February 16, 2021
Via Fed-Ex

City of Elizabeth Planning Board
50 Winfield Scott Plaza
Elizabeth, NJ 07201

Attn: Marta Rivera Sullivan, Board Clerk

Re: Traffic Impact and Parking Assessment
Proposed Multi-Story Residential Development
Block 11 – Lot 835
705-713 Newark Avenue/
694-702 Pennsylvania Avenue
City of Elizabeth, Union County, NJ
DT # 1507-99-005TE

Dear Planning Board Members:

Dynamic Traffic has prepared the following assessment to determine the traffic impact and adequacy of access, circulation, and parking associated with redevelopment of a site located along the northbound side of Newark Avenue (NJ Route 27) with additional frontage along the southbound side of Pennsylvania Avenue in the City of Elizabeth, Union County, New Jersey (see Site Location Map). The site is designated as Block 11 – Lot 835 on the City of Elizabeth Tax Maps. The site was previously developed with a vacant 3-story building fronting on Newark Avenue with several vacant accessory buildings towards the rear of the property. It is proposed to construct a 5-story residential building, consisting of 86 apartments (21 1-bedroom apartments and 65 2-bedroom apartments) with parking on the first floor as well as along Newark Avenue and Pennsylvania Avenue (The Project). Access to the site is currently provided via two full movement driveways along Newark Avenue. It is proposed to close the existing access points and provide access to the site via a new full movement driveway along Newark Avenue and a full movement driveway along Pennsylvania Avenue, with both driveways providing access to the first floor parking.

It should be noted that the site was recently the subject of an approval for a residential development consisting of 105 units (see attached Resolution). As such, it is understood that the proposed development program is a reduction in the previously approved site generated traffic.

This assessment documents the methodology, analyses, findings and conclusions of our study and includes:

- A detailed field inspection was conducted to obtain an inventory of existing roadway geometry, traffic control, and location and geometry of existing driveways and intersections.

- Projections of traffic to be generated by The Project were prepared utilizing trip generation data as published by the Institute of Transportation Engineers.
• The proposed site driveways were inspected for adequacy of geometric design, spacing and/or alignment to streets and driveways on the opposite side of the street, relationship to other driveways adjacent to the development, and conformance with accepted design standards.

• The parking layout and supply was assessed based on accepted design standards and demand experienced at similar developments.

Existing Conditions

Newark Avenue (NJ Route 27) is an undivided Urban Principal Arterial roadway under New Jersey Department of Transportation (NJDOT) jurisdiction with a general north/south alignment. In the vicinity of the site the posted speed limit is 35 MPH and the roadway provides two (2) travel lanes in each direction. Newark Avenue provides a straight horizontal alignment and a relatively flat vertical alignment. The land uses along Newark Avenue within the study area are mixed residential, commercial, and institutional.

Pennsylvania Avenue is a local roadway under the City of Elizabeth jurisdiction with a general north/south alignment. In the vicinity of the site the speed limit is unposted and the roadway provides one travel lane in each direction. Pennsylvania Avenue provides a straight horizontal alignment and a relatively flat vertical alignment. The land uses along Pennsylvania Avenue within the study area are mixed residential, institutional, and industrial.

Site Generated Traffic

Trip generation projections for the previously approved residential development and The Project were made utilizing trip generation research data as published under Land Use Code 221 – Multifamily Housing (Mid-Rise) in the Institute of Transportation Engineers’ (ITE) publication, Trip Generation, Tenth Edition. This publication sets forth trip generation rates based on traffic counts conducted at research sites throughout the country. The following table compares the anticipated trip generation for The Project with the previously approved residential development.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>AM PSH</th>
<th></th>
<th></th>
<th>PM PSH</th>
<th></th>
<th></th>
<th>Sat PSH</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In</td>
<td>Out</td>
<td>Total</td>
<td>In</td>
<td>Out</td>
<td>Total</td>
<td>In</td>
<td>Out</td>
<td>Total</td>
<td></td>
</tr>
<tr>
<td>105 Residential Apartments</td>
<td>9</td>
<td>27</td>
<td>36</td>
<td>28</td>
<td>18</td>
<td>46</td>
<td>25</td>
<td>26</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>(Previously Approved)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86 Residential Apartments</td>
<td>8</td>
<td>22</td>
<td>30</td>
<td>23</td>
<td>15</td>
<td>38</td>
<td>21</td>
<td>22</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td>(Proposed)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Difference</td>
<td>-1</td>
<td>-5</td>
<td>-6</td>
<td>-5</td>
<td>-3</td>
<td>-8</td>
<td>-4</td>
<td>-4</td>
<td>-8</td>
<td></td>
</tr>
</tbody>
</table>

