



# SOUTHWEST GATEWAY REDEVELOPMENT PLAN

Block 130.01, Lots 47.01, 47.02, 48 & 60.01

Borough of Metuchen, Middlesex County, New Jersey

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



# Southwest Gateway Redevelopment Plan

Block 130.01, Lots 47.01, 47.02, 48 & 60.01  
Borough of Metuchen, Middlesex County, New Jersey

Endorsed by the Planning Board on \_\_\_\_, 2023  
Adopted by the Borough Council by Ordinance 2023-\_\_ on \_\_\_\_, 2023



Prepared on behalf of:

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

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# 1 | INTRODUCTION

## 1.1 PURPOSE & 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 that is surrounded by established residential neighborhoods. As a built-up community, there is limited vacant land for development. Therefore, infill and redevelopment opportunities play an important role in the Borough’s limited growth.

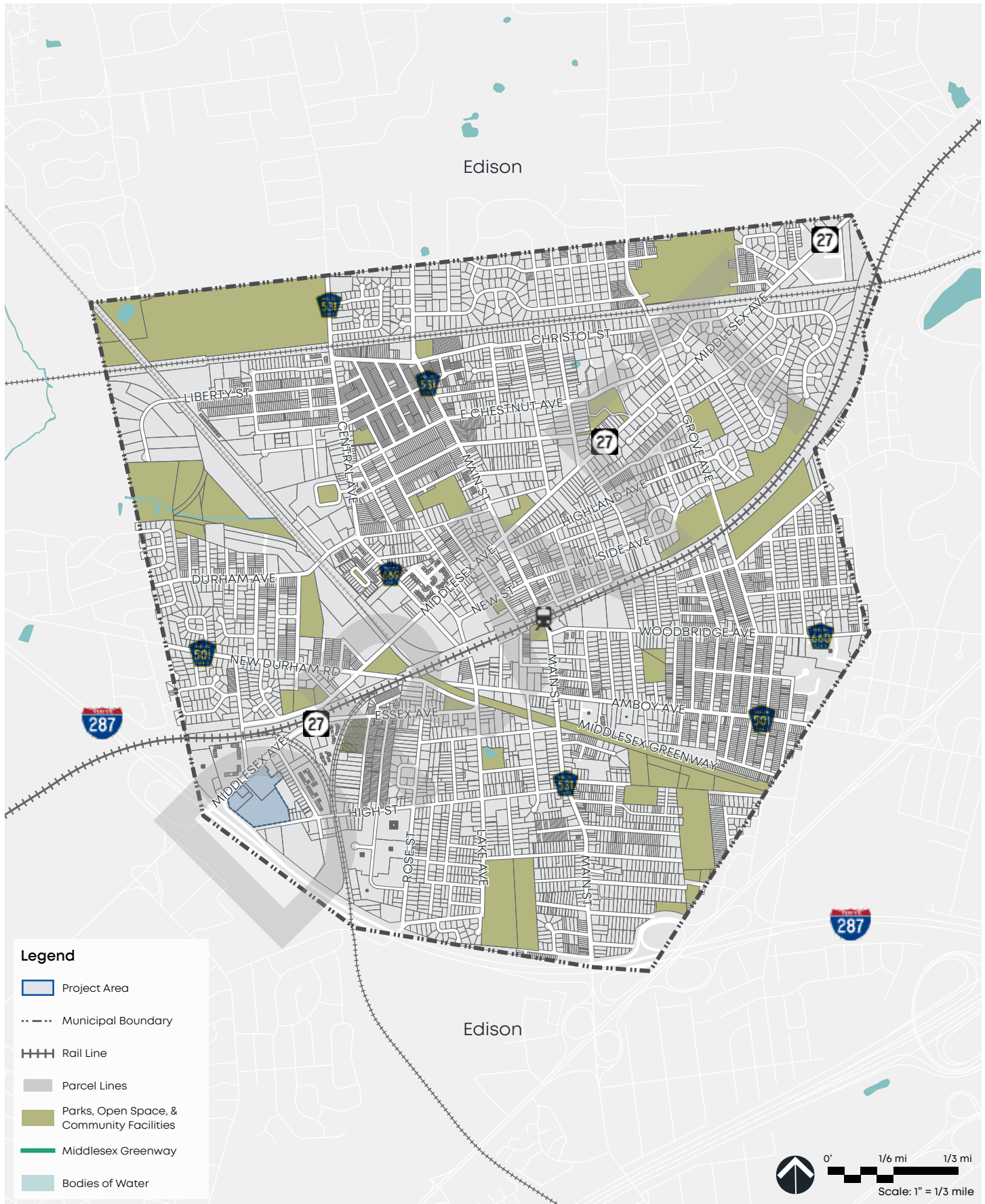
For several decades, the Mayor and Borough Council (the “Borough Council”) have sought to improve the visual quality / image and traffic conditions along the Route 27 corridor, and to provide specific development strategies for vacant and underutilized land in accordance with an overall urban design plan, particularly for an area commonly referred to as the "Southwest Gateway."

Despite several successful infill and redevelopment projects throughout the Southwest Gateway, a portion of the area generally bounded by Middlesex Avenue (New Jersey State Route 27), Interstate 287 and High Street remains vacant and underutilized, in part due to the delay of the proposed reconfiguration of the Route 27 / Interstate 287 interchange.









*Aerial Bird's Eye View of Route 27 / Interstate 287 interchange. Screen Capture from Google Maps.*

# Map 1. Context Map



**Legend**

-  Project Area
-  Municipal Boundary
-  Rail Line
-  Parcel Lines
-  Parks, Open Space, & Community Facilities
-  Middlesex Greenway
-  Bodies of Water



Over the past several months, the Borough has continued to advance its planning efforts and has engaged in negotiations with one of the property owners within the Southwest Gateway, Suburban Sportsland, LLC, regarding a concept plan for a fuel station and convenience store, together with various on-site and off-site improvements, while still accommodating for the future reconfiguration of the Route 27 / Interstate 287 interchange.

At this point, the Borough believed it was in the best interest of the community that a redevelopment plan be prepared with respect to a portion of the Southwest Gateway. By doing so, the Borough Council seeks to undertake a proactive role in facilitating the rehabilitation and redevelopment of the area.

With the entirety of the Borough designated as an “area in need of rehabilitation” (or “rehabilitation area”), the Borough Council seeks to pursue additional tools available, including the ability to create a site-specific redevelopment plan, in accordance with the New Jersey Local Redevelopment and Housing Law (the “LRHL”) at N.J.S.A. 40A:12A-1 et seq.

To that end, the Borough Council has authorized the preparation of a redevelopment plan for the properties identified on the Borough Tax Maps as Block 130.01, Lots 47.01, 47.02, 48 and 60.01 (the “Project Area”) pursuant to the requirements set forth by the LRHL.



*Cross Country Powersports, facing east.*



*Sport Honda, facing south.*



*Cross County Powersports, facing south.*



*Cluster of light industrial / auto-oriented uses within the Project Area.*



*Light Industrial building, facing west.*



Map 2. Project Area Map



# 2

# REDEVELOPMENT STATUTE

## 2.1 PURPOSE OF THE REDEVELOPMENT STATUTE

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

The LRHL was designed by the Legislature to guide municipalities and local governments through the process of rehabilitation and redevelopment, finding at N.J.S.A. 40A:12A-2.a. that:

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

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

According to the LRHL, before the municipality is authorized to exercise any of its redevelopment powers and before any redevelopment project is undertaken, a specified area must be designated a rehabilitation and/or redevelopment area by resolution, and a redevelopment plan must be prepared and adopted by ordinance. In order to utilize the power of eminent domain, the area must have been designated as a “condemnation area in need of redevelopment” or have been designated as a redevelopment area prior to the effective date of P.L. 2013, c. 159.

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

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



# REDEVELOPMENT IN METUCHEN

## Gulton Tract

The Gulton Tract is located in the northwest quadrant of the Borough between the future Middlesex Greenway Extension and the Peter J. Barnes III Wildlife Preserve.

The Gulton Tract Redevelopment Plan implements the Borough's long-standing vision to reinvest and redevelop the former industrial complex.

The plan created an open space parcel that contains a public access drive and public parking area as well as a series of pedestrian and open space amenities, which will serve as a natural extension of the Peter J. Barnes III Wildlife Preserve.

The plan also provides for a unique opportunity to live next to the future park. The plan calls for a high-quality multi-family housing development, which will consist of 272 residences, including over 40 affordable housing units.



## Downtown Area

Following the adoption of the Borough-wide redevelopment plan, the Borough proactively coordinated several projects throughout the downtown area.

The Downtown Redevelopment Plan, which is effectively a scattered sites redevelopment plan, was developed to help stimulate interest and unlock the latent value of properties that are too small or constrained to undertake construction on their own. The plan also promotes reduced parking standards for proximate areas to the Metuchen Train Station and a series of streetscape improvements to promote downtown living.

The plan includes four (4) individual redevelopment projects, three (3) of which permit between 14 and 20 residences and affordable units. The fourth project at the heart of downtown provides for a high-quality corner bank building with a screened drive-through and parking area.





relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and indicate proposed land uses and building requirements in the designated rehabilitation and/or redevelopment area.

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

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

## **2.2 ADVANTAGES OF A REDEVELOPMENT PLAN**

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

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

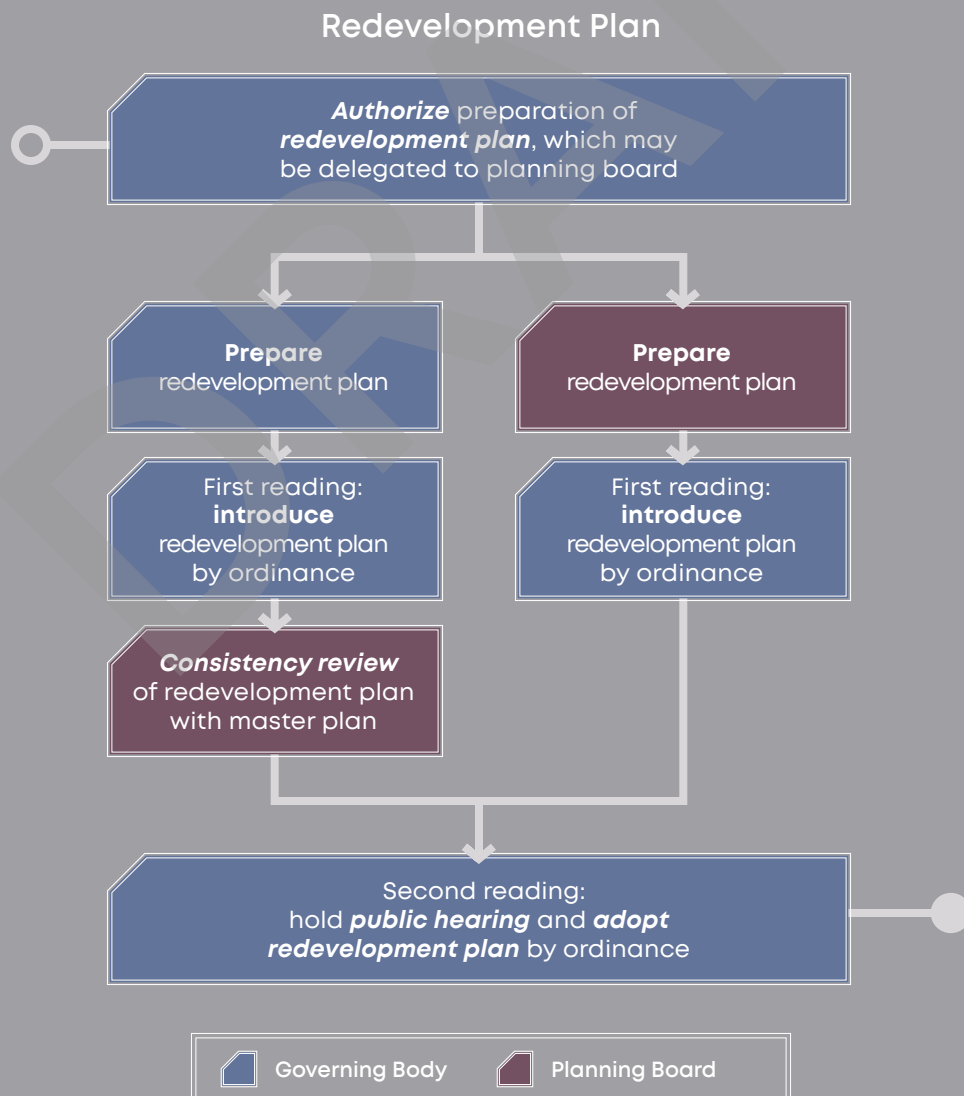
- Makes eligible for certain types of technical and financial assistance from the State to be utilized at the option of the municipality.

