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Rio Santiago developer appeals planning commission decision

by Tina Richards

The developer whose planned project on 110 acres in East Orange was rejected by the Planning Commission, filed an appeal, March 18.

Milan Capital/JMI Properties is seeking zone changes and amendments to the city's general plan to build 135 houses, a senior living facility and sports complex on land that has historically housed a sand and gravel operation and long- envisioned as future parkland or open space.

The planning commission did not approve the Rio Santiago development, citing the parcel's propensity to flood, its proximity to methane gas emissions, its negative impact on neighborhood traffic, aesthetics and rural environment. The commission was also put off by the submitted plan's uncertainty regarding the stewardship of Santiago Creek, the lack of a committed builder/tenant for the proposed athletic facility, and sketchy evacuation parameters if upstream dams were to fail.

Que sera sera

Milan's appeal to the city council, filed the morning after the commission's official adoption of resolutions denying the project, was not unexpected. Had the commission approved the project, citizen's groups opposing it were prepared to appeal the decision.

The developer is asking the city council to overturn the planning commission's decisions based on, what it considers, errors in judgment. The appeal application is limited to 100 words and is therefore devoid of details, but it contends that the planning commission was incorrect on several counts. Among them, the commission's conclusion that removing small land areas from the East Orange and Orange Park Acres specific plans creates significant impacts; its comparison of the intensity of the project to the surrounding community, and its assertion that the recreation component is a commercial use.

The appeal also notes that the commission was incorrect in determining that a senior living facility is not compatible with the neighborhood, that park amenities are not consistent with city requirements, that lot sizes are incompatible with the neighborhood and that the Environmental Impact Report was inadequate.

The city council may hear the appeal as early as May.