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Planning Report #1

Date: September 3, 2021

To: South Orange Planning Board

From: Greer Patras, AICP, PP, Board Planner

Applicant: 270-274 Irvington Avenue, LLC

Subject: **Application No. 283**
270 Irvington Avenue, Block 2102, Lots 14-20
299 Irvington Avenue, Block 2107, Lot 1
Preliminary/Final Major Site Plan with Bulk Variances

The purpose of this report is to provide the Planning Board with an evaluation of Application #283 submitted by Derek W. Orth, Esq. on behalf of 270-274 Irvington Avenue, LLC (the "Applicant"). The Site is within the 270 Irvington Avenue Redevelopment Zone. The Applicant proposes two mixed-use buildings on 270 Irvington Avenue consisting of ground floor commercial and residential amenity space and 48 residential units on the upper floors, as well as one mixed-use building on 299 Irvington Avenue consisting of ground floor commercial space and 12 residential units on the upper floors. The Applicant requires Preliminary/Final Site Plan approval as well as bulk variance relief.

The following items were reviewed:

- **Planning Board Application Submission**, filed May 12, 2021.
- **Cover Letter**, written by Derek W. Orth, Esq., dated May 11, 2021.
- **Cover Letter**, written by Derek W. Orth, Esq., dated July 30, 2021.
- **Engineering Response Memo**, consisting of 4 pages written by Anthony Facchino P.E., P.L.S., P.P., C.M.E. of Casey & Keller Inc., dated July 26, 2021.
- **Site Plan**, consisting of 16 sheets prepared by Michael T Lanzafama, P.E. of Casey & Keller Inc., dated May 10, 2021 and last revised on July 20, 2021.
- **Architectural Plans**, consisting of 16 sheets prepared by Earl Jackson Architecture Workshop, LLC, dated May 10, 2021 and last revised on July 20, 2021.
- **Traffic Impact Study**, consisting of 39 pages prepared by Dynamic Traffic, dated April 15, 2021.
- **Stormwater Management Report**, consisting of 122 pages prepared by Michael T Lanzafama, P.E. of Casey & Keller Inc., dated May 10, 2021.
- **Wetlands Transition Area Investigation**, consisting of 4 pages prepared by David C. Krueger, dated March 18, 2021.
- **Boundary + Topographic Survey**, consisting of 1 sheet prepared Michael T Lanzafama, P.E. of Casey & Keller Inc., dated February 15, 2021.
- **Vehicle Turning Template**, consisting of 1 sheet prepared Michael T Lanzafama, P.E. of Casey & Keller Inc., dated July 20, 2021.

I. EXISTING CONDITIONS

- A. **The Site:** The Site consists of Block 2102, Lots 14, 15, 16, 17, 18, 19, 20 and Block 2107 Lot 1. The combined lots occupy an area of approximately 2.2 acres (95,793 square feet). Properties within Block 2102 are located on the western side of Irvington Avenue, between Tichenor Avenue and West Fairview Avenue, adjacent to the Delta gas station. These lots total 2.026 acres (88,351 square feet) and contain a mix of residential dwellings, surface parking, and a financial service building. Block 2107, Lot 1 is located on the eastern side of Irvington Avenue, at the corner of Fairview Avenue and Irvington Avenue. This parcel contains 7,442 square feet (0.171 acres) and a one-story commercial building with eight parking spaces.



Figure 1: Redevelopment Area Map

- B. **Neighborhood Context:** The Site is located within the Seton Village neighborhood which is comprised of both residential uses and community commercial uses. The commercial corridor is located along both sides of Irvington Avenue, between Waverly Place and Tichenor Avenue. Surrounding streets contain predominately single- and two-family residences. All commercial buildings contain first floor retail, where some commercial buildings contain upper story residential apartments. Waverly Place and Tichenor Avenue, side streets off of Irvington Avenue, contain predominately detached single-family dwellings. The Site is also located within walking distance to downtown South Orange.
- C. **Traffic + Circulation:** Irvington Avenue is an Essex County arterial road that leads to downtown South Orange and Seton Hall University. Irvington Avenue directly connects to South Orange Avenue, which is a major county road (CR 510) that links many of the region's commercial centers with smaller towns, including Newark to the east and Village, Short Hills, and Livingston to the west. The Site is located a half a mile from the South Orange Train Station, which equates to an approximate 11-minute walk. Additionally, two bus stops, Irvington Avenue at Tichenor Avenue and Irvington Avenue at Riggs Place, are about a two-minute walk from the Area.

