

RESOLUTION
City of Jersey City
P20-073

Applicant: 252 MONTICELLO LLC

Address
252 Monticello Avenue
Jersey City, New Jersey
Block 15203 Lot 2

Decided on Tuesday November 17, 2020
Memorialized on Tuesday May 18, 2021
Application for Minor Site Plan Approval with C Variances

WHEREAS, 252 MONTICELLO LLC (the “**Applicant**”) has made an application before the City of Jersey City Planning Board for the property located at 252 MONTICELLO AVENUE and identified on the Tax Map of the City of Jersey City County of Hudson State of New Jersey as Block: 15203 Lot(s): 2 (the “**Property**”) seeking Minor Site Plan approval with C variances for (i) minimum rear yard setback resulting in a three story mixed use building with commercail on the ground floor and residential above (the “**Application**”) and

WHEREAS, due notice of a hearing before the Planning Board of City of Jersey City, on November 17, 2020 at 5:30PM was duly published as prescribed in the Jersey City Land Development Ordinance of the City of Jersey City; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

WHEREAS, The Application was deemed complete prior to the hearing

WHEREAS, the Board determined it had jurisdiction to hear this application; and

WHEREAS, JEFF JORDAN a licensed architect in the State of New Jersey was qualified by the Board and testified on the Applicant’s behalf; and

WHEREAS, CHARLES HEYDT, a licensed planner in the State of New Jersey was qualified by the Board and testified on the Applicant's behalf; and

WHEREAS, the Board gave the public opportunity to comment on the Application.

WHEREAS, seeing no members of the public desiring to testify, public comment was closed by the Board; and

WHEREAS, ERICA BAPTISTE a planner employed by the City of Jersey City ("Staff"), was duly sworn, and testified in support of the Application.

WHEREAS, the Applicant was represented by NICHOLAS CHERAMI, ESQ. of THE CHERAMI LAW FIRM;

NOW, THEREFORE, after consideration of the Application, the submittals of the Applicant, the testimony presented at the hearing, and the oral and written comments and recommendation of the Division of Planning professional staff, the Board has made the following findings of fact:

1. The Property is an existing one-story warehouse located mid-block between Fairview Avenue and Storms Avenue in the NC zone.
2. The Applications proposes to adaptively reuse the existing warehouse by adding two stories to the existing building and converting the use to a permitted mixed use of artist studio on the ground floor and residential above the ground floor.
3. There are existing legal non-conforming and non-standard conditions of lot area, lot depth and rear yard setback
 - a. The standard required lot area for the NC zone is 2500 Square Feet, the existing site is 1590 Square Feet.

- b. The standard lot depth for the NC zone is 100 feet . the existing depth is 66 feet
 - c. The standard and required rear yard setback in the NC zone is 15 feet, the existing and proposed rear yard setback is 0 feet.
- 4. The Applicant is requesting a C variance for **rear yard standards** where 15 feet are required, and 0 feet are proposed.
 - a. The requested bulk “c” variance can be granted pursuant to N.J.S.A. 40:55D-70.c.(2), wherein the benefits of the proposed project would substantially outweigh any detriments.
 - b. The proposed project will replace an existing nonconforming industrial/commercial use with a mix of commercial and residential uses that are permitted and encouraged in the NC District.
 - c. The subject property’s lot depth of approximately 66 feet and lot area of 1,590 square feet are both existing nonconforming conditions where a minimum lot depth of 100 feet and a minimum lot area of 2,500 square feet are required.
 - d. The existing one-story building that will be rehabilitated has an existing nonconforming rear yard setback of 0 feet where a minimum of 15 feet is required.
- 5. The Application is consistent with the following Purposes of the MLUL
 - a. The Application promotes a desirable visual environment through creative development techniques and good civic design and arrangement in accordance with purpose I of the MLUL through the rehabilitation of the existing building

and addition of two stories to create an appropriately scaled three-story mixed use building that will improve the streetscape; and

6. The Application proposes a permitted mixed-use building with ground floor commercial that will help activate the streetscape consistent with the intent and purpose of the NC district.
7. There are no substantial detriments to the public good by granting the relief requested.
8. The granting of the relief requested does not substantially impact the intent and purpose of the zone plan or zoning ordinance.
9. The use proposed by the Application is permitted.
10. Based upon the Application and supporting materials, plans, reports and testimony placed before it, the Board finds that the Applicant has met the requirements of and advances the purposes of the Municipal Land Use Law, case law and City Ordinances so as to grant the approval of the Application.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the Application with the following conditions:

1. All testimony given by the applicant and their expert witnesses in accordance with this application shall be binding;
2. All material and color selections shall be shown on the final plans. No change to the façade and site design, including materials as well as any changes that may be required by the Construction Code Official, shall be permitted without consultation and approval by the Planning staff.

3. All street trees and landscaping shall be installed prior to an issuance of Certificate of Occupancy;
4. Architect of record shall submit a signed and sealed affidavit confirming that the building was constructed as approved, prior to issuance of the Certificate of Occupancy
5. The Applicant shall work with the MUA and Division of Traffic and Engineering to address the conditions contained in the respective review letters.

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Vote: 9-0 in favor

Commissioners	Yes	No	Abstain
Chairman LANGSTON	x		
Vice Chairman GONZALEZ	x		
Commissioner DESAI	x		
Commissioner TORRES	x		
Commissioner THAKUR	x		
Commissioner HORTON	x		
Commissioner ALLEN	x		
Commissioner CRUZ	x		



Christopher Langston (May 20, 2021 18:30 EDT)

Christopher Langston, Chairman
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:

DATE OF MEMORIALIZATION:



Cameron Black (May 21, 2021 09:09 EDT)

CAMERON BLACK, Secretary
JERSEY CITY PLANNING BOARD



Santo T. Alampi (May 21, 2021 11:15 EDT)

Santo T. Alampi, Esq.
JERSEY CITY PLANNING BOARD

MAY 18, 2021