

**PUBLIC HEARING IS SCHEDULED FOR AUGUST 13, 2020**

**Explanation: This Ordinance adopts the Amended and Restated Redevelopment Plan for the Former King Georges Inn Site.**

**TOWNSHIP OF WARREN  
ORDINANCE NO. 20-21**

**AN ORDINANCE OF THE TOWNSHIP OF WARREN, SOMERSET COUNTY, NEW JERSEY, RECOMMENDING THE ADOPTION OF THE AMENDED AND RESTATED REDEVELOPMENT PLAN REGARDING THE FORMER KING GEORGES INN PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAPS AS BLOCK 78, LOT 12 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**BE IT HEREBY ORDAINED** by the Township Committee of the Township of Warren, County of Somerset, State of New Jersey as follows:

Section 1:

**WHEREAS**, By Resolution 2016-278 adopted on December 8, 2016, The Township Committee of the Township of Warren (the "Township Committee") authorized the Planning Board of the Township of Warren (the "Planning Board") to conduct a preliminary investigation of Block 78, Lot 12 (the "Study Area") to determine if the Study Area met one or more of the criteria under Section 5 of the Local Redevelopment and Housing Law, NJSA 40A:12A-1 et. seq. (the "LRHL"); and

**WHEREAS**, On March 16, 2017, the Planning Board adopted a Resolution determining that one or more of the criteria under the LRHL were satisfied in order to determine that the Study Area was an "area in need of redevelopment" under the LRHL; and

**WHEREAS**, on March 16, 2017, the Warren Township Committee adopted Resolution No. 2017-103 designating the Study Area as an "area in need of redevelopment" pursuant to Section 6 of the LRHL (hereinafter the "Redevelopment Area"). The Township Committee then directed the Planning Board to cause to be prepared a redevelopment plan for the Redevelopment Area pursuant to Section 7F of the LRHL; and

**WHEREAS**, The Planning Board caused to be issued an "Amendment to the Master Plan Redevelopment Element of Warren Township" dated June 5, 2017 (the "Master Plan Amendment"), which Master Plan Amendment was adopted by Planning Board by Resolution No. PB17-05A on August 28 2017; and

WHEREAS, the Township Planner, John T. Chadwick, IV, PP, then prepared and submitted to the Township Committee a redevelopment plan entitled “King George Inn Area (B78 L12) Redevelopment Plan” (the “Redevelopment Plan”), outlining the planning, development and redevelopment of the Redevelopment Area in accordance with the provisions of Section 7 of the LRHL. The Township Committee reviewed the Redevelopment Plan and found the specifics of the Redevelopment Plan to be satisfactory and adopted same by Ordinance No. 17-19 on October 5, 2017; and

WHEREAS, the Township Committee has been advised by the Redeveloper and owner of the Redevelopment Area that condominium housing is no longer economically feasible on the Study Area, despite repeated efforts to market same for such use. The Redeveloper proposes to develop a childcare facility on the Redevelopment Area; and

WHEREAS, the Township Committee is agreeable to amending the Redevelopment Plan to allow for such child care use provide an Amended and Restated Redevelopment Plan (the “Amended Plan”) is adopted and the Redeveloper enters into an Amended and Restated Redevelopment Agreement (the “Amended Redevelopment Agreement”) contemporaneously with the adoption of the an Amended Plan. The Township Committee desires to adopt this Amended Redevelopment Plan, it being expressly understood that if the child care center is not developed by the Redeveloper in accordance with this Amended Plan and the Amended Redevelopment Agreement, the Redevelopment Area will be rezoned to its zoning prior to the adoption of the Redevelopment Plan.

**WHEREAS**, the Township Committee has reviewed and carefully considered the Amended Plan and has found it to be acceptable as to form and content, and now desires to adopt this Ordinance, formally adopting the Amended Plan; and

**WHEREAS**, the Commissioner of the State of New Jersey, Department of Community Affairs, has heretofore approved the designation of the Study Area as an “area in need of redevelopment.”

Section 2. The Amended Plan, a copy of which is annexed hereto and made a part of this Ordinance, is hereby adopted in accordance with Section 7 of the LRHL.

Section 3. This ordinance constitutes an amendment to the zoning district map included in the Warren Township Zoning Ordinance.

Section 4. A copy of this Ordinance and the Amended Plan shall be forwarded, after introduction, to the Planning Board for a Master Plan consistency review in accordance with Section 7e of the LRHL.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of any inconsistency.

