

AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR THE ST. GEORGES AVENUE REDEVELOPMENT AREA - PHASE II

WHEREAS, in January 1998, the Redevelopment Plan for the St. Georges Avenue Redevelopment Area – Phase II was adopted by the City of Linden, New Jersey (the “**Redevelopment Plan**”); and

WHEREAS on April 19, 2011, the City Council adopted Ordinance No. 55-16 which served to replace the Redevelopment Plan with the an Amended Redevelopment Plan (“**Amended Redevelopment Plan**”); and

WHEREAS, the City Council has determined it to be in the City’s best interests to further amend the Amended Redevelopment Plan in order to effectuate redevelopment on certain parcels within the Redevelopment Area (“**Proposed Amendments**”); and

WHEREAS, concurrently with the introduction of this Ordinance, the City Council shall adopt a Resolution referring the Proposed Amendments to the Planning Board in Accordance with N.J.S.A. 40A:12A-7(e) for its review and recommendation concerning the Proposed Amendments; and

WHEREAS, prior to final adoption of this Ordinance, the City Council shall have reviewed the Planning Board’s report and recommendation that this Ordinance be adopted in its original form; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Linden, in the County of Union, and State of New Jersey, as follows:

Section 1. The last paragraph of Section 1, “Description of the Redevelopment Area,” shall be revised as follows:

The St. Georges Avenue Redevelopment Area – Phase II also includes the portion of John Street, an unimproved street appearing on the City’s tax map, between St. Georges Avenue

and Union Avenue, which will be vacated to facilitate redevelopment of the St. Georges Avenue Redevelopment Area – Phase II. The vacation of John Street may occur in concert with a multi-phase project wherein the redevelopment of John Street into a pedestrian plaza or parking area will occur in any phase.

Section 2. Subsection 1 and 2 of Section III(B) of the Amended Redevelopment Plan is hereby amended as follows:

1. Physical Objective:

Eliminate physical and functional deterioration by removing structures that are either substandard, functionally obsolete, or exert an adverse influence on the area and develop the physical infrastructure to support a sustainable, vibrant community.

2. Land Use Objective:

Enhance the viability of the St. Georges Avenue Redevelopment Area – Phase II by the development of a mixed use residential, retail and office complex development along St. Georges Avenue (N.J. Route 27).

Section 3. Subsection 8 of Section V(A) of the Redevelopment Plan is hereby amended as follows: “Banks and financial institutions, except drive-thru kiosks may not face or contain an ingress/egress driveway onto Saint Georges Avenue, with facilities for ATM banking services.”

Section 4. Subsection 11 of Section V(A) of the Redevelopment Plan is hereby amended as follows: “Multi-Family Housing Containing One (1) and Two (2) Bedroom Residential Dwellings. The developer shall maintain a ratio of at least approximately 7065% of one-bedroom units ~~to approximately~~ and no more than 350% of two (2) bedroom units. The minimum floor area of any residential dwelling shall be 750 square feet for 1-bedroom units and 900 square feet for 2-bedroom units.”

~~**Section 5.** Subsection 1 of Section V(B) of the Redevelopment Plan is hereby deleted in its entirety.~~

Section 5. Section IV Definitions of the Redevelopment Plan is hereby amended as

follows: “Building Height” Shall mean the vertical distance from the average finished grade of the building to the highest roof point, but not including chimneys, architectural features, spires, towers, elevators, tanks, antenna, air conditioning equipment and similar appurtenance; provided that such appurtenance shall not cover more than ten percent (10%) of the roof area. Sound and screening walls designed to mitigate impacts from HVAC equipment are excluded from the height calculation as long as they are setback at least ten (10) feet from all sides of the building.

Formatted: Font: Bold
Formatted: Indent: First line: 0.5"

“Green Roof, Intensive” Shall mean a roof designed with major plantings such as grasses, ground covers, flowers, shrubs and trees. They include:

Formatted: Font: (Default) Times New Roman, 12 pt

- Soil depth of 6 inches or more
- Additional roof load of between 50 to 150 pounds per square-foot
- Many more plant options including trees and shrubs
- Require irrigation, fertilization and maintenance

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Custom Color(67,67,67)

Formatted: List Paragraph, Add space between paragraphs of the same style, Bulleted + Level: 1 + Aligned at: 1.25" + Indent at: 1.5"

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font color: Custom Color(67,67,67)

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Custom Color(67,67,67)

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Custom Color(67,67,67)

Formatted: Font color: Custom Color(67,67,67)

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font color: Custom Color(67,67,67)

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font color: Custom Color(67,67,67)

Formatted: Font: (Default) Times New Roman, 12 pt

“Green Roof, Extensive” Shall mean a roof that contains only low level and low maintenance plantings and requires little to no additional structural support. They include:

- Soil depth of 3 to 6 inches
- Additional roof load of 10 to 50 pounds per square-foot
- Ten to 20% organic matter in soil
- Limited plant species options
- Low maintenance, nutrient, and irrigation requirements

Formatted: Indent: First line: 0.5"

Section 6. Subsection 1 through 8 of Section V(D) of the Redevelopment Plan is hereby amended as follows:

1. Building Height

a. Maximum height of principal buildings shall be four (4) stories, or sixty (560) feet.