## 2.3 REDEVELOPMENT PROCEDURE

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

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

### REDEVELOPMENT PROCEDURE SUMMARY



## REDEVELOPMENT PLAN

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

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

**2.4 REDEVELOPMENT ACTIONS TAKEN TO DATE**

**DESIGNATION OF PROJECT AREA AS A REHABILITATION AREA**

In consideration of ongoing planning activities for other site-specific projects, the Borough began to proactively explore additional tools to help prevent further deterioration and promote desirable rehabilitation and redevelopment within the entire municipality.

On November 12, 2019, the Borough Council adopted Resolution 2019-287, referring a proposed “Rehabilitation Area Designation” for the entire area of the municipality to the Planning Board for its statutory review pursuant to N.J.S.A. 40A:12A-14(a).

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 at least 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.

**ORIGINAL BOROUGH-WIDE REDEVELOPMENT PLAN**

The Borough then began the preparation of the original Borough-wide redevelopment plan. On April 27, 2020, the Borough Council introduced Ordinance 2020-10 and further authorized the Planning Board to review the redevelopment plan.

The Planning Board, at its meeting on May 7, 2020, reviewed and considered the redevelopment plan, determined that the redevelopment plan was consistent with the Master Plan, and provided a report of its findings to the Borough Council pursuant to N.J.S.A. 40A:12A-7(e).

On May 26, 2020, the Borough Council adopted Ordinance 2020-10, formally adopting the original “Redevelopment Plan for Rehabilitation in the Borough of Metuchen” which applied to the entire municipality.

While the redevelopment plan did not authorize a specific project, it provided a mechanism to streamline redevelopment planning and activities and incorporated by reference the underlying zoning and already adopted site-specific redevelopment plans in effect throughout the Borough.

## **2.5 AUTHORIZATION FOR THIS REDEVELOPMENT PLAN**

As previously discussed, the Borough has been in discussions with one of the property owners within the Project Area, Suburban Sportsland, LLC, regarding rehabilitation and redevelopment of a portion of the Project Area. The property owner proposed to construct a fuel station and convenience store, together with various on-site and off-site improvements. The property owner presented its concept plan to the Borough, and both parties seek to rehabilitate and redevelop a portion of the Project Area.

With the Borough-wide redevelopment plan in place, 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, including being designated as a “Conditional Redeveloper” to commence exclusive negotiations toward the formulation of a “Redevelopment Agreement” and to memorialize such agreement under a non-binding “Memorandum of Understanding.”

On July 18, 2022, the Borough Council adopted Resolution No. 2022-168, formally appointing the property owner as the Conditional Redeveloper and authorizing the execution of a Memorandum of Understanding, evidencing both parties’ statement of intent to rehabilitate and redevelop a portion of the Project Area in accordance with the requirements of a site-specific redevelopment plan.

As such, the original Borough-wide Redevelopment Plan is hereby amended with this redevelopment plan, applicable only to Block 130.01, Lots 47.01, 47.02, 48 and 60.01, entitled “Southwest Gateway Redevelopment Plan” (the “Redevelopment Plan” or “Plan”).

## **2.6 STATUTORY REQUIREMENTS OF A REDEVELOPMENT PLAN**

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



## STATUTORY REQUIREMENTS OF A REDEVELOPMENT PLAN

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

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

# 3

## PROJECT AREA DESCRIPTION

### 3.1 EXISTING CONDITIONS

The Project Area is irregular in shape, comprises of approximately 9.48 acres in area, and is generally bounded by Middlesex Avenue (New Jersey State Route 27) to the northwest, Interstate 287 to the southwest, commercial and residential properties that front Prospect Street to the northeast, and High Street to the southeast. Presently, the Project Area as a whole can be characterized by vacant land at the northwest corner along Middlesex Avenue and Interstate 287, surrounded by a variety of light industrial, auto-oriented and indoor recreation uses as well as large paved areas with limited trees and landscaping.

The portion of the Project Area with frontage on Middlesex Avenue represents a large gap in the streetscape, and generally lacks pedestrian infrastructure and amenities such as a defined public sidewalk, street trees, landscaping, decorative street lighting, and a cohesive design palette that would otherwise help to create a sense of arrival to Metuchen and form a relationship with the buildings in the Project Area and the Southwest Gateway.

Within the Project Area, Lots 47.01 and 47.02 are currently vacant and underutilized, with plans for the development and construction of a fuel station and convenience store. Lot 48 presently contains a number of one-story buildings housing light industrial and auto-oriented uses as well as a truck parking area. At the rear of the property, fronting on High Street, is the Metuchen Sports Center. Lot 60.01 contains a Cross Country Powersports facility, along with a smaller Sport Honda building and a surface parking area at the rear of the property.

In terms of the surrounding area, the Project Area is across Middlesex Avenue from a number of professional offices such as speech therapy, physical therapy, dental care, and financial services within the Bridge Pointe complex, along with the Brown Stone Bar & Grill and Extra Space Storage. Adjacent to the Cross Country Powersports facility is the Cross Country Cycle building, a warehouse / parking area accessible from Prospect Street, detached single-family dwellings fronting on Prospect Street and High Street, and across High Street are a number of light industrial and warehouse uses. Across Interstate 287 to the southwest, in the Township of Edison, is a large shopping center called Vineyard Square, containing a Walmart and a Costco Wholesale warehouse store along with other pad and in-line retail stores.

## Current Tenants



View of northern portion of Project Area from Middlesex Avenue, facing southwest.



View of northern portion of Project Area from the planned Bridge Street Extension, facing west.



View of southern portion of Project Area from the planned Bridge Street Extension Avenue, facing south.

## PROPERTY ASSESSMENTS

Property tax records derived from the State of New Jersey Division of Taxation’s database were analyzed to determine the land, improvement, and net assessed value of each property within the Project Area as well as the prior year’s property taxes paid, as of April 26, 2023.

**Table 1. Property Ownership & Acreage**

Block	Lot(s)	Class	Address	Owner	Acreage*
130.01	47.01	1	Middlesex Avenue	Suburban Sportsland LLC	1.11
130.01	47.02	1	Middlesex Avenue	Suburban Sportsland LLC	0.36
130.01	48	4A	913 Middlesex Avenue	Suburban Sportsland LLC	5.35
130.01	60.01	4A	909 Middlesex Avenue	Bridge & Middlesex LLC	2.66
<b>Total</b>					<b>9.48</b>

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

**Table 2. Property Assessment**

Block	Lot(s)	Assessed Land Value	Assessed Improvement Value	Net Assessed Value	Prior Year Taxes
130.01	47.01	\$140,000.00	0	\$140,000.00	\$8,715.00
130.01	47.02	\$165,000.00	0	\$165,000.00	\$10,271.25
130.01	48	\$500,000.00	\$520,000.00	\$1,020,000.00	\$63,495.00
130.01	60.01	\$600,000.00	\$1,600,000.00	\$2,200,000.00	\$136,950.00
<b>Total</b>		<b>\$1,405,000.00</b>	<b>\$2,120,000.00</b>	<b>\$3,525,000.00</b>	<b>\$219,431.25</b>

**Map 3. Tax Map Sheet 42**





## ENVIRONMENTAL ASSESSMENT

**Sites & Facilities** - The Project Area contains three (3) properties that are enumerated through the New Jersey Environmental Management System ("NJEMS"). None are classified as Groundwater Contamination Areas ("CKE") or Classification Exception Areas ("CEA"). However, 913 Middlesex Avenue is subject of a variety of site-specific NJEMS designations, such as the Known Contaminated Sites ("KCS"), Site Remediation Program ("SRP"), and Land Resource Protection Program ("LRPP"). Sites that are listed on the NJEMS may be regulated by the NJDEP under one or more of its regulatory permitting or enforcement programs, or they may otherwise be of some interest to a NJDEP program. A list of the sites is provided in the table below.

**Table 3. NJEMS Sites**

Site ID	P*	Preferred ID	Site Name	Active	Address
45973	SRP	005719	Metuchen Builders Supply Inc.	No	890 Middlesex Avenue
555032	WQ	695434	Sports Facility	Yes	High Street
44300	KCS	009593	Former Borough Motors	Yes	913 Middlesex Avenue
44300	SRP	009593	Former Borough Motors	Yes	913 Middlesex Avenue
44300	LRPP	009593	Former Borough Motors	Yes	913 Middlesex Avenue
44300	NJEMS	009593	SB Thomas Inc.	No	913 Middlesex Avenue

\* Program Names: SRP = Site Remediation; WQ = Water Quality; KCS = Known Contaminated Site; LRPP = Land Resource Protection Program

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

**Utilities** - The Project Area is serviced by PSE&G for electric utilities and Elizabethtown Gas Co. for gas utilities. It is located within a sewer service area.



## 3.2 DEVELOPMENT HISTORY

### EARLY DEVELOPMENT

As was common in the region, Metuchen developed slowly over the course of the 19th and 20th centuries. Residential development in Metuchen occurred as early landowners gradually sold off parcels to family members and acquaintances. The Project Area and its surroundings remained undeveloped farmland into the 1950s. Sanborn maps and other historical records show that there was once a stream within the Project Area just north of High Street.

The Middlesex and Essex Turnpike (today's Middlesex Avenue) was built in 1806 with the opening of the Amboy-Bound Brook Turnpike (today's Amboy Avenue) following shortly afterwards in 1808. Middlesex Avenue and Amboy Avenue (the portion of which that is west of Middlesex Avenue is now known as New Durham Road) crisscrossed the Borough, intersecting in the southwest quadrant.

Until the widespread use of the automobile, these early roads provided pathways for horse and buggy travelers going northeast to New York City or southwest towards Trenton. Residents of higher economic classes built their homes and estates along these two routes. Amboy Avenue then became known as "Le Grand Avenue."



*Sanborn Map, 1931.*

At first, neither roadway generated significant commercial or residential development in Metuchen. Development was spurred by the rise of the railroad industry in the 1830s. The train station built at Main Street ensured that the area between Middlesex Avenue and the rail line would become the center of Metuchen's budding commercial activity. As can be seen in the above Sanborn map, 1930s Metuchen also had a stop on the Pennsylvania Railroad line where it intersects Middlesex Avenue, just north of the Project Area.

### MID 20TH CENTURY

In the early to mid 1940s, Middlesex Avenue was severed by a western spur added to the Pennsylvania Railroad. What had been a central intersection of important "arterial thoroughfares" became isolated from the rest of the community. Essex Avenue and Lake Avenue then provided an indirect detour under the rail lines, to reconnect the southwest quadrant with the downtown area.



Traffic Plan, 1958.

As can be seen in the 1958 Traffic Plan, the "gap" in the roadway was slated for a series of planned improvements. The plan included a proposal to create a crossing over/under the Pennsylvania Railroad line that would reconnect Middlesex Avenue; however, this proposal never came to fruition. Immediately to the east of the Project Area is Prospect Street, which was slated for "street widening."

Also notable is the proposed route for an "East - West Highway" that would hug the southern municipal boundary of the Borough, which would become today's Interstate 287. The plan reveals a series of proposed interchanges at major roadways, one of which was planned for Middlesex Avenue within the Project Area. Beginning in 1961, Interstate 287 was built in phases, and the construction of the highway and partial interchange complicated the southwest quadrant by further enclosing it between various infrastructure elements.

A "General Industry" zoning designation established in the 1950s worked in tandem with the highway construction to set the stage for the area to be activated by light industrial and auto-oriented uses. While the partial interchange provided a key access point for transporting goods and services to the rest of the region, the Southwest Gateway itself became further isolated from the rest of Metuchen's residential fabric.

