

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1435

**AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE WATERFRONT REDEVELOPMENT AREA**

WHEREAS, the Mayor and Council of the Town of Harrison (“Town”) desires to adopt amendments to the Waterfront Redevelopment Plan prepared by Heyer, Gruel, & Associates PA; and

WHEREAS, the Town previously established a Redevelopment Area, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.), which area is commonly referred to as the “Waterfront Redevelopment Area”; and

WHEREAS, a Redevelopment Plan for the Waterfront Redevelopment Area, entitled “Harrison Waterfront Redevelopment Plan,” was prepared by Heyer, Gruel, & Associates and adopted by Ordinance Number 1077 on July 23, 2003; and

WHEREAS, an Amended Redevelopment Plan for the Waterfront Redevelopment Area, entitled “Amended Harrison Waterfront Redevelopment Plan 2012,” was prepared by Heyer, Gruel, & Associates and adopted by Ordinance Number 1262 on April 24, 2012; and

WHEREAS, since the adoption of the Amended Redevelopment Plan (hereinafter the “Plan”), several supplemental amendments have been adopted; and

WHEREAS, since the adoption of the Plan and the supplemental amendments, there have been changes in conditions and circumstances; and

WHEREAS, due to the changes, it is necessary to further amend the Plan; and

WHEREAS, the amendments will not compromise the core principles and goals of the Plan; and

WHEREAS, these changes relate to implementing the provisions in the executed Redevelopment Agreement, dated February 24, 2021, between the Harrison Redevelopment Agency (“HRA”), the Town of Harrison, and Supor 136-1 Realty LLC, Supor Properties Enterprises LLC and Supor-172 Realty LLC (“SUPOR”); and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HARRISON AS FOLLOWS:

THAT: The “**STATUTORY REQUIREMENTS**” section shall be amended to add paragraph 8 as follows:

“8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.”

THAT: A new section entitled “**DEFINITIONS**” shall be added to the Redevelopment Plan. The new section shall read as follows:

**“DEFINITIONS**

**ELECTRIC VEHICLE CHARGING STATION** – “EV Charging Station” - A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in a plug-in electric vehicle (“PEV”). Also known as “Electric Vehicle Supply Equipment.”

**FINANCIAL INSTITUTION** — Any structure wherein business of primarily a monetary nature is transacted, such as banks, savings and loans associations, mortgage companies and similar institutions.

**HEALTH CARE FACILITY** – A facility, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity, or physical condition, including but not limited to a general hospital, diagnostic center, treatment center, rehabilitation center, extended care center, intermediate care facility, nursing homes, outpatient laboratory, and outpatient clinics/urgent care centers. Accessory uses typically include laundries, cafeterias, gift shops, laboratories, pharmacies, and medical offices.

**HOTEL** — A facility offering transient lodging accommodations to the general public and may

provide additional services such as restaurants, meeting rooms, entertainment and recreation facilities.

**MULTI-FAMILY** - A building containing four (4) or more dwelling units where each unit is joined to other dwelling units above, adjacent, and/or below. Also known as an “apartment building.”

**OFFICE** – A room or group of rooms used for conducting the affairs of a business, profession, service industry, or government.

**RESTAURANT** — An establishment where food and drink are prepared and/or served and consumed within the principal building without facilities for drive-thru order and for drive-thru pick up.

**RETAIL SALES** – Establishments engaged in the selling or rental of goods or merchandise and in rendering services incidental to the sale of such goods.

**RETAIL SERVICE**—Establishments engaged in providing services for individuals, businesses, government and other organizations and include finance, insurance, real estate, personal services, business services, miscellaneous repair services, motion pictures, amusement and recreation services, health services, educational services, social services, museums, art galleries, botanical gardens and zoological gardens.

**WELLNESS CENTER/FITNESS CENTER** - An enclosed building or structure containing multi-use facilities for conducting fitness-related activities such as aerobic exercises, weight training, swimming, sports, yoga, pilates, crossfit, barre, and cycling / spin classes. Group and individual fitness instruction are included in this use. Customary accessory uses include locker rooms, saunas, showers, sale of packaged food and drink, and sale of equipment and apparel.”

THAT: The paragraph under “**Parking Garage**” subsection in “**PROGRESS UPDATE**” shall be revised to state the following:

“A 1,440-space parking deck was constructed adjacent to the Harrison PATH Station on the west side of Frank E. Rodgers Boulevard. The structure, originally financed, operated and controlled by the HCIA, is now owned, operated, and controlled by the Town of Harrison.”

THAT: The “**Roadway Network**” subsection, under “**CIRCULATION**,” shall be amended to include the following additional text:

“The NOG Loop Road Network is a dedicated public road network located within the Mixed-Use NOG District. The NOG Loop Road Network is comprised of interconnected rights-of-way that range between 60 feet and 90 feet in width. The NOG Loop Road Network is intended to provide vehicular access to the public parking decks, the commuter drop-off for the Harrison PATH Station, and the proposed development north of Guyon Drive. The road network is anticipated to include vehicle travel lanes, a traffic circle, bike lanes, a drop off lane for the PATH Station, sidewalks, and 138 on-street parking spaces. The NOG Loop Road Network is identified on and will be developed in a manner consistent with the “Loop Road Plan” in Attachment A and the NOG Loop Road Sectional Diagrams in Attachment C.”

THAT: A new subsection under “**CIRCULATION**” shall be created and read as follow:

**“North of Guyon Loop Road Network (herein after “NOG Loop Road Network”)**

The NOG Loop Road Network consists of a series of roadways located north of Guyon Drive in the Mixed-Use NOG District. The purpose of this network is to move pedestrians, bicycles and vehicles to and from the Harrison PATH Station as well as the mix of land uses that comprise the District. The NOG Loop Road Network is made up of the following roadways, as detailed on the Build Out Road Network Map:

- 5<sup>th</sup> Street Kiss & Ride
- 5<sup>th</sup> Street Extension
- Retail Corridor
- Public Streets
- Pete Higgins Extension

The dimensions of the roadways within the NOG Loop Road Network will be developed in a manner consistent with the “Loop Road Plan” in Attachment A and the NOG Loop Road Sectional Diagrams in Attachment C.”

THAT: The fourth paragraph of the “**Parking**” subsection, under “**CIRCULATION**,” shall be amended to read as follows:

“A 1,440-space parking deck was constructed adjacent to the Harrison PATH Station on the west side of Frank E. Rodgers Boulevard. The structure, originally financed, operated and controlled by the HCIA, and is now owned, operated, and controlled by the Town of Harrison.”

THAT: The fifth paragraph of the “**Parking**” subsection, under “**CIRCULATION**,” shall be deleted in its entirety.

THAT: The “**LAND USE PLAN**” shall be amended to include the following new land use district:

### **“Mixed-Use NOG District**

#### ***Purpose:***

To capitalize on and promote the District’s proximity to the PATH station by creating an opportunity for a transit-oriented mixed-use development.

The following improvements, to be located in nine (9) to ten (10) buildings, are envisioned for a portion of the District:

- 500,000 to 1,000,000 gross square feet of commercial office space;
- 149,000 to 152,000 gross square feet of ground-floor retail space;
- 200-room hotel;
- 1,500 residential units; and
- 4,163 to 4,570 structured parking spaces.

The above project improvements will be developed and configured in conformance with the Redevelopment Agreement, dated February 24, 2021.

All other properties within the District shall be developed pursuant to their Land Use District requirements, including use, bulk, height, and design standards as set forth herein.

