

Jersey City Division of City Planning
1 Jackson Square
Jersey City, New Jersey (07305)

DR. Project No.: 11753-001
November 18, 2021

**Re: PLANNING AND ZONING REVIEW MEMORANDUM
456-480 DUNCAN AVENUE
BLOCK 11706, LOTS 11, 12 & 13
CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY**

An application has been filed for the above-referenced property with the Jersey City Planning Board for Preliminary and Final Major Site Plan approval. The following memorandum evaluates the proposed project for consistency with the applicable zoning requirements found in the Hackensack River Edge Redevelopment Plan ("Redevelopment Plan") and Jersey City Land Development Ordinance ("JCLDO").

PROPERTY DESCRIPTION

The subject property is identified as Lots 11, 12, and 13 on Block 11706 and is located midblock on Duncan Avenue west of New Jersey State Highway Route 1 & 9. In total, the subject property has 375 feet of frontage on Duncan Avenue and a lot area of 197, 227 square feet (4.53 acres). The subject property is located within the Open Space District and Industrial Overlay of the Redevelopment Plan. The subject property is currently improved with a trucking terminal facility.

PROPOSED PROJECT

The project is proposing minor site improvements and improvements to the existing trucking terminal facility building. The improvements to the existing building will rehabilitate the building extension that is attached to the building and is in disrepair. The project is also proposing a 2,100-square-foot rain garden in the front of the property adjacent to the west of the existing building on Lot 13 and a rain garden south of the existing building on Lot 12.

GENERAL PLANNING ANALYSIS

Truck terminal and truck storage is not defined in the Redevelopment Plan or the JCLDO. Truck terminal is defined in the Complete Illustrated Book of Development Definitions ("Development Book") as,

"An area and building where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation."

Based on the definition above, a *truck terminal* use includes both an **"area and building"**. A truck terminal facility requires sufficient space on a given property for the transfer of goods within a building and space on a given property for circulation, loading and staging of trucks and trailers. More specifically, this specific truck terminal use requires sufficient land for trailers to access loading docks. Furthermore, both the building and area are factors in determining the intensity of the existing use. Therefore, it our opinion that this specific truck terminal use is not limited to just within a building, but also to an area, consistent with the Development Book definition.

In addition, the JCLDO defines “building” as,

“Any structure, part of a structure, extension thereof, or addition thereto having a roof supported by columns, posts, piers, or walls and intended for the shelter, business, housing or enclosing of persons, or property.”

The existing building extension attached to the rear of the building is enclosed with a roof that is supported by walls and functions as part of the trucking terminal facility. Therefore, the existing building extension attached to the rear of the building meets the JCLDO definition for “building”.

ZONING CONSISTENCY ANALYSIS

Use Standards

The Open Space District of the Redevelopment Plan permits *public park* and *public recreational facilities*. The Open Space District also permits certain uses on specific block and lots. Permitted principal uses on the subject property include *truck storage* on Block 11706, Lot 11; *truck terminal* on Block 11706, Lot 12; and *truck terminal* on Block 11706, Lot 13.

The Open Space District of the Redevelopment Plan states,

“This district currently contains trucking terminal facilities along Duncan Avenue. This redevelopment plan establishes these existing uses as pre-existing uses only. These trucking terminals shall be permitted to remain only as they currently exist and shall not be permitted to expand in size or function. Minor alterations in site plan and façade plan may be permitted by the planning board provided such alterations are consistent with the redevelopment regulations and parking standards of this plan. No deviations may be granted for these pre-existing, non-conforming uses.” (RP VIII.1.C (pg. 12))

As stated, the entire subject property is currently improved with a permitted pre-existing truck terminal facility. The existing truck terminal facility building is located in the approximate center of the property. The building contains loading doors along both sides. The pre-existing truck terminal buildings on the subject property occupies 13.49% (26,613 square feet) of the 197,227-square-foot property. This includes the approximate 10,475-square-foot existing building extension attached to the rear of the building, where the rehabilitation work is proposed. The proposed rehabilitation will reduce the existing square footage of the building extension attached to the rear of the building by approximately 2,675 square feet, which will reduce the overall building coverage to 12.1% (23,938 square feet).