The construction of the highway and partial interchange sparked what would be a decades-long discussion about the future of the Middlesex Avenue interchange, and how to better redesign it in a way that best serves both Metuchen and the overall region.

## POST-HIGHWAY CONSTRUCTION

Following the construction of the highway, the Southwest Gateway was mainly identified by the aforesaid non-residential uses. As early as the mid-1970s and early 1980s, the Borough recognized that the presence of vacant buildings and lots throughout the community, including within the Project Area, suggested that desirability for industrial uses had started to fade away.

Over several decades since that time, the Southwest Gateway began to see much of its legacy industrial and auto-oriented uses convert to other uses, including the Bridge Pointe office complex along the north side of Middlesex Avenue and residential condominium developments in the mid- to late-1970s. In 1987, the Borough studied and established a series of goals, objectives and recommendations for the Southwest Gateway and in 1991, adopted the study as part of its Master Plan, to further facilitate improvements throughout the area.

Various projects within and surrounding the Project Area have since been implemented, including the Extra Space Storage facility as well as redevelopment of the former Boro Motors site with the construction of the Cross Country Powersports, Cross Country Cycle buildings along Middlesex Avenue and the Metuchen Mower building at the intersection of Middlesex Avenue and Prospect Street. Most recently, the Metuchen Sports Center was constructed at the rear of the Project Area, fronting on High Street.



*Bridge Pointe, built 1974-1979.*



*Metuchen Mower, early 2010s.*

Aerial photographs reveal a drastic difference of land development between the late 1970s and 2010s, highlighting the shift from industrial uses to commercial and recreational uses, together with a more cohesive streetscape treatment including sidewalks, street trees, landscaping, and decorative street lighting, as well as placing buildings at the street and parking to the rear.



*Southwest Gateway, 1979.*



*Southwest Gateway, 2010s.*



During this time, the Borough's desire to improve the partial interchange, including having it realigned with Bridge Street, has never wavered and it remains a possibility today in part due to forward-thinking of Borough officials and developers. The Borough has continued to coordinate with the State of New Jersey and property owners to study a series of realignment options, one of which by way of example is provided below:



*One of several options for proposed New Jersey State Route 27 & Interstate 287 interchange.*

Additionally, potential realignment was taken into account during the design and development process of the former Boro Motors site. Here, the footprint of the Cross Country Powersports building was adjusted by providing sufficient setback for the right-of-way needed for the future Bridge Street Extension, as seen below:



*View from the northern portion of Lot 48 up to Bridge Street.*



### 3.3 EXISTING LAND USE

The Project Area and the character of its immediate surroundings are influenced by its location at a convergence of large-scale infrastructure. Highways and rail lines have siloed the area into the southwest corner of the community.

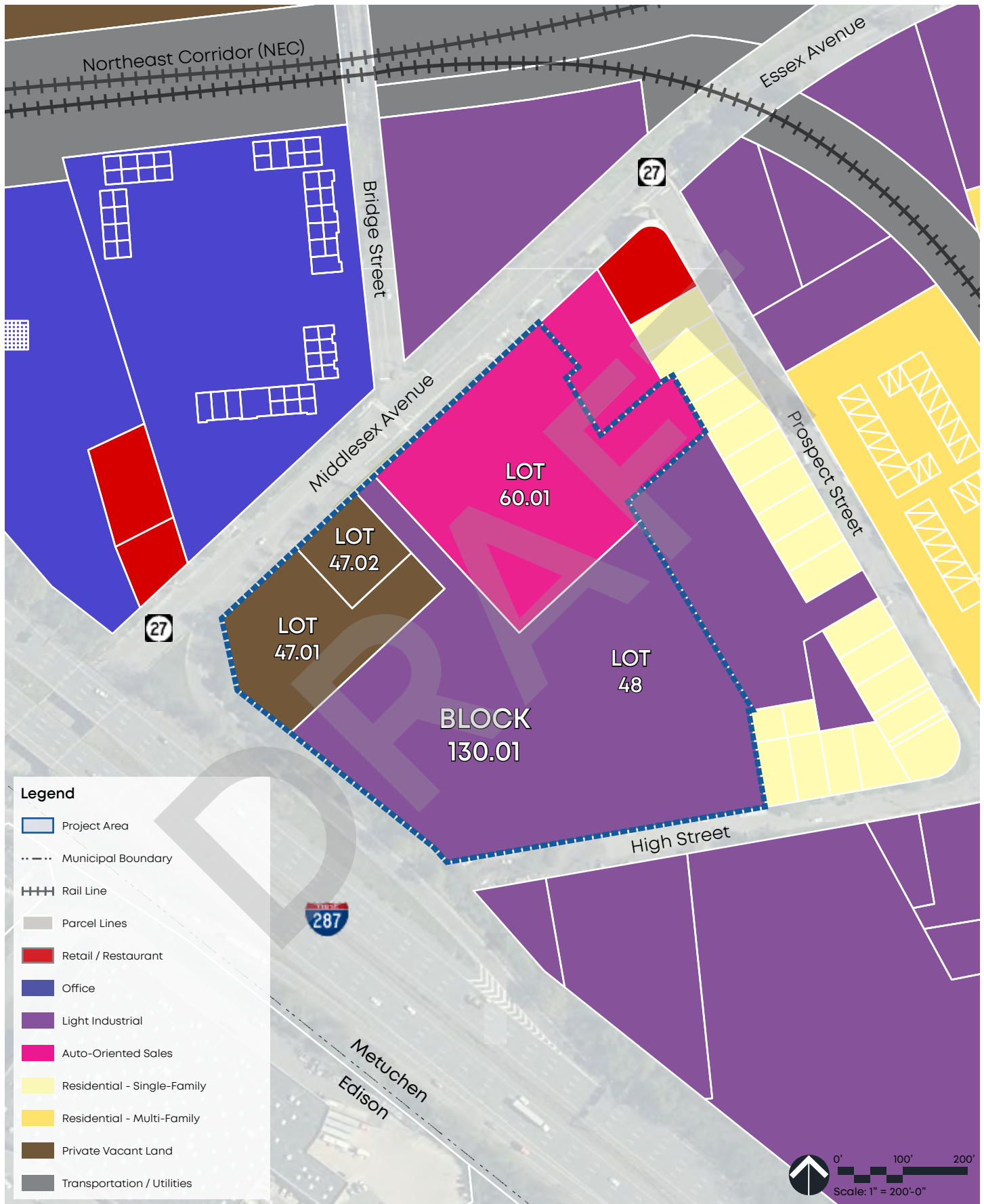
Under NJDEP land use designations, the existing land use of the Project Area is entirely “urban” with a narrow strip of “forest” along the Interstate 287 off ramp where mature trees currently stand. The rest of the Project Area consists of private vacant land, light industrial (including auto-oriented and indoor recreation uses) and commercial (including auto-oriented uses) properties. In this way, the Project Area is part of an area containing a hodge podge of goods and services in motion, from warehousing and logistics to distribution and sale.

It is important to note the residential uses immediately to the east of the Project Area along Prospect Street. The west side of Prospect Street contains detached single family dwellings on relatively modest lots, while the east side of the street contains the Metuchen Gardens condominium development. This mixed-scale residential neighborhood is entirely surrounded by light industrial, auto-oriented, commercial, office, and indoor recreation uses, and is separated from the larger residential neighborhoods by infrastructure.

#### Existing Land Uses



Map 4. Existing Land Use Map



### 3.4 EXISTING ZONING

The Project Area is situated in the G-1 Gateway Development District, which straddles both sides of Middlesex Avenue. The G-1 District generally permits a range of highway- and auto-oriented uses, unlike those traditionally found, for example, in the downtown area.

Surrounding the Project Area and the G-1 District are a mix of zoning districts, including the R-2 Residential District located north of the Northeast Corridor, the B-4 Restricted Business District for those areas fronting on Middlesex and Essex Avenue, R-4 Residential District immediately to the east, and a small LI Light Industrial District immediately to the southeast.

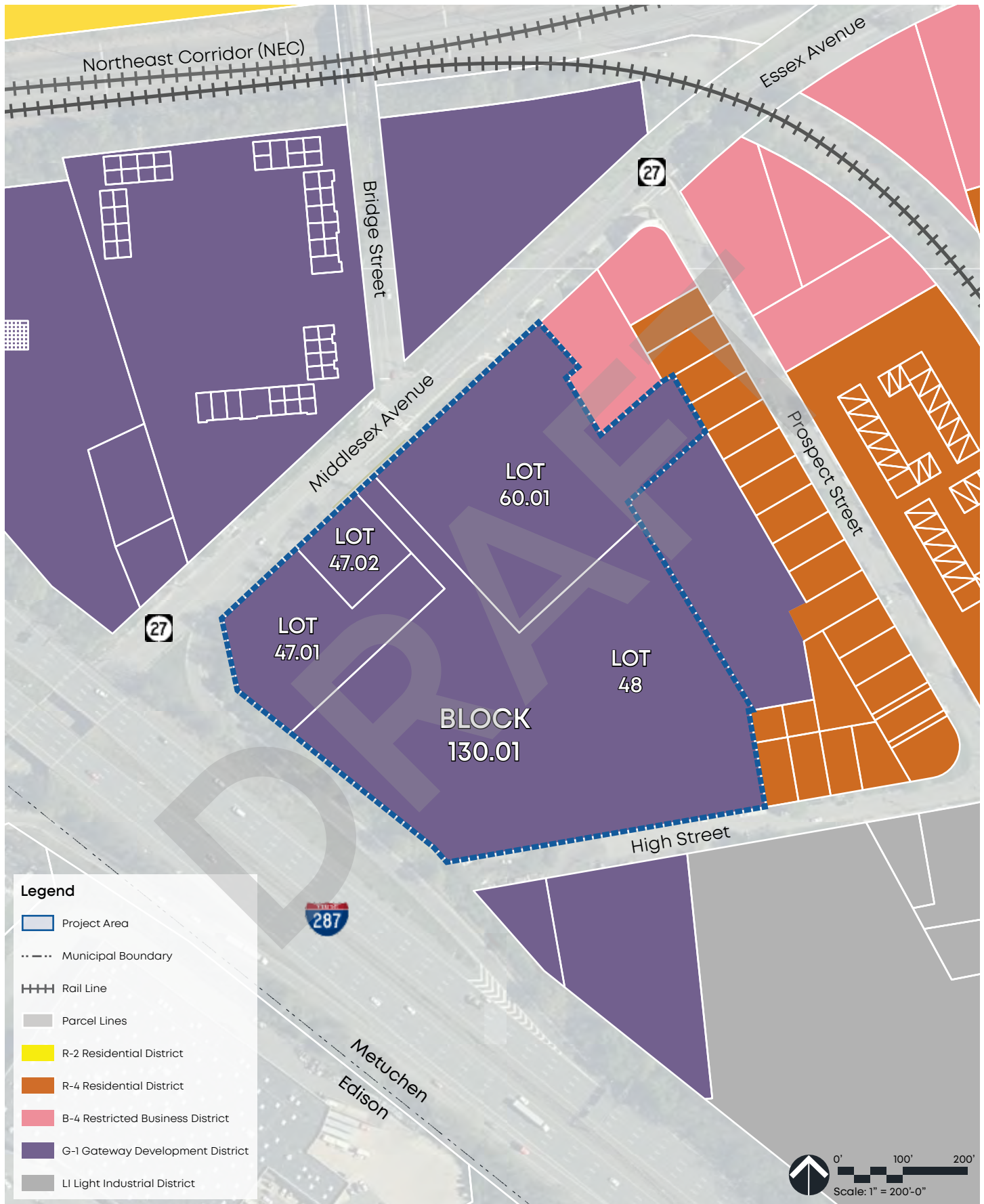
The permitted principal, accessory, and conditional uses along with the permitted bulk regulations of the G-1 District is provided below in Table 4.