The District is also envisioned to include pedestrian connectivity. A 40-foot-wide pedestrian corridor lined with retail on the ground floor is intended to traverse the district in a north/south orientation from Guyon Drive to provide a welcoming pedestrian connection to the District from the rest of the Redevelopment Area. A second pedestrian corridor measuring 30-feet-wide is intended to traverse the district in an east/west orientation from the PATH station toward the Retail Corridor and the 40-foot-wide north/south pedestrian corridor. The pedestrian corridors will provide a connection from the PATH station to the Red Bull Arena.

#### ***Principal Permitted Uses Mixed-Use NOG***

The following are principal permitted uses:

- Retail sales and service
- Multi-family residential
- Office
- Restaurants
- Movie theaters and similar entertainment uses
- Financial institutions
- Fitness centers/Wellness centers
- Health Care Facility
- Childcare facilities
- Hotels
- Parks and public open space
- Community facilities
- Structured parking
- Mixed-use projects which combine two or more of the principal permitted uses above
- Drive-thru uses shall not be permitted

#### ***Principal Permitted Uses Mixed-Use NOG Nonresidential***

The property identified on the Land Use Map as “Mixed-Use NOG Nonresidential” shall be permitted to be developed with all of the uses listed above, with the exception of multi-family residential. Drive-thru uses shall not be permitted.

#### ***Principal Permitted Uses Mixed-Use NOG Entertainment/Retail***

The property identified on the Land Use Map as “Mixed-Use NOG Entertainment/Retail” shall

be permitted to be developed with the following principal uses:

- Movie theaters and similar entertainment uses
- Retail sales and service
- Restaurants
- Community Facilities
- Mixed-use projects which combine two or more of the principal permitted uses above
- Drive-thru uses shall not be permitted

***Accessory Uses***

Laundry, for use of on-site residents, gym facilities for on-site residents or office tenants, parking, signage, outdoor dining, plazas, parks, public spaces, lobbies, tenant storage, property management/leasing offices, EV Charging Stations, and any other uses customarily incidental and accessory to the principal use.

***Bulk Standards:***

Height:	In accordance with the Building Heights Map
Setbacks:	
Minimum	Zero (0) feet
Maximum	Ten (10) feet. An additional setback of 10 feet is permitted only if the setback is used to provide a public amenity, outdoor dining or provides architectural interest (e.g. offsets) to the building façade.
Street Level Commercial Frontage:	Permitted commercial/non-residential uses shall have a minimum depth of forty (40) feet.
Parking:	
Residential	One (1.0) space per dwelling unit
Office/Retail/Financial Institutions	Minimum one (1.0) space per 1,000 square feet of gross floor area. For office uses: a shared parking concept may be considered by the HRA and Planning Board at their sole discretion.
Restaurant	One (1.0) space per four (4) seats
Hotel	One (1.0) space per room, plus one (1.0) space per 1,000 square feet of conference and similar space
Fitness Center/Wellness Center	None
Required Town Spaces	A minimum of 1,837 spaces as defined in the executed Redevelopment Agreement dated February 24, 2021

Parking for a permitted principal use may be on a different lot than the principal use; however, the parking shall be located within the Mixed-Use NOG District. Such off-site (but within the District) parking is permitted only if the Redeveloper can provide a long-term parking arrangement to the satisfaction of the Harrison Redevelopment Agency.

No individual garage doors may front on a public street.”

THAT: The “**ARCHITECTURAL STANDARDS**” section shall be amended to add the following subsection:

**“Design Standards for Structured Parking**

The intention of the Redevelopment Plan is to create vibrant, transit-oriented development with active ground floors to contribute to a pedestrian friendly environment. Structured parking that is not located behind an active use and fronts on streets or walkways shall be designed in an aesthetically pleasing manner that contributes to, rather than detracts from, the development in the Redevelopment Area. All structured parking shall be appropriately screened. Blank concrete walls are not permitted. Required screening and architectural design can be accomplished through a combination of the following:

- Use of the same façade materials as the portions of the building housing active uses.
- Use of green screens, green walls, or other vertical landscaping. Planting selection shall

include varieties that will be able to provide screening all year round.

- Decorative grates or fencing.
- Decorative elements, murals, mosaics, or other art installations.”

THAT: The “**INTERIM USES**” section shall be replaced in its entirety with the following:

- “A minimum of 1,401 existing public parking spaces shall be available on Supor property pursuant to Exhibit I of the Redevelopment Agreement, dated February 24, 2021. Provisions of the Redevelopment Agreement (Exhibit I) acknowledge the surface parking as an existing interim use that does not need to receive any additional approvals, with the exception of a public parking lot license. A maximum of 20% of spaces may be valet spaces.
- Construction Laydown Area for the Port Authority of New York and New Jersey (“PANYNJ”) for construction materials, construction vehicles and the parking of vehicles for persons engaging in the construction of the PATH Station that PANYNJ is going to build on the west side of Frank E. Rodgers Boulevard.
- Interim uses are subject to the following conditions:
  - Interim surface parking shall require that the Redeveloper prepare the site so as to assure the safety of both vehicular users and pedestrian users. It shall have a dust-free surface, be adequately illuminated, and be managed and monitored so as to assure its convenient use by the general public.
  - Interim uses may be established subject to agreement between the Redeveloper and the Harrison Redevelopment Agency that such use will not have an adverse effect upon existing or contemplated development during the interim use period of up to three (3) years in duration. Additional renewals of an interim use may be granted by the Harrison Redevelopment Agency.
  - Any interim use must receive approval from the Planning Board and must provide a site plan to confirm that all requirements of this section are met.”

THAT: The “**Food Oriented District**”, “**Structured Parking District**”, and the “**Office/Technology Center District**” subsections of the “**LAND USE**” section shall be deleted in their entirety.

THAT: The Aerial, Buildout Road Network, Building Height, Development Status, Key Circulation Proposals, On-Street Parking Plan, Land Use, Ground Floor Land Uses maps in the Waterfront Redevelopment Plan shall be replaced in accordance with Attachment B.

THAT: The NOG Loop Road Sectional Diagrams shall be added to the Sectional Diagrams, located at the end of the Plan in accordance with Attachment C.

BE IT FURTHER ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HARRISON:

THAT: All prior Ordinances, which are inconsistent with the provisions of this Ordinance, as well as any prior versions of the above referenced maps, are hereby repealed to the extent of such inconsistency.

THAT: This Ordinance shall become effective immediately upon final passage and publication as requires by law.

/s/ Ellen Mendoza

Councilwoman Ellen Mendoza

Introduced: 03-16-2021

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on March 16, 2021, the foregoing Ordinance passed on first reading.

Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. CAMANO			X			
M. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
E. MENDOZA			X			
F. NASCIMENTO			X			
E. VILLALTA			X			
J. FIFE			X			

Adopted: 04-20-2021

Approved: \_\_\_\_\_  
Mayor James A. Fife

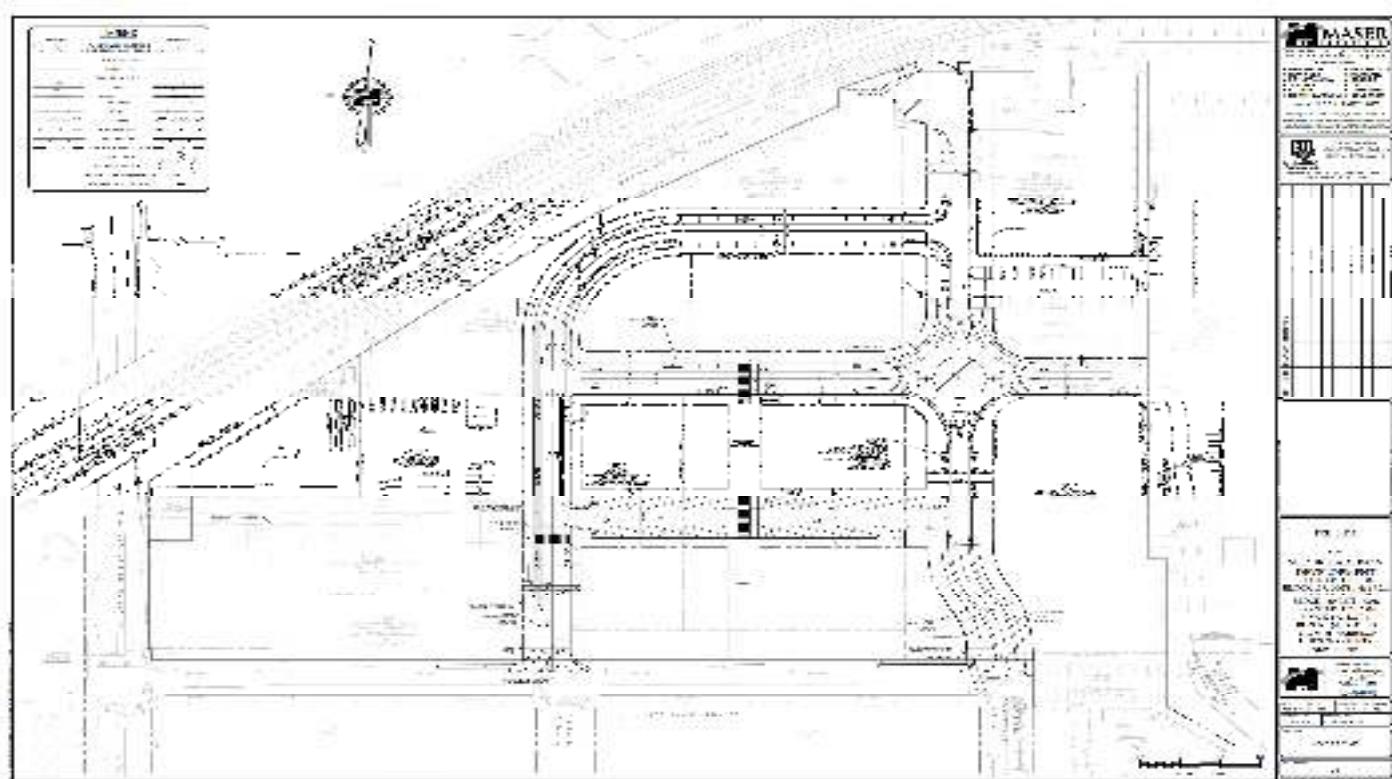
I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council duly held on April 20, 2021 the foregoing Ordinance, previously published according to law, was adopted on second reading, approved by the Mayor, spread in full in the ordinance book, and published according to law.

Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT			X			
M. CAMANO		X	X			
M. DOLAGHAN			X			
J. DORAN			X			
J. HUARANGA			X			
E. MENDOZA	X		X			
F. NASCIMENTO			X			
E. VILLALTA			X			
J. FIFE			X			

