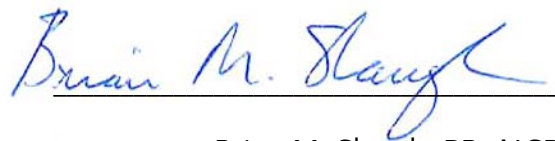


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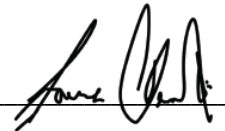
Preliminary and Final Major Site Plan
111 Avenue F Partners Urban Renewal LLC

89-92 East 22nd Street; 107-111 Avenue F
Block 456, Lots 7, 8.01, 8.02, 8.03, 9 and 10
Avenue F Redevelopment Area Plan
Application No. P-24-021

Prepared for the City of Bayonne by:



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INTRODUCTION

1. Project Summary and Site Description

- 1.1. Proposal.** The applicant is requesting preliminary and final major site plan approval with bulk variances to develop a six story multifamily residential building with 65 dwelling units. 73 mechanical parking spaces are proposed within the building, and a curb cut and driveway is proposed on Avenue F. The ground floor contains three parking levels as permitted in the redevelopment plan, as each level is utilized for parking and common space. Additional improvements include amenity space, landscaping, lighting, green infrastructure, and stormwater infrastructure. The site is located at the intersection of East 22nd Street and Avenue F within the Avenue F Redevelopment Area.
- 1.2. Existing Conditions.** The site is comprised of Block 45; Lots 7, 8.1, 8.02, 8.03, 9, and 10. The site is 14,587.51 sf. (0.34 acre) in area. The lot is slightly irregular in shape though primarily rectilinear with a small offset portion in the southwest corner. The site has approximately 100 ft. of frontage on East 22nd Street and 147± feet of frontage on Avenue F. The site is vacant and fenced. Until recently the site was occupied by residences on each lot. Those dwellings had been vacant for some time prior to demolition due to the buildings being declared uninhabitable following inundation during Super Storm Sandy.

The site is located in FEMA Flood Zone X meaning there is a 0.2% annual chance of flooding average depth of less than one foot or with drainage areas of less than a square mile¹. The site is not a known contaminated site; however, listed contaminated sites are located nearby on the opposite corner to the east and at the intersection of Avenue F and Old Hook Road to the southeast.

- 1.3. Neighborhood Context.** The tract is located within a mixed-use neighborhood on the east side of the City that is predominantly residential in nature. Nearby nonresidential uses include the First Assembly of God Church and Everything Bagels and Deli. On Prospect Avenue to the west are additional nonresidential uses including Melanie's Deli, Beacon Christian Academy, and Kuhl's Tavern. Several multifamily buildings are located to the west around the 22nd Street Hudson Bergen Light Rail Station, and an additional multifamily building is slated for Development at the intersection of East 21st Street and Prospect Avenue. The light rail station is approximately 600 ft. from the site. Redevelopment sites in the area have been multifamily residential with a smattering of minor retail uses on ground floors
- 1.4. Relief Required.** A comprehensive list of relief can be found in section 15 of this report.

1 - <https://msc.fema.gov/portal/search?AddressQuery=111%20Avenue%20F%2C%20Bayonne%2C%20NJ%2C%2007002%2C%20USA>





Aerial of B. 456, Lots 7, 8.01, 8.02, 8.03, 9 and 10 and Surrounding Area 



View of the Subject Property(ies) from Avenue F

ZONING/DEVELOPMENT STANDARDS

2. Use Standards

- 2.1. **Permitted Principal Uses.** Per §5.4.A.1, multifamily residential dwellings are permitted as a principal use in the redevelopment area. The proposal in this redevelopment area consists of a multifamily building. The plan complies.
- 2.2. **Permitted Accessory Uses.** Per §5.5.A, a number of accessory uses are permitted, including signs, fencing, structured parking, green infrastructure, and other customary and incidental accessory uses. The proposed fence, internal parking, signs, amenity space, landscaping, lighting, and utilities are all permitted. The plan complies.

3. Area and Yard Requirements

- 3.1. **Redevelopment Area Bulk Requirements.** Compliance with bulk and lot standards of the Avenue F Redevelopment Area is indicated in Table 1.

Table 1: Area & Yard Requirements – §5.7

Standard	Permitted	Existing	Proposed
Max. Building Height	6 Stories / 85 feet	n/a	6 stories / 84.95 ft.
Max. Height – First Story	30 ft.	n/a	33.96 ft.^(M)
Max. Building Coverage	90%	n/a	98.1% ⁽¹⁾
Setbacks for Floors 1 - 4			
Minimum Setback from Street Line –Avenue F	0 ft.	n/a	0 ft.
Minimum Setback from Street Line – E. 22 nd Street	0 ft.	n/a	0 ft.
Minimum Setback from B. 456 , L 11.01	5 ft.	n/a	5 ft.
Minimum Setback from B. 456 , L 6	5 ft.	n/a	5 ft. 8 in.
Setbacks for Floors 5 and Above			
Minimum Setback from Street Line –Avenue F	10 ft. 1 inch⁽²⁾	n/a	10 ft. ^(M)
Minimum Setback from Street Line – E. 22 nd Street	8 ft.	n/a	8 ft.
Minimum Setback from Bl 456, L 11.01	5 ft.	n/a	5 ft.
Minimum Setback from Bl 456, L 6	5 ft.	n/a	5 ft. 8 in.
Setbacks for Rooftop Amenity			
Minimum Setback from Street Line – Avenue F	10 ft.	n/a	16 ft. 2½ in.
Minimum Setback from Street Line – E. 22 nd St.	10 ft.	n/a	14 ft. 3 in.
Minimum Setback from Bl 456, L 11.01	20 ft.	n/a	20 ft.

