

TOWNSHIP OF WEST ORANGE



300 EXECUTIVE DRIVE REDEVELOPMENT PLAN

JULY 2018

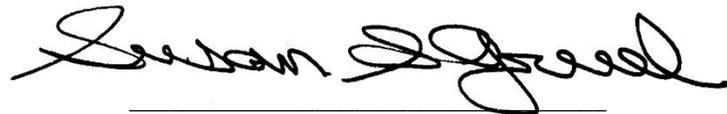
REVISED JULY 13, 2018



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The original of this report was signed and
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INTRODUCTION AND PROCESS

300 Executive Drive is an approximately 8.7 acre parcel in the north-central portion of the Township of West Orange. This parcel, and the adjacent properties at 100 Executive Drive, 200 Executive Drive, and 10 Rooney Circle are developed with office buildings built between 1971 and 1984. These properties are collectively the Executive Drive Area; however, this Plan is limited to 300 Executive Drive (Block 155, Lot 42.01).

On September 19, 2017, the Township Council adopted resolutions 212-17 and 213-17 to direct the West Orange Township Planning Board to investigate these properties, as well as the adjacent Essex Green Shopping Center, to determine if the area qualifies as a non-condemnation area in need of redevelopment per the statutory criteria of the Local Redevelopment and Housing Law (LHRL) *N.J.S.A. 40A:12A, et seq.*

The Township's planner, Paul Grygiel, PP, AICP, of the firm Phillips Preiss, prepared a preliminary investigation report entitled, "Essex Green and Executive Drive Area in Need of Redevelopment Study", dated October 2017. The Township Planning Board held public hearings on the Study on November 1, 2017, and December 6, 2017. On January 4, 2018, the Planning Board adopted Resolution 18-01, which recommended that the properties be designated as a non-

condemnation area in need of redevelopment. The Township Council took action at its January 9, 2018 meeting, designating the Area as in need of redevelopment through resolution 17-18.

This Redevelopment Plan is the next step in the process. Heyer, Gruel and Associates (HGA) was retained by the Township Council on June 12, 2018 to work with the Township Planning Board to prepare a Redevelopment Plan for the Area.

As requested, HGA prepared a draft Redevelopment Plan for the 300 Executive Drive Area and attended the July 11, 2018 Planning Board public meeting where the Board discussed the draft Plan and made recommended revisions. As part of the Planning Board process, the public was invited to ask questions and comment on the draft Plan. The proposed revisions focused on including sustainability and circulation standards consistent with the Township Master Plan.

The Plan contains the elements required by the LRHL, sets forth goals and objectives for the area, and provides use and design standards to govern the redevelopment of the Area in a manner consistent with the Township's goals and objectives and incorporates the Planning Board's comments.



STATUTORY REQUIREMENTS

The Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), requires that a redevelopment plan include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definite local objectives as to 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 in the project area;
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan;
5. Any significant relationship of the redevelopment plan to:
 - a. The Master Plans of contiguous municipalities;
 - b. The Master Plan of the County in which the municipality is located; and
 - c. The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, C398 (C52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985 c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.

This redevelopment plan includes each of these required sections, as applicable, serving as a guide for the redevelopment of the 300 Executive Drive Property in the Township of West Orange.

EXISTING CONDITIONS

Location and Description

The 300 Executive Drive Area consists of a single tax parcel, Block 155, Lot 42.01, in West Orange Township. Lot 42.01 is owned by RA 300 Executive Drive, LLC, and is approximately 8.7 acres in area. The site is developed with an approximately 130,000 square foot office building and parking lot.

The northern and western property lines of the Area abut the I-280 right-of-way. The I-280 and Prospect Avenue interchange provides major highway access in close proximity to the Area in question.

The Area, and much of the Township, is encumbered by steep slopes. 300 Executive Drive is located at the bottom of a hill, well below the adjacent buildings at 100 and 200 Executive Drive, the Essex Green Shopping Center, and Prospect Avenue. The map on page 8 shows the steeply sloped portions of the Area and its surroundings.

