

Statement of Principal Points
Harborside 9 (Block 11603, Lots 18.02, 18.03, 22, & 27)
Jersey City, Hudson County, New Jersey

An application has been filed for the above noted property with the Jersey City Planning Board for Preliminary and Final Site Plan Approval; and bulk “c” deviations for minimum yard factor and minimum structured parking screen, and a bulk “c” variance for two buildings on a single lot. The subject property is located in the East - Waterfront District of the Harsimus Cove Station Redevelopment Plan Area. The purpose of this application is to develop a 57-story building containing 579 residential units, 14,840 square feet of commercial space and a total of 555 parking spaces, which will be utilized by residential and retail tenants of Harborside 9 and office retail uses of Harborside 10. A prior site plan approval for the construction of Harborside 8 and outdoor commercial use was approved on the subject property under Application P19-153.

The subject property is identified as Lots 18.02, 18.03, 22 and the southern portion of 27 on Block 11603. The subject property is bound by Second Street to the north, Hudson Street to the west, Harborside Place to the south and the Hudson River to the east. Adjacent to the subject property to the east is Harborside 10 (3 Second Street). The subject property is a large development parcel with approximately 278 feet of frontage on Second Street, approximately 390 feet of frontage on Hudson Street and approximately 320 feet of frontage on Harborside Place and a total lot area of 182,838 square feet (4.20 acres). Lot 27 is currently a parking lot. Lot 22 is developed with a waterfront park and biergarten. Vehicular access to the building is from an entry/exit point on Hudson Street. Prior approvals for Harborside 8 consisted of a 68-story building containing 680 residential units, 18,662 square feet of commercial space and 505 parking spaces, and, in addition, site improvements to an existing waterfront restaurant and park.

Per Section II(1)B.1. of the Harsimus Cove Station Redevelopment Plan, *“Height shall be regulated by yard requirements.”* Therefore, the Jersey City Planning Board can grant the bulk “c” deviation for minimum yard factor pursuant to the Redevelopment Plan and N.J.S.A. 40:55D-70.c.(2), wherein the benefits of the proposed project would substantially outweigh any detriment. The existing setback regulations within the Redevelopment Plan were developed at a time when the subject area was a railroad freight yard that did not have a defined street network or traditional block and lot configuration. Therefore, the required setback standards cannot be reasonably applied to development projects given that a new street grid pattern and block and lot system have been implemented. This is evident in the surrounding high-rise buildings within the Harsimus Cove East-Waterfront District, which do not meet the minimum yard factor.

Property	Height	Required Yards	Actual Yard (approximated)
Harborside 8 (approved) (242 Hudson Street)	708.6’ 68 stories	133 feet, 3 sides	16.9’ from south 33.9’ from east 25.5’ from west
Avalon Cove (approved) (444 Washington Blvd)	718’ 70 stories	134 feet, 3 sides	5’ from west 10’ from north
Harborside 10 (3 Second Street)	292.5’ 19 stories	83 ft, 3 sides	50’ from east (Hudson River) 8’ from north (2 nd Street)

Property	Height	Required Yards	Actual Yard (approximated)
Crystal Point Condominiums (2 Second Street)	245' 26 stories	78 ft, 3 sides	25' from north (Hudson River) 10' from east (Hudson River) 50' from south (adjacent property)
Portofino Condominiums (1 Second Street)	245' 26 stories	78 ft, 3 sides	28' north 10' east from (Greene St) 35' from west (2 nd St)
The Monaco (475 Washington Blvd)	455' 50 stories	104 ft, 3 sides	18' from east (Washington Blvd) 10' from north (Thomas Gangemi Dr)
Marabella 1 (425 Washington Blvd)	428' 40 stories	103 ft, 3 sides	40' from north (4 th St) 11.3' from west
M2 at Marbella (401 Washington Blvd)	415.5' 38 stories	102 ft, 3 sides	0' from north 25' from south (2 nd St) 15.4' from east (Washington Blvd) 9.8' from west
A Condominiums (389 Washington Blvd)	325' 28 stories	90 ft, 3 sides	20' from north (2 nd St) 19' from east (Washington Blvd)

The proposed project is 57 stories (623.3 feet¹), which would require a minimum yard factor of approximately 124.8 feet on 3 sides, whereas the proposed project will provide a yard of 12.8 feet from the northern lot line, 32.4 feet from the eastern lot line and 12.8 feet from the western lot line. Based on these existing conditions, the proposed project is consistent with the surrounding development and therefore the benefits would substantially outweigh the detriments.

