

## Introduction

This Plan is an amendment to the Schuyler Avenue Redevelopment Plan, which was originally adopted by the Town Council in January 2002. This amended plan supersedes the 2002 Plan. When it was originally prepared, the Plan created six zoning districts, including a Large-Scale Commercial District, Light Industrial District, Automobile Oriented Commercial District, Mixed-Use District, Open Space, Park & Recreation District, and Residential District.

Subsequent to the adoption of the Schuyler Redevelopment Plan in 2002, a portion of the area is being targeted for transportation improvements. NJTRANSIT plans on implementing passenger service by reactivating the Harrison-Kingsland Branch line in Kearny. This is one of several initiatives to meet NJ Transit's need for improved service and increased capacity associated with the new Trans-Hudson Tunnel, or what is commonly known as the ARC project. The new passenger facility would be located in the area where Bergen Avenue crosses under the rail line. It would offer passenger service connections to New York City and other destinations on the Northeast Corridor.

This proposed transit improvement offers an opportunity to re-examine a portion of the Schuyler Avenue Redevelopment Plan and take advantage of the potentially new train station by promoting a transit-oriented community along Bergen Avenue. Where appropriate, changes have been made to the plan to reflect this potential. This plan acknowledges the current planning initiative funded by NJ TRANSIT in partnership with the Town of Kearny to develop a community-based vision for a future station area. Specifically, the amended plan establishes a new Transit-Oriented District for parcels located along both sides of Bergen Avenue, from the Harrison-Kingsland rail right-of-way to Schuyler Avenue. The new district would promote a pedestrian-friendly mixed-use district and set standards for future development. Other components of the plan remain unchanged at this point in time.

The potential for a new passenger rail station in Kearny confirm that the northern New Jersey-New York City metropolitan region is undergoing an unprecedented physical and economic transformation that is dramatically changing the way in which people live and work. The Town of Kearny is a part of the region's newly emerging industrial economy that is based upon information technologies and expanded port activities. This new economy is beginning to create new job opportunities and generate demand for

commercial/industrial real estate throughout the region. Kearny is currently faced with the challenge of modernizing its physical infrastructure to fully capitalize upon anticipated growth and to create an environment conducive to quality investment.

Toward this end, Kearny is actively engaged in a broad planning strategy to restructure the physical and social landscape to make the Town more economically competitive. These efforts include the use of the Kearny Urban Enterprise Zone to strengthen the Town's business base and cooperation with the New Jersey Meadowlands Commission (NJMC) in redeveloping the Kearny meadows. This strategy also includes using the redevelopment process as a means of comprehensively revitalizing Areas in the vicinity of Passaic and Schuyler Avenues.

The Schuyler Avenue Redevelopment Area occupies a unique location between the Town's residential core, industrial center and undeveloped meadowlands. Until recently, the Area has served as a buffer between the residential neighborhoods and the landfill activities occurring in the meadowlands. The Area developed in an unplanned manner and became the location of an incompatible mix of industrial, commercial, residential and recreational uses. The current disorganized land-use pattern inhibits the Area's ability to function efficiently, contributes to the degraded physical appearance and discourages new investment.

The Town Council in December of 2000, formally declared the Schuyler Avenue Area 'in need of redevelopment'. The Original Redevelopment Plan was adopted in January of 2002, and provided a comprehensive framework for the physical, economic, social and environmental revitalization of the Schuyler Avenue Area. This amended Plan seeks to build on this framework, including recent development trends in the area and respond to regional transit initiatives.

This amended plan seeks to implement a vision of the Schuyler Avenue Area that is more economically productive, environmentally healthy and socially beneficial that the potential new train station would provide. This new station gives Kearny a chance to take advantage of the economic opportunities that this major transit investment presents.

## **Planning Context**

The Amended Schuyler Avenue Redevelopment Plan was developed within the context of several large-scale economic, social and planning trends that are occurring within the Town of Kearny, the northern New Jersey - New York City Metropolitan Region and throughout the State of New Jersey. These trends, including redevelopment of the Meadowlands, industrial reorganization, and brown-field reclamation are substantially changing the physical and economic landscape surrounding the Schuyler Avenue Area. This Plan acknowledges these trends and activities and seeks to develop a framework to guide the physical and economic transformation of the Area to become a more economically profitable and socially productive part of Town.

*These changes include:*

- ***The economic and physical ramifications of deindustrialization and the evolution of services and distribution as major employers.***

The economy of the Town of Kearny has been industrially based. The Schuyler Avenue Area has occupied a supporting role by providing locations for secondary operations like distribution, warehousing, and recycling. With the loss of manufacturing, the buildings and layout of the Area have become obsolete and must be adapted and retooled to become productive and to meet new economic opportunities.

- ***The closing and reclamation of the Keegan Landfill.***

The Schuyler Avenue Area has served as a buffer between the Town's residential core and the adjacent 421 acre Keegan Landfill. The activities associated with the landfill have influenced land uses developing within the Area. According to the NJMC Comprehensive Action Plan published in 2006, the Landfill is scheduled for the full closure by 2013. The NJMC's May 2000/Kearny Area Redevelopment Plan calls for the uplands portion of the landfill to be commercially redeveloped and the wetlands portion to be conserved for marshland preservation and passive recreation.

- ***The Redevelopment of the Meadowlands.***

The NJMC is the process of closing and reclaiming the numerous landfills throughout the Kearny Meadows. The 2000 Plan calls for the redevelopment of 860 acres of land immediately adjacent to the Schuyler Avenue Area. This Area is zoned for retail, light industrial, heavy industrial, and conservation. Some infrastructure improvements have already been completed, including the extension of Bergen Avenue between Schuyler

and Harrison Avenues, opening the Area for development. The transformation of the meadowlands from a dumping ground into office parks, retail centers, and conservation areas will influence surrounding land uses.

- ***The restructuring of the economy of the Town of Kearny.***

The Town is actively engaged in reorganizing its economy to meet the challenges of the 21st century. Many former industrial areas, such as the Passaic Waterfront are being structurally changed through new zoning and infrastructure improvements to provide new locations for diversified economic activities, including mixed-use, residential, light industrial and commercial.

- ***Brownfield Redevelopment.***

The former industrial economy has left contaminated properties throughout the country. Federal, State and County agencies have streamlined the legal requirements and are providing incentives toward reclaiming contaminated properties. This has opened up large areas of land for development that otherwise would have remained unproductive.

- ***The impact of the New Jersey State Development and Redevelopment Plan.***

The State Plan seeks to channel new growth into established developed areas. To this end, the State provides a multitude of resources to improve existing urban centers, like Kearny, by investing in mass transportation, urban infrastructure, and brownfield reclamation. This investment is making urban areas more desirable places to live, work, and play.

- ***The impact upon the free market due to changing consumer tastes.***

A significant segment of the population, including young, well educated and affluent citizens, as well as many retirees, increasingly prefer to live in urban areas for the convenience and amenities it offers. The building industry is seeking to capitalize upon this trend and is beginning to “rediscover” the real estate within urban areas as the next wave of housing occurs.

- ***Lifestyle choices for urban areas.***

Urban residents prefer to participate in residential and employment opportunities with reduced automobile use. Because people work longer hours, they desire more efficient live/work arrangements that maximize their leisure time and reduce unnecessary travel.

- **Activation of the Harrison-Kingsland Branch for Passenger Service.**

New Jersey Transit is planning to implement passenger service of the Harrison-Kingsland Branch line in Kearny subsequent to the completion of a new Trans-Hudson Tunnel. It will offer passenger service connections to New York City and other destinations on the Northeast Corridor, thus creating residential and employment opportunities in the area.

- **Increasing gasoline and energy costs.**

Rising gasoline prices, increasing traffic congestion, and rising electricity and heating costs are shifting residential preferences towards more urban locales with access to transit. Citizen concerns over the environmental impacts from redevelopment are increasing the demand for construction of "green" buildings that conserve energy and water resources.

## Vision

The Schuyler Avenue Redevelopment Plan seeks to reorganize the underutilized, over-utilized, conflicting and inappropriate uses currently occupying the Schuyler Avenue Area into an integrated, mixed-use and multi-functional area that is economically profitable, socially stimulating, and environmentally responsible for all residents of the Town of Kearny. The Schuyler Avenue Area serves an important role within the economic and social fabric of the Town by providing locations for numerous local businesses, municipal services and recreation facilities. The area has also been targeted for a significant investment by NJ Transit through the reactivation of the Harrison-Kingsland line for passenger service, giving Kearny a 15-minute ride into New York Penn Station. The new project provides an opportunity for Kearny to re-plan the existing industrial land.

This Plan preserves the important multi-functional identity of the Area by introducing bulk, use, and design standards that will improve efficiency, enhance appearance, and create opportunity. This is achieved by sub-dividing the Area into a series of interdependent districts that maximize existing assets and minimize conflicts between activities. Kearny is in the midst of a regional economic transformation that is just beginning to be felt. The expansion of port facilities, the creation of intermodal linkages, the location of a new train station, and the redevelopment of the meadowlands will dramatically alter the physical landscape of the Town and create significant economic opportunities. Many of these changes will require extensive capital investment and may take up to a generation to become fully realized. This Plan is intended to provide a comprehensive framework as well as short and long-term strategies to direct growth in the Schuyler Avenue Area to capitalize upon planned economic expansion.

The reactivation of the Harrison-Kingsland line for passenger service to Manhattan will allow Kearny to redevelop the area. The significant investment by NJ Transit will allow for the creation of a mixed-use district that supports a mixture of housing, shops, restaurants, civic buildings and spaces in a pedestrian-friendly environment within walking distance to the new train station. The new Transit-Oriented District will establish a pedestrian-friendly environment along Bergen Avenue and around the station and promote connections to surrounding destinations, especially along Bergen Avenue and Kearny Avenue. It is envisioned that the appearance of Bergen and Schuyler Avenues will be significantly improved through several pedestrian-friendly changes, including the addition of street trees, new sidewalks and improved standards that will create an

environment that accommodates both the automobile and pedestrians, bicyclists, and buses. The districts will establish standards that require buildings to orient to the street, include public spaces, and provide adequate parking for a variety of land uses. The standards will also encourage the design of buildings that are appropriately scaled to both pedestrian activity and to adjacent residential uses.

This Plan also establishes two districts along Harrison Avenue, the Large-Scale Commercial District and the Automobile-Oriented Commercial District. These Districts will strengthen existing commercial and residential areas by providing locations for existing businesses to expand and relocate.

The Open Space, Parks and Recreation District is intended to consolidate existing recreation facilities and provide locations for new and diverse activities. The expanded Gunnel Oval site is envisioned to be a 21st century recreational complex with a community center, baseball and soccer fields, and jogging tracks surrounded by open spaces. It will contribute to the quality of life for all residents by providing a variety of active and passive recreational activities.

While there is not a single unifying vision for the Schuyler Avenue Area, the future picture is exciting in that redevelopment provides for a diversity of activities that are essential for the next phase of evolution of the Town.

## **Plan Principles**

The key principles of the Plan are practicality and flexibility. Redevelopment of the Schuyler Avenue Area will not occur overnight. This Plan seeks to create a practical, proactive approach to achieving the long-range vision. The core of this strategy is to create a land use plan that encourages private investment through prudent public expenditure and capitalizes on the strength of the regional real estate market and surrounding redevelopment.

This Plan is practical in that it seeks to stimulate both short term and long term redevelopment in an orderly, achievable manner. New development and investment in the Area will most likely occur in response to surrounding events, such as the recent completion of the Bergen Avenue Extension, and future reactivation of the Harrison-Kingsland Branch for passenger service. This plan also promotes the creation of a Transit-Oriented Development, defined here as an area that combines residential with a variety of commercial development in a way that encourages transit use and reduces dependence on the automobile.

This plan also recognizes the visually important area located at the intersection of Bergen and Schuyler Avenues, which will serve as the gateway for the Transit-oriented District. While it is impossible to foresee economic and social circumstances ten or twenty years into the future, this plan incorporates flexibility into the land use plan and design standards to allow for market changes.

## **Goals and Objectives**

The core of this Plan is to establish a comprehensive, long-range framework that leads to the redevelopment of the Schuyler Avenue Area. This will improve the Town's tax base, provide new job opportunities, establish new housing, and create new shopping areas. The Plan seeks to improve the functionality and appearance of the Area. More specifically the Plan seeks to:

### ***Create economic opportunity:***

- Stimulate private economic investment in the Area;
- Establish large-scale retail opportunities;



- Establish an area appropriate for new and existing automobile-oriented activities;
- Establish linkages between Kearny's Downtown and new economic development in the Meadowlands;
- Create new jobs;
- Promote an appropriately dense, pedestrian-friendly, mixed-use neighborhood directly round the future train station

***Improve functionality:***

- Improve the relationship between Schuyler Avenue and the adjacent residential neighborhoods by reducing truck traffic and improving pedestrian linkages;
- Consider creating a new street and block network for the area around the future train station

***Protect and enhance the residential character of the Town:***

- Provide a variety of new residential opportunities in mixed-use developments in close proximity to transit;
- Expand existing neighborhood commercial centers;
- Create standards that ensure buffers between residential neighborhoods and commercial and light industrial activities;

***Improve the physical appearance:***

- Establish the area located at the intersection of Bergen and Schuyler Avenue as a gateway into the Transit-Oriented District
- Establish Harrison Avenue as a gateway to Town;
- Establish linkages between the Town and new recreational opportunities in the Meadowlands;
- Improve the appearance of the Schuyler Avenue and Bergen Avenue corridors through streetscape improvements;

***Create new recreational opportunities:***

- Expand and improve existing recreational facilities;
- Create areas for new recreational facilities;
- Establish linkages between Gunnel Oval and West Hudson Park;
- Establish linkages between Gunnel Oval and planned recreational features in the Meadowlands;

- Expand Harvey Field and provide linkages between Harvey Field to the proposed train station and future development along Bergen Avenue.
- Promote the establishment of “green streets” and greenway linkages between existing parks and new parks.

***Improve environmental quality:***

- Preserve environmentally sensitive wetlands within the Area;
- Remediate environmentally damaged properties in the Area;
- Promote the construction of environmentally friendly “green” buildings that utilize energy, water, and other resources more efficiently.