Regional Context

The Township is located in central Essex County and is bisected by the Interstate 280 corridor, which runs east to west. The Garden State Parkway is several miles to the east and is the major north-south highway in the region.

The Township is bordered by a number of municipalities. Livingston, Roseland, and Essex Fells are located to the west, Verona and Montclair are located to the north, the City of Orange is located to the east, and Millburn, Maplewood, and South Orange are located to the South.

The Township is developed with a mix of uses and features several historic districts. Residential neighborhoods exist in a mix of densities with single-family homes, townhouse and condominium developments, and multi-family developments located in the Township. The historic planned community of Llewellyn Park is one of the most prominent neighborhoods in the municipality.

Commercial development in the Township includes highway oriented shopping centers, campus style office parks, and Main Street and neighborhood business districts. Public land and sensitive environmental features, particularly areas with steep slopes are also important to land use patterns in the Township. Turtleback Zoo, the Orange Reservoir, and Eagle Rock Reservation are some of the most prominent open space and recreation areas in the Township.



Existing Land Use

The Area and its immediately adjacent properties are developed with office buildings. Essex Green consists of a shopping center with an AMC Theater, Shop Rite, and miscellaneous other stores. A Courtyard by Marriott Hotel is located to the east of the Area at the intersection of Rooney Circle and Prospect Avenue. A PSE&G electrical station and transmission lines are located to the south of the Area. These are a dominant feature in this vicinity. A neighborhood of single family residences and the Essex Green Villas Condominium development is located south of the PSE&G transmission corridor. The Villas at Eagle Ridge Townhome development is located to the east across Prospect Avenue.

Existing Zoning

The 300 Executive Drive Redevelopment Area is in the OB-1 Office Buildings Zone. There are a number of zones in close proximity to the site including the P-C Planned Shopping Center Zone, the B-2 Retail Business Zone, the R-5 Single Family Residential Zone, the PURD Planned Unit Residential Zone, the O-R Office Research Zone, and the O-RA Office Redevelopment Alternative Zone. The Area is near several clusters of residential development but is isolated from them by the topography of the area, the I-280 corridor, and the PSE&G transmission lines.

The following are the standards for the OB-1 District:

Permitted Principal Uses

- One-Family, Detached Dwelling
- Water Reservoir, Well Tower, Filter Bed
- Federal, State, County or Township Building
- Golf Course or Golf Course House
- Farm, Nursery, Greenhouse and Similar Uses
- Hospital
- Office Buildings

Permitted Accessory Uses

- Required Accessory Parking
- Signs

Permitted Conditional Uses

- | | |
|--|---|
| • Commercial Recreation | • Private Club, Other than a Golf Club |
| • Public School | • House of Worship |
| • Private School | • Nursing Home |
| • Library | • Long-term Care Residential Health Care Facility |
| • Museum | • Congregate Care Facility |
| • Park or Playground | • Assisted Living |
| • Public Utility Building or Structure | • Commercial Antenna |
| • Telephone Exchange | • Check Cashing Facility |
| | • |

