

ORDINANCE 2017-30

AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR PRINCETON JUNCTION BY MODIFYING PROVISIONS PERTAINING TO DISTRICT RP-5

WHEREAS, by Resolution adopted on December 19, 2005, the governing body of the Township of West Windsor (“the Township”) designated the properties consisting of Block 5, Lots 8.05, 14, 19, 20 and 78, and Block 6, Lots 6, 8- 12, 14, 16.01, 16.02, 17, 18. 27, 32, 33, 41, 44, 48, 54, 55.01, 57, 60, 64-70, 76, 78.01, 79.01, 84.01, 84.02, 84.03, and 88, and Block 6.20 Lots 20-22, 49, 73, 74, and 88, and Block 12.04, Lots 2, 10, 17, 18, 25, 26, and 27, and Block 13 Lots 1, 9-13 and Block 57, Lot 1, and Block 59, Lots 1-3, and Block 64, Lot 170.01 (collectively, the “Princeton Junction Redevelopment Area”) as an area in need of redevelopment under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*; and

WHEREAS, by ordinance adopted on March 23, 2009, the Township adopted a redevelopment plan for the Princeton Junction Redevelopment Area entitled the “Township of West Windsor Redevelopment Plan for Princeton Junction” (the “Princeton Junction Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan was subsequently the subject of three amendments; and

WHEREAS, amendments to District 5 have been prepared.

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. The Executive Summary of the Princeton Junction Redevelopment Plan is amended by adding the following at the end of the District 5 paragraph on page 9: “Two alternative development schemes are also permitted. The first is a planned commercial development in which offices and other commercial facilities, but not retail, are permitted, and the second being an expansion of the floor space of the existing building, which manufactures high tech equipment, is permitted.” The two alternate development schemes are described in detail in the regulations therefor set forth in Subsections B1 and 2 of the RP-5 District use regulations.

Section 2. The Redevelopment Plan Development Summary appearing on page 12 of the Princeton Junction Redevelopment Plan is amended by changing the Office Floor Area (Square Feet) for District 5 from “N/A” to “150,000” and the total office floor area to “1,021,909sf.”

Section 3. The designation for District 5 as “Public Open Space” in the Land Use Map on page 22 of the Princeton Junction Redevelopment Plan shall be changed to “Public Open Space, a Planned Commercial Development, or Manufacturing.”

Section 4. The Conceptual Land Use Plan on page 23 of the Princeton Junction Redevelopment Plan shall be amended so that the District 5 designation shall read “Open Space or Commercial and Manufacturing Development.”

Section 5. The Section entitled “District RP-5” on pages 102-103 of the Princeton Junction Redevelopment Plan shall be deleted and shall be replaced with the following:

DISTRICT RP-5

RP-5 District use regulations

- A. Purpose. District RP-5 is intended to facilitate the planned development of uses that are harmonious with and complement the civic, retail, and residential uses in the RP-1 District and reinforce the character of District RP-1 as a pedestrian-oriented walkable community with a vibrant street life and active civic space. As an alternative to a stand alone development of the RP-5 District, the development intensity, represented by the floor area of the existing building, including a bonus increase in floor area as an inducement, may be utilized as part of a planned, non-contiguous cluster development that links the RP-3 District and the RP-5 District. This scenario would require all development to occur within the RP-3 District while reserving the entirety of the RP-5 District for public parkland, wetlands mitigation, and storm water management.
- B. Principal Permitted Uses. In an RP-5 District, no building or premises shall be used and no buildings shall be erected or altered on a lot which is arranged, intended or designed to be used, except for the following uses:
- (1) A planned commercial development containing one or more of the following uses:
 - (a) Public park uses, wetlands mitigation, and storm water management facilities serving a broader area.
 - (b) Health and fitness centers.
 - (c) General, corporate, research, professional, and medical and dental offices and commercial offices (e.g., realtors or travel agencies).
 - (d) Research, testing and analytical and product development laboratories and pilot plan facilities not involving the manufacturing, sale, processing, warehousing, distribution or fabrication of material, products or goods, except as incidental to the permitted principal uses.
 - (e) Data processing and computer centers.
 - (f) Indoor recreation facilities, which may include instructional studios and fitness centers.
 - (g) Banks and similar financial institutions, including walk-up automated teller machines (ATM), provided that such are compatible with the design of the building and are appropriately located at the side or rear of a building.

