

**RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY**

**APPLICANT: NEWPORT ASSOCIATES DEVELOPMENT COMPANY**

**FOR: AMENDED PRELIMINARY AND  
FINAL MAJOR SITE PLAN APPROVAL WITH DEVIATIONS  
(THE "EMBANKMENT HOUSE")  
270 TENTH STREET, JERSEY CITY, NEW JERSEY  
BLOCK 8602, LOT 2 (FORMERLY BLOCK 323, LOT 1)**

**CASE NO.: P06-124.1**

**WHEREAS**, the Applicant, **NEWPORT ASSOCIATES DEVELOPMENT COMPANY** (the "**Applicant**"), per **CONNELL FOLEY, LLP** (Charles J. Harrington, III, 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 and Final Major Site Plan Approval with deviations (parking), to wit: Calendar No. P06-124.1, in connection with the development of a six (6) story residential building with one hundred and sixty-three (163) residential units (the "Embankment House"), and a partial basement, along with parking on a surface parking lot at the rear of the building and parking provided off site, in connection with the property identified as 270 Tenth Street, Jersey City, New Jersey, and also known on the Jersey City Tax Maps as Block 8602, Lot 2 (formerly known as Block 323, Lot 1); and

**WHEREAS**, it appears that due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on June 22, 2014 at 5:30 p.m., was duly published as prescribed in the Zoning Ordinance of the City of Jersey City; and

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

**WHEREAS**, the Applicant and its witnesses first having been sworn and all testimony having been formally heard for this application; and

**WHEREAS**, after consideration of the application and the testimony presented at the meeting, the Planning Board has made the following findings of fact:

**FINDINGS OF FACT**

1. The Applicant made an application for Amended Preliminary and Final Major Site plan approval with deviations (parking relief) in connection with the development of a six (6) story residential buildings with one hundred and sixty-three (163) residential units (the "Embankment House"), and a partial basement, along with parking on a surface parking lot at the rear of the building and parking provided off site, in connection with the property identified as 270 Tenth Street, Jersey City, New Jersey, and also known on the Jersey City

Tax Maps as Block 8602, Lot 2 (formerly known as Block 323, Lot 1). The property is located within the Jersey Avenue Tenth Street Redevelopment Plan ("Redevelopment Plan") area.

2. The Applicant previously received Preliminary Major Site Plan Approval with deviations, to wit, Calendar No. P06-124, to develop two six (6) story residential buildings with one hundred and sixty-three (163) residential units in each building, and a partial basement in each building, along with parking on a surface parking lot at the rear of each building and parking provided off site, in connection with the property identified as 270 and 310 Tenth Street, Jersey City, New Jersey, and formerly known on the Jersey City Tax Maps as Block 323, Lot 1 (now identified as Block 8602, Lot 2), and Block 360, Lot 1 (now identified as Block 8601, Lot 2). In the initial approvals, the projects were identified as the Ulysses S. Grant (Block 323, Lot 1) and Grover Cleveland (Block 360, Lot 1) apartments. The projects are now identified as the Embankment House (Block 8602, Lot 2) and the Revetment House (Block 8601, Lot 2).
3. As part of the amendments, the Applicant is proposing the following:
  - a) Phase the overall project with the Embankment House and improvements to Coles Street being Phase I of the project, and the development of the Revetment House being Phase II of the project.
  - b) Increase the overall building by 3,878 square feet due to changes to the basement level and rooftop mechanical space as set forth below in "c" and "d".
  - c) Move some mechanical space and service space from the first floor to a new 2,162 square foot bulkhead on the roof and to redesign the first floor service and mechanical space to a fitness center and children's play area.
  - d) Increase the building and core area at the basement level by 1,716 square feet to reshape the basement level to better accommodate the dry proofing of the area (the lobby floor is three feet below the proposed FEMA flood elevation).
  - e) Increase the overall building height by 5.83' due to the increase in the basement and first floor by 1.0', and due to the increase in levels 2 through 6 to floor heights from 9'1" to 10'-0".
  - f) Decrease the height of the parapet and fenestrations by approximately 2 feet.
  - g) Revise the detail of the building's street entrance to square off the opening in the existing stone wall rather than step it back and add a canopy.
  - h) Add a coping atop the existing stone wall to level it with the building façade.
  - i) Provide low intensity white down lighting with cutoffs to the building façade and stone to accent the wall and to improve the lighting along the sidewalk.
  - j) Change the proposed dog run to a barbeque patio sitting area for the tenants. This will increase the impervious coverage by 1,709 square feet to 72.2%.
  - k) Increase the width of the 6 foot wide ribbon sidewalk along Tenth Street to a 10 foot wide

