

Report

Concerning the Determination of the

# **NEW VACANT BUILDINGS**

## **STUDY AREA**

As

*“An Area in Need of Redevelopment”*

**The original of this report was signed and sealed  
in accordance with N.J.S.A. 40:14A-12**

As presented to the Jersey City Planning Board July 21, 2015 by the  
City of Jersey City, Division of City Planning

As amended by the Planning Board on \_\_\_\_\_

As adopted by Municipal Council on \_\_\_\_\_

## I. Survey of Conditions in the Study Area

### A. Introduction

On May 13, 2015, the Municipal Council of the City of Jersey City passed resolution number 15-318 authorizing the Planning Board to:

1. Conduct a preliminary investigation of the physical and economic conditions of an area known as the New Vacant Buildings Study Area, (hereinafter the Study Area) to determine whether or not this Study Area meets the statutory criteria necessary to be declared an “area in need of redevelopment,” an “area in need of rehabilitation,” or as a “non-condemnation redevelopment area” without the authorization to use eminent domain as outlined in NJSA 40A:12A-5 and NJSA 40A:12A-6; and
2. Propose a Redevelopment Plan for this Study Area if it is found to be in Need of Redevelopment and/or Rehabilitation.

### B. Boundary Description

The New Vacant Buildings Study Area consists of twenty-three (23) properties that are scattered throughout the city of Jersey City. An inventory of the blocks, lots, and addresses is presented in Table 1. Pictures of the buildings are contained in *appendix A*.

**Table 1: Study Area Properties**

ADDRESS	BLOCK/LOT
248 Grove Street	14103/54
332 Whiton Street	19005/30
18 McDougall Street	18704/12
67 Clerk Street	23301/15
165 Clerk Street	22701/9
163 Clerk Street	22701/10
9 Myrtle Avenue	23703/13
35 Dwight Street	25202/14
148-150 Fulton Avenue	25704/37
167 Armstrong Avenue	25601/13
37.5 Oak Street	21301/2
329 Forrest Street	21101/26

ADDRESS	BLOCK/LOT
182 Claremont Avenue	22503/58
81 Orient Avenue	22503/34
2131 Kennedy Boulevard	22303/30
142 Boyd Avenue	20502/58
219 Clendenny Avenue	19203/1
45 Gardner Avenue	16803/17
404 Palisade Avenue	3903/18
80 Bowers Street	2205/45
354 Ogden Avenue	2404/9
671 Palisade Avenue	1702/2
208 Columbus Drive	12703/1

## **C. Local Setting and Background**

The City of Jersey City bears the burden of having numerous vacant buildings scattered throughout the City. These buildings have a negative impact on their surrounding areas. Vacant buildings often come to be havens for illegal and illicit activities such as dumping, drug use, prostitution and graffiti. The disrepair of vacant buildings creates a negative aesthetic impact on their surrounding environs, which in conjunction with the aforementioned illegal activities, thereby decreases neighboring property values. Abandoned structures also present a real and immediate fire hazard to adjacent homes and businesses. Vagrants or drug abusers often set fires to warm themselves and the lack of running water or proper containment, frequently spells disaster. Drug abuse is not the only illicit activity common in vacant buildings. Assault, rape and other violent acts are known to occur behind the walls of such structures.

All these factors encourage a negative cycle of disinvestment and further abandonment evident in those districts where clusters of vacant buildings are found. Fiscal inefficiencies are likewise indicated in those districts with heavy concentrations of vacant buildings due to the loss of economies of scale, which is a factor that ensues from the requirement to maintain municipal services to city blocks with significant numbers of empty buildings.

Tax revenue inevitably declines in an inverse proportion to the prevalence of vacant properties in a neighborhood.

The economic circumstances of these vacant buildings, which often have multiple lien holders claiming an interest in the property, often makes redevelopment of these properties a prohibitively expensive project for the public sector, private sector, or non-profit investor. In order to make redevelopment of these properties feasible, public intervention is necessary in order to clear the liens, thereby decreasing the cost of redevelopment.

## **D. Review, Physical Survey and Analysis**

### **1. Review of Study Area Properties**

A review of all Study Area properties was conducted to determine if properties are located within existing Redevelopment Areas, and if those properties that are within Redevelopment Areas it was determined whether or not these properties are also listed to be acquired.