## ATTACHMENT A

### Loop Road Plan



## **ATTACHMENT B**

**Maps:**

*Aerial*

*Build Out Road Network*

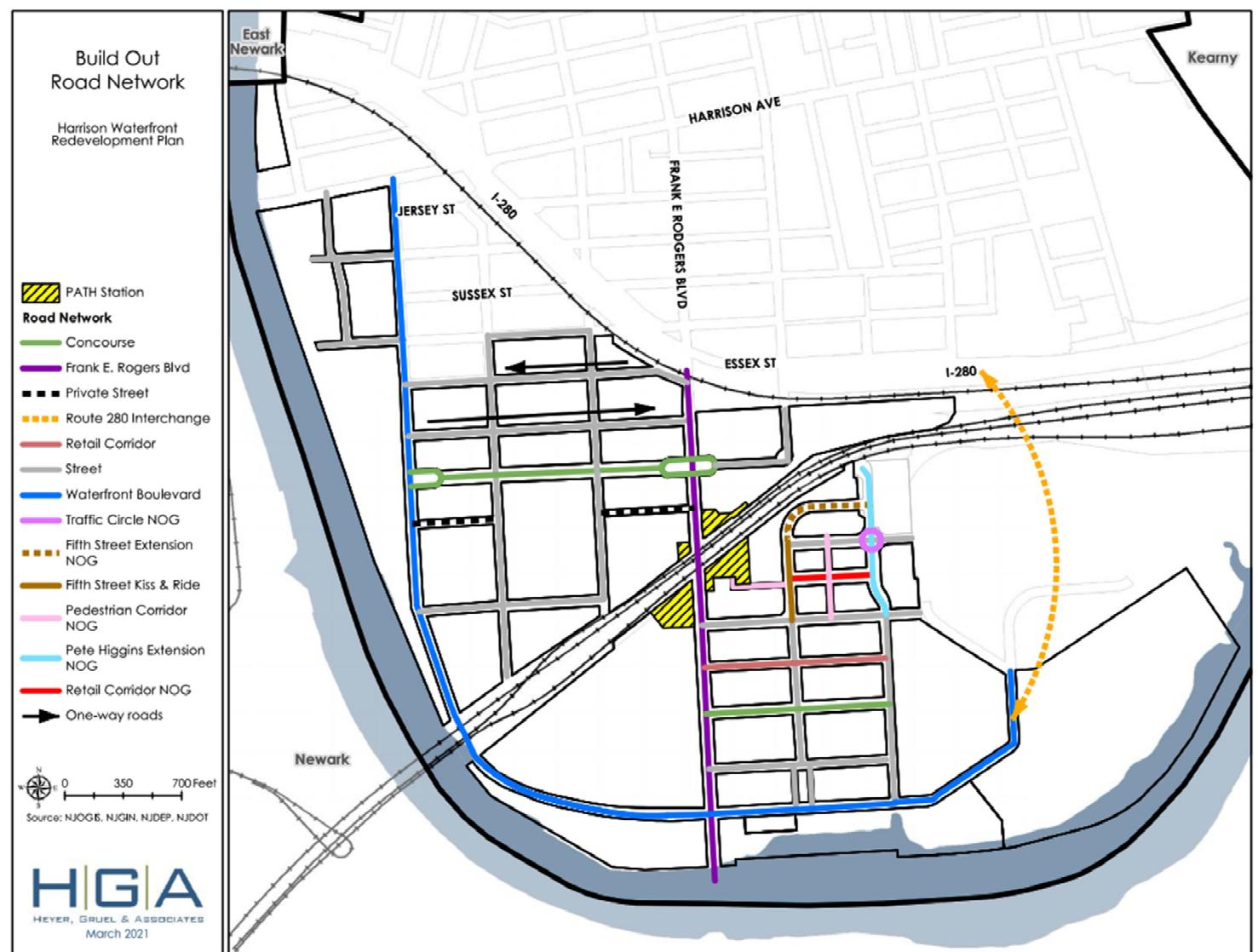
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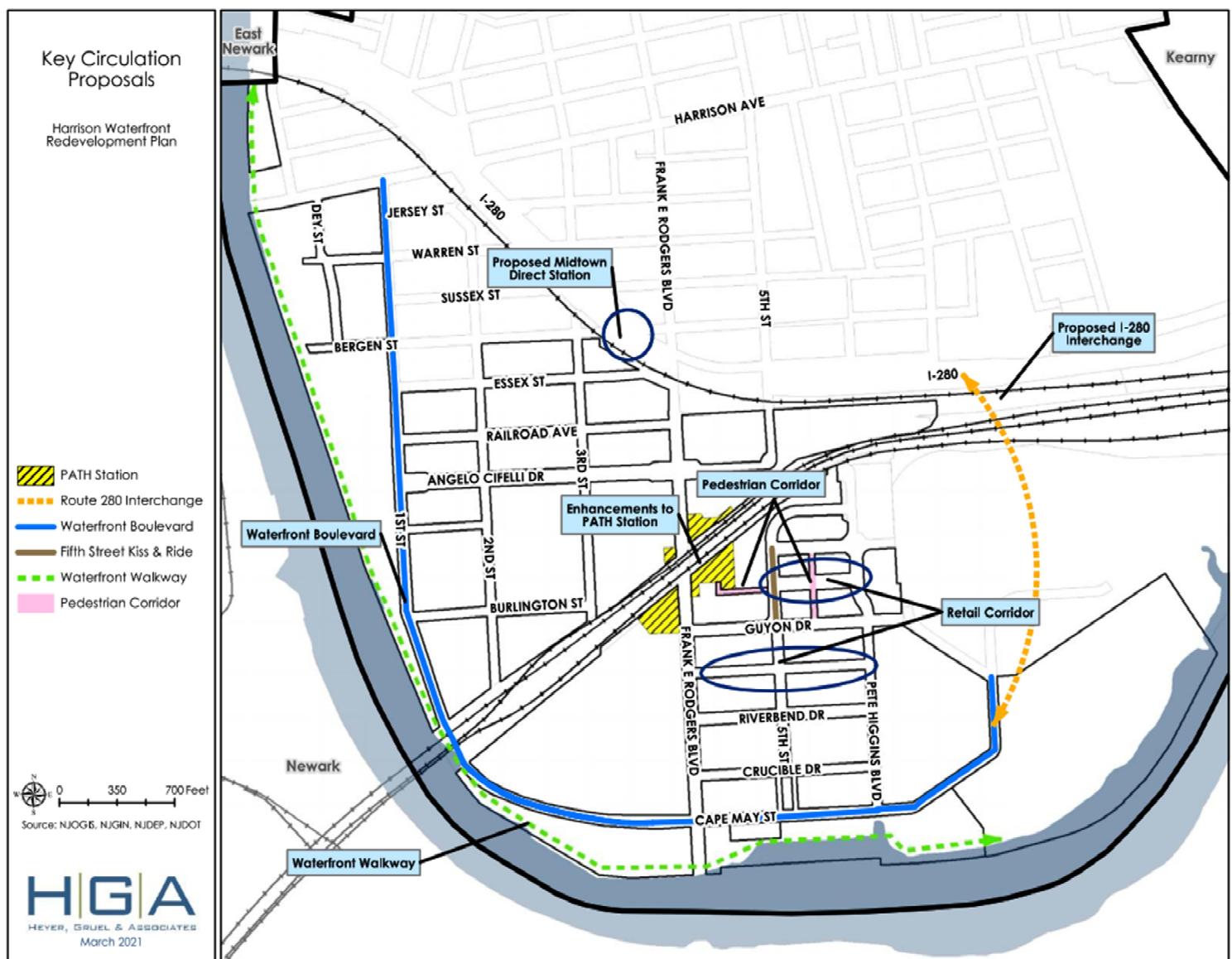
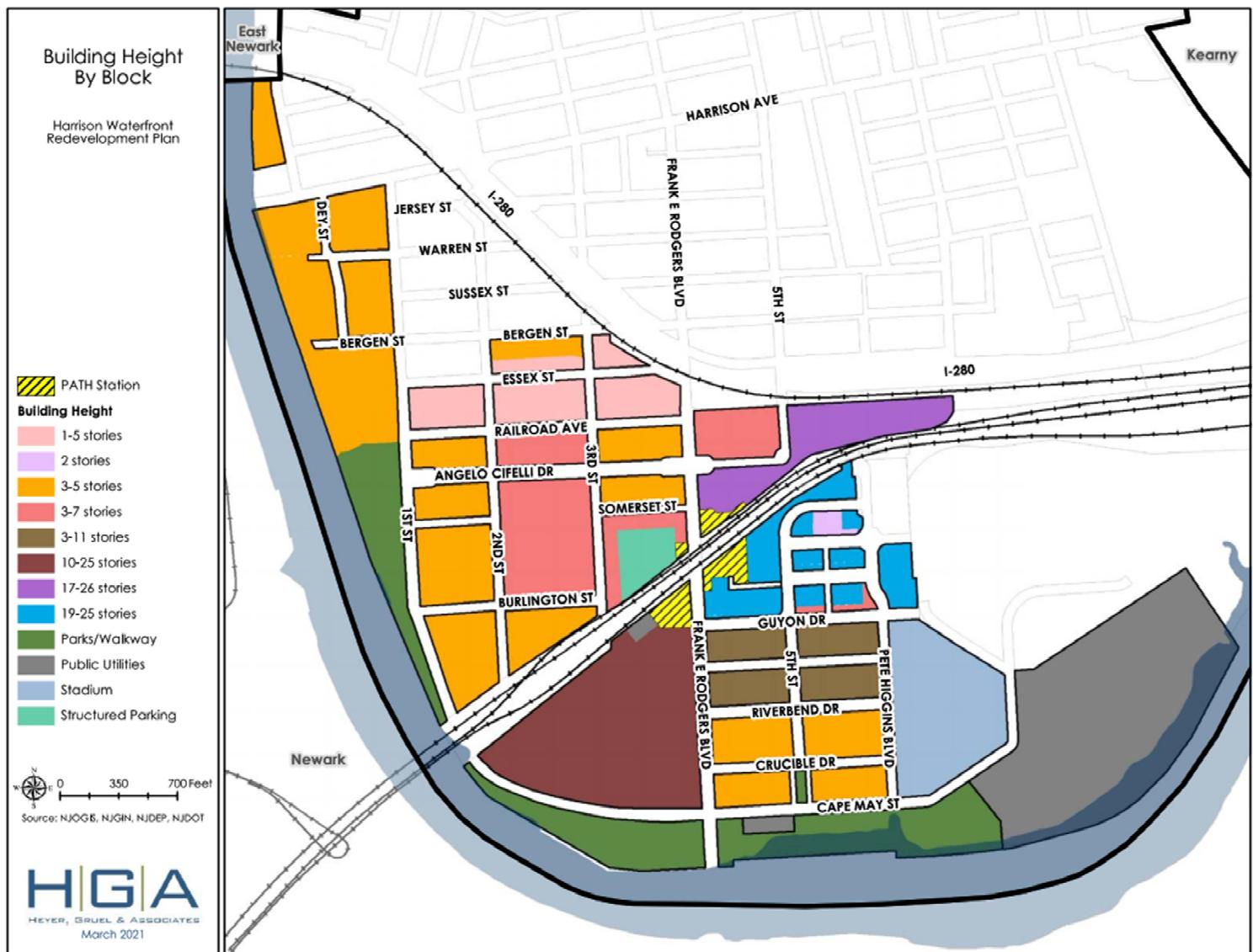
*Key Circulation Proposals*

