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## Memorandum

DATE: November 23, 2021

TO: Members of the Plainfield Planning Board

FROM: Malvika Apte, PP, AICP *MA*  
Consulting Board Planner

CC: Daniel White, Planning Board Secretary  
Peter Vignuolo, Esq., Board Attorney  
Carlos Fuentes, PE, CME, Board Engineer  
Valerie Jackson, Director, Department of Economic Development  
Stephen F. Hehl, Esq., Applicant's Attorney  
1014 South Avenue Urban Renewal, Applicant  
Thomas Quinn, PE, Applicant's Engineer  
Adrian Melia, AIA, Applicant's Architect

**RE: *Planning Review # 1***  
***Application # PB 2021-38***  
***Applicant: 1014 South Avenue Urban Renewal, LLC***  
***Location: 1008-1014 South Avenue, Plainfield, NJ 07062***  
***Block and Lot: Block 622, Lot 2***  
***Zone: TODN South Avenue Redevelopment Plan/Trainside Commercial Zone***

FILE NO.: HPFP0622.01

As per your request our office has reviewed the following documents in connection with the above referenced application:

- Application form received by the City on July 27, 2021;
- Transmittal and response letter prepared by Javerbaum Wurgaft dated November 10, 2021;
- Statement of Principal Points;
- Copy of Statement of Ownership Form for Corporations or Partnerships dated November 8, 2021;
- Official tax record from City of Plainfield Tax Department dated November 8, 2021;
- List of requested deviations and variances;
- Report titled "Stormwater Management Report for Tax Lot 2 Block 622" prepared by EKA Associates, P.A., dated November 4, 2019 and last revised March 27, 2020;



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- Manual entitled "Operation & Maintenance Manual for Stormwater Management Facilities" prepared by EKA Associates, P.A. dated March 27, 2020;
- One (1) sheet of topographic survey prepared by EKA Associates dated July 23, 2018 and last revised July 31, 2018;
- Nine (9) sheets of engineering site plans entitled "Preliminary & Final Site Plan Tax Lot 2, Block 622" prepared by EKA Associates, P.A., dated July 9, 2021 and last revised September 21, 2021;
- Eleven (11) sheets of architectural floor plans and elevations titled "Proposed 5 Story Mixed Use Building with 42 Apartments on 4 Residential Floors Over Parking and Street Level Retail at: 1008-1014 South Avenue" prepared by MVMK Architecture & Design, dated November 3, 2020 and last revised November 9, 2021.

## **1. Proposed Application**

The Applicant, 1014 South Avenue Urban Renewal, LLC, has filed this application seeking preliminary and final site plan approval along with associated bulk variances. The subject property is Block 622 Lot 2 in the City of Plainfield tax maps, with street address 1008-1014 South Avenue. With this project, Applicant proposes the demolition of existing improvements on the site (including a 2.5-story single-family frame dwelling and two frame garages) and the construction of a five story mixed-use building consisting of 1,486 square feet of retail space on the first floor and forty-two (42) apartments on the second to fifth stories. The forty-two apartments comprise of eight (8) two-bedroom units and thirty-four (34) one-bedroom units. The 34 one-bedroom units range in area from 750 square feet to 767 square feet, with an average size of 756.15 square feet. The 8 two-bedroom units range in size from 1,000 square feet to 1,050 square feet, with an average area of 1,027.5 square feet. All units are therefore in compliance with the LUO and Redevelopment Plan, which require a minimum of 750 square feet for one-bedroom units and 1,000 square feet for two-bedroom units. A total of forty-eight parking spaces are proposed, including thirty-six (36) surface lot spaces and twelve (12) garage spaces. Other residential amenities include individual storage space for apartments on the first floor and mezzanine; a lobby with package and mail rooms on the first floor; a bike storage area with 28 bike spaces; and a roof-top deck of 1,400 square feet.