Table I Trip Generation
As shown in Table I, the proposed development program is anticipated to generate 6 less trips during the weekday morning peak period and 8 less trips during the weekday evening and Saturday midday peak periods compared to the previously approved residential development. It should be noted that the number of trips projected for the site falls below the industry accepted standard of a significant increase in traffic of 100 trips. Based on *Transportation Impact Analysis for Site Development*, published by the ITE “it is suggested that a transportation impact study be conducted whenever a proposed development will generate 100 or more added (new) trips during the adjacent roadways’ peak hour or the development’s peak hour.” Additionally, NJDOT has determined that the same 100 vehicle threshold is considered a “significant increase in traffic,” hence, it is not anticipated that the change in development size will have any perceptible impact on the traffic operation of the adjacent roadway network.

**Site Access, Parking and Circulation**

As previously noted, access to the site will be provided via a new full movement driveway along Newark Avenue and a full movement driveway along Pennsylvania Avenue, with both driveways providing access to the first floor parking.

The site will be served by aisles with widths of 22.6’, which satisfies the City of Elizabeth Ordinance’s minimum requirement of 20’. These aisles will allow for two-way circulation and 90 degree parking.

The RSIS sets forth a parking requirement of 1.8 parking spaces for each 1-bedroom mid-rise apartment and 2.0 parking spaces for each 2-bedroom mid-rise apartment. This equates to a parking requirement of 38 spaces for the proposed 21 1-bedroom apartments and 130 spaces for the proposed 65 2-bedroom apartments, or a total of 168 parking spaces. The site as proposed provides 127 first floor parking spaces and 6 on-street parking spaces (3 along Newark Avenue and 3 along Pennsylvania Avenue), or a total of 133 parking spaces.

Section N.J.A.C. 5:21-4.14(c) of the RSIS states: “Alternative parking standards to those shown in Table 4.4 shall be accepted if the applicant demonstrates these standards better reflect local conditions. Factors affecting minimum number of parking spaces include household characteristics, availability of mass transit, urban versus suburban location, and available off-site parking resources.”

According to U.S. Census data for the City of Elizabeth, the vehicle availability per rental household equates to 0.99 vehicles per unit which equates to 85 parking spaces. This lower demand is supported by the location of the site and its proximity to mass transportation. Within 1/2 mile there are nine (9) bus stops for New Jersey Transit and a total of seven (7) bus lines, 26, 52, 58, 59, 62, 112, and 113. Further, the Elizabeth Train Station and North Elizabeth Train Station are both located within a mile of the site. With the availability of convenient, diverse and desirable mass transit service in close proximity to the site the proposed 133 parking spaces will adequately meet the peak parking demands. Thus, it is concluded that the parking deviation from the standard is justified as it meets the RSIS criteria for granting an exception.

It is proposed to provide parking stalls with dimensions of 9’x18’ which satisfies the RSIS requirement of 9’x18’. It should be noted that industry standards recommend stall widths of between 8’3” and 8’6” and a length of 18’ for low-turnover land uses such as The Project, which is met as designed.
Findings

Based upon the detailed analyses as documented herein, the following findings are noted:

- The proposed 86 apartment units will generate 8 entering trips and 22 exiting trips during the weekday morning peak hour, 23 entering trips and 15 exiting trips during the weekday evening peak hour, and 21 entering trips and 22 exiting trips during the Saturday midday peak hour. Note that the proposed development is anticipated to generate 6 less trips during the weekday morning peak hour and 8 less trips during the weekday evening and Saturday midday peak hours compared to the previously approved residential development.

