

CORRECT

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: 184 MORGAN STREET ASSOCIATES URBAN RENEWAL, LLC.

**FOR: PRELIMINARY MAJOR SITE PLAN APPROVAL AND FINAL
MAJOR SITE PLAN APPROVAL**

331 MARIN BOULEVARD, JERSEY CITY, NJ

BLOCK 11507, Lots 6-22

CASE NO.: P16-048

WHEREAS, the applicant, 184 MORGAN STREET ASSOCIATES URBAN RENEWAL, LLC, (the "Applicant"), per Marjorie M. Mocco, Esq., (Marjorie M. Mocco, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Preliminary Major Site Plan and Final Major Site Plan Approval, to wit: Calendar No. P16-048 to approve plans for a 448 units, 116 parking units, a theater, and 5,000 square feet of retail space located on Marin Blvd, Jersey City, New Jersey, identified as 331 Marin Blvd, Jersey City, New Jersey, specifically to be known as Block 11507, Lots 6-22 and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on October 18, 2016 at 5:30 p.m., was duly published as prescribed in the Land Development Ordinance of the City of Jersey City; and

WHEREAS, the applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application and the testimony presented at the meeting, the Planning Board has made the following findings of fact:

FINDINGS OF FACT

1. Applicant is seeking approval for Preliminary Major Site Plan and Final Major Site Plan to allow the construction of new 40 story building plus two penthouse floors, with a retail and parking units located in Jersey City, New Jersey on Marin Blvd between Bay Street and Morgan Street, identified as 331 Marin Blvd, Jersey City, New Jersey, specifically to be known as Block 11507, Lot 6-20 as approved pursuant to Case # P16-048. The development will consist of 448 units, 116 parking units, 6,470 square foot theater for seating 125 persons, and approximately 5,110 square feet of retail space. The Property is located within the Morgan Grove Marin Redevelopment Plan ("Redevelopment Plan") where the proposed project is a permitted use.
2. The Attorney, on behalf of the Applicant indicated that the Applicant has been working with the local neighborhood association and the community.
3. The first witness on behalf of the Applicant was Mr. Dean Marchetto, a licensed architect in the State of New Jersey, who was sworn and qualified as an expert in this field. Mr. Marchetto described the new project and the project as a residential tower with a one story roof top amenity on the sixth floor with terraces covering 8,550 square feet of space, and then the tower of residential begins on the seventh floor.
4. Further, Mr. Marchetto went on to testify that the proposed project will contain a 125-seat, 6,470 square foot theater with its own entrance and lobby. The residential units will have an entrance on Marin Blvd. Marin Blvd will have a very wide sidewalk. The ground floor

retail space will occupy the corner of Morgan and Marin and turns onto Bay Street; the entire seventh floor will have common amenities featuring two common terraces, a pool and other passive amenities; upper stories will be residential; and the roof will include indoor and outdoor amenity space. The proposed unit breakdown is four hundred forty eight units: 88 studios, 279 one-bedroom units, 81 two-bedroom units. Parking for the project will consist of 116 parking unit garage with valet parking at the base of the building. The parking plan for the project complies with the redevelopment plan requirements.

5. Mr. Marchetto has explained the design of the building as being a modern approach proposing two proposed façade concepts: a modern glass curtain wall and Ironspot brick with black mortar and silver metal-clad exterior panel with black relief. Mr. Marchetto described the requested setback deviation on the base of the podium height in order to create a more proportional building by extending the base up two stories on a part of the Marin Boulevard façade. Mr. Marchetto described that the deviation regarding the mechanical areas size is required in order to house the transfer rooms, water, mechanical and electrical service rooms on Morgan Street due to the size of the building and PSE&G requirements to extend the Bay Street utility to 15 feet to 49 feet and on Bay street from 70 feet to 102 feet. These deviations include the maximum utility room frontage requirements on Morgan Street and the maximum garage and utility room frontage on Bay Street.
6. Mr. Matt Neuls, a licensed engineer in the State of New Jersey, who was sworn and qualified as an expert in this field. Mr. Neuls described the existing features on the property, including the three structures and asphalt parking lot, which will be demolished. He then went on to describe the improvements to the streetscape including a 15 foot wide new sidewalk, approximately 19 new street trees, decorative street lighting in accordance with the redevelopment.

