

**RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY
APPROVING PRELIMINARY AND FINAL MAJOR SITE PLAN WITH DEVIATIONS AND
CONDITIONS**

APPLICANT: TRG SUMMIT LLC and SUMMIT & SIP LLC

FOR: PRELIMINARY AND FINAL MAJOR SITE PLAN WITH DEVIATIONS

PROPERTY: 415-435 Summit Avenue
Block 10704, Lots 2 & 6

CASE NO. P20-098

WHEREAS, application has been made by TRG Summit LLC and Summit & Sip LLC (hereinafter the “Applicant”) to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey by Genova Burns LLC (Eugene T. Paolino, Esq. appearing) for approval of a Preliminary and Final Major Site with deviations filed under case no. P20-098, for the Applicant’s premises located at 415-435 Summit Avenue, designated as Block 10704, Lots 2 & 6 on the official Tax Map of the City of Jersey City, County of Hudson, State of New Jersey (the “Property”); and

WHEREAS, the Property is located within the Commercial Center (Zone 3) of the Journal Square 2060 Redevelopment Area (the “Area”) and governed by the Journal Square 2060 Redevelopment Plan (the “Plan”); and

WHEREAS, the Applicant is seeking to construct a mixed-use project consisting of a twenty-six (26) story, approximately 275’ tower on a base structure containing three-hundred and eighty-six (386) residential dwelling units, 4,434 square feet of ground floor commercial retail space, fifty-one (51) parking spaces and two-hundred (200) bicycle parking spaces, along with residential tenant amenity space (the “Project”).

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

WHEREAS, due notice of the Tuesday, January 5, 2021 virtual hearing for the above-described application was provided in accordance with the Municipal Land Use Law, the recent Executive Orders

issued by Governor Phil Murphy due to the COVID-19 pandemic and as prescribed in the land development ordinance of the City of Jersey City (“Ordinance”); and

WHEREAS, the Board has formally heard and considered the evidence presented by Applicant in support of the within application including the sworn testimony of its expert witnesses: Matthew Neuls of Dresdner Robin (civil engineering), Dean Marchetto of Marchetto Higgins Stieve (architecture), Charles Heydt of Dresdner Robin (professional planning), the comments of the public and the comments and recommendations of Planning Staff; and

WHEREAS, having considered the within application, all supporting documents, the sworn testimony in support of the application, and the comments and recommendations of Planning Staff, and having heard public comment, the Planning Board of the City of Jersey City hereby makes the following findings of fact and conclusions thereon:

FINDINGS OF FACT

1. All the Recitals hereinabove set forth are incorporated herein by reference and all exhibits, drawings and documents, including Applicant’s General Development Application and Supporting Documents and City planner’s testimony and reports, if any, are hereby incorporated by reference.

2. The Applicant is the owner of the Property that is currently on at-grade surface parking lot.

3. The Applicant proposes to construct a mixed-use project consisting of a twenty-six (26) story, approximately 275’ tower on a base structure with three-hundred and eighty-six (386) residential dwelling units, 4,434 square feet of ground floor commercial retail space, fifty-one (51) parking spaces and two-hundred (200) bicycle parking spaces along with residential tenant amenity space (the “Project”)

4. The Property is located within the Commercial Center (Zone 3) of the Journal Square 2060 Redevelopment Area.

5. Matthew Neuls of Dresdner Robin, a licensed New Jersey civil engineer testified as to the civil engineering aspects of the Project.

6. Mr. Neuls orientated the Board with the Property and testified it is located at the southwest corner of Summit Avenue and Sip Avenue directly across the street from the DMV building and located within a short vicinity of the Journal Square Transportation Center.

7. Mr. Neuls testified that the Project proposes to locate the building at the southwest corner of the intersection with the residential entrance being on Summit Avenue, the garage entrance being on along Summit Avenue with a drive-in and drive-out loading and unloading area with the retail space fronting and wrapping around both Summit and Sip Avenue.

8. Regarding streetscape improvements, Mr. Neuls testified that the Project proposes to install decorative concrete sidewalk with paver bands along both Summit Avenue and Sip Avenue as well as the installation of forestry standard compliant street trees.

9. Mr. Neuls testified the Project proposes new street lighting along both Sip and Summit Avenue. The proposed lighting along Sip Avenue will match the existing lighting fixtures which are a globe type of fixture. As for the street lighting along Summit Avenue, Mr. Neuls testified it will match the more Jersey City standard post-top lantern type of fixture that is common throughout the City.

10. Regarding parking, Mr. Neuls testified the Project proposes fifty-one (51) spaces located in the building which can be accessed through the vehicle entrance on Summit Avenue. This entrance will also be the entrance to the loading/unloading area which will all occur all-street within the building.

11. Mr. Neuls confirmed the Project proposes a stormwater detention basin under the front of the building connecting to the existing sewer connections on Summit Avenue. Mr. Neuls further testified that sanitary sewer and water will also utilize existing connections along Summit Avenue.

