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Memorandum

DATE: March 14, 2023

TO: Members of the Plainfield Planning Board

FROM: Malvika Apte, PP, AICP 
Consulting Board Planner

CC: Maximo Vazquez, Planning Board Secretary
Peter Vignuolo, Esq., Planning Board Attorney
Drew DiSessa, PE, PP, CME, Board Engineer
Zenobia L. Fields, Director, Department of Economic Development
Brittany Claybrooks, City of Plainfield Planning Director
N'Dela Costley, City of Plainfield Zoning Officer
Joseph D. Castor, Esq., Applicant's Attorney
Amertech Engineering, Inc., Applicant's Engineer
Buckman Architectural Group, Applicant's Architect

RE: Planning Review #2
Application PB 2022-01
Applicant: Vietreal United Group, LLC
437-457 West Front Street, Plainfield, NJ 07060
Block 239, Lots 5.01 & 7
Zone: MU Mixed Use District

FILE NO.: HPFP0239.01

Per your request our office has reviewed the following items in relation to this application:

- Application form received by the City January 5, 2022;
- Response letter prepared by Amertech Engineering, Inc. dated March 1, 2023;
- Political Contribution Disclosure Statements for Applicant, Applicant's attorney, Applicant's architect, and Applicant's engineer;
- Copy of Deed for "Walk and Building Easement" dated August 20, 2002;
- Corporate Disclosure Form for Vietreal United Group, LLC;
- Tax Bills for 3rd and 4th Quarters of 2021, and 1st and 2nd Quarters of 2022 for both subject properties;
- Copy of "Traffic and Parking Assessment" prepared by Miskovich Consulting Engineers, LLC dated May 24, 2022;



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 2

- Copy of “Engineer’s Report for Sanitary System West Front Street Block 239, Lots 5.01 & 7 City of Plainfield, Union County, New Jersey” prepared by Amertech Engineering, Inc. dated September 28, 2022;
- Copy of “Engineer’s Report for Sanitary System West Front Street Block 239, Lots 5.01 & 7 City of Plainfield, Union County, New Jersey” prepared by Amertech Engineering, Inc. dated September 28, 2022;
- Copy of “437 W Front Street Trash and Recycling Plan”;
- Copy of “Recycling Statement” prepared by Amertech Engineering, Inc. dated September 28, 2022;
- Copy of “Stormwater Narrative for West Front Street Lots 5.01 & 7 in Block 239 City of Plainfield Union County, New Jersey” prepared by Amertech Engineering, Inc. dated May 19, 2022 and last revised September 26, 2022;
- Two (2) sheets of drainage area plans prepared by Amertech Engineering, Inc. dated September 26, 2022;
- One (1) sheet of Boundary and Topographic Survey of Tax Maps Lots 5.01 & 7 Block 239 City of Plainfield Union County, New Jersey, prepared by Amertech Engineering, Inc., and dated June 3, 2021;
- Two (2) sheets of architectural plans entitled “Mixed-Use Building 437 West Front Street, Plainfield, NJ” prepared by Buckman Architectural Group, dated July 11, 2022 and last revised March 2, 2023.
- Six (6) sheets of engineering site plans entitled “Major Site Plan Tax Map Lots 5.01 & 7 Block 239 City of Plainfield Union County, New Jersey Tax Map Sheet No. 160” prepared by Amertech Engineering, Inc., dated December 19, 2021 and last revised March 2, 2023.

