

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: 575 PAVONIA LLC

FOR: PRELIMINARY AND FINAL MAJOR SITE PLAN AMENDMENT
APPROVAL WITH A DESIGN WAIVER AND DEVIATION
532 SUMMIT AVENUE, JERSEY CITY, NEW JERSEY
BLOCK 9606, LOT 29.01 (FORMERLY LOTS 29, 32, 33, 34 AND 35)

CASE NO. P20-113

WHEREAS, the Applicant, **575 PAVONIA LLC** (the “Applicant”), per **CONNELL FOLEY, LLC**, (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Preliminary and Final Major Site Plan Amendment approval with a design waiver and a deviation pursuant to N.J.S.A. 40:55D-70(c), to wit, Calendar No. P20-113, in connection with the prior approval (P19-131 – the “Initial Approval”) to develop a twenty-five (25) story mixed use building, with retail/restaurant/sidewalk cafe space on the first floor fronting along Summit Avenue, office space on the ground floor, and 340 residential units on the upper floors (“Project”) for the property located at 532 Summit Avenue and 571, 573, 575 and 577 Pavonia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9606, Lot 29.01 (formerly known as Lots 29, 32, 33, 34 and 35) (“Property”), which is located within Zone 3 in the Journal Square 2060 Redevelopment Plan (“Redevelopment Plan”) area; and

WHEREAS, due notice of a virtual hearing via Zoom before the Planning Board of the City of Jersey City, November 17, 2020 at 5:30 P.M. was duly published as prescribed in the Jersey City Land Development Ordinance (“JC LDO”) 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, 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 on behalf of the Applicant, and the oral and written comments and recommendations of the Division of Planning professional staff, and the testimony of members of the public, the Planning Board has made the following findings of fact:

FINDINGS OF FACT

1. The Applicant, 575 Pavonia LLC filed an application with the Planning Board for Preliminary and Final Major Site Plan Amendment approval with a design waiver and a deviation pursuant to N.J.S.A. 40:55D-70(c), in connection with the development of the Property with a twenty-five (25) story mixed use building, with retail/restaurant/sidewalk cafe space on the first floor fronting along Summit Avenue, office space on the ground floor, and 340 residential units on the upper floors (“Project”), for the property located at 532 Summit Avenue and 571, 573, 575 and

577 Pavonia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9606, Lot 29.01 (formerly known as Lots 29, 32, 33, 34 and 35) ("Property").

2. The Applicant received its initial approval pursuant to P19-131 ("Initial Approval").
3. The property is located within Zone 3 in the Journal Square 2060 Redevelopment Plan ("Redevelopment Plan") Area.
4. The proposed amendments include the following:
 - Material alterations on the façade
 - Unit distribution changes to increase the number of 2 bedroom units (the overall unit count remains the same)
 - The location of the dog run (the dog run was moved from the 2nd floor to the 25th floor amenity deck)
 - Additional signage for the café and loading dock for improved wayfinding
 - Increase in the bicycle storage from 171 bikes to 228 bikes
 - A reduction in the overall height of the building by 15'
 - Changes/updates to comply with the Planning Board conditions of approval.
 - A decrease in glazing for the café/restaurant
 - Safety and Utility changes/upgrades
5. The Applicant presented and testified with regard to Exhibit A-2, which was an exhibit identifying and highlighting amendments to the Initial Approval.
6. As part of the application, the Applicant requested the following variances, deviations, exceptions and/or waivers from the Jersey City Land Development Ordinance ("JC LDO") and the Journal Square 2060 Redevelopment Plan.

a) Design Waivers and/or Deviations:

1. A design waiver for relief from Section III.A.18 of the Redevelopment Plan that all storefront facades incorporate a minimum of 80% transparent glass (56% was previously approved, and 33.75% is now proposed).

b) Deviations:

1. A deviation for relief from Section IV.B to permit three (3) signs for the café/restaurant use.

7. A design waiver and/or deviation has been requested for relief from Section III.A.18 of the Redevelopment Plan that all storefront facades incorporate a minimum of 80% transparent glass. The Project is proposing that approximately 33.75% of the store fronts will have a transparent glass, which is below the minimum requirement of 80% transparent glass. The Project was previously approved for a deviation to permit 56% of transparent glass. The revised design of the first floor front façade, similar to the initial approved design, is consistent with the intent of the Redevelopment Plan to provide for an open and transparent view of the interior of the retail/restaurant space. Some of the areas that are not being provided as a transparent space are instead using an architectural element for the design of the building consistent with the intent of

the Redevelopment Plan to provide for open and active streetscapes. Accordingly, the benefits of providing for the proposed facade and glass percentage outweigh any substantial detriments, or otherwise, and the relief can be granted.

8. A deviation has been requested for relief from Section IV.B to permit three (3) signs for the case/restaurant use. The Redevelopment Plan permits one exterior sign per store front bay on each street frontage. In this instance, there are not multiple “store front bays”, but instead, it is programmed as a single user. Therefore, if there were multiple store front bays there could be multiple signs along the first floor for the multiple uses. The proposed three (3) signs are not inconsistent with the intent of the zoning as to the number of signs permitted, and accordingly, there are not any substantial detriments to the proposed additional signs. Additionally, as a corner lot additional signage is necessary and appropriate to place along the Pavonia Avenue and Summit Avenue facades. This is also a unique intersection so there are visual points to and from numerous angles and points of interest. The additional signage is appropriate at this intersection to alert pedestrians of the café/restaurant use. Accordingly, the benefits of the additional signage outweigh any substantial detriments and the requested deviation can be granted.

9. The deviations and waivers that were approved as part of the Initial Approval that were not impacted or changed as part of this application remain approved.

10. The requested design waiver and/or deviation(s) are appropriate for the Project and will benefit the immediate neighborhood, and will promote the general welfare. The Project will also promote a desirable visual environment by developing a creative and appropriate mixed-use development for the neighborhood to meet the needs of the growing population. The proposed design waiver and/or deviation(s) will not cause any substantial detriments to the public good, or impair the intent and purpose of the Jersey City Zoning Plan, Journal Square 2060 Redevelopment Plan or the Jersey City Land Development Ordinance, and accordingly, the requested design waiver and/or deviation(s) can be granted.

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 Amendment approval with a design waiver and/or deviation(s) pursuant to N.J.S.A. 40:55D-70(c), to wit, Calendar No. P20-113, for the amendments set forth herein and in the Applicant’s plans and Exhibits in connection with the prior approval (P19-131) to develop a twenty-five (25) story mixed use building, with retail/restaurant/sidewalk cafe space on the first floor fronting along Summit Avenue, office space on the ground floor, and 340 residential units on the upper floors (“Project”), for the property located at 532 Summit Avenue and 571, 573, 575 and 577 Pavonia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9606, Lot 29.01 (formerly known as Lots 29, 32, 33, 34 and 35), and 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 shall address and comply with all comments and recommendations of the municipal review agents and will submit revised plans reflecting those comments to the Division of Planning.

2. All materials and color selections shall be shown on final plans. No changes to the façade 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 Planning staff.

3. All testimony given by the Applicant and their expert witnesses in accordance with this application shall be binding.

4. Architect of record, HLW Architecture, LLC, shall submit a signed and sealed affidavit confirming that the building was constructed as approved, prior to the issuance of the Certificate of Occupancy.

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VOTE: 8 - 0

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


Christopher Langston (Nov 25, 2020 16:25 EST)

CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD
OF THE CITY OF JERSEY


Erica Baptiste (Nov 25, 2020 15:42 EST)

ERICA BAPTISTE, SECRETARY
JERSEY CITY PLANNING BOARD
OF THE CITY OF JERSEY CITY

APPROVED AS TO LEGAL FORM:


Santo T. Alampi (Nov 30, 2020 09:53 EST)
SANTO T. ALAMPI, ESQ.

DATE OF HEARING:
DATE OF MEMORIALIZATION:

November 17, 2020
November 24, 2020