
TOWN OF KEARNY, HUDSON COUNTY, NEW JERSEY

INDUSTRIAL PARK REDEVELOPMENT PLAN

Prepared by Heyer Gruel & Associates

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INTRODUCTION

The Mayor and the Town of Kearny Council have determined that one of the most effective planning and implementation strategies is the use of the redevelopment process in accordance with the Local Redevelopment and Housing Law (NJSA 40A:12A-I et seq. One of the targeted areas is the area known as the Jeryl Industrial Park and the adjacent property owned by Tierra Solutions Inc.

The first step in the process was the designation of the area as “an area in need of redevelopment.” On July 10, 2012, the Mayor and Council adopted a resolution which formally declared the 31± acre area as an area in need of redevelopment (Block 134 lots 1, 6, 7, 8, 9, 10, 11, 12, 13).

The next step is preparation of this redevelopment plan. The Plan is intended to serve as a long-range planning document which establishes a vision for the transformation of the Redevelopment Area.

AREA AND SITE DESCRIPTION

Kearny is bordered by Newark, East Newark, and Harrison to the south and west, Belleville, North Arlington, and Lyndhurst to the north, and Secaucus and Jersey City to the east. Much of Kearny’s boundary is formed by the Passaic River, and the Hackensack River, which converge at the Town’s southern tip and flow into Newark Bay. Kearny can be divided into three distinctly different sections; the western portion of Town is primarily urban and residential, while

the larger eastern portion of the Town is a part of the New Jersey Meadowlands District, and the southern tip between the rivers known as South Kearny, is primarily industrial. Interstate 280 and the New Jersey Turnpike both run through the southeastern section of Town.

The Redevelopment area is located in the northern portion of the Town of Kearny in Hudson County. The Redevelopment Area, comprised of nine contiguous lots in Block 134, is located in between Schuyler Avenue, Sellers Street and Belleville Turnpike. The area is located along Kearny’s border with North Arlington in Bergen County. This area lies between the residential western section of the Town and the Meadowlands district to the east. The Area is within a small industrial/manufacturing district surrounded by residential uses to the north and west, industrial/manufacturing to the south, and Arlington Park/Cemetery to the immediate north.

The nine lots together are approximately 31 acres in size, and are currently developed with 30 one and two story industrial and manufacturing buildings. The nine separate lots have been combined into three different tax parcels with two of the parcels being in common ownership. Two of these parcels make up Jeryl Industrial Park. The third parcel owned by Tierra Solutions Inc. is currently vacant.

STATUTORY REQUIREMENTS

According to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the project area;
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan;
5. Any significant relationship of the redevelopment plan to:
 - The master plans of contiguous municipalities;
 - The master plan of the County in which the municipality is located; and
 - The State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” PL 1985, C398 (C52:18A-196 et al.)
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985 c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.

RELATIONSHIP TO DEFINITE LOCAL OBJECTIVES

The general goal of the Plan is to strengthen the Town's economic base and create locations for new job opportunities. The following objectives are specifically related to this Redevelopment Plan. These objectives relate to the appropriate land uses, improved traffic and circulation, public utilities and other improvements.

1. To promote the effective use of all Redevelopment Area property to increase local tax revenues.
2. To improve the functional and physical layout of the Redevelopment Area.
3. To stimulate economic investment in the Area.
4. To redevelop land occupied by obsolete structures and uses.
5. To improve business opportunities through promotion of new and diverse economic activities.
6. To improve transportation access to the Redevelopment Area and create a circulation pattern that will serve the uses in the Redevelopment Area.
7. To remediate environmentally contaminated sites as part of the redevelopment process.
8. To improve stormwater management in the Redevelopment Area.
9. To improve the visual character of the area.

