

**TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY**

**RESOLUTION #17-376**

**RESOLUTION RECOMMENDING ADOPTION OF A REDEVELOPMENT PLAN  
FOR THE CF HOPEWELL AREA IN NEED OF REDEVELOPMENT FOR BLOCK  
91, LOTS 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95, 3.961 AND BLOCK 93, LOT 3.01,  
5.01, 6.01 IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER  
XVII, "LAND USE AND DEVELOPMENT," ARTICLE VIII, "ZONING-GENERAL  
PROVISIONS," SECTION 17-138.b., "ZONING DISTRICTS" TO ADD SUB-  
PARAGRAPH 23 TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP  
OF HOPEWELL**

WHEREAS, the Township Committee of the Township of Hopewell has prepared a "Redevelopment Plan for Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95, 3.961 and Block 93, Lot 3.01, 5.01, 6.01 Hopewell Township, Mercer County that creates a mixed use inclusionary housing zone that provides affordable housing and the plan is dated November 2017 (hereinafter the "Plan" or "Redevelopment Plan");

WHEREAS, at its meeting on November 13, 2017, the Township Committee referred the Plan and Ordinance to the Hopewell Township Planning Board for its review and recommendation; and

WHEREAS, under N.J.S.A. 40A:12A-7e, the Plan must be referred to the Planning Board for identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendation concerning these inconsistencies and any other matters as the Board deems appropriate; and

WHEREAS, at its November 15, 2017 special meeting, the Hopewell Township Planning Board reviewed the Plan, along with a memoranda prepared by Banish Associates, Inc., dated November 14, 2017 and heard the testimony of Frances Banisch of Banisch Associates, Inc.; and

WHEREAS, the Planning Board compared the proposed ordinance to the Land Use Plan Element of the 2002 Master Plan and the 2011 Housing Plan Element and found that the intent of the proposed ordinance advances the goal for a balanced land use plan that can meet the constitutional mandate to provide for the Township's fair share of the regional need for affordable housing. Nonetheless, the Planning Board found that the specific proposal to construct a neighborhood of multi-family apartments within the OP zone is inconsistent with the nonresidential land uses programmed for this site in the Land Use Plan.

WHEREAS, Notwithstanding this inconsistency, in Planning Board Resolution No. 17-021,

the Planning Board recommended that the Township Committee adopt the proposed ordinance and Redevelopment Plan.

WHEREAS, on November 27, 2017, the Hopewell Township Committee held a public hearing on the CF Hopewell Redevelopment Plan and ordinance.

WHEREAS, the Hopewell Township Committee reviewed the Hopewell Township Planning Board Resolution No. 17-021; the Memorandum of Banisch Associates dated November 14, 2017; heard the testimony of Frank Banisch and all public comments;

WHEREAS, the Hopewell Township Committee found that the CF Hopewell Redevelopment Plan and ordinance advances the following objectives:

- To provide for a reasonable balance among various land uses that respects and reflects the interaction and synergy of community life.
- To provide for a variety of housing types which respond to the needs of households of varying size, age, and income, persons with disabilities and emerging demographic characteristics.
- To promote and support the development and redevelopment of affordable housing intended to address the Township's fair share of the region's lower income housing, particularly in areas served by public transportation which connect to areas of employment.
- To provide a range of housing opportunities within the Township with densities and lot sizes that respond to the capabilities and limitations of natural systems and available infrastructure.
- The proposed rezoning results in an appropriate use of land which contributes to the general welfare of the community and state, and is an appropriate response to the mandate to provide affordable housing through municipal zoning.
- The proposed rezoning does not conflict with the development or general welfare of any neighboring municipality, the county or the state as a whole and it provides a reasonable development option to address local affordable housing goals.
- The proposed rezoning provides affordable housing through inclusionary development without the expenditure of public funds and results in the efficient use of the available public infrastructure while curtailing the extension of such infrastructure.
- The proposed rezoning provides zoning requirements and standards that produce the

opportunity to utilize creative development techniques in order to produce good civic design and arrangements, which are subject to further Planning Board review during the development application process.

- The procedure followed in developing the proposed ordinance combines public and private procedures that result in an efficient use of land.
- The proposed ordinance improves the balance of land uses sought in the Master Plan.
- The proposed development contemplated by the proposed zoning standards should result in a compact building layout and design.
- The housing and mixed uses will diversify the employment node at Scotch Road and improve its long term viability.
- With the nonresidential zoning which the proposed ordinance amends is consistent with the Master Plan, the proposed rezoning will advance the goal of diversifying the housing stock and providing affordable housing to meet the constitutional obligation.

**NOW, THEREFORE, BE IT RESOLVED**, that on this 27<sup>th</sup> day of November, 2017, that the Hopewell Township Committee, County of Mercer, State of New Jersey- hereby adopts the Ordinance and Redevelopment Plan for Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95, 3.961 and Block 93, Lot 3.01, 5.01, 6.01, dated November of 2017 and prepared by the Hopewell Township Committee with the assistance from Banish Associates, Inc. It is hereby adopted for all of the above reasons pursuant to N.J.S.A. 40:55D-62(a) and Willoughby v Planning Board of the Twp. Of Deptford, 326 N.J.Super.158, 165-66 (App. Div. 1999).

Date Adopted: November 27, 2017

**CERTIFICATION**

I HEREBY CERTIFY THE FOREGOING TO BE  
A TRUE COPY OF A *Resolution* ADOPTED  
BY THE HOPEWELL TOWNSHIP COMMITTEE  
AT A MEETING HELD

November 27, 2017

DATE

Laurie E. Gompf

LAURIE E. GOMPf, MUNICIPAL CLERK

**TOWNSHIP OF HOPEWELL,  
MERCER COUNTY, NEW JERSEY**

**ORDINANCE NO. 17-1669**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 91, LOTS 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 AND 3.961 AND BLOCK 93, LOTS 3.01, 5.01 AND 6.01 , KNOWN AS THE CF HOPEWELL AREA IN NEED OF REDEVELOPMENT, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER XVII, "LAND USE AND DEVELOPMENT," ARTICLE VIII, "ZONING-GENERAL PROVISIONS," SECTION 17-138.b, "ZONING DISTRICTS" TO ADD SUB-PARAGRAPH 23 TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL**

**WHEREAS**, the Township Committee of the Township of Hopewell, County of Mercer, directed the Planning Board to undertake a preliminary investigation as to whether certain areas within the municipality met the statutory criteria for declaring the lands an area in need of redevelopment on May 8, 2017 as memorialized in Resolution No. 17-173; and

**WHEREAS**, the Planning Board of the Township of Hopewell, County of Mercer conducted the preliminary investigation to determine if Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 the "CF Hopewell Area" met one or more of the criteria for such designation pursuant to N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Planning Board, after the conclusion of a public hearing held on July 27, 2017, adopted Resolution No. 17-012 finding and concluding that the CF Hopewell Area satisfies the criteria for redevelopment area designation set forth in N.J.S.A. 40A: 12A-5c, 5d, 5e and 5h and recommending to the Township Committee that the study area was an area in need of redevelopment; and

**WHEREAS**, the Township Committee favorably received the recommendation of the Planning Board and by the adoption of Resolution No. 17-012, dated July 27, 2017, established the CF Hopewell Redevelopment Area, among others; and

**WHEREAS**, Resolution No. 17-012 also authorized the preparation of a redevelopment plan for any portion or the entirety of the area in need of redevelopment; and

**WHEREAS**, the Township Committee finds that the redevelopment plan adopted herein is designed to implement a comprehensive redevelopment strategy to overcome blighting conditions in the CF Hopewell Area and is intended to improve the quality of life of the residents, landowners, business owners and visitors thereto to the Township of Hopewell through new investment for business and job creation; and

**WHEREAS**, the Township Committee desires to adopt the Redevelopment Plan for Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 dated November, 2017, attached hereto and known as the CF Hopewell Redevelopment Plan which is designated as Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 on the tax assessment maps of the municipality.

**NOW, THEREFORE BE IT ORDAINED**, that the Township Committee of the Township of Hopewell adopts the following provisions:

**Section 1. Adoption of the CF Hopewell Redevelopment Plan.** The Township Committee hereby adopts the CF Hopewell Redevelopment Plan, dated November 2017, prepared by Francis J. Banisch AICP/PP, and hereby adopted by reference and incorporated into this ordinance as if sent forth at length.

**Section 2. Establishment of the Redevelopment Ordinance Title.** This ordinance may be known and cited as, "The CF Hopewell Redevelopment Ordinance of the Township of Hopewell, Mercer County, New Jersey".

**Section 3. Purpose and Intent.** The purpose and intent of this ordinance is to further the following goals and objectives.

