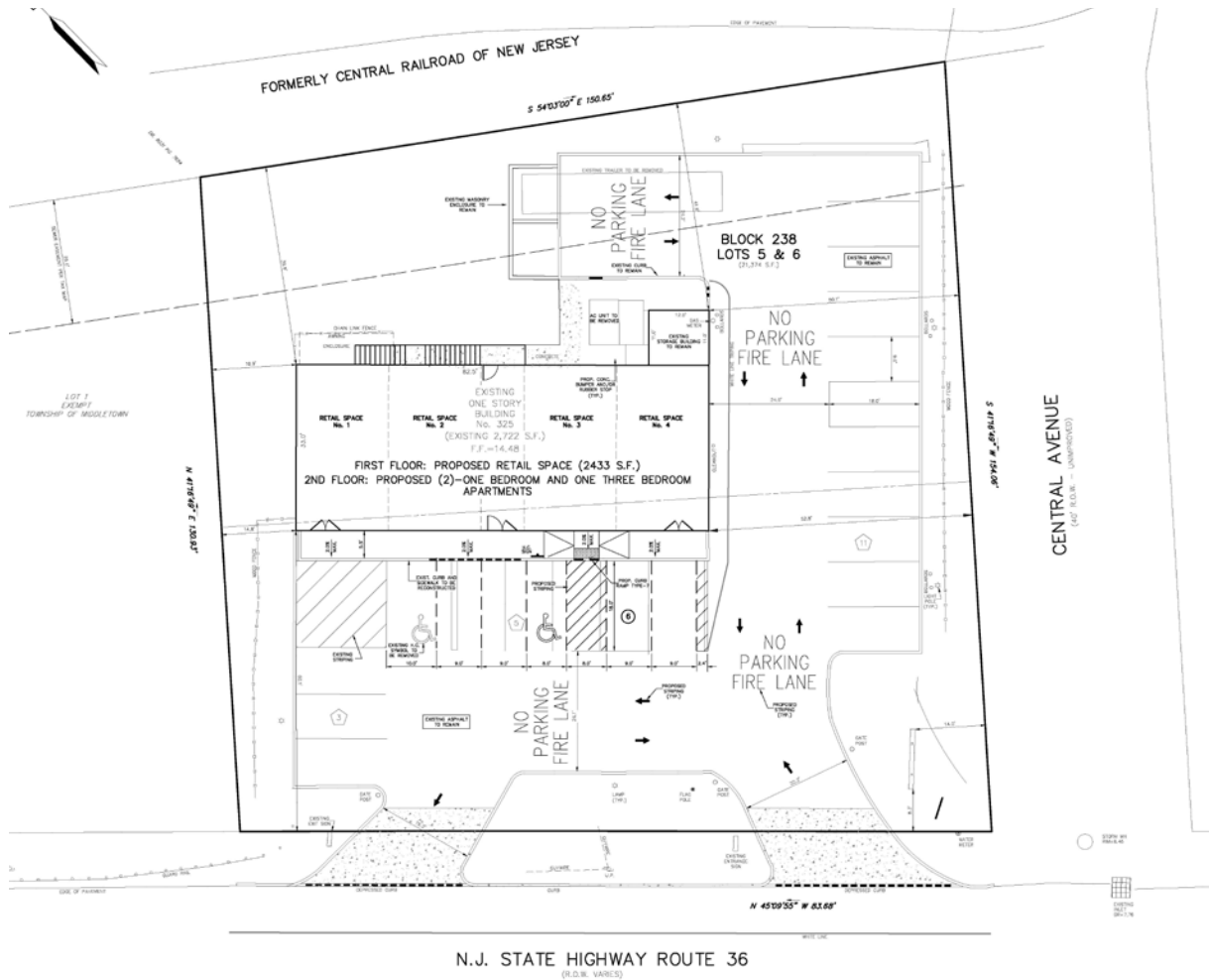


325 Highway 36 Redevelopment Plan



Block 238 Lots 5 & 6

TOWNSHIP OF MIDDLETOWN

MONMOUTH COUNTY, NEW JERSEY

August 2024

Prepared by:

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Date: August 2024

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1.0: BACKGROUND INFORMATION -

BASIS FOR THE PLAN:

On June 3, 2019, the Township Committee adopted Resolution 19-169 requesting that the Planning Board undertake a preliminary investigation of a portion of the Route 36 corridor extending from Palmer Avenue to the west and Leonardville Road to the east, including the subject property (Block 238 Lots 5 & 6), to determine whether the Redevelopment Area qualifies as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et. seq. of the Local Redevelopment and Housing Law (“LRHL”). On October 17, 2022, Resolution 19-169 was amended by Resolution 22-265 to include additional properties to the redevelopment investigation study.

Due to the size of the redevelopment investigation study area, the Planning Board held three (3) properly noticed Special Public Hearings, on July 20, 2023, July 27, 2023 and August 3, 2023, to review the study, evidence and testimony in support of the findings of whether the Redevelopment Area satisfies the requirements of the LRHL to qualify as an area in need of redevelopment. The Planning Board concluded that 87 properties (including the subject properties) of the 506 studied qualify as an area in need of redevelopment satisfying the requirements of the LRHL. On August 21, 2023, the Township Committee adopted Resolution 23-226 designating the 87 properties (including the subject property) within the Study Area as an area in need of redevelopment or non-condemnation purposes pursuant to N.J.S.A. 40A:12A-6.

