



Organized December 14, 1667

"Pride in Middletown"

TOWNSHIP OF MIDDLETOWN
REQUEST FOR PROPOSALS
FOR
THE DEVELOPMENT OF THE NORTH MIDDLETOWN
REDEVELOPMENT AREA LOCATED AT BLOCK 70, LOTS 1, 2, and 3



Request for Proposal Issued: **April 8, 2016**

Proposals Due: **May 20, 2016**

The Township of Middletown (the “Township”) is seeking a qualified redeveloper for the redevelopment of lots located along Port Monmouth Road between Bay Avenue and Ocean Avenue, identified as Block 70, Lots 1, 2 and 3 on the official tax map of the Township (“the Property”). The Township will entertain viable redevelopment options to redevelop the Property that adhere to the goals and vision of the existing redevelopment plan for the area. The Township has issued this Request for Proposals (“RFP”) in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (“Redevelopment Law”) for the project.

Proposals shall be submitted on or before 1:00 P.M. on Friday, May 20, 2016.

All Proposals are prepared at the cost and expense of the respondents (“Respondent(s)”). The Township will not be responsible for paying for any of the costs or expenses associated with the preparation or submission of proposals.

Any successful Respondent is required to comply with the requirements of the Law Against Discrimination, P.L. 1975, Ch. 127, N.J.A.C. 10-5:31, et seq., the Affirmative Action Rules, N.J.A.C. 17:27-1.1, et seq., the Americans with Disabilities Act of 1990, 42 USC §2101, et seq..

This RFP constitutes an invitation to submit Proposals to the Township, and does not represent an offer, obligation or agreement on the part of the Township. The Township reserves the right to protect the best interests of the Township and to waive any technical errors, to reject any proposal, or any part thereof, for any reason whatsoever or to reject all Proposals for any reason whatsoever. The Township reserves the right at any time to withdraw this RFP. In addition, the Township retains the right to make modifications or additions to the RFP.

Copies of this RFP package will be distributed between Friday, April 8, 2016 and Friday, April 22, 2016 between the hours of 9:00 a.m. and 5:00 p.m. at the offices of the Township Clerk, 1 Kings Highway, Middletown, NJ 07748 or via the Township’s website at <http://www.middletownnj.org> under Government: Bid Postings, Legal Notices & RFPs (<http://www.middletownnj.org/Bids.aspx>).

During the RFP application preparation period, no oral interpretation of any requirements will be given to any prospective Respondent. However, written requests submitted [by regular mail / fax / email] for interpretation or modifications to the adopted procedures will be accepted until Friday, May 6, 2016 and should be directed to: Anthony Mercantante, Township Administrator, 1 Kings Highway, Middletown, NJ 07748, Attention: Heidi Brunt, Township Clerk [fax number: 732-957-9090 / email: townclerk@middletownnj.org indicating “Regarding North Middletown Redevelopment RFP for Developers” in the subject line]. A written response will be mailed within five business days and circulated to all parties who have requested RFP packages and will be posted on the Township’s website at <http://www.middletownnj.org> within this time.

All Proposals must be in writing and must be delivered no later than 1:00 p.m. on Friday, May 20, 2016. All Proposals are subject to a nonrefundable proposal submission fee of \$500.00 to defray the expenses of the Township for the preparation of this solicitation, which must be paid at the time of submission. Any Proposals received after the deadline or without the submission fee will be rejected. Proposals may be submitted in person, or may be sent by U.S. certified mail return receipt requested, or by private courier service. Mail Proposals to: Anthony Mercantante, Township Administrator, 1 Kings Highway, Middletown, NJ 07748, Attention: Heidi Brunt, Township Clerk.

Post marked Proposals dated on the reception date but received after the reception date will be deemed late and rejected. The Township shall not be responsible for the loss, non-delivery, or physical condition of Proposals sent by mail or courier service. Respondents must supply six (6) copies of their Proposal.

All RFP submission materials and/or Proposals become the property of the Township. For further information, contact Heidi Brunt, Township Clerk at 732-615-2015.

Relevant Documents

North Middletown Redevelopment Plan, dated December 2014 – Attachment A. Respondents to the RFP are encouraged to familiarize themselves with the vision and guiding themes of the North Middletown Redevelopment Plan as any future redevelopment of the Property must further the Township’s vision and goals as set forth within the Redevelopment Plan.

Site Description

The site consists of three parcels located on Port Monmouth Road between Bay Avenue and Ocean Avenue. The Redevelopment Area fronts on Port Monmouth Road with secondary frontages on both Bay Avenue and Ocean Avenue. The Property is developed with an existing towing and repair operation on Lot 1 (Across Town Towing), which is located at the corner of Port Monmouth Road and Bay Avenue. Lots 2 and 3 located at the corner of Port Monmouth Road and Ocean Avenue are currently vacant. The site previously contained a building with an unoccupied deli/convenience store/package goods store (the former Lunney’s Market & Liquors) on the first floor and a residential use on the second floor at the corner of Port Monmouth Road and Ocean Avenue. It was subsequently demolished by the Township after it was determined to be in danger of collapse and the owner was unable to be reached to tend to the situation. As explained in detail in the “Project” section of this RFP, the Property is a **non-condemnation redevelopment area**. The selected developer will negotiate with the property owners regarding the purchase of the Property.

Surrounding Area

The property is surrounded by a mix of uses. Commercial and service oriented land uses are located across Port Monmouth Road from the study area, while medium density single-family residential uses adjoin the study area to the west and south. While there are a small number of commercial businesses located across Port Monmouth Road from the study area, the surrounding area is primarily residential in character and use.

Background Information (Township Demographics)

The Township is a 42 square mile municipality along the Raritan Bay in eastern New Jersey and is the second largest municipality in Monmouth County by area and the largest by population with 66,522 residents at the time of the 2010 census. The most recent American Community Survey estimates reflect little change from 2010. In fact, Middletown's population has remained relatively flat in the last two decades, and is down slightly from its peak in 1990. The median household income in the Township is \$102,088, per the 2009-2013 5-year American Community Survey estimate.