Relief is also requested for the proposed parking wrap, where the Redevelopment Plan requires that *“all parking is structured or on Street and the structured parking is wrapped with a principal use to separate and shield it from view.”* With the proposed structure, parking is located on floors two through eight. The upper floors are not fully wrapped with principal uses. The northern façade is wrapped with principal uses. The eastern, western and southern facades are screened with curtain wall and louver to allow for airflow, while also being consistent with the architectural theme of the structure. This request can be granted under N.J.S.A. 40:55D-70.c.(2), wherein the benefits of the proposed parking and parking screen would substantially outweigh the detriments, where the additional parking spaces provided are adequate for the proposed residential and office uses and the intent of the requirement is met on the ground floor and northern facade.

A variance is requested for two principal structures on one lot, where the Jersey City Land Development Ordinance permits *“[o]nly one principal structure may be located on a single lot in the R-1, R-2, R-1A, R-1F, R-3, R-4, NC, OR zones, and residential and mixed-use residential zones in Redevelopment Plans”* (§345-60.B). The previously approved project (P19-153) involved Harborside 8, which was located on the southern portion of Lots 22 and 27. Harborside 9 will be located on the northern portion of Lot 27. As previously stated, the overall size of the total property is approximately 4.20 acres and

¹ Per the Jersey City Land Development Ordinance, building height is the “vertical distance measured to the highest point of a building from the finished grade.” Harborside 9 has a roof elevation of 621 feet, with an average grade of 11.39 feet for a building height of 623.28 feet.

can accommodate the second proposed building. The proposed buildings have been oriented to fit within the surrounding street grid. In addition, a new road is proposed between the two buildings connecting Hudson Street to internal service drive and also provides pedestrian and vehicular connections around both Harborside 8 and 9. Each building has been designed to function independently of the other. The separation between both buildings is approximately 74 feet, which provides sufficient light and air. This request can be granted under N.J.S.A. 40:55D-70.c.(2), wherein the benefits of the proposed development including two buildings on one lot would substantially outweigh the detriments, where the proposed building has been designed to be consistent the surrounding development patterns.

The granting of the deviations will advance the purposes of the Municipal Land Use Law and promote the general welfare. Granting the requested deviations will guide the appropriate use and development of the subject property in a manner that will promote the general welfare consistent with N.J.S.A. 40:55D-2.a. through the provision of a permitted and appropriate mixed-use building that is consistent with the surrounding development. The project is proposing a density that is permitted and consistent with the Harsimus Cove Station Redevelopment Plan, and therefore promotes the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities consistent with N.J.S.A. 40:55D-2.e. The proposed project will develop the current parking lot with a new building, which will promote a more desirable visual environment through creative development techniques consistent with N.J.S.A. 40:55D-2.i.

Furthermore, the proposed project will promote the Harsimus Cove Station Redevelopment Plan policy statements, including to "Provide a variety of market value housing types and commercial establishments through new construction of low rise, mid-rise and high-rise structures." (Policy Statement 3), Provide for an intensity of development suitable to serve the implementation of infrastructure improvements necessary to support the dense development grid pattern and spatial form necessary to this downtown area." (Policy Statement 4), and "Encourage innovative mixed-use and multiple-use blocks of development." (Policy Statement 5), by developing a mixed-use high-rise building and providing improvements consistent with the surrounding area.

Granting the deviations will not result in a substantial detriment to the general welfare. The proposed mixed-use tower project will be developed on a portion of the subject property that is currently used as a surface parking lot. The proposed project will include commercial spaces along Hudson Street and the Hudson Riverfront Walkway, which will significantly improve the streetscape and pedestrian experience. Granting the deviations will likewise not result in a substantial detriment to the intent and purpose of the zone plan and zoning ordinance. The proposed two-building configuration on the subject property is a better planning alternative than a compliant design with one single building. A single building with 1200+ units would be permitted under the Redevelopment Plan, but would likely require a large base structure at street level. This large base structure would be inconsistent with the existing development surrounding the subject property and not provide a pedestrian-oriented streetscape. Lastly, a single-building configuration would not allow for the proposed view corridor between the buildings, would require a more circuitous route to the waterfront for pedestrians, would create a long building wall along Hudson Avenue and Second that would be imposing and concentrate

parking and access instead of distributing vehicular access as provided in the proposed design. The proposed project provides uses and an intensity of development that is permitted in the Harsimus Cove Station Redevelopment Area and is consistent with the surrounding area. As mentioned, the proposed project is also consistent with the Redevelopment Plan policy statements.

The requested deviations necessary for the proposed project can be granted in that both the positive and negative criteria have been met pursuant to N.J.S.A. 40:55D-70.c. The Applicant reserves the right to supplement the foregoing reasons with expert testimony at the Planning Board hearing.