

City Clerk File No. Ord. 11-058

Agenda No. 3:A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 11-058

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF
JERSEY CITY ADOPTING THE 8 ERIE STREET REDEVELOPMENT
PLAN**

WHEREAS, the Municipal Council of the City of Jersey City, by Resolution 11-165, adopted March 23 2011, authorized the Jersey City Planning Board to conduct a preliminary investigation and hold a Public Hearing to determine if the area known as the 8 Erie Street Study Area met the criteria necessary to be declared a Redevelopment Area; and

WHEREAS, the Municipal Council, upon the recommendation of the Jersey City Planning Board has designated the 8 Erie Street Study Area as an "an area in need of redevelopment"; and

WHEREAS, pursuant to *NJSA 40A:12A-4.a.(3)*, the governing body is empowered to adopt a redevelopment plan to regulate development within an area declared in need of redevelopment; and

WHEREAS, the Planning Board of Jersey City, at a public hearing on April 26, 2011, did consider the 8 Erie Street Redevelopment Plan and has recommended it be adopted to guide the future redevelopment of the area, and

WHEREAS, the proposed 8 Erie Street Redevelopment Plan, attached hereto and made a part hereof is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced 8 Erie Street Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, PP, AICP
Director, Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required

Not Required

8 Erie Street

Redevelopment Plan

**DIVISION OF CITY PLANNING
Proposed April 2011
Version 6**

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I. INTRODUCTION

The 8 Erie Street Redevelopment Area (hereinafter the Redevelopment Area or the Area) has been 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 Municipal Council Resolution adopted April 26, 2011.

The Study Area is located in downtown Jersey City, one block north of Newark Avenue and less than two blocks west of the Grove Street Path Station. The property is currently occupied by the Jersey City Police Department Headquarters and consists of an existing building at the corner of Erie and Bay Streets and a surface parking lot which has 25 feet of frontage on Bay Street and 125 feet of frontage on First Street. The parking lot is currently used by the Jersey City Police Department. The Study Area is located within a largely residential area and is located nearby Newark Avenue’s commercial corridor.

The building at 8 Erie Street, formerly the *NY & NJ Telephone Company Building* and most of the adjacent parking lot are located within the Harsimus Cove Historic District which consists mostly of mid and late nineteenth century townhouses and tenements with occasional corner storefronts and other mixed uses. The lots along First Street are bookended by a monumental Italianate tenement row to the east and two originally mixed use Italianate buildings to the west. The lot on Bay Street is situated between two nineteenth century buildings, one a two and a half story gabled Greek Revival frame building to the east and the other a three and one half story masonry Greek Revival townhouse to the west. For much of Jersey City’s history, the area that is now the 8 Erie Street Redevelopment Area was the residential edge of the Harsimus Cove neighborhood as it transitioned into commercial sites along Newark Avenue. This edge condition is now characterized by the governmental offices at 8 Erie street and the adjacent surface parking. Although the former Telephone Company building maintains its historic integrity in terms of location, design, setting, materials, workmanship, feeling, and association, the police office and parking uses are not in keeping with those uses permitted in the zone plan for the Area nor are they recommended in the Master Plan.

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 in the surrounding community.

II. BOUNDARIES

The 8 Erie Street Study Area consists of seven (7) tax lots found on one Tax Block in Downtown Jersey City.

Block	Lot
242	14, 20A, 24, 25, 26, 27, 28

The boundary of the Study Area is also depicted on Map 1, "Study Area Boundary Map." In the event of a discrepancy between lots listed in the chart and the Map, the Map takes precedence.

III. REDEVELOPMENT OBJECTIVES AND REQUIREMENTS OF ANY DEVELOPMENT AND CONSTRUCTION WITHIN THE PLAN AREA

- A. The planning and development of the Redevelopment Area as a primarily residential mixed-use area with ground floor commercial uses where appropriate along Erie Street.
- B. To provide opportunities for the rehabilitation and adaptive re-use of the Police Headquarters Building, formerly the *NY & NJ Telephone Company Building*, for residential use with some ground floor retail and to permit new residential construction on the parking lot in a manner consistent with the surrounding Historic District.
- C. The improvement of the pedestrian environment and traffic circulation for the contemplated new development by curb cuts, and the provision of new sidewalks, street trees and other pedestrian amenities within the existing street rights-of-way.
- D. Remove the substandard parking lot and other blighting influences associated with the area and appropriately rehabilitate the architecturally and historically significant former *NY & NJ Telephone Company Building* currently used as police headquarters.
- E. To identify and preserve significant historic buildings in the Redevelopment Plan Area.
- F. To ensure that historically appropriate and sensitive development, consistent with JCLDO 345.71 Historic Design Standards and the *Secretary of the Interior's Standards for The Treatment of Historic Properties* is required in the *Harsimus Cove Historic District*.

IV. PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Redevelopment Area through a combination of redevelopment actions that will provide a uniform and consistent attack on blight within the Area by systematically removing blighting influences in an orderly manner and allowing for new construction. These will include but not be limited to:

- A. Acquisition of vacant land, and structures, determined to be impediments to sound and comprehensive redevelopment.

- B. The consolidation and of land within the Redevelopment Area into suitable parcels for development for the new residential land uses where necessary.
- C. Provision for a full range of public and/or private infrastructure necessary to service and support new development in the Area and adjacent areas.
- D. Construction of new structures and complementary facilities that are compatible with the land use patterns in the surrounding area.
- E. Preservation and rehabilitation of existing historic resources, including but not limited to buildings, structures, objects, etc. in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

V. GENERAL ADMINISTRATIVE REQUIREMENTS

The following provisions shall apply to all property located within the 8 Erie Street 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. Also prior to the Planning Board hearing, an application shall be made to the Jersey City Historic Preservation Commission (JC HPC), for recommendation to the Planning Board, in accordance MLUL 40:55D- et al.
- B. 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.
- C. 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. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- D. 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 Zoning Ordinance and this Plan. Applications may be submitted for an entire project or in phases.
- E. 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.

- F. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the Jersey City Land Development Ordinance.
- G. 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.
- H. 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.

- I. The regulations and controls in this section may be implemented where applicable by appropriate covenants, or other provisions, or agreements for land disposition and conveyance executed pursuant thereto.
- J. No covenant, lease, conveyance or other instrument shall be effected or executed by the Jersey City Redevelopment Agency or by a redeveloper or any successors or assignees, whereby land within the Redevelopment Area is restricted by the Jersey City Redevelopment Agency or the redeveloper upon the basis of race, creed, color or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments.
- K. 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. The provisions of the LDO that pertain to the Harsimus Cove Historic District (hereinafter referred to as the "HCHD") shall remain in full force and effect, except that this Plan shall supersede the zoning provisions of the HCHD 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 Historic Preservation Commission shall retain all authority granted pursuant to the LDO to make recommendations to the Planning Board regarding the appropriateness or effect of proposed development applications within the HCHD. Notice of the decision of the Historic Preservation Commission shall be provided pursuant to the JC LDO. The Planning Board alone shall have the authority to grant development decisions and /or deviations from the requirements of this Plan, upon recommendation from the JCHPC 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 8 Erie Street Redevelopment Area.
- L. The Planning Board may not consider any deviation within the Harsimus Cove Historic District prior to a recommendation noting determination of effect and appropriateness by the Historic Preservation Commission. Notice of the decision of the Historic Preservation Commission shall be provided pursuant to the JC LDO.
- M. 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.
- N. 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.

VI. 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 in or on windows, on parking meters, light poles, or on benches or other street furniture.
- G. All trash dumpsters and/or compactors shall be located within the buildings. All outdoor storage shall be prohibited.
- H. All buildings within the Redevelopment Area must display the street address of the building such that it is clearly visible from the adjoining street right of way.
- I. No junked motor vehicles, or parts thereof shall be permitted to be stored on any lot within the Area. Outdoor parking of vehicles that are inoperable or unregistered shall be prohibited. Commercial or private surface parking on any property within the plan area shall be prohibited.

VII. URBAN DESIGN REQUIREMENTS

A. Building Design Requirements

1. All rehabilitation and new construction within the Harsimus Cove Historic District shall be designed to ensure conformance with the Secretary of Interior's Standards for the Treatment of Historic Properties and JCLDO 345.71
2. 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 building face (front, side and rear) being of equal importance. Buildings with multiple street frontages must be designed so that each façade has windows, cornices, bays, or other architectural elements and avoid blank walls visible from any public right-of-way.
3. 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.
4. In new construction, individual residential stoops shall be provided for all residential units fronting on a street and closest to ground level. Stoop width shall be at least 5.5 feet
5. On Erie Street frontages where commercial uses shall be 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 good and services, restaurants, banks, offices, 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.
6. 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.
7. Tops of buildings shall be designed to create architectural interest through the use of a cornice element.
8. Balconies and terraces may extend from the building when facing into rear yards. However, all balconies facing onto streets shall extend from the façade by no more than 12 inches and may be semi-recessed into the building. Primary façade balconies are prohibited within the Harsimus Cove Historic District.