RELATIONSHIP OF PLAN TO TOWN LAND DEVELOPMENT REGULATIONS

The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. The Plan supersedes the use and bulk provisions of the Town Land Development Regulations to the extent that they are inconsistent with the design standards detailed in this Plan. It also supercedes the Town's design standards to the extent that they are inconsistent with the design standards detailed in this Plan.

Any deviation which would result in a "d" variance shall be addressed as an amendment to the Plan. Neither the Planning Board nor the Board of Adjustment shall have authority to allow deviations which would result in a "d" variance. The Planning Board shall have power to grant relief from other bulk and dimensional requirements of this Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the N.J.S.A. 40:55D-70c.

All exceptions or waivers from design standards from the requirements for site plan or subdivision approval shall also be heard by the Town Planning Board.

All development in this redevelopment area 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. No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan.

Final adoption of this Redevelopment Plan by the Mayor and Town Council shall be considered an amendment to the Town Zoning Ordinance and Official Zoning Map.

DISTRICT, USE AND BULK STANDARDS

The district standards contain information pertaining to the permitted and accessory uses; bulk standards; and other district-specific standards. The evaluation of any proposal submitted under the Redevelopment Plan shall be based upon these sections of this Redevelopment Plan entitled Development Regulations, District Use, Bulk Standards and General Design Standards.

The Redevelopment Area has been subdivided into two districts: Planned Industrial Development and Schuyler Avenue District.

Planned Industrial Development District***Principal Permitted Uses***

1. Light Industry
2. Warehouse and Distribution Facility
3. Public Uses
4. Wholesale establishments
5. Flex space
6. Research laboratories
7. Lots fronting on Belleville Turnpike may be used for retail sales or service, restaurants, auto and truck sales and service and gasoline service stations

Prohibited Uses

All uses specified in Chapter XXXVIII Section 38-6.7a are prohibited. Any use not expressly permitted is prohibited.

The following Prohibited Uses include but are not limited to the transfer, storage or processing of the following:

1. Solid waste
2. Hazardous waste
3. Dredge materials
4. Biodegradable materials such as mulch, leaves, and wood byproducts

The storage, processing, or recovery of recyclable materials such as plastics, paper, cardboard, or glass is also prohibited.

Container storage is only permitted in conjunction with warehouse use. No stacking is permitted.

Accessory Uses

Uses customary and incidental to the principal use including but not limited to parking, loading and signage,

Bulk Standards

Minimum lot size – 60,000 square feet- For lots fronting on Belleville Turnpike the minimum lot size shall be 24,000 square feet.

Minimum lot frontage – 200 feet- For lots fronting on Belleville Turnpike the minimum lot frontage shall be 150 feet.

Maximum building coverage – 60%

Maximum building height – 50 feet

Minimum building setbacks from all property lines – 20 feet

Minimum tract size – 24 acres

Minimum tract landscape requirement – 15%

Minimum required parking

- Flex space: 2.5 space/1,000 square feet of gross floor area
- Warehouse, distribution and Wholesale establishments: 1 space/2,000 square feet of gross floor area

- Offices: 3 spaces/1,000 square feet of gross floor area



Light industrial: 1 space/750 square feet of gross floor area

- Restaurant: 1 space/100 square feet of gross floor area
- Retail sales and service: 4 spaces/1,000 square feet of gross floor area

Storage and Loading Area Standards

1. Loading areas are permitted only in the rear and side yards.
2. Provisions shall be made on each site for any necessary vehicle loading. No on street vehicle loading shall be permitted.
3. Outdoor storage accessory to a principal use may be permitted in the rear yard only if screened. All storage areas shall be screened. Screening may include fencing and/or landscaping so as to block any view of the storage areas from the public right of way. The minimum height of screening at the time of installation shall be 8 feet.

Number of Buildings per Lot

Not more than one principal building shall be permitted per lot.

Schuyler Avenue District

Principal Permitted Uses

1. Multifamily residential
2. Mixed commercial/residential use
3. Existing telecommunications facilities

Permitted Accessory Uses

Uses customary and incidental to the principal use such as parking and signage.