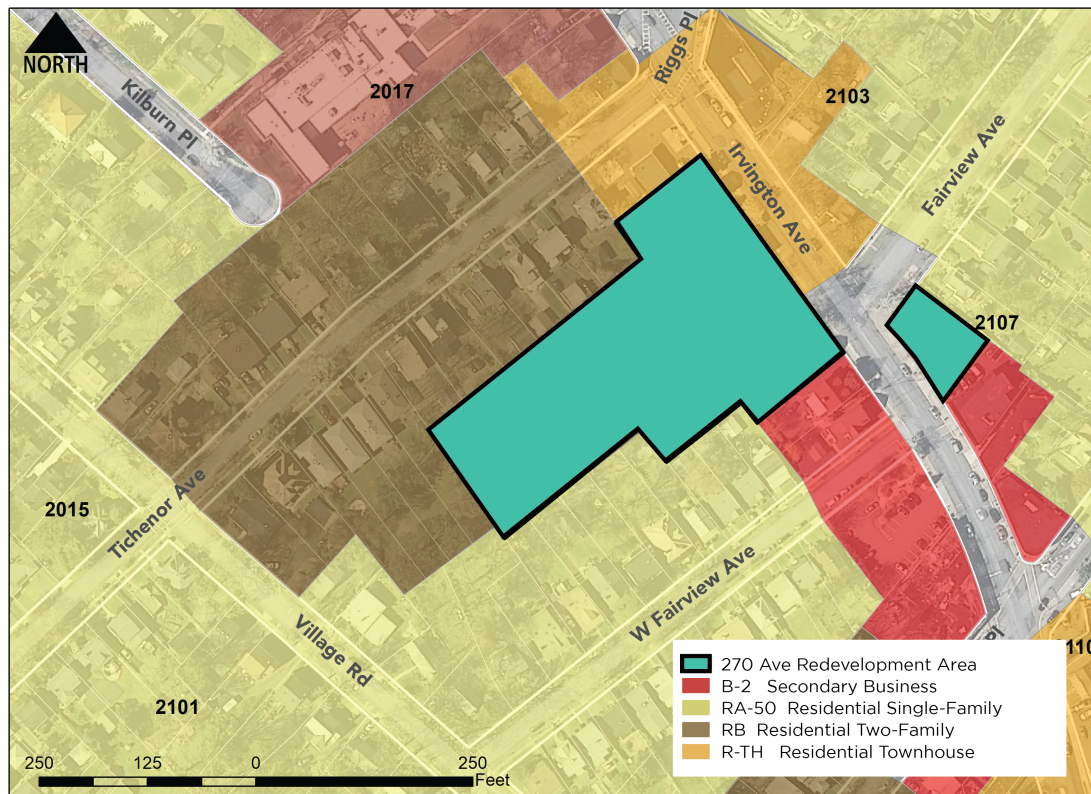
D. **Zoning:** 270 Irvington Avenue Redevelopment Zone

Figure 2: Redevelopment Area Zoning Map

II. PROPOSAL

A. **Proposed Project:** The Applicant proposes the following:

1. 270 Irvington Avenue:
 - i. Remove all existing site improvements
 - ii. Basement/Parking Garage:
 - 114 parking spaces (incl. 3 ADA spaces and 12 electric vehicle (EV) spaces)
 - 30 bicycle parking spaces
 - iii. Primary Structure:
 - 4-story mixed-use building
 - 41 residential units on upper floors (incl. 7 affordable units and 1 super unit)
 - 11,705 SF of commercial space
 - 1,413 SF of residential amenity space
 - iv. Secondary Structure/Garden House:
 - 3-story mixed-use building
 - 8 residential units on upper floors
 - 1,751 SF of commercial space
 - 2,387 SF of residential amenity space
 - v. Surface Level Site Improvements:
 - 2 bio-retention basins and associated residential amenity open space areas in rear yard
 - Streetscape improvements such as rain gardens, public areas, pavers, curbing, etc.
 - 13 parking spaces (incl. 2 ADA spaces and 2 electric vehicle (EV) spaces)

- 10 bicycle parking spaces, loading area and refuse area
 - Landscaping, lighting, utilities, grading, signage, parking garage access huts, pedestrian walkways, fencing, etc.
2. 299 Irvington Avenue:
- i. 3-story addition to existing commercial building
 - ii. 4-story mixed-use building containing:
 - 12 residential units on upper floors (incl. 5 affordable units)
 - 2,380 SF of commercial space
 - Basement with storage areas
 - iii. Surface Level Site Improvements:
 - 4 parking spaces and 1 loading space
 - Refuse area, lighting, and landscaping

III. VARIANCE DISCUSSION

A. **Requested Variances:** The Applicant will require the following “c” bulk variances from the Redevelopment Plan and or the Land Development Ordinance. Please note that 270 Irvington Avenue and 299 Irvington Avenue are governed by different requirements.

1. **Deviations from 270 Irvington Avenue Requirements:**

- i. **Residential Amenity Space:** where a minimum of 100 SF per unit (6,100 SF) is required, of which a minimum of 50% of that space must be indoor (3,050 SF), but 2,095 SF of residential amenity space is proposed indoor. (Section 6.2.D) We note that the Applicant’s bulk chart notes the requirement as 50% of all amenity space must be outdoor which must be corrected.
- ii. **Secondary Development Zone Buffer:** where a minimum 10’ wide buffer is required along the side yard and rear yard, but a 7.5’ wide buffer is proposed along the side yard and rear yard. (Section 6.2.P.i)
- iii. **Impervious Coverage:** deviation may be required upon permeability determination by Board Engineer. (Section 6.2.H.)