- A. To return the property to productive use through the efforts of private capital and ownership.

- B. To provide appropriate development standards to guide and facilitate the redevelopment of the CF Hopewell Area in a manner consistent with the overall redevelopment goal;
- C. To encourage high quality architectural design and construction of new buildings within the redevelopment area;
- D. To utilize "green" building techniques and sustainable design features in both the site design and commercial building design consistent with the goals and objectives of the Hopewell Township Master Plan

**Section 4. Redevelopment Authority.** The Township Committee shall act as the "Redevelopment Authority" pursuant to N.J.S.A. 40A-12A-4.c for purposes of implementing the CF Hopewell Redevelopment Plan and carrying out redevelopment projects. In doing so, the Township Committee shall have all of the powers set forth in N.J.S.A. 40A:12A-8 to effectuate its duties and responsibilities in the execution and implementation of the redevelopment plan.

**Section 5. Annual Reports.** Pursuant to the requirements of N.J.S.A. 40A:12A-43, the municipality shall submit an annual report to the Commissioner of the Department of Community Affairs of the State of New Jersey indicating the name, location and size of all projects undertaken in the redevelopment area.

**Section 6.** Section 17-138.b of the Land Use and Development Ordinance of the Revised General Ordinances of the Township of Hopewell shall be amended to add paragraph 23, as follows:

23. The official zoning map of the Township of Hopewell was amended on November 27, 2017 [such date being the date of the final passage of this ordinance] to designate Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 and Block 93, Lots 3.01, 5.01 and 6.01 known as the CF Hopewell Redevelopment Area pursuant to N.J.S.A. 40A:12A-7.c.

**Section 7. Continuation.** In all other respects, the Code of the Township of Hopewell shall remain unchanged.

**Section 8. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered.

**Section 9. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Township of Hopewell, then the restriction which imposes the greater limitation shall be enforced.

**Section 10. Repealer.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 11. Enactment.** This Ordinance shall take effect after final passage and publication in the manner prescribed by law.

Date Introduced: November 13, 2017  
 Date Advertised: November 17, 2017  
 Date Adopted: November 27, 2017



Kevin D. Kuchinski  
 Mayor

Attest:



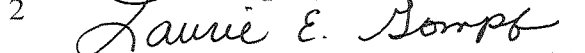
Laurie E. Gompf  
 Municipal Clerk

**CERTIFICATION**

I HEREBY CERTIFY THE FOREGOING TO BE  
 A TRUE COPY OF AN Ordinance ADOPTED  
 BY THE HOPEWELL TOWNSHIP COMMITTEE  
 AT A MEETING HELD

November 27, 2017

DATE



LAURIE E. GOMPf, MUNICIPAL CLERK

# Redevelopment Plan

for

Block 91

Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961

and

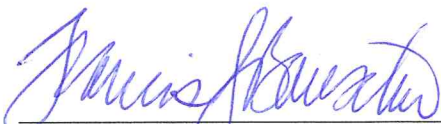
Block 93

Lots 3.01, 5.01 and 6.01

Hopewell Township  
Mercer County

November 2017

Prepared by:  
Hopewell Township Committee  
With Assistance from:  
Banisch Associates, Inc.



Francis J. Banisch III, AICP/PP  
License # 1686

11.27.2017

Date

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# 1. INTRODUCTION

## 1.1 BASIS FOR THE PLAN

This Redevelopment Plan has been prepared pursuant to New Jersey’s Local Redevelopment and Housing Law (LRHL) for Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 in Block 91 and Lots 3.01, 5.01 and 6.01 in Block 93, referred to herein as the “Redevelopment Area” (see Figure 1 – Aerial Photo of Redevelopment Area).

Hopewell Township occupies the northwest corner of Mercer County. Regional highway access to the township is via I-95, which traverses the Township’s southern boundary. The subject property is located in the southwestern portion of the Township just north of I-95. This redevelopment area straddles the east and west sides of Scotch Road and consists of approximately 350 acres. The Redevelopment Area includes property that has received prior General Development Plan approvals permitting a total of 3,800,000 square feet of Class A office. The present zoning of the redevelopment area is single-family detached homes and office park development.

The redevelopment area has been included as a compliance site in a settlement agreement with Fair Share Housing Center (FSHC) and is an integral part of the Township’s plan to address its 1999 – 2025 housing obligation.

A settlement agreement with CF Hopewell CC&L, LLC (CF) provides for the development of this property with a phased, mixed use inclusionary community of not more than 2,200 homes, up to 100,000 square feet of retail and office space and a continuing care retirement community with up to 500 senior living units and/or assisted living beds. As an inclusionary development, the Redevelopment Area will include a 20% set aside of all residential units (up to 465 units) that will be affordable to very low, low and moderate income households. Of this total, at least 185 of the affordable units will be family rentals and at least 13% will be very low-income units. Age-restricted units are permitted with a township-wide cap of 25%.

Hopewell Township Committee Resolution No. 17-173, directed the Hopewell Township Planning Board to determine if the subject property qualified as a non-condemnation area in need of redevelopment. The Planning Board recommended that the site be determined an area in need of redevelopment, pursuant to a July 2017 Preliminary Investigation Report and the Township Committee concurred (Resolution No. 17-297). This Redevelopment Plan has been prepared at the direction of the Hopewell Township Committee.

## 1.2 REDEVELOPMENT PLANNING PROCESS

The LRHL details the process that a municipality must follow to utilize the State’s redevelopment powers. The adoption of a redevelopment plan is a precondition for the use



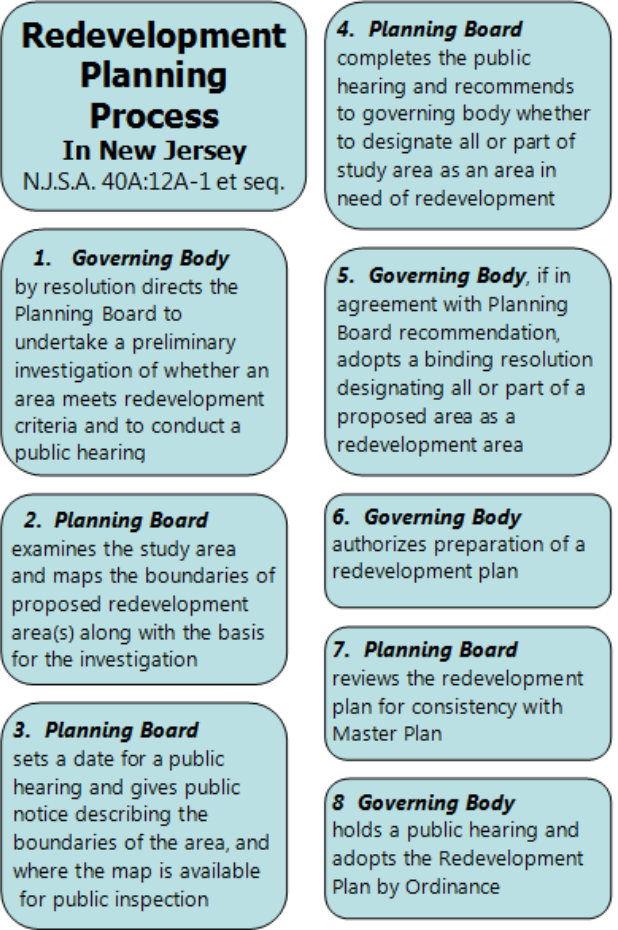
of these powers, which permit municipalities to plan and zone in a manner that can remedy the blighting effects of underperforming, outdated or obsolete land uses and structures.

After adoption of a redevelopment plan, the municipality may:

- Negotiate and collect revenues from a redeveloper to defray the costs of the redevelopment entity.
- Clear any area owned or acquired and install, construct or reconstruct public infrastructure essential to the preparation of sites for use in accordance with the redevelopment plan.
- Contract for professional services.
- Contract with public agencies or redevelopers for the undertaking of any project or redevelopment work.
- Lease or convey property or improvements to any party without public bidding.

According to the Local Redevelopment and Housing Law (NJSA 40A: 12A-1, et seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives, including appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;
4. Identification of properties to be acquired, if any;
5. Any significant relationship of the Redevelopment Plan to the Master Plans of contiguous municipalities, the County and the State Development and Redevelopment Plan;
6. Enumeration of deed-restricted affordable units in the redevelopment area and their disposition.



### 1.3 OVERVIEW OF EXISTING SITE CONDITIONS

Exhibit 1 is an aerial photograph of the redevelopment area and Exhibit 2 includes excerpts from the Hopewell Township Tax Maps indicating the subject properties.

