

**PRINCIPAL POINTS STATEMENT**  
**362-364 SIXTH STREET LLC**  
**362-364 6<sup>th</sup> STREET, JERSEY CITY**  
**BLOCK 9803, LOT 8**

An application has been filed by 362-364 Sixth Street LLC with the Jersey City Planning Board for Preliminary and Final Major Site Plan approval with deviations pursuant to N.J.S.A. 40:55D-70(c) (lot coverage; height (stories); drive aisle width; garage entry setback and planter box/bollard requirement) with regard to the property located at 362-364 6<sup>th</sup> Street, Jersey City, New Jersey, also known on the Jersey City Tax Maps as Block 9803, Lot 8 (“Property”). The Property is located within the Midrise Transition Zone, and Bonus Zone B in the Enos Jones Redevelopment Plan (“Redevelopment Plan”) area.

The purpose of the development is to construct a seven (7) story residential building (six residential floors and a ground floor garage level) with seventeen (17) dwelling units and seven (7) parking spaces with a first floor parking garage (the “Project”).

As part of the application, the Applicant is seeking the following deviations, variances, exceptions and/or waivers from the Redevelopment Plans and/or the Jersey City Land Development Ordinance (“JC LDO”):

1. A deviation to permit one additional story (a 7<sup>th</sup> story) that is within the permitted building height;
2. A deviation to permit relief from the maximum permitted lot coverage;
3. A deviation to permit relief from the minimum required parking aisle width;
4. A deviation to permit relief from having planter box or similar structure adjacent to the garage entrance; and
5. Any additional approvals, permits, deviations, 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.

These deviations can be approved because the benefits of granting them outweigh any substantial detriments and the Project largely comports with the requirements of the Redevelopment Plan and advances the intent of the Redevelopment Plan.

The stories deviation can be granted because the additional story is minor and will not create any detriments to the surrounding properties. The Redevelopment Plan’s height maximum is 68’ and 6 stories, and the Project proposes 64’-7” above the design flood elevation and 7 stories. The additional story in the Project will be mitigated by the fact that the Project is not being proposed to be taller than what is permitted for a six story building. The FEMA flood zone and base flood elevation of the area are Zone AE and an elevation of 9 feet. The permitted height of

a building is measured from the base flood elevation (“BFE”). As such, the height of the property is 64’-7” above the design flood elevation, which is within the permitted height of the building. A six story building could be developed at a height of 68’ without any parking. Parking is not required for this Property/Project because the Property is less than 75 feet wide. Nevertheless, because the BFE would leave a void between the first floor residential level and grade, the Project is proposing to increase that area to provide for parking. The parking level will not result in an increase in the permitted number of residential floors (6) or result in the building being taller than the permitted building height. Accordingly, it is submitted that the parking level is a benefit that outweighs and substantial detriments and the relief for the additional story can be granted.

The minimum parking space size and parking drive aisle width deviations can be granted because there will not be any detriments created by them. The parking spaces will be utilized exclusively by residents who will be familiar with the parking spaces’ layout and use. Further, with only seven (7) parking spaces provided, any potential traffic will be minor and the drivers will be familiar with the operation of the parking drive aisle and parking space size. Thus, any potential safety concerns are mitigated by the fact that there are only seven parking spaces and the drivers utilizing the spaces and garage will be familiar with the operation of their vehicles in this area.

The garage entry setback and planter box/bollard deviation (or similar feature) can be granted because of the existing structure of the sidewalk. More specifically, there are street trees directly outside the Property, which provides for a sidewalk ten (10) feet wide. As such, without a setback and planter boxes or similar features would decrease the sidewalk width in this area. It is submitted that the larger sidewalk area is a benefit to the safety of the pedestrians. The Project will also be providing for warning mechanisms for pedestrians when the garage door is active. Therefore, these deviations can be granted because the benefits outweigh any substantial detriments as the Project seeks to preserve the sidewalk and refrain from narrowing it any further with unnecessary planter boxes.

Lastly, the deviation for lot coverage can be granted. The Project is providing for front and rear yard setbacks consistent with the requirements of the Redevelopment Plan (a 15 foot rear yard setback and a predominant front yard setback). These setbacks are also consistent with the setbacks of the adjacent buildings. So while these setbacks result in a lot coverage of 85%, and not the required 85%, the setbacks and the resulting lot coverage are consistent with the intent of the Redevelopment Plan. As such, by granting the Project’s deviation for lot coverage, there will not be any detriments to the intent and purpose of the Zone Plan and Redevelopment Plan and the surrounding neighborhood will also be benefited due to the deviation’s mitigation of any impact on the surrounding area.

The benefits of this Project outweigh any substantial detriments. The Project will replace a dilapidated one (1) story storage facility/garage with a new, aesthetically pleasing residential

building. Moreover, given the purpose of the Redevelopment Plan and the Mid-Rise Transition Zone specifically, “to provide a transition from the building heights and bulk in Zone A to much larger scale buildings closer to the Turnpike,” the Project advances the Redevelopment Plan’s intent and the goals of the Jersey City Master Plan by created an aesthetically pleasing residential building and replacing a one story warehouse on the Property. The Project will also result in a \$70,000.00 contribution to future improvements to Enos Jones Park as a result of the two residential units on the sixth residential floor. Accordingly, there will not be any substantial detriments associated with granting these deviations and the deviations may be granted.

The Applicant reserves the right to supplement its reasoning through expert testimony at the hearing.