

MURPHY SCHILLER & WILKES LLP

ATTORNEYS AT LAW

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April 8, 2022

VIA FEDEX OVERNIGHT

Janis Nelson, Land Use Administrator
City of East Orange
44 City Hall Plaza
East Orange, NJ 07018

**RE: 315 South Harrison Street, City of East Orange, NJ (Block 490, Lot 2)
Amended Site Plan Application**

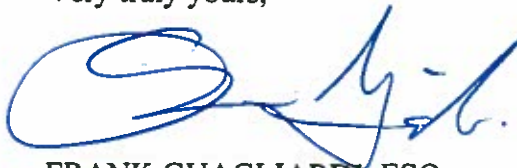
Dear Lloyd,

This firm represents 315 Urban Renewal LLC in connection with the above-referenced application. Enclosed, please find the following:

1. One (1) original copy of the *City of East Orange Land Use Application and Site Plan Review Checklist*.
2. Application Fee: \$3,681.10 check made payable to the *City of East Orange*.
3. Escrow Fee: \$13,300.00 check made payable to the *City of East Orange*.
4. Six (6) 24 x 36 signed and sealed copies of the *Engineering Plans* prepared by Frank H. Lehr Associates, dated December 17, 2021.
5. Six (6) 24 x 36 signed and sealed copies of the *Architectural Plans* prepared by Joseph M. Spataro, dated March 29, 2022.

Please feel free to reach out with any questions or comments. Thank you in advance for your assistance.

Very truly yours,



FRANK GUAGLIARDI, ESQ.
Attorney for Applicant

FG/sm
Encls.



City of East Orange

Department of Policy, Planning and Development

LAND USE APPLICATION & SITE PLAN REVIEW CHECKLIST

COMPLETE: Applicant Information: Date: Name: 315 URBAN RENEWAL, LLC Address: 570 BROAD STREET, SUITE 1206 NEWARK, NJ 07102 Telephone: (973) 624-6300 Alternate Tel: (908) 938-4093 Fax: (973) 624-1216 Alternate Fax: Email: AMIRA@B360.US OFFICE USE ONLY: Type of Proposal: [] New Residential [] New Accessory Structure [] New Non-Residential Structure [] Change in Use [] Other Case #: Address: Block: Lot: Date Filed: Date Action Required By: Scheduled SPR Date(s): Date of Publication Notice: Hearing Date: Determination of Completion Verified By:

Subject Property Information: Street Address: 315 SOUTH HARRISON STREET Block (s): 722 Lot (s): 5.01 Case #: Zoning District(s): R-4 Master Plan Designation: Dimensions: Frontage: 503 FT Depth: 320 FT Total Area: 142,434 SF Present Use(s): MIXED-USE RESIDENTIAL HIGH-RISE WITH RETAIL Proposed Use(s): MIXED-USE RESIDENTIAL HIGH-RISE WITH RETAIL AND SELF-STORAGE

Contact Information:

APPLICANT - Name: 315 URBAN RENEWAL, LLC Address: 570 BROAD STREET, SUITE 1206, NEWARK, NJ 07102 Telephone(s): (973) 624-6300 Facsimile(s): (973) 624-1216 Email: AMIRA@B360.US ATTORNEY - Name: CHRIS J. MURPHY, ESQ. OF MURPHY SCHILLER & WILKES, LLP Address: 24 Commerce Street, 12th Floor, Newark, NJ 07102 Telephone(s): (973) 705-7421 Facsimile(s): (973) 799-0461 Email: CMURPHY@MURPHYLLP.COM ENGINEER - Name: RICHARD ADELSON, PE, PP, CME Address: 101 SOUTH HARRISON STREET, EAST ORANGE, NJ 07018 Telephone(s): (973) 673-2520 Facsimile(s): Email: RICK@FHLEHR.COM ARCHITECT / PLANNER - Name: JOSEPH M. SPATARO Address: 2408 GREENTREE DRIVE, MANASQUAN, NJ 08736 Telephone(s): (908) 693-3776 Facsimile(s): Email: JOSEPH.SPATARO@GMAIL.COM

Please check one: [x] Corporation [] Partnership [] Individual Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate. The application, with supporting documentation, must be filed with the Office of the City Clerk and must be delivered to the professionals for review at least fifteen (15) business days prior to the meeting at which the application is to be considered.

Application Represents A Request For the Following:

1. SUBDIVISION:

Minor Subdivision Approval
 Subdivision Approval [Preliminary]
 Subdivision Approval [Final]
Number of lots to be created _____
(Including remainder lot)

Number of proposed dwelling units _____
(If applicable)

SITE PLAN:

Minor Site Plan Approval
 Preliminary Site Plan Approval [Phases (if applicable) ___]
 Final Site Plan Approval [Phases (if applicable) ___]
 Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____
Total number of proposed dwelling units _____

Request for Waiver From Site Plan Review and Approval
Reason for request: _____

- Informal Review
 Appeal decision of an Administrative Officer [N.J.S. 40:55D-70a]
 Map or Ordinance Interpretation of Special Question [N.J.S.40:55D-70b]
 Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]
 Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]
 Variance Relief (use) [N.J.S. 40:55D-70d]
 Conditional Use Approval [N.J.S. 40:55D-67]
 Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]
 Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

2. Section(s) of Ordinance from which a variance is requested: _____

3. Waivers Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed]

4. Has this application been heard before the board? YES NO

If so, please list date of hearing/adoption DECEMBER 16, 2015 & OCTOBER 10, 2018

Was the case denied or approved? APPROVED DENIED

Instructions:

Follow all steps listed in the checklist and supply requested information. The Land Use Administrator will determine and initial what site specific items will be needed. When you finish these steps, be sure to include the following:

- ✓ **CHECKLIST & APPLICATION** – You will need to supply one (1) original completed checklist/application to the Land Use Administrator. Be sure to sign, date and notarize at the end. Keep a copy for your files.
- ✓ **APPLICATION FEE(s)** – Make certified bank checks or money orders payable to the City of East Orange.