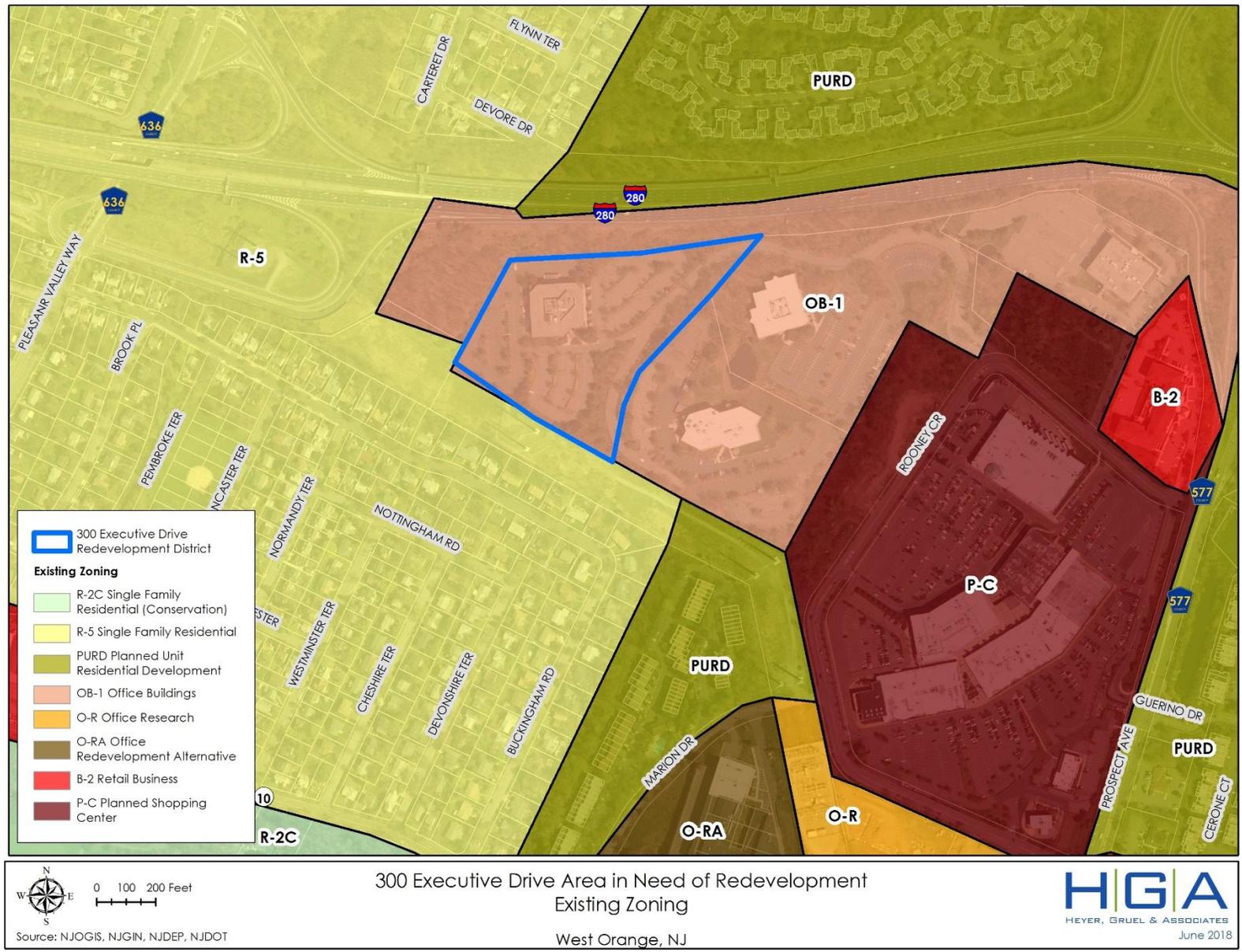
OB-1 District Bulk Requirements

Bulk Standard	Requirement
Minimum lot area	10,000 SF
Minimum lot area / unit	6,000 SF
Minimum lot width	60 feet
Minimum front yard	30 feet
Minimum side yards	10 feet + 8 feet
Minimum rear yard	30 feet
Maximum building coverage	40%
Maximum lot coverage	50%

are specifically approved by the Planning or Zoning Board and are constructed in a manner acceptable to the Township Engineer. Furthermore, no accessory structure of off-site parking area shall be located within the required front yard no closer than 25 feet to the side or rear property lines in the OB-1 District.