The proposed retail space is divided into two sections. ***Applicant shall confirm that the space is proposed for two retail tenants.***

## **2. Completeness**

The application was received by the Planning Division on **July 14, 2021** and was initially determined to be incomplete on **August 25, 2021**. After additional and revised documents were submitted, a Technical Review Committee meeting was held with the Applicant's team on



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**September 22, 2021.** The application was then identified as capable of being deemed complete on **September 27, 2021.** The following items were still noted as missing or incomplete in the September 27, 2021 Completeness Review Letter #2:

Per **§17:8-2 of the Plainfield Land Use Ordinance (LUO)** the following items are noted as missing or incomplete:

- a. **§17:8-2.B.3:** Copy of any protective covenants or deed restrictions related to the subject property. ***Applicant's attorney in a letter dated November 10, 2021 has confirmed no covenants or restrictions exist. This item is complete.***
- b. **§17:8-2.B.5:** A tax search indicating current status of all taxes, assessments, and fees due to the City of Plainfield. ***A tax record dated November 8, 2021 from the City of Plainfield Tax Department showing no taxes owed through the 4<sup>th</sup> Quarter of 2021 has been submitted. This item is complete.***
- c. **§17:8-2.B.6:** All requisite escrow deposits and fees. ***We defer to the Board Secretary to determine compliance with this item.***
- d. **§17:8-2.B.7:** Corporation Disclosure Statement. ***This statement has been provided with all required information. This item is complete.***
- e. **§17:8-2.B.9b:** Name, address and phone number of applicant and property owner. ***Applicant's address has been provided on the architectural plans. This item is complete.***
- f. **§17:8-2.F.6:** Existing and proposed contour lines at one foot (1') intervals inside the tract and within thirty feet (30') of the tract's boundaries with spot elevations at all changes in grade due to construction. ***Applicant has requested a waiver from this submission requirement. We defer to the Board Engineer to determine if this item is required.***
- g. **§17:8-2.F.14:** Location, type and volume of refuse storage and recycling facilities. ***This item is complete.***
- h. **§17:8-2.F.16:** A written description of the proposed use(s) and operation(s) of the building, including: number of employees, proposed number of shifts and maximum number of employees on each shift, expected truck traffic, anticipated hours of operation, and anticipated expansion plans incorporated in the building design. ***Any available information regarding the commercial/retail operations shall be testified to during the Board hearing. Proposed operations for loading/unloading residential tenants during moving shall also be testified to.***
- i. **§17:8-2.G.1 - 5:** Final site plan requirements. ***These are noted as waiver requests at this time.***



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### **3. Subject Site and Surrounding Land Uses**

The subject site consists of Lot 2 in Block 622 on the Plainfield Tax Maps, and is located in the north central sector of the City, almost directly across South Avenue from the north-bound side of the Netherwood Train Station. The property is an interior lot about halfway between Woodland Avenue and Belvidere Avenue, with an area of 39,895 square feet. The site is currently improved with a 2.5-story single-family frame dwelling, paved driveway, and two frame garages.

Review of NJ-GeoWeb Application does not show any wetlands or contamination on the site, although the property is an NJEMS site, meaning that NJDEP monitors the site for environmental issues. The property bordering the lot to the southwest (Block 622 Lot 1) is noted as a known contaminated site by NJDEP. Review of the National Flood Hazard Layer (NFHL) indicates that the property is located in Zone X: Area of Minimal Flood Hazard.

The subject site is located in the TODN South Avenue Redevelopment Plan. The site is in a mixed area where single and two-family residential, mixed-use multi-family residential/retail, institutional, and commercial are located within a couple blocks of each other (and on the same block in some cases). As already mentioned, the site is located almost directly across South Avenue from the north-bound side of the Netherwood Train Station (to Newark and, at certain times, Midtown Manhattan). A path to the south-bound side of the station is also located just across the street from the property.



View of subject property from South Avenue.  
Source: Google Maps Street View (image taken November 2020)



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**4. Zoning Review**

- a. Use: Mixed use structures with studio, one and two-bedroom apartments over retail uses is permitted in the TODN South Avenue Redevelopment area. The proposed use is permitted.
- b. Bulk Regulations: The following table indicates the bulk requirements in TODN South Avenue Redevelopment Plan/Trainside Commercial Zone and the proposed development's compliance with the standards.

