

**RESOLUTION OF THE PLANNING BOARD
OF THE CITY OF JERSEY CITY**

APPLICANTS: **EMERSON LEASING CO. II
EMERSON LEASING CO. III
EMERSON LEASING CO. IV**

FOR: **AMENDED PRELIMINARY AND FINAL MAJOR SITE PLAN
APPROVAL
316, 325, 326 FIFTEENTH STREET, MONMOUTH STREET AND
FIFTEENTH STREET; PORTIONS OF 239 COLES STREET
JERSEY CITY, NEW JERSEY
BLOCK 6903, LOTS 1.01, 1.02, 2.01, 3.02, 3.03, 3.04, 4
PORTIONS OF BLOCK 7002, LOT 1**

CASE NO.: **P19-187**

WHEREAS, the Applicants EMERSON LEASING CO. II, EMERSON LEASING CO. III AND EMERSON LEASING CO IV, per Connell Foley, LLC (Thomas P. Leane, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Amended Preliminary and Final Major Site Plan for phased approvals, to wit: Calendar No. P19-187, for approval to construct Phases II, III and IV of a four (4) phase project consisting of a mixture of new development towers and the adaptive reuse of an existing, original warehouse building for residential, retail, parking and public uses as well as public improvements wherein the total of all four (4) phases will consist of 1,099 residential dwelling units, attendant on-site parking, retail and commercial uses and a public use facility, with regard to the property known as 316, 325, 326 Fifteenth Street, Monmouth Street, Fifteenth Street and portions of 239 Coles Street also known as Block 6903, Lots 1.01, 1.02, 2.01, 3.02, 3.03, 3.04 and 4, as well as portions of Block 7002, Lot 1 on the Official Tax Map of the City of Jersey City; and

WHEREAS the Property is located within the boundaries of the Jersey Avenue Park Redevelopment Plan Area, specifically the Emerson District, and is governed by the regulations of the Jersey Avenue Park 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 October 27, 2020 and November 10, 2020 at 5:30 p.m., was duly published as prescribed in the Jersey City Land Development Ordinance, the Senator Byron M. Baer Open Public Meetings Act and the Municipal Land Use Law; 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 Urban Architecture LLC (Ronald J. Russell, RA) dated 11-08-19 with a final revision date of 6-11-20 and the drawings presented to the Board, the civil site plans prepared by Urban Architecture LLC (Jeffrey D. Reeves, PE) dated 11-11-19 with a final revision date of 7-20-20 and the drawings presented to the Board; 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 has complied with the requirements of N.J.S.A. 40:55D-12, the Senator Byron M. Baer Open Public Meetings Act and the Jersey City Land Development Ordinance ("JC LDO") and provided adequate notice of the within application.

3. The Applicant filed an application for Amended Preliminary and Final Site Plan approval to construct Phases II, III and IV of a four (4) phase project consisting of a mixture of new development towers and the adaptive reuse of an existing, original warehouse building for residential, retail, parking and public uses as well as public improvements wherein the total of all four (4) phases will consist of 1,099 residential dwelling units, attendant on-site parking, retail and commercial uses and a public use facility, with regard to the property known as 316, 325, 326 Fifteenth Street, Monmouth Street, Fifteenth Street also known as Block 6903, Lots 1.01, 1.02, 2.01, 3.02, 3.03, 3.04 and 4 (the "Property"). The present application also concerns portions of 239 Coles Street also known as Block 7002, Lot 1 on the Official Tax Map of the City of Jersey City (the "Emerson Park"). All of the above-referenced

parcels are located within the Jersey Avenue Park Redevelopment Plan (the "Redevelopment Plan").

4. Preliminary and Final Major Site Plan approval for Phase I, a twenty-six (26) story tower consisting of 350 dwelling units, 349 parking spaces, 10,400 square feet of retail and a 23,900 square foot Public Use Facility ("Phase I") was granted under Planning Board Case No. P18-047 (the "Prior Approval"). Phase I is currently under construction and is located at the corner of Coles Street and the presently existing, vacated Fourteenth Street and shall be constructed on Block 6903, Lot 3.01. Phase I will be constructed in conjunction with the community benefits as outlined in Section X.D.2 of the Redevelopment Plan.

5. Additionally, Preliminary Site Plan approval for the remaining three (3) phases was granted under the Prior Approval for the following:

(a.) Phase II: the development of a mixed use twenty-six (26) story building containing 300 residential dwelling units, 159 parking spaces and retail and commercial space;

(b) Phase III: the adaptive reuse and rehabilitation of the existing warehouse into a mixed use building containing 150 residential dwelling units, 60 on-site parking spaces and retail and commercial space; and

(c) Phase IV: the development of a mixed use twenty-six (26) story building containing 200 residential dwelling units.

