

# CITY OF HOBOKEN

## Department of Community Development

**DAWN ZIMMER**  
Mayor



**BRANDY FORBES**  
Director

### ***MEMORANDUM***

DATE: September 20, 2010

TO: Hoboken City Council

CC: Dawn Zimmer, Mayor  
Arch Liston, Business Administrator  
Mark Tabakin, Corporation Counsel  
Joe Maraziti, Redevelopment Counsel  
Planning Board Members

FROM: Brandy Forbes, Community Development Director *BF*

RE: Western Edge Redevelopment Plan for Introduction

In May, a memo was distributed to the City Council regarding the redevelopment process as it pertains to the Western Edge Redevelopment Area. As that memo noted, the next step is to adopt a redevelopment plan in order to move forward with the redevelopment process. A copy of that memo is attached.

A draft redevelopment plan had been prepared for the City in September 2008, after three public workshop meetings to identify public concerns. The draft plan, however, was met with significant public resistance because it did not incorporate the residents' concerns. At that time, the major criticisms of the plan were the excessive height of the buildings, inadequate amount and location of open space, the need for more commercial use, and lack of a cohesive plan for a community center. As a result, the draft plan was never adopted. To remedy that, the City has worked diligently to have the planner, Janice Talley of Talley Planning Associates, revise the plan to address these concerns.

On August 5, 2010 a draft of the Western Edge Redevelopment Plan was discussed with the Planning, Zoning and Economic Development Committee of the City Council. The committee met with Janice Talley, where she explained the concept and details of the plan. After receiving feedback from the committee, Ms. Talley incorporated many of the comments and prepared a draft plan to present to the public. The draft plan was distributed to the Planning, Zoning and Economic Development Committee and to the Council President on August 27, 2010 to afford

the committee an opportunity to review the plan prior to distributing to the public on September 2, 2010. This allowed the committee to be better prepared to speak to the content once the residents and business owners started digesting the information and formulating their questions.

On September 2, 2010 the Draft Western Edge Redevelopment Plan was posted on the City's website in anticipation of a community input meeting on September 14, 2010. This allowed the public time to review the draft prior to the meeting. The meeting was held and Janice Talley presented the main components of the plan and how it was different from the prior draft from 2008.

There were general comments made by the public regarding various aspects of the plan, and some recommended changes. As a result of written comments received from interested parties and public comments made at the public hearing last week, the following changes have been made to the plan:

1. On page 41, the minimum percentage of 3-bedroom units increased from 10% to 15%.
2. On page 50, new requirements for onsite detention of stormwater are provided under the subtitle Site Design (subsection 1.b.).
3. On page 53, an assessment of the consistency of the Western Edge Redevelopment Plan with Jersey City planning policies is provided.

With these revisions, the final draft of the Western Edge Redevelopment Plan is dated September 20, 2010.

We recognize that some potential developers in the audience and others were concerned about the feasibility of elements of the redevelopment project as presented in the plan. As was explained to them at the meeting, before the City can interact with and negotiate with potential developers in redevelopment, a redevelopment plan must be adopted. This has been established through redevelopment case law. Thus, the City needs to adopt a redevelopment plan reflective of the vision of the community. This will inform the potential developers of what the community ideally wants to see for this area.

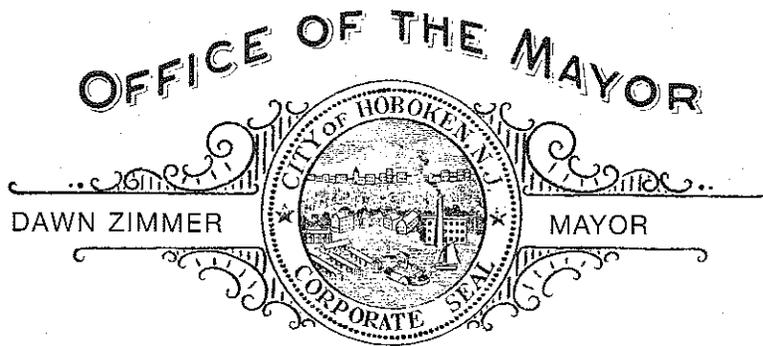
It was determined that the City's goals in relation to the height of the buildings and the amount of commercial space would not be modified at this time. If during the redeveloper selection and redevelopment agreement negotiation process it is demonstrated to the satisfaction of the City that the goals of the Plan are not implementable as stated, and that adjustments are warranted by market conditions, such adjustments can be made later by way of a plan amendment.

On the agenda for Wednesday night is the introduction of the ordinance to adopt the Western Edge Redevelopment Plan dated September 20, 2010, as well as a resolution to refer the proposed plan to the Planning Board per the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7(e) for their report of any inconsistencies of the redevelopment plan with the master plan and recommendation.

Once the City Council receives the Planning Board's report and recommendation, the ordinance will be considered for second reading.

If you have any questions regarding the redevelopment plan or the process, please feel free to contact me.

Thank you.



CITY HALL  
HOBOKEN, NEW JERSEY

## **MEMORANDUM**

Date: May 14, 2010

To: Hoboken City Council  
From: Dawn Zimmer, Mayor  
Subject: Western Edge Redevelopment Plan

In order to clarify the City's proper role in redevelopment projects, I have asked Community Development Director Brandy Forbes to outline the process and, specifically, the status of the Western Edge Redevelopment Plan.

Too often in the past redevelopment has been based on what developers wanted rather than what was best for our community. Last summer the City Council took an important step to correct these practices by passing an ordinance confirming its role as the redevelopment agency.

Moving forward, we will make redevelopment a very open and public process that ensures we are following the letter of the law. This will enhance the City's negotiating advantage, make transparency and public input a priority, and give us greater control over the redevelopment process.

I look forward to working with the Council to ensure that redevelopment in Hoboken is based on what is right for our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn Zimmer".

Dawn Zimmer

**CITY OF HOBOKEN**  
**Department of Community Development**

**DAWN ZIMMER**  
Mayor



**BRANDY FORBES**  
Director

***MEMORANDUM***

Date: May 11, 2010  
To: Hoboken City Council  
Cc: Dawn Zimmer, Mayor  
Michael Kates, Corporation Counsel  
Planning Board Members  
Zoning Board Members  
From: Brandy Forbes, Community Development Director *BF*  
Subject: Western Edge Redevelopment Plan

This memo is to update the City Council on how the City is proceeding with the Western Edge Redevelopment. We are moving forward with the preparation of the Redevelopment Plan, but I wanted to bring everyone up to speed on the process, where this project is in the process, and what are the next steps for the Western Edge Redevelopment.

Since the City Council is the Redevelopment Entity for Hoboken, I encourage Council Members to play an active role in this process. I am including the City Council's Zoning and Economic Development Committee in this process by requesting that the Committee review the revised draft of the Redevelopment Plan prior to holding the public input session, in addition to the subsequent steps going forward.

The Local Redevelopment and Housing Law, N.J.S.A. 40A:2A-1 et seq. (LRHL), establishes a framework for municipalities to undertake a direct role in the redevelopment and revitalization of their communities through land use planning, financing tools and negotiated development agreements. There is an established progression of these processes, as some are required before others can occur.

The redevelopment process generally has four main steps. A more detailed explanation of the process related to the Western Edge Redevelopment, especially moving forward after the Redevelopment Plan is completed, was prepared by our redevelopment counsel Maraziti Falcon & Healey and is attached. However, below is a summary of the four steps and an update as to how we have progressed through with the Western Edge Redevelopment.

Step 1: Designation of Area in Need of Redevelopment. This is the starting point of the redevelopment process—to study the area, determine if it meets the criteria of “an area in need of redevelopment,” and to designate the area if so. The technical steps are as follows:

1. City Council is to direct the Planning Board by resolution to investigate the area.
  - October 5, 2005 – City Council adopted a resolution requesting the Planning Board to study western edge properties for designation as “an area in need of redevelopment.”
2. Planning Board is to have the investigation done and a report prepared on the area. The Board then holds a public hearing on the study and makes a recommendation to the City Council on whether the study area is “an area in need of redevelopment.”
  - November 2006 – The consultant Phillips Preiss Shapiro completed the Western Edge Area Designation Study.
  - November 20, 2006 – 1<sup>st</sup> Planning Board hearing was held on the Western Edge Area Designation Study.
  - January 11, 2007 – 2<sup>nd</sup> Planning Board hearing was held on the Western Edge Area Designation Study.
  - March 6, 2007 – The Planning Board voted to recommend that eight blocks (11 acres) of property on the west side be designated “an area in need of redevelopment.”
  - April 3, 2007 – The Planning Board adopted the memorializing resolution recommending Western Edge Area be designated as “an area in need of redevelopment” per the Local Redevelopment and Housing Law.
3. City Council designates the area in need of redevelopment.
  - July 18, 2007 – The City Council voted to designate eight blocks (11 acres) of property on the west side as a redevelopment area (“Western Edge Redevelopment Area”).

Step 2: Preparation of a Redevelopment Plan. Once a redevelopment area has been designated, the plan for the redevelopment of that area must be prepared and adopted. The Redevelopment Plan establishes the zoning for the designated area. The Redevelopment Plan is the primary document in the redeveloper selection process, as it defines the project and what the Council is seeking from a redeveloper. If an issue or desired vision is not addressed in the adopted Redevelopment Plan, the redeveloper will not account for it in their pro forma response, affecting the Council’s redevelopment agreement negotiations later. Therefore, the Redevelopment Plan is a critical document for establishing Council control and setting the tone for later redeveloper negotiations. The technical steps are as follows:

1. The City Council can either prepare a Redevelopment Plan and submit it to the Planning Board for review, or the City Council can direct the Planning Board to prepare the Redevelopment Plan. This is done by City Council resolution.
  - February 13, 2008 – Phillips Preiss Shapiro held a meeting on the City’s behalf, open to the public, to discuss the process and elements of the future redevelopment plan for the Western Edge.

- March 8, 2008 – A second public meeting was led by Phillips Preiss Shapiro regarding the Western Edge Redevelopment Plan.
  - June 25, 2008 – A third public meeting was led by Phillips Preiss Shapiro regarding the Western Edge Redevelopment Plan.
  - August 13, 2008 – City Council adopted a resolution requesting the Planning Board to review the Western Edge Redevelopment Plan drafted by Phillips Preiss Shapiro.
2. The Governing Body is the final arbiter of the Redevelopment Plan. The City Council adopts the Redevelopment Plan by ordinance.
- February 18, 2009 – City Council introduced an ordinance to approve a Western Edge Redevelopment Plan. This draft plan was tabled, due to concern that the plan was flawed in that it did not adequately address the issues raised by the public and the interests of the City.
  - THIS IS WHERE THE WESTERN EDGE REDEVELOPMENT PROCESS IS

Step 3: Selection of Redeveloper and Preparation of Redevelopment Agreement.

Once a Redevelopment Plan is in place, the City can implement the development of the Redevelopment Area through a negotiated Redevelopment Agreement with a redeveloper. The redeveloper selection process can vary. As mentioned in the attached memo from Maraziti, Falcon & Healey, property owners do not have the automatic right to be designated as the redeveloper of the property they own, although there are cases where that choice makes sense. Redevelopers may be chosen as a result of unsolicited proposals, informal invitations issued by the City, or through a more formal, open, competitive process.

The LRHL does not specify the manner for redeveloper selection. However, it is clear that the municipality may only engage in negotiations with potential developers **after** a Redevelopment Plan is adopted. Therefore, regarding the Western Edge Redevelopment Area, we are not at a point of discussing potential redevelopers until we have a Redevelopment Plan in place.

Step 4: Implementation. The Redevelopment Agreement should be very specific about how the City will oversee the project from approvals through issuance of certificate of completion. This is the opportunity for the Council to maintain control over the project as it is built. Oversight also keeps the Council informed of the status of the project so they are better able to answer questions of the public.

In redevelopment, the City is able to offer attention to a redeveloper that is not allowed under the Municipal Land Use Law. The redevelopment agreement should require regular project status meetings between the redeveloper project team and the City's team. This is an opportunity for the City to make sure the project is on schedule and to learn about any delays or problems.

Regarding the Western Edge Redevelopment Area, although a draft plan was prepared in 2008, the interests of the City were not adequately represented in that document.

Without an adopted vision for this area, property owners may pursue other project approvals outside of the redevelopment process. To hinder that and ensure that the

project is developed as a comprehensive plan for the area, a Redevelopment Plan should be adopted.

To continue the preparation of the plan for the Western Edge Redevelopment Area, the City intends to use the in-house planner to draft a plan. The plan will be structured on the prior plan, but will consider the concerns presented at the various public meetings held throughout the process to date. The revised plan will also address the redeveloper selection process, and define the project and what the Council is seeking from a redeveloper.

We propose to present a draft of the revised plan at a public meeting to provide the public with an opportunity to comment on the revisions. The City Council may then direct the Planning Board to review the draft plan and determine consistency with the Master Plan. Once the Council receives the Planning Board's recommendations, the Council may introduce and then subsequently hold a public hearing and adopt the plan.

As noted earlier, once a plan is adopted, the municipality is allowed to engage in discussions with potential redevelopers. To make this a competitive process for potential developers to present various plans, the City can solicit Requests for Proposals (RFP). This allows the City to see a range of possible designs for the area.

The adopted plan can be attached to the RFP so the City's criteria for the redevelopment are clearly established. Proposals would be expected to reflect those criteria. The RFP would also spell out what the process will be for public presentations of the developer proposals, the review process of proposals, the process for selecting the favored proposal and entering into interim discussions with that developer, the public input process during that interim period, and the option of the City if the results of the interim period are not satisfactory to relieve that developer and enter into interim discussions with any other developer who submitted a proposal. Once a satisfactory revised proposal is determined, the City Council may designate the redeveloper.

The purpose of proceeding in this manner is as follows:

- Professional service costs to devise a refined redevelopment plan paid by developer.
- Not just one design to consider.
- Public input a priority.

Any applicants who have submitted applications for properties within the redevelopment area to the planning board or zoning board in the mean time will be made aware that this is a designated redevelopment area, the process the City is pursuing, and that a redeveloper has yet to be selected. Those applicants would certainly be welcome to submit an RFP as part of the redevelopment process. Any such conversation should include the statement that the developer is free to proceed with a development application but the City may ultimately be looking to incorporate the property into a redevelopment plan.

I will continue to keep all of you informed of the progress as we move forward with this process.



JOSEPH J. MARAZITI, JR.  
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ALBERT I. TELSEY†  
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## MEMORANDUM

**TO:** Brandy Forbes, AICP, PP, Community Development Director  
Michael Kates, Esq, Corporation Counsel

**FROM:**  Joseph J. Maraziti, Jr., Esq.

**DATE:** April 21, 2010

**RE:** Western Edge Redevelopment Plan

### REDEVELOPMENT PLAN ADOPTION

Municipalities are authorized by the Local Redevelopment and Housing Law (“LRHL” or “Redevelopment Law”) to designate redevelopment areas, formulate redevelopment plans, select redevelopers, negotiate and execute redevelopment agreements and otherwise implement redevelopment plans. N.J.S.A. 40A:12A-1 et seq. It is important to note that the redevelopment process is governed by the Redevelopment Law and not the Municipal Land Use Law (“MLUL”). Understandable confusion on this issue often leads to both missed opportunities for the public sector and potentially fatal legal flaws. There are very particular and substantive differences between the powers of local government under the Redevelopment Law on the one hand and the Municipal Land Use Law on the other.

It is my understanding that the City Council of the City of Hoboken ("Council" or "Governing Body") has been designated as the Redevelopment Entity for the City. In July 2007, the Council designated the area in the western section of the City of Hoboken as the Western Edge Redevelopment Area ("Redevelopment Area"). Although a redevelopment plan had been drafted, it has not been adopted. Therefore, in order to be able to employ all the powers of the Redevelopment Law, the next step is the preparation and adoption of the Redevelopment Plan for the Western Edge Redevelopment Area. Outlined below are the statutory procedures for the adoption of the Plan.

Under the Redevelopment Law, the Council may choose to either retain the responsibility for the preparation of the Plan or it may designate that responsibility to the Planning Board. N.J.S.A. 40A:12A-7. The more typical procedure is for the governing body to take the lead and prepare the Plan. Even if the Council chooses to prepare the Plan, it must be transmitted to the Planning Board for the Planning Board's review and opportunity to recommend any changes. Upon completion of its review and/or recommendation of any changes, the Planning Board submits its report to the Council so that the Council will have the benefit of the views of the Planning Board before it considers the Plan for adoption. The Planning Board can submit its recommendations back to the Council as soon as it completes its review. However, it must do so within 45 days after the adoption of a resolution by the Council to send the proposed Plan to the Planning Board, and the actual referral of the plan to the Board Secretary. After 45 days, if the Planning Board does not submit its review, then the Council may act to consider the passage of an ordinance to adopt the Plan without the Planning Board's input.

