Introduced: April 8, 2019

Adopted: April 22, 2019

THE TOWNSHIP OF SOUTH ORANGE VILLAGE

ORDINANCE #2019-11

AN ORDINANCE OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE APPROVING THE AMENDED ORANGE LAWN REDEVELOPMENT PLAN FOR BLOCK 1304, LOT 6

WHEREAS, on March 9, 2015, in Resolution 2015-45, the Board of Trustees of the Township of South Orange (the **"Trustees"),** pursuant to and in accordance with the requirements of the *Local Redevelopment and Housing Law, N.J.S.A.* 40A:12A-1 *et seq.* (the "LRHL"), designated the entire Village as an "Area in Need of Rehabilitation" which designation permits the Village to adopt Redevelopment Plans for specific properties; and

WHEREAS, the property identified as Block 1304, Lot 6 on the Village's Tax Maps is an approximately 16 acre parcel of land (the **"Property"**) occupied by the Orange Lawn Tennis Club ("Orange Lawn"); and

WHEREAS, in accordance with the LRHL, the Village requested the preparation of a redevelopment plan to include strict controls on the project layout including maintaining appropriate buffers, limiting the impacts on surrounding properties, and controlling the size, scale, location and aesthetic and architectural appearance of the townhouses to maintain a harmonious relationship with the surrounding neighborhood; and

WHEREAS, a Redevelopment Plan (the **"Original Redevelopment Plan"**) was adopted on June 27, 2016, via Ordinance No. 2016-08, as the result of significant neighborhood input, property owner and developer cooperation, and overall collaboration to create a plan that meets the Village's objectives; and

WHEREAS, the Original Redevelopment Plan provided that Temporary Court Enclosure Structures were a permitted accessory use where the principal use was for a Private Recreational Facility (as those terms are defined in the Redevelopment Plan); and

WHEREAS, the Original Redevelopment Plan further limited the permitted period of erection, placement and use of the Temporary Court Enclosure Structure to a period commencing October 15 and continuing through April 15 of the succeeding year; and

WHEREAS, the indoor season in the surrounding geographic area (an approximately 25 mile radius of the Property) begins shortly after Labor Day and typically ends in the first half of May, allowing tennis playing adults and families with children to coordinate their indoor tennis and after-school activities to be consistent with the school calendar; and

WHEREAS, other Temporary Court Enclosure Structures in this geographic area typically adhere to this indoor season and are in use between the dates of September 15 and April 30 of the succeeding year; and

WHERAS, the indoor tennis schedule permitted by the Original Redevelopment Plan does not conform to this indoor season and indoor tennis demand, hindering the competitiveness of indoor tennis leagues, clinics, and court time for children and adults offered at the Property; and

WHEREAS, expanding the indoor tennis season will not increase traffic or the intensity of the use of club at the Property because the Property is already utilized for outdoor activities during the period of the expanded season; and

WHEREAS, expansion of the indoor tennis season permitted by the redevelopment plan will not have any additional visual impact, as foliage remains during the expanded period (while the Temporary Court Enclosure Structures are already permitted during the winter); and

WHEREAS, an amended redevelopment plan (the "Amended Redevelopment Plan"), providing for the erection, placement and use of a Temporary Court Enclosure Structure during an expanded season, commencing September 15 and continuing through April 30 of the succeeding year, has been prepared for the Property and the Trustees have reviewed and considered the attached Amended Redevelopment Plan; and

WHEREAS, pursuant to the LRHL, specifically *N.J.S.A.* 40A:12A-7(e), the Village Planning Board must review the Amended Redevelopment Plan and transmit its recommendations relating to the Amended Redevelopment Plan to the Board of Trustees prior to final adoption; and

WHEREAS, having received and reviewed the Village Planning Board's recommendations relating to the Amended Redevelopment Plan, the Board of Trustees believes that the adoption of the Amended Redevelopment Plan is in the best interests of the Village and will contribute to the productive use of the Property; and

WHEREAS, after consulting with the Village's professional consultants and professional staff, the Trustees have determined that the attached Amended Orange Lawn Redevelopment Plan is in the best interests of the Village and will best facilitate the appropriate development of the Orange Lawn Property; and

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:

1. Section 2(C)(2)(g) of the District Standards of the Original Redevelopment Plan, adopted June 27, 2016 via Ordinance #2016-08 is hereby amended to read: "The permitted period of erection, placement and use of the structure(s) is between the dates of September 15 and April 30 of the succeeding year."

2. The Amended Redevelopment Plan is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

3. The Amended Orange Lawn Redevelopment Plan supersedes the South Orange Development and Zoning Ordinances for the Property.

4. The Amended Orange Lawn Redevelopment Plan supersedes and replaces the Original Redevelopment Plan, adopted June 27, 2016 via Ordinance #2016-08.

5. This ordinance shall be part of the South Orange Development Ordinance as though codified and set forth fully herein.

6. 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.

7. The Clerk of the Village shall forward a copy of this Ordinance and the Amended Orange Lawn Redevelopment Plan to the Planning Board for its review and report pursuant to N.J.S.A. 40A:12A-7(e), and a copy of this ordinance and the Amended Orange Lawn Redevelopment Plan shall be available for public inspection at the office of the Village Clerk during regular business hours.

8. This Ordinance shall take effect as provided by law.

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Introduction – First Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Davis Ford			X			
Hartshorn Hilton			X			
Levison			X			
Rosner	X		X			
Schnall		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 introduced on first reading by the Board of Trustees at their meeting held on April 8, 2019.

Kevin D. Harris
Village Clerk

Adoption – Second Reading

Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Clarke			X			
Davis Ford			X			
Hartshorn Hilton			X			
Levison			X			
Rosner	X		X			
Schnall		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 meeting held on April 22, 2019.

Kevin D. Harris
Village Clerk

Adopted:

Sheena C. Collum, Village President

Attest:

Kevin D. Harris, Village Clerk