Additional Standards

- Retail sales or service permitted as an accessory use in the OB-1 District shall be an integral part of the permitted building, shall be limited to sales or services designed for the convenience of the employees, visitors and tenants of the permitted building and no goods, advertisements or other evidence of such sales or services shall be visible from the street. Such use shall not consist of more than 15 percent of the total first floor area in the OB-1 District and shall be designated on the preliminary site plan.
- In the OB-1 District, one square foot of open space shall be provided for each square foot of building area except that no more than 40 percent of the lot in the OB-1 District may be covered by buildings or structures. Off-street parking areas are not permitted within open space areas, except for “overflow” parking spaces that



REDEVELOPMENT CONTEXT – SUBURBAN OFFICE MARKET

For several decades, New Jersey's economy and employment base grew substantially through the construction of suburban office parks. The majority of these facilities, built during the 1980s and 1990s predate modern technological and infrastructure needs. Facilities of this vintage are often physically outdated and located in suburban communities near highway interchanges or along highway corridors.

The most recent Rutgers Regional Report, dated October 2017, written by James Hughes and Will Irving, outlines ongoing trends in the New Jersey economy. The report discusses the change over the last 10 to 15 years of increased development in the metropolitan cores and contraction in suburban areas. Demographic changes, consumer preferences, and the nature of many industries has changed and reduced the demand for suburban office corridors and their aging infrastructure. In order to stay competitive, office buildings that were built for a singular narrow focus need to become more flexible and attractive to the modern economy and its new generation of employees.¹

According to LoopNet.com, a commercial real estate listing service, the 300 Executive Drive Building was built in 1984, and is

rated as Class C office space, which is not well positioned to compete in the oversaturated office market described in the Rutgers Report.

Office Building Class Definitions: Office space is grouped into three classes ranked A through C. The rating system looks at factors including rent, building finishes, system standards and efficiency, building amenities, location/accessibility, and market perception. The scale is a subjective system that is meant to rate the competitiveness and desirability of the space in question.

- Class A buildings have the highest rents, are geographically accessible, and have state of the art systems, modern amenities, and high quality finishes. These are new or recently upgraded facilities.
- Class B buildings are generally fair to good for the area, and have adequate building systems. The rents for these buildings are generally in the average range.
- Class C buildings are identified as merely functional space that can secure below average rents in the area.

(Source: BOMA International
www.boma.org/research/pages/building-class-definitions.aspx)

¹ "Rutgers Regional Report – Issue Paper No. 38 "New Jersey's Economic Roller Coaster" p.20-25
<https://rucore.libraries.rutgers.edu/rutgers-lib/54266/PDF/1/play/>

PLAN PRINCIPLES, GOALS, AND OBJECTIVES

Principle

The Township seeks to utilize the tools offered by the Local Redevelopment and Housing Law to provide a designated redeveloper the flexibility needed to modernize an aging and outdated office building.

Goal

The goal of this Redevelopment Plan is to encourage and support the modernization of the interior and exterior of the outdated office building at 300 Executive Drive.

Objectives

- Improve the exterior façade of the 300 Executive Drive building to reflect a modern aesthetic and enhance its marketability.
- Remodel the interior of the office building to provide brighter, more open, more desirable floor plan layouts that are consistent with modern office trends.
- Expand and improve the onsite amenities in common areas, including the building cafeteria.
- Modernize the building mechanical equipment and utilities to improve efficiency and enhance quality.
- Provide a flexible, desirable space that is well positioned in the competitive suburban office building market.

- Utilize and/or expand existing jitney service in the Township to take advantage of train stations in neighboring municipalities.
- Enhance the environmental and economic sustainability of the 300 Executive Drive property.

RELATIONSHIP OF THE PLAN TO TOWNSHIP LAND DEVELOPMENT REGULATIONS

This Redevelopment Plan constitutes an overlay district permitting only the existing zoning for Block 155, Lot 42.01. The OB-1 Office Buildings Zone Standards will regulate use, bulk, and supplemental development standards for the redevelopment of the 300 Executive Drive Area. All other Township Land Development standards and other applicable ordinances will apply.

