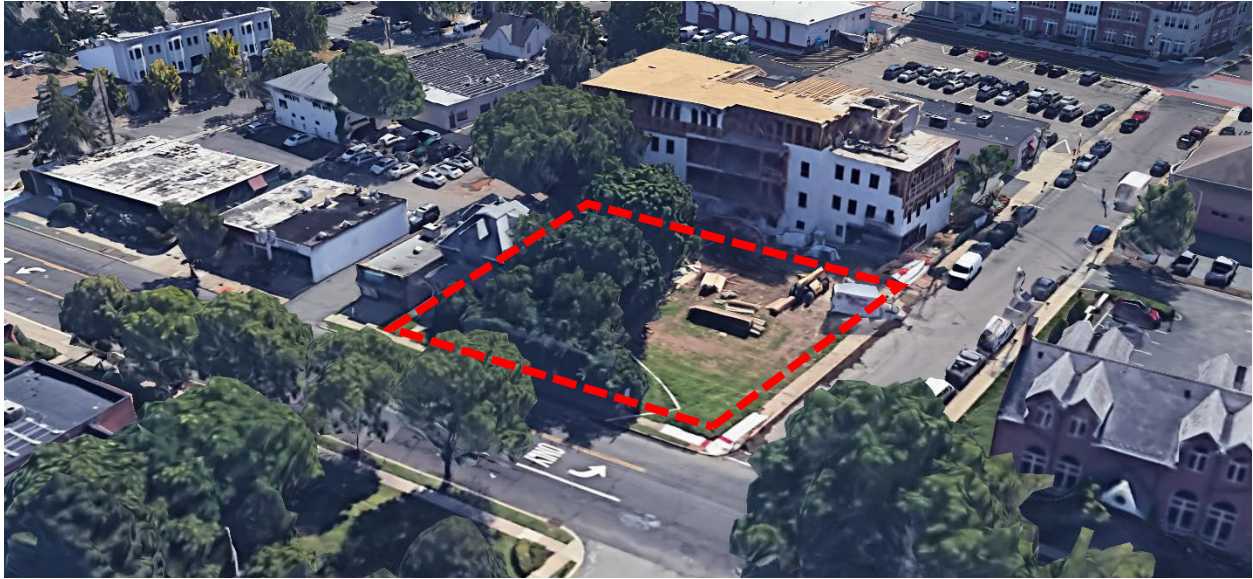


Figure 11. Bird's eye view of Project Area #4, looking southeast, outlined in red. Source: Google Maps; screen captured on July 27, 2020.



Figure 12. Bird's eye view of conceptual building massing within Project Area #4.

### Purpose

The intent for Project Area #4 is to provide for a multi-story residential building that is oriented to front on the corner of Middlesex Avenue and Center Street, given its location beyond the retail core of the downtown and adjacent to and opposite multifamily residential uses. The ground floor of the building is to be composed of storefront-bays accommodating the central lobby/common space and workspaces within apartments fronting Middlesex Avenue. Off-street parking accessible from Middlesex Avenue is not permitted and is encouraged to

accommodate future connections to adjacent lot(s) such that driveway(s) along Middlesex Avenue can be eliminated. Up to 20 dwelling units (apartments, including live/work units) may be proposed within this Project Area.

### **Land Use Standards**

The regulations pertaining to land use standards contained herein shall apply to all development in Project Area #4. The Planning Board shall not grant variances from these standards as they constitute mandatory components of the Redevelopment Plan.

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

- A. Apartments, provided that there are no bedrooms located on the ground floor fronting on Middlesex Avenue.
- B. Live/work units, provided that they are on the ground floor and do not have bedrooms fronting on Middlesex Avenue. The workspace shall comply with provisions of home occupations contained in §110-100 of the Ordinance.

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

- A. Driveways, off-street parking areas and loading areas without ingress and/or egress on Middlesex Avenue.
- B. Open or enclosed individual tuck-under garages for apartment and/or live/work units.
- C. Plazas, courtyards, patios, pedestrian walkways, ramps, alleys and other similar type of public and semipublic spaces.
- D. Signage for uses on the site.
- E. Fences, walls, retaining walls, hedges, and other landscape elements.
- F. Refuse and recycling enclosures.
- G. Other uses and structures deemed to be permitted accessory uses and structures.