The Township is traversed by the Garden State Parkway and State Highways 35 and 36, which all serve as major thoroughfares through Monmouth County. The Township is also serviced by a station on the New Jersey Transit North Jersey Coast Line that provides commuter rail access to Newark and Manhattan. There are several park and ride lots that provide access to commuter bus services. The Township also has a privately operated commuter heliport available to the public. Most significantly for the projects at hand is the Monmouth County Ferry Terminal, located at the Belford Seaport, which provides ferry service to Jersey City and Manhattan operated by NY Waterway.

It is anticipated that implementation of the North Middletown Redevelopment Plan can spur development in an area that has seen limited investment in recent years. The North Middletown neighborhood is a unique part of the Township with a great deal to offer. The proximity of Ideal Beach and the Bayshore Waterfront Park provide unique natural resources and recreational opportunities. The Township is currently working on the permitting and design of grant funded improvements to access at Ideal Beach.

Environmental Conditions

The property, although devoid of any streams, watercourses and wetlands, is located within the AE Zone according to FEMA's Preliminary FIRM data released in January 2014. This designation within the study area carries with it a Base Flood Elevation of eleven (11) feet. However, the North Middletown neighborhood is protected by a levee system that dates to the

1960s and has been effective in protecting the neighborhood throughout the intervening years, including during Superstorm Sandy in 2012. At this time, FEMA is conducting a comprehensive study and analysis of the levee system to determine if the flood hazard area designation should be modified in this area.

Block 70, Lot 1 is listed on the NJDEP's most recent (2012) Known Contaminated Sites List (KCSL) and is identified therein as Site Number 4323. The Redevelopment Investigation Report for the Property (the "Report") quotes the Limited Site Investigation Report for Lunneys, Inc. (Block 70, Lots 2 and 3) prepared by French & Parrello Associates, P.A., April 27, 2009. The Report states that as per the NJDEP data, several remedial activities have taken place or are currently taking place on the site. In 2007, an underground storage tank was removed from the site and found to be in satisfactory condition. Remedial activities are currently being conducted on the site in response to identified groundwater contamination that has migrated off-site, at the time of the writing the Report. According to the Known Contaminated Sites List, the active case has a remedial level of "C2." The NJDEP Site Remediation Program's 1989 Case Assignment Manual notes that sites with a remedial level of "C2" are associated with more complicated contaminant discharges, multiple site spills and discharges, more than one contaminant, and impacts to both soil and groundwater. The Limited Site Investigation report for the Lunney's Property (Block 70, Lots 2 and 3), which is located adjacent to the contaminated site, supports this classification. The Limited Site Investigation for the Lunney's Property concluded that groundwater on the property has been impacted by the groundwater contamination from the Across Town Towing site such that contaminant levels exceed the NJDEP Ground Water Quality Criteria. Specifically, Benzene was detected at a concentration of 6.1 parts per billion (ppb) in one of five temporary monitoring wells installed on the site. This concentration exceeds the NJDEP Groundwater Quality Criterion (GWQC) of 0.2 ppb. The monitoring well where elevated contaminant levels were detected was located at the northwest corner of the property and was the closest monitoring well to the adjacent Across Town Towing site. The Report concluded that the most likely mitigation of benzene contamination on the subject property would be a Classification Exception Area (CEA). This CEA would be the responsibility of the neighboring property owner, where the contamination originated. A CEA would not inhibit redevelopment of the Lunney's property. According to public records available through NJDEP, remedial action is currently being taken at the Across Town Towing site and a Licensed Site Remediation Professional (LSRP) has been retained pursuant to the Site Remediation Reform Act. A remedial investigation report was received by NJDEP on January 5, 2011 and an Initial Receptor Evaluation was received by NJDEP on February 7, 2012.

The above information is by way of introduction and overview only. The Township does not make any representations or warranties regarding the condition of the Property, its suitability for any particular use, or the legal ability of the Property to be used for any particular use. Respondents should not rely on the information contained in this RFP, but

instead should conduct their own investigation and inquiry regarding the Property, and independently assure themselves of the environmental conditions and regulations affecting the Site.

The Township will cooperate with a designated redeveloper to complete the remediation; however, the ultimate responsibility to fund and complete the cleanup, if required, and obtain any and all further environmental approvals necessary for the Project shall ultimately be borne by the designated developer. Accordingly, proposals should consider and address environmental matters.

The Project

The selected developer will be responsible for all aspects of the proposed development, including utilities and other necessary infrastructure.

All designs for work to be performed at the Site shall be prepared by licensed architects or engineers and will require prior approval from the Township and any other Township, State or Federal agencies having jurisdiction. A designated developer for the Site will be solely responsible for obtaining all necessary permits and approvals and assumes all responsibility for compliance with all Township, State and Federal codes and regulations.

The Property is a non-condemnation redevelopment area. The selected developer will negotiate with the property owners regarding the purchase of the Property. The transfer of the Site will be at the successful Respondent's cost and expense. No commission for brokerage or any other fee or compensation shall be due and payable by the Township. It is the Township's expectation that such negotiations will take place within one (1) year since the selection of the developer. The Township reserves the right to reissue the RFP after that stipulated period of time, should the developer be unsuccessful in negotiating with the property owner.

Redevelopment Agreement Requirements

The successful Respondent will be required to enter into a Redevelopment Agreement with the Township for the redevelopment of the Project Site. Upon designation as the developer, the successful Respondent shall enter into an Interim Cost Agreement with the Township to defray the Township's expenses pending execution of the Redevelopment Agreement.

Neither the Township's acceptance of a Respondent's proposal nor the Township's designation of a successful Respondent as a developer will create any rights or obligations regarding such Respondent until the execution by the Township of the Redevelopment Agreement.