**Table 4. G-1 Gateway Development District**

Permitted Principal Uses			
Offices; Banks and other financial institutions, except drive-in banks; Motels and hotels; New Automobile Dealerships; and, Borough-operated public facilities.			
Permitted Accessory Uses			
Driveways, parking lots, loading areas, multilevel parking facilities and other uses deemed to be permitted accessory uses.			
Permitted Conditional Uses			
Drive-in banks; Light industrial uses; Warehouses; Gasoline service stations; Wireless communication facilities; and, Sports and athletic facilities.			
Bulk Regulations			
Lot Area & Dimensions		Coverage	
Min. Lot Area (SF)	40,000	Max. Building Coverage	30%
Min. Lot Width (Feet)	200	Max. Impervious Coverage	70%
Min. Lot Depth (Feet)	200		
Setbacks		Height	
Min. Front Yard (Feet)	40	Max. Height (Feet)	35
Min. Side Yard Each (Feet)	20	Max. Height (Stories)	3
Min. Side Yard Both (Feet)	40		
Min. Rear Yard (Feet)	25		



Map 5. Existing Zoning Map





# 4

## RELATIONSHIP TO OTHER PLANS

### 4.1 RELATIONSHIP TO BOROUGH'S LAND DEVELOPMENT ORDINANCE

As further elaborated in Section 6, the zoning standards as set forth in this Redevelopment Plan will be a combination of an overlay to as well as superseding the underlying zoning for different portions of the Project Area.

### 4.2 RELATIONSHIP TO BOROUGH'S MASTER PLAN

The 2016 Master Plan Reexamination Report discusses the Borough's desire to create a vision plan with community involvement to address downtown and business districts, including to evaluate impacts of Southwest Gateway area.

More specifically, the report indicated that various issues continued to be of concern to the community, and further identified certain issues which should be reviewed and studied further and which constitute as the recommendations of the Master Plan:

*The Borough should evaluate the impacts to the Southwest Gateway plan of the potential new interchange at Route 27 and I-287. The Borough should continue to pursue a full interchange at this location and improve the visual quality/image of the route 27 corridor within the remaining redevelopment and infill sites in the Southwest Gateway District.*

Drawing from the review of the Master Plan by the Planning board of Metuchen, prior master plan documents were comprehensively reevaluated, resulting in the establishment in a consolidated set of goals and recommendations for the various plan elements contained in the Master Plan. In particular, one overarching goal and recommendation in the Master Plan is the community's desire to preserve the traditional character of Metuchen and improve the visual quality of corridors.

### 1987 SOUTHWEST GATEWAY STUDY

In 1987, the Borough took advantage of a unique opportunity at the time by planning for future redevelopment of an area often overlooked. By directing and guiding growth within an overall master plan for the area, the Borough enacted a planning policy that would reshape development within Southwest Gateway over the next decade and beyond.

The study succinctly noted that the general physical character of the study area along Route 27 "can best be described with two words - motor vehicles." Businesses located in the area sold, leased, repaired, serviced, cleaned, and stored motor vehicles. Additionally, other warehouse and light industrial uses engaged in short-term storage and distribution of goods, along with modest manufacturing and/or assembly operations, all of which required deliveries and/or distribution with tractor trailers and other trucks, and which continue to this day.

The study determined that the roadway leading into Metuchen with a visual quality most unlike other gateways found throughout the community, was Middlesex Avenue within the southwest quadrant.

*This area exemplifies the antithesis of Metuchen's other gateways - no shade trees lining the streets, in fact, minimal landscaping whatsoever, strip commercial development, highway signage, outdoor storage, and inordinate amounts of asphalt, chain link and barb wire fences, weeds, dumping, and non-maintenance.*

The study established the following goals and objectives for the Southwest Gateway:

- Improve the visual quality / image of the Route 27 corridor.
- Develop a set of specific land uses for each residential, business, and industrial zone that will promote appropriate future development.
- Revise existing zoning district boundaries to reflect existing land use patterns and provide direction for future development.
- Limit future residential development to the area defined by existing residential land uses.
- Promote planned development opportunities for vacant and underutilized land in accordance with an overall urban design plan.
- Improve existing traffic conditions on Route 27 and at the Middlesex Avenue / Bridge Street intersection.

The study also explored three (3) development plans based on the above goals and objectives, representing a sequential long-range strategy for improving and redeveloping the study area.

Development Plan "A" was not a development plan, per se, but a plan for upgrading and improving the streetscape along the Route 27 corridor, including shade streets, planting of other buffer landscaping, sidewalks, the improvement of the Middlesex Avenue / Bridge Street intersection, encouraging property owners and businesses to upgrade buildings / sites and undergo general property maintenance.

Within the discussion of Development Plan "A", the study recommended amending the zoning for the entire study area. This involved expanding the R-4 Residential District, replace the existing B-3 Business District with a more restrictive B-4 Business District, and create a new G-1 Gateway Development District generally in the area of the Route 27 / Interstate 287 interchange, intended to direct future business development away from strip commercial uses.

Development Plans "B" and "C" expanded upon Development Plan "A" by suggesting infill and planned development, which included infill development fronting on Middlesex Avenue, with parking at the rear, a proposed roadway serving as an extension of Bridge Street, and a substantial number of shade trees and buffer landscaping throughout.

In 1991, the Borough adopted the 1987 Southwest Gateway Study as part of its Master Plan.

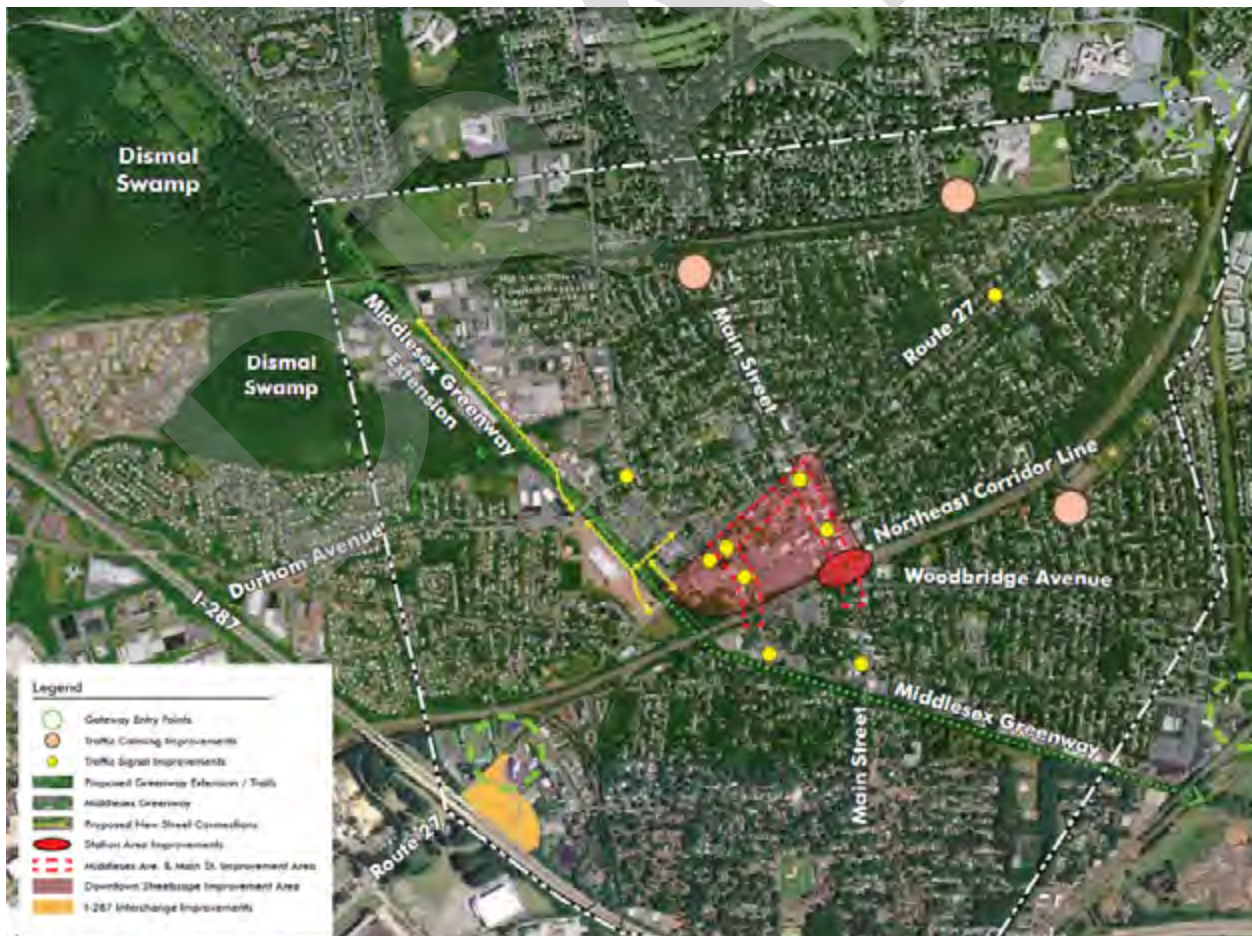
## 2009 CIRCULATION PLAN ELEMENT

In 2009, the Borough considered all circulation and related issues throughout the community in order to develop a comprehensive Circulation Plan Element for the Borough's Master Plan. The Circulation Plan Element generally focuses on improving traffic circulation, access to transit, and promoting safe pedestrian and bicycle improvements.

The recommendations established below sought to preserve and enhance the Town Center and neighborhood character of the community and improve its functioning in several ways. The specific implementation items included recommendations that are applicable to the Southwest Gateway as follows:

- I-287 Interchange Upgrade
- Traffic Intersection and Signal Improvements
- Traffic Calming and Pedestrian Safety Improvements
- Proposed "Missing Link" Roadway Connections

Specific to Southwest Gateway area, the Circulation Plan Element recommended improvements to the Route 27 / Interstate 287 interchange and identified this area as one of the primary gateway entry points into Metuchen.





### Interchange Upgrade

As previously noted, the Route 27 / Interstate 287 interchange was not initially constructed as a full interchange and, as such, is overburdened with a difficult geometry. Increased development within the Route 27 corridor in the Township of Edison, including several "Big Box" shopping centers and warehouse/distribution centers adjacent to I-287 has only exacerbated the problem at this interchange.

The Borough has worked with the New Jersey Department of Transportation ("NJDOT") to prepare a plan to reconfigure the interchange ramping and signalization. The proposed plan would bring the ramps from the north-bound direction to a signalized 4-way intersection with Bridge Street. This realignment will eliminate the series of offset intersections and confusing merging and turning movements.



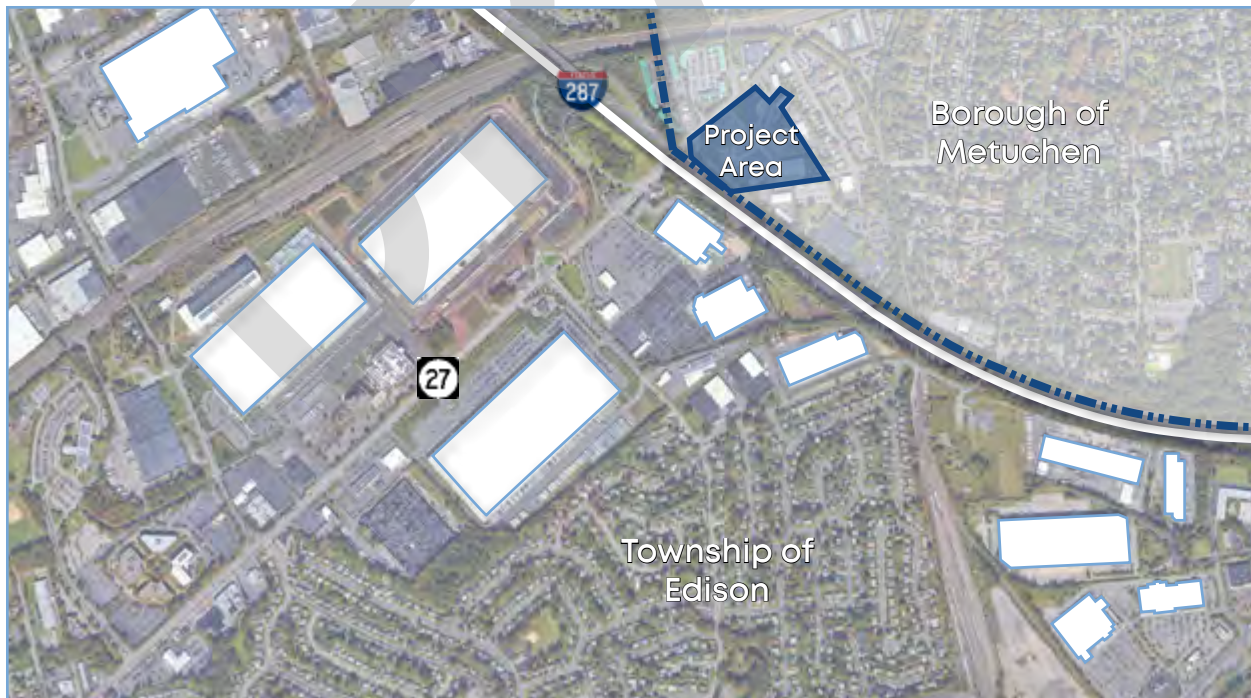


### 4.3 RELATIONSHIP TO CONTIGUOUS MUNICIPALITIES

The only contiguous municipality to the Project Area is the Township of Edison (“Edison” or “Township”), which completely surrounds the Borough of Metuchen. The Project Area is located near the southwest corner of Metuchen and is separated from Edison only by the Interstate 287 right-of-way.