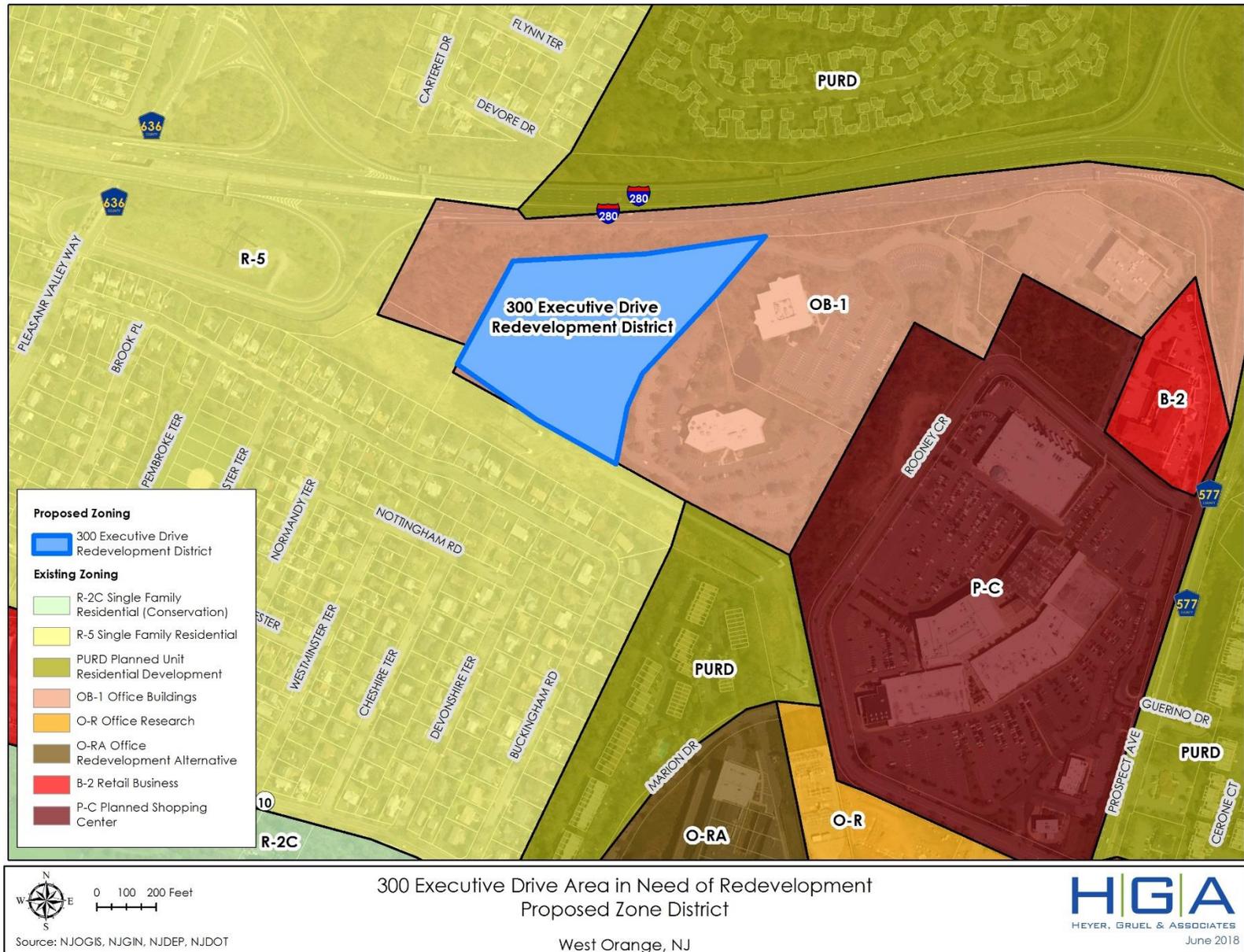
Any deviation from the Redevelopment Plan standards, which would typically result in a “d” variance, shall be addressed as an amendment to the Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations from the standards contained in the Plan, which would result in a “d” variance pursuant to N.J.S.A. 40:55D-70d.

The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c and the power to grant waivers from the standards of the Plan to the same extent as the Board may grant relief from site plan regulations pursuant to N.J.S.A. 40:55D-51.

