

**TOWNSHIP OF EVESHAM
ORDINANCE NO. 18-11-2019**

**AN ORDINANCE OF THE TOWNSHIP OF EVESHAM,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
ADOPTING A REDEVELOPMENT PLAN FOR CERTAIN PROPERTIES
FAMILIARLY KNOWN AS "MARLTON EXECUTIVE REDEVELOPMENT AREA",
CONSISTING OF LOTS 2.03, 2.04, and 2.05 IN BLOCK 36**

WHEREAS, the Township Council of the Township of Evesham ("Township") following referral to and upon recommendation of the Evesham Township Planning Board ("Planning Board"), designated lots 2.03, 2.04 and 2.05 in Block 36 as an Area in Need of Redevelopment on April 2, 2019 by resolution 127-2019; and

WHEREAS, the Redevelopment Plan for the Marlton Executive Redevelopment Area provides a planning framework and land development standards that set requirements for development that is responsive to market conditions, ensure high quality site and building design, and assist the Township in providing realistic opportunities for affordable housing consistent with the Fair Share Settlement Agreement and the 2018 Housing Element and Fair Share Plan; and

WHEREAS, the Township, following referral to and upon recommendation of the Planning Board, desires to adopt a Redevelopment Plan for the "Marlton Executive Redevelopment Area", which Plan has been prepared by the Township's affordable housing and redevelopment planner, Leah Furey Bruder, PP, AICP, dated October 2019 and is incorporated herein and made a part hereof by reference; and

WHEREAS, the Planning Board has examined and considered the proposed Redevelopment Plan regarding the subject redevelopment area; and

WHEREAS, the Planning Board conducted a public meeting on October 17, 2019 concerning the Plan, which was open to the public and where said Plan was explained and discussed and members of

the public had an opportunity to pose questions and submit concerns; and

WHEREAS, the Planning Board has reported that the proposed Redevelopment Plan is consistent with the Township Master Plan and specifically the Housing Element and Fair Share Plan, and will advance the Township's goals and objectives, and has recommended that the Plan be adopted by the Township; and

WHEREAS, the Redevelopment Plan, upon adoption by this Ordinance, is expected to enable redevelopment of the subject properties through public/private partnerships, to facilitate the production of needed housing for senior citizens, and to increase the supply of housing available to low- and moderate-income families in the Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Evesham that the Planning Board's recommendation is accepted and the Redevelopment Plan for Lots 2.03, 2.04, and 2.05 in Block 36 is hereby adopted.

BE IT FURTHER ORDAINED by the Township Council of the Township of Evesham that the Redevelopment Plan for the subject redevelopment area, having been subjected to Notice and a public hearing before the Council, be and hereby is adopted to govern the Marlton Executive Redevelopment Area comprised of Block 36, Lots 2.03, 2.04, and 2.05.

BE IT FURTHER ORDAINED that any prior Ordinances or Plans which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that this Ordinance shall become effective twenty (20) days following final passage and publication as required by law, as the Ordinance adopting the Redevelopment Plan for these designated areas, and zoning and redevelopment maps for the areas, as applicable.

EVESHAM TOWNSHIP COUNCIL

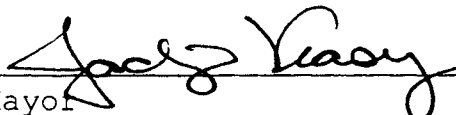
ORDINANCE NO. 18-11-2019

ROLL CALL VOTE - Upon Introduction 10/14/19						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER		✓	✓			
D'ANDREA			✓			
DIENNA			✓			
HANSEN	✓		✓			
MAYOR VEASY			✓			

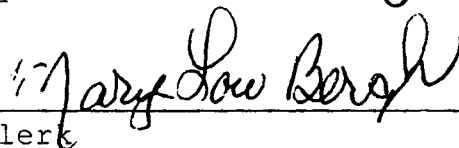
ROLL CALL VOTE - Upon Adoption 11/12/19						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER			✓			
D'ANDREA		✓	✓			
DIENNA			✓			
HANSEN	✓		✓			
MAYOR VEASY			✓			

Adopted on second and final reading
on

11/12/19


Mayor

Attest:


Clerk

Evesham Township
Burlington County, New Jersey

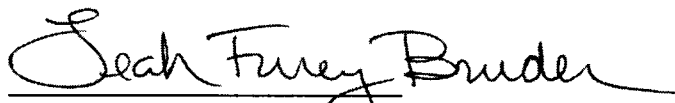
Redevelopment Plan for
Lots 2.03, 2.04, 2.05 in Block 36
“Marlton Executive Redevelopment Area”



October 2019

Recommended to Township Council by the Planning Board on October 17, 2019

Adopted by Evesham Township Council by Ordinance 18-11-2019 on November 12, 2019


Leah Furey Bruder, AICP PR # 585100

The original of this document was signed and
sealed in accordance with NJAC 13:41-1.3.b

**Evesham Township
Burlington County, New Jersey**

2019 Township Council

Mayor Jaclyn Veasy
Deputy Mayor Heather Cooper

Councilman Kenneth D'Andrea
Councilman Robert DiEnna
Councilwoman Patricia Hansen

Robert Corrales, Township Manager
Mary Lou Bergh, RMC, Township Clerk
Primitivo Cruz, Esq, Township Solicitor

2019 Planning Board

Alicia Marrone, Chairwoman
Jaclyn Veasy, Mayor
Robert DiEnna, Councilman
Jay Parikh, Vice-Chair
Paul Cortland
Gene Friedman
Craig Higginbotham
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Richard Maratea
Dennis Mehigan
Jerry Menichini

Sharon Boulton, Administrative Officer
Stuart Platt, Esq., Solicitor
Leah Furey Bruder, PP, AICP, Professional Planner
Nancy Jamanow, PE, PP, Director of Community Development

TABLE OF CONTENTS

I. Introduction and Summary	3
II. Overview	5
III. Redevelopment Plan	6
A. Redevelopment Plan Goals	6
B. Proposed Land Uses in Redevelopment Area	7
1. Standards Applicable to All Lots	8
2. Lot 2.03 in Block 36- Affordable Family Rental Housing	10
3. Lots 2.04 and 2.05 in Block 36	11
C. Potential Acquisition of Property within the Redevelopment Area	16
D. Redevelopment Entity and Implementation of Redevelopment Plan	16
E. Master Plan Consistency (State, County, Municipal)	19
F. Affordable Housing Provisions	20
G. Time Limits	20

I. Introduction and Summary

The properties that are included in the Marlton Executive Redevelopment Area and that are governed by this Redevelopment Plan contain a total of 19.5 acres divided among three lots. The lots were initially part of a larger property that included what is now lot 2.01 and that is developed with two office buildings. Over the years since the overall site was initially approved for office development, the tract has been subdivided and the office buildings and vacant properties have been acquired by different entities. It was expected that the remaining lots along Executive Drive (now lots 2.03, 2.04, 2.05) would be developed with office uses compatible with the office buildings that were constructed first (now lot 2.01) and that the entire tract would function as a “Class A” office park with coordinated site design and shared parking and maintenance. Over the ensuing three decades it became clear that this was not to be, as the market for office space has changed significantly. Considering the diminished market for suburban office buildings and the incentives available for the construction of office buildings in more urban areas, development consistent with the existing approvals and zoning is impractical and unlikely. The property owner has marketed the site for 15 years as a prime location for office space; but has not been successful.

The redevelopment planning effort for the undeveloped portion of Marlton Executive campus was prompted by several factors. First, the properties have been vacant and underutilized for decades despite the facts that site plan approvals were obtained for commercial office development, that some site improvements were installed, and that the properties have been proactively marketed consistent with the approvals, as well as for other variations of permitted uses. Second, though the current Highway Commercial (C-1) zoning allows a variety of commercial uses, site constraints limit the type of commercial development that would be viable on the properties. Third, and in part because of the first two, the properties have been included in the Township’s Fair Share Settlement Agreement and Third Round Housing Element and Fair Share Plan; which anticipates that the properties would be designated as an Area in Need of Redevelopment and that a Redevelopment Plan would be adopted to enable an alternative land use planning scheme for the area.

The three lots that are now included in the Redevelopment Area are currently vacant and contain some site improvements (a private road, an asphalt parking area, a stormwater basin). It has become clear that the current zoning scheme is a hindrance to effective development of this particular area. For the last four years the owners of the properties have been considering alternative development scenarios for the land. The Township has been opened to establishing an alternative land use plan for the area but remained focused on ensuring that common area improvements are unified and well maintained and that development of the lots is coordinated and compatible even if developed by different entities at different times. The Redevelopment Plan that follows encourages new construction of complementary housing products and accessory recreation, commercial and personal service uses. Complementary design, building materials, site amenities, massing, and scale are to be utilized as a common thread to tie the overall site together.

The Marlton Executive Study Area was designated as an Area in Need of Redevelopment by Resolution 127-2019 on April 2, 2019. The Preliminary Redevelopment Need Investigation Report dated February 2019 provides an overview of the Township’s redevelopment planning process, a description of the study area, an outline of the redevelopment area criteria set forth in New Jersey’s Local Redevelopment and Housing Law (“LRHL”), a review of the relationship of

the study areas to the Township's Master Plan and the State Plan, and explains the conditions that warranted the redevelopment designation. The properties are included in the 2018 Fair Share Settlement Agreement and the Township's 2018 Housing Element and Fair Share Plan as a 100% affordable family rental site (lot 2.03) and an inclusionary site (lots 2.04 and 2.05). If developed consistent with this plan and in coordination with one another, a new neighborhood will take shape and design and parking efficiencies will be gained.

The Township has designated several Redevelopment Areas and Rehabilitation Areas consisting of numerous tax lots in several distinct areas. The designated areas are concentrated along State Highway Routes 70 and Route 73, and within the historic downtown Marlton Village area. Each designated area has specific characteristics, constraints, and existing conditions that call for an individualized assessment and program to specify the permitted uses, yard and bulk requirements, and design standards that will maximize the potential of the sites in a contextually appropriate manner. This Redevelopment Plan addresses the properties that comprise the "Marlton Executive Redevelopment Area" consisting of the lots listed below.

Marlton Executive Redevelopment Area Properties					
Block	Lot	Address	Owner	Existing Use	Redevelopment or Rehabilitation
36	2.03	4 Executive Drive	Marlton Executive LLC	Vacant	Redevelopment e and h
36	2.04	3 Executive Drive	Marlton Executive LLC	Vacant	Redevelopment e and h
36	2.05	5 Executive Drive	Marlton Executive LLC	Vacant	Redevelopment e and h

II. Overview

This Redevelopment Plan is a framework for development and redevelopment of the “Marlton Executive” redevelopment project area; which includes lots 2.03, 2.04, and 2.05 in block 36. Since the area has been designated as an Area in Need of Redevelopment, the Township Council as the Redevelopment Entity, is empowered to adopt a redevelopment plan to proactively set forth a vision for the area and to set forth the land development standards. The Redevelopment Plan enables the Township to support and implement a coordinated and proactive land use plan for the area; and affords property owners the opportunity and ability to market or potentially develop the properties in accordance with the Redevelopment Plan. Further, the Redevelopment Entity may utilize financial incentives to effectuate the plan, facilitate redevelopment by working with property owners and redevelopers, and acquire land and buildings. The Redevelopment Entity’s functions are further described in section E below.

By utilizing the redevelopment planning tools provided in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) the Township aims to enhance opportunities for reuse, revitalization, and redevelopment of the properties and to provide a planning framework that sets a high standard for development, is responsive to market conditions, and assists the Township in providing realistic opportunities for affordable housing. The Redevelopment Plan provides a framework to guide redesign of and investment in the designated area in a manner consistent with the Township’s overall goals and objectives. All of the Township’s Redevelopment Plans are designed to support redevelopment that will contribute to a vibrant economy to benefit the Township overall and that will improve opportunities for residents and businesses to thrive in the Township.

The Redevelopment Plan is both a regulating document and a tool to assist in stimulating revitalization, investment, and redevelopment activities within the designated area, and along the Route 73 corridor in the vicinity. The Redevelopment Plan takes the specific site conditions and constraints into consideration, and aims to achieve the objectives for the area, while also maintaining design standards that are consistent with the Township’s other Redevelopment Plans so that unifying design elements and characteristics will tie the entire area together.

III. Redevelopment Plan

This Redevelopment Plan addresses the project area known as the “Marlton Executive Redevelopment Area” consisting of lots 2.03, 2.04, 2.05 in Block 36. The Redevelopment Plan includes an outline for the planning, design, and development of the project area in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.). The land use requirements set forth in the Redevelopment Plan supersede the underlying zoning requirements. All changes in use and site improvement proposals within the designated area require site plan approval from the Planning Board. The Township Council, acting as the Redevelopment Entity, acknowledges that refinements to the Redevelopment Plan may be necessary from time to time in order to ensure that the Plan is responsive to changing conditions and circumstances, and continues to reflect the Township’s evolving goals and objectives. Alterations to the Redevelopment Plan will be made in accordance with the requirements of N.J.S.A. 40A:12-7.

A. Redevelopment Plan Goals

The goals set forth below provide the framework for the Redevelopment Plan. The goals will guide the implementation of the plan and the realization of the vision for revitalization of the properties.

1. Enable the use of the tools available under the Local Redevelopment and Housing Law to facilitate and encourage private and public investment in the redevelopment area.
2. Provide guidance as to the future use and design of the designated properties and maintain sufficient flexibility to accommodate creative redevelopment scenarios.
3. Highlight opportunities to update deteriorated site improvements and to rebrand and reinvent the vacant properties within the redevelopment area consistent with smart growth principles.
4. Promote the “Smart Growth” policies supported in the Evesham Township Master Plan, which encourages the development of “Centers of Place” within PA-1 and PA -2 State Planning Areas.
5. Create land use, design, and building requirements specific to the Redevelopment Area properties that are compatible with the adjacent land uses and neighborhoods, harmonious with the surrounding environment, and provide sufficient development opportunity to facilitate investment.
6. Provide for a maximization of private investment through the attraction of qualified developers capable of securing private and public financing commitments and utilizing the tools provided in N.J.S.A. 40A:21-1 et. seq. and N.J.S.A. 40A:20-1 et. seq.; and capable of demonstrating a financial commitment upon the execution of a redeveloper’s agreement.
7. Ensure realistic opportunities for the provision of low- and moderate-income housing together with market rate housing consistent with the Township’s 2018 Fair Share Settlement Agreement and the adopted Third Round Housing Element and Fair Share Plan.

8. Offer publicly funded financial assistance where appropriate to encourage a greater level of investment, enhanced employment opportunities, improved design, inclusionary housing, increased community value, and other public benefits within the designated areas.

B. Proposed Land Uses in Redevelopment Area

The properties known as “Marlton Executive Redevelopment Area” were caused to be the focus of a redevelopment investigation and plan and were included in the Township’s Housing Element and Fair Share Plan as a result of the challenging site conditions and the fruitless development and marketing efforts for office uses through the end of 2017. The development and design requirements for the Area are intended to provide a framework that permits creative and coordinated redevelopment of the overall tract, rather than piecemeal uncoordinated development of the individual lots. The redevelopment plan for this area is intended to provide opportunity for the coordinated development of a range of housing types, in the context of the location along, but set back from, State Highway Route 73 and centered on the provision of affordable housing as part of the overall plan. Though each lot may be developed independently, from a planning and zoning standpoint the lots are very much interconnected. Together lots 2.03, 2.04, and 2.05 consist of approximately 19.5 acres on the west side of Route 73 and the south side of Evesham Road, near the western border of the Township. The overall area is bisected by Executive Drive; which is currently a private road and is therefore included within the 19.5 acres. Portions of the overall tract are constrained by the presence of freshwater wetlands and required buffers, which are regulated in accordance with NJ DEP requirements. These wetland areas impact the developability and design of the site.

The purpose of the Redevelopment Plan for the “Marlton Executive Redevelopment Area” is to enable and encourage coordinated comprehensive redevelopment of the entire project area and to ensure that physical harmony and synergy area cultivated among the uses, improvements, and surrounding environment. The Redevelopment Plan aims to provide a framework that will allow for development of the site that responds to market conditions, provides affordable housing, respects environmental constraints, and ensures high quality design and construction.

The land use requirements set forth in the Redevelopment Plan supersede the underlying zoning requirements. All changes of use and redevelopment proposals require site plan approval as set forth in Section E below.

Potential redevelopers should approach Township Council, in its capacity as the Redevelopment Entity, to initiate a dialogue about the potential to become a designated Redeveloper for a particular lot or the entire area. All potential redevelopers are encouraged to work with the Township in developing a concept plan that embodies the intent of the Redevelopment Plan and conveys the potential redeveloper’s intentions for the site. Once a qualified redeveloper is chosen and designated by resolution of Township Council, the establishment of a Redevelopment Agreement may streamline the redevelopment process, delineate timelines, expectations, roles and responsibilities, and may open opportunities to support project feasibility.

All provisions of the Evesham Township Code not specifically amended or revised in the Redevelopment Plan are incorporated by reference. These include but are not limited to: Chapter 62 – Subdivision and Site Plan Standards; Chapter 78 – Flood Damage Prevention;

Chapter 94 – Land Use Regulation; Chapter 133 – Streets, Sidewalks and Parking Lots; Chapter 135 – Subdivision of Land; and Chapter 160 – Zoning. In the event of conflict between the Township Code and the Redevelopment Plan, the Redevelopment Plan regulations shall prevail.

1. Standards Applicable to All Lots

- a. All development must be approved by the Evesham MUA and must connect to the public water and sewer systems.
- b. Multiple buildings are permitted on one parcel of land when they are designed in a coordinated manner, under common ownership, and with shared access and parking.
- c. Vehicular access to the properties within the Redevelopment Area will be from the road known as Executive Drive.
 - (i) The Executive Drive roadway needs repair and maintenance to bring it into compliance with current site design requirements as set forth in the Township Code.
 - (ii) There is an existing monument sign in the center island of Executive Drive, currently on lot 2.03, that identifies businesses on lot 2.01. A sign easement should be established for this sign. If it is determined that the sign should be replaced with a sign to identify new uses as well as the existing uses, the sign should be included as part of a site plan application.
 - (iii) Street signs should be added at each end of Executive Drive identifying the name of the street.
 - (iv) Traffic signs should be added on southbound Route 73 alerting motorists of the upcoming intersection with Executive Drive.
 - (v) Redevelopers should work with the Township and County to determine whether signage or pavement striping on Evesham Road at the intersection with Executive Drive may be employed to enable safer ingress and egress.
- d. The development should provide centrally located outdoor space that relates to the buildings and that may serve as an informal social gathering place. The passive recreation space should include a variety of landscape plants, hardscape, and street furniture.
- e. Sidewalks are required along all streets and along main driveways within the sites. Sidewalks should be designed to connect to adjacent properties and provide a safe and comfortable pedestrian environment. The existing sidewalk along Evesham Road requires maintenance that should be included as part of the site plan.
- f. Crosswalks should be installed at key locations and the design of crosswalks should be consistent throughout the Redevelopment Area.
- g. Parking spaces may be located on an immediately adjacent property when a perpetual parking and cross access easement is executed. The easement language must be provided for review by the reviewing Board and the applicant must

demonstrate that adequate parking is provided for all uses utilizing the shared parking area.

- h. Shade trees at 40-foot intervals shall be provided along public and private streets and along pedestrian areas and along the right-of-way. Where mature trees are maintained along the street or around the perimeter of the sites, street trees are not required.
- i. Signs shall be in accordance with section 160-75 except that each site may have one monument style site identification sign not to exceed 8 feet in height and 60 square feet in area on each street frontage. The base must be complementary to the building and shall be landscaped.
- j. Measures to enhance sustainability and to employ green infrastructure shall be considered in planning the site; such as using water and energy efficiently, using sustainable building materials, installing photovoltaic/solar panels, collecting rainwater for irrigation, employing methods to increase stormwater infiltration, reducing waste, generally minimizing impacts to the environment and ensuring a healthy indoor environment.
- k. Architectural elevations showing all sides of each building must be submitted along with a site plan application.

l. Architectural Requirements:

- (i) Architectural design features shall be employed to create visual interest at the pedestrian or street level, and to integrate each building or structure with the surrounding area.
- (ii) Buildings must be designed to avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including windows, projections, and recesses shall be used in order to add architectural interest and variety, and to relieve the visual effect of a simple long wall.
- (iii) Building facades shall be broken up at twenty-five-to-seventy-five-foot intervals with facade variations or projections and recesses at least two feet (2') in depth.
- (iv) Buildings more than 150 feet in length must be broken up with more significant off sets and angles at intervals of 100 to 200 feet.
- (v) Covered walkways and overhangs should be provided above the first floor near entryways.
- (vi) A building, structural, or landscape feature shall be constructed at the terminus of the entrance drives into each developed lot to create a sense of arrival and to assist in defining the character of the development.
- (vii) Brickwork should be incorporated where practicable as a unifying material across individual buildings.
- (viii) Where parking is proposed on the first floor of a building, a wall a minimum of 24" in height must be constructed of materials consistent with the architectural design of the building (such as brick) and at least 50% of the façade area oriented to the public view (excluding vehicle access areas) must be enclosed with architectural wall treatment. The open areas of the first-floor parking should be enclosed with a transparent decorative fence (such as iron or aluminum). The pedestrian access door to the building must be prominent with double doors and an overhead projection (such as canopy or awning).

- (ix) Upper and lower cornice lines must be articulated.
- (x) All sides of a building visible to the public must be designed with treatment similar to the front facade.
- (xi) Variations in rooflines (parapets or other architectural screening) shall be used to completely screen HVAC and roof-mounted equipment, to provide interest, and reduce the scale of large buildings.
- (xii) Utilities entering/exiting buildings, including water, gas and electric meters must be located on the short end of buildings, and must be adequately shielded with evergreen landscaping or a green screen wall.
- (xiii) When more than one building is located on one lot, the buildings must be spaced a minimum of fifty feet (50') apart.
- (xiv) Balconies or patios are recommended for apartment and independent residential units.
- (xv) A minimum of 130 cubic feet of internal storage with a minimum height of six feet shall be provided for each apartment and independent unit for the storage of items such as strollers, bicycles, holiday decorations, etc. The space shall be in addition to typical closets and may be located within the unit or in another locked location on the site.
- (xvi) Laundry facilities shall be included within each multi-family unit.

