

NON-CONDEMNATION
REDEVELOPMENT PLAN

720 EIGHTH STREET
REDEVELOPMENT AREA

CITY OF UNION CITY
NEW JERSEY

Community Housing & Planning Associates, Inc.

**NON-CONDEMNATION
REDEVELOPMENT PLAN**

LOT 9 IN BLOCK 42

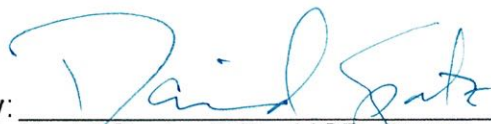
CITY OF UNION CITY
NEW JERSEY

Prepared For: City of Union City and the Union City Redevelopment Agency

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Adopted: _____

Prepared By:



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INTRODUCTION

Following the preparation of a study entitled *Non-Condemnation Redevelopment Area Report* and a public hearing, which was held on December 11, 2018, the Planning Board of the City of Union City recommended to the Board of Commissioners that 720 Eighth Street (as defined below) be declared “a non-condemnation area in need of redevelopment”. On January 22, 2019, the Board of Commissioners adopted a resolution which declared that this area was in need of redevelopment.

Section 40A:12A-7 of the Redevelopment and Housing Law states that:

- a. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, C. 79 (C.40A:12A-5 or 40A:12A-14), as appropriate.

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

2. Proposed land uses and building requirements in the project area.
 3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
 4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
 5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” P.L 1985, c. 398 (C.52:18A-196 et seq.).
- b. A redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act”, P.L1985, c 222 (C-52:27D-301 et seq.) and the housing element of the municipal master plan.
 - c. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law.” P.L 1975, C. 291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations, of

the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the “Municipal Land Use Law” P.L.1975, c. 291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

- d. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with, or not designed to effectuate the master plan by affirmative vote of a majority of its authorized membership with the reasons for so acting set forth in the redevelopment plan.

DESCRIPTION OF REDEVELOPMENT AREA

The area (hereinafter referred to as the "Study Area") being investigated, as authorized by the Board of Commissioners, is defined as Lot 9 in Block 42, also known as 720 Eighth Street.

The Study Area is located in the southern portion of Union City, east of Summit Avenue, between 8th Street and 10th Street. The site is currently developed with a municipal parking lot; a small building occupied by the United States Postal Service is also located on the property with frontage on 8th Street.

RELATIONSHIP TO DEFINITE LOCAL OBJECTIVES

According to the Local Redevelopment and Housing Law (N.J.S.A. 40:A12A-1 et. seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives such as appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements
2. Proposed land use and building requirements in the project area for planned development of midrise residential apartments specifically tailored to Special Needs Housing
3. Specific indication that no land needs to be acquired within the Redevelopment Area through eminent domain
4. Provisions for orderly re-use or improvement to the infrastructure and utility connections for the completed development
5. Provisions for site improvements for the visual enhancement of the Redevelopment Area
6. Provisions for new structures and complimentary facilities that are consistent with the primarily residential character of the surrounding area
7. Any significant relationship of the Redevelopment Plans to:
 - a. The Master Plans of contiguous municipalities;

- b. The Master Plan of the County in which the municipality is located;
and;
- c. The State Development and Redevelopment Plans adopted
pursuant to the “State Planning Act”.

GENERAL ADMINISTRATIVE PROVISIONS

This Non-Condemnation Redevelopment Plan shall supersede the applicable provisions of the development regulations of the City of Union City consistent with N.J.S.A. 40A:12A-7(c). The following general procedures shall be adhered to:

1. All development within the Redevelopment Area shall be consistent with the guidelines, standards, and requirements of this Plan and Map 1.
2. The regulations and controls in this section may be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyances executed thereto.
3. No building or structure shall be constructed over public rights-of-way or easements, without the prior written approval of the Municipal Engineer and Site Plan approval by the Planning Board. No building shall be constructed in the lands of a mapped street unless such street has been vacated by an act of the Municipal Council and the Site Plan has been approved by the Planning Board.
4. Prior to the commencement of any new construction, reconstruction, or rehabilitation of any existing structures, a site plan and/or subdivision plan for such shall be submitted by the developer or property owner to the Planning Board for review, so that compliance of such plans with this Redevelopment Plan can be determined. No Building Permit shall be issued for any such work within the Redevelopment Area without prior review and approval of such work by the Planning Board. Regular

maintenance and minor repair work shall not require Planning Board review.

