

June 3, 2020

VIA FEDEX #7706 1688 2849

Attn: Tanya Marione, Director
Jersey City Division of Planning
City of Jersey City, City Hall Annex
1 Jackson Square a/k/a 360 MLK Drive
Jersey City, NJ 07305-3717

**Re: 22-24 Bergen Avenue, Block 24902, Lots 2 and 3
22-24 Bergen Ave., LLC
Application for Preliminary and Final Major Site Plan Approval with
“c” and “d” variances**

Dear Ms. Marione:

Please be advised this office represents 22-24 Bergen Ave., LLC (the “Applicant”). Applicant is currently the owner of 22-24 Bergen Avenue also known as Block 24902, Lots 2 and 3 on the Official Tax Map of the City of Jersey City (the “Property”). The Property is located within the R-3 Multi-Family Mid-Rise Zoning District (“R-3 Zone”) and is subject to the requirements of the Jersey City Land Development Ordinance (the “JC LDO”).

The Property is an undersized 5,621.7 square foot lot, where the minimum lot size in the R-3 Zone is 6,000 sf, that is currently improved with a single family home and a parking garage. Applicant proposes to clear the Property and to develop a new five (5) story multi-family building with sixteen (16) residential units, and ten (10) ground floor parking spaces. The proposed principal use will be residential units on the 2nd floor to the 5th floor, with parking on the 1st floor (the “Project”).

Please allow this letter to serve as Applicant’s request for Preliminary and Final Major Site Plan approval. In conjunction with the Project, Applicant requests that the Board grant the following variances from the JC LDO pursuant to N.J.S.A. 40:55D-70:

1. A variance pursuant to N.J.S.A. 40:55D-70(d)(5) from Section 345-42.E.2 of the JC LDO to permit 123 units per acre where 60 units per acre is permitted;

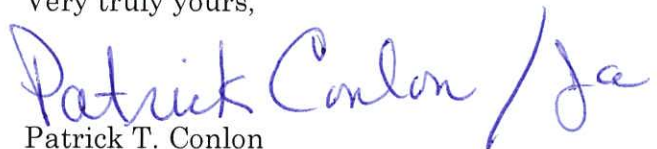
2. A variance pursuant to N.J.S.A. 40:55D-70(c) from Section 345-42.F.2 of the JC LDO to permit a ten (10) off-street parking spaces where twelve (12) is required.
3. Variances pursuant to N.J.S.A. 40:55D-70(c)(1) for bulk variances including minimum rear yard (upper floors), minimum front yard, and minimum side yard setbacks (upper floors), and maximum building coverage; and
4. Any additional approvals, permits, variances, interpretations, waivers or exceptions reflected in the plans and materials filed (as same may be amended or revised from time to time without further notice) or determined to be necessary during the review and processing of this application.

Please find attached the following as a supplement to the above-referenced requests:

1. Two (2) General Development receipts;
2. One (1) original completed and executed General Development Application (the "Application");
3. One (1) set of architectural and civil site plans prepared by RA Design & Consultants LLP (Raul Cabato, RA) dated October 25, 2019 containing 10 pages including Property pictures for your review;
4. One (1) copy of a draft notice to be distributed by mail and posted within the Jersey Journal pursuant to N.J.S.A. 40:55D-12;
5. One (1) Statement of Principal Points; and
6. One (1) check in the amount of two hundred and fifty dollars (\$250.00) made payable to Precision Reporting.

Please note that the following will be submitted under separate cover: additional Site Plans to comply with the requirements of the General Development Application Checklist; Property Survey; letter of rejection from the City Zoning Officer; Certificate of Taxes Paid; an affidavit pursuant to N.J.S.A. 40:55D-12; and the remaining application balance will be submitted under separate cover. **The applicant will contact the planning division to pay the one hundred and fifty dollars (\$150.00) by credit card.** Applicant requests waivers from the Checklist Requirement to provide a Certificate of Water Bills Paid. If you have any questions regarding this application, please do not hesitate to contact the undersigned.