Section 6. If any section, subsection, paragraph, clause or provision of this Ordinance shall be adjudged to invalid, such adjudication shall apply only to such section, subsection, paragraph, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 7. This ordinance shall take effect upon the last to occur of the (i) filing with the Somerset County Planning Board; and (ii) adoption and publication in the manner required by New Jersey law.

ATTEST

TOWNSHIP OF WARREN

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Cathy Reese, RMC

Township Clerk

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Michael C. Marion, Mayor

INTRODUCED: July16, 2020

ADOPTED:

EFFECTIVE:

**AMENDED AND RESTATED**  
**KING GEORGE INN**  
**AREA**  
**(BLOCK 78, LOT 12)**  
**REDEVELOPMENT PLAN**

Prepared for

**WARREN TOWNSHIP**

By:

**John T. Chadwick, IV P.P.**

3176 Route 27, Suite 1A  
Kendall Park, NJ 08824  
(732) 297-7669

The original of this document was signed and sealed according to law  
John T. Chadwick, IV P.P. License No. 995

June 8, 2020

## **INTRODUCTION**

By Resolution 2016-278 adopted on December 8, 2016, The Township Committee of the Township of Warren (the "Township Committee") authorized the Planning Board of the Township of Warren (the "Planning Board") to conduct a preliminary investigation of Block 78, Lot 12 (the "Study Area") to determine if the Study Area met one or more of the criteria under Section 5 of the Local Redevelopment and Housing Law, NJSA 40A:12A-1 et. seq. (the "LRHL"). On March 16, 2017, the Planning Board adopted a Resolution determining that one or more of the criteria under the LRHL were satisfied in order to determine that the Study Area was an "area in need of redevelopment" under the LRHL. On March 16, 2017, the Warren Township Committee adopted Resolution No. 2017-103 designating the Study Area as an "area in need of redevelopment" pursuant to Section 6 of the LRHL (hereinafter the "Redevelopment Area"). The Township Committee then directed the Planning Board to cause to be prepared a redevelopment plan for the Redevelopment Area pursuant to Section 7F of the LRHL.

The Planning Board caused to be issued an "Amendment to the Master Plan Redevelopment Element of Warren Township" dated June 5, 2017 (the "Master Plan Amendment"), which Master Plan Amendment was adopted by Planning Board by Resolution No. PB17-05A on August 28 2017. The Township Planner then prepared and submitted to the Township Committee a redevelopment plan entitled "King George Inn Area (B78 L12) Redevelopment Plan" (the "Redevelopment Plan"), outlining the planning, development and redevelopment of the Redevelopment Area in accordance with the provisions of Section 7 of the LRHL. The Township Committee reviewed the Redevelopment Plan and found the specifics of the Redevelopment Plan to be satisfactory and adopted same by Ordinance No. 17-19 on October 5, 2017. The Township Committee has been advised by the Redeveloper and owner of the Redevelopment Area that condominium housing is no longer economically feasible on the Redevelopment Area, despite repeated efforts to market same for such use. The Redeveloper proposes to develop a childcare facility on the Redevelopment Area. The Township Committee is agreeable to amending the Redevelopment Plan to allow for such child care use provide an Amended and Restated Redevelopment Plan (the "Amended Plan") is adopted and the Redeveloper enters into an Amended and Restated Redevelopment Agreement (the "Amended Redevelopment Agreement") contemporaneously with the adoption of the an Amended Plan. The Township Committee desires to adopt this Amended Redevelopment Plan, it being expressly understood that if the child care center is not developed by the Redeveloper in accordance with this Amended Plan and the Amended Redevelopment Agreement, the Redevelopment Area will be rezoned to its zoning prior to the adoption of the Redevelopment Plan.

To implement the foregoing, the Township Committee shall amend Chapter XVI entitled "Zoning" as set forth below to include (for reference purposes) the specific land use, bulk requirements, and design standards contained within this Amended Redevelopment Plan.

This Amended Redevelopment Plan:

- will become the formal planning document for redevelopment of the Redevelopment Area;
- is a collaborative effort of the Township Committee and the Planning Board;
- presents a zoning plan and the child care use and standards for the Redevelopment Area;
- and
- sets forth the implementation strategy of the Amended Redevelopment Plan.

