

# Monmouth Mall Redevelopment Plan

Block 2201, Lots 1.01, 1.02, 2, 3, 4, & 5 & Block 2202, Lot 1  
Borough of Eatontown  
Monmouth County, New Jersey

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## I. Introduction

The Borough of Eatontown is located in eastern Monmouth County, bounded by Tinton Falls, Shrewsbury, West Long Branch and Oceanport. The geographical center of Eatontown is the intersection of State Highways 35 and 36. The intersection of these highways effectively quarters the Borough into four sections with the Monmouth Mall, a Regional Shopping Center, in the middle of the Borough. The Monmouth Mall, is located on the corner of the intersection of Route 35, Route 36 and Wycoff Road, and is recognized as Eatontown's commercial focal point. The Mall opened in March of 1960 as the "Monmouth Shopping Center", and with its addition of a second level and full enclosure in 1975, it became the largest mall in the U.S. at the time. With a total gross leasable area of approximately 1,500,000 sq. ft., Monmouth Mall is the 6<sup>th</sup> largest mall in the nation. Boscov's, and Macy's currently serve as the Mall's anchor stores.

In recent years, however, the goods-based consumer retail industry has undergone a major shift and transformation, as big-name retailers are declaring bankruptcy and closing hundreds of stores. This is due to the increased online purchases and the overall change in American buying habits. Brick and mortar retail dominated before the 1990s, but with the invention of the internet, a new paradigm of e-commerce for sales and marketing changed the retail industry completely, growing exponentially and mainly dominated by companies such as Amazon.

In addition to the transition to greater online purchases, the COVID-19 pandemic has presented a new challenge for the retail industry. American consumers have been shifting to online shopping, and this trend has been further accelerated with the pandemic given the stay-at-home mandates and the closure of many stores and businesses. The drastic shift has led to many Americans to turn to e-commerce and contactless delivery for groceries and other goods, including those who have not typically been online shoppers.

The Monmouth Mall has realized various changes since its last major renovation in 2011. New construction and complete redesign of the mall was proposed in 2016 when Kushner Cos. (the owner of the Monmouth Mall property) partnered with Brookfield Properties and proposed conceptual plans to redevelop the mall into a pedestrian-friendly "live, work and play" development at a cost of approximately \$500 million. The development would be renamed "Monmouth Town Center" and would include a variety of residential areas (including one- and two-bedroom units) with a 12.5% set aside for low and moderate income households, an outdoor plaza, and bike- and pedestrian-friendly greenspaces. In furtherance of the "live, work and play" concept, the Borough Council created the Mixed-Use Regional Center zone (MURC) which allows for up to 700 residential units on the mall property. In 2016, site plan approval was granted, including approval for the 700 residential units, 1,637,109 square feet of commercial space, and 82,000 square feet of medical office space. In 2018, several amendments to the site plan were approved, including the construction of a four-story medical office building, a three-story medical office building, and several new restaurants. One of the medical buildings has been completed and has received a certificate of occupancy, as part of Monmouth Medical Center, located adjacent to Boscov's. As of October 2022, some development is underway, and while additional construction and building improvements have been approved by the Planning Board, construction and Mall improvements have been postponed due to challenges such as the death of retail and COVID-19 impacts on the economy. Despite the aforementioned

approvals (and amendments to same), the economic challenges at the Mall have been continuing with retail occupancies dropping to levels that are not economically sustainable. Given the same, it became clear that conventional zoning has been insufficient to allow for the desired re-purposing of the Mall to position the property for success given the changing retail marketplace. As such, proceeding in accordance with New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., is the most effective means by which to repurpose the Mall property.

#### A. Background

The Mayor and Council for the Borough of Eatontown requested the Planning Board conduct an investigation study to determine if Block 2201, Lots 1.01, 1.02, 2, 3, 4, and 5 and Block 2202, Lot 1 met the criteria as an area in need of redevelopment (Resolution No. 70-2021). The Planning Board considered the findings of a report titled “Area in Need of Redevelopment Investigation Report” at a public hearing on December 6, 2021, and adopted a resolution which endorsed the findings of the Redevelopment Study and recommended to the Borough Council that the Study Area be designated as an “area in need of redevelopment.” The Mayor and Council declared the Monmouth Mall property an area in need of redevelopment through the adoption of Resolution No. 208-2021 on December 8, 2021.

