

Luis Munoz Marin Boulevard (Henderson Street)

Redevelopment Plan

DIVISION OF CITY PLANNING

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I. Description of Plan

1. Boundaries of Redevelopment

The boundaries of the Luis Munoz Marin Boulevard (formerly known as Henderson Street) Redevelopment Plan (referred to herein as the “Redevelopment Plan”, “the Plan Area” or “the Plan”) are shown on the Boundary Map, designated as Map No. 1, and are described as follows:

BEGINNING at the intersection of the west line of Grove Street / Manila Avenue and the north line of Eighth Street; thence easterly along the north line of Eighth Street to the east line of Marin Boulevard; thence southerly along the east line of Marin Boulevard to the south line of Second Street; thence westerly along the south line of Second Street to the west line of Grove Street / Manila Avenue; thence northerly along the west line of Grove Street / Manila Avenue to the north line of Eighth Street and the point and place of BEGINNING.

Property Not to be Acquired:

Lot 1, Block 11602 Pennsylvania Railroad Right-of-Way

Lot 11, Block 10103 Private High School

2. Redevelopment Plan Objectives

The original objectives of the Redevelopment Plan created superblocks. The new policies of the City and modern urban development practices foster the creation of walkable neighborhoods and in lieu of creating superblocks. Going forward the redevelopment plan objectives are to add publicly accessible streets and/or pedestrian ways throughout the plan area in both new and pre-existing projects.

3. Types of Proposed Renewal Actions

The proposed renewal actions within the Plan Area include acquisition and demolition or removal of all properties with the exception of the privately owned high school located in City Tax Block 10103 and the Railroad Right-of-Way in City Tax Block 11602 which are not to be acquired. Public improvements will be provided, including street paving, curb, gutter and sidewalk installation, sewers, water mains and hydrants, traffic lights, traffic control and name signs, streetlights and fire communications system.

II. Administrative Provisions

1. Prior to commencement of construction, architectural drawings and site plans with detailed specifications for the construction and/or rehabilitation of improvements to the area shall be submitted by the developer to the

Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment requirements and objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases. Final Site Plan approval for any phase shall entitle an applicant to building permits.

2. As part of any Final Site Plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on-site and off-site improvements within one (1) year of final site plan approval.

III. Land Use Plan

1. Land Use Plan
See the Land Use Map, designated Map No. 2.
2. Land Use Provisions and Building Requirements
 - a. Uses to be permitted in the Plan Area are as follows:
 - i. Residential – Districts 1 & 3
The permitted uses shall be multi-family apartment buildings not to exceed thirteen (13) stories. In the area from Sixth Street to Second Street, day care centers. shall be a permitted principal use.
 - ii. High Rise/Mixed Use Residential – District 2
Upon compliance with Section 3(b) hereof, land part of the Historic Pennsylvania Railroad Harsimus Branch Embankment (hereinafter sometimes referred to as the “Embankment”) shall allow one high rise tower. Without compliance with Sec. 3b hereof, the land is zoned R-4, railroad, and trail use.
 - iii. Public and Quasi-Public – District 4
 - 1) Public
The permitted uses shall be public facilities including, but not limited to, recreational facilities and facilities for the Jersey City Fire Department and Jersey City Police Department and uses related thereto, such as parking.
 - 2) Quasi-Public
The permitted uses shall be private, non-profit, educational and/or religious institutional uses and related uses such as parking and recreation.
 - 3) Railroad

The permitted use shall be for railroad (railroad cars moving on rails).

3. Additional regulations, controls or restrictions to be imposed within each of the district areas are as follows:
 - a. Districts 1 & 3 - Residential
 - i. Density
The maximum overall density for the residential development in District 1 shall be sixty six (66) units per acre; the maximum overall density for residential development in District 3 shall be forty (40) units per acre.
 - ii. Building Coverage
The maximum amount of land covered by buildings shall not exceed forty percent (40%) of the area of the lot.
 - iii. Setbacks
All buildings shall be located so that there is a minimum of five feet (5') between the exterior wall of the building and the nearest parallel lot line. No such setback shall be used for any purposes other than lawns, terraces, steps, walks, and driveways incidental to ingress and egress to or from the building.
 - iv. Building Height
The maximum building heights shall be thirteen (13) stories or one hundred and forty feet (140').
 - v. Access to Housing Units
All buildings shall be designed so that the maximum vertical distance anyone is required to walk in order to arrive at the kitchen of any housing unit shall be no more than two stories.
 - vi. Parking
A minimum of one (1) off-street automobile parking space for each two (2) housing units shall be provided. Each such parking space shall be a minimum of eight and one-half (8.5') feet in width and eighteen feet (18') in length, and shall be suitably delineated. Each parking space shall have direct access to an aisle for the movement of traffic and to and from the public street. Each such aisle shall be a minimum of twenty four feet (24') in width. Shared parking for mixed uses is permitted.
 - vii. Recreation area
A minimum of ten percent (10%) of the total residential area shall be set aside, developed and maintained by the redeveloper for use as a recreation area.
 - b. District 2 - High Rise/Mixed Use Residential

NOTE: THE DISTRICT 2 - HIGH RISE/MIXED USE RESIDENTIAL DISTRICT AND ITS STANDARDS OUTLINED IN THIS SECTION III(3)(b) WILL NOT TAKE EFFECT UNLESS A SETTLEMENT AGREEMENT, WITH THE CITY OF JERSEY CITY AS A PARTY, IS EXECUTED AND IMPLEMENTED AND A PROPERTY CLOSING PURSUANT TO THE SETTLEMENT AGREEMENT HAS OCCURRED

AND BLOCKS 2 THROUGH AND INCLUDING BLOCK 6 AND THOSE PORTIONS OF BLOCK 7 AND BLOCK 8 OF THE EMBANKMENT OUTLINED HEREIN ARE CONVEYED TO THE CITY. NOTWITHSTANDING THE FOREGOING, APPLICATION FOR SITE PLAN APPROVAL UNDER THE STANDARDS SET FORTH FOR DISTRICT 2-HIGH RISE/MIXED USE RESIDENTIAL DISTRICT MAY BE SUBMITTED TO THE CITY AND APPROVED BY THE JERSEY CITY PLANNING BOARD WITH RESPECT TO THE DISTRICT 2 BLOCK (ALSO KNOWN AS BLOCK 1 OF THE EMBANKMENT) PRIOR TO CONVEYANCE TO THE CITY OF BLOCKS 2 THROUGH AND INCLUDING BLOCK 6 AND THOSE PORTIONS OF BLOCK 7 AND BLOCK 8 OF THE EMBANKMENT OUTLINED HEREIN TO THE CITY, AND SUCH APPROVAL SHALL BE SUBJECT TO AND CONDITIONED UPON SATISFACTION OF THE SETTLEMENT AGREEMENT INCLUDING SUCH CONVEYANCE.