~~b. Maximum allowable building height excludes building roof top mechanical equipment and walls that are used to screen such equipment provided that the equipment and screening devices are both set back at least ten (10) feet from all sides of the building.~~

Gross Floor Area Ratio – Delete section and replace with:

2. Yield

a. The Redevelopment Plan establishes the minimum and maximum development thresholds as follows:

i. Between 100 and 150 residential units

ii. Between 10,000 to 12,000 square feet of ground-floor nonresidential uses

b. There is no maximum residential density since the scale and intensity of development will be regulated by yield and bulk controls as well as controls on the size and number of bedrooms in apartments.

~~2.~~

~~Maximum permitted Floor Area Ratio shall be 1.3 for the entirety of the St. Georges Avenue Redevelopment Area Phase II. Individual tax lots within the St. Georges Avenue Redevelopment Area Phase II shall not be subject to any maximum permitted floor area ratio.~~

3. Setback Requirements

~~There shall be a sidewalk of at least eight (8) feet in width along St. George’s Avenue. Aside from this requirement, no further setback shall be required. When conditions warrant, decorative board-on-board fencing and a landscaping buffer is may be permitted along adjacent properties, subject to property owner approval, as necessary.~~

4. Maximum Lot Coverage

The maximum permitted building coverage shall be 50%.

5. Maximum Impervious Coverage

Formatted: No underline

Formatted: Indent: Left: 0.75", No bullets or numbering

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

The maximum permitted coverage by impervious surfaces shall be 90%.

6. Minimum Open Space

The minimum open space, which shall be landscaped, shall be 10%. Accessible extensive or intensive green roof areas shall be considered open space. For a development project consisting of multiple phases, it is not required that the 10% open space minimum be evenly distributed between the phases.

7. Off-Street Parking Requirements

a. In mixed-use developments throughout New Jersey, constructing and providing for an appropriate amount of off-street parking has historically been a challenge. To create a vibrant commercial node, the goal is to create enough but not too much parking. This Redevelopment Plan envisions providing opportunities for parking to be shared by multiple uses and users throughout the day. Shared parking is a key component of employing sound principles of new urbanism, smart growth and transit oriented development. Such an approach will enable more pedestrian friendly streets, which account for the majority of public open space within a semi-urban environment.

Formatted: Left, Space Before: 0 pt, After: 8 pt, Line spacing: Multiple 1.08 li, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

~~a.~~ Off-street parking shall be provided at the rate of one (1) parking space per one (1) bedroom dwelling, one and ~~one-quarter~~two (2.01-25) parking spaces per two (2) bedroom dwelling, and one (1) parking space per 6700 square feet of gross floor area for non-residential land uses. ~~Street parking at the perimeter and within the redevelopment area shall be included within the summation of parking spaces provided.~~

Formatted: Font: (Default) Times New Roman, 12 pt

~~b.~~
~~b.c.~~ Each parking space, whether angled or perpendicular, shall have a minimum width of ~~eight feet (8')~~ on vacated John Street or eight feet, six inches (8' 6") for other off-street parking lots and shall have a minimum length of eighteen feet (18). Each on-street parallel parking space shall have a minimum width of ~~eight nine (89)~~ feet and a minimum length of ~~twenty-three (230)~~ feet. The Planning Board may permit up to 20 percent of the off-street parking spaces to include eight-foot width (8') and eighteen foot (18) length.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

~~e.d.~~ All parking aisles shall have a minimum width of twenty-four feet (24').

e. The parking requirements set forth in subparagraph (a) above may be reduced to the extent it can be demonstrated that parking requirements will be provided in other public or private parking facilities, provided the applicant meets the applicable proofs in support of a variance as set forth herein. In the event that the area adjacent to the Redevelopment Area on the East Baltimore Avenue side known as Block 90, Lot 1 is obtained for parking used to support the Redevelopment Area, whether by lease or otherwise, the parking provided on such lot may be counted toward the parking requirements set forth in subparagraph (a).

