

Principal Points Statement

130 Summit Avenue
Block 15305, Lot 11.02
Jersey City, NJ

A development application has been filed for the above noted property with the Jersey City Zoning Board of Adjustment for Site Plan approval and approval of variances pursuant to NJSA 40:55d-70.d.(5) (use; height) and NJSA 40:55d-70.c (curb cut width; drive aisle width; bulk). The subject property is located at 130 Summit Avenue, Block 15305, Lot 11.02 in Jersey City, New Jersey (the “Property”). The Property is located within the R-1 One and Two Family Housing zoning district (“R-1 Zone”)

The Property is an irregularly shaped lot of 28,233 square feet. The Property is currently comprised of a church and a vacant lot. The church, known as St. John’s Episcopal Church (“St. John’s”) was constructed in 1870 and is considered one of Jersey City’s finest gothic revival influenced religious buildings. The church is listed on the NJ DEP Historic Preservation Office’s Register of Historic Places. The church has been vacant since 1994 and has fallen into severe disrepair; the building is structurally unstable, portions of the roof have collapsed, and the interior of the church has been exposed to the elements for several years. See photos within the submitted site plans for photos of the existing conditions.

Applicant intends to stabilize and restore the exterior of the landmark existing church with some demolition at secondary facades in order to rehabilitate and adaptively re-use the building for residential use. The Applicant further proposes to construct two (2) new residential buildings that will be connected to the church. Both of the new buildings will be five (5) stories and sixty (60) feet and one-half inch (60’—1/2”) and the entire structure will contain eighty-two (82) new residential units (66 units will be in the newly constructed buildings and 16 will be constructed in the existing church), thirty (30) ground floor parking spaces, a rooftop amenity space, and bicycle parking (the “Project”). The three (3) buildings associated with the Project (the existing church and two new residential buildings) will be connected.

In conjunction with the Project, Applicant requests that the Board grant the following deviations from the JC LDO pursuant to N.J.S.A. 40:55D-70:

1. A variance pursuant to N.J.S.A. 40:55D-70(d)(1)(use) from Section 345-40.B. of the JC LDO to permit a multi-family residential building in the R-1 Zone;
2. A variance pursuant to N.J.S.A. 40:55D-70(c), or in the alternative, N.J.S.A. 40:55D-70(d)(6)(height) from Section 345-40.E.8. of the JC LDO to permit a five (5) story, 60'—1/2" tall building, where the maximum permitted height is three (3) stories, 44' tall;
3. Any other bulk variances pursuant to N.J.S.A. 40:55D-70(c) from Section 345-40 associated with the parking garage and curb cut; and
4. Any additional approvals, permits, variances, 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.

Positive Criteria: The Project will allow an aging historic building to be saved and preserved for future generations. St. John's is an important building in Jersey City's history, and was once home to the largest Episcopal congregation in New Jersey. Later, the congregation at St. John's was led by Reverend Robert W. Castle, who used his pulpit to advocate for civil rights and against American involvement in the Vietnam War. St. John's is located in, and is a contributing Property to, the Bergen Hill Historic District.

As part of the Project, the Applicant will restore and preserve the St. John's church building. The community as a whole will benefit from the preservation of this historic resource, which may be destroyed by the elements if action is not quickly taken. The completion of this Project will help to "promote the conservation of historic sites and districts...in the State and [will] prevent urban sprawl and degradation of the environment through improper use of land," N.J.S.A. 40:55D-2. By restoring the historic St. John's, the Project will be advancing the purposes of the Municipal Land Use Law ("MLUL").

The subject Property can accommodate the associated impacts of the higher density use. This site is particularly well suited to the proposed density because of its proximity to public transport, because of its location on a major arterial roadway, and because of the size of the Property. The Property fronts on Summit Avenue, with a bus stop for the #6 bus located

immediately adjacent to the Property, and a bus stop for the #87 bus located a 0.2 mile walk from the Property, allowing for a twenty-minute journey between the Property and the Journal Square Transportation Center. Further, the Property is far larger than the minimum lot size required by the R-1 Zone. Based on the foregoing factors, the Property is uniquely suited to the density proposed by the Project.

The Property can accommodate the impact associated with the proposed height because of the oversized nature of the lot and because of the context of the neighborhood. The lot size is 28,233 square feet, where the minimum lot size in the R-1 Zone is 2,500 square feet. In addition, there are several buildings in the immediate neighborhood that provide context for a multi-family building with a greater-than-permitted height. First, there is the church itself. The church stands at 79 feet tall, which is taller by than the proposed additional residential buildings by approximately 7 feet. However, the design of the additional residential buildings is meant to blend with St. John's architectural style. The hope is that a pedestrian would see the three buildings as similar in scale and architectural style, and to make clear that the three total buildings are interconnected. Given the mirroring architectural styles between the St. John's building and the proposed additional residential building, it is submitted that the Property can accommodate the height of the Project and that the Project will fit within the context of the neighborhood.

There are several multi-family buildings in the immediate vicinity of this Project that provide context for a multi-family building of approximately this height in this neighborhood. For example:

- 5 Gardner Avenue. Block 16803, Lot 31. 7,500 square foot lot. Four stories 28 units.
- 11-15 Gardner Avenue. Block 16803, Lot 30. 6,500 square foot lot. Four stories 28 units.
- 127-129 Summit Avenue. Block 16802, Lot 39. Approx. 6,799 square foot lot. Four stories 21 units.

Although none of these buildings are quite as tall as the proposed Project, they clearly provide a context for a multi-family building in this neighborhood. Further, "The Beacon" is a massive mixed-use complex that is an adaptive re-use of a hospital complex, and includes some of the tallest buildings in Jersey City outside of the waterfront area. The Beacon is just down the

road from the Property and provides an example of an earlier adaptive re-use of a historic building and shows that the neighborhood can accommodate such a use.

To sum up the positive criteria, the proposed Project will promote the purposes of the Municipal Land Use Law by promoting the conservation of historic sites and districts, by guiding appropriate development of a vacant lot, by establishing an appropriate population density that will contribute to the population's well-being and the area's character as a residential neighborhood consistent with the R-1 Zone's goals, and by creating a desirable visual environment. The granting of the requested variances will promote the conservation of a historic site and a historic district, consistent with N.J.S.A. 40:55D-2.j. It will also be a municipal action that will guide the appropriate development of the vacant property with a multi-family building and will promote the public health, safety, and general welfare, consistent with N.J.S.A. 40:55D-2.a. Also, the proposed project will also establish an appropriate population density and will contribute to the well-being of persons, the neighborhood, and community, consistent with N.J.S.A. 40:55D-2.e. Lastly, the proposed multi-family building will be developed on a vacant lot and will promote a desirable visual environment through creative development technique, and good civic design and arrangement, consistent with N.J.S.A. 40:55D-2.i. In sum, granting the requested variances will promote the purposes of the Municipal Land Use Law.

Negative Criteria: The proposed Project will not create a substantial detriment to the general welfare because it will be consistent with the intent of the R-1 Zone. The proposed Project will develop a vacant and structurally unsound historic church building and vacant lot with a multi-family residential building consistent with the character of the surrounding area. This proposed Project fulfills the purposes of the R-1 Zone because it is a residential building in an area within walking distance of several important bus lines, as well as nearby the Journal Square Transportation Center.

“c” Variances:

There are two “c” variances that both relate to the parking garage. The Applicant is seeking a variance to permit a curb cut width of 25.55’ and 22’, where the maximum permitted curb cut is 10’ wide. The Applicant is also seeking a variance to permit a garage door width of 20’, where 10’ is the maximum permitted, and a drive aisle width of 24’ and 20’ where 10’ is the maximum width permitted.

These variances related to the parking garage may be granted because the benefits of granting the variances outweigh any substantial detriments. The standards for a parking garage in the R-1 Zone are not designed for a parking garage with this many parking spaces. Though a curb cut of 10' might be appropriate for parking for a one and two family house, it simply does not provide enough room for two-way traffic in a garage that will hold thirty (30) vehicle parking spaces over two different garages. The curb cut must be that wide to permit cars to safely enter and exit the parking garage. Similarly, within the garage itself, the greater than permitted drive aisle width will allow for two-way traffic and make the parking garages much more usable. This will be a benefit to the surrounding neighborhood because it will allow future residents of the Project to park off-street, and avoid taking up the precious few on-street parking spaces. Further, there is an existing 21.03' curb cut at the Property, so the condition will only be worsened slightly. For these reasons, the benefits of providing off-street parking to the Project outweigh any substantial detriments associated with granting the variances. For this reason, the requested variances may be granted.

Conclusion: The requested variances can be approved in that both the positive and negative criteria have been met pursuant to NJSA 40:55D-70.d(6) for the use and height variance wherein the subject property is well suited to accommodate the proposed density and bulk without detrimental impact to the character of the area or the intent of the zone plan. The resulting development promotes the general welfare and is beneficial in that it will restore a historic building. The "c" variances can be granted because the benefits of granting them outweigh any substantial detriments. The granting of the variances will not result in a substantial detriment to the public good, and will not substantially impair the intent and purposes of the zone plan as discussed above. The benefits of granting the variances outweigh any substantial detriments.

The applicant reserves the right to supplement the foregoing reasons with expert testimony at the Zoning Board hearing.