2. **Deviations from General Requirements:**

- i. **Screening Height:** where a maximum height of 6’ is permitted, but a 7’-4” tall refuse enclosure is proposed. (Section 6.4.A.i)
- ii. **Other Accessory Uses Height:** where a maximum height of 10’ is permitted, but an 11’ tall access hut to the parking garage is proposed. (Section 6.4.A.i)
- iii. **Residential Bicycle Parking Spaces:** where a minimum of 0.5 private sheltered/protected spaces per unit (31 spaces) are required, but 30 private sheltered/protected spaces are proposed. (Section 6.4.E.i)

3. **Bulk Table:** Compliance with all bulk requirements of the 270 Irvington Avenue Redevelopment Zone is as follows in the charts below. Please note that 270 Irvington Avenue and 299 Irvington Avenue are governed by different requirements. Several items remain outstanding in the Applicant’s bulk chart, therefore additional variances and waivers may be identified upon receipt of complete information.

i. **270 Irvington Avenue Requirements:**

Area + Bulk Requirements	Required	Proposed Consolidated Lot
Lot Area (Min.)	86,000 SF	88,351 SF
Lot Width (Min.)	200'	278.46'
Lot Depth (Min.)	120'	441.24'
Building Coverage (Max.)	35%	26.7%
Impervious Coverage (Max.)	55%	Applicant to Confirm*
Density (Max.)	48 Units	48 Units**
Affordable Housing (Min.)	20% of All Units = 10 Units	7 units***
Residential Amenity Space (Min.) 100 SF Per Unit - 50% of Space Indoor (Min.) Includes Block 2107, Lot 1	6,100 SF Total 3,050 SF Indoor Remainder SF Outdoor	6,684 SF Total 2,095 SF Indoor (M) 4,589 SF Outdoor
Open Space (Min.) - 30% of Lot Area	26,505 SF	29,790 SF
Primary Development Zone Buffer (Min.)	Side - 5' Wide Rear - 5' Wide Height - 6'	Side - 5' Wide Rear - Applicant to Confirm Height - 7'
Secondary Development Zone Buffer (Min.)	Side - 10' Wide Rear - 10' Wide Height - 6'	Side - 7.5' Wide (M) Rear - 7.5' Wide (M) Height - 7'
Subgrade Parking Front Setback (Min.)	0'	0'
Subgrade Parking Side Setback (Min.)	5'	7.4'
Subgrade Parking Rear Setback (Min.)	150'	185.5'
Primary Structure Requirements		
Front Yard Setback (Min.)	12'	14.35'
Side Yard Setback - East (Min.)	10'	10'
Side Yard Setback - West (Min.)	10'	16.4'
Rear Yard Setback A (Min.)	25'	27.5'
Rear Yard Setback B (Min.)	330'	345.2'
Building Height (Max.)	50'	49'
Stories (Max.)	4 Stories	4 Stories
Floor-to-Floor Height (Commercial)	12' - 20'	15'
Floor-to-Floor Height (Residential)	10' - 15'	10'
Roof Pitch	2:1	Applicant to Confirm
Secondary Structure Requirements		
Side Yard Setback - East (Min.)	25'	78.3'
Side Yard Setback - West (Min.)	25'	27.3'
Rear Yard Setback C (Min.)	25'	27.2'
Rear Yard Setback D (Min.)	200'	200'
Building Height (Max.)	36'	36'
Stories (Max.)	3 Stories	3 Stories
Floor-to-Floor Height (Commercial)	12' - 20'	15'
Floor-to-Floor Height (Residential)	10' - 15'	10'
Roof Pitch	2:1	Applicant to Confirm
(M) Variance Required		

* 54.4% is reported in the Applicant's bulk chart, but that area includes the proposed planters around the buildings. If the planters are excluded, the impervious coverage would be 58.6% which will require a variance. We defer to Board Engineer for drainage/permeability comments and calculations.

** 48 residential units plus one building superintendent apartment. Per Redevelopment Plan, "A unit reserved for building operations staff shall not be counted as part of overall density."

*** A variance is not required since the proposed 299 Irvington Avenue building includes 5 affordable units, thus satisfying the overall affordable housing requirement.

ii. **299 Irvington Avenue Requirements:**

Area + Bulk Requirements	Required	Proposed
Lot Area (Min.)	7,000 SF	7,442 SF
Lot Width (Min.)	50'	59'
Lot Depth (Min.)	50'	75'
Building Coverage (Max.)	85%	53.7%
Impervious Coverage (Max.)	100%	100%
Density (Max.)	12 Units	12 Units
Affordable Housing (Min.)	20% of All Units = 2 Units	5 units
Front Yard Setback - Irvington Ave. (Min.)	0'	0.46'
Front Yard Setback - Fairview Ave. (Min.)	0'	Applicant to Confirm
Side Yard Setback - South (Min.)	0'	37.1'
Rear Yard Setback - East (Min.)	3'	3.83'
Building Height (Max.)	50'	46'
Stories (Max.)	4 Stories	4 Stories
Floor-to-Floor Height (Commercial)	12' - 20'	13'
Floor-to-Floor Height (Residential)	10' - 15'	10'
Roof Pitch	2:1	Applicant to Confirm
(V) Variance Required		

iii. **General Requirements (for all properties within the Redevelopment Zone):**

General Requirements	Required	Proposed
Accessory Structure Requirements		
Fence and Wall Height (Max.)	6'	<6'
Refuse Enclosure Height (Max.)	6'	7'-4" (refuse enclosure) (V)
Shed, Gazebo, Other Accessory Uses Height (Max.)	10'	N/A
Parking Access Hut Height (Max.)	10'	11' (V)
Side Yard Setback (Min.)	6'	8.7'
Rear Yard Setback (Min.)	6'	6.3'
Vehicle Parking Requirements		
Residential Parking Spaces (Min.)	1.5 Spaces Per Unit = 92 Spaces	114 Spaces
Commercial Parking Spaces	1 Space Per 1,000 SF = 16 Spaces	17 Spaces
Underground Parking (Min.)	80% of Total Parking Spaces = 105 Spaces	114 Spaces

Flex Parking Spaces (Min.)	5 Spaces	Applicant to Confirm
Surface Parking Space Size (Min.)	9' Wide x 18' Long	9' Wide x 18' Long
Parking Garage Parking Space Size (Min.)	8' Wide x 18' Long	9' Wide x 18' Long
Compact Parking Spaces (Max.)	10% of Required Parking Spaces = 11 Spaces	N/A
Compact Parking Space Size (Min.)	8' Wide x 16' Long	N/A
Loading Spaces (Block 2102, Lots 14-20) (Min.)	1 Loading Space Per 18,000 SF of Commercial Space = 1 Space	1 Space
Loading Space Size (Block 2102, Lots 14-20) (Min.)	12' Wide x 25' Long	24' Wide x 25' Long
Loading Spaces (Block 2107, Lot 1) (Min.)	1 Loading Space	1 Space
Loading Space Size (Block 2107, Lot 1) (Min.)	9' Wide x 18' Long	12' Wide x 18' Long
EV Charging Spaces (Residential) (Min.)	10% of Residential Parking Spaces = 11 Spaces	12 spaces
EV Charging Spaces (Non-Residential) (Min.)	10% of Non-Residential Parking Spaces = 2 Spaces	2 Spaces
Bicycle Parking Requirements		
Residential Bicycle Parking Spaces (Min.)	0.5 Spaces Per Unit = 31 Spaces & Sheltered	30 spaces (V)
Commercial Bicycle Parking Spaces (Min.)	0.5 Spaces Per 1,000 SF of Commercial Space = 8 Spaces	10 spaces
Sheltered Bicycle Parking (Min.)	60% of Total Bicycle Parking = 24 spaces	30 spaces
Bicycle Parking Location (Max.)	40% of Total Bicycle Parking Outdoors = 16 spaces	10 spaces
(V) Variance Required		

- B. **Deviations From Design Requirements:** The Applicant will require the following design waivers from the Redevelopment Plan and or the Land Development Ordinance.
- Sidewalk Obstruction:** where a minimum 8' wide unobstructed pathway is required for sidewalks, but a 4' wide unobstructed pathway is proposed. (Section 7.5.B.iii)
 - Landscaped Areas:** where a minimum of 25% of areas between the property line and building frontage is to be landscaped, but 21% of areas between the property line and building frontage is landscaped. (Section 7.5.C.iii)
 - Trash Receptacle Interval:** where receptacles are required to be provided at least every 200' on center, but none are proposed for the entirety of the streetscape of 299 Irvington Avenue. (Section 7.6.C)
 - Outdoor Public Seating Level:** where seating levels shall be between 18" and 24", but a height of 17" is proposed. (Section 7.6.D)
 - Outdoor Public Seating Average:** where outdoor seating shall be provided along pedestrian pathways and near shade at an average of 1 seat per 75', but no outdoor seating is proposed along the pedestrian pathways along 299 Irvington Avenue. (Section 7.6.D)
 - Tree Pit Size:** where a minimum dimension of 5' wide x 7' long is required, but 4.3' wide by 7' long is proposed. (Section 7.7.A.vi)

- vii. **Foundation Landscaping:** where a continuous row of foundation landscaping is required, but no continuous row of foundation landscaping is proposed. (Section 7.7.C.i)
- viii. **Lighting Levels:** where the proposed lighting levels exceed the permitted lighting levels for the following requirements (Section 7.4):
 - Rear/Side Property Lines: 0 FC permitted, and 0.7 FC proposed
 - Surface Parking Lot: 1-3 FC permitted, and 3.5 FC proposed
 - Front Streetscape/Plaza/Sidewalk: 1-5 FC permitted, and 5.7 FC proposed
 - Internal Sidewalks: 1-3 FC permitted, and 4.0 FC proposed
 - Rear Residential Open Space: 1 FC permitted, and 3.3 FC proposed
 - Commercial Entrances: 2-5 FC permitted, and 5.7 FC proposed
 - Residential Entrances: 2-5 FC permitted, and 5.2 FC proposed
- ix. **Lighting Type:** where warm-white light is required for all lighting fixtures, but diffused ambient light is proposed for fixture D. (Section 7.4.B)
- x. **Signage Per Frontage Area:** where a maximum of 200 SF of signage per frontage is permitted, but 262.9 SF is proposed along Irvington Avenue. (Land Development Ordinance Section 185-142.B.1.a)

Several items remain outstanding in the Applicant's bulk chart, therefore additional variances and waivers may be identified upon receipt of complete information. Compliance charts for specific design elements are contained within related portions of the comments in Section IV.

- C. **Proof of Standard:** The Applicant must prove, and the Board must find that the necessary criteria for "c(1)" and/or "c(2)" variances, identified by the Municipal Land Use Law at section 40:55D-70, have been satisfied.

For a c(1) variance, the Applicant must prove hardship:

1. By reason of exceptional narrowness, shallowness or shape of a specific piece of property, or
2. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
3. By reason of an extraordinary situation uniquely affecting a specific piece of property or the structures lawfully existing thereon, the strict application of any regulation pursuant to article 8 of this act (40:55D-62 et seq.) would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such a property, grant, upon an application or an appeal relating to such a property, a variance from such strict application of such regulation so as to relieve such difficulties or hardship,
4. AND that such relief from the zoning ordinance will not be substantially detrimental to the public good, and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

For a c(2) variance, the Applicant must prove:

1. That the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirement; and
2. That the variance can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the zone plan and zoning ordinance.

IV. PLANNING COMMENTS

A. General + Site Plan Comments:

1. The Applicant should provide an overview of the existing and proposed conditions, development timeline, and relationship to the community and public realm. A summary of the proposed uses, the relationship of uses to each other, and the streetscape improvements should be discussed in context with the goals of the Redevelopment Plan.
2. Testimony should be provided on the operations of the proposed commercial spaces including permitted/anticipated uses, hours of operation, employees, and site traffic.
3. The Applicant should discuss the residential use including amenities, parking, building access, and moving procedures such as internal routes and moving truck parking. Additionally, if the apartment will be pet-friendly, dedicated pet relief areas should be considered, as well as bag/bin systems for waste.
4. The Applicant should discuss all proposed site demolition. The Applicant should provide a pedestrian detour plan for review and approval by the Board Professionals prior to site construction. The Applicant should participate in a pre-construction meeting with the Board Engineer prior to site construction.
5. The Applicant should provide testimony regarding the existing and proposed environmental conditions. The Phase 1 and Phase 2 reports of the environmental impact report should be provided.
6. The Applicant proposes a refuse enclosure with a height of 7'-4" which exceeds the maximum 6' height requirement for accessory structures (fences, walls, etc.). Additionally, the Applicant should clarify if the refuse area is part of this proposal or is for a future proposal, as it notes "future dumpster enclosure."
7. The Applicant should provide an overview of all requested deviations from the requirements of the Redevelopment Plan. The Applicant should confirm all requirements within the bulk charts above in this report that are stated as "applicant to confirm." Where deviations occur, the Applicant should discuss why the deviation is necessary or beneficial, and what is proposed to mitigate the impacts of the deviation.

B. Architecture + Signage Comments:

1. The Applicant should provide an overview of the proposed building design, massing, colors, and materials. A primary goal of the Redevelopment Plan is high quality architecture that "encourages the development of iconic architecture that sets a standard of high-quality design for future corridor development." The Applicant should discuss the design requirements of the Redevelopment Plan at Section 7.1., and that the materials and colors proposed for the 270 Irvington Avenue primary structure are proposed to match the 299 Irvington Avenue structure.

Material samples and/or renderings should be presented to show each facade and the human-scale experience at along the ground floors. We recommend any finalization of design items be done in conjunction with the Design Review Board.

2. The Applicant should discuss compliance with Section 7.2 sustainable design requirements of the Redevelopment Plan. The Applicant should add notes to confirm compliance with requirements A through C and provide testimony and notes on the plans regarding which sustainable design features will be implemented within this development.
3. The Applicant should discuss the typical bedroom layouts and the proposed affordable housing units. The Applicant proposes studio units on the floor plans; however, studio units are not noted within the residential unit project summary chart. The floor plans and residential unit project summary chart should be revised to be consistent with one another.

4. The Applicant should confirm compliance with the transparency level requirements for the primary structure and secondary structure. (Section 7.1.F. of the Redevelopment Plan)
5. The Applicant requires a deviation from Section 6.4.A.i. of the Redevelopment Plan for exceeding the maximum permitted accessory structure height for the proposed parking garage access hut. The Applicant should provide testimony regarding this deviation and consider decreasing the height of the access hut from 11' to 10' to comply with this requirement.
6. The Applicant should provide a roof plan for all 3 structures showing what is proposed to be on the roof (i.e. HVAC or other mechanical equipment).
7. The Applicant should confirm ownership, use, and access of the basement storage space of the 299 Irvington Avenue building.
8. The Applicant should confirm compliance with the roof pitch requirements for all 3 structures. Additionally, the Applicant should provide a building height calculation chart for all three buildings on the grading plan to confirm compliance with the building height regulations of the Redevelopment Plan. These calculations should be consistent with the bulk chart and the building heights shown on the elevation plans.
9. The Applicant should discuss the proposed signage package and provide testimony for the deviation for maximum signage per frontage area. The Applicant should provide a signage compliance chart for the proposed signage for 299 Irvington Avenue, and confirm the final dimensions of the proposed window signs which are noted to be "within the unique 13.1 SF max."

All final signage designs, materials, and colors should be done in coordination with the Design Review Board prior to building permits.

Signage Requirements	Required	Proposed
270 Irvington Avenue Primary Structure		
Wall Sign Area (Max.) (1.5 SF of Sign Area for Each 1' of the Business Width)	251'-8" Frontage Width = 377.5 SF	6 Signs at 0.76 SF Each + 1 Sign at 2.34 SF = 6.9 SF
Wall Sign Letter Height (Max.)	24"	12"
Signage Per Frontage Area (Max.)	200 SF	6.9 SF Wall + 33.3 SF Awning + 222.7 SF Window = 262.9 SF Total (W)
Projecting Sign Area (Max.)	9 SF	9 SF
Projecting Sign Extension (Max.)	4' From Building	2' From Building
Projecting Sign Height (Min.)	8' From Ground	8'-6" Above Ground
Building Entrance Awning Sloped Portion Sign Area (Max.)	25% of Sloped Portion of Awning (48 SF) = 12 SF	5.7 SF
Building Entrance Awning Sign Letter Height (Max.)	24"	10"
Retail Awning Valance Letter Height (Max.)	10"	8"
Retail Awning Valance Sign Area (Max.)	50% of Valance (6 SF) = 3 SF	2.3 SF
Awning Sign Height (Min.)	7'-6" From Sidewalk	11' From Sidewalk
Awning Sign Extension (Max.)	4' From Building	4' From Building
Window Sign Area (Max.)	25% of Storefront's Windows Area (52.4 SF) = 13.1 SF	13.1 SF

270 Irvington Avenue Secondary Structure		
Wall Sign Area (Max.) (1.5 SF of Per Each 1' of the Business Width)	96' Frontage Width = 144 SF	2 Signs at 0.76 SF Each + 1 Sign at 2.34 SF = 3.86 SF
Wall Sign Letter Height (Max.)	24"	12"
Signage Per Frontage Area (Max.)	200 SF	3.86 SF Wall + 4.6 SF Awning + 52.4 SF Window = 60.86 Total
Retail Awning Valance Letter Height (Max.)	10"	8"
Retail Awning Valance Sign Area (Max.)	50% of Valance (6 SF) = 3 SF	2.3 SF
Awning Sign Height (Min.)	7'-6" From Sidewalk	11' From Sidewalk
Awning Sign Extension (Max.)	4' From Building	4' From Building
Window Sign Area (Max.)	25% of Storefront's Windows Area (52.4 SF) = 13.1 SF	13.1 SF
299 Irvington Avenue		
Wall Sign Area (Max.) (1.5 SF of sign area for each 1' of the business width)	82' retail width = 123 SF	Applicant to Confirm
Wall Sign Letter Height (Max.)	24"	Applicant to Confirm
Signage per Frontage Area (Max.)	200 SF	Applicant to Confirm
Awning Sign Extension (Max.)	4' from building	Applicant to Confirm
Retail Awning Valance Letter Height (Max.)	10"	Applicant to Confirm
Retail Awning Valance Sign Area (Max.)	50% of Valance	Applicant to Confirm
Awning Sign Height (Min.)	7'-6" From Sidewalk	Applicant to Confirm
Window Sign Area (Max.)	25% of Storefront's Windows Area	Applicant to Confirm
(W) Design Waiver Required		

C. Landscaping + Streetscape Comments:

1. The site contains several existing significant trees. It's a priority of the Village to maintain healthy significant trees where possible. The Applicant should discuss tree removal, tree preservation, and tree replacement. We recommend the Applicant coordinate with the Shade Tree Commission regarding preservation, protection, and replacement methods.
2. The Applicant should discuss the use, operation, and design of the site open space and streetscape, and compliance with the requirements in Section 7.5, as well as the RDP goal of "Enhance the visual character of Irvington Avenue with streetscape design elements including street trees, street furniture, lighting, rain gardens, and paver units with tactile and aesthetic features that encourage a distinct sense of place."

Design Requirements	Required	Proposed
Sidewalk Obstruction (Min.)	8' Wide Unobstructed Clear Pathway	4' Wide Unobstructed Clear Pathway (W)

Landscaped Areas (Min.)	25% of Areas Between the Property Line and Building Frontage to be Landscaped	21% of Areas Between the Property Line and Building Frontage are Landscaped (W)
Crosswalk (Min.)	10' Wide Crosswalk Connecting the Sites	10' Wide
Trash Receptacle Interval (Min.)	200' On Center	0 Trash Receptacles on 299 Irvington Avenue Streetscape (W)
Outdoor Public Seating Level	18" to 24"	17" (W)
Outdoor Public Seating Depth (Min.)	15"	Applicant to Confirm
Outdoor Public Seating (Avg.)	1 Seat Per 75' Along Pedestrian Pathways and Near Shade	No Seating at 299 Irvington Avenue Pedestrian Pathways (W)
Street Tree Interval	35' On Center	35' On Center (minus driveway)
Tree Caliper (Min.)	3.5"	3.5"
Tree Pit Size (Min.)	5' Wide x 7' Long	4.3' Wide x 7' Long (W)
Foundation Landscaping	Continuous Row of Foundation Landscaping	No Continuous Row of Foundation Landscaping (W)
Landscaping Cover (Min.)	45% of Total Site	Applicant to Confirm
(W) Design Waiver Required		