**Area Description**

***Regional Context***

The 9.3 square mile Town of Kearny is located in the northwestern corner of Hudson County, in northeastern New Jersey. The Borough of North Arlington and the Town of Lyndhurst border the Town to the north. The Towns of East Newark and Harrison form the southwestern border of the Town. The Hackensack River forms the Town's eastern border, the Passaic River forms the western border, and the southeastern border of the Town is formed by the confluence of the two Rivers into Newark Bay. The Town can be divided into three distinct geographic areas: Uplands, Kearny Meadows, South Kearny Peninsula.

The Uplands contain the predominantly developed residential and commercial areas of the Town. The Uplands are located between the eastern bank of the Passaic River and the western boundary of the Kearny Meadows. This area is traversed by several important north-south transportation corridors including Passaic Avenue, Schuyler Avenue, and Kearny Avenue. The Uplands are immediately Adjacent to the central business districts of the Towns of Harrison, East Newark, and the Borough of North Arlington.

The South Kearny Peninsula is an isolated landmass that serves as the confluence of the Hackensack and Passaic Rivers. Its isolated location from residential areas, waterfront access, and location along major transportation routes has contributed to developing South Kearny as an industrial center.

The Kearny Meadows occupies 59% of the land of the Town. The Meadows are located between the Hackensack River and the Upland section of the Town. The Kearny Meadows is recognized as a unique ecosystem and makes up the southern portion of the Hackensack Meadowlands. Due to the presence of wetlands and the associated flora and fauna, the Meadowlands have severe constraints for development. The Meadows has served as the location of several waste disposal sites over the years. This has placed further environmental constraints upon development of the area. This area is under the jurisdiction of the New Jersey Meadowlands Commission (NJMC), a state agency that is entrusted with both developing and conserving the Meadows.

### ***History and Character of the Area***

The Schuyler Avenue Area is an assemblage of land uses and activities that exist in close proximity to each other and share a common need for redevelopment. The Area has gradually developed in an unplanned manner to meet expanding commercial opportunities and municipal needs. Much of the development has been in response to housing pressures, the need for expanding municipal facilities and commercial uses.

The area contains three distinct sections that define its character. These are the Harrison Avenue Area, the Schuyler Avenue Streetscape Area, and the Schuyler Avenue Interior Area, located between the Schuyler Avenue Streetscape and the Meadowlands. These sub areas have little more in common than being located in close proximity to one other and being in need of redevelopment.

The Harrison Avenue Area is comprised of lands on both sides of Harrison Avenue (also known as the Newark-Jersey City Turnpike). This Area is enclosed on the north and the south by rail that forms a natural barrier. This area has been the site of heavier industrial uses, particularly in the southern section. Harrison Avenue serves as the eastern gateway to both Kearny and Harrison and is heavily traveled. The area has recently seen new commercial development along the southerly side of Harrison Avenue, including the construction of a new Wal-Mart store at the southerly intersection of Harrison and Bergen Avenues.

The Schuyler Avenue Streetscape Area consists of properties fronting on the east side of Schuyler Avenue. This sub area helps to define and reinforce the residential neighborhoods to the west. The area contains neighborhood uses like residences, shops,

and recreation facilities. It also contains several uses inappropriate for residences like auto repair shops, junk yards, and industrial uses. Many of these uses are currently over-utilized and lack proper parking, screening, or signage. Schuyler Avenue is a heavily traveled commuter route. It also contains heavy truck traffic directed to the industrial uses to the east. Schuyler Avenue is an important corridor through Town and contributes to the public image of the Town.

The interior sub area consists of the parcels between the Schuyler Avenue Streetscape and the vacant rail line that forms the border with the Meadowlands. This area slopes downwards from Schuyler Avenue and contains larger parcels occupied by a variety of light industrial uses. This area also includes a large section of Harvey Field, a 7-acre soccer complex, and municipal storage areas. As the area approaches the Meadowlands, it drops in elevation and contains several large pockets of wetlands. Interior access to the area is primarily achieved through narrow residential streets off of Schuyler Avenue. The adjacent Keegan Landfill and the lack of internal circulation have impeded full development of this area.

### ***Surrounding Land Uses***

The existing character of the Redevelopment Area is directly influenced by surrounding land uses. These uses include a landfill, industrial, light industrial, recreation and residential.

The constant truck traffic, noxious odors, and real and perceived contamination of the Keegan Landfill has restricted development in the Area. The entire landfill is within the NJMC Kearny Redevelopment Area and is planned to be developed as a combination of light industrial and marshland preservation uses.

The light industrial uses that exist in the vicinity of the Area are primarily warehousing and distribution. With the exception of a new, large distribution facility on Harrison Avenue, most of the buildings are older, one or two story buildings with few site amenities. The Area is adjacent to the residential core of both Kearny and Harrison. These neighborhoods are the heart of both Towns and feature a dense housing pattern and traditional neighborhood shopping districts. The residential pattern extends across Schuyler Avenue in several areas. These pockets are excluded from the redevelopment area but exert a strong influence on activities that can and will take place in the Area.

As the residential neighborhoods have expanded over time, several parks and recreation facilities have been developed in or adjacent to the Area. These include West Hudson Park, Gunnell Oval and Harvey Field. These facilities are critical to maintaining the quality of life in Kearny and Harrison.

### **Transportation**

The location of Kearny within the northern New Jersey-New York metropolitan region presents numerous opportunities for economic development. The Town is situated in close proximity to several major transportation routes, including the New Jersey Turnpike, Interstate 280, US Routes 1 & 9, 3,7, 17 and 21. Many important freight and passenger rail lines connecting New York City with the continental United States traverse the Town. Additionally, Kearny is located within several miles of the busy ports of Elizabeth and Newark, as well as Newark Airport.

**Harrison Avenue** is a major County roadway serving the area with direct access to Route 280, the NJ Turnpike, Route 7, and Schuyler Avenue. Harrison Avenue changes names to the Newark-Jersey City Turnpike at the Harrison-Kearny border.

**Schuyler Avenue** is a major north/south, County owned collector street which parallels the Conrail ROW to the east. In general it has two lanes, one northbound and one southbound. On street parking is permitted along much of Schuyler Avenue. In Kearny, the adjacent development is a mixture of residential, commercial, and industrial uses.

Within the redevelopment area, there are several traffic signals along Schuyler Avenue. These are located at the intersections with Duke Street, Bergen Avenue, Quincy Avenue, and Oakwood Avenue. Other signalized intersections along Schuyler Avenue which are not directly within the borders of the redevelopment area include intersections with Harrison Avenue, Radley Street, Midland Avenue, and East Midland Avenue. The posted speed limit throughout this stretch is 25 mph.

**Bergen Avenue** runs from Passaic Avenue to the intersection with Schuyler Avenue, under the Conrail Railroad trestle, and ends at Harrison Avenue in the Meadowlands. Traffic volumes on Bergen Avenue are heavy and traffic congestion is present during the evening rush hour. Recent improvements to Bergen Avenue have included paving the

road from the railroad trestle to Harrison Avenue. This improvement was completed in 2006.

**Stover Avenue** is located to the east of Schuyler Avenue in the northern section of the Redevelopment Area. It runs in an east-west orientation and meets with Lex Place to the east.

Currently, Stover Road has an un-signalized T intersection with Schuyler Avenue. It consists of very poor pavement, and acts as the access road for a scrap metal yard and a junkyard.

**Lex Place** appears on the map at the end of Stover Road and Freedman Road. Currently, the right-of way is being used by Kearny Scrap Metal.

**Freedman Road** is a narrow two-way road in very poor condition. It intersects with Schuyler Avenue at an un-signalized T intersection.

**Harrison-Kingsland Branch:** Long range planning by NJ Transit calls for implementing passenger service on the Harrison-Kingsland Branch line in Kearny. This is one of several initiatives to meet NJ Transit's need for improved service and increased capacity associated with the new Trans-Hudson Tunnel, or what is commonly known as the ARC project. The new passenger facility would be located in the area where Bergen Avenue crosses under the rail line. It would offer passenger service connections to New York City and other destinations on the Northeast Corridor.

### **Kearny Urban Enterprise Zone**

Kearny is one of thirty-seven designated Urban Enterprise Zone (UEZ) communities within the State. Kearny was selected as one of the ten original Urban Enterprise Zones in December of 1985 largely to help offset the economic impact of deindustrialization and the closing of the Western Electric facility in South Kearny. The Kearny Urban Enterprise Zone (KUEZ) originally focused its efforts on providing economic incentives and infrastructure improvements to South Kearny but has grown to include 98% of the Town's businesses and 20% of the total Town land area. The KUEZ is unique in that it includes both retail and industrial sales sectors. The KUEZ gives the Kearny business community several competitive advantages that reduce operating costs, including reduced sales tax, state priority funding, and professional organizations and coordination. The Urban Enterprise Zone designation lasts for 20 years and cannot be renewed or extended. Incentives include:

- Qualified retailers may charge 50 percent of NJ's state seven percent sales tax on "in person" purchases;
- Sales tax exemptions for pre-deter-mined materials, tangible personal property and services used and consumed by a business at its local site location;
- A one-time corporation tax credit of either \$500 or \$1,500 for the full-time hiring of enterprise zone residents and residents of any of the 32 zones in 37 municipalities; and
- Subsidized unemployment insurance costs for certain new employees as determined by the NJ Department of Labor in the form of a rebate.

To secure a balanced approach to continued economic development, funds have also been used to assist with small business growth and business development. There is also an ongoing public relations and marketing drive underway.

## **Demographics and Economics**

The Town of Kearny has a history of being a stable working class town. The physical layout of the Town reinforces and strengthens Kearny's neighborhood character. The Town achieved relative build-out around 1930 and new development since then has largely been centered on redeveloping older properties. The population of the Town has fluctuated over time according to economic cycles. At the height of deindustrialization in 1990 the population dropped to 34,874. The economic expansion of the 1990's and a pattern of residential conversion have brought people back to Kearny and the 2000 Census shows a population of 40,513 residents.

Industries are broken down into two sectors, the goods-producing sector and the service-producing sector. Manufacturing is part of the goods-producing sector of the economy. The employment trends in Kearny and Hudson County are moving away from the goods-producing sector and toward the service-producing sector. The service-producing sector includes: transportation, communications and utilities; wholesale trade; retail trade; finance, insurance and real estate (FIRE); and services.

## ***Present Land Use***

The present land use pattern and corresponding built environment is one of the most significant factors impeding redevelopment. The random placement of industrial activities adjacent to residential sites and recreational areas contributes both to the lack of functionality and the degraded physical appearance.

Schuyler Avenue runs north and south, parallel to the Conrail Railway, along the eastern edge of upper Kearny. The Avenue connects to Newark-Jersey City Turnpike which links to the New Jersey Turnpike.

The bulk of the Schuyler Avenue Study Area lies to the east of Schuyler Avenue between Oakwood Avenue and the Newark-Jersey City Turnpike. The Study Area also contains the land south of the Newark-Jersey City Turnpike between Ogden Avenue and the railway. Semi-trailer trucks are constantly in and out of these industrial areas via Schuyler Avenue and secondary streets which were not designed to accommodate such high volumes of truck traffic. Additionally, the presence of so many trucks along Schuyler Avenue creates an intimidating and unsafe environment for pedestrians. This is of



particular concern since the Avenue borders a strong residential neighborhood, several schools and public parks.

The commercial development along Schuyler Avenue is primarily characterized by auto repair shops, used car lots, specialty trade retailers, and offices. There is a small pocket of retail stores along Schuyler Avenue between Dukes Street and Devon Terrace and a somewhat isolated grocery store four blocks north of the retail area. There are several properties, particularly near the intersection of Schuyler Avenue and Bergen Avenue, that are now vacant which had been previously occupied by industrial uses. There are a number of large, open parcels along the railway that could be further developed with a variety of uses if access improvements are made.

## **Opportunities and Constraints**

### ***Existing Urban Design Character***

As shown on the existing urban design map, the redevelopment area has been divided into three sections. A description of each section is as follows:

#### **Section I**

Section I of Schuyler Avenue contains a mix of residential and commercial uses. The buildings are typically sited on or close to the front property line which gives this section of the Avenue an urban character. Because there are strong residential neighborhoods on both the west and east sides of this section of Schuyler Avenue, the intersection of Schuyler and Dukes Street acts as a gateway to several blocks with retail uses.

#### **Section II**

Section II of Schuyler Avenue has mostly residential uses on the west side and commercial uses on the east side. This separation of uses results in a sharp contrast in the street character of the two sides. The residences tend to be set back from the street with small front yards, and the commercial buildings are set back from the street with front parking.

#### **Section III**

Section III of Schuyler Avenue contains mostly commercial buildings. The structures are typically built close to the front lot line with parking pads squeezed onto the lot wherever

possible. As a result of the narrowness of the lots, the sidewalks are frequently interrupted by curb cuts and cars are parked on the sidewalks.

### **Constraints**

Because many of the structures along Schuyler Avenue are built to the front property line, it is not feasible to widen Schuyler Avenue.

### **Opportunities**

Presently, there are many incompatible uses along the Avenue that together present a disorderly and unpleasant environment. The east side of Schuyler Avenue contains many industrial uses which intensify the truck traffic along Schuyler Avenue. If this traffic could be redirected to an alternate route, Schuyler Avenue could be developed in a pedestrian-friendly manner. The location of a future train station in the vicinity of Bergen Avenue provides an opportunity to re-plan Bergen Avenue as a pedestrian-friendly street with wide sidewalks, street trees, and other pedestrian amenities.

### **Environmental Constraints**

The location of the Area adjacent to the Keegan Landfill and greater Meadowlands combined with years of industrial activity present numerous opportunities and constraints to redevelopment.

The lower section of the Area contains several large pockets of wetlands. The northern pockets of wetlands serve as an extension of the adjacent Keegan Marsh. The marsh was part of the Keegan landfill and contains unidentified waste. The surface water and surrounding high water table contains visible leachate from the landfill. The NJMC has plans to close the landfill and preserve the marsh as a conservation area. This strategy is a means of biological remediation.

The industrial legacy of the Area has contributed to the presence of environmental contaminants on numerous sites. Many of the parcels within the Area are listed on State and Federal hazardous materials databases because they previously or currently contain(ed) businesses that handled hazardous materials that require State and Federal tracking. Several other parcels have been subject to known releases of hazardous materials that have either been remediated or are pending remediation.

## **Circulation**

### **Opportunities**

The general street pattern in the area allows for a number of possible opportunities in improving the circulation of the Redevelopment Area.

