

Introduced: May 11, 2020

Adopted: June 8, 2020

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

ORDINANCE #2020-12

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE, IN THE COUNTY OF ESSEX, NEW JERSEY APPROVING THE 4<sup>TH</sup> & VALLEY REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land located therein constitutes an area in need of redevelopment; and

**WHEREAS**, on March 11, 2019, the Board of Trustees (the "**Board of Trustees**") of the Township of South Orange Village (the "**Village**"), adopted Resolution 2019-067 directing the Village Planning Board (the "**Planning Board**") to undertake an investigation to determine whether all or a portion of certain property identified on the tax maps of the Village as Block 2303, Lots 7, 8, 9, 10 and 11 constitute a condemnation area in need of redevelopment (the "**Study Area**") pursuant to the Redevelopment Law; and

**WHEREAS**, the Planning Board caused Topology (the "**Planning Consultant**") to conduct an investigation to determine whether the Study Area should be designated an area in need of redevelopment; and

**WHEREAS**, the Planning Board received a report setting forth the basis for the investigation and a map depicting the Study Area prepared by the Planning Consultant dated September 17, 2019, entitled, "Preliminary Investigation, 4<sup>th</sup> Street at Valley Street South Orange, NJ Block 2303, Lots 7, 8, 9, 10 +11" (the "**Report**"); and

**WHEREAS**, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its recommendation to the Board of Trustees as to whether the Study Area should be designated as a condemnation area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a condemnation area in need of redevelopment; and

**WHEREAS**, the Planning Board held a duly noticed public meeting at which the Planning Board reviewed the Report, heard testimony from representatives of the Planning Consultant, conducted a public hearing during which all persons who were interested in or would be affected by a determination regarding the Study Area the opportunity to be heard; and

**WHEREAS**, the Planning Consultant concluded in the Report and testified to the Planning Board on December 10, 2019 that the Study Area satisfies the criterion for a

redevelopment area designation as set forth in the Redevelopment Law pursuant to *N.J.S.A.* 40A:12A-5; and

**WHEREAS**, after the conclusion of the public hearing described above, the Planning Board adopted a resolution accepting and adopting the recommendation contained in the Report, and recommending that the Study Area be declared a condemnation area in need of redevelopment, in accordance with the Redevelopment Law, for the reasons set forth in the Report; and

**WHEREAS**, on December 16, 2019, the Planning Board adopted a resolution memorializing its recommendation that the Study Area be designated as a condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, the Board of Trustees agreed with the conclusion of the Planning Board that the Study Area satisfies the criterion for redevelopment area designation set forth in the Redevelopment Law and found that such conclusion was supported by substantial evidence; and

**WHEREAS**, by Resolution 2020-029 dated January 27, 2020, the Board of Trustees declared the Study Area as a condemnation area in need of redevelopment (hereinafter, the "**Redevelopment Area**"), pursuant to *N.J.S.A.* 40A:12A-6; and

**WHEREAS**, in order to develop the Property as envisioned by the Village, it is necessary to adopt a redevelopment plan with respect thereto; and

**WHEREAS**, the Planning Consultant prepared such a plan, entitled "4<sup>th</sup> & Valley Redevelopment Plan" amended as of April 8, 2020, attached hereto as **Exhibit A**, (the "**Redevelopment Plan**"); and

**WHEREAS**, the Board of Trustees desire to have the Planning Board review and comment on the Redevelopment Plan pursuant to *N.J.S.A.* 40A:12A-7(e).

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE, IN THE COUNTY OF ESSEX, NEW JERSEY AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** Pursuant to *N.J.S.A.* 40A:12A-7(e), the Board of Trustees hereby refer the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the Redevelopment Plan and submit same to the Board of Trustees within 45 days after referral, as required by the Redevelopment Law.

**Section 3.** Contingent upon the receipt of the Planning Board's recommendations, the Board of Trustees hereby adopt the Redevelopment Plan, substantially in the form attached hereto, pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

**Section 4.** The zoning district map included in the zoning ordinance of the Village is hereby amended to reference and delineate the property described and governed by the Redevelopment Plan. All of the provisions of the Redevelopment Plan shall supersede the applicable development regulations of the Village's municipal code, as and where indicated.

**Section 5.** If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

**Section 6.** A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Village Clerk during regular business hours.

**Section 7.** This Ordinance shall take effect in accordance with all applicable laws.

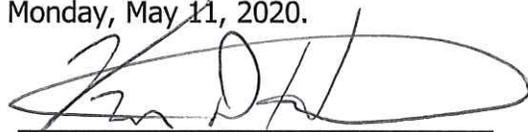
# # #

Introduction – First Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Coallier		X	X			
Hartshorn Hilton			X			
Jones			X			
Schnall	X		X			
Zuckerman			X			

CERTIFICATION

I, Kevin D. Harris, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was introduced on first reading by the Board of Trustees at their regular meeting held on Monday, May 11, 2020.



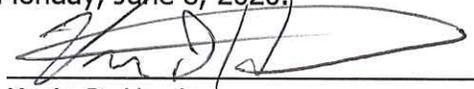
Kevin D. Harris  
Village Clerk

Adoption – Second Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Coallier			X			
Hartshorn Hilton			X			
Jones			X			
Schnall		X	X			
Zuckerman	X		X			

CERTIFICATION

I, Kevin D. Harris, Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this Ordinance was adopted on second reading by the Board of Trustees at their regular meeting held on Monday, June 8, 2020.

A handwritten signature in black ink, appearing to read "Kevin D. Harris", written over a horizontal line.

Kevin D. Harris  
Village Clerk

**EXHIBIT A**

4<sup>th</sup> & Valley Redevelopment Plan

# 4TH & VALLEY REDEVELOPMENT PLAN

**MARCH 27, 2017  
AMENDED APRIL 8, 2020**

**PREPARED FOR:  
TOWNSHIP OF SOUTH ORANGE VILLAGE  
BY:  
TOPOLOGY**





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Date Adopted: \_\_\_\_\_

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12

\_\_\_\_\_  
Philip A. Abramson  
PP# 33LI00609600





## 1.1 INTRODUCTION

On March 9, 2015, by Resolution No. 2015-45, the Board of Trustees (the “Trustees”) of the Township of South Orange Village (the “Village”) adopted a resolution designating the entire Village as an “area in need of rehabilitation.” The Trustees then adopted Ordinance #2017-10 on April 24, 2017, adopting the original version of this Redevelopment Plan, dated March 27, 2017.