12. As for electric service, Mr. Neuls testified the Project proposes to install underground electrical transformers on Sip Avenue that will tie into the building.

13. Dean Marchetto of Marchetto Higgins and Stieve testified next regarding the architectural aspects of the Project.

14. Mr. Marchetto testified that the Project proposes to construct a tower on a base designed both in scale and in materials to be referential to the existing structures in the Journal Square neighborhood with a modern look.

15. Mr. Marchetto viewed the Property as a gateway to the entrance of Sip Avenue and with that in mind, the proposed tower was designed with a solid masonry basis with a glass curved corner to turn at Summit and Sip Avenue while the upper part of the proposed tower is more glass and transparent.

16. Mr. Marchetto testified the front entrance to the residential portion of the Project is located along Summit Avenue, the retail entries are located along Sip Avenue and the garage entry and loading entry is along Summit Avenue.

17. Mr. Marchetto confirmed that as part of the Project, the Applicant will construct a full basement with all mechanicals being located there. This allows for full retail frontage and exposure along Sip Avenue. Within the basement, there will also be building maintenance space, pet spa, laundry area and tenant storage and the storage area for the two-hundred (200) bicycle spaces being proposed and some additional tenant amenity space.

18. Regarding the parking spaces being provided, Mr. Marchetto testified there are a total of fifty-one (51) one spaces using a stacker system which is located in the back of the building.

19. As Mr. Marchetto testified floors 2-8 are all residential floors similar in nature with the core and double loaded corridors surrounded by apartments on both sides, the only differences between these floors are minor modifications as to the unit layouts. Floor 2 will also contain a 2,600 sf fitness room.

20. At the ninth floor, the building steps back which is the first floor of the tower and will continue up through floor 26.

21. The 26th floor will contain several residential dwelling units but also recreation and community space for tenants as well as the potential to have a co-working space located on that floor.

22. As for the roof plan, Mr. Marchetto testified there is a small amenity space with an outdoor terrace and all portions of the roof not being used for terraces or other amenities is a green roof and will total approximately 1,400 sf.

23. The roof bulkhead will contain a mechanical penthouse that will be screened in a bronze-colored metal creating a suitable cap and iconic top for the proposed Project.

24. In total, Mr. Marchetto testified there are three-hundred and eighty-six (386) residential dwelling units using the following matrix: one-hundred and forty-six (146) studios, one-hundred and fifty-five (155) one-bedroom units, twenty-seven (27) one-bedroom plus den units, forty-nine (49) two-bedroom units and nine (9) three-bedroom units.

25. Mr. Marchetto testified that deviation being requested as to the rear-yard is necessary to accommodate an increased lobby height, the placement of the stacker system and to maximize retail space. The Plan requires a maximum ceiling height of 12' along the rear yard and the Applicant is proposing 20' ceiling height along the rear yard. Mr. Marchetto testified that it will not have any detrimental or negative impact on the neighboring property.

26. As for the requested deviation for the additional height, Mr. Marchetto testified that the slight increase in height being requested so as to allow the Applicant to construct and build the basement to house all of the utilities and other mechanical eliminating the need to use additional space along the ground floor thereby reducing the potential retail space.

27. Regarding materiality, Mr. Marchetto testified the intent was to provide a modern look to the building with traditional coloring. As he testified, the base of the proposed structure is a combination of travertine colored stone with a light grey/beige brick.

28. On the tower, Mr. Marchetto testified will be mainly a metal and spandrel glass curtain wall design with a stone panel and horizontal floor pads so as to allow the PTAC units to be disguised inside the framing of the window.

29. A canopy will be installed over the entryways with a wood-tone underneath creating a warmer entry into both the residential space as well as the retail spaces.

30. Finally, Mr. Marchetto confirmed that the Applicant will be installing an address sign on the entry fronting on Summit Avenue as well as a signage along Sip Avenue for the retail establishments.

31. Mr. Charles Heydt of Dresdner Robin, a licensed New Jersey professional planner, testified as to the necessity of the requested deviations proposed.

32. Mr. Heydt testified that the Applicant is requesting the following deviations from the Plan:

- a. Section III(C)(3) of the Journal Square 2060 Redevelopment Plan regarding non-residential first floor height within thirty feet (30') of rear lot line wherein the maximum floor height permitted is twelve feet (12') and the Applicant proposes a twenty-foot (20') ceiling height within thirty feet (30') of the rear lot line.
- b. Section III(D)(4) of the Journal Square 2060 Redevelopment Plan requiring a tower on a base to have a side yard setback of twenty feet (20') and the Applicant proposes a tower on a base with a side yard setback of seven feet (7').
- c. Section VI (C)(6) of the Journal Square 2060 Redevelopment Plan wherein the maximum building height is twenty-five (25) stories and 265' in height and the Applicant proposes twenty-six (26) stories and 275' in height.