We offer the following comments for the Board’s consideration:

1. Summary of Application/Proposal

The Applicant, Vietreal United Group, LLC, is proposing to construct a three-story mixed-use building with a 5,917 square foot footprint. The building will include retail (5,035 square feet of gross floor area) and residential lobby on the first floor. The revised plans now propose nine (9) units, of which five (5) will be one-bedroom units and four (4) will be two-bedroom units. The previous plan proposed 10 apartments (five one-bedroom and five two-bedroom units). The revised plans propose four residential dwelling units on the second floor (revised down from five), and five dwelling units on the third floor. **The second floor will also include a 797 square foot common amenity space (in lieu of a fifth apartment unit).** The retail space, according to Applicant’s Application Statement and the plans, will be used as a laundromat, which is a



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 3

permitted use in the MU Mixed Use zone. The plans indicate that 108 washers and dryers are proposed: 50 washers and 58 dryers. The basement will include tenant storage spaces (***plans have been revised to indicate nine total, with each providing 560 cubic feet each***). ***The plans have been updated to indicate a tenant package storage room, building utilities, building storage, and laundromat equipment and storage room.*** The proposed project also includes a parking lot with 36 spaces, stormwater management improvements, site lighting, and other site improvements. The Applicant is seeking preliminary and final site plan approval for the proposed project, along with bulk and supplementary zoning variance and design standard waivers. ***The Applicant has also indicated that they will consolidate the lots if required by the Board. Instruments to consolidate the lots by deed must be approved by the Board Engineer and Board Attorney.***

The Application initially included the preservation of two (2) billboards on the subject site, which would have required a d(1) use variance. The Applicant no longer intends to keep the billboards and will remove the billboards as a condition of approval. Given this revision, a d(1) use variance is no longer required.

There is a triangular easement located along the easterly property boundary (identified as “per Deed Bk. 5345 Pg. 429). A parking space encroaches into this easement. Applicant must clarify the nature of this easement and if it is to be vacated/removed.



View of eastern frontage of subject property from West Front Street, showing the billboards.
Source: Google Maps Street View (image taken in June 2021)

2. Completeness

The application was filed with the City on **January 5, 2022** and was initially determined to be incomplete on **February 7, 2022**. During further rounds of submissions, the application was



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 4

deemed incomplete on **June 23, 2022** and **August 17, 2022**. After another round of material submission, the application was determined to be capable of being deemed complete on **October 31, 2022**. Once the application was moved back to the Planning Board, we issued a completeness letter on **January 20, 2023**. Per our January 20, 2023 Completeness Review Letter #5, the following items were noted as missing or incomplete:

- a. **§17:8-2.B.6:** All requisite escrow deposits and fees. ***We defer to the Board Secretary to determine compliance with this item.***
- b. **§17:8-2.F.7:** Location of...truck movement wheel base templates.... ***Truck turning diagrams have been provided on the site plan sheets. This item is complete.***
- c. **§17:8-2.F.14:** Location, type, and volume of refuse storage and recycling ***Applicant has provided a refuse/recycling plan indicating how trash and recycling will be handled inside the building, how it will be transported to the outside refuse/recycling area, what agency/company will provide pick-up services, and the timing of these pick-up services. This item is complete.***
- d. **§17:8-2.F.18:** A sign plan for all existing and proposed signs. ***Applicant's attorney has indicated that signage will comply with ordinance design standards and will be subject to post-approval sign permits if approval is granted by the Board. We therefore take this as a waiver request and will not review signage with this application.***
- e. **§17:8-2.G.1 - 5:** ***These final site plan requirements are taken as submission waiver requests at this time.***

3. Subject Site and Surrounding Land Uses

This section is reiterated from our previous Planning Reviews.

The subject site consists of Block 239, Lots 5.01 and 7. The properties are interior lots southwest of the intersection of West Front Street with New Street, south of the City's central business district, near the City's western border with North Plainfield. The site is situated in the MU Mixed Use Zone and is approximately 25,035 square feet in size. The submitted survey of the property indicates that the subject site is currently vacant, although we note that the site plans show that there may be foundations remaining below ground from buildings that were demolished (the latest noted as being removed in 1970).



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 5



View of western frontage of subject property from West Front Street.
Source: Google Maps Street View (image taken in June 2021)

Review of NJDEP NJ-GeoWeb does not show any known environmental issues on the property. The Applicant has submitted a Standard Flood Hazard Determination Form indicating that a portion of the property is located in FEMA Flood Zone X: Area of Minimal Flood Hazard.

The subject site is immediately surrounded to the southwest, south, and east by residential (what appear to be single-family and two-family) uses. Immediately to the northeast is a restaurant and a liquor store. Across West Front Street are mixed use (retail/residential) buildings, commercial buildings, and an industrial building.

4. Zoning and Bulk Review

Use: This is reiterated from our previous Planning Reviews. The subject property is located in the MU Mixed Use zone, in which mixed uses with retail on the ground floor and apartments above is permitted, and the laundromat use is permitted. **These comply;** however, the billboards that exist on the site are not permitted. **The Applicant now proposes to remove the billboards. This complies. Applicant testified that billboards would be removed within 60 days of approval.**

Applicant testified that the laundromat would be open from 7:00am to 10:00pm, with the last wash permitted at 8:30pm. Applicant also confirmed that there would be two (2) employees at the laundromat.

- a. **Bulk Regulations: The following is reiterated from our previous Planning Reviews.** The following table indicates the bulk requirements in the MU Mixed Use District and the proposed development's compliance with the standards. This analysis is based on the consolidation of the two subject properties.



City of Plainfield Planning Board
 Re: PB 2022-01 (Vietreal United Group LLC)
 Planning Report #2

March 14, 2023
 Our File No. HPFP0239.01
 Page 6

Bulk Regulations: MU Mixed Use Zone (mixed use standards)			
	Required	Existing (both lots combined)	Proposed
Minimum Lot Area (sq. ft.)	5,000	25,035	25,035
Maximum Density (d.u./acre)	25	--	17.4
Minimum Lot Width (feet)	50	169.43	169.43
Minimum Lot Frontage (feet)	50	169.43	169.43
Minimum Lot Depth (feet)	100	140.36	140.36
Minimum Front Yard Setback (feet)	10	--	5 (V)
Minimum Side Yard Setback One / both (feet)	5 / 10	-- / --	10 / 63.1
Minimum Rear Yard Setback (feet)	15	--	72.5
Maximum Floor Area Ratio (FAR)	1.8	--	0.72
Maximum Percent Building Cover	60%	--	23.6%
Maximum Percent Total Lot Cover	70%	1.8%	76.5% (V)
Maximum Number of Stories	3	--	3
Maximum Building Height (feet)	35	--	31.5
Minimum Improvable Area (sf)	2,100	19,342	19,342
MIA – Diameter of Circle (feet)	32	58	58
(V) Variance (e) Existing Non-Conformity			

- i. The proposed development requires **two bulk variances** in addition to the d(1) use variance. One variance is for the front yard setback, while the other is for lot coverage.

5. Supplementary Regulations

- a. Parking: The following table indicates the parking requirements for the proposed development, per the **§17:9-42.J.2** of the Land Use Ordinance and the New Jersey RSIS. Applicant has removed one apartment unit, reducing the required parking by 2 spaces. The plans have also been revised to provide 34 instead of 36 parking spaces. Two spaces have been removed to provide a “Pickup & Dropoff Area” toward the rear of the parking area to allow space for trash hauler to back up and leave the parking area. **As the table indicates, a variance is still required. We recommend curbing or bollards be**



City of Plainfield Planning Board
 Re: PB 2022-01 (Vietreal United Group LLC)
 Planning Report #2

March 14, 2023
 Our File No. HPFP0239.01
 Page 7

provided in the "Pickup & Dropoff Area" to prevent trucks from hitting parked vehicles.