<b>Bulk Regulations – TODN South Avenue Redevelopment Plan / TSC</b>		
<b>Standard</b>	<b>Requirement TODN/TSC</b>	<b>Proposed</b>
Minimum Lot Area (sq. ft.)	10,000	39,895
Minimum Front Yard Setback (feet)	0	5
Maximum Front Yard Setback (feet)	5	5
Minimum Rear Yard Setback from property line (feet)	15	35
Minimum Side Yard Setback One/both (feet)	5 / 20	23 / 55
Maximum Building Coverage	75%	26.4%
Maximum Impervious Coverage	90%	88.87%
Density (du/ac)	100	45.9
Floor Area Ratio (FAR)	3.3	1.278
Maximum Building Height (feet)	70	55.16
Maximum Number of Stories	6	5
Number of Stories Within the First 20 Feet of the Property Line	4	4
Minimum Non-Residential Space Not Including Amenities (Ground Floor)	40% of building coverage	<b>14.3% (V)</b>
Minimum First Floor Height (feet)	12	18
Minimum Open Space Required	5% of the property	9.3%
<b>(V) Variance required</b>	<b>(E) Existing Non-Conforming Condition</b>	



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- i. The proposed development requires a variance for minimum non-residential space on the ground floor (not including amenities). Where 40% is required, the Applicant has provided just 14.3% (1,456 square feet out of 10,181 square feet).
- ii. Minimum Open Space: The minimum open space required for the development is 5% of the property area. Given the size of the property, a total of 1,995 square feet of open space is required. The rooftop deck provides 1,400 square feet. The Applicant also uses the “seeded areas” surrounding the parking lot to meet this requirement. For these seeded areas to be used to meet this requirement, some form of amenity must be provided to allow use by the residents.

c. Parking: The following table shows the parking space requirements for the proposed development.

Use	Standard (Minimum)	Required	Proposed
Retail	1 / 300 sq. ft. gross floor area	1,456 sf / 300 = 4.85 spaces	
Residential	1 / dwelling unit	1 x 42 units = 42 spaces	
Total		46.85 = 47 spaces	48
<b>(V) Variance</b> (e) Existing Non-Conformity			

- i. The total number of parking spaces required by the Redevelopment Plan standards is 46.85, which rounds up to 47. There are forty-eight (48) parking spaces proposed with this development. **This complies.**
- ii. It is noted that a retail chase for a future restaurant is noted on the roof plan. Applicant should discuss the sufficiency of parking in case the use is to be restaurant. Per Ordinance, the restaurant parking space requirement is 1 space per 3 seats.
- iii. Per **§17:9-42.R**, use and occupancy of a structure with two or more dwelling units must provide an equitable distribution of parking among those occupying the structure. **Applicant should provide testimony about how parking is to be distributed among tenants.**



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- iv. Five (5) of the parking spaces are proposed to be dedicated to electric vehicle charging stations. Applicant should testify as to how many of these spaces will be fully equipped with EVSE when the development opens for tenants. Applicant shall clarify why the number of EV parking spaces is proposed to be five. Is this based on the recently adopted state-wide requirement to provide EV spaces in mixed use developments, or some other requirement?
- d. Frontage Use: Per standard “r” under General Standards the entire frontage along South Avenue shall be occupied by retail use except for driveways and entrances to parking garages. The plans call for a residential lobby along the South Avenue frontage of the building. **A variance is required.** We recommend this variance be granted since, this provides for a residential, since it is still meeting the intent of the ordinance by creating a pedestrian entrance.
- e. Use Buffering: Per §17:9-24b, a non-residential use shall be provided ten (10) feet of buffering between it and a residential property. The proposed development only includes three (3) feet of buffering along the east side of Lot 2. **A variance is required.**
- f. Parking Lot Buffering: Per §17:9-24c, a ten (10) foot buffer is required around the parking area and only six (6) feet is provided along sections of the southerly side of the parking lot. **A variance is required.**
- g. Retaining Wall: Per §17:9-29.G, retaining walls may require review by the City Engineer. We defer to the Board Engineer to determine the adequacy and compliance of the proposed retaining wall along the northeasterly property boundary.
- h. Driveway Setback: Per §17:9-42a, no non-residential driveway is to be placed within ten (10) feet of an existing residential use. The proposed emergency driveway along Lot 2’s easterly side is located just three (3) feet from the adjacent lot. **A variance is required.**
- i. Building Setback from Driveway: Per §17:9-42d, a minimum five (5) foot setback of buildings from driveways and parking areas is required. Per the plans, no setback is proposed between the building and the emergency access drive on its easterly side. **A variance is required.**
- j. Parking Lot Island Landscaping: Per §17:9-43b, a minimum of five percent (5%) of the interior areas of parking lots be provided with planting islands and a minimum of one (1) deciduous tree for every five (5) parking spaces. As no such islands or landscaping is provided, **a variance is required.**