The intent of this plan is to guide the redevelopment of the Monmouth Mall in a manner that is consistent with the goals and objectives of the Borough’s planning documents, the state growth planning principles set forth in the State Development and Redevelopment Plan, and with other existing and planned redevelopment in the area.

#### B. Relationship to Local Objectives

The redevelopment of the Monmouth Mall is guided by the following objectives:

- 1) Promote a diverse mix of residential, business, commercial, office, institutional, educational, recreational, and cultural and entertainment activities or workers, visitors, and residents;
- 2) Encourage pedestrian oriented development and intensities that will help promote transit usage and interconnected uses and businesses;
- 3) Promote the health and well-being of residents by encouraging physical activity, alternative transportation options, and greater social interaction;
- 4) Create a center that represents a unique, attractive, and memorable destination for visitors and residents;
- 5) Encourage lively, human-scaled activity areas and gathering places through the promotion of high quality design;
- 6) Ensure that all buildings are consistent with and enhanced by high quality streetscape amenities; and
- 7) Accommodate off-street parking in a convenient manner that does not interfere with site circulation and placemaking.

#### C. Property Description

This Redevelopment Plan has been prepared for an area that has been designated in need of redevelopment without condemnation for Block 2201, Lots 1.01, 1.02, 2, 3, 4, and 5. The redevelopment area is comprised of properties west of Wyckoff Road, south of Route 36, and east of Route 35. Lot 1.02

(79.88 acres total) covers the majority of the study area and it is proximate to Route 35 and 36. The entirety of the Redevelopment Area totals just over 100 acres. The lots are currently developed with commercial, primarily one-story buildings built in the year 2000 (apart from Lot 1.01 built in 1961). Currently, Lot 3 is identified as vacant land. Overall, the redevelopment area is developed with a combination of buildings and parking lots, and it contains some environmentally sensitive features. There are wetlands near Lot 5 as well as immediately outside the study area in the southeast corner, located within the R-10MH Residential Zone.

The properties identified in the redevelopment area are all located entirely within the MRC Mixed- Use Regional Center of Chapter 89 Land Use Article VII Area, Bulk, and Use Requirements, of the Borough of Eatontown's General Legislation. The Monmouth Mall Redevelopment Plan will replace the Land Use Regulations for the portion of the Borough of Eatontown that is within the Redevelopment Area upon the adoption of this Plan, by ordinance of the Borough Council.

#### D. Redevelopment Plan Requirements

This Redevelopment Plan is written pursuant to N.J.S.A 40A:12A-7, which provides that "no redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate". The Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

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.

Proposed land uses and building requirements in the project area.

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.

An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.

Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.).

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.

A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

## II. General Guidelines

### A. Definitions

All terms used herein shall have the same meaning as defined in the Borough of Eatontown Land Use Ordinance unless otherwise specified in this redevelopment plan.

### B. Conceptual Redevelopment Plan

The Monmouth Mall Redevelopment Area is envisioned to contain a mixture of residential, commercial, and medical uses; as well as public spaces and entertainment and recreation uses to serve the community. The Monmouth Mall Redevelopment Plan is designed to enable a mixture of complementary uses, attractive public spaces, strategically placed parking, and a safe and efficient circulation system. The Borough's Complete Streets guidelines (Chapter 7. Article XVI) shall be considered for sitewide design related to vehicles, bicyclists, and pedestrian uses.

Projects within the redevelopment area must use high-quality architectural detailing and materials on all building facades and within the streetscape design. The elevations of various building types must be well proportioned and include a variety of forms and materials. All building shall include attractive fenestration along every building façade and project submissions must include renderings of the proposed architectural forms and samples of materials and colors for all building facades. The project design must include strategic pedestrian connections, plazas and green spaces areas which de-emphasize the parking while highlighting common spaces.