If the Planning Board recommends changes and transmits its report to the Council within the 45 day requirement, then Council may approve the Planning Board's proposed changes, disapprove the changes, or modify the changes by a vote of a majority of the full membership of the Council. If the Council does not accept the Planning Board's recommendations, then the Governing Body must record the reasons for not following those recommendations in the meeting minutes.

The Redevelopment Law requires that the Plan be adopted by ordinance and all the usual ordinance adoption procedures apply. Notice of the public hearing must follow the typical ordinance procedure pursuant to N.J.S.A. 40:49-2. However, there are no additional procedures specified in the LRHL for the adoption of an ordinance regarding adopting a redevelopment plan. (In particular, it is noted neither individual notice to property owners or others is required and that no other notice requirements apply to the consideration of an ordinance to adopt a redevelopment plan.) Of course, the Council or staff may choose to provide interested party with courtesy notices as the process proceeds.

A visual representation of this process is attached.

### **REDEVELOPER SELECTION PROCESS**

The Redevelopment Law grants the redevelopment entity the power to select the redeveloper or redevelopers to implement the plan. Property owners do not have the automatic right to be designated as the redeveloper of the property they own, although in a number of cases that choice may make sense. As to the method of choosing the redeveloper, the Redevelopment Law does not codify the manner for redeveloper selection, leaving that decision in the hands of

the local authorities. The law is clear however regarding the timing of redeveloper selection. The Appellate Division of the New Jersey Superior Court has recently ruled that negotiations with redevelopers should not occur prior to the adoption of the Redevelopment Plan. Monroe Properties v. City of Hoboken, 2008 wl 2219890 NJ Super (App. Div. 2008). In that case, after years of effort and significant expenditures, the court invalidated all the actions that had been taken to designate the area as one in need of redevelopment, adopt a plan, select a redeveloper and enter into a redevelopment agreement.

Only after the Plan is adopted, may the municipality engage in negotiations with potential redevelopers.

Redevelopers may be chosen as a result of an unsolicited proposal, informal invitations issued by the City or by way of a formal, open, and competitive process. Thus the City may choose to issue a Request for Proposals ("RFP") from potential interested parties to implement the redevelopment Plan by utilizing various methods of advertisement and solicitations to the redevelopment community. This competitive process allows the City to review a range of possible proposals and designs by redevelopers for the Redevelopment Area. Occasionally, a Request for Qualifications ("RFQ") is issued first to narrow the field of potential recipients of the RFP. Some of the benefits of proceeding with a competitive process by utilizing the RFP and entering into an Interim Redevelopment Agreement include the following:

- (1) The City may obtain more creative options and varying implementation strategies for the implementation of the Plan within the Redevelopment Area.

- (2) The competitive process is often the most effective way to obtain a redevelopment project that most fully reflects the interests of the community, not only with regard to the design and scope of the project, but also with respect to the public amenities that accompany it.
- (3) The City has a clear negotiating advantage if multiple parties are competing to be chosen as the redeveloper.
- (4) The relative transparency of the process minimizes public skepticism and promotes public confidence in the integrity of the process.
- (5) A heightened level of public awareness and a requirement for greater opportunities for public input are customarily features of the competitive process.

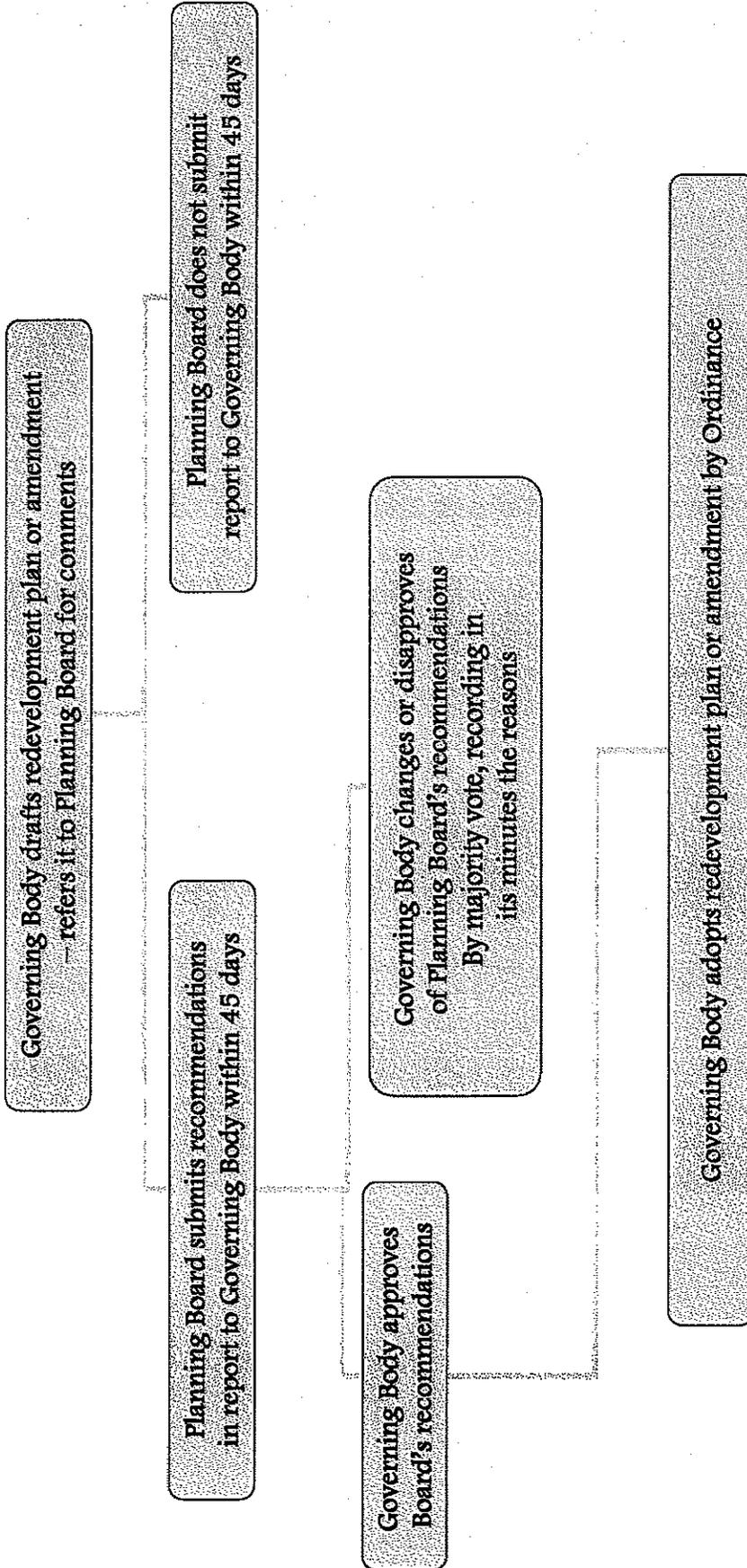
The RFP may outline a wide variety of requirements to be satisfied by the potential redevelopers. Examples of such requirements as part of the RFP approach may include the following:

- (1) public presentations of the redeveloper's proposal;
- (2) an openness to maximizing opportunities for public input;
- (3) execution of an Interim Redevelopment Agreement, which requires the conditional redeveloper to post a sufficient escrow to fully defray the costs of the City for the necessary services of consultants and attorneys during the negotiation phase.
- (4) an understanding that if interim negotiations fail, the City reserves the right to terminate the negotiations under the Interim Redevelopment Agreement; and

(5) an understanding that if interim negotiations fail, the City may continue negotiations with another Redeveloper that submitted a proposal.

After the interim period, if the parties can agree on the description of the project, the project schedule and all the many other issues that should be a component of a successful redevelopment agreement, then the Council may designate the interim redeveloper as the redeveloper for the Redevelopment Area, execute the redevelopment agreement and begin the redevelopment implementation.

# Plan Created by the Governing Body (N.J.S.A. 40A:12A-7(e))



Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**CITY OF HOBOKEN  
RESOLUTION NO: \_\_\_\_\_**

**RESOLUTION OF THE CITY OF HOBOKEN REFERRING THE PROPOSED  
“WESTERN EDGE REDEVELOPMENT PLAN” DATED SEPTEMBER 20, 2010 TO  
THE CITY OF HOBOKEN PLANNING BOARD IN ACCORDANCE WITH THE  
LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7(e)**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., on July 18, 2007, the City Council adopted a Resolution designating the Western Edge Redevelopment Area, known and designated on the Tax Map of the City of Hoboken as Block 92, Lots 1.1, 1.2, 1.11 and 1.12; Block 93, Lots 1 through 32; Block 97, Lots 1.1, 1.2, 1.3, 2, 3, 4, 5, 6.2, 6.3 and 7 through 22.2; Block 101, Lot 1.1; Block 105, Lot 1.1; Block 106, Lots 1 through 32; Block 111, Lots 2 through 14.1; and Block 112, Lots 1 through 32, which is generally located along the western edge of the City between Ninth and Fourteenth Streets, as an area in need of redevelopment; and

**WHEREAS**, a draft Western Edge Redevelopment Plan was prepared by Talley Planning Associates, dated August 27, 2010; and

**WHEREAS**, at a public outreach meeting held at the Jubilee Center on September 14, 2010, the draft Western Edge Redevelopment Plan was presented for the receipt of comments and suggestions from residents, property owners, potential redevelopers and other interested citizens; and

**WHEREAS**, the draft Western Edge Redevelopment Plan was revised by Talley Planning Associates and dated September 20, 2010, to address many of the additional comments from the public at the September 14, 2010; and

**WHEREAS**, the next step in the redevelopment process is to refer the proposed Western

Edge Redevelopment Plan, prepared by Talley Planning Associates, dated September 20, 2010, to the City of Hoboken Planning Board for its recommendation concerning the proposed Western Edge Redevelopment Plan.

**NOW, THEREFORE,** it is hereby resolved by the City Council as follows:

1. The City Council hereby refers the proposed “Western Edge Redevelopment Plan,” dated September 20, 2010 and on file at the municipal offices of the City of Hoboken, to the City of Hoboken Planning Board for review and recommendation in accordance with N.J.S.A. 40A:12A-7(e).
2. The City of Hoboken Planning Board shall generate a report within forty-five (45) days after this referral containing its recommendation regarding the proposed “Western Edge Redevelopment Plan,” dated September 20, 2010, prepared by Talley Planning Associates. The report shall include a determination as to whether the proposed Western Edge Redevelopment Plan, dated September 20, 2010, is consistent with the City of Hoboken’s Master Plan, and if inconsistent, shall identify the inconsistencies. The report of the Planning Board may also include any other matters the Board deems appropriate.
3. This Resolution shall take effect immediately.

**REVIEWED BY:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Arch Liston,  
Business Administrator

\_\_\_\_\_

\_\_\_\_\_  
James Farina, RMC  
City Clerk

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**CITY OF HOBOKEN  
ORDINANCE NO: \_\_\_\_\_**

**ORDINANCE OF THE CITY OF HOBOKEN ADOPTING THE “WESTERN EDGE REDEVELOPMENT PLAN” DATED SEPTEMBER 20, 2010 IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-7**

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., on July 18, 2007, the City Council adopted a Resolution designating the Western Edge Redevelopment Area, known and designated on the Tax Map of the City of Hoboken as Block 92, Lots 1.1, 1.2, 1.11 and 1.12; Block 93, Lots 1 through 32; Block 97, Lots 1.1, 1.2, 1.3, 2, 3, 4, 5, 6.2, 6.3 and 7 through 22.2; Block 101, Lot 1.1; Block 105, Lot 1.1; Block 106, Lots 1 through 32; Block 111, Lots 2 through 14.1; and Block 112, Lots 1 through 32, which is generally located along the western edge of the City between Ninth and Fourteenth Streets, as an area in need of redevelopment; and

**WHEREAS**, a draft Western Edge Redevelopment Plan was prepared by Talley Planning Associates, dated August 27, 2010; and

**WHEREAS**, at a public outreach meeting held at the Jubilee Center on September 14, 2010, the draft Western Edge Redevelopment Plan was presented for the receipt of comments and suggestions from residents, property owners, potential redevelopers and other interested citizens; and

**WHEREAS**, the draft Western Edge Redevelopment Plan was revised by Talley Planning Associates and dated September 20, 2010, to address many of the additional comments from the public at the September 14, 2010; and

**WHEREAS**, thereafter, the City Council referred the proposed Western Edge Redevelopment Plan, prepared by Talley Planning Associates, dated September 20, 2010, to the

City of Hoboken Planning Board for its recommendation concerning the proposed Western Edge Redevelopment Plan.

**NOW, THEREFORE,** it is hereby ordained by the City Council as follows:

1. The Western Edge Redevelopment Plan dated September 20, 2010, incorporated herein by reference, as if set forth at length, a copy of which is on file in the office of the City Clerk, meets the criteria, guidelines and conditions set forth at N.J.S.A. 40A:12A-7; and is otherwise in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
2. The Western Edge Redevelopment Plan, dated September 20, 2010, is hereby adopted.
3. The zoning district map for the City of Hoboken is hereby amended to reflect that the areas depicted on “Map 2: Redevelopment Plan Subareas” as set forth in the Western Edge Redevelopment Plan, dated September 20, 2010, is superseded by the zoning and requirements of the Western Edge Redevelopment Plan, dated September 20, 2010.
4. If any section or provision of the Western Edge Redevelopment Plan, dated September 20, 2010, or this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.
5. All ordinances or parts of ordinances heretofore adopted that are inconsistent with the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
6. This Ordinance shall become final upon adoption and publication in the manner prescribed by law.

Adopted:

Approved:

\_\_\_\_\_  
City Clerk James Farina

\_\_\_\_\_  
Mayor Dawn Zimmer

Approved to Form:

\_\_\_\_\_

Dated of Introduction: \_\_\_\_\_

DRAFT

# Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*



Prepared by

Talley Planning Associates

44 Godfrey Road  
Montclair, NJ 07043  
(973) 851-3693  
janice.talley4@verizon.net

September 20, 2010

*Draft*

# Western Edge Redevelopment Plan

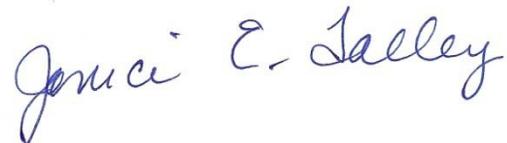
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*City of Hoboken, Hudson County*

Prepared for:  
**Hoboken City Council**

**September 20, 2010**

The original of this report was signed and sealed in accordance with N.J.S.A 45:14A-12

A handwritten signature in blue ink that reads "Janice E. Talley". The signature is written in a cursive style with a large initial 'J' and 'T'.

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Janice E. Talley, P.P., #5059

# Acknowledgements

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## *City Council*

Dawn Zimmer, Mayor

Carol Marsh, President

Ravinder Bhalla, Vice President

David Mello, Council at Large

Theresa Castellano, 1<sup>st</sup> Ward Councilwoman

Elizabeth Mason, 2<sup>nd</sup> Ward Councilwoman

Michael Russo, 3<sup>rd</sup> Ward Councilman

Michael Lenz, 4<sup>th</sup> Ward Councilman

Peter Cunningham, 5<sup>th</sup> Ward Councilman

Angelo Glacchi, 6<sup>th</sup> Ward Councilman

Brandy Forbes, Director of Community Development

Joseph Maraziti, Esq., Redevelopment Attorney

## *Consultant*

Janice E. Talley, P.P., AICP – **Talley Planning Associates**

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

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# Draft Western Edge Redevelopment Plan

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*City of Hoboken, Hudson County, New Jersey*

## Chapter 1: Introduction and Planning Context

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### Introduction

This Redevelopment Plan has been prepared for the Western Edge Redevelopment Area within the City of Hoboken, Hudson County, New Jersey. It incorporates four properties located in the western portion of the municipality, within an area bounded by the Hudson-Bergen Light Rail (HBLR) right-of-way and the Palisades to the west; Ninth Street and a residential area to the south; Monroe Street, Madison Street and Jefferson Street and neighboring commercial and residential areas to the east; and the Fourteenth Street viaduct and an industrial area to the north. In this plan, the Western Edge Redevelopment Area will generally be referred to as the “Redevelopment Area.” Its location is shown on Figure 1: Location of Redevelopment Area.

