

CITY OF JERSEY CITY

Department of Housing, Economic Development & Commerce
Division of City Planning
Interdepartmental Memorandum

DATE: April 29, 2021

TO: Planning Board Commissioners

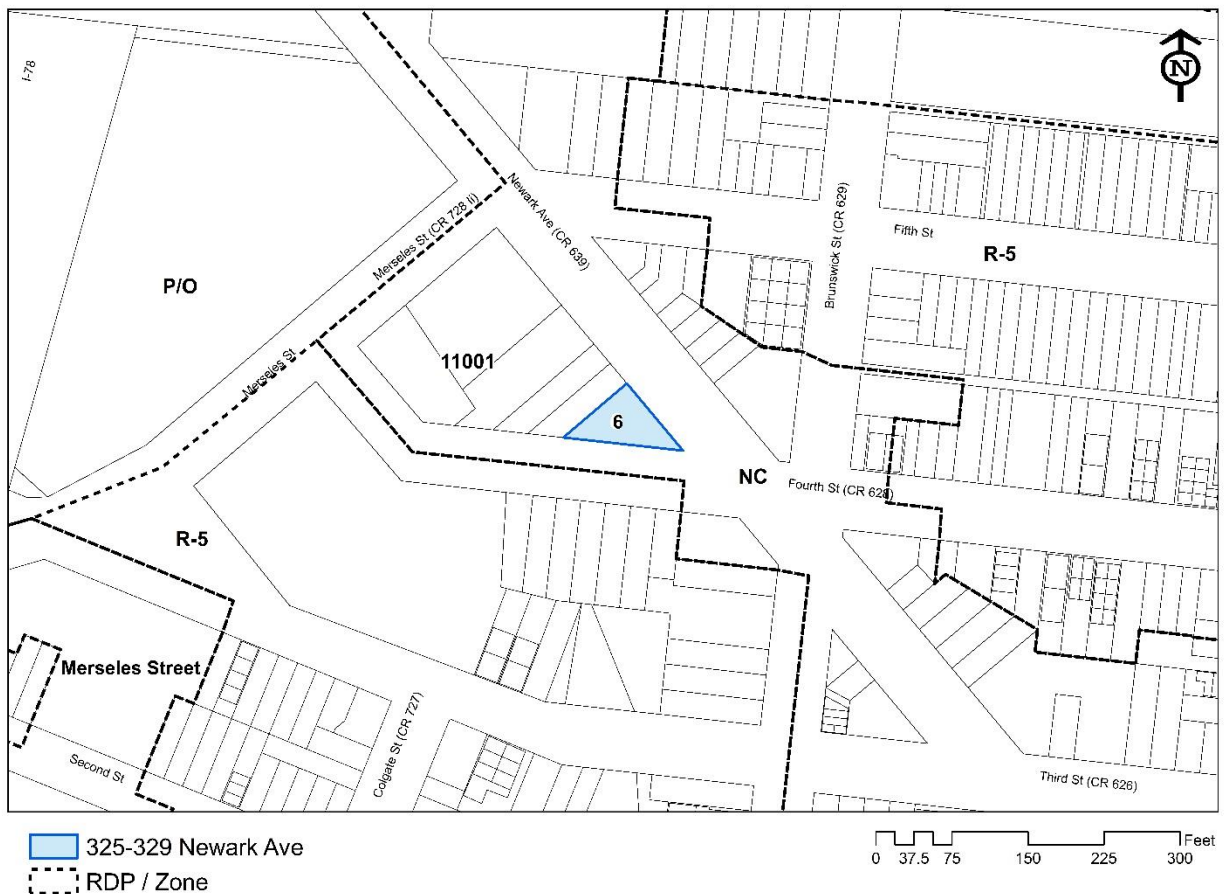
FROM: Lindsey Sigmund, AICP, Senior/Environmental Planner

RE: Case #P20-117 325-329 Newark Avenue
Preliminary & Final Major Site Plan w/ C Variance

Documents Reviewed:

- City of Jersey City General Development Application, received by City Planning August 24, 2020;
- Plans entitled "Proposed 5 Story 16 Unit Residential Building with Commercial", prepared by Murat Mutlu, AIA, dated August 11, 2020, revised January 7, 2021;
- Jersey City Municipal Utilities Authority (JCMUA), dated April 14, 2021;
- Statement of Principal Points, undated.