7. Mr. Neuls has explained that the project is 448 residential units with ground level retail space and four levels of parking on the north side comprising of 116 parking spaces, 112 of those dedicated to residential uses, and access to the garage is on Bay Street, a westbound street in which cars would turn left into the garage to access the parking.
8. Mr. Neuls has explained that water service will be provided from the water main on Morgan street with two water lines entering the building from the Morgan Street side of the property and sewer services will connect in to the existing sewer line in Marin boulevard; drainage collection system inside the garage portion of the building complies with Jersey City's stormwater management regulations and the property is within the FEMA 100 year floodplain thus several platforms were designed to meet the requirements of NJDEP with respect to flood hazard access.
9. Mr. Neuls testified that a review letter from Jersey City Engineering was received on July 25, 2016 and most of the comments in the review letter addressed the geometry of the sidewalk, the curb ramps, as well as other comments with drainage and grading and Mr. Neuls is prepared to work with engineering; however, the requested a traffic study is not necessary because the project complies with zoning regulations and density regulations as set forth in the MGM Rdevelopment Plan.
10. Mr. Ed Kolling, a licensed Professional Planner in the State of New Jersey, who was sworn and qualified as an expert in this field. Mr. Kolling described the deviations: one deviation has to do with the length of utilities on the ground floor and the length of the parking exposed above are in excess of what is permitted. Mr. Kolling testified that the active frontage should be reserved for Marin Boulevard, frontage along Morgan Street is small which leaves Bay Street as the only place to put necessary access to utilities. Mr. Kolling went on to explain that the architectural treatment minimizes the deviations because the glass is carried down and treated like a regular facade so that it would not be noticeable to

a passerby; in addition, the ground floor area where the utilities are located will be broken up by the bicycle storage area, bike lobby, and the stairways that come down so that there will be no substantial detriment.

11. Mr. Kolling went on to describe a deviation regarding the required building setback along Marin Boulevard, where a 5 foot setback is required at the top of the fourth floor; the project complies with the building height for the base, however, instead of taking the setback on the fourth story, a setback is made at top of the sixth story. Mr. Kolling testified that the proportions created by the granting of the deviation are much better in line with height of the tower. He went on to testify the deviation is a much more aesthetically pleasing improvement to the facade and the benefits of altering the design substantially outweigh any detriments.

12. Mr. Kolling described that the project meets the intent and purpose of the district Redevelopment Plan and achieves the goal of assembling 17 lots to promote the principles of smart growth. Mr. Kolling testified that the project's proximity to the PATH station and bus lines, and lower parking ratios make the Project a good example of smart growth; therefore this plan promotes the general welfare of the property and the redevelopment of the property which is the main thrust of the redevelopment plan, it promotes appropriate population density in close proximity to the mass transit and a desirable visual environment. Furthermore, the community benefit of the theater requirement by the plan has been carried out very well and completed with the intent of the Master Plan for this area.

13. Comments were then heard from Matthew Ward, PP, AICP, Senior Planner from the Division of City Planning. Mr. Ward testified that this project is transformative, taking a lot currently a mix of three story buildings and vacant parking lots to a 40 some odd story with 448 dwelling units, which was the main goal of the redevelopment plan. Mr. Ward

testified that the project is on Block 11507, and the applicant is electing to take advantage for the community benefit bonus to include a 125 person theater and that the theater be donated to a school of higher education, a qualified 501(c)(3) not for profits arts theater group, or community group for a period not less than 20 years from the TCO date pursuant to an RFP, drafts entered into testimony as Exhibit A-2. Mr. Ward testified that an engineering report was completed July 26, 2016, and the approval should be conditioned on completely with the engineering report to the extent the comments do not conflict with the redevelopment plan, and noted that planning did not request a traffic report. In addition, Mr. Ward testified that approval should be conditioned on working with planning staff to further develop the streetscape design. Mr. Ward testified that both proposed facades are very attractive with one version featuring a more art deco aesthetic with a parapet, the other version featuring a glass curtain wall on the tower element, and both include a retail arcade and marquee to emphasize the theater component. Mr. Ward testified that the facades cannot be combined and must be built to align with the two options presented before the board. Mr. Ward testified that approval should be conditioned that the applicant work on a deed restriction with the City prior to any certificate of occupancy regarding the community benefit to outline the 20-year time period of the free rent and ensure use of the space as a theater. Mr. Ward recommended Approval.