2. Based upon the hourly variation in parking demand indicated in the Shared Parking Table located herein, determine the peak parking demand for the combined demand of all the uses in the development. The Board will also consider field studies on similar land uses within the jurisdiction to establish the hourly variation patterns when appropriate. Depending upon the project, further analysis may be needed for both weekdays and weekends depending on the type of uses involved and may need to consider seasonal peak periods.

f. If a privately owned parking facility is to serve two or more separate properties, a legal agreement between property owners guaranteeing access to use the designated spaces is required.

g. Depending upon the complexity of the application, the Board may require a shared parking plan indicating the following:

1. A site plan sheet depicting the parking spaces intended for shared parking and their proximity to land uses they will serve. A signage plan that directs drivers to the most convenient parking areas for each particular use or group of uses as appropriate.

2. A pedestrian circulation plan that shows connections and walkways between parking areas and land uses.

3. A safety and security plan that addresses lighting and maintenance of the parking areas.

h. For other land uses not specified in the shared parking tables below, occupancy rate calculations shall be determined utilizing either ITE, APA or an independent study by the applicant, subject to municipal approval.

Formatted: Font: (Default) Times New Roman

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: List Paragraph, Indent: Left: 0.5", Hanging: 0.38"

Formatted: Font: (Default) Times New Roman

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Table 1 – Shared Parking Table – Weekday Variation

	Office	Day Care	Retail	Restaurant	Cinema	Residential	Mixed Use Residential
6:00 AM	3%	50%	0%	0%	0%	100%	100%
7:00 AM	20%	100%	8%	2%	0%	87%	95%
8:00 AM	63%	100%	18%	5%	0%	79%	90%
9:00 AM	93%	50%	42%	10%	0%	73%	87%
10:00 AM	100%	50%	68%	20%	0%	68%	85%
11:00 AM	100%	50%	87%	30%	0%	59%	85%
12:00 PM	90%	50%	97%	50%	30%	60%	85%
1:00 PM	90%	50%	100%	70%	70%	59%	85%
2:00 PM	97%	50%	97%	60%	70%	60%	85%
3:00 PM	93%	50%	96%	60%	70%	61%	85%
4:00 PM	77%	75%	87%	50%	70%	66%	87%
5:00 PM	47%	100%	79%	70%	70%	77%	90%
6:00 PM	23%	100%	82%	90%	80%	85%	92%
7:00 PM	7%	50%	89%	100%	90%	94%	94%
8:00 PM	7%	0%	87%	100%	100%	96%	96%
9:00 PM	3%	0%	61%	100%	100%	98%	98%
10:00 PM	3%	0%	32%	90%	100%	99%	99%
11:00 PM	0%	0%	13%	70%	80%	100%	100%
12:00 AM	0%	0%	0%	50%	70%	100%	100%

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

Table 2 – Shared Parking Table – Saturday Variation

Formatted: Font: (Default) Times New Roman

Formatted: Font: (Default) Times New Roman

	Office	Day Care	Retail	Restaurant	Cinema	Residential	CBD Residential
6:00 AM	0%	0%	0%	0%	0%	100%	100%
7:00 AM	20%	0%	3%	2%	0%	95%	95%
8:00 AM	60%	0%	10%	3%	0%	88%	90%
9:00 AM	80%	0%	30%	6%	0%	81%	87%
10:00 AM	80%	0%	45%	8%	0%	74%	85%
11:00 AM	100%	0%	73%	10%	0%	71%	85%
12:00 PM	100%	0%	85%	30%	30%	71%	85%
1:00 PM	80%	0%	95%	45%	70%	70%	85%
2:00 PM	60%	0%	100%	45%	70%	71%	85%
3:00 PM	40%	0%	100%	45%	70%	73%	85%
4:00 PM	40%	0%	90%	45%	70%	75%	87%
5:00 PM	20%	0%	75%	60%	70%	81%	90%
6:00 PM	20%	0%	65%	90%	80%	85%	92%
7:00 PM	20%	0%	60%	95%	90%	87%	94%
8:00 PM	20%	0%	55%	100%	100%	92%	96%
9:00 PM	0%	0%	40%	100%	100%	95%	98%
10:00 PM	0%	0%	38%	95%	100%	96%	99%
11:00 PM	0%	0%	13%	85%	80%	98%	100%
12:00 AM	0%	0%	0%	70%	70%	100%	100%

Formatted: Font: (Default) Times New Roman

Structured Parking

- 1. The design of visible parking façades shall be architecturally integrated with the building façade both horizontally and vertically. Parking façades shall be broken into structural bays, following the pattern of the primary building design.
- 2. Materials consistent in comparable portions of building facades shall be employed for parking area facades.
 - i. Where garages have open air elements, the design of such areas shall resemble window-type openings. The design of such openings shall appear as storefront windows or mimic the upper-floor window fenestration.
 - j. Garage façade openings shall shield vehicle headlamp glare with decorative window grills.
 - k. Where structured parking is located adjacent to a street at the ground floor, a planter or a planting bed shall be provided next to the building facade, with minimum depth of three (3) feet, to soften the parking visibility.