⁽¹⁾ - Percentage of lot area covered by a green roof may offset building coverage at a ratio of 2:1 of green roof to building coverage. Proposed green roof is 2,345 sf., or 16.7% of lot area. Bonus building coverage is 8.35% for a total of 98.35%. The 98.1% proposed is compliant due to the size of the green roof.

⁽²⁾ - 10 feet or height of the 5th story, whichever is greater. The 5th floor is 10 ft. , 1 in. in height.

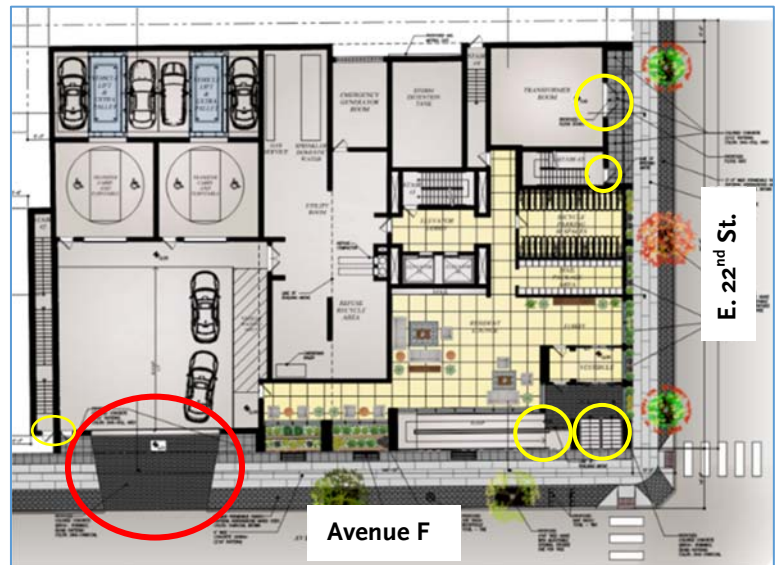
^(M) - Variance Required.

- 3.2. **Maximum Height – 1st Story.** Pursuant to §5.7.A.2, *the first story may be up to 30 feet as measured from the first floor elevation to the highest elevation of the ceiling to accommodate mechanical parking. The first story with parking may consist of multiple levels of fully automated parking, semi-automated parking, ramped surface parking, or any combination thereof. These multiple parking levels shall be construed as a single building story as defined herein, provided such parking is contained within the first floor. Other building support spaces may also be provided on multiple levels on the first floor, including, but not limited to utility rooms, mechanical and electrical rooms, building entrance lobbies, and building amenity spaces.* The proposed ground level contains three levels of mechanical parking. In addition to parking, the three levels also contain utility rooms, refuse areas, lobbies, bicycle parking, and shared amenity space, all of which is permitted within the three-level ground floor. The proposed height of the ground floor is 33.96 feet, above the maximum permitted 30 feet in height. **A variance is required. This office notes that this necessitates a “-c” variance, rather than a “-d(6)” variance, which is specific to overall building height, not the height of portions of a building.**
- 3.3. **Minimum Setback of Floors 5 and Above – Avenue F.** Pursuant to §5.7.D.1, the minimum setback to Avenue F for floors five and above is 10 feet or the height of the fifth floor, whichever is greater. The height of the fifth floor is 10 feet and one inch, while the setback is 10 feet. **A variance is required, though *de minimis* in nature.**

SITE PLAN REVIEW

4. Circulation and Parking Regulations

- 4.1. **Site Circulation.** The image to the right indicates vehicular circulation at the tract. The red ellipse indicates the only proposed curb cut and vehicular entrance which leads to a mechanical parking area. Access is from Avenue F, leading to a parking bay with access to two rotating plates that places the vehicle(s) into mechanical spaces on the three levels of the ground floor. Within the bay is a striped vehicle waiting area. Pedestrian access into the building is located at the corner of Avenue F where there are stairwell and ramp entrances. Additional access is located at the southern corner of the building where one entrance leads to a stairwell and another leads to the parking bay area. Two additional entrances are located along East 22nd Street, one to the transformer room at the western most corner, and another to a stairwell near the transformer room entrance. These entrances are indicated with yellow circles.



4.2. **Parking Requirement.** Pursuant to §6.I.A.1, 1.2 spaces are required per dwelling unit. 65 dwelling units are proposed, and 78 parking spaces are required. 74 spaces are proposed, 12 of which are electric vehicle spaces. The applicant is able to obtain 7 credits based on the proposed electric vehicle spaces. The total number of spaces provided when the credits are included is 81. The plan complies.