## **STATUTORY REQUIREMENTS**

According to the LRHL, this Amended Redevelopment Plan includes an outline for planning, development, redevelopment or rehabilitation of the Redevelopment Area sufficient to indicate:

- its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
- proposed land uses and building requirements in the Redevelopment Area;
  
- an identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Plan, if any; and
- any significant relationship of the Plan to:
  - ◆ the Master Plans of contiguous municipalities;
  - ◆ the Master Plan of the County in which the municipality is located and
  - ◆ the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” PL 1985, C398 (C52:18A-196 et al).

## **REDEVELOPMENT GOALS AND OBJECTIVES**

The goals of this Amended Plan are:

1. To transform abandoned and non-conforming buildings and property into fully productive uses and
2. To serve as the guiding document required for the Township Committee and Planning Board for the Redevelopment Area. The objectives of this Amended Plan are:
  - a. Revitalize the Redevelopment Area by providing opportunities for redevelopment of the Redevelopment Area by its current owner (the “Redeveloper”).
  - b. Create land use and building requirements specific to the Redevelopment Area that will promote the development of a pedestrian friendly, human scale development with a cohesive, unified Colonial design theme.
  - c. Utilize high quality design standards in construction and reconstruction of buildings and improvements.

## **STATEMENT OF STATUTORY COMPLIANCE**

This Amended Plan fully complies with State statutes.

### ***Consistency with Local Objectives:***

This Amended Plan is sufficiently complete to define redevelopment, improvements, zoning

changes, planning concepts and building requirements.

***Proposed Land Uses and Bulk Requirements:***

This Amended Plan includes maps and text sufficient to describe proposed land uses and bulk requirements for the Redevelopment Area. To the extent applicable, the Township Committee and the designated Redeveloper will comply with the "Relocation Assistance Law of 1967", P.L. 1967, c.79 and the Relocation Assistance Act, P.L. 1971, C. 362. No occupancy exists at the site and no relocation is anticipated.

***Identification of Property Proposed to be Acquired:***

The Amended Plan is sufficient to identify the property within the Redevelopment Area which is proposed to be acquired.

***Relationship to local, County and State Plans:***

This Amended Plan conforms to the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.S. 1985. Its policy of providing appropriate densities to make efficient use of existing infrastructure, while maintaining the character of the Redevelopment Area in accordance with plan objectives.

This Amended Plan is compatible with the Master Plans of adjacent municipalities and no community is remotely near the Redevelopment Area.

***Relationship to Municipal Land Use Law:***

This Amended Plan is a part of the Master Plan and describes its relationship to the Municipal Land Use Law and creates no conflict with any development regulations.

***Civil Rights and Affirmative Action:***

The Township Committee agrees to take leadership within the community, to ensure compliance with Title VI of the Civil Rights Act of 1964, and Title VII as amended in March 1972 and with all the affirmative action requirements of the State of New Jersey, including those requirements of P.L. 1975 and the regulations issued by the State of New Jersey and the Township of Warren.

**GENERAL PROVISIONS OF THIS AMENDED PLAN**

Land use provisions and building requirements for the Redevelopment Area are deemed necessary as minimum requirements in the interest of public health, safety, convenience and general welfare. They are intended to provide a frame of reference for physical development of the Redevelopment Area. The Redeveloper will be given flexibility in project planning and design so long as buildings and improvements reflect quality, permanence and physical integration through design elements. The Township Committee has not attempted in these controls to anticipate every possible design or land use solution. Rather, project proposals will be evaluated as to how they achieve the objectives of this Amended Plan.

1. The Township Committee and the Planning Board specifically reserve the right to review and approve the Redevelopers' plans and specifications with respect to their conformance to this Amended Plan. Such a review shall be based on submissions to the Planning Board of a site plan locating the proposed child care project (the "Project") in the Redevelopment Area; a site plan that complies with Township site plan regulations illustrating all site features; and building elevations for all facades of the Project.
2. Subdivisions of lots and parcels of land within the Redevelopment Area, if any, shall be in accordance with requirements of this Amended Plan, the Township Subdivision and Site Plan requirements and applicable requirements of the Township's Zoning Ordinance and land development regulations (collectively the "Development Regulations").
3. The Redeveloper shall also comply with the requirements of the LRHL.

## **LAND USE PLAN**

The permitted uses and design standards within the Redevelopment Area and the design standards that apply to the Redevelopment Area are detailed in the District Standards and Design Standards sections set forth below.