1. The Town of Kearny received a USEDA grant to improve and connect Bergen Avenue to Harrison Avenue. This recently completed extension has provided additional access to Schuyler Avenue and the entire redevelopment area. The connection will decrease the number of vehicles, including truck traffic, currently using Schuyler Avenue to access the redevelopment area from Harrison Avenue while also providing a more direct route to the NJ Turnpike. Bergen Avenue is a heavily used road for passenger cars and there is significant traffic congestion westbound on the roadway during commuting times. Moreover, the existing railroad trestle overpass on Bergen Avenue has restricted clearance in both height and width, limiting the degree to which road improvements can be implemented.
2. The location of the redevelopment area is an opportunity in itself, since it is flanked by or crosses existing collector streets. The available land along the tracks could allow for introduction of a new north-south road and new interior access roads.

### **Constraints**

1. The NJ Transit railroad tracks and the Conrail right-of-way pose a constraint to widening Bergen Avenue since an underpass and/or grade crossing would be required.
2. The Bergen Avenue and Schuyler Avenue intersection is over capacity, with heavy volumes and an insufficient turning radius for large trucks.
3. There are several impediments to promoting pedestrian and bicycle activities in the area, including narrow or non-existent sidewalks and no designated bike lanes.
4. There is a limited capacity to widen Schuyler Avenue due to physical constraints, including both commercial and residential structures.

### **Recommendations**

It is recommended that significant improvements to the roadway network be implemented as part of the Plan. The new road network will help achieve the goals of accessing new developments throughout the Redevelopment Area while minimizing the heavy vehicle volumes along Schuyler and Bergen Avenues. While motorists and

commuters coming from Exit 15W of the NJ Turnpike can now access the redevelopment area via the new extension of Bergen Avenue from Harrison Avenue, limited height clearance under the Conrail lines still prevent some truck drivers from directly accessing the redevelopment area. These vehicles are currently using Schuyler Avenue. The new Transit-Oriented District will also require circulation improvements and additional connections from a future train station to surrounding destinations. A comprehensive circulation study may be appropriate.

## **Features of the Plan**

This Plan seeks to maintain and improve the multiuse character of the Area by reorganizing similar uses into specific districts. Each district will contain complementary activities and will be governed by bulk and design standards intended to integrate the districts. Multiple-use development is historically a traditional land use pattern, but a relatively new concept in planning. For centuries, homes, shops, offices, parks and small-scale manufacturing have been able to exist side by side. Modern planning arose to reduce the noise and pollution generated by the introduction of heavy industry into the established pattern. Much of 20th century planning was devoted to further separating uses from each other. This resulted in suburban sprawl with separate communities of individual homes, isolated shopping areas, and industrial parks. 21st planning will be devoted to reestablishing the connections between activities and creating healthier, prosperous and more efficient communities.

This Plan contains several economic, environmental, aesthetic, and recreational features intended to reintegrate the multiple uses in the Schuyler Avenue Area. Multiple-use development requires more than just allowing different uses to exist side by side. An underlying principal of this Plan is the establishment of connections among the divergent uses and activities to improve their individual and collective functionality. Connections are generated through public space. The improvement of the Schuyler and Harrison Avenue streetscapes will significantly improve the appearance and functionality of the entire area. Open space also provides amenities for residents, serves to buffer commercial activities, and provides circulation throughout the Area. A map of the district is provided in Appendix A. The following are the major features of the Plan.

### ***New large-scale retail shopping along Harrison Avenue.***

Its size and location make Harrison Avenue an ideal location for large-scale retail development. This District is immediately adjacent to the planned large-scale retail in the NJMC Redevelopment Area where a new Wal-Mart has recently been constructed in the NJMC Redevelopment Area. Large-scale retailers like Wal-Mart will benefit from the easy highway access and available parking, and Harrison Avenue has both. The combination of these two areas will become attractive to developers and allow retail development to occur on a large scale. The proximity to Route 280 and the Turnpike will allow shoppers to access shopping from throughout the region. It is intended that this area will complement the overall structure of shopping within the Town. This will provide

residents with a wide variety of shopping opportunities and allow them to meet all of their shopping needs without ever leaving Town.

***New light industrial development.***

Schuyler Avenue has traditionally served as a location for light industrial activities within the Town. This has provided many jobs and additional warehouse space for local businesses. Schuyler Avenue is still an ideal location for this type of activity. New access roads and the Bergen Avenue Extension will open up landlocked parcels for larger scale redevelopment. Essentially, this area will become an extension of the adjacent light industrial redevelopment occurring within the NJMC. This will open up new land for development in Town. Combined with the geographical advantage, this will create an attractive location for large-scale industrial redevelopment.

***Transit-Oriented District***

The potential of a new train station on Bergen Avenue provides an opportunity for the Town to harness and leverage the economic and community development potential that a major transportation improvement provides. The new train station will attract development interest into the area, and the goal of this new district is to provide standards that will promote the creation a pedestrian-friendly environment and make connections to future development within the district and from a future train station area to surrounding destinations, including schools, playgrounds, residential neighborhoods, and downtown businesses on Kearny Avenue. The district standards will promote and anticipate development patterns that are transit-oriented and that can receive a mixture of housing, shops, restaurants, offices, civic buildings, and open space. The district also recognizes that an important gateway exists at the intersection between Bergen and Schuyler Avenues.

***Automotive-Oriented District***

The dense urban fabric of the immediate area makes it difficult to locate automotive-related uses. These types of activities require large, open parcels along traveled highways and space to provide buffers from surrounding uses. Kearny contains numerous dealerships, garages, and service stations that are unable to expand in their present location. This area is intended to provide room for existing automotive related businesses to expand and to attract new entities. This area is modeled on a national marketing trend that has seen the consolidation of auto-related businesses into a single power

center. This benefits the consumer by providing complementary activities in a modern, clean environment with good highway access. It benefits business by consolidating expenses such as marketing and waste disposal. The Harrison Avenue location is intended to reinforce the large-scale retail activities across the street.

### ***New Housing***

The Town of Kearny has been essentially built out since 1940. New housing opportunities have largely consisted of rehabilitation and conversion. The Plan allows for a variety of new housing to be developed along Schuyler Avenue and Bergen Avenue in the Mixed-Use District and Transit-Oriented District, including multi-family, apartments, townhouses, and senior housing. The residential component is market driven, and is intended to preserve the existing neighborhoods along the eastern side of Schuyler Avenue. This will connect these neighborhoods with the residential core across Schuyler Avenue. Shared activities such as shopping, recreation, schools and community services will intertwine the two areas together.

### ***New Neighborhood Commercial Area***

Schuyler Avenue's location makes it an ideal neighborhood-shopping district. The Avenue is well-traveled by commuters and is in proximity of residential neighborhoods. The Plan builds upon the existing neighborhoods and neighborhood commercial activities along both sides of Schuyler Avenue. It follows the traditional pattern of allowing residential development above and adjacent to commercial development. It is intended that Schuyler Avenue will provide a variety of small and medium sized commercial activities like ethnic shopping markets, medical offices and restaurants. The standards are also designed to provide sites for convenience stores to capitalize upon the commuter traffic.

### ***Circulation***

Circulation and traffic are two of the most limiting factors to the redevelopment of the Area. This component is intended to improve the physical appearance and functionality of the Area by reducing heavy truck traffic on Schuyler Avenue, providing improved access to the interior sections, and improving connections between the future train station and community destinations.

### **Bergen Avenue Extension**

The Bergen Avenue Extension has created a connection between Harrison and Schuyler Avenues through the Meadowlands. The extension has also provided more direct access to downtown Kearny.

### **Appearance**

Streetscape improvements are intended to improve the physical appearance and functionality of the Area by providing needed green and open space. Schuyler and Harrison Avenues are the primary image setters of the Area. Both serve as important commuter corridors and serve as gateways to the Town. With the completed extension of Bergen Avenue, and the future activation of the train line, Bergen Avenue will become a more prominent area for people traveling to and from the train station, and thus will require an upgrade in its physical appearance.

The Plan seeks to enhance the physical appearance of these corridors through streetscape improvements that feature new street trees, street furniture, lighting, screening, and signage. The intention is to create an environment that expresses both the neighborhood traditions and commercial future of the Town.

The Plan also suggests that the Town or the UEZ assist property owners with façade improvements and installation of appropriate fencing. The Town should also work with the County in the upgrading of traffic signals along these corridors.

Schuyler Avenue is both a corridor through Town and a local commercial street. A portion of Schuyler Avenue in the vicinity of Bergen Avenue will be a gateway to a future Transit-Oriented District. The streetscape improvements proposed in this plan are intended to reinforce this commercial character. The new neighborhood commercial uses that are planned will give Schuyler Avenue a 'Main Street' feel. In addition to new street trees, the Avenue will benefit from simple design standards that mandate appropriate signage, screening and fencing. Both the Mixed-Use District and the Gateway District encourage traditional urban architecture that features a unified street-wall with regularly spaced windows, defined entrances, and screened parking.

Bergen Avenue will serve as the central spine for the future Transit-Oriented District and the intersection of Schuyler and Bergen Avenues will serve as a key gateway into the



district. Bergen Avenue is also a corridor through Town funneling traffic from Harrison Avenue towards Schuyler Avenue and downtown Kearny. Significant improvements to Bergen Avenue are envisioned, including traffic improvements to vehicular flow and pedestrian connections across Bergen Avenue at Schuyler Avenue. The new uses that are planned along Bergen Avenue will give it a more pedestrian-friendly feel. In addition to new street trees, the Avenue will benefit from simple design standards that encourage traditional urban architecture that features a unified street-wall with regularly spaced windows, defined entrances, and screened parking.

### **Recreation**

Public recreation facilities contribute to the quality of life and make Kearny an attractive place to live. The Plan seeks to expand the existing Gunnell Oval complex to provide a variety of new and enhanced recreation opportunities to meet present and future needs. The expanded complex will consolidate the athletic fields from Gunnell Oval and Harvey Field together and will provide a site for new public recreation facilities. Consolidation of similar activities is more cost efficient and offers many benefits, including improved access and parking.

The new facility would provide locations for a variety of active recreational opportunities including, expanded athletic fields and links to the meadows trail. The Plan also allows private recreation and restaurants to be developed along Schuyler Avenue. The intention is to create a vibrant community center that is active throughout the day and evening with a variety of activities.

### **Environmental**

The industrial heritage of the Area and its location adjacent to the Meadowlands presents a number of environmental challenges. The Plan actively addresses both brown-field remediation and wetland conservation.

The long history of industrial activity in the Area has resulted in numerous contaminated properties. It has also led to the perception of contamination that may limit new investment. The addition of new access roads and consolidation of uses within new zoning districts will allow private developers to conduct larger-scale remediation of parcels. The Plan also features the public-private redevelopment of the brown-fields into recreation facilities adjacent to Gunnell Oval.

The Area contains several large pockets of wetlands along the eastern edge; the largest of which is adjacent to Gunnel Oval and the Keegan Marsh. The Plan incorporates these wetlands into the Parks & Recreation/Conservation District as a conservation area. They will serve as a natural buffer between the recreation facilities and new light industrial development to the south.

### **Relationship of Plan to Town Land Development Regulations**

The Area shall be redeveloped in accordance with the standards detailed in this Amended Redevelopment Plan. The Plan supersedes the use, bulk, and design standard provisions of the Town Land Development Regulations unless specifically referenced. Other standards and submission requirements relating to all zones in the Town not specifically enumerated within in the Town's Land Development Ordinance shall apply.

In connection with site plan or subdivision applications, the Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reason of exceptional topographic conditions, pre-existing structures and physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon, the developer or redeveloper of such property. The Planning Board may also grant a deviation from the regulations contained within this Redevelopment Plan related to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict application of the requirements of this Plan and the benefits of granting the deviation would outweigh any detriments.

The Planning Board may grant exceptions or waivers from design standards from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within the Plan, if the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to this site. No deviations may be granted under the terms of this section unless such

deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Plan that results in a "d" variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Township's Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

## **DISTRICT USE, BULK & DESIGN STANDARDS**

### ***Large Scale Commercial District***

The 39 acre Large Scale Commercial District is intended to provide a location for medium to large-scale commercial activities along Harrison Avenue. This District is intended to connect with the planned 600,000 square foot retail center located immediately adjacent in the HMDC Redevelopment Area. This will result in over 1,000,000 square feet of retail space with convenient highway access and in close proximity to the underserved Kearny-Harrison Area. The combined Districts could easily develop into a regional power center shopping complex and will attract developers that would otherwise ignore smaller sites.

Because of the location of the District at the eastern gateway to the Area, the manner in which buildings are oriented to the street is critical. To this end, the bulk requirements of the district are designed to present Harrison Avenue as a landscaped shopping corridor, with large buildings set back from the street. Generous building setbacks along Harrison Avenue will provide room for sidewalks, lighting, utilities, and landscaping that will serve as streetscape improvements.

Parking is to be screened from public view behind a minimum fifty (50) foot deep landscaped buffer featuring a combination of berms and low walls, lawn, trees, shrubs, perennials, bulbs and seasonal color. Parking areas should be accessed through well defined and landscaped entranceways. Limited access points at signalized intersections are intended to maintain traffic flow along Harrison Avenue and to reduce possible vehicular conflicts. This District is intended to be developed in a comprehensive manner.

### ***Principal Permitted Uses:***

Retail, Health Clubs, Public Uses, Restaurants, Offices, Financial Institutions, Family Entertainment Oriented Uses, Theaters, Financial Institutions.

### ***Accessory Uses:***

Incidental and accessory to the principal use such as signage and off-street parking.

- Maximum Floor Area Ratio (FAR): 0.5
- Maximum Height: Fifty (50) feet
- Minimum Lot Size: Fifteen (15) acres
- Maximum Lot Coverage: Eighty (80) percent

- *Minimum Building Setbacks:* Harrison Avenue: One hundred (100) feet
- *Rear and Side Yards:* Fifty (50) feet

All setback areas not containing entranceways, parking areas, or service areas shall be landscaped with a combination of flowering trees, shrubs, perennials, annuals and bulbs to provide visual interest and seasonal color. Large canopy street trees, such as Zelkova, Chinese Elm and Sycamore, are required to be planted a maximum of fifty (50) feet apart along Harrison Avenue.