Bulk Standards

Minimum lot size – 2 acres

Maximum building coverage – 60%

Maximum building height – 45 feet measured at curb along Schuyler Avenue and 4 habitable stories over parking. Parking shall not be located along Schuyler Avenue frontage. Access to parking shall be located to the rear or side of the building.

Minimum building setbacks from all property lines – 30 feet

Minimum required parking

- Residential: Per RSIS
- Office: 3 spaces/1,000 square feet of gross floor area
- Retail sales and service: 4 spaces/1,000 square feet of gross floor area

Emergency Access Driveway- Access Easement

- An emergency access driveway and cross access easement shall be provided on the property in order to permit access during emergency flood events only from the Industrial District.

DESIGN STANDARDS

The following design standards shall be applied to the Planned Industrial Development District. The relevant design standards detailed in Chapter XXXVI Subdivision and Site Plan Ordinance shall apply to the Schuyler Avenue District.

Refuse and Recycling Collection Areas

1. All outdoor refuse and recycling containers shall be visually screened within a durable enclosure, six (6) feet or higher, so as not to be visible from streets. No refuse and recycling collection areas shall be permitted between a street and the front of a building.
2. Refuse collection area shall be designated and located upon the lot as to be convenient for the position of refuse generated on the site.

Screening of Exterior Mechanical Equipment

1. Conventional mechanical and electrical equipment which is part of the building space, heating, ventilating and air conditioning system and lighting and general power, where ground mounted shall be screened from view with evergreen landscaping. Roof mounted equipment shall be set back to minimize visual impact from public right of ways.
2. Electrical equipment shall be mounted on the interior of a building wherever possible. When interior mounting is not

practical, electrical equipment shall be mounted in a location where it is substantially screened from public view.

General Sign Standards

1. Signs shall be restricted to industrial/commercial identification, tenant identification and directional signs, either wall-mounted or free standing.
2. No rooftop signs and no off site advertising signs shall be permitted.
3. Signs visible from the exterior of any building, if illuminated, shall be internally illuminated without a halo. No signs or any other contrivances shall be devised or constructed so as to rotate, gyrate, blink, move, or appear to move in any fashion.
4. No sign shall be attached to exterior glass.

Building Signs

1. One (1) wall sign per tenant is permitted, with a maximum sign area of twenty (20) sq. ft. per tenant.
2. All building signs shall have a single sign surface that shall be parallel to the face of the building.

Freestanding Signs

If the building on a lot sets back at least twenty (20) feet from the street right-of-way, one (1) freestanding sign is permitted in addition

to building signs which are accessory to the business or businesses conducted on the premises. Any freestanding sign must meet all the following requirements:

1. Only one (1) such sign shall be permitted regardless of the number of establishments.
2. The area of the freestanding sign shall not exceed thirty (30) sq. ft. and the maximum height of the sign shall be eight (8) feet. No sign shall obstruct sight distances at driveway and road intersections
3. One (1) freestanding project identification sign fronting Belleville Turn is permitted for the Planning Industrial Development District. A maximum of one hundred (100) ft. sq. is permitted.

Directional Signs

1. Directional Signs, not to exceed three (3) square feet in area, are permitted to identify entrance areas, loading areas and circulation patterns on a site.

Green Building Design

1. Any redevelopment in the area is encouraged to comply with Chapter XXVII Green Building Design.

PUBLIC/PRIVATE IMPROVEMENTS***Street Network***

At the present time, the majority of the Area is accessed via Turvan Street, a private road which is in a state of gross disrepair.

