

Statement of Principal Points
829 Bergen Avenue (Block 13302, Lot 22)
Jersey City, Hudson County, New Jersey

December 12, 2023

An application has been filed for the above-noted property (subject property) with the Jersey City Planning Board for Preliminary and Final Major Site Plan approval; approval of bulk “c” variances for minimum lot size, minimum lot width, minimum front yard setback pursuant to N.J.S.A. 40:55D-70.c.

The subject property at 829 Bergen Avenue is identified as Lot 22 on Block 13302 in the City of Jersey City. The subject property has a lot area of 6,841 square feet (0.16 acres), with approximately 42.5 feet of frontage along the west side of Bergen Avenue and a lot depth of approximately 161 feet. Currently, the subject property is improved with a 3-story, 3-unit mixed-use building and a 1-story parking garage. At the time the application as deemed complete, the subject property was zoned in the Central Business District (CBD District).

The purpose of this application is to demolish the existing structures and construct a new 11-story, 77-unit multi-family dwelling. The proposed ground floor will provide a residential lobby, lounge, mail/package room, and fire command center. The cellar will provide parking for 20 vehicles in a stacker system, electric/gas/sprinkler rooms, bike storage, trash room. Access to the parking will be via a ramp on the north side of the building. On upper floors a total of 77 units are proposed including 30 studio units, 27 one-bedroom units, 19 two-bedroom units, and 1 three-bedroom unit. The proposed second, third, fourth and fifth floors will each provide 4 studio units, 4 one-bedroom units, and 1 two-bedroom unit. The proposed sixth, seventh and eighth floors will provide 2 studio units, 2 one-bedroom units, and 3 two-bedroom units. The proposed ninth floor will provide 2 studio units, 1 one-bedroom units, 2 two-bedroom units, and 1 three-bedroom unit. The proposed tenth and eleventh floors will provide 3 studio units, 2 one-bedroom units and 2 two-bedroom units. Four of the proposed units will be affordable. The project proposes a 550 square foot amenity space (less than 10% of the roof area), 1,500-square-foot common roof deck with 2,230 square feet of green roof. Elevator and stair access are proposed to the rooftop. The project also proposes one new street tree.

POSITIVE CRITERIA

Minimum Lot Size and Minimum Lot Width: The subject property has a lot size of 6,841 square feet, where a minimum lot size of 10,000 square feet is required for all uses in the CBD District. The subject property has a lot width of 40 feet, where a minimum lot width of 100 feet is required in the CBD District. To require a compliant lot area and lot width would be a hardship, the project does not propose any changes to the currently existing dimensions of the subject property. The subject property is a narrow and an irregularly shaped lot within an irregularly shaped block. Both lots adjacent to the north and south of the subject property are improved with existing structures which cannot be acquired; adjacent to the north at 835 Bergen Avenue is Lot 21, which is improved with St. George and St. Shenuda Coptic Orthodox Church and adjacent to the south at 821 Bergen

Avenue is Lot 23, which is improved with a 5-story, 81-unit multi-family residential building. The lot adjacent to the north, Lot 21, has an approximate lot width of 50 feet, the lot adjacent to the south, Lot 23, has a varying lot width of approximately 75 feet to approximately 90 feet.

Minimum Front Yard Setback: The CBD District requires a minimum front yard setback of 15 feet if the proposed building is over 8 stories in height. The proposed project provides a 10-foot setback at the ground floor. On upper floors the building façade is angled, with a 5-foot setback at the second through eighth floors tapering to 0-feet at the north lot line, and a 15-foot setback at the ninth floor and above. The proposed ground floor setback provides a 25-foot setback from the curb, ample sidewalk space for pedestrians. On upper floors the angled façade provides a transitioned setback from the adjacent property to the south (The Madrid) which has a 0-foot setback to the adjacent church which has an approximately 15-foot setback.

Overall the benefits of the project outweigh the detriments: The project will provide an updated streetscape along one of Jersey City's main corridors, Bergen Avenue, by developing a new multi-story, multi-family building with affordable housing options. The project will provide new sidewalk and curb.

Purposes of the Municipal Land Use Law: The proposed project will advance the purposes of the Municipal Land Use Law and promote the general welfare. Granting the requested variances will guide the appropriate use and development of the property in a manner that will promote the general welfare consistent with N.J.S.A. 40:55D-2.a. through the provision of an appropriately-scaled, multi-family building with 4 affordable units consistent with the surrounding development. Granting the requested variances will provide adequate light, air and open space to surrounding properties consistent with N.J.S.A. 40:55D-2.c. by maintaining setbacks that are consistent with the surrounding area. Granting the variances will allow for sufficient space in appropriate locations for a variety of residential uses and open space pursuant to N.J.S.A. 40:55D-2.g. The project will also promote a desirable visual environment through the creative development techniques utilized to construct a new multi-story multi-family building along a commercial corridor, consistent with N.J.S.A. 40:55D-2.i.

Negative Criteria: The granting of the requested variances will not result in a substantial detriment to the public good or general welfare. The project will replace an existing 3-story mixed-use building and a 1-story parking garage with a new and attractive multi-family building. The project proposes provide new curb and sidewalk which will improve pedestrian safety along a busy street corridor. Adequate common open space for future residents including a 1,500-square-foot common roof deck. The proposed building will meet current building code standards and will provide a new stormwater management system on site and 2,230 square feet of green roof. The project will also provide 4 affordable housing units, which will promote diverse residential opportunities for future residents.

The granting of the variances will likewise not result in a substantial impairment to the intent and purpose of the zone plan and zoning ordinance. The project is consistent with the purpose of the CBD District, which is *to foster the development of a vibrant and accessible Citywide activity district that is a center of commerce and civic activity. It functions as a Local and regional destination for business, retail, education, government services, entertainment and transportation. The central business district contains numerous commercial, residential, institutional and government/public uses in a high intensity urban context.* The project proposes a permitted multi-family building with appropriate bulk including compliant minimum and maximum building height, building coverage, and side and rear yard setbacks.

The requested variances necessary for the proposed project can be granted in that both the negative and positive criteria have been met pursuant to N.J.S.A. 40:55D-70.c.

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