

December 3, 2020

City of Linden Planning Board  
City Hall  
301 North Wood Avenue  
Linden, NJ 07036

Attn: Dorothy Kotowski, Planning Board Secretary

Re: Application No. SP# 1122-20, Linden Edgar, LLC  
Site Plan  
Route 1&9 & Park Avenue  
Block 436, Lot 11.01 – Infineum Redevelopment District

Dear Chairman and Board Members:

We are in receipt of the above-referenced development application that seeks amended site plan approval to construct a new 5,051 square-foot (previously 5,585 square feet) Wawa convenience food store with gasoline sales and a 7,200 square foot retail store.

The regulations contained within the Redevelopment Plan for the Infineum Redevelopment Project govern the use, bulk, and design standards for the site and supersede provisions of the City's Zoning and Land Development Ordinances. However, existing engineering standards, definitions, and sections of the Zoning Ordinance and Land Development Ordinance not covered by the Redevelopment Plan still apply.

In connection with the above-referenced application, we have reviewed the plans and supporting documentation filed by Linden Edgar, LLC. The site plans were prepared by Maser Consulting and are dated 3/20/20. The plans consist of 20 sheets. Via email, we received an updated cover sheet and construction details, revised on 5/6/20.

Architectural plans (Wawa) were prepared by Richard Luke that are undated. The drawings consist of 2 sheets (principal building and canopy).

We also received the previously approved architectural plans (Retail Building) were prepared by TK Studio, LLC that are dated 1/18/18.

## 1. Site Description

The subject premises consist of a regular shaped tract situated at the intersection of West Edgar Road (Route 1/9), and Park Avenue. The subject tract consists of 105,600 square feet (2.42 acres) and is presently improved with an Exxon gasoline station, convenience store and car wash. Approximately an acre of the site is unimproved.

## 2. Description of the Proposed Development and Compliance with City Development Regulations – Site Plan

- a. As outlined below, the development proposal does not comply with all requirements of the Redevelopment Plan and other applicable sections of the City's Zoning Ordinance.

**Table 1 – Applicable Zoning Requirements**

District Building Requirements	Required	Proposed	Compliance
Minimum Yard Setbacks (ft.)	30	Front 162.9/79.5 <b>Side – 9.3'</b> Rear – 50.3	<b>DNC</b>
Minimum Accessory Building/Structure Setback <sup>2</sup> (ft.)	Side – 12 Rear – 25	Side – 13.4 Rear – 34.4	DNC
Building Height (sty./ft.)	2/35	Wawa – 33 Retail - TBD	C TBD
Maximum Floor Area Ratio (percent)	0.25	0.116	C
Off-Street Parking	Retail and Service Station – 1 per 200 sq. ft. or 62/64 spaces	90/92	C
Loading Space	1	2	C

Key: C – Complies; DNC – Does Not Comply – Variance/Deviation Required

<sup>1</sup> A variance to permit 14.69 feet was previously approved.

## 2. Planning Considerations

### a. Completeness.

- a. Architectural plans have not been received for the retail building.

### b. Zoning – Site Plan.

1. Gasoline service stations with a convenience store and retail establishments continue to be permitted land uses in the Redevelopment Plan.
2. It appears that Redevelopment Plan deviations or bulk variances are required to permit a retail building that is setback as close as 9.3 feet from the side lot line where 30-feet is required.
3. A number of variances associated with site signage are required as follows:
  - a. § 31-25.10(a) - The ordinance permits one (1) freestanding sign per frontage; where, two (2) freestanding signs are proposed along Route 1 & 9.
  - b. § 31-25.10(b)(1) - The ordinance permits a maximum freestanding sign height of eighteen (18) feet; where twenty feet is proposed.
  - c. § 31-25.10(b)(3) - The ordinance requires a minimum setback from the curbline of twenty (20) feet; where, 14.1 feet is proposed along Park Avenue.
  - d. § 31-25.10(b)(3) - The ordinance requires a minimum setback from the rear property line of twenty (20) feet; where, 1.6 feet is proposed.
4. Design waivers. Several design waivers are required that are identified in this letter.

### c. General.

1. The applicant should discuss with the Board the hours of operation of the facility, anticipated number of employees and operational testimony associated with site and the ability for it to accommodate vehicular, truck, truck delivery, landscape vehicles and pedestrian traffic.
2. The applicant shall indicate why electric charging stations are not being installed at this location. It is recommended that they be incorporated into the design of the facility.
3. No architectural drawings have been prepared for the retail building. It is recommended that preliminary approval only be considered at this time.