5. The provisions of this Redevelopment Plan specifying requirements or restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of final approval and adoption of this plan by the City of Union City Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration unless specifically extended by such amendments.
6. Site Plan Review shall be conducted by the Planning Board pursuant to N.J.S.A. 40:55D-1 et. seq.
7. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements.
8. The limits of the redevelopment area shall not preclude the voluntary inclusion of lots or portions of lots, adjustments to property boundaries, mergers of lots, or subdivisions of lands that border and abut the redevelopment area into the proposed plans for redevelopment which shall be presented for site plan and/or subdivision approval before the Planning Board. All such proposed development shall be reviewed and approved in accordance with this Plan's requirements.
9. The Planning Board may grant deviations from the regulations contained within this Redevelopment 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 the Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the designated redeveloper of such property. The Planning Board may also grant a deviation (to the extent permitted by the Municipal Land Use Law) from the regulations contained herein related to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict interpretation or application of the requirements of this Plan; and the benefits of granting deviation outweigh the 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 an 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 the Redevelopment Plan. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12. a. & b.

10. If any word, phrase, clause, section or provision of this Redevelopment 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
Redevelopment Plan shall remain in full force and effect.

CURRENT ZONING

Based upon the adopted Zone Plan of the City of Union City, the properties comprising the Non-Condemnation Redevelopment Area are located within the P, Public District.

RELATION OF NON-CONDEMNATION REDEVELOPMENT PLAN TO CITY OF UNION CITY STANDARDS

The Redevelopment Area shall be developed in accordance with the standards detailed in this Non-Condemnation Redevelopment Plan. This Plan supersedes the use and bulk provisions of the City Zoning Ordinance for the redevelopment area unless and where specifically referenced. Other City regulations affecting developments that are in conflict are superseded by this Plan; however, existing design standards, performance standards and definitions shall all apply.

REDEVELOPMENT ACTIONS

To accomplish the redevelopment objectives listed, the plan will require, but not be limited to, the following actions to be taken:

1. Demonstrate authority as Designated Redeveloper and authorization from property owner to submit applications to the Planning Board for the construction of the residential apartments and associated required facilities
2. Obtain Site Plan and/or Subdivision approval from the Planning Board with a plan for redevelopment compliant to this Redevelopment Plan
3. Demolish and remove existing structures and unnecessary materials on site. This includes the removal of the existing parking lot and demolition of the existing small post office building. Approval for reuse of facilities or building may alternately be sought instead of demolition.
4. Consolidate and subdivide existing lots as needed. Proposed buildings and associated facilities shall be located on one lot.
5. Construction of the residential apartments as per the regulations in this plan. All needed facilities including but not limited to utility connections, parking areas, and/or pedestrian circulation routes shall be included and in conformance with this rule.

GENERAL DESIGN AND LAND USE STANDARDS AND REQUIREMENTS

The following standards and requirements apply in general:

1. 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. Automotive repairs of any type are prohibited within the Redevelopment Area.
2. To the extent costs are not prohibitive, all utility distribution lines and utility service connections from such lines to the project Area's individual uses shall be located underground. Remote readers for all utilities in lieu of external location of the actual metering devices is preferred.
3. No use or reuse shall be permitted which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to the public health, safety, or general welfare or that are damaging to the physical environment.

URBAN DESIGN OBJECTIVES AND REQUIREMENTS

Any redevelopment located within an urbanized area of the City of Union City shall comply with the below requirements and meet the objectives to be considered a successful redevelopment area to better the area and surrounding community.

