

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: JOURNAL SQUARE II URBAN RENEWAL LLC

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

BLOCK 9501, LOT 4.01, QUAL. C0001, C0002, C0003

**615 PAVONIA AVENUE, 605 PAVONIA AVENUE, 595 PAVONIA
AVENUE**

CASE NO.: P20-152

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 Final Major Site Plan Approval with deviations for Phase 2 of the previously approved Journal Square project to wit: Calendar No. P20-152, to develop Phase 2 with a mixed-use project to include 704 residential units, up to 17,500 square feet of permitted commercial space, and 492 parking spaces, including valet parking spaces, as well as an increase in the number of signs from 59 signs to 60 signs for Phase 2. As part of the proposed final site plan amendment, the Applicant also requests an alternative approval for a reduction in parking from 492 parking spaces to 477 parking spaces, including valet parking spaces, upon the future construction of Phase 3 of the Journal Square project, as well as an extension of the period of approval for the previously approved temporary marketing signage to fifteen (15) months from the date of an approval this amended site plan application. The project is located at 615 Pavonia Avenue, 605 Pavonia Avenue, and 595 Pavonia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9501, Lot 4.01, Qual. C0001, C0002, C0003 (collectively the "Property"), in 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 May 18, 2021 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 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 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 hearing, 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 memorialized on December 18, 2012, in Case No. P12-085 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 memorialized on December 3, 2013 in Case No. P12-085.1, 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 Phase 1 Approval"). By Resolution memorialized on June 3, 2014 in Case No. P12-085.2, 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 Phase 1

Approval”), and by Resolution memorialized on January 24, 2017 in Case No. P12-085.3, the Planning Board approved an application for a third Amended Final Major Site Plan Approval with Deviations for Phase 1 of the project for the Property (the “Third Amended Phase 1 Approval”) (the Original Approval, the Amended Phase 1 Approval, the Second Amended Phase 1 Approval and the Third Amended Phase 1 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. By Resolution memorialized on November 14, 2017 in Case No. P12-085.4, the Applicant received Amended Preliminary & Final Major Site Plan Approval with deviations for the second phase of the project with the Jersey City Planning Board for the Property (the “Amended Phase 2 Approval”). The Amended Phase 2 Approval permitted 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. As it applies to the second phase of the project, the Amended Phase 2 Approval permits a seven-story base building having a maximum height of 78'-6" and 94'-6" and a minimum height of 49'-6", which includes 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 ("Phase 2"). Per the Amended Phase 2 Approval, the Phase 2 tower will be 71 stories having a maximum height of approximately 742 feet (inclusive of the base) and shall contain approximately 704 residential units.

3. In November 2020, the Applicant filed an application to amend the Amended Phase 2 Approval with the Jersey City Planning Board for the Property (the "2020 Amendment"). Like the Amended Phase 2 Approval, the 2020 Amendment will permit 704 residential units, up to 17,500 square feet of permitted commercial space, and 492 parking spaces, including valet parking spaces; the 2020 Amendment will also permit an increase in the number of signs from 59 signs to 60 signs for Phase 2 and indoor bicycle storage will be reduced from 675 spaces to 670 spaces. In addition, as part of the 2020 Amendment, the Applicant requests an alternative approval for a reduction in parking from 492 parking spaces to 477 parking spaces, including valet parking spaces, upon the future construction of Phase 3 of the Journal Square project. The heights of the base and tower buildings will

remain the same as the Amended Phase 2 Approval. The 2020 Amendment will permit the Applicant to make the revisions to Phase 2 as identified on the architecture, engineering, and landscape architecture memorandums dated March 12, 2021, all of which were filed with the Planning Dept. as part of the 2020 amendment application. As part of the 2020 Amendment the Applicant seeks permission to install six (6) telecommunications antennas on the core bulkhead on the roof of the Phase 2 tower for use by the Port Authority. As part of the 2020 Amendment, the Applicant seeks permission to revise the interim landscaping plan at the corner of Pavonia Avenue and Summit Avenue to eliminate the sloped lawn and replace it with a flat open lawn with rolling mounds which increases the flexibility of the lawn allowing for both passive and active recreation. This revised interim landscaping plan satisfies a condition of the Amended Phase 2 Approval which required a redesign of the sloped lawn. Finally, the 2020 Amendment seeks approval of a residential entry sign on Magnolia Avenue that is 77 square feet in area.