Site Location:



Application Background and Proposal:

The subject property, known as Block 11001, Lot 6 is located at 325-329 Newark Avenue in the Neighborhood Commercial (NC) Zone. The site is comprised of one 3,698 SF irregular corner lot. The property is currently improved with a one (1)-story gas station.

The Applicant is proposing to demolish the existing structure to construct a five (5)-story mixed-use building containing sixteen (16) dwelling units and ground floor commercial. The proposal includes 1,976 SF of ground floor retail and the upper floors include 16,317 SF of residential space distributed as twelve (12) 1-bedroom units and four (4) 2-bedroom units. The ground floor plan includes ground floor retail, utilities, and a lobby. The proposed roof plan includes a common deck area, screened utilities, and a 357 SF green roof area to mitigate stormwater runoff. The property is located in the 100-year floodplain therefore is subject to the Flood Overlay Zone requirements. The site is designated as “AE” per FEMA Flood Maps (2015) therefore the project must meet a Green Area Ratio (GAR) of 0.25. The applicant is proposing a green roof, rooftop plantings, permeable pavers, and street trees to meet this requirement.

The Applicant is requesting relief from the 15 FT minimum rear yard setback requirement. Table 1 outlines the bulk requirements for the NC Zone.

Table 1: R-5 Bulk Standards			
Standard	Required	Proposed	Conforming (Y / N)
Min. Lot Size	2,500	3,698	Y
Min. Lot Width	25 FT	87.71-121.52 FT	Y
Min. Lot Depth	100 FT	84.23 FT	N*
Front Yard	0 FT	0 FT	Y
Side Yard	0 FT	3'-1"	Y
Rear Yard	15 FT	0 FT	N
Max. Height	5 Stories / 55 FT	5 Stories / 55 FT	Y
Flood Overlay Zone Standards			
Green Area Ratio (GAR)	0.25	0.25	Y
*Pre-existing non-conforming			

Staff Comments:

“c” Variance Rear Yard Setback

The rear lot line is opposite the front lot line, which in this case the front lot line is on Newark Ave (lesser frontage). Due to the triangle shape of the lot, there are two frontages “opposite” of the front yard – the lot line on 4th Street and the eastern lot line adjacent to lot 5. In order to justify a “c” Variance, the uniqueness of the site is considered. Meaning, the applicant must be facing an exceptional circumstance prohibiting them from meeting the requirement. The subject property is an irregular triangle-shaped lot with pre-existing non-conforming lot depth

thus meeting the criteria to be granted a c(1) variance. The Applicant is proposing a 3'-1" setback on the eastern lot line, which could be considered a side yard setback since it shares a lot line with lot 5. Since no side yard setback is required in the NC Zone, requiring a 15 FT setback on 4th Street would be considered a hardship thus justifying the request for the Variance.

The Applicant's experts shall address the following points:

1. The Applicant's experts shall address through testimony the positive and negative criteria required to grant relief from NC bulk standards.
2. The Applicant's experts shall provide testimony regarding the retention capabilities of the green roof and tree pits.
3. The Applicant's expert witnesses shall provide testimony on the proposed façade elements and create a verbal record of the materials to be used on the project.

Staff Recommended Conditions:

1. No change to the site design shall be permitted without consultation with and approval by planning staff.
2. All testimony given by the applicant and their expert witnesses in accordance with this application shall be binding.
3. All street trees/landscaping shall be installed in accordance with 345-66 and the City's Forestry Standards, prior to an issuance of a Certificate of Occupancy.
4. All comments from JC Engineering and JCMUA shall be addressed and shown on final signature plans.