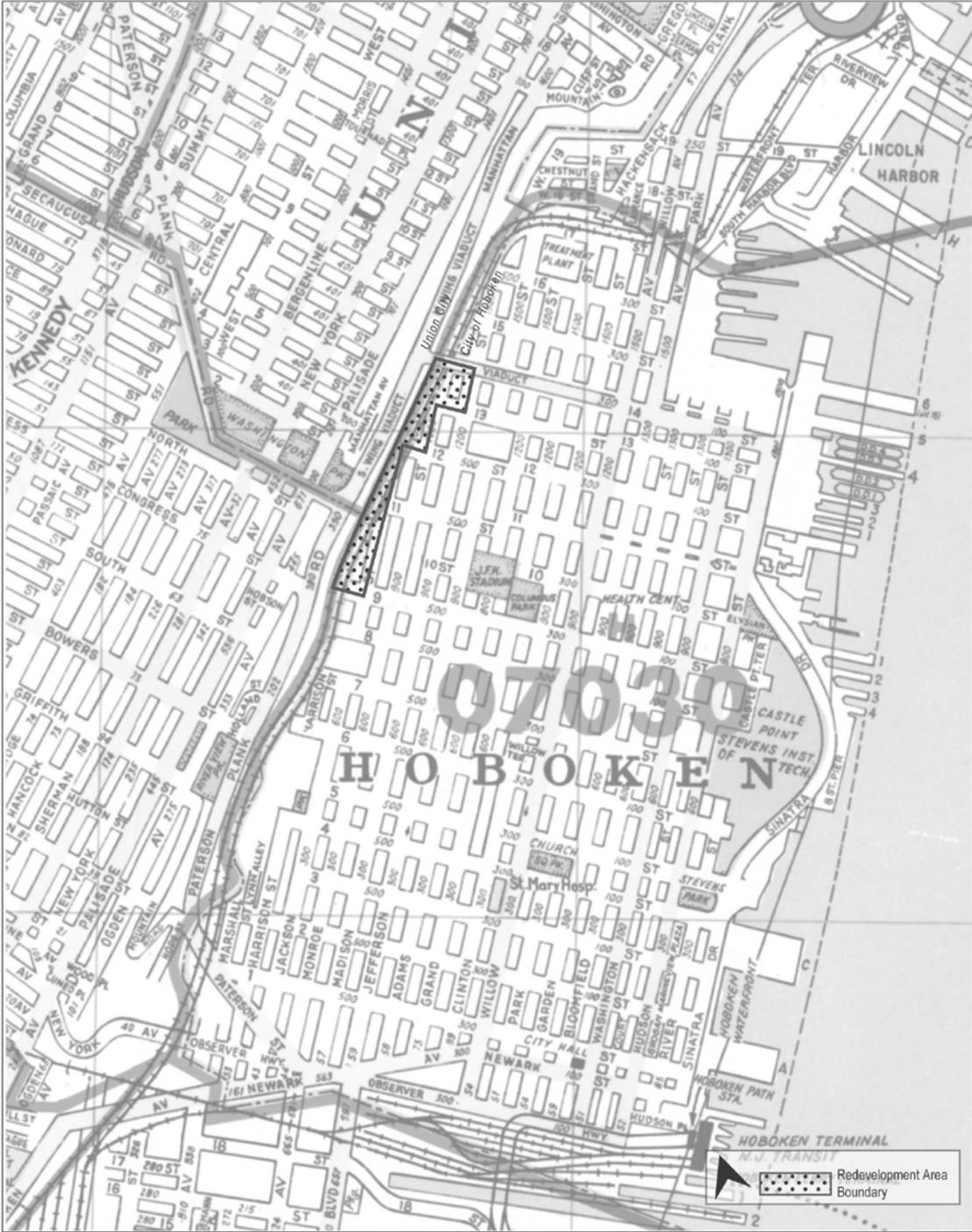
The City of Hoboken Council directed the City’s Planning Board to study the area in order to determine whether it was an “Area in Need of Redevelopment” in accordance with the criteria specified at N.J.S.A. 40A:12A-5. The City retained Phillips Preiss Shapiro Associates to conduct a Redevelopment Area investigation, which was completed in November 2006. A public hearing on the investigation was then held by the Planning Board, which recommended that the study area qualified as an **Area in Need of Redevelopment**. Based on the findings of the report, adoption of the delineated Redevelopment Area boundaries was effectuated by the City Council in July 2007.

A draft redevelopment plan was prepared for the City in September 2008, after three public workshop meetings to identify public concerns. The draft plan, however, was met with significant public resistance because it did not incorporate the residents’ concerns. Major criticisms of the plan included the excessive height of the buildings (up to 160 feet), inadequate amount and location of open space, and the lack of a cohesive plan for a community center. As a result, the draft plan was never adopted. This new plan has been prepared to address the public's concerns.

The Western Edge Redevelopment Plan provides a framework for the redevelopment of a number of properties in the northwestern portion of the City in proximity to the Ninth Street light rail station. The Redevelopment Plan sets forth standards and guidelines for land use and design; circulation and parking; and open space and recreation.

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey



Map 1: Redevelopment Area Location Map

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

## Redevelopment Area Description

The Redevelopment Area encompasses a number of properties located in the western portion of the City of Hoboken near its boundaries with the City of Union City and the City of Jersey City. The City of Hoboken is located in the northeastern corner of Hudson County, New Jersey and is approximately 1.3 square miles in area. Over the last decade, the western portion of the City has evolved from an industrial, manufacturing-oriented area to a primarily residential community with some remnant industrial development. The Redevelopment Area is located at the western edge of Hoboken, bordering the Palisades. The study area boundaries are formed by the following: the Hudson-Bergen Light Rail (HBLR) right-of-way to the west; Ninth Street to the south; Monroe Street, Madison Street and Jefferson Street to the east; and Fourteenth Street and the Fourteenth Street viaduct to the north.



Figure 1: Location of redevelopment area.

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

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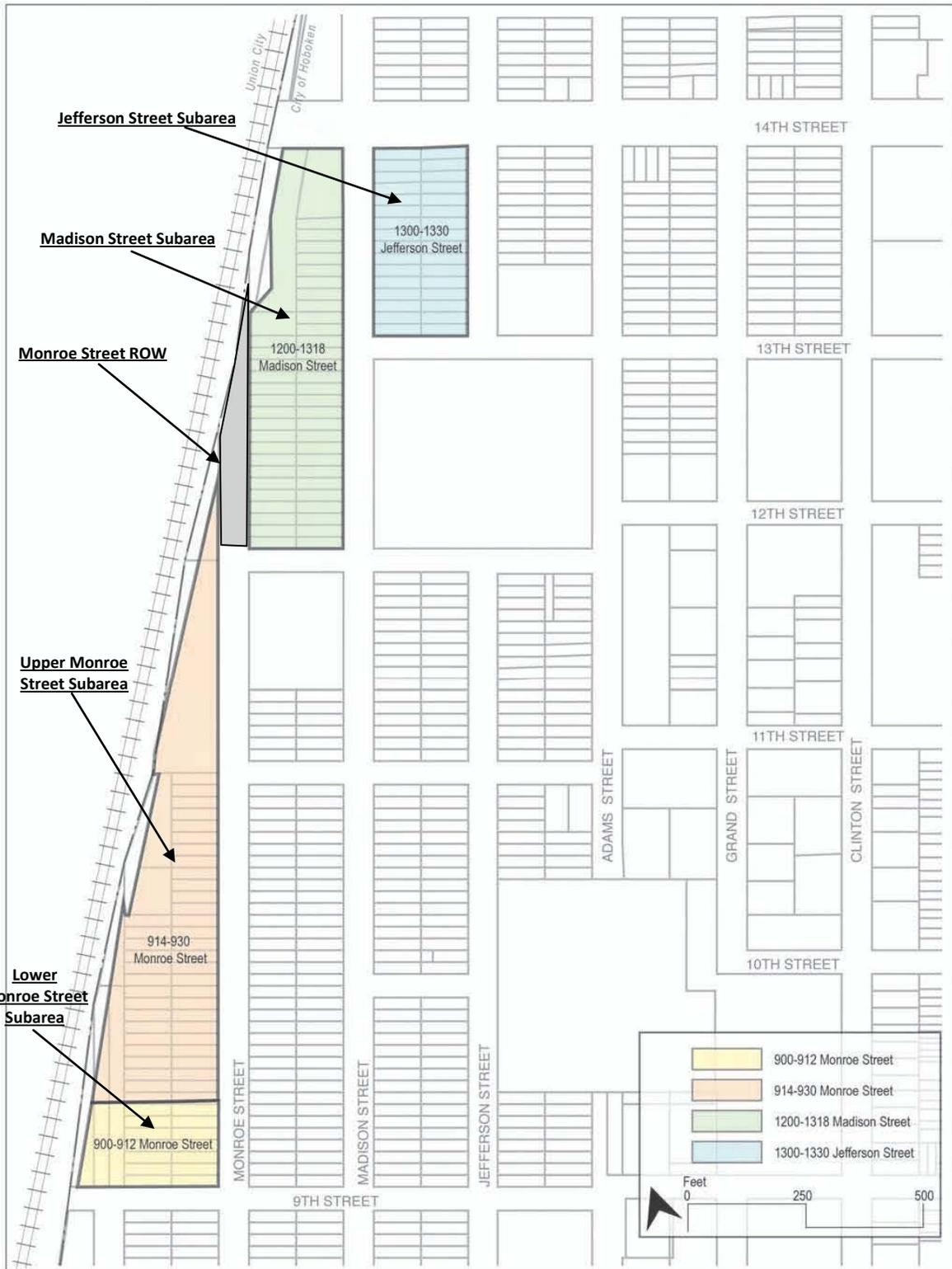
The Redevelopment Area consists of approximately 11.42 acres, as shown in Table 1. The area includes four separate Subareas identified as the Lower Monroe Street Subarea, Upper Monroe Street Subarea, the Madison Street Subarea and the Jefferson Street Subarea. Together, these parcels comprise a total of 143 tax lots on portions of seven tax blocks: Blocks 92, 93, 97, 101, 105, 106, 111 and 112 on the official City of Hoboken tax maps. A summary is provided below.

Table 1: Redevelopment Area Summary

Lower Monroe Street Subarea:	1.18	acres
Upper Monroe Street Subarea:	4.42	acres
Madison Street Subarea:	3.51	acres
Jefferson Street Subarea:	1.83	acres
Monroe Street ROW:	0.48	acres
Total:	<u>11.42</u>	<u>acres</u>

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey



Map 2: Redevelopment Plan Subareas

# Draft Western Edge Redevelopment Plan

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*City of Hoboken, Hudson County, New Jersey*

The Redevelopment Area is surrounded by a mix of uses, including multi-family residential to the south, the Hudson-Bergen Light Rail (HBLR) right-of-way to the west (marking the municipal boundary), industrial uses to the north, and public, industrial, commercial, and multi-family residential uses to the east. Map 3 illustrates the variety of land uses surrounding the redevelopment area.

While the City of Hoboken has experienced a development boom in the last two decades, the northwestern portion of the City is one of the few areas of Hoboken that still contains parcels which are remnants of its industrial past. The area, however, has also experienced heightened construction activity in recent years, especially in response to the adoption of the Northwest Redevelopment Plan. Most of the new construction has been either residential or commercial, providing new housing options and choices within the City. The development that has occurred in response to the Northwest Redevelopment Plan represents the largest new residential development that has been built in the area in recent years.

South and east of the Redevelopment Area are several multi-family residential buildings that have been recently constructed in connection with the Northwest Redevelopment Plan, as well as commercial development that includes a ShopRite grocery store. The Northwest Redevelopment Plan Area wraps around the study area to the east and south and consists of all or parts of 22 tax blocks, of which four directly abut study area properties on Ninth Street, Monroe Street, and Jefferson Street.

Further to the north is an active industrial and warehousing area, a large part of which is occupied by Academy Bus, which is essentially cut off from the Redevelopment Area properties south of Fourteenth Street by the viaduct infrastructure. To the west lie the Palisades cliffs, the municipal boundary with Union City and the right of way for the Hudson-Bergen Light Rail. The light rail runs along the western boundary of the study area. The Ninth Street light rail station is located at the westernmost end of Ninth Street, which is at the southwesterly edge of the Redevelopment Area.

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey



Map 3: Existing Land Uses

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

## Lower Monroe Street Subarea (900-912 Monroe Street)

The Lower Monroe Street Subarea includes block 92, lots 1.1 and 1.11; block 93, lots 1.11, 1 to 8.1, and 25.2 to 32, as shown in Figure 2. This Subarea contains an approximately 1.179 acre former industrial property. At the time of the Area in Need of Redevelopment Report, a vacant industrial building occupied this site. Since then, the industrial structure has been demolished in preparation for a new residential building. The approved project is known as “900 Monroe” and includes a 12-story, 117 foot high, 112 unit residential building with ground floor retail amounting to approximately 7,600 gross square feet and three levels of structured parking. The project includes a hardscaped public walkway along the Hudson-Bergen Light Rail (HBLR) tracks. The Floor Area Ratio (FAR) of the proposed project is approximately 3.0.



Figure 2: Location of Lower Monroe Subarea.



Figures 3 and 4: Photos of existing conditions on Lower Monroe Subarea.

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

Monroe Street is a one-way southbound street along the eastern end of the Lower Monroe Subarea and 9<sup>th</sup> Street is a one-way eastbound street along the southern end of this Subarea. Transportation access includes the 9<sup>th</sup> Street light rail station at the southwest corner of the Subarea, and direct access to the City's Green Hop shuttle bus service is available along Madison Street. 9<sup>th</sup> Street is an important terminal vista providing views of the Palisades above the 9<sup>th</sup> Street train station.

Surrounding land uses include the following:

- to the north by a one-story industrial building (included in this redevelopment plan);
- to the east by a new Shop Rite grocery store that ranges between one and three stories in height;
- to the south by one new 5-story and one 10-story multi-family residential building; and
- to the west by the 9<sup>th</sup> Street station and the tracks for the Hudson-Bergen Light Rail.



*Figure 5: Residential building south of area adjacent to train station.*



*Figure 6: New residential building southeast of area.*



*Figure 7: New supermarket east of subject area.*

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey

## Upper Monroe Street Subarea (914-930 Monroe Street)

The Upper Monroe Street Subarea includes block 92, lots 1.2 and 1.12; Block 93, lots 1.12 and 8.2 to 25.1; block 97, lots 1.1 to 22.2; block 101, lot 1.1 and block 105, lot 1.1. This Subarea includes an industrial property with an older structure that is used for warehousing and distribution purposes. The site totals approximately 4.42 acres and is irregular in shape, as shown in Figure 8. The site is linear in shape, with the Palisades and the adjoining 22+ story high-rise building in Union City adjoining the site to the west.



Figure 8: Aerial view of Upper Monroe Subarea.



Figure 9 and 10: Photos of existing conditions on site.

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

Monroe Street is a one-way southbound street along the eastern end of the Upper Monroe Subarea. Transportation access includes the 9<sup>th</sup> Street light rail station which is only several hundred feet from the southern end of the Subarea. In addition, direct access to the City's Green Hop shuttle bus service is available along Madison Street. 11<sup>th</sup> Street and 12<sup>th</sup> Street are one-way westbound streets that terminate at this Subarea, while 10<sup>th</sup> Street provides an important terminal vista of the Palisades across the Shop Rite parking lot. As a result, this site provides an important terminal vista at these intersections.

Surrounding land uses include the following:

- to the west by the HBLR track lines, beyond which are the Palisades and a 22+ story high-rise building;
- to the south by the HBLR track lines and a paper street owned by the City of Hoboken;
- to the east by the one-story Shop Rite grocery store, a pocket plaza on 11<sup>th</sup> Street, a vacant parcel of land and the PSE&G substation; and
- to the south is a vacant parcel of land that is part of this redevelopment plan.



Figure 11: Terminal vista along 11th Street.



Figure 12: Gazebo on 11th Street.



Figure 13: PSE&G substation adjacent to Subarea.

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey

## Madison Street Subarea (1200-1318 Madison Street)

The Madison Street Subarea includes block 106, lots 1 to 32 and block 111, lots 2 to 14, as shown in Figure 14. This Subarea contains a former industrial building with frontage on Madison and 12th Streets, extending north to 14th Street. The parcel totals approximately 3.51 acres. The property is improved with a one-to two-story concrete building that is currently vacant.



Figure 14: Location of Madison Street Subarea.



Figure 15: View of building from Madison Street near PSE&G substation.



Figure 16: View of storage area at northern end of area adjacent to 14th Street viaduct and Palisades.