sidewalk with tree pits and guards and a 5 foot wide landscape buffer along the base of the existing stone wall.

l) Replace the 4 foot wide grass strips along the curbs of Coles street with red brick pavers and tree pits and guards.

m) Lower the fence at the driveway entrance from 8 feet to 6 feet and move the gate into the property to improve safety.

n) Change the site lighting from metallic halide to LED fixtures.

o) Increase the length of storm water retention piping due to the increase in impervious coverage.

p) Add a bicycle storage room/structure in the parking lot for the parking/storage of a minimum of 82 bicycles.

q) Eliminate parking spaces (approximately 4 spaces) to accommodate the placement of the bicycle room/structure within the parking lot area.

r) Request relief from the minimum parking requirements for the project, and for relief from the previously required valet service to satisfy any parking deficiency for the project (through on site or off-site parking).

4. As set forth in the preceding paragraph, the Applicant is seeking a deviation to permit relief from the minimum required parking spaces and to provide a parking ratio of .75 spaces per unit for the project (which results in a parking ratio for the projects in the area, which are permitted to share parking, of .68 space per unit), including relief from the previously approved valet option to satisfy any parking deficiency for the project (through on site or off -site parking).

5. The Applicant is requesting relief from the parking requirements in the Redevelopment Plan of a 1 to 1 ratio (Section X.E: a minimum of one space per residential unit and a maximum of 1.2 spaces per residential unit). As demonstrated from the testimony on behalf of the Applicant and the Parking Management Plan provided by the Applicant, the Applicant can provide sufficient parking for this development consistent with the intent and goals of the Redevelopment Plan.

6. Section V.B of the Redevelopment Plan encourages the "shared use of accessory parking facilities ... in areas adjacent to underutilized parking facilities." There are a number of parking facilities in the immediate area that are owned and/or controlled by the Applicant and/or its affiliates that are underutilized for parking purposes. This parking objective and flexibility provided in the Redevelopment Plan is further set forth in Section VI.D of the Redevelopment Plan that provides that parking may be permitted within five hundred (500) feet of the proposed development which it will serve only with review and approval by the Planning Board.

7. As approved as part of the initial approvals, and as confirmed by the Applicant, the project will also be creating and developing additional off street parking with the project, which is consistent with the objectives of Section VI.B of the Redevelopment Plan.

8. At one time, the Redevelopment Plan (previously known as the Jersey Avenue Redevelopment Plan) required a parking ratio of .5 spaces per residential unit. The ratio was later

revised to provide for a minimum parking ratio of 1 space per residential unit and a maximum of 1.2 spaces per residential unit. However, the empirical data from this immediate area, as provided in the Applicant's Parking Management Plan, demonstrates that the former parking ratio is more consistent with the demand for residential parking in the area.

9. For the 163 residential units proposed, the Redevelopment Plan requires a minimum of 163 off-street parking spaces (1.0 space/dwelling unit). The Applicant is proposing 123 off-street spaces, 0.75 spaces per dwelling unit, which will be provided as follows:

a) Due to maximum coverage requirements and the requirement for indoor bike storage at the developments, the Applicant is proposing 86 parking spaces on the Embankment House site.