Very truly yours,


Patrick T. Conlon

PTC/
Enclosures

Metropolitan
Commercial Bank 
99 Park Avenue, New York, NY 10016

BANK CHECK

1-1335
260

NO. 41711

PAY ** \$250 DOLLARS AND 00 CENTS **

Metropolitan
Commercial Bank 

DATE

04/07/2020

AMOUNT

\$250.00

PRECISION REPORTING

TO THE
ORDER
OF



Two Signatures Required if over \$5,000
VOID IF NOT CASHED WITHIN 6 MONTHS

⑈041711⑈ ⑆026013356⑆01 9000001 5⑈

DIVISION OF CITY PLANNING

**1 Jackson Square
JERSEY CITY, NJ 07302
TEL: 201.547-5010
FAX: 201.547.4323**

Receipt of Documents

This will serve to confirm that on, June 3, 2020, the Division of City Planning was in receipt of documents filed by Patrick T. Conlon, for:

**Preliminary and Final Major Site Plan Approval with
“c” and “d” variances
22-24 Bergen Avenue
Block 24902, Lots 2 and 3**

The land use review staff of the Division will review this submission for compliance with the City's requirements under the Zoning Ordinance and other applicable ordinances.

You will be notified within 45 days of the date listed above if the documents provided constitute a valid application. You will also be notified within this time period of the planning and zoning issues staff believes are relevant to the proposed Project, as well as our proposed recommendations to the Planning Board or Zoning Board of Adjustment.

We endeavor to reduce the statutorily allowed 45 day review period to the absolute minimum we need to certify the validity of your submittal. Please be informed that pursuant to NJSA 40:55D-10.3., and Chapter 345-22 through 345-25 of the Jersey City Code; your case cannot and will not be scheduled for a hearing date until the documents are determined to be a valid application and it is deemed complete by the Director of the Division of City Planning. **Please do not advertise or mail notice for a public hearing on this case until you are given a calendar date for the hearing by this office.** Mailing such notice without a scheduled date only serves to confuse and sometimes anger the members of the public who receive such notices.

If there are any questions in this regard, please direct them to the following personnel:

Planning Board: Matt Ward, 201-547- 5010

Zoning Board of Adjustment, Tanya Marione, 201-547-5488

If there are any problems or complaints about the manner in which your application is being processed, please direct your call to Maryann Bucci-Carter, Supervising Planner at 547-4499.

Signature of Staff Member Receiving Documents: _____

Signature of Person Filing Documents: _____

Joan Adams



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**1 Jackson Square
JERSEY CITY, NJ 07302
TEL: 201.547-5010
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Signature of Staff Member Receiving Documents: _____

Signature of Person Filing Documents: _____

Joan Adams





CITY OF JERSEY CITY GENERAL DEVELOPMENT APPLICATION ("GDA")



1 Jackson Square, 2nd floor, Jersey City NJ 07305 | P:201-547-5010 | cityplanning@jcnj.org

THIS SECTION TO BE COMPLETED BY CITY STAFF ONLY

Intake Date:

Application No.

Date Validated as an Application for Development:

Date Deemed Complete:

1. SUBJECT PROPERTY

Address: 22-24 Bergen Avenue

Block & Lots: Block 24902, Lots 2 and 3

Ward: B

2. BOARD DESIGNATION

☐ Planning Board

☒ Zoning Board of Adjustment

3. APPROVALS BEING SOUGHT

<input type="checkbox"/> Conceptual Plan/Informal Review	<input checked="" type="checkbox"/> "c" variance(s)/Deviation	<input type="checkbox"/> "A" appeal
<input type="checkbox"/> Minor Site Plan	<input checked="" type="checkbox"/> (d) variance(s): use, density, etc.	<input type="checkbox"/> Waiver of Site Plan Requirements
<input checked="" type="checkbox"/> Preliminary Major Site Plan	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation ("B" appeal)
<input checked="" type="checkbox"/> Final Major Site Plan	<input type="checkbox"/> Prelim. Major Subdivision	<input type="checkbox"/> Site Plan Amendment
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final Major Subdivision	<input type="checkbox"/> Other (fill in) _____

4. PROPOSED DEVELOPMENT

Name & Nature of Use (describe project)

Applicant is proposing construction of a new five (5) story multi-family building with sixteen (16) residential units and ten (10) vehicle parking spaces.

