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Narrative Statement of Applicant

The storefront of 990 Broadway is currently used as a bar that serves takeout food to its customers. It currently has seating for up to 68 customers. This is a pre-existing non-conforming use in the UBD zone. The second floor is a small, currently vacant residential unit. There is no parking available on the site and the structure covers the entire lot. It is approximately a 4 block walk to the 45th Street Light Rail station. The applicant seeks to convert the residential unit area on the second floor into a kitchen for the existing bar. No customers would be allowed in this space, it would only be for restaurant staff.

The applicant seeks use variance relief from the UBD ordinance §35-5.11 because bars and restaurants are not a permitted use. The applicant would not make any other changes to the facilities. Specifically, no changes would be made to the existing restaurant space on the first floor and the total existing seating for customers would remain the same. Therefore although this may technically be an expansion of a non-conforming prior use, the actual facilities for serving customers will not be expanded.

The applicant also seeks bulk variance relief from ordinance §35-17.6 for parking. This is appropriate for several reasons. First, there would be no physical changes to the number of seats serving customers from the existing conditions at the site. The ordinance requires 4 parking spaces per seat, and there will be no increase in the seating. Furthermore by converting the existing residential use on the second floor to a kitchen, the parking requirements are actually decreased for the site from its existing conditions. A residential unit requires a minimum of one parking space per dwelling unit and this residential unit would be removed, *decreasing* the intensity of the need for parking in accordance with the parking ordinance. Finally any potential impacts on parking would be mitigated by the site's location only blocks from the Light Rail station.