By Resolution 2019-67 adopted on March 11, 2019, the Trustees authorized the Planning Board of the Village to investigate whether Block 2303, Lots 7, 8, 9, 10 and 11 meet the criteria to be designated as an “area in need of redevelopment” with condemnation pursuant to N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law, set forth fully in N.J.S.A. 40A-12A-1 et seq. After a review of a study dated September 17, 2019, by resolution 2020-029 dated



## 1.2 LOCATION & DESCRIPTION

The five (5) parcels subject to this Redevelopment Plan are located on the Valley Street corridor, fronting either 4th Street or Valley Street. Valley Street is a bidirectional two-lane roadway that parallels the NJ Transit right-of-way extending southwest from the intersection of Scotland Road and South Orange Avenue into Maplewood Township to the south.

### Subject Parcels

The five properties in the redevelopment area on the southern side of 4th Street have a total land area of 1.158 acres:

1. Block 2303, Lot 7; 209 Valley Street - .673 acre
2. Block 2303, Lot 8; 16 Fourth Street - .149 acre
3. Block 2303, Lot 9; 14 Fourth Street - .144 acre
4. Block 2303, Lot 10; 10 Fourth Street - .082 acre
5. Block 2303, Lot 11; 8 Fourth Street - .093 acre

January 27, 2020, the Trustees designated Block 2303, Lots 7, 8, 9, 10 and 11 as an area in need of redevelopment.

The 4th and Valley Redevelopment Plan is designed to promote development in a key location along Valley Street that will create a context appropriate and attractive gateway to the Village Central Business District and contribute to the vibrancy and connectivity of the neighborhood. The design standards to be adopted in this Plan serve as a guide to clearly communicate the redevelopment policies of the Township of South Orange Village, to provide a clear understanding of the policy and regulatory parameters of the redevelopment, planning directives for the redevelopment area and to establish the projected development program.

## 1.3 BACKGROUND AND HISTORY

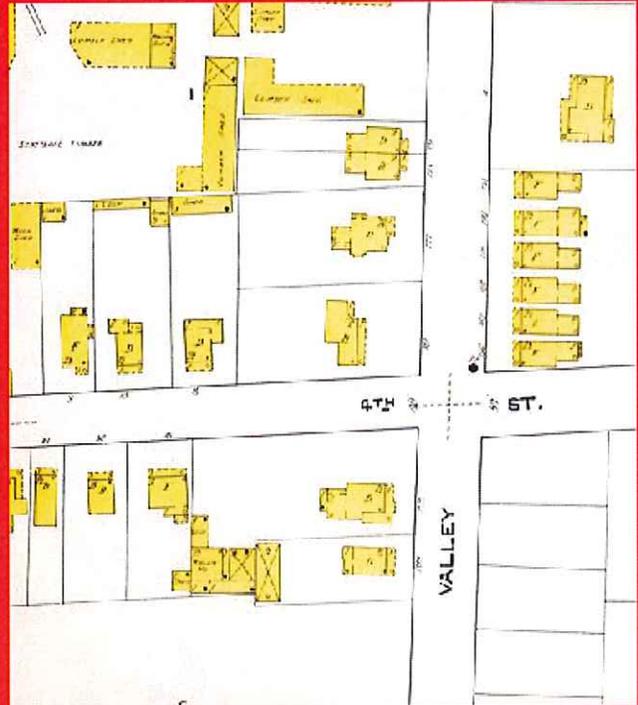
Initially developed in the late 19th Century, the properties to the north of 4th Street contained a set of dwellings located around a lumber, coal and masonry material yard with its own spur off of what was then the Delaware, Lackawanna and Western Railroad, Morris & Essex Division right-of-way. A mix of shed, storehouse and shop structures were located on the yard property itself, which extended to the terminus of 4th Street along the railroad property. Similar structures were also built along the northern edge of the residential properties fronting 4th Street and Valley Street that now fall within the Redevelopment Area.

The properties south of 4th Street were developed as residential dwellings with a large carriage house that crossed parcel lines set back from both Valley Street and 4th Street. The four dwellings at 8-16 4th Street on the south side of 4th Street, as recorded on the 1912 Sanborn map of the area, are still largely intact. These structures, however, have been modified substantially since their construction at the turn of the century. At the corner of 4th Street and Valley Street is an auto service business that was constructed in the mid-twentieth century and is still in operation as a service station.

## 1.4 CURRENT LAND USE PATTERNS

Currently, the properties are each improved with five (5) discrete structures across all five (5) parcels. Existing structures are mixed in age, composition and uses. While the uses vary, the auto oriented uses currently dominate activities on the site as well as many segments of the Valley Street Corridor. All properties currently lie in the B-3 General Business District which permits a range of retail, office and commercial uses at a maximum of 3 stories in height.

Historically, Valley Street was a predominantly residential corridor with several hotels within a block of South Orange Avenue, and detached dwellings further south along Valley Street. Today, Valley Street is home to a mix of retailers, offices and automotive businesses interspersed with multi-family residential uses. The corridor is characterized by structures that vary widely in age, scale and architectural style roughly 1-4 stories in height, with buildings from the late 19th and early 20th centuries built up against the street with minimal setbacks, and newer structures from the 1950's and onward set back from Valley



Sanborn Fire Insurance Map 1912

Street with front yard parking.

Third and Valley, a 215-unit redevelopment completed in 2016 is located on the block just north of this redevelopment area. The 5-story project embraces character and scale of the surrounding structures, and sets a standard for scale and massing. The completion of the Third and Valley project extended the Village character, scale and mass of the downtown south, down Valley Street. This 4th and Valley Redevelopment Plan continues the standard set by Third and Valley, further extending a context appropriate Village character on Valley Street.

A section of 4th Street between Valley Street and the NJ Transit right-of-way is subsumed within the redevelopment area, and the development of the properties may be significant to traffic patterns along Valley Street and draw pedestrian traffic down Valley Street from South Orange Avenue to the businesses and public spaces that are incorporated into any redevelopment.

## 1.5 SMART GROWTH LOCATION

The site is located at the edge of downtown and the transition to the Academy Heights neighborhood providing an opportunity for enhanced pedestrian and vehicular connectivity to the Central Business District. This central location on the Valley Street Corridor surrounded by a variety of housing opportunities is in close proximity to South Orange Ave, the Village's commercial spine. The location is also just over 800 feet from the train station that provides direct commuter rail access to the region, including New York City.

Currently, many businesses along Valley Street are decidedly auto oriented including several auto repair and service establishments.