- Access to the site will be provided via a new full movement driveway along Newark Avenue and a full movement driveway along Pennsylvania Avenue, with both driveways providing access to the first floor parking.

- As proposed, The Project’s site driveways and internal circulation have been designed to provide for safe and efficient movement of automobiles.

- The proposed parking supply and design is sufficient to support the projected demand.

Conclusion

Based upon our Traffic Assessment as detailed in the body of this report, it is the professional opinion of Dynamic Traffic that the adjacent street system of the City of Elizabeth and NJDOT will not experience any significant degradation in operating conditions with the redevelopment of the site. The site driveways are located to provide safe and efficient access to the adjacent roadway system. The site plan as proposed provides for good circulation throughout the site and provides adequate parking to accommodate The Project's needs.

If you have any questions on the above, please do not hesitate to contact me.

Sincerely,

Dynamic Traffic, LLC

Nick Verderese, PE
Senior Principal
NJ PE License 38991

Justin Taylor, PE, PTOE
Principal
NJ PE License 45988

File: T:\TRAFFIC PROJECTS\1507 Engel Gardens\09-005TE Elizabeth - Newark Ave\Design_Planning\Planning\2021-02-16 TIA\2021-02-16 Trip Generation and Parking Assessment.docx
Proposed Multi-Story Residential Development
Traffic Impact and Parking Assessment
1507-99-005TE
2/16/2021

Site Location Map
RESOLUTION
City of Elizabeth
Zoning Board of Adjustment
In the Matter of 705 Newark Avenue, LLC
Application No. Z-08-18
Decided on September 13, 2018
Memorialized on October 18, 2018
Use Variance, Height Variance, Bulk Variances, Design Waivers and Preliminary and
Final Site Plan Approval

WHEREAS, 705 Newark Avenue, LLC (hereinafter the “Applicant”) has made an
application to the City of Elizabeth Zoning Board of Adjustment for a use variance, height
variance, bulk variances, design waivers and preliminary and final site plan approval to
demolish existing structures and construct a five-story multifamily building with 105 residential
units at property located at 705-713 Newark Ave. and 694-702 Pennsylvania Avenue, Property
Tax Account No. 11-835 in the C-5 Commercial Zone; and

WHEREAS, public hearings were conducted on July 12, 2018 and on September 13, 2018; and

WHEREAS, the Applicant was represented by Stephen F. Hehl, Esq.; and

WHEREAS, the Applicant, in support of the application, presented the testimony of
James R. Guerra, an expert in the field of architecture and planning whose credentials were
accepted by the Board; Joseph Sparone, a professional engineer whose expertise was accepted
by the Board; Lee Klein, a professional traffic engineer whose expertise was accepted by the
Board, and John Leoncavallo, a professional planner whose expertise was accepted by the
Board; and

WHEREAS, the Applicant introduced the following exhibits in addition to documents
that were included in the package submitted to the Board prior to the hearing:

A-1 Report of AAES Engineering, structural engineers, dated October 17, 2017;
A-2 Rendering with view from Pennsylvania Avenue;
A-3 Rendering with view from Pennsylvania Avenue;
A-4 Colorized site plan rendering dated June 28, 2018;
A-5 Colorized aerial map from sheet two of submitted plan package;
A-6 Revised elevation showing change in Newark Avenue façade from elevation previously submitted;
A-7 Aerial photograph with additional information provided by James Guerra;
A-9 Nine photographs depicting existing structures on the property; and

