

**CITY OF NEW BRUNSWICK  
PLANNING BOARD  
APRIL 10<sup>TH</sup>, 2017  
MEETING MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Jeff Crum (Chairman)
X	David Fitzhenry
X	John Petrolino
	Carly Neubauer
X	Manuel Castenada
X	Clary Barber (Class I)
X	Chris Stelatella (Class II)
X	Suzanne Sicorra-Ludwig (Class III)
X	Stephan Lujan (Alternate #1)
X	Pierre Checo (Alternate #2)

**II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)**

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS March 13<sup>TH</sup>, 2017 MEETING**

Motion: Fitzhenry

Second: Barber

Approved by unanimous voice vote

**V. RESOLUTIONS OF MEMORIALIZATION**

None

**VI. NEW BUSINESS**

- A. CULTURAL CENTER REDEVELOPMENT ASSOCIATES URBAN RENEWAL, LLC, #PB-2017-01**, Site plan and subdivision application pursuant to the standards set forth in the Cultural Center redevelopment plan for construction a mixed use development consisting of theaters, office space, residential units and parking facilities located at 9

Livingston Avenue, Block 12, Lots 13.01, 15.01 and 23.01, Zoning District: C-4

Tom Kelso, Esq – the applicant has been working on this project for over 10 years. The application is for site plan and subdivision approval for theaters, an 18-story residential tower, offices and a parking garage with ballet rehearsal space. The project fully conforms to the Cultural Center Redevelopment Plan.

Christopher Paladino, President of Devco,  
This is the most significant public-private project in New Jersey. It involves Devco, the City, Rutgers, three arts organizations, the County and others. It has residential, offices and theaters. The building is for the patrons of the arts in NJ, and school children. It was designed by the artists, seamstresses, set designers and others who will use it. We talked to all of these people to design it. It will be a state-of-the-art performance space. The rehearsal space will allow the companies to rehearse without taking up main stage time to allow for additional performances and bring 40,000 more people to town. Loading and unloading will be improved. New parking will be provided. There will be access from Bayard Street to the Livingston Avenue entrance.

David Manfredi, Architect  
The goal is to make a real presence for an important civic building, to put the building into the public realm and expose the arts to the public.

Referring to the site plan, he said the site was about 1.8 acres. The presence is really on Livingston but it connects through to Bayard. There are two full theaters that share a gallery space and lobby. There are loading docks in the rear to service the theaters and the State Theater. There will also be rehearsal spaces.

The building will be a billboard for the arts.

On Bayard there is a continuous street wall, including ballet rehearsal space.

There will be a drop off area on Livingston Avenue.

There is a residential lobby on the Livingston side also. Residents who use the garage will have direct access to their units from the garage.

A-1 Interior floor Plan Theater Blow Up  
5<sup>th</sup> floor floor plan

The 5<sup>th</sup> floor is the amenity space. There is a setback on the building at this floor.

The top floor has a different floor plan.

A-2 Colorized rendering of front elevation perspective  
The base of the building has a lot of transparency. The rehearsal space will be visible to show the activity to the public.

The residential space will also have a lot of glass area.

A-3 Perspective looking up Liberty Street  
A-4 Perspective from the Heldrich Hotel – there is a grand canopy on the front of the building to announce the building and its importance while maintaining the transparency of the building.

A-5 Bayard Street perspective  
The ground floor of the parking structure will have the ballet rehearsal space that will have a lot of glass space. There will also be banners to identify the structure and the arts groups.

The parking structure is setback 5 feet from the side property line. There is a one-hour fire separation on the wall adjoining 46 Bayard Street. This has been confirmed with the code official as the appropriate fire rating.

A-6 Theater Interior Rendering

Mr. Crum asked what the existing versus proposed seating capacity is. Mr. Paladino said there were about 200 additional seats in the new building.

Christian Roche, Engineer

A-7 Aerial showing Subdivision  
The site currently makes up 3 parcels, 12.01, 15.01 and 23.01. The 23.01 will be subdivided and consolidated with the other two lots. The remainder of 23.01 will remain as TD Bank. There are no variances related to the subdivision.

#### A-8 Rendered Site Plan

They did a shared parking analysis. The parking required is 236 parking spaces. There will be 344 parking spaces plus 38 surface spaces. The final number of spaces is still in flux, but exceeds the requirement.

The garage is entered from Bayard Street. Cars enter a count-clockwise circulation system. The parking stall width is 8.5 feet and a design waiver is requested for this.

TM101 sheet shows the truck turning movements. Trucks can head into the garage to access the loading dock.

TM102 shows the 2<sup>nd</sup> loading dock. The Theater expects trucks about 50 times per year. Larger trucks (WB-67) will back into the deck to access the docks. These trucks will arrive after regular business hours to mitigate the impact to traffic flow on Bayard St.

There will be a new crosswalk on Livingston Ave from the theaters to the Heldrich complex.

The drop-off area in front of the theater is being improved to remove the constriction to allow multiple cars to drop off at the same time.

The site is fully impervious now so there will be no increase in stormwater.

Street trees will be added to the Bayard Street side. The Livingston Ave will also have new trees. The existing lighting will be maintained along both streets. There may also be some wall mounted fixtures added.

Mr. Kelso said that as part of the subdivision agreement, some of the existing TD Bank parking will be relocated into parking deck. They will also provide an ATM machine in the parking deck lobby.

Mr. Petrolino asked about access to the deck on performance days. Mr. Roche said there would be no gates on the entrance. Vehicles will be identified electronically if they do not pay for the parking.

Mr. Kelso said the residents will be the only monthly parkers in the deck. The rest of the space are for daily parking. The office parking will also be in the deck.

Mr. Fitzhenry asked about the existing sewer drainage. Mr. Roche said this would be abandoned. The drainage will be redesigned.

Mr. Crum asked about the elevator access from the deck. Mr. Paladino said patrons can go through a hallway to get to Livingston Ave.

Dan Desario, Traffic Engineer

The traffic relative to the project is not significant. The theater traffic exists. The new volume is generated by the residential and office. Even if no one uses transit or walks, the traffic generation would be about 70 vehicles entering at peak hour and 50 leaving. If people take transit or walk, it would be less. The additional traffic to surrounding routes will not be significant during peak hours. The intersections surrounding the site operate at LOS D or better.

There will be a curb cut eliminated along Bayard that will improve pedestrian safety as they have fewer places of conflicts.

Mr. Crum asked about Bayard and Kirkpatrick in the AM. Mr. DeSario said it had a B or better LOS.

There will be space on Bayard for cars to get around any cars that may be waiting to enter the garage.

There will also be bike storage inside the garage, with 88 bike spaces provided. 83 spaces are inside the building.

Public:

Heim Benaroya

He asked about wind effects from the tall building.

Mr. Manfredi stated that the podium and the marquee provide a place for the wind to land to reduce the wind effects at ground level.

Debra Harir,

She read comments about the project and handicapped accessibility.

The family restrooms have been added and are a great addition. The women's and men's restrooms should be swapped as the line for the women's room will conflict with the men's room.

Consider adding additional fixtures in the men's room.

Wheelchair companion seats may be deficient. She asked that moveable chairs be used for companion seats.

The line of sight of wheelchair seats need to have comparable viewing angles as other seats. Two were off to the side. Some aisle seats are required to have moveable arms to allow for transfer from a wheelchair.

Tom Cartos, CEO of the State Theater  
They have been working with Devco on this project for a long time. There are many synergies with the theaters and they are looking forward to working with the other user groups. They have worked with Devco on the design of the loading docks that will serve the State also. They bring in over 250,000 people per year.

Mr. Palladino added that there is a 20% set aside for affordable housing units. They are working with the Actors Fund to encourage those involved in the arts to take advantage of the housing at the theaters.

Patrick Clark,  
He appreciates the investment in the arts but has a concern with the compatibility of the use. He says the area to the south is primarily 1-2 family houses.

Ashley Conway,  
She is concerned about billboards on buildings like this. Mr. Paladino said the only advertising would be for the arts groups and the name of the building. There will be a video board that will not have moving images. There may be a top of building sign.

She also asked about parking with this and other approved buildings. Mr. Paladino discussed parking in the other projects he has developed, such as The Vue.

She stated the building is big.

Thilia Reyes

She asked about the affordable housing units.

Richard Barnhart of Pennrose Properties answered that 20% of the 207 units would be affordable with a mix of studio, 1 and 2 BR's. There will be access to all the amenities.

She asked about the NEPA process and noise.

She asked about the storm drainage on to Bayard and that it floods sometimes on Bayard.

Mr. Roche said there was a combined sewer on Bayard. This project will create a dedicated storm sewer line, which will take it out of the existing pipes. They hope this will alleviate the problems on Bayard Street.

Alison Winfield,

Why was parking in excess of what the City required proposed? She said there was sufficient parking anytime she needs it. Why is the project building excess parking?

Mitch Karon, NBPA Director

He said the deck was sized based on the residential, office and off-site users such as the Courthouse. The Church St deck overflows on weekend nights. This will capture that overflow.

Ms. Winfield asked about removing parking on Bayard.

Mr. Roche said this would only be removed temporarily for maneuvering trucks.

She asked about the mid-block crosswalk enhancements. Mr. Roche there would likely be enhanced striping and signage.

Charlie Kratovil

He was happy about all the representatives and public at the meeting. He asked why the number of apartments was reduced from when they presented to the redevelopment authority. Mr. Paladino said the building worked better with this number of units. Mr. Kelso said the redevelopment authority only approved the concept, not a specific number of units. He said the redeveloper agreement was between the LLC and the redevelopment authority.

Mr. Kratovil asked about negotiations on this project with the City.

Mr. Kelso said there were negotiations with the County.

He asked why Penrose was selected. Mr. Paladino said they've worked with Penrose on several projects together and usually joint venture on residential projects.

Mr. Kratovil asked about project financing, but this was deemed not relevant to the site plan review.

He commented that the parking authority may be building too much parking.

What is the arrangement with TD Bank about an ATM and parking spaces? Is there money being paid for the parking rights? Mr. Paladino said they were replacing the current spaces in the surface lot for employees and customers.

Mr. Kratovil asked about how the parking deck payments will work. Mr. Karon said it will be similar to how the multi-space meters work and will be done in conjunction with license plate readers.

Armond Pigmon,  
He stated there are too many parking decks now in the city. Mr. Roche discussed the shared parking requirements of the redevelopment plan.

He stated the parking garage along Bayard creates a dead space along the street. Mr. Paladino said that the building will have rehearsal space on the ground floor on the north side of the Bayard St. side.

Board Discussion:  
Mr. Crum thanked the public for the comments including the desire to have less parking. He encouraged people to participate in the redevelopment process. He was encouraged to see people want a vibrant downtown

Mr. Patterson discussed how the redevelopment plan provided shared parking, bike parking and transit-oriented development.

Mr. Fitzhenry also said he was please to see people concerned about having too much parking and parking decks. He is encouraged with the comments to make the area more pedestrian oriented. He said a high-rise development should be downtown. He said the project conforms to the City's Master Plan.



Motion to approve pursuant to the conditions recited by the Bd.  
 Fitzhenry Secretary: Fitzhenry  
 Second: Sicora Ludwidg

	YES	NO
Jeff Crum	X	
David Fitzhenry	X	
John Petrolino	X	
Carly Neubauer		
Manuel Castenada	X	
Clary Barber (Class I)	X	
Chris Stellatella (Class II)	X	
Suzanne Sicorra-Ludwig (Class III)	X	
Stephan Lujan (Alternate #1)	X	
Pierre Checo (Alternate #2)	X	

- A. 1002 JERSEY AVENUE, LLC, PB-2017-02**, Amended Site plan and variance application for paving of the parking area located at 1002 Jersey Avenue, Block 598, Lot 16, Zoning District: I-2  
 Applicant requested that the application be adjourned to the June 12, 2017 meeting. The applicant will do both personal and public re-notice.

**VII. OTHER MATTERS OF INTEREST TO THE PUBLIC**  
**None**

**VIII. ADJOURNMENT**