### **Bulk Standards**

The regulations pertaining to area, setback, coverage, and height standards contained herein shall apply to all development in Project Area #4. The Planning Board may grant variances from these standards, pursuant to N.J.S.A. 40:55D-70.c.

5.4.3. Area and Bulk Standards.

- A. Lot Area: Entirety of Project Area #4.
- B. Minimum Front Yard Setback from Middlesex Avenue: Match front yard setback from Middlesex Avenue of building on Block 113, Lot 45.

- C. Minimum Front Yard Setback from Center Street: 10 feet.
  - D. Minimum Side Yard Setback from Block 113, Lot 37.01: 42 feet.
  - E. Minimum Rear Yard Setback from Block 113, Lot 45: 5 feet.
  - F. Coverage Requirements.
    - 1. Maximum Building Coverage: 50%
    - 2. Maximum Impervious Coverage: 90%
  - G. Height\* Requirements.
    - 1. Maximum Building Height in Stories 3 stories.
    - 2. Maximum Building Height in Feet: 35 feet as measured along the front lot line along Middlesex Avenue.
- \*Height is defined in Section 5.5.3. below.

### **Development and Design Standards**

The regulations pertaining to development and design standards contained herein shall apply to all development in Project Area #4, which shall be an overlay to current applicable regulations contained in Part IV of the Ordinance. All other regulations contained in Part IV of the Ordinance shall apply. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

#### 5.4.4. Parking.

- A. The parking requirement for residential uses shall be a minimum of one (1) parking space for each residential unit. The distribution and location of resident parking shall be determined to the satisfaction of the Planning Board based on the overall unit mix, the design of units and targeted household characteristics including propensity to use transit, the proximity of the Metuchen train station, the accommodation of bicycle parking facilities, the provision of shared car parking and similar factors.
- B. The provision of resident parking for market-rate units shall be “unbundled” from the cost of units and subject to a separate charge.
- C. There shall be no additional parking required for any live/work unit(s).
- D. There shall be no driveway access from Middlesex Avenue. Driveway access and internal vehicular circulation shall be accessed from Center Street.
- E. Redeveloper is required to accommodate future connection to parking areas on adjacent lot(s) such that existing driveways along Middlesex Avenue can be eliminated. Should such become feasible, cross-access easements shall be prepared in coordination with the Borough.
- F. Provisions for electrical vehicle charging stations shall be provided. At least two (2)

parking spaces shall be pre-wired (including sufficient electrical capacity, installation of electrical conduit and appropriately sized subpanels) to accommodate electrical vehicle charging stations to be connected in the future, and which shall be made available at the request of future tenants.

- G. Indoor bicycle storage rooms within the building, appropriately sized storage areas, on wall-mounted or ceiling hooks or closets within a residential unit, and/or exterior bicycle racks shall be provided to accommodate a minimum of one (1) bicycle for each residential unit.

#### 5.4.5. Sidewalks and pedestrian walkways.

- A. Public sidewalks constructed with decorative brick bands shall be provided in the Middlesex Avenue and Center Street frontages adjacent to the Project Area. Where such public sidewalks along the street extend beyond the public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the public sidewalk located on private property.
- B. The public sidewalk shall continue uninterrupted across the Center Street driveway opening.
- C. A pedestrian walkway shall be provided on the north side of the building in order to provide pedestrian access from the public sidewalk within the Middlesex Avenue public right-of-way to the rear parking area.

#### 5.4.6. Refuse and Recycling.

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within each unit, the building and/or on the site. Refuse and recycling receptacles shall not be located within parking spaces, pedestrian walkways or alleys.
- B. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be screened from public view.
- C. Such screening 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 the adjacent buildings in the downtown area.
- 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 residents and recycling personnel.
- E. Shared facilities shall be permitted, whether located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.