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

Madison Street is a one-way northbound street along the eastern end of the Madison Street Subarea. Transportation access is available via the City's shuttle bus service, which travels Madison Street and 12<sup>th</sup> Street just south of the Subarea. In addition, the 9<sup>th</sup> Street light rail station is approximately 1/2-mile south of the Subarea. 12<sup>th</sup> Street is a two-way street just south of the Subarea, and 13<sup>th</sup> Street is a one-way westbound street that terminates at this Subarea. As a result, this site provides important terminal vistas at these intersections.

Surrounding land uses include the following:

- PSE&G substation to the south;
- 14<sup>th</sup> Street viaduct to the north;
- Light rail tracks and the Palisades to the west; and
- Industrial building within redevelopment area to the east.



*Figure 17: Terminal vista along 12th Street, south of Subarea.*



*Figure 18: View of Madison Avenue Subarea, looking north on Madison Avenue.*



*Figure 19: View of northern end of building in Madison Avenue Subarea.*

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey

## Jefferson Street Subarea (1300-1330 Jefferson Street)

Block 112, Lots 1 to 32 contains a total of approximately 1.83 acres that is currently improved with a vacant one-story metal-clad building. The block has frontage on four streets, including Madison Street (a one-way northbound street), 14th Street (a one-way eastbound street), Jefferson Street (a two-way street) and 13th Street (a one-way westbound street).

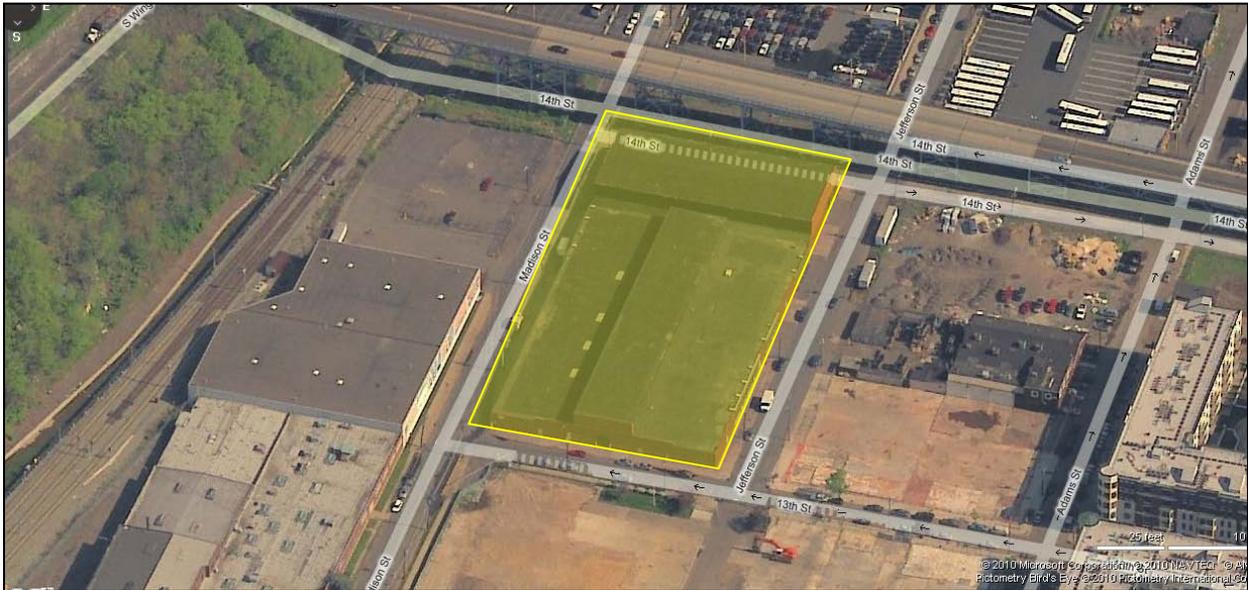


Figure 20: Location of Jefferson Street Subarea.



Figure 21: View of Jefferson Street Subarea, looking north along Jefferson Street.



Figure 22: View of Jefferson Avenue Subarea, looking north along Madison Street.

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

Jefferson Street is a one-way southbound street along the eastern end of the Upper Monroe Subarea. Transportation access includes the 9<sup>th</sup> Street light rail station which is only a half-mile from the southern end of the Subarea. In addition, access to the City's Green Hop shuttle bus service is available along Madison Street and Adams Street. 13<sup>th</sup> Street is a one-way westbound street that terminates at this Subarea. As a result, this site provides an important terminal vista at this intersection.

Surrounding land uses include the following:

- vacant industrial building to the west, included in the redevelopment area;
- 14th street viaduct to the north;
- one-story retail building and vacant area to the east, beyond which are 6-story multi-family residential buildings; and
- vacant tract (Block 107) which is identified as a future park in the Master Plan.



*Figure 23: View of retail stores east of Jefferson Street Subarea.*



*Figure 24: View of vacant lot northeast of Jefferson Street and 13th Street.*



*Figure 25 View of vacant tract.*

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

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## Public Outreach

This plan addresses not only the recommendations in the City's 2004 Master Plan, but also the concerns of the residents. Public workshop sessions concerning the Western Edge Redevelopment Plan were held on February 13, 2008 and June 25, 2008. Major issues identified through this process include the following:

## Land Use

1. Require large commercial and/or office use components because this area of the City needs stronger, larger, more identifiable retail spaces.
2. Provide a greater variety of unit sizes, including a percentage of three-bedroom units, to accommodate the growing population of families in Hoboken.
3. Maintain the 5-6 story building heights that are consistent with other residential buildings in the area.
4. Provide affordable housing.

## Design

1. Protect important views of the Palisades.
2. Reinforce the streetscape with stoops, stairs and stores, not cars.
3. Include guidelines that provide for excellence in design; not monolithic superstructures, but rather individual, smaller buildings such as Liberty Harbor North in Jersey City.
4. Encourage sustainable development, including green building design requirements.

## Open Space and Recreation

1. Create large parks. Columbus Park is the nearest park, and with the number of residential units being built in the west side of the City, the need for more parks and open space is critical.
2. Construction of the green circuit is not sufficient for open space in this area. Provide larger open space areas for active recreation.
3. Locate the green circuit in front of buildings and integrated into the streetscape, not in the back of buildings where the lack of light, accessibility and safety are issues.
4. Construct a community pool and recreation center.

## Circulation and Parking

1. Preserve and maintain streets with existing Belgian blocks bases to provide a visual, aesthetic reference to the City's history.
2. Require new streetscape design, including traffic calming.
3. Re-examine parking ratios to reduce the visual predominance of parking garages and parking lots because the area is well-served by public transportation.
4. Design the green circuit for recreation, pedestrian and bicycle commuting.

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

## Demographic and Economic Context

The Western Edge Redevelopment Plan incorporates the changing market and demographic realities facing Hoboken. Over the past ten years, significant changes have occurred in the City, largely through the redevelopment of its older, industrial properties. Since 2000, the City has issued 4,394 new residential building permits (after netting out residential demolitions) and 2,181 new residential certificates of occupancy. At the same time, the City has issued certificates of occupancy for 3.8 million square feet of apartment space; 411,950 square feet of storage space; 77,000 square feet of office space; and 24,200 square feet of assembly space. As a result the City's residential population has increased by almost 4,800 persons, from 38,577 persons in 2000 to an estimated 43,375 persons in 2008. Many of these new residents are in new buildings built in the Northwest Redevelopment Area, where large tracts of older industrial buildings have been replaced with new multi-family residential structures. This area is underserved in terms of parks, open space and recreation facilities.

Year	Pop	Jobs
1990	33,397	12,639
2000	38,577	12,420
2005	39,573	15,423
2008	43,375	17,515
Change, 2000 - 08	4,798	5,095
Note: Includes third-quarter private sector jobs covered by unemployment insurance and government jobs		

At the same time, the City's employment base has increased by over 5,000 jobs. The majority of the City's jobs are in the information (12,313 jobs) and professional and scientific (1,310) categories. The majority of these jobs have been located in new office buildings constructed near the waterfront. There has been minimal development of retail and office uses along the new light-rail line serving the increased residential population in the northwestern corner of the City. The northwestern section of the City is underserved in terms of neighborhood retail services and office space.

The long-term outlook for maintaining the City's economic base is to support small business development. Because much of the City's supply of nonresidential building space has been replaced by residential development, the City needs to take steps to support new and growing businesses to foster new employment opportunities and ratables. In the past, the older industrial buildings served as incubator space, providing affordable space for new industries, which in turn moved into larger, higher quality buildings as their businesses expanded. The redevelopment plan should provide suitable replacement space for these "business incubators".

# Draft Western Edge Redevelopment Plan

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## **Transportation and Circulation Context**

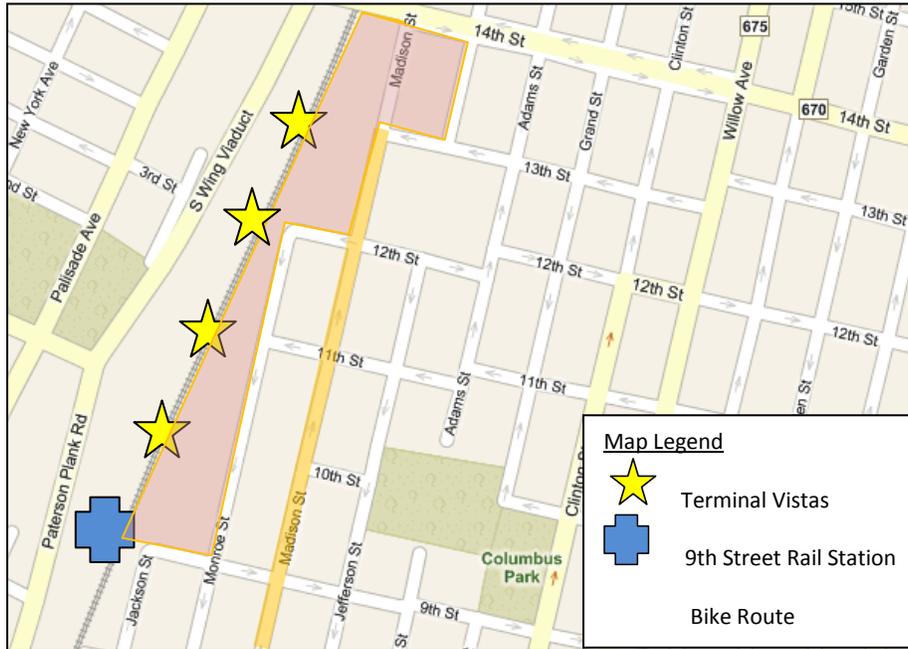
Although the Plan Area is on the western municipal boundary, it is well integrated into the surrounding street grid network. All of the roadways radiating from the Redevelopment Area connect to the core of the City of Hoboken. The Area's location on the westernmost edge of the City bordered by the Palisades cliffs, however, makes it entirely inaccessible from the west. There are three east-west streets that terminate at the eastern edge of the Redevelopment Area: 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> streets. All of these streets create important terminal vistas to the Palisades that must be considered in the redevelopment plan. These terminal vistas must be protected through the strategic location of open space and building breaks in order to maintain views of the Palisades from public streets.

There are also four north-south streets that provide access: Jackson Street, Jefferson Street, Monroe Street, and Madison Street. Jackson Street terminates at the southwesterly edge of the Redevelopment Area and Monroe Street follows the eastern edge of the Monroe Street Subarea and then terminates at its intersection with Twelfth Street.

The Redevelopment Area also has access to a number of public transportation systems, including light rail, bus service and bicycle lanes. These various public transportation options, which link directly to other areas of the City and Hoboken Terminal, provide easy access to other transit centers in the region, including New York City, Jersey City and Newark.

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey



Map 4: Circulation and Transportation Network

## Light Rail

Hoboken is a transit hub, with connections provided to Manhattan, Newark, Jersey City and other major destinations at Hoboken Terminal. A new light rail line, the Hudson Bergen Light Rail (HBLR), provides access from the western edge of the City to Hoboken Terminal. A station is provided at the southwestern corner of the redevelopment area at 9<sup>th</sup> Street. The 9<sup>th</sup> Street station, which opened in 2007, has seen tremendous usage, with approximately 2,400 riders per day in 2010. The Redevelopment Plan should include transit-oriented design principles because of its access to the 9<sup>th</sup> Street light-rail transit station.

	FY07	FY08	FY09	FY10	% Change
Hoboken Terminal	5,145	5,493	5,944	5,578	8.40%
2nd Street	754	872	943	946	25.40%
9th Street	1,847	2,239	2,475	2,399	29.90%

# Draft Western Edge Redevelopment Plan

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*City of Hoboken, Hudson County, New Jersey*

## **Bike Lanes**

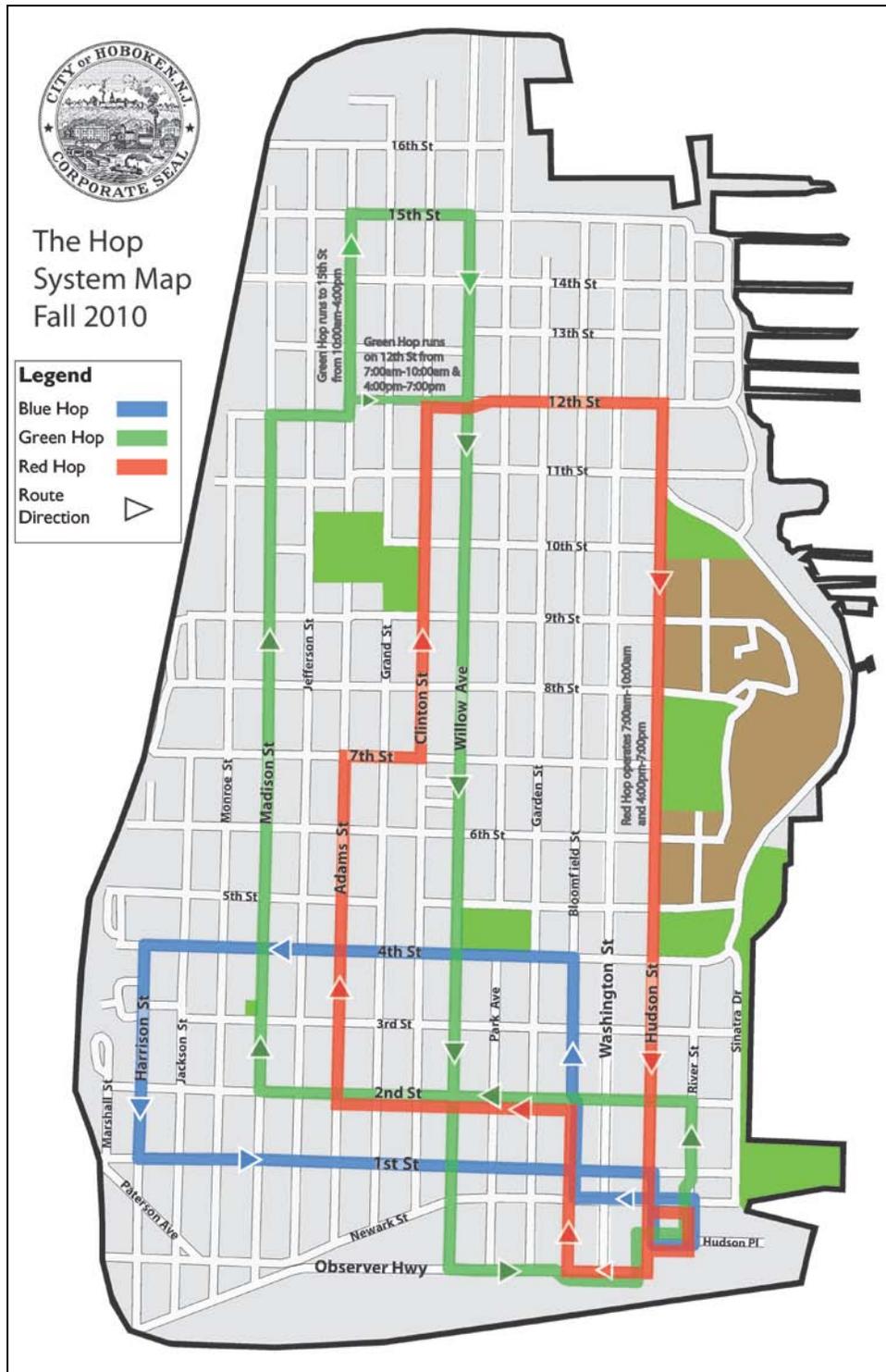
The City of Hoboken is installing bike lanes on existing roadways, with connections to major destinations and dedicated bicycle lanes (i.e. the Hudson River Waterfront Walkway), in order to improve conditions for bicycle transportation. Exclusive Class II bike lanes have been provided along Madison and Grand Streets. These bicycle lanes are 5-foot wide, one-way bike lanes that are painted on the streets. Bicycle lanes on the City's narrower cross streets are being provided in the form of Class III "sharrows" (sharing arrows), which communicate to both drivers and bicyclists that a street is meant to be shared by both groups. Class III sharrows are located approximately four feet from the side of parked cars to guide bikers along a path that keeps them out of the "door sweep" of parked cars. The locations on the street is slightly to the right of the center of the street, in accordance with state law where the same travel lane is shared by both cars and bicycles. The Redevelopment Plan shall incorporate dedicated bike lanes, a bikeway in the Green Circuit and provide bicycle storage to foster bicycles as a means of transportation in Hoboken.

