

Bright and Varick

Redevelopment Plan

**as adopted by the Jersey City Municipal Council
November 9, 2011 Ordinance 11-135**



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I. INTRODUCTION

The Bright and Varick Redevelopment Area (hereinafter the Redevelopment Area or the Area) was determined to be an "area in need of redevelopment," pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 et seq.) by resolution of the Jersey City Municipal Council following a recommendation by the Jersey City Planning Board.

The Bright and Varick Redevelopment Area consists of a single tax lots at the north-east corner of Bright and Varick Streets in downtown Jersey City just under a half mile walking distance to the Grove Street PATH station and about 1,600 feet to the Jersey Avenue Light Rail Station. The Redevelopment Area bounded on three sides by the Van Vorst Park Historic District.

The Area was previously used as temporary classroom space housed in mobile trailers placed onto the site. After the construction of the new PS #3 and MS #4 across the street, the trailers are not longer necessary for the School District.

It would now appear to be appropriate for the City to take a more pro-active approach to redevelopment in this Area, so as to bring the Area into greater compliance with the recommendations of the Master Plan and redevelop the Area in a manner that is more consistent with redevelopment activities and the historic district in the surrounding community. The Master Plan calls for "station areas" around the PATH stations to be up-zoned to include higher density residential, neighborhood retail, restaurants and other uses combatable with a mixed use transit oriented station area. In addition, parking requirements are to be reduced "to capitalize on the availability of high quality mass transit" and to increase building coverage, floor-area-ratios, and residential density which can be supported by nearby transit facilities.

II. BOUNDARIES

The Redevelopment Area consists of a single Tax Lot: Block 305, Lot 27 in the Downtown section of Jersey City. The boundary of the Redevelopment Plan Area is also depicted on the Boundary Map.

III. REDEVELOPMENT PLAN OBJECTIVES

- A. The planning and development of the Redevelopment Area as a primarily residential mixed-use building with ground floor commercial uses or parking.
- B. Reduce on-site parking and maximize the use of mass transit in order to take advantage of local bus routes, the PATH train and Light Rail stations.

- C. To integrate new development within the Area into the surrounding community by encouraging the creation of a mixed use building that will complement the Van Vorst Park Historic District.
- D. The improvement of the pedestrian environment and traffic circulation for the contemplated new development by the provision of new sidewalks, street trees and other pedestrian amenities within the existing street right-of-way.
- E. Removal of the temporary classroom trailers, chain link fencing, and surface parking lot on the site.

IV. GENERAL ADMINISTRATIVE REQUIREMENTS

The following provisions shall apply to all property located within the Redevelopment Area.

- A. Prior to the commencement of any new construction, reconstruction, or rehabilitation: a site plan for such shall be submitted by the developer or property owner to the Planning Board for review and site plan approval. No temporary or permanent Building Permit shall be issued for any work associated with any of the above actions, without prior site plan review and approval of such work by the Planning Board. Nothing in this section is intended to require site plan review and approval for minor modifications to the interior floor plan, such as the relocation or modification of non-bearing partition walls, which are commonly done to accommodate new tenancies or during lease renewals.
- B. The provisions of this Plan specifying the redevelopment of the Area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the Jersey City Municipal Council.
- C. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Submission of a site plan and site plan application shall conform to the requirements of the Jersey City Land Development Ordinance and this Plan.

As part of final site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53. Such performance guarantees shall be in favor of the City of Jersey City, and be in a form approved by the Corporation Counsel or the Planning Board attorney. The amount of any such performance guarantees shall be determined by the City Engineer in conformance with applicable law, and shall be sufficient to assure completion of site improvements within one (1) year of final site plan approval, or such other time period as determined by the Planning Board if particular circumstances dictate a longer time frame.

- D. No development or redevelopment of any parcel in the Redevelopment Area that will result in an increase in wastewater from that parcel shall be permitted unless and until the planned project wastewater piping and systems for the removal of effluent and storm water are approved by the City of Jersey City Division of Engineering and the Municipal Utilities Authority; and the municipal wastewater piping and systems for the removal of effluent and storm water are certified by the City of Jersey City Division of Engineering and the Municipal Utilities Authority as being of sufficient capacity and good condition to accommodate uses that will occupy said parcel. Such approval may be contingent upon requisite improvements to the drainage system in the street, as determined by the Division of Engineering.
- E. The Planning Board may grant deviations from the regulations contained within this Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant a deviation from the regulations contained within this Plan related to a specific piece of property where the purposes of this Plan would be advanced by such deviation from the strict application of the requirements of this Plan; and the benefits of granting the deviation would outweigh any detriments. The Planning Board may grant exceptions or waivers from design standards, from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to the site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan. No deviations may be granted which will result in permitting a use that is not a permitted use within this Plan. An application requesting a deviation from the requirements of this Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a. & b.
- F. This Plan shall supersede all provisions of the Jersey City Land Development Ordinance (hereinafter referred to as the “LDO”) on matters that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the LDO for clarification. No variance/deviation from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant development decisions and /or deviations from the requirements of this Plan, as provided herein. Upon final

adoption of this Plan by the Jersey City Council (“City Council”), the City’s Zoning Map shall be amended to show the boundary of the Redevelopment Area.

