

Statement of Principal Points  
591 Montgomery Street (Block 13601, Lot 1)  
Jersey City, Hudson County, New Jersey

An application has been filed for the above-noted property (subject property) with the Jersey City Zoning Board of Adjustment for Final Major Site Plan approval; approval of a use variance pursuant to N.J.S.A. 40:55D-70.d.(1); approval of a height variance pursuant to N.J.S.A. 40:55D-70.d.(6); and associated bulk and parking variances pursuant to N.J.S.A. 40:55D-70.c.

The purpose of this application is to subdivide Lot 1 into two new lots: Proposed Lot 1.01 (Lot 1.01) and Proposed Lot 1.02 (Lot 1.02). Lot 1.01 will contain the existing Jones Hall development and Lot 1.02 will be developed with a new mixed-use, multi-family development. The subject property is in the Multi-Family High-Rise (R-4) District.

Lot 1.01 is a corner lot with approximately 93 feet of frontage along Cornelison Avenue and approximately 136 feet of frontage along Montgomery Street. A 16-story, 110-unit senior housing development, known as Jones Hall, is currently developed on Lot 1.01 near the intersection of Montgomery Street and Cornelison Avenue. Lot 1.02 is an irregular-shaped through lot with frontage on the corner of Montgomery Street and a private right-of-way, known as Beacon Way and extending to Cornelison Avenue. Lot 1.02 has a steep topographic slope from Beacon Way and Montgomery Street to Cornelison Avenue. The project is proposing to construct a new 18-story, mixed-use building with structured parking, a healthcare facility, and 98 residential units on Lot 1.02. Pedestrian access to the proposed healthcare facility and residential lobby will be provided from a pedestrian plaza from Montgomery Street, while vehicular access will be provided with a ramp from Cornelison Avenue. In addition, a park is proposed along Cornelison Avenue south of the frontage of Lot 1.02.

With respect to the proposed subdivision, the minimum lot size for a senior housing use is 10,000 square feet, with a required 100-foot lot width and a 100-foot lot depth. Lot 1.01 is a corner lot with a lot size of 12,604 square feet, a lot width of approximately 93 feet, and a lot depth of approximately 136 feet. Lot 1.01 has approximately 152 feet of secondary frontage on Montgomery Street. A variance for minimum lot width is requested. The proposed lot width is deficient of approximately 7.5 feet; however, it encompasses the existing Jones Hall building and provides a sufficient setback of 10 feet from Cornelison Avenue, which complies with the minimum front yard setback requirement. In addition, the proposed lot width is adequate and provides a new walkway and site improvements to the right-of-way, adjacent to the south. A new park is proposed farther south.

The minimum lot size for a high-rise apartment use in the R-4 District is 60,000 square feet, with a required 300-foot lot width and a required 200-foot lot depth. Lot 1.02 is a through lot with a lot size of 28,301 square feet and a lot width of 126 feet. Lot 1.02 has 126 feet of frontage on Montgomery Street and approximately 119 feet of frontage on Beacon Way. Variances for minimum lot size and minimum lot width are requested. The proposed lot is substantial in size, wherein a proposed building would be permitted a building footprint of 60%. This coverage

would allow for a building footprint of 16,980 square feet, which is more than adequate in size for a mixed-use building in the R-4 District. In addition, the proposed lot size is consistent in scale and character with the surrounding properties on Block 13601, including 24 Beacon Way (Lot 13; a 19-story, 158-unit on an approximate 24,570-square-foot lot), 56 Beacon Way (Lot 17; a 18-story, 128-unit building on an approximate 33,195-square-foot lot), 120 Clifton Place (Lot 3; a 23-story, 220-unit building on an approximate 27,180-square-foot lot), 20 Beacon Way (Lot 8; a 17-story, 126-unit building on an approximate 15,100-square-foot lot), and across Cornelison Avenue to the east on Block 13602, 547 Montgomery Street (Lot 1.02; a 10-story, 77-unit building on an approximate 18,000-square-foot lot). The proposed lot size and width of Lot 1.02 will be consistent with existing lot sizes and lot widths in the immediate area and will provide an adequate building footprint for the proposed use.

In terms of the use variance, the proposed health care use within the proposed mixed-use building on Lot 1.02 will be an inherently beneficial use that promotes the general welfare of the community. The adjacent Beacon complex was originally constructed and subsequently operated as a hospital and medical facility until approximately 2004. When the medical complex moved to a new campus located at Jersey Avenue and Grand Street, a void of health services was left in the immediate area of the subject property. The proposed health care use within the proposed mixed-use building will re-establish the much-needed service and provide a direct benefit to the community.