14. Comments were heard from Maryann Bucci-Carter, PP, AICP, Supervising Planner from the Division of City Planning. Ms. Bucci-Carter testified that in response to the request of the Jersey City Engineering Department comments dated July 26, 2016 when a plan is residential and conforming the only time the planning checklist authorizes a traffic study is if it was nonresidential based on the planning department requesting the traffic study, therefore no traffic study is need in this application.
15. No members of the public appeared or participated in the public hearing as to the Application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the within application for Preliminary Major Site Plan Approval and Final Major Site Plan Approval, to wit; Calendar No. P16-048, to build a new 42-story mixed use building with 488 residential units above approximately 5,000 square foot of ground floor retail, a 125-seat public theater at 331 Marin Blvd, Jersey City, New Jersey, specifically to be known as Block 11507, Lost 6-22 in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City, subject to the following conditions:

1. The Applicant need not comply with comments of the Jersey City Engineering comments dated July 26, 2016 relating to the traffic study, and
2. The Applicant will work with the Jersey City Engineering Department to comply and address the remainder of the engineering report.
3. The Applicant will work with planning on the following details: streetscape design.
4. The Applicant, in lieu of an RFP exhibit in this resolution, will amend the redeveloper agreement for this site to be consistent with the site plan and comply with the provisions of the community benefit bonus for Block 11507 outlined in the Morgan, Grove, Marin Redevelopment Plan.
5. The Applicant will work on a deed restriction with the City prior to any certificate of occupancy regarding the community benefit to outline the 20-year time period of the free rent and ensure use of the space as a theater.

RESOLUTION
City of Jersey City
Planning Board
In the Matter of 184 Morgan Street Associates Urban Renewal, LLC.
P16-048
Decided on October 18, 2016
Application for Preliminary Major Site Plan, Final Major Site Plan

DATE OF HEARING: October 18, 2016

VOTE: 9-0

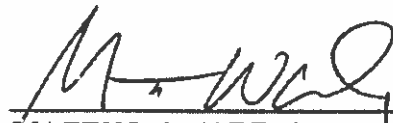
VOTING IN FAVOR: COMMISSIONERS

1. Commissioner Vijaya Desai
2. Vice Chairman Dr. Orlando V. Gonzalez
3. Chairman Christopher Langston
4. Commissioner Michael Sims
5. Commissioner Joyce Watterman
6. Commissioner Allison Solowsky
7. Commissioner Brooke Hansson
8. Commissioner Ricardo Ayala
9. Commissioner Saqib Mushtaq

VOTING AGAINST: NONE

ABSTAINING: NONE


CHRISTOPHER LANGSTON, Chairman
JERSEY CITY PLANNING BOARD


MATTHEW WARD, Secretary
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


DENNIS DIGIROLA, Esq.
JERSEY CITY PLANNING BOARD


Christopher E. Hamlet
Esq.

DATE OF MEMORIALIZATION: June 27, 2017

DATE OF MEMORIALIZATION: October 10, 2017 (CORRECTIVE RESOLUTION)

LETTER OF TRANSMITTAL

DIVISION OF CITY PLANNING

CITY OF JERSEY CITY

30 Montgomery Street, Suite 1400
Jersey City, NJ 07302

Tel. (201)547-5010

FAX (201)547-4323

Date: October 18, 2017

To: Marjorie M. Mocco, Esq.
348 Ninth Street, Suite B
Jersey City NJ 07302

We ARE SENDING YOU THE FOLLOWING ITEMS:

- | | | |
|--|---|---|
| <input type="checkbox"/> Signed Subdivision Plat | <input type="checkbox"/> Transcript | <input type="checkbox"/> Zoning Ordinance/Map |
| <input type="checkbox"/> Signed Site Plans | <input type="checkbox"/> Planning Report | <input type="checkbox"/> Redevelopment Plan |
| <input type="checkbox"/> Revised Plans | <input type="checkbox"/> Completeness Checklist | <input type="checkbox"/> Application Form |
| <input checked="" type="checkbox"/> Board Resolution | <input type="checkbox"/> Council Ordinance/Reso | <input type="checkbox"/> Other: _____ |
| | | _____ |
| | | _____ |
| | | _____ |

THESE ARE TRANSMITTED as checked below:

- | | |
|--|--------------------------------|
| <input checked="" type="checkbox"/> For your files | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> For your use | _____ |
| <input type="checkbox"/> For Review & Comment | _____ |
| <input type="checkbox"/> For inclusion on the next City Council Agenda | _____ |

REMARKS

Case: P16-048
Address: 331 Marin Blvd
Block: 11507 Lot: 6 to 22
Zone: Morgan Grove Marin Redevelopment Plan
Preliminary and Final Major Site Plan Approval

COPY w/ENCLOSURES TO: FILE

Ed Toloza, Tax Assessor (Resolution Only)

Signed: Shelia Curtis