IN THE EVENT THAT THE DISTRICT 2 HIGH RISE/MIXED USE RESIDENTIAL DISTRICT DOES NOT BECOME EFFECTIVE AS PROVIDED HEREIN, THE ZONING FOR THE DISTRICT 2 BLOCK SHALL BE GOVERNED BY THE R-4 ZONING STANDARDS OF THE JERSEY CITY LAND DEVELOPMENT ORDINANCE, PURSUANT TO THE SUPERIOR COURT DECISION IN 247 MANILA AVENUE, LLC, et al. v. JERSEY CITY ZONING BOARD OF ADJUSTMENT et al.- DOCKET NO. HUD -L-4883-06. ADDITIONALLY, RAILROAD AND TRAIL USES SHALL BE PERMITTED PRINCIPAL AND/OR ACCESSORY USES WITHIN DISTRICT 2 IN THE EVENT THAT THE HIGH RISE/MIXED USE RESIDENTIAL DISTRICT DOES NOT TAKE EFFECT, AND LIGHT RAIL/TROLLEY AND TRAIL USES SHALL BE PERMITTED PRINCIPAL AND/OR ACCESSORY USES WITHIN DISTRICT 2 IN THE EVENT THAT THE HIGH RISE/MIXED USE RESIDENTIAL DISTRICT DOES TAKE EFFECT.

The purpose of the following zoning standards that are incorporated into the Redevelopment Plan is to allow development to occur on Block 11602 Lot 1 (land formally known as Tax Block 212 Lots M & H and now described as "District 2" and/or "Block 1" hereunder), only if and only after the other seven (7) segments of the Historic Pennsylvania Railroad Harsimus Branch Embankment (Tax Block 11304 Lot 1, Tax Block 11204 Lot 1, Tax Block 11204 Lot 24, Tax Block 11211 Lot 1, Tax Block 11210 Lot 1, Block 9906 Lot 1, Block 9804 Lots 2 through 7 and Block 10901 Lot 120, now part of the Sixth Street Redevelopment Plan) have been transferred in fee simple ownership to the City of Jersey City for nominal consideration for use as a public park and trail/light rail corridor; and in accordance with the Settlement Agreement regarding the Pennsylvania Railroad Harsimus Branch Embankment involving the City of Jersey City and other parties. These amendments are added to the Redevelopment Plan in accordance with the Settlement Agreement to be duly adopted and execution to be authorized by the Municipal Council of the City of Jersey City. (Note: These Amendments for District 2 do not become effective without the compliance with the Note at the head of Subsection (b) above.)

Site Plan approval by the Planning Board is required for the implementation

of any improvements pursuant to the zoning outlined herein or any interim use in District 2 or portion thereof.

i. Permitted Use, Density, and Height

A) Parking Base Requirements

- a. The tower shall be constructed on a parking base. See Figure 1 below.
 - i. The roof of the parking base shall include a 30-foot-wide public right-of-way (hereinafter “the Embankment ROW”) to be utilized as public open space for pedestrian and bicycle use abutting the northern property line.
 - ii. The finished elevation of the western edge of the Embankment ROW shall be at an elevation reasonably equal to the finished surface elevation of the top of the eastern portion of the next Embankment Segment west of this site. Notwithstanding the foregoing, the public right-of-way shall meet the New Jersey Department of Transportation (NJDOT) Design Manual for Bridges and Structures in accordance with American Association of State Highway and Transportation Officials (“AASHTO”) recommended clearance standards for clearance over City Streets.
 - iii. A portion of the parking base may extend above the elevation of the Embankment ROW by no more than 13 feet. The façade of the parking base above the elevation of the Embankment ROW shall be setback from Manila Avenue a minimum of 5 feet.
- b. Permitted Uses:
 - i. Off-street parking
 - ii. Public open space
 - iii. Residential Lobby
 - iv. Restaurant or café uses that are open to the public and have direct access from a public right-of-way
 - v. Light Rail/trolley
 - vi. Multiple principal uses/mixed-uses
 - vii. Accessory uses, customary and incidental to permitted uses, including but not limited to elevators for ADA access to the Embankment ROW, public bathrooms, etc.
- c. Base Roof Deck – Which is, and sometimes also referred to as, the roof of the parking base.
 - i. The Base Roof Deck shall be equal to the entire lot area, minus the area covered by the tower.
 - ii. The Base Roof Deck shall be a landscaped roof and shall contain public and/or private open space, and may contain restaurant(s) with indoor and outdoor seating, and shall include the Embankment ROW with open space related amenities such as (but not limited to) lighting, seating,