### d. Circulation/Parking.

1. Access. Access to the site is proposed via two driveways, one from Route 1/9 and one from Park Avenue. Route 1/9 is under the jurisdiction of NJDOT while Park Avenue is under the

jurisdiction of the City of Linden. We note that the location of the proposed driveways meets the City requirement for the minimum separation from an intersection (31-27.9). We further note that two driveways exist today on each roadway frontage.

2. The applicant shall indicate why the “stay out of the box” markings have been removed from Park Avenue.
3. Deliveries. The applicant should demonstrate the ability for fuel and general deliveries to occur simultaneously. The applicant shall indicate the anticipated hours of deliveries, and how those hours correspond with the peak traffic conditions along Route 1&9.
4. Parking. The applicant proposes 50 parking spaces adjacent to the proposed convenience store and 42 spaces adjacent to the proposed 7,200 square foot retail building. The proposed on-site parking exceeds the parking requirements for the site by 28/30 spaces. While we understand the applicant’s desire to provide sufficient parking for its customers, 1 space per 101 sq. ft. at the Wawa facility may be excessive.
5. The applicant shall indicate whether further attempts were made to encourage cross-access with the larger adjoining lot. Cross-access would eliminate the need for vehicles to exit onto Route 1/9 or Park Avenue to visit the larger shopping area.
6. The applicant proposes a full movement driveway onto Park Avenue. The applicant shall demonstrate the ability for vehicles to make left turns onto Park Avenue given the frequent queuing of cars leading to the Route 1/9 intersection.
7. Diesel. The applicant shall confirm that any proposed diesel pumps are designed for cars and not tractor trailers.

**e. Lighting.**

1. Considering the location of the gasoline station on Route 1/9 and the ongoing transfer of cash during nighttime hours, there is a need for higher than typical illumination levels under the canopy. We further note that the proposed illumination levels at the property lines are minimal and are acceptable from a planning perspective.

**f. Trash/Refuge.**

1. Trash. The applicant shall provide testimony as to how trash will be operationally handled with the loading area.

**g. Landscaping and Screening.**

1. Section 29-11.9 – Landscaping and buffers for parking areas requires the following:
  - a. All open areas not utilized for parking areas, driveways, streets or roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable growing ground cover, trees and shrubs. **Complies**
  - b. Continuous evergreen screening may be required along the tract boundary line, such screening to be no less than three feet high when planted. In addition, the Planning or Zoning Board of Adjustment may, if conditions warrant, require supplemental screening by a solid fence up to six feet in height. **No additional screening is recommended.**
  - c. Shade trees shall be provided along walks, driveways, parking areas, streets and roads. Screening or buffers, consisting of berms, fencing and/or landscaping may be required around recreation, parking, utility and refuse disposal areas and around other similar areas at the discretion of the Planning Board. **Complies**
  - d. All landscaping shall be maintained in good condition and shall be replaced where necessary. Where yards, patios and gardens in multifamily developments are shielded with masonry walls, such walls shall conform architecturally to and be of similar materials as the principal buildings in the development. **Complies**
  - e. Not less than 10% of the area of each parking area in excess of 20,000 square feet shall be suitably landscaped to minimize noise, glare and other nuisance characteristics as well as to enhance the aesthetics, environment and ecology of the site and surrounding area. **Complies**
  - f. Off-street parking areas shall be effectively screened by a berm, fence or wall not less than two to three feet in height, maintained in good condition; or a screening hedge or other natural landscaping. The screening as required by this section may be waived by the Board if, in its judgment, because of topographic or other unusual conditions, said screening is not necessary to protect adjoining property. **Complies**
  - g. Parking lots in excess of 20,000 square feet shall be planted with trees at a rate of one (1) tree per twelve (12) spaces. Parking shall not extend more than twenty (20) spaces without a tree island break. **Complies**
  - h. Pedestrian walkways shall be landscaped with additional shade or ornamental trees equal to an average of one (1) shade tree per fifty (50) linear feet of walkway, unless the walkway is adjacent or included within an existing compliant buffer or frontage planting. One (1)

shade tree shall be planted for each two-hundred (200) square feet of separate additional landscaped area. **The number of trees comply, however they not all placed adjacent to walkways. It is recommended that a design waiver be granted.**

