Redevelopment Plan

Block 339, Lot 5 (Former D's Dugout)

City of Linden

Union County, New Jersey

Prepared: June 5, 2020

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The original of this document was signed and sealed in accordance with New Jersey Law

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1.0 — Introduction

On May 22, 2019, the Linden City Council adopted a resolution that authorized and directed the Linden Planning Board to undertake a preliminary investigation into whether or not Block 339, Lot 5 in the City of Linden may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law.

The Linden Planning Board subsequently undertook such a preliminary investigation and, on July 9, 2019, held a public hearing on the matter. At said hearing, the Linden Planning Board recommended to the Mayor and City Council that Block 339, Lot 5 be designated as an area in need of redevelopment.

Thereafter, on July 16, 2019, the Linden City Council adopted Resolution No. 2019-277, which designated Block 339, Lot 5 as an area in need of redevelopment. A copy of Resolution No. 2019-277 is provided in Appendix A.

This redevelopment plan has been prepared to codify the goals, objectives, and specific land use and development standards for the redevelopment of Block 339, Lot 5.

2.0 — Statutory Requirements

As per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), a redevelopment plan shall include an outline for the planning, development, and redevelopment of a designated redevelopment area that is sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements;
- Proposed land uses and building requirements;
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;

- An identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan; and,
- Any significant relationship of the redevelopment plan to: the master plans of adjacent municipalities; the master plan of the county within which the municipality is located; and, the State Development and Redevelopment Plan, as adopted pursuant to the State Planning Act (P.L. 1985, c.398; C. 52:18A-196 et al.).

The Local Redevelopment and Housing Law further requires that a redevelopment plan describe its relationship to pertinent municipal development regulations.

3.0 — Redevelopment Area Description

The redevelopment area is located in the western part of the city and has frontage on Saint Georges Avenue (New Jersey State Route No. 27). The parcel has an area of approximately 0.29 acres.

Appendix B provides a copy of Sheet 40 of the official tax map of the City of Linden. Appendix C provides aerial imagery dating from 2015.

3.1 — Existing Land Use

New Jersey's MOD-IV property tax assessment database indicates that Block 339, Lot 5 is assessed as commercial.

The observed land uses indicate that Block 339, Lot 5 is the location of: a vacant, one-story building that was previously used as a sports bar; and, an associated parking lot, which is located in the rear of said building.

Downtown commercial uses predominate to the north, west and south of the redevelopment area (n.b., it is, however, noted that a gasoline service station is located directly to the north of the redevelopment area at the southeastern corner of Saint Georges Avenue [New Jersey State Route No. 27] and Dewitt Street). Single-

family residential uses predominate to the east and northeast of the redevelopment area.

4.0 — Overall Goal and Objectives

The overall goal of the redevelopment plan is to eliminate those conditions that cause the redevelopment area to be an area in need of redevelopment. To help achieve this goal, the following objectives are defined:

- Promote redevelopment in a manner that will advance the health, safety,
 welfare and morals of the community;
- Improve and upgrade the redevelopment area with development that responds to current market needs;
- Increase the supply of high-quality multifamily housing;
- Enhance Linden's image with high-quality building and site aesthetics;
- Stimulate private investment that provides increased tax ratables; and,
- Promote economic growth and vitality.

5.0 — Redevelopment Standards

5.1 — Relationship to Municipal Land Development Regulations

The provisions of this redevelopment plan shall supersede the existing Zoning and Development Regulations of the City of Linden in accordance with New Jersey's Local Redevelopment and Housing Law.

The Official Zoning Map of the City of Linden is hereby amended to designate the redevelopment area, which consists of Block 339, Lot 5, as the "Block 339, Lot 5 Redevelopment Area." All other municipal development regulations shall remain applicable.

5.2 — Permitted Land Uses

Permitted land uses are described in the following subsections.