- landscaping, etc.
- d. The Embankment ROW shall span the length of the block and be no less than 30 feet wide at its most narrow point.
 - i. Commercial uses within the tower shall not be permitted to utilize the Embankment ROW for outdoor dining or amenity.
 - ii. Public access to the Embankment ROW shall be constructed prior to any CO or TCO for the tower on Block 1 and be provided via a grand stairway of no less than 15 feet in width, which shall be set back at least 30 feet from the curb along Luis Munoz Marin Boulevard.
 - iii. A bicycle channel shall be provided adjacent to or as part of the grand stairway
 - iv. The eastern edge of the Embankment ROW fronting Marin Boulevard shall be engineered as to be able to structurally support the potential future implementation of a 15-foot-wide bicycle/pedestrian bridge over Marin Boulevard.
 - v. If an east-west light rail is proposed, the light rail may use 16 feet of the Embankment ROW in District 2, and the remaining 14 feet shall remain a public right-of-way, which may require the City, at its own cost, to alter or remove items in the Embankment ROW, including, but not limited to the grand stairway, elevator, seating, or other improvements as well as providing any additional support structure required for the light rail.
 - vi. The developer shall construct an abutment to support a 15-foot-wide trail bridge across Manila Avenue.
 - vii. The developer shall include an allowance for subjacent and lateral support at an elevation compatible with all applicable highway and street design standards for future installation of light rail/trolley on Block 1 and trail.
 - e. Due to the unique circumstances of the existing earthen and stone historic Embankment structure, upon which the new Embankment ROW will be located, the elevations of the Base Roof Deck shall constitute the “Finished Grade” for purposes of determining basement and cellar levels.
 - f. A public ADA-compliant elevator shall be constructed by the developer at the east end of the District 2 Block 1 to provide access from the street level to the Embankment ROW. Construction of the elevator shall be completed prior to any CO or TCO for the tower on Block 1.
 - g. The developer shall construct two (2) ADA compliant public restrooms accessible from the Embankment ROW.
 - h. Decorative screening and enclosure of the parking is required.
 - i. In the final design of the District 2 parking base, the existing embankment structure shall be preserved as a wraparound on the western portion of the block. The

wraparound shall be defined as the entire existing structure at full height fronting Manila Avenue, within no less than 100 feet in length from the corner of Manila Avenue and Sixth Street moving east towards Luis Munoz Marin Boulevard, and no less than 75 feet in length from the corner of the alleyway and Manila Avenue on the southern property line of District 2.

- ii. The Manila Avenue frontage and a portion of the Sixth Street frontage at the northwest corner of the block shall incorporate the Embankment stone into the façade in such a way that preserves the original pattern and height of the slope of this embankment segment, such that stones along Manila Avenue and a wraparound on Sixth Street shall be incorporated into the wall where they are present now but not into new locations or elevations on the walls.
- iii. All other facades where parking is directly adjacent to the outside wall shall be appropriately screened with primary architectural treatments and materials and may include a living vertical green screen or other permeable/perforated screening treatments along their façade where openings are allowed or required by building code for ventilation.
- iv. In no instance shall any portion of the parking base fronting a public right-of-way be designed to present as “back-of-house” or use secondary/tertiary material treatments.

B) The following provides a set of development options to regulate future development of the Tower Element in District 2. Each option is to be treated as a singular set of standards. The designated redeveloper shall identify whether option A, B or C below is chosen at time of submission of Site Plan application.

1. Option A: Residential and Hotel Project

The following set of requirements is intended to regulate a development with a mix residential units and hotel units.

a. Permitted Principal Use:

- i. Residential
- ii. Hotels
- iii. Retail sales of goods and services
- iv. Restaurants, category one and two
- v. Cafés – Restaurants, category two
- vi. Public Open Space
- vii. Light Rail/trolley
- viii. Multiple principal uses/mixed-uses

b. Permitted Accessory Use:

- i. Residential amenities

- ii. Off-street parking and loading
 - iii. Uses customary and incidental to principal permitted uses, including but not limited to meeting rooms, dining and banquet facilities.
 - c. Maximum Density: One high-rise tower that shall contain a maximum of 404 dwelling units (DU) and 200 hotel rooms. The hotel rooms cannot be converted to residential units.
 - d. Bulk Requirements
 - i. Maximum Tower Height: The height shall be a maximum of 45 stories above the parking base for the Tower.
 - ii. Minimum residential and hotel floor-to-ceiling height: 9 feet.
 - iii. Maximum Tower Dimensions: 210 feet by 85 feet.
 - iv. Maximum Tower Coverage: 50% of the lot area.
 - v. Minimum Tower Stepbacks: 15 feet from the south and east property lines. 125 feet from west property line. No stepback is required from the Embankment ROW.
 - vi. Maximum FAR: 11.25 (including any residential floor area constructed below the Finished Grade, as defined above).
 - vii. Tower Cantilever Provisions: A minimum of 30 feet of vertical clearance above the Embankment ROW shall be provided. A maximum of 8 feet of projection above the Embankment ROW shall be permitted.
2. Option B: Hotel to Residential Use Conversion Project
 Subject to Chapter 187 of the Municipal Code (the IZO), if amended at a later date to allow projects the option to convert the hotel rooms for residential units. The project shall provide inclusionary affordable units per the IZO, as may be amended, only as to the converted units.
- a. Permitted Principal Use:
 - i. Residential
 - ii. Hotels
 - iii. Retail sales of goods and services
 - iv. Restaurants, category one and two
 - v. Cafés – Restaurants, category two
 - vi. Open Space/Public Park/Promenade

- vii. Light Rail/trolley
- viii. Multiple principal uses/mixed-uses
- b. Permitted Accessory Use:
 - i. Residential amenities
 - ii. Off-street parking and loading
 - iii. Uses customary and incidental to principal permitted uses
- c. Maximum Density: One high-rise tower that shall contain a maximum of 404 dwelling units (DU) and 200 hotel rooms. The developer may be permitted to convert a maximum of 200 hotel rooms to 200 residential units for a maximum of 604 dwelling units within one high-rise tower. No hotel use or units would be permitted as part of the proposed development.
- d. Bulk Requirements
 - i. Maximum Tower Height: 45 stories above the parking base.
 - ii. Minimum residential floor-to-ceiling height: 9 feet.
 - iii. Maximum Tower Dimensions: 210 feet by 85 feet.
 - iv. Maximum Tower Coverage: 50% of the lot area.
 - v. Minimum Tower Stepbacks: 15 feet from the south and east property lines. 125 feet from west property line. No stepback is required from the Embankment ROW.
 - vi. Tower Cantilever Provisions: A minimum of 30 feet of vertical clearance above the Embankment ROW shall be provided. A maximum of 8 feet of projection above the Embankment ROW shall be permitted.
- e. Community Benefits
 - i. Affordable Housing: The designated redeveloper shall comply with all applicable local affordable housing requirements for affordable housing, which shall apply only to an applicable percentage of the hotel units converted to residential units.