***Minimum Off-Street Parking:***

- *Retail:* Four and one half (4.5) spaces per 1,000 square feet of gross floor area
- *Offices:* Three (3) spaces per 1,000 square feet of gross floor area
- *Restaurants:* One (1) space per two and one half (2.5) seats
- *Health Clubs/Family Entertainment Uses:* Three (3) spaces per 1,000 square feet of gross floor area
- Parking is permitted within front yard setbacks, but must be at least fifty (50) from Harrison Avenue and 25 feet from all other lot lines.
- Developers are encouraged to explore means of sharing parking between various uses and to ensure adequate pedestrian connections between separate establishments.
- All parking areas must be screened from public view with a combination of low walls, decorative fencing, flowering trees, ornamental trees, evergreen shrubs, deciduous shrubs, ornamental grasses, perennials, annuals, bulbs, and groundcovers. Public art and wayfaring signage is permitted within landscaped buffer areas and should be designed to complement the overall buffer design.

***Signage***

Signage is intended to be included as part of the overall architectural and landscape design of buildings and should be integrated with building facades and entranceways whenever possible. Signage is encouraged to creatively express corporate identity and may feature decorative lettering and bold graphics. Multiple tenants are encouraged to coordinate signage materials and proportions. Signage shall be consistent throughout the entire project.

Signs may be illuminated, but must be consistent with the style of the building. Lettering on signs shall not extend more than fifteen (15) inches from the base face. One sign is permitted per tenant. Signs may not exceed ten (10) percent of wall to which it is attached. One freestanding sign shall be permitted, which shall not exceed 120 square feet in size and 30 feet in height.

### ***Sidewalks***

Sidewalks are required along Harrison Avenue.

Sidewalks must be a minimum of six (6) feet wide.

### ***Street Vacation***

Boylan Avenue, Greenfield Avenue, Sanford Avenue and Ann Street may be vacated.

### ***Internal Landscaping***

A minimum of ten (10) percent of the parking area (defined as within the parking lot curb line) must be landscaped. Landscaping is intended to complement the architecture of the development and should feature a diversity of plant materials including large shade trees and evergreens. Landscaped areas cannot include more than twenty (20) percent turf.

To minimize the scale of large retail architecture landscaping should be provided around the foundation of all buildings where feasible. This area should contain a variety of appropriately scaled plant material and may include entranceways and sidewalks.

### ***Light Industrial District***

The 47-acre Light Industrial District is intended to consolidate the existing industrial activities within the Area and to provide a location for new and relocated businesses. It is envisioned that this District will blend together with the adjacent 2,000,000 square foot Light Industrial Zone in the NJMC Kearny Redevelopment Area to form a regional industrial center.

Large parcel size, Urban Enterprise Zone designation, and infrastructure improvements will make this District very attractive to new investment. The construction of the Bergen Avenue Extension and new interior roadways will link the District with the regional

transportation network and create new opportunities for light manufacturing and distribution.

The intent of the Bulk and Design Standards is to create attractive buildings in a campus setting with landscape buffers to screen uses from the surrounding area. The standards are intended to be flexible to allow for a wide variety of light industrial uses.

***Principal Permitted Uses:***

Light Industrial, Research and Development, Office, Warehousing and Distribution Facilities, Self Storage Facilities and Public Uses. Outdoor storage of trailers is not permitted.

***Accessory Uses:***

Uses incidental and accessory to the principal use such as parking and signage are permitted.

- Maximum Floor Area Ratio (FAR): 0.5
- Maximum Height: Fifty (50) feet
- Minimum Lot Size: Five (5) acres
- Maximum Lot Coverage: Eighty-five (85) percent
- Minimum Building Setbacks: 35 feet

Mixed-Use Buffer: Where a lot abuts a mixed-use/residential use or zone, a thirty (30) foot landscaped buffer must be provided. No parking or storage shall be permitted in the buffer.

***Storage and Loading Areas***

Storage, Service, and Loading Areas may not be located between the building line and the street and must be screened.

***Minimum Off-Street Parking***

Distribution/Warehousing: One (1) space per 5,000 square feet of gross floor area.

Light Industrial Research and Development: One (1) space per 1,000 square feet of gross floor area.

- Office: Three (3) spaces per 1,000 square feet of gross floor area.

Parking and circulation shall be coordinated with public streets to avoid vehicular and pedestrian conflicts.

### **Signage**

Signage is intended to be included as part of the overall architectural and landscape design of buildings and should be integrated with building facades and entranceways whenever possible. Signage is encouraged to creatively express corporate identity and may feature decorative lettering and bold graphics. Multiple tenants are encouraged to coordinate signage materials and proportions.

Signs may be illuminated, but must be consistent with the style of the building. Signs shall either be mounted to the building facade and/or be freestanding. One wall sign is permitted per tenant. All wall signs shall not exceed ten (10) percent of wall to which it is attached. One freestanding identification sign shall be permitted which shall not exceed 80 square feet in size and 20 feet in height.

### **Automobile Oriented Commercial District**

This 16 acre District occupies the north side of Harrison Avenue opposite the Large Scale Commercial District. The Automobile Oriented Commercial District is planned to provide additional space for retail activities and to provide a location for automotive uses.

The Town is currently home to numerous new and used car dealerships, automotive repair, car washes, service stations, and auto parts stores. Many of these establishments have outgrown their present locations and are looking for room to expand. The regional highway access and drive-by traffic make Harrison Avenue an attractive location for automotive-oriented businesses.

This District is intended to provide a location where complementary businesses can combine to form a regional sales-service destination. The District can provide a location for both local businesses, and national franchises. The bulk and design standards of the District are planned to provide both highway visibility and to complement the streetscape improvements across the street. The result will be familiar uses in a high quality setting that reinforces Harrison Avenue as a Gateway to the Town of Kearny.



The District contains approximately 13 acres of developable land and contains approximately 3 acres of wetlands. It is envisioned that the district will be developed in a coordinated manner with limited access off Harrison Avenue, internal roadways and possible shared parking among establishments. It is also intended that a coordinated system of waste recycling and disposal can be established among the separate business establishments.

**Principal Permitted Uses:**

Car Dealerships, Automobile Rental Agencies, Car Washes, Service Stations, Body Shops, Detailing Shops, Automotive Parts Stores, Office and Retail.

**Accessory Uses:**

Incidental and accessory to the principal use such as signage and outdoor storage.

**Existing Buildings**

Buildings that are adaptively reused are exempt from these bulk standards.

- Maximum Height: Fifty (50) feet
- Minimum Lot Area: One (1) acre
- Maximum Lot Coverage: Eighty-five (85) percent
- Minimum Building Setback
- Harrison Avenue: Fifty (50) feet
- Rear and Side Yards: Ten (10) feet.

Where adjacent to residential zone or use, there must be a thirty (30) foot landscaped buffer. No parking or storage shall be permitted in the buffer.

Minimum Parking Setback From Harrison Avenue: Twenty-five (25) feet

All setback areas must be landscaped with a combination of flowering trees, shrubs, perennials, annuals and bulbs to provide visual interest and seasonal color. Large canopy trees, such as Zelkova, Chinese Elm and Sycamore, are required to be planted a maximum of fifty (50) feet apart along Harrison Avenue.

**Minimum Off Street Parking**

Car Dealerships: One (1) space per 200 square feet of gross floor area of showroom and office space.

- Car Washes: One (1) space per 400 square feet.

- There shall be sufficient queuing space so that cars shall not queue in the right-of-way.
- Service Stations: Four (4) spaces per service bay.
- Restaurants: One (1) space per two and a half (2.5) seats.
- Retail: Four and one half (4.5) spaces per 1,000 square feet of gross floor area

### **Signage**

Signage is intended to be included as part of the overall architectural and landscape design of buildings and should be integrated with building facades and entranceways whenever possible. Signage is encouraged to creatively express corporate identity and may feature decorative lettering and bold graphics. Multiple tenants are encouraged to coordinate signage materials and proportions. Signs may be illuminated, but must be consistent with the style of the building. Signs shall either be mounted to the building facade and/or be freestanding. One sign is permitted per building face. Signs may not exceed ten (10) percent of wall to which it is attached. Window signs may not exceed twenty-five (25) percent of window area. One freestanding sign shall be permitted which shall not exceed eighty (80) square feet in size and 20 feet in height.

### **Sidewalks**

Sidewalks are required along Harrison Avenue. Sidewalks must be a minimum of six (6) feet wide.

### **Mixed-Use District**

The 9.5-acre Mixed-Use District is intended to preserve and expand the Town's residential character by creating a neighborhood-oriented area along the eastern side of Schuyler Avenue. This District extends 250 feet eastward from the ROW of Schuyler Ave from the southern end of the Area to the new Park and Recreation District in the northern end of the Area. The District also preserves a deeper pocket of existing community-oriented activities adjacent to a residential neighborhood in the center of the Area.

This District is intended to provide a variety of opportunities for economic development including new residential developments, neighborhood-oriented businesses, and residences above stores. This should remove the conflict between adjacent residential and industrial uses and greatly improve the functionality of the Area. The Mixed-Use District should benefit from reduced truck traffic along Schuyler Avenue. The design

standards are intended to enhance property values and enhance the appearance of the Schuyler Avenue Corridor.

**Principal Permitted Uses:**

Single-Family Residences, Multi-Family Residences, Townhouses, Apartments above businesses fronting Schuyler Avenue, Retail, Office, Restaurants, Financial Institutions and Public Uses.

**Accessory Uses:**

Uses incidental and accessory to the principal use such as signage and parking are permitted.

- Maximum Floor Area Ratio (FAR): 0.5
- Maximum Height: Forty (40) feet
- Minimum Lot Area: 20,000 square feet
- Maximum Lot Coverage: Eighty (80) percent
- Minimum Building Setback:
- Schuyler Avenue: Ten (10) feet
- Rear Yards: Twenty-five (25) feet
- Side Yards: Zero (0) feet

**Maximum Building Setback**

- Schuyler Avenue: Twenty-five (25) feet
- Minimum Off-Street Parking: All parking must be provided for on-site.
- Residences: RSIS standards
- Office: Three (3) spaces per 1,000 square feet of gross floor area.
- Retail: Four and one half (4.5) spaces per 1,000 square feet of gross floor area
- Restaurants: One (1) space per three (3) seats

**Signage**

Signage is intended to be included as part of the overall architectural and landscape design of buildings and should be integrated with building facades and entranceways whenever possible. Freestanding signs are prohibited. Signage is encouraged to creatively express corporate identity and may feature decorative lettering and bold graphics. Multiple tenants are encouraged to coordinate signage materials and proportions.

Signs may be illuminated, but must be consistent with the style of the building. One sign is permitted per building face. Signs may not exceed ten (10) percent of wall to which it is attached. All signs must be constructed of quality materials. Window signs may not exceed twenty-five (25) percent of window area.

### **Transit-Oriented District**

The approximately 27 acre Transit-Oriented District is intended to take advantage of the future activation of the Harrison-Kingsland line for passenger service into Manhattan. This District encompasses properties located along both sides of Bergen Avenue and extends from the rail line to Schuyler Avenue. A map of the district is provided in Appendix B and a list of properties included in the district is provided in appendix D. This new District is intended to provide a variety of opportunities for development, including new housing, shops, restaurants, offices, civic buildings, and open space. The Transit-Oriented District will establish a pedestrian-friendly area along Bergen Avenue and around the station with a strong intent to provide pedestrian and motorist connections from the future train station to surrounding destinations, including schools, playgrounds, residential neighborhoods, and downtown businesses on Kearny Avenue. It is envisioned that the appearance of Bergen Avenue will be significantly improved through pedestrian-friendly changes, including the addition of street trees, new sidewalks and improved standards that will create an environment that accommodates both the automobile, pedestrians, and bicyclists. The district will establish two sub-districts, a Gateway District focused at the corner of Schuyler and Bergen Avenues, and a Mixed-Use District focused along the remainder of Bergen Avenue to the train station. A boundary map of the two sub-districts is provided in Appendix C. Design Standards will require buildings to orient to the street, include public spaces, and provide adequate parking for a variety of land uses. The standards will also encourage the design of buildings that are appropriately scaled to both pedestrian activity and to adjacent residential uses. The design standards are intended to ensure that future development is consistent with the community vision for the future train station area. This District will allow for the improvement of the Bergen and Schuyler Avenue intersection and the addition of pedestrian connections from the neighborhoods across Schuyler Avenue.

**TOD Gateway Sub-district:** The purpose of this sub-district is to provide an enhanced visual environment for economic development including new commercial development,

neighborhood-oriented businesses, and public plazas, with an option for residences or offices above stores. This sub-district includes properties located at the corners of Schuyler and Bergen Avenues that will serve as the gateway into the Transit-Oriented District.

**Principal Permitted Uses:**

- Retail sales of goods and services
- Banks and fiduciary institutions
- Offices
- Restaurants
- Health Clubs
- Theaters for motion pictures.
- Public buildings, including but not limited to post office, community center, fire, emergency and police station facilities.
- Civic buildings, including museums, art galleries, and other cultural facilities of a similar nature which may incorporate outside display areas in civic spaces.
- Recreation and Open Space
- Residential units provided they are located on upper floors only, above permitted commercial uses.

**Conditional Uses:**

Pharmacies and Bank with drive-thru facilities provided they meet the following requirements:

- Shall not be located on the street side of the building.
- Shall be permitted only at locations where such facility is not a dominant visual element.
- Shall be limited to two (2) service lanes.
- A drive-through facility and associated signage shall be provided with landscaping to visually enhance views of the facility, signage and driveway as seen from the surrounding area.
- A drive-through facility may be permitted provided that such facility does not adversely impede or conflict with pedestrian and/or vehicular circulation in the area.

**Accessory Uses:** Uses incidental and accessory to the principal use such as signage and parking. Street furniture such as benches, street lamps, bicycle racks, trash receptacles, tree grates, landscape planters and hanging baskets are encouraged to be provided, as appropriate.