5. VARIANCE/ DEVIATION NOTES

Sections of the Land Development Ordinance or Redevelopment Plan from which relief is requested (List Variances/Deviations):

Density; number of parking spaces; max building overage; front, rear and side yard setback

Applicant's reasons for the Planning Board or Board of Adjustment to grant relief:

Benefits outweigh any substantial detriments; see principal points statement for more detail.

6. APPLICANT

22-24 Bergen Ave., LLC

Applicant's Name

Phone

Fax

2200 RT. 10 Suite 104

Street Address

Parsippany

City

New Jersey

State

07054

Zip

e-Mail address

7.
OWNER

Same as applicant

Owner's Name		Street Address	
Phone	Fax	City	State Zip
		e-mail address	

8.
APPLICANT'S
ATTORNEY

Charles J. Harrington, III

Attorney's Name		Harborside 5,185 Hudson Street, Suite 2510	
Firm's Name		Street Address	
Connell Foley, LLP		Jersey City New Jersey 07311	
Phone	Fax	City	State Zip
201-521-1000		charrington@connellfoley.com	
		e-mail address	

9.
PLAN
PREPARERS

Engineer's Name & License Number		Street Address	
Firm's Name		City State Zip	
Phone	Fax	e-mail address	

Surveyor's Name & License Number		Street Address	
Firm's Name		City State Zip	
Phone	Fax	e-mail address	

TBP

Planner's Name & License Number		Street Address	
Firm's Name		City State Zip	
Phone	Fax	e-mail address	

Raul Cabato 21A101463700

Architect's Name & License Number		35 Journal Square, Suite 402	
Firm's Name		Street Address	
RA Design & Consultants LLP		Jersey City NJ 07306	
Phone	Fax	City	State Zip
201-680-7132		raul@radcllp.com	
		e-mail address	

10.
SUBJECT
PROPERTY
DESCRIPTION

Site Acreage (square footage and dimensions):

5621.67 sf 50 x 110.5 (dimensions)

Zone District(s): R-3 Multi Family Mid-Rise District

Present use: single family home

Redevelopment Area:

Historic District: n/a

Check all that
apply for present
conditions:

- ☒ Conforming Use
☒ Conforming Structure
☐ Vacant Lot

- ☐ Non-Conforming Use
☐ Non-Conforming Structure

What is your FEMA flood zone and base flood elevation (BFE)?:

TBP

Check all that Apply:

☐ Application for a new building on undeveloped tract

☐ Application for new use of existing building

☐ Application for use of a portion of a building

Is the subject building or property on the list of properties eligible for the Historic Register?

☐ yes ☒ no

Is demolition proposed? ☒ yes ☐ no If yes, is building 150+ years old? ☐ yes age: _____ ☐ no

Number of New Buildings: 1

Height table:	Existing		Proposed	
	Stories	Feet	Stories	Feet
Building	2	25	5	49
Addition/Extension				
Rooftop Appurtenances				
Accessory Structures				

Square Footage of applicable building(s) for this project by use:		
Residential	13,908.32	sf
Retail		sf
Office		sf
Industrial		sf
Parking Garage	4,428.7	sf
Other	4,446.6	sf
TOTAL:	22,783.63	sf

Number of dwelling units (if applicable):		
Studio	0	units
1 bedroom	8	units
2 bedroom	8	units
3 bedroom	0	units
4+ bedroom	0	units
TOTAL:	16	units

Number of lots before subdivision:	N/A
Number of lots after subdivision:	N/A

% of lot to be covered by buildings:	74.11	%
% of lot to be covered by buildings & pavement:	100	%
Gross floor area (GFA):	22,783.63	sf
Floor Area Ratio (FAR):	4.05:1	

11. PARKING & SIGNAGE

Number of parking spaces & dimensions: number: 10 / Dimensions: 9' x 18'
 Number of loading spaces & dimensions: number: _____ / Dimensions: _____

