

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: JOURNAL SQUARE II URBAN RENEWAL LLC

FOR: AMENDED PRELIMINARY & FINAL MAJOR SITE PLAN APPROVAL WITH DEVIATIONS FOR PHASE 2 OF PROJECT

BLOCK 9501, LOT 4.01, QUAL. C0001, C0002, C0003; f/k/a BLOCK 9501, LOTS 4-8 AND 10-16

615 PAVONIA AVENUE, 136 MAGNOLIA AVENUE, 595 PAVONIA AVENUE; F/K/A, 595-621 PAVONIA AVENUE, 535-539 SUMMIT AVENUE, 136 MAGNOLIA AVENUE

CASE NO.: P12-085.4

WHEREAS, the applicant, **JOURNAL SQUARE II URBAN RENEWAL 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 Amended Preliminary & Final Major Site Plan Approval with deviations for Phase 2 of the previously approved Journal Squared project to wit: Calendar No. P12-085.4, to develop Phase 2 with a mixed-use project to include 704 residential units, up to 17,500 square feet of commercial space, approximately 492 valet parking spaces, and related signage. The project will be located at 615 Pavonia Avenue, 136 Magnolia Avenue, 595 Pavonia Avenue, f/k/a, 595-621 Pavonia Avenue, 535-539 Summit Avenue, and 136 Magnolia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9501, Lot 4.01, Qual. C0001, C0002, C0003, f/k/a Block 9501, Lots 4-8 and 10-16 (collectively the “**Property**”), which is located within Zone 1:Core of the Journal Square 2060 Redevelopment Plan area; and

WHEREAS, due notice of a hearing on the application before the Planning Board of the City of Jersey City on October 24, 2017 at 5:30 p.m. was duly published in the Jersey Journal and mailed to property owners within 200 feet of the Journal Squared site as required by the Land Development Ordinance of the City of Jersey City and the Municipal Land Use Law; and

WHEREAS, the Applicant has submitted proof of compliance with the applicable procedural requirements including the payment of fees and public notices to the Board; and

WHEREAS, the Applicant and its witnesses first having been sworn and all testimony

having been formally heard for and in opposition, if any, to this application; and

WHEREAS, after consideration of the application and the testimony and other evidence in the application and presented at the hearings, the Planning Board has made the following findings of fact:

FINDINGS OF FACT

1. The Property is located in the Zone 1: Core of the Journal Square 2060 Redevelopment Plan (the "Plan"). The Applicant is the owner of Block 9501, Lot 4.01, Qual. C0002. The Applicant's affiliates, Journal Square I Urban Renewal LLC and Journal Square III Urban Renewal LLC are the owners of Block 9501, Lot 4.01, Qual. C0001 and C0003, respectively. By Resolution No. P12-085 memorialized on December 18, 2012, the Jersey City Planning Board approved an application for Preliminary Major Site Plan Approval with Deviations for Phases 1, 2, and 3 of the project and Final Major Site Plan Approval with Deviations for Phase 1 of the project for the Property ("Original Approval"). By Resolution No. P12-085.1, memorialized on December 3, 2013, the Planning Board approved an application for Amended Final Major Site Plan Approval with Deviations for Phase 1 of the project for the Property ("Amended Approval"). By Resolution No P12-085.2, memorialized on June 3, 2014, the Planning Board approved an application for a second Amended Final Major Site Plan Approval with Deviations for Phase 1 of the project for the Property (the "Second Amended Approval"), and by Resolution No. P12-085.3, memorialized on January 24, 2017, the Planning Board approved on application for a third Amended Final Major Site Plan Approval with Deviations for Phase 1 of the project for the Property (the "Third Amended Approval") (the Original Approval, the Amended Approval, the Second Amended Approval and the Third Amended Approval are collectively referred

to as the "Site Plan Approval"). The Site Plan Approval permits the phased development of a mixed-use project containing 1838 residential units, up to 36,000 square feet of commercial space, which may include leasing, retail, restaurant and other permitted uses, approximately 920 permanent parking spaces within a parking structure, an interim surface parking area, and approximately 127 signs, including 25 signs that will be removed during the course of the phased development. The Site Plan Approval also included the redesign of the Magnolia Avenue kiss-and-ride drop off area to create a new plaza entry to the Journal Square Transportation Center as part of Phase I. The Site Plan Approval granted certain deviations and waivers from the Plan and the Jersey City Land Development Ordinance ("LDO"). All of the deviations and waivers granted in the Site Plan Approval remain in full force and effect. Phase 1 is now complete.

2. The Applicant has filed an application for Amended Preliminary & Final Major Site Plan Approval with Deviations for Phase 2 of the project with the Jersey City Planning Board for the Property. The proposed Phase 2 amendment will allow changes to the Site Plan Approval to permit a total of 1,842 residential units, parking for approximately 786 vehicles, up to 29,900 square feet of commercial space, and a total of approximately 131 signs for the entire three-phase project to be constructed on the Property.