- Maximum Floor Area Ratio for non-residential and mixed-use buildings (FAR): 0.6
- Maximum Residential Density: Thirty (30) units per acre
- Minimum Building Height: 20 feet
- Maximum Height: Buildings shall have a maximum building height of three (3) stories or forty (40) feet.
- Minimum Lot Area: One acre
- Maximum Impervious Coverage: Eighty (80%) percent.
- Minimum Building Setback:
- Schuyler Avenue: Ten (10) feet
- Bergen Avenue: Fifteen (15) feet
- Rear Yard: Fifteen (15) feet
- Side Yards: Fifteen (15) feet
- Maximum Building Setback:
- Schuyler Avenue: Fifteen feet (15) feet
- Bergen Avenue: Twenty (20) feet

**Parking Standards:** All parking must be provided for on-site, except where noted below. Shared parking between adjoining residential and non-residential buildings within the Transit-Oriented District is strongly encouraged. Off-street Parking Requirements are as follows:

- Residences: One and one-half (1.5) spaces per dwelling unit
- Office: Three (3) spaces per 1,000 square feet of gross floor area.
- Retail: Four (4) spaces per 1,000 square feet of gross floor area
- Restaurants: One (1) space per three (3) seats
- Medical Office: Four (4) spaces per doctor, plus one (1) per employee.
- Public and civic uses: Three (3) spaces per 1,000 square feet of usable floor area.
- Theater: Three (3) spaces per 1,000 square feet of usable floor area.

**Signage:** Signage is intended to be included as part of the overall architectural and landscape design of the buildings and should be integrated with building facades and

entranceways. The use of signage should be generally limited to advertising the name of a business and its main goods and services. Primary signage should not be used for marketing purposes. Multiple tenants are encouraged to coordinate signage materials and proportions.

Wall-mounted signs are permitted provided that signs shall not exceed 10% of the first floor façade in size. One wall-mounted sign is permitted per façade. Lettering on window glass itself, either by adhesive or etching, is permitted, provided that the sign does not exceed 10% of the display glass. Projecting signs are permitted, provided that they not exceed three (3) square feet. Artwork, icons, logos, and other simple messages that contribute to the positive character of the buildings and street are encouraged, but should not exceed 2 square feet in size. Awning signs are also permitted provided they are located only to the fringes and skirts. Neon signs, banners, moving or flashing signs, billboard-type signs, ground and roof signs are prohibited.

All signs must be constructed of quality materials. Signs may be illuminated, but must be consistent with the style of the building and utilize subtle indirect lighting with shielded light sources.

**TOD Mixed-Use Sub-district:** The purpose of this sub-district is to promote a variety of opportunities for development, including new housing, shops, restaurants, offices, civic buildings, and open space. The new TOD Mixed-Use Sub-district will establish standards to create a pedestrian-friendly area focused along Bergen Avenue and around the future train station and make connections from the future train station to surrounding destinations, including the Franklin school, the Harvey ball-fields, residential neighborhoods, and downtown businesses on Kearny Avenue. This district is envisioned to contain multi-family buildings that are connected to one another and to commercial uses within the district by an extensive network of walkways in order to facilitate pedestrian activity.

**Principal Permitted Uses:**

- Retail sales of goods and services
- Banks and fiduciary institutions
- Offices
- Restaurants

- Child-care centers
- Health Clubs
- Public buildings, including but not limited to post office, community center, fire, emergency and police station facilities. Public facilities shall be permitted only if they are they are pedestrian oriented.
- Theaters for motion pictures.
- Residential dwellings, including townhouses or multi-family apartment buildings.
- Civic buildings, including museums, art galleries, and other cultural facilities of a similar nature which may incorporate outside display areas in civic spaces.

**Prohibited Uses:**

No drive-thru uses of any kind are permitted.

**Accessory Uses:** Uses incidental and accessory to the principal use such as signage and parking. Facilities associated with residential buildings such as management offices, meeting rooms, resident gyms, bicycle storage and shelters are permitted. Structured Parking, provided that all structured parking is screened from public view and located behind active uses is permitted.

- Maximum Floor Area Ratio for residential and mixed-use buildings (FAR): 1.5
- Maximum Height: Buildings shall have a maximum building height of four habitable stories or Fifty-five (55) feet.
- Architectural elements, including parapet walls, shall not exceed 5 feet above the roof of the main structure, nor exceed a total building height of 60 feet.
- Minimum Lot Area: One acre
- Maximum Impervious Coverage: Eighty (80%) percent.
- Minimum Building Setback:
- Bergen Avenue: Fifteen (15) feet
- Rear Yard: Fifteen (15) feet
- Side Yards: Fifteen (15) feet
- Maximum Building Setback:
- Bergen Avenue: Twenty (20) feet
- Parking Standards: All parking must be provided for on-site, except where noted below. Shared parking between adjoining residential and non-residential units within a mixed-use project is encouraged. Off-street Parking Requirements are as follows:
- Residences: One and one-half (1.5) spaces per dwelling unit



- Office: Three (3) spaces per 1,000 square feet of gross floor area.
- Retail: Four (4) spaces per 1,000 square feet of gross floor area
- Restaurants: One (1) space per three (3) seats
- Medical Office: Four (4) spaces per doctor, plus one (1) per employee.
- Public and civic uses: Three (3) spaces per 1,000 square feet of usable floor area.  
Theater: Three (3) spaces per 1,000 square feet of usable floor area.

Multi-family residential buildings shall provide a portion of the required parking within the building. It is also encouraged that such parking be provided either at grade level or below grade level. Parking, where provided within 250 feet of any permitted uses, may count towards the required number of non-residential off-street parking spaces. The Planning Board may, in its discretion, elect to give such on-street parking spaces credit toward off-street requirements; deny any credit for such spaces; give partial credit for such spaces depending on the use of the property upon which they front and the uses of intervening properties located between the property seeking to apply the spaces toward its parking need and the space themselves. Creation and maintenance of public transportation options may be used in lieu of some parking needs where such a program is proposed and reviewed by the Planning Board as to the short and long term viability of any such plan.

**Signage:** Signage is intended to be included as part of the overall architectural and landscape design of the buildings and should be integrated with building facades and entranceways. The use of signage should be generally limited to advertising the name of a business and its main goods and services. Primary signage should not be used for marketing purposes. Multiple tenants are encouraged to coordinate signage materials and proportions.

Wall-mounted signs are permitted provided that signs shall not exceed 10% of the first floor façade in size. One wall-mounted sign is permitted per façade. Lettering on window glass itself, either by adhesive or etching, is permitted, provided that the sign does not exceed 10% of the display glass. Projecting signs are permitted, provided that they not exceed three (3) square feet. Artwork, icons, logos, and other simple messages that contribute to the positive character of the buildings and street are encouraged, but should not exceed 2 square feet in size. Awning signs are also permitted provided they

are located only to the fringes and skirts. Neon signs, banners, moving or flashing signs, billboard-type signs, ground, and roof signs are prohibited.

All signs must be constructed of quality materials. Signs may be illuminated, but must be consistent with the style of the building and utilize subtle indirect lighting with shielded light sources.

### **Transit-Oriented Design Standards**

Design standards for the Transit-Oriented District are intended to supplement, not replace the general design standards that apply to the entire Redevelopment Area. The purpose of the Transit-Oriented standards is to promote the design of buildings and the surrounding site in order to encourage pedestrian activity and ensure connections between and among development. Where the Transit-Oriented Standards are in conflict with the Design Standards provided in the plan, the Transit-Oriented District Standards apply.

### **Architectural Standards**

The careful design and orientation of buildings, the relation of buildings to one another are necessary to establishing a pedestrian-friendly environment that is the hallmark of any successful Transit-oriented District. The architectural standards in this district are intended to ensure that all buildings feature basic levels of design variety, and maintain human scale and pedestrian access to surrounding community destinations. Architectural standards are to be used in conjunction with parking and landscape standards to ensure that new development integrates with the existing street pattern and architectural character of the Town. The following standards have been created to achieve such goals.

1. Where several multi-family buildings are proposed, each building shall be connected to all common amenities, including plazas, courtyards, playgrounds, and other amenities by either at-grade or above grade pedestrian walkways.
2. For multi-family residential buildings, it is strongly encouraged that the roof be designed as a terrace for use by the building's occupants, and should be adequately landscaped. This can be achieved by employing "green" roof technology over a portion of the roof.

3. The location and masking of rooftop equipment shall be consciously designed as any other aspect of the building. Adequate parapets, roof, and cornices shall mask any negative of the mechanical equipment from the street level, as well as horizontally from adjacent building. Flat roofs shall be enclosed by parapets or other appropriate architectural details.
4. In residential and mixed-use structure, balconies are acceptable provided that they are used selectively and sparingly. Balconies should be used as a single, continuous element at the location of the upper and lower expression lines. They may also be used singly as a periodic element of the façade composition.
5. Additional design emphasis shall be placed upon buildings with prominent locations. These include buildings on corner lots fronting Schuyler and Bergen Avenues.

### **Additional Design Standards**

These additional design standards shall be applied with the use and bulk requirements detailed elsewhere in this Plan. These standards are intended to reinforce the physical, visual and spatial characteristics of the Area. All developments should include recreational and/or open space facilities including, but not limited to walkways, courtyards, plazas, squares, community gardens and parks. Public transportation stations and shelters, as well as bicycle shelters shall be provided.

### **Public Art**

The inclusion of public art adds to the distinctive look to the district and promotes community identity and is thus strongly encouraged. Public art should be considered integral to building design and not merely applied as decoration.

1. All art installations shall be constructed of durable materials and not be harmful to any public streetscape materials (such as the sidewalk surface).
2. Public artwork should never be intended as an advertising or marketing tool for its host property.
3. Public art may include, but not limited to aesthetic objects, suspended or kinetic work, commemorative memorials and statutes, traditional or folk inspired art, ornamental work, and landmarks.
4. Public art is subject to the approval of the Town Planning Board.

### Outdoor Dining

The provisions for outdoor dining contribute to a sense of excitement and promote a sense of community in the area. Restaurants operators are encouraged to operate outdoor cafes on public sidewalks, provided that pedestrian circulation and access to building entries is not impeded.

1. No less than five feet of sidewalk must remain unobstructed by tables, chairs, or other encumbrances, and be available for the free-flow of pedestrian traffic at all times.
2. All sidewalk cafes must be located in front of or beside the associated restaurant and on the same side of the street.
3. The limits of sidewalk cafes should be delineated by elements such as planters, posts, low fencing or rope/chain, but may not be solid, made of plastic, or permanently affixed to the ground, or greater than 40 inches in height.
4. Umbrellas are encouraged as they make the cafe experience more enjoyable by providing shelter from the elements, provided that umbrellas have an overhead clearance adequate for most pedestrians
5. Tables and chairs of sidewalk cafes should be complimentary to the architectural character of the building and business they adjoin.
6. Other structures associated with outdoor dining, such as free-standing heating and cooling devices and tabletop lighting fixtures including candles are permitted but may not remain outside after business hours.
7. Tables and chairs must be constructed of heavyweight, high-quality materials like metal or wood.
8. Lightweight materials such as plastic or vinyl which may be blown astray by moderate winds are prohibited.
9. Low-intensity accent lighting is desirable. No intensive exterior lighting or floodlighting is permitted.
10. Exterior sound systems are not permitted
11. No signs are permitted in the cafe area
12. Trash cans are not permitted within a restaurant's designated sidewalk cafe area nor may use the permanent public trash cans within the right-of-way.
13. All restaurants desiring a sidewalk cafe should have their own outlets installed along the street wall.

### **Off-Street Parking Standards**

If the applicant can demonstrate that not all of the required parking spaces are necessary at the time of initial occupancy and operation of the use(s), then the additional required parking which is demonstrated as not needed may be "banked" or reserved for future parking on a space per space basis. The location of future parking areas shall be indicated on the site plan and left and maintained as landscaped areas. The methodology used by the developer to calculate the reduced number of parking spaces shall take into consideration the methods recommended in Shared Parking, published by the Urban Land Institute, or other recognized standards acceptable to the Planning Board.

The number of required parking spaces may be reduced on a space per space basis if the applicant can demonstrate that suitable alternative parking spaces are located within close proximity to the subject property or site, through a shared parking arrangement with an adjoining use and/or land area. Those spaces, to be counted towards this shared parking arrangement, must be demonstrated to be available during the hours of operation of the affected uses and access to those spaces must be provided for vehicles and pedestrians in a safe and efficient manner, including shared driveways and interconnected walkways where possible.

For multi-family residential buildings, a portion of the on-site parking shall be provided within the residential building either within the first floor of the structure, or below grade.

### **Off-street parking design.**

1. Parking areas shall be located behind or on the side of buildings and shall not be located between the roadway and front of any buildings.
2. There shall be a comprehensive network of sidewalks and pedestrian passageways that connect the parking lots with the front, sides and rear of the buildings. The sidewalks and passageways shall be linked to other off-site pedestrian connections where appropriate based on proximity to existing residential areas, proposed intended use of the building, and provision of existing or planned pedestrian or bicycle improvements.
3. Pedestrian passageways shall connect rear parking lots between buildings with textured walking surfaces, street furniture and landscaping. In addition, the design of the building may incorporate window displays, side door entrances, or other

interesting features along the passageway. Lighting should be provided for all parking facilities and sidewalks.

4. All parking areas, where visible from a public street, shall be screened with a combination of a four (4) foot high solid wall, and landscaping with an evergreen hedge.
5. One (1) canopy tree shall be provided at a ratio of one (1) tree to every ten (10) parking spaces in the parking area.
6. Where over one hundred (100) parking spaces are provided, clearly demarcated pedestrian pathways identified with small scale pavement (pavers or scoring) oriented toward the principal building entrances shall be provided.
7. Parking areas shall be designed to be interconnected with adjacent properties and shall utilize common entrances and exits where feasible to minimize access points to the street.

### **Fences and Walls**

All fences and walls shall be designed as integrated parts of the overall architectural and site design. All materials shall be durable and finished in textures and colors complementary to the overall architectural design.

### **Sidewalks and pedestrian pathways**

Sidewalks along Schuyler and Bergen Avenues shall be a minimum of eight (8) feet and other pedestrian pathways shall be a minimum of six (6) feet wide throughout the Area. Sidewalk areas shall be landscaped and durably paved and shall be properly illuminated with safe and adequate lighting.

### **Lighting**

1. Lighting should be designed to limit unnecessary leakage, trespass and sky glare and to have minimal impact upon adjacent residential uses. Only shielded light fixtures shall be used.
2. The style and poles and fixtures shall be consistent with the architectural style of the building, be constructed of high quality material, and be of a dark color.
3. The minimum distance of the pole to any property line shall be twice the height of the pole but in no event shall the pole exceed a height of 15 feet.
4. All outdoor lighting during non-operating hours of a business not necessary for safety or security shall be reduced, activated by motion sensors, or turned off.

