

ORDINANCE OF THE TOWNSHIP OF PLAINSBORO, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY APPROVING AND ADOPTING AMENDMENTS TO THE AMENDED REDEVELOPMENT PLAN FOR THE PRINCETON HEALTHCARE SYSTEM AT PLAINSBORO SITE

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment, and to adopt and subsequently amend redevelopment plans for such areas; and

WHEREAS, by Resolution adopted on September 10, 2007, the Plainsboro Township Committee (“**Township Committee**”) designated the area consisting of Block 1701, Lots 3 and 4, Block 1703, Lots 1, 2 and 3, and Block 1704, Lot 1 on the official tax maps of Plainsboro Township (the “**Original Redevelopment Area**”) as an area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, by Ordinance adopted on January 23, 2008, Township Committee approved and adopted a redevelopment plan for the Original Redevelopment Area, entitled “Redevelopment Plan for FMC Corporation Site” (the “**Original Redevelopment Plan**”); and

WHEREAS, by Resolution adopted on December 12, 2012, Township Committee expanded the Original Redevelopment Area by adding thereto an adjacent parcel identified as Block 1701, Lots 1 and 2 (collectively, the “**Redevelopment Area**”), and further authorized and directed the Planning Board to prepare an amendment to the Original Redevelopment Plan incorporating the additional parcel; and

WHEREAS, by Ordinance adopted on March 13, 2013, Township Committee approved and adopted the Planning Board’s proposed amended redevelopment plan for the Redevelopment Area, entitled “Amended Redevelopment Plan for the Princeton HealthCare

System at Plainsboro Site" (the "Amended Redevelopment Plan") and re-named the Redevelopment Area the "Princeton HealthCare System at Plainsboro Site;" and

WHEREAS, the Amended Redevelopment Plan identifies eight separate but interrelated districts within the Redevelopment Area, one of which is the Adult Retirement Community (ARC) district; and

WHEREAS, the ARC district comprises an approximately 38-acre area on Plainsboro Road, identified as Block 1703, Lots 3.02 and 3.03 on the Plainsboro Township tax maps; and

WHEREAS, pursuant to approvals granted by the Township Planning Board on March 20, 2017, Lot 3.02 has been developed with age-restricted townhouse units and Lot 3.03 has been developed with a luxury multi-story apartment building known as Icon Riverwalk, which contains 260 market-rate and affordable age-restricted rental units (see Resolution P16-12 adopted March 20, 2017); and

WHEREAS, the apartment building contains a number of amenities, including a bistro/café on the first floor and a state-of-the-art kitchen that serves meals to the building's residents and guests; and

WHEREAS, pursuant to section 3.7.1 of the Amended Redevelopment Plan, the building's amenities may only be used by the Icon Riverwalk's residents, guests and staff; and

WHEREAS, due to financial constraints, the building's food amenities have remained vacant or otherwise underutilized, (see letter dated July 30, 2024 from Christopher H. DeGrezia, Esq. of Faegre Drinker Biddle & Reath LLP to Trishka Waterbury Cecil, Esq. of Mason, Griffin & Pierson, P.C., and letter dated September 16, 2024 from Mr. DeGrezia to Plainsboro Township's Planning & Community Development Director, Bonnie N. Flynn, PP/AICP/CFM); and

WHEREAS, Icon now seeks approval to allow the café/bistro to serve the general public and to allow the state-of-the art main kitchen facilities to prepare meals not only for the building's residents but also for lower-income elderly in the community; and

WHEREAS, the Township Committee finds that Icon's request demonstrates that there may be occasions when allowing expanded access to the ARC food amenities would advance Plainsboro's intention of effectuating beneficial and worthwhile redevelopment of the Redevelopment Area while enhancing Icon Riverwalk by allowing for new services and amenities for the residents, including the affordable residents, as well as the community; and

WHEREAS, Township Committee accordingly finds that it is in the best interests of the Township to amend the Redevelopment Plan to allow expanded access to Icon Riverwalk's food amenities under certain circumstances.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Plainsboro as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Section 3.7.1 of the "Amended Redevelopment Plan for the Princeton HealthCare System at Plainsboro Site" adopted March 13, 2013, is hereby amended as follows:

3.7.1 Permitted Uses in the Arc

- A. Principal Uses, as follows:
 1. Age-restricted [multi-family] residential units, or senior citizens housing in the form of multi-story apartments.
- B. Accessory uses and facilities, limited to the use and benefit of the residents, staff and guests of the Adult Retirement Community, which may include:
 1. Indoor and outdoor recreation facilities gardens and open space.

2. Libraries, club rooms and other common areas for residents.
3. Off-street parking facilities, which may include surface parking lots and below-grade or below-building enclosed parking garages, but not multi-level parking garages.
4. Other accessory uses [customarily] and amenities incidental and subordinate to the principal permitted uses in the ARC.

The foregoing notwithstanding, the Planning Board on a case-by-case basis and for good cause shown is expressly authorized to allow the building's food amenities to serve the public, upon such terms and conditions as the Board in its discretion may deem reasonably necessary to address any impacts of the expanded use of the facility or facilities in question.

3. The plan entitled "Second Amended Redevelopment Plan for the Princeton HealthCare System at Plainsboro Site" incorporating the above amendments is hereby approved pursuant to the Redevelopment Law.
4. If any part of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
6. This Ordinance shall take effect in accordance with applicable law.

[ROLL CALL AND CERTIFICATION ON FOLLOWING PAGE(S)]

Introduced at a Meeting of the Township Committee of the Township of Plainsboro held on October 9, 2024, and published on October 15, 2024. Adopted at a Meeting of the Township Committee of the Township of Plainsboro held on November 13, 2024, and published on November 19, 2024.