## **Shuttle Bus Service**

The City of Hoboken operates a community shuttle bus service to within two blocks of almost every resident. This service, called "The Hop," (formerly the CrossTown Shuttle), provides a good alternative to the automobile to get around the City. The driver picks-up and drops-off passengers at the far-side corner of any street along the route. Far-side corner means the bus will cross the intersection before stopping to pick-up or drop-off passengers (this is so that other vehicles are not blocked by the bus). Streets within the redevelopment plan shall incorporate appropriate spaces for shuttle bus stops and signage.

# Draft Western Edge Redevelopment Plan

City of Hoboken, Hudson County, New Jersey



Map 5: Hoboken Shuttle Bus Service Map

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

## 14th Street Viaduct Redevelopment

The Western Edge Redevelopment Area is bound to the north by an elevated roadway known as the Fourteenth Street Viaduct, which is a County road. Hudson County plans to replace the viaduct, and the new plan will create a pedestrian-oriented park in the area underneath the viaduct. The proposed Viaduct Improvement Plan includes a new dog park under the western edge of the viaduct, along with a multi-purpose court and a venue for special events such as a farmers market, flea market and concerts. The Redevelopment Plan shall align the open space and recreation amenities in the Western Edge with the open space in the Viaduct project to create a continuous Green Circuit that links the open spaces along the western edge with those in the viaduct.

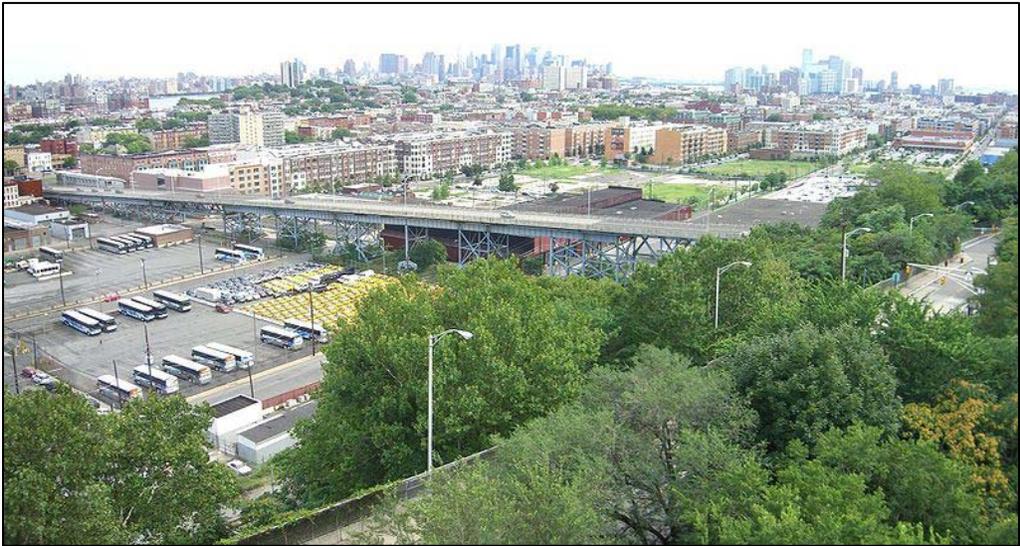


Figure 26: View of the 14th Street viaduct from the Palisades, looking south.



Figure 27: Roadway adjacent to 14th Street viaduct.



Figure 28: 14th Street viaduct at northern edge of redevelopment area

# Draft Western Edge Redevelopment Plan

*City of Hoboken, Hudson County, New Jersey*

## Relationship to Intent and Purpose of the 2004 Master Plan

New Jersey’s redevelopment statute requires that “all provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan.” The Western Edge Redevelopment Plan is written to incorporate the major goals, objectives and concepts of the Master Plan. The Plan is substantially consistent with and designed to effectuate the City’s Master Plan, the last comprehensive version of which was adopted in April 2004. Specifically, this Redevelopment Plan complies with the intent of the Master Plan with respect to the following general goals and objectives:

- Amplify Hoboken’s sense of community, encompassing its social diversity.
- Enhance Hoboken’s unique setting as an urban enclave facing New York Harbor.
- Improve the appearance of Hoboken’s streets.
- Enhance its walk ability and pedestrian amenities.
- Contemporize its community facilities.
- Provide additional open space and recreation facilities.

## Land Use Element

The Redevelopment Area is entirely located within the *IT Industrial Transition zone* in the Land Use Plan of the Master Plan. By designating the area in the Industrial Transition (IT) zone on the future land use map, the Master Plan recognized that this portion of Hoboken was in the process of transformation. The Plan states that limited industrial uses will continue to be permitted in these areas. It recommends permitted uses, including public facilities and office development. The Master Plan only provides for residential use as a conditional use by stating that residential uses “be permitted only as a conditional use in accordance with specific requirements.” These requirements include being located adjacent to public parks, or by providing open space that is dedicated to the City. Building heights and densities could also be increased in return for the provision of public amenities.

Important planning considerations in the Land Use Element that apply to the redevelopment plan include the following:

- Promote and enhance Hoboken’s historic character and design image.
- Continue to promote a pedestrian-friendly environment.
- Maintain an appropriate mix of uses.
- Enhance physical and visual connections between the waterfront and the rest of the City; and between the Palisades and City.
- Coordinate development decisions with adjacent municipalities and Hudson County.

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- Work with institutions to ensure that any future growth is appropriate in terms of location, scale and design.
- Promote compatibility in scale, density, design, and orientation between new and existing development.
- Require buildings to be oriented to the street.
- Continue to promote stoops (and stoop life).
- Continue to hide parking on the ground level of buildings.
- Enact “green architecture” requirements for new construction.
- Enact “quality housing” model design guidelines for new construction.
- Provide additional street trees.
- Prohibit new surface parking lots or other open parking areas.
- Restrict new curb cuts.

## **Westside/Northwest Redevelopment Area**

The Northwest Area Concept Plan in the Master Plan designates the Madison Street Subarea as “Residential with Ground Floor Commercial” uses and the Jefferson Street Subarea is designated as “Existing/Possible Public School.” The language which accompanies the Northwest Area Concept Plan states that Hoboken is in need of additional open space and community facilities and recommends that new development contribute to the creation of these elements in order to help create a more balanced neighborhood context.

- Provide additional open space and community facilities as other development occurs. To the greatest extent possible, new development should contribute to the provision of these elements.
- Improve the area underneath the Fourteenth Street Viaduct. The area underneath the viaduct has the potential to serve as open space and/or a unifying feature for this section of the City.

## **Open Space, Recreation and Conservation Element**

The Open Space, Recreation and Conservation Element in the 2004 Master Plan proposes a new park adjacent to the redevelopment area on the Cognis (formerly Henkel) factory site located between Twelfth, Thirteenth, Adams, and Madison Streets. In addition, the Open Space Plan identifies the need for a new community pool and additional recreational facilities that would be available to the general public. Finally, the Open Space Concept Plan identifies two of the Redevelopment Area parcels for planned or possible new parks and recreation: 900-912 Monroe Street and 914-930 Monroe Street. Other recommendations in the Master Plan that are applicable to the Redevelopment Plan include the following:

- Create a green circuit in the City to link recreational and other amenities (creating a multi-use path around Hoboken’s periphery).
- Maximize park and recreation opportunities for residents.

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- Involve the private sector in creating open space.
- Create park corridors or “green streets.”
- Require street trees as part of development applications.
- Provide more recreation and parks through better utilization of land.

## **Economic Element**

The Economic Element places the southern two blocks in the “Transit-Oriented Business District” which are districts located adjacent to light rail stations. These areas are described as “appropriate locations for commercial development” and “logical places for small business districts to be created.” In addition, the Master Plan encourages additional office space in appropriate locations. The land use mix in Hoboken is currently skewed towards residential and other non-commercial uses. Even with the recent growth in office space, it appears the office market in the Hoboken area can accommodate additional space. The mix of spaces should include larger, “prime” office space around Hoboken Terminal, as well as smaller scale offices around light rail stations and in other commercial areas. The Master Plan also encourages a mix of uses in new developments to provide supporting services to workers and residents, since housing and offices alone do not make a city. Retail space and services are an integral part of a community that has not been included in many new development projects, and the City should encourage a mix of uses in new development. The Economic Element includes the following specific recommendations that are applicable to the Western Edge Redevelopment Plan:

- Encourage a mix of uses in new developments to provide supporting services to workers and residents.
- Promote convenient retail at the new light rail transit stops.
- Create opportunities for more gathering places.

## **Community Facilities Element**

Important planning concepts in the Community Facilities Element that are applicable to the Western Edge Redevelopment Plan include the following:

- Encourage environmentally sensitive and sustainable design.
- Promote the improvement of utility systems in the City.
- Promote the creation of green roofs and parking lots.
- Employ Quality Housing Zoning to promote even higher standards.
- Address drainage problems in the City’s flood zones.
- Develop a set of stormwater management policies and regulations for new development.
- Reduce waste and promote recycling.

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## **Circulation and Parking Element**

Important planning concepts in the Circulation and Parking Element that are applicable to the Western Edge Redevelopment Plan include the following:

- Enhance walkability throughout the City.
- Provide adequate lighting of sidewalks.
- Require bicycle storage facilities in new development.
- Create a multi-use circuit around the City, if possible adjacent to the light rail tracks

## **Housing Element**

The following concepts in the Housing Element are applicable to the Western Edge Redevelopment Plan:

- Provide diversity in types of housing.
- Provide additional affordable units in new residential developments.

## **Historic Preservation Element**

The Historic Preservation Element encourages contemporary building designs for new construction that complement Hoboken's historic buildings without mimicking them.

## **Relationship to Intent and Purpose of the Zoning Code**

Under the current zone plan, the Redevelopment Area lies entirely within the I-1 Industrial zoning district. Zoning boundaries are shown in Figure 6: Existing Zoning Map. The I-1 zone encompasses an eight block long area extending north-south in an area east of the Hudson-Bergen Light Rail (HBLR) right-of-way. Immediately to the east and south the I-1 zone is bounded by the Northwest Redevelopment Plan (NWRDV) area, which is mapped over portions of the former I-1 zone. Permitted uses in the I-1 Industrial zone include manufacturing, processing and fabricating operations, warehouses, office buildings and research laboratories, and public services. Conditional uses include automobile service stations, garages, building supply and lumber yards, factory outlet stores, planned industrial development and parking.

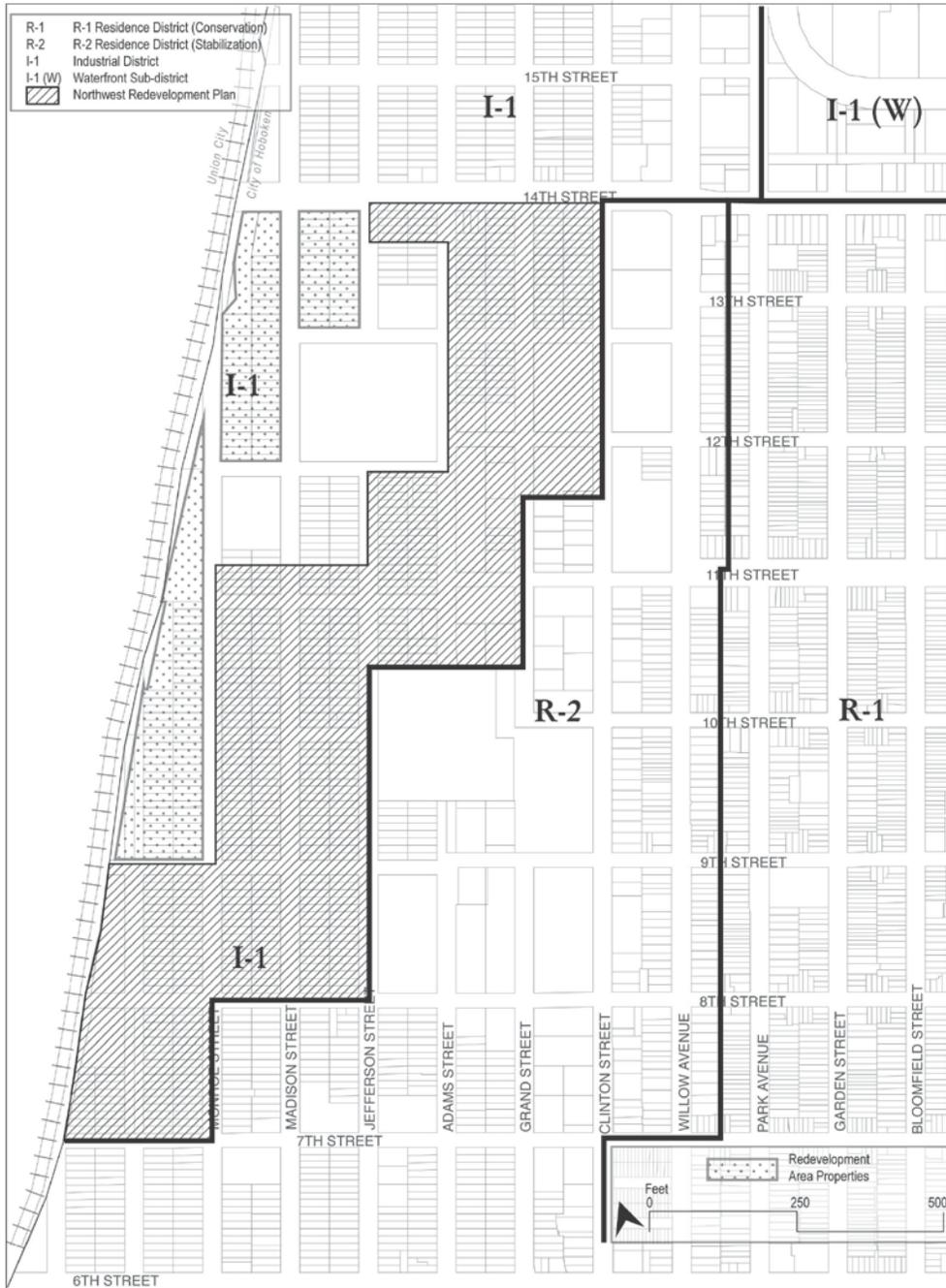
Bulk standards in the I-1 Industrial zone require a minimum lot area of 20,000 square feet, minimum lot width of 200 feet and minimum lot depth of 100 feet. The zone has a required minimum front yard setback of 10 feet, a minimum side yard setback of 10 feet, and a minimum rear yard setback of 20 feet. The maximum building height is four stories or 80 feet for principal buildings and one and-one-half stories or 30 feet for accessory buildings, and the maximum lot coverage is 65 percent for principal buildings and 10 percent for accessory buildings.

The vision for mixed-use development in the Redevelopment Area is not reflected in the Zoning Ordinance. As such, the zoning is not consistent with the use and bulk regulations contained within this

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Plan. The most recent Master Plan has recommended land use changes which do not support industrial development for the Redevelopment Area over the long term.



**Map 6: Existing Zoning Map**

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## Chapter 2: Vision and Land Use Plan

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### **Vision**

The Western Edge Redevelopment Area is located within what the City's Master Plan refers to as Hoboken's final frontier; one of the last vestiges of its industrial past where mostly vacant or underutilized industrial/manufacturing facilities remain. Yet, this roughly 11-acre area next to the Palisades cliffs and the Hudson-Bergen Light Rail line presents a tremendous opportunity for the City to achieve many of the goals and objectives articulated in the Master Plan, perhaps none more important than the recognized need for additional parks, recreation and open space. The Redevelopment Area also provides the opportunity to create a small business district in the vicinity of the Light Rail station with office and commercial development creating new jobs and ratables. It can also meet the need for additional retail uses and services to satisfy the demands of the new residential population in the west side of Hoboken. Likewise, the City recognizes the need for affordable housing. This Plan strives to realize all of these goals by combining public open spaces and recreation; pedestrian-oriented retail services; ensuring the City's economic base by providing incubator office space; affordable housing; an attractive streetscape; and well designed residential buildings in the form of an integrated, mixed-use redevelopment program.

