

**PRINCIPAL POINTS STATEMENT**

**KRE/SILVERSTEIN 808 PAVONIA LLC**

**PREVIOUSLY APPROVED BLOCK 10601, LOT 34.02 (PHASE 1)**

**PREVIOUSLY APPROVED BLOCK 9404, LOT 34.01 (PHASE 2)**

**808 PAVONIA AVENUE, 132-140 VAN REIPEN AVENUE, 12 BRYAN PLACE, 813  
PAVONIA AVENUE, 270 MAGNOLIA AVENUE**

**FORMERLY KNOWN AS: BLOCK 9404, LOTS 34, 35 & 41; BLOCK 10601, LOTS 38  
& 39**

The Applicant, KRE/SILVERSTEIN 808 PAVONIA LLC has filed an application with the Jersey City Planning Board for property located at previously approved Block 10601, Lot 34.02 (Phase 1) and previously approved Block 9404, Lot 34.01 (Phase 2) known as 808 Pavonia Avenue, 132-140 Van Reipen Avenue, 12 Bryan Place, 813 Pavonia Avenue, and 270 Magnolia Avenue, Jersey City, (formerly known as Block 9404, Lots 34, 35 & 41; Block 10601, Lots 38 & 39), for Preliminary and Final Major Subdivision approval with Variances & a Deviation for the project pursuant to N.J.S.A. 40:55D-70(c). The purpose of the application is to subdivide one (1) lot into two (2) lots to permit construction of required loading docks for the Loews Theater (by a third party) and construction of the first phase of a two-phase, mixed-use project including a total of approximately 1,189 residential units, parking for approximately 368 vehicles, approximately 6,038 square feet of gallery and café space, and 47 signs, in addition to various publicly accessible improvements and easement areas. The two-phase development project was approved by Resolution granting Preliminary and Final Major Site Plan Approval with Deviations memorialized by the Planning Board on October 11, 2022.

By Resolution memorialized by the Planning Board on October 11, 2022, a Preliminary and Final Major Subdivision with Deviation was approved, creating Block 10601, Lot 34.02

(Phase 1 Lot) and Block 9404, Lot 34.01 (Phase 2 Lot). The Applicant now seeks to subdivide the previously approved Block 10601, Lot 34.02 (Phase 1 Lot) to create a new lot (Block 10601, Proposed Lot 34.04 – “Loading Dock Lot”) for transfer to the Jersey City Redevelopment Agency to accommodate construction of the Loews Theater loading docks on the Loading Dock Lot by a third party, leaving the remaining new lot for the development of Phase 1 (Block 10601, Proposed Lot 34.03) of the overall previously approved project.

The Property is located in Zone 10 of the Journal Square 2060 Redevelopment Plan. The current zoning within Zone 10 of the Redevelopment Plan requires that Site 6 be developed with loading docks. Therefore, the proposed uses are permitted uses within the Redevelopment Plan.

As part of the application, the Applicant seeks the following deviations, variances, waivers and/or exceptions from the Jersey City Subdivision Ordinance, Municipal Land Use Law, and Redevelopment Plan:

1. Section 299-5.D.(3) of the Jersey City Subdivision Ordinance, requiring that each lot shall front upon an improved street, except in those instances conforming with N.J.S.A. 40:55D-35 AND 40:55D-36, where the proposed Loading Dock Lot (Block 10601; Proposed Lot 34.04) will not front on an improved street;
2. Section 40:55D-35 of the Municipal Land Use Law, prohibiting the issuance of a permit for the erection of any building or structure unless the lot abuts a street giving access to such proposed building or structure, where the proposed Loading Dock Lot (Block 10601; Proposed Lot 34.04) will not front on a street;
3. Section III.A.3 of the Redevelopment Plan, requiring any newly created lot or development site through subdivision or consolidation to have a maximum shape factor of 28, where the proposed Phase 1 Lot (Block 10601, Proposed Lot 34.03) will have a shape factor of 48.77; and
4. Any other deviations/variances, waivers and/or exceptions from the Redevelopment Plan, the Jersey City Land Development Ordinance, the Jersey City Subdivision Ordinance and/or the Municipal Land Use Law that the Planning Board shall deem necessary in connection with this application.