Formatted: Font: (Default) Times New Roman

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: List PNR Numbers, Space After: 6 pt, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

d.

Formatted: Font: Italic

Formatted: Normal, No bullets or numbering

~~e. The Planning Board may relax the aggregate total of required spaces such that 30% of total residential parking is shared with retail parking. On street parking, including any parking spaces provided in the right of way located adjacent to the railroad tracks to the south of the Redevelopment Area, may be considered in such shared parking requirement. Redevelopers able to secure an agreement with an established car sharing provided to provide electric cars and power stations, five (5) spaces may be reduced from the overall parking requirement for each space devoted to a shared car in the on-site parking facility. To take advantage of the provisions contained in this subparagraph, such redeveloper shall submit a shared parking analysis as part of its site plan application.~~

8-9. Off-Street Loading Requirements

- a. A minimum of two (2) on-street loading spaces located along East Baltimore Avenue or Charles Street shall be provided for the Redevelopment Area. No loading spaces may be designated along St. George’s Avenue.
- b. Each loading space shall be twelve feet (12’) in width and fifty feet (50’) in length with fourteen feet (14’) height clearance.
- c. The Planning Board may, where appropriate and consistent with the promotion of the public health, safety and welfare, upon a showing by the applicant that adequate

parking shall at all times be available to serve the intended use, allow temporary obstructions of parking spaces or, in the case of parking spaces designated as for employees only, obstructions of a longer duration, for the purpose of facilitating loading, unloading, refuse removal and other service activities.

d. Notwithstanding the foregoing, there shall not be any off-street loading requirements for the residential components of the development.

Section 6. Subsections 1 and 2 of Section V(E) of the Redevelopment Plan is hereby amended as follows:

1. Building Design Objectives

a. Building Massing shall be broken down into a series of bays. Individual bays should be defined by a change in material, color, and/or pattern. The series of bays shall be accomplished by a vertical change in façade plane of at least one foot (1') in depth between each "building". Several distinct buildings should be created along each façade.

b. Buildings should have definition of a base to create a "human scale" pedestrian friendly development. This shall be achieved at grade and along street frontage through the use of windows, doors, awnings and canopies. Multi-tenanted buildings shall provide varied storefronts. Upper floors shall be coordinated with ground floors through complementary materials and colors. At grade level, windows and window opening shall comprise at least 50 percent (50%) of the façade area (except where parking is located at the rear of the building.) At upper floor facades, windows shall comprise at least 2+5 percent (2+5%) of the façade area.

c. Buildings shall include a basecourse along all façades. The color of such basecourse shall contrast with the remainder of the façade surface.

d. The inclusion of stringcourses above the ground floor is encouraged.

e. The color of window and door surrounds shall contrast with the façade surface.

f. The use of exterior millwork as a façade adornment is encouraged.

g. Façade surfaces shall be articulated so that no more than 60 horizontal feet of building surface is unbroken.

h. Inclusion of roof parapets in building design is encouraged.

i. Building design shall include roof cornices with a horizontal depth of at least 18 inches.

j. The inclusion of quoins or other architectural treatments at building corners is encouraged as a means of enhancing architectural variety. When provided, such

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: List Paragraph, Justified, Indent: Left: 0.75", Space Before: Auto, After: Auto, Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.75" + Indent at: 2"

Formatted: Indent: Left: 0.75", Numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 3 + Alignment: Left + Aligned at: 1.75" + Indent at: 2"

treatments shall properly wrap around the corner so as to avoid a “pasted-on” appearance.

k. Shallow or “Juliet” balconies or balustrades are permitted. A maximum depth of two feet is permitted. When provided, such elements shall be an integral part of the overall building design.

l. 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.

m. All buildings in their design and layout shall be an integral part of the total development of the Redevelopment Area.

b. —

Formatted: Indent: Left: 1", No bullets or numbering

2. *Parking Design Objectives*

Parking areas shall be designed with careful regard given to orderly arrangement, landscaping, amenity of view, ease of access, and be an integral part of the total site design. On-street parking on the perimeter of the Redevelopment Area shall be permitted along East Baltimore Avenue, Union Street, and John Street.

Section 7. This Ordinance may be renumbered for codification purposes.

Section 8. All ordinances of the City of Linden, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

Section 9. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 10. This Ordinance shall take effect upon final passage and publication as required by law.

**ADOPTED ON FIRST READING
DATED:**

**JOSEPH C. BODEK,
Clerk of the City of Linden**

**ADOPTED ON SECOND READING
DATED:**

**JOSEPH C. BODEK,
Clerk of the City of Linden**

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2016

**DEREK ARMSTEAD,
Mayor**