The redevelopment area on the east side of Scotch Road includes Block 91, Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961. These lots are included in General Development Plans that provide for the development of 3,300,000 square feet of Class A office development:

Block 91, Lots 3.14 and 3.22 are currently vacant or primarily undeveloped farmland.

Block 91, Lots 3.11, 3.95, 3.181 and 3.19 are vacant land and adjoin existing developed portions of the former Merrill Lynch campus. All lots have access from the internal private road network. Lot 3.181 has frontage Scotch Road with access to a signalized intersection.

Block 91, Lot 3.14 is the site of a one-story building referred to as the “hut” (maintenance facility) and Lot 3.22 is improved with parking and recreational courts.

Block 91, Lot 3.961 is the Capital Health complex situate in the southeastern corner of the area. This complex is adjacent to I-95 and the CSX railroad. The northern and western portions of the lot are undeveloped with Scotch Road frontage at a signalized intersection.

The redevelopment area on the west side of Scotch Road includes Block 93, Lots 3.01, 5.01, and 6.01:

Lot 3.01 is currently active agricultural areas and wooded stream corridors. This lot includes dwellings and an equestrian facility.

Lot 5.01 is currently active agricultural use and designated for affordable housing.

Lot 6.01 is currently a mixture of active agricultural areas and wooded stream corridors. Lot 6.01 includes an extensive wooded area roughly 1,000 feet deep along its westerly boundary providing a unique natural buffer between any development on Lot 6.01 and the existing single family residential neighborhood to the west. Lot 6.01 is part of an approved General Development Plan that permits up to 1,000,000 square feet of Class A office on this lot.

Scotch Road is a county-owned four-lane divided highway that spans the distance between I-95 and County Route 546. Merrill Lynch improved this roadway during its initial campus construction to accommodate the approved 3,800,000 square foot Class A office development planned to be constructed on both the east and west sides of Scotch Road.

Exhibit 3 depicts the land cover character of the study area and Exhibit 4 illustrates the property tax class for each parcel in the Scotch Road study area.

In addition to the regionally significant office and medical facilities along Scotch Road, a ribbon of residential development, on lots of varying sizes, spans the frontage of Nursery Road near the interchange. Limited residential development also occupies a small portion of the frontage of Scotch Road.

Beyond the lands east of the dualized portions of Scotch Road, the Township is generally rural in character with low density and medium density residential neighborhoods to the north and west.

#### *1.4 OVERVIEW OF REDEVELOPMENT PLAN*

This Redevelopment Plan creates a mixed-use inclusionary housing zone that advances local community planning objectives related to the provision of affordable housing as part of a balanced housing plan. This redevelopment plan is located in a sector of Hopewell Township adjacent to major transportation infrastructure and utilities where intense office development is presently permitted. This unique location concentrates development within an existing development corridor and avoids the need to utilize other less developed and more environmentally sensitive areas of the Township for housing production. This location provides for mass transit opportunities and the reduction of carbon footprint by creating “live-work” opportunities through less reliance upon the automobile.

The Inclusionary Planned Development Zones respond to the terms of a Settlement Agreement between CF Hopewell and Hopewell Township. This agreement requires that the Redevelopment Area will include a 20% set aside of all residential units (up to 465 units) that will be affordable to very low, low and moderate income households. Of this total, at least 185 of the affordable units will be family rentals and at least 13% will be very low-income units. Age-restricted units are permitted with a township-wide cap of 25%.

## **2. CONTEXT, GOALS AND VISION**

### *2.1 CONTEXT*

The 2009 Hopewell Township Land Use Plan echoes the goals, objectives and policies of the 2002 Hopewell Township Master Plan. In both Land Use Plans the redevelopment area on the east side of Scotch Road is located within Office Park District and the redevelopment area on the west of Scotch Road is partly within the Office Park district and partly within the Valley Resource Conservation District. In December 2016, a Master Plan revision was adopted for the redevelopment area on the east side of Scotch Road, which added Affordable Housing and Continuing Care as additional permitted uses.

In 2008, Hopewell Township adopted a Housing Plan in response to the then required Round 3 Affordable Housing Rules. Round 3 rules were dissolved by the court and until present, there has been no guidance for Round 3 compliance. Hopewell Township has received approval from the Court of a settlement of litigation for affordable housing for its Round 3 obligation (1999-2025). This settlement provides for inclusionary development with up to 465 affordable units and/or assisted living beds on those lots located within the redevelopment area. The redevelopment area is well-situated to provide for inclusionary residential development, having sufficient developable land to accommodate the development, access to all necessary infrastructure and unparalleled regional highway access.

This Plan establishes the vision for redevelopment of the property and identifies opportunities and constraints specific to the site. It also identifies the intended future uses, their arrangement and design and method of implementation of the plan.

## 2.2 GOALS & OBJECTIVES

This redevelopment plan is located in a sector of Hopewell Township adjacent to major transportation infrastructure and utilities where intense office development is presently permitted. This unique location concentrates development within an existing development corridor and avoids the need to utilize other less developed and more environmentally sensitive areas of the Township for housing production. This location provides for mass transit opportunities and the reduction of carbon footprint by creating “live-work” opportunities through less reliance upon the automobile.

This redevelopment plan provides a comprehensive strategy to address the Township’s affordable housing obligation. This plan aims to:

- Provide affordable housing within a mixed use planned neighborhood including higher-density inclusionary housing at the site.
- Advance Hopewell’s long-standing goal to provide a wider variety of housing types and opportunities within the Township.
- Lay out a vision for redevelopment that incorporates strategies to create a “sense of place” in the redevelopment area.
- Guide redevelopment to protect, to the greatest extent practicable, important environmental features including groundwater recharge.
- Create new housing opportunities that will be desirable and marketable.
- Protect and enhance the character of surrounding areas of Hopewell Township by preserving key natural buffers to adjacent neighborhoods, protecting existing view sheds to the north, providing a network of trails that will connect neighborhoods to each other and to nearby existing municipal parks and facilities.
- Encourage aesthetically pleasing architectural design, layout and finishes.
- Examine planning documents from surrounding municipalities, Mercer County and NJ SDRP for consistency.

### 2.3 VISION

There is an increasing demand for alternatives to single family dwellings on individual lots. Situated in the heart of a significant regional employment node, mixed use development in the redevelopment area will provide dining, shopping and recreational opportunities along with vibrant residential neighborhoods of varied housing types that will appeal to households of varying sizes, ages, and income levels.

A. These new neighborhoods are conceived as having a health and wellness focus and will address the housing needs of millennials, aging baby boomers, professionals and young families. Walkable neighborhoods and an engaging landscape will help to promote active lifestyles and attract a full range of housing types, including continuing care. The neighborhoods will be arranged to maximize connectivity and are to be based upon the following design concepts to create a vital and walkable place that:

- is compact;
- is designed for the human scale with buildings placed closer to the street and a variety of gathering places.
- provides a mix of uses, including residential, commercial, civic green spaces in close within the neighborhood;
- provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes;
- incorporates environmental features into the design;

Amenities including recreational buildings, clubhouses, tot lots, barbeque patios and other common areas are to be connected with pathways to promote walking and bicycling between neighborhoods and beyond the site to nearby public parks and municipal facilities.

With a focus on design that promotes the health, happiness and wellbeing of residents, this plan puts a special emphasis on human-scale streetscape elements (such as benches and streetlights) and landscaping that incorporates native plants, trees and shrubs.

### 2.4 REDEVELOPMENT PLAN'S RELATIONSHIP TO HOPEWELL TOWNSHIP MASTER PLAN

Hopewell Township has spent the past several years examining opportunities for affordable housing to address its constitutional fair share obligation. Primary among the Township's objectives has been the identification of realistic opportunities for the creation of affordable housing. Lots 3.11, 3.14, 3.161, 3.181, 3.191, 3.22, 3.95 and 3.961 in Block 91 and Lots 3.01, 5.01 and 6.01 in Block 93, have been found to provide such opportunity through inclusionary mixed use development.

The 2009 Hopewell Township Land Use Plan echoes the goals, objectives and policies of the 2002 Hopewell Township Master Plan. This Redevelopment Plan is consistent with the following basic principles of the 2002 Master Plan ("*a*" thru "*k*") and its goals and objectives:

- a. *A variety of housing and a balance of opportunities to live, work and play in safe and attractive surroundings should be provided in part by identifying locations and developing criteria for mixed use development.*

Rationale: The rezoning of this site will expand and diversify the local housing stock and will assist low and moderate-income households in finding decent, safe, affordable housing. It will also assist young people and older households looking to live in a high-quality community with upscale amenities.