- (h) Museums, art galleries and other cultural and civic facilities of a similar nature.
 - (i) Buildings and uses for municipal purposes owned or operated by West Windsor Township or not-for-profits approved by the Township.
 - (j) Fast food operations, including drive-thrus, provided that it fronts on the road separating districts RP-1 and -5.
- (2) Manufacture of specialty epoxies, film adhesives and other electronic materials for the semiconductor and electronics industry and of voting machines, software development, RFID, safety and security monitoring systems, integrated electronic system and solution for different applications, subject to the following conditions:
- (a) Such manufacturing shall be undertaken only within the existing building, the footprint of which (as of the effective date of this ordinance) may be expanded by not more than 25%. The bulk standards therefor shall be the same as those for the RO-1 District, except that the building may be expanded to be coterminous with the existing limits of the southerly façade without the need for a front or side yard variance. The existing setbacks from Washington Road and the southerly property line may not be reduced. If the existing building is expanded pursuant to this Section, it shall remain a one-story expansion.
 - (b) The Township may use a portion of the site for storm water management and wetlands mitigation, subject to an agreement between the property owner and Township as to the details of the storm water management and wetlands program to be put in place. The portion of the property expected to be so used is identified on the map attached hereto, "Environmental Constraints Map of Block 6 Lot 48," as Area D. Area D is an approximation and shall be subject to a detailed engineering assessment. Nothing herein shall prohibit the property owner from using all or a portion of Area D.
 - (c) Pursuant to N.J.S.A. 40:55D-68, the existing use/structure as of the date of the adoption of this ordinance may be continued indefinitely in the absence of any changes to the building, site, intensification of use or abandonment of the uses in existence at the time of adoption of this ordinance. The property owner shall have no obligation to allow the Township to use a portion of the site for storm water management and wetlands mitigation unless and until the property owner files an application with the West Windsor Planning Board seeking approval of a planned development pursuant to Subsection B(1) of this Section or to expand the existing building in accordance with Subsection B(2)(a) of this section. The property owner may sublease a portion of its property for any of the uses permitted by Subsection B(2) of this Section without incurring an obligation to allow the Township to use a portion of the site for storm

water management and wetlands mitigation, provided the use under the sublease does not require the issuance of any construction permits.

C. Permitted Accessory Uses.

- (1) The same as in the RP-1 District, except for the accessory uses permitted by Section 200-260A(3)(1), but only as part of a planned commercial development permitted by Subsection B(1) of this Section.

D. Conditional Uses.

- (1) Child care centers meeting the standards set forth in §200-241, except that they shall not be permitted in freestanding buildings. They shall only be permitted as part of a planned commercial development permitted by Subsection B(1) of this Section.

RP-5 District intensity, bulk and other regulations

The following shall be the standards for the RP-5 District except when the existing use/structure is continued or an expansion of the existing building is proposed pursuant to Section B(2) of the RP-5 District Use Regulations:

- A. Minimum Tract Area and Comprehensive Plan: The minimum tract area shall be the entirety of the District, which shall be planned and developed in a comprehensive manner as a single integrated entity. To demonstrate that the district has been planned in a comprehensive manner, the first development application for the RP-5 District shall include an overall site plan for the development of the entire district, except that, if the developer intends to develop the district in phases, an overall concept plan may be submitted in addition to the first phase site plan as an alternative to a site plan for the entire district. The concept plan shall clearly show that the site plan for the initial phase fits within the overall district development scheme from a standpoint of infrastructure and other site elements. There shall also be a demonstration that the initial site plan can be developed independently of the remaining phases. All land in the district to be dedicated to the Township for public parkland purposes, storm water management, and wetlands mitigation by fee simple conveyance or easement shall be shown on the site plan or concept plan, as the case may be.
- B. Open Space Development and Dedication: The portion of the site not proposed to be developed with the principal permitted uses set forth in Section B(1)(b)-(j) of the RP-5 District use regulations, accessory uses therefor, and the conditional use set forth in Section D(1) of the RP-5 District use regulations shall either be developed for park purposes open to the general public, wetlands mitigation, and regional storm water management as the Planning Board shall choose or, in the alternative, may be dedicated to the Township in lieu of such development. As a condition of approval of an application for the planned commercial development permitted by Section B(1) of the RP-5 District use regulations or the clustering of development on noncontiguous parcels

pursuant to Subsection J of this Section, such site area shall be restricted to public park, wetlands mitigation, and storm water management purposes through an easement running to the Township and permitting public access to parkland, in the case of private ownership, or through a fee simple dedication to the Township. If the restriction to public open space is by easement, the development application shall show complete plans for how the public open space is to be developed after consultation with the Township. The execution and recording of the easement or the deed conveying fee simple title, as the case may be, shall be a condition of approval of the development application, and such recording shall be effected prior to the issuance of any construction permits for the planned commercial development or, in the case of a noncontiguous cluster development, upon approval of the development application therefor. There shall be no minimum open space requirement other than that which results from the application of the maximum improvement coverage requirement to the portion of the site proposed to be developed. The area that is not to be devoted to open space shall be governed by the bulk regulations set forth in this Section.

- C. Maximum Building Height: three stories, but not to exceed 45 feet.
- D. Maximum Improvement Coverage: 95% of the area of the site that is not environmentally constrained and that may be developed consistent with applicable regulatory controls.
- E. Setback and Building Distance Standards: Except as is set forth in Section G of this Section, such standards shall not be applied in order to maximize flexibility in the design and to achieve the goals of the district as complementary to the development in the RP-1 District.
- F. Parking Requirements:
 - (1) Uses permitted in the RP-5 District except as otherwise provided below shall comply with the parking requirements specified under Section 200-27.
 - (2) Health clubs and indoor recreational facilities shall provide a minimum of one parking space for each 250 square feet of gross floor area and a maximum not to exceed one parking space for each 150 square feet of gross floor area.
- G. Drive-Thru Requirements for Fast Food Operations:
 - (1) Drive-up windows shall provide at least 160 feet of stacking space for each facility, as measured from the window or unit to the entry point into the drive-up lane.
 - (2) Each drive-thru entrance/exit shall be at least 50 feet from an intersection of public rights-of-ways, measured at the closest

intersection curbs and at least 25 feet from any internal intersection.

- (3) Each entrance to an aisle and the direction of traffic flow shall be clearly designated by signage and pavement markings.
- (4) Each drive-thru aisle shall be separated from the circulation routes necessary for ingress or egress to and from the property.
- (5) Any pedestrian areas located in the vicinity of a drive-thru facility shall be clearly delineated by raised sidewalk areas, painted crosswalks, distinct paving materials, or any combination thereof.
- (6) Two internally illuminated menu boards not to exceed 12 square feet in area may be provided.

H. Section 200-238 shall not apply.

I. Redeveloper's Agreement: No development pursuant to Section B(1) of the RP-5 district use regulations or Subsection J of this Section shall proceed in the district without a redeveloper's agreement with the Township or redevelopment entity.

J. Non-Contiguous Cluster: As an alternative to a planned commercial development of the RP-5 District permitted by Section B(1) of the RP-5 District use regulations, the development intensity, represented by the floor area of the existing buildings, including a bonus increase in floor area as an inducement, may be utilized within a planned, non-contiguous cluster development that links the RP-3 District and the RP-5 District, subject to the following regulations:

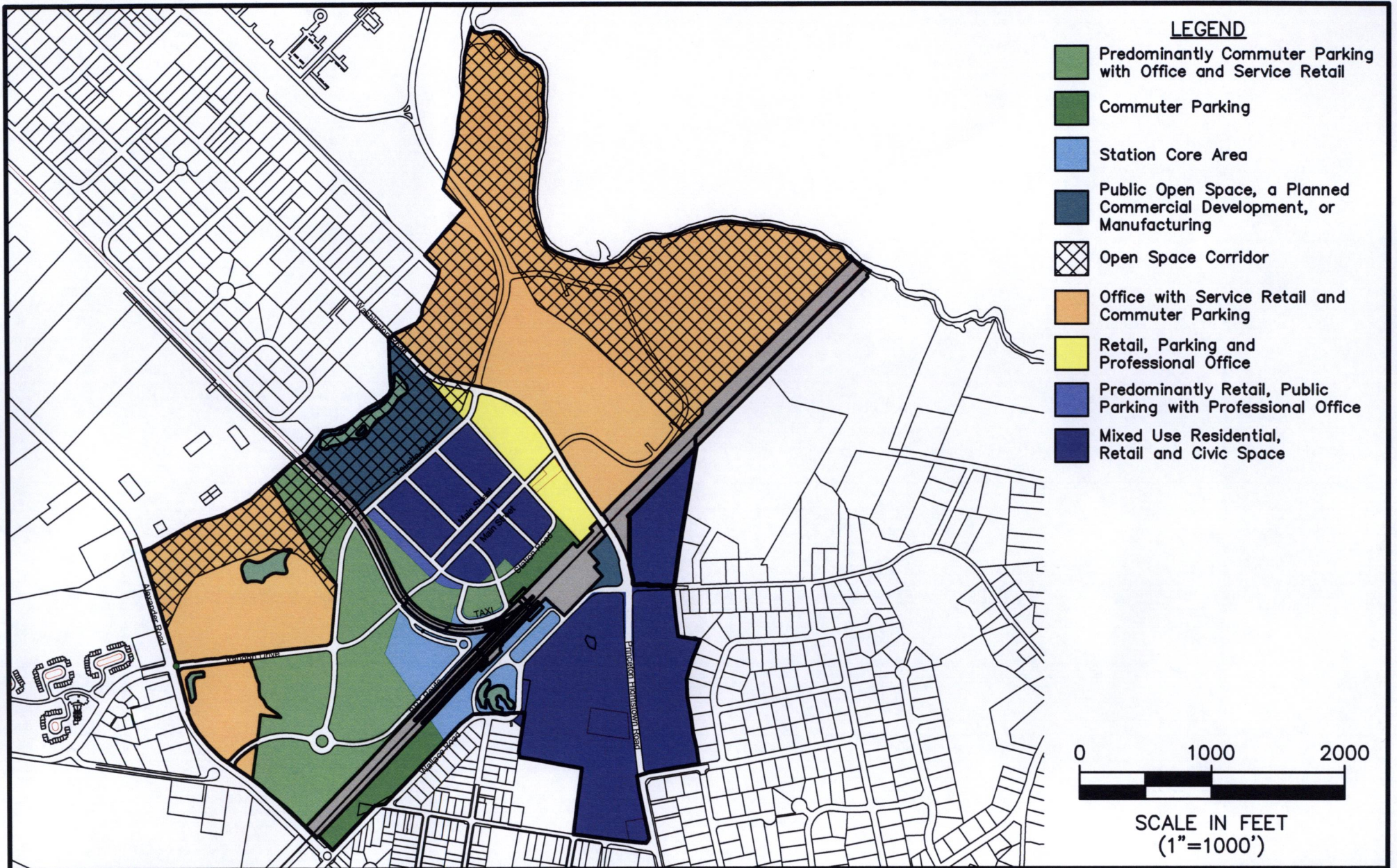
- (1) Clustered floor area bonus: The additional floor area that may be clustered in the RP-3 District, in addition to that which is already permitted as-of-right, is 104,326 square feet. The amount of developable or constrained land in the RP-5 District, due to any regulatory controls, shall have no bearing on the amount of floor area that may be transferred from the RP-5 District to the RP-3 District.
- (2) Comprehensive plan: A planned development that includes both the RP-3 and RP-5 Districts requires the approval of a site plan showing the clustered development in the RP-3 District and proposed uses as per Subsection J(3) of this Section in the RP-5 District.
- (3) Development in the RP-5 District: The site plan for the non-contiguous cluster development shall show the demolition and removal of all improvements in the RP-5 District in existence at the time of the application and shall propose the dedication by fee simple conveyance of the entirety of the District to the Township. The plan shall show all of the