The remainder of the property is predominantly paved and used for the circulation of the trucks, which allows for trucks to back into the loading spaces in front of each loading door. The subject property also contains a staging area for the temporary storage of trucks within the side and rear yard areas. The pre-existing building and attached rear building extension has an approximate 113-foot west side yard setback, approximate 160-foot east side yard setback, and an approximate 131-foot rear yard setback. The front of the existing building has an approximate 145-foot west side yard setback, but the rear building extension attached to the building extends approximately 32 feet into the west side yard. The proposed project will remove the extension of the building into the west side yard, which will increase the west side yard setback to approximately 145 feet matching the front of the building. The setback areas are necessary to provide adequate space for truck maneuvering into the loading docks of the

building. Therefore, the proposed project will actually improve circulation around the building by increasing the west side yard setback.

The proposed project is to rehabilitate the building extension that is attached to the existing building to provide for an improved enclosed loading dock area. The proposed project will be a minor alteration to the site plan and façade plan and is proposed to be consistent with the façade of the majority of the building. The trucking terminal facility building currently has 70 loading dock doors, which will remain the same with the proposed rehabilitation project. In addition, it is not anticipated that the peak number of truck trips will increase with the proposed project. The proposed project will not expand the truck terminal facility in size or function. As stated, the proposed project will actually reduce the building floor area and will increase the west side yard setback. Therefore, the project is in compliance with §VIII.1.C of the Redevelopment Plan, as stated above.

Bulk Standards

The Open Space District does not provide defined requirements for the pre-existing truck terminal facility use. As per §VIII.1.C of the Redevelopment Plan, the proposed minor alterations are required to be “consistent with the redevelopment regulations and parking standards of this plan.” Based on our analysis of the relevant bulk and parking standards, The proposed rehabilitation to the existing to the building extension that is attached to the rear of the building complies with all bulk requirements including coverage, setbacks, building height, etc.

	REQUIREMENT	EXISTING	COMPLIANCE	PROPOSED	COMPLIANCE
LOT WIDTH (MIN.)	300 ft	375 ft	Complies	50 ft	Complies
LOT DEPTH (MIN.)	300 ft	503.87 ft	Complies	100 ft	Complies
FRONT YARD SETBACK (MIN.)	50 ft	21.7 ft	Existing Nonconforming		Existing Nonconforming (No Change)
SIDE YARD SETBACK (MIN.)	100 ft	East: 159.8 ft West: 113.2 ft	Complies	East: 159.8 ft West: 145.1 ft	Complies
REAR YARD SETBACK (MIN.)	100 ft	131.11 ft	Complies	123.7 ft	Complies
BUILDING HEIGHT (MAX.)	50 ft	23 ft	Complies	23 ft	Complies
NUMBER OF STORIES (MAX.)	1	1	Complies	1	Complies
BUILDING COVERAGE (MAX.)	60%	12.1% (23,938 sf) *	Complies	14.8% (29,253 sf) *	Complies
LOT COVERAGE (MAX.)	90%	97.05% (191,418 sf) *	Existing Nonconforming	97.05% (191,418 sf) **	Existing Nonconforming (No Change)
TRAILER PARKING STORAGE (MAX.)	2 spaces per 1 loading dock door	70 doors x 2 spaces = 140 trailers	Complies	70 doors x 2 spaces = 140 trailers	Complies
OFF-STREET PARKING – LIGHT INDUSTRIAL (MAX.)	1 space per 5,000 sq ft	19,800 sf / 5,000 sf = 4 spaces	Complies	19,800 sf / 5,000 sf = 4 spaces	Complies
OFF-STREET PARKING – OFFICES (MAX.)	1 space per 600 sq ft	3,970 sf / 600 sf = 7 spaces	Complies	3,970 sf / 600 sf = 7 spaces	Complies

Therefore, there are no deviations required that are related to the proposed minor alterations to the pre-existing trucking terminal facility building.

CONCLUSION

It is our opinion that the proposed project is does not expand the pre-existing trucking terminal facility in size or function. The proposed project is for a rehabilitation of the existing building extension attached to the rear of the building and therefore complies with §VIII.1.C of the Redevelopment Plan.

Dresdner Robin hereby makes no warranty or guarantee of any kind, expressed or implied in this memo, or any other opinion, document or other communication, whether in oral, written or electronic form, delivered or supplied in connection with this zoning consistency review memorandum. Ultimately, the final interpretation of the applicable zoning will be provided by the Jersey City Division of Planning. In addition, the Applicant reserves the right to supplement the foregoing memorandum and address any deviations or waivers that may be determined to be necessary during the review and processing of this application with expert testimony at the Planning Board hearing.