### **Redevelopment Plan Goals and Objectives**

The following is a summary of the key Redevelopment Plan goals and objectives, based on the recommendations in the City's Master Plan and public comments.

1. Increase in the economic base of the Redevelopment Area and the entire City by providing for new retail and office employment opportunities within the redevelopment area.
2. Replace an unpleasant and uninviting streetscape with a safe, vital, pedestrian-friendly streetscape.
3. Provide for a significant amount of open space, recreation amenities, and a new community center, that are accessible to the residents of the City of Hoboken.
4. Provide for expanded retail and office uses to serve the needs of the growing residential population in the northwestern portion of the City.
5. Provide affordable office space (incubator space) to support existing businesses within the City and create opportunities for new and emerging industries.
6. Provide for landscaped rooftops/decks or green roofs that can benefit the environment and serve as an open space amenity for project residents.
7. Create a portion of a multi-use recreation/walking path or green circuit around the City adjacent to the light rail tracks.

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8. Take advantage of the light rail by encouraging mixed-use development, open space, and pedestrian-friendly uses around the transit station consistent with smart growth planning principles.
9. Provide for a variety of housing types, including both market-rate and affordable housing which complements and expands the housing options and choices in the City.
10. Preserve view corridors to the Palisades through strategic placement of open space areas and building breaks.
11. Create a walkable, human-scaled community that integrates new development with surrounding residential areas and provides connections to the 9<sup>th</sup> Street Hudson-Bergen Light Rail (HBLR) station, including greenways and pedestrian linkages.
12. Establish more varied site and building design standards that foster a visually pleasing streetscape and high-quality building design within the Redevelopment Area.

## Land Use Plan

The Western Edge Redevelopment Plan, as shown on Map 7 and summarized in Table 4, creates a mixed-use, transit-oriented community that is integrated into the overall fabric of the City through its street, pedestrian and street connections with the City. Land uses and infrastructure are arranged to encourage and to facilitate the use of transit while accommodating a range of travel modes and purposes.

	Area	Building Requirements			Open Space and Recreation				Maximum Build out			
		FAR	Density	Height	Park	Comm. Center	Green Circuit	%	Residential (units)	Retail (s.f.)	Office (s.f.)	Incubator (s.f.)
<i>Monroe Street</i>	5.33	3.2	55	8	65,000		14,375	40%	293	29,700	178,200	29,700
<i>Madison Street</i>	3.51	3.2	55	8		27,000	16,250	10%	196	19,571	117,424	19,571
<i>ROW Area</i>	0.48	3.2	55	8		13,000						
<i>Jefferson Street</i>	1.83	3.0	50	6	20,000			30%	92	9,566	57,395	9,556
Total	11.15				85,000	40,000	30,625		581	58,837	353,019	58,837

A key component of the Land Use Plan is its mixed-use development pattern. "Live/Work/Play/Shop" is a motto that is used frequently to describe the benefits of mixed-use districts. The essence of mixed-use developments is that it brings people closer to the things that they need on a day-to-day basis. It provides more options for both residents and workers, so that they don't have to drive to drop off the kids, get a newspaper, buy the day's groceries, purchase stamps, get a sandwich for lunch, or maybe simply get to work. It allows an area to be useful for a much more significant part of the 24-hour day than single-use developments.

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Additionally, mixed-use developments can also make more efficient use of land and public infrastructure. The right mix of uses can be extremely efficient in using resources such as roadways, parking, and even water and sewer. That is because different uses are generally active during different times of the day, week, and even different times of the year. Finally, mixed-use development is one of the cornerstones of sustainable development. Sustainable development seeks to minimize automobile use, improve community design, use public infrastructure wisely, and conserve environmental resources. By providing more opportunities for convenient walking trips, fewer or shorter auto trips and sharing common resources, mixed-use development helps achieve the balance of economic, environmental and social objectives that is critical to sustainable development.

The Redevelopment Plan includes a requirement that a minimum of 40 percent of the total floor area in a building be used for commercial purposes. This includes a 30 percent requirement for office space, including professional, general and corporate offices; a 5 percent requirement for retail space; and a 5 percent requirement for incubator office space. The 5 percent retail space requirement is designed to encourage larger stores, which will better serve the needs of the neighborhood. The intent is to create a business district to serve the residents of the area, where currently limited commercial uses are available. The 5 percent office incubator requirement is designed to provide affordable office space that can support and nourish growing industries, working through a partnership with such entities as Stevens Institute of Technology.

Business incubators have proven to be effective tools for promoting economic growth throughout the world. Business incubation is a business support process that accelerates the successful development of start-up and fledgling companies by providing entrepreneurs with an array of targeted resources and services. These services are usually developed or orchestrated by incubator management and offered both in the business incubator and through its network of contacts. These incubator facilities have the potential to create jobs, revitalize neighborhoods, commercialize new technologies, and strengthen local and national economies.

The earliest incubation programs focused on a variety of technology companies or on a combination of light industrial, technology and service firms – today referred to as mixed-use incubators. However, in more recent years, new incubators have emerged targeting industries such as food processing, medical technologies, space and ceramics technologies, arts and crafts, and software development. Incubator sponsors have also targeted programs to support microenterprise creation, the needs of women and minorities, environmental endeavors and telecommunications.

Other components of the plan include the creation of parks in strategic locations, the extension of the Green Circuit through the redevelopment area, and the construction of a new community center/pool. These amenities, which vary for each Subarea in the redevelopment plan, are required to be provided by the developer. In exchange, the amount of development permitted in each Subarea is tailored to the amount of amenities required. In addition, the City will consider whether to give some of the land

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associated with the Monroe Street ROW (a paper street) to the Madison Street Subarea in exchange for the construction of a new community center.

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Map 7: Land Use Plan

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## Affordable Housing

It is a goal of the Redevelopment Plan to assure that the affordable housing obligations of the City are satisfied. Through the negotiation of a redevelopment agreement, the City's goal is to assure that the redeveloper will provide a minimum of ten (10%) percent of all units within a development project are affordable pursuant to the requirements of the New Jersey Fair Housing Act, N.J.S.A. 5:27D-301 et seq. (the "Housing Act"), and laws, regulations, directives and consequent obligations respecting the same or that body common law otherwise known as Mount Laurel I and II<sup>1</sup>, as the same may be amended and supplemented from time to time. Anytime the word "developer" is utilized in this Redevelopment Plan, the same shall mean the redeveloper or redeveloper(s) that have been designated by the City of Hoboken in accordance with the Redeveloper Selection Process set forth in Chapter 8 of this Redevelopment Plan.

## Affordable Housing Requirements

N.J.S.A. 40A:12A-7(a)(6) and N.J.S.A. 40A:12A-7(a)(7) requires that a redevelopment plan include (i) as of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all affordable housing units that are to be removed as a result of implementation of the redevelopment plan; and (ii) a plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at anytime within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of the redevelopment plan.

The following subsections (1) and (2) satisfy the affordable housing "inventory" and "replacement unit plan" requirements of the law.

### (1) Inventory of Affordable Housing

July 2007 is the date the Mayor and Council of the City of Hoboken duly adopted a Resolution finding the properties included in this redevelopment plan to be an area in need of redevelopment. The Western Edge Redevelopment area does not contain any housing units affordable to low and moderate income households that are to be removed as a result of implementation of this Redevelopment Plan. The Western Edge Redevelopment Plan area does not contain any rental units. As a result of this timely survey, none of the properties are subject to affordable controls.

### (2) Plan for the Provision of Affordable Replacement Housing

The plan for the provision of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at anytime within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the Western Edge Redevelopment Plan (the "replacement units") shall include development of new projects at the

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<sup>1</sup> S. Burlington County NAACP v. Twp. of Mount Laurel, 67 N.J. 151, appeal dismissed and cert. denied, 423 U.S. 808 (1975) (Mount Laurel I); S. Burlington County NAACP v. Twp. of Mount Laurel, 92 N.J. 158 (1983) (Mount Laurel II).

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following selected sites which are in close proximity to Western Edge Redevelopment Area and within the City of Hoboken. Since the units located in the Western Edge Redevelopment Plan area are not subject to affordable controls, no replacement plan is necessary.

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## Chapter 3: Public Realm: Streetscape, Open Space and Community Center

### Intent

This section sets forth standards that seek to create a pedestrian-friendly environment and attractive streetscape, and to further provide appropriate open space and recreational facilities for the residents of the City of Hoboken. Streets, sidewalks, parks, walkways, bikeways, the Green Circuit and other public spaces constitute the “public realm,” or the primary public spaces that form the character and identity of the Redevelopment Area, as indicated on the Land Use Plan map. They provide the physical framework within which new building construction will occur and create the kind of environment that residents, shoppers, workers and visitors will experience.

### Streets

The Redevelopment Area can be reached along the existing street grid of northwest Hoboken including the north-south roads of Monroe, Madison and Jefferson Streets, and the existing east-west roads of 9th, 11th, 12th, 13<sup>th</sup> and 14th Streets. The goal is to improve the pedestrian experience along these roads and to introduce street trees, greenery, sidewalks, and human-scale building forms along the perimeter of the Plan Area. Another goal is to integrate the grid pattern into the designs for the open space areas by providing an open space focal point where selected east-west streets meet the open space within the Redevelopment Area.

### Streetscape Improvements

The designated developer for each Subarea is responsible for the following streetscape improvements:

1. All existing above-ground utility wires and facilities shall be relocated underground, and any new utility wires shall be located underground.
2. Repaving any existing and new roads within the redevelopment area.
3. All sidewalks shall be a minimum of 15 feet in width.
4. Where existing trees do not exist, street trees shall be planted, at approximately 25 to 30 feet on center, along the curbside edge of the public sidewalk on the streets. Exceptions to the spacing area are allowed for curb cuts to parking areas and lobby entrances.
5. Public benches along Monroe, Madison and Jefferson Streets, especially near the parks and other open space.
6. A pedestrian crosswalk link the gazebo on 11<sup>th</sup> Street with the new park in the Monroe Street Subarea.

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7. Preservation and improvements to any existing Belgian Block pavers in streets.
8. Bicycle racks provided outdoors at each shared building entry, within 20 feet of building entrances. Bicycle racks may be located on public streets or within building setbacks.
9. Bicycle lanes shall be provided

## Open Space

The Redevelopment Plan seeks to provide a significant amount of open space and recreation for residents of the City of Hoboken. The Plan requires the following types of open space be provided at grade at the locations set forth on Map 7.

The Plan requires the following types of open spaces be provided:

1. A park measuring not less than 65,000 square feet at the northern end of the Monroe Street Subarea.
2. An at-grade landscaped public plaza measuring not less than 10,000 square feet on the 13<sup>th</sup> Street side of the Jefferson Street Subarea to complement the possible park identified in the Master Plan on Block 107.
3. An at-grade landscaped public plaza measuring not less than 10,000 square feet on the 14<sup>th</sup> Street side of the Jefferson Street Subarea in order to complement the improvements to the 14<sup>th</sup> Street viaduct.
4. A park or a circular, hardscaped at-grade plaza shall be provided at the end of each of the number streets (10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> Streets) to provide a sense of arrival to the open space, as well as to provide a visual terminus along those streets.
5. There shall be at least one tot lot.
6. Green Circuit. A portion of the “green circuit” shall be built in the Redevelopment Area as per the 2004 Hoboken Master Plan along the Monroe Street and Madison Street Subareas from 9<sup>th</sup> to 14<sup>th</sup> Streets.
  - a. The green circuit shall be no less than 25 feet in width at any point.
  - b. In addition to the minimum 25 foot width for the green circuit, a landscaped buffer of between three (3) and five (5) feet shall be provided where the green circuit abuts the HBLR tracks and the buildings.
  - c. The green circuit shall be a continuous path that runs from the southernmost end of the Plan Area at 9th Street to the northernmost end at the 14th Street viaduct.
  - d. Benches and lighting shall be provided along the green circuit.

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- e. A portion of the green circuit shall be hardscaped so as to provide barrier-free paths and to allow bicyclists. The minimum width of the bicycle lane shall be ten feet.
  - f. Public access to the green circuit shall be provided along its entire length.
7. Parks should be located at the grade of the sidewalk, with barrier-free access. There shall be no buildings in any park area.
  8. There shall be a variety of seating areas provided throughout the parks.
  9. Landscaping of parks, playgrounds, plazas, and other public areas may include public gardens, trees, shrubs, ground cover, planters and flowers, as well as water features, sculptures, gazebos, kiosks, art and similar materials.

## **Community Center/Community Pool**

A community center with an outdoor public pool shall be provided at the southern end of the Madison Street Subarea. The minimum site area for the community center/public pool shall be 40,000 square feet, of which approximately 13,000 square feet will be within the Monroe Street paper street, as shown on the Land Use Plan map. The facility shall provide for the following amenities: a minimum two-story, 30,000 square foot building with gymnasium space with basketball courts; men's and women's locker rooms; arts and crafts space; art and dance studios; a computer lab; offices; and an outdoor swimming pool and kiddie pool.

The designated developer for the Madison Street Subarea shall be responsible for the cost to build the community center/public pool. No site plan approval shall be granted until the design for the community center is approved by the City. The designated developer shall provide funding as part of the redevelopment agreement with the City to hire an architect to design the community center/public pool and seek public input for the design. Construction of the community center shall be completed prior to any certificate of occupancy being issued in the Madison Street Subarea, unless the City at its sole discretion determines otherwise.

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## Chapter 4: Development Regulations

### Intent

The purpose of this Chapter is to establish the development regulations for properties within the redevelopment area. In order to achieve the vision and development goals expressed in Chapter 2.

### Definitions

Except for those definitions specifically included within this Plan, words that appear in this Redevelopment Plan shall be defined in accordance with the definitions that appear in the City's land use ordinances, or, where these ordinances do not provide a definition, in accordance with the definitions in the Municipal Land Use Law.

**Incubator Office Space** means affordable office space as defined by the rents set forth in this paragraph, with or without associated production space, which is designed to support start-up companies. Rents for incubator office space must be offered at least 20 percent lower than the average asking rent for Class B office space in the Hudson Waterfront, as reported by the New Jersey Economic Development Authority.

**Floor Area Ratio** means the gross floor area of all buildings and structures on a lot, including areas used for aboveground or enclosed parking, divided by the total lot area.

**Floor Area, Habitable** means the sum of the gross horizontal area of all the stories and half stories of a building as measured from the exterior face of exterior buildings or walls, excluding any areas used exclusively for aboveground or enclosed parking.

**Live/Work Housing** means a building with one or more dwelling units and one principal commercial use that is owned and/or operated by one of the residents.

### 1. Permitted Uses

The uses listed below are permitted within the five Subareas identified in this Redevelopment Plan:

- a. Permitted Uses
  - i. Retail and business services
  - ii. Offices, including general, professional and incubator office space.
  - iii. Restaurants and cafes
  - iv. Banking and financial institutions
  - v. Health clubs open to the public

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- vi. Commercial recreation
- vii. Instructional facilities
- viii. Clinics and medical offices
- ix. Family day care
- x. Child care centers
- xi. Clubs, community centers, and community meeting rooms
- xii. Green roofs
- b. Uses Permitted Only above the First Floor Level
  - i. Multi-family residential units inclusive of a full range of dwelling unit sizes from studio to three-bedrooms.
  - ii. Live/work housing
- c. Parks and open space
  - i. Parks, tot lots, and dog runs; and at-grade publicly-accessible plazas.
  - ii. Portions of the “Green circuit”
  - iii. Public uses and structures, including a community center/public pool.

## 2. Accessory Uses

The following uses are permitted as accessory to the primary and secondary permitted uses.

- a. Off-street parking
  - i. All off-street parking shall be in structured parking within buildings; surface parking and open-air rooftop parking are prohibited.
  - ii. Short-term parking spaces (15 to 30 minutes) for pick-up and drop-off are allowed outside the main entrances of the buildings.
  - iii. Any at-grade or above-grade level of parking within buildings shall be screened from view, as discussed further below in the section on Parking.
  - iv. Stand-alone parking garages are prohibited.
  - v. All loading spaces must be located at the side, rear or interior of buildings, away from street-facing frontages.
- b. “Back room” Facilities

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- i. Facilities associated with residential buildings, such as mechanical, loading, transformers, laundry, trash rooms, storage lockers, or other service type facilities.
- ii. Bicycle storage rooms or areas.
- c. Other Accessory Uses
  - i. Any uses customarily incidental to principal or secondary permitted uses.
  - ii. Landscaped rooftop decks.