The Township in its sole discretion will have the option to terminate negotiation of a Redevelopment Agreement at any time without cause including on the basis that the Township is not satisfied with the progress of negotiations. The Respondent shall have no cause of action or right to damages arising from the Township's termination of negotiations with the Respondent prior to Township's execution of a Redevelopment Agreement.

The Redevelopment Agreement is expected to include the following terms, among others, subject to negotiation and approval by the Township:

1. The successful Respondent shall provide a commencement date and completion date for the Project.
2. The successful Respondent will be responsible for any costs incurred by the Township in negotiating or administering the Redevelopment Agreement, as well as any other costs associated with the Project, including, but not limited to, legal fees, engineering fees, architect fees, fees of professional consultants, etc.
3. The successful Respondent will acquire the Site **within one (1) year of the execution of the Redevelopment Agreement**. As conditions precedent to conveyance of title and possession of the Site, the Redevelopment Agreement will require that the successful Respondent will have submitted to the Township, and the Township shall have approved, the following: a) site engineering surveys; b) Final development plans, including contractor specifications and bids (if applicable); and c) the successful Respondent's commitments for debt and equity capital in an amount sufficient to finance the acquisition of Site and redevelopment of the Site in accordance with the approved plans.
4. The successful Respondent, upon acquisition of the Project Site, will pay all taxes and municipal charges (e.g., water and sewer), as and where applicable.
5. The successful Respondent, upon acquisition of the Site, will be responsible for securing the Site and maintaining reasonable and necessary security within the Site and the immediate surrounding area.
6. The successful Respondent will be responsible for obtaining any and all necessary approvals, permits and licenses for the construction and lawful operation of the Project. This also includes any government approvals of the Township and the State of New Jersey.
7. The successful Respondent must have sufficient financial resources to provide for all predevelopment costs associated with the Project. The Township will not provide any

funding to pay for predevelopment costs including, but not limited to, architectural and engineering fees, surveys, legal fees, environmental reports or testing, financing and syndication costs.

8. During the construction of the Project, the successful Respondent will be required to carry at least \$5,000,000.00 in general liability insurance coverage and \$2,000,000.00 in property damage liability insurance coverage, and replacement value in fire and casualty coverage, or such other insurances at such levels and from providers of such financial strength as are customary for similar projects in the surrounding area.
9. All capital improvements, including but not limited to any infrastructure such as utilities, etc., on the Property shall be borne solely by the successful Respondent.
10. The successful Respondent will comply with all Township, State and Federal laws relating to access for persons with disabilities.
11. The successful Respondent will provide the Township with all plans and specifications upon completion of the construction documents. The plans shall be provided in both paper and electronic format.
12. The successful Respondent shall be responsible for obtaining all required land use approvals, including Preliminary and Final Site Approvals in conformance with the Redevelopment Plan.
13. The successful Respondent must comply with all terms of the Redevelopment Agreement. Inspectors from the Township may visit the Site unannounced on business days between the hours of 9:00 a.m. and 5:00 p.m. to inspect operations and determine whether or not the successful Respondent is in compliance with the terms of the Redevelopment Agreement.
14. The successful Respondent will acknowledge and represent to the Township that except as may expressly be provided in the Redevelopment Agreement to the contrary, the successful Respondent has not and will not rely upon any representations or warranties of the Township, its agents, servants or employees, either written or oral, express or implied, as to the Property's value, use, conditions, quality, environmental condition, fitness any particular use or any other representation whatsoever.
15. The successful Respondent must acquire the Site within **one (1) year** of the execution of the Redevelopment Agreement (See Item #11, "Project Financing", under the heading "Format of Proposals", below).

16. The successful Respondent, upon acquisition of the Property, will be responsible for securing the Property and maintaining reasonable and necessary security within the Property and the immediate surrounding area.
17. A construction performance bond, in an amount and form approved by the Township, shall be provided to ensure that the Project is completed. This bond shall be in place before any construction commences.

The Township reserves the right to modify, omit and/or amend the above terms prior to entry into the Redevelopment Agreement with the successful Respondent. Respondents, however, should assume that all of the above terms will be requirements of the Redevelopment Agreement for purposes of responding to this RFP.

Format of RFP Responses

The Township will evaluate all Proposals guided by the evaluation criteria described below. The Township requires a standard format for all Proposals submitted to ensure that clear, concise and complete statements are available from each Respondent in response to the RFP requirements. The Township is not under any obligation to search for clarification through additional or unformatted information submitted as a supplement to the formatted response. Where a Proposal contains conflicting information, the Township at its option, may either request clarification or may consider the information submitted unresponsive.

Each RFP response Proposal submitted must contain, in sequence and with the appropriate heading, each of the following sections:

- 1) Title Page
- 2) Table of Contents
- 3) Executive Summary
- 4) Background
- 5) Project Experience
- 6) List of Previously Completed Projects
- 7) Scope
- 8) Objectives
- 9) Proposal for the Project
- 10) Project Work Plan
- 11) Project Financing
- 12) Government Responsibilities
- 13) Key Personnel
- 14) Assumptions

15) Other Factors

These required sections are further described and defined as follows:

1. Title Page

The Proposal must include a title page which identifies the Project; the Respondent's Firm, name of the Respondent's primary contact, Respondent's address, telephone number, fax number and email address.

2. Table of Contents

The Respondent's Proposal must include a Table of Contents which lists the titles and page numbers for each major topic and sub-topic contained in the proposal, including the 15 required sections.

3. Executive Summary

A summary of the key points and highlights of the Respondent's RFP response which should illustrate why the Respondent is best suited for the Project.

4. Background

In this section the Respondent must provide a brief history of its company and how its experience is analogous to and qualifies it to meet the requirements of the RFP. The citation of specific projects that are currently being worked on or have been completed in the past is strongly encouraged and should be provided as per the requirements noted herein within Sections 5 and 6.