1. Building Design Objectives and Requirements:
 - a. Structures within the Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off street parking, height and bulk.
 - b. Buildings shall be designed so as to have an attractive, finished appearance when viewed from all vantage points within and outside the Area. Materials used for screening of rooftop mechanical equipment shall be harmonious with those used in the building's façade.
 - c. Buildings shall have windows on street frontages.
 - d. Satellite dishes and television and radio antennas shall be screened from street view where possible. Screening shall be consistent with architecture of building and surrounding area. All feasible locations shall be considered and utilized to allow for screening rather than placing item where visible from street. All rooftop mechanical equipment shall be placed and screened in similar fashion as to be aesthetically pleasing or out of street view.

2. Landscaping and Lighting Objectives and Requirements
 - a. Appropriate landscaping shall be required for the building foundation and within parking areas.
 - b. All proposed site plans shall include plans for landscaping indicating the location, size and quantity of various species to be used.
 - c. Where feasible, low maintenance, drought tolerant, and native species are encouraged.
 - d. Street trees shall be planted along the property frontage. Existing street trees in healthy condition shall be preserved where feasible and would count toward the total required street tree count. Sidewalks and pedestrian paths shall accommodate plantings with a minimum 4' x 5' tree well opening to allow for rain water to get to the root system.
 - e. All plant material used must be able to withstand the urban environment and shall be planted consistent with standards as established by the American Association of Nurserymen. A landscaping schedule shall be provided and any plant that dies within one year of the development shall be replaced accordingly.
 - f. Lighting shall be sufficient to provide safe and adequate outdoor illumination in all areas. Since this is a residential area, design should avoid over illuminating the area in terms of both intensity of spillage over property lines. Lighting shall include shields to

minimize glare. Entrances should be adequately illuminated.

Proposed light fixtures, pole mounted or bollard, shall be in keeping with a residential character.

- g. Chain-link fencing shall be prohibited along all street frontages within the Area except during construction. Decorative style fences are encouraged. Preference shall be given to fencing that does not exceed three (3') feet in height, however in certain circumstances and where appropriate for safety or privacy, alternate heights may be acceptable up to six (6') feet in height.

3. Circulation and Parking Objectives and Requirements.

- a. N.J.A.C. 5:21-4.14(c), which states that alternative parking standards are acceptable if they better reflect local conditions should govern under this Plan. The applicant should demonstrate the specific parking demands that best reflect the proposed development.
- b. Parking is recommended for this residential development of age restricted housing at 0.5 spaces per unit.
- c. The 71 existing parking spaces on the site must be provided within the proposed building.
- d. Parking shall not be required for any commercial space within the building.
- e. Automobile parking spaces must be a minimum of 8 feet wide and 18 feet deep.

- f. Compact spaces shall be permitted at a minimum of 7.5 feet wide by 15 feet deep provided they make up no more than 20% of the total provided parking.
- g. The placement of a curb-stop, up to two feet within the required parking space depth is permitted provided that there is adequate area for an automobile occupying the parking space to overhang said curb-stop a like distance without infringing on required landscaping or pedestrian areas. Curb-stops shall be required for parking spaces abutting adjacent lots to avoid contact with structures on other parcels.
- h. Driving aisles may be 22 feet in width but the aisle directly adjacent/connecting parking spaces must be 24 feet in width to provide adequate space for maneuverability of an automobile. Access shall be safely situated and shall be coordinated to avoid significant changes in existing traffic patterns.
- i. Sidewalks around the structures and parking areas shall be provided for safe and convenient access to and around the site. The sidewalks must be properly sized and with adequate slopes that meet all required municipal, state and federal regulations. Walks should be properly illuminated and landscaped as required above.

SPECIFIC DESIGN AND LAND USE STANDARDS AND REQUIREMENTS

1. Permitted Uses:
 - a. No building proposed within this Redevelopment Area shall be used for any purpose other than those listed below:
 1. Age restricted and affordable housing in low or mid-rise apartment buildings.
 2. Commercial uses that serve the needs of the tenants
 3. Post office
2. Residential Development Standards/Height, Coverage Area and Yard Requirements
 - a. All residential developments shall comply with the following standards:

Min. Lot Area	12,500 sq. ft.
Min. Front Yard	0 ft.; all street frontages to be considered front yards
Min. Side Yard	4 ft.; 8 ft. combined
Max. Impervious Coverage	100 %
Max. Building Coverage	90 %
 - b. Allowable building height shall be six (6) stories or 70 ft. Parapets, roof screening, sloped roofs, etc. shall be permitted.

