

Principal Points Statement
157 Newark Avenue (Block 602, Lot 35.01)
Jersey City, Hudson County, New Jersey

March 22, 2023

An application has been filed for the above noted property with the Jersey City Zoning Planning Board for Preliminary and Final Site Plan Approval and approval of a bulk “c” variance for the penthouse setback. The subject property is located in the Newark Avenue Redevelopment Plan Sub-Districts A & C.

The subject property at 157 Newark Avenue is identified as Lot 2.01 & 5 on Block 11405. The subject property is a corner and through lot with frontage on Newark Avenue, Christopher Columbus Drive and Barrow Street. The subject property has a lot area of 7,100 square feet (0.163 acres). Lot 5 is currently improved with a 4-story structure fronting on Newark Avenue. Lot 2.01 is currently vacant.

The purpose of this application is to demolish the existing structure and construct a new 7-story mixed-use building with 41 dwelling units. The first floor will consist of retail space with access from both Newark Avenue and Christopher Columbus Drive. A residential lobby will be accessible from Christopher Columbus Drive. The second through fourth floors will consist of 8 units, including 5 one-bedroom units and 3 studio units. The fifth floor will consist of 7 units, including 1 two-bedroom unit, 3 one-bedroom units and 3 studio units. The sixth floor will consist of 6 units, including 3 one-bedrooms and 3 studio units. The seventh (penthouse) floor will consist of 4 units, including 3 one-bedroom units and 1 studio unit. The proposed building will have setbacks from Newark Avenue at the fifth floor (approximately 29 feet) and sixth floor (approximately 60 feet). The seventh (penthouse) floor will be setback from Christopher Columbus Drive approximately 12 feet and Barrow Street approximately 7.5 feet. Terraces will be provided on the lower roof areas.

The Planning Board has the jurisdiction to grant a bulk variances for the number of stories which may be approved by the Board per NJSA 40:55D-70.c(2) wherein the benefits outweigh the detriments.

The Newark Avenue Redevelopment Plan regulates height per Map #5 Building Bonus Height Regulating Plan. The site is permitted to have a maximum height of 7 stories (6 stories plus penthouse) with setbacks above the fourth story along Newark Avenue and above the sixth story along Christopher Columbus Drive and Barrow Street. Additionally, Section VIII.D.2 Area, Yard and Bulk requirements specify minimum floor-to-ceiling height of 12 feet at the ground floor and 9 feet for upper floors. There is no maximum building height in feet.

The proposed project requires a deviation for the setback of the penthouse along the Barrow Street frontage. While Map #5 does not provide dimensions for the required setbacks, the regulating plan does not show a permitted penthouse level on Lot 2.01, which would equate to a 25 foot setback from the Barrow Street frontage.

The project is proposing a 7 foot-7.5 inch setback. The proposed setback is consistent with the intent of the regulating plan by diminishing the impact of the penthouse level along Barrow Street.

The proposed project will not adversely impact light and air to the adjacent properties. The project provides conforming 8-foot setback along Christopher Columbus Drive and compliant upper floor setbacks along the Newark Avenue and Christopher Columbus Drive frontages. The individual floor-to-ceiling heights are also conforming.

Overall, the benefits of the project outweigh the detriments, with the benefits including new commercial space along Christopher Columbus and Barrow Street to activate the streetscape, new sidewalks and street trees meeting forestry standards, on-site stormwater management system and green roof.

The granting of the variances 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 appropriate mixed-use development of the subject property. The proposed development will promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities, consistent with N.J.S.A. 40:55D-2.e. The proposed project will promote a more desirable visual environment consistent with N.J.S.A. 40:55D-2.i.

Granting of the variances will not result in a substantial detriment to the general welfare and likewise will not result in a substantial detriment to the intent and purpose of the zone plan and zoning ordinance. The project advances the general welfare by developing a vacant site with a conforming mixed-use development, activating the streetscape with new commercial uses and providing new sidewalks and street trees. The project is consistent with the purposes of the Newark Avenue Redevelopment Plan including:

- Requiring an active commercial ground floor
- Improving pedestrian environment and streetscape
- Maintaining the existing character and height of Newark Avenue
- Improving vitality of Christopher Columbus Drive by providing retail frontage on the ground floor and providing a wider sidewalk for better pedestrian access

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

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