### C. Permitted Land Uses

The Borough seeks to redevelop the Monmouth Mall in a coordinated manner consistent with the vision, goals, and objectives for the Monmouth Mall Redevelopment Area. The land uses permitted within the Redevelopment Area are listed below. Any land use that is not specifically included as a permitted use is prohibited unless determined by the Borough Council to be equivalent to a listed permitted use and consistent with the purposes and goals of this Plan:

#### Permitted Principal Uses

- 1) Retail sales, including, but not limited to, fashion retail, health and fitness facility, furniture stores, and grocery stores.
- 2) Personal services.
- 3) Indoor movie theaters.
- 4) Banks, post office, professional offices, business offices, municipal offices and public utilities.
- 5) Mixed-use buildings.
- 6) Restaurants and taverns; seasonable outdoor seating tied to the restaurant or tavern is a permitted accessory use.
- 7) Parking lots and structured garages.
- 8) Regional enclosed planned shopping center.
- 9) Mixed-use regional centers in accordance with the provisions of this section.
- 10) Medical office buildings which may include, same-day surgical facilities and professional office space; health-care testing facilities; physical rehabilitation facilities.
- 11) Ambulatory health-care facilities, excluding chemical dependency rehabilitation centers.



- 12) Preschool/day-care centers.
- 13) Residential Leasing Offices for on-site development.
- 14) Pet Store
- 15) Recreational/amusement/entertainment uses, including, but not limited to, the following:
  - a. Aquarium;
  - b. Children's museum;
  - c. Children's recreational and instructional (dance, martial arts, etc.) facilities;
  - d. Bumper cars, arcades and other similar amusement rides and activities;
  - e. Indoor/outdoor miniature golf;
  - f. Climbing facilities;
  - g. Indoor sports facilities such as paintball;
  - h. Children's activities centers;
  - i. Aviary;
  - j. Flower museum;
  - k. Indoor/outdoor water park;
  - l. Indoor golf training center with various amenities, including food and beverage service;
  - m. Bowling alleys.
  - n. Movie theaters
  - o. Indoor music venues
  - p. Roof top decks
  - q. Grilling and fire pit areas
  - r. Pet Parks
  - s. Indoor pickle ball/tennis facility
  - t. Brewery/taproom
  - u. Facility for shows/plays
  - v. Roller rink/ice skating
  - w. Carnivals with the express permission from the Borough of Eatontown Governing Body.
- 16) Residential development in mixed-use buildings, provided that the maximum number of market rate units permitted in the Redevelopment Area, as a whole, shall be no more than 1,000 units. All market rate residential development within the redevelopment area shall be restricted to one or two bedrooms; provided, however, the one and two bedroom units may be permitted to have a single den without closets. All residential development in the redevelopment area shall generate an affordable housing obligation more fully set forth in Subsection F, below.
- 17) Food trucks within predesignated areas.
- 18) Pop-up shops within predesignated areas consisting of retail and/or food shops that are transient, temporary, rotating and/or seasonal operations in nature, and which may be either indoor or outdoor.
- 19) Food hall, consisting of multiple food vendors with a mix of indoor/outdoor seating and tables in an integrated predesignated area.
- 20) Multipurpose outdoor plaza, including, but not limited to, the following: performance stage; multimedia performance facilities; indoor/outdoor seasonal skating facility; food or farmers market; seasonal events such as car shows and interactive water fountain.

#### Use limitations

- 1) Recreational/amusement/entertainment uses, in the aggregate, shall not exceed 15% of the gross indoor leasable area of the Redevelopment Area. Indoor movie theaters shall be excluded from the calculation of recreational/amusement/entertainment uses. The foregoing shall not be applicable to Outdoor recreational/amusement/entertainment uses.
- 2) Notwithstanding the provisions of § 89-34 of the Borough's Zoning Ordinance, public and private schools shall not be permitted uses in the Redevelopment Area.
- 3) Churches and other houses of worship and related facilities shall not be permitted in the Redevelopment Area.
- 4) Non-franchised massage parlors shall not be permitted in the Redevelopment Area.
- 5) Tattoo parlors shall not be permitted in the Redevelopment Area.
- 6) All sales of marijuana shall not be permitted in the Redevelopment Area.

#### Permitted Accessory Uses

- 1) Surface and structured parking
- 2) Trash and recycling enclosures
- 3) Storage and maintenance facilities
- 4) Essential services
- 5) Signs in accordance with the requirements of §89-97D(1)(b)[2]
- 6) Retail Kiosks

#### D. Bulk Requirements

- 1) Minimum Area: 100 acres
- 2) Minimum Front Yard Setback (Route 35, Route 36, and Wyckoff Road): 125 feet
- 3) Minimum Side and Rear Yard Setback: 150 feet
- 4) Maximum Impervious Coverage: 85%
- 5) Maximum Building Height:
  - a. All structures to remain will not exceed the existing height.
  - b. All new structures shall not exceed 4 stories and 50 feet plus rooftop structures.
  - c. Rooftop structures shall not extend 10 feet above the height of the building (with the exception of elevator bulkheads which are permitted to be up to 18 feet above the height of the building).