This Redevelopment Plan is proposed for Block 238 Lots 5 & 6 to encourage coordinated land development and spur economic development goals along the Route 36 corridor. This document is the second step in the implementation of a plan for redevelopment that began with the preliminary investigation conducted by the Planning Board that resulted in a determination of an “area in need of redevelopment without condemnation” by the Middletown Township Committee.

The 325 Route 36 Redevelopment Plan, which only includes Block 238 Lots 5 & 6 has been prepared pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq. or “LRHL”). As required under the statute, the plan includes the following components:

- Redevelopment Goals and Objectives;
- Proposed Land Uses and Design Concepts;
- Redevelopment Regulations and Standards; and
- Relationship of the Redevelopment Plan to Other Plans.

APPLICABILITY OF THE REDEVELOPMENT PLAN AND ITS RELATIONSHIP TO THE LAND DEVELOPMENT ORDINANCE:

The use, bulk, design and performance standards for this Redevelopment Plan shall supersede the zoning provisions of the Middletown Township Land Use Development Ordinance for Block 238 Lots 5 & 6. Where the regulations and standards for this Redevelopment Plan are silent, the standards of the Land Development Ordinance for the Township of Middletown shall apply as permitted by N.J.S.A. 40A:12A-7.a(2). The zoning map of the Township of Middletown shall be amended upon the adoption of this Plan in

accordance with N.J.S.A. 40A:12A-7.c to reflect this new classification. The remaining 85 properties, which were included in the designation (Resolution 23-226), but are not included in this Redevelopment Plan, shall remain subject to the standards and regulations applicable to the existing zoning.

PROPERTY DESCRIPTION:

Block 238, Lots 5 & 6 (326 Route 36):

These properties are approximately +/- 0.49-acre (21,374 square feet) project area. The subject area, has frontage along Route 36, and is located in the Business (B-2) Zone District. The subject property contains a one-story, vacant building, formerly used as a restaurant and associated parking.

Central Avenue (Unimproved Right of Way):

The half of this approximately 40 by 154.06 unimproved Central Avenue right of way would be included as part of this redevelopment plan if abandoned by the Township prior to a site plan application.

SURROUNDING CONTEXT:

The Study Area is located on the east side of Route 36 with commercial properties to the south and west of the area. The Henry Hudson bike trail is located to the east of the property.

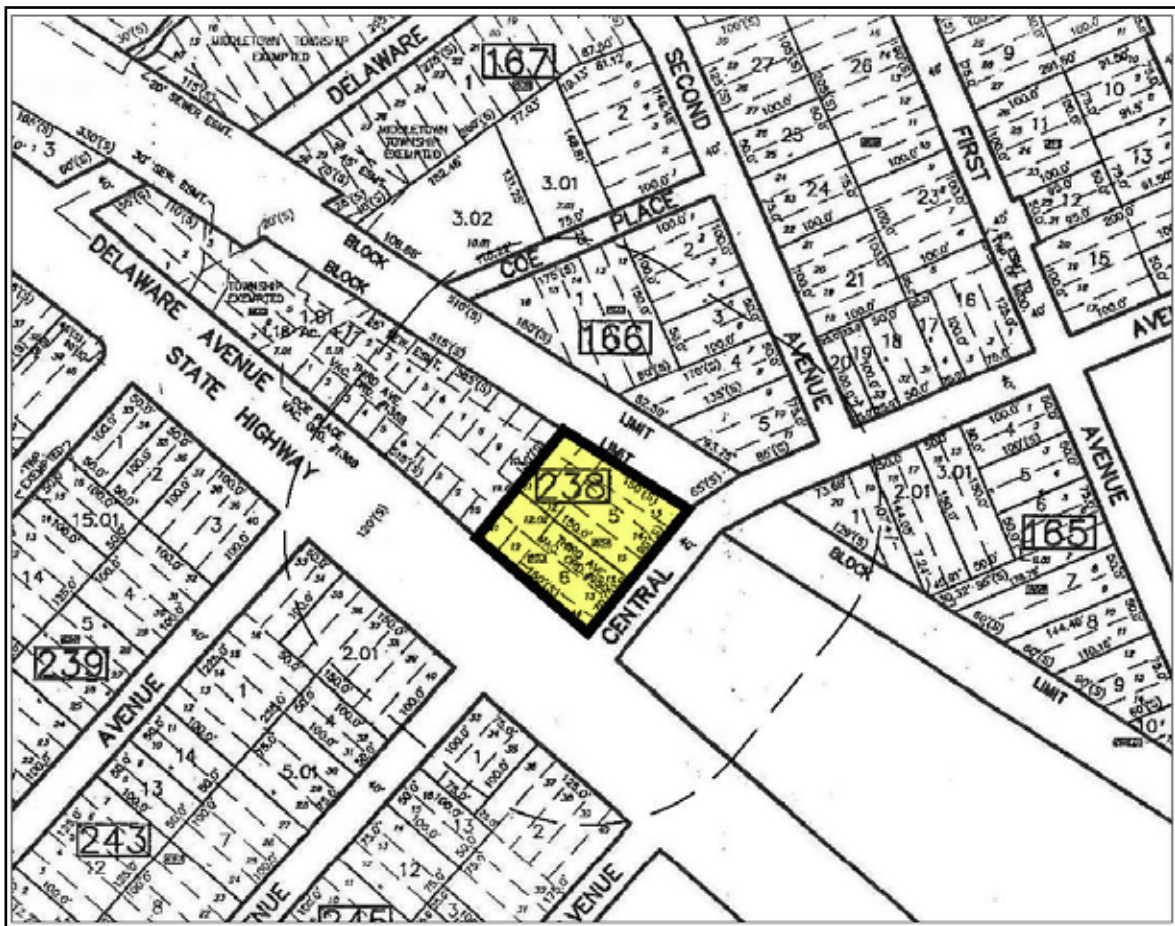


Image 1: Township of Middletown
Planimetric Map



DMR Architects

2.0: EXISTING ZONING

The Study Area properties are all located in the B-2 Zone District, as shown in Map 5. Land use regulations as outlined in §540-902B of the Township's Planning and Development Regulations are detailed below. Use requirements for the BP-2 Zone are as follows:

PLANNING AND DEVELOPMENT REGULATIONS

Schedule of Area, Yard and Building Requirements

Nonresidential Zones

[Amended by Ord. Nos. 2002-2673, 2003-2723, 2010-2999; Ord. No. 2012-3073; at time of adoption of Code (see Ch. I, Art. II)]

Zone	Minimum Lot Size			Minimum Required Yard Areas (feet)										Max. Building Coverage (%)	Max. Lot Coverage (%)	Maximum Height Principal Building (C)		Minimum Gross Floor Area (square feet)		Maximum FAR
	Interior Lots		Buildable Lot Area	Principal Building					Accessory Building							Stories	Feet	Total	1st Floor Multi-Story	
	Area (square feet)	Frontage (feet)		Front Yard	Side Yard	Street Side Yard	Rear Yard	Street Rear Yard	Front Yard	Side Yard	Street Side Yard	Rear Yard	Street Rear Yard							
B-1	10,000	100	10,000	15	5	7.5	15	15	25	5	7.5	10	15	—	70% (B)*	2.5	35	1,000	1,000	—
B-1A	10,000	70	10,000	0	10	0	45	0	0	10	0	0	45	60% (A)	90% (B)	2.5	35	n/a	n/a	—
B-2	20,000	100	15,000	50	15	25	50	50	50	15	25	40	50	—	60% (B)*	2.5	35	1,000	1,000	0.25
B-3	3 acres	200	2.5 acres	75	25	37.5	75	75	75	15	37.5	40	75	—	60% (B)*	3	40	5,000	5,000	0.25
B/P	3 acres	200	2.5 acres	75	50	37.5	50	75	75	15	37.5	40	75	—	60% (B)*	3	40	5,000	5,000	0.22
OR	167,000	500	2.5 acres	100	100	50	150	100	100	100	50	150	100	—	35%	3	50	20,000	20,000	0.22
OR-1	250,000	750	3.5 acres	250	250	125	250	250	250	250	125	250	250	—	25%	3	50	20,000	20,000	0.16
OR-2	3 acres	200	—	75	20(a)	—	75	—	75	20	—	75	—	—	50%	3	40	—	10,000	0.25
OR-3	75 acres	300	—	350(b)	150(b)	175	350	350	350(b)	150(b)	175	350	350	—	45%	5	75	20,000	20,000	0.25
M-1	3 acres	500	2.5 acres	100	75	75	100	100	100	50	50	50	100	—	60% (B)	3	40	40,000	40,000	0.22
MC	20,000	100	10,000	50	15	25	10	50	50	10	25	10	50	—	70% (B)	2.5	35	n/a	n/a	n/a

NOTES:

(A) Lot coverage for principal and accessory structures.

(B) Lot coverage for all improvements (impervious or pervious) including all parking areas and automobile access driveways and internal roadways, whether covered by an impervious or pervious material, patios associated with an in-ground or above-ground swimming pool, surface area of an in-ground or above-ground swimming pool above 800 square feet [Ord. No. 2005-2815], and all other impervious surfaces.

* When the building is one story only, permitted lot coverage is up to 70%.

** For the lots with less than one acre area, permitted lot coverage is up to 80%.

(a) Combined sides should be 50 feet.

(b) 100 feet when abutting a regional expressway or freeway.

(c) (1) Maximum building height on lots 100 feet wide or less measured at the street line shall be 28 feet. Building height may increase 1 foot for every 5 feet of lot width above 100 feet, but in no case shall exceed 35 feet.

(2) In special flood hazard areas, height of buildings located on lots 125 feet wide or less may be increased to 35 feet as measured from 1 foot above base flood elevation if (a) the area below the base flood elevation contains no physical enclosures, (b) the vertical distance from pre-development grade to the roof peak does not exceed 40 feet, and (c) a nonconsent agreement is recorded with the Monmouth County Recording Officer [Ord. No. 2012-3073 § 3].

PLANNING AND DEVELOPMENT REGULATIONS

540 Attachment 1

Township of Middletown

Appendix A

Schedule of Permitted Uses (§ 540-902B)

[Amended 10-18-1998 by Ord. No. 98-2529; 8-16-1999 by Ord. No. 99-2552; 3-18-2002 by Ord. No. 2002-2673; 12-16-2002 by Ord. No. 2002-2705; 6-16-2003 by Ord. No. 2003-2723; 10-7-2003 by Ord. No. 2003-2735; 12-6-2004 by Ord. No. 2004-2801; 4-18-2005 by Ord. No. 2005-2815; 7-20-2009 by Ord. No. 2009-2979; 11-16-2009 by Ord. No. 2009-2992; 2-16-2010 by Ord. No. 2010-2999; 4-18-2011 by Ord. No. 2011-3029; 11-21-2011 by Ord. No. 2011-3046; 10-15-2012 by Ord. No. 2012-3071; 9-16-2013 by Ord. No. 2013-3095; 7-7-2014 by Ord. No. 2014-3109; 2-6-2017 by Ord. No. 2017-3185; 10-16-2017 by Ord. No. 2017-3209; 12-21-2020 by Ord. No. 2020-3360; 7-19-2021 by Ord. No. 2021-3312; 8-21-2023 by Ord. No. 2023-3380]