3. Option C: Enhanced Project

In the event a larger residential development is chosen, additional residential dwelling units shall be permitted along with specific community benefits.

- a. Permitted Principal Use:
 - i. Residential

- ii. Retail sales of goods and services
 - iii. Restaurants, category one and two
 - iv. Cafés – Restaurants, category two
 - v. Open Space/Public Park/Promenade
 - vi. Light Rail/trolley
 - vii. Multiple principal uses/mixed-uses
- b. Permitted Accessory Use:
 - i. Residential amenities
 - ii. Off-street parking and loading
 - iii. Uses customary and incidental to principal permitted uses
- c. Permitted Density:
 - i. A maximum of 750 dwelling units.
- d. Bulk Requirements
 - i. Maximum Tower Height: 50 stories above the parking base.
 - ii. Minimum residential floor-to-ceiling height: 9 feet.
 - iii. Maximum Tower Dimensions: 225 feet by 85 feet.
 - iv. Maximum Building Coverage: 50% of the lot area.
 - v. Minimum Tower Stepbacks: 15 feet from the south and east property lines. 125 feet from west property line. No stepback is required from the Embankment right-of-way.
 - vi. Tower Cantilever Provisions: A minimum of 30 feet of vertical clearance above the Embankment ROW shall be provided. A maximum of 8 feet of projection above the Embankment ROW shall be permitted.
- e. Community Benefits
 - i. Bicycle/Pedestrian Bridge Requirements: Under this Option C, a bicycle/pedestrian bridge of no less than 15 feet in width shall be constructed over Manila Avenue in order to connect the District 2 block to the next Embankment segment west of this site (known herein as Block 2 of the Sixth Street Embankment Redevelopment Plan). Construction of the bicycle/pedestrian bridge shall be constructed as per the Redevelopment Agreement, once Block 2 is sufficiently developed to safely receive the bridge as determined by the City.
 - ii. Affordable Housing: The designated redeveloper shall comply with all applicable

local or state affordable housing requirements for affordable housing. (Note: currently, affordable housing requirements are included in: (i) the Chapter 187 of the Jersey City Ordinance, and/or (ii) in the NJEDA's Aspire Funding Program, when appropriate funding is provided by NJEDA to the redeveloper).

C) Sidewalk and Street Improvements

- a. The sidewalk of Sixth Street and Luis Munoz Marin Boulevard shall be improved prior to any CO or TCO .
 - i. The width of the Luis Munoz Marin Boulevard sidewalk shall be no less than 15 feet and shall not be impeded by any overhang or projection.
 - ii. The Sixth Street sidewalk shall be expanded to the north from the Embankment property line to provide a sidewalk no less than 15 feet wide.
- b. The sidewalk and streetscape design may be consistent with and an extension of the streetscape design for the balance of the embankment segments.

D) Parking & Loading

- a. A maximum of 260 parking spaces may be provided, limited to and enclosed within the parking base.
- b. Loading and parking access shall be from Sixth Street as approved by the Planning Board in coordination with the Division of Traffic, Transportation and Engineering.

ii. Historic Preservation Requirements

1. General Requirements

- a. All proposals on, within, or incorporating the existing Embankment structure or surrounding area shall be guided by the Secretary of Interior Standards for the Treatment of Historic Properties, applicable National Park Service Preservation Briefs and Bulletins, and Chapter 345-71 of the Jersey City Land Development Ordinance.
- b. Sand blasting, power washing, etc. of the Embankment walls is not a permissible cleaning method and is not permitted. All cleaning of the Embankment structure shall use the gentlest means possible and be done under the guidance of the JCHPC and its Staff.
- c. The developer shall document the entirety of the historic embankment structure remaining in District 2 to HABS/HAER/HALS Level II standards, following the preparation guidelines set forth in "Recording Historic Structures and Sites with HABS Measured Drawings" and "Historic American Building Survey Guide to Field Documentation." The result of said documentation shall consist of, at a minimum, scaled drawings and keyed photo documentation, which shall be digitally distributed to the City of Jersey City Historic Preservation Commission, the Jersey Room at the Jersey City Public Library, NJHPO, and any other agencies or groups as determined appropriate by the city and/or developer.

2. Historic Design Standards

- a. The extent of elements of the Embankment walls that are proposed to be kept shall be reviewed and approved by HPC staff and shall be restored as guided by the Secretary of the Interior Standards for the Treatment of Historic Properties and any applicable National Park Service Bulletins or Briefs.
- b. Any Embankment stones that are removed shall be saved and reused on site or provided to the City for use on the other seven (7) segments of the Historic Pennsylvania Railroad Harsimus Branch Embankment at the City's discretion.
- c. Any stone that is removed, for either reuse elsewhere on the site or for temporary relocation during construction, shall have its original location, condition, and specifications documented per HABS/HAER standards prior to being removed. Documentation shall be filed with the NJHPO and JCHPC, as per Section III.3.b.ii.1.c of the Plan prior to any work being undertaken.
 1. The restoration and/or reconstruction of any component of the Embankment walls shall be guided by historic site evidence and historic site documentation, in accordance with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings and any National Park Service Preservation Briefs and/or Bulletins as deemed appropriate by HPC Staff.
 2. Any stone that is removed and reinstalled shall match the original embankment structure in terms of means and methods of installation, including but not limited to location, material, and pattern of stone.
 3. In the event that the depth of the Embankment stones need to be altered to accommodate construction on the site, HPC Staff shall work with the applicant to determine the most appropriate depth of the embankment stone. The minimum depth of the stone shall not be less than 12 inches or the average depth of the stone at the top of the wall, whichever is greater.
- d. Any new building in District 2 shall be built consistent with the building bulk and design standards of District 2. The streetscape shall be built consistent with the historic rehabilitation of the Harsimus Branch and in context with the surrounding historic resources.
- e. At the parking base, when new construction shall directly abut the existing historic fabric, the following materials are encouraged: full brick, granite, sandstone, cast stone, similar historically appropriate materials.
- f. At the parking base, when new construction shall directly abut the existing historic fabric, the following materials are discouraged: thin brick veneer, stucco, horizontal cement siding, cement board, metal panels, EIFS, and similar materials that were not used historically.
- g. Any new bridges between Embankment segments shall be of a modern design and may, but are not required to, visually refer to the previously existing historic structures between Embankment segments of the Historic Pennsylvania Railroad Harsimus Branch Embankment but shall not copy or reconstruct them. Any new bridges shall not cause an adverse effect on the

historic fabric of the embankment walls and will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the Embankment shall be unimpaired.

- h. Any new stairs to/from the ground level shall be of a modern design and shall not cause an adverse effect on the historic fabric of the Embankment walls. The design and installation of any new stairs will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the Embankment shall be unimpaired.

c. District 4 - Public and Quasi-Public

i. Building Coverage

The maximum amount of land covered by buildings shall not exceed sixty percent (60%) of the area of the lot.

ii. Setbacks

All buildings shall be located so that there is a minimum of four feet (4') between the exterior wall of the building and the nearest parallel lot line. No such setback shall be used for any purposes other than lawns, terraces, steps, walks, and driveways incidental to ingress and egress to or from the building.

iii. Building Height

The maximum building height shall be three (3) stories or forty-eight feet (48').

iv. Access to street

Direct vehicular ingress and egress to or from Marin Boulevard (Henderson Street), Sixth Street, Seventh Street, Eighth Street, and Manila Avenue and the public or quasi-public facility shall be permitted. The Jersey City Fire Department facility shall be permitted to have a continuous open driveway extending from the right-of-way line intersection of Marin Boulevard (Henderson Street) and Eighth Street one hundred feet (100'). The Jersey City Fire Department facility shall be permitted to have a driveway access on Eighth Street at the intersection of Eighth Street and Marin Boulevard (Henderson Street).

v. Off-street parking

1) Public

A minimum of one off-street parking space for each employee of any public facility located within the project shall be provided. All parking facilities shall be screened with a landscaped buffer not less than three feet (3') high between the parking facility and abutting different uses or right-of-way lines or property lines. Minimum landscaping shall consist of either dense evergreen or other planting material or decorative masonry wall. A combination of dense planting material or trees and fencing may also be used.

2) Quasi-Public

For any new construction in the quasi-public use area, there shall be a minimum of one (1) off street parking space provided for each classroom or individual teacher's residence, whichever is greater. In addition, one (1) off-street parking space shall be provided for each five (5) seats in any auditorium or gymnasium provided. All parking facilities must provide a landscape buffer not less than three feet (3') high along any right-of-way line or property line which abuts the parking area. Minimum landscaping shall consist of either dense evergreen or other planting material or decorative masonry wall. A combination of dense planting material, trees and fencing may also be used.

IV. Project Proposals

1. Land Acquisition

- a. Identification of real property to be acquired for
 - i. Clearance and Redevelopment
All real property acquired for clearance and redevelopment is identified on the Acquisition Map, Map No. 3.
 - ii. Public Facilities
All real property acquired for clearance and the redevelopment of public facilities is identified on Acquisition Map No. 3.
 - iii. Rehabilitation and Conservation
Rehabilitation and conservation on Block 11602 for portions of the existing Embankment structure is specified in Section III.3.b.ii.2.a-c of the Plan herein.
- b. The City's intentions for the Historic Pennsylvania Railroad Harsimus Branch Embankment are outlined in the Sixth Street Embankment Redevelopment Plan, this Plan, and the Settlement Agreement.
- c. There shall be a public access easement provided on the north side of District 2 extending the full length of the block, from Luis Munoz Marin Boulevard to Manila Avenue for a width of at least thirty (30) feet (the Embankment ROW).
- d. Public access to the Embankment ROW shall be constructed prior to any CO or TCO for the tower on Block 1 and be provided via a grand stairway of no less than 15 feet in width, with a bike carry channel ramp, which shall be set back at least 30 feet from the curb along Luis Munoz Marin Boulevard.
- e. Public ADA-compliant elevator shall be provided by the developer from street level to the Embankment ROW.
- f. A bicycle/pedestrian bridge of no less than 15 feet in width shall be constructed over Manila Avenue in order to connect the District 2 block to the next Embankment segment west of this side (known herein as Block 2 of the Sixth Street Embankment Redevelopment Plan). Construction of the bicycle/pedestrian bridge shall be constructed as per the Redevelopment Agreement, once Block 2 is sufficiently developed to safely receive the bridge as approved by the City.
 - i. The obligation to construct and pay for such bridge shall be the responsibility of the redeveloper only in the event the redeveloper intends to proceed with a project in accordance with Option C in Section III.3.b.i.B.3. The redeveloper shall not have an obligation to construct and pay the cost for such bridge under Options A and B of Section III.3.b.i.B.1 and Section III.3.b.i.B.2.

2. Rehabilitation and Conservation

The Historic Pennsylvania Railroad Harsimus Branch Embankment has been listed on the State and local historic register and is eligible for the National Register. Rehabilitation, conservation and retention of the stone walls are a priority for any project development. At a minimum, any removed stones will be re-used on-site as determined to be historically appropriate by Historic Preservation staff and remaining stones will be given to the City for re-use on the remaining Embankment blocks or elsewhere in a public place. Any site development will provide the public right-of-way as provided herein and consistent with the Redevelopment Agreement for any Project Proposal at an elevation reasonably equal to the finished surface elevation of the top of the eastern portion of the next Embankment segment west of District 2 to allow for unimpeded public access. Notwithstanding the foregoing, the public right-of-way shall meet the New Jersey Department of Transportation (NJDOT) Design Manual for Bridges and Structures in accordance with American Association of State Highway and Transportation Officials ("AASHTO") recommended clearance standards for clearance over City Streets.