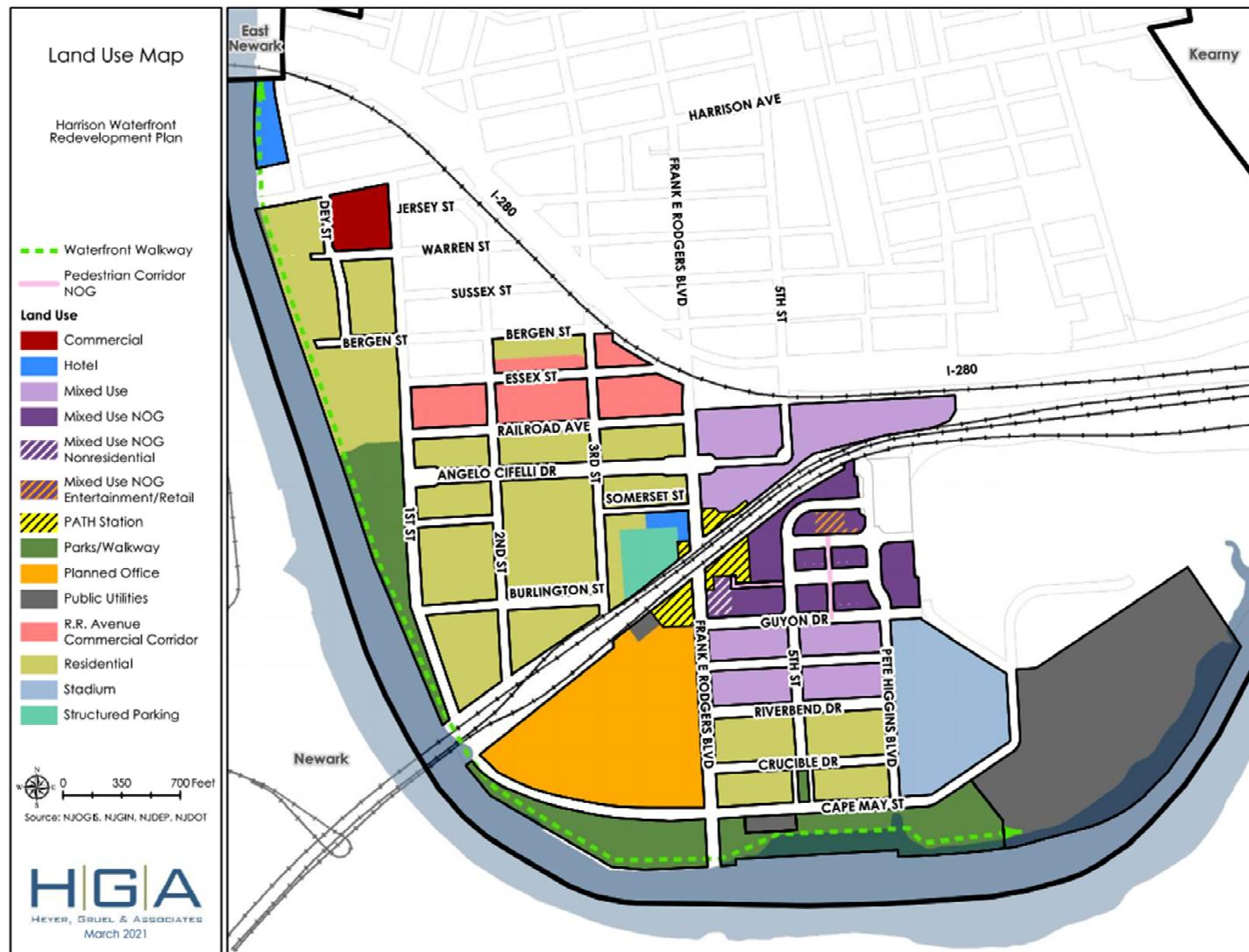
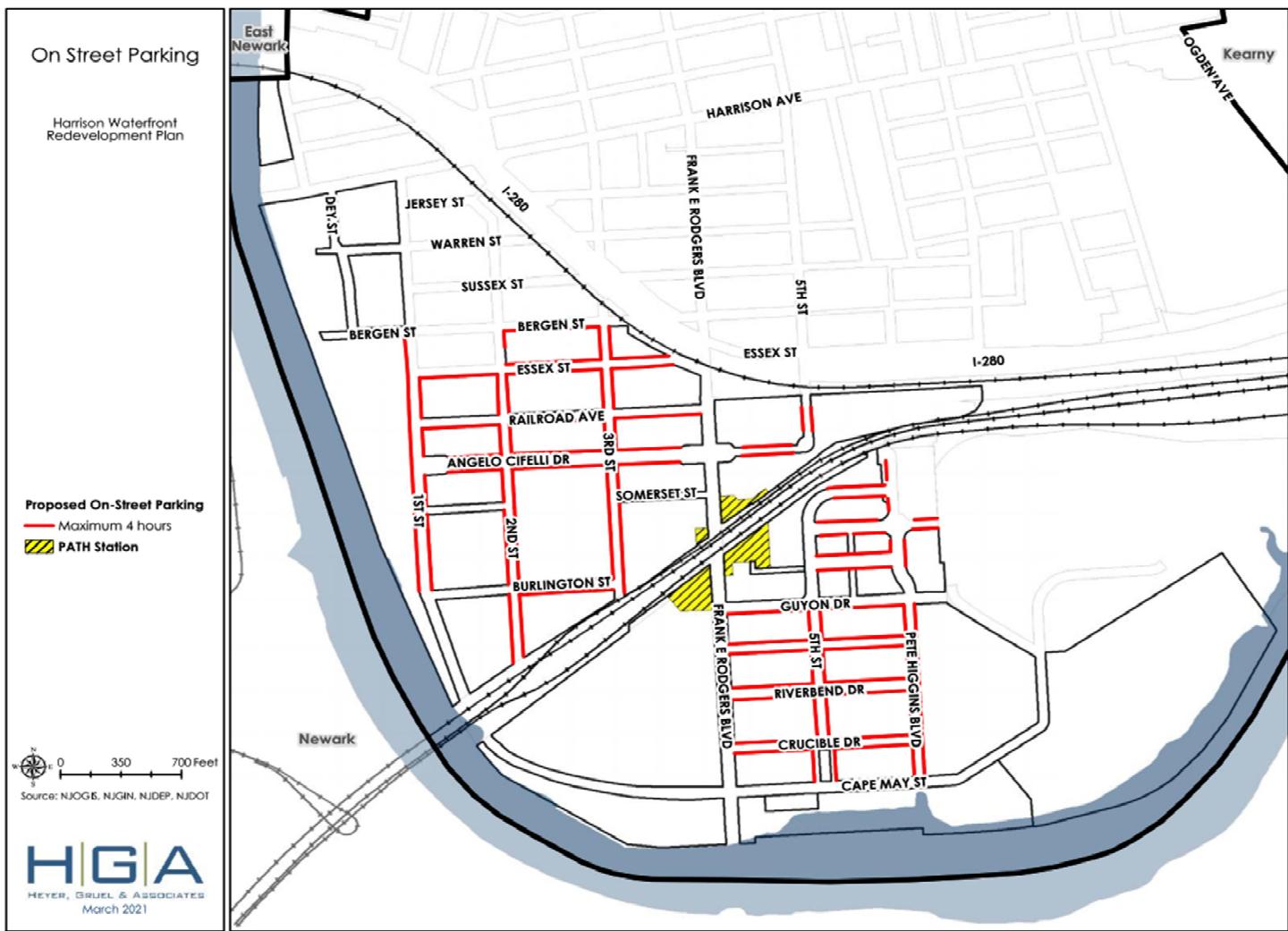
*On-Street Parking Plan*

