

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: MCADOO PLAZA LLC
FOR: PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL WITH
DEVIATIONS (MINIMUM SIDEWALK WIDTH; BULKHEAD STEPBACKS)
1-5 DR. MARTIN LUTHER KING JR. DRIVE, JERSEY CITY, NEW JERSEY
BLOCK 27001, Lot 13

CASE NO.: P21-003

WHEREAS, the Applicant, **McAdoo Plaza LLC**, per **CONNELL FOLEY, LLP** (Charles J. Harrington, III, Esq., appearing) made application to the City of Jersey City Planning Board, County of Hudson and State of New Jersey, for Preliminary and Final Major Site Plan Approval, to wit, Calendar No. P21-003, to clear the Property and construct a new six (6) story mixed-use building with fifty (50) residential units, ground floor commercial space, and fourteen (14) vehicle parking spaces, with regard to the property located at 1-5 Dr. Martin Luther King Jr. Drive, and which is identified on the Jersey City tax maps as Block 27001, Lot 13, and which is located within the Neighborhood Mixed Use district of the Jackson Hill Redevelopment Plan; and

WHEREAS, it appears that due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on August 10, 2021 at 5:30 p.m., was duly published as prescribed in the Jersey City Land Development Ordinance of the City of Jersey City; and

WHEREAS, the application was heard by the Planning Board on August 10, 2021 by way of a Virtual meeting via Zoom; 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, the Applicant and its witnesses first having been sworn and 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. All the Recitals hereinabove set forth are incorporated herein by reference and all the exhibits, drawings and documents, including the architectural site plans prepared by GRO Architects PLLC (Richard Garber, R.A.) with a revision date of November 17, 2020, the Applicant's General Development Application and supporting documents (collectively, the "Applicant's Supporting Documents") and City planner's testimony and reports, if any, are hereby incorporated by reference.
2. The Applicant made application to the City of Jersey City Planning Board, for Preliminary and Final Major Site Plan Approval to clear the Property and construct a new six (6) story mixed-use building with fifty (50) residential units, ground floor commercial space, and fourteen (14) vehicle parking space (the "Project") with regard to the property located at 1-5 Dr. Martin Luther King Jr. Drive, and which is identified on the Jersey City tax maps as Block 27001, Lot 13 (the "Property").
3. The property is located within the Neighborhood Mixed Use district of the Jackson Hill Redevelopment Plan (the "Redevelopment Plan") area.
4. The Property is currently a one (1) story commercial use on a 9,500 square foot lot.
5. Richard Garber, RA was accepted as an expert in the field of architecture by the Planning Board. Mr. Garber testified as to the site plan, material, and overall building design. Mr. Garber explained that certain architectural elements, including bay windows project slightly into the right-of-way. Mr. Garber confirmed that the Project would conform with all relevant building code provisions.

6. Samuel Bellamy, PP of Dresdner Robin testified that the Project is seeking approval of the following deviations from the Redevelopment Plan:
 - i. Front yard setback / minimum sidewalk width (15' minimum permitted vs. 11'—10" proposed)
 - ii. Elevator rooftop bulkhead setback (15'—9" required vs. 12'—11" proposed).
7. Mr. Bellamy testified that the existing sidewalk width is adequate to accommodate the proposed uses and the proposed street trees. There is an existing "bump out" on the corner of MLK Drive and McAdoo Street that meets the requirements and ensures pedestrian safety.
8. Mr. Bellamy further testified that the rooftop setback deviation is consistent with the Redevelopment Plan, which contemplates a rooftop amenity room with only a ten foot setback.
9. Mr. Bellamy concluded that both the positive and negative criteria are met by the Project and the deviations can be granted. There will not be any substantial detriments associated with the Project because the existing sidewalk can accommodate the expected foot traffic and because the rooftop bulkhead provides an adequate setback. The Project advances the purposes of the Redevelopment Plan by constructing a mixed-use Project with ground floor retail, as well as an affordable housing unit. The Project will further advance the Jersey City Master Plan by providing an affordable unit and by removing an existing curb cut.
10. The Division of City Planning testified as to the process that led to the adoption of the Redevelopment Plan and the history of the Applicant's engagement with the community. The Division of City Planning recommended approval. The Planning Board

accepted this testimony.

11. The Planning Board heard testimony from community members who voiced input on the Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the within application for Preliminary and Final Major Site Plan Approval, to wit, Calendar No. P21-003 to clear the Property and construct a new six (6) story mixed-use building with fifty (50) residential units, ground floor commercial space, and fourteen (14) vehicle parking spaces, with regard to the property located at 1-5 Dr. Martin Luther King Jr. Drive, and which is identified on the Jersey City tax maps as Block 27001, Lot 13, and which is located within the Neighborhood Mixed Use district of the Jackson Hill Redevelopment Plan, in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City subject to the following conditions:

1. All testimony given by the applicant and their expert witnesses in accordance with this application shall be binding.
2. All material and color selections shall be shown on the final plans. No change to the façade and site design, including materials as well as any changes that may be required by the Construction Code Official, shall be permitted without consultation and approval by the Planning staff.
3. All street trees (if any) and landscaping shall be installed prior to an issuance of Certificate of Occupancy.
4. The architectural firm of record, shall submit a signed and sealed affidavit confirming that the building was constructed as approved, prior to issuance of the Certificate of Occupancy.

5. All comments provided by the Jersey City Division of Engineering shall be addressed, prior to issuance of the Certificate of Occupancy.

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BLOCK 27001, Lot 13

CASE NO.: P21-003

VOTE: 6-0

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Dr. Orlando Gonzalez, Vice-Chairman	X			
Eduardo Torres, Commissioner	X			
Geoffrey Allen, Commissioner	X			
Christopher Langston, Chairman	X			
Peter Horton, Commissioner	X			
David Cruz, Commissioner			X	
Dr. Vijay Desai, Commissioner	X			



Christopher Langston (Sep 15, 2021 18:04 EDT)

CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD



Cameron Black (Sep 15, 2021 13:58 EDT)

CAMERON BLACK, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:



Santo T. Alampi (Sep 15, 2021 14:20 EDT)

SANTO ALAMPI, ESQ.

DATE OF HEARING:

August 10, 2021

DATE OF MEMORIALIZATION:

September 14, 2021