5.2.1 — Principal Permitted Land Uses

The principal permitted land uses include the following:

- 1. Multifamily Residential. Multifamily residential uses are premises available for long-term human habitation, but excluding premises offered for rental periods of less than one month. The residential uses may be either rental or condominium units and may not be boarding houses and rooming houses. Individual residential units shall not have more than two-bedrooms.
- 2. Management Office. Management offices are offices used for the professional management of multifamily residential rental developments located within the redevelopment area. Activities related to the professional management and leasing of such developments may occur within management offices.

 Management offices may not be located within, or directly connected to, the residence of an on-site manager. One management office per multifamily residential rental development is permitted. Management offices shall be located on the ground floor of a multifamily residential building.
- 3. Residential Model Unit. Residential model units are uninhabited residential units that are used by the professional management of an onsite multifamily residential rental development in order to show the type of units available for lease to potential lessees/purchasers. A maximum of one residential model unit per multifamily residential rental development is permitted. Residential model units shall be located on the ground floor of a multifamily residential building.

5.2.2 — Permitted Accessory Land Uses

The permitted accessory land uses include the following:

1. Covered Parking. Covered parking is parking that is located on the ground floor of a principal permitted building. Use of covered parking shall be associated with a permitted use of the redevelopment area. Covered parking shall be shielded from view from adjacent roadway rights-of-way by a front

- building façade. Covered parking areas shall be adequately ventilated by mechanical or passive means to the satisfaction of the City Engineer.
- 2. Surface Parking: Surface parking may be provided, subject to the condition that the no less than three-fourths of all parking spaces provided within the redevelopment area are provided as covered parking. Surface parking shall not be located within a front yard area. Use of surface parking shall be associated with a principal permitted use of the redevelopment area.
- 3. Indoor amenity areas (e.g., lounges, gyms, meeting room, mailrooms, laundry rooms) for the use and enjoyment of residents of a multifamily residential building are permitted. Indoor amenity areas shall be located within a multifamily residential building.

5.3 — Building and Site Requirements

This redevelopment plan contains a concept plan at Appendix D. Said concept plan dictates the envisioned features for the redevelopment area. Proposed redevelopment projects shall be generally consistent with the concept plan at Appendix D.

The building and site requirements are outlined in the following subsections.

5.3.1 — Bulk Regulations

The following bulk regulations shall apply:

- 1. Lot Size Requirements:
 - a. Minimum Lot Size: 12,000 square feet
 - b. Minimum Lot Width: 70 feet
 - c. Minimum Lot Depth: 155 feet
- 2. Setback Requirements:
 - a. Minimum Front Yard Setback: No requirement
 - b. Minimum Side Yard Setback (One Side): No requirement
 - c. Minimum Side Yard Setback (Two Sides): No requirement
 - d. Minimum Rear Yard Setback (Building): 45 feet

- e. Minimum Rear Yard Setback (Surface Parking): 5 feet
- 3. Height Requirements:
 - a. Maximum Height: 50 feet, as measured from the mean ground level to the deck of a flat or mansard room, or eave line of a sloped roof
- 4. Maximum Building Coverage: 50 percent
- 5. Maximum Impervious Coverage: 90 percent
- 6. Minimum Open Space and Landscaping: 10 percent of total lot area
- 7. Maximum Residential Density: 47 dwelling units per acre
- 8. Maximum Number of Residential Units: 13 units
- 9. Gross Floor Area of Residential Units:
 - a. Minimum Average Gross Floor Area (One-Bedroom Unit): 650 square feet
 - b. Minimum Average Gross Floor Area (Two-Bedroom Unit): 950 square feet

5.3.2 — Exterior Building Design

Buildings shall be of high-quality design and contribute to an improved appearance and image of the redevelopment area and surrounding areas. To achieve this, the following regulations shall apply:

- 1. Façade surfaces shall comprise vinyl siding, brick, stone, and fenestration.
- 2. Large blank walls shall be prohibited.
- 3. The area covered by brick or stone shall comprise at least 35 percent of each façade surface with a horizontal measure of seven (7) or more feet in width.
- 4. The fenestrated area of the façade surface shall comprise at least 20 percent of the total façade surface of each building elevation.
- 5. Exterior walls shall not exceed 15 linear feet without being interrupted by a window or entry.
- 6. Buildings shall include a basecourse of between three (3) and four (4) feet in height along the gound level of all façades. The color of such basecourse shall contrast with the remainder of the façade surface.
- 7. The use of EIFS on exterior façade surfaces is prohibited.

- 8. The inclusion of stringcourses above the ground floor is encouraged.
- 9. The color of window and door surrounds shall contrast with the façade surface.
- 10. The use of exterior millwork as a façade adornment is encouraged.
- 11. Inclusion of roof parapets in building design is encouraged.
- 12. Balconies or balustrades are permitted. A maximum depth of 3.5 feet is permitted for all balconies visible from a public roadway or right-of-way. When provided, such elements shall be an integral part of the overall building design.
- 13. In order to create a stimulating and attractive pedestrian environment, the base of the building (i.e., the ground floor and second story) shall be more richly adorned and articulated than upper stories.
- 14. Exterior-mounted mechanical and electrical equipment shall be architecturally screened or placed on a rooftop and in a location that is not visible from the public right-of-way or adjoining residences.
- 15. PTAC or similar HVAC units with exposed "window air conditioner type" venting shall not be permitted in the Redevelopment Area.

5.3.3 — Parking Requirements

The following parking requirements shall apply:

- 1. Off-street parking shall not be provided in front of any building.
- 2. Off-street parking areas shall be adequately drained and paved with an all-weather, dust-free surface.
- 3. Off-street parking shall be provided at the following rates:
 - a. Dwelling unit: In accordance with the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21 et al.).
 - b. Management Office: 1 parking space for every 500 square feet.
- 4. Available on-street parking shall not be used in fulfillment of any part of the off-street parking requirements.

5.3.4 — Bicycle Parking

Bicycle racks shall be provided within covered parking areas. Bicycle parking areas shall be separated from automobile parking areas by means of bollards, curbing and elevated surface, or some other means deemed suitable by the Linden Planning Board.

5.3.5 — Lighting

A lighting plan shall be submitted. All lighting plans shall include lighting within covered parking area, and at the bases and entrances of all buildings.

All lighting shall be selected to comply with "dark sky" standards and shielded to minimize leakage into the night sky and prevent direct glare onto adjacent properties. The Linden Planning Board shall give final approval of all aspects of the lighting plan.

5.3.6 — Landscaping and Screening

The applicant shall provide a detailed landscaping plan. At a minimum, pervious groundcover (e.g., vegetation, lawn, stone) shall be provided on all surfaces that are not used for buildings or surface parking. In addition, fencing or vegetative screening shall be provided along the property lines shared with adjacent Block 339, lots 4, 6, 7, 8, 12 and 13. Said fencing or vegetative screening (e.g., arborvitae) shall have a minimum height of six (6) feet. When living plant material is used for groundcover or screening, the landscaping plan shall be prepared by a licensed landscape architect.

5.3.7 — Sidewalks

A sidewalk shall be provided along the frontage of Saint Georges Avenue (New Jersey Route No. 27). The width of such sidewalk shall be equal to the average sidewalk width of adjacent properties located along Saint Georges Avenue (New Jersey Route No. 27).

5.3.8 — Signage

One wall-mounted building identification sign shall be permitted. Said sign shall not: be located above the ground floor; be internally illuminated; be more than five (5) square feet in area; or, protrude more than six (6) inches from the wall surface. The Linden Planning Board shall review and give final approval of proposed signage. The Linden Planning Board's review shall supersede existing city code.

Temporary signs unrelated to the advertisement of available residential units or retail space within the redevelopment area are prohibited.