### ***Relationship of Amended Plan to the Township Plan Development Regulations:***

The standards contained within this Plan shall supersede the existing zoning of the Redevelopment Area and shall apply to any redevelopment or rehabilitation project designed to implement this Amended Plan by the designated Redeveloper. Where regulations of this Amended Plan conflict with the Development Regulations or design standards, this Amended Plan shall control. The continued use of existing properties made nonconforming by adoption of this Amended Plan is permitted until the Redevelopment Area is to be redeveloped or substantially rehabilitated, at which time the provisions of this Amended Plan shall apply. In the case where a particular land use or site standard is not covered in this Amended Plan, compliance with the Township's Development Regulations or other applicable Township codes will be required.

### ***Exceptions to Standards:***

Variation from the Development Regulations and design standards set forth by this Amended Plan may be necessary in certain limited circumstances, such as the building size standards. In such instances, the Planning Board may grant reasonable exceptions from certain bulk, parking or design requirements if the designated Redeveloper demonstrates that such design exception(s) will not substantially impair the intent of this Amended Plan and will not present a substantial detriment to the public health, safety and welfare.

To secure approval of such modification or waiver of a Development Regulations or design standard, the Redeveloper shall demonstrate that the resulting change will:

1. generally satisfy the Amended Plan's goals and objectives;
2. be designated in accordance with the Township's normally acceptable engineering, planning and/or architectural practices;

3. not have an adverse impact on the physical, visual or spatial characteristics of the overall development plan for the Redevelopment Area or adjacent or nearby properties;
4. generally enhance the overall development plan for the Redevelopment Area;
5. not have an adverse impact on the physical, visual or spatial characteristics of the exiting streetscape in which such Project is located or of this Amended Plan; and
6. not reduce the useful life or increase the cost of maintenance of the improvement to be modified or otherwise have an adverse impact on the long-term function of the Project.

Deviations from the uses permitted in the Redevelopment Area shall be permitted only by means of an amendment of this Amended Plan by the Township Committee.

***Provisions Related to Off-Site Improvements:***

The extent of the redeveloper's responsibility for any installation or upgrade of infrastructure related to the Project, whether on-site or off-site, will be outlined in the Amended Redevelopment Agreement to be adopted by Resolution of the Township Committee. Off-site responsibility for properties not covered under the Amended Redevelopment Agreement will be determined in the same manner as other development projects throughout the Township during the permit and/or site plan review phases.

All infrastructure improvements shall comply with applicable local, state and federal codes including the Americans with Disabilities Act. All streetscape improvements shall also comply with applicable standards found in this Amended Plan. All utilities shall be placed underground, unless otherwise authorized by the Township Committee.

***Development District Standards and Use Standards:***

The uses and standards for development of the Project are permitted only within the Redevelopment Area as shown on the revised Official Zoning Map.

***Development Standards and Requirements:***

**Permitted Uses:**

A Licensed childcare facility, subject to the following:

- (a) Maximum number of children shall be 180
- (b) The structure shall have a 2<sup>nd</sup> story
- (c) The building shall be no less than 10,000 sf in size
- (d) The architecture shall conform to the standards of this Amended Plan
- (e) An outside recreational area consistent with the requirements of the State of New Jersey Department of Human Services shall be provided and shall be surrounded by decorative fencing and safety bollards as necessary

Maximum Building Height: 2 stories/35 feet, whichever is less

Setbacks:

Front Yard	50 feet
Side Yard	25 feet
Rear Yard	25 feet
Parking	As per the Development Regulations
Prohibited Use	No residential use shall be permitted.

***Design Standards for the Redevelopment Area:***

The general design theme for the Redevelopment Area shall be generally colonial. Buildings, signage and all other improvements shall be designed to follow a colonial theme. The following Design Standards shall apply to the Redevelopment Area, and shall be utilized to carry out the design theme of the Project.

A. Applicability. These guidelines and standards shall apply to all applications for development within the Redevelopment Area.

B. General Design Standards.

1. All buildings shall be designed with an eye toward architectural detailing that can be unique, and compliment the appearance of adjacent structures.
2. Buildings shall have varied and varied facades. Use of texture and window variations shall be encouraged.
3. Pitched roofs are required.
4. Entryways shall give orientation and add aesthetically pleasing character to the front facade.
5. Entrances shall include such features as canopies or porticos, overhangs, arcades, recesses/projections, raised corniced parapets over the doors, peaked roof forms and arches.