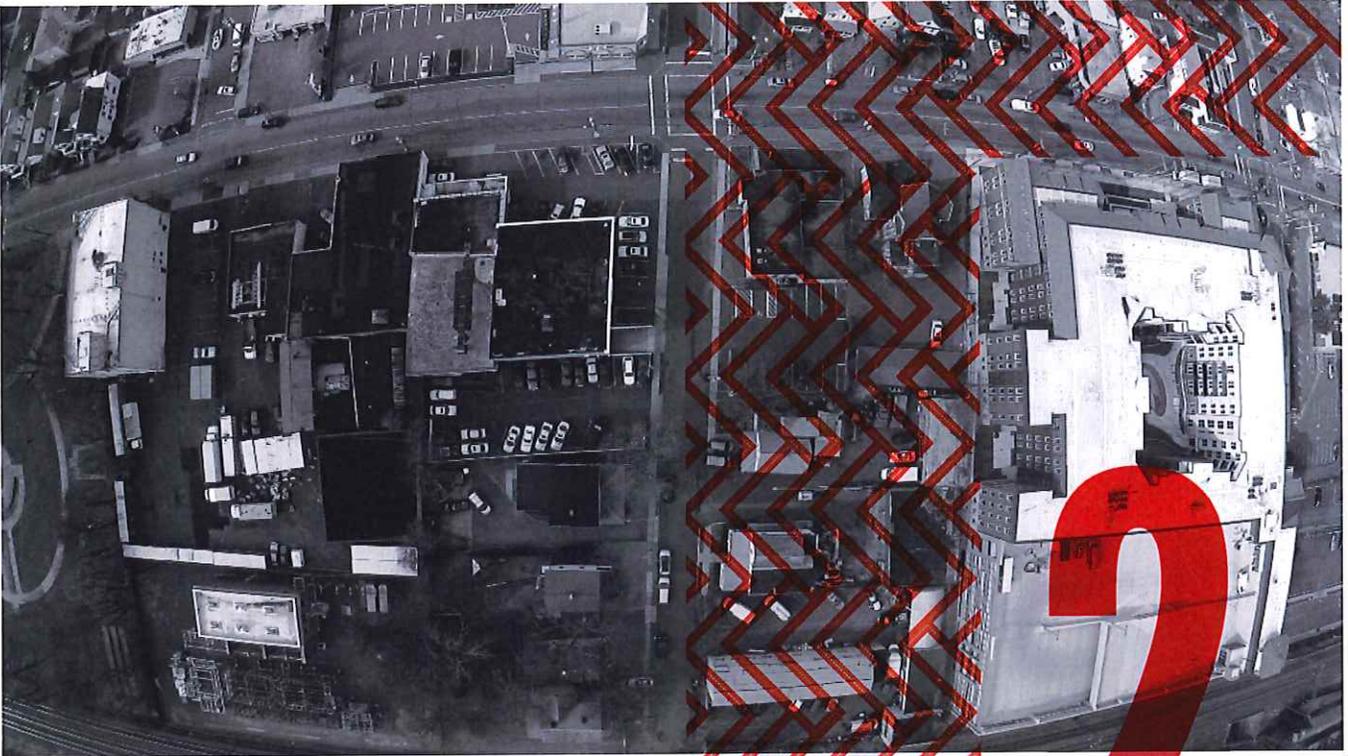
## 1.6 PLANNING PROCESS

The Township of South Orange Village conducted a thorough public process, led by the South Orange Development Committee. The process continually engaged citizens, local business owners, the Academy Heights Neighborhood Association, the South Orange Village Center Alliance, and other stakeholders. The public process included multiple community meet-

ings where potential concepts for the site were presented at a total of eight public meetings/workshops.

At each phase of the process, conceptual drawings to represent the proposed vision for the site were presented to the neighborhood's stakeholders. Key concerns that residents and stakeholders reiterated during the engagement process were:

1. Architecture needs to respect the South Orange historic village character and context.
2. Architecture and scale should be warm and inviting.
3. Roof setbacks should mitigate perception of scale.
4. Use of varied building materials so that the building does not feel "too heavy".
5. Retail that will serve the community's needs and enhance Valley Street.
6. Adequate parking for retail needs.
7. Inviting public space that welcomes and integrates the surrounding community.



## 2.1 REDEVELOPMENT GOALS

The overarching goal of this Redevelopment Plan is to incentivize exemplary redevelopment on the five parcels west of the intersection of 4th and Valley Streets. This site, located at the edge of the Central Business District and within walking distance of the train station, will set a precedent that will inform the broader vision for the Valley Street Corridor. This Redevelopment Plan will catalyze redevelopment that is context-appropriate for an area that is both proximate to transit, the downtown, and the historic Academy Heights neighborhood.

The development parameters contained in this Redevelopment Plan effectuate the Village's commitment to smart growth oriented around the train station, and will create high quality public spaces for residents and visitors. The following redevelopment goals that this Redevelopment Plan adheres to guide the Redevelopment Plan and the desired outcomes.

**Goal 1:** Revitalize and encourage investment along the Valley Street corridor;

**Goal 2:** Reposition or redevelop blighted and under-performing properties;

**Goal 3:** Create new opportunities for a range of retail and residential uses along Valley Street and encourage private and public investment;

**Goal 4:** Strengthen the Village's tax base through diverse and incremental ratables;

**Goal 5:** Create a vibrant, active and pedestrian-friendly corridor for the community to take pride in;

**Goal 6:** Improve vehicular circulation along Valley Street and address congestion by managing vehicular access and reducing conflicts;

**Goal 7:** Re-envision and design a safe and welcoming complete street along Valley Street that meet the needs of all users;

**Goal 8:** Create human-centered and usable public spaces that leverage and connect to existing open spaces and provide opportunities for active and passive recreation;

**Goal 9:** Require high quality architecture that honors the character of the surrounding neighborhood but is of its time.

## 2.2 RELATIONSHIP TO LOCAL OBJECTIVES AND MUNICIPAL PLANS

### South Orange Village Land Development Ordinance

The standards contained in this Redevelopment Plan shall supersede any conflicting standards contained within the Land Development Ordinance of the Village (LDO) or other applicable Village codes or ordinances. In cases where this Redevelopment Plan does not define (or imply) a particular standard, compliance with the LDO or other applicable Village code or ordinance shall be required.

### 2009 Vision Plan

The 2009 Vision Plan specifically addressed the Valley Street Corridor. The Vision Plan is not a component of the Master Plan, but serves as a general planning and vision document for the Village. The Vision Plan envisioned that additional residential units be built close to Memorial Park. The Vision Plan also stipulated that properties should be encouraged to evolve from auto-oriented to pedestrian oriented uses. Additionally, the Vision Plan called for the addition of more walkable pedestrian infrastructure along Valley Street with minimum 8-foot wide sidewalks.