Number of Signs: _____
 Height of monument and/or pylon signs: _____

12. INFRA- STRUCTURE

WATER		TBP	
Is public water being extended to the tract and/or reused? If yes, specify size and material.	Size Material	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does the existing water service have a curb stop?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is there existing combined fire/domestic service?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is there existing domestic service only?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is new water service being proposed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is there new combined fire/domestic service?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is there new domestic service only?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
SEWER			
Is existing sewer service proposed to be reused? If yes, specify size and material.	Size Material	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Will there be sewer curb cleanout?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are minimum slope requirements satisfied as per National Standard Plumbing Code?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is new sewer service proposed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are storm drains proposed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are any new streets or utility extensions proposed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
MISC			
Are existing streets being widened		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are utilities underground		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is site in a flood plain?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is soil removal or fill proposed? If yes, specify total in cubic yards.		<input type="checkbox"/> Yes	<input type="checkbox"/> No _____
Are any structures being removed?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the application for additional buildings and/or improvements to a tract having existing buildings and/or improvements?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the property within 200 feet of an adjacent municipality? If yes, which?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Municipalities:			
Is the property on a County Road?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are there deed restrictions, covenants, and/or easements affecting the tract? If yes, attach 2 copies.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are there any performance guarantees and/or maintenance agreements with the City Council? If yes, attach 2 copies.		<input type="checkbox"/> Yes	<input type="checkbox"/> No

**13.
TYPE OF
DEVELOPMENT**

REQUIRED FOR ALL DEVELOPMENT APPLICATIONS	Total number of new residential units created	Total number of affordable housing units* created	Total number of residential units demolished
New structure containing residential units	16		1
Conversion from a non-residential structure to a structure containing residential units	0	0	0
Conversion from market rate housing units to NJ COAH defined affordable housing units	0	0	0

*According to NJ COAH definitions at *N.J.A.C. 5:94 et seq.*

	Moderate Income	Low Income	Very Low Income	Age Restricted	Rental Units
Number of affordable housing units created*	0	0	0	0	0

*According to NJ COAH definitions at *N.J.A.C. 5:94 et seq.*

Use Group Description (These descriptions are pursuant to NJ Council on Affordable Housing N.J.A.C. 5:94 Appendix E, and are for the sole purpose of calculating affordable housing obligation.)	Gross Floor Area of New Construction	Gross Floor Area of Demolition
B: Office buildings. Places where business transactions of all kinds occur. Includes banks, corporate offices, government offices, professional offices, car showrooms and outpatient clinics.	0	0
M: Mercantile uses. Buildings used to display and sell products. Includes retail stores, strip malls, shops and gas stations.	0	0
F: Factories where people make, process, or assemble products. F use group includes F1 and F2.	0	0
S: Storage uses. Includes warehouses, <u>parking garages</u> , and lumberyards. S group includes S1 and S2.	4,428.7	0
H: High Hazard manufacturing, processing, generation and storage uses. H group includes H1, H2, H3, H4 and H5.	0	0
A1: Assembly uses including concert halls and TV studios.	0	0
A2: Assembly uses including casinos, night clubs, restaurants and taverns.	0	0
A3: Assembly uses including libraries, lecture halls, arcades, galleries, bowling alleys, funeral parlors, gymnasiums and museums, but excluding houses of worship	0	0
A4: Assembly uses including arenas, skating rinks and pools.	0	0
A5: Assembly uses including bleachers, grandstands, amusement park structures and stadiums	0	0
E: Schools K – 12	0	0
I: Institutional uses such as hospitals, nursing homes, assisted living facilities and jails. I group includes I1, I2, I3 and I4.	0	0
R1: Hotels, motels and dormitories	0	0
U: Miscellaneous uses. Fences, tanks, sheds, greenhouses, etc.	0	0

14. APPROVAL HISTORY

List all past approvals, denials, appeals, or other activity for the subject property. ☐ Check here if none
If there are previous approvals, attach 2 copies of the approving resolution.