- b. *An efficient circulation system that promotes important circulation linkages, retains the character of the rural road network and provides for safe vehicular, pedestrian, equestrian and bicycle movements should be maintained.*

Rationale: The subject property is located within one mile of the Scotch Road interchange with I-95, permits full access to and from Interstate 95. The redevelopment of the subject property takes advantage of the existing highway system and will allow people to travel to and from the area with limited impacts to local rural roads. A network of pedestrian and bicycle pathways and trails connecting neighborhoods to each other and to nearby existing public parks and municipal facilities will be incorporated. Mass transit opportunities are also part of long range planning for this area of the township.

- c. *Farmland and open lands should be retained and the impacts of development should be limited throughout the valley and mountain areas in part by allowing the use of techniques to encourage development ....*

Rationale: Portions of the subject property within the Valley Resource Conservation District that are actively farmed will continue to be available for agricultural use. The location of this redevelopment area allows the concentration of development within an existing development corridor and avoids the need to utilize other less developed and more environmentally sensitive areas of the Township. Wooded areas and stream corridors will be protected from development.

- d. *To protect the rural character and unique sense of place of the Township.*

Rationale: Concentration of housing within this redevelopment area will reduce development pressures in other more rural and environmentally sensitive areas of the Township. The redevelopment area preserves most of the woodland west of Scotch Road as a natural buffer to the residential neighborhood to the west. Surrounding land to the north will also be preserved protecting the vista between Co. Rt. 546 south to the redevelopment area helping to retain the rural aspect of this scenic corridor.

- e. *To promote the goals and objectives of Hopewell Township through the incorporation of local policies and strategies that respond to the basic premises, intent and purposes*

*of the State Development and Redevelopment Plan and the Mercer County Master Plan.*

Rationale: Pursuant to the settlement agreement between Hopewell Township and FSHC, the subject property will be an integral part of the Township's response to its affordable housing obligation. The State Planning Commission has placed the site in Planning Areas 2 and 3, an area in which the State Development and Redevelopment Plan (SDRP) encourages growth and the production of inclusionary development. The Mercer County Master Plan supports the goals and objectives of the SDRP. More information about how this Redevelopment Plan relates to the SDRP and Mercer County's Master Plan can be found in section 6, Plan Consistency Review.

*f. To continue and expand upon land use policies that promote controlled development at suitable locations and appropriate intensities by directing and limiting the more intense development to areas where sanitary sewer service and public water supplies exist or are planned, and by discouraging the extension of growth-inducing infrastructure into rural areas.*

Rationale: The SDRP locates the portion of the redevelopment area east of Scotch Road within the Suburban Planning Area (PA-2), where infrastructure exists and growth is encouraged. The area west of Scotch Road is in the Fringe Planning Area (PA-3) intended to accommodate growth in the future.

The site is particularly appropriate for higher density housing due to:

- proximity to Interstate 95
- the ability to provide public water and sewer to the site (most land located within ELSA sewer service area)

*g. To provide for a variety of housing types which respond to the needs of households of varying size, age and income, persons with disabilities and emerging demographic characteristics.*

Rationale: Over the past 40 years, household sizes have been steadily decreasing, while there has been an increase in the percentage of older households. The demographic trends indicate that virtually all of New Jersey's growth over the next 20 years will be in smaller households that are under 35 and over 55. These are households that need smaller housing units and that tend to rent, and demographers that study changes in household formation on housing demand project a strong increase in demand for rental housing.

Regarding the younger households, the Joint Center for Housing Studies at Harvard University concludes:

Meanwhile, the aging of the millennial generation over the coming decade will lift the number of households in their 30s by 2.4–3.0 million, depending

on immigration trends. But these numbers vastly understate the impact of this group on housing demand since they will account for most newly formed households in the coming decade. Indeed, the millennials will make up fully 24 million new households between 2015 and 2025, *thus driving up demand for rentals and starter homes.*<sup>1</sup> (emphasis provided)

In addition, the Joint Center for Housing Studies at Harvard University notes the following national trend regarding rentals:

Two broad trends will drive future growth in renters: the imminent surge in the number of older households and the increasing racial/ethnic diversity of younger age groups. Over the coming decade, the number of renters aged 65 and older is projected to rise by about 2.2 million and account for roughly half of all renter growth. *The aging of the population also means that the share of renters that are single persons or married couples without children will soar.*

The redevelopment at the subject property thus responds not only to a wide range of incomes, but also to the varying household size and age characteristics, and emerging demographic trends that will continue to impact the Township and the region.

*h. To promote and support the development and redevelopment of affordable housing intended to address the Township's fair share of the region's lower income housing, particularly in areas served by public transportation which connect to areas of employment.*

Rationale: The redevelopment of the subject property is an integral part of a settlement to address the Township's round three fair share obligation. It is located close to Interstate 95 and in the heart of a regional employment node with major highway access to an even wider range of regional employment opportunities.

*i. To provide a range of housing opportunities within the Township, with densities and lot sizes that respond to the capabilities and limitations of natural systems and available infrastructure.*

Rationale: The varied housing types proposed within the redevelopment area will expand the range and diversity of Hopewell's housing supply. The subject property lies within the ELSA sewer service area.

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<sup>1</sup> State of the Nation's Housing, 2014, page 16.



- j. To establish transportation policies and programs that improve connections among housing, employment and commercial uses, including provisions for vehicular and pedestrian travel and bicycle paths.*

Rationale: The subject property is consistent with this goal in that the housing has a direct access to employment and commercial opportunities through its location adjacent to the Merrill Lynch campus and very close to the Interstate 95 interchange. Pedestrian and bicycle circulation systems will be incorporated in the design to connect open spaces, municipal facilities and common areas.

- k. To control development in rural areas so that traffic will not exceed the capacity of the existing rural road network and historic bridges to provide safe, efficient and convenient traffic movements based on rural road service standards designed to minimize the character of the community.*

Rationale: Scotch Road and its interchange with Interstate 95 were designed and constructed to accommodate millions of square feet of research and office development. With less than one third of the potential office floor area developed to date and little demonstrated demand for additional office space at this location, substantial traffic carrying capacity exists within this redevelopment area. Traffic signals control key access points to the Scotch Road. The use of the subject property for higher density affordable housing and commercial uses concentrate these traffic generators close to arterial highways and away from the more rural parts of Hopewell Township.

The spirit of Hopewell Township's Master Plan goals and objectives has served to guide this Redevelopment Plan, ensuring it promotes the Township's long-standing goals and objectives, and that the resulting redevelopment will harmonize with established nearby neighborhoods and preserve the high quality of life in Hopewell.

### **3. LAND USE AND BUILDING REQUIREMENTS**

This Redevelopment Plan shall supersede Hopewell's Land Use and Management Ordinance (Chapter 17) in the event of conflict. The general standards set forth in the Hopewell Township Land Use Ordinance shall continue to apply except when inconsistent with the standards set forth in this Redevelopment Plan.

This Redevelopment Plan provides for the development of mixed-use and multi-family residential inclusionary neighborhoods containing up to 465 affordable units, of which at least 185 shall be family rental units.

**3.1 REDEVELOPMENT AREA ZONES** - The redevelopment area is divided into the following zones:

Block 93 Lots 3.01, 5.01 and 6.01 –Inclusionary Planned Development 1 - Mixed-use center.

Block 91 Lots 3.11 and 3.95 –Inclusionary Planned Development 2 – Residential uses including single family homes, townhouses and apartments.

Block 91 Lots 3.14, 3.161, 3.181, 3.191, 3.22, and 3.961 - Inclusionary Planned Development 3 - Mixed-use neighborhood of medical/health facilities with a continuing care community.

### 3.2 *PERMITTED USES*

- A. Inclusionary Planned Development 1- – Mixed-use center with up to 100,000 square feet of retail sales and services and restaurant uses, with residential apartments on upper floors. Grocery stores, pharmacies, banks, restaurants, convenience-oriented retail stores, professional, general and business offices and institutional uses. Drive-thru lanes are permitted for grocery, pharmacies, banks and restaurants provided they are located at the side or rear of the building. Residential uses include single family homes, townhouses and apartments and customary accessory uses such as facilities and structures designed for recreation or community use, private garages and carports, swimming pools with outdoor dining areas, dog runs, tot lots and pedestrian and bicycle paths.
- B. Inclusionary Planned Development 2– Residential uses including single family homes, townhouses and apartments and customary accessory uses such as facilities and structures designed for recreation or community use, private garages and carports, swimming pools with outdoor dining areas, dog runs, tot lots and pedestrian and bicycle paths.
- C. Inclusionary Planned Development 3 - Mixed-use neighborhood including medical/health facilities (medical-related commercial uses, health clubs, physical therapy, same-day surgery) and a continuing care community of independent senior living units, assisted living, memory care, adult day care, nursing home and related elements in the continuum of care for the aging and infirm.