KEY: P Permitted C Conditional A Accessory O Prohibited	R-22B	R-130	R-110	R-90	R-45	R-45A	R-30	R-22	R-22A	R-15	R-10	RTF	R-7	R-5	R-0	R-1	R-2	RR	RTU, RNF-1 - 5, RTU-9	RTU-1	RTU-2	RTU-3	RTU-5, RTU-6	RG-1	RG-1-1	RG-2	RG-3	RG-4	RHA	RHA-1	B-1	B-1A	B-2	B-3	BP	M-1	MC	PHH	OR	OR-1	OR-2	OR-3	PD		
ACCESSORY																																													
Accessory apartment (Mount Laurel)	A	A	A	A	A	A	A	A	A	A	A		A	A	A			A														A													
Accessory dwelling for domestic employees	A	A	A																																										
Basketball courts (private)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A					A												A	C
Billboards, subject to § 540-825 in RTU-9 and PD zones																				C																									
Cabana	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P														P													
Commercial accessory storage building																																	A		A	A	A	A	A		A	A	A	A	A
Electronic message center signs																																		C	C										
Family day care	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A					A	A	A	A	A	A	A		A	A	A	A	A	A
Fences and hedges, subject to § 540-616	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A					A	A	A	A	A	A	A		A	A	A	A	A	A
Garage, commercial																																	A	A	A	A	A	A		A	A	A	A	A	A
Garage, detached (residential)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A										A													A
Gardens	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A														A													A
Home occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A					A	A	A	A	A	A	A		A	A	A	A	A	A
Indoor storage/display of goods sold on-site																																	A	A	A	A	A	A		A	A	A	A	A	A
Off-street parking, subject to § 540-627B	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A					A	A	A	A	A	A	A		A	A	A	A	A	A
Outdoor storage/display of goods sold on-site																																	A	A	A	A	A	A		A	A	A	A	A	A

EXISTING ZONING CONTINUED

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Bakery, pizzeria or other food retail	P
Bar	P
Bicycle store	P
Book and stationery store	P
Cabinet store	P
Cafeteria	A
Carpet store	P
Christmas tree sale	A
Comic book and card store	P
Delicatessen	P
Department store	P
Dry goods and apparel	P
Electric and lighting store	P
Family entertainment restaurant	P
Farm and garden supply	P
Fast-food restaurant	C
Flea market	A
Floral shop	P
Frozen yogurt parlor	P
Furniture sale	P
Grocery store	P
Hardware, plumbing and heating store	P
Hobby shop	P
Houseware store	P
Ice cream parlor	P
Jewelry store	P
Junkyard or salvage	□
Lumberyard or store	□
Microbrewing	P
Microdistillery	P
Music shop	P
Newsstand	A
Night club	P

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Package good store	P
Paint, glass and wallpaper store	P
Pet shop	P
Pharmaceutical store	P
Recording studio	P
Record store	P
Restaurant	P
Sale of smoking devices and paraphernalia	□
Smoke shop	□
Sporting goods store	P
Television, stereo and cellular telephone sales	P
Trailer and camper sales	P
Vape shop	□
Variety store	P
Video rental	P
CANNABIS	
All classes of cannabis licenses as said terms are defined in Section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service not subject to local jurisdiction	

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Residential satellite dish antenna	□
Sheds and other customary accessory structures	□
Signs, subject to § 540-635	A
Swimming pools (private)	□
Swimming pools (public)	□
Tennis courts (private)	□
FARM	
Animal kennels and boarding	P
Barn and other farm buildings	A
Commercial woodland	P
Cropland	P
Fisheries	P
Livestock, pasture and rangeland	P
Nursery	P
Orchard and vineyard	P
Roadside farm stand	A
Wildlife refuge	□
BUSINESS OFFICE	
Accounting	P
Advertising service	P
Animal hospital	P
Architectural service	P
Artist/art studio	P
Banking	P
Blood bank	P
Business management	P
Clinic	P
Collection agency	P
Computer programming and consulting	P

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Contractor office	P
Credit reporting and service	P
Data processing service	P
Dentist	P
Driving school	P
Employment service	P
Engineering service	P
Family counseling	P
Financial service	P
Government office and facility	P
Health-care facility	□
Hospitals	□
Insurance agency	P
Legal service	P
Medical clinic	P
Medical lab	P
Medical office	P
News syndication service	P
Optometrist and optometry	P
Performance commercial development	C
Planning service	P
Professional consultant	P
Real state agency	P
Security/commodity broker	P
Surveying service	P
Travel agent	P
Tutoring service	P
Veterinarian office	P
BUSINESS SERVICES	
Appliance repair and service	P
Automobile detailing	□

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Automobile painting	□
Automobile body repair	□
Automobile repair	P
Automobile towing yard	□
Bicycle repair	P
Car phone installation and repair	P
Car wash	C
Clock and watch repair	P
Equipment and tool rental	P
Gasoline service station	P
Lawn service, tree service or landscape facility	□
Lawn mower sale and repair	P
Locksmith	P
Minisorage	□
Printing and photocopy service	P
Reupholstery and furniture repair	P
Security service	P
Tool sharpening and repair	P
Television, video and stereo repair and service	P
EDUCATIONAL	
Acting school	P
Animal training school	P
Day care	P
Music school	P
Nursery school	P
Private or parochial school	C
Senior day care	P
Special training school	P
LIGHT INDUSTRIAL	