## 3. Bulk Regulations

- a. Maximum Density. The maximum density for each development Subarea is as follows:
  - i. Monroe Street Subarea: 55 dwelling units per acre
  - ii. Madison Street Subarea: 55 dwelling units per acre
  - iii. Jefferson Street Subarea: 50 dwelling units per acre
- b. Maximum Floor Area Ratio. The maximum floor area ratio (FAR) for each Subarea is as follows:
  - i. Monroe Street Subarea: 3.2
  - ii. Madison Street Subarea: 3.2
  - iii. Jefferson Street Subarea: 3.0
- c. Maximum Building Height. Building height is measured according to the definition in the Hoboken zoning code<sup>2</sup>. The maximum height is measured at the roof slab. The following height limits apply in the Redevelopment Area.
  - i. Monroe Building Subarea: 8 stories, not to exceed 85 feet
  - ii. Madison Street Subarea: 8 stories, not to exceed 85 feet
  - iii. Jefferson Street Subarea: 6 stories, not to exceed 65 feet
- d. Use Mix Requirements. The total floor area within each building must incorporate the following variety of uses:
  - i. Minimum retail floor area: 5 percent of habitable floor area
  - ii. Minimum office floor area: 30 percent of habitable floor area
  - iii. Minimum incubator office floor area: 5 percent of habitable floor area.
- e. Open Space. The minimum land area dedicated to parks and open space for each Subarea is as follows:

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- i. Monroe Street Subarea: 40 percent
  - ii. Madison Street Subarea: 10 percent (not including area for community center)
  - iii. Jefferson Street Subarea: 30 percent
  - iv. The following are permitted to count towards the open space requirement: parks, tot lots, and dog runs; the Green Circuit; and at-grade publicly-accessible plazas.
  - v. The following are not permitted to count towards the open space requirement: areas used for parking or access to parking; landscaped roof decks; driveways and drop-off areas; required building setback areas facing public streets unless designed as part of the Green Circuit, including the 14th Street viaduct; and the required 3-foot deep planter areas adjacent to parking garage frontages.
- f. Rooftop appurtenances may cover no more than twenty (20) percent of the roof area, with height limited to 18 feet above the roof slab. Every effort shall be made to cluster the appurtenances and to screen them from view. The materials used for screening purposes shall not be counted toward roof coverage. Coverage created as a result of “green” technology installations (e.g., green roofs. Solar panels) shall be exempt from the overall coverage calculation.
- g. Affordable Housing and Bedroom Distribution Requirements. Affordable housing is required. Not less than 10 percent of all dwelling units within each residential building shall be affordable to low- and moderate-income households, pursuant to the Uniform Housing Affordability Controls (N.J.A.C. 5:809-26).
- h. Bedroom Mix. At least fifteen (15%) percent of all market-rate residential units constructed within the each building shall have 3 bedrooms.
- i. Maximum building width. The maximum width for any building shall not exceed two hundred (200) feet. A minimum separation of forty (40) feet shall be provided between buildings that are forty (40) and over feet in height. A minimum separation of twenty (20) feet shall be provided between buildings that are less than forty (40) feet in height.

## 4. Building Setbacks

- a. Setbacks for façades are measured relative to the property line and may refer only to the first level or to all levels.
- b. A building setback of a minimum of three (3) feet to a maximum of ten (10) feet shall be provided along all public streets.

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- c. Buildings shall be set back at least forty (40) feet from the property line where adjoining the green circuit.
- d. Adjacent to the 14th Street viaduct a minimum building setback of fifty (50) feet shall be provided.
- e. Setback areas shall be attractively landscaped with appropriate plantings. Low fences, walls, and gates characteristic of Hoboken may be provided, not to exceed three (3) feet in height. Front stoops leading to a residence may also be in the setback.
- f. Where a major building entry or a retail space is located, a plaza area with deeper setbacks is permitted. Such plazas shall not exceed fifty (50) feet in any one dimension. In order to maintain activity in the space, plazas must be located adjacent to building entries.

## 5. Building Stepbacks

- a. Stepbacks refer to upper level façades as measured with respect to lower façades. Façade areas above 60 feet from the grade of the sidewalk shall have at least one stepback of a minimum of five (5) feet with respect to lower levels in order to create a “datum” line that relates to the prevailing mid-rise scale of Hoboken by emphasizing an equivalent five-story height.
- b. These upper floor stepbacks shall be measured with respect to the lower stories, not to the street-facing property line. The minimum stepback relative to the street is thus 8 feet.
- c. Acceptable stepback methods are a flat stepback or a pitch with 1:1 or shallower slope. There is no maximum stepback for façade areas above 60 feet.

## 6. Building and Design

- a. First Level Uses.
  - i. The goal of the “first level” regulations is to maintain a relationship between buildings and the street and public open space, including the green circuit. This relationship can be achieved by providing active uses and windows close to the sidewalk rather than blank walls or large expanses of parking.
  - ii. The “first level” of building and parking areas is defined as the lowest level with a finished floor elevation between zero (0) and five (5) feet above grade, measured with respect to the grade at the closest public sidewalk.
  - iii. It is understood that development in the redevelopment area is constrained because of flood hazard area regulations, and as a result the first floor elevations will have to

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be built approximately four (4) feet above grade. Therefore, the finished floor of any non-residential uses shall be between zero (0) and five (5) feet above grade.

- iv. Ground floor retail space shall have a minimum height of 12 feet.
- b. Any off-street parking at or above grade shall be screened behind architectural detailing (as described in the Section on *Parking Screening Methods*).

## 7. Parking and Loading

- a. All required parking areas shall be provided off-street. All such parking areas shall be graded and paved with a durable dust-free surface and adequately drained. The number and design of off-street parking areas shall adhere to the following standards. In the case of calculations resulting in fractional parking spaces, one parking space shall be required for any portion of a unit equal to or greater than one-half.
- b. The first vehicle in each household shall not be issued a Resident parking permit for parking the vehicle on the street. Households shall be required to demonstrate by way of a contract or invoice in their name that they own at least one parking space off-street.
- c. Amount of Required Off-Street Parking. The following uses require the following amounts of off-street parking stalls:
  - i. General, corporate or professional offices: 1 parking stall for each 1,000 square feet of gross floor area
  - ii. Residential dwelling units: 1 parking stall for each dwelling unit
  - iii. Hotels:  $\frac{3}{4}$  parking stall for each hotel room
  - iv. Retail sales and services: 1 parking stall for each 1,000 square feet of gross floor area
  - v. All other uses: 1 parking stall for each 1,000 square feet of gross floor area
- d. Shared Parking. To the greatest extent possible, required parking stalls shall be shared between uses located within the same Building or neighboring Buildings.
  - i. In order to determine the total number of shared off-street parking stalls, a maximum reduction of twenty (20) percent shall be permitted to all required off-street parking stalls that are shared between uses. Where shared parking is proposed to be utilized, it must be reasonably demonstrated that the total number of proposed parking stalls will be able to adequately service the various uses without conflict or encroachment.

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- ii. All shared parking stalls must be both accessible and available to each of the individual uses. Where necessary, way-finding signs shall be placed at appropriate intervals throughout the parking area and along pedestrian routes to and from the parking area to ensure that all users can easily and clearly find their way between the parking area and the intended use.
  - iii. There shall be no reduction in the number of required stalls reserved for persons with disabilities.
  - iv. Car Sharing. In order to help achieve the parking ratios set forth in this Redevelopment Plan, a car sharing program (e.g., Zipcar or Connect) shall be implemented in the Redevelopment Area in order to reduce the number of privately owned vehicles and consequently, the overall number of required parking stalls. Under a car sharing program, car sharing program members are given joint use of a fleet of cars, allowing them freedom of mobility without the responsibilities and costs associated with owning a car. Car sharing program members tend to drive less than non-members, and each car in a car sharing fleet typically supplants the need for ten parking stalls in a parking lot. Therefore, total parking demand will be reduced by a ratio of 10 parking stalls for every 1 shared car provided.
- e. Parking Stall Size.
- i. Standard parking stall: 8.5 feet x 18 feet
  - ii. Handicapped/accessible parking stall: 12 feet x 18 feet
- f. Parking Aisles. Aisles providing access to parking stalls shall have the following minimum distances. Where the angle of parking is different on both sides of the aisle, the larger aisle width shall apply.

<u>Angle of Parking Space (degrees)</u>	<u>Aisle Width (feet)</u>
90	24
60	18
45	13
30	12
parallel	12

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## Chapter 5: Site Planning and Design

### Intent

This section sets forth standards for the Redevelopment Area that are designed to foster a walkable and pedestrian-scaled neighborhood with visually interesting and high-quality buildings that complement the network of streets, parks and other public spaces. The design standards seek to create a “*sense of place*” by emphasizing important visual corridors; by shaping buildings to create an active relationship with streets, the green circuit and parks; and by screening parking or locating it within buildings and within the interior of blocks.

### Screening of Above-Grade Parking

#### Facing Streets and Park Blocks

All off-street parking areas that face streets or parks shall be screened from view by buildings occupied by nonresidential uses.

#### Facing HBLR Right-of-Way and 14<sup>th</sup> Street Viaduct

Parking areas may be located within occupied buildings or may be architecturally screened according to the following requirements:

1. The façades of exposed parking areas shall be articulated and broken down in scale to create a more varied and textured appearance, with window-like openings and architectural detailing. Monotonous ribbon or banded-style parking façades, whether open or glazed, are prohibited.
2. The portion of the façade that screens the parking area shall be broken into 20- to 50-foot structural bays, in the same manner as described in Building Massing below.
3. The lower level(s) of above-grade parking shall be designed to “read” as a base to the building, using, for example, heavier-appearance materials, materials that contrast with those used at the middle and top, and more elaborate architectural detailing befitting a pedestrian scale base.
4. The parking façade shall use a similar or complementary type and quality of materials as the residential portion above.
5. Window openings are required. Window glazing should be translucent or transparent; clear-tinted or reflective glazing is prohibited. Decorative metal grilles may be used in combination with glazing on garage openings. The size, spacing, and enframement of garage window openings should be similar to that of adjacent retail and/or residential windows. Furthermore, the pattern of garage

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window openings shall align vertically with the pattern and/or spacing of residential bays and windows above.

6. The pattern of windows and detailing in parking façades shall disguise any internal ramps or sloping levels of the parking garage so that they appear level.
7. The façades of any exposed parking structures shall include a minimum three (3) foot deep landscaped area to soften the appearance of the parking garage.

## Screening of Back Room Uses and Storage Facilities

### Back Room Uses

1. Any “back room” facilities (as defined in the earlier section on Accessory Uses) on any level shall be screened from view of public streets, using the same methods described above for Screening of Above-Grade Parking.
2. Trash and recycling bins, sheds, and storage areas shall be enclosed at the sides and top and located either indoors or outdoors at a minimum of 10 feet from any street or property line.

### Storage Facilities

Any storage lockers and similar facilities provided for the use of building residents shall not be located adjacent to exterior façades because boxes and goods stored within could obstruct building windows. Instead, storage lockers and similar facilities may be located at the interior of the building, accessed by a hallway that abuts the exterior façade. In this way, windows onto the hallway may be provided as a means of architectural screening to disguise the storage area. There is no limit to the amount or length of residential storage lockers provided, as long as they are located in this manner.

## Building Massing

### Horizontal Differentiation

1. Bays
  - a. All building façades shall be broken into 20 to 50 foot-wide vertical bays. Bays shall be defined through elements such as columns, pilasters, gutters or expansion joints, changes in façade plane, size and rhythm of window spacing, pattern of balconies, and/or variation in surface material and pattern.
  - b. Bay definition should extend through all levels of the building(s). Exceptions are permitted where horizontal massing changes in the façade plane or expression lines are provided to break up the building bulk.

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- c. The spacing and pattern of any retail storefront or other non-residential façade areas shall relate to the building's vertical bay pattern.

## 2. Corner Treatments

- a. To help mitigate the visual bulk at the tallest portions of building(s) architectural variety should be employed at corners. This could include fully-glazed corner windows or bays, stepbacks and height reductions at corners, and variation in materials.

## 3. Balconies and Terraces

- a. Shallow or "Juliet" balconies (or balustrades) are permitted. Juliet balconies shall be of open metalwork, connected to a fully-functional balcony door, and shall be detailed to match any other true, recessed balconies in the same façade.
- b. Balconies over two (2) feet in depth (measured perpendicular to the façade plane) are discouraged facing public streets; if provided they shall be entirely recessed within the primary façade plane.
- c. Terraces are permitted and encouraged within required stepbacks along Jefferson Street frontages and within any other optional stepback areas. Terrace railings and walls shall be an integral part of the building façade design.
- d. Balconies are encouraged for interior-facing units of the building.

## Vertical Differentiation

In order to minimize the impacts of building bulk and height, building façades adjacent to streets shall provide for a differentiated building mass consisting of a base, middle, and top, as follows:

### 1. Base

- a. The base is the lowest one or two levels of the building.
- b. The base of the building shall be more richly-detailed and articulated than upper levels, in order to relate to pedestrians on the sidewalk.
- c. The base of the building should be highlighted with a variation in architectural treatment compared to the upper levels. For example, in more traditional designs, the base of the building should appear heavier than the upper levels, to visually ground the building. For more modern designs, variation in glazing pattern, materials, and floor heights may help define the base. Retail signage, building-mounted lighting and awnings or canopies should also be used to help highlight the base.

### 2. Middle

- a. The middle of the building shall be distinguished from the base and top by horizontal belt courses or cornices; and/or changes in material, masonry or fenestration pattern.

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3. Top
  - a. The top of a building shall be defined and differentiated at the topmost floor(s) and the roofline.
  - b. The roofline shall be emphasized with a parapet wall and/or balustrade or deep cornice with a minimum 8-inch projection.
  - c. The upper levels of the building—those higher than 60 feet—shall be designed to be visually lighter than the lower floors, such as through a lighter color material or a larger proportion of glazing.

## Building Transparency

### Building Entries and Porches

1. Stoops and lobbies are required in order to create a transition from the building to streets and other public spaces and create a “friendly” appearance.
2. Taller-scale building masses (greater than sixty feet in height) shall have a shared entry and lobby, highlighted by building massing, glazing, and/or an overhang.
3. Shared entries leading to lobbies and elevators shall be located directly along and facing the street, or may be located on a major courtyard with frontage on Monroe, Madison or Jefferson Streets.
4. Ancillary entrances are encouraged along the green circuit and other park and open space areas.
5. Each of any non-residential uses (i.e., retail or other secondary uses) shall have its own individual entrance from the sidewalk. Mall-style interior entrances are prohibited for these uses.
6. For a large retail tenant space, at least one entrance should be provided for every increment of 50 linear feet of street frontage. This will provide multiple connections to the sidewalk and allow for future flexibility in case the large space is retrofitted for several small businesses in the future.

### Windows

Window size and proportion are allowed to vary in order to complement a variety of building styles. The minimum percent of the façade area of each level of buildings devoted to windows shall be as follows.

1. First Level Windows
  - a. For secondary permitted uses on the first level, storefront-style plate glass windows shall be provided, occupying at least fifty (50) percent of the façade area.
  - b. For residential uses on the first level and for parking areas disguised with architectural detailing on the first level, windows shall be provided, occupying at least twenty-five (25) percent of the façade area.
2. Upper-Level Windows
  - a. Above the first level, windows shall occupy at least twenty-five (25) percent of the façade area, regardless of the uses at that level.

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## Materials

The following material requirements apply to all façades.

1. Stone, masonry, brick, and glass, as well as cast iron, steel, aluminum and other types of metal are preferred primary materials for façades. However, no more than three different materials should be used as primary materials on the building façade. Within the primary materials, variations in colors, textures, and pattern may be employed to further break up the building bulk.
2. Security gates, access panels, and garage windows grilles should be enlivened with artwork, decorative tiling or ornamental metalwork where possible. Materials should be extended around corners and extensions in order to avoid a “pasted-on” appearance. All building facades adjacent to or easily visible from a park block, pedestrian walkway, or the green circuit shall exhibit the same degree of architectural detailing as the building’s street-facing facades.
3. Reflective, mirrored, smoked, and dark tinted glass is prohibited. Lightly tinted glass is permitted for energy-efficiency reasons only if the lighter-color tint that is closest to clear is used. Translucent glass, which allows for shadows and silhouettes behind the glass, should be used rather than spandrel glass, which is virtually opaque, for areas where light is to be admitted while direct views are obscured (such as screened parking areas or mechanical rooms.)

