



ORDINANCE 2024-29

Adopting the Amended Redevelopment Plan for 119 Mapleton Road, 987-1001 Ridge Road and 4405 US Route #1 and 4405 US Route #1 (Block 99, Lots 3.213, 8.041, and 14.04)

WHEREAS, despite their location along the busy U.S. Route 1 corridor, the properties located in the Township of South Brunswick identified on the Township's tax maps as Block 99, Lots 3.213, 8.041, and 14.04 on the Township's Tax Maps (119 Mapleton Road, 987-1001 Ridge Road and 4405 US Route #1) (the "Area"), remain undeveloped; and

WHEREAS, no physical improvements exist within the Area, which lies vacant save for its vegetation; and

WHEREAS, the vacant condition of the Area is atypical of nearby areas of the U.S. Route 1 corridor, which have experienced revitalization and investment throughout the years; and

WHEREAS, the Township has consistently tried to incentivize development of the Area throughout the years to create new jobs, tax revenue, and other benefits for the Township; and

WHEREAS, in 2003, after at least one prior attempt to develop the Area stalled, the Planning Board of the Township reached an agreement with the Trustees of Princeton University, the then-owner of the properties within the Area, that outlined future development of the site, which agreement was memorialized via a General Development Plan Developer's Agreement (the "GDP Agreement") adopted in 2004; and

WHEREAS, the GDP Agreement permitted a variety of nonresidential uses in the Area; and

WHEREAS, the GDP Agreement required the transfer of 52 acres of land to the Township and the State of New Jersey through the NJDEP Green Acres Program, which transfer was completed and resulted in the creation of the Mapleton Preserve; and

WHEREAS, in addition to the preservation of the Mapleton Preserve, the Township planned for the improvement of the remainder of the Area with 900,000 to 1,800,000 square feet of commercial development, including with corporate offices, hotels, conference centers and/or high-technology research facilities; and

WHEREAS, nearly twenty years after the adoption of the GDP Agreement, although the Mapleton Preserve was created, the Area has not been developed with the commercial development in accordance with the Township's planning and the GDP Agreement remain unimplemented, and the Area remains undeveloped; and

WHEREAS, the Township's 2001 Master Plan and 2018 Reexamination Report include the following objectives with respect to the Area: exclude future residential uses along Route 1 to avoid a built-up appearance and shielding residential uses from the impact of high traffic arterial roads; commercial and office uses along Route 1 are appropriate, but buffering and screening to adjacent residential areas must be provided as required; and encourage reuse of vacant non-residential space; and

WHEREAS, because the Area has not been improved while subject to the GDP Amendment, the Township Council determined by resolution dated April 3, 2024, that property identified as Block 99, Lots 3.213, 8.041, and 14.04 on the Township's Tax Maps (119 Mapleton Road, 987-1001 Ridge Road and 4405 US Route #1) ("Redevelopment Area") as an area in need of redevelopment;

WHEREAS, the Commissioner of the Department of Community Affairs has confirmed the designation of the Redevelopment Area; and

WHEREAS, Topology, LLC has caused to be prepared a redevelopment plan for the Redevelopment Area

entitled the “Redevelopment Plan Block 99, Lots 3.213, 8.041, and 14.04”, dated July 11, 2024 (the “**Redevelopment Plan**”) providing for the development of the Redevelopment Area with nonresidential uses consistent with the Master Plan to create new jobs, tax revenue, and other benefits for the Township; and

WHEREAS, prior to final adoption of the Redevelopment Plan by the Township Council, the Redevelopment Plan was referred to the Planning Board for review on August 7, 2024; and

WHEREAS, on August 14, 2024, the Planning Board conducted its review and determined that the Redevelopment Plan was consistent with the Township’s Master Plan, after which on August 21, 2024, this Council adopted Ordinance 2024-14 approving the Redevelopment Plan; and

WHEREAS, Topology, LLC amended the redevelopment plan for the Redevelopment Area entitled the “Redevelopment Plan Block 99, Lots 3.213, 8.041, and 14.04”, dated August 15, 2024 (the “**Amended Redevelopment Plan**”) providing for the development of the Redevelopment Area with nonresidential uses consistent with the Master Plan to create new jobs, tax revenue, and other benefits for the Township; and