### 3.3 *BULK AND AREA REQUIREMENTS*

#### A. Residential Uses

- 1) Apartments shall be permitted either over commercial uses, in apartment buildings or in connection with the continuum of care community (in which case they may be age restricted), where the following would apply:
  - a) Minimum lot area – 1 Acre

- b) Maximum density – 75 units per acre
- c) Maximum lot coverage – None - N/A
- d) Maximum building height when no retail or parking on first floor – 55'
- e) Maximum building height with retail or parking on first floor – 70'<sup>1</sup>
- f) Maximum building length – None - N/A
- g) Maximum number of units per building – None - N/A
- h) Minimum setback to streets – 20 feet for structures; 10 feet for parking areas
- i) Minimum setback from other buildings:
  - Front to front – 50'
  - Front to side – 30'
  - Side to side – 20'
  - Rear to rear – 50'
  - Rear to side – 30'
- j) Minimum front yard setback – 20 feet
- k) Minimum side yard setback – 20 feet.
- l) Minimum rear yard setback – 25 feet
- m) Parking – 1.25 parking spaces per unit

2) Townhouses

- a) Minimum Lot Width for individual unit – 16 feet
- b) Minimum Lot Depth – 60 feet
- c) Minimum front yard setback - 15 feet
- d) Minimum Rear yard Setback – 15 feet
- e) Minimum Side Yard Setback – 15 feet (0-feet for attached units)
- f) Minimum distance to other buildings – 25'
- g) Maximum units per townhouse building – 8
- h) Maximum units per stacked townhouse building - 16
- i) Parking – 1.75 parking spaces per unit

3) Single-Family units

- a) Minimum Lot Area – 5,000 square feet
- b) Minimum Lot Width – 50 feet
- c) Minimum Lot Depth – 100 feet
- d) Minimum front yard setback – 20 feet
- e) Maximum front yard setback – 25 feet
- f) Minimum Rear yard Setback – 15 feet
- g) Minimum Side Yard Setback – 5 feet
- h) Parking – 2 parking spaces per unit

B. Non-residential and mixed uses

- a. Min. Lot Size 22,000 sq. ft.<sup>2</sup>

b.	Min. Lot Width	50 ft.
c.	Min. Lot Depth	50 ft.
d.	Min. Front Yard to Scotch Road	100 ft. for buildings over 35 ft. 70 ft. for buildings up to 35 ft.
e.	Min. Side Yard	None – N/A
f.	Min. Rear Yard	None – N/A
g.	Max. Building Height	70 ft. East of Scotch Road 55 ft. West of Scotch Road <sup>1</sup>
h.	Max. Lot Coverage	65%
i.	Min. Parking Ratio	3.0 spaces per 1,000 SF non-residential

Note 1. Notwithstanding the requirements above, non-residential uses may be subdivided along lease lines with appropriate cross access and parking easements.

Note 2. Max. Building Height permitted to be 70 feet when residential is provided over retail and/or parking.

### 3.4 VERY LOW, LOW AND MODERATE INCOME HOUSING REQUIREMENTS

- A. Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for the split between very low, low and moderate income housing. A minimum of 13% of the affordable units shall be very low income units affordable to households earning 30% of the median income; and 37% of the affordable units shall be low income units. The balance of units (50 percent) shall be moderate income units.
1. The affordable housing units shall be located in more than one building.
  2. Development within the Redevelopment Area will include a 20% set aside of all residential units (up to 465 units) that will be affordable to very low, low and moderate income households. Age-restricted units are permitted with a township-wide cap of 25%.
  3. The Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.
  4. There shall be a control period pursuant to N.J.A.C. 5:80-26.11 of not less than 40 years for all affordable units.

### 3.4 OTHER REQUIREMENTS

Building Design. The design of the residential buildings shall be of a residential character and not institutional and an integrated architectural theme shall be utilized throughout each neighborhood, including principal and accessory buildings and structures and all signage.

1. Architectural elevations and floor plans shall be provided for each type of building.
2. Maximum length of buildings shall not exceed 225 feet unless a 4' offset is provided in the facade. Variations in setback, materials, colors and design including breaks in the building façade shall be encouraged to reduce and separate the building mass.
3. Rooflines shall be pitched. If flat roofs are provided, they shall incorporate green design techniques including either vegetation or solar collection and shall be designed to shield any roof-mounted equipment.
4. All HVAC and mechanical equipment shall be adequately screened from view.
5. All multiple family dwelling buildings and all accessory buildings and structures, including signs, shall be designed in a unified architectural style.
6. Building design shall include spare electrical conduit to permit future installation of rooftop mounted solar.

B. Circulation.

1. A boulevard treatment shall form the circulation spine of the development.
2. Pedestrian and/or bicycle circulation systems shall be designed to extend through and connect with open space and common areas both on and off site.

C. Open Space.

1. Parks and trails are essential elements of place. Pedestrian-friendly neighborhood design shall include trees for shade and natural beauty, parks and green spaces to foster positive community and social interaction in communal spaces that are safe and conveniently located.
2. The open space requirement for the IPD Districts shall be substantially satisfied by the dedication of 174 acres on the west side of Scotch Road, pursuant to the Settlement Agreement. Nonetheless, neighborhood-scale open spaces shall also be distributed throughout the developed areas, including small neighborhood parks (approximately 5,000 square feet) and green spaces.

3. The site landscape design shall include a component to assist the township in meeting Tree City qualifications.
- D. Utilities/Services. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.
- E. Stormwater Management Plan. Stormwater designs shall use as naturalized designs and shall promote water quality, minimize maintenance and provide for groundwater recharge. Use low impact development design techniques to the greatest extent practicable. Where possible use geologic formations to enhance groundwater recharge.

### 3.6 *VARIANCES AND INAPPLICABLE ORDINANCES*

- A. The Planning Board is authorized to grant, pursuant to NJSA 40:55D-70c, variances from the redevelopment standards and other zoning standards that are not superseded by the redevelopment plan. The Planning Board is also authorized to grant waivers from design standards.
- B. In order to achieve the number of affordable units and related market rate units provided for in the settlement agreement, the site design may require deviation from strict application of certain municipal design standards. In all cases, NJDEP Flood Hazard Area rules, wetland rules including wetland buffers shall be complied with. Should deviations from stream corridor standards be necessary, stream corridor averaging shall be used to minimize the total area of stream corridor that is lost because of the deviation.
- C. The developer of the redevelopment area may also request relief from other cost generative features of land use ordinances.

### 3.7 *MUNICIPAL COOPERATION WITH UTILITIES*

- A. The Township shall confirm in writing its support of submission and applications for all utilities (specifically water and sewer) and all necessary government agency or private utility approvals related to all aspects of the development within five (5) business days of a written request for such support from the developer. Specifically, the Township shall assist the developer in discussions with ELSA, Trenton Water, Mercer County, NJDOT, NJDEP, the DRCC and any other public or private entity with which the developer must deal in order to develop the subject property, including any effort the developer may make to decrease the fees charged by ELSA. The Township

shall assist in acquiring rights-of-way or easements if necessary. The township will support the use of other redevelopment tools as prescribed by law.

#### **4. REDEVELOPMENT ACTIONS**

##### *4.1 OUTLINE OF PROPOSED ACTIONS*

Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan. The redeveloper will be required to enter into a Redeveloper's Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing shall be governed as permitted therein.

##### *4.2 PROPERTIES TO BE ACQUIRED*

This Redevelopment Plan will require the dedication of 174 acres within the Redevelopment Area to Hopewell Township, as detailed in 3.5C above.

##### *4.3 RELOCATION*

This Redevelopment Plan will not displace or relocate any residents within the Plan Area.

##### *4.4 ADMINISTRATIVE PROVISIONS*

Redevelopment activities within the Redevelopment Area shall comply with all requirements in any executed redevelopment agreement between a designated redeveloper and the Township of Hopewell.

#### **5. PLAN CONSISTENCY REVIEW**

##### *5.1 RELATIONSHIP TO EWING TOWNSHIP MASTER PLAN*

The Redevelopment Area is adjacent to Hopewell's border with Ewing Township, where the zoning to the southwest is R-1 (single family residential) and to the southeast is the Industrial Park (IP-1) Zone that surrounds the Mercer County Airport.

The redevelopment of the subject property will not have a substantial impact on the Ewing Township Master Plan, as:

- the area of Ewing closest to the subject property is virtually fully developed;
- the proposed land use is consistent with other land uses in the area; and
- I-95 will accommodate much of the proposed community's traffic.