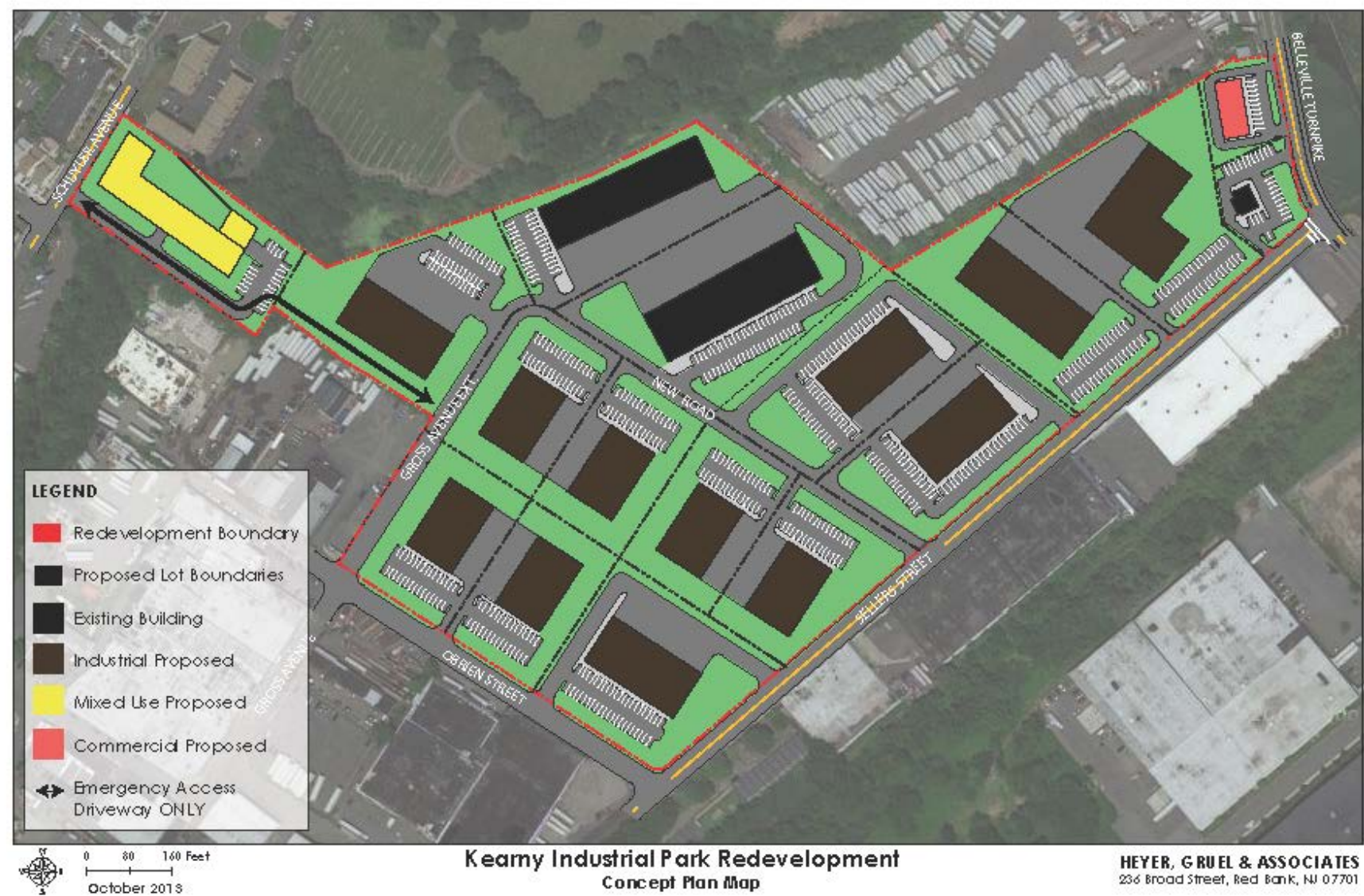
Sellers Street is an improved public roadway bordering the southern portion of the Redevelopment Area. Access to the majority of the Redevelopment Area is proposed to be by way of Belleville Turnpike onto Sellers Street. Turvan Road would be eliminated which would have the benefit of eliminating a “curb cut” onto Belleville Turnpike.