- c. All buildings shall be stepped back along the side lot lines a minimum of 10 ft. above the second floor.
 - d. Studio, one bedroom and two bedroom units shall be permitted. The units shall meet the minimum size standards as contained in the City's Zoning Ordinance.
- 3. Stormwater Management
 - a. All necessary stormwater management designs and calculations must be sufficient to prove that there are no adverse effects from additional runoff on adjacent, neighboring lots.
 - b. Roof leaders shall be directly connected to the City's stormwater system.
- 4. Signs: Signs shall be permitted in accordance with the applicable provisions of the City of Union City Zoning Ordinance.
- 5. Trash receptacles and enclosures shall be adequately located and sized and shall be secured and screened.

ACQUISITION PLAN

There shall be no acquisition by condemnation within the Non-Condemnation Redevelopment Area.

RIGHT-OF-WAY AND CIRCULATION PLAN

The Redevelopment Plan does not envision modifying the existing street system or re-aligning rights-of-way. Any and all work for sidewalk construction, lighting, utility improvements, etc. within the right-of-way shall be done in accordance City regulations and shall obtain Site Plan approval from the Planning Board.

Should any permanent structures such as ramps, steps, or canopies be proposed within the right-of-way, in addition to Site Plan approval of same, approval will be required in the form of a Resolution from the City governing body.

OTHER PROVISIONS TO MEET STATE AND LOCAL REQUIREMENTS

In accordance with N.J.S.A 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:

1. The plan herein has delineated a definite relationship to local objectives as appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
2. The plan has laid out various strategies in order to carry out the objectives of this plan.
3. The plan has given proposed land uses and building requirements for the Redevelopment Area.
4. The Acquisition Plan (Section IX), which is a part of this plan, indicates all property to be acquired as a result of this plan.
5. The plan is in general compliance with the Master Plan and Zone Plan of the City of Union City. The Master Plan of the City of Union City as adopted in 2009 designated the area around the Redevelopment Area as intended for residential and commercial use. Among other stated objectives, the Master Plan *references the need to continue to foster and facilitate affordable housing in the City and provide a broad range of housing choices*. Redeveloping underutilized land for use as proposed in this Redevelopment Plan is consistent with the goals and objectives of the Master Plan and the Zone Plan.

The Redevelopment Area is not contiguous to any adjoining municipalities but is proximate to the City of Jersey City, with the closest point being the intersections of Summit Avenue and Paterson Plank Road. The portion of Jersey City that is in closest proximity to the Redevelopment Area is in the R 1, One and Two Family Housing District. As such this Redevelopment Plan does not conflict with the planning or proposed development pattern of the City of Jersey City.

The most recent Hudson County County Master Plan Re-examination Report encourages areas for new residential development. The County has also adopted a Strategic Revitalization Plan, which recommends among other things, the construction of more adequate housing. This plan is consistent with that recommendation.

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 preserve and enhance urban areas and the residential quality of life. This plan is specifically consistent with the goals of the State Plan in terms of its intent to revitalize deteriorating areas and provide adequate housing.

6. This Non-Condemnation Redevelopment Plan shall supersede all provisions of the City of Union City Zoning Ordinance relative to the Redevelopment Area. Any zoning related question that is not addressed herein shall refer to the 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 the City of Union City, the Union City Zoning Map shall be amended to rezone the area covered by this Plan as the 8th Street Parking Lot Redevelopment Area, and all underlying zoning will be voided.

PROCEDURE FOR AMENDING THE PLAN

This plan may be amended from time to time at the discretion of the Board of Commissioners of the City of Union City, subject to remaining in compliance with the requirements of law.

No amendment to this plan shall be approved without a review by the Planning Board at a public meeting, and a public hearing and adoption by Municipal Council in conformance with N.J.S.A. 40A:12A-7.

DEFINITIONS

Definitions contained herein shall prevail within the Redevelopment Area. For definitions not contained herein, the definitions contained in the City of Union City Zoning Ordinance shall prevail.