5.3.9 — Disposal Requirements

Enclosed garbage and recycling facilities shall be provided within each principal building. Such facilities shall be screened from view from the exterior of the building in which they are located.

A waste management plan shall be submitted to the Linden Planning Board. Said waste management plan shall provide complete details related to maintenance of garbage and recycling facilities and collection.

6.0 — Property Acquisition

The Linden City Council has designated Block 339, Lot 5 as a "Non-Condemnation Redevelopment Area." Thus, the City does not identify property for acquisition via eminent domain. To effectuate the redevelopment of the area, acquisition shall be achieved by private agreement between redeveloper and property owner.

7.0 — Relocation

Block 339, Lot 5 is currently vacant. Thus, no need for relocation of displaced tenants and landowners is anticipated. Nonetheless, it is noted that the City of Linden will provide any displaced tenants and landowners with the appropriate relocation assistance, pursuant to applicable State and Federal law, should

relocation be necessary. Such assistance will be provided through an appropriately designated office.

It is further noted that the City of Linden and the surrounding area contains sufficient land and buildings that would be appropriate for relocation, should the need arise. However, if relocation is not directly caused by the execution of the redevelopment plan and not required by applicable State and Federal law, the City assumes no responsibility.

8.0 — Redevelopment Agreement

No activity shall be undertaken within the redevelopment area unless the activity is undertaken pursuant to a redevelopment agreement that has been approved by the redevelopment authority.

9.0 — Redeveloper Obligations

The redeveloper shall be required to:

1. Submit development plans that include, but are not limited to, drawings of site and building plans and elevations in sufficient detail to show building layout, building construction, access, etc. in accordance with the City's development regulations. These documents shall be submitted to the Linden Planning Board and the Linden City Council, acting as the redevelopment authority, for review and approval in order to determine compliance of such plans with the redevelopment plan before working drawings are prepared. It is expressly understood that the approval of any plans by either the Linden Planning Board or the redevelopment authority applies to any and all features shown thereon. Any and all subsequent additions, deletions or other modifications of the plans must be submitted to the Linden Planning Board for final approval before construction can begin.

- 2. Submit a written development schedule and commence the undertaking of the development in accordance with the development schedule.
- 3. Agree that no covenant, conveyance agreement or other instrument relating to the property shall be effected or executed on the basis of race, creed, sex, religion, color, age, national origin, or ancestry in the lease, use or occupancy thereof.
- 4. Maintain the structures and facilities in accordance with all codes and ordinances of the City of Linden.

10.0 — Deviation Requests

The Linden Planning Board may grant deviations from the requirements of this redevelopment plan in cases where the strict application of a particular requirement would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The Linden Planning Board may also grant deviations when it finds that the overall goal and objectives of this redevelopment plan would be advanced, and that the benefits of a deviation would outweigh any detriments. No deviation may be granted under the terms of this section unless the Linden Planning Board finds that such deviation can be granted without substantial impairment of the redevelopment plan's overall goal and objectives.

Public notice of any application for deviation from the requirements of this redevelopment plan shall be required and conform with the standards for public notice of N.J.S.A. 40:55D-12(a) and 12(b).

The following types of deviations shall only be permitted by means of an amendment to the redevelopment plan by the Linden City Council, and only upon a finding by same that such deviation would be consistent with and promote the furtherance of the overall goal and objectives of this redevelopment plan: deviation to allow a land use that is not permitted in this redevelopment plan; deviation to

increase permitted density, or other aspect of development intensity; deviation to allow a material departure from the concept plans at Appendix D; and, deviation to allow an increase in building height that exceeds the permitted building height that is outlined in this redevelopment plan by ten (10) percent.

11.0 — Planning Board Review

Pursuant to N.J.S.A. 40A:12A-13, all development applications shall be submitted to the Linden Planning Board for review and approval.