#### 5.4.7. Landscaping.

- A. Street trees shall be provided at intervals of approximately 30 to 35 feet along the street, whether existing or proposed. Any new tree shall be a minimum size of three (3) inches in caliper at time of planting.
- B. Shade trees shall be provided at intervals of approximately 15 to 30 feet along the rear of the rear parking area. Any new 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 buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.
- D. Ground-level residential units shall have direct access to small, semi-private landscaped terraces designed as an urban patio garden. Such treatments shall be delineated and screened with a combination of intensive and extensive landscaping, including hedging and landscape edging, as well as decorative brick knee walls and fencing. The terrace shall be suitably integrated into the patio landscaping treatment to provide full visual screening from passersby to a height of four (4) feet above grade and partial screening above four (4) feet.
- E. A masonry wall shall be provided in between the rear parking area and the public sidewalk within the Center Street public right-of-way in order to suitably screen views of the rear parking area.
- F. Such wall shall be four (4) feet in height above grade and comprise of brick piers at corners, and shall be constructed of brick with a cast stone or brick cap that is architecturally compatible with the style of the building.
- G. A regular rhythm of street furniture, benches, bicycle racks, planters and/or other landscape features shall be provided, where feasible, along public sidewalks, including providing for a comfortable seating area in close proximity to the existing bus stop along Center Street.

5.4.8. Lighting.

- A. Street lighting shall be provided along the Middlesex Avenue and Center Street frontages adjacent to the Project Area, whether existing or proposed, in accordance with §110-157 of the Ordinance.
- B. All pedestrian areas shall be provided with pedestrian-scale light fixtures.
- C. Lighting may be provided by a combination of ground recessed lighting, bollard lighting, wall-mounted or recessed lighting.

- D. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward. Soft ambient up-lighting shall be permitted.
- E. All fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300K.

#### 5.4.9. Building Design.

- A. The architectural design of the building shall incorporate building wall offsets, including projections (such as bay windows) and/or recesses, in order to provide architectural interest, articulation and variety to the massing of the building and relieve the negative visual effect of a single, long wall along Middlesex Avenue.
- B. The primary entrance shall be on Middlesex Avenue.
- C. 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.
- D. The ground floor shall be comprised of a regular rhythm of storefront bays and patio entry / window treatments such that the ground floor façade along each street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with an articulated lintel composed of detailed layers of relief that create depth and shadow. Upper-floor windows shall be vertically proportioned and be vertically aligned with the location of windows and doors on the ground floor below.
- E. The architectural treatment of a facade or roof shall be completely continued around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with the to style, materials, colors and details of the front façade.
- F. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with adjacent buildings in the downtown area. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
- G. Permitted building materials for street-facing exterior wall surfaces shall primarily consist of dimensional brick and may include fiber cement siding and smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC. Vinyl, cultured stone and EIFS are not permitted building materials.
- H. Any mechanical equipment and HVAC units shall be located on the roof and screened from public view. Through-the-wall HVAC units may be permitted, provided that those units in a 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. Such screening shall be designed to be architecturally compatible with the style, materials, colors and details of such building.

## 5.5 Provisions Applying to all Project Areas

### 5.5.1. General Requirements.

- A. All development within each Project Area 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. Any utilities or infrastructure servicing each Project Area that are in need of repair or replacement shall be addressed in the Redevelopment Agreement.
- B. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, a dedicated lot or lots, or within easements located on privately-owned lands.
- C. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance.

### 5.5.2. Permitted Projections.

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

### 5.5.3. Definition of Height.

- A. In accordance with New Jersey Building Code (N.J.A.C. 5:23-3.14), 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. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.
- B. Building height calculations shall exclude building service equipment (e.g., mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment), stair enclosures, skylights or atrium structures, and roof-access stairwells, landmark signage structures, and architectural enhancements and

appurtenances (e.g., parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements), provided that such shall not exceed applicable height requirements by greater than 10 feet.