Route 95 physically separates the subject properties from all development to the south in Ewing and the lands closest to Ewing are already developed with the Capital Health campus.

## 5.2 RELATIONSHIP TO THE MERCER COUNTY MASTER PLAN

The Mercer County Master Plan (amended in 2016) supports the basic goals, objectives and strategies of the State Development Redevelopment Plan. It focuses on combating urban sprawl and capitalizing on available transportation infrastructure. The use of the subject property for inclusionary development is consistent with the following housing and transportation goals (MCMP pages 30 and 32):

1. Focus on housing needs of the work force.
2. Address the housing needs of both lower-income and moderate-income households
3. Through planning efforts, continue to make efficient use of existing road infrastructure including the implementation of access management concepts to maximize the efficiency of the existing roadway system.

## 5.3 RELATIONSHIP TO STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The Redevelopment Area includes lands in Planning Area 2 (PA2) and Planning Area 3. The SDRP envisions itself as a growth management plan in which PA2 is one of the areas in which the SDRP promotes growth, including higher density inclusionary development and PA-3 is an area where growth is to be accommodated. Among the goals for PA2 is a preferred location for inclusionary development. The SDRP's goals for PA-2 include:

- a. Guiding development in more compact forms,
- b. Encouraging densities that promote transit,
- c. Providing for a full range of housing choices, and
- d. Encouraging redevelopment.

The SDRP is designed to use land and transportation infrastructure efficiently and minimize commuting times. The subject property is a convenient location for households looking for a well situated base from which to commute to work or travel to regional shopping and recreational facilities.

The adopted housing policies of the State Development and Redevelopment Plan (SDRP) are specifically advanced by this redevelopment plan, as seen in the highlighted excerpt below:

***#6. Housing – Preserve and expand the supply of safe, decent and reasonably priced housing while meeting the constitutional mandate with respect to affordable housing through improved planning, regulatory reform, supportive infrastructure investments, housing subsidies, tax and discounted fee incentives and municipal property tax relief in ways that are consistent with the vision and goals of the State Plan.***



## **6. GENERAL PROVISIONS**

### *6.1 AMENDMENT TO ZONING MAP AND LAND DEVELOPMENT ORDINANCE*

The Zoning Map of the Township of Hopewell is hereby amended to indicate the location of the Inclusionary Multifamily Development - 1 Zone and reference this Redevelopment Plan.

### *6.2 DEFINITIONS*

The “Definitions” section of the Township’s Land Development Ordinance shall govern unless a word is otherwise defined herein.

### *6.3 VARIANCE REQUESTS*

Hopewell Township’s Master Plan goals and policies have been designed to permit managed growth in appropriate locations and to protect the many valuable environmental and cultural features of the natural and man-made landscape. These primary objectives continue to govern this redevelopment plan.

Within this context, the Hopewell Township Planning Board may grant variances from the regulations within this Redevelopment Plan, where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any bulk regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Hopewell Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan.

An application for site plan approval shall provide public notice of such application and shall further identify all requested variances from the regulations contained herein.

Notwithstanding the above, no variances shall be granted that would permit a use or principal structure not permitted by the Redevelopment Plan or an increase in the maximum permitted floor area ratio or an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less, which can only be modified by a duly adopted amendment to this Redevelopment Plan.

#### 6.4 REQUESTS FOR DESIGN EXCEPTIONS

The Hopewell Planning Board may grant exceptions from the “should” regulations contained within this Redevelopment Plan as may be reasonable and within the general purpose and intent of this Redevelopment Plan or if the literal enforcement of one or more provisions is impractical or will exact undue hardship because of peculiar conditions related to the property in question.

#### 6.5 SITE PLAN AND SUBDIVISION REVIEW

Within the Redevelopment Area, subdivisions and/or site plans providing for the demolition of existing improvements and construction of new buildings and other improvements shall be prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and shall be submitted by the redeveloper for review and approval by the Township of Hopewell Planning Board.

To assure the comprehensive and coordinated development of the Redevelopment Area, any site plan presented to the Hopewell Planning Board shall be consistent with the terms of this Redevelopment Plan and shall include a preliminary site plan including proposals on the following elements:

- An overall development plan (bubble diagram) for the Redevelopment Area identifying the traffic circulation system, land use types, building heights, floor areas of each building and the number of residential units.
- Architectural elevations, renderings and floor plans.
- A circulation and streetscape plan, indicating the overall design with a boulevard street entry, and locations and types of materials to be used, including pavements, trees and other plantings and any street furniture. Pedestrian and/or bicycle circulation systems shall be designed to extend throughout the development and connect with open space and common areas.
- Parking, loading and vehicular access plan. A traffic circulation analysis shall analyze traffic conditions in the project vicinity and identify existing traffic problem areas as well as the cumulative effect of traffic from the redevelopment area on adjacent and affected roadways. Shared parking arrangements are permissible, subject to a showing of parking sufficiency.
- Landscape plan. Use indigenous and non-invasive species to the greatest extent practicable.
- Utility plan.
- Stormwater Management Plan. Stormwater designs shall use as naturalized designs and shall promote water quality, minimize maintenance and provide for groundwater recharge. Use low impact development design techniques

to the greatest extent practicable. Where possible use geologic formations to enhance groundwater recharge.

- Lighting plan. Use LED and low energy use lighting. Accommodate Dark Sky design standards to the greatest extent practicable.

No permits shall be issued for construction of buildings within the Redevelopment Area until the Hopewell Planning Board has granted final site plan approval for such improvements.

The criteria for the consideration and approval of the site plan shall be in conformance with the requirements of this Redevelopment Plan, the site plan provisions of the Township of Hopewell Land Use Ordinance and the executed Redevelopment Agreement between the redeveloper and the Township of Hopewell.

#### *6.6 GENERAL DEVELOPMENT PLAN*

The developer(s) of the IPD Zone Districts may submit a general development plan to the approving authority for review and approval prior to submitting a preliminary plat. The submission shall be in accordance with section 17-126. The design standards for required improvements shall comply with the approved general development plan and the provisions of this ordinance that have not been modified by the approved general development plan.

#### *6.7 AFFORDABLE HOUSING*

The IPD Zones respond to the terms of a Settlement Agreement between CF Hopewell and Hopewell Township. This agreement requires that the Redevelopment Area will include a 20% set aside of all residential units (up to 465 units) that will be affordable to very low, low and moderate income households. Of this total, at least 185 of the affordable units will be family rentals and at least 13% will be very low-income units (and such very low-income units are anticipated to be rental units). Age-restricted units are permitted with a township-wide cap of 25%.

#### *6.8 ADVERSE INFLUENCES*

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

#### *6.9 NON-DISCRIMINATION PROVISIONS*

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by any redeveloper or any of his successors or assignees, whereby

the sale, lease, use or occupancy of land within the Redevelopment Area is restricted on the basis of race, creed, color, sexual orientation or national origin. Appropriate covenants, running with the land in perpetuity, shall prohibit any such restrictions and shall be included in the disposition instruments.

#### *6.10 DURATION OF THE PLAN*

The provisions of this Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of 30 years from the date of approval of this plan by the Township Committee.

### **7. OTHER PROVISIONS**

#### *7.1 STATEMENT ABOUT REDEVELOPMENT*

In accordance with N.J.S.A. 40A:12A-1 et seq., known as The Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the Plan objectives.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- The Redevelopment Plan does not envision a need to acquire privately-owned properties or to relocate any residents or businesses.
- The Redevelopment Plan is substantially consistent with the intent of the Master Plan for the Township of Hopewell and advances the objectives of the Housing Element and Fair Share Plan. The Redevelopment Plan also advances the goals and objectives of the New Jersey State Development and Redevelopment.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Land Development Regulations of the Township of Hopewell regulating development in the area addressed by this Redevelopment Plan, except where stated otherwise within the text of this Plan. Final adoption of this Plan by the Township Committee shall be considered an amendment of the Township of Hopewell Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

#### *7.2 PROCEDURE FOR AMENDING THE APPROVED PLAN*

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee shall be paid pursuant to site plan fee schedule found in Section 126-35 "Fees" by the party requesting such amendment, unless the request is issued from any agency of Hopewell Township. The Township Committee, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.

# APPENDIX A

## Zoning Amendment Creating the Inclusionary Planned Development Zones

1. Amend the Land Use and Management Ordinance and Zoning Map to establish new **Inclusionary Planned Development** Districts as follows:

Block 93 Lots 3.01, 5.01, and 6.01 – IPD-1 Zone - Mixed-use center.

Block 91 Lots 3.11 and 3.95 – IPD-2 Zone – Residential uses including single family homes, townhouses and apartments.