4.3. **Electric Vehicle Parking Requirement.**

Pursuant to N.J.S.A. 40:55D-66.20(a), multiple dwellings with five or more units are required to develop a minimum of 15% of the required off-street parking spaces as make-ready or EVSE spaces or 12 in this instance. The applicant indicates that 12 EV spaces are proposed in row nine of the table located on sheet 1 of the plan. A detail, included herein for reference, indicates how



an EV vehicle is plugged into the charger in the mechanical parking system. **It is unclear if all spaces are EV, or if only specific spaces are EV. As an app is used by the tenant to access a space and to retrieve their vehicle, the applicant should testify as to whether a resident needs to specifically request an EVSE equipped space to charge their vehicle, or if that is possible with any of the spaces.**

4.4. **Barrier Free Parking.** The applicant is required to comply with Federal, State, and Local regulations regarding barrier free parking. It is the understanding of this office that due to the mechanical parking configuration, with access and exits from the two rotating plates described in 4.1, that all spaces may be considered barrier free. **The applicant, or their appropriate expert witness, should provide testimony regarding this.**

4.5. **Bicycle Parking Requirement.** Pursuant to §6.I.B.1, 0.5 bicycle spaces are required per dwelling unit. 65 dwelling units are proposed, and 33 bicycle parking spaces are required. 35 bicycle parking spaces are provided within the 1st level of the ground floor. The plan complies. Furthermore, per §6.I.B.2-3, multifamily developments are required to provide secure and conveniently accessible parking and storage rooms, and at least 50 percent of such spaces shall be enclosed. All spaces are located in the ground floor, first level lobby, fully enclosed, and conveniently located with access to the various building entrances and near the elevator bank. The plan complies.

4.6. **Parking Stall Size.** Pursuant to §6.I.C.7, mechanical parking systems are exempt from dimensional requirements, provided they comply with manufacturer specifications. **The application should testify that the proposed spaces comply with the manufacturer's specifications.**

4.7. **Driveway Access.** Pursuant to §6.I.D.1, driveway access is required to be from Avenue F and limited to one vehicular entrance and exit to the site, no more than 24 feet in width unless approved by the City Engineer. One driveway access point is proposed and it is located on Avenue F. It is 24 feet in width. The plan complies.

- 4.8. **Minimum Driveway Separation.** Pursuant to §6.1.D.2, driveways shall be located 50 feet or more from other driveways on the same side of the street. The plan complies.
- 4.9. **Active Ventilation for Parking Structures.** Pursuant to §6.1.E.5, parking structures shall utilize active ventilation, not passive ventilation. It is not indicated on the plan whether active ventilation is utilized. **The application should testify as to whether the plan complies, and a note should be added to the plan indicating same.**
- 4.10. **Fire Suppression at Electric Vehicle Charging.** High intensity sprinkler heads may be required by the fire marshal in the parking garage in areas of a concentration of electric vehicles.

5. Streetscape and Landscaping

- 5.1. **Repair of Sidewalks.** Pursuant to §6.3.A, existing sidewalks, curbs, and parallel parking spaces on both sides of both streets shall be reconstructed or repaired as needed, as determined by the City Engineer. New sidewalks and curbing are proposed by the applicant. This office defers to the Board Engineer on any further comment.
- 5.2. **Avenue F Sidewalk Zones.** Pursuant to §6.3.C – E has requirements for sidewalk design on Avenue F. This includes sidewalk width, specific sidewalk zones (frontage, clear, and tree zones), and street furniture and landscaping requirements.

5.2.1. Sidewalk Width. Pursuant to §6.3.B, the required minimum sidewalk width on Avenue F is 14 feet. The sidewalk width is 14 feet in width, inclusive of the three “zones” required in the plan. The plan complies.

5.2.2. Frontage Zone. Pursuant to §6.3.C, the frontage zone is the portion of the sidewalk closest to the building and shall be a minimum of one and one-half foot in width and a maximum of three feet in width. This space should contain benches, tables and other street furniture. The frontage zone on Avenue F measures approximately two feet and six inches in length, and contains benches at regular intervals. The proposed benches (as indicated to the right) are functional and attractive. The plan complies.



5.2.3. Clear Zone. Pursuant to §6.3.D, the Clear Zone is the middle portion of the sidewalk utilized by pedestrians. This portion of the street shall be a minimum of six feet in width. A sidewalk design utilizing pavers or decorative scoring is encouraged but not required. The proposed clear zone is approximately six feet, 1.25 inches, in width. While not scored, the proposed sidewalk utilizes a two by six foot block pattern that is attractive and achieves the intention of the scoring. It is also distinct from the frontage and tree zones. The plan complies.

5.2.4. Tree zone. Pursuant to §6.3.E, the Tree Zone is the portion of the sidewalk furthest from the building and shall be a minimum of five feet wide. This portion of the sidewalk is required to contain shade trees. This portion of the sidewalk is five feet in width and contains shade trees, specifically two street trees, a Little Leaf Linden and

a Shademaster Honey Locust. The Honey Locust is acceptable. The Little Leaf Linden is low branching, and so will need to be “limbed up” to seven feet. **The plan complies with the requirement, though as a condition of approval, the plan should indicate that the Linden will be “limbed up” to maintain a seven-foot clear area round the trunk.**

5.2.4.1. Soil cell system. Pursuant to §6.3.E.2, trees shall be located within a soil cell that is the same or equivalent to the Silva Cell System. Sheet 17, detail 5, contains the appropriate detail for the soil cell system, however, it is not referenced on the landscaping plan. **This should be included on the plan, and the detail and planting method utilizing the cell system should be indicated on the landscaping plan. Additionally, soil volumes and the extent of the soil cell system shall be shown on the landscape plan. Soil volumes should be appropriate for the mature size of the tree specified.**

5.2.4.2. Tree spacing. Pursuant to §6.3.E.2, street trees are required to be spaced 35-45 feet apart. The trees are spaced ±40 feet apart. The plan complies.