3. Redeveloper's Obligations

In order to achieve the objective of the Redevelopment Plan, each redeveloper shall construct improvements in conformity with this plan and commence and complete such construction within a reasonable time pursuant to the terms of a redevelopment agreement as determined by the Jersey City Redevelopment Agency.

4. Underground Utility Lines

There shall be underground placement of utility distribution lines which shall be relocated underground on all streets within the project area with the exception of telephone and electric facilities on Marin Boulevard, though underground utilities are still encouraged where feasible along this corridor.

V. Other Provisions Necessary to Meet State and Local Requirements

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as "The Local Redevelopment and Housing Law", the following statements are made:

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan has given proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Map and Acquisition Plan (Section IX), which are a part of this Plan, indicate all property to be acquired as a result of

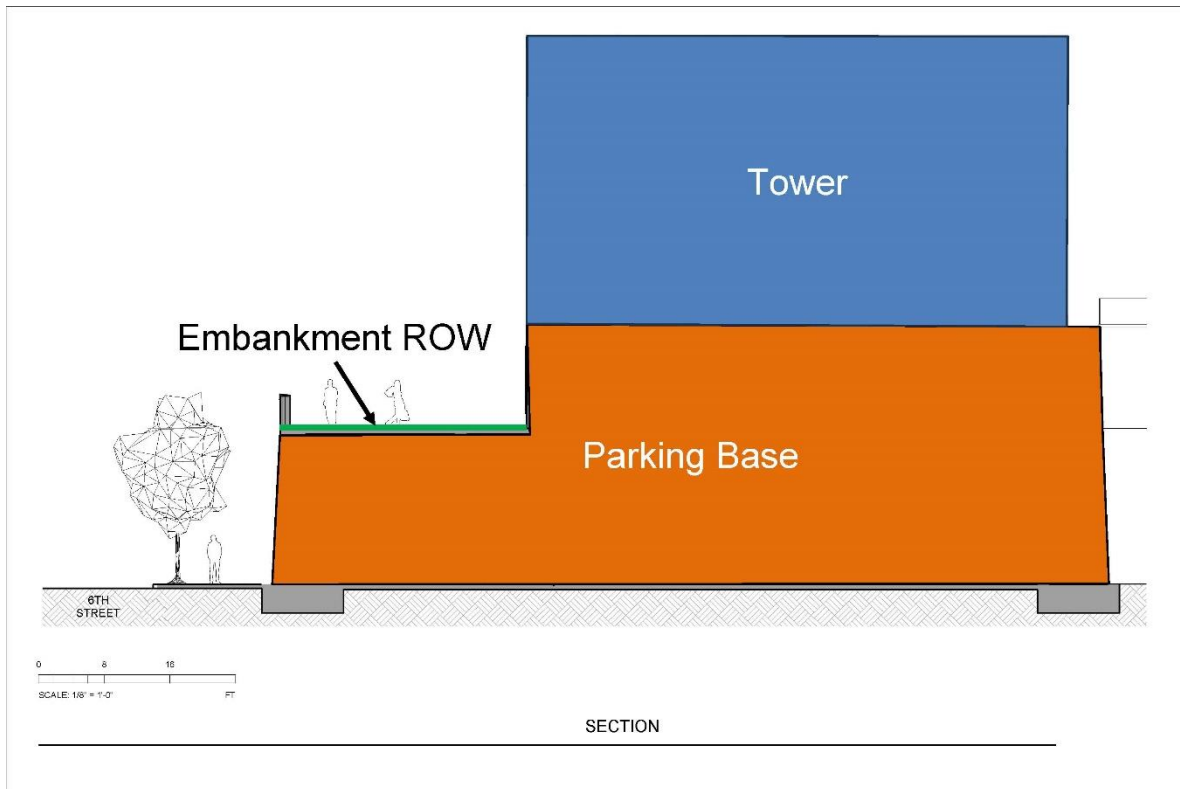
this Plan.

- E. The Plan is in general compliance with the Master Plan of the County of Hudson. It is not contrary to the goals and objectives of the Jersey City Master Plan or the Zone Plan.
- F. This Redevelopment Plan shall supersede all provisions of the Jersey City Zoning Ordinance that are specifically addressed herein. Any zoning related question that is not addressed herein shall refer to the Jersey City Zoning Ordinance for clarification. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the Redevelopment Area covered by this Plan as a Redevelopment Area, and all underlying zoning will be voided.