9. EIFS (Exterior Insulating Finishing Systems), artificial stone and artificial brick veneer ("Permastone" & "Brickface") materials vinyl siding, aluminum siding, are prohibited.
10. All mechanical equipment, generators, HVAC equipment and similar equipment shall be located internally to the principal building. They 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.
11. All mechanical equipment that must be on the exterior for ventilation shall be attached to the principal building and screened from view, both from the street and existing or planned 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.
12. Ventilation equipment required for commercial uses shall be vented through the roof of the building and within the building. 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.
13. 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 and maintain consistency and compatibility with neighboring sidewalks.
14. 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 an appropriate color, Scofield Charcoal or the equivalent. White concrete is not permitted.
15. All plant material used must be able to withstand the urban environment and shall be planted, balled and burlapped as established by the American Association of Nurserymen. A planting schedule shall be provided by the developer and approved by the Planning Board. All landscaping shall be guaranteed for a period of two (2) years. Any landscaping which is not resistant to the urban environment or that dies shall be replaced by the developer or property owner.
16. 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. Evergreen trees and fruit trees may not be used as street trees.

B. Off-street Parking Design Requirements

1. All off-street parking shall be located within the building. Parking structures shall be incorporated into and be a part of the principal building. There shall be no separate parking structures
2. All parking provided within the Redevelopment Area shall be for the sole use of the residents or tenants of the Redevelopment Area. Parking may not be leased to commuters or other non-residents or non-tenants of the Redevelopment Area.
3. Off-street surface parking is prohibited.

VIII. SPECIFIC LAND USE REGULATIONS

The Redevelopment Area is a divided into two (2) land-use districts, regulated as follows:

A. Residential Re-Use District

The purpose of this district is to provide for historic rehabilitation and re-use of the existing building located at 8 Erie Street.

1. Permitted Uses
 - a. Restaurants, Retail sales of goods and services, offices and Art Galleries required on the first floor fronting Erie Street.
 - b. Residential multi-family, but not permitted on the Erie Street frontage of the ground floor
 - c. Roof-top open space and garden
 - d. Signage as permitted within the Harsimus Cove Historic District
2. Prohibited Uses
 - a. Parking
 - b. Ground Floor Financial services and banks
 - c. Medical offices and clinics
3. Bulk and Density Standards

- a. The adaptive re-use of this building shall occur within the existing bulk of the building, no new additions except for an elevator head over flow, above the roof, shall be permitted.
- b. Maximum building height: Existing
- c. Maximum building coverage: Existing
- d. Maximum lot coverage: Existing
- e. Maximum residential density: 110 DU/AC
- f. Parking requirement: Prohibited

4. Design Standards:

- a. All exterior rehabilitation shall restore the building in a manner that is consistent with *Secretary of the Interior's Standards and Guidelines for Rehabilitation* and the Historic Design Standards in the Jersey City Land Development Ordinance Chapter 345-71.
- b. All security gates must be inside any glass windows.
- c. All through-lots must front on both streets with entryways on both sides of the building. Commercial uses are required to have its primary front on Erie Street
- d. Roof top deck for occupants' recreation is required. Decks must be set back from the Erie Street and Bay Street façade a minimum of 5 feet so as to be safe and not visible from public rights-of-way.
- e. Blocked up windows at the rear facades shall be re-opened and new windows added provided they are consistent with the above referenced guidelines. A window easement of 3 feet and 1 inch shall be incorporated into the deed of the adjoining City parking lot to accommodate these changes.
- f. The interior courtyard shall be irrigated and landscaped and the fire escape balconies repaired and restored for individual tenant use.

B. New Residential Construction District

The purpose of this district is to provide for appropriate new infill construction and to redevelop the area as townhouses, and multi-family residential construction consistent with the historic pattern of construction in the area especially on Bay and First Streets respectively, and the proximate historic resources within the district. Given the permitted bulk and lot size in this zone, any building designed for and constructed in this area with five or more units must be particularly sensitive to the historic character of the neighborhood.

- 1. Principal Permitted Uses:
 - a. One, Two, Three or 4 family townhouses.