3. The proposed amendment to Phase 2 will permit a seven-story base building having a maximum height of 78'-6" and 94'-6" and a minimum height of 49'-6", which shall include up to 17,500 square feet of commercial space, enclosed structured valet parking for approximately 492 spaces, driveway ingress/egress to and from the parking within the Phase 2 building, a Phase 2 residential building lobby, a total of 59 signs, bicycle storage

for approximately 675 bicycles, a roof-top maintenance unit/crane and lightening rod, and traditional building crown lighting which will run within the upper most façade infill panels around the crown of the Phase 2 tower, similar to the building crown lighting approved for Phase 1. The Phase 2 tower shall be 71 stories having a maximum height of approximately 742 feet (inclusive of the base) and shall contain approximately 704 residential units. More specifically, the Phase 2 amendment will permit the Applicant to make the changes as identified on the architectural, engineering, and landscape architecture memos dated as of August 30, 2017, August 31, 2017 and August 31, 2017 respectively, as well as the development plans that were submitted with the application.

4. In connection with the application for the amendment to Phase 2, the Board makes the following specific findings concerning the Applicant's request for deviations, waivers and/or exceptions from the Plan and the LDO:

(a). The requested deviation from Section VII.A.18 of the Redevelopment Plan, which requires that all ground floor storefront facades shall incorporate a minimum of 80% transparent glass, will permit 59% transparent glass in Phase 2. The reduction in transparent glass will allow additional egress stairs as required from the proposed roof terrace, as well as the proposed temporary facades and loading/parking garage entrances.

(b). The requested deviation from Section VII.D.10.C. of the Redevelopment Plan, which requires that glass shall constitute a minimum of 80% of the ground floor façade, will permit 59% glass in Phase 2. The reduction in transparent glass will allow additional egress stairs as required from the proposed roof terrace, as well as the proposed temporary facades and loading/parking garage entrances.

(c). The requested deviation from Section VII.D.10.e. of the Redevelopment Plan, which requires that no more than 15% of the first floor street frontage may be dedicated to other uses such as meter rooms, blank walls, garage doors, emergency exits, etc., will permit 26% of the first floor frontage to be dedicated to such uses in Phase 2. The increased percentage will allow for residential lobby entries, mechanical space, building cores, garage entries, and PATH station access, as well as the additional egress stairs as required from the proposed roof terrace.

(d). The requested deviation from Section VII.E.4.f. of the Redevelopment Plan, which does not permit open horizontal bands along the façade of any parking structure, will permit the temporary eastern podium façade of Phase 2 to have horizontal openings with vehicle barriers on levels 2-7. The proposed horizontal openings on the garage are temporary in nature. Initially, they will be covered by temporary leasing signage; thereafter, they will be eliminated with the anticipated construction of the Phase 3 building.

(e). The requested deviation from Section VII.E.4.j. of the Redevelopment Plan, which requires 90 degree, two-way aisle widths at a minimum of 22', will permit overall 22' aisle widths in Phase 2, albeit with limited pinch points having 19'-4" widths. The pinch points are required due to structural necessity of the Phase 2 building. At pinch point locations, parking is not doubled loaded.

(f). The requested deviation from Section VII.E.4.q. of the Redevelopment Plan, which requires that all entry ways to off-street parking structures shall incorporate decorative materials coordinated with the primary base façade on all surfaces 25' deep into the structure, will permit the provision of primarily 25' of decorative materials overall in Phase 2, albeit with pinch points at 24'-8". The pinch points are required due to structural necessity of the east wall of the loading dock in Phase 2.

(g). The requested deviation from Section VII.E.4.r. of the Redevelopment Plan, limiting driveway widths in parking facilities to be a maximum of 18', will permit a 21'-8" driveway width for truck loading, a 22' driveway width for car access, and 11' driveway width for a one-way driveway in Phase 2. A 19' minimum width is required for turning radius and general safety. A 21'-8" width is necessary for safe and efficient truck loading and a 22' width is necessary for safe and efficient 2-way automobile access.

(h). The requested deviation from Section VIII.B. of the Redevelopment Plan, which limits sign area along rights of way where retail is mandatory to 5% of the first story portion of the wall or 20 square feet, will permit a 100 s.f. LED clock sign that spans .5% of the entire base façade in Phase 2 and a Phase 2 entry sign of 90 square feet (an 85 square foot Phase 2 entry sign was previously approved). The proposed LED clock sign and entry sign are architectural features, the size of which will highlight the unique identity of the building to the surrounding community and the general public and create a sense of place within the neighborhood.

(i). The requested deviation from Section VIII.C. of the Redevelopment Plan, which requires signs to be attached to the first floor level of the building, will permit an LED clock sign to span the third and fourth floors of the Phase 2 building. The proposed LED clock sign is an architectural feature, the location of which will highlight the unique identity of the building to the surrounding community and the general public and create a sense of place within the neighborhood.

