

Report Concerning the Determination of SCATTER SITE STUDY AREA 1 as an “Area in Need of Redevelopment”

As presented to the Planning Board
of the City of Jersey City
on February 23, 2016



30 Montgomery Street Suite 1400
Jersey City, NJ 07302 3821
Phone: 201.547.5010
Fax: 201.547.4323

TABLE OF CONTENTS

1. Introduction
2. Study Area Boundary Description
3. Local Setting And Background
4. Transportation Access
5. Zoning
6. Physical Survey Methodology
7. Study Area Analysis
8. Criteria for Determination of Need for Redevelopment
9. Conclusion
- i. Study Area Boundary Map

INTRODUCTION

The goal of this report is to determine whether or not four vacant properties in the Riverview Arts District included in "Scatter Site Study Area 1," hereafter referred to as the "Study Area," qualify as an area in need of redevelopment and specifically, as a "Condemnation Redevelopment Area" authorizing the municipality to use the power of eminent domain. The Study Area includes four parcels on four separate blocks of the Jersey City Tax Map, all within the Riverview Arts District overlay zone.

Properties within the Study Area determined to be in need of redevelopment will be added to the Scatter Site Redevelopment Plan (last amended October 28, 2015), formerly known as the Vacant Buildings Redevelopment Plan.

STUDY AREA BOUNDARY DESCRIPTION

The Study Area consists of four tax parcels located on four separate tax blocks within the Riverview Arts District Overlay Zone, consistent with the following addresses (Block, Lot): 461-463 Palisade Avenue (3001, 21-22), 454 Palisade Avenue (3002, 13), 364-366 Palisade Avenue (5101, 1), and 201 New York Avenue (3805, 19).

LOCAL SETTING AND BACKGROUND

The Riverview Arts District, located in the Heights section of Jersey City, was established by the Jersey City Municipal Council in February 2013 to "recognize the extensive location and relocation of artists' homes and/or studios" in the Heights, as well as to "encourage further development of this section of the city as an additional viable arts enclave."

The overall Scatter Site Redevelopment Area consists of scatter site properties throughout the City of Jersey City. The purpose of the Scatter Site Redevelopment Plan is to foster the rehabilitation and redevelopment of vacant and dilapidated structures in order to bring them back into productive use as assets to the neighborhoods and contributors to the tax rolls. As properties are rehabilitated or redeveloped either through private or public investment, the Scatter Site Redevelopment Plan is amended intermittently to remove productive properties from the plan.

TRANSPORTATION ACCESS

The Study Area properties have the same transportation access as the remainder of the Heights district. The Heights area is served by 2 Hudson-Bergen Light Rail stations along the municipal border with Hoboken, to the east of Paterson Plank road: the 9th Street Station (reached via the Congress St. elevator) and the 2nd Street Station (reached via the 100 Steps/Franklin St.)

Bus routes to New York, Journal Square, Union City/Bergenline and the Hoboken PATH terminal are concentrated along Central and Palisade Avenues. These are operated both by NJ Transit as well as private jitneys. NJ Transit routes serving the Heights currently include:

Central Avenue:	119 to New York City
Palisade Avenue:	123 to New York City
	125 to New York City
	87 to Hoboken PATH Terminal/Journal Square
	88c to North Bergen/Journal Square

As of December 2015 the Heights also has seven Citi Bike stations, located at Riverview Park (in close proximity to the Study Area), the Congress Street Elevator, Oakland Avenue, Christ Hospital, Washington Park, Pershing Field Park, and Lincoln Street.

ZONING

Three of the study area properties (461-463 Palisade Avenue, 454 Palisade Avenue, and 364-366 Palisade Avenue) are zoned R-2: Multifamily Attached Housing. 201 New York Avenue falls within the R-1: One and Two Family Housing zone.

The whole of Jersey City is designated as a Metropolitan Planning Area 1 and as an "urban center" by the New Jersey State Plan.

PHYSICAL SURVEY METHODOLOGY

The following methods were used in gathering information and preparing a physical condition survey of the Study Area.

- A. Parcel ownership and land use were obtained from the municipal tax records for each parcel.
- B. A physical survey of all buildings and property was conducted to determine the general physical condition for all parcels within the Study Area. The survey involved an exterior visual evaluation and photographing of each parcel.

The criteria for evaluating the condition of the buildings and properties consisted of those factors that would indicate the active maintenance and investment, or the lack thereof, in the property surveyed. Building and property condition was determined by focusing on certain indicators, such as windows, entranceways, siding, brickwork, cornices, sidewalks and curbing, evident rubbish, foundations and retaining walls, fencing, arrangement of driveways, parking and loading areas, relationship of buildings and land use to the surrounding area, condition of pavement and the grounds in general.