5.2.4.3. Tree grates. §6.3.E.3, tree grates shall be installed at the base of shade trees that are flush with the sidewalk. These shall contain a wide enough opening around the base to permit the healthy growth of the tree, or be designed to be modified as the tree grows. The grate shall contain openings to permit air and water to reach the soil, though they shall be narrow enough to allow for use safely by pedestrians, bicyclists and those utilizing wheelchairs. The proposed tree grate as indicated in detail 4 on sheet 17 indicates the correct type of tree grate. The plan complies. The same comment applies for plantings on E. 22nd Street, noting that the tree grates are smaller, which is appropriate for the small trees on that side of the street.

5.2.4.4. Decorative features of tree zone. §6.3.E.4.a-c recommends that trash receptacles and bike racks be placed in the tree zone between street trees, and that permeable pavers should be included in the tree zone. This office notes that these are recommendations and not requirements. A trash receptacle and bike rack are both proposed. Permeable pavers are not proposed. This section also recommends seating, which this office notes is proposed in the frontage zone, which is acceptable.

5.3. **East 22nd Street Sidewalk Zones.** Pursuant to §6.4.A – D, East 22nd Street has requirements for sidewalk design. This includes sidewalk width, specific sidewalk zones (clear and tree zones) and landscaping requirements.

5.3.1. Sidewalk Width. Pursuant to §6.4.B, the required minimum sidewalk width on East 22nd Street is six feet. The sidewalk width is approximately nine and one half feet in width, inclusive of the two “zones” required in the plan. The plan complies.

5.3.1.1. Street trees. Pursuant to §6.4.B.1, given the narrowness of the space, a flush tree grate shall be used. A small or mid-size tree at maturity and a columnar variety shall be used. Such trees shall be native or native-adaptive species that are hardy, drought tolerant and able to thrive in an urban environment. The proposed trees include Autumn Brilliance Serviceberry and Oak Leaf Mountain Ash. **It is strongly recommended that the Ash be removed. The Serviceberry is ok but not ideal. Due to the overhead wires, the following tree species are recommended: Amur Maple (*Acer ginnala* "Flame"), Cumulus Shadblow Serviceberry (*Amelanchier laevis* "Cumulus"), and/or Pink Shadblow Serviceberry (*Amelanchier x grandiflora* "Robin Hill").**

5.3.1.2. Tree Spacing. §6.4.B requires that trees be spaced 30 – 40 feet. The trees are spaced 40 feet apart, the plan complies.

5.4. **General Streetscape Details.** Pursuant to §6.5.A – C, sidewalks should:

5.4.1. At a minimum be designed to comply with ADA requirements, in addition to other applicable Local, State, and Federal regulations. **The applicant should testify as to how they meet this requirement.**

5.4.2. Sidewalks should be designed to be safe for pedestrians, those with mobility issues and individuals in wheelchairs. They should be wide, level, and include places for rest. The plan complies as the proposed sidewalks are flat, including grates, and there are proposed seating for pedestrians.

5.4.3. Multi-sensory wayfinding for the vision and hearing impaired should be included in the sidewalk design. This office notes that detectable surfaces are included in the sidewalks at street corners. **The applicant should testify as to whether any additional multi-sensory wayfinding is proposed.**

5.5. **Additional Streetscape Landscaping.** In addition to the proposed street trees, the applicant is also proposing shrubs and other smaller plant material. §6.8.C requires that such plants be used to accent entrances, arcades, sidewalks, communal plazas, communal rooftops and communal terraces. Such accent plantings shall be hardy, native or native adaptive species that are drought tolerant and able to thrive in an urban environment. The landscape plan meets this standard. The proposed plantings include: Franklin's Gem Boxwood, Kelsey's Dwarf Red Twig Dogwood, Midnight Wine Weigela, Sky Pencil Holly, Magic Carpet Spirea, Dwarf Cranberry Bush, and Youngstown Andorra Juniper. Most of these species are acceptable, except for the following:

5.5.1. The boxwood is susceptible to blight and should be replaced; Inkberry Holly is a suitable replacement. The Youngstown Andorra Juniper should be replaced with Blue Rug Juniper, which is very similar, but has a suitable track record in the State and is a hardier species.



5.6. **Rooftop Landscaping.** As indicated in the following image depicted in yellow, three potted trees and a number of shrubs are proposed on the roof. The plants are not identified on the plan. Pursuant to §6.7.D, rooftop plantings are required to be hardy, native (or native-adapted) species, which are able to thrive in an urban environment. Rooftop planters are required to have adequate drainage and may include storage reservoir systems, irrigation and root barriers as a means of aiding plant growth and maintenance. **These details should be provided, and the planting list should also be provided; meeting the specifications of the Redevelopment Plan. Should the Board desire, a condition of approval could be that our office provides assistance to the applicant with choosing plants for the rooftops.**



Rooftop Detail Indicating in Yellow Proposed Planters.

