

Circus Liquors - Redevelopment Plan

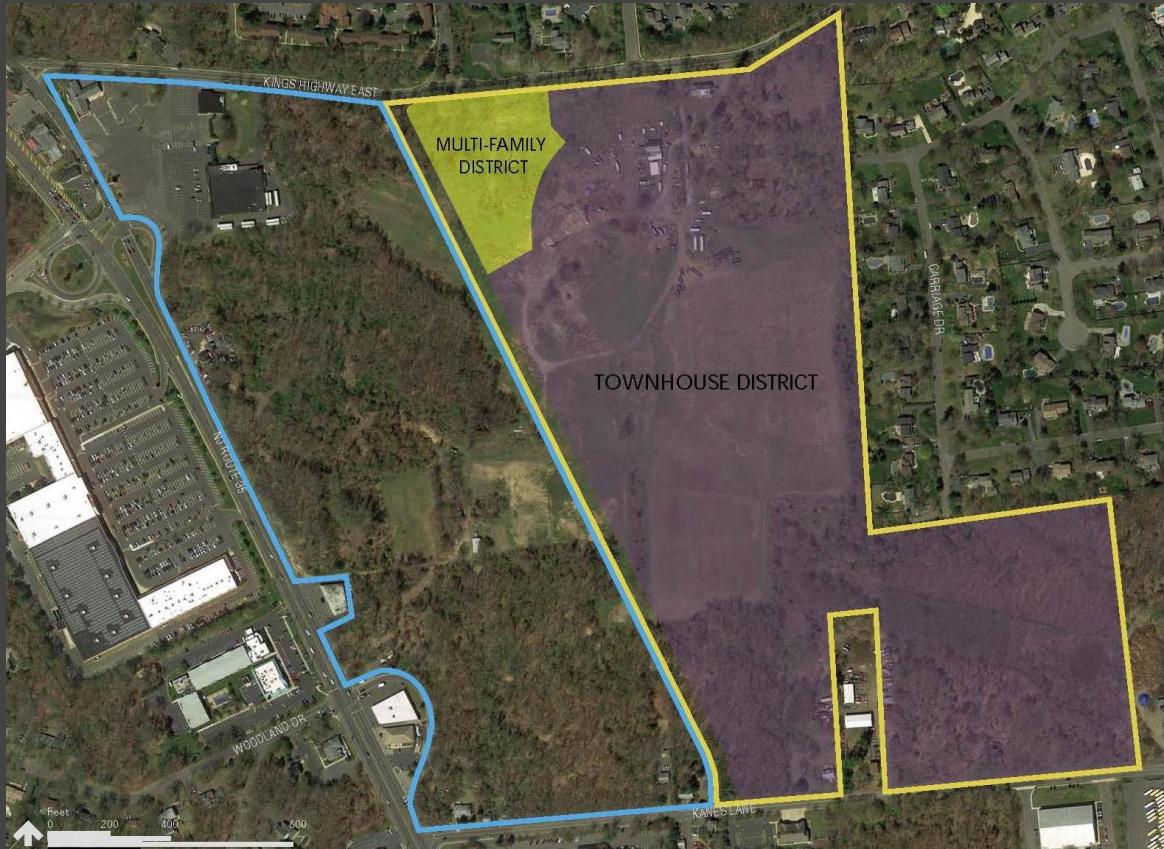
Township of Middletown



Block 825, Lots: 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69.01, 70, 72, 73, 74, 75, 76, 77, 78, 79, and 81 (Mountain Hill), Block 870, Lots 1 and 2

Redevelopment Plan

- Designated as Area in Need of Redevelopment without Condemnation
- Consistent with State and Local Plans
- Plan represents New Zoning
- Two Distinct Areas
 - Commercial Tract
 - Residential Tract
- Three Step Process
 1. Investigation Study
 2. Redevelopment Plan
 3. Site Plan Application



Redevelopment Plan

- New Zoning
 - Overlay to the PD Zone
- Greater Control
 - Higher Quality
- Design Standards
 - Neighborhood;
 - Architectural;
 - Landscape;
 - Sustainable;
 - Use and Bulk;
- Redeveloper's Agreement
 - Performance Standards



Redevelopment Plan

<u>Zoning</u>	<u>Commercial SF</u>	<u>Market Units</u>	<u>Affordable Units</u>
1994 Town Center Plan	1,700,000 sf	400 units	25 units
2009 Settlement	610,000 sf	424 units	80 units
Circus Liquors RP	400,000 sf	320 units	80 units

1992: NJ designated this site as a future regional center for dense mixed use redevelopment.

1994: Township implemented zoning that would allow for dense mixed use development while aggressively preserving other portions of the Township as open space.

2000: The State renewed the State Plan, keeping the site designated for dense mixed use redevelopment

2001: Township attempted to down zone the property, which was thrown out by the court.

2003/04: Township rezoned the property to try to promote more residential development, these efforts were again overturned by the courts.

2008: Township lost lawsuit allowing the developer to legally proceed with the Town Center project originally envisioned in 1994.

2009: Township agreed to settlement that more than halved the size of the original Town Center proposal, while receiving substantive certification from COAH.

Redevelopment Plan – Commercial Tract



Redevelopment Plan – Commercial Tract



Redevelopment Plan – Residential Tract



Redevelopment Plan – Next Steps

- Document available for Public Review
- Mayor and Council First Reading
- Presentation to the Planning Board
 - Public Comment
- Mayor and Council Consideration

Questions

Redevelopment Plan – Commercial Tract



1992: The NJ State Planning Commission prepared the NJ State Development and Redevelopment Plan that specifically designated the lands making up this site as a **future regional center** for dense mixed use redevelopment.

1994: The Township implemented zoning that would allow for **dense mixed use development** on the site, in what generally became known as **the “town center” concept** while aggressively preserving other portions of the Township as open space.

2000: The State renewed the State Plan, keeping the site designated as being suitable for dense mixed use redevelopment along a state highway corridor as a solution to prevent suburban sprawl.

2001: The Township attempted to downzone the property, which was thrown out by the court, triggering close decade's worth of litigation that included five Appellate Division decisions and a number of petitions to the Supreme Court.

2003-2004: The Township revisited its master plan and rezoned the property again to try to promote more residential development instead of commercial development at the site, these efforts were again overturned by the courts.

2008:

The Township lost another lawsuit before the Appellate Division and was denied a petition before the Supreme Court in January 2009, therefore, allowing the developer to legally proceed with its immense Town Center project originally envisioned in 1994.

2009:

A settlement was entered that more than halved the size of the original Town Center proposal, while also enabling the Township to defeat all its builder suits and received substantive certification from COAH, which has protected the Township from lawsuits by developers for the last decade.

This site remains part of the Township's affordable housing plan that's currently before the court, and the Township's current State-mandated affordable housing obligation, which we were just in court on again today, is 1,026 units, that would allow for the total development of over 4,000 more units of housing at a 20% set-aside.

The adoption of this redevelopment plan, along with other mechanisms we are working on, should enable the Township to resolve its affordable housing obligations without further significant rezoning of other sites. Should this plan fail, the Township will lose control over its zoning, which will then be imposed entirely by the courts.