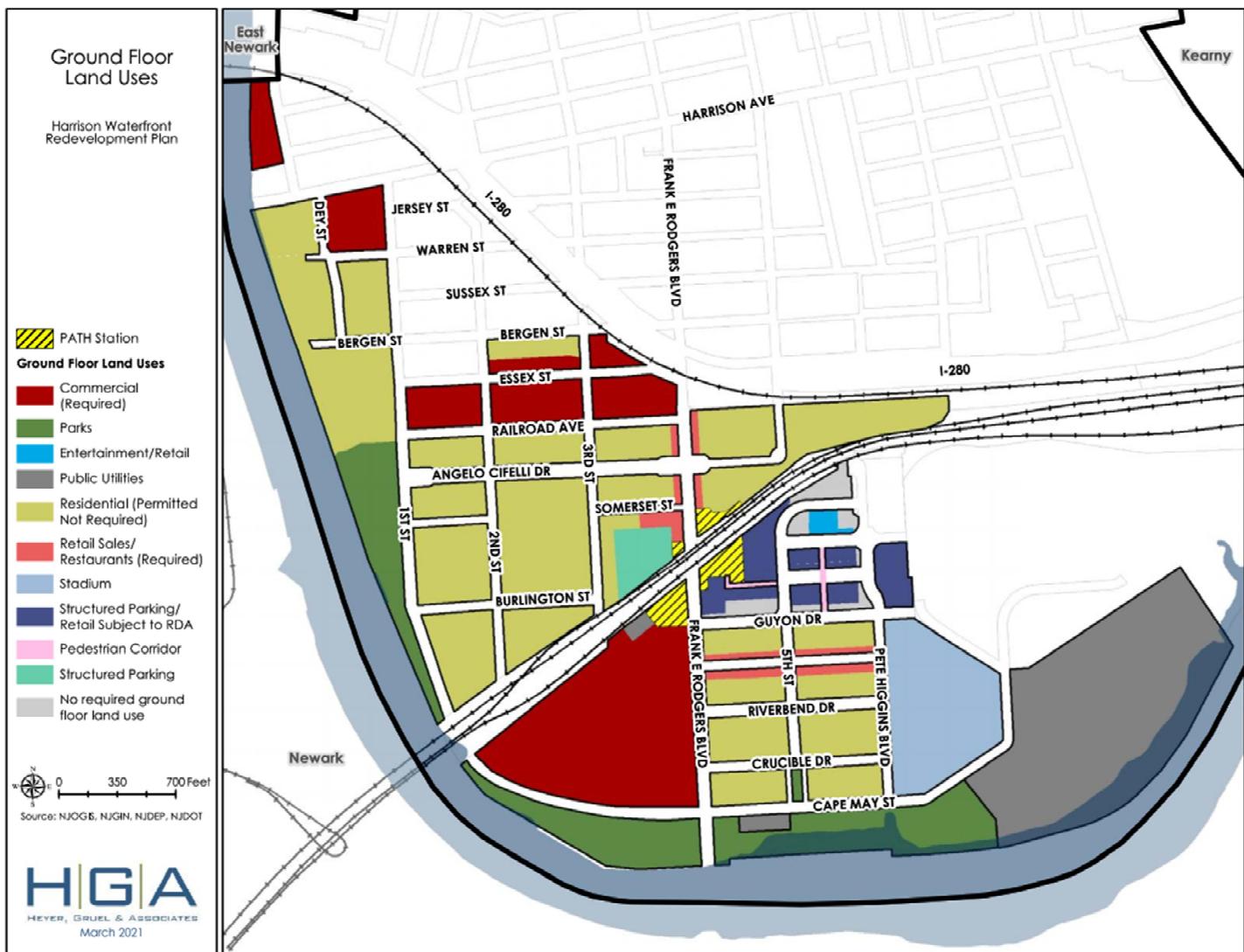
*Land Use*

*Ground Floor Land Uses*







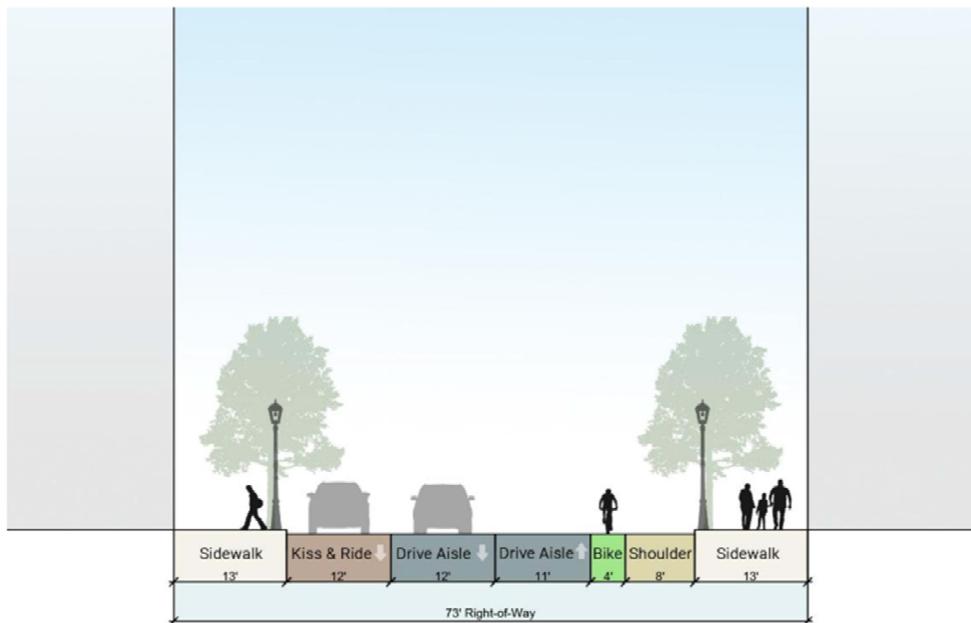
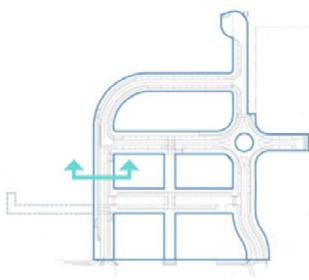


**ATTACHMENT C**  
**NOG Loop Road Sectional Diagrams**

## 5th Street Kiss & Ride

73-foot Right-of-Way

13-foot sidewalk  
12-foot kiss & ride lane  
12-foot drive aisle  
11-foot drive aisle  
4-foot bike lane  
8-foot shoulder  
13-foot sidewalk