### Village Master Plan

Pursuant to the LRHL, "all provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan" (N.J.S.A. 40A:12A-7(d)). This Redevelopment Plan is substantially consistent with, and has been designed to effectuate, the Township's 1979 Comprehensive Master Plan.

## Central Business District (CBD) Redevelopment Plan

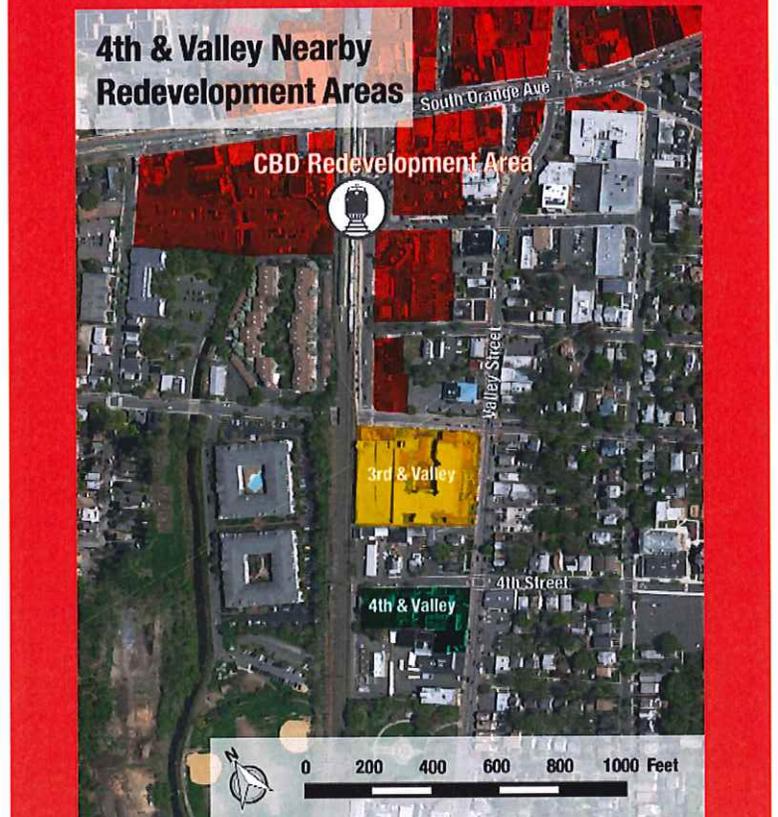
The CBD Redevelopment Plan, initially adopted by the Village trustees in 1996, and later amended in 1999 and 2002 includes various properties in 12 Blocks of the Village's central business district. The chief objective of the CBD Redevelopment Plan was the revitalization, upgrade and maintenance of properties in the Village downtown and along its edges, building on the efforts of the South Orange Train Station Redevelopment Plan adopted in 1994 to address major station improvements in the heart of the CBD. The Plan targeted specific uses on either side of South Orange Avenue with the express purpose of enhancing the economic vitality of the CBD and expanding retail, services, residential and arts opportunities in the district.

## Essex County Master Plan

The County Comprehensive Transportation Plan, adopted in June of 2013, notes the importance of redevelopment on parcels that have been deemed underutilized, and transit-oriented development in particular, as the chief form of future development within the County. The 2013 Plan adopted standards for roadways based on transect zones, in which a majority of South Orange would be considered T4 – General Urban and T5 – Urban Center, which emphasize pedestrian safety, infrastructure and narrower roadways.

## 3rd & Valley Redevelopment Plan

The 3rd & Valley Redevelopment Plan adopted in 2013 further built on revitalization efforts in and around South Orange's Central Business District. This Plan governed the redevelopment of the 2.7 acre property immediately to the north of the designated



redevelopment area regulated in this Redevelopment Plan. The five-story, 215-unit redevelopment of the property was completed in 2016.

## Smart Growth Plan

This Redevelopment Plan is consistent with and effectuates the Township of South Orange Village Smart Growth Plan which was adopted in October 2007.

## General Planning Goals:

1. To revitalize the Village's CBD as a viable commercial center;
2. To protect the Village's stable, diverse and attractive residential neighborhoods;
3. To maintain the established, primarily residential character of the Village;
4. To guide future development and/or redevelopment of land within the Village so as to incorporate new construction without undue disruption of the established character of the Village;
5. To preserve and continue the promotion of a balanced variety of residential, commercial, public, recreation and conservation land uses.

## Land Use Objectives

1. To protect and preserve the character, diversity, vitality, value and existing density of the Village's neighborhoods;
2. To provide for the continued vitality and upgrading of established commercial districts.

## Community Character Objectives

1. To preserve and protect the unique character of each of the Village's many residential neighborhoods, including but not limited to those with a distinct architectural and/or historic character;
2. To preserve and enhance the character of the Village's non-residential areas, including its commercial districts and public uses, particularly those exhibiting a distinct architectural and/or historic character.

## Business District Objectives:

1. To provide economically viable commercial areas which provide a range of community business and service activities;
2. To provide additional retail uses and services for residents within the CBD with an emphasis on providing upscale and/or unique retail opportunities in order to make the CBD a destination for shoppers;
3. To improve the streetscape of the Village's business districts through facade upgrade, improved signage, landscaping, elimination of gaps in the streetscape, attractive street furniture, paving and lighting, pedestrian linkages, appropriate placement and design of parking facilities, etc.;
4. To ensure that new construction within the Village's business districts is done in a manner that is compatible in scale, density and intensity with development existing in the surrounding area;
5. To ensure that new construction within the Village's business districts is attractive in appearance such that it adds to the character of the district and surrounding area;
6. To redevelop land occupied by obsolete commercial structures;
7. To create a stronger linkage among all sections of the CBD;
8. To improve opportunities for pedestrian movement and connections so that a more pedestrian-oriented atmosphere is created.

## Relationship to Surrounding Communities' Master Plans

The Redevelopment Area is located near the geographic center of South Orange and will have negligible impacts on surrounding municipalities, as it is approximately .5 miles away from the closest municipal borders with Maplewood and the City of Newark.

making and coordination among government entities will better position New Jersey for growth opportunities and allow New Jersey to once again compete for and capitalize on growth opportunities.”

This SSP vision is consistent with the approach outlined in this Redevelopment Plan.

## Relationship to the State Development and Redevelopment Plan (SDRP)

### New Jersey State Plan

The Redevelopment Area is located within Planning Area 1 (PA-1). As documented in the SDRP, the following intent has been documented for PA-1:

1. Provide for much of the State's future redevelopment; Revitalize cities and towns;
2. Promote growth in compact forms;
3. Stabilize older suburbs;
4. Redesign areas of sprawl; and
5. Protect the character of existing stable communities.