- G. No building shall be constructed over an easement in the Redevelopment Area without site plan review and approval of the Jersey City Planning Board and prior written approval of the Division of Engineering.
- H. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

V. GENERAL DESIGN REQUIREMENTS AND RESTRICTIONS

The following standards and requirements shall apply to all applications, including but not limited to: developments, re-developments, rehabilitation, and or re-use applications within the Redevelopment Plan area:

- A. All utility distribution lines; utility service connections from such lines to the Redevelopment Area's individual uses; and utility appliances, regulators and metering devices shall be located underground or within the building. No utility boxes or structure shall be permitted in sidewalk areas or exterior to the building. Remote readers are required for all utilities, in lieu of external location of the actual metering devices. Developers are required to arrange for connections to public and private utilities.
- B. Chain link fencing shall be prohibited within the Redevelopment Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
- C. No Billboards shall be permitted on any property contained within the Redevelopment Area.
- D. No signage shall be permitted within the Redevelopment Area that includes flashing, blinking or otherwise animated lights and/or parts, spinners, pennants, reflective materials, which sparkle or twinkle and/or similar materials; except for seasonal holiday decorations.
- E. No advertising shall be permitted on parking meters, light poles, or on benches or other street furniture.
- F. All trash dumpsters and/or compactors shall be located within the buildings. All outdoor storage shall be prohibited.
- G. The building must display the street address of the building such that it is clearly visible from the adjoining street right of way

VI. URBAN DESIGN REQUIREMENTS

1. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and in terms of light, air and usable open space, access to public rights of way and off-street parking, height and bulk. Buildings shall be designed to be attractive from all vantage points, with each street façade being of equal importance.
2. Buildings shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment, particularly where building lots front on multiple street. On street frontages where commercial uses are provided, at least seventy (70) percent of the frontage shall be dedicated to commercial uses and/or pedestrian access areas such as retail sales of goods and services, restaurants, building entrances and lobbies; which shall have direct access from the sidewalk area. Main-building entries shall be prominent and easily identifiable, and shall not occur simply as voids within or between buildings. Canopies may be provided at main entrances and must be constructed of materials similar to or compatible with the overall building design.
3. The base of all buildings shall meet the pedestrian level in a human scale and manner. The height of the base must relate to other buildings as well as existing historic architecture and design developed within this Area and must be proportional with the building's overall height.
4. Tops of buildings shall be designed to create architectural interest through the use of a cornice element.
5. The windows and glazing of a building are a major element of style that gives character to the building. Windows and glazing on ground floor commercial uses should be broad and expansive providing views into the store and display areas. At least seventy-five (75%) percent of the storefront façade shall be glass. If security gates are used on any part of the building or window, they shall be installed on the interior side of the window, within the building, hidden from view when closed, and be of the open grate style. Similarly, windows and doors into residential lobby areas should be broad and expansive allowing views to and from the adjoining streets.
6. EIFS (Exterior Insulating Finishing Systems), artificial stone and artificial brick veneer ("Permastone" & "Brickface") materials vinyl siding, or aluminum siding, may not be used on any visible façade within this Redevelopment Area.
7. All mechanical equipment, generators, HVAC equipment and similar equipment shall be acoustically buffered such that any noise generated by the equipment shall be within the applicable standards as defined by the State of New Jersey.

