

## DEVELOPMENT APPLICATION REVIEW | STAFF REPORT

DATE :	08.09.2022
TO :	Planning Board Commissioners
FROM :	Mallory Clark-Sokolov, PP, AICP, Senior Planner Tanya Marione, PP, AICP, Division Director
CASE :	P21-046
PROJECT :	326-330 MLK Drive Preliminary + Final Major Site Plan

### I. DOCUMENTS REVIEWED

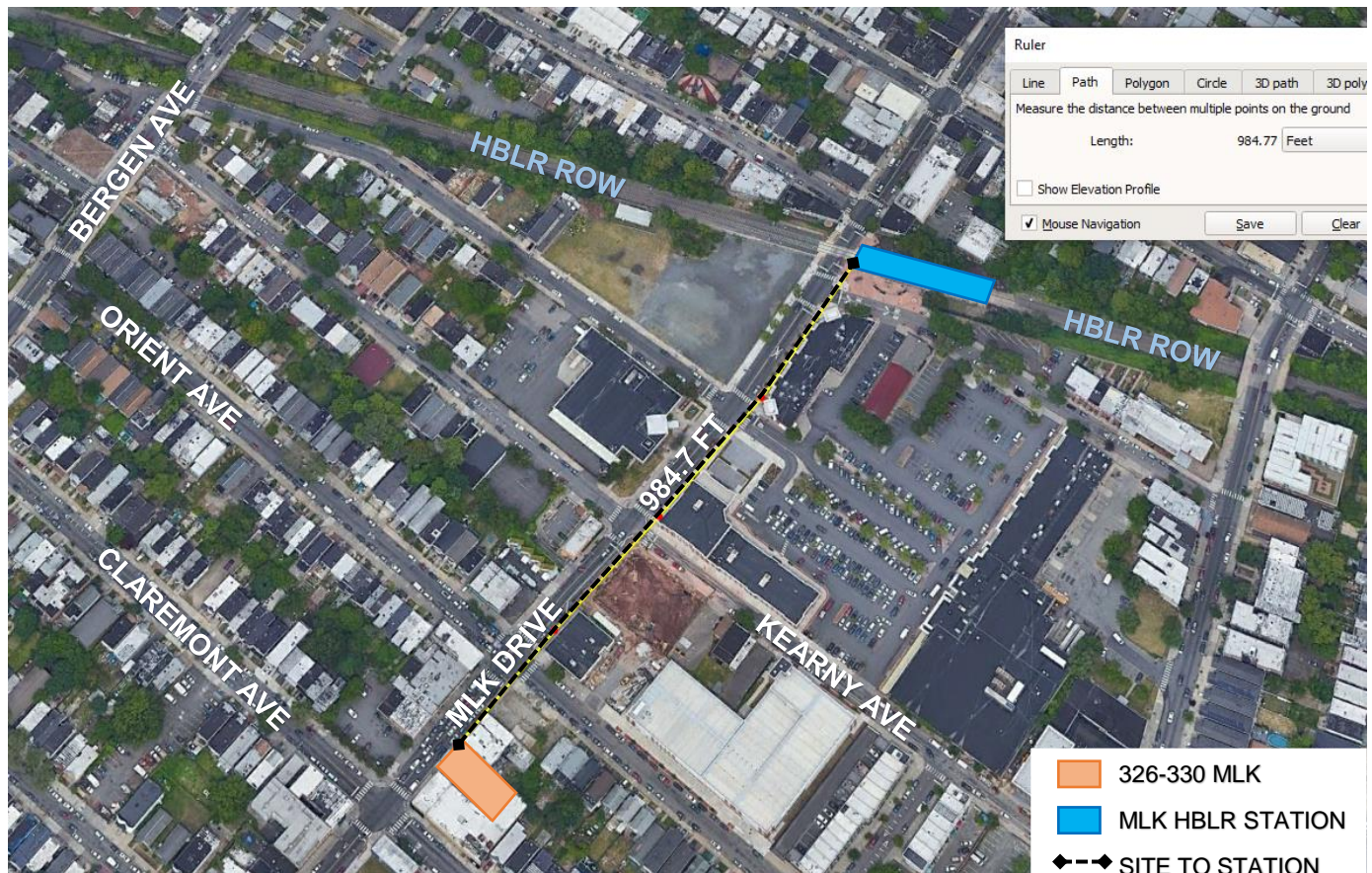
- General Development Application Form dated 02.28.22
- Survey by Behar Surveying Associates dated 04.29.2021
- Architectural Plan Set by Hampton Hill dated 06.02.22
- Traffic Impact Assessment by Dynamic Traffic dated 12.29.2021

### II. APPLICATION BACKGROUND + PROPOSAL

- **Existing Conditions:** The site is currently a vacant lot along an active commercial corridor at MLK Drive. The site is 4,995 feet and located at the interior of the block. The site is within the Jackson Hill RDP Neighborhood Mixed Use Zone.
- **Proposed Conditions:** The applicant proposes a six (6) story mixed use building with ground floor commercial space and residential units on the first through sixth floors. The project contains twenty-eight (28) units, three (3) of which are affordable. There is no parking proposed as the RDP prohibits curb cuts on MLK Drive.
- **Variances**
  - None. Project is as of right.

### III. STAFF COMMENTS

- **Transit Bonus**
  - The property is located in Zone 1: Neighborhood Mixed-Use zone of the plan, which permits five (5) stories and 55ft on a lot this size. The plan also includes a Transit Proximity Bonus that permits lots located partially or wholly within 1,000 feet of a Hudson Bergen Light Rail Station a maximum height of six (6) stories, sixty-five (65) feet. The site is located approximately 985ft via sidewalk from the MLK Drive station platform, making it eligible for the sixth story.
- **Affordable Units**
  - Applicant has been working with the Division of Affordable Housing on the three (3) affordable units and shall testify as to the status of an executed agreement with that office.



#### IV. STAFF RECOMMENDED CONDITIONS

All testimony given by the applicant and their expert witnesses in accordance with this application shall be binding. The staff recommends the following conditions to mitigate the negative criteria:

1. All materials and color selections shall be shown on Final Plans. No change to the facade and site design, including materials as well as any changes that may be required by the Office of Construction Code, shall be permitted without consultation with planning staff and approval by planning board.
2. Applicant shall provide an affidavit from the architect of record representing that the constructed project is consistent with final approved plans.
3. All street trees and landscaping shall be installed in accordance with the Jersey City Forestry Standards prior to the issuance of a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO).