

Franklin Township

Somerset County, New Jersey



DEPARTMENT OF PLANNING AND ZONING

Planning – Zoning – Affordable Housing
Planning Board – Zoning Board of Adjustment

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MEMORANDUM

To: Planning Board

From: Mark Healey, PP, AICP
Director of Planning

Date: March 6, 2012

RE: **Master Plan Amendment: Regulation of Residential Uses in Certain Zones**

This memorandum outlines Master Plan amendments. Upon adoption by the Planning Board in accordance with the New Jersey Municipal Land Use Law, this memorandum shall constitute amendments specifically to the Land Use Plan Element of the Master Plan.

This review commenced upon receipt of Resolution No. 10-2011 of the Township Redevelopment Agency which requested that the Planning Board review the current zoning in the Redevelopment Area with respect to the number and densities of residential development. This review was expanded to also include review of other zones in the Township that permit higher-density residential uses. The results of this analysis were presented via memorandum dated 12/1/2011 from the Township Director of Planning to the Planning Board.

While the review outlined in the 12/1/2011 memorandum recommended no changes with respect to several of the Township's zoning districts evaluated, it did identify several recommended changes. These recommendations are outlined in this memorandum as changes to the Land Use Plan Element of the Master Plan.

Specifically, the Land Use Plan Element of the Master Plan is amended to recommend:

- Elimination, as permitted uses, high-density residential uses from the Neighborhood Business Residential (NBR) Underlying Zone and the Renaissance Commercial (RC) zone within the Renaissance Redevelopment Area;
- Rezoning of Block 536.01, Lot 2.03, a Township-owned parcel from MR to CB (i.e., its previous zoning designation); and

- Elimination of “garden apartment developments” and “townhouse developments” as permitted conditional uses in the General Business (GB) zone.

Renaissance Redevelopment Area

Overview/ Analysis

On November 21, 2011, the Township Redevelopment Agency adopted Resolution No. 10-2011 which indicated and requested the following:

- Over the course of several months, the Agency has engaged in discussions regarding the potential for further redevelopment in the Redevelopment Area;
- Concern was raised during those discussions, regarding the potential for over-development in the Redevelopment Area with respect to the density of residential development, based on the significant number of such approved developments already in the Area and the impact that such further similar developments may have in the Area and on the current property owners;
- In light of these concerns, the Agency believes it would be beneficial at this juncture in the development of the Redevelopment Area, to reassess the current permitted zoning uses to determine whether any changes are needed that would further benefit the Area; and
- It is the recommendation of the Agency that the Planning Board review the current zoning in the Redevelopment Area in light of the concerns of the Redevelopment Agency, particularly with respect to the number and density of residential developments planned for the Area, and based on that review, make recommendations to Council for its consideration and possible action.

The zoning within the Renaissance Redevelopment Area has been reviewed and the following findings and recommendations are presented:

- As shown in Figure 1, below, there exists a significant number of recently-constructed and future residential development in and around the Renaissance Redevelopment Area.
- Recently constructed residential development consists of a total of 276 new units in the following developments:
 - *Leewood 1st phase* (40 units);
 - *Franklin Boulevard Commons* (66 units);
 - *Somerset-Henry* (36 units);
 - *Berry Street Commons* (94 units); and
 - *Parkside* (140 units, replacing 100 previous units)
- Pending development (developments that have development approvals but are not yet constructed or for which construction has stalled) consist of a total of 257 units in the following developments:

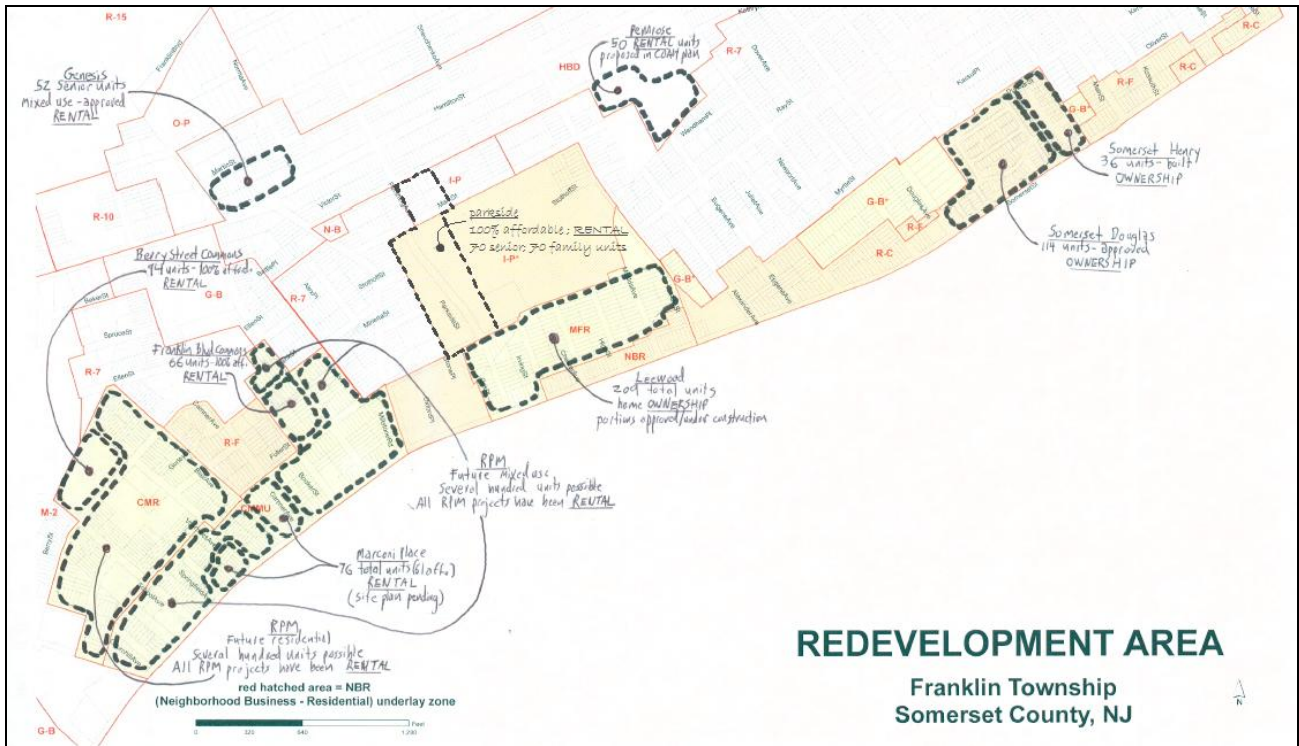
- *Leewood 2nd and 3rd phases* (91 units);
 - *Somerset Douglas* (144 units)
 - *Genesis* (52 units)
- Future development (planned developments that do not have development approvals) consist of *several hundred* additional units in the following developments:
 - *Leewood* - future phases (77 units)
 - *Pennrose* (50 units)
 - *Voorhees Station* (76 units)
 - *Build-out of the RPM within the CMMU and CMR zones* (several hundred additional units possible)
 - The vast majority of this development (with the exception of Leewood, Somerset Henry and Somerset Douglas) consists of rental units.
 - The vast majority of this development (with the exception of Genesis and Parkside Senior) consists of non-age restricted units (i.e., non-senior restricted).
 - The majority of the units would be "affordable units."
 - The following developments are/would be 100% "affordable": Genesis; Parkside; Berry Street Commons; Franklin Boulevard Commons; and Pennrose.
 - The following development would have a significant "affordable component": Leewood (50% "affordable") and Marconi Place (80% affordable). It is also anticipated that build-out of the "RPM area" within thin CMMU and CMR zones would have a significant "affordable" component.
 - With the exception of construction of a fast-food restaurant, virtually no *non-residential redevelopment* has occurred in this area in recent memory. Two additional, extremely small (0.4 and 0.2 acre sites) retail developments have been approved but not constructed.
 - Non-residential use is existing/contemplated in the form of first floor commercial use in the Franklin Boulevard Commons and Genesis developments and is required in the CMMU zone along Route 27 and Franklin Boulevard. However, no other planned non-residential development is known in the Renaissance Redevelopment Area.

Renaissance Commercial (R-C) zone - §112-280.F

- Permits "adaptive re-use" of "existing office condominiums" on certain identified properties into residential use at a density of 19-units to the acre on minimum 1.5 acre sites.
- The Somerset Henry development was approved using these requirements.

- It is recommended that the Renaissance Commercial zone be amended to continue to permit the use on the Somerset Henry site but to otherwise eliminate this permitted residential use.
- Consistent with the intent of the zone and the Redevelopment Plan, the Renaissance Commercial zone would continue to permit a wide variety of commercial uses including retail, restaurants, offices and financial institutions.

Figure 1: Recent and Future Residential Development in and near the Renaissance Redevelopment Area



Neighborhood Business Residential (NBR) Underlying zone - §112-280.J

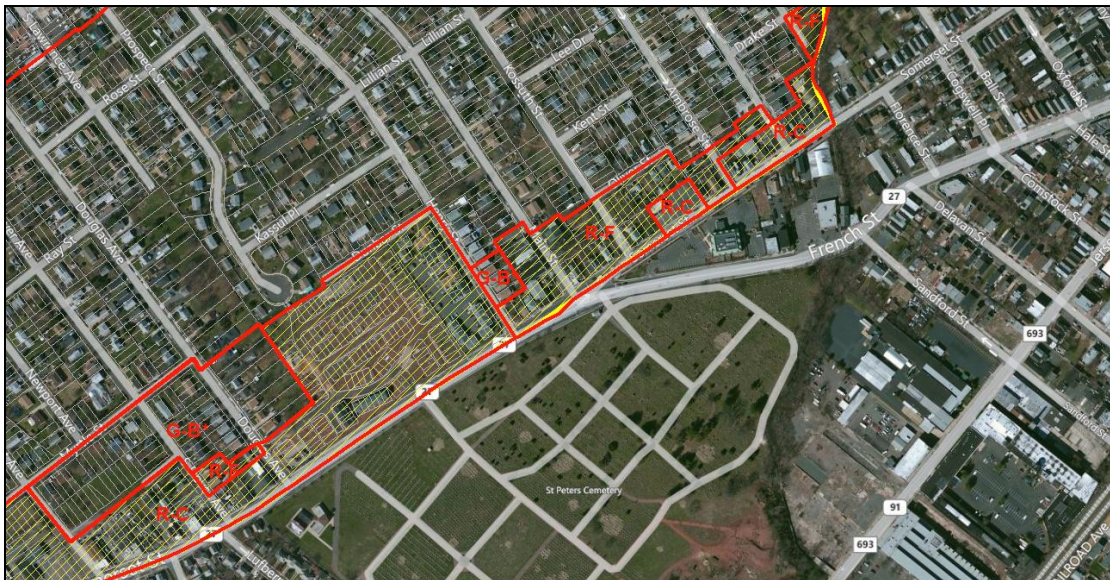
- Permits single-family homes, two-family homes and townhouse development (at a density of 19 units to the acre on 1.5 acre sites).
- Also permits all uses permitted in the Neighborhood Business zone (e.g., retail, restaurants, offices, banks).
- The zone is depicted on Figures 2 and 3, below, in yellow cross-hatching. As shown, the NBR zone is "underlain" on properties within the following zoning districts: R-F, I-P, and R-C.
- The only high-density residential use permitted under this zone is the Somerset Douglas development.

- The zoning ordinance should be amended to eliminate townhouse development as a permitted use in the NBR zone.
- Consistent with the intent of the zone and the Redevelopment Plan, the zone would continue to permit a wide variety of uses including uses permitted in the Neighborhood Business zone and, where applicable, uses permitted in the Renaissance Commercial zone (e.g., retail, restaurant, offices).

Figure 2: NBR Underlying Zone - Southern Portion (NBR zone shown with yellow cross-hatch)



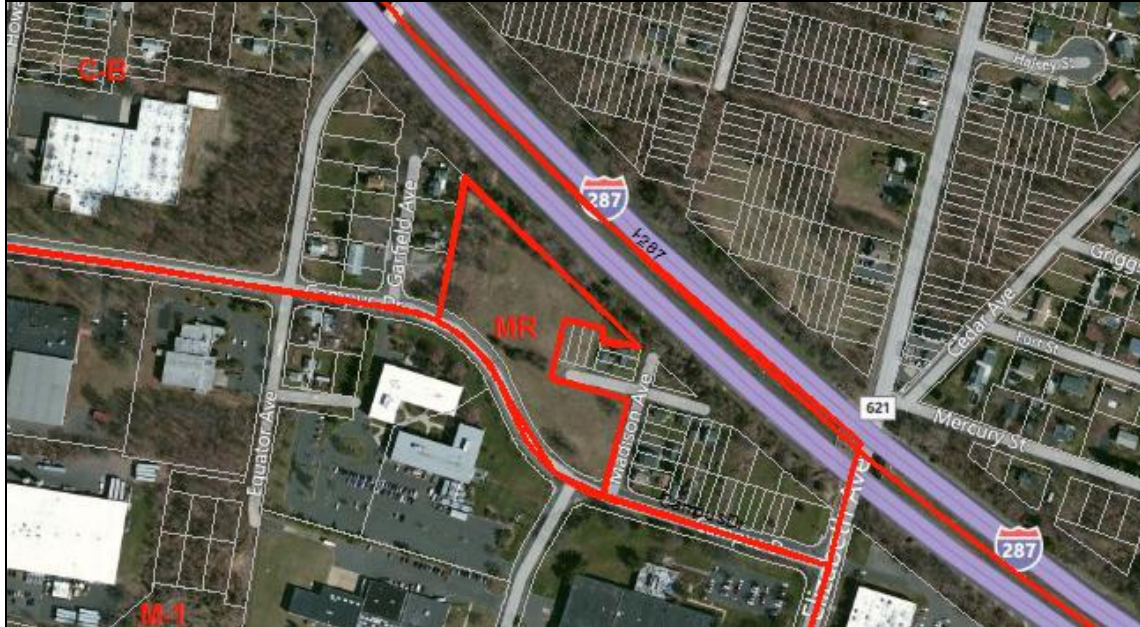
Figure 3: NBR Underlying Zone - Northern Portion (NBR zone shown with yellow cross-hatch)



Multifamily Residential (MR) zone

- Block 536.01, Lot 2.03 is a 3.1-acre *Township-owned* site located along Campus Drive, near its intersection with Elizabeth Avenue. The rear of the site abuts Route 287. The site is shown in Figure 4, below.
- The site was included in the Township's Fair Share Plan. Since the site is Township-owned, the site was included in the Fair Share Plan as a "surplus" site in case COAH did not approve the credits we were seeking.
- The site was rezoned in 2010 from the Corporate Business (C-B) zone to the MR zone following substantive certification of the Township's Fair Share Plan.
- The Township continues to implement its Fair Share Plan. It is extremely unlikely that this site would be needed to fulfill an unmet affordable housing obligation.
- Located within a predominately industrial area and adjacent to I-287, this site would be more appropriately developed in accordance with the C-B zone.
- The site is designated as "C-B" on the Land Use Plan Map in the Master Plan.
- The site is not subject to any development agreement.
- The zoning of this site should be returned to the Corporate Business (CB) zone consistent with its previous zoning designation and consistent with the zoning and development of the surrounding area.
- Once rezoned, the Township may wish to pursue selling the lot for industrial or office use. However, before doing so, the Township should inquire of the potential need of the site for a future I-287 interchange.

Figure 4: Multifamily Residential (MR) zone



General Business (GB) zone

- Garden apartment developments and townhouse developments are permitted in the General Business (GB) as conditional uses, subject to the requirements of Section 112-39 and 49, respectively, at a density of up to 8 units to the acre.
- As shown in Figures 5 and 6 below, there exist GB-zoned sites along Route 27 that could be developed or re-developed as garden apartment developments and townhouse developments. In particular, Figure 6 shows that there exist a number of under-developed GB-zoned sites along Route 27, most notably the Tara Greens site. Staff has received numerous inquiries over the years for potential residential development of GB-zoned sites.
- As evidenced in the 2010 Census, the Township has experienced significant residential growth over the last decade. Further, the extent of approved and pending development suggests that the Township will continue to experience significant residential development in the future. Recent, approved and pending development include the following (these residential developments are in addition to those identified above with respect to the redevelopment area; most include an affordable component):
 - *Canal Walk* - Several hundred units remaining (senior only)
 - *Cedar Manor* - 136 units (townhouses and apartments)
 - *Summerfields* - 900 units (50 senior-only, 200 single-family detached, 100 townhouses, 550 apartments)
 - *Somerset Grand (aka, Laduree)* - 384 apartments
 - *Lakeside at Franklin* - 20 single-family detached
 - *Florez Townhomes* - 28 townhouses
 - *Franklin II Associates* - 279 townhouses and apartments

- *Kings Row Homes* - 25 townhouses
- *Springhill Senior* - 127 apartments (senior only)

- Based upon the nature and extent of existing and planned residential development, the Township is in compliance with its affordable housing obligation. Considering the amount of affordable units recently constructed and approved, it is anticipated that the Township will not need any additional units to meet unit-based obligations.

- The Township did not rely upon garden apartment and townhouse development within the General Business zone to meet its affordable housing obligation.

- Garden apartment and townhouse developments should be eliminated as permitted uses in the General Business (GB) zones. However, to the extent that townhouse and garden apartment developments exist in the General Business (GB) zones (see Figure 7), the ordinance should "grandfather" these existing developments.

- Consistent with the intent of the zone and the Master Plan, the General Business zone would continue to permit a wide variety of commercial uses including but not limited to banks, retail, restaurants, and offices. Therefore, the amendment would be entirely consistent with the stated purpose of the General Business zone which is "to provide business and commercial uses for the local traveling public, and to preserve and enhance commercial, financial, retail and similar services."

Figure 5: General Business (G-B) zone: Route 27 - Southern Portion



Figure 6: General Business (G-B) zone: Route 27 - Northern Portion



Figure 7: General Business (G-B) zone along Easton Avenue