Use	Standard (Minimum)	Required	Proposed
Retail (Laundromat)	1 space / 2 washer and dryer machines	108 washers/dryers / 2 = 54 x 1/2 = 27	
Residential: Garden Apartment	2-Bedroom: 2.0 per unit	2.0 x 4 units = 8 spaces	
Residential: Garden Apartment	1-Bedroom: 1.8 per unit	1.8 x 5 units = 9 spaces	
EV Spaces		4 spaces	2
Total		45.8 = 44	34 (V)

(V) Variance (e) Existing Non-Conformity

- i. ***It appears that four (4) electric vehicle spaces, one of which is ADA-accessible, are proposed in the northeastern corner of the parking lot. Applicant shall confirm this in testimony and providing a second call-out for what appears to be a second charging station***

Use	Standard (Minimum)	Required	Proposed
Nonresidential	1 Make-Ready space for parking lot under 50 spaces	1	
Residential in > 5 unit developments	15% of required spaces	15% x 19 = 2.85 = 3 EV spaces	
Total		4	4 – to be confirmed

(V) Variance (e) Existing Non-Conformity

- b. ***HVAC:*** Applicant testified that no equipment is proposed on the roof, and that PTAC units will be provided for the apartments. The elevations indicate the location of architectural louvre/grille covers. Additional details on these covers is required, including color and make of the louvre/grill. This information should be provided on the elevations and testimony provided regarding the same.
- c. ***Fencing:*** Applicant has confirmed that the fencing around sides and rear of the subject site is to be six (6) foot tall white vinyl fencing.



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 8

- d. Parking Lot Buffering: Per **§17:9-24.C** a parking lot must be buffered a minimum of five (5) feet from non-residential uses or districts. A portion of the easterly parking area essentially has no setback from the property boundary with a commercial lot. **A variance is required. This comment and variance remain.**
- e. Parking Lot Location: Per **§17:9-42.E** a parking lot must be located to the rear of a building or the interior of a site where “its visual impact to adjacent properties and the public right-of-way can be minimized.” Part of the proposed parking lot is located to the side of the proposed building. **A variance is required. This comment and variance remain.**
- f. Equitable Distribution of Spaces: Per **§17:9-42.R** equitable distribution of parking is required. **Nine parking spaces to the rear of the building are labeled “Apt.” We take this to mean that these nine spaces are proposed to be dedicated parking for apartment residents. As the table previously provided for parking indicates, a total of 17 spaces are required for the apartments. We recommend a “shared parking” arrangement in which an additional eight (8) spaces are reserved for resident use after business hours for the laundromat.**
- g. Parking Lot Landscaping: Per **§17:9-43.B** at least 5% of the interior of a parking lot containing more than 10 parking spaces must be provided with landscaped planting islands. No such islands are proposed. **Revised plans indicate that no planting islands are provided. A variance is required.**
- h. Shade Trees: Shade trees or a contribution to the Shade Tree Fund may be required, per **§17:9-49.C**. No shade trees are provided along West Front Street. We defer to the STC to identify any requirements for the proposed development. **This comment remains.**

6. Site Plan Design Standards

- a. Architectural Compatibility: **Applicant provided testimony to the Board’s satisfaction at the previous Board hearing. However, Applicant shall provide testimony regarding where the vents for the dryers will be located and directed to. Testimony and additional details must also be provided regarding PTAC louvre/grille color, material, and design.**
- b. Roof Treatment: The Applicant has provided a parapet on all sides of the building to help define the flat roof in an architecturally appropriate manner. This is satisfactory.
- c. Main Entrances: **Applicant provided testimony regarding the main entrance at the previous Board hearing to the Board’s satisfaction.**
- d. Lighting: Lighting of the front of the building should be shown and identified on the architectural and site plans. Decorative lighting is indicated on the elevations, but not on the site plans. This shall be revised. Additionally, a lighting plan has been provided that indicates the average illumination level for the parking lot is 1.1 foot-candles. This



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 9

complies with the required average illumination level of 1.0 to 2.5 foot-candles per §17:9-12.F of the LUO.