(j). The requested deviation from Section VIII.D.1 of the Redevelopment Plan, which

requires that one sign be provided per entrance to parking garages indicating the parking facility by the international parking symbol and directional arrow, will permit the Phase 2 building to have no parking sign. The parking garage is a private garage. Eliminating the parking sign is a benefit to the general public, who may otherwise be confused that the garage is open to the public if an international parking symbol/directional arrow is required.

(k). The requested deviation from Section VII.A.10. of the Redevelopment Plan, which requires all mechanical equipment located on any roof of a building to be screened from view, will permit a maintenance unit/crane and lightening rod on the roof of the Phase 2 building that cannot be screened. The maintenance unit/crane is required for OSHA compliant façade maintenance that is mandated for a building of this height.

(l). The requested deviation from Section VIII.B of the Redevelopment Plan, which requires that along all rights of way where retail/similar uses are mandatory that uses fronting on a public street be permitted only 1 exterior sign per street frontage per use, will permit multiple signs per proposed use, where 49 retail awning/blade signs were previously approved for Phase 2 and 53 retail awning/blade signs are now being proposed for Phase 2. The proposed additional signage will promote the retail users within the building, and in particular the retail cube that is now part of Phase 2, while at the same time allowing for a consistent and uniform appearance to the building.

5. The deviations and amended Phase 2 development advance the objectives and purposes of the Plan and the purposes of the Municipal Land Use Law, as they will promote safety and the general welfare by:

- Reducing automobile dependency by encouraging high density development in close proximity to mass transit with low automobile parking ratios and with bicycle parking requirements.
- Providing 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.
- 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.
- Providing for an active "front door" plaza entry way where Magnolia Avenue accesses the Journal Square PATH station, at the existing kiss-and-ride area.
- Creation of major new employment, housing, educational, recreational, commercial and retail opportunities for the residents of Jersey City.
- Promoting 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.

- Maintaining and improving pedestrian access to the Journal Square PATH Station from the surrounding communities.
- Maximizing the use of rooftop open space for recreation and/or green roofs.

6. The benefits of granting the requested deviations substantially outweigh any detriments, and the requested deviations will not cause a substantial detriment to the public good, nor impairment to the intent and purpose of the Master Plan or the Plan. All of the deviations will enhance the Phase 2 project's design and are in keeping with the spirit of the Plan.

7. Based upon the application, the site plans, the testimony and the Applicant's representations on the record, apart from the requested deviations, the amended Phase 2 project meets the requirements of the Plan and the LDO.

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 Amended Preliminary & Final Major Site Plan Approval with deviations for Phase 2 of the previously approved Journal Squared project, to wit: Calendar No. P12-085.4, to develop Phase 2 with a mixed-use project to include 704 residential units, up to 17,500 square feet of commercial space, approximately 492 structured valet parking spaces, and related signage. The project will be developed at 615 Pavonia Avenue, 136 Magnolia Avenue, 595 Pavonia Avenue; f/k/a, 595-621 Pavonia Avenue, 535-539 Summit Avenue, and 136 Magnolia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9501, Lot 4.01, Qual. C0001, C0002, C0003, f/k/a Block 9501, Lots 4-8 and 10-16, located within Zone 1:Core of the Journal Square 2060 Redevelopment Plan, all in accordance with the attached plans, documents, and testimony, submitted to the Planning Board of the City of Jersey City, subject to the following conditions:

1. The Applicant shall continue their close coordination and information sharing with PATH throughout construction and once the site is fully operational.
2. The Applicant shall work with the Division of City Engineering to address the comments set forth in their memorandum dated October 16, 2017; and specifically complying with the Traffic Study requests included in item 14 of the October 16, 2017 report.
3. The Applicant and its landscape architect shall work with the Division of Planning staff to redesign the area around the improvements on the Phase 3 parcel at the intersection of Pavonia Avenue and Summit Avenue, that may include but not be limited to; the retaining wall , landscaping, lighting, seating and other street furniture at or near that intersection to come up with a mutually acceptable design.
4. All outstanding prior conditions of the Original Approval shall remain in full force and effect.
5. Provide revised plans to reflect all the changes requested at the hearing and the conditions for review and signature by the Chairman and Secretary of the Board before and building permits are pursued.
6. Post a bond, if required by the City Engineer.

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VOTE: 6 - 0

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Christopher Langston, Chairman	X			
Dr. Vijaya Desai, Commissioner	X			
Edwardo Torres, Commissioner	X			
Arnold Bettinger, Commissioner	X			
Allison Solowsky, Commissioner	X			
Eric Fleming, Commissioner	X			


CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD


MATT WARD, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


CHRISTOPHER HARRIOT, ESQ.

DATES OF HEARING:

October 24, 2017

DATE OF MEMORIALIZATION:

November 14, 2017