VI. Procedure for Changes in Approved Plan

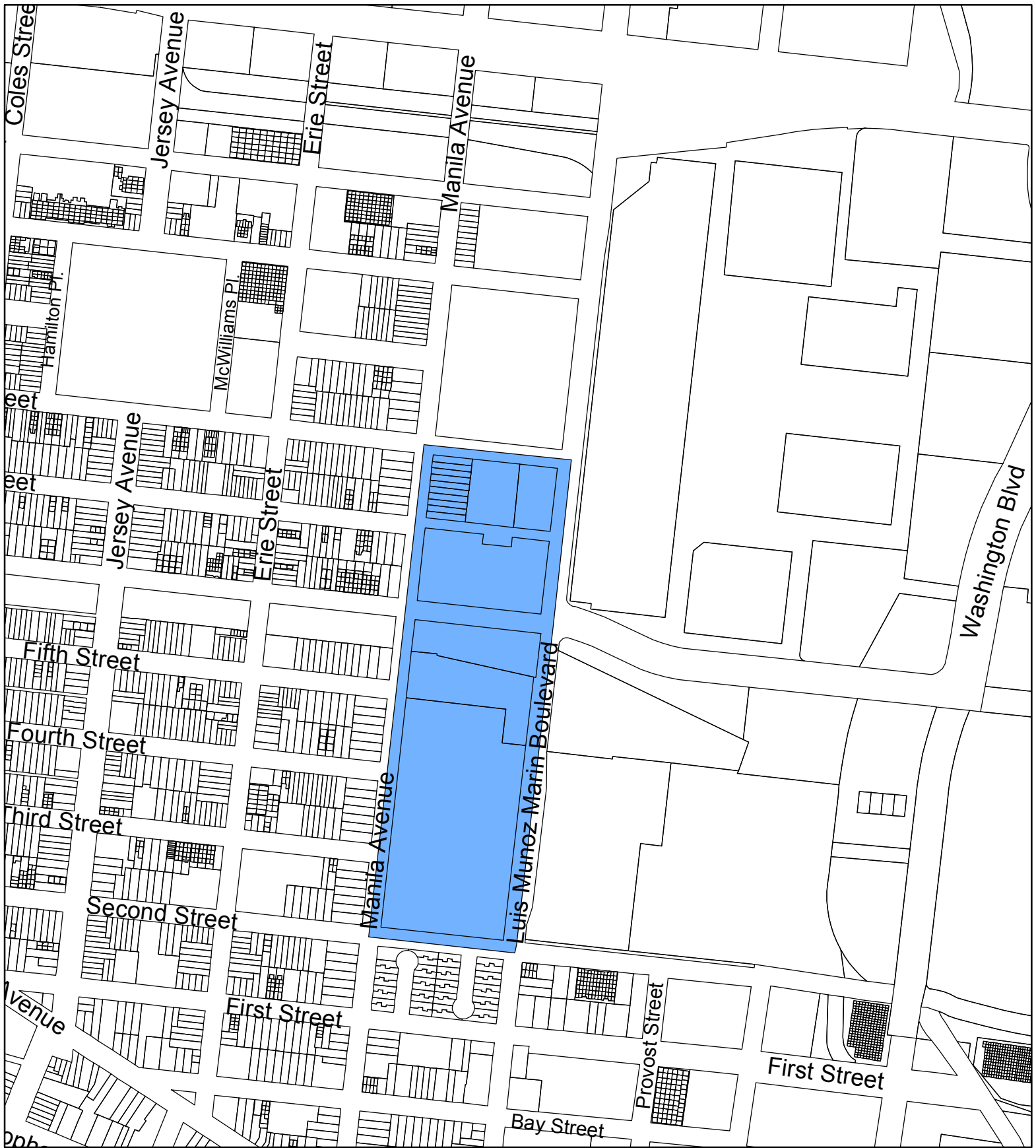
1. This Plan may be amended from time to time upon compliance with the requirements of law. A fee of ten thousand dollars (\$10,000), plus all costs for copying and transcripts shall be payable to the City of Jersey City for any request to amend this Plan. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. If there is no developer, the appropriate agency shall be responsible for any and all costs.
2. No amendment to this Plan shall be approved without the review and recommendation of the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.

Figure 1: District 2 Section View



VIII Maps

Map 1 - Boundary Map
Map 2 – Land Use Map
Map 3 - Acquisition Map

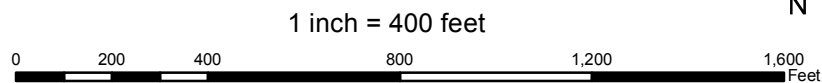


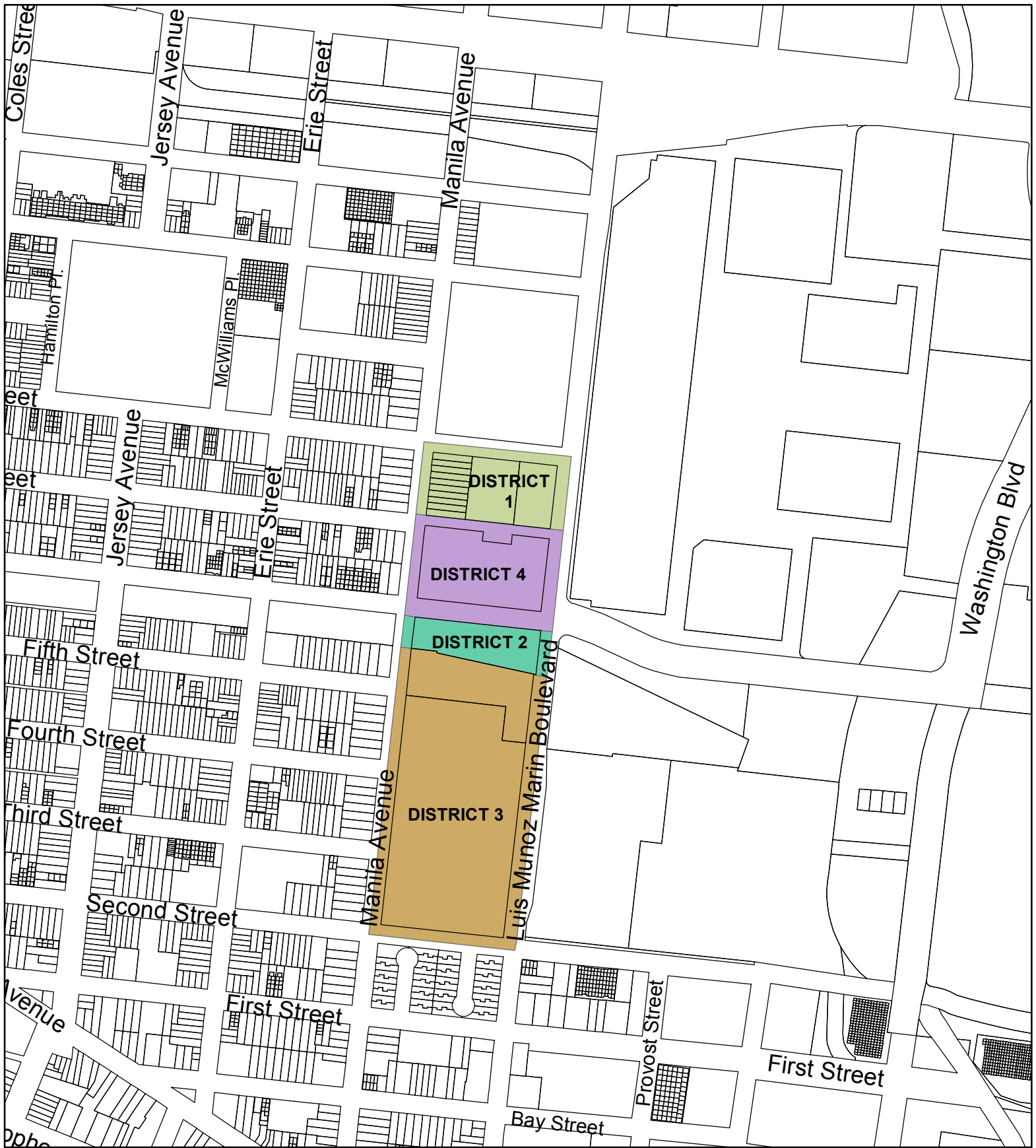
LUIS MUNOZ MARIN BOULEVARD REDEVELOPMENT PLAN