WHEREAS, members of the public who asked questions and/or testified in regard to the application included Paula Borenstein, a representative of the Elizabeth Arts Council and the Save the Wyman House Campaign, who testified regarding the historic nature of the structure to be demolished, and concerns regarding traffic, removal of trees, and inconsistency with the Master Plan; David Burot, who testified regarding the level of train service at the North Elizabeth Train Station; Joao Abreu, who testified regarding potential construction impacts on her home, adjacent to the property in question; Shirley Burrell, who testified regarding lack of sufficient parking and too much traffic; Leo Osorio, who testified regarding the historic nature of the building to be demolished, Margaret Hickey, a representative of Preservation of New Jersey, who testified regarding the historic character of the structure to be demolished, whether it could be restored and the potential for adaptive reuse; Sima Sarid, who testified regarding the structure to be demolished and the desire to incorporate it into the development of the site, Kathy Cezalos, a representative of the Friends of the Rahway River Park, who testified regarding the structure to be demolished; Councilman Carlos Cedeno, who testified regarding
the cost to restore or move the structure to be demolished, the desire that the developer save fixtures and signage and other features from the structure to be demolished, to potentially be incorporated into the new development and/or preserve elsewhere, as well as the improvement that this project will provide to the quality of life for the area, as well as comments regarding the width of the side yard and the use of parking spaces; and Thomas Osorio, who testified regarding the importance of historic preservation to community quality of life and his desire to protect the existing structure on the property;

NOW THEREFORE, the Zoning Board of Adjustment makes the following findings of fact, based upon evidence presented at this public hearing, at which a record was made.

1. The applicant proposes to demolish an existing vacant residential structure and accessory structures and construct a multi-story residential building. As originally proposed, the new building would consist of five stories with 118 units, consisting of 50 two-bedroom units, 68 one-bedroom units, three community rooms and two terraces, a lobby and related amenities. After receiving comments from the Board regarding the size and density of the project, the Applicant submitted revised plans reducing the number of units from 118 to 105 units, increasing the number of community rooms from 3 to 5 rooms and increasing the number of terraces from 2 to 4 terraces with seating and gazebos. As amended, the proposed structure continues to have five stories. The changes made during the pendency of the application also increased the amount of open space and exterior open space. The Applicant also changed the Newark Avenue façade, resulting in a stepping back of the upper floors, and a reduction in parking demand from the original proposal, because of the reduction in units.
2. The application includes a use variance because the property is located in the C-5 Commercial Zone in which residential uses are only permitted where a commercial use occupies the first floor. No commercial use is proposed in this instance. Permitted uses on the first floor include office, retail and commercial uses. The Applicant proposes to use the first floor for parking, lobbies and refuse storage.

3. The Applicant requests a height variance because the Ordinance provides for a maximum height of three stories or 35 feet whereas the Applicant proposes a building with five stories and 60 feet.

4. The Applicant also requests the following bulk variances:
   
a. Under section 17.36.110.A.4, the minimum required front yard setback along Pennsylvania Avenue is 271 feet prevailing, whereas a setback of 26 feet is proposed;

b. Under section 17.36.110.A.5, the minimum required side yard setback is 33% of the building height, or 19.8 feet in this case, whereas a setback of 10 feet is proposed on the south side of the building and 5 feet is proposed on the north side of the building;

c. Under section 17.36.40, 197 parking spaces are required, whereas 179 are proposed;

d. Under section 17.36.150.8.b, the minimum required net floor area for a residential unit is 850 ft.², whereas 65 of the proposed units have a floor area between 699 and 776 ft.².

5. The Applicant requests the following design waivers:
a. Under section 17.40.040.A.2, a clearance distance of 18 feet is required around columns within a parking area, whereas 0 feet of clearance is proposed;

b. Under section 17.32.060.A.1, the required parking stall depth is 19 feet, whereas a parking stall depth of 18 feet is proposed;

c. Under section 17.32.060.A.2, the required parking stall width is 10 feet, whereas a parking stall width of 8.5 feet is proposed;

d. Under section 17.32.060.B.2, the required minimum turning radii for driveways, aisles and any other vehicular site circulation area is 15 feet for the inside radius and 26 feet for the outside radius, whereas driveway aprons with no radii are proposed;

e. Under section 17.32.060.D, a 10 foot safety island is required between the end of the parking bay and an aisle, whereas no safety islands are being provided;

