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MEMO TO: City of Bayonne Planning Board

FROM: Malvika Apte, PP/AICP 
Consulting City Planner

DATE: October 5, 2022

RE: Duke Realty Bayonne Development, LLC
Preliminary and Final Major Subdivision
Planning Report # 1
Block 466 Lot 1 and Block 465 Lot 9
East 22nd,
Bayonne, New Jersey
Our File: PBYP0465.01
Application # P-22-021

As per your request, we have reviewed the aforementioned referenced application for preliminary and final major subdivision

The following documents were reviewed for this application:

- Application form, Development Application Checklist and Statement
- One (1) sheet titled "Major Subdivision Plat", prepared by DPK Consulting, dated May 11, 2022 and latest revised July 15, 2022
- One (1) sheet titled "ALTA/NSPS Land Title Survey", prepared by DPK Consulting, dated April 28, 2022

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

1. Summary of Application

The applicant, Duke Realty Bayonne Development, LLC , is seeking to subdivide the existing subject site into two new lots. The site identified as Block 465 Lot 9 and Block 466 Lot 1 in the City Tax records, is located in the south eastern portion of the City. The site is approximately 43.96 acres in size and is located in the I-H Heavy Industrial Zone (I-H Zone). The site is currently developed with warehouse building, and several tanks. In addition, there is an existing ingress/egress easement (Avenue J) 50 feet wide,



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2. Zoning and Bulk Variances:

(a) Use:

The subject site is located in the I-H Heavy Industrial District, wherein the existing warehouse is a permitted use. Tank farms are permitted as conditional use. Per the applicant, the current uses are to remain. It is recommended that applicant briefly discuss the uses on site, its operations and management and overall site movements.

(b) Bulk Standards:

The following table notes the proposed development's compliance/non-compliance with the Zone

| Bulk Standards | | | |
|------------------------------------|--------------|-----------------------|--------------------|
| Regulations | I-H District | Block 466.01 Lot 1 | Block 466.01 Lot 2 |
| Min. Area (ac.) | 1 | 37.7581 | 6.1972 |
| Min. Lot Frontage (feet) | 125 | 820 | 0 (V) |
| Min. Lot Depth (feet) | 200 | 792.81 | N/A |
| Min. Front yard setback (feet) | 30 | 25.22 (Avenue J) (e) | 37.35 (Conrail) |
| Min. Rear Yard Setback (feet) | 50 | 49.64 (e) | 95.77 |
| Min. Side Yard Setback (feet) | 25 | 17.33 (V) | 44.10 |
| Min. Both Side Yard Setback (feet) | 50 | 162.96 | n/a |
| Maximum Height | None | - | - |
| Max. Floor Area Ratio | None | - | - |
| Max. Lot Coverage | 80% | 71.75 | 67.29 |

**tract area (v)- variance (e)-existing non-conformity*

| Conditional Use Requirements 35-5.28.8 | | | |
|---|----------|-------------------------------|-------------------------------|
| Regulations | Required | Proposed Block 466.01 Lot 1 | Proposed Block 466.01 Lot 2 |
| All tank facilities shall be designed in accordance with Chapter 19 , Fire Prevention and Protection of the Revised General Ordinances of the City of Bayonne. | Yes | To be confirmed via testimony | To be confirmed via testimony |



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| Conditional Use Requirements 35-5.28.8 | | | |
|---|----------|-----------------------------|-----------------------------|
| Regulations | Required | Proposed Block 466.01 Lot 1 | Proposed Block 466.01 Lot 2 |
| Min. Distance for tanks containing flammable liquids from residential use or lot zoned residential (feet) | 375 | >375 | >375 |
| Min. Distance for tanks containing combustible liquids from residential use or lot zoned residential (feet) | 175 | >175 | >175 |
| Min. Dist. of a dike or wall required in conjunction with tank storage from boundary line of any non-industrial district (feet) | 30 | n/a | n/a |
| Min. landscape buffer between use and boundary line of non-industrial district (feet) | 15 | n/a | n/a |
| A plan for the development or expansion of such facilities shall be submitted to NJDEP and USEPA where req. | N/A | n/a | n/a |
| | | | |

3. Additional Comments:

- (a) Per NJSA 40:55D-35 requires any building lot to abut a street. Proposed Lot 2 is not adjacent to any street. **Variance is required.**
- (b) Per section 35-4.8 C, every building or structure hereafter erected or moved shall be on a lot adjacent to a public street. Proposed Lot 2 does not have access to a public street. **A variance is required.**
- (c) The applicant should be prepared to discuss whether any additional permits/approvals are required by outside agencies.

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

cc: Land Use Administrator
 Board Attorney
 City Engineer
 Zoning Officer