- e. Dwelling Unit Storage Space: **Applicant has provided revised floor plans indicating that each of the nine apartments will be provided a 560 cubic foot storage room in the basement, where 350 cubic feet is required. This is satisfactory and complies.**
- f. Dwelling Unit Private Open Space: **Per §17:11-8.B.9b a design waiver is required to permit lack of private open space above the first floor.**
- g. Loading Spaces: Per §17:11-13.B a commercial space of the size proposed with this development does not require a loading space. No loading space is proposed. **Applicant shall discuss how deliveries of required materials, if any, will be made to the laundromat.**
- h. Open Space: A small area in the southern corner of the property is to include two picnic tables with benches. We question the location and arrangement of this area. When cars are parked, the location will not be easily accessible, and without a barrier from the parking lot, the location will likely not be enjoyable.
- i. Refuse Area in Parking Lot:
 - i. The size and type of recycling and trash receptacles in the trash enclosure must be identified on the site plans and in a Trash and Recycling Plan. **This comment remains.**
 - ii. **Applicant has provided a Trash and Recycling Plan that indicates tenants of the residential apartments will be responsible for removing trash and recycling to the outdoor storage area, with waste from the laundromat taken out by employees twice a day. Pickups of trash and recycling will be made by Grand Sanitation Service on Mondays between 5 and 6 am, with the possibility of an additional pick-up on Fridays if accumulation of trash warrants.**
 - iii. A truck turning diagram for the trash truck shall be provided for review by the Board professionals. **A truck turning diagram has been provided and appears satisfactory.**
 - iv. Applicant shall discuss whether any chemicals for the laundromat will need to be stored on and disposed from the site. If yes, Applicant shall provide plans for the disposal of all chemicals. **The Applicant has indicated the only foreseen chemicals to be stored and disposed of will be laundry detergent bottles or boxes, and will be disposed of by employees moving the waste to the outdoor storage area two times a day.**



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 10

7. Master Plan

This section is reiterated from our previous Planning Reviews.

The 2020 City of Plainfield Master Plan report identifies this property as within the Mixed Use zone district. The intent of this zone is “to act as a buffer district between lower-density residential areas and areas with higher concentrations of commercial uses. When mixed use structures are proposed, the Master Plan indicates that in the MU zone, the intent is for retail and commercial uses on the first floor with apartments above. The proposed development is for a commercial use (laundromat) on the ground floor, with multi-family dwellings above.

8. Planning Comments

This section is reiterated from our previous Planning Reviews.

- a. The Applicant shall provide testimony justifying all variances to the Board’s satisfaction (see the Statutory Criteria section below).
- b. Testimony shall be provided regarding the exterior architectural design and its suitability for the surrounding neighborhood.
- c. Testimony shall be provided regarding how construction would proceed with this project, including hours of construction, equipment to be utilized, and how this would impact surrounding properties.
- d. We defer to the Board Engineer regarding drainage, storm water, utilities, traffic impact, and other engineering issues related to the site.
- e. The applicant should be prepared to discuss whether any additional permits/approvals are required by outside agencies.

9. Statutory Criteria

This section is reiterated from our previous Planning Reviews.

Several bulk and supplemental variances are required to permit the proposed development. For these, the Board has the power to grant a c(1) hardship variance or a c(2) benefits vs. detriments variance. An applicant requesting a c(1) variance must show that (a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or structure lawfully existing thereon, the strict application of any would result in particular and exceptional practical difficulties or undue hardship upon the developer of such property.



City of Plainfield Planning Board
Re: PB 2022-01 (Vietreal United Group LLC)
Planning Report #2

March 14, 2023
Our File No. HPFP0239.01
Page 11

An applicant requesting a c(2) variance must prove that granting of the variance will advance the intent and purposes of the Municipal Land Use Law and that benefits of granting of the variance will substantially outweigh the detriments.

The Board should:

- Evaluate the testimony to determine whether it should elicit additional information to supplement the record;
- Make specific findings of fact based on the record to support its conclusions;
- Consider whether, in lieu of denying an application, it can approve it subject to reasonable conditions which would modify the proposal and obviate or minimize any negative impact;
- Remember to be conscientious in its review of the facts since outright denial may amount to confiscation this requiring condemnation by municipality.

If you should have any questions with regard to the above matter, please do not hesitate to call.

MA:nf