8. All mechanical equipment shall be screened from view, both from the street and existing neighboring buildings. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same materials used in the construction of the building, such that the screening appears to be an integral part of the building. The screening shall not impair the functioning of the equipment. Interior locations must be utilized where mechanically possible.
9. Wherever possible, ventilation equipment required for commercial uses shall be vented through the roof of the building and within the building, especially in new construction. All such equipment ventilated through the roof shall be screened. The necessary incorporation of ventilation grillwork within the storefront façade system shall be limited to no more than 15% of the possible glazing area. Such grillwork shall be architecturally incorporated within the storefront design so as to compliment and add to the overall aesthetic affect of the commercial façade. Exposed ventilation pipes and risers are prohibited.
10. Sidewalk areas must be provided along the street rights of way and shall be properly sized for the safe and convenient movement of pedestrians through and around the Redevelopment Area.
11. Sidewalk areas shall be attractively landscaped and durably paved in conformance with Municipal standards and shall be provided with adequate lighting. Sidewalk concrete must be tinted scofield charcoal or equivalent. White concrete is not permitted.
12. Street trees shall be planted along all curb lines of streets within the Redevelopment Area at a maximum of 35 feet on center. Each tree pit shall contain a decorative metal grate and/or decorative paving treatment. Tree species shall be selected which will achieve a mature height of 50 feet or above and a medium spread. Fast growing trees tend to be weak wooded and inappropriate for street planting. Therefore trees shall be selected that have a medium growth rate. The crown shape of the tree should be selected to compliment the architecture and setting of the buildings.
13. Lighting shall sufficiently illuminate all areas to prevent "dark corners". All lighting sources must be shielded to prevent and eliminate any glare. The area of illumination shall have a uniform pattern of at least one-half (0.5) foot-candles.

VII. SPECIFIC LAND USE REGULATIONS

1. Principal Permitted Uses
 - a. Residential.
 - b. Retail sales of goods and services on the ground floor.
 - c. Art galleries.

- d. Restaurants, type 1 and 2, provided all ventilation is routed through the building to the roof.
 - e. Appropriate mixes of the above.
2. Uses incidental and accessory to the principal use, including:
- a. Signs.
 - b. Residential storage rooms.
 - c. Automobile parking.
3. Bulk and Density Standards
- a. Minimum lot size: existing lots at the time of adoption are conforming and shall not be reduced in size.
 - b. Minimum lot width: existing lot widths at the time of adoption are conforming and shall not be reduced in size.
 - c. Minimum lot depth: existing lot depths at the time of adoption are conforming and shall not be reduced in size.
 - d. Front yard setback: Must match prevailing setback of historic buildings on each street right-of-way.
 - e. Rear yard setback: none.
 - f. Maximum side yard setback: zero, however light wells must be provided for windows on adjacent properties with a minimum of 5 feet in depth and at least one foot wider on each side of the windows on the adjacent properties in width. 6 feet in depth shall be required if windows are set facing one another.
 - g. Maximum building height: 5 stories and 57 feet, provided that where a property is located within the 100 year Flood Plain, the number of feet required to reach the base flood elevation plus one shall be added to the maximum permitted height of the building. Maximum height exception for the elevator penthouse shall not exceed 25% of building height.
 - h. Maximum building coverage: 100%
 - i. Maximum lot coverage: 100%
 - j. Maximum parking requirement: 1 space per unit, provided below or at grade only.
 - k. Minimum bicycle parking requirement: 1 space per residential unit, located in a convenient and accessible location to the front entry of the building with no more than four vertical steps (ramps may be utilized) between the bicycle room and the sidewalk.
 - l. Required building setback: all floors above the ground floor must provide a 30 foot setback from the north-east corner (interior corner) of the lot.

4. Design Standards:
- a. Front façade design shall be consistent with the design and architecture of proximate historic resources within the Van Vorst Park Historic District with an emphasis on compatibility with late nineteenth century architectural proportions and architectural detail.
 - b. Front façade must be primarily brick of a historically appropriate color and size to be consistent with other town homes on this block, to be consistent with those used in paradigmatic nineteenth century resources in the district, and be consistent with the particular stylistic paradigm of the proposed architecture. The remainder of the front facade must be constructed of stone, cast stone, decorative metal, slate or simulated slate shingles, tile, terra cotta or other similar and appropriate materials in an appropriate manner. The use of polyurethane, vinyl, and asphalt shingles at facades visible from the street is prohibited.
 - c. Street fronting building facades shall be broken down in scale by dividing the façade into smaller sections to resemble a series of smaller buildings typical of resources in the Van Vorst Park Historic District with an emphasis on vertical proportions.
 - d. Window, door, garage, entrance, entablature, lintel, and sill sizes, proportions, and materials must be consistent with those found on this block and in compatible historic resources of note within the district. Windows shall be simulated double or single hung, although casement windows may be permitted where appropriate to the style of the building as an accent, and be consistent with the vertical proportion of windows typical of the resources in the Historic District and common in late 19th century vernacular architecture and set in 4" (one brick width) from the face of the brick facade. Snap in and internal muntins and external window screens are not permitted.
 - e. A single decorative carriage house style garage door is permitted on the Bright Street facade. The garage door must be partly glazed at the top, and made of wood, and have a vertical proportion.
 - f. Appropriate decorative mounted light fixtures are required.
 - g. An entry stoop is required with stone or metal railings consistent with other railings in the Historic District. Cast or wrought iron shall be used for railings, fences and gates along the street frontage. The use of mild and tubular steel for fencing and rails is prohibited.
 - h. A minimum of two bay windows or oriels are required on each street facade and project a maximum of 36" beyond the building face. Bays shall be constructed of brick, stone and or cast stone decorative metal panels on a masonry base of stone cast stone or brick. Oriels with shall be constructed of decorative metal