Adopted in 2003, the Future Land Use Plan Element of Edison’s Master Plan recognizes both municipalities as being located in the Northeast subregion of the Middlesex County Growth Management Plan, “reflect[ing] the potential for redevelopment of industrial sites into retail, office, and residential uses.” The plan discusses various sites and corridors of interest in terms of land use planning within the Township and mentions how the long-closed Frigidaire site along Route 27 provided an opportunity to reshape the Route 27 corridor using the principles of New Urbanism. The plan specifically recommended creating a General Business district for the area to encourage commercial development and implement requirements for landscaping and buffering. Given that this area falls just outside of the Project Area, the land uses and site improvements proposed in this Redevelopment Plan complement Edison Master Plan’s vision for Route 27 to serve as an activated gateway to the Township.

Route 27 is also considered a “principal arterial” under the Circulation Plan Element, highlighting it as a roadway with significant hazards and impediments for cyclists and pedestrians. Similarly, Route 27 is identified as a corridor of interest in the 2011 Master Plan Reexamination Report, which included recommendations to upgrade or redevelop underutilized properties and take meaningful steps towards improving pedestrian infrastructure. The roadway improvements and sidewalks proposed in this Redevelopment Plan would support improved pedestrian movement in this high-speed, high-traffic area of Route 27.



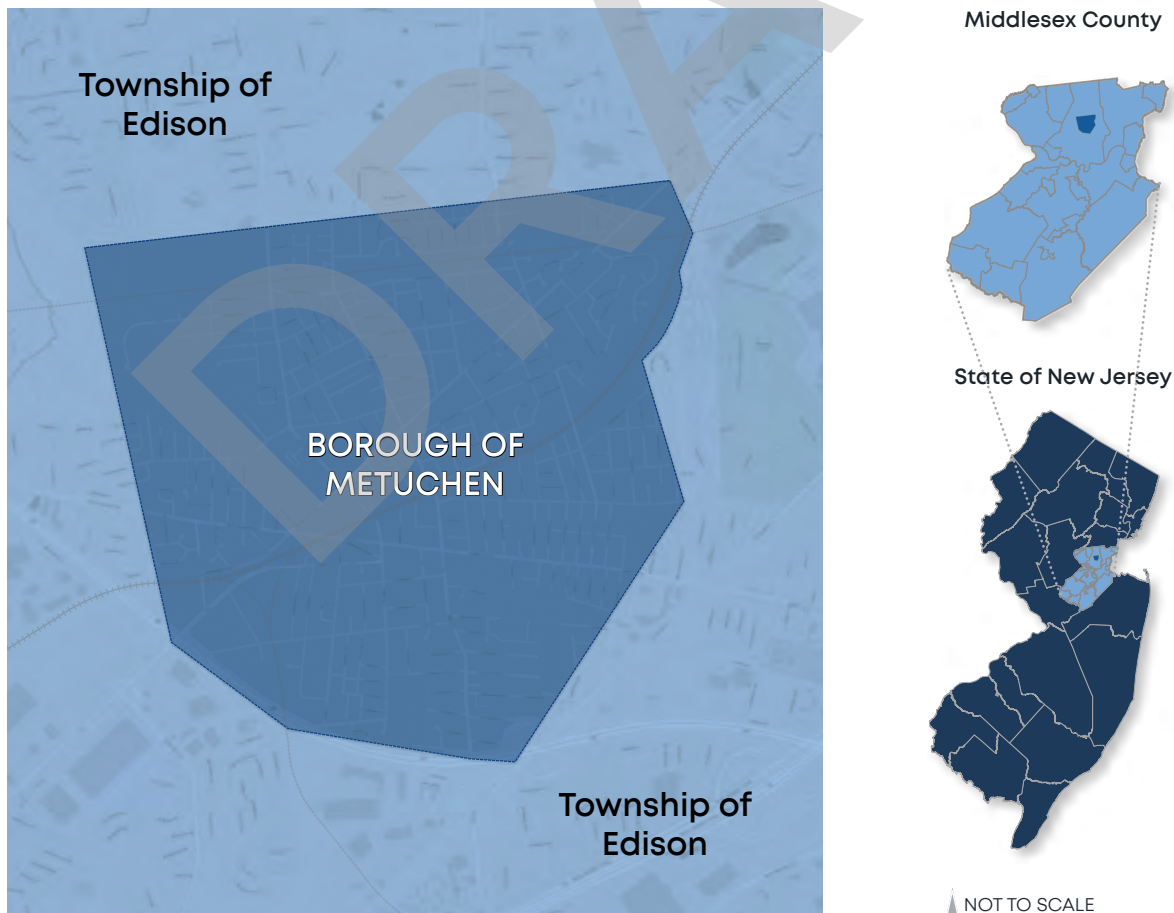
*Aerial showing the relationship of several "Big Box" shopping centers and warehouse/distribution centers in Edison, adjacent to the Project Area.*

#### 4.4 RELATIONSHIP TO MIDDLESEX COUNTY

The Middlesex County Comprehensive Plan adopted by the Middlesex County Planning Board is currently being updated. According to Middlesex County representatives, there is no anticipated completion date of the Land Use Element of the Comprehensive Plan. As it is anticipated the Land Use Element will be written after adoption of this Redevelopment Plan, it is expected the Middlesex County Planning Board will take this Redevelopment Plan into consideration when drafting its Master Plan. Therefore, it is anticipated that this Redevelopment Plan will not conflict with the Middlesex County Comprehensive Plan.

According to the Middlesex County Transportation Master Plan, Route 27 and Interstate 287 are identified as some of the most congested routes in the County. The plan identifies the improvement of the Route 27 / Interstate 287 interchange as a proposal that would advance the goals of the County. The roadway and other site improvements proposed in this Redevelopment Plan align with the overall goals and strategies for transportation including promoting safety, improving mobility, and reducing traffic congestion.

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



## 4.5 RELATIONSHIP TO THE STATE PLAN

### STATE DEVELOPMENT AND REDEVELOPMENT PLAN

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

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

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

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

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

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

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

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

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

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

Goal 6: Provide adequate housing at a reasonable cost.

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

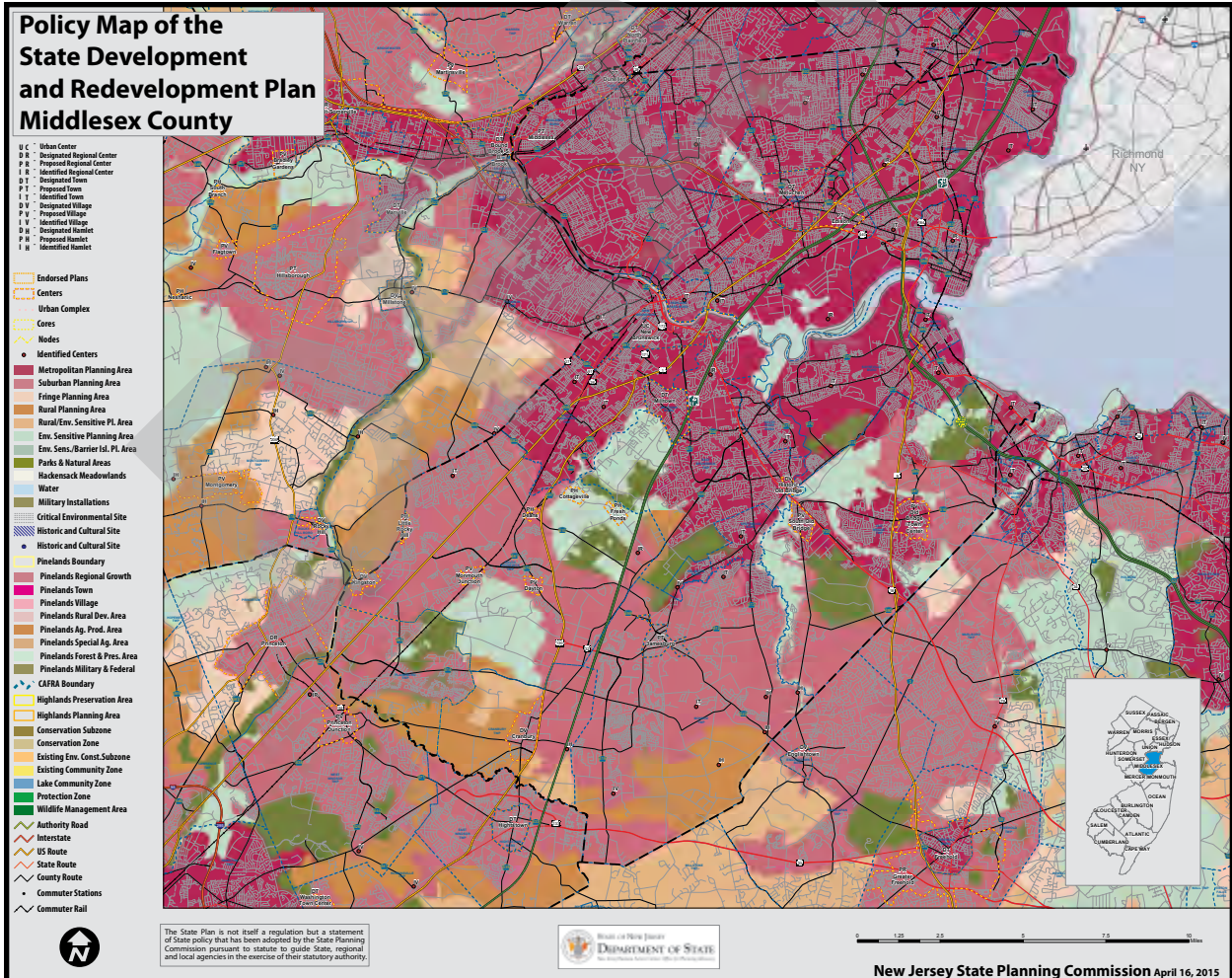
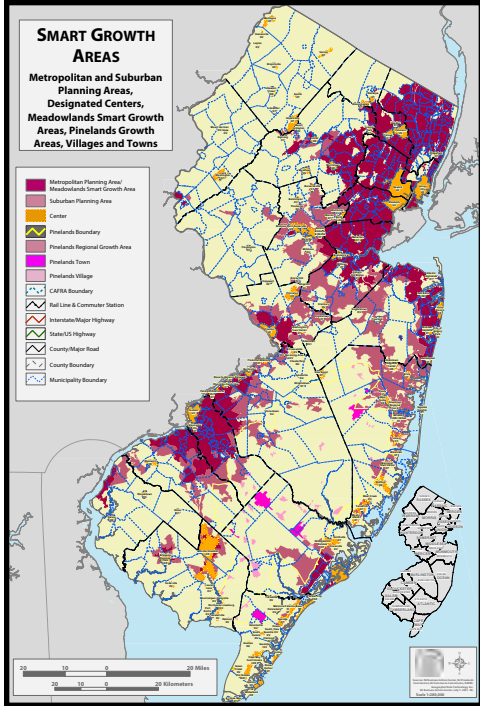
Goal 8: Ensure sound and integrated planning and implementation statewide.