Block 91 Lots 3.14, 3.161, 3.181, 3.191, 3.22, and 3.961 — IPD-3 Zone - Mixed-use neighborhood of medical/health facilities with a continuing care community.

2. Amend Section 17-126.3 Eligibility to read as follows:

General development plans shall be limited to the following eligibility standards.

- a. Sites must have a minimum of 250 acres of land area.
- b. Sites must be located within either the RO or IOP-G or the Inclusionary Planned Development (IPD) zoning districts.

3. Establish the Inclusionary Planned Development Districts as follows:

### **Inclusionary Planned Development Districts**

A. *Purpose:* The Inclusionary Planned Development (IPD) Districts provide for a mixed use community of inclusionary single family and multi-family residential neighborhoods and commercial and office uses. The Inclusionary Planned Development Zones respond to the terms of a Settlement Agreement between CF Hopewell and Hopewell Township. This agreement requires that the Redevelopment Area will include a 20% set aside of all residential units (up to 465 units) that will be affordable to very low, low and moderate income households. Of this total, at least 185 of the affordable units will be family rentals and at least 13% will be very low-income units. Age-restricted units are permitted with a township-wide cap of 25%.

A variety of housing types are provided to meet the needs of people of all ages and abilities, including senior housing options.

*B.1 Permitted Principal Uses in the IPD-1 Zone Mixed-use center*

Residential Uses

1. single family homes
2. townhouses , including stacked units
3. apartments

Non-residential uses not to exceed to 100,000 square feet of floor area including:

1. Grocery stores
  2. Pharmacies \*
  3. Banks \*
  4. Restaurants \*
  5. Convenience-oriented retail stores,
  6. Professional, general and business offices
  7. Institutional uses
  8. Retail sales and services with residential apartments on upper floors
- \* - Drive-thru lanes are permitted provided they are located at the side or rear of the building.

*B.2 Permitted Principal Uses in the IPD-2 Zone - Northeast Residential Zone*

1. single family homes
2. townhouses , including stacked units
3. apartments

*B.3 Permitted Principal Uses in the IPD-3 Zone - Southeast Mixed Use Zone*

1. Medical offices
2. Medical-related commercial uses
3. Health clubs
4. Physical therapy
5. Same-day surgery centers
6. Continuing care retirement community of up to 500 units and/or beds, consisting of:
  - a. independent senior living units
  - b. assisted living
  - c. memory care
  - d. adult day care
  - e. skilled nursing facilities

C. *Permitted Residential Accessory Uses:*

1. customary accessory uses, facilities and structures designed for recreation or community use
2. off street parking and private garages and carports
3. swimming pools with outdoor dining areas
4. dog runs
5. tot lots
6. pedestrian and bicycle paths.
7. Community clubhouse with fitness room, club room business center and furnished model.
8. Management and leasing offices.
9. Maintenance office/garage building not to exceed one (1) story in height and 1,500 square feet in floor area. The façade design shall match the residential structures.
10. Solid waste and recycling facilities.
11. Monument signs located at entrance to be constructed of stone or brick, not to exceed 100 square feet in area and eight (8) feet in height.
12. Utility structures and facilities needed to provide the direct service of gas, electricity, telephone, water, sewerage and cable television.

D. *BULK AND AREA REQUIREMENTS FOR USES IN THE INCLUSIONARY PLANNED DEVELOPMENT DISTRICTS*

1. *Residential Uses*

A. Apartments shall be permitted either over commercial uses or in apartment buildings, where the following would apply:

1. Minimum lot area – 1 acres
2. Maximum density – 75 units/ acre
3. Maximum lot coverage – None – N/A
4. Maximum building height east of Scotch Road – 70’
5. Maximum building height west of Scotch Road – 55’
6. Maximum building length – None – N/A
7. Maximum number of units per building – None – N/A
8. Minimum setback to streets – 20 feet for structures; 10 feet for parking areas.
9. Min. Front Yard to Scotch Road - 100 ft. for buildings over 35 ft./50 ft. for buildings up to 35 ft.
10. Minimum setback from other buildings:
  - Front to front – 50’
  - Front to side – 30’
  - Side to side – 20’
  - Rear to rear – 50’
  - Rear to side – 30’
11. Minimum front yard setback – 20 feet.
12. Minimum side yard setback – 20 feet.



- 13. Minimum rear yard setback – 25 feet
- 14. Parking – 1.25 parking spaces per unit.

B. Townhouses, which may be family or age-restricted units.

- 1. Minimum Lot Width for individual unit – 16 feet
- 2. Minimum Lot Depth – 60 feet
- 3. Minimum front yard setback - 15 feet
- 4. Minimum Rear yard Setback – 15 feet
- 5. Minimum Side Yard Setback – 15 feet (0-feet for attached units)
- 6. Min. Front Yard to Scotch Road - 100 ft. for buildings over 35 ft./50 ft. for buildings up to 35 ft.
- 7. Minimum distance to other buildings – 25’
- 8. Maximum units per townhouse building – 8
- 9. Maximum units per stacked townhouse building - 16
- 10. Parking – 1.75 parking spaces per unit.

C. Single-Family units, which may be family or age-restricted units.

- 1. Minimum Lot Area – 5,000 square feet
- 2. Minimum Lot Width – 50 feet
- 3. Minimum Lot Depth – 100 feet
- 4. Minimum front yard setback – 20 feet
- 5. Maximum front yard setback – 25 feet
- 6. Minimum Rear yard Setback – 15 feet
- 7. Minimum Side Yard Setback – 5 feet
- 8. Maximum building height – 40 feet/2 1/2 stories
- 9. Parking – 2 parking spaces per unit.

2. *Non-residential and mixed use*

1.	Min. Lot Size	22,000 sq. ft. <sup>1</sup>
2.	Min. Lot Width	50 ft.
3.	Min. Lot Depth	50 ft.
4.	Min. Front Yard to Scotch Road	100 ft. for buildings over 35 ft. 50 ft. for buildings up to 35 ft.
5.	Min. Side Yard	None – N/A
6.	Min. Rear Yard	None – N/A
7.	Max.	55 ft. (35’ within 100’ of Scotch Road)

	Building Height	70 ft. (if over retail space or on East side of Scotch Road)
8.	Max. Lot Coverage	65%
9.	Max. Floor Area Ratio	0.50
10.	Minimum Parking Requirement	3 spaces per 1,000 square feet of non-residential building area

Note 1. Non-residential uses may be subdivided along lease lines with appropriate cross access and parking easements, in which case none of the standards in this Section 2 must be met except limitations on building height.

### 3. *Permitted Commercial Signage*

- i) Freestanding Monument Signs for Retail Center
  - (1) One sign permitted at each driveway to Scotch Road
  - (2) Maximum Height – 20 feet
  - (3) Maximum Sign Area – 200 square feet
  - (4) Sign Setback- 10 feet
  
- ii) Wall/Façade Signs for Shopping Center
  - 1. Maximum sign area – two (2) square feet per one (1) lineal foot of building width dedicated to the specific business or one hundred (100) square feet, whichever is larger.
  - 2. Anchor tenants are permitted façade signs equal to 10% of the total façade area.
  
- iii) Freestanding Signs for Pad Sites. One freestanding monument sign may be provided for each pad site.
  - (1) Maximum Height – 15 feet
  - (2) Maximum Sign Area – 100 square feet
  - (3) Sign Setback – 10 feet
  
- iv) Wall/Façade Signs for Pad Sites
  - (1) 75 square feet on primary/front façades.
  - (2) 50 square feet on internal facades.
  
- v) Two directional signs are permitted at each driveway entrance at a maximum height of 6-feet with a maximum area of 10 square feet.
  
- vi) Canopy signage is permitted in addition to the wall signs. The maximum sign area on the canopy shall not exceed 40 square feet per side.

- vii) Drive-thru establishments are permitted signage, intended for the drive-thru user only and not the general public, including a menu board, not to exceed 20 square feet, and directional signage for ordering lanes, not to exceed 2 square feet.

*GENERAL DEVELOPMENT PLAN*

The developer(s) of the Inclusionary Planned Development Districts may submit a general development plan to the approving authority for review and approval prior to submitting a preliminary plat. The submission shall be in accordance with section 17-126. The design standards for required improvements shall comply with the approved general development plan and the provisions of this ordinance that have not been modified by the approved general development plan.