C. Continuity of Treatment. The architectural treatment of a façade or roof shall be completely continued around all visibly exposed sides of a building. All sides of building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details. In the instance of multi-story buildings, the architectural treatment and building materials of the first floor shall be compatible with upper stories.

D. Roof. The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, color and details of such building. Pitched roofs shall be required. Roofs and rooflines shall conform to the following standards:

1. No flat roof shall be permitted on any building.
2. Mansard roofs shall not be permitted.
3. Architectural embellishments that add visual interest to roofs, such as dormers, belvederes, masonry chimneys and such similar elements shall be permitted, provided that same are architecturally compatible with the style, materials, colors and details of the building.
4. For all roofs, the minimum permitted roof pitch shall be seven on twelve.
5. Roofline offsets shall be provided along any roof measuring longer than fifty (50') feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long roofline.

E. Windows. Windows shall be architecturally compatible with the style, materials, colors and details of a building. Windows shall be vertically proportioned.

F. Doors and Entrances. All entrances to a building shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, porticoes, porches, overhangs, railings, balustrades and other such elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of such building.

G. Physical Plant. All air-conditioning units, HVAC systems, exhaust pipes or stacks and elevator housing shall be shielded from view. Such shielding shall be accomplished by utilizing the walls or roof of the building and be designed to be architecturally compatible with the style, materials, colors and details of such building.

H. Materials, Colors and Details. All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other.

I. Shutters. The use of shutters on building facades shall be encouraged.

J. Lighting. Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used on the site. Consideration shall also be given to the type of light source utilized and the light quality such produces. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas of the Redevelopment Area shall be the same or compatible. The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings shall be prohibited.

K. All buildings shall have a basement.

L. All units are encouraged to be equipped with Energy Star certified appliances and utilities and further, the redeveloper is encouraged to advance and/or achieve LEED standards and/or certification.

M. Signage. Signs shall be permitted and conform to Section 16-25 and further a King George Inn memorial sign shall be placed at the intersection of King George and Mt Bethel Roads.

***Parking Design Standards:***

- A. Provision of parking spaces. The design and number of parking spaces required per this Plan shall be provided in conformance with the Development Regulations.
- B. Screening. Where buffers are required in this Plan, there shall be provided along the exterior lot line of the development a continuous, year-round planting screen at least 6 feet in height.

***Streetscape/Landscape Design Standards:***

Any interior roadway shall provide streetscape elements including sidewalk, lampposts, benches, trash receptacles and planters.

Street trees shall be provided in accordance with all applicable Township Code requirements.

**PROPERTY ACQUISITION AND RELOCATION**

The Township Committee may exercise its power of condemnation in the Redevelopment Area.

***Relocation:***

No relocation is necessary in connection with the Project.

**AMENDED PLAN RELATIONSHIP TO DEFINITIVE LOCAL OBJECTIVES**

The redevelopment of the Redevelopment Area was not specifically discussed in the Township's Master Plan; however, it is consistent with the Housing Plan objectives and principles of the Master Plan. Further, this Plan is a sub-element of the Master Plan.

**RELATIONSHIP TO OTHER PLANS**

This Amended Plan has no impact upon the Master Plans of adjacent municipalities. No municipality is remotely contiguous to the Redevelopment Area.

***State Development and Redevelopment Plan (SDRP):***

The State Development and Redevelopment Plan (SDRP) places the Redevelopment Area in Planning Area 2 (PA2). This Plan is consistent with the planning goals and objectives of the SDRP which encourages infill development and redevelopment of areas containing existing infrastructure.

**ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS**

***Amending the Amended Plan:***

Upon compliance with the requirements of applicable law, the Township Committee of the

Township may amend, revise or modify this Amended Plan, as circumstances may make such changes appropriate.

***Duration of the Redevelopment Plan:***

This Amended Plan, as may be further amended, shall be in full force and effect for a period of thirty (30) years from the date of approval of this Amended Plan by the Township Committee.

***Application for Development/Redevelopment:***

No application for development or redevelopment in the Redevelopment Area may be filed with the Planning Board until such time as the applicant/Redeveloper has applied for and received a designation as a redeveloper from the Township Committee and has executed a Redevelopment Agreement with the Township Committee providing for the proposed application.

