

Principal Points Statement
417 Communipaw Avenue (Block 18901, Lots 23 & 29)
Jersey City, Hudson County, New Jersey

An application has been filed for the above noted property with the Jersey City Planning Board for Preliminary and Final Major Site Plan approval; Preliminary and Final Major Subdivision approval; and approval of bulk deviations for maximum building height in stories, minimum setback from Berry Lane Park for any structure greater than 2 stories, and minimum landscape buffer requirements. The subject property is located within the Berry Lane Park – North Zone (“BL-N”) Zone of the Morris Canal Redevelopment Plan (“Redevelopment Plan”).

The subject property at 417 Communipaw Avenue is identified as Lots 23 and 29 on Block 18901. The subject property has 248 feet of frontage on Communipaw Avenue, a total frontage of 379 feet on Woodward Street, and a total lot area of 146,856 square feet (3.4 acres). Lots 23 and 29 are currently a vacant industrial property with a 1- and 2-story industrial building along Woodward Street, and two-story industrial (“head house”) building along Communipaw Avenue.

The purpose of this application is to redevelop the subject property with a new 18-story, mixed-use building, a 3-story recreation center, a 1-story neighborhood commercial facility, a 40-space public parking lot, and 34,940 square feet of improved public open space. The proposed mixed-use building will consist of ground floor retail and 420 residential units above, including 21 affordable residential units.

The proposed 18-story mixed-use building will contain a 3-level, 233-space parking garage. The ground floor will consist of a parking lot of 7,425 square feet of retail space and residential amenity spaces with a lobby area along the proposed pedestrian walkway that extends from Communipaw Avenue to Berry Lane Park. In addition, there will be a designated bicycle storage room for 210 bike racks and the first level of the parking garage with 46 spaces. The 2nd floor will consist of the second level of the parking garage with 87 parking spaces, storage rooms, and office space. The 3rd floor will consist of the third level of the parking garage with 100 parking spaces and a pool equipment room. The 4th floor will consist of 26 residential units and an amenity space and amenity deck with a pool. The 5th to 9th floors will each consist of 31 residential units. The 10th to 12th floors will each consist of 28 residential units. The 13th to 17th floor will each consist of 26 residential units. The 18th floor will consist of 25 residential units. The project proposes an enclosed amenity space and terrace on the roof. The proposed 21 affordable residential units are located on the 4th to 10th floors.

The project proposes to subdivide the property into three lots. Proposed Lot 23.01 will be irregularly shaped with frontage on Communipaw Avenue and Woodward Street with a lot area of 93,070 square feet (2.1 acres). Proposed Lot 23.01 will consist of the 18-story mixed-use building and public open space. Proposed Lot 23.02 will have frontage on Communipaw Avenue and a lot area of 19,242 square feet (0.4 acres). Proposed Lot 23.02 will consist of the 1-story neighborhood commercial facility. Proposed Lot 29.01 will be L-shaped with a lot area of 30,154

square feet (0.7 acres). Proposed Lot 29.01 will contain a proposed access agreement of 5,007 square feet (0.1 acres) and a proposed easement for preservation of clear space above the 3rd floor between the proposed Lot 23.01. Proposed Lot 29.01 will consist of the 3-story recreation center and 40-space public parking lot along Woodward Street.

The requested bulk deviations can be granted where the purposes of the redevelopment plan would be advanced by the deviations and the benefits of the proposed project would substantially outweigh any detriments. The proposed project will redevelop a vacant industrial property with a new permitted mixed-use development including a recreation center, neighborhood commercial facility and public open space.

Maximum Building Height: The project is proposing a building height of 18 stories, where a maximum building height requirement of 17 stories is permitted in the BL-N zone of the Redevelopment Plan. The proposed building height of 190 feet complies with the maximum building height in feet requirement of 190 feet. The project proposes a 3-level parking garage integrated within a portion of the base of the building. In terms of vertical height, each level of the integrated parking deck is being considered a story within a height of 38 feet. The first level of the parking garage has a floor height of 12 feet and the second level of the parking garage has a floor height of 10 feet. The proposed first and second level will therefore have the same total height as the 22-foot commercial and residential ground floor height. The third level of parking and the residential amenity space both have a consistent height of 16 feet. Other portions of the base of the building are occupied by ground floor retail, residential lobby and amenity spaces located along the pedestrian walkway that extends from Communipaw Avenue to Berry Lane Park. The proposed retail, residential lobby and amenity spaces activate the pedestrian walkway and will mask the majority of the parking garage, with any exposed portions being screened with a green screen. Therefore, the proposed building height in stories variance is a technical deviation where the first and second parking levels count as two stories even though they combine to match the ground floor commercial and residential height.