m. Enclosures for Trash and Recyclables Storage

- (i) Trash enclosures or central trash compaction and recycling areas are required and must comply with the requirements of chapter 118 and sections 160-27 and 160-27.1 of the Township Code except as modified below.
- (ii) Trash enclosures or compactors must be sufficiently sized to contain both trash and recyclable materials, such that dumpsters are not permitted to sit in the open anywhere on the site.
- (iii) Trash enclosures or central trash compaction/recycling areas shall be masonry structures, with an exterior façade of stone, brick, or cementitious siding to complement the principal building.
- (iv) If required, trash enclosure gates shall be decorative fencing materials to complement the buildings with a steel frame and self-locking.
- (v) Trash enclosures shall be a minimum of six feet in height, or higher as needed to shield the dumpsters. Landscaping may also be used in combination with structures to shield the trash and recycling area.
- (vi) Trash enclosures for multi-family residential units must include a door or opening for pedestrian access in addition to the truck access.

2. Lot 2.03 in Block 36- Affordable Family Rental Housing

This 8.679-acre lot is currently within the WFA Workforce Affordable Residential zoning district. The WFA zone was created and adopted in 2018 as a proactive step to pave the way for the development of an affordable family rental community on the property as envisioned by the

Township's Third Round Fair Share Plan. The "by right" zoning and a site plan approval were needed before the proposed developer could apply for 9% tax credit financing from the NJHMFA. The WFA zone replaced the former C-1 zoning of the property. In June of 2018 the Planning Board approved a site plan for a 64-unit affordable multi-family rental community on the property and in November 2018 the developer was awarded the competitive Low Income Housing Tax Credits for the project. Once the project is completed the Township will be able to claim 64 rental bonus credits to be applied toward satisfaction of the fair share obligation.

The project will be known as Cornerstone at Marlton and will be developed, owned, and managed by Evesham Family Apartments LLC. The developer and the Township have entered into an Affordable Housing Agreement to outline the expectations for the project and to provide financial support for the project from the Township's Affordable Housing Trust Fund. The residential units will be subject to a 45-year affordability restriction. The redevelopment area designation of the property enabled the affordable housing developer and the Township to enter into a long-term tax exemption agreement and enabled the developer to seek conventional financing for a portion of the project.

For lot 2.03, the Redevelopment Plan adopts the underlying WFA Workforce Affordable Residential zoning district standards. The standards applicable to all properties within the redevelopment area at section B(1) above apply to the shared parking and access.

3. Lots 2.04 and 2.05 in Block 36

The two lots on the east side of Executive Drive total 10.8 acres. The properties are constrained by the presence of freshwater wetlands and buffers, but there are two substantial developable areas. The two potential development areas are connected by an upland area that will enable a vehicular and pedestrian connection. Since there are two distinct development areas, it is possible that two different buildings could be constructed, each with a different housing type. The properties may be developed by one Master Redeveloper or by two separate Redevelopers, but in either case the properties shall be developed in coordination with one another and accordance with the Redevelopment Plan as follows.

a. Permitted Uses

- i. Multi-family age-restricted (over 55) residential dwelling units with a payment in lieu of onsite affordable units as set forth in section 3(d)(ii) below.
- ii. Assisted Living and Skilled Nursing Facilities licensed by the State of New Jersey with a 10% affordable housing set aside as set forth in section 3(d)(i) below.
- iii. Professional, Medical, and Business Offices in accordance with the C-1 zoning standards; except that the front yard setback requirement from the Executive Drive right-of-way or roadway easement line is 30 feet.
- iv. Child development centers and day care centers

b. Permitted Accessory Uses

- i. Retail shop/store no greater than 2,400 square feet in area per use, when accessory to and physically attached to a permitted principal use.
- ii. Restaurant/ café no greater than 2,400 square feet in area per use, when accessory to and physically attached to a permitted principal use.
- iii. Personal Services such as salons and spas, health clubs/fitness centers, dry cleaners, copy and shipping centers, etc. when physically attached to a permitted principal use.
- iv. Off street parking in accordance with the requirements set forth in section 160-32, Chapter 62, and in section 3(e) below.
- v. Electric vehicle charging stations (may be counted as parking spaces).
- vi. Off Street loading in accordance with the requirements of section 160-32.
- vii. Signs as regulated in accordance with section 160-75 and the requirements below.
- viii. Storm water management structures and facilities
- ix. Trash enclosures in accordance with 160-27 and as required by the Redevelopment Plan
- x. Recreational amenities to serve the residents of a multi-family or congregate residential development such as a clubhouse facility, pool, tennis courts, bocce courts, etc.
- xi. Gazebos, picnic shelters, picnic tables, and other outdoor furniture as shown on a site plan prior to final approval.
- xii. Any customarily incidental accessory use shall be by permitted subject to the site plan requirements.

c. Prohibited Uses. In addition to the prohibited uses in section 160-11 of the Township Code, any use not specifically permitted above is prohibited.

d. Low- and Moderate-Income Housing Requirements.

- i. For an assisted living, memory care or skilled nursing facility, a minimum of ten percent (10%) of the total number of beds on site shall be affordable to low and moderate income households/individuals and shall strictly conform with the rules adopted by the New Jersey Council on Affordable Housing (COAH) or its successor, the Uniform Housing Affordability Controls (UHAC), and the requirements of Evesham Township's affordable housing ordinances including, but not limited to requirements for phasing, 50-50 low/moderate income split, affirmative marketing, controls on affordability, adaptability requirements, etc.

The required bedroom mix may be modified to allow all studio units when approved by the Township and endorsed by the Court appointed Special Master. A deed restriction with covenants restricting rentals, conveyance and improvements, and requiring notice of foreclosure and bankruptcy shall be filed prior to the issuance of a Certificate of Occupancy.

- ii. For multi-family age-restricted (over 55) residential development, a payment in lieu of onsite construction of affordable housing units shall be provided for fifteen percent (15%) of the total number of units to be developed. The payment in lieu shall be \$55,000 per unit and shall be paid into the Township's Affordable Housing Trust Fund; which will be used to assist the Township in satisfying its affordable housing obligations as set forth in the Third Round Housing Element and Fair Share Plan and the approved AHTF Spending Plan. For example, if 100 market rate age-restricted apartments are proposed, then the developer would pay \$825,000 into the Affordable Housing Trust Fund (15 units x \$55,000).
- e. **Off Street Parking.** Each individual use shall provide off street parking spaces according to the standards set forth in section 160-32 or as may be superseded by N.J.A.C. 5:21 (New Jersey Residential Site Improvement Standards) except as follows.
 - i. For age-restricted multi-family residences, 1.2 parking spaces shall be provided for each residential unit.
 - ii. For assisted living/memory care and skilled nursing facilities, 7/10 (.7) parking spaces shall be provided for each unit.
 - iii. No parking area or driveway shall be located within 50 feet of the Evesham Road right-of-way, 20 feet of the Redevelopment Area perimeter boundary, and 25 feet from the Executive Drive edge of pavement/curb.
 - iv. No parking area or driveway shall be located within 15 feet of an internal property line, except that where a driveway provides access to or between two adjacent properties and when a cross access easement is in place, there is no required setback from the shared driveway to the benefitting properties. This also applied to shared parking facilities when a parking easement is in place.

f. Bulk and Area Regulations

Standard*	Required for Assisted Living/ Skilled Nursing	Required for Age-restricted Multi-family
Minimum Tract size	4 acres	4 acres
Minimum Lot width	200 feet	200 feet
Minimum frontage on public or private street	300 feet	300 feet
Minimum lot depth	400 feet	300 feet
Maximum Residential Density	N/A	30 units per acre
Minimum Inclusionary Affordable Units	10% of beds/units	15% of market units as Payment in Lieu
Minimum side yard each side	30 feet	30 feet*
Minimum front yard setback	100 feet from Evesham Road 50 feet from NJSH Rte 73 jug handle 50 feet from Executive Drive edge of pavement/curb	100 feet from Evesham Road 50 feet from NJSH Rte 73 jug handle 50 feet from Executive Drive edge of pavement/curb
Minimum rear yard setback	50 feet	50 feet
Maximum Building Footprint Area	40,000 square feet	50,000 square feet
Maximum impervious coverage	50%	70%
Maximum Building Height	55 feet/4 stories	55 feet/4 stories living space. May be constructed over first level parking.
Minimum building set back from another building	50 feet	50 feet
Maximum Floor Area Ratio	.15 for one story .3 for two story .45 for three story	.15 for one story .3 for two story .45 for three story .7 for four story

* When the lots are under common ownership and are designed as one coordinated development, with shared access and interconnected driveways and pedestrian paths, shared maintenance and signage, and a unified architectural theme, these standards may be applied to the overall tract and not the internal lot lines.

- g.** Buffering, screening, and landscaping, including tree protection and installation shall be as required by § 160-17 and § 62-56, except:
 - i.** A 20-foot planted buffer shall be provided between the tract and adjacent commercial uses, except where parking areas are interconnected.

h. Accessory Structure Setbacks.

- i. Accessory structures are not permitted in the front yard, except that where the lots have “frontage” on the Route 73 jug handle, accessory structures must be setback a minimum of 30 feet and must be adequately buffered with year-round screening.
- ii. Accessory structures must be setback a minimum of 20 feet from side and rear property lines.

i. Site Design Standards.

- i. Crosswalks at points where an access driveway meets the right-of-way (or private road) and at main intersections and pedestrian crossings within the site must be constructed with stamped concrete, brick, or pavers.
 - ii. Residential and congregate living buildings must be oriented toward one another or toward the public realm (such as toward a walkable street with pedestrian amenities, or a common green or park area) in order to encourage synergy between the buildings, to create spaces that are not dominated by parking lots, to encourage social and commercial interaction, and to create a sense of place. Buildings may not be primarily oriented toward a parking lot.
 - iii. Indoor amenities must be provided for the benefit of the residents of a multi-family residential development and must be available to all tenants of residential units. Indoor amenities may include a fitness facility, conference room, library, party room, etc.
 - iv. Outdoor passive or active recreation space must be provided for the benefit of the residents of the development. For assisted living/memory care and skilled nursing this may be in an enclosed area. Outdoor amenities may include pools, tennis courts, sitting areas, dog parks, community gardens, grill and picnic areas, pavilions, etc. These areas must be landscaped to provide shade and to beautify the area.
- i. **Lighting.** Light fixtures should be designed to complement the architectural theme and to accent attractive site and landscape features.
- i. Promenade series or Oden Visionaire lights shall be used within parking lots, along driveways, and along pedestrian pathways (color black). Arm mount, post top, and building mounted fixtures may be used. Single head or double head mounts are permitted. A detail of the light is available from the Department of Community Development. If the specified light standards are unavailable, then the Department of Community Development and the reviewing planner may approval a comparable equivalent.
 - ii. Lighting plans shall be in accordance with the requirements of this chapter and section 62-55.

C. Potential Acquisition of Property within the Redevelopment Area

Only properties that have been designated as an Area in Need of Redevelopment and that have been determined to be blighted are subject to acquisition through eminent domain by the Redevelopment Entity. The Marlton Executive Redevelopment Area was found to be in need of redevelopment (meets the criteria set forth in N.J.S.A. 40A:12A-5), but was not found to be blighted. It is not subject to acquisition through eminent domain.