#### E. Phasing

Development of the project shall be phased in accordance with a phasing schedule set forth in the Redevelopment Agreement.

#### F. Provisions related to affordable housing

Residential development in the Redevelopment Plan shall provide affordable housing in accordance with this Section. The redeveloper is responsible for providing a 12.5 percent set aside generated by the redevelopment activities in the redevelopment area in compliance with the Borough's Housing Element and Fair Share Plan, as well as all applicable local ordinances. The maximum residential development associated with this Redevelopment Plan shall be 1000 residential units. Any off-site location for affordable housing is required to receive separate approval from the Governing Body of the Borough of Eatontown. The affordable units shall be constructed and/or occupied in accordance with the phasing requirements and bedroom mix requirements and all other applicable requirements of the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.).

### III. Design Standards

#### A. General Design Guidelines

Architectural design within the redevelopment area should be attractive and consistent with surrounding development types. The adaptive reuse of existing buildings with cosmetic façade enhancements and redevelopment at a pedestrian scale are encouraged. The development should be substantially consistent with the renderings depicted in Figures 1-7 and should include areas of public spaces and interest.



Figure 1. Overall Plan for Redevelopment Area





Figure 2. Public courtyard



Figure 3. Open Air Shopping



Figure 4. Adaptive Reuse of Existing Food Court Area

## B. Streetscape Design

In accordance with the 2022 Eatontown Comprehensive Bicycle & Pedestrian Plan amenities shall be provided along sidewalks and trails and near transit stops, including:

- 1) Benches
- 2) Shade structures
- 3) Public restrooms (to be located in the centrally located lawn area ("The Green"))
- 4) Water fountains
- 5) Trash and recycling receptacles
- 6) Pedestrian lighting
- 7) Wayfinding signage

Public spaces throughout the site should be programmed in a way that makes them inviting to residents and visitors alike.





*Figure 5. Winter programming on Great Lawn*

### C. Site Landscaping

Landscaping shall be provided throughout the Redevelopment Area in a manner consistent with Figure 6 where practical subject to site constraints. All landscaping shall be in conformance with the requirements of Borough ordinances.



Figure 6. Landscaping Plan

#### D. Buffer Requirements

- 1) The width of an existing vegetated buffer area located in side yard and rear yard areas along an exterior boundary of the redevelopment area shall not be reduced;
- 2) There shall be a minimum seventy-five-foot-wide vegetated buffer in any side or rear yard area along an exterior boundary of the redevelopment area.

#### E. Signage

- 1) All signage shall conform to the requirements of §89-97D(1)(b)[2] of the Borough of Eatontown's Land Use Ordinance.
- 2) Wayfinding signage should be placed at decision points along all bicycle and pedestrian routes within the Redevelopment area and at intersections of other major locations.
- 3) Pop-up signs are prohibited.

#### F. Lighting

- 1) Lighting shall conform to the requirements of §89-48 of the Borough of Eatontown's Land Use Ordinance.