## STATE PLAN POLICY MAP

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

It is noted that the Borough of Metuchen is identified as a “Town Center” as depicted below on the [State Plan] Policy Map of the State Development and Redevelopment Plan [for] Middlesex County.



According to the State Plan Policy Map, the vast majority of Borough of Metuchen, including the entirety of the Project Area, is contained entirely within the Metropolitan Planning Area (PA1), which classification denotes a Smart Growth area and generally includes developed communities that range from large urban centers to post-war suburbs.

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

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

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

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

## **DRAFT STRATEGIC STATE PLAN**

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

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

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

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

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

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

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

Value 1: Concentrate Development and Mix Uses

Value 2: Prioritize Redevelopment, Infill, and Existing Infrastructure

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

Value 4: Create High-Quality, Livable Places

Value 5: Provide Transportation Choice & Efficient Mobility of Goods

Value 6: Advance Equity

Value 7: Diversify Housing Opportunities

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

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

Value 10: Make Decisions within a Regional Framework

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



# 5

# VISION FOR THE PROJECT AREA

## 5.1 STATEMENT OF GOALS AND OBJECTIVES

The Borough seeks to alleviate the conditions found in the Project Area and support use of property in the area which will better 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 Project Area to be considered an “area in need of rehabilitation.”
- B. The stimulation of private investment in the Project 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 Project Area, including federal, state, county and local government funding.
- D. Foster public-private partnerships to accomplish revitalization of the Project Area in a manner that best serves the needs of the community, strengthens the local economy, attracts residents to the area, and contributes to the continuing vitality of the Borough.

This Redevelopment Plan is also intended to implement the concept plan as generally depicted on Map 6, and to advance the following specific goals and objectives as it relates to the Project Area:

- A. Improve the aesthetic quality and walkability of the Route 27 corridor.
- B. Serve the plans for the eventual realignment of the Route 27 / Interstate 287 interchange.
- C. Improve traffic flow on Route 27 and at the Route 27 / Bridge Street intersection via the Bridge Street Extension.
- D. Provide street trees and enhance landscape buffering along the street and in front of existing and proposed buildings.
- E. Increase commercial activity in a way that draws attention away from existing industrial uses and does not conflict or compete with the downtown area.
- F. Improve facade treatments, signage, and ensure other contextual design elements.

Map 6. Concept Plan





# 6

# PROPOSED ZONING REQUIREMENTS

## 6.1 PURPOSE & OVERVIEW

Any development that occurs within the Project Area shall comply with all statutes of the State of New Jersey governing development, rehabilitation and redevelopment, including but not limited to the MLUL and LRHL. Additionally, it is necessary to establish the following:

- A. The development, rehabilitation or redevelopment of the Project Area shall effectuate the Goals and Objectives of this Redevelopment Plan.
- B. The zoning standards as set forth in this Redevelopment Plan shall be an overlay to the underlying zoning within Parcel A and the Bridge Street Extension of the Project Area, and shall require the execution of a Redevelopment Agreement in order to apply. Additionally, the zoning standards as set forth in this Redevelopment Plan shall supersede the underlying zoning for Parcel B and Parcel C of the Project Area, and shall not require the execution of a Redevelopment Agreement in order to apply.
- C. It is intended and expressly understood that any development and design standards as set forth in this Redevelopment Plan shall not apply to Parcel B and Parcel C of the Project Area, unless otherwise specified herein. Any future development within Parcel B and Parcel C shall be subject to Part IV "Development and Design Standards" of the Borough's Land Development Ordinance (the "Ordinance").
- D. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided in the Ordinance.

This Redevelopment Plan addresses multiple areas within the overall Project Area, each exhibiting differences in planned intensity and nature of development. As such, the Project Area is divided into the following areas as generally depicted on Map 7:

- A. Parcel A: Block 130.01, Lots 47.01 and 47.02 and a portion of Lot 48 comprising of vacant and underutilized land bounded by Middlesex Avenue (New Jersey State Route 27) and Interstate 287, pertaining to the planned fuel station and convenience store, together with planned site improvements.
- B. Parcel B: Remainder of Block 130.01, Lot 48 pertaining to other light industrial and auto-oriented uses as well as the Metuchen Sports Center fronting on High Street, together with existing site improvements.
- C. Parcel C: Remainder of Block 130.01, Lot 60.01, pertaining to the existing Cross Country Powersports facility and Sport Honda building, together with existing site improvements.
- D. Bridge Street Extension: Portion of the Project Area pertaining to the planned extension of Bridge Street from Middlesex Avenue (New Jersey State Route 27) up to the southern terminus of Parcel A, which would accommodate a signalized 4-way intersection and, ultimately, the future reconfiguration of interchange ramping.



Map 7. Proposed Zoning Map



Additionally, the area & bulk regulations as prescribed herein shall apply to the boundaries of the above-defined Parcels as generally depicted on Map 7, and not to individual lots that may be created as a result of a consolidation and/or subdivision. In the event there is any discrepancy between the boundaries of the Parcels as generally depicted on Map 7 and individual lots that may be created as a result of a consolidation and/or subdivision, the consolidation and/or subdivision shall control so long as the consolidation and/or subdivision does not substantially deviate from the general boundaries of each Parcel as generally depicted on Map 7 and such consolidation and/or subdivision plan is approved by the Director of Economic Development and/or Redevelopment Entity prior to being filed with the Planning Board.

## **6.2 LAND USE REGULATIONS**

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

### **6.2.1. PERMITTED PRINCIPAL USES.**

A. The following principal uses and structures shall be permitted on Parcel A:

1. Fuel station and convenience store.

For purposes of this Redevelopment Plan, a "fuel station and convenience store" shall be defined as a fuel station and a convenience store located on the same lot and planned, operated and maintained as an integrated operation. The fuel station is generally designed to sell and dispense fuel products to the public, including but not limited to gasoline, diesel, and liquefied petroleum gas, but where no automotive repair or vehicle sales are undertaken. The convenience store is generally designed to and stocked to sell primarily fresh and pre-packaged food, beverage and other household/personal use items to the public. The term may include accessory on-site consumption of food and beverages sold on site.

B. The following principal uses and structures shall be permitted on Parcel B:

1. Sports and athletic facilities.
2. Offices.
3. Existing automotive and motorcycle leasing establishments inclusive of ancillary used automotive sales but not including rental trucks.
4. Existing automotive and motorcycle repair establishments inclusive of ancillary body repair and painting.
5. Existing truck parking area.
6. Existing warehouses.

7. Borough-operated public facilities.
- C. The following principal uses and structures shall be permitted on Parcel C:
1. New automotive and motorcycle dealerships.
  2. Borough-operated public facilities.

#### **6.2.2. PERMITTED ACCESSORY USES.**

- A. The following accessory uses and structures shall be permitted on Parcels A, B & C:
1. Driveways, off-street parking areas and off-street loading areas.
  2. Electric vehicle ("EV") charging infrastructure, including but not limited to electric vehicle supply equipment ("EVSE") and Make-Ready parking spaces, as those terms are defined in P.L. 2021, c. 171.
  3. Fences, walls, retaining walls, hedges and other landscape elements.
  4. Outdoor seating for food & beverage consumption and walk-up window for purchases, within Parcel A only.
  5. Pedestrian walkways and ramps.
  6. Propane tank, refill, and exchange storage cages, within Parcel A only.
  7. Refuse and recycling enclosures.
  8. Signs.
  9. Storage sheds.
  10. Stormwater management facilities and structures.
  11. Street furnishings, planters and streetlights.
  12. Utility boxes.
  13. Other uses and structures deemed to be ancillary and customarily incidental accessory uses and structures with respect to uses permitted hereunder.

#### **6.2.3. PERMITTED CONDITIONAL USES.**

- A. The following conditional uses shall be permitted on Parcel B:
1. Light industrial uses, pursuant to §110-87.K. of the Ordinance.
  2. Warehouses, pursuant to §110-87.W. of the Ordinance.
  3. Wireless communications facilities, pursuant to §110-87.X. of the Ordinance.



## 6.3 AREA & BULK REGULATIONS

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

### 6.3.1. AREA & BULK REGULATIONS.

A. The following area and bulk standards shall apply to Parcel A:

#### Area Requirements

1. Minimum Lot Area: 60,000 square feet
2. Minimum Lot Width: 200 feet
3. Minimum Lot Depth: 200 feet

#### Setback Requirements

4. Minimum Front Yard Setback from Middlesex Avenue: 60 feet to principal building; 40 feet to canopy
5. Minimum Yard Setback from all other Parcel lines: 45 feet to principal building; 40 feet to canopy

#### Coverage Requirements

6. Maximum Building Coverage (including canopy): 25%
7. Maximum Impervious Coverage: 85%

#### Height\* Requirements

8. Maximum Building Height in stories: 1 story
9. Maximum Building Height in feet: 35 feet
10. Maximum Canopy Height in feet: 26 feet

\*Height is defined in Section 6.4.2 below.

B. The following area and bulk standards shall apply to Parcel B:

#### Area Requirements

1. Minimum Lot Area: 40,000 square feet
2. Minimum Lot Width: 200 feet
3. Minimum Lot Depth: 200 feet

Setback Requirements

4. Minimum Front Yard Setback from High Street: 20 feet
5. Minimum Yard Setback from all other Parcel lines: 10 feet for existing buildings; 20 feet for proposed buildings

Coverage Requirements

6. Maximum Building Coverage: 30%
7. Maximum Impervious Coverage: 90%

Height\* Requirements

8. Maximum Building Height in stories: 3 stories
9. Maximum Building Height in feet: 35 feet; 45 feet for sports and athletic facilities

\*Height is defined in Section 6.4.2. below.

C. The following area and bulk standards shall apply to Parcel C:

Area Requirements

1. Minimum Lot Area: 40,000 square feet
2. Minimum Lot Width: 200 feet
3. Minimum Lot Depth: 200 feet

Setback Requirements

4. Minimum Front Yard Setback from Middlesex Avenue: 35 feet
5. Minimum Front Yard Setback from Bridge Street Extension: 5 feet
6. Minimum Yard Setback from all other Parcel lines: 3 feet for existing buildings; 20 feet for proposed buildings

Coverage Requirements

7. Maximum Building Coverage: 30%
8. Maximum Impervious Coverage: 90%

Height\* Requirements

9. Maximum Building Height in stories: 3 stories
10. Maximum Building Height in feet: 35 feet

\*Height is defined in Section 6.4.2. below.

- D. The following bulk standards shall apply to all accessory structures, inclusive of A/C condenser units, generators, above-ground oil tanks and other mechanical equipment associated with the principal building:

Location Requirements

1. No accessory structure shall be located in a front yard, unless otherwise specified herein.
2. Electric vehicle supply equipment ("EVSE"), air pumps, and other equipment associated with an off-street parking area shall be permitted to be located in the front yard, provided it is screened from view from a public street.
3. Transformers and other utility equipment shall be permitted to be located in the front yard, provided it is screened from view from a public street, subject to limitations and requirements of the utility company.

Setback Requirements

4. Minimum Side and Rear Yard Setbacks for accessory structures not exceeding 100 square feet in area, and refuse & recycling enclosures: 5 feet
5. Minimum Side and Rear Yard Setbacks for accessory structures greater than 100 square feet in area: 10 feet

Height\* Requirements

6. Maximum Building Height in stories: 1 1/2 stories
7. Maximum Building Height in feet: 20 feet or the height of the principal building, whichever is lower

\*Height is defined in Section 6.4.2. below.

## **6.4 SUPPLEMENTARY REGULATIONS**

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

### **6.4.1. PERMITTED PROJECTIONS.**

- A. Non-enclosed one-story porches, porticos, stoops and entrance platforms leading to the front entrance on the ground floor shall be permitted to project not more than eight (8) feet into a front yard setback.
- B. Non-enclosed one-story porches, porticos, stoops, entrance platforms and uncovered decks leading to the basement, or the ground floor shall be permitted to project not more than four (4) feet into a side or rear yard setback.



- C. Cornices, eaves, chimneys, gutters, downspouts, cantilevered roofs, balconies and bay windows shall be permitted to project not more than three (3) feet from the building into any yard setback.
- D. Belt courses, windowsills and other similar ornamental features may project not more than one (1) foot into any yard setback.
- E. 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.
- F. Awnings and canopies may project not more than eight (8) feet into any yard setback, provided that they have a minimum vertical clearance of eight (8) feet and is set back a minimum of four (4) feet from the curb line along the parking area, driveway or street.