The following provisions shall govern the Linden Planning Board's review:

- No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or building within the area governed by the redevelopment plan without prior review and approval of the work by the Linden Planning Board.
- 2. Regular maintenance and minor repair shall not require Linden Planning Board review and approval.
- 3. The Linden Planning Board shall conduct its review pursuant to N.J.S.A. 40:55d-1 et seq. and the City of Linden's Land Development Ordinances.
- As part of the site plan approval, the Linden Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. The performance guarantees shall be in favor of the City and the City Engineer shall determine the amount of any performance guarantees.
- 5. Any subdivision of land within the area governed by the redevelopment plan shall be in compliance with same and reviewed by the Linden Planning Board pursuant to N.J.S.A. 40:12A-1 et seq. and N.J.S.A. 40:55D-1 et seq.
- 6. Once a property has been redeveloped in accordance with the redevelopment plan, it may not be converted to any use not expressly

permitted in same. No nonconforming use, building, or structure may be expanded or made more nonconforming in nature after adoption of this redevelopment plan. A use or structure not conforming to the requirements of this redevelopment plan may not be reconstructed in the event of its destruction. The Linden Planning Board shall determine the issue of whether the nonconforming use, building or structure has been "destroyed."

- 7. Any and all definitions contained within the redevelopment plan, be they expressed or implied, shall prevail. In the absence of a definition, the definition found within the City's zoning and land development ordinances shall prevail. Any and all definitions that are found to be inconsistent with N.J.S.A. 40A:12-3 shall be rendered invalid.
- 8. A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the City's Land Development Ordinance and applicable New Jersey Law. Additionally, a redeveloper may be required to pay for their proportional share of the cost of any studies, plans, reports, or analysis prepared by the City or its design professionals as part of plan review. Any such payments are required to reimburse the City or the redevelopment authority.
- 9. All of the above provisions are subject to approval by ordinance or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section or provision of the redevelopment plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed several and the remainder of the redevelopment plan and implementing ordinance(s) shall remain in full force and effect.

12.0 — Relationships to State, County and Local Plans

12.1 — New Jersey State Development and Redevelopment Plan

The entire Rehabilitation Area is located in State Planning Area 1, which is defined in the New Jersey State Development and Redevelopment Plan. As provided in the New Jersey State Development and Redevelopment Plan, State Planning Area 1 is intended to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns:
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and,
- Protect the character of existing stable communities.

The overall goal and objectives of this Rehabilitation Plan is consistent with the intended purpose of State Planning Area 1.

12.2 — Union County Master Plan

Among the generalized goals of the Union County Master Plan are to:

- Promote the provision of a broad range of housing opportunities for all
 income levels and household types by encouraging the maintenance or
 rehabilitation of the existing housing stock, and through the construction of
 new housing units; and,
- Facilitate the development of Union County by directing new growth to environmentally suitable areas that can be provided with essential infrastructure and support facilities, and to revitalize urban centers and corridors within the county.

Execution of this redevelopment plan will contribute to the achievement of the aforementioned generalized goals of the Union County Master Plan.

12.3 — Linden Master Plan

The last comprehensive reexamination of the City of Linden's Master Plan was prepared in 2008. The 2008 reexamination identifies the following objectives, which are applicable to the redevelopment area:

- Improve the City's visual environment and image by restricting or eliminating eyesores such as, but not limited to, storage containers or trailers in retail commercial areas;
- Promote a desirable visual environment;
- Provide sufficient space, in appropriate locations, for commercial, residential, industrial, recreation and open space uses;
- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents;
- Encourage development which contributes to the enhancement and improvement of the community.

This redevelopment plan will advance the fulfillment of the foregoing objectives of the City of Linden's Master Plan.

12.4 — Master Plans of Adjacent Municipalities

The redevelopment area is not located within immediate proximity of any adjacent municipality. Given the separation from adjacent municipalities, it is anticipated that the redevelopment plan will have no impact on the planning efforts of adjacent municipalities.