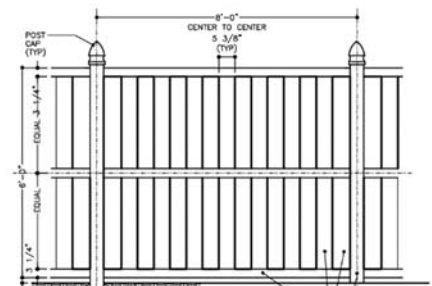
6. Lighting

6.1. **Proposed Lighting.** 38 lights are proposed on site, of which there are five types (labeled A, B, C, D, E, and G), though seven (Types A and D) are located within the parking garage of the building. Lights include recessed ceiling lights, surface mounted lights and wall mounted lights. Five recessed lights (Type B) are proposed under the overhang above the garage entrance. Five surfaced mounted lights (Type G) are proposed along the ramp and near the main pedestrian entryway. The remainder of the lights (Types C and E) are wall mounted. The plan indicates that there are 13 Type E lights, but the plan seems to only contain 11. **If this is an error, the site plan should be corrected.**

- 6.2. **Lighting Design.** Pursuant to §6.6.A.1, all outdoor lighting, excepting street lighting, should be coordinated as to style, material and color. All lights are black with the exception of the silver surface lights. They are all clean, modern style lights which will generally not draw attention and will blend with the building design. The plan complies.
- 6.3. **Lighting at Property Lines.** Pursuant to §6.6.A.1, all exterior lighting shall be designed, located, installed and directed in such a manner to prevent objectionable light at and across property lines. Illumination at property lines ranges from zero footcandles up to 5.8 footcandles. In an interesting suspension of physics, the lighting plan illumination shows an immediate drop to zero footcandles just beyond the property line from these higher levels of illumination. **Testimony should be provided as to how this effect could be achieved. A variance may be required.**
- 6.4. **Street Lighting.** Pursuant to §6.6.A.2, street lighting shall conform to the City of Bayonne municipal street lighting standards or as approved by the City Engineer. This office defers to the Board Engineer as to the proposed street lighting.
- 6.5. **Pedestrian Lighting Height.** Pursuant to §6.6.A.3, all lighting types with the exception of “Type G” are mounted at 8 – 10 feet. “Type G” height is not specified, however, these lights appear to be quite small ground lights. **The applicant should confirm the height of light “Type G” and update the plan to reflect that height. If the height is a range, then the maximum possible height should be provided.**
- 6.6. **Side and Rear Yard Lighting.** Pursuant to §6.6.A.4, lighting in side and rear yards should be for security purposes only and not exceed .25 footcandles at the property line. As noted, illumination at the property line ranges from zero footcandles to 5.8 footcandles. **A variance is required.**
- 6.7. **Color Temperature.** Pursuant to §6.6.A.5, lights shall emit a color temperature between 2,800°k and 4,000°k. All proposed lights, save Type G, are 3,000°k – 4,000°k. Type “G” is not specified, though the detail indicates that the light comes in 2,750°k – 5,000°k varieties. **The plan should be updated to specify the color temperature of light G. If not 3,000°k-4,000°k, a variance may be required.**

7. Fences

7.1. **Proposed Fence and Fence Location.** A six-foot tall, white, PVC, fence is proposed around the southern and western perimeters of the building, and a six-foot tall, decorative, aluminum swing gate is proposed at the southeastern corner of the building. As permitted in the plan, all fencing is proposed along the side and rear yards, and none is proposed between the building and the right-of-way. The fence height of six feet is permitted.



7.2. **Fence Material.** Pursuant to §6.7.A, fencing is required to be commercial or industrial grade powder-coated metal picket. The proposed fence is composed of PVC. **A variance is required.**

8. Signs

- 8.1. **Proposed Signs.** The architectural elevations, specifically sheets 30 and 31, indicate two residential façade signs proposed on both street facing elevations. Both are proposed to be 100 sf. §6.9.A permits two residential signs that are affixed to the building façade with a maximum size of 100 sf. The plan complies. **It is recommended that the applicant provide as much detail as possible about the potential signs, as no specific details other than the size and locations have been provided. The purpose is to have a clear description in the resolution of approval (if the Board approves the application) to be reviewed by the Zoning Official at the time of obtaining permits.**

- 8.2. **Parking Sign.** The proposed “parking sign” over the proposed garage is not explicitly permitted, however, §5.5.A.II permits accessory uses that are customary and incidental to any permitted principal uses. Signs are a permitted accessory structure, and parking signs are customary and incidental to multifamily dwellings with parking structures, as this proposal is. **It is recommended that the sign as proposed, in terms of composition and size, be memorialized in the resolution of approval (if the Board approves the application) as shown on the plan. It is 16 sf. in area and approximately 16 feet above grade. It is not illuminated. The sign has a light brown background and white lettering. The applicant should testify as to whether this is the envisioned final parking sign, and if so, this should be stated in the resolution to have a clear description in the resolution of approval (if the Board approves the application) to be reviewed by the Zoning Official at the time of obtaining permits.**

9. Building Design and Architecture

- 9.1. **Apartment Unit Types and Sizes.** §5.7.H.1-7 provides requirements for apartment units. Namely, studio dwellings are required to have a minimum size of 500 sf. and comprise no more than 33% of units. One-bedroom dwellings are required to have a minimum size of 650 sf., and two-bedroom dwellings are required to have a minimum size of 800 sf. No units are permitted more than two bedrooms. The plan complies as indicated in Table 2.