Minimum Setback from Berry Lane Park: Pursuant to the recreation center requirements of the BL-N zone, the project proposes a 3-story recreational center adjacent to Berry Lane Park. The 3-story recreational center will have a minimum 1-foot, 3-inch setback from Berry Lane Park, where a minimum setback of 75 feet is required for any structure greater than 2 stories. The BL-N zone requires the construction of a 22,000-square-foot recreation center along Woodward Street adjacent to Berry Lane Park. The recreation center is required to contain a regulation basketball court in addition to other facilities. The encroachment of the 5-foot setback allows for a wider basketball court along with bleacher seating. The basketball court requires a 28-foot floor-to-ceiling height. The project is proposing the portion of the recreation center not used for the basketball court to be 3 stories. The proposed 3-story portion of the building provides a better overall building layout that still meets the minimum 22,000-square-foot recreation center requirements. In terms of access, pedestrian access will be provided from the public parking lot to the east, Berry Lane Park to the south, and the pedestrian plaza to the west. Therefore, the proposed 3-story

recreation center is a better design alternative than a 2-story recreation center. After construction the recreation center will be city owned and adjacent to Berry Lane Park, which is also city owned.

Minimum Landscape Buffer: The project proposes a 5-foot landscape buffer between the building and the parking lot along Woodward Street. A variance is required as the landscape buffer is intermittent as there are sidewalk areas to access mechanical room doors as well as aprons for access to the loading area and parking garage. The project meets the intent of the ordinance as landscaping is provided to the maximum extent feasible while still allowing for the necessary ingress and egress to the building.

The granting of the deviations will advance the purposes of the Municipal Land Use Law and promote the general welfare. Granting the requested deviation will guide the appropriate use and development of the property in a manner that will promote the general welfare consistent with N.J.S.A. 40:55D-2.a. through the provision of an appropriate mixed-use building that is consistent with the intent of the Redevelopment Plan. The project is also proposing a density that is consistent with goals of the Redevelopment Plan and therefore promotes the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities; consistent with N.J.S.A. 40:55D-2.e. The proposed project will promote a more desirable visual environment through creative development techniques consistent with N.J.S.A. 40:55D-2.i. by developing the current predominant vacant lot along Communipaw Avenue with a new mixed-use building that will improve the streetscape.

The granting of the deviation will not result in a substantial detriment to the general welfare. As mentioned, the proposed project will remove an existing abandoned industrial building along with developing a vacant lot. The proposed project meets the required yard and bulk requirements providing for light, air, and open space.

Granting the deviation will likewise not result in a substantial impairment to the zoning ordinance or zone plan. The proposed project is consistent with the purpose of the BL-N Zone which is,

“To encourage a denser pattern of development where housing is within proximity to public park space and a light rail station. To create easily accessible community facilities adjacent to a public park.”

The proposed project promotes the goals of the Redevelopment Plan including,

“Provide opportunities for growth of neighborhood level retail, services and community facilities for the Lafayette neighborhood.”

“Preserve the Lafayette neighborhood by halting and removing industrial encroachments.”

“Ensure a positive land use impact and maximum benefits from the LRT by encouraging the redevelopment in areas closer to the light-rail transit station as mixed-use and higher intensity development consistent with the principles of “Smart Growth” and the State’s “Transit Village Initiative”; i.e. sustainable economic and

social development, including a variety of housing choices, providing pedestrian friendly street and public rights-of-way, minimize automobile use by maximizing the appeal of mass transit, encourage reduced parking and shared use parking solutions, and creating a livable community with convenient access to commercial facilities.”

The proposed redevelopment of the property advances several goals of the Jersey City Master Plan including,

“Ensure the City’s available housing is balanced and meets the needs of all current and future city residents.”

The Applicant reserves the right to supplement the foregoing reasons with expert testimony at the Planning Board hearing.