

1st reading

(2)

6-5-13

Sponsored by: Daniel M...

Seconded by: David B...

CITY OF HOBOKEN
ORDINANCE NO. _____

**AN ORDINANCE AMENDING APPENDIX A TO CHAPTER 196
"REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA" KNOWN
AS THE NORTHWEST REDEVELOPMENT PLAN**

Purpose Statement. The purpose of this ordinance is to amend the maximum building height provisions of Appendix A o Chapter 196 of the "Redevelopment Plan for the Northwest Industrial Area" for residential buildings in Block 104, Lots 13 to 21 only within Zone 1.

The following provisions are added to the building bulk regulations for Zone 1, Table 1: "Sub-Area 1, Building Design":

Residential buildings in Block 104, Lots 13 to 21 only within Zone 1 may be designed with an alternate Building Height as follows:

Building Height Five residential floors 50 feet over one floor 16 feet of parking (maximum total building height 66 feet) except as varied below where residential floor area is used to mask the parking, the ground floor residential use shall not be counted as a "residential floor" so long as maximum FAR and density have not been exceeded; in such a design, the parking may occupy up to two levels so long as the parking floors are completely masked and so long as all other regulations specified herein are complied with; the ground floor height may exceed 16 feet only to the extent necessary to raise the first residential floor level to base flood elevation.

Bonus Building Height Where stoops are provided pursuant to the bonus provisions described below, maximum total building height may exceed 66 feet:

Alternate A: where stoops are provided along the north-south frontage(s) of a site at least once every 50 feet, floor-to-floor heights may be increased to 11 feet; no fewer than two such stoops per north-south frontage may be provided to qualify for the bonus; in such a case, maximum building height is 71 feet; if a parapet is required by BOCA or local Fire Department regulations, it shall not exceed in height the minimum required.

Alternate B: where residential floor area is used to mask parking floors and stoops are provided along the north-south frontage(s) of

a site at least once every 50 feet, floor-to-floor heights may be increased to 11 feet; the ground floor height may exceed 16 feet only to the extent necessary to raise the first residential floor level to base flood elevation or to create a minimum four-step stoop; no fewer than two such stoops per north-south frontage may be provided to qualify for the bonus; if a parapet is required by BOCA or local Fire Department regulations, it shall not exceed in height the minimum required.

Approved:

Approved as to Legal Form:

 Quentin Wiest, Business Administrator

 Mellissa Longo, Interim Corporation Counsel

RECORD OF COUNCIL VOTE ON 1ST READING				
Councilperson	Yea	Nay	Abstain	No Vote
Councilman Bhalla	✓			
Councilwoman Castellano		✓		
Councilwoman Giattino	✓			
Councilwoman Mason		✓		
Councilman Mello	✓			
Councilman Occhipinti	✓			
Councilman Russo	✓			
President Cunningham	✓			

RECORD OF COUNCIL VOTE ON 2ND READING				
Councilperson	Yea	Nay	Abstain	No Vote
Councilman Bhalla				
Councilwoman Castellano				
Councilwoman Giattino				
Councilwoman Mason				
Councilman Mello				
Councilman Occhipinti				
Councilman Russo				
President Cunningham				

AN ORDINANCE AMENDING APPENDIX A TO CHAPTER 196 "REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL AREA" KNOWN AS THE NORTHWEST REDEVELOPMENT PLAN. (Block 104, Lots 13-21)

Introduced, passed first reading as read and laid on the table for further consideration of the Council at its next meeting to be held on June 5, 2013 at 7:00 PM

City Clerk

I do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the City Council of the City of Hoboken, in the County of Hudson on this ____ day of _____, 2013

James Farina, City Clerk

Approved by the Mayor of the City of Hoboken on the ____ day of _____, 2013.

Dawn Zimmer, Mayor

-or-

Vetoed by the Mayor for the following reasons:

VOGEL, CHAIT, COLLINS AND SCHNEIDER

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A MEMBER N. J., N. Y. & GA. BARS

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MEMORANDUM

TO: Members of the Council & Planning Board of the City of Hoboken

CC: Honorable Dawn Zimmer

FROM: Thomas F. Collins, Jr. and Steven R. Tombalakian

DATE: **May 31, 2013**

**RE: AN ORDINANCE AMENDING APPENDIX A TO CHAPTER 196
"REDEVELOPMENT PLAN FOR THE NORTHWEST INDUSTRIAL
AREA" KNOWN AS THE NORTHWEST REDEVELOPMENT PLAN**

Our File No. 16448.001

The above titled ordinance proposal has been placed on the agenda for the City Council's June 5, 2013 meeting for introduction and first reading. As per the statement of purpose provided therein, the ordinance proposes to add, by amendment, revised building design standards that, if ultimately adopted as proposed, would be applicable solely to a single property at 1125-1131 Jefferson, Block 104, Lots 13 to 21, now owned by an affiliate of Ursa Development Group. (the "Block 104 Property").

Briefly, in the aftermath of Superstorm Sandy, which devastated the coastal areas of New Jersey in general, and Hoboken in particular, the Federal Emergency Management Agency ("FEMA") increased the advisory base flood elevation applicable to the City of Hoboken by six (6') feet. Meaning, for properties to remain eligible for the purchase federal flood insurance, new construction would need to satisfy the new standards so that first floor residential elevation is above the base flood elevation.

Ursa obtained site plan approval for the Block 104 Property from the Planning Board on March 4, 2008 to allow for a fifty-five (55) unit residential building atop a garage. The approved building height was sixty-five (65') feet, which is consistent with the current building design standards set forth in Appendix A to Chapter 196. However, the approved plans no longer comport with the new base flood elevation and cannot be constructed as previously approved. Having now resolved their prior differences with

the City of Hoboken with respect to redevelopment within the Northwest Redevelopment Area, Ursa has requested relief from the design standards applicable to the Block 104 Property, which is the sole remaining Ursa property to be developed under the existing redevelopment agreement.

Rather than broadly change the design standards applicable to all future redevelopment within this redevelopment area, this ordinance proposal seeks to allow additional building height to compensate for the increased base flood elevation. Thus, where a 65' maximum building height applicable to the Block 104 Property now exists, the proposed ordinance will seek to allow such a building to have a maximum building height of seventy-one (71') feet, thus compensating for the six foot increase to the base flood elevation.

Planning Board review and approval will still be required for any redesigned residential building at the Block 104 Property. The purpose of this ordinance is intended simply to allow a substantially similar residential development project as contemplated by the redevelopment agreement between the City and Ursa that is now redesigned to satisfy the new federally imposed flood elevation standards. Introduction of this proposed ordinance will also implement the settlement agreement reached between the City and Ursa.