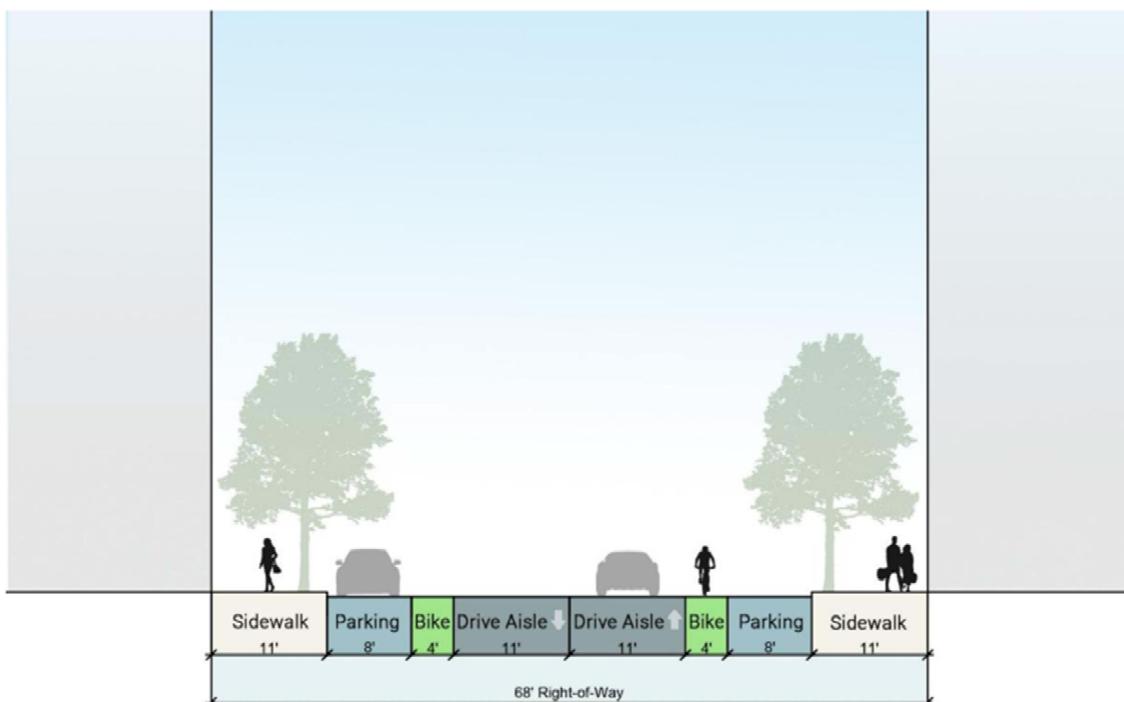
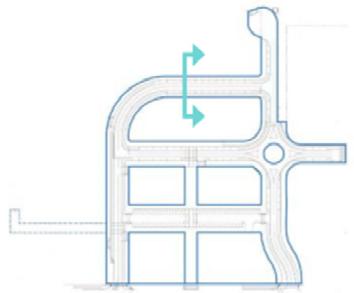
Prepared by HGA

February 17, 2021

## 5th Street Extension

68-foot Right-of-Way

11-foot sidewalk  
8-foot parallel parking lane  
4-foot bike lane  
11-foot drive aisle  
11-foot drive aisle  
4-foot bike lane  
8-foot parallel parking lane  
11-foot sidewalk



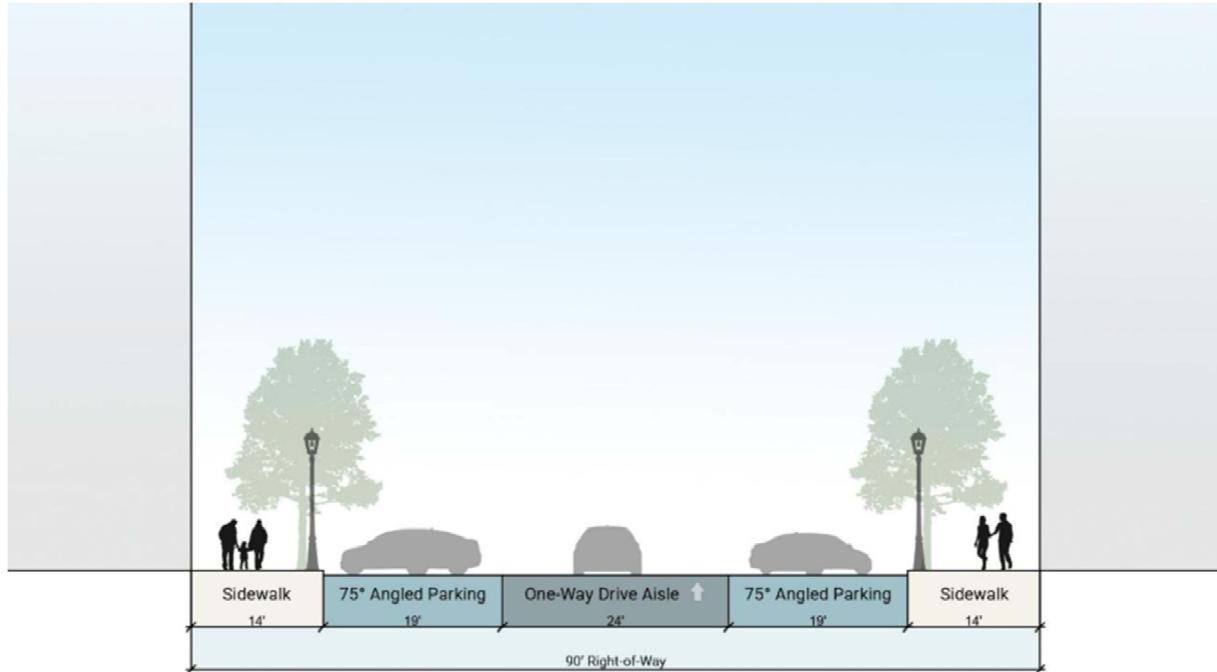
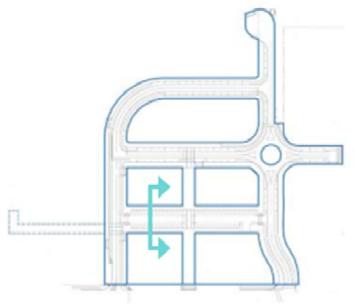
Prepared by HGA

February 17, 2021

## Retail Corridor

### 90-foot Right-of-Way

14-foot sidewalk  
19-foot 75° angled parking  
24-foot one-way drive aisle  
19-foot 75° angled parking  
14-foot sidewalk



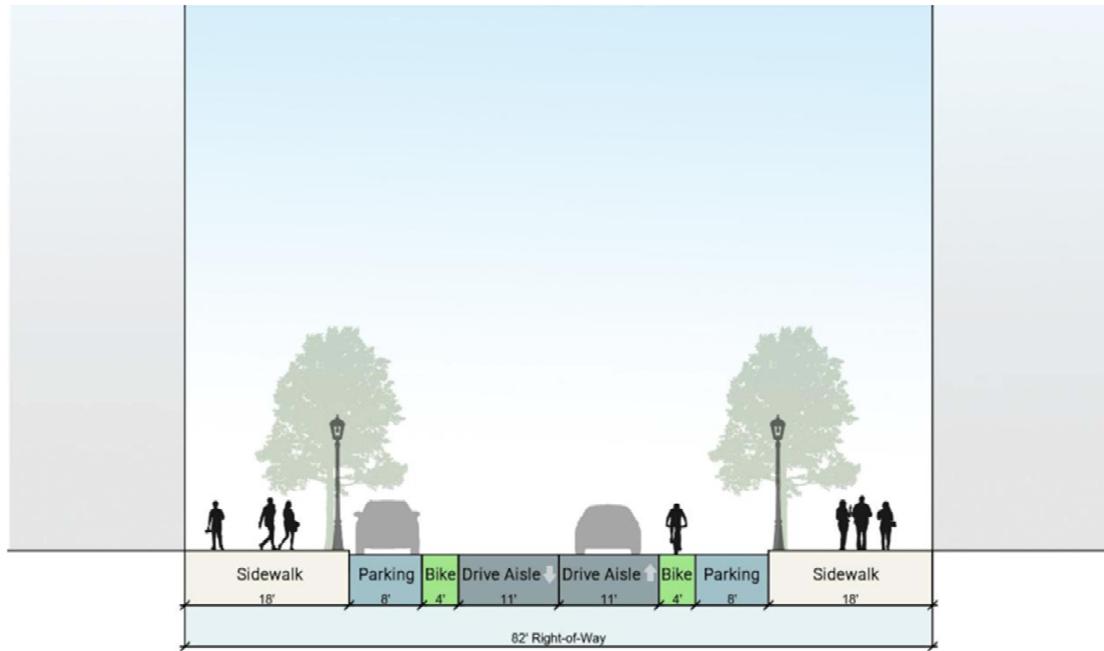
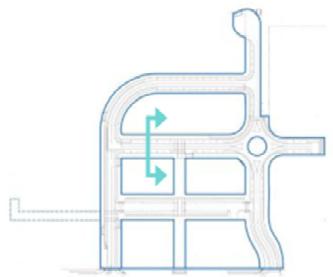
Prepared by HGA