6. Applicant now requests Preliminary and Final Major Site Plan development for the Phases II, III and IV (hereafter, referred to as the "Project") as follows:

(a) Phase II: the development of a mixed use twenty-six (26) story building containing 340 residential dwelling units, 128 parking spaces and retail and commercial space;

(b) Phase III: the adaptive reuse and rehabilitation of the existing warehouse into a mixed use building containing 156 residential dwelling units, 94 on-site parking spaces and retail and commercial space; and

(c) Phase IV: the development of a mixed use twenty-six (26) story building containing 200 residential dwelling units.

(d) Community Benefits: Community Benefits will be provided as required by the Jersey Avenue Park Redevelopment Plan and as set forth on Drawing G-005, labeled Performance Standards (Community Benefits).

7. The Property is located within the boundaries of the Jersey Avenue Park Redevelopment Plan Area, and is governed by the Redevelopment Plan. The Property is a series of lots fronting on Coles Street to the east, 16th Street to the north, 13th Street to the south, a portion of vacated Monmouth Street to the west and portion of vacated Monmouth Street (current Block 6903, Lot 4) within the bounds of the Emerson district as designated by the Redevelopment Plan.

8. The Property currently contains the historic northern most original structure (Continental Can Company building) and vacant land.

9. The Board heard testimony from two witnesses: Ronald Russell, Professional Architect, Lic#21AI01140800, expiring 07/31/2021 and Jeffrey Reeves, Professional Engineer, Lic#24GE04036700, expiring 04/30/2022, both of Urban Architecture, LLC both of whom were accepted as experts in their respective fields. The Planning Board accepts and agrees with the testimony and conclusions of the respective experts.

10. Mr. Reeves testified as to the status of the improvements associated with Phase I as well as the public improvements including the development of the Coles Street Park as required by the Redevelopment Plan. Mr. Reeves also provided testimony as to street upgrades and other public improvements required per the phasing plan approved under the Prior Approval. The public improvement phasing plan has been amended in the present application pursuant to the recommendation and proposed conditions of approval of Jersey City Planning Department Staff and as set forth on Drawing G-005, labeled Phasing Plan. Mr. Reeves testified that the Applicant agreed to the proposed recommendations and conditions of approval as follows:

A. Phase II to include:

- i. 13th Street improvements regarding street lighting, fencing, sidewalks, curbing as well as any associated road improvements to be done in Phase II.
- ii. Portion of Monmouth Street, previously to be provided in Phase IV shall be completed in Phase II. Delivery of the connection of 13th Street to 14th Street on Monmouth Street.
- iii. Portions of Coles street that were to be provided in Phase III shall be completed in Phase II to ensure that Coles Street is raised to the appropriate elevation alongside the development of Coles Street Park.

B. Phase IV to include:

- I. Prior to any building permit issued for the Phase IV building (Block 6903 Lot 3.03), the Applicant shall return before the Planning Board with an application for Preliminary and Final Major site plan regarding the development of the Emerson Park as a public park
- II. Construction of the Emerson Park to be completed by the Applicant prior to the issuance of any certificate of occupancy for the Phase IV Building at Block 6903 Lot 3.03.
- III. Incorporation of Block 6903, Lot 1.01 to be worked on with Planning Staff. The design may include the construction of back-in perpendicular parking, landscaping and fence installation at 14th Street and Monmouth Street or an alternate design. The final design of Block 6903, Lot 1.01 shall be approved by planning staff.

11. Mr. Russell testified as to the proposed Phases of the Project which will contain the following elements and which must be adhered to. Any change in Phasing of the Development will incur/require an amendment to the Planning Board:

Phase	Development Lot	Phase Description
II	B	Twenty-six (26) story tower, stepping down to twenty-five (25) stories on the same six (6) story podium as Phase I, containing 340 dwelling units and 128 parking spaces.
III	C	Rehabilitation of the existing façade in accordance with the redevelopment plan and the approved amended

		drawings. Phase III will include 156 dwelling units and 94 parking spaces.
IV	D	Twenty-six (26) story tower including 253 dwelling units

12. Mr. Russel testified as to the proposed interior layout of Phases II, III and IV including the retail use locations, the parking garage ingress, egress and traffic flow, unit layout, utility location and tenant amenity spaces. Additionally, Mr. Russell provided testimony as to the rehabilitation façade guidelines of the Phase III development (Continental Can Company building).

