

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: 88 REGENT STREET LLC
FOR: AMENDMENT TO AMENDED PRELIMINARY MAJOR SITE PLAN
APPROVAL AND FINAL MAJOR SITE PLAN WITH DEVIATIONS
88 REGENT STREET, JERSEY CITY, NJ
BLOCK 14002, LOTS 1.02 and 1.06
CASE NO.: P20-154

WHEREAS, the applicant, 88 REGENT STREET LLC, (the "Applicant"), per Connell Foley LLP, (James C. McCann, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for approval of an amendment to a previously amended preliminary and final major site plan approval with deviations, to wit: Calendar No. P20-154 for a mixed-use building located at 88 Regent Street, Jersey City, New Jersey, identified on the official tax map of the City of Jersey City as Block 14002, Lots 1.02 and 1.06 (the "Property"); and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on March 23, 2021 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 application materials including digital plans, and related documents were made available for public inspection on the Jersey City Data Portal; and

WHEREAS, the public hearing was conducted virtually utilizing the Zoom service in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices;

WHEREAS, 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, all testimony and expert testimony on behalf of the Applicant 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 and the JC LDO and provided adequate notice of the within application.
3. The Applicant was granted preliminary major site plan and final major site plan approval to allow the construction of a new thirty-two (32) story building plus a cupola on the corner of Jersey Avenue and Regent Street on property known as 88 Regent Street and identified on the Official Tax Map of the City of Jersey City as Block 14002, Lots 1.02 and 1.06 (the

"Property") as approved pursuant to Case No. P17-094. The development as approved consisted of a new thirty-two (32) story building plus a cupola containing 392 dwelling units, 9,110 sq. ft. of commercial/retail uses, 5,595 sq. ft. and a parking garage containing 305 parking spaces (the "Initial Approval"). The Property is located within the Liberty Harbor North Redevelopment Plan ("Redevelopment Plan") where the approved project is a permitted use.

4. The Applicant was granted an amended preliminary major site plan approval and final major site plan with deviations to amend the Initial Approval to modify the building, including, but not limited to, increases in the commercial/retail space to 14,558 sq. ft. and office use to 5,824 sq. ft., changes to and relocation of outdoor and indoor amenity space, de minimus modifications cupola setback and ground floor story height deviations, changes to the rooftop design and façade improvements and unit reconfigurations, all as approved pursuant to Case No. P19-149 (the "Amended Approval").
5. The Applicant now seeks an amendment to the Amended Approval to modify building with changes that include but are not limited to the following:
 - a. A reduction in the residential unit count from 392 to 389 units;
 - b. An increase the parking spaces from 305 to 306 parking spaces;
 - c. The addition of dog run;
 - d. Re-design of the residential and commercial vestibules at the entrances of the building;
 - e. A small height increase to the elevator overrun;
 - f. Installation of one (1) 65' x 70' perforated mesh temporary leasing banner on the building façade;
 - g. Enlargements to the cupola roof and floors;
 - h. The addition of canopies over the garage door entrance; and
 - i. The addition of a civic/educational space on second floor with previously approved office space.
6. The Board heard testimony from Michael Higgins of Marchetto Higgins Stieve, a licensed architect in the State of New Jersey, who was sworn and qualified as an expert in this field. Mr. Higgins testified on behalf of the Applicant as to the proposed amendments to the Amended Approval.
7. Mr. Higgins testified that the most significant amendments to the Amended Approval include a reduction in residential unit count to 389 units which results in a revision to the unit mix in the building, the addition of 1 parking space for a total of 306 spaces and a dog run, enlargements to the cupola roof and floors, the re-design of the penthouse units, re-designed vestibules for both the residential lobby and the retail area which will extend into the sidewalk, a re-designed garage entrance with the addition of overhead canopies, the addition of educational space on the second floor to be permitted along with office space, and other internal building design changes throughout the podium, garage, tower, and amenities areas which primarily involve the relocation and reconfiguration of spaces.
8. The vestibule re-design is a design feature that is expressly permitted by the Redevelopment Plan; however, the Applicant is required to obtain a franchise ordinance from the Jersey City Municipal Council for this feature.

9. The applicant requested, and was granted an approval for a temporary marketing banner on as shown on the filed architectural plans. The term for the marketing banner shall be the earlier of 15 months from the date that the banner is installed on the building or the date the building reaches 90% occupancy. The Applicant shall notify the Planning Department of the date it installs the banner on the building.

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 an amendment to an amended preliminary and final major site plan approval with deviations, to wit: Calendar No. P20-154 for a mixed-use building located at 88 Regent Street, Jersey City, New Jersey, identified on the official tax map of the City of Jersey City as Block 14002, Lots 1.02 and 1.06, subject to the following conditions:

1. The Applicant will comply with the conditions of approval as set forth in the resolution approving Case No. P17-94;
2. The Applicant will comply with the conditions of approval as set forth in the resolution approving Case No. P19-149;
3. All testimony given by the applicant and their expert witness shall be binding.
4. Applicant shall obtain a franchise ordinance from the City of Jersey City for the residential and commercial vestibules on the Property.
5. The temporary marketing banner shown on the filed architectural plans is approved. The term for the marketing banner shall be the earlier of 15 months from the date that the banner is installed on the building or the date the building reaches 90% occupancy. The Applicant shall notify the Planning Department of the date it installs the banner on the building.

RESOLUTION
City of Jersey City
Planning Board
In the Matter of 88 REGENT STREET
P20-154
Decided on March 23, 2021
Memorialized on May 4, 2021
Application for Amendment to Amended Preliminary and Final Major Site Plan

DATE OF HEARING: March 23, 2021

VOTE: 6-0

VOTING IN FAVOR: COMMISSIONERS

1. Chairman Christopher Langston
2. Council President Joyce Watterman
3. Commissioner Vidya Gangadin
4. Commissioner Peter Horton
5. Commissioner Geoffrey Allen
6. Commissioner David Cruz

VOTING AGAINST: **NONE**

ABSTAINING: **NONE**


Christopher Langston (May 5, 2021 18:30 EDT)
CHRISTOPER LANGSTON, Chairman
JERSEY CITY PLANNING BOARD


Cameron Black (May 7, 2021 13:47 EDT)
CAMERON BLACK, Secretary
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


Santo T. Alampi (May 6, 2021 09:56 EDT)
SANTO T. ALAMPI, ESQ.
JERSEY CITY PLANNING BOARD

DATE OF MEMORIALIZATION: May 4, 2021