2. Landscape Buffers facing Route 1/9 shall meet the following guidelines.

- a. A fifteen (15) to twenty (20) foot landscape buffer shall be required along the right-of-way and shall include canopy trees and groundcover. Optional understory and shrubs are permitted within the buffer and must follow the standards provided herein. **The project previously complied, however the NJDOT taking now results in approximately 9-feet of green area from the property line to the curb line. A design waiver is required.**
- b. The buffer along public streets shall include a berm ranging in height from one (1) to two (2) feet, maintaining a two (2)-foot height for at least forty (40) percent of the overall length. The course and base of the berm shall meander where possible and have side slopes no greater than 4:1. **Does not comply.**
- c. Buffers smaller than ten (10) feet may be permitted by approval from the Board of Jurisdiction. **Required waiver.**
- d. Permitted features within front buffers – sidewalks, signs, low wall and ‘wrought iron’ picket fences, Additional features such as a knee walls and decorative ‘wrought iron’ picket fencing are permissible with the following standards. **The applicant previously proposed a 3 to 4-foot wooden split rail fence. This fence appears to have been removed. Testimony shall be provided.**
- e. Frontage wall- Up to one third of the required percentage may consist of frontage walls. The frontage wall shall be a minimum height of eighteen (18) inches with a maximum height of twenty (24) inches and a minimum width of twelve (12) inches. The wall shall be constructed of stone, brick or stucco. The material shall complement the primary building’s architecture. **Not applicable.**
- f. Bicycle racks shall be provided for all multifamily and nonresidential developments at the ratio of one bicycle space for each dwelling unit and one bicycle space for each 50 off-street parking spaces. At a minimum, bicycle parking for at least 2 bicycles shall be provided. **Testimony shall be provided by the applicant. The previous plan complied. It appears that the bike racks were removed.**
- g. The redevelopment plan requires that all shrubs be planted at a height of 30 inches tall at the time of planting. It is recommended that this change be incorporated into the site plan.
- h. The applicant shall confirm that irrigation is still proposed.

#### **h. Architectural/Signs.**

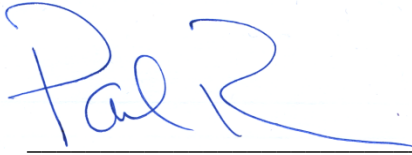
1. The applicant proposes to face the building with a combination of stone veneer at the base, EIFS (synthetic stucco) on upper levels as well as a metal roof. Proposed colors are a neutral (brown, tan and grey, with the exception of site signs). Finished materials are proposed on all four building elevations. A deviation or variance is required from the redevelopment plan to permit EIFS. This was previously granted.
2. Canopy. The applicant continues the use of the grey roof on the principal building along with white columns and stone veneer support beams on the canopy. The architectural design of the site is coordinated throughout. Noting that we do not have architectural plans for the retail building.
3. The redevelopment plan requires all signage to be approved by the Planning Board. This review letter analyzes the proposed signage in comparison to the City's existing zoning ordinance.
4. Building mounted signs. The applicant proposes front and rear building mounted signs for the convenience store. The proposed sign package appears to meet ordinance requirements. We don't have sign details for the larger retail store.
5. Freestanding signs. Two monument-style freestanding signs—located within a landscaped bed—that are 20-feet high, setback 5 and 10-feet from the property line and having an area of 46.9 square feet were previously proposed. The applicant now proposes three freestanding signs. It appears that these signs are 46.9 sq. ft., 50 sq. ft. and 84.8 sq. ft. in area. The applicant should explain the need for the third freestanding sign for a site that has become smaller after a right-of-way taking. We question the need for the third sign.
6. Freestanding signs (2). The applicant should consider designing a lower monument style sign along Park Avenue given the anticipated vehicle queue in front of the Park Avenue ingress/egress driveway and the descending grade to this location.
7. Canopy signs. The applicant shall clarify all proposed canopy signs and signage adjacent to and on fuel pumps. Additional variance relief may be required.

#### **i. Stormwater design.**

1. Stormwater. A separate letter was provided in March/April. This letter has not been addressed.

Should you have any questions, please contact us.

Very truly yours,



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Paul N. Ricci, AICP, PP  
Planning Consultant

cc:     Anthony Rinaldo, Esq., Board Attorney (via email)  
          Nicolas Pantina, PE, City Engineer (via email)  
          Mark Ritacco, Zoning Officer (via email)  
          Lena Balorda-Barone, PE, Applicant's Site Engineer (via fax)