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Abattoir	□
Apparel and garment fabrication	□
Furniture and fixture fabrication and assembly	□
Jewelry fabrication	□
Medical instrument fabrication	□
Paper product fabrication	□
Printing and publishing industry	□
Scientific research laboratory	□
Silverware fabrication	□
Sporting good fabrication	□
Toy fabrication	□
Warehouse	□
Welding shop	□
Well drilling	□
MIXED-USE DEVELOPMENT	
Mixed-use developments	□
Mixed waterfront developments	□
PERSONAL SERVICE	
Animal grooming	P
Beauty and barber shop	P
Clothing rental	P
Costume rental	P
Dating service	P
Diaper service	P
Fortune teller	P
Funeral parlor	P
Laundry and dry cleaning	P
Linen service	P
Massage parlor	P
Nail salon	P
Nutritionist	P

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Photographic and video service	P
Portrait studio	P
Shoe repair	P
Steam and sauna salon	P
Sun tanning salon	P
Tattoo parlor	P
Tailor shop	P
RECREATIONAL	
Amateur sport arena	□
Arcades	□
Athletic academy	P
Athletic fields	P
Athletic fields, privately owned	□
Basketball court (public)	P
Bating cage	P
Billiard hall	P
Bowling alley	P
Children activity center	P
Dinner theater	P
Fair ground (temporary)	A
Golf course	C
Golf driving range	P
Gym, health spa and athletic club	P
Horse riding academy	P
Ice skating rink	P
Miniature golf course	P
Movie theater	P
Nature area/reservation	P
Park	P
Personal skateboard apparatus	□
Play house	P
Playground	P
Public recreational uses	□

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Roller-skating rink	P
Swimming pool (commercial)	P
Teen dance club	□
Tennis court (commercial)	P
RESIDENTIAL	
Ancillary adult community commercial facility	□
Assisted living	□
Congregate care facility	□
Hotels and motels	□
Mother and daughter dwelling	□
Multifamily development	□
Nursing home and health care facility	□
Performance residential developments	□
Planned adult community	□
Senior citizen housing	□
Single family, detached	□
Two family, attached	□
SERVICE ORGANIZATION	
Cemeteries	C
Charitable organization	P
Community residence for the developmentally disabled	□
Garden club	P
Library	P
Museum	P
Nonprofit organization	P
Places of worship	C
Private club	P
Shelters for victims of domestic violence	□

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
TRANSPORTATION	
Airport	□
Ambulance service	P
Bus terminal, storage and repair	□
Commercial parking lot	P
Commuter parking lot	P
Ferry terminal	□
Helipad	A
Highway and street right-of-way	P
Package delivery service	□
Railroad right-of-way	P
School bus, limousine and taxi service	□
Storage automobile, boat and trailer	□
UTILITY	
Commercial communication antenna or tower	C
Electric, gas, water and sewer line	P
Public utility office or substation	C
Radio communication center	C
Stormwater management facilities and structures	□
Telephone communication center	C
Television communication center	C
Utility equipment building (under 100 sf)	P
WATER-ORIENTED	
Boat charter service	□
Boat house or boat yard	□

KEY:	
P	Permitted
C	Conditional
A	Accessory
□	Prohibited
Boat repair	□
Canvas product fabrication and distribution	□
Cold storage establishment	□
Commercial fishing operation	□
Docking and landing facility	□
Fishing equipment repair and fabrication	□
Ice-making	□
Marina	□
Marine research uses, museum or aquarium	□
Marine repair service	□
Marine product wholesale and retailing	P
Marine welding	□
Seafood packaging	□
Seafood processing	□
Seafood distribution	□
Ship building	□
Tug, pleasure or pilot boat service	□
Yacht club	□
WHOLESALE AND RETAIL	
Adult entertainment	□
Antique and second hand shop	P
Appliance store	P
Art and craft store	P
Automobile and boat sale	P
Automobile and marine accessories	P
Award and trophy store	P
Bait and tackle shop	P

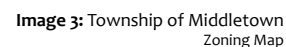


Image 3: Township of Middletown
Zoning Map

3.0: REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN:

N.J.S.A 40A:12A-7 requires that a redevelopment plan include an outline for the planning, development, redevelopment, or rehabilitation of the Redevelopment Area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land use, 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 provisions for the temporary and permanent relocation, as necessary for residents in the project area, including an estimate of the extent of 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 with the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
 - The master plans of contiguous municipalities;
 - The master plan of the county in which the municipality is located;
 - 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. An inventory (as of the date of the adoption of the resolution finding the area to be in need of redevelopment) of all housing units affordable to low and moderate income households, as defined pursuant to N.J.S.A. 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 .
8. The redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
9. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law,” P.L.1975, c. 291 (C.40:55D-1 et seq.).
10. The redevelopment plan must state whether it shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.
11. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

4.0: REDEVELOPMENT REGULATIONS

DEFINITIONS:

Throughout this Redevelopment Plan, a meaningful distinction is made in the regulations between “shall” / “required” and “should” / “encouraged”. “Shall” or “required” means that a developer is required to comply with the specific regulation, without deviation. “Should” or “encouraged” means that a developer is encouraged to comply, but is not required to do so.

The definitions of the Township’s Zoning Ordinance (Section 540-203) shall apply to this plan with the following addition.

MIXED USE COMMERCIAL/RESIDENTIAL: Buildings with one or more permitted commercial uses at the first level and apartments located either on or above the first level. .