- C. Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

### 5.6 Affordable Housing

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

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

### 5.7 Development of Public Electric Vehicle Charging Infrastructure

The Redevelopment Plan anticipates the need and development of public electric vehicle charging stations within the Rehabilitation Area, as it pertains to the entire municipality. With respect to the Project Areas, provisions for public electric vehicle charging stations have been provided within those Project Areas containing an on-site parking facility for residential uses.

### 5.8 Property Acquisition

Because the Rehabilitation Area has not been designated as an "Area in Need of Redevelopment," the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan.

### 5.9 Relocation of Displaced Residents

The Borough does not anticipate the displacement of any residents due to the implementation of this Redevelopment Plan.

## 6.0 General Provisions

### 6.1 Definitions

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

### 6.2 Redevelopment Authority

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

### 6.3 Redeveloper Selection

The Redevelopment Entity may select a single redeveloper or multiple redevelopers for the redevelopment of the Rehabilitation 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 the Redevelopment Plan, and additional criteria that demonstrate the redeveloper's ability to implement the goals and objective of the Redevelopment Plan.

### 6.4 Redevelopment Agreement

Pursuant to N.J.S.A. 40A:12A-8, the Borough may select one or more redevelopers for the construction of a development project within the Rehabilitation Area as it deems necessary. Once a redeveloper has been selected, the Borough shall enter into a Redevelopment Agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9, along with any other covenants, provisions and continuing controls as may be deemed necessary to effectuate the purposes of the LRHL.

The redeveloper shall construct only the uses established in this Redevelopment Plan.

### 6.5 Obligations of the Redeveloper

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

## 6.6 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.

## 6.7 Amendments to Approved Redevelopment Plan

This Redevelopment Plan may be amended from time to time in accordance with the provisions of the LRHL, as may be amended.

## 7.0 Development Plan Review and Approval

### 7.1 Application for Development

Preliminary and final site plan and/or subdivision applications within the Rehabilitation Area shall be submitted to the Planning Board for review and approval in accordance with the requirements with this Redevelopment Plan and all applicable provisions of the Borough Land Development Ordinance.

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

### 7.2 Planning Board Review

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

### 7.3 Deviations from Provisions of Approved Redevelopment Plan

All applications requiring relief for deviations from this Redevelopment Plan or the Borough Land Development Ordinance shall be governed by the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) or any existing, or to be adopted, redevelopment plan for a specific site and/or project and/or 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 the phasing plan for public improvements or other contractual obligations of a Redeveloper to the Borough acting as 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 applicable “Bulk Standards” or within Part III of the Borough Land Development Ordinance. Consideration of such variances shall be undertaken pursuant to N.J.S.A. 40:55D-70.c.
- C. Exceptions may be granted from applicable “Development and Design Standards” or within Part IV of the Borough Land Development Ordinance. Consideration of such

exceptions shall be undertaken pursuant to N.J.S.A. 40:55D-51.

- D. Consideration of submission waivers shall be undertaken pursuant to N.J.S.A. 40:55D-10.3.

Any redeveloper(s) seeking to utilize the zoning established by this Redevelopment Plan will be required to:

- A. Make a formal proposal for development to the Borough Council and obtain consent and approval of such proposal, consistent with the terms of this Redevelopment Plan, as a condition of completeness of such application before the Planning Board.
- B. Enter into a Redevelopment Agreement with the Borough Council as a precondition to filing of a land use application for the Project Area to the Planning Board.
- C. Submit development plans consistent with this Redevelopment Plan to the Planning Board for approval pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.). For such Redevelopment Projects, no application for development shall be deemed complete unless a copy of a fully executed Redevelopment Agreement with the Borough has been submitted.

## 8.0 Relationship of the Redevelopment Plan to Other Plans

### 8.1 Borough of Metuchen Land Development Ordinance

As noted in Section 5.0, the zoning standards set forth in this Redevelopment Plan shall be an overlay to the underlying zoning within the Rehabilitation Areas. Any issues not specifically addressed in this Redevelopment Plan remain subject to the Borough's Zoning and Land Development Ordinance. The remainder of the Borough will continue to refer to the underlying requirements of the Borough's Zoning and Land Development Ordinance.

