

PRINCIPAL POINTS STATEMENT

OVERLOOK, L.L.C.

32 OAKLAND AVENUE

JERSEY CITY, NEW JERSEY

BLOCK 8203, LOT 1.01

Overlook, L.L.C. ("Applicant") has filed an application with the Jersey City Planning Board for amended Final Major Site Plan approval with deviations (minimum required depth of retail space; required rooftop appurtenance setback) with regard to the property located at 32 Oakland Avenue which is also designated as Block 8203, Lot 1.01 on the Official Tax Map of the City of Jersey City (the "Property"). The Property is located within the Zone 4: Neighborhood Mixed Use district of the Journal Square 2060 Redevelopment Plan Area and is subject to the requirements of the Journal Square 2060 Redevelopment Plan (the "Redevelopment Plan").

Applicant received approval to construct a mixed-use, fifteen (15) story (including a mezzanine story) development containing 297 dwelling units, ground floor retail uses and 2 floors of office use (or other permitted uses pursuant to the approved office bonus provisions) and 2 floors of automated parking garages on the Property under Case No. P18-044 (the "Prior Approval"). As part of the Prior Approval, deviations were granted for maximum permitted height, maximum number of stories, required retail depth, roof top amenity structure floor to ceiling height and permitted maximum lot size for a Corner Lot Bonus.

In conjunction with the application, the Applicant is requesting that the Board grant the following deviations, waivers, and or exceptions from the following sections of the Redevelopment Plan and the Jersey City Land Development Ordinance pursuant to N.J.S.A. 40:55D-70:

1. A deviation pursuant to N.J.S.A. 40:55D-70(c) from Section X.D.5.c whereby a depth of 30' is required for retail spaces and a depth of 24' – 1.75" is proposed on a portion of retail spaces, if necessary;
2. A variance pursuant to N.J.S.A. 40:55D-70(c) JC LDO 345-60.G.2.) where a minimum rooftop appurtenance setback of 2' is proposed and 9' – 9" is required (Oakland Avenue); and where 17' – 3.875" inches is proposed and 22' – 2.5" inches is required (Washburn Avenue)
3. The Applicant is seeking any additional approvals, permits, deviations, variances, interpretations, waivers or exceptions reflected in the plans and materials filed (as same may be amended or revised from time to time without further notice) or determined to be necessary during the review and processing of this application.

The Property is an irregular lot fronted by three (3) streets, Washburn Street (to the south), Oakland Avenue (to the west) and State Route 139 to the north. The Property is currently under construction and nearing completion.

As stated above in the Project description, the Project is utilizing its ground floor space for a variety of uses (parking, retail, residential [including utilities]) pursuant to the intent of the Redevelopment Plan. A large portion of this space is dedicated to retail uses fronting on Oakland Avenue; an area currently lacking in pedestrian uses. In order to accommodate the proposed uses for the ground floor into the irregularly shaped Property, it was not possible to provide the required 30' depth for all of the retail spaces (if measured from the lot line and not the "street line right of way." Due to the irregular shape of the northwestern corner of the Property, one of the proposed retail spaces in the Prior Approval was approved at a depth of 25.3', which is a result of the interior parking use. During construction, the location of the fire control room on the ground floor was relocation. This resulted in a further shift of the retail location with the closest space to the street being 24' – 1.75". The deviation is de minimis and does not negatively impact the intent of the Redevelopment Plan or the surrounding neighborhood.

The Applicant is also requesting a deviation to as it relates to the required minimum setback for rooftop appurtenances. In this case, mechanical equipment placed on the roof. Shifting areas on the roof and required mechanical locations have resulted in certain equipment located within the required setback area for rooftop appurtenance as it relates to the Oakland Avenue and Washburn Avenue facades. The intent of the setbacks is to prevent visible mechanical equipment and other non-aesthetic features to be visible from both the street and neighboring buildings. The encroaching appurtenances are all screened as required by the JC LDO and are not visible from the street. Further, the proposed screening material is harmonious with the overall building materials and is designed to blend with the design. The proposed variance can be granted as the benefits outweigh any detriments.

The proposed development of the property is an appropriate development of the property that will benefit the immediate neighborhood and will promote the general welfare, promote appropriate population densities, and a desirable visual environment. The development will promote a desirable visual environment by removing a non-confirming use and providing a residential use appropriate for the neighborhood. The proposed use and the bulk of the project is appropriate as it provides "for new housing, office space, and other uses on parcels within a 10 minute walk of the Journal Square Transportation Center" and an appropriate build out of the land with "increased height" on a corner lot. The proposed Project will not affect any permitted uses in the neighborhood.

The proposed variances will not cause a substantial detriment to the public good, nor impairment to the intent and purpose of the Jersey City Zone Plan and Zoning Ordinance.

The Applicant reserves the right to supplement its reasoning through expert testimony at the hearing.