All zoning and design standards shall be governed by the standards in the Township of West Orange Land Use Regulations found at Chapter XXV of the Township General Ordinances. All other applicable Township standards remain in place. The Planning Board shall have the power to grant relief from the requirements of these ordinances as permitted by the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (“MLUL”) where jurisdiction is conferred upon it.

All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

Final adoption of this Redevelopment Plan by the Township Council shall be considered an amendment to the Township Zoning Ordinance and Official Zoning map.



STANDARDS OF THE 300 EXECUTIVE DRIVE REDEVELOPMENT DISTRICT

Purpose

The 300 Executive Drive Redevelopment District retains the zoning and land use regulations for the property that exist in the OB-1 Office Buildings Zone District in place at the time of adoption of this plan.

Permitted Uses

The permitted uses for the Redevelopment District shall be the same as the permitted uses in the Township OB-1 Office Buildings Zone District.

Bulk Standards

The Bulk Standards for the Redevelopment Area shall be the same as the Bulk Standards for the Township's OB-1 Office Buildings Zone District.

Sustainability Standards

1. *Master Plan Sustainability Plan* – Improvements to the site and building under the 300 Executive Drive Redevelopment Plan shall be guided by the Goals, Principles, and Actions of the most recent version of the Township of West Orange Sustainability Plan Element, adopted in the 2010 Master Plan.
2. *Green Building Standards* – Building and site improvements shall utilize 'Green Building Strategies' and follow U.S. Green

Building Council LEED (version 4) checklist requirements for LEED Silver or higher level. Sustainable measures shall include, but not be limited to, Sustainable Site Planning, Water Use Efficiency, Energy Efficiency, Sustainable Materials and Resource Use, Electric Vehicle Charging Infrastructure, and Healthy Indoor Environmental Quality. The Redeveloper shall prepare and submit a USGBC LEED (version 4) checklist, and is encouraged, but not required to, register the building(s) in the Redevelopment Area in the USGBC LEED certification program.

Circulation Standards

1. *Master Plan Circulation Plan* – Improvements to the site under the 300 Executive Drive Redevelopment Plan shall be guided by the general goals and objectives of the 2010 Master Plan Circulation Plan update. Further, the 2010 Circulation Plan Element was amended in 2016 to incorporate the principles of "Complete Streets" and to create a comprehensive, integrated, connected street network that safely accommodates all users.
2. *Site Circulation Standards* – The 300 Executive Drive Redevelopment site circulation improvements shall include provision for sidewalks or similar pedestrian pathways, protections for pedestrians at crosswalks and sidewalks, bicycle paths and routes, bicycle racks, and other site circulation best practices for commercial and office sites.

CONCEPTUAL RENDERINGS FOR 300 EXECUTIVE DRIVE

The following renderings, prepared by Gensler, are illustrative of the types of upgrades envisioned by this redevelopment plan. Some of the potential improvements include:

- Renovation of public spaces to provide flexible, collaborative work areas.
- Upgrades to interior building finishes to give the building a lighter, more contemporary feel including additional windows and building transparency.
- Development of a new café and dining area, including an outdoor patio
- Updates to building mechanical systems and utilities, including elevators and restrooms.
- Aesthetic improvements to the building exterior.
- Improvements to the site landscaping, ADA accessibility, and flow.

These renderings and potential upgrades are indicative of the types of work required to modernize aging office buildings to meet current tenant demands. These concepts are not binding for the Township, Planning Board, or developer. All plans for development must be submitted by a designated redeveloper and reviewed through the Township's normal land development process.



Potential New Exterior



Current Exterior



Potential Lobby Upgrades



Potential Interior Amenity Space Upgrades

CONFORMANCE WITH TOWNSHIP OBJECTIVES

The Township's most recent comprehensive Master Plan was adopted in 1989. Since that time, two Reexamination Reports and updates to several Plan Elements have been prepared. The most recent Reexamination Report, as well as a Master Plan update including a Sustainability Plan and updates to the Land Use, Economic Development, and Historic Preservation Elements was adopted in 2010. An update to the Circulation Element was adopted in 2016, which includes a subsection of the recommendations section that incorporates a Complete Streets policy.