f. Under section 17.32.070.A.3, the maximum average foot-candle in pedestrian areas is 6.0, whereas 11.36 foot-candles is proposed;

g. Under section 17.32.070.A.4, the maximum foot-candle on the property line is 1.0, whereas 16.3 foot-candles is proposed at the Newark Avenue right-of-way line; and

h. Under section 17.36.140.E.4, parking areas shall be accompanied by landscaped areas amounting to 20% of the paved parking and driveway area, whereas less than 20% is proposed.
6. The property in question is a large rectangular through lot from Newark Avenue to Pennsylvania Avenue, with a width of 125 feet and a length of 350 feet. The property includes a residential structure and accessory structures. The residence has been vacant for more than twenty years.

7. The Applicant presented the report of a structural engineer, who credibly concluded that the existing structure was severely dilapidated and compromised and could not reasonably or feasibly be restored to use. The Applicant presented photographs depicting water infiltration and rot, deterioration of the porch and the brick foundation.

8. While representatives of the historic preservation community and other concerned citizens offered the opinion that the existing structure could be restored, they provided no expert testimony in support of that opinion.

9. The property changes in elevation approximately 13-15 feet from Pennsylvania Avenue to Newark Avenue. This change in elevation allows the construction of a partial sub-level parking area for 37 cars, accessed from Newark Avenue. The remainder of the parking is accessed from Pennsylvania Avenue.

10. The property is located in close proximity to the North Elizabeth train station and is located in a designated transit village. It is generally accepted that residential uses in those areas typically require 25 to 30% less parking than developments in non-transit accessible locations.

11. The materials on the building façades will include Hardie panel in varying designs on all four sides with brick on lower portions of the elevation. In the
parking areas under the building footprint, screening will be provided to allow ventilation.

12. Bike racks will be provided and refuse areas are located on the lowest level, where waste will be compacted into containers, so that waste remains inside except on pickup days. Landscaping is provided along the edges of the property, consisting of both trees and shrubs. Landscaping is also provided on the terraces. The project includes building-mounted LED lighting. Signage will comply with the ordinance.

13. The traffic study submitted by the Applicant confirmed that there would be no reduction in levels of service on the adjacent street network, even when taking no credit for mass transit usage due to the close proximity of the North Elizabeth train station.

14. With the revisions made to the project including the reduction in the number of units, the parking demand declined from 222 spaces to 197 spaces. The Applicant is providing 179 spaces. Although a parking variance is still required, the close proximity of the train station provides the opportunity for the Board to recognize the reduced parking demand associated with facilities that are mass-transit accessible. The Applicant noted that similar projects in other communities, including Morristown, South Orange and Cranford, provide comparable parking ratios.

15. The amended plan submitted by the Applicant reduced the number of units from 118 to 105 units, increased the total open space from 10,421 ft.² to 21,120 ft.², increased the exterior open space from 10,421 ft.² to 15,120 ft.², reduced the
parking demand as previously described, and stepped back the third, fourth and fifth floors to provide terraces facing Newark Avenue, as well as adding two community rooms, for a total of five, and two terraces for a total of four. The reason that the total open space dimension is greater than the exterior open space dimension is that the community rooms count toward the total open space.

NOW THEREFORE, the Zoning Board of Adjustment makes the following conclusions of law, based upon the findings of fact.

1. Based upon the application, plans, reports and testimony placed before the Board, the Board finds that the Applicant has met the requirements of the Municipal Land Use Law, case law and City ordinances so as to grant the relief requested. More specifically, under the Municipal Land Use Law, a Zoning Board of Adjustment, when considering a (d)(1) use variance, cannot grant relief unless sufficient special reasons are shown, there is no substantial detriment to the public good and there is no substantial impairment of the intent and purpose of the zone plan and zoning ordinance. The burden of proof is on the Applicant to establish that these criteria have been met. It is the Board’s responsibility, acting in a quasi-judicial manner, to weigh all the evidence presented before it by both the Applicant and all objectors, and reach a decision which is based upon findings of fact and conclusions of law, and is not arbitrary, unreasonable or capricious.