- b. Multi-family residential with 5 or more units.
2. Uses incidental and accessory to the principal use, including:
 - a. Fences and walls and stoops.
 - b. Home occupations.
 - c. Decks, patios.
 - d. Swimming pools.
 - e. Signage as permitted within the Harsimus Cove Historic District
3. Bulk and Density Standards for residential buildings with up to 4 units:
 - a. Required lot size: 2500 square feet.
 - b. Required lot width: 25 feet.
 - c. Required lot depth: 100 feet.
 - d. Required front yard setback: Must match prevailing setback of historic buildings on this block.
 - e. Minimum rear yard setback: 30 feet.
 - f. Required side yard setback: zero.
 - g. Maximum building height: 4 stories
 - h. Maximum building coverage: 70%
 - i. Maximum lot coverage: 80%
 - j. Maximum residential density: 75 units per acre
 - k. Maximum Parking: 1.0 per unit
4. Bulk and Density Standards for residential buildings with 5 or more units:
 - a. Required front yard setback: must match prevailing setback of historic buildings on this block to the East.
 - b. Minimum rear yard setback: 30 feet for primary use, 15ft for underground parking that pierces the ground level by no more than 4 feet, as measure at the property line with adjacent properties.
 - c. Required side yard setback: zero feet.
 - d. Maximum building height: 4.5 stories and 55 feet.
 - e. Minimum building height: 4 stories and 45 feet.
 - f. Maximum lot coverage: 90%.
 - g. Maximum permitted parking: 1.0 spaces per unit.
 - h. Minimum bicycle parking: 1 space per unit.
 - i. Maximum residential density: 100 dwelling units per acre
 - j. Window easement required for 8 Erie Street building of 3 feet and 1 inch so windows along the common property line can be added and maintained in the existing building.

5. Design Standards for all new Construction

- a. 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 Harsimus Cove Historic District. The use of modern design elements within this area is discouraged but may be permitted if found to be consistent with the Secretary of the Interior's standards.
- b. Front façade design shall be consistent with the design and architecture of proximate historic resources within the Harsimus Cove Historic District with an emphasis on compatibility with late nineteenth century architectural proportions and architectural detail.
- c. All buildings must be designed with a flat roof and cornice line to match those found on this block.
- d. 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, tile, terra cotta or other similar and appropriate materials. The use of polyurethane, vinyl, and asphalt shingles, vinyl or aluminum siding, or various forms of cementitious concrete stucco at facades visible from the street is prohibited.
- e. Front façade must be primarily brick of a historically appropriate color and size with mortar color and tooling to match other town homes on this block.
- f. Building facade 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 historic district with an emphasis on vertical proportions.
- g. Window, door, 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 double or single hung, 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.

- h. A single decorative carriage house style garage door is permitted on Bay Street as part of a larger multi family residential use on First Street. The garage door must be partly glazed at the top, and made of wood.
- i. A stoop of similar size and proportion and front areaway as those found on Bay Street must be incorporated into the design of the building facade facing Bay Street.
- j. Appropriate, decorative, mounted light fixtures are required.
- k. A minimum of three entry stoops are required on the First Street facade 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.
- l. Front landscaping and stoops may project into the right-of-way to align with stoops and other landscaping found on this block and be curbed a minimum of four inches high and four inches wide in an appropriate material such as tinted concrete or cast stone.
- m. 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.
- n. Floors 2, 3, and 4 may 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.
- o. The rooflines shall be clearly defined through the use of decorative cornice lines, detailed brick work, and cornices of metal, fiberglass or another appropriate and durable substitute.
- p. 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.

- q. The building must include an elevator.
- r. 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.
- s. All parking shall be at least 50 percent below grade and ventilated.
- t. All secondary entryways, including fire exits and service entrances at the street frontages must be designed to be compatible with the surrounding architecture.
- u. 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, etched glass etc may be permitted at the garage windows where harmoniously integrated in the façade.
- v. The exterior upper level of any rear yard underground parking must be heavily landscaped with burned and tiered landscaped structures surrounding it, ringed with a partially opaque, architectural fence, primarily utilizing material of the principal building and incorporating elements of the principal building's design.
- w. Vehicular access must utilize the Bay street lot to access the parking area, however, the garage door shall be a silent & fast opening type. It shall be setback from Bay Street, at the same setback of the townhouse building on the west side of the Bay Street lot. There shall be a second door flush with the underground parking wall at the rear interior entrance to the underground parking. The surface treatment for vehicular travel to deliver the car to the garage entrance shall be of a decorative natural material, and shall be compatible with the adjacent sidewalk and lit in a residential style and foot-candle level. Any change in elevation adjacent to the driveway which would require fencing shall not be a fence, but instead a decorative wall, primarily utilizing material of the principal building and incorporating elements of the principal building's design.