The redevelopment objectives and policy standards of the Redevelopment Plan are set forth in Section III of the Redevelopment Plan. The proposed subdivision and development

will promote these objectives and policy standards, and the requested variances will not have a detrimental effect on the zone plan.

The proposed subdivision and development will redevelop previously approved Block 10601, Lot 34.02 (Phase 1 Lot). Among the goals and objectives of the Redevelopment Plan are the following:

- 1) Re-establish Journal Square as Jersey City's primary central business district and activity center.
- 3) Integrate open space into the Area by incorporating a system of parks, plazas, and natural amenities.
- 4) Promote a pattern of mixed and multiple-use development. New buildings within the Area should appropriately combine residential, commercial, and entertainment uses and encourage a balance of jobs-to-housing.
- 5) Make walking and biking an easy, safe, desirable, and convenient mode of transport.
- 6) Encourage local quality retail within the greater Journal Square area.
- 7) Reduce automobile dependency by encouraging high density development in close proximity to mass transit with low automobile parking ratios and with bicycle parking requirements.
- 8) Provide for urban amenities such as transit, housing variety, open space, and entertainment that will attract new employers and a range of new residents to the area while sustaining existing neighborhoods.
- 12) The overall improvement of traffic circulation through the development of new and improved vehicular and pedestrian circulation systems which provide for separation of vehicular and pedestrian traffic and the maximum use of public transportation.
- 16) Provide for redevelopment without public acquisition or relocation of residents and business concerns.
- 19) Creation of major new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
- 21) To promote the principles of "Smart Growth" and "Transit Village" development, including a variety of housing choices, providing wider sidewalks, 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.
- 22) Maintain and improve pedestrian access to the Journal Square PATH Station from the surrounding communities.
- 23) To maximize the use of rooftop open space for recreation and/or green roofs.
- 24) Utilize step backs, architectural design elements, and building massing regulation to maintained light and air to the street and adjacent properties.

- 25) All structures within the project area shall be designed and maintained so as to improve the visual impact of the Jersey City skyline as viewed from within and beyond the City's borders.

The proposed subdivision and development promotes each one of these goals and objectives.

The requested variances from Section 299-5.D.(3) of the Subdivision Ordinance and Section 40:55D-35 of the Municipal Land Use Law to permit relief from requirement that each lot shall front upon an improved street, except in those instances conforming with N.J.S.A. 40:55D-35 & 36, and prohibiting the erection of a structure where the lot has no street frontage, where the proposed Loading Dock Lot will not front on a street, will permit the acquisition by the Jersey City Redevelopment Agency of the property rights necessary to construct the required loading docks to service the Loews Theater, thereby promoting a public purpose. Further, the Loading Dock Lot is adjacent to the lot improved with the Loews Theater (Block 10601, Lot 41) which is owned by the City and fronts along JFK Boulevard. Consequently, the Loading Dock Lot and Lot 41 could be consolidated by the City in the future, in which case the consolidated lot would front along JFK Boulevard.

The requested deviation from Section III.A.3 of the Redevelopment Plan, requiring that any newly created lot or development site through subdivision or consolidation to have a maximum shape factor of 28, will permit the new proposed Phase 1 Lot to have a shape factor of 48.77. This represents a benefit because it will permit the acquisition by the Jersey City Redevelopment Agency of the property rights necessary to construct the required loading docks on the Loading Dock Lot in order to service the Loews Theater.

Accordingly, the benefits of granting the variances and deviation substantially outweighs any detriments.

The proposed subdivision, development and requested variances and deviation are appropriate for the development of the property and will benefit the immediate

neighborhood and will promote the general welfare and the objectives and policies of the Redevelopment Plan. The development will also promote a desirable visual environment by integrating open space into the area by incorporating a system of parks/plazas and natural amenities. Lastly, the proposed variances and deviation will not cause substantial detriment to the public good, or impairment to the intent and purpose of the Redevelopment Plan, the Jersey City Master Plan, or the Jersey City Land Development Ordinance.

The Applicant reserves the right to supplement the foregoing with testimony at the hearing.