D. Redevelopment Entity and Implementation of Redevelopment Plan

1. The Evesham Township Council is hereby designated the Redevelopment Entity to implement this Redevelopment Plan (N.J.S.A. 40A:12A-4).
2. Evesham Township Council, acting as the Redevelopment Entity may take the actions authorized by New Jersey Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq) in order to effectuate the plan.
3. The following powers are specifically granted to Township Council in its capacity as Redevelopment Entity:
 - a. Undertake redevelopment projects and issue bonds in support of same.
 - b. Acquire property pursuant to the "Eminent Domain Act of 1971", N.J.S.A. 20:3-1 et seq. when the area is determined to be blighted.
 - c. Construct improvements to prepare sites for use in accordance with the redevelopment plan.
 - d. Arrange or contract for professional services in support of redevelopment projects and arrange or contract with redevelopers with the undertaking of redevelopment work (and collect revenue from a redeveloper to defray the redevelopment entity's costs).
 - e. Lease or convey property within the redevelopment area without public bidding, at prices and terms deemed reasonable
 - f. Arrange or contract with a public agency for the relocation of residents, industry, commerce displaced from a redevelopment area (pursuant to "Relocation Assistance Law" and "Relocation Assistance Act"). This requires a Workable Relocation Assistance Plan (WRAP) and approval of DCA.
 - g. Make plans for carrying out a program of voluntary redevelopment/rehabilitation and plans for the enforcement of laws, codes, and regulations relating to redevelopment.
 - h. Publish or disseminate information concerning any redevelopment area, plan, or project.
 - i. When necessary for the implementation of the Redevelopment Plan, enter into a contract with a redeveloper for any improvement, construction or other work forming a part of this Redevelopment Plan. The redeveloper may be chosen through a Request for Proposals, a Request for Qualifications or through direct negotiations.
 - j. Enter Agreements with Redevelopers setting forth roles and responsibilities, expectations, obligations, time frames for redevelopment.
 - k. Exercise such other powers as may be vested I the Township Council, in its capacity as Redevelopment Entity, under N.J.S.A. 40A:12A-22.

4. The Redevelopment Plan standards supersede existing and underlying zoning requirements, and are accompanied by an amendment to the zoning map showing the locations of the redevelopment area.
5. Approval Process.
 - a. All redevelopment projects within the redevelopment area must first be reviewed by Township Council in its capacity as the Redevelopment Entity, to insure that proposed development projects are generally consistent with the redevelopment plan and reflect the redevelopment entity's intentions for the area, and to confirm that the proposal is in agreement with any redeveloper agreements that have been or may be established. The Township Council must review proposed redevelopment projects before an application may be submitted to the Planning Board for subdivision or site plan review.
 - b. All applications for development within redevelopment area shall be submitted to the planning board for site plan/subdivision review and approval in accordance with the requirements of Municipal Land Use Law. The redeveloper shall be required to furnish escrows and performance guarantees as required by the Evesham Township Planning Board (N.J.S.A. 40:55D-53), and in accordance with any Memorandum of Understanding signed by the Redeveloper and the Evesham Township Council.
 - c. Expedited Planning Board review. The Township will facilitate a fast track review process for redevelopment projects that have been reviewed and recommended by Township Council in its capacity as the Redevelopment Entity.
 - d. Only a designated redeveloper who has entered into a Redevelopment Agreement or a Memorandum of Understanding with the Redevelopment Entity, outlining the redeveloper's responsibilities regarding the property may submit an application for land use approvals. The redeveloper may, with the Redevelopment Entity's approval enter into agreements with other developers to participate in the redevelopment of the Property.
 - e. The designated redeveloper shall agree to comply with all design standards and development regulations established in the Redevelopment Plan. "C" variances may be reviewed and considered by the Planning Board, but a designated Redeveloper may not request a "D" variance. Instead the Redeveloper must discuss potential changes to use, height, or floor area ratio requirements with Township Council and may request that the redevelopment plan be amended by ordinance.
 - f. Redevelopment Agreements. Township Council, acting as the Redevelopment Entity may enter into a redevelopment agreement with a designated redeveloper in order to identify redevelopment objectives for the site, specify roles and responsibilities of both the redeveloper and the Township, set forth time frames for performance and completion of the project, identify any required off tract improvements required as part of the redevelopment, and provide for any special tax treatment or incentives for the proposed redevelopment.
 - g. Applications to the Zoning Board of Adjustment. While not encouraged by the Redevelopment Plan, as applications for "d" variances would be inconsistent with the

intent of the plan, nothing herein is intended to preclude an applicant not subject to a redevelopment agreement from seeking such relief as may be available through application to the Zoning Board of Adjustment.