Respondents must indicate what type of business organization it is, e.g. corporation, partnership, sole proprietorship, limited liability company or non-profit organization. If the Respondent is a subsidiary or direct or indirect affiliate of any other organization, it must indicate in its Proposal the name of the related organization and the relationship. If the Respondent is a partnership, it shall list the names of all partners. If the Respondent is a limited liability company, it shall list the names of all members. If the Respondent is a corporation it shall list the names of those stockholders holding 10% or more of the outstanding stock.

5. Project Experience

The Township is seeking sufficient information on the Respondent's experience with such similar projects. To that end, the Respondent shall provide at least two (2) projects of similar scope and complexity where the development team and consultants played a substantial role. The Respondent shall include a narrative or outline that provides sufficient detail to describe the development team's considerable past experience in the development and management of the projects. The Proposal should demonstrate that all of the team members have experience in the redevelopment of projects of similar size and scope and in a comparable setting.

6. List of Previously Completed Projects

In this section of the Proposal, the Respondent must provide a list of previously completed projects, which may include the two (2) projects identified within Section 5 of the Proposal. This list shall also include names and contact information of individuals familiar with the project. The individual(s) may be contacted by the Township and should be available to assess the Respondent's record relating to the project(s). In addition the Township may consult references familiar with the Respondent or members of the Respondent's team regarding past experience, qualifications, performance, or other matters, regardless of whether the specific individuals are identified in the Proposal.

7. Scope

In this section of the Proposal, the Respondent must state what it believes to be the scope of the Project as identified by the Township. If any gaps in the scope of the Project as provided in the RFP are identified, the Respondent must clearly state these gaps in this section and clearly mark these concerns as such.

8. Objectives

In this section of the Proposal, the Respondent must state what it believes to be the primary objectives for redevelopment of the Project Site. Respondents may choose to offer suggestions for alternative or additional objectives. A description on how to measure the achievement of objectives throughout the life of the Project should be included.

9. Proposal For The Project

A detailed description of the Project that the Respondent is proposing and how it satisfies the goals and objectives of the Township and the Redevelopment Plan should be contained

in this section. Additionally, Respondents should highlight any risks they deem to be significant enough in nature which could delay or stop the Project. Finally, this section should include a complete summary of any studies conducted to justify the proposed Project. Studies conducted should be included as attachments to the Proposal. Respondents should submit drawings showing the proposed layout and appearance of the Project.

10. Project Work Plan

In this section the Respondent must provide a high-level Project work plan. Tasks that the Respondent would require of the Township to complete the Project should also be identified. The work plan should present a picture of key activities, milestones, key dates, etc. necessary to deliver this Project. All assumptions that were made to complete the Project plan should be documented in this section.

11. Project Financing

In this section the Respondent must provide a detailed breakdown of the total of all projected development costs and the sources of all anticipated funds to meet those costs. This should include sufficient financial information to establish the approximate net worth and/or liquid assets available to the Respondent for the proposed Project. This information should be in the form of certified financial statements showing assets and liabilities, including contingent liabilities. If equity financing is to be obtained from sources other than the Respondent, a statement should be submitted from such other sources indicating their willingness and ability to provide the necessary funds.

In addition to the above, the Respondent must include a pro-forma sheet for the Project, clearly indicating the anticipated income and expenses of the completed Project. This pro-forma projection must include explanations for all the assumptions used in its formulation. Finally, the Respondent must include its offer for the Project, including any terms, as well as any PILOT or other financial incentives; it is looking for or offering.

12. Government Responsibilities

In this section, the Respondent must clearly describe its expectations relating to the responsibilities and/or commitments the Respondent is expecting of the Township throughout the life of this Project.

13. Key Personnel

A discussion of the proposed Project team must be contained in this section, including the Respondent as well as architects, engineers, contractors, builders and financiers. The Respondent is to state exactly the role that each proposed team member will assume on this Project and detail the qualifications for the role that the team member possesses.

14. Assumptions

In this section, Respondents must state any assumptions being made relating to any part of the RFP response Proposal or Project strategy.

15. Other Factors

Respondents may include in this section any additional information deemed necessary which has not been supplied in any other portion of the Respondent's RFP response and that the Respondent believes underscore the Respondent's qualification to undertake the project and what is "unique" about their redevelopment concept.

RFP Response Evaluation and Selection of a Developer

The RFP response Proposals will be reviewed for compliance with the terms and conditions of the RFP. Any Proposals not responsive to the RFP will be rejected. The Township's acceptance of a Proposal does not imply that every element of that Proposal has been accepted.

The RFP response Proposals will be evaluated by the professional staff of the Township based upon, but not limited to, consideration of the following criteria:

1. Conformance to Required Format
2. Appropriateness of Project to RFP and Redevelopment Plan
3. Timeframe for Completion of Project
4. Prior Experience with Similar Projects
5. Soundness of Financial Plan
6. Commitment to Diversity Regarding Utilization Of Minority and Woman-Owned Business Enterprises
7. Aesthetic Aspects and Functionality (Including "Green" Components) of Project.

The Township may elect to ask some or all Respondents to give presentations on their Proposals. The RFP response Proposal which the Township professionals determine best satisfies the criteria and goals of the Redevelopment Plan and the Proposal will be recommended to the Township Committee for its consideration.

The Township Committee will consider the recommendation and, at its discretion, vote to accept the recommended Respondent's Proposal or one of the other Respondents' Proposals. The Township Committee will designate such Respondent as the Developer of the Project Site and authorize the Township to enter into a Redevelopment Agreement with the Respondent for the Project.

The selected Developer will be expected to execute the Redevelopment Agreement within four (4) months of approval of selection by the Township Committee.

General Notes, Conditions, Terms and Limitations

The designated developer may apply for a real estate tax exemption under N.J.S.A. 40A:21-1, et seq. (Five year Tax Exemption Law) or a long term real estate tax exemption under N.J.S.A. 40A:20-1, et seq. (Long-Term Tax Exemption Law). All tax exemptions require the approval of the Township Committee. Approval of any tax exemptions is not guaranteed by the Township nor may a Respondent condition its commitment to complete the Project upon obtaining a tax exemption.