Master Plan Reexamination Report and Update (2010)

The Township adopted a Master Plan Reexamination Report and Update in 2010. The following goals, objectives, and policies in the Plan are relevant to the Area and the formulation of this Redevelopment Plan:

Land Use Plan

- The existing land use of the 300 Executive Drive Area is shown as "Commercial". The plan does not contain any specific discussion of the Area and does not recommend any changes to the Zoning for the property.

Economic Development Recommendations

- The Economic Development Element recognizes the existing office / commercial developments clustered at I-280 and Prospect Avenue, and recommends that the Township continue to maintain a mix of land uses.
- The Plan continues the recommendation from 2004 that states: "development that generates employment opportunities and beneficial commercial/retail activity should continue to be encouraged where it is compatible with adjacent land uses, and sensitive natural and environmental features, and should be balanced by the need to maintain adequate public infrastructure and facilities, services and pedestrian and vehicular circulation patterns.
- Improvements to the regional business districts should continue to be encouraged.
- The Essex Green property and adjacent office complexes, of which the 300 Executive Drive Area is a part, are discussed in the Economic Development Element. The Plan states that "A key for this area is to maintain a balance of land uses, which will have benefits with regard to traffic as well as fiscal impacts."

Sustainability Plan

- Encourage improved energy efficiency in existing commercial buildings.

RELATIONSHIP TO OTHER PLANS

State Development and Redevelopment Plan (SDRP)

In 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (SDRP). The SDRP is a document that, while not binding, guides State-level development and redevelopment policy as well as local and regional planning efforts. Eight statewide goals are articulated in the Plan, along with dozens of corresponding implantation policies. The goals are as follows:

1. Revitalize the State's cities and towns.
2. Conserve the State's natural resources and systems.
3. Promote beneficial economic growth, development and renewal for all New Jersey residents.
4. Protect the environment, prevent and clean up pollution.
5. Provide adequate public facilities and services at a reasonable cost.
6. Provide adequate housing at a reasonable cost.
7. Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value.
8. Ensure sound and integrated planning and implementation statewide.

This Plan meets stated goals 1, 2, 3, and 8 of the SDRP.

- The intended redevelopment of the outdated office building will bring a productive use to the site for the future.
- The Plan envisions using existing infrastructure and maintaining the existing limit of disturbance in an area with sensitive environmental features.
- Revitalizing and redeveloping the surplus of suburban office space to restore its economic benefit is a State-wide challenge that this Plan seeks to address.
- The Redevelopment Area is located in PA-1 and is in close proximity to major highways. Redevelopment of the site is consistent with good planning principals and integrated land use planning and implementation.

The SDRP also includes a State Plan Policy Map, which divides the state into regions known as Planning Areas. This Redevelopment Area is located in the Metropolitan Planning Area (PA-1), which is characterized by intensive existing development and is the target for redevelopment efforts. The goals for PA-1 include the following:

1. Provide for much of the state's future redevelopment.
2. Revitalize cities and towns.
3. Promote growth in compact forms.
4. Stabilize older suburbs.
5. Redesign areas of sprawl.

6. Protect the character of existing stable communities.

This Plan meets stated goals 1, 3, 4, and 5 for Planning Area 1.

- The redevelopment project promotes the reuse and revitalization of a parcel whose current improvements are outdated.
- The redevelopment of a previously disturbed and developed site is consistent with concept of promoting growth in compact forms.
- The suburban office park model has declined in viability; this plan seeks to stabilize the Area's economic future.
- Suburban office parks are a symbol of sprawling development patterns. This Plan seeks to reimagine a facility that was built during a period of suburban expansion and is currently outdated.