The Goals and Objectives of this Redevelopment Plan are consistent with those outlined for PA-1 of the SDRP.

### State Strategic Plan

In 2011, the New Jersey State Planning Commission released its final draft of the State Strategic Plan (SSP). A paradigm shift from the SDRP, the SSP outlines a more “proactive, aggressive and strategic approach to planning for the State's future. An approach that aligns clear goals with sound decision



## 3.1 SUBJECT PARCELS

The five properties in the redevelopment area on the southern side of 4th Street have a total land area of 1.158 acres.

1. Block 2303, Lot 7; 209 Valley Street - .673 acres
2. Block 2303, Lot 8; 16 Fourth Street - .149 acres
3. Block 2303, Lot 9; 14 Fourth Street - .144 acres
4. Block 2303, Lot 10; 10 Fourth Street - .082 acres
5. Block 2303, Lot 11; 8 Fourth Street - .093 acres

3

### 3.2 PERMITTED USES

- A. **Residential (Multifamily):** Apartments, lofts and condominiums on upper floors or at ground level except along Valley Street. Ground floor lobby amenities and direct access residential units subject to design standards herein.
- B. **Eating Establishments:** Restaurants, diners, cafes, coffee houses or confectioneries, with the exception of drive-through uses permitted at ground level.
- C. **Retail:** Retail and services permitted on the ground level of mixed-use buildings, required along ground floor of Valley Street frontage.\*  
\*\*
- D. **Public Assembly:** Civic and community spaces permitted in indoor or outdoor public places, parks, plazas and courtyards.
- E. **Open and Recreational Space:** Public or privately owned parks, gardens, plazas or courtyards permitted.
- F. **Accessory Uses:** Buildings operation and management and tenant amenities restricted to those uses incidental to or directly related permitted principal uses.

\***Note:** Retail is required along Valley Street ground floor, and shall extend a minimum of 30 feet along 4th street.

\*\***Note:** At least one commercial retail unit shall be a minimum of 5,000 GSF and be built to accommodate an eating establishment.

### 3.3 PROHIBITED USES

- A. **Ground Mounted Mechanical Equipment:** All building service and mechanical equipment, such as HVAC compressors, shall be roof-mounted. Mechanical equipment, including transformers required by public utilities is regulated in section 3.11 below.
- B. **Automotive Uses:** Uses such as fuel stations, repair or service stations, car washes, vehicle storage, retail and showroom uses, any and all uses relating to the on-site services, sales or storage of automobiles.
- C. **Auto-Dependent Commercial Use:** Drive-through establishments, including but not limited to eateries, personal service, retail, banking that include pick-up, drop-off drive-ways, service windows or service speaker functions.
- D. **Stand Alone Parking Structures:** Above or below ground structured parking or surface lots or parking as a principal use in any form.
- E. **Freestanding Signs:** Any and all freestanding signs with the exception of temporary signs including any structure in the form of a tower or pier, the chief purpose of which is to attract attention and display a sign.
- F. **Outdoor Advertising:** Billboards, freestanding or building mounted signs advertising for businesses or uses off site.
- G. **Adult Entertainment:** Establishments in which more than 80% of services or retail merchandise are rated adult-only, including but not limited to bookstores, shops, parlor or theater spaces.

\***Note:** Any use that is not explicitly permitted may be considered a prohibited use.

## 3.4 CONDITIONAL USES

- A. **Live/Work:** A dwelling unit in which a significant portion of the space includes a permitted nonresidential use operated by the tenant. Nonresidential uses may include arts and media production, studio or gallery spaces, crafts and food purveyors directly retailed.

## 3.5 EXISTING NON-CONFORMING USES

- A. Existing uses and structures that do not conform with current zoning shall remain non-conforming unless expressly permitted in the provisions of this Redevelopment Plan. Principal and accessory uses that were permitted under the use provisions of the Village's Land Development ordinance in effect immediately prior to the effective date of this redevelopment plan shall be considered existing non-conforming uses at the time this Redevelopment Plan is legally effectuated.

## 3.6 PARKING

- A. **Residential or Live/Work:** 1 space per unit
- B. **Retail/Commercial/Office:** 3 per 1,000 square feet of Ground Floor Area (GFA)
- C. **Restaurants:** 1 space per 4 seats
- D. **Health & Fitness:** None (0) for private facilities associated with residential development. Otherwise 2 spaces are required for every 1,000 feet of GFA
- E. **Parking Location:** the Planning Board may

permit off-site parking if a convenient alternative location exists nearby with easy pedestrian or bicycle access to nearby parking facilities. The Board may consider available on-street parking within 1000 ft and/or evidence that the developer owns, leases, or otherwise has written agreements for the use of private off-street parking areas. Parking requirements for retail uses may be met with on-street parking in and around the Redevelopment Area, and public spaces in nearby facilities with pedestrian and bicycle facilities that connect to the development. Existing on-street parking spaces may only be used to satisfy parking requirements given conclusive evidence showing that the subject spaces are both: (1) available during periods of anticipated demand, and (2) reasonably and conveniently accessible by pedestrians. These factors shall be substantiated in a professionally prepared parking study, to be validated by the Planning Board.

At the Planning Board's sole discretion, the developer may propose a phased off-site parking scheme for consideration that provides incremental parking spots to meet tenant and patron demand in lieu of the afore stated retail and restaurant requirements. The phased parking plan shall be substantiated in a professionally prepared parking study, to be validated by the Planning Board.

- F. **On-Street Parking:** Redevelopers shall make best efforts to maximize on-street parking, particularly along the Valley Street frontage and shall submit a traffic study from qualified engineers demonstrating that parking movements are compatible with roadway traffic along Valley Street and nearby intersections.

All commercial leases must stipulate that employees of said commercial establishments will be prohibited from utilizing on-street parking around the site. The South Orange Parking Authority shall install parking meters for all on-street parking locations to encourage turnover of parked vehicles.

- G. Bicycle Parking:** Bicycle parking shall be provided on-site at a minimum rate of one space per residential unit or one space per 300 square feet of commercial use. All bicycle parking facilities shall be designed and installed to include bike racks with two points of contact with the frame at least 6 inches apart horizontally and internal spacing that provides a minimum of 2 feet by 6 feet for each bicycle.

### 3.7 LOADING & UNLOADING

Loading and unloading is critical to the performance of new uses in the Redevelopment Area and the function of surrounding thoroughfares. Commercial loading and unloading areas shall be provided along Valley Street and must be clearly marked with a time period at which such areas are dedicated to commercial deliveries and when parking is thereby prohibited.