6. The Redevelopment Entity shall be empowered under N.J.S.A. 40A:12A-1 et. seq. and N.J.S.A. 40A:21-1 et. seq. to allow for the implementation of alternative tax structures to assist in realizing the redevelopment plan objectives and to make redevelopment projects economically feasible. The establishment of redevelopment agreements and financial agreements including provisions for short-term or long-term tax abatement or exemption may benefit the Township by making private and/or public investment in the properties attractive and feasible, by enabling the construction of high-quality affordable housing, and by increasing the long-term value of the properties. Each project and payment structure shall be subject to an individualized program through negotiation and will be based on the specific circumstances, development and operational costs and revenues.
 - a. Short term exemption and abatement (N.J.S.A. 40A:21-1 et seq.). The short term exemption and abatement is an inducement for property owners to invest in their properties, as it ensures that the improvements will not result in an immediate increase in their property taxes. This tool may be used in the redevelopment and rehabilitation area for adaptive reuse and improvements to existing buildings, construction of new buildings, and the improvement or expansion of commercial or industrial structures. Tax exemption may be granted from property taxes on all or a portion of the added assessed value from an improvement or new construction. A Payment in Lieu of Taxes (PILOT) may then be established along with a schedule for phasing into full taxation at the end of a five-year period. Abatement may be granted to reduce the taxes for a portion of the existing assessed value of a property. Abatement is potentially available for the conversion of non-residential structures to residential use, for the construction of residential dwellings and for new commercial and industrial buildings, but not for improvements to existing commercial or industrial buildings.
 - b. Long term exemption (N.J.S.A. 40A:20-1 et seq.). In order to utilize long term exemption, the redevelopment project must have a public purpose linked to the redevelopment plan, it must be limited to a specific time period (up to 30 years), and the profits of the corporation receiving the exemption must be limited. The exemption applies to the value of the new improvements, not to the value of the land. Long term exemptions may only be granted to an Urban Renewal Entity – a private corporation formed for the purpose of undertaking redevelopment. The urban renewal entity must apply to the Township for tax exemption, and must provide all required information about the project, architectural plans, site plans, estimated project cost, sources of private capital funds, projected revenue, and a fiscal plan for the project. The dividends or profits of the corporation are limited. Instead of paying property taxes, the redeveloper pays an annual service charge to the municipality, referred to as a PILOT (payment in lieu of taxes). The amount is established as part of the redevelopment agreement. The PILOT may be a percentage of the total project cost or the annual gross revenue. The PILOT is phased into full taxation by the end of the exemption period.

E. Master Plan Consistency (State, County, Municipal)

1. State Plan. Block 36 lots 12.03, 2.04, and 2.05 are located within Planning Area 2 (the Suburban Planning Area) on the New Jersey State Plan Map. Planning Area 2 is considered a "smart growth area" where redevelopment, adaptive reuse, and infill development are encouraged. The properties are located within a suburban area with access to necessary infrastructure and major transportation routes.

A new State Plan framework had been under development in 2011 and 2012, but it was not concluded. Though not yet adopted by the State Planning Commission, the new Plan would also support redevelopment as proposed by the Redevelopment Plan.

2. Burlington County Plan. Burlington County does not have a comprehensive Master Plan, as one is not required under the County Planning Act.¹ The County generally supports municipal redevelopment and revitalization efforts that are consistent with smart growth planning.
3. Evesham Township Master Plan.

Section E of the 2012 Master Plan Reexamination addresses the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law" into the land use plan element of the municipal Master Plan. The Master Plan indicates that it is the Township's intent to utilize all available planning tools to work toward implementation of the Township's vision, to advance its goals and objectives, to improve the quality of life for current and future residents, and to maintain and enhance opportunities for smart growth economic development. The Master Plan acknowledges that as the Township continues to assess conditions, specific properties or areas may emerge as candidates for redevelopment or rehabilitation area designation; and provides that where redevelopment or rehabilitation designation has the potential to reverse a trend toward decline, to incentivize redevelopment or revitalization, to advance the Township's vision and create community value, then such areas may be recommended in accordance with Local Redevelopment and Housing Law.

Housing Element and Fair Share Plan

This Redevelopment Area is included in the 2018 Housing Element and Fair Share Plan, with a 100% affordable family rental housing development planned for lot 2.03 (64 units), approximately 8 affordable assisted living/memory care units, and a payment in lieu of onsite construction anticipated for age restricted apartments. In total the redevelopment area is expected to yield 72 affordable housing units on site and to fund the Township's market to affordable program (19 units). The Housing Element and Fair Share Plan was adopted in November 2018 and set forth a schedule for implementation. This redevelopment plan is consistent with the Housing Plan and the implementation schedule.

4. Surrounding Municipalities.

The Redevelopment Area is near to Evesham's border with Voorhees Township and Cherry Hill Township. Evesham Road is a four-lane county road that provides access to

¹ Confirmed in an email from the Burlington County Bridge Commission's Regional Planning Coordinator on October 8, 2013.

residential, institutional, and commercial uses in the area. The closest parts of Voorhees and Cherry Hill are residential areas (two-family residential in Voorhees and single family residential in Cherry Hill).

F. Affordable Housing Provisions

Local Redevelopment and Housing Law requires that the Redevelopment Plan address the following with regard to affordable housing.

1. Inventory of affordable residential units in the redevelopment area. There are no affordable residential units currently located within the redevelopment area. Therefore, no affordable units are proposed to be removed or relocated. However, if developed in accordance with this plan, 64 new family affordable housing units will be constructed on lot 2.03, 10% of all assisted living and skilled nursing units developed will be affordable to low- and moderate-income individuals, and a payment in lieu of onsite construction of affordable housing will be made for 15% of the total number of market rate age-restricted rental units. The payment in lieu will be deposited into the Township's Affordable Housing Trust Fund and will be used to implement the Township's Fair Share Plan as set forth in the approved Spending Plan.
2. Plan for the provision of affordable replacement housing. A plan for the provision of affordable replacement housing is not needed since there are currently no affordable residential units within the designated redevelopment area.
3. The Township Council, acting as the Redevelopment Entity, reserves the option to amend the Redevelopment Plan in the future to alter the affordable housing components of this Redevelopment Plan as may be necessary to provide ample affordable housing opportunities in the Township or to modify the obligation in response to changed Fair Share Requirements. Once a redeveloper has been designated and a Redevelopment Agreement has been entered, the Fair Share obligation shall not be modified so long as the Redeveloper remains compliant with the terms of the Agreement.

G. Time Limits.

The Redevelopment Plan does not have an expiration date. Once a redevelopment project has been completed in accordance with the Redevelopment Plan and Redevelopment Agreement, and the Redevelopment Entity has affirmed that all obligations have been satisfied; the conditions that warranted the redevelopment area designation shall be deemed to no longer exist. This shall also be reflected in covenants established between the Township/Redevelopment Entity and a redeveloper in accordance with N.J.S.A. 40A:12A-9.