In terms of the height variance for the development on Lot 1.02, the subject property can accommodate the additional height without any substantial detriment to the surrounding area. The Beacon complex now contains a total of 8 buildings and approximately 1,500 residential units. These building heights range from 10 stories to 23 stories tall and provide unit counts ranging from 42 units to 315 units, with the average height and unit count being approximately 18 stories and 188 units, respectively. The project is proposing a 98-unit building on an approximate 0.65-acre lot, yielding a density of 150 units per acre which is permitted in the R-4 District for high-rise buildings. The proposed building height is 18 stories and approximately 204 feet. Although the proposed building is 18 stories tall, 4 stories are below the Montgomery Street line, which gives an appearance of a 14-story building due to the topography of the subject property. Therefore, the subject property can accommodate the additional height and is consistent with the scale of buildings located in the adjacent Beacon complex. Jones Hall on Lot 1.01 has an existing non-conforming building height of 211 feet.

The requested “c” variances can be granted pursuant to N.J.S.A. 40:55D-70.c.(2), wherein the benefits of the proposed project will substantially outweigh the detriment. The zero-foot setbacks proposed along Montgomery Street are in connection with the parking levels, which are all below street level. The proposed mixed-use building will provide a 10-foot setback around the perimeter of the building at street level, which meets the intent of the front and side yard setback requirements of the R-4 District. The proposed subdivision will result in a lot coverage

of 95% on Lot 1.01, where 85% is permitted. The proposed building coverage as a result of the subdivision will still comply at 50% coverage, where 60% is permitted. The proposed building coverage and lot coverage on Lot 1.02 will comply at 37% and 75%, respectively. The combined lot coverage of Lots 1.01 and 1.02 is approximately 81%, which complies with the maximum of 85% lot coverage allowable in the R-4 District. A stormwater management system is proposed on site. The stormwater detention basins and underground pipes will be located below the park area, reducing peak runoff from the 2-, 10-, and 100-year storms.

Lot 1.01 is a corner lot and while Jones Hall fronts on Montgomery Street, the property's front lot line is along Cornelison Avenue. The approximate 93-foot lot width along Cornelison Avenue, as a result of the subdivision, is approximately 7 feet less than the required 100 feet. Notwithstanding the lack of 7 feet, Lot 1.02 has a lot size of 12,604 square feet, which is greater than the minimum of 10,000 required and therefore, provides sufficient space for the existing Jones Hall building. The rear yard of Lot 1.01 functions like a side yard adjacent to the side yard of Lot 1.02. Although the 10-foot rear yard setback does not meet the rear yard setback requirement, it does meet the intent of the side yard setback requirement of the R-4 District. In addition, both structures comply with building coverage requirements. Therefore, the existing building and proposed building will still provide for light, air, and open space. Improvements to the property, including new pavers as part of the development of Lot 1.02, will integrate Jones Hall with the proposed park along Cornelison Avenue which is currently a parking area. With respect to vehicular parking, the proposed parking deck on Lot 1.02 will accommodate the required parking for the new development on Lot 1.02 (49 spaces) and for Jones Hall (26 spaces). A technical parking variance for parking is required given the 26 spaces for the senior housing development are being relocated in the parking deck on Lot 1.02. The proposed parking deck will provide compliant and sufficient parking spaces for all the proposed uses and a dedicated ambulance parking space for emergency use. The benefits of the project include a new mixed-use building with a healthcare facility, residential units, and parking, the preservation of a senior housing use, the replacement and improvement of a parking area with a park, which would substantially outweigh any detriments associated with the requested bulk variances.

The proposed project will advance the purpose of the Municipal Land Use Law and promote the general welfare, specifically:

- The proposed project will be providing a healthcare facility and a park, 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 proposed project will add residential units through a multi-family use consistent with the adjacent buildings in the Beacon complex, which will establish an appropriate population density that will contribute to the well-being of persons, neighborhoods, and communities, consistent with N.J.S.A. 40:55D-2.e.

- The proposed project will also create an attractive building that will provide a pedestrian plaza and park that will improve the streetscape 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 height that is consistent with the character of the surrounding area and the availability of public transportation in the area, including bus routes along Montgomery Street. As mentioned, the proposed building bulk including the proposed setbacks and building coverage will allow for light, air, and open space. The proposed high-rise building will be in character with the surrounding Beacon developments in terms of building façade and architecture. The project proposes site improvements including new concrete sidewalk, reconstructing the ADA ramp along Montgomery Street in front of Lot 1.02, and providing a new ADA ramp and planters along Cornelison Avenue adjacent to Lot 1.01. A new park is proposed with a play area, trees, grassy areas, benches, and bike racks.

The granting of the variances will likewise not result in a substantial detriment to the intent and purpose of the zone plan and zoning ordinance. High-rise apartment buildings are a permitted use within the R-4 District, and the scale of the proposed building is consistent with adjacent buildings in the Beacon complex in terms of use, height, density. Therefore, the granting of the requested variances will not rise to a level of substantial detriment to the intent and purpose of the zone plan, notwithstanding that the proposed height is greater than permitted within the R-4 District.

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