13.0 — Administrative and Procedural Requirements

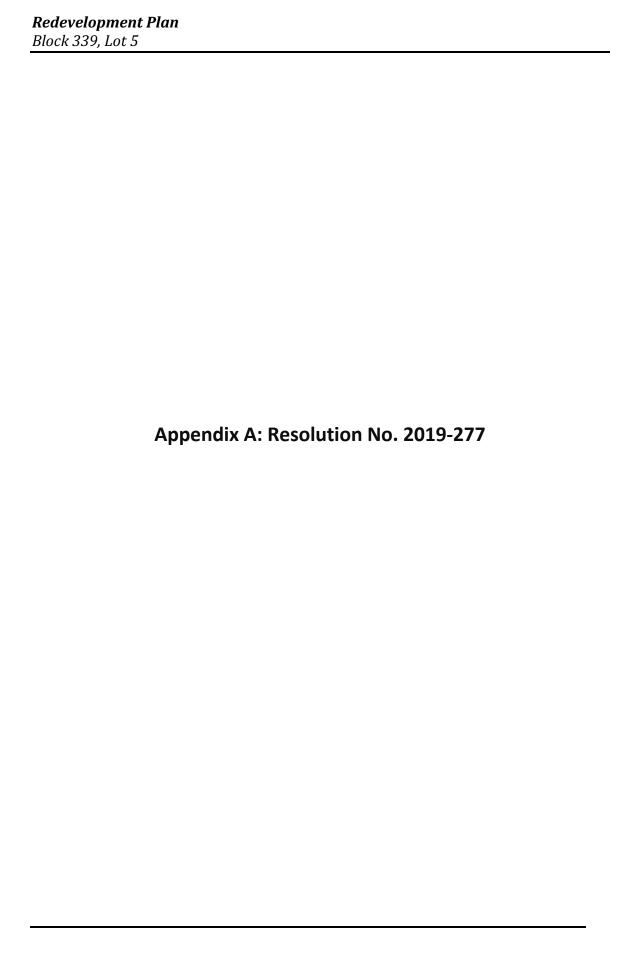
Administrative and procedural requirements are discussed in the following subsections.

13.1 — Amending the Redevelopment Plan

As circumstances may warrant, the Linden City Council may amend, revise, or modify this redevelopment plan in accordance with applicable law.

13.2 — Duration of the Redevelopment Plan

The provisions of this redevelopment plan shall remain in effect until such time as a certificate of completion has been issued.



RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING THE PROPERTY COMMONLY KNOWN ON THE CITY'S TAX MAPS AS BLOCK 339, LOT 5 (A/K/A 327 WEST SAINT GEORGE'S AVENUE) ON THE CITY TAX MAP AS AN 'AREA IN NEED OF REDEVELOPMENT' (WITHOUT CONDEMNATION) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.* (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the city council ("City Council") of the City of Linden (the "City") must authorize the planning board of the City (the "Planning Board") to conduct a preliminary investigation of the area and make recommendations to the City Council; and

WHEREAS, on May 22, 2019, the City Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known as Block 339, Lot 5, a/k/a 327 West Saint George's Avenue on the tax maps of the City (hereinafter the "Study Area"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment providing that a redevelopment area determination would authorize the City and City Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on July 9, 2019, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the City Council has determined that, based upon the recommendations of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the City Council.
- Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment other than the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the "Non-Condemnation Redevelopment Area").
- Section 4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.
- Section 5. The City Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-

Condemnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

PASSED:

July 16, 2019

APPROVED: July 17, 2019

Longle C. Bools City Clerk

Mahele Januhailes
President of Council

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ATTEST:

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the City Council of the City of Linden at a meeting held on July16, 2019 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Linden, this $\underline{70}$ day of $\underline{700}$, 2019.

JOSEPH & BODEK, City Clerk

