

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: 35 COTTAGE LLC

**FOR: PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
WITH "C" DEVIATIONS
35 COTTAGE STREET, JERSEY CITY, NEW JERSEY
BLOCK 7903, LOTS 17, 18, AND 19**

CASE NO.: P22-029

WHEREAS, the Applicant, **35 COTTAGE LLC, (the Applicant)**, per **Connell Foley, LLC**, (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 Preliminary and Final Major Site Plan with "c" deviations pursuant to N.J.S.A 40:55D-70(c) (minimum required floor to ceiling height on the ground floor for non-residential uses; maximum floor to top of roof structure; maximum permitted height of the first floor within thirty (30') feet of the rear lot line; off street loading, if necessary), to wit: Calendar No. P22-029, for the purpose of developing a twenty-seven (27) story mixed use building, which will include a synagogue (house of worship), retail/commercial space, a pre-school, banquet/assembly space, two stories of bonus office space and permitted uses, and 576 residential units located at 35-43 Cottage Street, Jersey City, New Jersey, and identified on the Jersey City Tax Maps as 7903, Lots 17, 18 and 19; 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 May 14, 2018 at 5:30 p.m., was duly published as prescribed in the Jersey City Land Development Ordinance and the Municipal Land Use Law; 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:

5. The Office Space Bonus encourages the development of office space, maintain Journal Square as a mixed use employment center, and provide space for neighborhood amenities. The office space bonus may be applied to development projects within Zones 3, 4, 5, 7, and 10 on sites 9,000 square feet or greater and provides up to two (2) additional stories and twenty-eight (28) additional feet of building height may be added to the permitted height and/or base height of the zone district for each lot size category. The proposed development project is located within the Zone 4 on a site 20,904 +/- square feet, thus, the Applicant may apply the two (2) additional floors and twenty-eight (28) additional feet of office space within the proposed project.

6. The purpose of the development is to develop the Property with a 27 story mixed use building, which will include new space for the synagogue on the first floor along with retail/commercial space on the first floor fronting along the new Homestead Place Extensions (a 20 foot wide public pedestrian walkway to be built on the private property and dedicated for public use); two stories of office space and permitted uses pursuant to the Office Space Bonus provisions in the Redevelopment Plan; a preschool; banquet hall space; and 329 residential units on the upper floors ("Project").

7. The Property was previously approved for the development of a twenty-seven (27) story mixed use building, which includes retail/commercial uses, office uses, a synagogue/house of worship, a pre-school, banquet/assembly space, and three hundred twenty-nine (329) residential units pursuant to P18-096 (the "Initial Approval"). This application will amend the Initial Approval, however, this application has been filed as a new site plan application because the new development will increase the residential unit count by more than twenty percent (20%) of the Initial Approval (the project will be increasing the residential unit count from 329 units to 576 units).

8. This application will be adding two (2) lots to the development, and will consist of a twenty-seven (27) story mixed use building, which includes retail/commercial uses, office uses, a synagogue/house of worship, a pre-school, banquet/assembly space, and five hundred seventy-six (576) residential units (the "Project"). This application includes façade changes, and the reconfiguration the interior floor space and uses, which include retail/commercial uses; a synagogue/house of worship; assembly space; a pre-school and banquet hall space. This application does not include any request for the approval of any building signage for any of the uses within the Project. The Applicant will return to the Planning Board for approval for any signage.

9. As part of the application, the Applicant is seeking the following variances, deviations, exceptions and/or waivers from the Jersey City Land Development Ordinance and the Journal Square 2060 Redevelopment Plan.

ceiling/top of roof and still leave an appropriate floor to ceiling height. The crunched down ceiling heights results in a feeling of being in a cellar when you are on the roof top. The Applicant is requesting thirteen (13) feet to provide an adequate floor to ceiling height. This will not result in an additional floor area for the roof top amenity space, but it will result in a better amenity space with the greater ceiling heights. Therefore, the benefits of granting relief from the standard outweigh any substantial detriments, and the deviation can be granted.

13. Lastly, the Applicant requested relief from the required on site loading that is a result of the proposed office space exceeding 10,000 square feet. The Applicant revised the programming of the Office Bonus Space to eliminate the on-site loading requirement. Nevertheless, this Board recognizes that one of the purposes of the Applicant adding the two additional lots to this development was to provide for space for the main synagogue space that did not have columns coming down in the middle of the space, which has been achieved. If on site loading was to be proposed as part of this Project it would disrupt the programming of the entire space (the lobby; retail/commercial/classroom, and synagogue), and specifically the synagogue space. The reestablishment of the existing synagogue as part of this Project is a critical component to this Project. There will be on site street loading proposed to be provided along Cottage Street to mitigate any detrimental effects. Accordingly, if necessary, the benefits of granting this relief outweighs any substantial detriments, and the deviation can be granted

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 Preliminary and Final Major Site Plan with "c" deviations pursuant to N.J.S.A 40:55D-70(c) (minimum required floor to ceiling height on the ground floor for non-residential uses; maximum floor to top of roof structure; maximum permitted height of the first floor within thirty (30') feet of the rear lot line; off street loading, if necessary), to wit: Calendar No. P22-029, for the purpose of developing a twenty-seven (27) story mixed use building, which will include a synagogue (house of worship), retail/commercial space, a pre-school, banquet/assembly space, two stories of bonus office space and permitted uses, and 576 residential units located at 35-43 Cottage Street, Jersey City, New Jersey, and identified on the Jersey City Tax Maps as 7903, Lots 17, 18 and 19, in accordance with the submitted plans and testimony that are incorporated herein, 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

APPLICANT: 35 COTTAGE LLC

FOR: PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
WITH "C" DEVIATIONS
35 COTTAGE STREET, JERSEY CITY, NEW JERSEY
BLOCK 7903, LOTS 17, 18, AND 19

CASE NO.: P22-029

VOTE: 7 - 0

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
---------------	------------	-----------	----------------

Christopher Langston, Chairman	X
Dr. Orlando V. Gonzalez, Vice Chairman	X
Edwardo Torres, Commissioner	X
Vidya Gangadin, Commissioner	X
Darlene Green, Commissioner	X
Steven Lipski, Commissioner	X
Geoffrey Allen, Commissioner	X

Orlando V. Gonzalez MD
Orlando V. Gonzalez MD (Jun 15, 2022 12:28 EDT)

CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD

Cameron Black
Cameron Black (Jun 15, 2022 14:09 EDT)

CAMERON BLCK, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:

Santo T. Alampi
Santo T. Alampi (Jun 15, 2022 15:03 EDT)

SANTO T. ALAMPI, ESQ.

DATE OF HEARING:

May 24, 2022

DATE OF MEMORIALIZATION:

June 14, 2022