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MEMO TO: City of Bayonne Planning Board

FROM: Malvika Apte, PP/AICP 
Consulting City Planner

DATE: June 4, 2021

RE: Mahalaxmi Flagship Urban Renewal, LLC
Amended Preliminary and Final Major Site Plan
Planning Report # 2
Block 751 Lot 1.04
1 Flagship Street
Bayonne, New Jersey
Our File: PBYP0751.01/600.02
Application # P-21-008

As per your request, we have reviewed the aforementioned referenced application for the site plan application:

- One (1) sheet Amended Final Major Site Plan, prepared by Insite Engineering, LLC dated May 26, 2021
- Four (4) sheets titled "Tenant Fit-out", prepared by Kawalek+Kawalek, Architects, LLC dated January 19, 2021
- One (1) copy of traffic report study prepared by Klein Traffic Consulting, LLC dated March 27, 2021
- Sixteen (16) sheets of architectural plans titled "The Waterview" multifamily, prepared by GRO Architects PLLC, dated June 13, 2017 and latest revised May 21, 2021
- Eight (8) sheets of "Juice Bar Tenant Fit Out", prepared by Mistry Design, dated March 5, 2020
- One (1) copy of Statement of Applicant

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

1. Summary of Application

The applicant, Mahalaxmi Flagship Urban Renewal, LLC is seeking an amendment to an approved preliminary and final site plan application in connection to the recently built mixed use development located at 1 Flagship Street. The site was approved per P-17-013-Mahalaxmi

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Bayonne, LLC on August 15, 2017 for ground floor retail of 5,975 square feet of retail, 1,321 square foot of lobby and 97 residential unit, with a total of 127 parking spaces.

With this proposal, applicant is proposing to modify the ground floor retail in order to provide 6,189 square feet of day care, Retail 1- proposed Juice Bar of 1,541 square feet, Retail 2B- Market of 1,496 square feet and Retail 2A- Restaurant of 4,321 square feet.

The previous plans contained the retail space along the Goldsborough Drive with residential units to the rear. A total of 9 units were proposed to the rear. With the proposed expanded retail space the amended plan shows one (1) residential unit to the rear. The proposed unit is to be 2 bedroom unit of approximately 958 square feet. The area of the unit should be confirmed.

2. Zoning and Bulk Variances:

(a) Use:

The site is located within Harbor Station South latest revised March 13, 2018. The proposed mixed use containing child care, retail sales and services and multifamily housing is a permitted use.

(b) Bulk Standards:

The following table notes the proposed development's compliance/non-compliance with the zoning district:

Bulk Standards Redevelopment Plan			
Regulations	Redevelopment Plan	Existing	Proposed
Min. Tract Area	n/a	92,153	No change
Min. Sidewalk Width (ft)	10	10'	No change
Max. Building height (sty)	10	5	No change
Min. Building height (sty)	1	5	No change
Max. Building Height (ft)	120	58	No change
Max. Impervious Cov (%)	90	83	85
Min. Open Space (%)	15%	17%	No change
Min. Off street Loading Zone	12 ft. x 40 ft.	12 ft. x 40 ft.	No change



3. Additional Comments:

(a) **Unit size:** The following is noted:

- i). Per the redevelopment plan, minimum residential dwelling unit size within HS2 shall be 600 square feet. Per previous approval the development is to contain 97 dwelling units consisting of 22 units per floor from second to fifth floor and nine (9) units on first floor. With the amended plans submitted, we note the following :

First floor:	1 unit
Second Floor:	24 unit
Third Floor:	24 unit
Fourth Floor:	24 unit
Fifth Floor:	24 unit (the numbering of units on this floor needs to be revised)
Total	97 unit

- ii). The number of units has not changed the distribution per floor has. Further, the distribution of units is noted as follows:

Type of Units	Number of Units per approved 2017 plan	Number of Units built (seeking amendment)
Studio	3	16
One Bedroom	59	56
Two bedroom (super)		1
Two bedroom	35	24
Total	97	97

Applicant should discuss why the bedroom distribution of units was changed, especially the noted increase in number of studio and reducing the number of two bedroom units. **Benefits of such a bedroom distribution of units must be discussed.**

- iii). Lastly, per the redevelopment plan, the minimum dwelling unit in size should be 600 square feet. The range of unit sizes must be provided and discussed. Our preliminary review of unit sizes shows, studio size ranging from 600.54 square feet to



688.74square feet, One bedroom 735 square feet to 820 square feet and two bedroom around 958 square feet to 1,128 square feet. **Detail testimony on range of unit sizes must be provided. We question the range of units for the similar type of units in terms of bedroom distribution.**

(b) **Parking:** With the proposed amendment the following is noted:

Type of Use	Requirement	Requirement for Approved Plan	Requirement for Amended Plan	Proposed
Retail Sales and Services	3 spaces/1,000 sq. ft. =	5,975 square feet = 18 spaces	13,538 = 41 spaces	
Residential units	1.1 spaces/unit	97 x1.1 = 107	97 x 1.1 = 107	
		125 spaces	148 spaces	127 (V)

With the proposed increase in retail spaces, applicant requires a variance for the proposed number of 127 parking spaces. These are to be surface parking spaces to be proposed to the rear of the building.

Per the redevelopment plan, a parking space may be counted towards the parking requirement for two or more complimentary uses provided that

1. The redeveloper demonstrates that the peak parking demand by each use shall not substantially overlap based on the time of the day
2. No more than 50% of the total required spaces calculated separately by use shall be shared spaces.
3. In the absence of extenuating circumstances, office and residential uses shall be deemed non-overlapping uses.

Per the traffic report that is submitted, applicant is proposing the shared parking arrangement to justify the sufficiency of the adequacy of parking. The following is noted:

- i). The traffic study notes that during daytime, the residential cars are driven away from the site, while commercial customers cars are driven to the site. Further, the report establishes that maximum parking demand for the mixed use development shall be 107 parked cars between 12 am midnight to 6:00 am on weekday and 107 parked cars



between 12 am midnight to 6:00 am on Saturday. We question if the proposed type of uses such as juice bar, market and restaurant have peak times that may clash with the residential use were considered. For example use such as a restaurant tends to remain open during off peak hours into the evening when residents are typically expected back. Further, another proposed use is a child care, which does have a tendency to open during earlier morning hours when residential cars have not typically driven away from the site.

- ii). We question if this study took into consideration the changing trends of remote working due to the pandemic. As has been noted remote working has become an ever evolving trend where residents don't typically leave their units in order to go off to work. Does the traffic study take into consideration such a shift?
- iii). With the proposed amendment, the type of use proposed in the retail area is much more known. The redevelopment plan applies a general industrial standard of 3 per 1,000 square feet. Has the traffic study done further reviewed and research a typical requirement of a day care, a 4,000 square feet restaurant, a market and a juice bar. Is there data that can provide insight on typical number of employees for such types of uses and their impact on overall parking on the site.

(c) **Signage:** Per the plans submitted, the following is noted:

	Requirement	Proposed
Blade Sign		
Blade Sign	Projecting Sign in lieu of Wall sign	Blade Sign & Wall sign proposed (V)
Number of Signs	1 per establishment	4
Max. Area	12 square feet	9
Min Height above street level	9 feet	8 (V)
Max. Height	15 feet	11
Wall Sign		
Wall Sign	Permitted	Proposed
Number of Sign	1 per establishment	1 proposed
Max. Area	20 sq. ft.	5 sq. ft.*



Max. Height	Upper portion of first story above the building entrance	8'-6"
Multifamily Signs		
Wall sign	Permitted	TBD
Max. Area	50 sq. ft.	TBD

*applicant to confirm the wall sign TBD- to be determined

- i). Signage detail for residential entrance should be provided.
 - ii). It is noted that all the parking to the building is to the rear, further additional entrances to the retail stores and day care are also provided from the parking side, however no signage is shown along the rear façade. Applicant should clarify how retail patrons are to access the building.
- (d) **Outdoor play area:** Per the revised plan submitted, an outdoor play area of 500 square feet is provided. We question the adequacy of this play area considering the proposed day care is approximately 6,198 square feet. NJ State licensing requirements dictates the area of outdoor play area for children above 10 months. Applicant should provide the details and if the proposed outdoor play area would meet the required area threshold.

The proposal includes a 4 feet high aluminum fence surrounding the play area. Additional bollards for safety are proposed. We question the open design of the fence for safety requirement of the day care use. It is our understanding the fences for play area are required to vinyl close type of fence for safety and security. This should be discussed.

From the plans it is not clear where the pick-up and drop off from the day care is to occur. This should be clearly marked. Is it the no loading zone striped area, please clarify? Further, as noted above since there is no clear signage indication from the parking lot, it is unclear how the patron shall know where the entrance to the day care is. General operation should be described in the testimony.

- (e) **Outdoor Patio Area:** Outdoor patio area is shown on the two sides of the building. It is not clear who is this patio area for. Entrance to this patio area and details on type of activity such as plantings and furniture should be provided. Access point to the patio along the day care is not provided.



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- (f) **Refuse enclosure:** Revised plans do not show the refuse enclosure for the site. Its location and general operation must be provided. How is the trash disposed and collected for each proposed establishment?
- (g) **Floor Layout:** The proposed Super unit on the ground floor has direct access into the day care. This may be a security issue and should be discussed.
- (h) 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
City Planner