5. Streets, parking lots, intersections, points where various types of circulation systems merge, intersect or split, stairways, sloping or rising paths, and building entrances and exits, shall require illumination. Lighting shall be provided where buildings are set back or offset if access is provided at such points.

### **Street Furniture**

Street furniture includes lights, mailboxes, newspaper boxes, benches, information kiosks, public telephones, trashcans, benches and bike racks. Street furniture should be coordinated with overall site design, be logically placed to not inhibit movement or maintenance and be of a unified style and color. Benches, trash receptacles, planters, and other pedestrian amenities shall be grouped together as much as possible and be placed at busier pedestrian nodes or gathering places.

### **Gateways**

Both the southwest and northwest corner of Schuyler and Bergen Avenues will serve as a gateway into the new Transit-Oriented District, and thus an emphasis on design of this intersection is critical. This gateway should be marked by walls, signage, graphics, landscaping, buffering, distinctive street lighting, monuments, street furniture, paving accents, flags, and/or banners. A small monument to World War II soldiers is located at the corner. Future redevelopment of the area should retain the immediate area as a monument and a small plaza should be constructed to provide public access. Public art is encouraged which can develop the character and theme of the Area.

### **Green Design Standards:**

All redevelopment projects within the Redevelopment Area are strongly encouraged to be LEED™ Certified in accordance with Chapter 27, Sections 1 through 6 of the Town ordinance code.

Energy Star: For townhome and multi-family residential projects, appliances and fixtures must meet United States Environmental Protection Agency's (EPA's) Energy Star Standards. Residential projects must include Energy Star compliant clothes washers; dishwashers, refrigerators, ceiling fans, ventilation fans (including kitchen and bathroom fans), light fixtures (halls and common areas), and exit signs. To enhance energy efficiency further, the project must also choose and install two of the following Energy

Star components: Programmable thermostats (in residential units), residential light fixtures, windows and doors; and HVAC systems.

### **Open Space, Parks & Recreation District**

This 14 acre District is an integral component of the reorganization of the Redevelopment Area and provides expanded recreational opportunities and public open space for the Town. The District consolidates the recreation fields currently located at Harvey Field with those located at Gunnell Oval into a single larger facility. The District also provides room for a much needed community recreation center, commercial recreation facilities, and conserves large pockets of wetlands as an area for passive recreation.

Like many of the other Districts within the Schuyler Area, the Open Space, Parks and Recreation District is intended to serve many purposes. Besides providing a location for expanded recreation activities, the District greatly improves the existing facilities at Gunnell Oval by providing open space buffers from the surrounding light industrial uses. The District takes advantage of the NJMC's plans to develop the adjacent Keegan Marsh as passive open space and allows the Gunnell Oval complex to connect with the Marshlands regional Recreation Trail via the abandoned Kingsland rail line. This will finally connect the Town with its greatest natural amenity, the Kearny Meadows.

The boundaries of this District are designed to consolidate several complementary land uses and provide an area large enough for meaningful redevelopment. The presence of wetlands along the train tracks, the likelihood of contamination, and the adjacent industrial uses discourage this Area from being developed piecemeal.

Commercial recreation facilities and family oriented restaurants are permitted within 250 feet of Schuyler Avenue. These activities naturally complement public playing fields and parks and will expand opportunities for family-wide enjoyment. The increased size and expanded use of Gunnell Oval will create new parking demands. This Plan recommends that the entire complex be master planned as an integrated facility to maximize usable space and improve circulation and access. The new facility should be designed in a pedestrian friendly manner and feature pedestrian and bicycle connections across Schuyler Avenue and to the Meadowlands Regional Recreation Trail. Multiple activities will allow for shared parking arrangements.



**Principal Permitted Uses:**

Public Recreation Facilities, Public Open Space and Wetland Conservation Areas, Commercial Family-Oriented Recreation Facilities (within 250 feet of Schuyler Avenue) and Restaurants (within 250 feet of Schuyler Avenue). Commercial Family Oriented Recreation Facilities and Restaurants shall be developed in accordance with the standards for such facilities in the mixed use district.

**Accessory Uses:**

Those incidental and accessory to the principal use, such as parking, signage, and public bathrooms.

- Maximum Height: Forty (40) feet
- Minimum Building Setback: Twenty (20) feet
- All parking must be provided for on-site.

Signage is intended to be included as part of the overall architectural and landscape design of buildings and should be integrated with building facades and entranceways whenever possible.

**Residential District**

This 1.25 acre District is intended to create opportunities for senior housing to serve the needs of the Town and surrounding communities. The new facilities are to be housed within a converted building that currently occupies the site, consists of Block 252 Lot 9 and Block 265 lots 19 and 20. The intention is to establish a new use that is complementary to the surrounding residential neighborhood.

**Principal Permitted Uses:**

Multi-family housing including Senior Housing and/or Assisted Living Facilities

**Accessory Uses:**

Those incidental and accessory to the principal use, such as parking, signage, laundry facilities and gyms.

**Existing Structures:** All existing structures within the District are exempt from the Bulk Standards. Prevailing bulk standards and setbacks are to be maintained.

**Parking:**

- Multi-family housing: per RSIS
- Senior Housing: One (1) Space per dwelling unit.
- Assisted Living: 0.3 spaces per unit.

**Signage:**

Signage is limited to one (1) freestanding monument and shall not exceed twenty (20) square feet. The sign may be illuminated, but illumination of sign shall not be visible from neighboring residences.

**General Design Standards – no change**

This section establishes general design standards for the Area in terms of architecture and site design, off-street parking and circulation, and landscape design and open space. These standards are to be used in conjunction with the District Standards and are intended to improve the appearance and functionality of the Area.

**Architectural Standards – no change**

Careful design of new buildings and imaginative renovation of existing buildings is crucial to attracting new investment and improving the overall image of the Area. Architectural design should establish continuity within and between the larger-scaled commercial (40,000 square feet and larger), light industrial, mixed-use, neighborhood commercial and recreational districts by prescribing quality materials, appropriate configuration, and careful citing of buildings. Kearny has a long heritage of industrial architecture and still contains many excellent examples of large-scale buildings that mitigate their commercial function through creative massing, façade variation, window placement, and roof detailing.

Former industrial buildings demonstrate that large-scale architecture does not have to look like a box. Architectural standards are intended to ensure that all buildings feature basic levels of design variety, and maintain human scale and pedestrian access. To this end, developers are encouraged to explore creative design solutions by combining different building elements, such as facades, entrances and signage together. Architectural standards are to be used in conjunction with parking and landscape standards to ensure that new development integrates with the existing street pattern and

architectural character of the Town. The following standards have been created to achieve such goals.

1. All buildings shall be sited with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air, usable open space, access and off-street parking.
2. Groups of related buildings shall present a harmonious appearance in terms of architectural style and scale, massing of building forms, façade materials, decorative features, window and doorway proportions, entranceway location, signage and landscaping.
3. Facades and exterior walls are required to be attractive and interesting when viewed from the immediate streetscape, all public spaces and from a distance. Facades should be articulated to mitigate scale and provide visual interest. This is achieved through variation and repetition of materials as well changes in color and texture. All façades extending greater than 100 feet in length, measured horizontally, shall incorporate recesses and projections. Buildings shall use features such as awnings, windows and entrances along at least 60% of the façade.
4. Predominant building materials shall be of high quality and may include brick, stone, tinted/textured concrete masonry block and glass. Predominant building materials as well as accents shall not include smooth faced concrete block or prefabricated concrete or metal panels.
5. Roof and cornices shall be articulated and varied to conceal flat roofs and mechanical equipment.
6. All building entrances shall be clearly defined, well lit and separate from service entrances. Entrances should be placed along primary pedestrian routes. Large-scale buildings shall use multiple entrances to help break up large facades. Entrances shall contain a combination of the following features: canopies, marquees, peaked roof forms, arches, architectural detailing or landscaped planters. All features shall be integrated into overall architectural design.
7. Additional design emphasis shall be placed upon buildings with prominent locations. These include buildings on corner lots fronting Schuyler and Harrison Avenues.
8. Service areas including, service entrances, loading areas, outdoor storage areas and trash collection areas shall be enclosed or screened to the greatest extent possible to reduce visual and acoustic impacts. Service areas shall be designed in conjunction with overall site design and be incorporated in the architectural, circulation and

landscaping plans. Screening material may consist of a combination of low walls, solid fencing and landscaping. All screening materials shall be of equal quality to the primary building and landscape material.

9. Utilities and mechanical equipment shall be incorporated into building design and shall not be visible from public view.
10. Signs shall be coordinated with other site plan elements to present a unified design theme. The theme shall include style and size of lettering, materials and illumination. Signs shall be legible and dimensionally proportional. Signs shall be restricted to tenant identification and directional signs, either wall-mounted or monument. Rooftop signs are not permitted.

### ***Off-Street Parking Standards– no change***

Parking and circulation design is a key element of the Plan. The intention of these standards is to improve the functionality and appearance of the Area by separating heavy truck traffic and screening parking areas to the greatest extent possible. The following standards have been created to achieve such goals.

1. Off-street parking shall be coordinated with the street network in order to avoid conflicts with through traffic and pedestrian circulation. Shared parking is encouraged between mixed-uses and may be factored in calculations. Off-street parking should be as inconspicuous as possible and should incorporate low walls, fences and landscaping to minimize physical and visual impact.
2. All parking areas abutting public roads, mixed-use districts, residential districts, recreation districts shall be screened through the use of low walls, decorative fencing and for landscaping.
3. All parking and loading areas abutting mixed-use/residential areas or public streets shall be buffered with landscaping and/or fencing.
4. Every parking space shall measure at least nine (9) feet in width and eighteen (18) feet in length, exclusive of drives and aisles.
5. Sidewalks are required between parking areas and principal structures, along aisles and driveways and wherever pedestrian traffic occurs. Sidewalks shall be a minimum of five (5) feet in width and raised a minimum of six (6) inches above the parking area, except when crossing streets or driveways. Parked cars shall not overhang or extend over sidewalk areas unless an additional sidewalk width of two (2) feet is provided to accommodate such overhang.

6. A minimum of ten (10) percent of any parking area shall be landscaped to minimize noise, glare, and other nuisance characteristics, as well as enhance the aesthetics and environmental quality of the area. Landscaping shall be located at entranceways, along pedestrian walkways and in center islands. Parking areas shall include one (1) shade tree for every twenty (20) parking spaces.

***Landscape Design Standards– no change***

Landscape and streetscape improvements are critical elements of overall project design. The landscape and streetscape design is intended to unify the entire project and present a vibrant, clean, and safe image to the Area. The landscape area within should contain a variety of flowering trees, shrubs, perennials, annuals, and bulbs to complement the architecture and provide seasonal interest. Plantings should be appropriate for the individual cultural conditions and selected for visual impact, disease, resistance, and drought tolerance. Landscape design should be integrated into overall site design and plans should include a watering and maintenance schedule for each area.

*General*

1. Landscaping shall be provided as part of every site plan and integrated into building arrangements, parking and buffering requirements.
2. All lots regardless of use shall have a minimum of fifteen (15) percent of the lot landscaped. All areas not occupied by buildings, parking areas, patios and walkways shall be landscaped.
3. Deciduous trees shall be of a minimum three (3) inch caliper and evergreens used for screening shall be a minimum of five (5) foot in height upon installation. All deciduous and evergreen shrubbery shall be installed from a minimum of a five (5) gallon container. Herbaceous plantings shall be a minimum of two (2) gallon containers. All trees and shrubs shall be balled and burlapped and be of specimen quality as established by the American Association of Nurserymen. Bareroot perennials and bulbs are permitted for mass plantings exceeding five hundred (500) square feet.
4. Any landscaping, which in one (1) year of planting, dies for any reason, shall be replaced by the developer(s) at their expense.
5. Landscape areas may also contain public art, decorative lighting, and signage.
6. Due to the proximity of the Area to the Meadowlands, best management practices should be incorporated into landscape design to reduce the runoff of chemical

fertilizers and pesticides into the Meadows. To this end, integrated pest management (IPM) should be incorporated into landscape design.

7. Entrances to non residential lots shall be given special landscape treatment including a combination of low walls, flowering trees and shrubs, perennials, annuals, ornamental grasses and bulbs to provide seasonal interest.
8. Naturally colored decorative stone is permitted and must be enclosed by building foundations, sidewalks, low walls or heavy gauge metal edging. Plastic landscape edging is prohibited.
9. Indoor and/or outdoor plazas shall be encouraged. Adequate landscaping and street furniture of a style complementary to the surrounding facades shall be used.
10. All unimproved open space left in its natural state for purposes of preservation of natural systems such as wetlands, flood plain or significant wildlife habitat shall be maintained and planted with supplemental plantings where appropriate, and where permitted by NJDEP regulations.

**Buffers– no change**

1. Buffers shall be designed to mitigate the acoustic and visual impacts generated from commercial, light industrial and parking uses. Buffers should be designed to be as aesthetically pleasing as possible and may include a combination of landscape and hardscape features (e.g. low walls, fences, public art). Buffers must be a minimum of six (6) feet in width.
2. Landscape features include berms and plantings. Berms should be meandering to create a natural setting. Plantings should be designed to provide a year round screen and must contain a double staggered row of evergreens, and may be supplemented by additional deciduous and herbaceous plantings.
3. Parking, signage and storage is prohibited in buffer areas. Sidewalks, pedestrian paths and bikeways are permitted in buffers.

**Street Trees– no change**

1. Wherever possible, street trees should be planted according to current urban forestry best management practices and planted in continuous planting strips. Tree species should be appropriate for location. Appropriateness includes health, maintenance and habit (crowns should not interfere with utility wires). Trees should exhibit year round interest, (attractive flowers, fruits, fall color, winter habit and bark).

2. Street trees shall be a minimum of 3 inch caliper upon installation. All street trees shall be planted approximately thirty (30) foot on center.
3. Maintenance of landscaping on public property or rights-of-way shall be the subject of a Developer's Agreement.