WHEREAS, upon the Planning Board’s further consideration of the Amended Redevelopment Plan’s consistency with the Township’s Master Plan, the Township now desires to adopt the Amended Redevelopment Plan; and

WHEREAS, the Township believes it is in the best interests of the Township and in the interests of providing for development of the Redevelopment Area to create new jobs, tax revenue, and other benefits for the Township in accordance with the Township’s planning and the Amended Redevelopment Plan.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

- I. South Brunswick Code Chapter 62, Land Use, shall be and is hereby amended and supplemented as follows with the addition of the following:

Article IV. Zoning
Division 3. Districts

Subdivision XIV(B). ~~Reserved~~. Amended Redevelopment Plan Block 99, Lots 3.213, 8.041, and 14.04

Sec. 62-826. Adoption of Amended Redevelopment Plan.

A. The redevelopment plan entitled “Redevelopment Plan Block 99, Lots 3.213, 8.041, and 14.04,” dated August 15, 2024 (the “**Amended Redevelopment Plan**”), as attached hereto and incorporated herein by reference, is hereby adopted.

B. It is hereby found that the above-referenced Amended Redevelopment Plan meets the criteria for adoption of a redevelopment plan as set forth in N.J.S.A. 40A:12A-7, and as further specified in the plan itself.

C. It is hereby found and determined that the above-referenced Amended Redevelopment Plan is consistent with the Master Plan of the Township of South Brunswick.

Sec. 62-827. Designation as Block 99 Redevelopment Zone.

The above-referenced Amended Redevelopment Plan shall constitute an overlay zone for the area contained in the plan. The Zone Map of the Township of South Brunswick, §62-302 of the Code of the Township of South Brunswick, is hereby amended to designate the area set forth in this plan as the “Block 99 Redevelopment Zone.”

Sec. 62-828. Uses; Intended as Overlay Zone; No Supersession of Underlying Ordinance Requirements

Uses in the redevelopment area shall be limited to those permitted in the Amended Redevelopment Plan. The standards set forth in the Block 99 Redevelopment Zone shall be an overlay zone, complimenting the applicable provisions of the South Brunswick Land Use Code, Chapter 62. In those instances where the Block 99 Redevelopment Zone differs from the existing Zoning Ordinance, this Overlay Zone shall govern. In those instances where the Block 99 Redevelopment Zone is silent as to zone and design guidelines, the existing zoning standards shall apply unless a waiver of any of the zoning standards or design guidelines is granted by the South Brunswick Planning Board as part of a Site Plan Approval.

Sec. 62-829. Plan to remain on file.

The above-referenced Amended Redevelopment Plan shall remain on file in the office of the Township Clerk and shall be available for public inspection during normal business hours.

Sec. 62-830. Authorization of Township limited.

A. The Township shall be authorized under N.J.S.A. 40A:20-1, et seq., to grant long-term tax exemptions in the Block 99 Redevelopment Zone.

B. The Township shall not be authorized under N.J.S.A. 40A:12A-8 to exercise the power of eminent domain to acquire any private property in the Block 99 Redevelopment Zone.

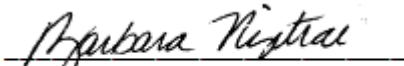
Secs. 62-831 - 62-840. Reserved.

- II. This ordinance shall be referred to the Township of South Brunswick Planning Board immediately after introduction for its review, which shall transmit to the Township Council a report containing its recommendation concerning the Amended Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7e after considering all relevant information, including without limitation any information offered by a party to the Litigation.
- III. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.
- IV. This ordinance shall become effective twenty (20) days after its final passage.
- V. Upon the adoption of this Ordinance, Ordinance 2024-14 is hereby rescinded.

The above ordinance was scheduled for introduction on November 6, 2024, at which time it was read by title and tabled to November 18, 2024 at which time it was introduced. It will be considered on second reading and final passage at a meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 6:00 p.m. on December 4, 2024, at which time and place any person having an interest therein will be given an opportunity to be heard.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Camarota, Councilman
SECONDER:	Ken Bierman, Deputy Mayor
AYES:	Bierman, Camarota, Grover, Hochman, Carley

This is to certify that the foregoing is a true copy of a Ordinance Adopted at the South Brunswick Township Council meeting held on December 4, 2024.


Barbara Nyitrai, Township Clerk