land in the RP-5 District converted to uses permitted by Section B(1)(a) of the RP-5 District use regulation . Required civic space and uses shall be negotiated as part of the redeveloper's agreement with the developer responsible for the demolition, removal of existing structures, and any necessary remediation and development in accordance with the approved site plan and shall be installed at such time as the land is converted to a principal permitted use.

- (4) Principal permitted uses, accessory uses, and other regulations in the RP-3 District: Principal permitted and accessory uses and all other development controls for the portion of the non-contiguous cluster in the RP-3 District shall be as are set forth in the RP-3 District regulations.
- (5) Dedication of the RP-5 District shall be made to the Township upon approval of the site plan by the board of jurisdiction and may be accepted at the Township's option with such conditions as the Township may require. A Phase I investigation shall be done prior to and submitted as part of the site plan application to the board of jurisdiction, and such board shall require any remediation necessary. Such remediation shall be done prior to acceptance of dedication by the Township. A Phase II investigation shall also be undertaken if so indicated by the Phase I report.

Section 6. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law or an override of a mayoral vote by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

INTRODUCTION: October 2, 2017
PUBLIC HEARING: November 13, 2017
ADOPTION: November 13, 2017
MAYORAL APPROVAL: November 14, 2017
EFFECTIVE DATE: December 4, 2017



Consulting, Municipal & Environmental Engineers
Planners • Surveyors • Landscape Architects
State of N.J. Certificate of Authorization: 24GA27986500

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**H. LAND USE MAP
TOWNSHIP OF WEST WINDSOR
REDEVELOPMENT PLAN
FOR PRINCETON JUNCTION**