#### **6.4.2. DEFINITION OF HEIGHT.**

- A. Building Height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls, exclusive of grade separation requirements and grading necessary to direct stormwater runoff away from the building.
- B. Building height calculations shall exclude building service equipment (e.g., condensers, cooling towers, exhaust fans, other similar mechanical equipment and any associated screening devices), solar panels, bulkheads, elevator penthouses, stair enclosures, roof access stairwells, skylights or atrium structures, flagpoles and architectural appurtenances (e.g., chimneys, cupolas, towers, belfries, lanterns, spires, steeples, and other similar elements), provided that such shall not extend more than 10 feet above the allowable building height. Additionally, building height calculations shall exclude fire walls, parapet walls, cornices, and other similar elements, provided that such shall not extend more than three (3) feet above the allowable building height.
- 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.

### **6.5 DEVELOPMENT & DESIGN STANDARDS**

The regulations pertaining to development and design standards contained herein shall apply to all development in Parcel A and the Bridge Street Extension and shall not apply to Parcel B and Parcel C of the Project Area, unless otherwise specified herein. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

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

- A. Any development that occurs within the Project Area shall provide an overall concept plan for the entire Project Area. The concept plan shall be prepared as a diagram that illustrates that no proposed permanent structure or site improvement will be placed in a location that would preclude or reduce the likelihood for the dedication or acquisition of rights-of-way for interchange improvements at the intersection of Middlesex Avenue (New Jersey State Route 27) and Interstate 287, as shown on conceptual studies prepared by the Borough and/or the New Jersey Department of Transportation.
- B. The Bridge Street Extension shall be developed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper. More specifically, the existing driveway at Middlesex Avenue shall be realigned with the Bridge Street public right-of-way situated north of the Project Area and improved with a new traffic signal, together with pedestrian signal head and push button facilities, sidewalks and crosswalks, subject to all approvals required from the New Jersey Department of Transportation.
- C. The overall streetscape along Middlesex Avenue shall be designed to enhance the public realm, by emphasizing pedestrian safety, accessibility, and connectivity throughout the Southwest Gateway, as envisioned by the Borough's Master Plan. The existing public sidewalk shall be realigned as necessary to accommodate improvements to the Interstate 287 off-ramp, ingress lane into the Project Area and Bridge Street Extension.
- D. The front yards along Middlesex Avenue and the Bridge Street Extension shall be permitted to include a parking area, provided that such parking area is suitably buffered and screened from public view. Such screening shall consist of either (1) a combination of landscaping and a low masonry wall or (2) an enhanced landscape buffer. Where a low masonry wall is utilized, such shall be composed of materials, colors, finishes and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other improvements within the Southwest Gateway. Where an enhanced landscape buffer is utilized, such buffer shall contain layers of ground-level landscaping, shrubs, evergreen trees, flowering trees, and shade trees, and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.

### **6.5.2. PARKING REQUIREMENTS.**

- A. Parking requirements shall be regulated pursuant to §110-154.B. of the Ordinance.
- B. Parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of the mix of uses, parking demands of specific uses, proximity public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute's Shared Parking Analysis or other generally

accepted standards applicable to shared parking.

- C. Provisions for electric vehicle ("EV") charging infrastructure and/or stations shall be provided in accordance with State law, including P.L. 2021, c.171. Installation of electric vehicle supply equipment ("EVSE") may be provided in lieu of Make-Ready parking spaces, as those terms are defined in P.L. 2021, c.171.
- D. Provisions for bicycle parking shall be provided to accommodate a minimum of one (1) bicycle for every 10 parking spaces.
- E. Bicycle parking requirements may be reduced where it can be demonstrated to the satisfaction of the Planning Board that use will not generate a need for such facilities, or where the anticipated need is less than what would be required under this section or can be accommodated on an adjacent Parcel within the Project Area or on adjacent property outside the Project Area.

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

- A. An off-street parking area shall be permitted to be located between the building and Middlesex Avenue, provided that the parking area is set back a minimum of 15 feet from the curb line along Middlesex Avenue, and the area between the off-street parking area and the curb line along Middlesex Avenue is designed in accordance with applicable subsections of Section 6.5.1.
- B. An off-street parking area shall be permitted to be located between the building and the Bridge Street Extension, provided that the parking area is set back a minimum of 10 feet from the curb line along the Bridge Street Extension, and the area between the off-street parking area and the curb line along the Bridge Street Extension is designed in accordance with applicable subsections of Section 6.5.1.
- C. The minimum driveway and parking area setback from all other Parcel lines shall be five (5) feet, except along the Interstate 287 right-of-way, where there shall be no minimum driveway and parking area setback requirement.
- D. The minimum driveway and parking area setback from any buildings, except for those areas necessary for off-street loading areas and servicing refuse and recycling areas, shall be five (5) feet. Where such areas are not provided with wheel stops, such setback shall be increased to six (6) feet.
- E. The maximum drive aisle width shall be 30 feet, except for the drive aisle between the principal building and the canopy which shall be permitted to have a maximum width of 35 feet.
- F. The minimum parking stall size for parallel parking spaces, where provided, shall be 8' wide by 23' long.
- G. The minimum parking stall size for all other parking spaces shall be 9' wide by 18' long, except for accessible parking stalls and associated access aisles which shall be subject to standards promulgated by the Americans with Disabilities Act ("ADA").



- H. Parking stalls designated for compact cars, which shall be no less than 8' wide and no less than 16' long, shall be permitted provided that the total number of compact parking spaces does not exceed 10% of the total number of parking spaces.

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

- A. A public sidewalk shall be provided within the public right-of-way along Middlesex Avenue. Where such sidewalk along the street extends beyond the public right-of-way onto private property, the redeveloper shall be required to provide a public access easement for the portion of the sidewalk located on private property.
- B. The location and width of sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Project Area, but in no case shall the sidewalk be less than four (4) feet in width.
- C. Planting strips between the curb line and the sidewalk may be improved with Green Infrastructure elements, to the extent practical. In no instance, however, shall a planting strip be permitted to be covered with asphalt, concrete, other paving or loose stones of any variety.
- D. Where sidewalks intersect at driveways, sidewalks shall continue uninterrupted across driveways, and the associated driveway aprons shall be designed to accommodate a continuous sidewalk.
- E. Where sidewalks intersect at streets, accessible ramps and detectable warning surface pads shall be provided. Pedestrian crosswalks shall be provided across the streets with "continental" or ladder striping, which shall be two (2) feet in width and a minimum of eight (8) feet in length, spaced two (2) feet apart.

#### **6.5.5. PEDESTRIAN WALKWAYS.**

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

#### **6.5.6. REFUSE & RECYCLING.**

- A. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided within the building being served and/or in nearby locations outside the building on the Parcel.
- B. Collection vehicles shall be able to access refuse and recycling facilities without interference from parked vehicles or other obstacles.
- C. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be suitably buffered and screened from public view within or

outside the Parcel. Such screening shall consist of a combination of a three-walled masonry enclosure and associated gates, as well as landscaping. Such enclosure and associated gates shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the building and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of other improvements within the Project Area.

- D. Any exterior areas provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by users and recycling personnel and/or collection vehicles.
- E. Any receptacles or dumpsters located in exterior areas shall be covered with a lid, closed at all times, and equipped with signage indicating the materials to be placed therein.
- F. Shared facilities shall be permitted, whether located on-site to accommodate off-site uses, or located off-site on adjacent property to accommodate on-site uses.
- G. The collection, disposal, recycling and transportation of solid waste shall be by private carters and shall be performed in accordance with Chapter 160 of the Code of the Borough of Metuchen.

#### **6.5.7. BUFFERING & SCREENING.**

- A. Any surface parking areas shall be suitably buffered and screened from public view within or outside the Parcel. Such screening shall consist of a combination of landscaping, fencing and/or masonry wall, and shall be improved in accordance with Article 44 of the Ordinance.
- B. Any development on Parcel A shall be required to provide the necessary improvements pursuant to subsection A along the southerly Parcel line on Parcel B in order to suitably buffer and screen the existing parking area. Such buffer and screening shall be provided in accordance with Article 44, Section 110-175.B. of the Ordinance, and shall be no less than five (5) feet in width.
- C. The existing truck parking area on Parcel B shall be required to provide the necessary improvements pursuant to subsection A along all sides of the truck parking area in order to suitably buffer and screen the existing truck parking area along the boundary of the Project Area. Such buffer and screening shall be provided in accordance with Article 44, Section 110-175.B. of the Ordinance, and shall be no less than 10 feet in width.

#### **6.5.8. LANDSCAPING.**

- A. Street trees shall be provided at intervals of approximately 30 to 40 feet along Middlesex Avenue and both sides of the Bridge Street Extension, whether existing or proposed. Any new street tree shall be a minimum size of three (3) inches in caliper at time of planting.

- B. Shade trees shall be provided within yards, along the perimeter of parking areas, and within landscape islands within parking areas, to the extent practical, whether existing or proposed. Any new shade tree shall be a minimum size of two (2) inches in caliper at time of planting.
- C. All portions of the Project Area not utilized by structures or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, lawn and other vegetative ground covers in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.
- D. Bollards, planters and/or other landscape features may be provided, where feasible, along pedestrian walkways adjacent to surface parking areas. Such bollards shall be spaced between three (3) to five (5) feet apart and shall be architecturally compatible with the style of the building.

#### **6.5.9. TREE REMOVAL & REPLACEMENT.**

- A. To the greatest extent possible, significant existing vegetation in good health and condition shall be preserved. Particular consideration shall be given to preserving any tree greater than four inches in caliper, as well as existing stands of trees and tall shrubs and hedgerows along property lines. In cases where trees are removed, their replacement shall be provided in accordance with Article 46 of the Ordinance.

#### **6.5.10. LIGHTING.**

- A. Decorative street lighting shall be provided along Middlesex Avenue and both sides of the Bridge Street Extension, whether existing or proposed, in accordance with §110-157 of the Ordinance. The type of fixture shall be consistent with the other fixtures utilized elsewhere in the Southwest Gateway.
- B. All parking and pedestrian areas shall be provided with pedestrian-scale light fixtures, in accordance with §110-157 of the Ordinance.
- C. Decorative and/or ambient lighting may be provided by one or more of the following: ground recessed lighting, bollard lighting, wall-mounted and/or recessed lighting.
- D. All fixtures shall be appropriately shielded and, where attached to a building, such shall be focused downward.
- E. All fixtures shall be LED, non-glare, full cut-off, and Dark-sky compliant.
- F. Decorative street lighting shall not exceed a color temperature of 3,300K and all other lighting shall not exceed a color temperature of 4,000K.



### 6.5.11. SIGNAGE.

- A. A maximum of one (1) free-standing monument identification sign shall be permitted, subject to the following standards:
1. The maximum height from ground level to uppermost portion of the sign, including any posts, brackets and other supporting elements, shall not exceed 20 feet.
  2. The maximum width of the sign, including any posts, brackets and other supporting elements, shall not exceed 10 feet.
  3. The maximum area of the primary sign panel shall not exceed 24 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed three (3) feet. Internally-illuminated channel letters or back-lit letters shall be permitted.
  4. The maximum area of electronic message board for price display shall not exceed 36 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed three (3) feet.
  5. The maximum area of secondary sign panels shall not exceed eight (8) square feet for a total not to exceed 32 square feet, within which the maximum height of individual letters, numbers or other characters, images or logos shall not exceed one (1) foot.
  6. No portion of such sign shall be located within five (5) feet of any Parcel line or within any clear sight triangle.
  7. No portion of such sign shall project or extend over sidewalks, walkways, driveway or parking areas.
  8. The free-standing monument identification sign may identify or advertise any of the uses approved under this Redevelopment Plan, including those uses on Parcel B but not Parcel C.
  9. The base of the free-standing monument identification sign shall be provided with an enhanced landscape buffer. Such buffer shall contain multiple rows and/or layers of ground-level landscaping and shrubs, and may include bio-retention swales or other Green Infrastructure elements, to the extent practical.
- B. A maximum of three (3) directional signs shall be permitted, subject to the following standards:
1. The maximum size of the sign shall not exceed three (3) square feet.
  2. The maximum height from ground level to uppermost portion of the sign, including any posts, brackets and other supporting elements, shall not exceed three (3) feet.

