

2ND & FINAL READING

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC,  
OF AN ORDINANCE ENTITLED, "AN ORDINANCE ADOPTING AND  
ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF  
LINDEN, 1999," PASSED NOVEMBER 23, 1999 AND APPROVED NOVEMBER  
24, 1999, AND AS AMENDED AND SUPPLEMENTED**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:**

Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows:

**ADD** New Section 7-46

**7-46 Super Walmart Retail Complex**

7.46.1 **Applicability of Statutory Regulations.** Cypress Equities Managed Services, L.P. and Super Walmart, located at Block 460, Lot 38.05 of the tax maps of the City of Linden have filed a written consent with the City of Linden that the provisions of Subtitle 1, Title 39, of the revised Statutes of the State of New Jersey be made applicable to the semipublic roads, streets, driveways and parking lots at the subject property, and the following regulations shall be enforceable.

**7.46.2 Parking**

- A. All vehicles must park in designated areas and between the lines provided.
- B. No person shall stop or stand a vehicle upon any area used for travel within the parking lot between parking rows or areas covered by other parking restrictions:
- C. Handicapped parking. All stalls shall be 12 feet wide as shown on the attached site plan and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the handicapped parking permit by the Division of Motor Vehicles.

**7.46.3 Stop intersections.**

- A. Stop signs shall be installed on the near right side of each intersection, except where yield signs are provided for in the designation.
- B. Stop intersections. All intersections are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

**7.46.4 Tow-away zones.**

- A. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, oil fills, any grassy area, pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's or operator's expense.
- B. No overnight truck parking per City Ordinance 7-16 and 7-16.1.

**7.46.5 Signage.**

All signs, posts, or other necessary materials shall be installed and paid for by the applicant. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

**7.46.5 Speed Limit (mph) Limits**

- A. Speed limit for both directions of traffic in the parking lot(s) shall be 15mph.
- B. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

Section 2. The remaining provisions of the Chapter hereby amended and supplemented shall continue in full force and effect to the same extent as if herein fully repeated.

Section 3. If any section, subsection, provision, clause, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. This ordinance shall take effect in the manner provided by law.

PASSED:

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President of Council

APPROVED:

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Mayor

ATTEST:

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City Clerk

**CYPRESS EQUITIES MANAGED SERVICES, L.P.**  
**8144 Walnut Hill Lane, Suite 1200**  
**Dallas, TX 75231**

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October 29, 2019

The City of Linden – Clerk Office  
Mr. Joseph C. Bodek  
301 North Wood Avenue  
Linden, NJ 07036

**RE: Title 5A Application**  
**Legacy Square Shopping Center in Linden, NJ**

Mr. Bodek,

As you may know, Edgar Road and Pleasant Street are the streets surrounding our new Shopping Center (Legacy Square). Since our parking lot has been complete, we have had issues with 18 wheelers parking overnight. We do not permit any 18 wheelers, big trucks or trailers to park on our parking lot after deliveries have been completed.

For this reason, we are submitting this written request on behalf of Linden Development, LLC and Walmart to invoke the City of Linden Police Department authority to enforce public road motor vehicle and traffic laws proscribed under Title 39 of the New Jersey Statutes along Edgar Road and Pleasant Street of our parking lot.

Please let us know if you need additional information for this request. I will be the point of contact for the committee and this request, so please direct any inquiries to me. We appreciate your consideration of this request.

Sincerely,

Sandra Colic  
Property Manager  
Cypress Equities  
8144 Walnut Hill Lane, Suite 1200  
Dallas, TX 75231  
DL: 214.561.8826  
sandra.colic@cypressequities.com



November 18, 2019

Via Email  
[Sandra.colic@cypressequities.com](mailto:Sandra.colic@cypressequities.com)

Ms. Sandra Colic  
Property Manager  
Cypress Equities  
8144 Walnut Hill Lane, Suite 1200  
Dallas, TX 75231

**RE: Linden Development, LLC  
Pleasant Street and Edgar Road  
Block: 469; Lot 38.05  
City of Linden  
Union County, New Jersey  
BENJ File No. J150667**

Dear Sandra:

As discussed, our details for the parking and signage are based on the MUTCD manual and generally comply with the MUTCD. There are a few Walmart specific items like, by way of example only, the OGP orange paint that are somewhat unique but still generally comport with the general guidelines of the manual in terms of paint technology, line thicknesses, signage sizes and materials, traffic control markings and signage, and other items from the MUTCD that are specific to the design of a parking lot for commercial use.

Please let us know if you need anything else from our office to help obtain Title 39 on this property from the City of Linden.

Sincerely,

**BOHLER ENGINEERING NJ, LLC**

Brad Thompson, P.E.