## Green Design

### Rooftop Decks and Landscaping

Rooftop gardens and landscaped areas provide private open space for new residents, and serve to reduce stormwater runoff (which can help address flooding concerns in the area). Green roofs also improve urban air quality and cut energy costs. These private open spaces enhance the value of the development and transform areas that would otherwise be unattractive and unusable into aesthetically pleasing and usable open spaces.

1. The following requirements apply to all roof areas, including courtyards over parking garages and upper-level rooftops:
  - a. Between 25 to 50 percent of the total rooftop area in each building shall be designed for resident use, either as shared and/or private space, with landscaping and seating areas.
  - b. The remaining rooftop area in each building shall be developed to reduce the heat island effect according to the definition in LEED-NC’s Sustainable Sites Credit 7.2: Heat Island Effect: Roof, or the definition in LEED-ND’s Green Construction and Technology Credit 10, Heat Island Reduction, Option 2 Roof. (This credit may also be used towards achieving the LEED certification as discussed in the next section.)

### LEED Certification

All buildings in the Redevelopment Area shall achieve certification under the Leadership in Energy and Environmental Design (LEED) rating system for green building design, sponsored by the US Green Building Council (USGBC). Broadly speaking, green building design goals include reduced energy

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and water use; use of sustainable, renewable, non-toxic and locally produced materials; improved indoor air quality; environmentally-conscious site planning; and a location in a central, developed area with existing services and resources. The USGBC has developed a variety of standards for evaluating green building design in several categories, including LEED-NC (for New Construction), and for multifamily residential developments (LEED-ND for Neighborhood Development). Specifically, buildings shall achieve a certified or higher status; that is, a minimum score of 26 out of a total possible 69 points under the LEED-NC system, or a minimum score of 40 out of a total possible 106 points under the LEED-ND system.

LEED offers a flexible system of points that allows a development to achieve certification through a choice of various credits. Because of Hoboken's frequent flooding problems and the Plan Area's location within a flood zone, the Redevelopment Plan imposes the additional criteria that a certain number of water-related credits within LEED be attained for development the Plan Area. Specifically, if a development will be certified according to LEED-NC, the following specific credits are required:

1. One (1) point out of one possible point for Sustainable Sites credit 6.1, Stormwater Design, Quantity Control; and
2. One (1) point out of one possible point for Sustainable Sites credit 6.2, Stormwater Design, Quality Control; and
3. At least three (3) out of five possible points within the Water Efficiency credit category (WE Credits 1.1 through 3.2).

Alternately, if a development will be certified according to LEED-ND, the following specific credits are required:

1. At least two (2) of the three possible points under Green Construction & Technology Credit 3: Reduced Water Use; and
2. At least three (3) of the five possible points under Green Construction & Technology Credit 9: Stormwater Management.

## Site Design

Site design shall seek to minimize environmental damage and reduce energy use and strain on municipal utilities and impact on adjacent uses by means of the following measures.

1. *Stormwater Management*
  - a. Development shall provide features to reduce stormwater runoff rates consistent with existing regulations promulgated by the New Jersey Department of Environmental Protection (NJDEP).
  - b. Developers shall maximize opportunities for onsite retention of stormwater, such as rooftop retention systems, in order to reduce the velocity of stormwater flow .
2. *Outdoor Lighting*

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- a. All outdoor lighting, including street lamps and accent lighting, shall comply with “dark sky” standards intended to reduce light pollution. Dark sky standards require that lighting is downcast, illuminates only the intended areas, and does not cause disabling glare that affects driver safety and reduces the visibility of starry night skies. Additional information on dark sky goals and regulations may be found at the International Dark-Sky Association’s web site, [www.darksky.org](http://www.darksky.org).
- b. Bright, stadium-style lighting is prohibited, including for park areas.

## Signage

The following regulations apply to signage for any non-residential (secondary) uses:

1. Building design shall provide a logical space within the first level, above any retail or commercial storefronts, doors, or windows, for retail signage.
2. Signage shall be placed so as not to obscure the structural or architectural elements of the building.
3. Building mounted signs shall only display information about the businesses located on the property.
4. Internally illuminated signs shall not have a white or light-colored background or signboard.
5. Sign illumination shall not cast light into residential windows. Indirect lighting is encouraged.
6. Freestanding signs are prohibited.
7. Projecting/blade signs are permitted. The maximum area of the signface shall be limited to seven (7) square feet and shall project no more than five (5) feet from the side of the building. The bottom of the sign shall be at least eight (8) feet above the ground. The sign shall be located so it does not block or obscure important architectural elements of the façade.
8. Other regulations pertaining to signs shall be pursuant to Article IX of the City of Hoboken Zoning Ordinance, as specifically provided for the City’s residential zones.

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## Chapter 6: Plan Consistency Review

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### **Relationship to Hoboken Zoning Code**

This Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the City of Hoboken regulating development in the area addressed by this Redevelopment Plan. Final adoption of this Plan by the City Council shall be considered an amendment of the City of Hoboken Zoning Map.

### **Relationship to Adjacent Municipalities**

The Redevelopment Area is situated in the northwestern section of the City of Hoboken. The Redevelopment Area is adjacent to the City of Union City and in proximity to the City of Weehawken.

### **Union City**

Union City borders the northwest corner of Hoboken along the Palisades, a portion of which is adjacent to the Redevelopment Area. The Land Use Element of the Master Plan for the City of Union City was adopted in 1975 and is somewhat outdated. However, the Land Use Plan states that Union City is an urbanized Metropolitan City that is largely built out. The Plan puts forth several planning objectives which seek to emphasize residential land uses and particularly supports increased residential development along the Palisades.

A Master Plan Reexamination report was prepared in 2000 by the City of Union City. It recommends that the City revise its steep slope ordinance to allow for additional development on the Palisades while protecting the Palisade cliffs. The report also recommends that the parcels on top of the Palisades be located in the multi-family residential zone to allow for the provision of more housing in the southern portion of the City. These recommendations are generally consistent with the Western Edge Redevelopment Plan.

### **Weehawken**

Hoboken shares its northern boundary with the Township of Weehawken. The Land Use Plan of the Weehawken Master Plan was adopted in 1976 and was amended in 1984. A reexamination report was adopted in 1991. The “Shades” section of Weehawken adjacent to Hoboken is designated for Medium Density Residential use. The area adjacent to the Shades is currently zoned I-2. The Hoboken Master Plan recommends that the City rezone this area so that it is consistent with the residential zoning in Weehawken. The land use recommendations in the Weehawken Master Plan are generally consistent with the Western Edge Redevelopment Plan.

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## **Jersey City**

Hoboken shares a border with Jersey City, just south of the 11th Street to the light rail station. The Jersey City Master Plan was adopted in 2000 and identifies this area for moderate density housing. While the Jersey City border is south of the Western Edge Redevelopment Area, the land use recommendations in the Western Edge Redevelopment Plan are consistent with the recommendations in the Jersey City Master Plan.

## **Relationship to the Hudson County Master Plan**

The Hudson County Master Plan was adopted in February 2002. The General Goals of the plan are as follows:

1. To improve the overall quality of life in Hudson County.
2. To provide for the economic revitalization of the County's commercial and industrial base.
3. To preserve the character of existing well-established neighborhoods.
4. To improve the transportation network.
5. To increase the tax base.

The overall objectives and policies of the Western Edge Redevelopment Plan are consistent with these goals.

## **Relationship to State Development and Redevelopment Plan**

Among the State Plan's intentions is to revitalize the state's existing urban areas by directing growth and development to those areas. On the State Plan Policy Map, the Redevelopment Area is located in the Metropolitan Planning Area, which is identified in the State Plan as an appropriate location for much of the State's new growth. A stated goal of the State Plan is to revitalize the State's cities and towns by protecting, preserving and developing the valuable human and economic assets in cities, towns and other urban areas. The Redevelopment Area, by virtue of its location within a part of New Jersey that has extensive existing infrastructure and a long history of development, is by all measures an appropriate location for growth and redevelopment. The Redevelopment Plan will facilitate growth in this area and contribute to the economic revitalization of the State. The objectives of the Western Edge Redevelopment Plan are consistent with the goals, strategies and policies of the State Plan. The Redevelopment Plan will redevelop a deteriorated and underutilized area within Hoboken, placing currently unproductive lands into productive use in order to better serve the needs of residents and the City as a whole.

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## Chapter 7: Redevelopment Actions

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### **Demolition**

It is proposed that the Plan Area be completely cleared of existing structures.

### **New Construction**

Construction of new structures and other improvements will take place as proposed in Chapters 3, 4, and 5 of this Redevelopment Plan. The designated redeveloper(s) shall adhere to the parameters for development presented in Chapters 3, 4 and 5 of this Plan and refine the design concepts presented therein in developing a unique and high-quality project proposal. Once a redeveloper is selected by the City, the redeveloper will be required to enter into a Redeveloper's Agreement with the City that stipulates, among other things, the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

### **Properties to be Acquired**

The Redevelopment Plan does not anticipate the need to acquire privately owned property within the Plan Area. However, the City reserves the right, up until such time as the redevelopment within the Plan Area is deemed complete by the City; to acquire any or all of the privately-owned lots in the designated Redevelopment Area should it be necessary to facilitate redevelopment.

### **Relocation**

To the extent required by law and in the event that residents or businesses in the Redevelopment Area are displaced as a result of the acquisition of property, adequate provision for the temporary and permanent relocation of such residents or businesses, as necessary, shall be made in accordance with all applicable regulations. Prior to the undertaking of any voluntary acquisition of property by the designated redeveloper(s), to the extent required by law, a Workable Relocation Assistance Plan shall be submitted to and approved by the Department of Community Affairs in accordance with the requirements of N.J.A.C. 5:11-1.1 et seq. It is estimated that sufficient decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing housing market.

### **Other Actions**

In addition to the demolition, new construction and acquisition described above, several other actions may be taken by the governing body to further the goals of this Plan. These actions may include, but shall not be limited to: (1) provisions for public infrastructure necessary to service new development, (2) environmental remediation, (3) vacation of public utility easements and other easements and rights-of-

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way as may be necessary for redevelopment. These cost for these actions shall be borne by the designated developer(s).

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## Chapter 8: General Provisions

### **Role of City**

The City of Hoboken, through the City Council acting as the Redevelopment Entity will be solely responsible for the implementation of the Western Edge Redevelopment Plan as set forth below.

### **Redeveloper Selection**

In order to assure that the vision of the Western Edge Redevelopment Plan will be successfully implemented in an effective comprehensive and timely way in order to promptly achieve the public purpose goals of the Plan, the City Council, acting as the Redevelopment Entity, reserves the right to select the redeveloper(s) in all areas governed by this redevelopment plan. All designated redeveloper(s) will be required to execute a redevelopment agreement satisfactory to and authorized by the City Council.

The procedural standards described here will guide redeveloper selection. The City Council, acting as the Redevelopment Entity may, at any time, proactively solicit potential redevelopers by utilizing appropriate methods of advertisement and other forms of communication, or may, in its discretion entertain unsolicited proposal(s) from a prospective redeveloper(s) for redevelopment of one or more redevelopment parcels.

The selection of a redeveloper by the City Council may be based on a competitive selection process. Under a competitive selection process, which may be undertaken from time to time in the discretion of the City Council, an applicant for selection as a redeveloper will be required to submit materials to the City Council that specify their qualifications, financial resources, experience and design approach to the proposed redevelopment project. The competitive selection process will likely include the submission of some or all of the following materials (additional submission materials may be requested by the City Council as deemed appropriate to the particular project sites.):

1. Conceptual plans and elevations sufficient in scope to demonstrate that the design approach, architectural concepts, number and type of dwelling units, retail and or commercial uses, parking, traffic circulation, landscaping, recreation space and other elements are consistent with the objectives and standards of this Redevelopment Plan.
2. Anticipated construction schedule, including estimated pre-construction time period to secure permits and approvals.
3. Documentation evidencing the financial responsibility and capability of the proposed redeveloper with respect to carrying out the proposed redevelopment including but not limited to: type of company or partnership, disclosure of ownership interest, list of comparable projects successfully completed, list of references with name, address and phone information, list of any

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general or limited partners, and financial profile of the redeveloper entity and its parent, if applicable.

4. If land acquisition is contemplated or necessary, specific identification of land requiring acquisition. The estimated offering price and status of negotiation to purchase the lands in question should be provided.

The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) for any property or properties included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan, including construction of the community center and open space and recreation amenities included in the plan, as well as repaving of the roads.
2. The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
3. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.
4. The redevelopment agreement(s) shall include a provision that requires the redeveloper to provide for all affordable housing that is generated by its project, to the extent required by law.
5. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.
6. The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure related to their project whether on-site or off-site. Infrastructure items include, but are not limited to parks, recreational and open space, gas, electric, water, sanitary and storm sewers, telecommunications, streets, curbs, sidewalks, street lighting and street trees or other improvements. The extent of the designated redeveloper's responsibility will be outlined in the redeveloper's agreements with the City. All utilities shall be placed underground.
7. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage law, where applicable.
8. In addition to the provision of the Infrastructure Items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.

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## **Approvals Process**

This Redevelopment Plan changes the process by which approvals for the development of land are typically granted. For a typical development application, a property owner submits plans and an application to the Planning Board or Zoning Board of Adjustment, and the board schedules a hearing on the application. However, in order to comply with this Redevelopment Plan and to streamline the review process, the following procedure will be followed:

### **City Council Review**

The City Council acting as the Redevelopment Entity shall review all proposed redevelopment projects within the redevelopment area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant redeveloper agreement(s). Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board. As part of its review, the City Council may require the redeveloper(s) to submit proposed site plan applications to the City Council or to a subcommittee organized by the City Council prior to the submission of such applications to the Planning Board. Such Committee may include members of the City Council and any other members and/or professionals as determined necessary and appropriate by the City Council. Such Committee shall make its recommendations to the Mayor and Council.

In undertaking its review, the City Council shall determine whether the proposal is consistent with this Redevelopment Plan and relevant redeveloper agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of this Plan.

### **Planning Board Review Process**

All development applications shall be submitted to the City of Hoboken Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. The Planning Board shall deem any application for redevelopment for any property subject to this Redevelopment Plan incomplete if the applicant has not been designated by the City Council as a redeveloper(s) and the project plan has not been reviewed and approved by the City Council. Additionally, the Planning Board shall deem any application for redevelopment for any property subject to this Redevelopment Plan incomplete if the applicant has not received approval from the City Council or any committee that it may designate for such purpose, stating that the application is consistent with the Redevelopment Plan and Redevelopment Agreement.

### **Variations Not to be Considered**

Neither the Planning Board nor the Board of Adjustment shall grant any deviations from the terms and requirements of this Redevelopment Plan, including the granting of any “c” or “d” variations. Any proposed changes to the Redevelopment Plan shall be in the form of an amendment to the Redevelopment Plan adopted by the City Council in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

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## **Easements**

No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the City of Hoboken.

## **Site Plan and Subdivision Review**

Site plans should be submitted to the City Council (as redevelopment agency) for approval prior to review and approval by the Planning Board. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Hoboken Planning Board. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan and the subdivision ordinance of the City of Hoboken, except that where this redevelopment plan contains provisions that differ from those in the subdivision ordinance, this plan shall prevail.

## **Approvals by Other Agencies**

The redeveloper shall be required to provide the City with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the redeveloper's agreement to be executed between the redeveloper and the City.

## **Certificate of Completion and Compliance**

Upon the inspection, verification and approval by the City Council that the redevelopment of a parcel subject to a redevelopment agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper and such parcel will be deemed no longer in need of redevelopment.

## **Severability**

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

## **Adverse Influences**

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation,

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smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

## **Non-Discrimination Provisions**

No covenant, lease, conveyance or other instrument shall be affected or executed by the City Council or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the City Council, or the developer, 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. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color or national origin.

## **Escrows**

The redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the City to review the proposed redevelopment project and advise the City on any and all aspects of the redevelopment process and as otherwise set forth in a Redevelopment Agreement.

## **Infrastructure**

The redeveloper, at the redeveloper's cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with the provision of water, sanitary sewer, and stormwater sewer service to the project, in addition to all required tie-in or connection fees. The redeveloper shall also be responsible for providing, at the redeveloper's cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on- and off-site traffic controls and road improvements for the project or required as a result of the impacts of the project. The Redevelopment Agreement between the City and the redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to redeveloper's obligation to provide the infrastructure and improvements required for the project.

## **Duration of the Plan**

The provisions of this Plan specifying the redevelopment of the Redevelopment Area and the requirements and restrictions with respect thereto shall be in effect for a period of 40 years from the date of approval of this plan by the City Council.

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## **Procedure for Amending the Approved Plan**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$5,000 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the City. The City of Hoboken Council, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey.