

Statement of Principal Points
138-140 Glenwood Avenue (Block 13204, Lot 60)
Jersey City, Hudson County, New Jersey

December 1, 2022

An application has been filed for the above-noted property (“subject property”) for Preliminary and Final Site Plan approval with variances with the Jersey City Zoning Board of Adjustment; approval of a d(1) use variance, pursuant to N.J.S.A. 40:55D-70.d.(1); approval of a d(6) height variance, pursuant to N.J.S.A. 40:55D-70.d.(6); and approval of a bulk ‘c’ variance for maximum height in stories, minimum buffer adjacent to residential uses, location of bicycle parking, pursuant to N.J.S.A. 40:55D-70.c.

The subject property located at 138-140 Glenwood Avenue is identified as Lot 60 on Block 13204 in the City of Jersey City. The subject property has a lot size of 24,856 square feet, with a lot frontage of approximately 175 feet and a lot depth of about 143 feet. Currently, the subject property is improved with a 4-story dormitory building. The subject property is in the University District (U).

The purpose of this project is to renovate the existing building and convert the dormitory building into a 54-unit mid-rise, multi-family residential building. The existing attic level will be expanded to create a mezzanine level, to create third-floor duplex units. The basement and first floor will provide a total of 18 residential units, including 14 two-bedroom duplexes and 4 one-bedrooms. The second floor will also provide 18 units, with 4 studios, 9 one-bedrooms and 5 two-bedrooms. The third floor will provide 18 duplex residential units, including 4 one-bedroom, 12 two-bedroom duplexes and 2 three-bedroom duplexes. Twenty-eight bicycle racks are proposed at the rear, with fourteen on each side. Landscaping in front of the building and the courtyard with sitting areas for future residents is proposed, as well as seven new street trees.

The subject property is located in the University District (“U”), and St. Peters University is located to the south and across the street of the subject property. There are also mid-rise, multi-family residential buildings that are part of the Multifamily Residential District (R-3) located along Glenwood Avenue that are not affiliated with St. Peters University. Adjacent to the west is the Holy Name Cemetery fronting along West Side Avenue. Adjacent to the north of the subject property is the One-and-Two Family Housing District (R-1) with primarily single to two family residential dwellings.

Generally, the surrounding area consists of a commercial and residential neighborhood. The Neighborhood Commercial District (“NC”) is to the southwest of the subject property along West Side Avenue with access to grocery stores, restaurants, and retail use. The surrounding area to the east and south is comprised with single to two family and multifamily residential homes, including residential homes within the Historic Overlay District. The subject property is located between two corridors, which

are Kennedy Boulevard and West Side Avenue. The NJ Transit bus stops are accessible along these corridors, including bus numbers 10 and 119 along Kennedy Boulevard and bus numbers 1 and 80 along West Side Avenue. Furthermore, the Journal Square PATH Station is located within a 15-minute walking distance to the northwest of the subject property.

Positive Criteria:

The Zoning Board of Adjustment has the jurisdiction to grant d(1) use variances pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-70.d.(1) *in particular cases and for special reasons*. Under relevant case law (Medici v. BPR Co. 107 NJ 1 (1987)), the standard for granting variances with respect to the positive criteria is that the proposed use will promote the general welfare, the property is “particularly suited” to accommodate the proposed use, and the proposed use can be reconciled with the Zoning Ordinance. Bulk “c” variances relating to the University District bulk standards are subsumed within the use variance.

d(1) Use Variance: The project proposes a 54-unit multifamily residential building, which is not a permitted use in the University District. The subject property is particularly suited for the proposed multi-family residential use.

The subject property no longer serves its former purpose as a dormitory. Further, as the existing structure on the site is considered historic, it is not eligible for demolition to make way for another permitted use in the U District. Given the existing use and layout of the building, adaptive re-use of the structure as a multi-family residential use is appropriate.

The proposed mid-rise multi-family dwelling is consistent with the character of the Block. The north side of Glenwood Avenue consists of lots zoned either for the U District or the R-3 Mid-rise Multi-family District interspersed. Permitted uses in the R-3 District includes mid-rise multi-family dwellings up to 8 stories on lots over 6,000 square feet.

Furthermore, the subject property is large at 24, 856 square feet (0.57 acres). While the U District does not have a minimum lot size for any use, the subject property exceeds the minimum lot size required for mid-rise multi-family dwellings in the R-3 District. The proposed project maintains the footprint of the existing structure, while adding a 5th story which will provide for loft units on the upper floors. The resulting project will create a diversity of housing options, consisting of 21 one-bedroom units ranging from 500 to 874 square feet and 43 two-bedroom units ranging from 526 to 1,387 square feet.

The project proposes no off-street parking. The existing building is considered historic, and as such cannot be demolished to construct a new building with parking. Furthermore, provision of parking within the existing courtyard of the building is not best practice as it would replace pervious landscaped areas with

impervious parking. The subject property is within a mile of the Journal Square Transportation Center, with several bus lines on West Side Avenue and Kennedy Boulevard providing transit service to Journal Square and other locations downtown. Services, shops and restaurants are also available in proximity to the subject property along West Side Avenue and in the McGinley Square neighborhood.

Maximum Building Height: The Zoning Board of Adjustment has the jurisdiction to grant a “d(6)” height variance pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-70.d.(6) in particular cases and for special reasons. Under relevant case law (Grasso V. Bor. Of Spring Lake Heights 375 N.J. Super. 41 (App. Div. 2004)), the standard for granting variances with respect to the positive criteria is that the proposed project will promote a harmonious, consistent visual environment while not offending the purposes of the height restriction, namely light and air.

The project proposes a total building height of 48 feet and 9 inches, where a maximum building height of 40 feet is permitted in the University District. The height of the existing building is 44 feet and 6 inches, making it an existing nonconformity. The proposed 5th story addition will increase the building height to 48 feet-9 inches which is consistent with the adjacent structure at 146-152 Glenwood Avenue which has a height of 52 feet. The proposed increase in building height of 4 feet-3 inches is not anticipated to result in significant new shadow impacts.

Bicycle Parking: A bulk variance is required for the location of the proposed bicycle parking. The project proposes 27 covered parking spaces in the rear yard. The existing layouts of the building do not provide appropriate space for indoor bicycle parking, as the building entrance is mid-story with stairs required to reach either the basement or the first floor.

The proposed project will advance and promote various purposes of the *Municipal Land Use Law (MLUL)*. Granting the requested variances for this project will guide the appropriate use and development in a manner which will propose adequate light, air and open space to the surrounding properties consistent with N.J.S.A. 40:55D-2.c. The project will promote a desirable visual environment consistent N.J.S.A. 40: 55D-2.i. by providing site improvements including as new building façade, new landscaping, and new canopies.

Negative Criteria: Granting the requested variances will not result in a substantial detriment to the general welfare. The project will adaptively re-use the existing structure which was formerly a dormitory for use as a mid-rise multi-family dwelling. The essence of the use, to house people, will not change with the proposed project. Renovation of the existing structure will bring it up to current building and fire code standards. Seven new street trees are proposed along Glenwood Avenue which will improve the streetscape.

Granting the requested variances will likewise not result in a substantial impairment to the intent and purpose of the zone plan and zoning ordinance. As the subject property no longer serves a function for the University, the adaptive re-use of the property as a multi-family dwelling consistent with uses permitted in the R-3 District would not impair the intent of the zoning ordinance.

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.d(1) and N.J.S.A. 40:55D-70.c(1).

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