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- k. Parking Lot Islands: Per **§17:9-43b(2)**, no more than eight (8) parking spaces shall be placed in a row without an intervening landscape island. One row of twelve (12) spaces is proposed in the eastern-most section of the parking lot. **A variance is required.**
- l. Shade Trees: Per **§17:9-49c**, shade trees shall be planted at intervals of 40 feet along a right-of-way. Only two (2) shade trees are proposed for the frontage of the properties, where three (3) are required. **We defer to the Shade Tree Commission to determine compliance.**
- m. Signs: There are six (6) signs proposed with this development, as noted in the table below. The table presents the regulations for each type of sign along with what is proposed for the development. There are signs proposed for each business space. "Business 1" (shown to the left in the sign plan) is the easterly retail section and "Business 2" (shown on the right in the sign plan) is the westerly retail section. Applicant to confirm that two business tenants are proposed.

Sign Standard	Permitted	Proposed
<b>Sign # 1 – Wall Sign for Business 1 along South Avenue - 10.17 ft. x 1.17 ft.</b>		
Number of Signs	1 per business	1
Area of Sign	10% of the total façade of the building = 10% x 145sf = 14.5 s.f.	11.90 sq. ft.
Maximum Projection	9 inches	<b>TBD</b>
Max. Height	2 ft	1.5 ft.
Lighting	Internally or externally	External by building lighting
Colors	No more than three	Black
<b>Signs #2: Wall Sign for Business 2 along South Avenue – 6.33 ft. x 1.17 ft. Sign # 3: ("Optional") Wall Sign for Business 2 on northwesterly side of the building – 9.67 x 1.33 ft.</b>		
Number of Signs	1 per business	<b>2 (V)</b>
Area of Sign:	10% of total area of first floor façade Signs # 2 = 10% x 115 sf = 11.5 Sign # 3 = 10% x 383 sf = 38.3 sf	Sign # 2 = 7.41 sq. ft. Sign # 3 = 12.86 sq. ft.
Maximum Projection	9 inches	<b>TBD</b>
Max. Height	2 ft.	1.17 ft.
Lighting	Internally or Externally	External by building lighting
Colors	No more than three	<b>TBD</b>
<b>Sign #4: Blade Sign projecting over walkway on property along South Avenue</b>		
Number of Signs	1 per tenant	1 (for one tenant)





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Sign Standard	Permitted	Proposed
Area of Sign	6 sq. ft.	6 sq. ft.
Width of Sign	3 ft.	2.5 ft.
Projection over Sidewalk	3 ft.	3 ft.
Height above Sidewalk	8 ft.	<b>10.33 (V)</b>
Signs # 5-6: Window Signs for Business 1 (sign #5 – door; sign #6 – window)		
Number of Signs	2 per business	2
Area of Sign:	25% of window surface area Sign # 5 = 25% x 18.83 s.f. = 4.71 s.f. Sign #6 = 25% x 30.84 s.f. = 7.71 s.f.	Sign #5 = 3 ft.  Sign #6 = 3 ft.
Sign Material	Paper signs prohibited	Translucent Film
Lighting	Not illuminated	Not illuminated