	CITY JOB/CASE NUMBER	APPROVED	DENIED	DATE
Subdivision		<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan		<input type="checkbox"/>	<input type="checkbox"/>	
Variance(s)		<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit		<input type="checkbox"/>	<input type="checkbox"/>	

15. FEES
(see attached fee schedule)

STAFF CALCULATIONS ONLY	
Subdivision	\$
Site Plan	\$
Variance(s)	\$
TOTAL DUE	\$
Amount Paid	\$
BALANCE DUE	\$

16. ATTACHMENTS


Please Attach the required additional forms and information, if applicable (see attached FORMS and CHECKLISTS)

17. CERTIFICATION

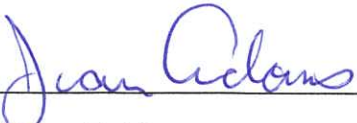
I certify that the foregoing statements and the attached materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate Applicant and that I am authorized to sign the application for the Corporation or that I am a General Partner of the Partnership Applicant. I hereby permit authorized City official to inspect my property in conjunction with this application.

Sworn to and subscribed before me this date

June 3, 2020


Signature of Applicant's Attorney
Thomas Leane, Attorney State of New Jersey

Property Owner Authorizing Application if other than Applicant


Notary Public
JOAN C. ADAMS
A Notary Public of New Jersey
My Commission No: 50005301
My Commission Expires October 28, 2024

18. CONTACT

Jersey City Division of City Planning
1 Jackson Square, 2nd Floor
Jersey City NJ 07305
P:201-547-5010
cityplanning@jcnj.org

PUBLIC NOTICE

This notice is being provided pursuant to N.J.S.A. 40:55D-12 to advise that an application has been filed by 22-24 Bergen Ave., LLC. with the Jersey City Zoning Board of Adjustment for Preliminary and Final Major Site Plan approval with variances pursuant to N.J.S.A. 40:55D-70(d) (density) and pursuant to N.J.S.A. 40:55D-70(c) (minimum lot area; minimum front yard setback; minimum rear yard setback; minimum side yard setback; number of parking spaces) with regard to the property located at 22-24 Bergen Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 24902, Lots 2 and 3 ("Property"). The Property is located within the R-3 Multi-Family Mid-Rise Zoning district ("R-3 Zone").

The Property is an undersized 5,621.7 square foot lot, where the minimum lot size in the R-3 Zone is 6,000 sf, that is currently improved with a single family home and a parking garage. Applicant proposes to clear the Property and to develop a new five (5) story multi-family building with sixteen (16) residential units, and ten (10) ground floor parking spaces. The proposed principal use will be residential units on the 2nd floor to the 5th floor, with parking on the 1st floor (the "Project").

As part of the application, the Applicant is seeking the following variances, exceptions and/or waivers from the Jersey City Land Development Ordinance.

1. A variance pursuant to N.J.S.A. 40:55D-70(d)(5) from Section 345-42.E.2 of the JC LDO to permit 123 units per acre where 60 units per acre is permitted;
2. A variance pursuant to N.J.S.A. 40:55D-70(c) from Section 345-42.F.2 of the JC LDO to permit a ten (10) off-street parking spaces where twelve (12) is required.
3. Variances pursuant to N.J.S.A. 40:55D-70(c)(1) for bulk variances including minimum rear yard (upper floors), minimum front yard, and minimum side yard setbacks (upper floors), and maximum building coverage; and
4. Any additional approvals, permits, variances, interpretations, waivers or exceptions reflected in the plans and materials filed (as same may be amended or revised from time to time without further notice) or determined to be necessary during the review and processing of this application.

Any person interested in this application will have the opportunity to address the Jersey City Zoning Board of Adjustment at the meeting on Thursday, May , 2020 at 6:30 p.m. at 280 Grove Street, City Hall, Caucus Room, Room 204, Jersey City, New Jersey, 07302.

Plans are available for public inspection on any working day between 9:00 a.m. and 4:00 p.m. at the Division of City Planning, City of Jersey City, City Hall Annex, 1 Jackson Square, a/k/a 360 Martin Luther King Drive, Jersey City, New Jersey, 07305.

By: Charles J. Harrington, III, Esq.
Attorney for the Applicant
22-24 Bergen Ave., LLC
201-521-1000

Principal Points Statement
22-24 Bergen Avenue
Block 24902, Lots 2 and 3

An application has been filed for the property located at 22-24 Bergen Avenue, also known as Block 24902, Lots 2 and 3 on the official Jersey City Tax Maps (the "Property"), with the Jersey City Zoning Board of Adjustment for Preliminary and Final Site Plan approval for the construction of a 5 story mid-rise multi-family building consisting of 4 stories of residential use with a total of sixteen (16) dwelling units over a ground floor parking level with ten (10) parking spaces (the "Project"). The subject property is in the R-3 Multi-Family Mid-Rise Zoning District ("R-3 Zone"). Therefore, the Applicant is seeking approval of the following variances:

1. A variance pursuant to N.J.S.A. 40:55D-70(d)(5) from Section 345-42.E.2 of the JC LDO to permit 123 units per acre where 60 units per acre is permitted;
2. A variance pursuant to N.J.S.A. 40:55D-70(c) from Section 345-42.F.2 of the JC LDO to permit a ten (10) off-street parking spaces where twelve (12) is required.
3. Variances pursuant to N.J.S.A. 40:55D-70(c)(1) for bulk variances including minimum rear yard (upper floors), minimum front yard, and minimum side yard setbacks (upper floors), and maximum building coverage.

The subject Property is located midblock between Armstrong Avenue and Woodlawn Avenue. The subject Property is a 5,622 square foot lot. The Property is currently a single family home with a garage and parking area.

The proposed Project consists of the development of a 5-story residential building on the Property. The ground floor will contain ten (10) parking spaces, bicycle storage areas, trash and recycling room, a fitness room, utility areas, and the residential lobby. There will be a rooftop deck for use by the residents.

The four (4) residential floors above will contain four (4) units on each floor, consisting of eight (8) total two-bedroom apartments and eight (8) total one-bedroom apartments. There are a total of sixteen (16) dwelling units.

In terms of the density variance the subject property is particularly well suited to accommodate the proposed 5-story building with ground floor parking and sixteen (16) residential units. First, a mid-rise residential building is permitted in the R-3 Zone. The unique location of the Project on a major thoroughfare with close access to NJ Transit Bus Lines (#10, #119, and #87) as well as the Hudson Bergen Light Rail (Richard Street Station) makes it particularly suited to the proposed density.

There are several other examples of multi-family buildings on Bergen Avenue and in the surrounding neighborhood with a similar density that provide context for the proposed building and support the notion that this neighborhood can accommodate a multi-family building of this density on the Property.

- 6 Bergen Avenue, Block 24901, Lot 2. This building is a four (4) story building with twenty four (24) residential units on a 6,498 square foot lot. 161 units per acre.
- 16 Bergen Avenue, Block 24901, Lot 5. This building is a four (4) story, fifteen (15) unit residential building on a 3,084 square foot lot. 211 units per acre.

Both of these buildings are multi-family residential buildings with a greater density than the Project and are also in the R-3 Zone and in the immediate vicinity of the subject Property. This neighborhood and this Property specifically, are particularly suited to the proposed density.

The subject Property is located approximately 0.8 miles (according to Google Maps) by foot from the Richard Street Light Rail stop. Further, the Property is located within 0.1 miles of the 10, 119, and 87 bus stops on Kennedy Boulevard. This proximity to public transport makes this Property uniquely suitable for the increased density.

As such, the property is well suited for the proposed density given the variety of surrounding land uses and access to public transportation.

In terms of the positive criteria, the proposed Project will eliminate a non-conforming single family home and replace it with an attractive mid-rise residential building more compatible

with the character of the surrounding area and the residential zoning, thereby bringing the Property into better conformity with the intent and purpose of the zone plan.

The proposed Project will advance the purposes of the Municipal Land Use Law and promote the general welfare:

- Although this density is not permitted within the R-3 Zone the proposed project is consistent with the surrounding area and more in keeping with the multi-family mid-rise zoning and therefore the granting of the variance will promote the public health, safety, and general welfare; consistent with N.J.S.A. 40:55D-2.a.
- The subject property provides sufficient space in an appropriate location for the density being proposed; consistent with N.J.S.A. 40:55D-2.g.
- The proposed project will also create an attractive building that will help to complete the streetscape along Bergen Avenue and will promote a desirable visual environment; consistent with N.J.S.A. 40:55D-2.i.

The granting of the requested variances will not result in a substantial detriment to the public good or general welfare. The Project proposes a density that is consistent with the character of the surrounding area and the availability of public transportation in the area, including proximity to the Richard Street Hudson Bergen Light Rail station and bus routes along Kennedy Boulevard. The granting of the variances will likewise not result in a substantial detriment to the intent and purpose of the zone plan. The subject Property is particularly well suited to accommodate a denser multi-family building because of the character of the neighborhood and the proximity to public transport.

There are special reasons to grant this variance because although the proposed Project is denser than what is permitted in the R-3 Zone, the proposed Project is similar in size and scale to several developments in the immediate vicinity of the Project. Further, the site can accommodate the increased density because the Project will be in context with the neighborhood and is in close proximity to public transportation. The Project is not taking

advantage of the maximum permitted height in the R-3 Zone. Granting the variance will advance the purposes of the JC LDO and the Jersey City Master Plan. For these reasons, the density variance may be granted.

The parking variance may be granted because the purposes of the MLUL and the JC LDO would be advanced by granting the variance, and because the benefits of granting the variances outweigh any substantial detriments. First, the proposed variance is minor. The Project provides ten (10) parking spaces, where the R-3 Zone requires twelve (12) spaces for the proposed unit count. However, space is limited on the ground floor because of the undersized nature of the lot. Further, the above-referenced proximity to public transport will reduce the residents' reliance on personal vehicles for transportation. Therefore, it is submitted that the proposed parking count will be sufficient for the Project's needs and will not cause a substantial detriment to the surrounding neighborhood. Therefore, the benefits of granting the requested variances outweigh any substantial detriments caused by the variance.

Finally, the bulk variances can be granted because of the undersized nature of the lot and because the benefits of granting the variances outweigh any substantial detriments. The lot is 5,621 square feet, where the required lot size for the R-3 Zone is 6,000 square feet. This makes it more difficult for the Applicant to comply with the R-3 Zone bulk requirements. Further, the unique block layout of Block 24902 mitigates the impact of the increased bulk. The center of the block is a vacant parking lot, rather than another building's backyard. So, the rear yard setback variance will not have a negative impact on neighbors.

As for the side yard setbacks, both of the neighboring structures are built to the lot line and the currently existing building is built to the lot line. Since the neighboring buildings do not provide a side yard setback, there will not be any substantial detriment to providing a 0' side yard setback.

The building coverage is greater than what is permitted, but that coverage is required to provide an adequate amount of parking. The Applicant is already seeking a parking variance, but if the building coverage were conforming, the parking variance would be even

greater. Thus, the benefits of providing parking outweigh any substantial detriment associated with the increased building coverage. Lot coverage is conforming.

Finally, the front yard setback variance can be granted because of the unusual angle of the property line. The sidewalk and street are on an angle here, and the predominant setback of the neighboring building is a maximum of four feet. However, the front yard setback gets smaller than four feet. Thus, there would be no substantial detriment to providing a 0' front yard setback for this Project.

The benefits of granting the requested bulk variances outweigh any substantial detriments. Further, the unique size, shape, and location of the Property create a hardship that permits the variances to be granted.

All of the requested variances advance the purposes of the JC LDO, the MLUL, and the Jersey City Master Plan.

The Applicant reserves the right to supplement the foregoing reasons with expert testimony at the Zoning Board of Adjustment hearing.

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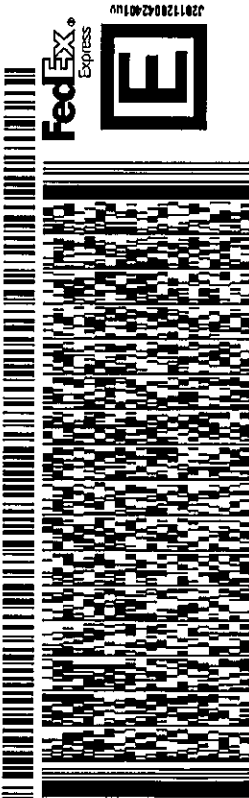
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