## G. Parking and Loading Requirements

- 1) Parking space within the Redevelopment Area shall mean a storage area for the parking of a motor vehicle, either in a structured deck or surface lot.
- 2) Parking areas shall be interconnected, wherever practical, by cross-access drives which promote fluid access to parking areas on adjoining areas within the Redevelopment Area.
- 3) Wherever practical, each lot shall provide cross-access easements for its parking areas and access drives, guaranteeing access to adjacent lots. Interconnections shall be strategically placed and easily identifiable to ensure safe and convenient traffic flow between parking areas. In the event a property is proposed for development, provisions for cross-access drives shall be established with appropriate easements to facilitate interconnections as adjacent properties develop.
- 4) Provision of safe pedestrian access to and through parking lots and connections to other pedestrian links shall be required, including striping, enhanced pavement markings, lighting and traffic calming features.
- 5) Parking structures (garages) shall be visually screened from all public rights-of-way, public open spaces, and residential uses. Such screening may include a liner building for a minimum of the first floor. Screening of upper floors may include landscaping, walls, liner buildings, other architectural elements or decorative features.
- 6) Parking structures shall be architecturally integrated into surrounding development consistent with the overall design and character of the Redevelopment Area. Shared parking shall be encouraged. Nothing herein shall prohibit the reservation of a limited number of parking spaces for particular residential or nonresidential users.
- 7) Each application involving nonresidential development in excess of 50,000 square feet shall submit a parking study to support the proposed parking required to accommodate the development proposed. The parking study shall contain, as a minimum, the following:
  - a. A projection of peak parking demand to be calculated by using the higher projection of either the methodology and factors provided in the most current edition of the report entitled "Parking Generation," an information report published by the Institute of Transportation Engineers (ITE) plus an additional 10% to assure a reasonable number of vacant parking spaces to permit adequate turnover of parking spaces, or
  - b. A shared parking analysis using the MURC requirements for off-street parking in the Borough Ordinance.
  - c. An identification of how the proposed parking is to remain available to future occupants and users.
- 8) The shared parking analysis substantiates a reduction.
  - a. If shared parking for both residential and nonresidential development is proposed, the applicant shall submit a shared parking study documenting how adequate parking is to be provided and maintained to satisfy the identified parking demands. The study shall be prepared in accordance with the procedures and methodology set forth in the most recent edition of a report entitled "Shared Parking," published by the Urban Land Institute, or other recognized authority.
- 9) For the purposes of the Parking Demand Study to be completed under 8(B), the on-site parking ordinance requirements for the Redevelopment Area, shall be as follows:
  - a. Retail and recreational/amusement/entertainment uses: one parking space for 250 square feet.

- b. Medical and office uses: three parking spaces for 1,000 square feet.
  - c. Residential development (market rate units): one parking space for a one-bedroom unit, 1.5 parking spaces for a two-bedroom unit.
  - d. Residential development (affordable units only): per New Jersey Residential Site Improvement Standards (RSIS).
- 10) Electric vehicle supply/service equipment (EVSE) and make-ready parking spaces shall be provided in accordance with applicable law.

Figure 7 (Parking Layout) is included for illustrative purposes only:

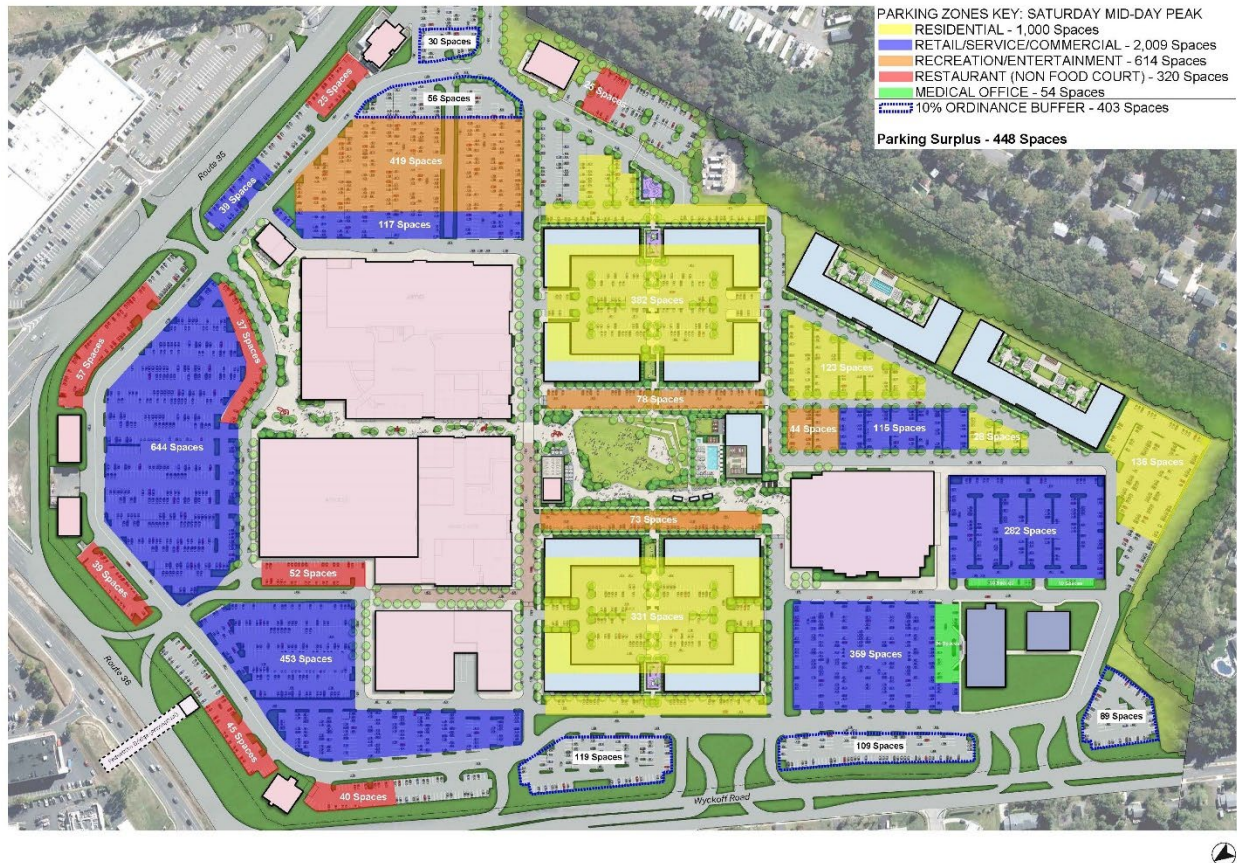


Figure 7. Parking Layout (for Illustrative Purposes only)

#### H. Pedestrian circulation

- 1) Pedestrian overpasses are encouraged (but not required) to be constructed over Route 35 and Route 36 to expand connectivity to the surrounding areas. In the event the overpass is provided, the reduction in parking spaces associated therewith shall not be calculated against the parking requirement.
- 2) Pedestrian facilities should be considered as part of the design in accordance with the 2022 Eatontown Comprehensive Bicycle & Pedestrian Plan. In particular, improvements made to the intersection of Wyckoff Road and Rt 36 in conjunction with the Redevelopment Plan are to be

considered. Any of the following requirements will be contingent upon all outside agency approvals including Monmouth County and NJDOT:

- (a) Increase Island Size
- (b) Install Yield Signs & Markings
- (c) ADA Compliance
- (d) Update Timing Directives
- (e) Install Pedestrian Signal Heads
- (f) Fix Broken Sidewalk Pavement/ Install Sidewalk
- (g) Remove signal heads from median

#### I. Bicycle facilities

Bicycle facilities should be constructed in accordance with the 2022 Eatontown Comprehensive Bicycle & Pedestrian Plan. The following offsite improvements should be considered as part of the design. Any of the following requirements will be contingent upon all outside agency approvals, including Monmouth County and NJDOT:

- 1) Wyckoff Road from Walter Avenue to NJ 36 was identified as a Typology 1 priority corridor. Any improvements to this roadway in conjunction with the redevelopment area shall include sharrows, advisory bike lanes, or off-street bicycle paths.
- 2) Sufficient short term and long-term bicycle parking amenities shall be provided at appropriate locations throughout the redevelopment area.

## IV. Consistency with Other Plans and Regulations

### A. Borough of Eatontown Master Plan

The Borough of Eatontown originally adopted its comprehensive Master Plan in 1986. After a number of reexaminations and amendments to the Master Plan, the Borough prepared a compendium of master plan documents and adopted this document as the 2007 Master Plan. In 2018, the Borough prepared its first reexamination report of the 2007 Master Plan. The following goals and objectives from the Borough's Master Plan are relevant as they pertain to this redevelopment plan:

#### Policies:

- To acknowledge the existing character of the borough, and segments thereof, as created by existing development.
- To facilitate the social, economic, and political interaction of present and future residents of all portions of the Borough.
- To maintain a balance of uses and variety of types within each use category arranged to minimize conflict among them.
- To provide adequate facilities, services, and protection for development and persons in all portions of the Borough.