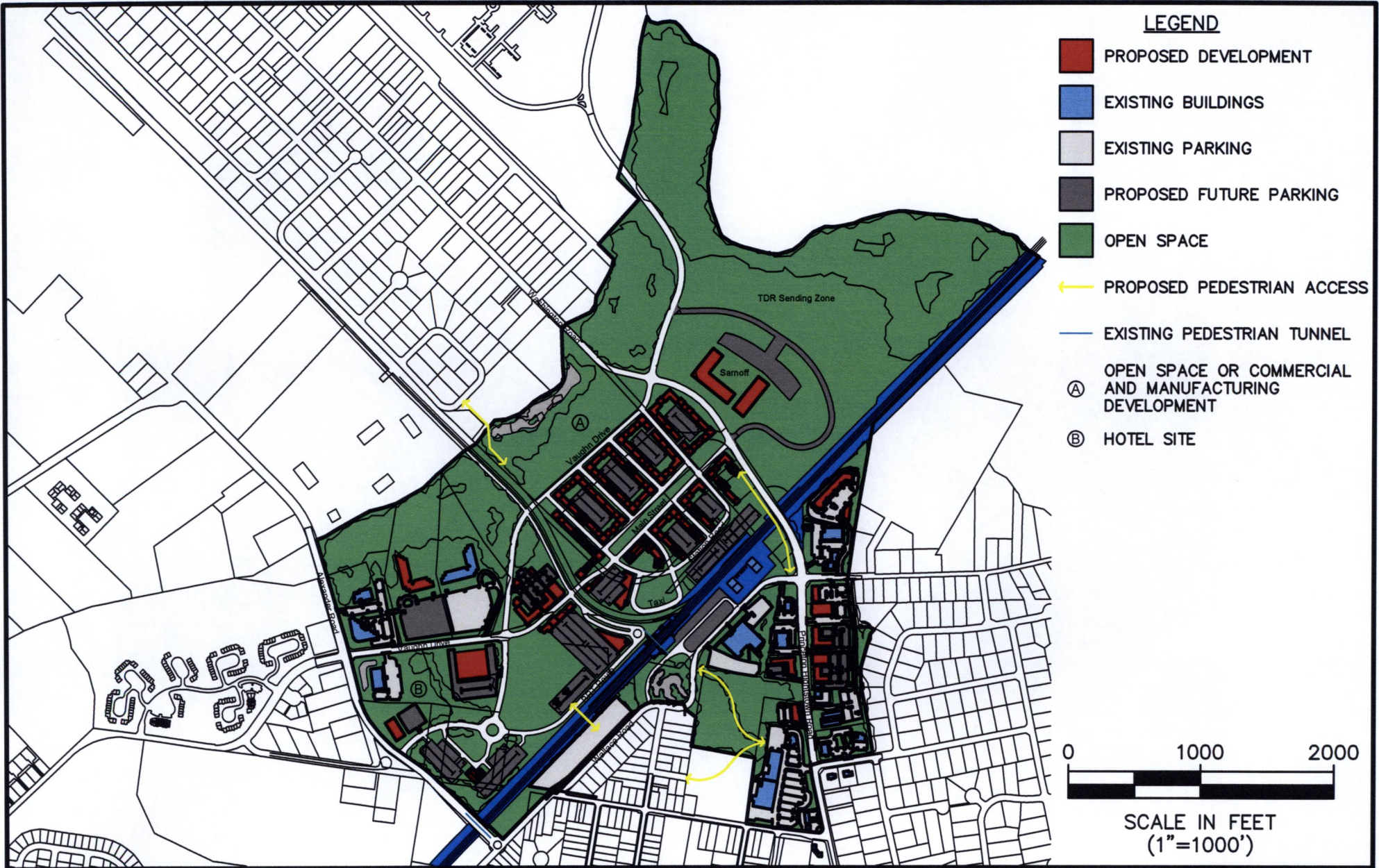
JOB NUMBER: WWP-093 DATE: APRIL 6, 2009

SCALE: 1"=1000' LATEST REVISION:

INDEX NUMBER: CL006445 DESIGN BY:

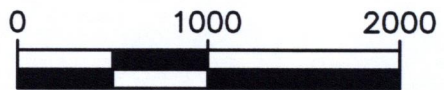
SHEET NUMBER:
1 of 1

Adopted March 23, 2009 (2009-04)
Amended December 4, 2017 (2017-30)



LEGEND

- PROPOSED DEVELOPMENT
- EXISTING BUILDINGS
- EXISTING PARKING
- PROPOSED FUTURE PARKING
- OPEN SPACE
- PROPOSED PEDESTRIAN ACCESS
- EXISTING PEDESTRIAN TUNNEL
- Ⓐ OPEN SPACE OR COMMERCIAL AND MANUFACTURING DEVELOPMENT
- Ⓑ HOTEL SITE



SCALE IN FEET
(1"=1000')



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**I. CONCEPTUAL LAND USE PLAN
TOWNSHIP OF WEST WINDSOR
REDEVELOPMENT PLAN
FOR PRINCETON JUNCTION**

JOB NUMBER: WWP-093	DATE: APRIL 6, 2009
SCALE: 1"=1000'	LATEST REVISION:
INDEX NUMBER: CL006412	DESIGN BY:
SHEET NUMBER: 1 of 1	