3. While not compliant with requirements in Section 7.5.B.iii which stipulates that no less than 8' of unobstructed sidewalk space be maintained for pedestrians, we believe the proposed placement of seating and landscaping achieves the intent of the RDP to design spaces that create opportunities for social interaction and enjoyment. We recommend a minimum width of 6' remain unobstructed for pedestrians.
4. The Applicant should provide a selection of a seating fixtures with a seating level of at least 18" per the requirements of Section 7.6.D to accommodate a wider range of ages and abilities. No seats are proposed at the at 299 Irvington building. Opportunities to add amenities should be discussed.
5. The Applicant should discuss the different types of sidewalk material along each frontage, providing details on the colors and materials utilized, as well as the replicability along the rest of Irvington Avenue.
6. The Site Plan labels three distinct areas along the Irvington Avenue Street frontage as being for either "café/tenant use" or "tenant use". The Applicant should discuss how the design of permanent and temporary design elements will suite the combination of uses.
7. The relief requested for tree pit design per RDP Section 7.7.A.vi should be discussed.
8. No trash cans are proposed near the 299 Irvington building, requiring the relief of a design waiver per the requirements of Section 7.6.C. One should be added.
9. The Applicant should discuss the omission of foundation landscaping per the requirements of Section 7.7.C for their proposed buildings requiring design waiver relief, as well as the waiver relief needed for Section 7.5.C.iii that requires 25% of the area between the property line and the building where only 21% is proposed.
10. The Applicant should confirm compliance with Section 7.9.E requiring that landscaping shall cover at least 45% of the total site based on the determination of impervious coverage by the Board Engineer.

11. Planting bed lines should be down on the plans and areas of mulch, grass, and groundcover labeled.
12. The Applicant requires deviations from the buffering requirements around the stairwell to the garage. This should be discussed both in buffer width, height, and depth. Species code "PL" is shown but not included in the chart.

D. Parking + Circulation Comments:

1. The Applicant should provide an overview of the proposed parking, site circulation, and any deviations required from Section 6.4.B. The Applicant should discuss the proposed impacts to the nearby roadways and provide an overview of the traffic impact study.
2. Pedestrian connections between the two sides should be discussed, particularly as it relates to crosswalks. We encourage crosswalk safety features such as in-roadway lighting, reflective striping and signage, and textured surfaces.
3. The Applicant should discuss any impacts to on-street parking along Irvington Avenue. Per Section 6.4.B.x., "Any changes to on-street parking are subject to approval from the Board of Trustees. Existing on-street parking must be replaced at a minimum of one-for-one."
4. The Applicant should discuss the proposed access easement with Block 2107, Lot 1 (299 Irvington Avenue) and Block 2107, Lot 32 (the adjacent lot).
5. The Applicant is compliant with the minimum requirement of EV parking spaces; however, the following revisions should be made to the parking garage plan and site plan to confirm compliance with Section 6.4.D.iv & v. of the Redevelopment Plan:
 - Protective bollards around the EV equipment or parking stoppers should be provided for all spaces;
 - Lighting levels of 3-5 FC should be provided for the underground EV parking spaces;
 - EV charging stations in the parking garage shall be wall mounted and details and labels should be provided accordingly;
 - Different striping or coloring from standard parking spaces should be provided; and
 - Signage containing the requirements of 6.4.D.v. should be provided, detailed, and labeled on the plans.
6. The Applicant shall provide testimony regarding emergency vehicle access, specifically fire trucks and ambulance access.
7. The Applicant should provide testimony regarding the logistics of truck deliveries, frequency of truck access, and expected timing of loading access and deliveries. The Applicant should discuss turning ability for the 299 Irvington Avenue refuse area and loading space.
Per Section 6.4.C.iii. of the Redevelopment Plan, "Loading spaces shall be hatched off/marked and provide signage for easy distinction from a parking space." The proposed loading areas are hatched, but it appears that no signage is proposed. The Applicant should confirm if signage is proposed and update the plans with labels and details accordingly.
8. The Applicant should confirm if any compact parking spaces are proposed. If proposed, compliance must be met with Section 6.4.B.ix. of the Redevelopment Plan.
9. The Applicant should confirm with notes/labels on the plans what parking spaces are dedicated for residential use and for commercial use.
10. The Applicant is required to provide 5 flex parking spaces per Section 6.4.B.v. of the Redevelopment Plan. The Applicant should confirm with notes/labels on the plans what parking spaces will be flex spaces or specifically request a deviation from this requirement.

11. The Applicant should provide a construction detail of the proposed parapet wall around the parking garage entrance and the proposed catwalk with guardrail above the parking garage entrance. Compliance should be met with Section 6.4.xii. which states, "Barriers/structural walls related to the garage and ramp shall be designed to minimize visual impact with materials/colors that are complementary to the building design and be screened with landscaping where possible."
12. The Applicant should confirm if restriping of the parking spaces and repaving of the driveway area is proposed for 299 Irvington Avenue. If proposed, notes/labels should be added to the site plan.

E. Lighting Comments:

1. The Applicant requires minor deviations from Section 7.4 of the Redevelopment Plan, specifically deviations from the maximum lighting level requirements. The Applicant should provide testimony regarding all lighting deviations and confirm that these deviations are minor in nature and that there will be no lighting spillover on to adjacent properties. Additionally, per Section 7.4.C., the Applicant should confirm with testimony and with a note on the lighting plan that all lighting will be directed away from all adjacent lots.