- A.** An on street loading area shall be designated along the west side of Valley Street and/or along the south side of 4th Street in consultation with the South Orange Parking Authority. The Planning Board may waive requirements for on-site loading given a reasonable alternative.
- B.** The adequacy of on-site loading facilities shall

be determined at the sole discretion of the Planning Board.

- C.** Developer shall include an evaluation of loading and unloading as part of an engineered traffic study including all anticipated deliveries and potential scheduling for those deliveries.
- D.** Trash and refuse shall be connected from enclosed areas within dedicated services areas that are out of public view and shall be designed to minimize noise during collection.
- E.** Access to internal services areas shall be designed with close consideration of pedestrian safety.
- F.** Loading and service areas shall comply with all design standards contained herein.

### 3.8 DEVELOPMENT PROGRAM & YIELD

The development program and yield contained herein pertains to the five (5) parcels in this Redevelopment Plan.

#### Maximum Yield

- |           |                    |                        |
|-----------|--------------------|------------------------|
| <b>A.</b> | Land Area:         | 1.158                  |
| <b>B.</b> | Residential Units: | 106 Units   91.5 du/ac |
| <b>C.</b> | Retail SF:         | 8,500-to-10,500 GSF    |

## 3.9 PUBLIC IMPROVEMENTS

Public improvements to be incorporated into the redevelopment shall enhance the public realm in the Village by providing high quality and accessible public spaces such as a public courtyard and improved sidewalks. The inclusion of public seating, durable materials, and thoughtful landscape and lighting design should aim to create spaces that South Orange residents will love and find to be inviting, safe and engaging.

- A. Sidewalk and streetscape along the length of the Valley Street frontage shall include planting strips, street furniture and extensions. Street furniture and streetscape design shall be reviewed by the South Orange Design Review Board in order to provide redeveloper guidance on the aesthetic appropriateness of the proposed improvements.
- B. The redeveloper will provide pedestrian crossing improvements at the intersection of Valley Street and 4th Street.
- C. Wherever feasible, the multi-use trail along the NJ Transit rail right-of-way should be extended.
- D. Public plaza over the parking deck conforming to Section 3.11 of this document.
- E. Where feasible, redeveloper shall provide cycling infrastructure connecting to existing bikeways and multi-use paths including, but not limited to the trail along the NJ Transit rail right-of-way and shall provide bicycle parking as detailed in this Plan.

## 3.10 TRAFFIC STUDY & IMPROVEMENTS

Developer shall complete traffic studies to evaluate existing vehicular and pedestrian traffic patterns, pedestrian crossings and sidewalk widths along surrounding roadways and at nearby intersections including:

- A. Valley Street & 3rd Street
- B. Valley Street & 4th Street
- C. Valley Street & Massel Terrace
- D. Academy Street and 4th Street
- E. On-street parking impacts on Valley Street and Academy Street between Massel Terrace and 3rd Street as well as impact of public parking facilities shall be evaluated as part of the traffic study. All proposed recommendations shall integrate Safe Routes to School and Safe Routes for Seniors design principles and shall propose recommendations to enhance pedestrian access and circulation through and around the redevelopment area.
- F. Redeveloper shall evaluate all available options at the terminus of 4th Street and feasible access alternatives for the PSE&G utilities substation where 4th Street meets the rail alignment.
- G. The Planning Board shall have the right to require additional improvements if it is deemed to be necessary as a result of any traffic studies or board professional evaluation thereof.

### 3.11 PUBLIC SPACE

- A. **Public Courtyard:** a public space is envisioned on the south side of 4th Street between Valley Street and rail right-of-way. The space should intend to cultivate and build the neighborhood fabric through spaces that are designed and programmed for community purposes.
- B. As part of the redevelopment, the redeveloper will provide at least 10,000 square feet of improved public space along 4th Street that is accessible to the general public.
- C. Any public spaces included as part of redevelopment within this redevelopment area shall be designed by a licensed designer to be qualified by the Village professionals in the redevelopment plan. Qualified designers shall possess demonstrated experience in downtown or urban streetscape and public space projects focused on human-centered design. Qualified designers shall prepare streetscape or public space submissions to the Planning Board, any design submissions prepared by non-qualified professionals shall be deemed incomplete.
- D. Non-structural stormwater management components that serve to preserve the landscape's natural infiltrative capacity, conserve water, and keep stormwater on site shall be incorporated in the landscaping and streetscape design.
- E. **Utilities and Mechanical Equipment:** Ground or building mounted utilities equipment including, but not limited to transformers, junction boxes or utility meters are prohibited along Valley Street and 4th Street

facing facades in public view. Transformers and utility meters may be located on the rear or side yards of a structure and shall be screened from public view from either 4th Street or Valley Street. Transformers may not be located on public sidewalk rights-of-way. Exposed grills and louvers for mechanical equipment are prohibited.

### 3.12 AFFORDABLE HOUSING

- A. For residential projects, a minimum of 10% of units shall be set aside as affordable units on site. The remainder of the affordable housing requirement may be developed off-site or satisfied through a contribution to the Village Affordable Housing Trust Fund of \$75,000 for each additional affordable unit required. All on- or off-site affordable units shall confirm with New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.)
- B. Non-residential projects or commercial component of mixed-use project shall be subject to 2.5% development fee to the extent required pursuant to and in accordance with the Municipal Land Use Law, as same may be amended.
- C. For residential projects, a minimum of ten (10) units shall be set aside as affordable units on-site.



## 4.1 BUILDING HEIGHT

- A. Retail Floor-to-Floor: 16FT - 22FT
- B. Residential Floor-to-Floor: 10'8FT - 16 FT
- C. Office/ Live-Work Floor-to-Floor: 13FT - 20FT
- D. Valley Street Frontage: 3 Stories / 40 FT
  - i. The use of varied roof types, that may include dormered windows, with slopes is encouraged on the Valley Street facing facade as an architectural element of the design. The height of such roof elements shall not exceed the building height requirements by more than 15 feet.

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- E. With stepback from Valley: The lesser of 5 Stories / 60 FT
- i. The use of varied roof types, that may include dormer windows with pitched slopes, is encouraged as an architectural element of the design. The height of such roof elements will not exceed the building height requirements by more than 15 feet. No part of the structure, including any ornamental features may be greater than 75 feet in height.