- x. Changes in elevation involving building placement and driveway slope may not be appropriate given the paradigm of the historic streetscape and would be subject to review and approval.
- y. The garage entrance shall incorporate a decorative pedestrian walkway and pedestrian door with appropriate decorative ornamentation and design.

IX. ACQUISITION PLAN

All property within this Redevelopment Plan is listed as "to Be Acquired." Refer to the boundary Map for a Mapped depiction of all properties.

X. RELOCATION PLAN

There is no relocation.

XI. OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

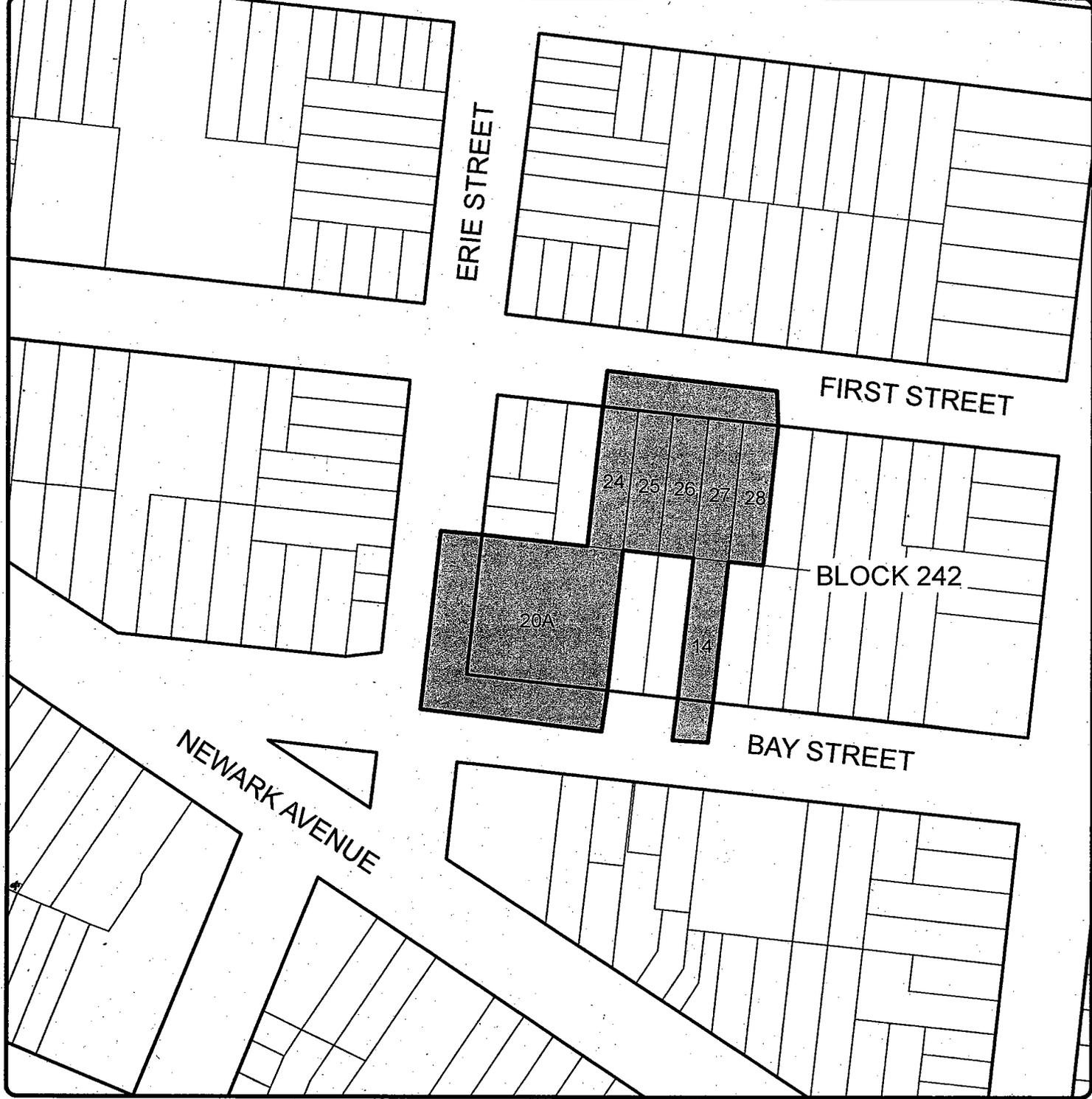
In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- 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. The Acquisition Map and Acquisition Plan (Section IX), which are a part of this Plan, indicate all property to be acquired as a result of 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.
- 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.

XII. PROCEDURE FOR AMENDING THE PLAN

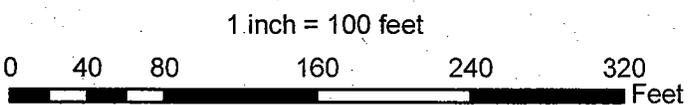
- A. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of one thousand dollars (\$1,000), plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided 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.



8 ERIE STUDY AREA
BOUNDARY MAP

MARCH 10, 2011



Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE 8 ERIE STREET REDEVELOPMENT PLAN

This ordinance adopts a redevelopment plan for the 8 Erie Street Study Area. It permits the adaptive re-use of the Police Headquarters and new 4 story residential construction on the parking lot. The design standards proposed for the development are consistent with the requirements of the Harsimus Cove Historic District, within which the study area is located.



Inter-Office Memorandum

DATE: May 4, 2011
TO: Council President Peter Brennan
Members, Municipal Council
FROM: Robert D. Cotter, PP, AICP, Planning Director Robert D. Cotter
SUBJECT: 8 Erie Street Parking Lot

Digitally signed by Robert D. Cotter
DN: cn=Robert D. Cotter, o, ou,
email=bobbyc@jcnj.org, c=US
Date: 2011.05.04 12:51:01 -0400

INTRODUCTION

At the City Council meeting on April 27th, a motion was made to amend Ordinance 11--058 to make parking a permitted use in the 8 Erie Street Redevelopment Plan. The Redevelopment Plan, which was proposed by the Administration and recommended unanimously by the Planning Board, would permit a mixed use development on the site. Prior to the vote to amend, the Administration requested that the ordinance be tabled for two weeks to give the Administration an opportunity to explain the rationale for the Redevelopment Plan.

This memo discusses the following:

- a. A review of the Jersey City Land Development Ordinance and Master Plan as they relate to parking lots and structures and historic districts;
- b. An analysis of current parking facilities in the immediate area and estimate of a garage construction;
- c. An estimate of land value and proposed ratables if the property was to be sold. (See Table 1)

ZONING AND MASTER PLAN

The Jersey City Land Development Ordinance (LDO) does not permit parking lots or parking garages as a Principal Permitted Use in the Historic Districts. However, the parking lot serving Police Department Headquarters at 8 Erie Street (Block 242, Lots 14, 24, 25, 26, 27 and 28) is a permitted use as the LDO permits "Governmental Uses" in the Historic Districts. The zoning would permit a change in use to a public parking lot provided that the lot was owned and operated by the municipal government or its agencies, such as the Jersey City Parking Authority. Privately owned parking lots and garages are not permitted as a principal use of a lot; they are permitted only as an accessory use to projects of ten dwelling units or more.

The Jersey City Master Plan, Circulation Element, adopted April 2009, envisions a comprehensive approach that is designed to increase the use of mass transit, walking and bicycling as alternative forms of transportation in order to reduce the amount of traffic congestion, even as the city grows in population and employment.

The Circulation Element provides a range of goals and objectives, as well as numerous specific strategies and actions that are designed to achieve the vision, goals and objectives.¹ One critical goal to achieving this vision is to "coordinate transportation and land use planning in a systematic and comprehensive way."

The Master Plan also calls for “transportation systems to respect the character of historic districts.”

The parking lot is located in the Harsimus Cove Historic District, which is primarily comprised of three and four story residential buildings. The principles of historic preservation seek to fill the void in the streetscape created by the surface parking lot with a structure. Our Master Plan doesn't want that structure to be parking garage.

The character of the historic neighborhood is that of a quiet, 19th Century residential district, with limited commercial activity. The traffic created by a parking garage would adversely affect that character of the district. Moreover, the use of public funds to construct a public parking structure would require approval of the State Historic Preservation Office.

Ideally, any concentration of parking should be located on major arterial roadways, not local residential streets. All of the streets surrounding Block 242 are narrow, one-way residential streets, and are inappropriate for the traffic loads a parking structure would create.