Respondents are responsible for inspecting the Site first-hand and for ascertaining measurements, conditions, code requirements, any required federal, state or local approvals needed for the Project and any design requirements in connection with their contemplated financing.

The Township shall not pay any costs or losses of any kind whatsoever incurred or suffered by any Respondent at any time, including the cost of responding to this RFP.

The Township reserves the right at any time to reject any or all Proposals and/or to withdraw this RFP. In addition, the Township retains the right to make modifications or additions to the RFP. This RFP is a solicitation of Proposals only and does not represent an offer, obligation or agreement, whatsoever on the part of the Township.

Selection of a Respondent's Proposal will not create any rights on the Respondent's part whatsoever until the execution by the Township of a Redevelopment Agreement.

ATTACHMENT A



NORTH MIDDLETOWN

REDEVELOPMENT PLAN

TOWNSHIP OF MIDDLETOWN, NEW JERSEY



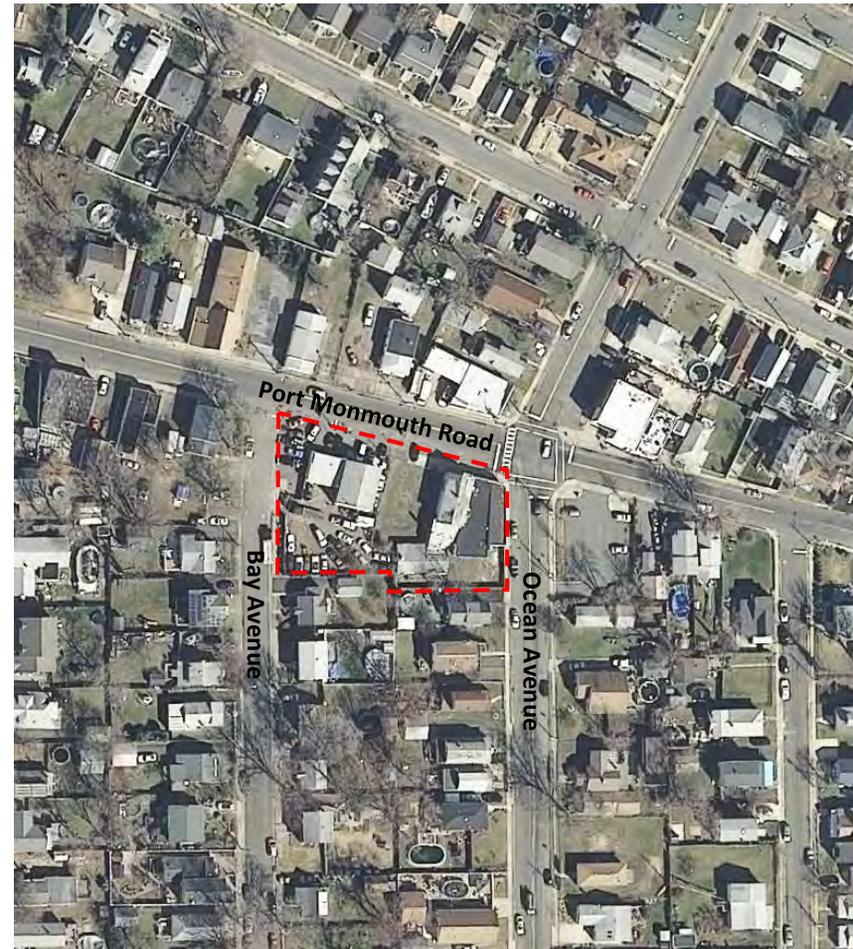
PREPARED BY HEYER, GRUEL & ASSOCIATES
DECEMBER 2014

INTRODUCTION

The revitalization, continued growth, and sustainability of neighborhood commercial areas and residential neighborhoods are key components of the Township of Middletown’s long term goals. To better complement and sustain this growth and development, the Township has declared the North Middletown Redevelopment Area an “Area in Need of Redevelopment.”

The North Middletown Redevelopment Area is situated along Port Monmouth Road and Ocean Avenue. Surrounding the site is neighborhood commercial and residential uses. The vision for this area is to create a mixed use building with retail and townhouse house style residential units on the ground floor and apartment style residential units on the upper floors. The “arts and crafts” style of some of the homes found in the surrounding neighborhood was used as inspiration for the design standards and concept plan within the Plan.

The redevelopment area consists of Block 70, Lots 1, 2, and 3 and is approximately 26,000 square feet in area. The Township Committee adopted a resolution formally designating the area on August 18, 2014.



Aerial of Redevelopment Area

STATUTORY REQUIREMENTS

According to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), 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 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" PL 1985, C398 (C52:18A-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.

PLAN PRINCIPLES

- Development of townhouse and apartment style housing.
- Creation of a walkable and pedestrian friendly commercial environment with sidewalks and residential porches and stoops.
- Redevelopment of underutilized sites at the intersection of Port Monmouth Road and Ocean Avenue.
- Construction of well-designed integrated mixed use development including retail at the corner of Ocean Avenue and Port Monmouth Road and parking located in the rear.
- Promotion and encouragement of the arts and crafts style throughout the design of the building.
- Consideration of context and neighborhood character through site development including future development along Port Monmouth Road.

GOALS AND OBJECTIVES

- To improve the North Middletown neighborhood with new mixed use development that will improve the surrounding area.
- To improve the utilization of land which can be more effectively redeveloped and/ or rehabilitated for community benefit.
- To promote economic development and broaden the Township's tax base.
- To improve the neighborhood retail area located at Port Monmouth Road and Ocean Avenue.
- To encourage mixed use development.
- To provide for a safe pedestrian environment within the residential neighborhood and along Port Monmouth Road and Ocean Avenue.
- To utilize a Form Based Code style regulations to provide understandable and predictable developments.
- To enhance the existing neighborhood by implementing design standards that are influenced by the "arts and crafts" style.
- To encourage developers to meet sustainable/ green standards.