*VERY LOW, LOW AND MODERATE INCOME HOUSING REQUIREMENTS*

1. Very low, low and moderate-income housing shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq. including standards for the split between very low, low and moderate income housing.
2. Twenty-percent (20%) of the total residential units, exclusive of assisted living, are to be set-aside as affordable housing (low- and moderate-income units) up to a maximum of 430 units.
3. Ten-percent (10%) of the assisted living units, are to be set-aside as affordable housing (low- and moderate-income units) up to a maximum of 50 units.
4. A minimum of 13% of the affordable units shall be very low income units, affordable to households earning 30% of the median income; and 37% of the affordable units shall be low income units. The balance of units (50 percent) shall be moderate income units.
5. The affordable housing units shall be distributed throughout the Inclusionary Planned Development Zones.
6. The Township-designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Developer.
7. At least 185 of the low- and moderate-income units shall be family rental units and shall not be age-restricted.
8. A maximum of 15% of the low- and moderate-income units may be age-restricted. Age-restricted affordable units shall be integrated into and distributed throughout the market-rate age-restricted development.
9. The production of low and moderate income units and market units shall be in accordance with the following schedule:

Minimum Percentage of Low and Moderate Income Units Completed

Percentage of Market Units Completed

0	25
10	25 + 1 unit
50	50
75	75
100	90

10. A Continuing care retirement community may include independent living units and assisted living beds, not to exceed a total of 500 units and/or beds. Up to 400 assisted living beds are permitted, of which at least 10 percent shall be reserved for Medicaid recipients, consistent with N.J.S.A. 26:2H 12.16, et seq. and N.J.A.C. 8:36-5.1, et seq.
11. All affordable residential units shall be subject to a control period pursuant to N.J.A.C. 5:80-26.11 of not less than forty (40) years.

*OTHER REQUIREMENTS*

1. Site Design - Any application for development or redevelopment shall include at least the following elements:
  - A. An overall development plan for the Redevelopment Area identifying land use types, building heights, floor areas of each building and the number of residential units, designed to be a vital and walkable place that:
    - is compact;
    - is designed for the human scale with buildings placed closer to the street and a variety of gathering places.
    - provides a mix of uses, including residential, commercial, civic green spaces in close within the neighborhood;
    - provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes;
    - incorporates environmental features into the design;
  - B. Architectural elevations, renderings and floor plans.
  - C. A circulation and streetscape plan, indicating the overall design with a boulevard street entry, and locations and types of materials to be used, including pavements, trees and other plantings and any street furniture. Pedestrian and/or bicycle circulation systems shall be designed to extend throughout the development and connect with open space and common areas.
  - D. Parking, loading and vehicular access plan. A traffic circulation analysis shall analyze traffic conditions in the project vicinity and identify existing traffic problem areas as well as the cumulative effect of traffic from the redevelopment area on adjacent and affected roadways. Shared parking arrangements are permissible, subject to a showing of parking sufficiency.

- E. Landscape plan. Use indigenous and non-invasive species to the greatest extent practicable.
- F. Open Space Plan. The open space requirement for the IPD Districts shall be substantially satisfied by the dedication of 174 acres on the west side of Scotch Road, pursuant to the Settlement Agreement. Nonetheless, neighborhood-scale open spaces shall also be distributed throughout the developed areas, including neighborhood parks (approximately 5,000 square feet) and green space. The site landscape design shall include a component to assist the township in meeting Tree City qualifications.
- G. Utility plan. All dwelling units within a structure shall be connected to approved and functioning public water and sanitary sewer systems prior to the issuance of certificates of occupancy.
- H. Stormwater management plan - . Stormwater designs shall use as naturalized designs and shall promote water quality, minimize maintenance and provide for groundwater recharge. Use low impact development design techniques to the greatest extent practicable. Where possible use geologic formations to enhance groundwater recharge.
- I. Lighting plan. Use LED and low energy use lighting. Accommodate Dark Sky design standards to the greatest extent practicable.
- J. Phasing plan – Phasing shall be indicated for all elements to be constructed as the development proceeds. This shall include the phasing of construction of utilities, access roads and key service components of the development, which may occur independent and in advance of building construction.

2. Building Design. The design of the residential buildings shall be of a residential character and not institutional and an integrated architectural theme shall be utilized throughout each neighborhood, including principal and accessory buildings and structures and all signage.

- A. Architectural elevations and floor plans shall be provided for each type of building.
- B. Maximum length of buildings shall not exceed 225 feet unless a 4’ offset is provided in the facade.2. Variations in setback, materials, colors and design including breaks in the building façade shall be encouraged to reduce and separate the building mass.
- C. Rooflines shall be pitched. If flat roofs are provided, they shall incorporate green design techniques including either vegetation or solar collection and shall be designed to shield any roof-mounted equipment.
- D. All HVAC and mechanical equipment shall be adequately screened from view.
- E. All multiple family dwelling buildings and all accessory buildings and structures, including signs, shall be designed in a unified architectural style.
- F. Building design shall include spare electrical conduit to permit future installation of rooftop mounted solar.

*VARIANCES AND INAPPLICABLE ORDINANCES*

- A. The Planning Board is authorized to grant (C) variances from the redevelopment standards and other zoning standards that are not superseded by the redevelopment plan. The Planning Board is also authorized to grant waivers from design standards.

- B. In order to achieve the number of affordable units and related market rate units provided for in the settlement agreement, the site design may require deviation from strict application of certain municipal design standards. In all cases, NJDEP Flood Hazard Area rules, wetland rules including wetland buffers shall be complied with. Should deviations from stream corridor standards be necessary, stream corridor averaging shall be used to minimize the total area of stream corridor that is lost because of the deviation.
- C. The developer of a redevelopment project proposing the construction of affordable housing shall be entitled to request relief from asserted cost generative features in the Township's land use ordinances as authorized by N.J.A.C. 5:93-10.1, *et seq.*

#### *MUNICIPAL COOPERATION WITH UTILITIES*

The Township shall confirm in writing its support of submission and applications for all utilities (specifically water and sewer) and all necessary government agency or private utility approvals related to all aspects of the development within five (5) business days of a written request for such support from the developer. Specifically, the Township shall assist the developer in discussions with ELSA, Mercer County, NJDOT, NJDEP, the DRCC and any other public or private entity with which the developer must deal in order to develop the subject property, including any effort the developer may make to decrease the fees charged by ELSA. The Township shall assist in acquiring rights-of-way or easements if necessary. The Township shall make available redevelopment tools for the subject property as fully as permitted by law.

#### *REDEVELOPER'S AGREEMENT*

The Redeveloper shall enter into an agreement with the municipality pursuant to the provisions of N.J.S.A. 40:55D-39 within 90 days of a memorialized Board resolution of final site plan approval setting forth variations from ordinary standards for preliminary and final approval to provide increased flexibility and promote mutual agreement between the applicant and the municipality at the time of conceptual master site plan approval. The substance of the Redeveloper's Agreement shall be consistent with the laws of the State of New Jersey, the Hopewell Land Use Code and the conditions and standards applicable to development in the zone. The Redeveloper's Agreement shall be in a form satisfactory to the Township Attorney and the Redeveloper, shall be assignable to such other redeveloper or redevelopers as are reasonably acceptable to the Township at no cost, and may include, but is not limited to, provisions relating to the following:

- Building layout and use.
- Signage: Criteria to ensure a harmonious signage design for the entire development, which shall include lettering style, lighting standard types, sign material and sign lighting.

- Architecture: Architectural design standards to ensure that the development will result in an aesthetically-harmonious design which may include external building materials, fenestration, color, mechanical penthouse screening and roof appearance where visible from adjoining buildings of higher elevation. Upon application by the developer and upon approval of the Planning Board, architectural criteria may be revised from time to time.
- Lighting plan: to ensure a uniform lighting plan to provide safe and attractive lighting for exterior roads, interior roads and driveways, parking lots, walkways and landscape display lighting.
- Landscaping: to ensure retention of natural vegetation, landscaping of parking areas, landscaping of building sites and the screening of trash collection and removal areas, buffering and wind shielding, pedestrian and bike linkages between buildings and the entire tract to encourage free passage while discouraging conflict with vehicular traffic.
- Recreation: Active and passive recreational facilities, such as jogging and fitness trails, passive sitting areas, and other athletic facilities shall be provided for the benefit of building occupants.
- Maintenance: Developer's obligation to maintain: provisions for maintenance and repair by the developer, or his successors, of building exteriors, trash removal and maintenance of public improvements until acceptance, landscaping, buffered areas and open spaces.
- Payment In Lieu Of Taxes Agreement

#### *PLAN AMENDMENT*

Amendments to the Redevelopment Plan may be adopted in order to meet changing circumstances within and affecting the Redevelopment Area and the Township, but any site plan must be consistent with the adopted or amended Redevelopment Plan and conform to the design requirements of the ordinance.