**2. Physical Survey Methodology** - The following methods were used in gathering information and preparing a physical condition survey of the Study Area.

A. Parcel ownership, land use, lot assignments, size and assessed value were obtained from the municipal tax records for each parcel. Land use categories were evaluated through field surveys.

B. A physical survey of the buildings and properties were conducted to determine the general physical condition for the parcels, and where necessary to modify characteristics obtained from the tax records. The survey involved an exterior evaluation only. The criteria for evaluating the condition of the buildings and properties consisted of those factors that would indicate the generality of active maintenance and investment, or the lack thereof, in the residence, business, plant or property surveyed. Building and property condition was determined by focusing on certain indicators such as the following: windows, entranceways, siding, brickwork, cornices, sidewalks and curbing, evident rubbish, foundations and retaining walls, fencing, arrangement of driveways, parking and loading areas, relationship of buildings and land use to the surrounding area, condition of pavement and the grounds in general. Factors which weighed against a positive rating included: cracks and fissures in masonry or concrete, broken glass, rotted and deteriorated wood elements, missing or damaged siding sections, evident debris and poor maintenance of the grounds, rusted or broken fencing elements, damaged or missing sidewalk areas and overcrowding or excessive coverage of buildings. Buildings and properties were classified as Good, Fair, or Poor.

### 3. Study Area Characteristics

Two (2) properties were found to be occupied and/or undergoing renovations (table 2). Two (2) properties were found to be within existing redevelopment plans and listed to be acquired (table 3). One (1) property was found to be within an existing redevelopment area, but not listed to be acquired (table 4). Eighteen (18) remaining properties are vacant and not within a redevelopment area (table 5).

**Table 2: Occupied and/or Undergoing Renovations**

ADDRESS	BLOCK/LOT
219 Clendenny Avenue	19203/1
45 Gardner Avenue	16803/17

**Table 3: Currently Listed To Be Acquired**

ADDRESS	BLOCK/LOT	REDEVELOPMENT PLAN
148-150 Fulton Avenue	25704/37	Turnkey
37.5 Oak Street	21301/2	MLK Jr. Drive

**Table 4: Currently Within a Redevelopment Area, Not Listed To Be Acquired**

ADDRESS	BLOCK/LOT	REDEVELOPMENT PLAN	STATUS	BUILDING DESCRIPTION* AND GENERAL DETAILS
332 Whiton Street	19005/30	Morris Canal	Poor	2.5S-BT-B-D-4U-NH Vacant; apparent structural problems; building leaning; siding deteriorating; rotting bays; overgrown yard; front door boarded

Key to Building Description Codes: BT - Basement, B - Brick, D - Dwelling, NH - No Heat, S - Story, U - Units.

**Table 5: Vacant, Not within a Redevelopment Area**

ADDRESS	BLOCK/LOT	STATUS	BUILDING DESCRIPTION* AND GENERAL DETAILS
248 Grove Street	14103/54	Poor	3S-BT-B-D-4U-H Vacant; building is leaning forward; boarded windows; apparent structural problems; front steps failing
18 McDougall Street	18704/12	Fair	2S-F-D-2U-H Vacant; broken windows open to the elements; boarded windows and front door; broken front steps
67 Clerk Street	23301/15	Poor	3S-F-D-4U-H Vacant; boarded windows and front door; overgrown yard; siding falling off; trash and debris in side yard; graffiti; broken windows
165 Clerk Street	22701/9	Poor	2.5S-F-D-1U-H Vacant; broken windows; open to the elements; exposed frame; failing roof; holes in roof; vines growing on facade; overgrown yard; broken front steps; trash and debris; boarded windows and door on first floor; apparent structural problems
163 Clerk Street	22701/10	Poor	2.5S-F-D-1U-H Vacant; Broken windows; open to the elements; exposed frame; failing roof; holes in roof; vines growing on facade; overgrown yard; broken front steps; trash and debris; boarded windows and door on first floor; apparent structural problems
9 Myrtle Avenue	23703/13	Poor	2S-F-D-2U-H Vacant; broken windows; open to the elements; boarded windows and door; railing missing; graffiti; trash and debris in front yard; overgrown yard;
35 Dwight Street	25202/14	Fair	2S-F-2U-H Vacant; apparent structural problems on porch; boarded window; broken front steps

Key to Building Description Codes: A - Apartment, BT - Basement, B - Brick, B&C - Brick & Concrete, C - Commercial, CB - Concrete Block, D - Dwelling, E - Elevator, F - Frame, G - Garage, H - Heat, IN - Industrial, INS - Inside, M - Metal, NH - No Heat, O - Office, R - Rear, RC - Reinforced Concrete, RE - Rear, S - Story, ST - Stucco, U - Units, W - Warehouse.