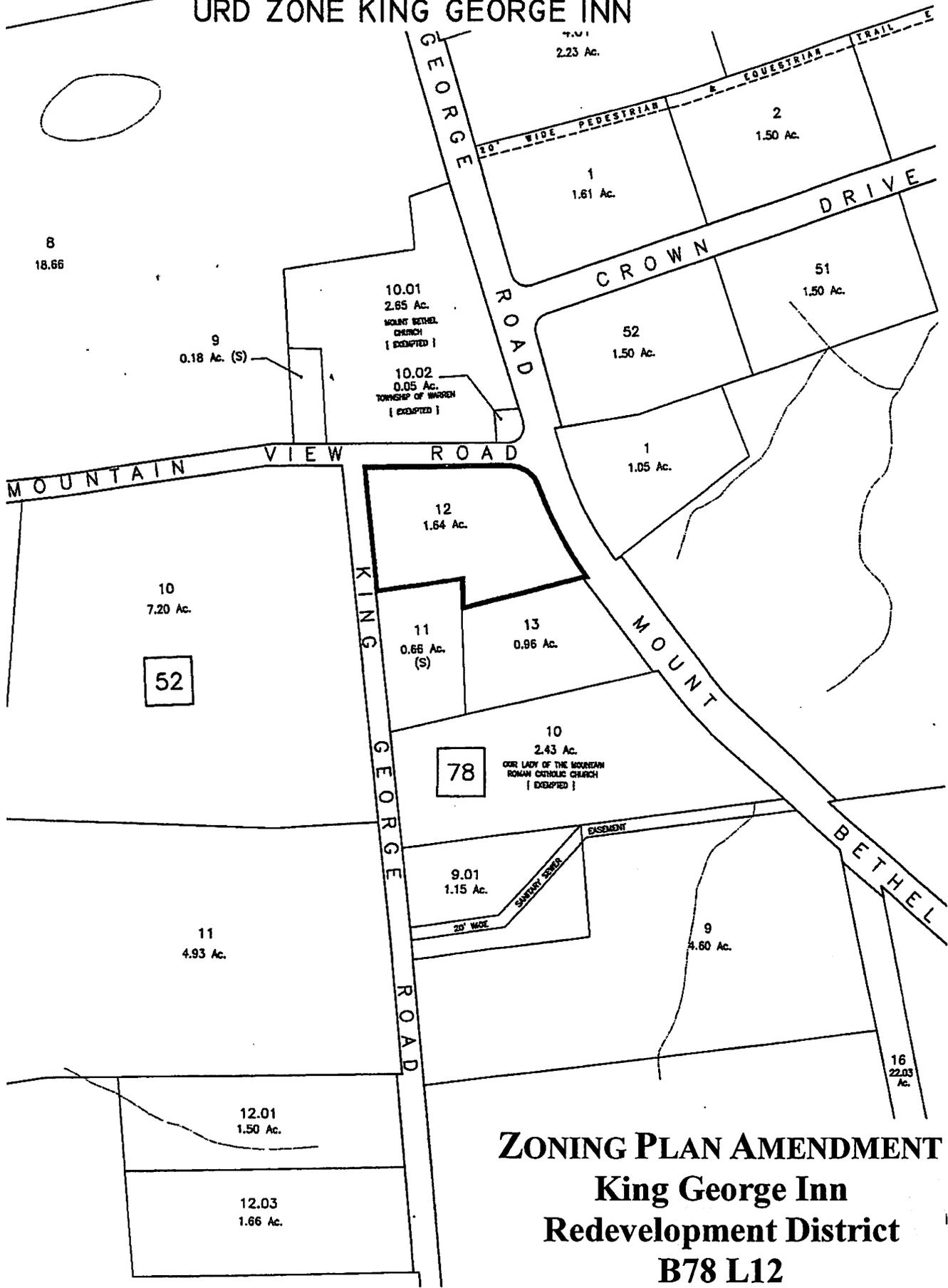
***Redevelopment Entity:***

The Township Committee shall serve as the redevelopment entity hereunder.

***Affordable Housing Development Fees***

The Redeveloper shall be responsible for the payment of affordable housing development fees in accordance with the Development Regulations.

# URD ZONE KING GEORGE INN



## ZONING PLAN AMENDMENT King George Inn Redevelopment District B78 L12