13. Mr. Russell testified that Applicant will be required to comply with all of the public improvements and benefits as required by the Redevelopment Plan and the Prior Approval.

14. Matt Ward of the Division of Jersey City Planning testified as to the application. Specifically, Mr. Ward testified as to the memorandum prepared by the Division of City Planning dated September 22, 2020. Mr. Ward testified that the Applicant has revised the phasing plan within the Site Plans as submitted per the recommendations of the Division of City Planning. Applicant will be required to provide all street improvements per the phasing plan and will be required to amend the submitted civil site plans to include street light. The Division of City Planning maintains that the Emerson Park shall be included prior to permits being issue for Phase 4 along with a full site plan approval for the Emerson Park. Any amendments to the phasing plan will require approval by the Planning Board.

15. The Project conforms to the requirements, restrictions, regulations and objectives of the Redevelopment Plan and does not require deviations or waivers or any variances from the JC LDO.

16. The Applicant has met the procedural requirements of the JC LDO, including the payment of fees, and in all other respects the application conforms to the requirements of the JC LDO and the Redevelopment Plan for approval of the Preliminary and Final Major Site Plan 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 and Final Major Site Plan approval, to wit: Calendar No. P19-187, for approval to construct Phases II, III and IV of a four (4) phase project consisting of a mixture of new development towers and the adaptive reuse of an existing, original warehouse building for residential, retail, parking and public uses as well as public improvements wherein the total of all four (4) phases will consist of 1,099 residential dwelling units, attendant on-site parking, retail and commercial uses and a public use facility, with regard to the property known as 316, 325, 326 Fifteenth Street, Monmouth Street, Fifteenth Street and portions of 239 Coles Street also known as Block 6903, Lots 1.01, 1.02, 2.01, 3.02, 3.03, 3.04 and 4, as well as portions of Block 7002, Lot 1 on the Official Tax Map of the City of Jersey City, subject to the following conditions:

1. All conditions of approval from the Prior Approval shall remain in full force and effect.
2. Prior to any building permit issued for the Phase IV building (Block 6903 Lot 3.03), the Applicant shall return before the board with an application for Preliminary and Final Major site plan approval regarding the development of the Emerson Park.
3. Construction of the Emerson Park the Applicant prior to the issuance of any certificate of occupancy for the Phase IV Building at Block 6903 Lot 3.03.
4. Applicant shall update the phasing of the development as recommended by Planning Staff and approved by Planning Board.
5. All materials and color selections shall be shown on Final Plans. No change to the facade and site design, including materials as well as any changes that may be required by the Office of Construction Code, shall be permitted without consultation with and approval by planning staff.
6. All testimony given by the Applicant and their expert witnesses in accordance with this application shall be binding.
7. That the Applicant comply with all Jersey City review agent comments.
8. With exception of the proposed tree spacing, all street trees and landscaping shall be installed in accordance with JC-LDO Section 345-66, prior to an issuance of a Certificate of Occupancy.

9. Architects of record shall provide an affidavit confirming the development is built in accordance with the approved plans prior to the issuance of the first certificate of occupancy.
10. The memorialized resolution shall be recorded with the office of the County Registrar and made part of the deeds of the Property. In addition, documentation of same shall be submitted to the Division of City Planning prior to application for construction permits.
11. Applicant will supply the Division of City Planning staff with a copy of the lease which currently governs Block 7002, Lot 1.
12. Applicant will work with the Division of City Planning staff to incorporate Block 6903, Lot 1.01 into the right-of-way to be known as 14th Street between Monmouth Street and Coles Street. The design of Block 6903, Lot 1.01 shall be designed as approved by Planning Staff.
13. Applicant and Owners shall comply with all conditions of approval set forth on the record by the Planning Board and/or the Division of City Planning staff.

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 PORTIONS OF BLOCK 7002, LOT 1

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VOTE: **5-0-2**

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Dr. Orlando Gonzalez, Acting-Chairman	X			
Edwardo Torres, Commissioner	X			
Geoffrey Allen, Commissioner	X			
Joyce Watterman, Council President			X	
Harkesh Thakur, Commissioner	X			
Dr. Vijaya Desai, Commissioner			X	
Peter Horton, Commissioner	X			




Christopher Langston (Jan 20, 2021 14:56 EST)
CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD



erica baptiste (Jan 20, 2021 09:07 EST)
ERICA BAPTISTE, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:



Santo T. Alampi (Jan 20, 2021 10:10 EST)
SANTO T. ALAMPI, ESQ.

DATE OF HEARING:
DATE OF MEMORIALIZATION:

October 27, 2020 and November 10, 2020
January 19, 2021