ADDRESS	BLOCK/LOT	STATUS	BUILDING DESCRIPTION* AND GENERAL DETAILS
167 Armstrong Avenue	25601/13	Fair	2S-F-D-2U-H Vacant; boarded windows; open to the elements; overgrown front yard; radiators laid up against the side of the house; siding falling off side of the building
329 Forrest Street	21101/26	Fair	2S-BT-F-D-2U-NH Vacant; porch has structural problems; boarded windows; upper windows open to elements; trash and debris in front yard; front steps are crumbling; broken windows; roof is failing; interior plaster walls deteriorating
182 Claremont Avenue	22503/58	Fair	2S-BT-F-D-1U-H Vacant; boarded windows; siding falling off; trash and debris in front yard
81 Orient Avenue	22503/34	Poor	2S-F-D-1U-H Vacant; boarded windows; open to the elements; siding falling off; frame expose in areas; trash, weeds and debris in front yard;
2131 Kennedy Boulevard	22303/30	Fair	2S-F-D-2U-H Vacant; boarded windows
142 Boyd Avenue	20502/58	Fair	2S-F-D-1U-H Vacant; boarded windows; some siding is coming off; bricks are deteriorating along foundation; front steps are crumbling;
404 Palisade Avenue	3903/18	Fair	3S-F-D-3U-H Vacant; boarded ground floor windows; graffiti painted over; open to elements
80 Bowers Street	2205/45	Poor	2S-BT-F-D-2U-NH Vacant; frame exposed under bay window; front steps are deteriorating; boarded windows; trash and debris in front yard;
354 Ogden Avenue	2404/9	Good	2.5S-F-D-2U-H Vacant; boarded window; siding falling off; tarp on roof; roof apparently deficient; temporary chain link fencing in front yard
671 Palisade Avenue	1702/2	Poor	2S-F-D-2U Vacant; siding is melted in places; frame exposed; overgrown yard; trash and debris; siding falling off; graffiti; apparent structural problems; chain link fencing deficient;
208 Columbus Drive	12703/1	Poor	4S-B-C-3U-NH Vacant; bricked up windows; overgrown yard; crumbling sidewalk
Key to Building Description Codes: A – Apartment, BT - Basement, B - Brick, B&C – Brick & Concrete, C - Commercial, CB – Concrete Block, D – Dwelling, E - Elevator, F – Frame, G –Garage, H- Heat, IN –Industrial, INS - Inside, M – Metal, NH - No Heat, O – Office, R – Rear, RC – Reinforced Concrete, RE - Rear, S –Story, ST –Stucco, U – Units, W –Warehouse.			

## **II. Criteria for Determination of Need for Redevelopment**

The Study Area may be determined to be in need of redevelopment if, after investigation, notice and hearing, as provided within NJSA 40A: 12A-6, the governing body concludes by resolution that within the study area, any of the following conditions are found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action

of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

### III. Conclusion

Properties listed in Tables 2 and Table 3 are either occupied, being rehabbed or are already part of existing redevelopment areas and should **not** be declared "an area in need of redevelopment."

However, a review of the study area characteristics for the nineteen (19) properties listed in Table 4 and Table 5 indicates that these properties should be grouped together as a single area, and as a group these properties qualify to be declared "an area in need of redevelopment" as defined by NJSA 40A:12A-5.

An exposition of these conclusions is as follows:

**Sub-section "a."** speaks to the substandard, unsafe, unsanitary, dilapidated or obsolescent, or possessing any of such characteristics, as to be conducive to unwholesome living or working conditions. As a result of their vacant status, many of these buildings are substandard, unsafe, dilapidated,

unsanitary, or contain a great deal of debris, and are conducive to unwholesome living or working conditions.