## 4.2 HEIGHT EXEMPTIONS

- A. Green infrastructure and alternative energy infrastructure: This may include infrastructure necessary to support vegetation for a green roof installation that includes vegetation designed to capture runoff; blue roof installation that does not include vegetation that is designed to capture runoff; and /or the installation of solar panel installation.
- B. Rooftop Appurtenances: including uninhabited architectural features and amenity spaces are permitted above the roof level with highest point at no more than 15 feet above roof elevation and shall not exceed 25 percent of overall horizontal roof area.
- C. Stairs and Elevator Penthouses: that project above the maximum overall height of the building shall count toward the 25 percent allowance. Parapet walls and equipment screens which project above the maximum overall height of the building shall also count toward the above 25 percent allowance.
- D. Parapet Walls: permitted up to 5 feet in height above finished roof level. Guardrails with an opacity of 30% or less are permitted above or

within 2 feet of parapet walls provided that such rails are no more than 4 feet in height. Guardrails located more than two feet from parapet walls shall be exempt from parapet height requirements.

- E. Mechanical Equipment: all rooftop mechanical equipment shall be setback from primary building facades by a minimum of 10 feet and shall be screened from public view at street level.

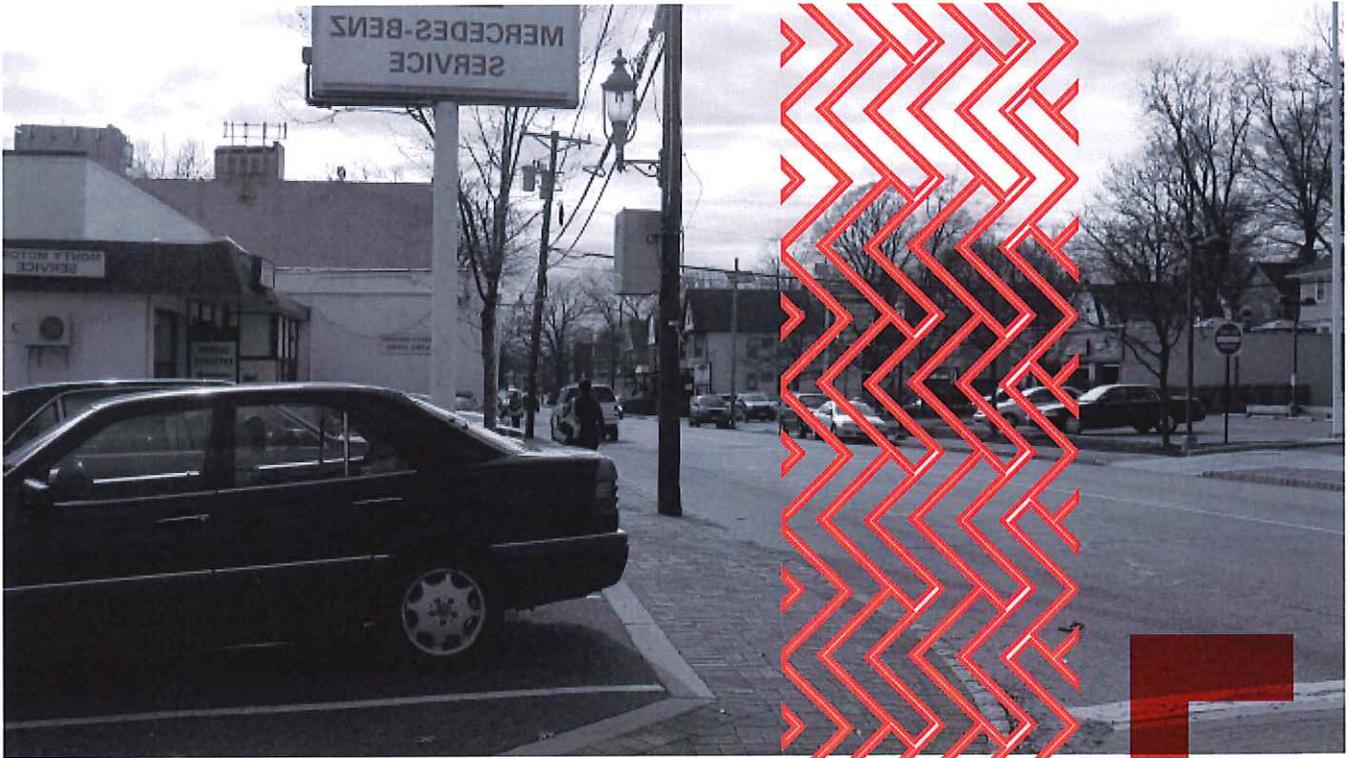
## 4.3 YARD AND SETBACK REQUIREMENTS

- A. Valley Street Setback: 20 FT
- B. 4th Street Setback: 9FT\*
- C. Minimum Rear Yard: 3FT\*\*
- D. Minimum Side Yard: 0FT
- E. Maximum Lot Coverage: 85%
- F. Maximum Impervious Coverage: 90%\*\*\*

\* Note: facades above parking levels may extend for a combined length of 100ft against the 4th Street right-of-way with no setback provided and a minimum of 10,000 SF of public space is provided on the 4th Street frontage. The parking structure may extend for a maximum of 200ft against the 4th Street right-of-way with a minimum of 1ft setback.

\*\*Note: excluding easements to accommodate substation access or pedestrian and bicycle facilities.

\*\*\*Note: Green space and landscaping on the public plaza and any roof space that is designed to manage stormwater runoff shall not be considered imperious coverage.



## 5.1 STREETScape DESIGN STANDARDS

- A. Minimum Sidewalk Width on Valley St: 20 FT
- B. Minimum Sidewalk Width on 4th St: 8 FT
- C. Sidewalks must be a minimum of 6 FT (where 8 FT sidewalks are required) or 10 FT (where 20 FT sidewalks are required) in width excluding planting strips or furnishing zones on all adjacent streets.
- D. Street Trees: street trees shall be planted at a maximum spacing of 20-25 feet on center. Spacing may be wider at building entrances or pedestrian crossings to ensure clear pedestrian access. Trees shall be a minimum of 3-3.5 inches in caliper width at the time of planting,

and shall be maintained at a minimum limb height of 7 feet. Water bags will be installed to ensure sufficient watering during growth period.

