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September 22, 2020

**VIA HAND DELIVERY**

Ms. Dorothy Kotowski  
Office of the City of Linden Planning Board  
City Hall  
301 North Wood Avenue, 2nd Floor  
Linden, New Jersey 07036

**Re: Application of Linden Development, LLC for Amended Preliminary and Final Site Plan Approval for a proposed Medical/Professional Office Building – Block 469, Lot 38.05 (formerly a portion of Lot 38.01), City of Linden, New Jersey**

Dear Ms. Kotowski:

On behalf of Linden Development, LLC (the “Applicant”), enclosed for consideration by the City of Linden Planning Board are the above-referenced application and related materials (the “Application”). The Application pertains to property known as 1016 W. Edgar Road (U.S. Route 1/9), Linden, New Jersey, designated as Block 469, Lots 38.05 (formerly a portion of Lot 38.01) on the City of Linden tax map, and commonly referred to as the former General Motors site (the “Property”).

**I. Nature of the Application**

Over the past several years the Planning Board has granted several approvals for the development of the Property with the Legacy Square commercial retail shopping center. By Resolution dated May 14, 2019, the Planning Board granted amended preliminary site plan approval for an amended Phase 2 and Phase 3 development of Legacy Square and final site plan approval to construct Phase 2. The preliminary site plan approval of Phase 3 included the preliminary approval of seven (7) pad sites along Route 1/9. The Applicant now seeks amended preliminary and final site plan approval, with variance relief, for the construction of an approximately 7,000 square foot medical/professional office building, along with related site improvements, on one of the preliminarily approved pad sites within Phase 3 of Legacy Square.

**II. Submittals**

Pursuant to the City of Linden Zoning Ordinance, the Application includes the following:

1. Two Checks: (1) a check in the amount of \$5,200 for the site plan application fee; and (2) a check in the amount of \$4,500 for the escrow deposit **(to be submitted under a separate cover by the Applicant)**;
2. Eighteen (18) copies of the completed Application for Formal Site Plan and Application for Variance forms;
3. Eighteen (18) full-sized, signed and sealed site plan sets titled "Amended Preliminary and Final Major Site Plan for Linden Development, LLC," prepared by Maser Consulting, consisting of 13 sheets, and dated September 18, 2020;
4. Eighteen (18) full-sized, signed and sealed architectural drawings prepared by Massa Multimedia Architecture, PC (MMA), consisting of 5 sheets, and dated September 18, 2020;
5. Six (6) full-sized, signed and sealed ALTA/MSPS Land Title Survey for Lot 38.01, dated November 8, 2017 and last revised June 27, 2018;
6. Six (6) copies of a Traffic Assessment Letter prepared by Langan Engineering and dated February 18, 2019; and
7. Six (6) copies of a Stormwater Management Statement prepared by Maser Consulting, and dated September 2020.

We trust the above submission complies with the requirements for a complete application so that we may be scheduled for a hearing at the next Planning Board meeting on October 13, 2020. Please do not hesitate to contact me if you require any additional information, or if you have any questions or comments.

We look forward to working with the Planning Board in connection with this Application. Thank you for your time and attention to this matter.

Very truly yours,



John P. Michalski

Enclosures

cc: Anthony Rinaldo, Esq. (via email)  
Paul Ricci, P.P. (via email)  
Nicholas J. Pantina, P.E. (via email)  
Mr. David Shute (via email)  
Mr. Jeff Coker (via email)  
Robert J. Curley, P.E. (via email)  
Brad Kern, R.A. (via email)

**ALL COMPLETED MAPS MUST BE FILED 21 DAYS PRIOR TO THE MEETING**

**If plans are not complete, application will be heard at the next available meeting**  
**PLEASE HAVE 18 TRAFFICE AND STORM WATER PLANS FOR THE MEETING!** 20 PLANS  
must be submitted to the Planning Board Office. ANY QUESTION CALL 908-474-8453

**APPLICATION FOR FORMAL SITE PLAN**

Application # \_\_\_\_\_ Date filed \_\_\_\_\_  
Received by \_\_\_\_\_ Fee \_\_\_\_\_  
Email Address \_\_\_\_\_

To: City of Linden Planning Board Application is hereby made for Site Plan approval in accordance with the provisions of the City of Linden Zoning Ordinance and more particularly described:

1. Location of remises 1016 W. Edgar Road (US Route 1/9) a/k/a Legacy Square  
(Street)  
469 38.05 (formerly part of Lot 38.01) 96  
Tax map block) (Lot number) (Map sheet number)  
Zone PCD Planned Commercial Development Zone
2. Owner's Name Linden Development, LLC Phone# 214-561-8800  
Address 8144 Walnut Hill Lane, Suite 1200, Dallas, TX 75231
3. Applicant's Name Linden Development, LLC  
(If a corporation - state name of corporation and registered Agent )  
Address 8144 Walnut Hill Lane, Suite 1200, Dallas, TX 75231
4. Proposed Use Medical Office Building  
7,147 sf See attachment  
(building floor area proposed) (no.of employees)  
If apartments: Total Units n/a Size of units \_\_\_\_\_
5. Area of entire tract 1.325 acres Zone PCD Planned Commercial Development Zone
6. Brief explanation of request: Pad Site for Professional/Medical Office Building  
See Attachment
7. Prior Use Vacant property (property cleared from previous development)
8. List of all variances (if applicable by Ordinance Section) \_\_\_\_\_  
31-11.4.a(3)(c) Principal building setback from all other zone boundaries - 17.74' from RPZ Zone where 25' is required  
31-25.8.a.2 Three building signs proposed where 2 are permitted
9. Applicant must give notice of HEARING if VARIANCE is required as per 40:55D-7.1(a)
10. Applicant agrees to Waiver of Time for action by Board: Yes \_\_\_\_\_ No to be considered upon  
NAME AND ADDRESS OF PERSON PREPARING PLAT: request  
Alan J. Moody, RA, LEED, AP Director  
Architect Massa Multimedia Architecture, PC PhoneNo. 732-918-2300  
Engineer Robert J. Curley, PE - Maser Consulting PA phone No. 732-383-1950  
Linden Development, LLC By: Cypress Linden GP, LLC  
Signature Owner See Application Signature Page  
Name: Brian Parro Title: Authorized Signatory
- APPLICANT See Application Signature Page  
Name: Brian Parro Title: Authorized Signatory

(do not write below this line)

Action of Planning Board:

Approved \_\_\_\_\_ Waived \_\_\_\_\_ Disapproved \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Planning Board Chairman and Secretary if application is approved

Chairman \_\_\_\_\_ Secretary \_\_\_\_\_

**ALL PLANS MUST BE IN BY 12:00 P.M. 21 DAYS BEFORE THE MEETING. IF NOT, THE APPLICANT WILL MAKE THE NEXT AVAILABLE MEETING DATE**

## APPLICATION FOR SITE PLAN REVIEW

I hereby apply for Site Plan Review and acknowledge that the plan will comply with Linden's Zoning Ordinance, Subdivision and Site Plan Regulations.

I have filled out the enclosed application and have thoroughly reviewed and completed the attached checklist.

I have submitted for review an application, eighteen (18) prints, one (1) mylar copy, one (1) reduced 11" x 17" copy of the plan, and paid all subdivision application fees.

The owners, by filing of this application, hereby give permission to the Linden Zoning and Planning Boards, Planning and Economic Development Coordinator, City Engineer, Conservation Commission, and such agents or employees of the City as the Zoning Board may authorize to enter upon the property, which is the subject of this application, at all reasonable times for the purpose of conducting examinations, surveys, tests, inspections as maybe appropriate; to enable release of any claim or right we may now or hereafter possess against any of the above individuals as a result of any examinations, survey tests, or inspections, conducted on my/our property in connection with this application.

I have read the above and have met all the requirements for submittal in accordance with the Non-Residential Site Plan Regulations.

Owners(s) Name (print): Linden Development, LLC By: Cypress Linden GP, LLC

Owners(s) Signature: See Application Signature Page  
Name: Brian Parro Title: Authorized Signatory

Effective Date: Jan 8, 2002

APPLICATION SIGNATURE PAGE

OWNER AND APPLICANT:

**LINDEN DEVELOPMENT, LLC**

By: Cypress Linden GP, LLC

By: 

Name: Brian Parro

Title: CFO/VP

Date: 9-21-2020

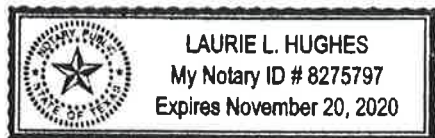
Sworn to and Subscribed

Before Me this 21<sup>st</sup>

Day of September, 2020

Notary Public of Texas





## **ATTACHMENT TO SITE PLAN APPLICATION**

### **Formal Site Plan Application**

- 4. Proposed Number of Employees:** 14 to 16 employees at peak shift.
- 6. Brief Explanation of Request:** The Applicant previously obtained site plan approval by Planning Board Resolution memorialized on June 10, 2014, for the development of the Legacy Square commercial retail center, consisting of multiple buildings totaling approximately 462,071 square feet of gross floor area (GFA). Specifically, the Applicant obtained preliminary and final site plan approval to construct the Walmart building and preliminary site plan approval for the balance of the proposed Legacy Square development. By Resolution memorialized on January 8, 2019, the Applicant was granted minor subdivision approval to subdivide Block 469, Lot 38.01, into Lots 38.05 and 38.06. The subdivision was perfected by subdivision deed dated February 12, 2019, and recorded in the Union County Clerk's Office on February 20, 2019. Thereafter, the contract purchaser of Lot 38.06 received approval from the Planning Board to construct thereon a 4-story, 123 room hotel (an approximately 74,788 square foot building).

By Resolution dated May 14, 2019, the Planning Board granted amended preliminary site plan approval for an amended Phase 2 and Phase 3 development of Legacy Square and final site plan approval to construct Phase 2, which amended plan consisted of multiple buildings totaling approximately 373,742 square feet of GFA on Lot 38.05, and approximately 448,530 square feet of GFA on Lots 38.05 and 38.06.

The preliminary site plan approval of Phase 3 included the preliminary approval of seven (7) pad sites along Route 1/9. The Applicant now seeks amended preliminary and final site plan approval, with variance relief, for the construction of an approximately 7,174 square foot Medical Office Building, along with related site improvements, on one of the preliminarily approved pad sites within Phase 3 of Legacy Square.

MUST BE FILED INTRIPPLICATE WITH THE SECRETARY OF THE PLANNING BOARD

Application for Variance under N.J.S.A. 40:44D-70c

Application# \_\_\_\_\_ Date Filed \_\_\_\_\_

Received by \_\_\_\_\_ Filing Fee \_\_\_\_\_

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*SPEAK TO THE COURT REPORTER REGARDING TRANSCRIPT FOR THE MEETING*

To: City of Linden Planning Board:

In conjunction with the variances the following approvals are sought:

1. Site Plan approval pursuant to N.J.S.A. 40-55D-76b
2. Major or Minor Subdivisions approval pursuant to N.J.S.A. 40:55D-76b

Applicant's Name Linden Development, LLC

Address 8144 Walnut Hill Lane, Suite 1200, Dallas, TX 75231

Subject premises known as 1016 W. Edgar Road (US Route 1/9) a/k/a Legacy Square

(Street Address)

Block 469 Lot 38.05\* on the City Tax Map Sheet 96 \*formerly part of Lot 38.01)

Owner Linden Development, LLC Address 8144 Walnut Hill Lane, Suite 1200, Dallas, TX 75231

Lessee \_\_\_\_\_ Address \_\_\_\_\_

Zone District PCD Planned Commercial Development Zone

Petition Respectfully Seeks Permission to: See SP Attachment

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Is this an appeal from the decision of the Building Inspector? No if so, set forth the date of the decision \_\_\_\_\_ and the substance of the decision \_\_\_\_\_

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Zone District PCD Planned Commercial Development District

Last Previous Use Vacant property (property cleared from previous development)

Proposed Use Pad site for Professional/Medical Office Buidling

Dimensions of lot See Zoning Table

See SP Attachment



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Applicant has read and understands the regulation of the Board and will comply with the same. All property owners within 200 feet of the subject property and all other persons or government agencies as required by law have been notified.

Application: \_\_\_\_\_ -

AFFIDAVIT OF APPLICANT

STATE NEW JERSEY)

COUNTY OF \_\_\_\_\_ ) SS:

Brian Parro of full age, being duly sworn according to law upon his oath deposes and says: that all of the above statements and the statement contained in the papers admitted herewith are true.

Applicant's Signature See Application Signature Page -

Sworn to and Subscribed

Before Me this \_\_\_\_\_

Day of \_\_\_\_\_ 20\_\_\_\_\_

Notary Public New Jersey

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The following is to be completed by the owner where applicant is not the owner of the subject property:

AFFIDAVIT OF OWNERSHIP & AUTHORIZATION

STATE OF NEW JERSEY)

COUNTY OF \_\_\_\_\_ ) SS:

I, Brian Parro, of full age, being duly sworn according to law, upon my oath, deposes and says: that I am the owner in fee of the subject property known as Block 469

Lot 38.05\* on the Tax Map of the City of Linden and also known as : \*formerly part of Lot 38.01)

Address 1016 W. Edgar Road US Route 1/9), Linden

Applicant Linden Development, LLC is hereby authorized to make the within application and the undersigned hereby consents to the make of same.

Linden Development, LLC By: Cypress Linden GP, LLC  
See Application Signature Page Signature of Applicant

Sworn to and Subscribed

Before Me This \_\_\_\_\_

Day of \_\_\_\_\_ 2014

APPLICATION SIGNATURE PAGE

OWNER AND APPLICANT:

**LINDEN DEVELOPMENT, LLC**

By: Cypress Linden GP, LLC

By: 

Name: Brian Parro

Title: CFO/VP

Date: 9-21-2020

Sworn to and Subscribed

Before Me this 21<sup>st</sup>

Day of September, 2020

Notary Public of Texas