EXISTING PARKING SUPPLY AND NEW CONSTRUCTION ESTIMATES

There is a substantial supply of parking available in two new apartment buildings at the Grove Street PATH station: Grove Pointe and 50 Columbus. Both are within easy walking distance of the Newark Avenue shopping district. Grove Pointe reports 75 to 100 spaces unused every day; 50 Columbus reports 200 to 400 unused spaces daily. Grove Pointe offers discounted parking tickets to the HDSIS to reduce fees for shoppers' parking. Participation has been limited. Rates are \$1.50 for ½ hour; \$3.00 for 1 hour and \$5.00 for 2 hours. Only *Skinnners*, *LITM* and Drs. Siegel and Savoy participated in the past.

The site in question is 125 by 100 feet, which we believe to be too small for any efficiency with a traditional parking structure. Only a robotic garage like Hoboken's would offer any economic efficiency on such a small site. A typical parking garage would cost approximately \$30,000-\$35,000 per space to build. Furthermore, a market study of the surrounding area would need to be conducted to determine the feasibility of the parking garage as well.

Richard F. X. Johnson, of the Matrix Company, wrote an article for the NJ League of magazine *New Jersey Municipalites* in March 2006, about the need for New Jersey to come up with a means of funding the “gap” in the cost/revenues of urban parking structures. It noted the following:

“The capital and operating costs of a garage are highly dependent on the design of the facility and its site, and the anticipated revenue is highly dependent on the market. The cost of structured parking ranges from \$15,000 to \$30,000 per space, and the revenue derived from each space varies from \$60 to \$300 per month. Utilizing approximate “midpoints” of \$22,500 for cost per space and \$150 for monthly revenue—and even with RAD/RAB financing and PILOT payment structures, the value/cost gap is still not closed.”

It is fair to say that parking structure on this lot will require municipal operating subsidy.

POTENTIAL LAND VALUE AND RATABLES

The redevelopment of 15,000 square feet of vacant property currently used as parking for the JCPD Headquarters at 8 Erie St. would be valued between \$40,000 and \$45,000 per residential unit. The value would be based upon a four story residential rental apartment building constructed on the First Street site and a four story townhouse on the 25 foot wide Bay Street

site. The site could produce approximately 30 units, although a final determination of the total units cannot be made at this point until proposals are received and evaluated. The sale of the lot could return upwards of \$1.35 million to the city.

An analysis by the Tax Assessor of the likely taxes to be generated by the project envisioned in the redevelopment plan shows an estimated revenue stream to the city of more than \$160,000 per year.

CONCLUSIONS

We believe the proposed Redevelopment Plan will produce the highest and best use of this land. The Plan represents an appropriate development within the historic district and it was unanimously recommended for adoption by Council by the Historic Preservation Commission.

Harsimus Cove should not be overrun with vehicles coming and going from a parking lot, or worse yet, a much higher volume parking garage, within the narrow confines of their 19th Century neighborhood.

We have demonstrated that there is ample shoppers' parking available on Christopher Columbus Drive, a street designed and constructed in the 21st Century to accommodate heavy volumes of traffic.

A municipal garage would be costly to construct. The costs are likely to exceed the markets willingness to pay, meaning Jersey City taxpayers would have to subsidize these lucky parkers.

A taxpayers' subsidy would be unfair competition to the private garages built to accommodate their needs and the needs of the Downtown merchants.

The size of the lot presents issues in terms of efficiencies of necessary aisles and ramps. We believe it to be too small a traditional parking structure. * NOTE: A separate report by a parking expert is being prepared for Monday's Caucus.

We respectfully ask the Council to adopt the 8 Erie Street Redevelopment Plan in its present form.

Table 1:

STABILIZED INCOME AND OPERATING EXPENSES	
Potential Gross Income	<u>Totals</u>
42,500 sf @ 25.00/ sf	1,062,500
21 Parking Spaces @ \$150/mo.	<u>37,800</u>
	1,100,300
Less: Vacancy & Collection Loss @ 5%	<u>55,015</u>
Effective Gross Income	1,045,285
Stabilized Operating Expenses	
Total Operating Expenses @ 6.88/sf	<u>292,600</u>
Net Operating Income	752,605
Captitalized @9.5%	7,922,200
Market Value by Income Capitalization	7,922,200
2011 Assessment Ratio @ 29.43%	2,331,500
2010 Tax Rate @ \$69.03/ thousand	160,943

¹ "Objective G1-1: Develop and implement smart growth strategies that locate new residential development within walking distance of bus stops and passenger rail stations, with the highest density zones located within walking distance of passenger rail stations; that mixes residential land use with commercial land use..."

