

## RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

**APPLICANT:** 400 CLAREMONT URBAN RENEWAL, LLC  
**FOR:** ADMINISTRATIVE AMENDMENT TO PRELIMINARY AND FINAL  
MAJOR SITE PLAN APPROVAL WITH DEVIATIONS  
17-19 AND 53-63 YALE AVENUE AND 400 AND 148-430  
CLAREMONT AVENUE, JERSEY CITY, NEW JERSEY  
BLOCK 21801, LOTS 4, 5, 8, 9, 10, 15, 16, 17, 18 AND 19  
**CASE NO.:** P20-067

**WHEREAS**, 400 CLAREMONT 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 an Administrative Amendment to a Preliminary and Final Major Site Plan approval with deviations, to wit: Calendar No. P20-067 to approve a change to the sustainable design elements for a mixed-use building located between Claremont Avenue and Yale Avenue, Jersey City, New Jersey, identified as 17-19 and 53-63 Yale Avenue and 400 and 148-430 Claremont Avenue, Jersey City, New Jersey, also known as Block 21801, Lots 4, 5, 8, 9, 10, 15, 16, 17, 18 and 19 on the tax map of Jersey City.

**WHEREAS**, due notice of a hearing on the above application before the Planning Board of the City of Jersey City, on August 11, 2020 at 5:30 p.m., was duly published as prescribed in the Jersey City Land Development Ordinance ("JC LDO") and the Municipal Land Use Law ("MLUL"); 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 application materials including digital plans, and related documents were made available for public inspection on the Jersey City Data Portal; 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 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 hearing, the Planning Board has made the following findings of fact:

### **FINDINGS OF FACT**

1. The Applicant filed an application for an Administrative Amendment to a Preliminary and Final Major Site Plan approval with deviations as it relates to the property identified as 17-19 and

53-63 Yale Avenue and 400 and 148-430 Claremont Avenue, Jersey City, New Jersey, also known as Block 21801, Lots 4, 5, 8, 9, 10, 15, 16, 17, 18 and 19 on the tax map of Jersey City (the "Property").

2. The Property is in the Route 440-Culver Redevelopment Plan ("Redevelopment Plan" or "Plan").
3. By Planning Board Resolution memorialized on May 7, 2019 (the "Resolution") the Applicant was granted a preliminary and final site plan approval under Case No. P18-206 for the development of six hundred thirty-one (631) dwelling units, two hundred seventy-nine (279) parking spaces, 12,044 sq. feet of permitted commercial space and associated improvements (the "Project").
4. The Redevelopment Plan requires that the Applicant develop the Project with five (5) sustainable design elements from a list of ten (10) different sustainable design elements listed in Section VIIB 3(a) through (i) of the Redevelopment Plan.
5. The Resolution requires that the Project provide the following five (5) sustainable design elements from the list:
  - a. Ten percent (10%) of the roof will be constructed with solar panels; forty (40%) of the roof will be constructed with green roof, while the remainder will utilize a cool roof membrane;
  - b. A rooftop garden bed will be provided;
  - c. A rooftop amenity deck will be provided;
  - d. Two (2) reserved car-sharing spaces will be located in the garage; and
  - e. Six (6) electrical car charging stations are also located in the garage.
6. The Application for the Administrative Amendment requests permission from the Board to change one (1) of the approved sustainable design elements. Specifically, the Applicant seeks to eliminate Item a. set forth above - Ten percent (10%) of the roof will be constructed with solar panels; forty (40%) of the roof will be constructed with green roof, while the remainder will utilize a cool roof membrane.
7. Instead of constructing the roof as required by Item a. the Applicant proposes to construct the entire building with an "Energy Star rating of 75 or higher" in accordance with Section VIIB 3 g. of the Redevelopment Plan. Items b. through d. as set forth above will not change.
8. The Applicant has provided the Board with an Energy Star rating report of ReVireo dated February 27, 2020 opining that, based upon energy modeling results of the construction plans for the building, the building will achieve an Energy Star rating of 99 well above the required score of 75.
9. Based upon the Applicant's expert report and the comments of Matt Ward, PP, AICP, Principal Planner of the Division of City Planning who confirmed that under the Redevelopment Plan, the Applicant is permitted to choose any five (5) sustainable design

elements from the ten (10) listed in the Plan, the Board finds that the Applicant is permitted to amend its approval to construct the Project with an Energy Star rating of 75 or higher instead of constructing the Project with ten percent (10%) of the roof containing solar panels; forty (40%) of the roof will containing green roof, and the remainder of the roof with a cool roof membrane.

10. Thus, the five (5) amended sustainable design elements included in the Project will be:
  - a. The entire building will be constructed with an Energy Star rating of 75 or higher;
  - b. A rooftop garden bed will be provided;
  - c. A rooftop amenity deck will be provided;
  - d. Two (2) reserved car-sharing spaces will be located in the garage; and
  - e. Six (6) electrical car charging stations are also located in the garage.
11. The architectural site plans and the civil site plans for the Project have been revised to show the five (5) amended sustainable design elements.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, hereby approves Applicant's Administrative Amendment to the Preliminary and Final Major Site Plan Approval with deviations to wit: Calendar No. P20-067 to permit the Applicant to construct the Project with the following five (5) amended sustainable design elements:

- a. The entire building will be constructed with an Energy Star rating of 75 or higher;
- b. A rooftop garden bed will be provided;
- c. A rooftop amenity deck will be provided;
- d. Two (2) reserved car-sharing spaces will be located in the garage; and
- e. Six (6) electrical car charging stations are also located in the garage.

This approval is subject to the following condition:

1. The Applicant shall comply with all outstanding conditions of approval set forth in the Resolution memorialized on May 7, 2019 pertaining to the Project.

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**RESOLUTION**  
**City of Jersey City**  
**Planning Board**  
**In the Matter of 400 CLAREMONT URBAN RENEWAL, LLC**  
**P20-067**  
**Application for an Administrative Amendment to a Preliminary/Final Major Site Plan**  
**Approval with Deviations**

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DATES OF HEARING: August 11, 2020


VOTE: 7-0

VOTING IN FAVOR: COMMISSIONERS

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


VOTING AGAINST: NONE

ABSTAINING: NONE

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[Christopher Langston \(Aug 27, 2020 14:22 EDT\)](#)  
CHRISTOPHER LANGSTON, Chairman  
JERSEY CITY PLANNING BOARD

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[Erica Baptiste \(Aug 27, 2020 08:58 EDT\)](#)  
ERICA BAPTISTE, Secretary  
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:

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[Santo T. Alampi \(Aug 27, 2020 08:46 EDT\)](#)  
SANTO T. ALAMPI, ESQ.  
JERSEY CITY PLANNING BOARD

DATE OF MEMORIALIZATION: August 25, 2020