USE REGULATIONS / BULK STANDARDS:

- A. Permitted Uses: Permitted principal uses and structures. The following principal uses and structures shall be permitted which applies to the redevelopment area.
 1. All uses permitted in the B-2 Zone;
 2. Mixed use commercial/residential;
 3. Multi-family, senior and affordable housing;
 - a. A minimum of three affordable housing units are required as part of this redevelopment plan.
- B. Accessory Uses Permitted: The following accessory uses and structures shall be permitted:
 1. All uses identified as accessory uses in the B-2 Zone;
 2. Off-street parking (§540-627R)
 3. Site Furnishings (seating, trash receptacles, pots, lighting, etc.)
- C. Maximum Building Height:
 1. Maximum building height shall not exceed 35 feet in height or 2.5 stories, excluding mechanical screening devices as defined in the Township of Middletown Zoning Ordinance.
- D. Area and Yard Requirements: The following area and bulk regulations shall apply:

1. Minimum Lot Area:	20,000 sf
2. Minimum Buildable Lot Area:	15,000 sf
3. Minimum Lot Frontage:	100 ft
4. Maximum Lot Coverage:	65%
5. Maximum FAR:	0.25
6. Minimum Front Yard Setback (Highway 36)	50 ft
7. Minimum Street Side Yard Setback (Central Avenue):	25 ft
8. Minimum Side Yard Setback:	12 ft
9. Minimum Rear Yard Setback:	35 ft
- E. Parking Requirements:
 1. Mixed Use

	4.5 sp per 1,000 sf of gfa
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2. Residential:

- | | |
|-------------|---------------------|
| - 1 bedroom | 1.8 space per unit |
| - 2 bedroom | 2.0 spaces per unit |
| - 3 bedroom | 2.1 spaces per unit |

F. Design Standards: Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law at N.J.S.A. 40:55D-51.

1. Architectural Design: The facade of the building shall be designed to incorporate a waterfront coastal look / seashore colonial theme including materials such as cedar shake, clapboard, wood, stone or distressed cedar.
 - a. Mailboxes are not permitted to face the highway.
 - b. HVAC system equipment shall be located in the attic of the building.
2. Signage: All other provisions set forth in Ord. 540-635 shall apply with the following exceptions.
 - a. One freestanding sign is permitted on the site based on the following requirements.

- Maximum Sign Area	65 sf
- Maximum Sign Height	16 ft
- Minimum Setback	8 ft
 - b. The sign shall be located outside any sight triangle and shall be illuminated in accordance with Ord. 540-635(E).
3. Walkway: A walkway is strongly encouraged to be provided from the property line at the rear to the retail in order to connect the Henry Hudson Trail located along the rear portion of the property.
4. Fences: All other provisions set forth in Ord. 540-616 shall apply.
5. Refuse and Recycling: All other provisions set forth in Ord. 540-638 shall apply with the following exception.
6. Mechanical Equipment:
 - a. General. Such areas, due to their visual and noise impacts onto adjacent properties and visitors to the site shall be screened, recessed and/or enclosed.
 - b. Utility meters and other such service functions shall be incorporated into the overall design of the building and site layout. Walls, screens and enclosures for such uses shall be of a similar construction and material as the primary buildings to which they are associated. Such accessory structures and uses shall be adequately landscaped to the point where the visual and acoustic impacts of these functions in conjunction with walls, screens and/or enclosures are fully contained and out of the view from general passersby.

7. Stormwater Management:

- a. For sites that are currently developed, which include an existing stormwater management system, such as a detention or infiltration basin or other means of capturing and limiting off-site runoff, additional stormwater management measures shall only be required for the following:
 - i. Any development that causes a net increase of more than ¼-acre of additional impervious surfaces, or
 - ii. As requested by the Board Engineer.

PLANNING BOARD REVIEW:

1. Site plan review shall be conducted by the Middletown Township Planning Board pursuant to N.J.S.A. 40:55D-1 et seq. Site plan review shall consist of a preliminary site plan application and a final site plan application.
2. Variances may not be granted from “Use Regulations”. However, variances may be granted from standards contained in the remaining sections in accordance with the provisions of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-60 and 70c Furthermore, exceptions may be granted pursuant to N.J.S.A. 40:55D-51 and submission waivers pursuant to N.J.S.A. 40:55D-10.3.
3. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirement set forth in N.J.S.A. 40:55D-12a&b.

5.0: CONCEPTUAL SITE PLANS

The following represent conceptual plans for the proposed redevelopment area and are intended to only provide context. In the event there are discrepancies between the conceptual plans and the written requirements of this redevelopment plan, the written requirements supersede the conditions shown in the conceptual site plans and elevations.

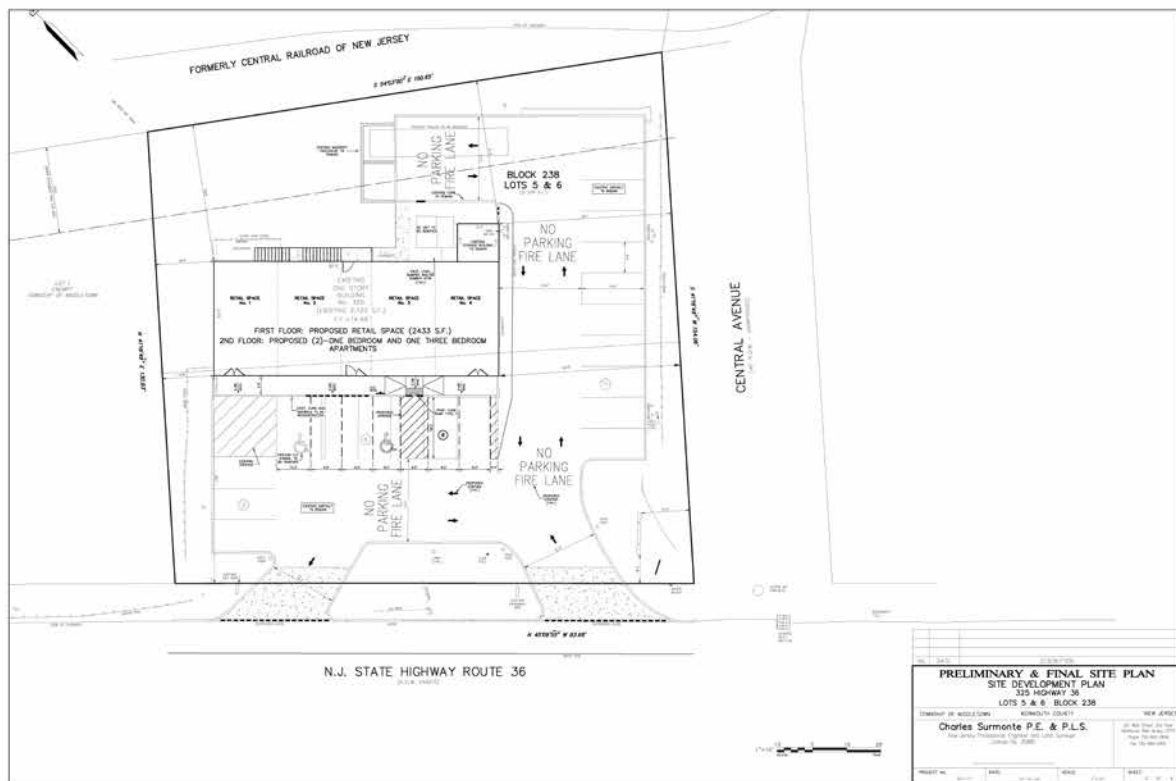


Image 4: Conceptual Site Plan
Courtesy of Charles Surmonte PE & PLS





Image 7: Conceptual Floor Plans
Courtesy of Anthony M. Condoris Architect

5.0: RELATIONSHIP TO MASTER PLANS:

NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN:

On March 1, 2001, the State Planning Commission (“SPC”) adopted the State Development and Redevelopment Plan (SDRP). The SDRP establishes a proposed statewide planning framework that is designed to maintain and revitalize existing cities and towns and organize new growth in “center” – compact, mixed-use communities that provide a variety of choices in housing, employment opportunities, entertainment, services, transportation, and social interaction. This Study Area is located entirely within the Metropolitan Planning Area 1 (PA-1). According to the SDRP, the intent of the Metropolitan Planning Area 1 is to:

- Provide for much of the state’s future development;
- 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 Policy Objectives governing the Metropolitan Planning Area 1 (PA-1) include the following:
- Land Use: Promote redevelopment and development in Cores and neighborhoods of Centers and in nodes that have been identified through cooperative regional planning efforts.
- Housing: Provide a full range of housing choices through redevelopment.
- Economic Development: Promote economic development by encouraging strategic land assembly, site preparation and infill development, [and] public/private partnerships.
- Natural Resource Conservation: Reclaim environmentally damaged sites and mitigate future negative impacts.
- Public Facilities and Services: Complete, repair, or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region.

Adjacent Municipalities:

In reviewing the adjacent municipalities Master and Reexamination Plans for Atlantic Highlands, Colts Neck Township, Fair Haven, Hazlet Township, Highlands, Holmdel Township, Keansburg, Red Bank, Rumson, Sea Bright and Tinton Falls there are no inconsistencies with the goals and recommendations of this plan.

Middletown Township Master Plan – 2004

The 2004 Middletown Township Master Plan establishes objectives, principles, and policies for major land use categories, of which the following are relevant to the redevelopment of this area of the Township:

Objectives:

1. To encourage municipal actions which will guide the long range appropriate use, development and preservation of lands within Middletown Township in a manner designed and intended to promote the public health, safety, morals, and general welfare of present and future residents.
2. To provide adequate light, air, and open space.

3. To ensure that development with the Township does not conflict with the development and general welfare of neighboring municipalities, the County, the Region, and the State as a whole.
4. To provide sufficient space in appropriate locations within the Township for agricultural, residential, business, office, industrial, mixed use, and public and quasi-public uses in a manner which will provide for balanced Township growth and development.
5. To enhance the various neighborhoods throughout the Township by providing for appropriate redevelopment, reinvestment, revitalization and capital improvements, designed to strengthen and improve the fabric of each area.
6. To encourage and promote a cooperative approach to economic development and revitalization through new investment, maintenance and reinvestment in existing commercial and industrial activities within the Township in areas suitable for such development.

Principles:

1. Locating public, commercial, industrial, professional office and agricultural uses at sites and in locations which are suitable for their use environmentally, economically, and geographically, and are compatible with existing uses, public facilities, roadways, and natural features.
2. Encouraging a development pattern which will protect and enhance the long term economic, social, and welfare interests of present and future residents of the Township.

Policies:

1. Land use planning will provide for a variety of residential and nonresidential uses and will encourage continuation of and enhancement of Middletown Township as a quality suburban/rural residential community. This includes a continued strong commitment to providing housing opportunities for families and individuals of all income levels.
2. The Township will encourage office, research, and light industrial development in appropriate locations within the Township that will provide employment for present and future residents and contribute to a balanced and stable economic base for the Township.