RELATIONSHIP OF PLAN TO TOWNSHIP LAND DEVELOPMENT REGULATIONS

The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. Any deviation from permitted use standards, or height of a principal structure standards which would result in a “d” variance shall be addressed as an amendment to the Plan. The Board of Adjustment shall not have authority to allow deviations which would result in a “d” variance. The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c.

All exceptions or waivers from design standards from the requirements for site plan or subdivision approval shall be within the jurisdiction of the Township Planning Board.

All development, with the exception of one and two family homes where permitted, must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

Final adoption of this Redevelopment Plan by the Township Committee shall be considered an amendment to the Township Zoning Ordinance and Official Zoning Map.

Unless otherwise noted, definitions in this Plan are consistent with the Township’s Zoning and Land Use Ordinance.

LAND USE PLAN

Principal Permitted Uses:

First Floor Only: Eating and Drinking Establishments; Office; Retail Sales and Services; Financial Institutions. Drive-thru uses are not permitted.

All Floors: Townhouse and Apartment Residential

Permitted Accessory Uses:

Parking; Signage; Any other uses customarily incidental and accessory to the principal use.

Additional Requirements

Each individual use on the ground floor is required to have its own primary entrance on the street/ right of way.

Townhouse residential uses are required to have a covered porch and/or stoop at their ground floor entrances. Common area entrances for multiple units are excluded from this requirement.

Amenity spaces, rooftop terraces, mechanical equipment, and stairwells shall be permitted to extend no more than 10 feet above the required maximum height.

First floor residential units are required to be one foot above the FEMA flood elevation. Retail areas are encouraged to implement flood resiliency techniques in areas below the FEMA flood elevation.

Bulk Standards:

<i>Minimum Lot Size:</i>	25,000 sf
<i>Maximum Height:</i>	3 stories, 40 ft.
<i>Minimum Height:</i>	2 Stories
<i>Min Setback from Public ROW:</i>	10'-0"
<i>Max Setback from Public ROW:</i>	20'-0"
<i>Min Other Lot Line Setbacks:</i>	10'-0"
<i>Min Stepback @ 3rd floor:</i>	2'-0"
<i>Ground Floor Height (from grade):</i>	15'-0"

Parking Standards

The following parking standards apply to the Redevelopment Area.

- Residential Dwelling Unit: 1.5 spaces per unit
- Parking lots shall be set back a minimum of 5'-0" from the rear and side yards. A buffer area consisting of both vegetation, such as hedges or shrubs, and approved fencing is required between all parking lots and property lines.
- No parking is permitted between the street ROW and the building.

Design Standards

These design standards shall be considered site plan standards. Deviations shall be considered design standard waivers. The design standards apply to any development in the Redevelopment Area.

General

- The intent of these design standards is to incorporate “arts and crafts” style elements throughout the design. New buildings shall be encouraged to utilize the “arts and crafts” style and design vocabulary that includes but is not limited to:
 - Low-pitched roof lines, gabled or hipped roof
 - Prominent overhanging eaves,
 - Exposed rafters or decorative brackets under eaves
 - Front porch beneath extension of main roof
 - Tapered, square columns supporting roof
 - Double-hung windows with clerestory
 - Hand-crafted stone or woodwork
 - Mixed materials throughout structure
- New buildings shall relate to public streets, both functionally and visually. The primary orientation of a building shall not be towards a parking lot.
- The appearance of all sides of buildings is important. It may be desirable to develop alternative entries. Therefore, guidelines for the fronts of buildings shall also apply to other sides.
- Ground floor uses of buildings are encouraged to be uses which generate the greatest amount of pedestrian activity, such as retail, restaurants or service uses along Port Monmouth Road and Ocean Avenue.
- Ground level covered porches are required for all residential entrances along Port Monmouth Road and Ocean Avenue.
- Retail entrances are encouraged to have canopies above storefronts consistent with the residential covered porches.
- The type, shape, pitch, texture and color of roof surfaces visible from the street shall be architecturally compatible with the “arts and crafts” style, material, colors and details. Roof forms are required to be gable with a pitch no more than 6:12. Rooftop elements (e.g. HVAC, antennas), stairwells, and amenities located on the roof shall be screened from the public right-of-way and are permitted to have flat roofs.
- All pedestrian entryways and/or lobbies shall be prominent, well-lit and separate from service entrances.
- In residential development, outside storage of materials and personal belongings of residents shall be prohibited.
- All storage of refuse and recyclable materials shall be maintained within the confines of an enclosed building or structure and shall be reasonably accessible for vehicular

collection on the site. Such facilities are required to be screened with vegetation and/or shrubs.

- Every effort shall be made to make utilities as visually unobtrusive as possible.
- Meters and access panels shall be integrated with street and building design.
- To the extent permitted by public utilities, transformers and generators shall be screened from public view.
- Generators are required to be utilized for life safety and common areas.
- Public art is encouraged in locations along the retail frontage of Ocean Avenue and Port Monmouth Road.

Parking Design

- All 90 degree parking spaces shall be a minimum of 9 feet in width by 18 feet in depth.
- Aisles shall be a minimum of 24 feet in width.

Architectural Standards

- The exterior walls of buildings shall not have large blank or featureless expanses. No blank walls may be constructed that are larger than 25 feet in length facing a right of way.