#### ***Fences and Walls– no change***

1. All fences and walls shall be designed as integrated parts of the overall architectural and site design. All materials shall be durable and finished in textures and colors complementary to the overall architectural design.
2. Fences may be a maximum of six (6) feet in height in residential and mixed-use districts. Fences may be a maximum of eight (8) feet in height in all other districts.
3. Fences may be open, semi-open or solid and must be constructed of dark colored metal. Chain link fencing is only permitted in the light industrial district. Razor wire is prohibited.
4. Decorative walls may be constructed of brick, block or stone. Wooden landscape timber walls are prohibited.

#### ***Utilities***

All new utilities shall be located underground, whenever possible, and screened from public view. Utility easements should be integrated into overall site design to provide access with minimal disturbance.

#### ***Sidewalks and pedestrian pathways***

Sidewalks and pedestrian pathways shall be a minimum of five (5) feet wide throughout the Area. Sidewalk areas shall be landscaped and durably paved and shall be properly illuminated with safe and adequate lighting.

#### ***Lighting***

1. Lighting should be designed to limit unnecessary leakage, trespass and glare and to have minimal impact upon adjacent residential uses. Only shielded light fixtures shall be used.
2. Lighting fixtures shall be constructed of high quality material, be of a dark color.
3. The minimum distance of the pole to any property line shall be twice the height of the pole but in no event shall the pole exceed a height of 40 feet.

4. All outdoor lighting during non-operating hours of a business not necessary for safety or security shall be reduced, activated by motion sensors, or turned off.
5. The style and poles and fixtures shall be consistent with the architectural style of the building.

### **Street Furniture**

Street furniture includes lights, mailboxes, newspaper boxes, benches, public telephones, trashcans, benches and bike racks. Street furniture should be coordinated with overall site design, be logically placed to not inhibit movement or maintenance and be of a unified style and color.

### **Gateway**

Design emphasis on gateways and major access points shall be encouraged. Gateways shall be marked by walls, signage, graphics, landscaping, buffering, distinctive street lighting, monuments, street furniture, paving accents, flags, and/or banners. Seasonal banners shall be encouraged, as well as other signage, which can develop the character and theme of the Area.

### **Property to be Acquired**

The Town plans to continue working with affected property owners and businesses to promote private redevelopment, where appropriate, of the parcels within the Redevelopment Area.

This Redevelopment Plan however permits the Town to exercise its condemnation powers on all properties in the Redevelopment Area, to acquire property or to eliminate any restrictive covenants, easements or similar property interests which may undermine the implementation of the Plan.

### **Relocation**

The Town of Kearny will provide all 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 which will assist in any relocation of persons, businesses or other entities. The local housing market, including Kearny and surrounding communities, contains an ample supply of comparable replacement housing to absorb the residents



of Kearny who may be displaced by the redevelopment process. Further, Kearny and the surrounding area contain sufficient land and buildings which would be appropriate for relocation of existing businesses from the Redevelopment Area. If relocation is not directly caused by the Redevelopment Plan, the Town assumes no responsibility for relocation of people and businesses.

### **Incentives and Project Funding**

The success of implementing the Redevelopment Plan will be the establishment of collaborative partnerships. The Town will rely on these partnerships to provide the technical expertise and financial incentives to construct the public infrastructure improvements and to redevelop the individual projects. The following entities have been identified which can potentially provide technical expertise and/or financial incentives. This list highlights the key resources which can be coordinated to maximize the leveraging of private investment.

- **New Jersey Economic Development Authority** - NJ EDA offers an array of programs and services for businesses seeking to locate, expand and remain in New Jersey.
  
- **New Jersey Redevelopment Authority** - NJRA was created in 1996 to spearhead the economic development efforts in New Jersey's urban communities. NJRA partners with community-based organizations, developers and businesses to leverage its resources to formulate and develop redevelopment projects to increase economic opportunities in 67 eligible communities to spur neighborhood-based redevelopment projects. Kearny is an eligible community. It provides low and no interest loans, equity investments, loan guarantees and technical assistance.
  
- **Hudson County Economic Development Corporation** - Hudson EDC provides services to the business community of Hudson County and works to attract businesses from outside the County. Its core services include business loan programs, site location services, government liaison services and market research.
  
- **Hudson County Improvement Authority** - Under New Jersey law, Improvement Authorities provide a variety of services:
  - Developer of public facilities for any type of governmental agency.

- Developer of facilities for recreation and tourism, convention halls, hotels and similar facilities; developer of public transportation.
- Provision of financial assistance and/or development of housing for low- and moderate income families.
- Provision of financial assistance for the acquisition of capital equipment, or for acquisition or construction of capital facilities by public or non-profit entities.

- **Transportation Improvement Funds**

- The New Jersey Department of Transportation and New Jersey Transit, under the federal Transportation Equity Act for the 21st Century, provide grants for various transportation projects that improve safety, increase intermodality, protect the environment and create economic opportunity. These programs include:
  - Transportation Enhancement grants for transportation projects that improve communities' cultural, aesthetic and environmental qualities.
  - The Sustainable Communities program establishes a pilot program to help state and local governments plan environmentally-friendly development.
  - Bicycle and Pedestrian Paths programs expand funding provisions to make bicycling and walking safer and more viable ways of travel.

- **NJDEP Green Acres Program** - This program is administered by the NJDEP Bureau of Green Trust Management, and provides low interest (2 percent) loans and grants to municipal and County governments to acquire open space, develop outdoor recreation facilities and to finance conservation, efforts including historic preservation.

- **US Department of Housing and Urban Development** - HUD provides Community Development Block Grant (CDBG) monies which can be used in a number of different ways, and has recently developed an Economic Development Initiative Program.

- **US Economic Development Administration**- The federal EDA provides funds that assist in generating new jobs and businesses as well as assisting existing businesses. The Town of Kearny has received USED A funds for the construction of the Bergen Avenue Extension.

- **New Jersey Housing and Mortgage Finance Agency** - NJ HMFA provides low interest loans to qualified developers of low and moderate-income housing, including senior housing.

• **Payments in Lieu of Taxes (PILOTs)** - PILOTs incentives for developers can be considered by the municipality. The Town, in partnership with Hudson County, has already successfully leveraged public funds in order to address one constraint to redevelopment in the Area - the existence of contaminated sites. Kearny is one of four communities in the County that is participating in a US EPA Brownfields Demonstration Pilot program. The grant administered by the US EPA is being used to inventory and plan for the revitalization or reuse of potentially contaminated properties.

### **Affordable Housing**

At a minimum, any development shall address its affordable housing obligation generated by the project in accordance with COAH regulations.

### **Plan Relationship to Definitive Local**

#### **Objectives**

##### ***Local Objectives***

The objectives of the Amended Plan seek to achieve the goals contained within the adopted Strategic Vision Plan in 2007, which set forth updated goals and objectives based upon an extensive public outreach process. The following goals and objectives were adopted as a part of the Strategic Vision Plan and replaced the goals and objectives identified in the 1991 Master Plan and 2002/2004 Reexamination Reports. The following objectives defined in the Town's Master Plan are met by the goals of the Redevelopment Plan.

##### *Land Use Objectives*

- Preserve and continue the promotion of a balanced variety of residential, commercial, public, recreation and conservation land uses.
- Protect existing residential neighborhoods from infill development of incompatible structures that are out of scale with the predominant neighborhood pattern.
- Guide future development and/or redevelopment of land within Kearny so as to incorporate new construction without undue disruption of the established character of the Town.
- Create attractive gateways at the principal and secondary entrances into the Town through upgraded land uses, streetscape improvements and signage.

- Continue to encourage new retail commercial and mixed-use developments consistent with the Town's redevelopment plans.
- Revise and update redevelopment plans as necessary.
- Continue to work with developers to implement redevelopment plans.
- Promote conservation and preservation through best management practices on new development that limit environmental impact on sensitive areas through buffers, siting, limiting impervious coverage and non-point source pollution from transportation uses.

#### Housing Objectives

- Encourage the continued development of a variety of housing ranging from affordable to middle income and market rate units.
- Explore the development of higher density transit-oriented housing in close proximity to the potential new station area on Bergen Avenue.
- Fully integrate affordable housing throughout the Town both within projects and geographically throughout Kearny.
- Meet the Town's affordable housing obligation in a manner that is compatible with the Town's other planning objectives.

#### Economic Objectives

- Focus economic activity in the Town's major economic centers, especially the redevelopment areas, Kearny Avenue, and South Kearny. Recognize the unique character of each area and promote development that will strengthen and reinforce niche markets.
- Pan for continued economic viability by strengthening the tax base through the encouragement of continued private investment and tax-producing uses, which are consistent with community needs, desires, and existing development.
- Encourage and promote economic development and revitalization through new investment, maintenance and reinvestment in existing commercial and industrial activities within the Town in areas suitable for such development.

#### Circulation Objectives

- Promote and encourage the use of mass transit in order to alleviate congested circulation and parking conditions within Town.

- Work with NJ Transit on the prospective reactivation of the Kingsland Line and a potential new commuter rail station; more immediately, work with NJ Transit to improve bus access within Kearny and to points beyond (i.e. Harrison PATH Station.)
- Provide additional bicycle/pedestrian routes to promote and improve alternative circulation within the Town.
- Continue to evaluate and implement methods of providing adequate parking to serve existing development and proposed redevelopment.
- Improve the circulation system by incorporating the needs of pedestrians and bicyclists in addition to other modes (autos, trucks, buses and rail), including adapting existing infrastructure to better accommodate biking and walking.
- Reduce dependence on automobiles, especially for short trips within Town.
- Provide linkages between origins and destinations within Kearny and points beyond.
- Promote continued maintenance and improvement of existing streets.

#### Conservation Objectives

- Protect and preserve environmentally sensitive natural features through sound planning and land use regulations.
- Encourage the remediation of contaminated sites to enhance the local environment, protect residents and return vacant sites to productive use.
- Work with the NJMC to remediate contaminated sites within the Kearny Meadowlands (i.e. Kearny Green Space Initiative).

#### Recreation Objectives

- Efficiently utilize and connect existing parks.
- Improve non-motorized access to parks.
- Seek to add new active recreation facilities wherever possible.
- Establish green linkages between existing Town recreational facilities and planned facilities.
- Coordinate with the County and NJMC to establish linkages between Town and County/Meadowlands facilities, and capitalize on planned projects such as the East Coast Greenway and the Meadows Path.

#### Community Facilities, Utilities and Services Objectives

- Address known issues areas (i.e. flooding in Schuyler Avenue area).

- Plan for infrastructure improvements within the Passaic and Schuyler Avenue Redevelopment Areas.

The Town is currently undertaking a Master Plan Reexamination Report. The draft plan specifically identifies the Schuyler Avenue Redevelopment Area and recommends that the plan be reviewed and revised to reflect the changing circumstances including the potential activation of the rail station in the vicinity of Bergen Avenue.

#### **Town of Kearny Strategic Vision Plan**

The Kearny Strategic Vision Plan was adopted in 2007 with a purpose to create a framework that coordinates the key planning initiatives in the township, including redevelopment, revitalization, and economic development and coordinate the Town's planning efforts with regional planning entities and state agencies, and to provide recommendations for enhancing existing connections and establishing new ones. The Plan recommends that the Schuyler Avenue area expand recreation opportunities, and enhance the pedestrian environment along Schuyler Avenue. The Plan also acknowledges the proposed train station and proposes that Bergen Avenue east of Schuyler be considered as a candidate for a Transit Oriented District as a strategy to "rejuvenate the town's economy, transform existing land use patterns, and vastly improve connections between Kearny and neighboring communities." This plan amendment is consistent with the goals and objectives of the Strategic Vision Plan.

#### **Adjacent Municipalities**

Kearny lies adjacent to the Towns of Harrison and Lyndhurst, the Boroughs of East Newark and North Arlington and the City of Newark. The Redevelopment Area is located on the edge of Harrison and is consistent with the Town's Master Plan. The Area is not contiguous with the other municipalities; however, the Master Plans of North Arlington, Newark, Harrison, and Lyndhurst are not inconsistent with the Plan. The redevelopment of the Schuyler Avenue area will complement the planning efforts of Harrison.

#### **Hudson County Master Plan 2008 Re-examination Report**

The Hudson County 2008 Master Plan Re-examination Report updated the 2002 Hudson County Master Plan. The Report specifically addressed reports documenting climate change and other environmental research and its impact on Hudson County communities. Upon review of the changes in demographics, employment, transportation

patterns, and the County's desire to address the impacts of climate change, the Goals and Objectives were been amended. . This Plan is consistent with the following goals of the Land Use Plan of the Master Plan:

- To maintain and improve areas which provide centers for employment, education, entertainment facilities, services, shopping and other resources.
- To encourage existing manufacturing and industrial uses to remain, modernize and expand and to encourage new manufacturing and industrial uses to locate in the County.
- To provide for a full range of retail businesses and personal services in suitable locations to serve the needs of the County.
- To integrate land use planning with transportation planning and capacities, including all modes, but particularly pedestrian and bicycle and to promote development intensities that will support mass transit.
- To promote compact and mixed-use development patterns.
- To promote the development of walkable communities fully linked and integrated with the pedestrian transportation grid.
- To encourage redevelopment in areas in need of rehabilitation.
- To encourage remediation and reuse of environmentally contaminated sites.

### **New Jersey Meadowlands Commission**

#### ***Kearny Area Redevelopment Plan***

The Kearny Area Redevelopment Plan was prepared in May 2000. The area lies directly east of the Schuyler Avenue Area in the meadows section of Town. Until recently, this Area has been the site of several legal and illegal landfills. The history and character of this area continue to impact the Schuyler Area. The redevelopment of the meadows will open up numerous opportunities for new investment in the Schuyler Avenue Area. This Redevelopment Plan was developed to complement the goals of the NJMC Plan and the Plan is consistent with the following goals of the Land Use Plan of the NJMC Plan: The creation of a large-scale retail center along Harrison Avenue. The Plan creates a light industrial center along the Bergen Avenue Extension.