State Strategic Plan

The final draft of the State Strategic Plan was released in 2012. While the State Strategic Plan has not been officially adopted, and the SDRP is still the official State Plan, it is still prudent to review the relationship between this Plan and the State Strategic Plan Draft. This Plan is consistent with the stated goals of the State Strategic Plan. This Plan exemplifies the guiding principle of "Spatial Efficiency", where new development is encouraged to be located in areas where infrastructure is already in place to support growth.

This Plan meets the following "Garden State Values" of the State Strategic Plan:

- Prioritize Redevelopment, infill, and existing infrastructure
- Increase Job and Business Opportunities in Priority Growth Investment Areas
- Create high-quality, livable places

Essex County Plans

The only recent county-wide planning document adopted by Essex County is the 2013 Comprehensive Transportation Plan. The County also has a Park, Recreation, and Open Space Master Plan that dates to 2003.

Essex County Comprehensive Transportation Plan (2013)

The County Comprehensive Transportation Plan's vision is to "Develop a safe coordinated and integrated multimodal transportation system that provides accessibility for all users while promoting connectivity, economic vitality and productivity, our communities' livability, and our ecosystem's viability."

- The West Orange Jitney System, which stops at Essex Green adjacent to the Redevelopment Area, is identified in the Transportation Plan as a link to the Orange and South Orange Train Stations, which offer Midtown-Direct train service.

- The Prospect Avenue corridor is identified as a location with a high percentage of auto trips with potential to be diverted to transit.

Master Plans of Adjacent Municipalities

The Redevelopment Area is centrally located within West Orange Township and does not border or impact any of the adjacent municipalities.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Redevelopment Entity

The Township Council shall serve as the Redevelopment Entity to implement this Redevelopment Plan. The Redevelopment Entity must designate a redeveloper prior to the submission of an application for any approval to the Planning Board.

Property to be Acquired

The Area has been designated as a non-condemnation redevelopment area. No property acquisition through the use of eminent domain is authorized or anticipated as a part of this Plan.

Relocation Assistance

The Area consists of an office building and parking lot. Eminent domain is not authorized as part of this plan and any transfer of property and subsequent relocation requirements are purely voluntary so no plan for relocation assistance is necessary.

Affordable Housing

There are no housing units in the Area, so there are no affordable housing units identified for removal as part of the implementation of this redevelopment Plan.

Provision of New Affordable Housing Units

Residential uses are permitted in the OB-1 Zone District and therefore, in the Redevelopment Area. There is no specific plan

for the provision of Affordable Housing as part of this Redevelopment Plan.

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the West Orange Township Council may amend, revise or modify this Redevelopment Plan, as circumstances may make such changes appropriate.

Duration of the Redevelopment Plan

This Redevelopment Plan shall be in full force and effect for a period of thirty (30) years from the date of approval of this Plan by the Township Council.

IMPLEMENTATION OF REDEVELOPMENT PLAN

Redevelopment Agreements

The following restrictions and controls on redevelopment are statutorily imposed by the Local Redevelopment and Housing Law, in connection with the selection of a redeveloper or redevelopers and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. The restrictions and restraints shall be implemented by appropriate covenants or other provisions in redeveloper agreements and/or disposition instruments.

- The redeveloper(s) will be obligated to carry out the specified improvements in accordance with the Redevelopment Area Plan.
 - The redeveloper(s), its successors or assigns shall devote land within the Redevelopment Area to the uses specified in this Redevelopment Plan.
 - The redeveloper(s) shall begin the development of said land for the use(s) required in this Redevelopment Plan within a period of time that the Township Council fixes as reasonable.
 - Until the redeveloper(s) completes construction of the improvements, the redeveloper(s) will not be permitted to sell, lease, or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Township.
- Upon completion of the required improvements, the conditions determined to exist at the time the Redevelopment Area was determined to be in need of redevelopment shall be deemed to no longer exist, and the land and improvements thereon shall no longer be subject to eminent domain as a result of those determinations.
 - No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s), the Township Council, or the successors, lessees, or assigns of either of them, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.
 - Neither the redeveloper(s) nor the Township Council, nor the successors, lessees, or assigns shall discriminate upon the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part therein.