




Memorandum

DATE: February 3, 2023

TO: Members of the Plainfield Planning Board

FROM: Malvika Apte, PP, AICP 
Consulting Board Planner

CC: Daniel White, Zoning Board Secretary
Peter Vignuolo, Esq., Zoning 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 #1
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;
- 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;
- 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;



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- 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 “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
- Five (5) sheets of engineering site plans “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 September 26, 2022.
- One (1) sheet identified as “Sheet 2- Engineering and Improvement Plan”, prepared by Amertech Engineering Inc., dated December 19, 2021 and last revised January 10, 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 (4,800 square feet of gross floor area) and residential lobby on the first floor, five residential dwelling units on the second floor, and five dwelling units on the third floor. Six (6) apartment units are proposed to be one-bedroom units and four (4) are proposed to be two-bedroom units. The retail space, according to Applicant’s Application Statement and the plans, will be used as a laundromat, which is a 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 and a utility/storage space. 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***



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that they will consolidate the lots if required by the Board. We recommend the consolidation of the lots.

Additionally, the above-noted application was originally filed with the Planning Board, but was moved to the Zoning Board of Adjustment due to the existing billboards, which are not permitted uses, on the site being proposed to remain, with no prior approvals for the billboards being identified. A d(1) use variance would have been required. The application for the Zoning Board was deemed complete on October 31, 2022 and scheduled for a Board hearing. Prior to the hearing, however, we received a letter from the Applicant's attorney requesting that the application be transferred back to the Planning Board, as the Applicant now proposes to remove the billboard. ***Given this revision, a d(1) use variance is no longer required.***



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 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.***



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- b. **§17:8-2.F.7:** Location of...truck movement wheel base templates.... ***A submission waiver request has been made for this requirement. The Applicant's attorney notes that this will be provided by the Applicant's engineer in advance of the hearing. We have not received these diagrams; these shall be provided.***
- c. **§17:8-2.F.14:** Location, type, and volume of refuse storage and recycling facilities. ***Location of refuse/recycling area has been indicated, but not the type and volume. The type and volume of dumpsters or bins shall be provided. Applicant shall also provide 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. These are required.***
- 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

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).



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



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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

- a. Use: 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 shall clarify what the timeline for removal will be.**
- b. Bulk Regulations: 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.

| 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% |



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| Bulk Regulations: MU Mixed Use Zone (mixed use standards) | | | |
|--|-----------------|--|------------------|
| | Required | Existing (both lots combined) | Proposed |
| 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.
- ii. The front yard setback is noted as 2 feet on site plan table. Per City Land Use Ordinance (LUO) a front yard setback is defined as *An open, unoccupied space (unless occupied by a structure hereinafter specifically permitted) extending across the full width of the lot and lying between the street line and the foundation line of the principal structure.* Based on this, we calculate the front yard setback proposed as 5 feet. **A variance is still required.**

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. **As the table indicates, a variance is required. We note that if Applicant provides EV spaces as noted below, the non-conformity can be reduced.**

| 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 6 units = 10.8 spaces | |
| EV Spaces | | 4 spaces | 0 |
| Total | | 45.8 = 46 | 36 (V) |
| (V) Variance (e) Existing Non-Conformity | | | |



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- i. The proposed development requires Make-Ready and EV spaces. The following table provides the requirements for EV spaces for this development. Section D.1.a of the Model Ordinance requires that one-third of Make-Ready spaces must be supplied with EVSE prior to occupancy. This equals one (1) space. Another parking space must be provided EVSE within three years of the Certificate of Occupancy being issued, and the final space must be supplied with EVSE within six (6) years of the CO being issued. **We recommend that two (2) spaces be provided with EV equipment prior to issuance of the CO, with plans revised to indicate location of these and the two (2) additional Make-Ready space. It appears that four (4) spaces, one of which is ADA-accessible, are proposed in the northeastern corner of the parking lot. Applicant shall confirm.**

| Use | Standard (Minimum) | Required | Proposed |
|---|--|---|----------------------------|
| Nonresidential | 1 Make-Ready space for parking lot under 50 spaces | 1 | 0 |
| Residential in > 5 unit developments | 15% of required spaces | 15% x 19 = 2.85 = 3 EV spaces | 0 |
| Total | | 4 | 4 – to be confirmed |
| <i>(V) Variance (e) Existing Non-Conformity</i> | | | |

- b. HVAC: Applicant shall confirm the location of any HVAC, utility, and mechanical equipment and the screening that will be provided for the same. The location of exterior HVAC equipment should be identified on the plans.
- c. Fencing: Applicant shall confirm that the fencing around all sides and rear of the subject site is proposed to be six (6) foot tall white vinyl fencing.
- 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.**
- 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.**
- f. Equitable Distribution of Spaces: Per **§17:9-42.R** approval for a project involving two or more dwelling units is conditioned upon an equitable distribution of spaces to residents.



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Given that the number of parking spaces is lower than the required, Applicant shall be prepared to discuss the distribution of spaces to residents and retail use.

- 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. **Applicant shall revise plan to provide planting islands or 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.

6. Site Plan Design Standards

- a. **Architectural Compatibility:** The proposed building must be compatible with the surrounding area. Applicant shall provide testimony and exhibits demonstrating how this requirement at **§17:11-6** is being met.
- b. **Façade Treatments:** The colors of the façade treatments must be identified at the hearing and added to the plans. We also recommend a different façade treatment for the ground floor, unless Applicant can demonstrate the aesthetic value of the proposed split-face CMU blocks. Details on Architectural planking system and material should be provided. High quality durable materials are recommended.
- c. **Cornice:** Per **§17:11-7.E** an articulated cornice is required for flat roofs. Applicant shall demonstrate compliance with this requirement.
- d. **Main Entrances:** Per **§17:11-7.G** entrances shall be defined and articulated using defining elements per ordinance. We recommend Applicant provide at least one such element to define the main entrance.
- e. **Lighting at Front Entrances:** Lighting of the front of the building should be shown and identified on the architectural and site plans.
- f. **Dwelling Unit Storage Space:** Per **§17:11-8.B.8** all dwelling units must be provided at least 350 cubic feet of private, enclosed storage space in excess of traditional closet space. The architectural plans indicate ten tenant storage rooms in the basement. Applicant shall confirm that 350 cubic feet is provided for each unit.
- g. **Dwelling Unit Private Open Space:** Per **§17:11-8.B.9b** all dwelling units above the ground floor are required to have at least 64 square feet of private open space. The architectural plans indicate that no such private open space is provided. **A design waiver is required.**
- h. **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 will be made to the laundromat.**



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- i. Vehicle Overhangs: Per **§17:11-15.C** wheel stops must be provided where parking spaces are adjacent to a sidewalk, unless the sidewalk is at least seven (7) feet wide. The proposed sidewalk on the east side of the building is the minimum five (5) feet wide, and wheel stops are provided.
- j. 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.
 - ii. The Trash and Recycling Plan shall also indicate how trash will be moved from the building to the enclosure (including who is responsible for moving trash from the residential units to the enclosure), the timing and frequency of trash/recycling pick-ups, and the vendor who will be providing pick-up services.
 - iii. A truck turning diagram for the trash truck shall be provided for review by the Board professionals.
 - 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.

7. Master Plan

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

- 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.



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- e. The applicant should be prepared to discuss whether any additional permits/approvals are required by outside agencies.

9. Statutory Criteria

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.

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