- i. Additional information is required for projection and colors of all three wall signs. **Applicant shall confirm that the dimensions for the wall signs noted above will not change regardless of the tenants.**
  - ii. The optional second wall sign (on the side of the building) for Business 2 if it is to remain would require a variance. The sign plan notes this sign as optional. **While it would require a variance, we recommend the sign to remain, as the sign visually breaks up visible portions of the side façade and assists motorists visiting the business to find the correct driveway.**
  - iii. **A variance is required for the height of the proposed blade sign. Where 8 feet above ground is permitted, only 10.33 feet is provided.**
- n. Ground Floor Residential Amenities: Per **§17:9-52B.B.6**, ground floors of mixed use buildings in the TODN/TSC Zone shall contain an entrance lobby and fifty percent (50%) of the rear first floor area shall consist of private, indoor amenities and common space for residents. Only 8.7% of the non-retail space on the ground floor is provided for residential amenities. **A variance is required.** However it is to be noted, applicant is proposing additional amenities on the roof. The intent of providing sufficient amenities for residents is met.

**5. Site Plan Design Standards:**

- a. Architectural Standards: Applicant shall provide testimony as to the architectural features of the proposed development, including how the building will be made appealing for pedestrians.



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- b. Flat Roof: The proposed building will have a flat roof. Per Design Standard “d” under Architectural Standards and Façade Treatments, a parapet wall accented with cornice and frieze are to be included as features with a flat roof. As no such wall with cornice and frieze are proposed, **a design waiver is required.**
- c. Unit Mix: Per §17:11-8, the mix of dwelling units shall be such that no more than 75% of the total number of units shall have the same number of bedrooms. Thirty-four (34) of the 42 units, or 81%, are proposed as one-bedroom units. **A design waiver is required.**
- d. Landscaping Plan Certification: Per §17:11-11, a landscaping plan must be certified by a licensed New Jersey Landscape Architect, and the landscaping plan has not been certified. **We recommend the landscaping plan be reviewed by a licensed landscape architect, otherwise a design waiver is required.**
- e. Loading Space Dimensions: Per §17:11-13, the loading space dimensions shall be ten (10) feet wide by 45 feet long by 15 feet high. The proposed loading space is 17.6 feet wide by 28 feet long. **A design waiver is required.**
- f. Refuse/Recycling Plan: Per the plans, residents will throw trash down a trash chute that has access points on each floor. The chute will empty into a trash room. **Applicant shall clarify what happens to the trash once it terminates at the ground floor trash room.** Two (2) one-cubic yard containers are provided for trash in the trash room. Trash is to be picked up Monday and Thursday, with recycling pick-up Wednesday by a private hauler. **Applicant shall provide a copy of agreement/contract of the private hauler once confirmed.**

## 6. Redevelopment Plan:

The proposed project in general appears to be consistent with the overall goals and objectives of the TODD West Redevelopment Plan. Goals of the Plan include promoting transit-oriented development and activity, improving economic development, increasing sustainability, and managing parking and traffic. The Plan also “aims at fostering a vibrant, livable, sustainable development area.”

## 7. Planning Comments

- a. The Applicant will require eleven (11) variances from the Redevelopment Plan and the City of Plainfield Land Use Ordinance. Four (4) design waivers are required.
- b. As per the Redevelopment Plan, the Board has the authority to grant deviations (variances) where the purposes of the Plan would be advanced by a deviation from a strict requirement of the Plan, and the benefits of the deviation would outweigh any detriments.



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- i. Benefits – The benefits should be those where the community will benefit, and not just the applicant.
- ii. Detriments – The detriments considered for a proposed deviation should focus on how the deviation may impact the intent of the plan and the character of the surrounding community.
- c. We defer to the Board Engineer regarding drainage, storm water, traffic impact analysis and other engineering issues related to the site.

Please do not hesitate to contact me for any planning related questions at [mapte@cmeusa1.com](mailto:mapte@cmeusa1.com).

MA:nf