2. Courts have indicated that there is no precise formula as to what constitutes special reasons unless the use is determined to be inherently beneficial (the proposed use does not qualify as inherently beneficial), and that each case must be heard on its own circumstances. Special reasons have been found where a variance would serve one of the purposes of zoning set forth in N.J.S.A. 40:55D-2. The special reasons requirement may be satisfied
if the Applicant can show that the proposed use is peculiarly suited to the particular piece of property. With regard to the impact of the proposal on the public good, the Board's primary focus is on the variance's effect on the surrounding properties and whether such effect would be substantial. Furthermore, the Applicant must satisfy an enhanced quality of proof resulting in clear and specific findings by this Board that the variance sought is not inconsistent with the intent and purpose of the Master Plan and Zoning Ordinance. In the final analysis, a variance should only be granted if the Board, on the basis of the evidence presented before it, feels that the public interest as distinguished from the purely private interest of the Applicant, would be best served by permitting the proposed use.

3. With regard to the use variance requested, the Board finds that the Applicant has satisfied the statutory criteria for the relief requested. The Board hereby finds that the application satisfies the positive criteria because the site is particularly suited for the uses proposed. The reason why this application requires a use variance is because the project does not include commercial uses on the first floor. Dense, multi-family development is permitted in this zone, subject to the height limit and other bulk requirements, so long as the applicant provides first floor commercial space.

4. In this case, providing parking on the first floor allows the project to include additional parking and avoids the additional parking demand that would be associated with commercial uses. The proposed project will enhance the character of the neighborhood and promote State development and redevelopment goals by providing a quality, higher density residential development in close proximity to a major transit rail station.

5. The Board finds no substantial detriment to the public good nor interference with the intent and purpose of the zone plan or zoning ordinance from granting the use variance.
As explained below with respect to the height variance, the proposed height is not out of character with structures located near it in the vicinity of the train station. The evidence supports the conclusion that there will be sufficient parking and no adverse traffic impact. The Applicant is providing landscaping and controlling lighting impact.

6. Rather than constituting an interference with the intent and purpose of the zone plan, this project is consistent with the goals of the City and State to redevelop underutilized areas in close proximity to mass transit facilities. The project is a smart growth project and provides good infill development between the office and retail center to the south and the residential uses to the north.

7. With respect to the height variance, pursuant to N.J.S.A. 40:55D-70(d)(6), the applicant's burden of proof is different than the burden imposed for a (d)(1) use variance. The applicant still must establish special reasons for granting the relief, either by demonstrating an undue hardship if the relief is not granted or by demonstrating that the increased height of the building does not offend the purpose of the height restriction. The applicant also must satisfy the negative criteria; that is, that the relief can be granted without substantial detriment to the public good and without significant impairment of the intent and purpose of the zoning plan or Ordinance.

8. The purposes of the height limit are not violated by granting this relief. There will be no effect on scenic views. The project is not out of scale in terms of its relationship to nearby properties, particularly properties located between this property and the train station. There are multiple buildings in that area with the proposed height or higher. This project will serve as a transition from the Newark Avenue area, where many
buildings are smaller, toward the train station, where the buildings are significantly higher.

9. With respect to the bulk variances, the Municipal Land Use Law at N.J.S.A. 40:55D-70(c), provides Boards with the power to grant variances from bulk and other non-use related ordinance requirements when the applicant satisfies certain specific proofs which are enunciated in the statute. Under the (c)(2) criteria, an applicant has the option of showing that in a particular instance relating to a specific piece of property, the purposes of the Act will be advanced by allowing a deviation from the Ordinance requirements and that the benefits from any deviation will substantially outweigh any detriment. These tests specifically enumerated above constitute the affirmative proofs necessary in order to obtain “bulk” or (c) variance relief. Finally, an applicant for these variances shall show that the proposed relief sought will not cause a substantial detriment to the public good and, further, will not substantially impair the intent and purpose of the zone plan or ordinance. The burden of proof is upon the applicant to establish these criteria have been met.