#### Goals:

- To assure a high level of quality of life for present and future residents of the borough.
- To provide for, and encourage the use of, all remaining vacant land consistent with neighborhood characteristics, land capability, fiscal balance, practicalities of the marketplace, and current aesthetic standards.
- To support the commercial and industrial attractiveness of the Borough by facilitating continued viability of existing commercial development along Routes 35 and 36, and additional and upgraded development on vacant land within existing commercial areas. Infill of additional industrial development should also be encouraged and facilitated on Industrial Way West and East.
- To provide for alternative housing types at locations where single family detached homes are not easily constructed or would be inappropriate development and where there will be little or no adverse impact upon surrounding land.
- Maintain and encourage a diversity of housing types and continue to address the Borough's affordable housing obligation.

### B. Borough of Eatontown Land Use Ordinance

As described in Section I.C, the standards contained within this redevelopment plan shall supersede the applicable regulations in the Eatontown Borough Land Use Ordinance governing this area or any previously adopted redevelopment plan where those regulations or requirements conflict with this plan. In the case where a particular land use, development regulation, or site standard is not addressed in this

Redevelopment Plan, compliance with the Eatontown Borough Land Use Ordinance or other applicable Eatontown code or ordinance will be required.

### C. Plans of Adjacent Municipalities

#### Tinton Falls

The Borough of Tinton Falls is located to the west and north of Eatontown. The zoning and land use is substantially consistent with Eatontown and does not impact the area of this Redevelopment Plan.

#### Shrewsbury Borough

The Borough of Shrewsbury is located to the north of Eatontown. The zoning and land use is substantially consistent with Eatontown and does not impact the area of this Redevelopment Plan.

#### Oceanport

The Borough of Oceanport is located to the east of Eatontown. The zoning and land use is substantially consistent with Eatontown and does not impact the area of this Redevelopment Plan.

#### West Long Branch

West Long Branch is located to the east of Eatontown. The zoning and land use is substantially consistent with Eatontown and does not impact the area of this Redevelopment Plan.

#### Ocean Township

The Township of Ocean is located to the south of Eatontown. The zoning and land use is substantially consistent with Eatontown and does not impact the area of this Redevelopment Plan.

### D. Monmouth County Master Plan

Monmouth County adopted a new Master Plan in 2016. The 2016 Land Use Element of the Monmouth County Master Plan designates the Borough of Eatontown as a Priority Growth Investment Area, with area of Priority Growth – Reinvestment Area/Site Overlay. The Economic Development Chapter of the County Master Plan seeks to expand employment, improve business investment, add value to the County's tax base, and motivate more public and private investment in growth areas, particularly in places designated for redevelopment.

The Redevelopment Plan encourages redevelopment and new commercial uses in the designated Monmouth Mall Redevelopment Area and will boost the local economy by attracting new and current residents, visitors and businesses to center of Eatontown. The creation of new commercial and office space will expand employment opportunities, improve business investment, and add value to Eatontown's and Monmouth County's tax base. Through economic revitalization and the creation of a unique destination point, the Redevelopment Plan will enhance the overall quality of life in Monmouth County.

Because the Monmouth Mall Redevelopment Plan will contribute not only to the economic vitality of the Borough of Eatontown but surrounding municipalities and the County at large, the Redevelopment Plan is consistent with the goals, objectives and policies stated in the Monmouth County Master Plan.

#### E. New Jersey State Development and Redevelopment Plan

In reviewing the New Jersey State Development and Redevelopment Plan Volumes 1-4, the following information pertains to goals and policies for a program of rehabilitation which discusses the development and redevelopment policies.

The Borough of Eatontown is designated as a Planning Area I or Metropolitan Planning Area in the State Development and Redevelopment Plan. The State Plan identifies the typical New Jersey town in this Planning Area as a relatively self-sufficient community with a mixed-use core commercial district that provides limited regional commercial, institutional, cultural and transportation opportunities. All of the aforementioned are available in the Borough of Eatontown and the Monmouth Mall Redevelopment Plan encourages continued provision of same by increasing economic vitality.

The intention of the Metropolitan Planning Area is to provide for much of the State's future redevelopment, revitalize cities and towns, promote growth in compact forms, stabilize older suburbs, redesign areas of sprawl, and protect the character of existing stable communities. The Redevelopment Plan is in conformance with the State Development and Redevelopment as well as the Monmouth County Cross Acceptance Report.