b) Initially Embankment House tenants will be assigned 86 spaces in Block 8602 Lot 2 and 37 of the 74 spaces in Block 8603 Lot 3 on a priority basis to Embankment House tenants that request a parking space, a total of 123 spaces. Upon construction of the Revement House in the future, 30 of the 86 spaces in Block 8602 Lot 2 and an additional 30 of the 74 spaces in Block 8603 Lot 3 will be transferred to Revetment House tenants leaving 56 of the 86 spaces in Block 8602 Lot 2 and 67 of the 74 spaces in Block 8603 Lot 3 on a priority basis to Embankment House tenants that request a parking space. Combined, these lots continue to yield 123 parking spaces required to provide the 0.75 spaces per dwelling unit. The remaining 7 of the 74 spaces will be assigned to tenants from any of the 10<sup>th</sup> Street projects requesting a parking space.

c) All of the parking lots for the existing Lincoln project, the existing Roosevelt project, and the proposed Embankment House and Revetment House, will be managed in accordance in the Applicant's Parking Management Plan Newport for the Affiliate Tenth Street Properties ("Parking Plan"). As demonstrated in the Parking Plan, the 607 Newport Affiliate apartments in the Transition District are provided with 418 off-street parking spaces, only 50 less than required and providing an overall parking ratio of 0.68 spaces per dwelling unit. These 50 spaces can easily be accommodated in the Newport Centre Mall parking garage.

10. Additionally, the project will be creating additional useable on-street spaces (an additional 23 spaces will become available) by virtue of its developing these blighted abandoned railroad sites, which will result in parking spaces along portions of Coles Street and on Monmouth Street (where parking was not available before). Therefore, this will result in an additional increase available parking in the area.

11. 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 by creating additional on street parking. The valet option is not necessary for the project. The valet service may be used, but is not required, by the Applicant in the event that a future demand is demonstrated that additional parking and valet service would be necessary to meet the parking demands of the tenants. The removal of the valet service will not result in any substantial detriments to the immediate neighborhood or the zone plan, and the benefits outweigh any substantial detriments in the granting of the requested deviations from the parking standards of the Redevelopment Plan. The proposed deviations will also not cause substantial detriment to the public good, or impairment to the intent and purpose of the Jersey City Zone Plan, Master Plan, the Redevelopment Plan, and the Jersey City Land Development Ordinance.

**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 and Final Major Site Plan Approval with deviations (parking), to wit: Calendar No. P06-124.1, in connection with the development of a six (6) story residential building with one hundred and sixty-three (163) residential units (the "Embankment House"), and a partial basement, along with parking on a surface parking lot at the rear of the building and parking provided off site, in connection with the property identified as 270 Tenth Street, Jersey City, New Jersey, and also known on the Jersey City Tax Maps as Block 8602, Lot 2 (formerly known as Block 323, Lot 1); in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City, subject to the following conditions:

1. If and when necessary, as evidenced by a demand for parking by the Applicant's tenants beyond the parking provided on site and off site by the Applicant, and as further evidenced by the parking reports provided by the Applicant to the Division of Planning, the Applicant shall provide for additional parking for the project at that time through valet parking or provision of parking through other appropriate options.

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**CASE NO.:** P06-124.1

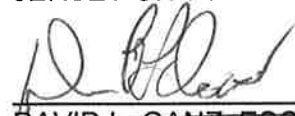
**VOTE:** 9 - 0

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Christopher Langston, Chairman	X			
Dr. Orlando Gonzalez, Vice Chairman	X			
Ari Sladowsky, Commissioner	X			
Brooke Hansson, Commissioner	X			
Michael Sims, Commissioner	X			
John Sebrowski, Commissioner	X			
Robert McPherson, Commissioner ( 1 <sup>st</sup> Alternate)	X			
Allison Solowsky, Commissioner	X			
Dr. Vijaya Desai, Commissioner (2 <sup>nd</sup> Alternate)	—			
Ricardo Ayala, Commissioner	X			
Joyce E. Watterman, Commissioner	—			

  
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 CHRISTOPHER LANGSTON, CHAIRMAN  
 JERSEY CITY PLANNING BOARD

  
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 ROBERT COTTER, SECRETARY  
 JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:

  
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 DAVID L. GANZ, ESQ.  
 DENNIS A. LILOJA, FLORIO & KENNY, LLP

DATE OF HEARING:

July 8, 2014

DATE OF MEMORIALIZATION:

July 22, 2014