As shown on the Concept Plan Map, a new street would be extended to Gross Avenue. The Concept Plan provides a general alignment of the roadways and location of lots. Any new roads would have a minimum right of way width of 50 feet. The minimum cul de sac radius would be 100 feet. Cross access driveways are encouraged when two buildings face each other and can share loading driveways.

Due to flood events in the industrial area, an emergency access driveway connection shall be provided through the Schuyler Avenue District to Schuyler Avenue. This emergency driveway should be designed so that access only occurs when flooding occurs and the industrial area has access onto Sellers Street and Bellville Turnpike.

Stormwater Management/Sanitary Sewers

Storm water management and adequate sanitary sewers shall be the responsibility of the redeveloper. Stormwater Management shall be addressed in accordance with Chapter XXXVI Section 36-18 Stormwater Management Control Regulations of the Town of Kearny Subdivision and Site Plan.



RELATIONSHIP TO DEFINITIVE LOCAL, REGIONAL AND STATE PLANS

Town of Kearny Master Plan

Kearny adopted a Reexamination Report in December 2008 which included updated goals and objectives that were based upon the 2007 adopted Strategic Vision Plan. Relevant goals and objectives including the following:

- Encourage the development of a diversified economic base that generates employment growth, provides increased tax rates, and increases income levels.
- Provide for economic revitalization of the Town's commercial and industrial base
- Utilize redevelopment as a tool for Kearny's revitalization
- Increase Town's tax base

Relationship to Master Plans of Contiguous Municipalities

The proposed Redevelopment Plan is substantially consistent with the Master Plans of adjacent municipalities, Hudson County and the State Strategic Plan. Kearny lies adjacent to the Town of Harrison, the Borough of East Newark, the City of Newark and the Borough of North Arlington. None of the communities abut the Redevelopment Area.

The Porete Avenue Redevelopment Area in North Arlington fronts on Belleville Turnpike northeast of the Kearny Redevelopment Area.

The Porete Avenue Redevelopment Plan is proposed for industrial development.

Relationship to Hudson County Master Plan/CEDS

Hudson County Master Plan Reexamination Report (2008)

Hudson County issued a re-examination of its 2002 Master Plan in August 2008. The Redevelopment Plan is consistent with the following goals and objectives of the Reexamination Report:

Goals

- To provide for the economic revitalization of the County's commercial and industrial base;
- To reduce tax burden on residential uses by encouraging additional development that generates significant tax benefits
- To encourage remediation of contaminated sites through various programs such as loans and technical assistance

Industrial Area Objectives

- Improve the developability of industrial areas through measures such as infrastructure and access improvements
- Encourage and assist in the retention and expansion of existing industries in the County
- Establish industrial areas with sufficient access to transportation facilities

- Encourage the development and expansion of industrial activities that use regional sources, labor skills and other local assets and advantages
- Encourage industrial sites to minimize impervious coverage and utilize green building technology to reduce “greenhouse gas” emissions, stormwater run-off and non-point source pollution.

Hudson County Comprehensive Economic Development Strategy

The Hudson County CEDS was adopted in February of 2010, and provides a blueprint for the economic future of the region up until 2014. The Redevelopment Plan is consistent with the following goals, objectives and strategies from that Plan:

- Foster the cleanup and re-use of contaminated sites as an integral part of both economic and community development, while maintaining and improving areas that provide centers for employment, education, entertainment facilities, services, shopping and other resources;
- Support the development of cultural, recreational and historic amenities that not only benefit County residents, but foster the development of the travel and tourism industry
- Promote sustainable, smart-growth developments;
- Continue development of the Hudson River, Passaic River and Newark Bay Waterfront, fostering strong linkages between the waterfront and interior neighborhoods;

- Encourage development and remediation of Brownfields for industrial and commercial purposes.