## V. Procedural requirements

### A. Acquisition

The Local Redevelopment and Housing Law requires that any redevelopment plan identify any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan. The redevelopment plan is for non-condemnation so there is no need to make provisions to identify potential land to be acquired. The designation of this Redevelopment Plan as a "Non-Condensation Redevelopment Area" deliberately excludes the exercise of the taking of property by eminent domain, however, still requires a redeveloper be designated to make a site plan application under the Redevelopment Plan.

### B. Redevelopment Committee Review

The Borough Governing Body, acting as the Redevelopment Committee, shall review all proposed development projects within the redevelopment area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant redeveloper agreement(s). Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board. As part of its review, the Redevelopment Committee may require the redeveloper to submit its proposed project to a technical review committee or subcommittee of the Redevelopment Committee. The technical review committee may include members of the Redevelopment Committee and any other members and/or professionals as determined necessary and appropriate by the Borough. The technical review committee shall make its recommendations to the Redevelopment Committee.

In undertaking its review, the Redevelopment Committee shall determine whether the proposal is consistent with this Redevelopment Plan and the relevant redeveloper agreement as well as the overall vision and goals and objectives of the Monmouth Mall Redevelopment Area. In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan.

### C. Planning Board Review

Subsequent to the review of the Redevelopment Committee and determination that the project is consistent with the redevelopment plan, all development applications for development of sites governed by the Monmouth Mall Redevelopment Plan shall be submitted to the Borough Planning Board for review and approval in accordance with NJSA 40:55D-1 et. seq. The Planning Board shall deem any application for redevelopment for any property subject to this Redevelopment Plan incomplete if the applicant has not been designated by the Borough Council as a redeveloper(s), a redevelopment agreement has not been fully executed.

### D. Deviations/ Variances

The Borough of Eatontown Planning Board, at the time of site plan review and without formal amendment to this Plan, may approve minor modifications from the bulk standards set forth herein if deemed to be in the interest of project implementation and in furtherance of the Redevelopment Plan. Any material

deviations from the uses provided and the overall goals of the Redevelopment Plan shall be by formal amendment to the Redevelopment Plan adopted by the Borough Council in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

#### E. Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the governing body may amend, revise, or modify this Redevelopment Plan in general, or for specific portions of the Redevelopment Plan Area, as circumstances may make such changes appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) However, any proposed changes in permitted uses, intensity of development (including but not limited to building height), or design concepts detailed in this Redevelopment Plan shall require notice and public hearings in the same manner is required of the adoption of the original plan.

#### F. Temporary and Permanent Relocation

Implementation of this Redevelopment Plan may require the displacement and relocation of businesses located within the Redevelopment Area. At the time of property acquisition, the actual extent of displacement will be confirmed, and if it is necessary, a Workable Relocation Assistance Plan will be prepared and submitted to the New Jersey Department of Community Affairs for approval. The Borough will comply with the requirements of the New Jersey State relocation statutes and regulations as applicable and will provide all benefits and assistance required under applicable law.

#### G. Certificate of Completion and Compliance

Upon the inspection and verification of the Borough of Eatontown's Redevelopment entity, the Borough Council, that the redevelopment of any parcel or area within the redevelopment plan area has been completed in accordance with an executed Redevelopment Agreement, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel or area will be deemed no longer in need of redevelopment.

This Redevelopment Plan shall be in full force and effect upon its adoption by ordinance by the governing body and shall be in effect until the redevelopment of the Redevelopment Plan Area has been completed, which shall be evidenced by the issuance of a certificate of project completion by the Redevelopment Committee.

#### H. Technical/Economic Subdivision

For the purpose of allowing for the development of the site as one overall property, even if various portions are under the legal control of disparate owners, the Plan allows for technical/economic subdivisions.



The subsequent subdivision of individual lots within the development site is permitted, provided that the lots are created in conformance with an approved overall preliminary development site plan and the subdivided parcel has received final site plan approval.

So long as the overall approved development had preliminary site plan approval, there shall be no limitation on maximum building and building and structure coverage requirements for individual lots. Area, yard, building, loading and parking requirements contained in this subsection and approved on the final site plan shall not apply to the subdivided lot. A lot need not front on a public or private street, and no minimum distances between individual buildings are required.

The intent of this provision is to permit individual buildings to exist as separate lots. However, each subdivided lot and any proposed improvement on that lot shall be subject to and may only be improved in accordance with this Redevelopment Plan and shall not cause the overall development to exceed the standards set forth herein.