Table 2: Unit Breakdown – §5.7.H

Unit Type	Min. Area	Max. %	Smallest Proposed Area	# Proposed	% Proposed	Complies?
Studio	500 sf.	33%	500 sf.	19	29%	Yes
One-bedroom	650 sf.	70%	650 sf.	35	54%	Yes
Two-bedroom	800 sf.	70%	810 sf.	11	17%	Yes
Total Units				65	100%	Yes

- 9.2. **Additional Unit Requirements.**

9.2.1. Dwelling with three or more bedrooms are not permitted. The plan complies.

9.2.2. All units shall contain a washer and dryer unit. The plan complies.

9.2.3. Dens are permitted if they contain a wall opening with a minimum width of 5 – 6 ft. with no door; no external window, and; no closet. No dens are proposed.

9.3. **Building Design - Exterior.** The proposed building design utilizes traditional elements of development within Bayonne and incorporates them into a modern building in a tasteful manner. The building has four primary components, namely: a base level and three modules in the main portion of the building. The base level is composed primarily of brick and tall glazing with a decorative overhang where signage is to be placed. This base level is 33 ft. in height, and contains the main garage and pedestrian entrances. The second level of the base portion of the building contains two common balconies. The side of the building facing south is similarly composed with the inclusion of dark brown seems and less glazing. The three main components on the street-facing building facades are a dark brick portion mosaic brick column elements in a mosaic pattern, a tan/peach portion with brown brick columns, and a cream colored portion that is located in the middle section of the building. The tan/peach component provides a “top” element along East 22nd Street. The side of the building facing into East 22nd Street (west) contains the brick and tan/peach elements. Images of the building are included below and on the following page.



Building Elevations. Left: Avenue F Façade, Right East 22nd Street Façade.



Building Elevations, cont. Left: west side elevation, right: south side elevation.

- 9.4. **Terrace Above Garage Entrance.** There appears to be a terrace above the garage entrance in the Avenue F elevation, however, the floor plans don't indicate how it is accessed. Testimony should be provided regarding this element of the building.
- 9.5. **Building Design - Interior.** The building has five interior floor plans. Three for the three levels of the ground floor parking and shared space areas, one for floors two through four, and another for floors five and six.
 - 9.5.1. **Ground floor.** The ground floor consists of three levels. The lowest level contains the car entryway and access to mechanical parking, utility rooms, recycling areas, a generator, a storm detention tank, and a transformer room. A resident lounge, lobby, vestibule, mail package area, bicycle parking area and elevator lobby are also located here. The level contains approximately half of the mechanical parking areas, a game room, kids playroom, fitness center, elevator bank, electrical room, and two shared terraces, all of which have tall ceilings reaching to the third level of the ground floor. The third level has the same layout with an additional layer of mechanical parking spaces.
 - 9.5.2. **Floors two, three, and four.** Floors two, three, and four contain identical layouts. They contain a shared corridor with access to two staircases and an elevator bank, and common access to a refuse room, recycling room, and data electric room. Each floor contains three studio apartments, seven one-bedroom apartments, and three two-bedroom apartments, all with access from the corridor.
 - 9.5.3. **Floors five and six.** Floors five and six share the same corridor and common element layout as floors two – four with a different unit mix. These floors contain five studios, seven one-bedroom units, and one two-bedroom apartment.
- 9.6. **Building Design – Rooftop Layout.** The rooftop consists of a 2,345 sf. green roof, 2,730 sf. cool roof, a 2,200 sf. roof terrace and shared common space, a walkway leading to a stairwell, and an interior area with an elevator lobby, stair access, bathroom, vestibule, and

storage area. The shared space contains seating, a covered trellis, and outdoor barbecue area. A 681 sf. garden roof encircles the shared space and faces towards the rights-of-way of both streets and neighbors to the west. **It appears to pathway leading to the second staircase is for maintenance. This should be confirmed by the applicant.**

9.7. **Building Design Requirements.** §6.2.D.1-15 contains a series of design standards related to multifamily development in the Redevelopment Area, some of which are required while others are recommended:

9.7.1. Prominent Corner. The site shall be considerate of the site prominent location at a highly visible corner. The plan complies.

9.7.2. Lobby Location. A residential Lobby is permitted on Avenue F. The plan complies.

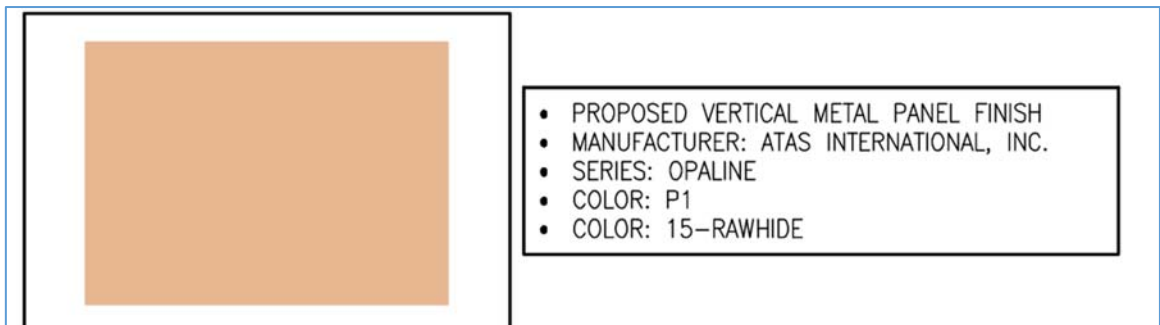
9.7.3. Attractive From All Vantage Points. All buildings are required to be attractive from all vantage points. The plan appears to comply.