- Awnings, canopies, and/or balconies are permitted and shall only extend a maximum of 3 feet from the exterior wall into an established setback.
- The use of real materials, rather than imitations such as brick/natural stone veneer, is encouraged. Vinyl siding, plastic roof tiles, thin brick veneer or EIFS (Exterior Insulation Finish Systems) are prohibited at ground level and discouraged on upper floors facing public right-of-ways. The use of natural stone is encouraged, especially at the foundation.
- Materials used near sidewalks and adjacent to the entrance shall be durable and compatible with other building materials.
- Air conditioning units should not be placed into windows or any other openings visible from the street. Units located in non-window openings are not permitted.
- Foundation exposure shall be limited to a maximum of 48 inches above grade.
- Loading and service areas where required shall be integral to building design and screened from public view. These areas, especially areas used to store garbage, must be fully screened on all sides by fencing and/ or landscaping.
- Chain link fences are not permitted as fencing materials.
- At first floor retail and food-related uses, at least 60% of their surface area between 18 inches and 8 feet shall be glazed, and

the visible light transmittance of that glazing shall be at least 70%.

- The maximum height of the sill above the sidewalk shall be 18 inches for retail and food related uses.
- Exterior security grates are prohibited.
- Openings for windows and windowpanes shall have a vertical dimension greater than or equal to the horizontal dimension.
- Windowsills shall project a minimum of 2 inches from the building face.
- Windows are encouraged to have a clerestory feature common in “arts and crafts” style buildings.
- Dormers and low hung gable roofs are encouraged at the third floor.
- All lintels shall extend a minimum of 4 inches beyond the edge of the opening.
- All gabled roofs ends shall have eaves. Eaves shall be continuous, unless overhanging a balcony or porch.
- Balconies and rooftop terraces are encouraged, especially when water views can be obtained from higher floors and the roof.
- Rooftop appurtenances, including architectural features, are permitted, as long as their highest points are no more than 10 feet above the maximum overall height of the building, and as long as the total areas enclosed by the outer edges of the

appurtenances, measured at the maximum overall height of the building, does not exceed 10 percent of the total horizontally projected roof area of the building.

- Stairs and elevator penthouses which project above the maximum height of the building shall count toward the 10% allowance. Parapet walls and equipment screens which project above the maximum overall height of the building shall also count toward that 10% allowance.

Green/Sustainable Standards

- Green Sustainable building, design (including LEED) and storm water technology shall be incorporated, to the extent feasible.

Signage

- Each use is permitted to have 2 signs per frontage. One wall sign is permitted within the natural signage band of the building and the other is permitted to be a blade sign not to exceed 6 square feet in area.
- Total signage shall not exceed 60 square feet per use.
- Permitted signage types include:
 - Wall signs
 - Blade signs
 - Address signs
 - Window signs

- Window signs are permitted to be up to 25% of the overall window area and is included within the maximum 60 square feet of signage permitted. Window glazing may include such information as business hours, location, and contact information.
- No neon light signs or blinking signs are permitted.
- Signage shall be internally illuminated or lit by external gooseneck fixtures placed above the sign.

Streetscape Standards

Sidewalks, Porches & Stoops

- Sidewalks are required to be a minimum of 6 feet and maximum of 10 feet along Bay Avenue, Ocean Avenue and Port Monmouth Road.
- Sidewalks are required to extend the entirety between the curb and retail frontage, allowing for outdoor cafes and other active streetscape features.
- Sidewalks shall be provided to all entrances of all buildings, which are set back from street.
- Sidewalks shall be constructed of solid and durable materials, such as poured concrete, concrete pavers or stone, according to industry standards.
- Curbing shall be constructed of either granite, concrete or Belgium block with a minimum exposed face of 6 inches wide along all streets.
- Porches and stoops are permitted to encroach into a required yard up to 6 feet.

Street Lighting

- Light fixtures shall be consistent with Township approved fixtures permitted in the surrounding neighborhood.
- Illumination shall be consistent throughout the Area.

- Street lights shall be coordinated with other street furniture and street trees.
- Street lights are required to be located every 30 feet along Port Monmouth Road, Ocean Avenue, and Bay Avenue.

Street Furniture

Street furniture is designed to provide visual unity, elegance and calm to the streetscape. The quality and placement of street furniture should enhance the pedestrian experience and reinforce the overall design theme of the Area.

In general, all elements of street furniture should be organized and coordinated to be both functional and attractive. Street furniture should be regularly spaced and aligned with the street trees and street lights, whenever possible. Elements should be placed in logical locations, such as near major entranceways or crosswalks. Street furniture should in no way inhibit circulation.

The following are recommended styles and suppliers of street furniture, as well as specific details and allocation guidelines.

- Benches
Benches shall be approximately 72 inches in length and 32 inches high. Benches are encouraged in appropriate locations along Ocean Avenue and Port Monmouth Road. Benches shall

be located adjacent to the curb line. Benches shall be secured permanently.

- Tree Grates

Tree grates are required for all street trees. Tree grates shall be 4 feet x 4 feet and set parallel and flush with the curb line. Tree grates shall be made of heavy grade, cast iron or cast aluminum of black or dark gray finish or recycled polygrate plastic. The center hole shall be expandable to accommodate tree growth. The initial center hole shall be a minimum of 12 inches in diameter.

- Trash & Recyclable Receptacles

Trash and recyclable receptacles at a minimum, are required at each corner of all intersections. Trash receptacles shall be 24 or 36 gallon.

- Bicycle Racks

Bicycle racks are required along Ocean Avenue and Port Monmouth Road and located where appropriate. Bike racks shall be securely fastened to the sidewalk. Bike rack locations shall not interfere with pedestrian circulation.

Street Trees

Street Trees and plantings are an important component of the streetscape and are designed to improve the character of the neighborhood. Street trees are to be coordinated and maintained as an urban forest to improve air and water quality, reduce noise and light pollution and promote the health and well-being of people. Trees shall not be within the site triangles of intersections or driveways.

Ocean Avenue, Port Monmouth Road and Bay Avenue shall be planted with street trees spaced 30 feet apart. Street tree and plant specifications along Port Monmouth Road are required to be consistent with the Monmouth County Road Plan and Monmouth County Development Regulations Section 5.5. Street trees and plants along Ocean Avenue and Bay Avenue are required to be consistent with the Township of Middletown Development Regulations Section 16-645. All street tree selection shall be consistent with the Monmouth County Department of Public Works and Engineering, Division of Shade Tree "Suggested Trees for Monmouth County."