3. The maximum height of the sign shall not exceed two (2) feet.
  4. The maximum width of the sign shall not exceed three (3) feet.
  5. The maximum height of individual letters, numbers or other characters, images or logos shall not exceed six (6) inches.
  6. No portion of such sign shall be located within five (5) feet of any Parcel line or within any clear sight triangle.
  7. No portion of such sign shall project or extend over sidewalks, walkways, driveway or parking areas.
  8. The base of the directional signs shall be provided with an enhanced landscape buffer. Such buffer shall contain multiple rows and/or layers of ground-level landscaping.
- C. A maximum of three (3) wall-mounted building signs shall be permitted, subject to the following standards:
1. The maximum size of the sign shall not exceed 125 square feet for a total not to exceed 250 square feet.
  2. The maximum height of the sign shall not exceed eight (8) feet.
  3. The maximum width of the sign shall not exceed 20 feet.
  4. The maximum height of individual letters, numbers or other characters, images or logos shall not exceed five (5) feet.
  5. No portion of such sign shall extend above or beyond the limits of the wall to which it is affixed.
- D. A maximum of six (6) wall-mounted mural signs and/or advertising displays shall be permitted, subject to the following standards:
1. The maximum size of the sign shall not exceed 32 square feet for a total not to exceed 192 square feet.
  2. The maximum height of the sign shall not exceed eight (8) feet.
  3. The maximum width of the sign shall not exceed four (4) feet.
  4. The maximum height of individual letters, numbers or other characters, images or logos shall not exceed eight (8) feet.
  4. No portion of such sign shall extend above or beyond the limits of the wall to which it is affixed.
- E. A maximum of two (2) canopy-mounted signs shall be permitted, subject to the following standards:
1. The maximum size of the sign shall not exceed 12 square feet.

2. The maximum height of the sign shall not exceed two (2) feet.
  3. The maximum width of the sign shall not exceed eight (8) feet.
  4. The maximum height of individual letters, numbers or other characters, images or logos shall not exceed 18 inches.
  5. No portion of such sign shall extend above or beyond the limits of the side of the canopy to which it is affixed.
- F. A maximum of two (2) canopy spanner signs shall be permitted, subject to the following standards:
1. The maximum size of the sign shall not exceed eight (8) square feet.
  2. The maximum height of the sign shall not exceed two (2) feet.
  3. The maximum width of the sign shall not exceed eight (8) feet.
  4. The maximum height of individual letters, numbers or other characters, images or logos shall not exceed 18 inches.
- G. A maximum of two (2) air pump signs shall be permitted, subject to the following standards:
1. The maximum size of the sign shall not exceed two (2) square feet.
  2. The maximum height of the sign shall not exceed two (2) feet.
  3. The maximum width of the sign shall not exceed three (3) feet.
  4. The maximum height of individual letters, numbers or other characters, images or logos shall not exceed six (6) inches.
- H. Wall-mounted or painted murals or art displays shall be permitted, and shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

#### **6.5.12. STORMWATER & UTILITIES.**

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

placed underground to the extent practical.

- D. Any existing infrastructure or utilities servicing the Project Area that are in need of repair or replacement shall be addressed in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

### **6.5.13. BUILDING DESIGN.**

- A. The architectural design of the building shall provide architectural interest, articulation and variety to the massing of the building and relieve the negative visual effect of a single, long wall.
- 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 and window treatments such that the ground floor façade along the street is predominately glazed. The glazing materials shall be highly transparent, with low reflectivity. The area above the storefronts shall be articulated with an articulated lintel composed of detailed layers of relief that create depth and shadow.
- 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 within the Project 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/or fiber cement siding and may include smooth finished stucco, cultured stone and EIFS. Vinyl siding shall not be permitted. Trim materials may consist of precast stone, wood, fiber cement and PVC.
- G. Any mechanical equipment and HVAC units shall be located either on the ground in the side or rear yard or on the roof, and screened from public view. Such screening device shall be designed to be architecturally compatible with the style, materials, colors and details of such building.



#### 6.5.14. SUSTAINABLE DESIGN.

- A. All development shall incorporate at least 10 of the following elements from the following Sustainable Design standards or features:

##### Renewable Energy

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

##### Passive Design

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

##### Energy Efficiency

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

##### Water Efficiency

10. Reduced or No Irrigation
11. WaterSense Rated Fixtures

##### Indoor Air Quality

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

##### Materials & Resources

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

#### **6.5.15. ACCESSIBILITY & UNIVERSAL DESIGN.**

- A. All development within the Project Area shall comply with federal, state and local requirements regarding accessibility.
- B. All development within the Project Area is encouraged to utilize Universal Design techniques and strategies to create public and private spaces that are equally accessible to all people, regardless of age and abilities. This approach is intended to facilitate equitable design that is flexible, simple, intuitive, perceptible, has tolerance for error, utilizes low physical effort and appropriate for the intended use.

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

Provisions for electric vehicle ("EV") charging infrastructure and stations for where parking facilities are provided on-site are regulated in Section 7.5.2.C. of this Redevelopment Plan.

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

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

### **6.7 AFFORDABLE HOUSING**

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units 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 Project Area, where applicable, shall be addressed in accordance with the Borough's Affordable Housing Ordinance and Housing Element and Fair Share Plan, or, if applicable, in accordance with any Redevelopment Agreement entered into between the Redevelopment Entity and the Redeveloper.

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# 7

# GENERAL PROVISIONS

## 7.1 DEFINITIONS

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

## 7.2 REDEVELOPMENT ENTITY

The Borough Council 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 N.J.S.A. 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.

## 7.3 REDEVELOPER SELECTION

Pursuant to N.J.S.A. 40A:12A-8 and upon adoption of this Redevelopment Plan, the Redevelopment Entity may select a single “Redeveloper” or multiple Redevelopers for the rehabilitation and/or redevelopment of the Project Area or portion thereof. Any private Redeveloper(s) wishing to avail itself of the opportunities set forth in the LRHL will be required to contact the Director of Economic Development who may defer to the Redevelopment Entity to present its proposal.

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

## 7.4 REDEVELOPMENT AGREEMENT

Once a Redeveloper seeking to utilize the zoning established by this Redevelopment Plan for Parcel A and the Bridge Street Extension has been selected, the Redevelopment Entity 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 and this Redevelopment Plan.

## 7.5 OBLIGATIONS OF THE REDEVELOPER

All property within the Project Area must be developed in accordance with the requirements of this Redevelopment Plan, and all applicable provisions of the Borough’s Land Development Ordinance and the MLUL.

## 7.6 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.



## **7.7 AMENDMENTS TO APPROVED REDEVELOPMENT PLAN**

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

## **7.8 PROPERTY ACQUISITION**

The Project Area has been designated as an “Area in Need of Rehabilitation” but not an “Area in Need of Redevelopment.” As a result, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan under the LRHL.

To the extent property will be acquired, all such property must be acquired by the designated Redeveloper(s) through private negotiation with the property owner(s). Nothing herein shall preclude any governmental entity, including the Borough, from utilizing eminent domain, in accordance with other applicable laws, to acquire any property for a public purpose.

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

This Redevelopment Plan does not anticipate any property will be acquired by any government entity or utilizing government funds, by eminent domain or otherwise. Additionally, there are no residents that presently reside within the Project Area. There are, however, several existing businesses within the Project Area, but they are being incorporated into this Redevelopment Plan. Therefore, it is anticipated that there will be no displacement of either residents or businesses requiring a Workable Relocation Assistance Plan.

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

## **7.10 DISCRIMINATION BAN**

No covenant, lease conveyance or other instrument shall be executed by the Redevelopment Entity or any Redeveloper whereby land or structures within the Project Area is restricted upon the basis of race, creed, color, gender, marital status, age, disability, familial status or national origin.

The termination of this Redevelopment Plan shall in no way permit the land or structures of the Project Area to be restricted on the basis of race, creed, color, gender, marital status, age, disability, familial status or national origin.

## **7.11 REPEAL & SEVERABILITY STATEMENTS**

All ordinances or parts of ordinances inconsistent with this Redevelopment Plan are repealed to the extent of such inconsistency only. If any provision or regulation of this Redevelopment Plan should be judged invalid by a court of competent jurisdiction, such order or plan shall not affect the remaining portions of this Redevelopment Plan which shall remain in full force and effect.

# 8

# DEVELOPMENT PLAN REVIEW

## 8.1 CONCEPT PLAN REVIEW

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

## 8.2 DEVELOPMENT REVIEW COMMITTEE

Once the concept plan is approved by the Director of Economic Development and/or Redevelopment Entity and found consistent with this Redevelopment Plan, the Redeveloper shall submit the materials associated with the concept plan to the Development Review Committee for informal design review and to coordinate completeness review prior to submission of a formal Application for Development.

## 8.3 APPLICATIONS FOR DEVELOPMENT

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

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

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

## 8.4 PLANNING BOARD REVIEW

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

## 8.5 DEVIATIONS FROM PROVISIONS OF APPROVED REDEVELOPMENT PLAN

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

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

DRAFT

## APPENDIX A: RESOLUTION 2022-168

**RESOLUTION 2022-168**

*Borough of Metuchen  
County of Middlesex  
State of New Jersey*

**RESOLUTION APPOINTING CONDITIONAL REDEVELOPER AND AUTHORIZING  
EXECUTION OF A MEMORANDUM OF UNDERSTANDING**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

**WHEREAS**, the Borough, pursuant to the Redevelopment Law, via Resolution #2020-50, adopted on February 3, 2020, by the Mayor and Council of the Borough of Metuchen (the “Borough Council”), designated the entirety of the Borough of Metuchen (the “Borough”), as an “Area in Need of Rehabilitation”; and

**WHEREAS**, in order to facilitate the rehabilitation and redevelopment of the Borough, including the property known as Block 130.01, Lots 47.01, 47.02, 48 and 60.01 (the “Property”), the Borough Council adopted Ordinance #2020-10 on May 26, 2020, which adopted a redevelopment plan for the entirety of the Borough entitled “Redevelopment Plan for Rehabilitation in the Borough of Metuchen” dated March 2020 (the “Redevelopment Plan”); and

**WHEREAS**, the Borough has been in discussions with Suburban Sportsland, LLC, (the “Conditional Redeveloper”) regarding the rehabilitation and redevelopment of the Property; and

**WHEREAS**, 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; and

**WHEREAS**, Conditional Redeveloper has presented its redevelopment concepts to the Borough; and

**WHEREAS**, the Borough and Conditional Redeveloper intend to commence exclusive negotiations toward the formulation of a Redevelopment Agreement to develop the Property in accordance with the requirements of the Redevelopment Plan; and

**WHEREAS**, in such event, the Borough desires to designate Suburban Sportsland, LLC, as Conditional Redeveloper in order to negotiate with Conditional Redeveloper for a period of one hundred and eighty (180) days in an effort to agree upon a Redevelopment Agreement; and

**WHEREAS**, the Borough and Conditional Redeveloper desire to memorialize, in writing, their agreement under a non-binding Memorandum of Understanding that evidences the statement of intent of both the Borough and Conditional Redeveloper.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Metuchen, County of Middlesex, State of New Jersey that:



1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Suburban Sportsland, LLC, is hereby designated as Conditional Redeveloper for the Property and the Mayor and Borough Clerk are hereby authorized to execute a Memorandum of Understanding between the Borough and Conditional Redeveloper evidencing the parties' agreement to conduct exclusive negotiations toward the formulation of a Redevelopment Agreement for the Property.
3. This Resolution shall take effect immediately.

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				KANDEL	X			
DELIA	X				KOSKOSKI	X			
HIRSCH	X				RASMUSSEN	X			
MOTION	RASMUSSEN				SECOND	KANDEL			
X - INDICATES VOTE					AB- ABSENT		NV- NOT VOTING		

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on July 18, 2022.



*Deborah Zupan*  
 Deborah Zupan, RMC  
 Borough Clerk