10. Pursuant to these criteria, the purposes of the Municipal Land Use Law will be advanced by approving this application and the benefits of granting the relief requested clearly outweigh the detriments. The bulk variances requested are minimal in impact. The impact of the front yard setback deviation has been significantly reduced by the revised plans, which step back the upper floors of the building and will create an attractive aesthetic view along Newark Avenue. The side yard setback variances are not significant in light of the size of the of the property and will not cause a substantial detrimental impact. For the reasons explained above with respect to the use variance, the parking
variance can be granted without any detrimental impact. The variance with respect to minimum required net floor area can be justified in terms of the need for a mix of unit sizes and rental opportunities in this transit-oriented project.

11. Balancing the positive and negative aspects of this application, the Board finds that the positive aspects of the application, by bringing a significant redevelopment project to this abandoned and underutilized property, outweigh any detrimental impact. There also will be no substantial detriment to the public good or substantial impairment to the intent and purpose of the zone plan and ordinance from granting this relief.

12. With respect to the design waivers requested, the Board finds that these requests are reasonable, thus justifying granting of that relief. The design waiver request with regard to clearance distance around columns is justified because the column is not on the edge of the parking space and thus there is sufficient room to maneuver. Because this is a residential project, with relatively lower parking space turnover than in a commercial project, the parking space dimensions proposed are acceptable. The Applicant has provided credible evidence that there will be safe and adequate vehicular circulation, thus justifying that waiver. The waivers with respect to lighting and landscaping are reasonable as well, because the Applicant has presented plans with adequate landscaping and with lighting that will cause no detrimental impact.

13. In summary, the Board finds that this project will be a welcome addition to the area and will promote the revitalization of this transit-oriented area. The Applicant made a number of revisions to the plans to reduce the size and impact of the project. The existing structure on the property has unfortunately decayed to the point where, based upon the credible expert testimony provided to the Board, it cannot be restored or adaptively reused and
therefore this property is particularly suited for a relatively dense, multi-family residential structure in close proximity to a major transit hub.

**NOW, THEREFORE, BE IT RESOLVED,** by the Zoning Board of Adjustment of the City of Elizabeth that the application of 705 Newark Avenue, LLC for property located at 705-713 Newark Avenue and 694-702 Pennsylvania Avenue in the C-5 Commercial Zone, requesting a use variance, height variance, bulk variances, design waivers, and preliminary and final site plan approval is determined as follows:

1. the use variance is granted pursuant to N.J.S.A. 40:55D-70(d)(1);
2. the height variance is granted pursuant to N.J.S.A. 40:55D-70(d)(6);
3. the bulk variances are granted pursuant to N.J.S.A. 40:55D-70(c)(2);
4. the design waivers are granted;
5. preliminary and final site plan approval is granted pursuant to N.J.S.A. 40:55D-46 and 50.

**IT IS FURTHER RESOLVED** that the above approval is subject to the following terms and conditions:

1. The development of this parcel shall be implemented in accordance with the plans submitted and approved.

2. This approval is granted strictly in accordance with the plans prepared by James R Guerra, P. A., entitled “Proposed Multifamily building at 705-713 Newark Avenue/694 – 702 Pennsylvania Avenue, Elizabeth, New Jersey,” prepared by James R. Guerra P.A. last revised August 1, 2018, consisting of nine sheets; plans entitled “Preliminary and Final Site Plan for 705 Newark Avenue, LLC, Proposed Multifamily Residential Building, Block 11, Lot 835, Tax Map Sheet 28, with latest revision date of June 27, 2002, 705-713 Newark Avenue (NJSH Route 27),
City of Elizabeth, Union County, New Jersey," prepared by Dynamic Engineering, dated June 20, 2018, consisting of 12 sheets.

3. The Applicant shall comply with all requirements of the Harbor Consultants Reports of July 5, 2018 and September 6, 2018 and any subsequent reports with respect to amended applications, except as specifically modified at the public hearing, as set forth herein.