9.7.4. Base, Middle, Top. All buildings are required to contain a base middle and top. The plan complies.

9.7.5. Loft Industrial Style. The building should be designed with a “loft industrial” look and appearance in mind. The plan appears to comply.

9.7.6. Avoidance of Blank and Featureless Walls and Repetition. Blank or featureless walls and repetition should be limited. The plan complies through the use of pilasters, change in material, step backs, and projections in the form of terraces and offset roofs.

9.7.7. Color Palette. Buildings shall be designed using a color palette that complements the architectural context of the surrounding area. Color palettes should be traditional and durable colors like beige, terra cotta, brick red, dark green, black and various grays are natural or muted and work well with the brick and stone facades of existing historic buildings in Bayonne. Overly bright, garish colors are to be avoided. Generally, one or two colors should be selected. The base color is the predominant color applied to the walls and major surfaces. Accent color is used for trim, hardware, doors, etc. The use of too many colors should be avoided. **The use of the “Rawhide” color, which appears as a peach/tan mix appears out of place. It is recommended that this color be replaced with something with less red in the color mix (though this office is open to other suggestions which match the**



requirement), as the peach color does not correspond to the required color palette or “loft industrial” style. The color sample is included herein for reference. If the color appears differently when not viewed on a screen, the applicant should provide a hard version of the color swatch at the hearing for further determination of the color’s conformance with the requirements. The other colors chosen are appropriate.

- 9.7.8. Quality Materials. Exterior building materials shall be wood, brick stone, stucco, metal glass or other similar durable materials. Aluminum siding, vinyl siding, artificial stone, brick veneer, thin brick and ply gem shall be prohibited. The plan proposes brick veneer, cementitious paneling, precast stone, wood, and metal composite panels. Glazing and metal frames are also proposed. **The brick veneer and precast stone are not permitted. The applicant should provide a materials board at the hearing, along with testimony from their architectural expert, for examination by the Planning Board. Otherwise, the material should be replaced with those materials permitted. A variance may be required.**
- 9.7.9. Step backs. The applicant appropriately incorporates step backs and offsets into the building design to reduce the apparent scale of the building. The plan complies.
- 9.7.10. Streetscape. All buildings shall be designed to front on streets in order to create a street wall consistent with good urban form and design principles. Urban plazas are encouraged at or near entrance doors. Buildings shall be oriented towards the street so as to contribute to the overall liveliness of the pedestrian environment, particularly where building lots front on multiple streets. The building appropriately fronts on both streets. While a plaza is not proposed, the applicant has provided the required sidewalk width, décor, and furniture to contribute to a convivial environment along Avenue F which integrates well with the mix of uses in the neighborhood. The plan complies.
- 9.7.11. Building Entrances. All buildings shall provide a main entrance onto a street, and the corner of Avenue F and East 22nd Street should contain entrances on either side of the corner leading to a shared vestibule space. The entrances are on a street, however, the main entrance, while containing a shared vestibule, does not have access to East 22nd Street. The requirement says “should,” not “shall,” and as such is not a requirement. This office does view the recommendation as the more attractive option.
- 9.7.12. Application Renderings. Renderings have been provided, the plan complies.
- 9.7.13. Rooftop Terrace Orientation. Rooftop terraces shall have exposure and views to the south, west, and or east. The plan complies.



10. Additional Performance Standards

- 10.1. **Open Space and Recreation Facilities.** At least of fifteen percent (15%) of the tract area shall consist of open space and recreation facilities, or leisure time space. The tract is 14,587 sf. in area. The green roof, rooftop recreational space, and rooftop garden area total 5,226 sf., or ±36% of the total tract area. The plan complies.
- 10.2. **Traffic Signals.** Pursuant to §6.II.A, traffic signals (a minimum of one) abutting the Redevelopment Area must be fitted with signal preemption for emergency vehicles. At the request of the Redeveloper, the City shall, at the Redeveloper's expense, provide for the installation of necessary equipment to accomplish such signal preemption for emergency vehicles at the signalized intersections, if any. The equipment specifications are on file with the Superintendent of the Police & Fire Signal Communications Unit. **This item is deferred to the Board Engineer.**
- 10.3. **Residential Permit Parking Program.** Pursuant to §6.II.B, no residents in the multifamily development shall be eligible for the City's on-street residential parking permit program. **This should be a condition of approval and the applicant should testify that they are aware of this requirement and will include it in documentation provided to future tenants.**
- 10.4. **Environmental Remediation.** Pursuant to §6.II.C, the designated Redeveloper of the Redevelopment Area shall be responsible for any and all environmental regulatory compliance in accordance with New Jersey Department of Environmental Protection (NJDEP) requirements for property acquired by the Redeveloper. **This item is deferred to the Board Engineer.**
- 10.5. **Trash and Recycling.** Pursuant to §6.II.D, trash, recycling and waste removal shall be performed by a private hauler contracted by the redeveloper or building owner. All trash, recycling and refuse storage shall be fully enclosed and screened within the building or, if outside, within a minimum 6' enclosure of masonry construction on all four sides of said enclosure. The masonry enclosure and access gate shall match or complement the principal building. **This should be a condition of approval and the applicant should testify that they are aware of this requirement and will include it in documentation provided to future tenants. According to the architectural plans, all trash will be stored within the building.**
- 10.6. **Utilities and Mechanical Equipment.** Items relating to stormwater management, water, sanitary sewer, and related utilities are deferred to the Board Engineer. **This office notes that all mechanical equipment is located in the building or on the roof.**
- 10.7. **Sustainable Design.**
- 10.7.1. LEED Silver. The applicant should testify as to the building's compliance with LEED Silver or similar certification (this office notes that LEED certification is not required).
- 10.7.2. Rooftop Surface. 35% of the building rooftop shall be devoted to green roofs, cool roofs, open space, or other similar elements. The green roof, cool roof, rooftop



recreational space, and rooftop garden area total 7,956 sf., or ±54% of the total tract area (a number greater than the roof surface). The plan complies.