"Objective G1-2 Support transit dependent growth by creating street-level pedestrian-friendly environments, providing frequent and reliable local bus service and developing new transportation infrastructure."

Implementation strategy G1-A, in part states, "Use zoning, incentives and capital improvement programs to:

- a) Encourage pedestrian scale, mixed use development and redevelopment within walking distance of public transportation ...
- b) Create complete streets that accommodate bicyclists, pedestrians and various types of vehicles (scooters, cars, buses, trucks, light rail, etc.) as appropriate; accommodate on-street parking to buffer pedestrians from moving vehicles; ... and create an inviting public realm through building and public space design and building and public space relationship to the street."

Specific actions to implement include the following:

"Action G1-1: Adopt a form-based zoning code that has special exceptions for historic districts and that incorporates the following:

- "a) Creation of buildings and structures that relate to human scale..."
- "c) Evaluation of roadway capacity and traffic impacts, with consideration of anticipated new mass transit infrastructure..."
- "g) Parking space requirement maximums that reduce the number of permitted parking spaces in development near fixed rail transit stations in proportion to distance and inversely proportional to the intensity of development"
- "h) Reduction in use of land for parking purposes and increase in use of land for productive use"



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 11-059

TITLE:

Ordinance dedicating that the northwest corner of Jewett Avenue and John F. Kennedy Boulevard also be known as Domenick J. Infantes, Jr. Way

WHEREAS, Domenick Infantes was born on September 7, 1979 in Margaret Hague Hospital in Jersey City, New Jersey. He grew up on Jewett Avenue in the West District and attended Saint Aloysius Elementary School. His dreams of a law enforcement career began at a very young age. Immediately after graduating from Saint Anthony High School in 1989, Domenick was hired to work as a Hudson County Corrections Officer at the Hudson County Jail. He was well respected and was given the opportunity to place the last honorary lock on the facility when it closed; and

WHEREAS, after a 4½ year career with Hudson County Corrections, Domenick's lifelong dream became a reality. He was hired as a Jersey City Police Officer in 1994. His first assignment, where he cultivated his law enforcement dreams was the West District. His other assignments included the East District where he was part of the Neighborhood Task Force (NTF) and worked in the JCPD Housing Unit namely Montgomery Gardens and East NTF Post 6; and

WHEREAS, on July 4, 2001, after identifying himself as a Jersey City Police Officer in an effort to calm a dispute between neighbors, Domenick Infantes was brutally attacked and succumbed to his injuries on July 6, 2001.

WHEREAS, Domenick J. Infantes, Jr. was newly married and left behind his wife Betty, father Domenick Sr, mother Carol and brother Erik. He also left behind a legacy of courage, compassion, dedication, and devotion to duty that will never be forgotten; and

WHEREAS, Domenick J. Infantes, Jr. was honored at the National Police Hall of Fame in Florida and the National Law Enforcement Officers Memorial (NLEOMF) in Washington, D.C. for his actions. Domenick distinguished himself throughout his police career receiving two excellent Police Service Awards, two Community Service Awards and one Commendation. Domenick was truly a community police officer for all the people as evidenced by the overwhelming outpouring of emotion expressed during the days after his untimely passing. The gazebo in Hamilton Park in Jersey City was named the Domenick J. Infantes, Jr. Memorial Gazebo. The Domenick J. Infantes, Jr. Memorial Rink, a hockey rink in the Roberto Clemente Sports Complex, was also duly named after the compassionate officer; and

NOW, THEREFORE, BE IT ORDAINED, that the Municipal Council deems it fitting and most appropriate to honor Police Officer Domenick J. Infantes, Jr. by dedicating that the northwest corner of Jewett Avenue and John F. Kennedy Boulevard also be known as Domenick J. Infantes, Jr. Way.

Ordinance dedicating that the northwest corner of Jewett Avenue and John F. Kennedy Boulevard also be known as Domenick J. Infantes, Jr. Way

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

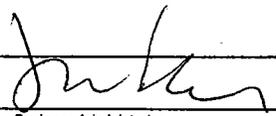
GAWPDOCSSTOLONDAIRESOSRENAMBDomenick Infantes, Jr

APPROVED AS TO LEGAL FORM



 Corporation Counsel

APPROVED: _____



 Business Administrator

Certification Required

Not Required