- paneling. Metal facing and roofing above the first floor shall be permitted on oriels.
- i. Front landscaping and stoops may project into the right-of-way to align with stoops and other landscaping found on this block and curbed of a minimum of four inches high and four inches wide.
 - j. A building base shall be clearly defined at the first floor level, using an appropriate design methodology such as an alternating brick pattern, shape, style, coursing and/or color and/or a variety of materials such as stone, cast stone and decorative window heads and sills.
 - k. Floors 2, 3, 4, and 5 shall have an appropriate rich texture of brick using different patterns, shapes, colors mortar joints and coursing with decorative window heads and sills. The use of stone, cast stone and tile as design elements is permitted.
 - l. The rooflines shall be clearly defined through the use of decorative cornice lines, detailed brick work, mansard roofs with slate or simulated slate, gables of brick or stone, and dormers with brick, stone or metal detailing and cornices of metal, fiberglass or another appropriate and durable substitute.
 - m. All doors and framing elements must be wood, have a glazing component, and may not be solid. The use of double doors, sidelights, transoms, pilasters, panels, styles and rails and/ or entablatures, etc. in order to emphasize the importance of residential entryways is required.
 - n. Any building over 3 stories must include an elevator.
 - o. Elevator penthouse may exceed the height requirement, but must have an appropriate facing material consistent with the character of the building and the utilitarian nature of the bulkhead. The use of stucco or vinyl or aluminum siding is not permitted.
 - p. All secondary entryways, including fire exits and service entrances at the street frontages must be designed to be compatible with the surrounding architecture.
 - q. All windows opening into a garage must be glazed and include the same treatments as applied to residential windows, such as lintels, sills, simulated divided lights, muntins, mullions etc. However the use of decorative, textured, stained, tinted, or etched glass must be utilized.
 - r. All architectural design must be in accordance with the Historic Design Standards in the Jersey City Land Development Ordinance Chapter 345-71. However, the overall design of buildings in this area shall be consistent with historic design idioms, principals and proportions as demonstrated by residential historic resources in the approximate area within the Van Vorst Park Historic District. The use of modern design elements within this area is discouraged.
 - s. All buildings with a commercial first floor must include a cornice or decorative element above the first floor. Commercial first floors

must be 12 feet floor to ceiling within the first 30 feet from the street facade, and include at least 75% glazing which must begin at no more than 18 inches above the sidewalk level.

- t. All security gates must be inside any glass windows.
- u. Roof top recreation space is required in lieu of a rear yard.
- v. Washer/dryer facilities are required in the building.
- w. Signs must conform to the Historic District zone standards.
- x. All facade vents for air conditioning or heating units must be incorporated into the window design such that vent grills and windows appear as a single unit. This is best achieved by lining up vent grills with the vertical or horizontal edge of the adjacent window and matching the window's length or width or using a spandrel panel to fill any voids. Vent grills shall be hidden behind decorative iron or metal work which complements the style of the building.

VIII. ACQUISITION PLAN

No property within this Redevelopment Plan is listed as "To Be Acquired."

IX. RELOCATION PLAN

No acquisition is permitted within the Redevelopment Area. The site is uninhabited as of the writing of this plan.

X. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- D. There is no proposed acquisition in this plan.
- E. The Plan is in general compliance with the Master Plan of the County of Hudson. It is not contrary to the goals and objectives of the Jersey City Master Plan or the Zone Plan. The Master Plan and Zone Plan permits 4 story residential land use only. This Redevelopment Plan, however, introduces one additional story and mixed use in keeping with the Master Plan recommendations for "station areas," given The Plan complies with the goals and objectives of the New Jersey

Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.

- F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the Redevelopment Area covered by this Plan as a Redevelopment Area, and all underlying zoning will be voided.

XI. PROCEDURE FOR AMENDING THE PLAN

- A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of five thousand dollars (\$5,000), plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. If there is no developer the appropriate agency shall be responsible for any and all costs.
- B. No amendment to this Plan shall be approved without the review and recommendation of the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.



**BRIGHT AND VARICK REDEVELOPMENT PLAN
BOUNDARY MAP**

AUGUST 30, 2011



Legend

-  STUDY AREA BOUNDARY
-  New Public School Buildings

1 inch = 140 feet