The State Development and Redevelopment Plan (SDRP) places the Town of Kearny in the Metropolitan Planning Area 1 (PA1). The proposed Redevelopment Plan is consistent with the planning goals and objectives of the SDRP as a whole ("to revitalize the State's urban centers and areas") and of PA1 in particular. In terms of Land Use, the proposed

Plan emphasizes the efficient use of infrastructure and public facilities. Public/private partnerships are a priority for the Town when considering the redevelopment program. The proposed Plan makes great efforts to encourage efficient transportation and circulation in the Redevelopment Area. One of the planning concepts which was recognized in the State Plan is the urban complex. An urban complex is defined in the SDRP as "an urban center and two or more municipalities within the surrounding Metropolitan Planning Area that exhibit a strong inter municipal relationship based on socioeconomic factors and public facilities and services that is defined and coordinated through a strategic revitalization plan..." The Hudson County Strategic Revitalization Plan, which was endorsed by the State Planning Commission in 1999, outlines a coordinated approach to community and economic development for the Hudson County Urban Complex, which includes the twelve constituent municipalities in the County. The Plan is consistent with the following goals of the Strategic Revitalization Plan:

#### *General*

- To improve the overall quality of life in Hudson County.
- To provide for the economic revitalization of the County's commercial and industrial base.
- To improve the transportation network.
- To increase the tax base.

#### *Land Use*

- To maintain and improve areas which provide centers for employment, education, entertainment facilities, services, shopping and other resources.
- To provide for a full range of retail businesses and personal services in suitable locations to serve the needs of the County.

#### *Circulation*

- To provide transportation improvements which support economic activity.
- To coordinate land use activities with the transportation network.
- To support system coordination, efficiency and safety.
- To protect and improve quality of life.

#### *Economic*

- To develop a diversified economy to maintain full employment.



- To develop and equitable distribution of jobs, support services and facilities consistent with the needs of the population.
- To provide for the economic revitalization of the County's commercial and industrial base.
- To retain existing businesses and attract new industries.
- To reduce the tax burden on residential uses by encouraging additional development that generates significant tax benefits.
- To encourage clean-up of contaminated sites through various programs such as loans and technical assistance.

#### *Community Facilities*

- To provide recreational and park facilities that are accessible to all residents and provide a variety of amenities.

#### *Utilities*

- To provide new infrastructure systems where necessary to encourage new development.

#### *Conservation*

- To encourage the clean-up and reuse of contaminated sites.
- To preserve existing scenic vistas.
- To reduce pollution and maintain a healthy environment.

### **Administrative and Procedural Requirements**

#### ***Amending the Redevelopment Plan***

Upon compliance with the requirements of applicable law, the Mayor and Council of the Town of Kearny may amend, revise or modify this Redevelopment Plan, as circumstances may make such changes appropriate.

#### ***Duration of Redevelopment Plan***

The Redevelopment Plan, as amended, shall be in full force and effect for a period of thirty (30) years from the date of approval of this Plan by the Mayor and Council.

### ***Conveyance of Land***

The Mayor and Council may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to the restrictions, controls and requirements of this Redevelopment Plan, all or any portion of the land within the Redevelopment Area which becomes available to disposal by the municipality as a result of public action under this Plan. The Town reserves the right to formulate an agreement under any of the above referenced arrangements and to enforce resale covenants.

### ***Criteria and Procedures for Redeveloper Selection and Implementation of Redevelopment Plan***

The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force. Items (2) through (5) and (8) hereunder shall be implemented by appropriate covenants or other provisions in redeveloper agreements and/or disposition instruments.

1. Applicants for designation as redeveloper shall submit the following material to the Mayor and Council for review and approval.
  - Documentation evidencing financial responsibility and capability with respect to the proposed development;
  - Estimated total development cost;
  - Fiscal impact analysis addressing the effect of the proposed project on the municipal services and tax base;
  - Estimated time schedule for start and completion of development; and
  - Conceptual plans and elevations sufficient in scope to demonstrate the design, architectural concepts, parking, traffic circulation, landscaping, active and/or passive recreation space, and sign proposals for all uses and, in addition, (a) bedroom distribution and size of dwelling units for any residential development, and (b) loading requirements for any proposed nonresidential use.
2. The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
3. The redeveloper, its successors or assigns shall devote land within the Redevelopment Area to the uses specified in this Redevelopment Plan.

4. The redeveloper shall begin and complete the development of said land for the use(s) required in this Redevelopment Plan within a period of time which the Mayor and Council fixes as reasonable.
5. Until the completion of the improvements, the redeveloper will not be permitted to sell, lease, or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Mayor and Council.
6. Upon completion of the required improvements, the conditions determined to exist at the time the Redevelopment Area was determined to be in need of redevelopment shall be deemed to no longer be subject to eminent domain as a result of those determinations.
7. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redevelopers, the Mayor and Council, or the successors, lessees, or assigns of either of them, by which land in the Redevelopment Area is restricted as to sale, lease or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status.
8. Neither the redeveloper nor the Mayor and Council, nor the successors, lessees, or assigns or either of them shall discriminate upon the basis of race, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Redevelopment Area.

## **APPENDIX A**

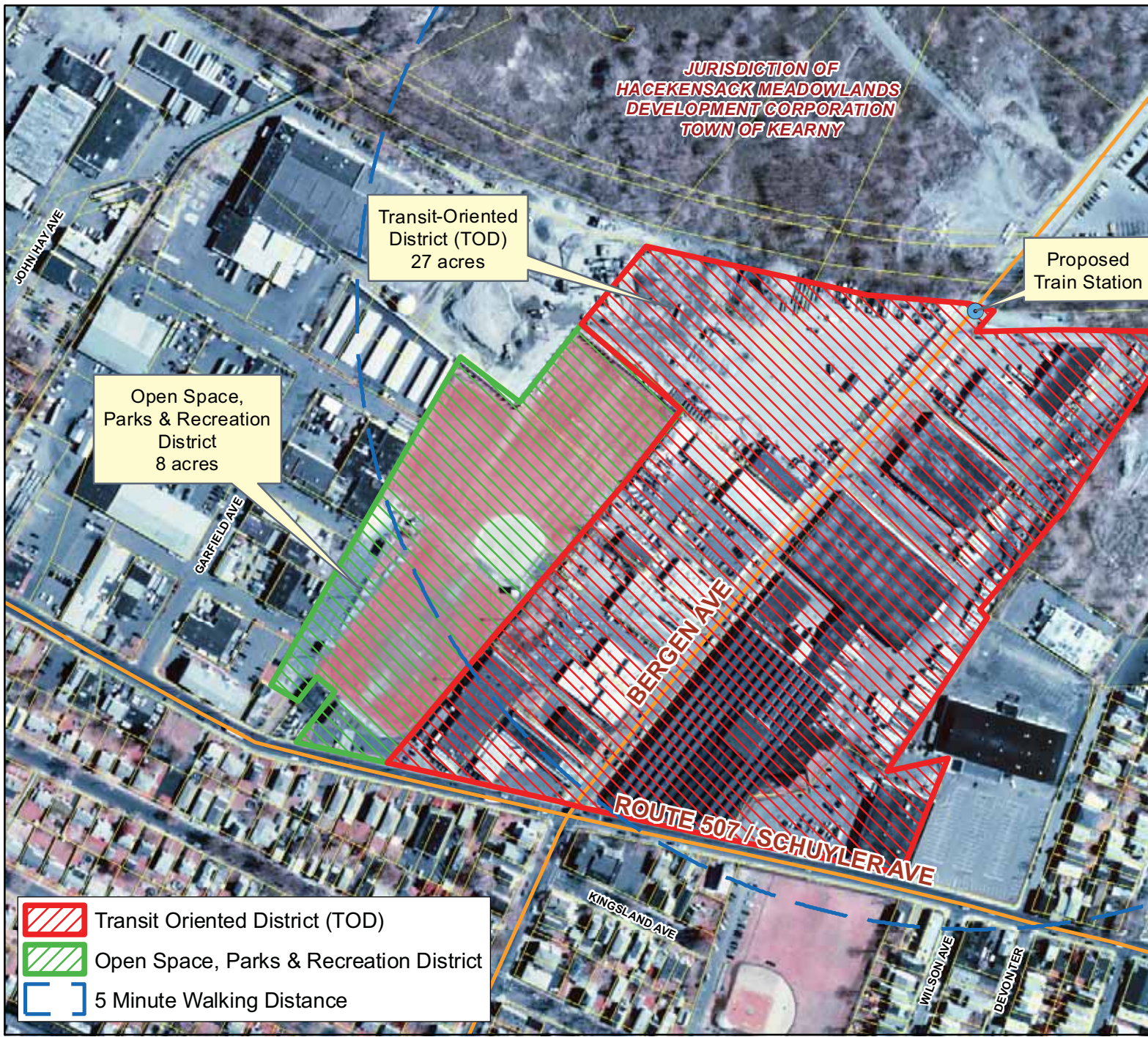


*Schuyler Avenue Redevelopment Area*  
*Zoning Districts*

0  
 1 inch

## **APPENDIX B**




JURISDICTION OF  
HACKENSACK MEADOWLANDS  
DEVELOPMENT CORPORATION  
TOWN OF KEARNY



Transit-Oriented District (TOD)  
27 acres

Proposed Train Station

Open Space, Parks & Recreation District  
8 acres

-  Transit Oriented District (TOD)
-  Open Space, Parks & Recreation District
-  5 Minute Walking Distance



# Town of Kearny

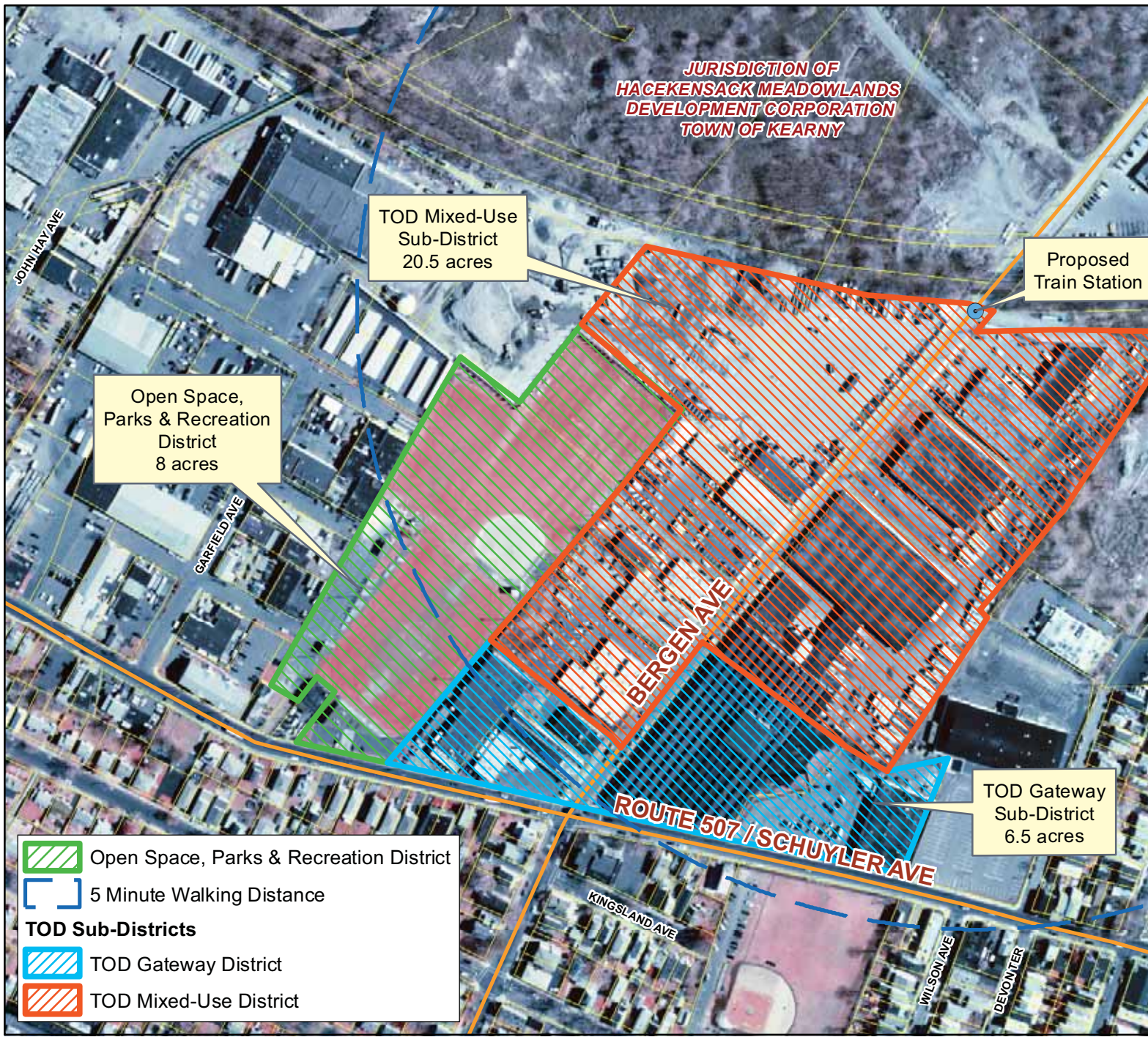
*Schuyler Avenue Redevelopment Area*

0 75  
1 inch

## **APPENDIX C**



JURISDICTION OF  
HACKENSACK MEADOWLANDS  
DEVELOPMENT CORPORATION  
TOWN OF KEARNY



TOD Mixed-Use  
Sub-District  
20.5 acres

Proposed  
Train Station

Open Space,  
Parks & Recreation  
District  
8 acres

TOD Gateway  
Sub-District  
6.5 acres

-  Open Space, Parks & Recreation District
-  5 Minute Walking Distance
- TOD Sub-Districts**
-  TOD Gateway District
-  TOD Mixed-Use District



# Town of Kearny

*Schuyler Avenue Redevelopment Area*

0 75  
1 inch

## **APPENDIX D**

### Parcel List of Properties in the Transit-Oriented District

Block	Lot	Address
242	1	JNR 260 REALTY CO, LLC - WEISS
242	2	JNR 260 REALTY CO, LLC - WEISS
242	3	KEARNY, TOWN OF
242	27	A A T INVESTMENT CO
242	28	A A T INVESTMENT CO
242	29	A A T INVESTMENT CO
242	30	KEARNY, TOWN OF
242	31	KEARNY, TOWN OF
242	32	DORIDON CORP
242	34	WAL PARK ASSOCIATES
242	35	WAL PARK ASSOCIATES
242	36	WAL PARK ASSOCIATES
242	37	JNR 260 REALTY COMPANY LLC
252	2A	SEABRA BROTHERS 11
252	2B	MOUNTAIN VENTURES - RUSSO DEVELOPMENT
252	3A	CYANMA CORP
252	3B	PONTONE BROS ASSOC C/O RUPERT
252	3C	CALI, JR JOHN F