CONCEPT PLAN

As part of redevelopment plan, a conceptual plan was developed to illustrate how the bulk, design, and streetscape standards can be implemented. The concept plan takes into consideration the use of the “arts and crafts” style incorporating such elements as:

- Low-pitched roof lines, with gabled roof
- Prominent overhanging eaves
- Exposed rafters and decorative brackets under eaves
- Front covered porch and stoops
- Tapered, square columns supporting roof
- Double-hung windows with clerestory
- Hand-crafted stone or woodwork
- Mixed materials throughout structure

The concept plan includes a 38,000 square foot, three (3) story mixed use building with 1,700 square feet of retail at the corner of Ocean Avenue and Port Monmouth Road and residential on all floors. Eight (8) Townhouse style units have been placed on the ground floor with individual entrances on the street. A common entrance for twelve (12) upper level apartments has been located along Ocean Avenue (20 residential units in total).

A rooftop terrace has been included at the corner of Ocean Avenue and Port Monmouth Road. Balconies and dormers have been incorporated into the third floor design as well.

Parking and garages are located in the rear of the building with access along Bay Avenue.

This section is intended to be illustrative of some of the potential development that could be produced by this plan.



Conceptual Site Plan



Overall Concept



Ocean Avenue Retail



Ocean Avenue Facade



Port Monmouth Road Retail



Residences along Port Monmouth Road (looking towards Bay Avenue)



Residences along Port Monmouth Road (looking towards Ocean Avenue)



Residences along Ocean Avenue



Rear Elevation (from Bay Avenue)

RELATIONSHIP TO OTHER PLANS

Township of Middletown Master Plan, 2014 Reexamination Report

The Plan is consistent with and particularly relevant to the objectives within the Township of Middletown’s 2014 Reexamination Report. The Report addresses post Sandy resiliency and measures the Township is taking to mitigate from future storms as well as the continued redevelopment of areas throughout the Township.

The Report acknowledges the North Middletown Redevelopment Study that was subsequently completed stating as a goal “the need to reinforce the long-term stabilization of the North Middletown neighborhood...” The North Middletown Neighborhood Revitalization Strategy is referenced, which acts as a background study to the Township’s overall Master Plan in establishing policies for the long-term stabilization of the neighborhood, particularly regarding housing rehabilitation, public facility needs, and infrastructure improvements.

North Middletown Neighborhood Preservation Program Work Plan (2009)

The North Middletown Neighborhood Preservation Program Work Plan presents an overview of the North Middletown target neighborhood in terms of geographic boundaries, history, and demographic, housing, and employment conditions; provides a

summary of the public participation and planning process that took place with the neighborhood residents and local officials; and presents a Budget for the grant funding with identified objectives and activities.

The mission statement includes several goals including:

- Create a Safe, Crime-Free Neighborhood Environment
- Build a Sense of Community
- Upgrade Condition of Properties
- Improve the Quality and Appearance of the Neighborhood Business District

Monmouth County Master Plan Update, 2013 Draft

In 2013, the Monmouth County Planning Board and the Division of Planning staff commenced the third comprehensive update to the Master Plan of Monmouth County. Recognizing that municipalities have largely established their individual character and now aspire to maintain and enhance their identities, the master plan update focuses on redevelopment, revitalization and rediscovery of communities

throughout the County Encouraging mixed use developments and neighborhood character.

The master plan update’s purpose includes:

- Pivot to redevelopment, revitalization, and rediscovery
- Consolidate prior planning efforts
- Provide a planning tool that can be easily integrated into municipal master plans
- Provide a live platform for current planning and demographic information
- Improve and expand the coordination between government jurisdictions and stakeholders
- Addresses topical planning issues (stabilized growth, coastal development, etc.)
- Encourage investment and reinvestment in efficient and responsible land use
- Recommend ways to preserve and enhance the quality of life for residents and businesses as we plan for sustainable prosperity

The draft update includes 3 overall goals principals, and objectives:

- Promote a comprehensive approach to planning and coordinate these efforts among all levels of government and with our community stakeholders.

- Promote the protection and conservation of natural and cultural resources.
- Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, and visit.

State Strategic Plan

The Final State Strategic Plan, released in October of 2011, outlines goals and principles for targeting investment and growth in the State of New Jersey. This Redevelopment Plan is consistent with the stated goals and objectives of the State plan. Specifically, this Plan is exemplary of the guiding principle of ‘spatial efficiency’, which will help guide state decision making. “Spatial Efficiency: The State of NJ will place value on the economic, social and environmental benefits of investing in areas where infrastructure already exists in an effort to control long-term costs of public services, re-invigorate existing communities, and protect important natural resources.”

The State Strategic Plan also identifies Garden State Values, many of which are consistent with this Plan. For instance, Garden State Value #1 is to concentrate and mix uses, while Garden State Value #2 is to prioritize redevelopment and infill development around existing infrastructure.

The State Plan also notes that priority areas targeted for investment and growth should be those which create compact livable communities that will attract business and workers, and efficiently use infrastructure.

Although the specific areas to be targeted as priorities for investment and growth have yet to be named, this Plan fits the criteria that are recommended by the State Strategic Plan as an area to be targeted for strategic investment.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Duration of Redevelopment Plan

The Redevelopment Plan shall remain in effect for 30 years from the date of adoption of this Plan by the Township Committee. After that period, the Zoning Ordinance will regulate the development of the site.

Amending the Redevelopment Plan

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

Property Acquisition

This area has been designated a “non-condemnation” redevelopment area.

Relocation

No relocation is necessary.

Affordable Housing

No affordable housing units are identified to be removed as part of the implementation of this Redevelopment Plan.