Lighting Requirements	Required	Proposed
Lighting Mounting Height (Max.)	14'	14'
Residential Path Mounting Height (Max.)	3'	3'
Lighting – Rear/Side Property Lines (Max.)	0 FC	0.7 FC (W)
Lighting – Front Property Line (Max.)	3 FC	2.4 FC
Lighting – Surface Parking Lot	1 to 3 FC	3.5 FC (W)
Lighting – Streetscape/Plaza/Sidewalk	1 to 5 FC	5.7 FC (W)
Lighting – Internal Sidewalks	1 to 3 FC	4.0 FC (W)
Lighting – Rear Residential Open Space (Max.)	1 FC	3.3 FC (W)
Lighting – Commercial Entrances	2 to 5 FC	5.7 FC (W)
Lighting – Residential Entrances	2 to 5 FC	5.2 FC (W)
Lighting – Building Façade (Max.)	2 FC	Applicant to Confirm
Public Street & Pedestrian Facilities Lighting Intervals (Min.)	60' intervals	Applicant to Confirm
Lighting Type	Warm-White Light	Diffused Ambient Light (Fixture D) (W)
(W) Design Waiver Required		

2. The Applicant should provide testimony regarding the required deviation for light type, as fixture D is proposed to be diffused ambient light, where warm-white light is required per Section 7.4.B. of the Redevelopment Plan.

For all other proposed lighting fixtures, the Applicant should confirm compliance with Section 7.4.B. of the Redevelopment Plan with a note on the lighting plan stating, "Lights are to be fully enclosed/shielded, full cut off fixtures to prevent light spillage onto off-site properties or upward into the sky. Lighting is to be LED lamps providing "warm-white" light (CCT<3,000 K or S/P ratio <1.2) and not less than one-half horizontal foot-candle average lighting level at the surface."

3. The Applicant should provide testimony regarding the proposed street lights and coordination with the County, Village, and PSE&G.

4. The Applicant should confirm that house side shields are proposed for any fixtures within close proximity to residential dwellings and if motion sensor lights are proposed within the Area.
5. The Applicant should provide construction details of all proposed lighting fixtures.

F. Utility Comments:

1. The Applicant should provide an overview of all proposed utility improvements to the Redevelopment Area and compliance with Section 7.10 of the Redevelopment Plan.
2. The Applicant should provide testimony regarding the proposed utility space within the 270 Irvington Avenue primary structure, particularly what utility services will be within this space.
3. The Applicant should provide testimony regarding the 299 Irvington Avenue utility services and what utility improvements are proposed for this building.
4. Screening around the ground-mounted transformer and generator should be considered.
5. The Applicant should confirm if any rooftop utilities are proposed on the roofs of the 270 Irvington Avenue primary or secondary structures and the 299 Irvington Avenue building. If so, compliance must be met with Section 7.10.F. of the Redevelopment Plan.
6. Testimony should be provided regarding any utility improvements proposed for the Irvington Avenue and Fairview Avenue rights-of-way. These utility improvements will require approval from the County and Board of Trustees. Additionally, the Applicant should provide an update regarding all utility related governmental approvals.
7. Testimony should be provided regarding the proposed trash and recycling spaces within the 270 Irvington Avenue primary and secondary structures, along with how trash will be collected, disposed of, and transferred to the outdoor refuse area. The Applicant shall provide testimony regarding waste management and removal from the proposed refuse area, the frequency of waste removal, and the method of waste removal (i.e. truck type).
8. We defer to the Board Engineer for all other comments regarding utilities, safety, and noise generation.

G. Grading, Drainage + Stormwater Management Comments:

1. The Applicant should provide an overview of all grading, drainage, and stormwater management improvements to the Redevelopment Area.
2. The Applicant should provide testimony regarding the proposed grading and stormwater management measures of the underground parking garage.
3. The Applicant should discuss the anticipated water load of the bio-retention basins and the maximum amount of water they can retain at one time. The Applicant should confirm that no stormwater will runoff on to adjacent residential lots.
4. The Applicant should discuss the rain garden's anticipated water collection and how the water will be managed and transferred within the Site.
5. We defer to the Board Engineer for all other comments regarding grading, drainage, stormwater management, and soil erosion and sediment control.

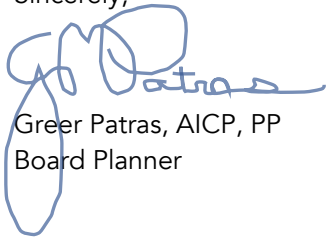
H. Procedural Comments:

1. Applicant should confirm compliance with the procedural requirements of Redevelopment Plan Section 9.
2. The Applicant should confirm that the lots within Block 2102 will be consolidated if approved.

3. The Applicant should provide testimony regarding the status of all outside agency permits required for site plan approval.
4. If this application is approved, we recommend the following as conditions of approval:
 - "As-Built" Plans or Final Plats
 - Engineer's Cost Estimate
 - Block and Lot Designations from Tax Assessor
 - Consistency with Village Ordinance Section 185-250 through -259.
 - Engineer Certification

If you have any questions regarding this application, please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greer Patras". The signature is stylized with a large, looped initial "G" and a long, horizontal stroke extending to the right.

Greer Patras, AICP, PP
Board Planner