The Land Use Element and Circulation Plan Element have additional goals which are relevant to this Redevelopment Study. The major focus of the Land Use Element of Middletown Township's Master Plan is the enhancement and re-invigoration of neighborhoods.

Master Plan Reexamination Report – 2009 and 2011

The 2009 and 2011 Master Plan Reexamination Reports do not make any specific references or recommendations related to the properties subject to this redevelopment study report or to the existing uses found on the Study Area properties.

Master Plan Reexamination Report – 2014

The following recommended changes to the Master Plan and Development Regulations from the 2014 Master Plan Reexamination Report are relevant to this Redevelopment Study:

1. Economic Element – The Master Plan should include an Economic Element that considers all aspects of economic development and sustained economic vitality in the Township.
2. Office Professional Zones – Further examination of permitted uses in the Business Professional zone to foster increased occupancy at numerous vacant office buildings.

Additionally, the 2014 Master Plan Reexamination Report also identifies that the entirety of the Township was designated as an “Area in Need of Rehabilitation” in the late 1970s. However, due to changes to the LRHL at that time, the 2014 Master Plan Reexamination Report recommended the Township assesses the viability of the prior designation and to initiate specific rehabilitation area investigations for certain areas of the Township.

Master Plan Reexamination Report – 2023

1. *The need to address the Township’s affordable housing obligations per regulations established by the New Jersey Council on Affordable Housing was identified in the 2014 Reexamination Report and continues to remain valid.*

Consistency Comment: This redevelopment plan requires affordable housing.

2. Housing Plan for the 2024 Reexamination Report includes the following as it pertains to this redevelopment plan.

Overlay Zoning. The Township is in the midst of developing a Route 36 Corridor Redevelopment Plan. Route 36 is an older commercial corridor with marginal commercial development, primarily constrained by smaller the ideal property sizes for commercial development. It is likely that the redevelopment plan for this corridor will consider the inclusion of multi-family residential on certain properties meeting certain criteria, yet to be established. In recognition of the changing economies for commercial and retail development, this approach could also be a consideration for future redevelopment of the Route 35 corridor as well.

6.0 REDEVELOPMENT ACTIONS:

1. Outline of Proposed Actions:

Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan. Other actions that may need to be undertaken to implement the Redevelopment Plan may include the clearance of dilapidated, deteriorated, obsolete or under-utilized structures or uses; provisions for infrastructure necessary to service and support new development and the creation and/or vacation of easements as may be necessary for redevelopment.

2. Provision of Improvements:

Infrastructure improvements may include, but are not limited to gas, electric, water, sanitary and storm sewers, pumping station, traffic control devices, telecommunications, streets, curbs, sidewalks, street lighting, street trees and street furniture. The extent of the redeveloper’s responsibilities will be outlined in the redeveloper’s agreement with the Township of Middletown. All improvements shall comply with applicable federal, state and local law.

3. Properties to be Acquired:

No property acquisition on the part of the Township of Middletown is required to implement the Redevelopment Plan.

4. Relocation:

No relocation actions are required to implement the Redevelopment Plan.

5. Inventory and Replacement of Affordable Housing:

The Redevelopment Area contains no 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). As such this Redevelopment Plan is not required to provide an inventory of such units. No affordable units will be removed and no plan is required for the provision of replacement affordable housing as a result of the implementation of this Redevelopment Plan. A minimum of three affordable housing units are required to be constructed in conformance with applicable Department of Community Affairs regulations governing the development of affordable housing units.

6. Other Actions:

In addition to the demolition and new construction, several other actions may be taken to further the goals of this Plan. These actions may include, but shall not be limited to: (1) environmental remediation: and (2) creation and/or vacation of public utility easements and other easements and rights of way as may be necessary for redevelopment.

7.0 GENERAL PROVISIONS:**1. Site Plan and Subdivision Review:**

Prior to commencement of any construction within the Redevelopment Area, a site plan prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 0:55D-1 et seq.) and the Planning and Development Regulations of the Township of Middletown shall be submitted by the applicant(s) for review and approval by the Planning Board so that compliance with the Redevelopment Plan can be determined. This shall also pertain to revisions or additions prior to, during and after completion of the improvements. Applications for subdivision and site plan approval shall be in accordance with the provisions contained within this report and the Township requirements.

2. Adverse Influences:

No use or reuse shall be permitted, which when conducted, under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration or other objectionable features so as to be detrimental to the public health, safety or general welfare.

3. Non-Discrimination Provisions:

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township of Middletown Committee or by the developer or any of his/her successor or assignees, whereby land within the Redevelopment Area is restricted upon the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identify or expression, disability, or sex in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.

Any contractor or subcontractor engaged to perform work within the Redevelopment Area shall, where applicable, state in all solicitations or advertisements for employees placed by or on behalf of the contractor, or subcontractor, that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, or sex in the sale lease, use or occupancy thereof.

4. Deviation Request:

The Planning Board may grant variances allowing deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any such regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property.

The Planning Board may also grant such relief where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of the plan and the benefits of the deviation would substantially outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan. An application for a variance from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A 40:55D-12a and b.

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area or any change requiring a “d” variance in accordance with N.J.S.A. 40:55D-70 shall be permitted only means of an amendment of the Redevelopment Plan by the Township Committee, and only upon finding that such amendment would be consistent with and in furtherance of the goals and objectives of the Plan.

5. Procedure for Amending the Approved Plan:

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of State law.