33. Mr. Heydt concluded the proposed deviations being requested for the Project meet all required legal standards and are necessary for the construction of the Project. Mr. Heydt further concluded there is no substantial detriment to the public good or a substantial impairment to the intent or purpose of the zone plan and that the deviations have met the proof standard and are justified.

34. Following Applicant's testimony, public comment was taken and the staff report of the Planning Division of the City of Jersey City was presented by Erica Baptiste. Ms. Baptiste concluded her report by recommending approval of the Project, subject to the conditions set forth.

35. The Board finds that the Project and its proposed improvements will benefit the community through the promotion of the intent and purpose the Municipal Land Use Law. Specifically, the proposed Project meets the intent of the Plan, and, therefore, the granting of the deviations and variances will guide the appropriate use and development of this site in a manner that will promote the general welfare consistent

with N.J.S.A. 40:55D-2a. The Project meets the required setbacks and stepbacks of the Plan and includes multiple landscaped outdoor areas including a public plaza and thus provides adequate light, air and open space pursuant to N.J.S.A. 40:55D-2c. Finally, the Project will promote a desirable visual environment through creative development techniques and good civic design and arrangement, consistent with N.J.S.A. 40:55D-2i.

36. The Board finds that the proposed improvements will benefit the community through the promotion of the intent and purpose of the Plan in that the Property will be developed as a primarily residential mixed-use area with ground floor commercial uses and on-site parking.

37. The Board finds that granting the deviations will not result in a detriment to the public good. The Project is consistent with the purpose and intent of the Plan, the Ordinance and the City's Master Plan and will advance the purposes and intent of the Plan. The granting of the requested deviations will not substantially impair the intent and purpose of the Plan. Accordingly, the requested deviations can be granted in that the positive and negative criteria of the Municipal Land Use Law have been satisfied. Moreover, the benefits of granting the requested deviations would substantially outweigh any detriments relative to any adjustments, variances or deviations from any bulk criteria.

38. The Board hereby grants relief and deviations from the following sections of the Plan as to the Current Project:

- a. Section III(C)(3) of the Journal Square 2060 Redevelopment Plan regarding non-residential first floor height within thirty feet (30') of rear lot line wherein the maximum floor height permitted is twelve feet (12') and the Applicant proposes a twenty-foot (20') ceiling height within thirty feet (30') of the rear lot line.
- b. Section III(D)(4) of the Journal Square 2060 Redevelopment Plan requiring a tower on a base to have a side yard setback of twenty feet (20') and the Applicant proposes a tower on a base with a side yard setback of seven feet (7').
- c. Section VI (C)(6) of the Journal Square 2060 Redevelopment Plan wherein the maximum building height is twenty-five (25) stories and 265' in height and the Applicant proposes twenty-six (26) stories and 275' in height.

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, as well as those reasons stated on the record herein, which reasons are incorporated herein by reference, having heard Applicant's testimony, public comment and the report of the staff of the Jersey City Planning Division, approves the within application, Case P20-098, for Preliminary and Final Major Site Plan with Deviations to construct a mixed-use project consisting of a twenty-six (26) story, approximately 275' tower on a base structure containing three-hundred and eighty-six (386) residential dwelling units, 4,434 square feet of ground floor commercial retail space, fifty-one (51) parking spaces and two-hundred (200) bicycle parking spaces and residential tenant amenity space (the "Project"), subject to the following conditions:

1. Architect of record shall be retained during construction and shall submit a signed and sealed letter representing and nothing that site construction was consistent with work approved before the issuance of the Certificate of Occupancy;
2. All material and color selections shall be shown on the final plans. No change to the façade and site design, including materials as well as any changes that may be required by the Construction Code Official, shall be permitted without consultation and approval by the Planning Staff;
3. All testimony given by the applicant and their expert witnesses in accordance with this application shall be binding.
4. Applicant will work with Planning Staff to install signage outside of loading/unloading to alert ride share pick-up and drop-offs to utilize loading area.

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CASE NO. P20-098

DATES OF HEARING: November 8, 2020
January 5, 2021

VOTE: 7-0

**VOTING IN FAVOR:
COMMISSIONERS**

1. Chairman Christopher Langston
2. Vice Chairman Dr. Orlando V. Gonzalez
3. Commissioner Geoffrey Allen
4. Commissioner Harkesh Thakur
5. Commissioner David Cruz
6. Commissioner Peter Horton
7. Commissioner Vidya Gangadin



Christopher P. Langston (Feb 22, 2021 15:13 EST)

CHRISTOPHER LANGSTON, Chairman
JERSEY CITY PLANNING BOARD



erica baptiste (Feb 22, 2021 10:23 EST)

ERICA BAPTISTE, Secretary
JERSEY CITY PLANNING BOARD



Santo T. Alampi (Feb 22, 2021 12:13 EST)

SANTO ALAMPI, ESQ.
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:

DATE OF MEMORIALIZATION: February 16, 2021