- E. **Driveway and Crossing Definition:** ADA compliant tactile pavers shall be used to define the edge of the service drive and driveways used to access the parking deck. They should be installed to the same standards required by ADA at the base of public sidewalk curb ramps and should indicate to pedestrians that they are entering the driveway. The grade and slope of driveway areas shall be consistent with that of pedestrian and sidewalk areas within 6 feet of building facades. Dedicated driveways may slope to meet the grade of roadways in furnishing zones or planting strip areas.
- F. **Green Infrastructure:** developments shall maximize the incorporation of 'green street' infrastructure to maximize on-site infiltration of stormwater runoff. There are several different methods that may be used to incorporate these improvements. The Planning Board may waive this requirement only upon showing of impracticality or that the improvements would not provide an environmental benefit.
- G. **Hardscape Materials:**
  - i. **Permitted Materials:** Natural Stone/cobblestone; Pre-Cast Pavers, Belgian Block Pavers Brick; Permeable Pavers, Poured in place concrete; Slate or slate textured materials.
  - ii. **Prohibited Materials:** Asphalt; Packed Aggregate; Painted materials, except traffic markings, parking designations and crosswalks in accordance with applicable regulations specific to NJDOT or other regulatory agencies
- H. **Pedestrian Crossings:** curbs shall be extended at corners to minimize the crossing distance for pedestrians where feasible and treatments shall be designed to maximize visibility.
- I. **Required sidewalk maintenance:** 90% of sidewalks and public courtyard space immediately adjacent to the street in the redevelopment area shall be free of grime, leaks, and spills. Grime, leaks, and spills include any removable material resulting in difference in the pavement surface color. This includes paint, dried liquids, dirt, garbage leaks, or other substances resulting in wet, slippery, or sticky conditions. Does not include painted markers for utility use, nor intentional painting on the sidewalk surface.

## 5.2 PUBLIC COURTYARD

- A. A public courtyard is envisioned on the 4th Street facing portion of the site. The courtyard will be fully accessible to the general public 24 hours a day, 7 days per week.
- B. **General Design Standards:**
  - i. **Minimum size/area:** 10,000 square feet
  - ii. **Accessibility:** accessible to the general public 24 hours per day, 7 days per week. ADA compliant access for individuals with varying ability.
  - iii. **Programming and management:** maintenance and management of public plaza will be the responsibility of the building owner. Coordination with the South Orange Village Center Alliance, and other local organizations, is encouraged to provide year-round programming in the public courtyard.

- C. **Human Centered Design:** the design should provide for and promote passive activities. Innovative seating fixtures that allow residents and visitors to recline and relax in the space are encouraged. Where feasible, seating shall be aligned so that people can face each other. Where feasible, tables or other similar surfaces shall be provided for eating and working.
- D. **Seating:** in order to maximize the liveliness of public spaces, abundant seating shall be provided. Seating level shall be between 18 and 24 inches and the sitting depth shall be a minimum of 15 inches. Seating may consist of benches, sitting ledges, stairs and movable tables and chairs. Each chair shall count as 30 inches of seating space. Seating shall be aligned so that people can face each other and engage in conversation at an appropriate distance. Seating shall be provided at a minimum rate of 1 linear foot for every 60 square feet of courtyard space.
- E. **Hardscape:** the courtyard shall be differentiated from the public sidewalk along Valley Street through the use of signature hardscape materials. Hardscape materials must be consistent with the streetscape standards in the preceding streetscape subsection. Use of unique pavers, wood and other natural materials that complement the design of the internal building facade are encouraged to soften the feeling within the courtyard space.
- F. **Landscaping:** deciduous shade trees shall be used to create a canopy over at least half of the plaza space. Fixtures such as umbrellas or attractive shade structures may be used to substitute shade provided by trees at the discretion of the Planning Board. Trees, plantings, and raised planters shall also be used to define building entrances and boundaries between semi-private spaces along the exterior of the building. An allee approach to organization of trees with the plaza is encouraged, but not required. If suitable, fastigate trees are recommended. Native grasses and low-lying shrubs are recommended for general landscaping purposes.
- G. **Lighting:** lighting shall maintain a minimum of two horizontal footcandles and a maximum of five footcandles of illumination across all walkable and seating areas and shall be designed for a pedestrian scale and complement the design of the structure as a whole. In areas dedicated to pedestrian use, light fixtures shall be designed at pedestrian scale and fixtures should be incorporated into the overall design of the public space. Harsh light, glare and large variations in light levels are to be avoided in lighting designs. Lighting under seating elements, railings and other furnishings or in pavers and along the edges of pedestrian walkways within the courtyard are encouraged. Areas that primarily include landscaping should use lighting that will accentuate landscaped elements. All lighting will be required as to comply with minimum photometric requirements for public space and the requirements of the preceding streetscape section.
- H. **Qualified Designer:** a licensed Landscape Architect, with a specialty and demonstrated experience in downtown streetscape projects focused on human centered design, shall prepare streetscape submissions to the Planning Board. Streetscape submissions prepared by non-qualified professionals will be deemed incomplete.
- I. **Retaining wall along 4th Street** should be designed to provide for an activated pedestrian experience either through the use of lighting, foliage and/or public art. A blank wall that

offers no variation in texture or design is not permitted.

- J. Any transition in grade from the sidewalk level on 4th Street to the public courtyard located at a higher grade must maintain convenient and inviting access to the general public. The primary access point to the public courtyard from the 4th Street public right of way shall maintain a minimum width of 100 FT so as to invite use by the general public. No permanent gates or fencing that is designed to hinder access shall be installed around the perimeter of the public courtyard.

## 5.3 CONDITIONAL USE STANDARDS - LIVE/WORK

- A. Permitted Nonresidential Uses: Professional Services Office; Arts and Media Production Studio, Gallery Space; Arts & Crafts Production; Accessory retail directly related to use types listed above. Neither medical office nor personal service uses are permitted within Live/Work Units.
- B. Performance Standards: the residential tenant shall maintain a business license and zoning permit for the non-residential use operated within the Live/Work unit.
- C. Non-Residential Space Standards: work area shall be located on first occupied level of building with direct access to the public sidewalk or public courtyard. Residential areas shall be directly connected to the work area of the same unit. The non-residential area may not exceed 50% of the unit's gross floor area, and may not exceed 800 square feet. The residential tenant shall be responsible for non-residential activities performed within the unit.

- D. Signage: occupants of Live/Work Units will be allowed to install signage pursuant to the Village of South Orange Code, Chapter 92, Part 10 pertaining to: Aesthetics, Signs, Awnings, Canopies, Marquees, Security Gates and Facades.
- E. An arcade at least five feet in depth shall provide a delineation between the entrance to Live/Work Units and adjacent public sidewalk or public plaza. The arcade will be publicly accessible and will create an effective transition from a fully public space to the quasi-private space directly in front of the Live/Work Units. The design will define this transition through the use of landscaping, furniture and colonnades.

## 5.4 ARCHITECTURAL STANDARDS

- A. Detailed architectural and design standards based on designs presented to the public during the input period shall be contained within the redeveloper agreement. Architectural standards will be drafted in order to, but not limited to, regulate the following components:
- Type, make, and color of facade materials.
  - Type and placement of exterior fixtures.
  - Dimensions of building and windows.
  - Dimensions, make and quality of windows.
  - Lighting and signage design.
  - Streetscape design.







**Topology**