Factors which weighed against a positive rating included: cracks and fissures in masonry or concrete, broken glass, rotted and deteriorated wood elements, missing or damaged siding sections, evident debris and poor maintenance of the grounds, rusted or broken fencing elements, damaged or missing sidewalk areas and overcrowding or excessive coverage of buildings and land-use.

CRITERIA FOR DETERMINATION OF NEED FOR REDEVELOPMENT

The Study Area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in section 6 of P.L.1992, c.79 (C.40A:12A-6), the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

§ 40A:12A-5. Determination of need for redevelopment

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.

c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, over-crowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other re-development powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

STUDY AREA ANALYSIS

Below is a description of each property and a discussion as to which criteria each property meets to be designated as an area in need of redevelopment.

461-463 Palisade Avenue (Block 3001, Lots 21-22)

The property is clearly abandoned, and is marked with a Jersey City Fire Department vacant building indicator. Several windows have frames and sills with crumbling masonry, which could be hazardous to pedestrians. The glass pane above the building's north door is broken. Several windows and doors are boarded over with plywood. There are conspicuous weeds and rubbish along the building's front.

This property meets criteria "a" and "d" of the New Jersey Local Redevelopment and Housing Law requirements for declaring an area in need of redevelopment (§ 40A:12A-5).



454 Palisade Avenue (Block 3002, Lot 13)

The property is clearly abandoned, and is marked with a Jersey City Fire Department vacant building indicator. Several of the building's windows have been boarded over with plywood. There is extensive graffiti along the building's north wall, facing Riverview Park. The building's telephone lines are cut and hanging into the public right-of-way on Palisade Avenue, in some cases approaching pedestrian reach. The building's basement entrance hatch on Palisade Avenue is buckled inward, presenting a tripping and public safety hazard. There is broken concrete along the building's foundation and on the front entrance step. In the rear yard, clearly visible though a chain-link fence, there is an unsound cinder block wall of approximately 4 feet, as well as several trash cans and rubbish piles.

This property meets criteria "a" and "d" of the New Jersey Local Redevelopment and Housing Law requirements for declaring an area in need of redevelopment (§ 40A:12A-5).



364-366 Palisade Avenue (Block 5101, Lot 37-1)

The property is clearly abandoned, and is marked with a Jersey City Fire Department vacant building indicator. The building has a broken window, as well as several windows and doors that are boarded over with plywood. There is extensive graffiti along both of the building's street fronts. There is visible damage to the building's corner foundation, which has been partially patched over with plywood. The concrete front step of the building is broken.

The building is clearly of architectural value and should be rehabilitated and restored to use if included in a redevelopment plan.

This property meets criteria "a" and "d" of the New Jersey Local Redevelopment and Housing Law requirements for declaring an area in need of redevelopment (§ 40A:12A-5).



201 New York Avenue (Block 3805, Lot 19)

The property is clearly abandoned, and is marked with a Jersey City Fire Department vacant building indicator. The building's windows and doors have been boarded over with plywood. There is broken concrete along the front steps and the sidewalk to the south of the building, and broken wood and iron fencing along the sidewalk front and the railings leading up the front steps, with weeds and rubbish in the front yard.

Behind the main building is a secondary structure on the same lot, also visibly abandoned and marked with a Jersey City Fire Department vacant building indicator, and apparently in a state of even greater disrepair than the main structure.

This property meets criteria "a" and "d" of the New Jersey Local Redevelopment and Housing Law requirements for declaring an area in need of redevelopment (§ 40A:12A-5).



CONCLUSION

The entire Study Area meets criteria "a" and "d" to be declared "an area in need of redevelopment." Subsection "a" of the redevelopment criteria speaks to the generality of buildings being substandard, dilapidated, obsolescent, or possessing any of such characteristics, as to be conducive to unwholesome living or working conditions. Subsection "d" of the redevelopment criteria speaks to areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, excessive land coverage, deleterious land use or obsolete layout are detrimental to the safety, health, morals, or welfare of the community.

Of the four tax parcels in the study, all meet these criteria – all are abandoned and in deteriorated condition, posing a threat to public health and safety as well as creating a blighting influence on their surrounding areas. Therefore, City Planning staff recommends that the Study Area be determined as an "area in need of redevelopment;" specifically, a "Condemnation Redevelopment Area" with the authorization to utilize eminent domain, and that the properties included therein be added to the Scatter Site Redevelopment Plan.

Prepared by:



Robert D. Cotter, PP, FAICP
Director, City Planning Division



Willow Latham
Senior Planner