### 8.2 Borough of Metuchen Master Plan

The Master Plan for the Borough of Metuchen (the "Master Plan") was adopted in 1983. The Master Plan provides the following goals:

- Preservation of the Borough's essentially residential character, of the integrity of its neighborhoods, of the viability of its central business district, of levels of municipal services, of fiscal stability, and of its desirability as a community in which to live. Preservation must be balanced with the necessity of an expanding tax base that alleviates an unreasonable tax burden to provide consistent levels of service;
- Traffic and parking problems already exist in Metuchen, and in recognizing this, any development or redevelopment of the central business district should not intensify traffic problems beyond acceptable levels and should be undertaken in conjunction with adequate parking provisions;
- Land uses to be encouraged in any development or redevelopment strategy should be appropriate to the area in which they are proposed, should represent an economic benefit to community, and should serve a valid market to insure the likelihood of their realization;
- Preservation of areas of environmental sensitivity, but surrounding land uses should be planned to ensure maximum public benefit from the resultant open space; and,
- Providing opportunities to meet the housing needs of Metuchen residents and work force should be encouraged. In addition, housing should be considered as a means of creating an expanding market for existing businesses in Metuchen.

In order to effectuate the above goals, the Master Plan endorses the following policies:

- To maintain the Borough's physical and visual identity in the region;
- To improve the competitive position of Metuchen's downtown area;
- To encourage new commercial development, but not at the cost of blighting residential areas; and,
- To improve the overall appearance of the business district.



These goals and policies have remained relevant and incorporated by reference in master plan reexamination reports prepared in 1988, 1994, 2000 and 2006. The latest planning document, the 2016 Master Plan Reexamination Report, recognized that “Metuchen has always been a community concerned with preserving its unique character.” Over time, “the goals and objectives of the Master Plan have been elaborated and characterized to be principally focused on preservation: preservation of the Borough's essentially residential character, maintaining the integrity of its neighborhoods, and ultimately, its desirability as a community in which to live.”

This Redevelopment Plan furthers the goals set forth in the Master Plan by seeking to rehabilitate the certain properties in the downtown area while maintaining balanced land use development patterns and the current distribution of land densities. Therefore, this Redevelopment Plan is consistent with and desired to effectuate the Master Plan.

### 8.3 Adjacent Municipalities

The Borough of Metuchen is completely surrounded by the Township of Edison (“Edison”). This Redevelopment Plan pertains to certain properties in the downtown area that do not abut Edison; otherwise this Redevelopment Plan incorporates the underlying zoning of the remainder of the Borough. Therefore, this Redevelopment Plan is not likely to have any effect on the master plans of contiguous municipalities.

### 8.4 Middlesex County Comprehensive Plan

The Middlesex County Comprehensive Plan (the “Comprehensive Plan”) serves as a guide to municipalities in Middlesex County. The Comprehensive Plan is currently being updated by the Middlesex County Planning Board. 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 of the Comprehensive Plan 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 the Land Use Element of the Comprehensive Plan. In addition, this Redevelopment Plan pertains to certain properties in the downtown area and otherwise incorporates the underlying zoning within the remainder of the Borough. Therefore, no conflict with the Middlesex County Comprehensive Plan is anticipated.

### 8.5 State Development & Redevelopment Plan

The State Development and Redevelopment Plan (the “SDRP”) was adopted in 2001. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP; however, the updated plan was never adopted. Therefore, the 2001 SDRP is the most current version.

The SDRP guides State-level development and redevelopment policy as well as local and regional planning efforts. The SDRP includes eight (8) statewide goals and several policies which are intended to implement the goals. The SDRP's statewide goals are as follows:

1. Revitalize the State's cities and towns.
2. Conserve the State's natural resources and systems.
3. Promote beneficial economic growth, development and renewal for all New Jersey residents.
4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.
6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
8. Ensure sound and integrated planning and implementation statewide.

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

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

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

- 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.

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

In summary, this Redevelopment Plan furthers the goals and objectives of the State Development and Redevelopment Plan.