

ORDINANCE #30-22

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN IN CONNECTION WITH THE NATIONAL AMUSEMENT THEATER SITE, LOCATED ON ROUTES 9 & 35 IN THE BOROUGH OF SAYREVILLE, STATE OF NEW JERSEY AND DESIGNATED AS BLOCK 265, LOT 1; BLOCK 273, LOT 1; AND BLOCK 274.01, LOT 1 ON THE MUNICIPAL TAX MAP IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING THE GENERAL ORDINANCES AND ZONING MAP OF THE BOROUGH OF SAYREVILLE

WHEREAS, the Borough Planning Board (the “Planning Board”) was directed by the Borough Council, pursuant to Resolution dated May 10, 2021 to conduct a preliminary investigation in order to investigate whether the former National Amusement Theater site located on Route 9 and State Highway 35, Sayreville, New Jersey and identified as Block 265, Lot 1; Block 273, Lot 1; and Block 274.01, Lot 1 on the Municipal Tax Map, inclusive of any and all streets, paper streets, private drives and right of ways (the “Study Area”) should be determined to be a Non-Condensation Area in Need of Redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the “LRHL”); and

WHEREAS, the Planning Board received Borough Council Resolution dated May 10, 2021, and directed Michael P. Fowler Associates, LLC (“Fowler”) to perform a preliminary investigation as to whether the Study Area constitutes an “area in need of redevelopment” in accordance with the LRHL; and

WHEREAS, on August 18, 2021, the Planning Board held electronically a special meeting, at which time a report was presented by Fowler, that concluded that the property met the statutory criteria to be designated as an area in need of redevelopment. The Planning Board made a recommendation to the Borough Council concurring with Fowlers’ report and testimony; and

WHEREAS, the Borough Council subsequently adopted Resolution No. 2021-241 designating Block 265, Lot 1; Block 273, Lot 1; and Block 274.01, Lot 1 (the “Area”) as a non-condemnation area in need of redevelopment, and authorized CME Associates to prepare a Redevelopment Plan; and

WHEREAS, CME Associates prepared a proposed a redevelopment plan dated December 23, 2021 (the “Plan”), which is attached hereto as Exhibit A, and said Plan was referred by the Borough Council to the Planning Board for review in accordance with the provisions of N.J.S.A. § 40A:12A-7(e); and

WHEREAS, at its June 15, 2022 meeting, the Planning Board approved the aforementioned Plan and memorialized its actions on July 20, 2022, and referred the Plan to the Borough Council for review and approval; and

WHEREAS, the Borough Council has reviewed said Plan and wishes to adopt the same and amend its Zoning Map and General Ordinances to include the land use, bulk requirements, and design standards contained in the Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Sayreville, County of Middlesex, State of New Jersey, as follows:

Section 1. The Borough hereby approves and establishes the Plan, which is attached hereto as Exhibit A, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The Plan shall supersede all provisions of the Zoning and General Ordinances of the Borough of Sayreville regulating development in the area addressed by the Plan, unless otherwise noted in the Plan.

Section 3. Final adoption of the Plan by the Borough Council shall be considered an amendment of the Borough of Sayreville Zoning Map. The Zoning District Map in the Zoning Ordinances of the Borough shall be amended to include the boundaries described in the Plan and the provisions therein.

Section 4. All of the provisions of the Plan shall supersede the applicable development regulations of the Borough's Ordinances, as and where indicated, for the properties subject to said Plan. In the event of any inconsistencies between the provisions of the Plan and any prior ordinance of the Borough of Sayreville, the provisions of the Plan shall govern.

Section 5. Chapter XXIII entitled "Zoning" of *The Revised General Ordinances of the Borough of Sayreville*, is hereby supplemented and amended to include the land use, bulk requirements, and design standards contained in said Redevelopment Plan for lands known as Block 425, Lot 2.02.

Section 6. A copy of this Ordinance shall be forwarded to the Planning Board in accordance with N.J.S.A 40A:12A-7e.

Section 7. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

Section 8. The within Ordinance shall take effect in the time and manner provided by law.

Exhibit A

INTRODUCED/APPROVED ON FIRST READING

DATED: September 12, 2022

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: September 27, 2022

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Christian Onuoha, Councilman
(Planning & Zoning Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2022.

Victoria Kilpatrick, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

MICHAEL DUPONT, ESQ., Borough Attorney