4. Based upon the filed site plans, the application and other supporting documents, and the expert testimony provided by the project architect, landscape architect, and professional planner at the hearing, 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 deviations from Section III.A.10.a of the Redevelopment Plan, which requires that all mechanical equipment located on any roof of a building shall be screened from view from all vantage points with a material complementary with the façade of the structure, and Section III.A.10.f of the Redevelopment Plan, which requires the screening of new telecom equipment, will permit metal panel cladding to be removed and 6 antennas added at the core bulkhead of Phase 2 in coordination with Port Authority requirements for the PA Room. This will leave 2 feet, 4 inches of telecom

equipment unscreened. A condition of the the Amended Phase 2 Approval requires the Applicant to continue its close coordination and information sharing with PATH throughout construction and once the site is fully operational. The installation of the proposed 6 antennas for use by the Port Authority and these corollary deviations are beneficial as they are in furtherance of this prior condition of approval. Moreover, given the height of the building (742 feet) and the setback of the antennae from the exterior parapet (25 feet), the antennas will not be visible from the street.

- b. The requested deviation from Section III.D.10.e. of the Redevelopment Plan, which requires that no more than 15% of the first floor street frontage along a public right of way may be dedicated to other uses such as meter rooms, blank walls, garage doors, emergency exits, etc., will permit 40% of the first floor frontage to be dedicated to such uses in Phase 2 upon the future construction of Phase 3. With the future construction of Phase 3, the overall street frontage for Phase 2 is reduced as Phase 3 abuts Phase 2; but the blank wall, meter rooms, and garage entrances are not reduced, thereby increasing from previously approved 26% to 40%. This deviation is beneficial as Phase 2 provides a loading dock and garage entrances to both Phase 2 and Phase 3.
 - c. The requested deviation from Section III.A.6 of the Redevelopment Plan, which requires that large blank walls without fenestration surrounding large residential and commercial uses must incorporate architectural techniques to provide visual interest, will permit the installation of an interim wall around the eastern façade of Phase 2 in preparation for the future construction of Phase 3. This deviation is temporary in nature and will be eliminated with the construction of Phase 3. The interim wall will also be visually buffered from the street by the proposed temporary landscaping.
 - d. The requested deviation from Section IV.B.3.b of the Redevelopment Plan to permit relief from the requirement along all rights of way where retail/similar uses are not now but were previously mandatory that other uses be permitted a total exterior sign area not to exceed the equivalent of 5% of the first story of the wall to which the sign is attached and no greater than 20 square feet, will allow a new residential entry sign along Pavonia Avenue for Phase 2 that is 14% and 77 square feet in area that is in addition to the previously approved residential entry sign along Magnolia Avenue for Phase 2. The proposed new sign is beneficial as a "place-making" sign, identifying the project as a special place in Journal Square.
5. The deviations and 2020 Amendment 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; therefore, all of the requested deviations are granted.

7. Based upon the application, the site plans, the testimony and the Applicant's representations on the record, apart from the requested deviations which are hereby

granted, the proposed amendments to the Amended Phase 2 Approval and Phase 2 meet the requirements of the Plan and the LDO; therefore the 2020 Amendment is approved.

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 Final Major Site Plan Approval with deviations for Phase 2 of the previously approved Journal Squared project, to wit: Calendar No. P20-152, 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 parking spaces including valet parking spaces, and 60 signs. The Amended Final Major Site Plan approval for Phase 2 also includes an alternative approval for a reduction in parking from 492 parking spaces to 477 parking spaces, including valet parking spaces, upon the future construction of Phase 3 of the Journal Square project, as well as an extension of the period of approval for the previously approved temporary marketing signage to fifteen (15) months from the date of this approval. The project will be developed at 615 Pavonia Avenue, 605 Pavonia Avenue, and 595 Pavonia Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9501, Lot 4.01, Qual. C0001, C0002, C0003, 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. All testimony given by the Applicant and their expert witnesses in accordance with this application shall be binding.
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 street trees (if any) and landscaping shall be installed prior to the issuance of a final Certificate of Occupancy.
4. The architectural firm of record, shall submit a signed and sealed affidavit confirming that the building was constructed as approved, prior to issuance of the Certificate of Occupancy.

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BLOCK 9501, LOT 4.01, QUAL. C0001, C0002, C0003

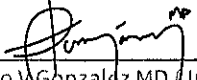
615 PAVONIA AVENUE, 605 PAVONIA AVENUE, 595 PAVONIA
AVENUE


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VOTE: 6 - 0


COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Dr. Orlando Gonzalez, Vice Chairman	X
Joyce Watterman, Council President	X
Harkesh Thakur, Commissioner	X
Geoffrey Allen, Commissioner	X
Vidya Gangadin, Commissioner	X
Dr. Vijaya Desai, Commissioner	X


Orlando V. Gonzalez MD (Jun 12, 2021 00:39 EDT)
DR. ORLANDO GONZALEZ, ACTING CHAIRMAN
JERSEY CITY PLANNING BOARD


Cameron Black (Jun 11, 2021 15:58 EDT)
CAMERON BLACK, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


Santo T. Alampi (Jun 14, 2021 09:52 EDT)
SANTO T. ALAMPI, ESQ.

DATES OF HEARING:

May 18, 2021

DATE OF MEMORIALIZATION:

June 8, 2021