We conclude that the criteria of sub-section "a." is satisfied.

**Sub-section "d."** speaks to factors that are detrimental to the safety, health, morals, and general welfare of the community. The existence of abandoned buildings next door to occupied dwellings results in the ever present danger of conflagration. The use of such abandoned buildings for drug sales and other illicit activities is well known. The fear generated by such conditions causes people to avoid such areas--if they are able. For those unable to avoid such areas, the juxtaposition of these dilapidated, obsolete structures with adjacent residential uses, depresses property values and the quality of life for nearby residents. There can be no stronger evidence of this than the conditions of the residential buildings adjacent to these blighting influences. Just as an epidemiologist struggles to discern clusters of disease outbreaks that are significantly more concentrated than can be explained by random chance, so also can even a casual observer witness the clusters of abandoned homes and storefronts in several of our neighborhoods. Deterioration spreads through certain blocks like a metastasizing cancer. One by one, these homes have fallen victim to the blighting influence of these deleterious land uses.

We conclude that the criteria of sub-section "d." is satisfied.

**Sub-section "e."** speaks to a growing or total lack of proper utilization of an area caused by conditions of title, diverse ownership, or other conditions, which have resulted in a stagnant, or not fully productive condition of land that is potentially useful for contributing to the public health, safety and welfare. Sub-section "e" addresses the problem often seen in older neighborhoods where legal problems with properties often prevent the community from reaching its full potential. Such conditions as liens on the title, multiple owners that cannot be found, judgments and the like, preclude the private exchange of property, and result in a stagnant condition, wherein the only use that can occur is vacancy. This criterion is suspected to exist wherever there are large numbers of vacant lands and structures, foreclosures and municipal liens. Non-marketable title is such a significant problem in our cities that the New Jersey redevelopment statutes specifically call out this problem and provide a last ditch method to clear title and allow redevelopment sites to be assembled.

We conclude that the criteria of sub-section "e." is satisfied.

**Subsection "h."** speaks to the "Smart Growth" principles of New Jersey. Clearly the redevelopment of deteriorated urban districts and the improvement of the visual environment are directed towards Smart Growth and should be seen as promoting that agenda. Planning staff concludes that the criteria of sub-section "h" is satisfied.

We conclude that the criteria of sub-section "h." is satisfied.

It is the recommendation of City Planning staff that the aforementioned Study Area properties listed in Table 4 and Table 5 be determined as an "area in need of redevelopment" as it qualifies for such a determination under subsections a., d., e., and h. of NJSA 40A:12A-5 to be incorporated in the existing Vacant Buildings Redevelopment Plan.

Prepared by :

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Senior Planner

**Appendix A -- Pictures of Properties in Table 4 and Table 5**

ADDRESS	BLOCK/LOT	PICTURE
248 Grove Street	14103/54	
332 Whiton Street	19005/30	
18 McDougall Street	18704/12	

ADDRESS	BLOCK/LOT	PICTURE
67 Clerk Street	23301/15	
165 Clerk Street (RIGHT) 163 Clerk Street (LEFT)	22701/9 22701/10	
9 Myrtle Avenue	23703/13	

ADDRESS	BLOCK/LOT	PICTURE
35 Dwight Street	25202/14	
167 Armstrong Avenue	25601/13	
329 Forrest Street	21101/26	

ADDRESS	BLOCK/LOT	PICTURE
182 Claremont Avenue	22503/58	
81 Orient Avenue (RIGHT)	22503/34	
2131 Kennedy Boulevard	22303/30	

ADDRESS	BLOCK/LOT	PICTURE
142 Boyd Avenue	20502/58	
404 Palisade Avenue	3903/18	
80 Bowers Street	2205/45	

ADDRESS	BLOCK/LOT	PICTURE
354 Ogden Avenue	2404/9	
671 Palisade Avenue	1702/2	
208 Columbus Drive	12703/1	

**Appendix A -- Pictures of Properties in Table 4 and Table 5**

ADDRESS	BLOCK/LOT	PICTURE
248 Grove Street	14103/54	
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208 Columbus Drive	12703/1	