MAP 1

BOUNDARY MAP

May 9, 2014



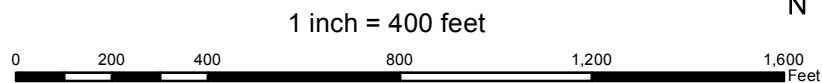


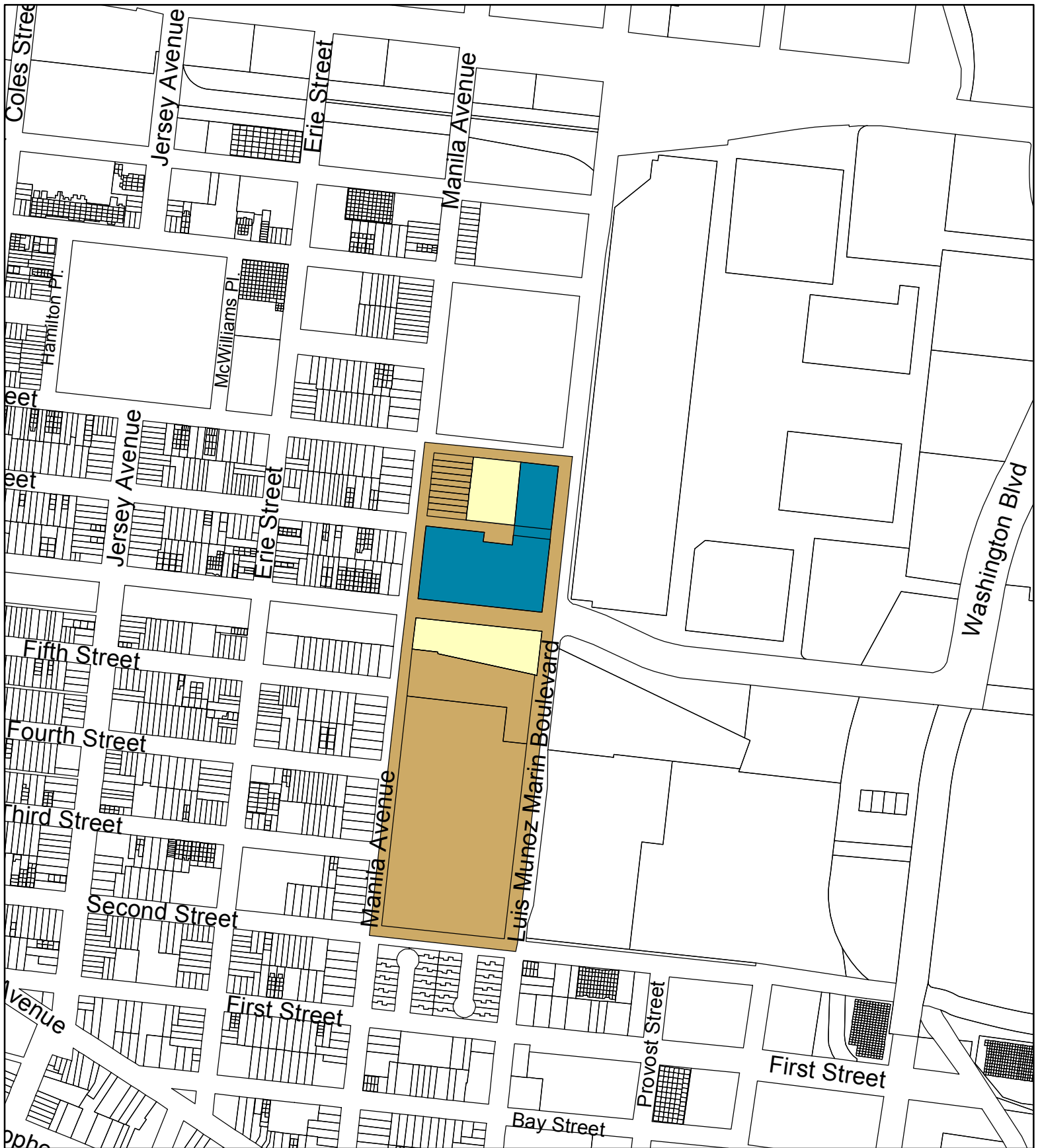
LUIS MUNOZ MARIN BOULEVARD REDEVELOPMENT PLAN

MAP 2

LAND USE MAP

May 9, 2014





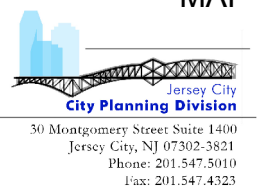
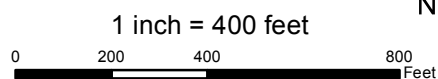
LUIS MUNOZ MARIN BOULEVARD REDEVELOPMENT PLAN

MAP 3

ACQUISITION MAP

Legend

- Not to be acquired
- To be acquired for public use
- To be acquired for clearance and redevelopment



May 9, 2014