February 17, 2021

## Public Street West

### 82-foot Right-of-Way

18-foot sidewalk  
8-foot parallel parking lane  
4-foot bike lane  
11-foot drive aisle  
11-foot drive aisle  
4-foot bike lane  
8-foot parallel parking lane  
18-foot sidewalk



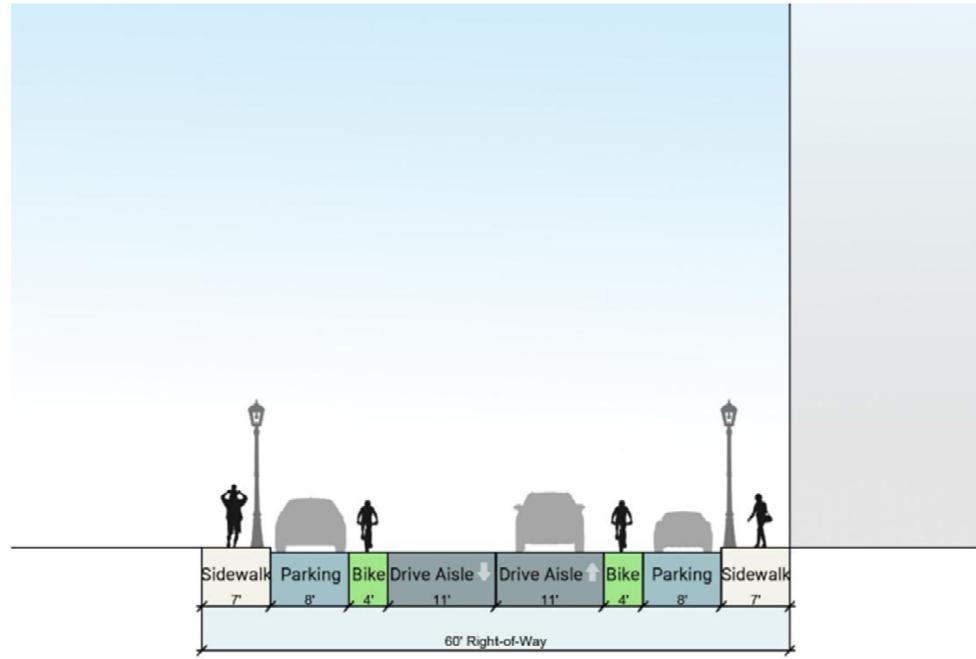
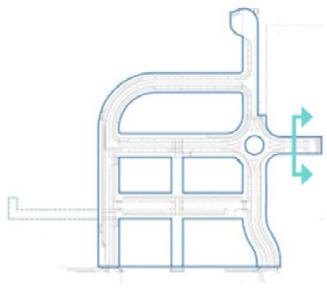
Prepared by HGA

February 17, 2021

### Public Street East

#### 60-foot Right-of-Way

7-foot sidewalk  
8-foot parallel parking lane  
4-foot bike lane  
11-foot drive aisle  
11-foot drive aisle  
4-foot bike lane  
8-foot parallel parking lane  
7-foot sidewalk



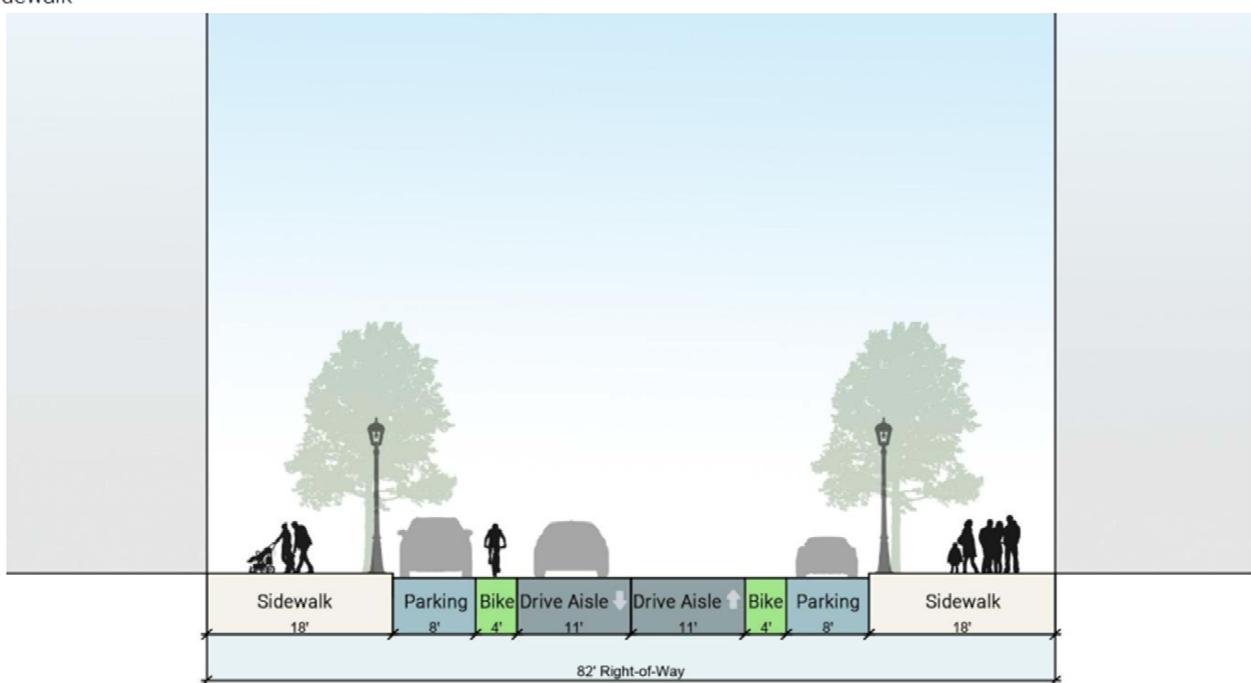
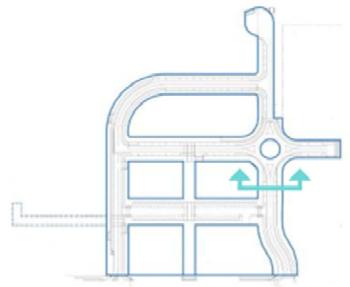
Prepared by HGA

February 17, 2021

### Pete Higgins Extension

#### 82-foot Right-of-Way

18-foot sidewalk  
8-foot parallel parking lane  
4-foot bike lane  
11-foot drive aisle  
11-foot drive aisle  
4-foot bike lane  
8-foot parallel parking lane  
18-foot sidewalk



Prepared by HGA

February 17, 2021