Relationship to State Strategic Plan

The Draft Final State Strategic Plan, approved in November 2011, outlines goals and principles for targeting investment and growth in the State of New Jersey. The Redevelopment Plan is consistent with the stated goals and objectives of this plan. Specifically, the Redevelopment is exemplary of the guiding principle of ‘spatial efficiency’, which will help guide state decision making. “Spatial Efficiency: The State of NJ will place value on the economic, social and environmental benefits of investing in areas where infrastructure already exists in an effort to control long-term costs of public services, re-invigorate existing communities, and protect important natural resources.”

Four key goals are established in the State Plan. The first goal is Targets Economic Growth: enhance opportunities for attraction and growth industries of statewide and regional importance.

The State Strategic Plan also identifies Garden State Values, many of which are consistent with this Plan. For instance, Garden State Value #2 is to prioritize redevelopment and infill development around existing infrastructure.

The State Plan also notes that priority areas targeted for investment and growth should be those which create compact livable

communities that will attract business and workers, and efficiently use infrastructure.

Although the specific areas to be targeted as priorities for investment and growth have yet to be named, the Redevelopment Plan fits the criteria that are recommended by the State Strategic Plan as an area to be targeted for strategic investment.

RELOCATION

There are no residents that live in the Redevelopment Area; therefore no relocation is required

PROPERTY TO BE ACQUIRED

This Redevelopment Plan authorizes 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 redevelopment project.

The Town plans, however, to continue working with affected property owners and businesses to promote private redevelopment of the parcels within the redevelopment area.

AFFORDABLE HOUSING

There is no housing including affordable housing located in the Redevelopment Area.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

Duration of Redevelopment Plan

The Redevelopment Plan shall remain in effect for 30 years from the date of adoption of this Plan by the Mayor and Council. After that period, the Zoning Ordinance will regulate the development of the site.

Amending the Redevelopment Plan

This Redevelopment Plan may be amended from time to time in compliance with the requirements of law.

PROPOSED CONCEPT PLAN

The concept plan is intended to be illustrative. Actual lot sizes, buildings, and roadway alignments may vary.

The Concept Plans shall not be binding on either the Town Council or Planning Board. The evaluation of any proposal submitted under the Redevelopment Plan shall be based upon the Section of this Redevelopment Plan entitled “District, Use and Bulk Standards” and “Design Standards.”

DEFINITIONS

1. Warehouse Distribution Facility- Any establishment primarily used for the indoor long term storage, loading, unloading and/or distribution of goods, products, or materials, which may include accessory consolidation, repacking and value-added services. Such facilities may include accessory parking and storage of trucks and trailers, and accessory maintenance of trucks owned by the facility. This definition shall not include truck terminals or container storage. A facility which has less than 2,000 square feet of building area per loading dock is defined as a truck terminal and not a warehouse distribution facility.
2. Wholesale establishment- Any facility engaged in selling merchandise to retailers; to industrial, commercial institutional or professional business users; to other wholesalers; or acting as agents or brokers buying merchandise for, or selling merchandise to, such individuals or companies and not to the public.
3. Research laboratories- A facility engaged in scientific investigation, testing or the production of factual information for industrial, commercial or institutional clients or patrons where no tangible or physical product for general marketing is directly produced therein and where no danger, hazard or nuisance shall extend beyond the borders

of any lot which exceeds that created by such similar activities as are permitted as education-research uses

4. Flex space- a low rise structure with high ceilings containing an open floor plan that can be modified to accommodate individual needs of its tenants. Individual areas can be leased for uses such as office space in combination with warehouse, research and distribution facilities and other light industrial uses. The structure may include general loading accommodations
5. Light Industry- Any packaging, printing, assembly or fabrication of goods, materials or products, including any incidental cleaning, servicing, testing, repair or storage of those same goods, materials or products, but not including the storage of flammable, combustible or hazardous materials as a principal use.