10.8. **Construction Staging Plan.** As a condition of any approval, the applicant will be required to provide a construction staging plan to the City Engineer and other City staff for review.

10.9. **Package Delivery.** The applicant should provide testimony as to the process that is intended to be used for package delivery to the proposed residential units. A mail/package area is included on the first level of the ground floor.

11. Development Fees for Affordable Housing

11.1. **Development Fee.** The applicant is responsible for development fees to be paid to the City's housing trust fund. The Redevelopment Plan indicates housing obligations or exemptions from or reductions of same shall be established in an agreement between the City and designated redeveloper for the Redevelopment Area.

12. Consideration of the "C" Variance

12.1. **Overall Comment.** The following sections summarize the "c" variance criteria for the purposes of establishing a framework for review. The applicant bears the burden of proof, which is divided into two parts, in the justification of the "c" variances. The applicant must justify the "c" variances separately and each variance must satisfy both parts. We defer to the Board Attorney for any additional comment on the "c" variance criteria.

12.2. **Consideration of the Positive Criteria.** To satisfy the positive criteria for a "c" variance, the applicant has two choices. First, known as "c(1)" variance relief, the applicant may demonstrate that strict application of the regulation would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship due to one of the following:

- By reason of exceptional narrowness, shallowness or shape of a specific piece of property;
- By reason of exceptional topographic conditions or physical features uniquely affecting the specific piece of property; or
- By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

Alternatively, and known as "c(2)" variance relief, the applicant may demonstrate the following positive criteria in support of the request for relief:

- Where in an application or appeal relating to a specific piece of property to purposes of this act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

12.3. **Consideration of the Negative Criteria.** Should the applicant satisfy the positive criteria, it must also be demonstrated that that the granting of the variance can be accomplished



without resulting in substantial detriment to the public good and without substantial impairment of the intent and purpose of the zoning ordinance and zone plan.

SUMMARY

13. Applicant / Owner / Consultants

- 13.1. **Applicant/Owner.** 111 Avenue F Partners Urban Renewal LLC, 540 Broadway, Bayonne, NJ 07002. Tel: 201.883.1010. Email: mike@primelaw.com (applicant's attorney).
- 13.2. **Attorney.** Michael Miceli, Esq. Prime Law, 1 University Plaza Drive, Suite 500, Hackensack, NJ 07601. Tel: 201.883.1010. Email: mike@primelaw.com.
- 13.3. **Engineer/Architect/Planner.** DAL Design Group, 11 West 8th Street, Bayonne, NJ 07002. Tel: 204.823.0779. Email: daldesgrp@aol.com.

14. Materials Reviewed

- 14.1. *City of Bayonne Application for Development Form*, with attachments, dated March 4th, 2024.
- 14.2. *Statement of the Applicant and Waiver/Variance Request Sheet*, undated.
- 14.3. *Preliminary and Final Major Site Plan for Residential Development Located at 86-92 East 22nd Street and 107-111 Avenue F*, 37 sheets, prepared by A. Sambade, RA, DAL Design Group, dated April 30, 2024.
- 14.4. *Boundary and Topographic Survey*, 1 sheet, prepared by Juan J. Rodriguez, PLS, Nor'East Land Surveying, LLC, dated revised to April 15, 2024.
- 14.5. *Color Rendering*, 1 sheet, prepared by DAL Design Group, undated.
- 14.6. *Stormwater Management Report*, prepared by A. Sambade, RA, DAL Design Group, dated April 30, 2024.
- 14.7. *Environmental Impact Statement*, prepared by A. Sambade, RA, DAL Design Group, dated April 16, 2024.

15. Relief Required

15.1. Redevelopment Plan Variances:

- §5.7.A.2 Height of Ground Floor
- §5.7.D.1 Setback of Fifth Floor and Above to Avenue F
- §6.6.A.1 Lighting at Property Line
- §6.6.A.4 Side and Rear Yard Lighting
- §6.6.A.5 Color Temperature
- §6.7.A Fence Material
- §6.2.D.9 Building Material



15.2. **Conditions of Approval:**

- Street tree details and tree replacements as indicated in this report;
- Rooftop landscaping;
- Replacement of specified ground plant material;
- Appropriate soil cell details;
- Sign details;
- Replacement of “Rawhide” color;
- Any applicable affordable housing development fee;
- Prohibition of the use of the City’s residential parking permit program;
- Emergency traffic signal transponder equipment;
- Review of the need for high intensity sprinkler heads in the parking garage for electric vehicle fire suppression;
- Use of private hauler for trash and waste removal;
- Construction Staging Plan

Note that additional variances and exceptions may be identified by the Board or the other professionals employed by the Board. The same applies to the conditions of approval.

We would be pleased to answer any questions regarding this report.

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