4. Payment of all fees, costs and escrow due or to become due. Any monies are to be paid within 20 days of said request by the Board Secretary.

5. Certification of taxes have been paid to the date of approval, if required.

6. Union County Planning Board approval, if required.

7. Somerset – Union County Soil Conservation District approval, if required.

8. Municipal Board of Health approval, if required.

9. NJDEP sewer extension and any other permits required by the NJDEP pursuant to their authority, if required.

10. Prior to the issuance of any construction permit, the Applicant shall file with the Board and Construction Official, an affidavit verifying that the Applicant is in receipt of all necessary agency approvals other than the municipal agency having land use jurisdiction over the application and supply a copy of any approvals received.

11. Subject to all other applicable rules, regulations, ordinances and statutes of the City of Elizabeth, County of Union, State of New Jersey or any other jurisdiction.
The undersigned secretary certifies the within decision was adopted by this Board on September 13, 2018 and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on October 18, 2018.

Marta Rivera-Sullivan, Secretary, ZBA

FOR: A
AGAINST: O
ABSTAIN: O

Board Member(s) Eligible to Vote:
Chairman G. A. Castro X, Vice-Chairman J. Nunes __,
Commissioners A. Goncalves O, F. Horta X, J. K. Donahue __, Y. Eady-Perkins O,
# TENURE BY VEHICLES AVAILABLE

Note: This is a modified view of the original table produced by the U.S. Census Bureau. This download or printed version may have missing information from the original table.

<table>
<thead>
<tr>
<th>Label</th>
<th>Estimate</th>
<th>Margin of Error</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total:</strong></td>
<td>40,785</td>
<td>±803</td>
</tr>
<tr>
<td><strong>Owner occupied:</strong></td>
<td>9,882</td>
<td>±533</td>
</tr>
<tr>
<td>No vehicle available</td>
<td>549</td>
<td>±168</td>
</tr>
<tr>
<td>1 vehicle available</td>
<td>3,152</td>
<td>±366</td>
</tr>
<tr>
<td>2 vehicles available</td>
<td>3,932</td>
<td>±409</td>
</tr>
<tr>
<td>3 vehicles available</td>
<td>1,575</td>
<td>±283</td>
</tr>
<tr>
<td>4 vehicles available</td>
<td>441</td>
<td>±148</td>
</tr>
<tr>
<td>5 or more vehicles available</td>
<td>233</td>
<td>±132</td>
</tr>
<tr>
<td><strong>Renter occupied:</strong></td>
<td>30,903</td>
<td>±799</td>
</tr>
<tr>
<td>No vehicle available</td>
<td>9,314</td>
<td>±647</td>
</tr>
<tr>
<td>1 vehicle available</td>
<td>13,962</td>
<td>±646</td>
</tr>
<tr>
<td>2 vehicles available</td>
<td>6,482</td>
<td>±541</td>
</tr>
<tr>
<td>3 vehicles available</td>
<td>931</td>
<td>±215</td>
</tr>
<tr>
<td>4 vehicles available</td>
<td>178</td>
<td>±88</td>
</tr>
<tr>
<td>5 or more vehicles available</td>
<td>36</td>
<td>±41</td>
</tr>
</tbody>
</table>
Table Notes

TENURE BY VEHICLES AVAILABLE

Survey/Program:
American Community Survey

Universe:
Occupied housing units

Year:
2019

Estimates:
5-Year

Table ID:
B25044

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau’s Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.

Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.

The 2015-2019 American Community Survey (ACS) data generally reflect the September 2018 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.

Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Explanation of Symbols:

An "*" entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

An "+" entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution, or the margin of error associated with a median was larger than the median itself.

An "-" following a median estimate means the median falls in the lowest interval of an open-ended distribution.

An "+" following a median estimate means the median falls in the upper interval of an open-ended distribution.

An "****" entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.

An "******" entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.

An "N" entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
An "(X)" means that the estimate is not applicable or not available.

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.