Enclosed Fee(s): _____ (see zoning determination form for fee amount)

***CAUTION*:** The Application Fee is NONREFUNDABLE. Do not apply until you are sure that:

1. You have the legal building lot information
2. You have legal access to the parcel
3. You know the zoning of your property
4. You want to proceed forward in the full site plan review and municipal board hearing process

First Step: Obtain Building Lot / Zoning Information

The Zoning Officer determines whether the proposed use and lot dimensions planned is or is not in conformance with the zoning laws of the City of East Orange. In making this determination, the Zoning Officer primarily examines four criteria: 1) lot dimensions; 2) whether or not the lot is in conformance with the adopted East Orange Land Use and Development Code; 3) detail use of proposed activities at subject property; 4) whether property is previously subject to any prior applications. *Note: Having an existing house, business or other improvements or the prevailing history of a property is not a guarantee that the lot will be recognized as a legal and/or conforming lot.*

✓ *Please submit with Site Plan Review Checklist / Land Use Application, 1 copy of the following items:*

✓ **Zoning Determination Form** – Present the aforementioned form to the East Orange Zoning Officer whom will review site plans and complete zoning determination form. His office is located in the Department of Property Maintenance on the third (3rd) floor of City Hall. It is recommended that applicants submit the zoning determination request as early as possible to the Zoning Officer. Your site plan will not be technically reviewed until the zoning determination is issued. Submit the Zoning Determination Form to the Division of Comprehensive Planning along with your application and site plans.

✓ **Site Plan** – provide one site plan copy, size 22"x36" to the Zoning Officer for review.

✓ **Copy of Current Deed** – all easements must be noted and attached.

Second Step: Organize & Submit Application Packet

Number of Packets: Please submit one (1) packet along with the items listed below to the Division of Comprehensive Planning for processing. Your application will NOT be processed without all applicable information in this section.

- ✓ **1. Application** – Include the name, address and signature of the current owner of the record. Make sure all required forms are notarized.
- ✓ **2. Fees** – Pay all fees at time of application submission via certified bank check or money order payable to the City of East Orange. You will be provided with a receipt indicating that fees are paid.
- ~~☐ **3. Subdivision Application** – If applicable, complete this document if you plan to subdivide the subject property.~~
- ~~☐ **4. Assemblage Form** – If applicable, complete this document if planning to assemble parcels in subject area.~~
- ✓ **5. Site Plans** – Submit six (6) site plans. Check off each element in the Site Plan Review checklist that is presented on your site plan while putting a line through the items that do not apply to your project. Each element should be checked or have a line through them.
- ✓ **6. Completed and signed W-9 Form.**

Third Step: Gather Additional Information

Include one (1) copy with application of each item below, where applicable. The Land Use Administrator will only initial items if they are relevant to your application.

- N/A Traffic calculations / traffic study
- N/A Daily waste water flow / storm water calculations

Fourth Step: Complete Certifications

APPLICANT CERTIFICATION

I, the applicant, certify that the information submitted is complete and correct. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures and that modification may be required. Site work will not be done prior to municipal planning board or board of adjustment approval and issuance of a building permit.

Signature: [Signature] Date: 12/16/2021
Print Name: Amira Hasan

I certify, _____, that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant, or that I am an officer of the corporate applicant, or that I am a general partner of the partnership applicant and that I am authorized to sign the application for the Corporation. [If the applicant is a corporation an authorized corporate officer must sign this certification. If the applicant is a partnership, a general partner must sign this certification.]

Sworn to and subscribed before me this 16th day of December, 2021
Notary Public: [Signature] Signature: [Signature]
Print Name of notary: Elizabeth Dominguez Print Name of applicant: Amira Hasan

PROPERTY OWNER CERTIFICATION

I certify that I am the recorded owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made, and the decision in the same manner as if I were the applicant. [If the owner is a corporation, an authorized corporate officer must sign this Certification. If the owner is a partnership, a general partner must sign this certification.]

Sworn to and subscribed before me this 16th day of December, 2021
Notary Public: [Signature] Signature: [Signature]
Name of notary: Elizabeth Dominguez Print Name of owner of property: Amira Hasan

TAX COLLECTOR CERTIFICATION

I certify that all taxes due on the subject property have been paid prior to the filing of this application. Additionally, I certify that this office has no objection in allowing the above referenced case to proceed as scheduled.

Property Address: 315 SOUTH HARRISON STREET
Block: 722 Lot: 5.01
Applicant: 315 URBAN RENEWAL, LLC
Certified by: _____ Date: _____
Office of the Tax Collector, City of East Orange

ELIZABETH DOMINGUEZ
NOTARY PUBLIC OF NEW JERSEY
Commission # 50147021
My Commission Expires 01/06/2026



Fifth Step: Notice

Attach a copy of the public Notice to appear in the official newspaper and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. **The publication and the notification service on the affected owners must be accomplished at least 10 days prior to the hearing date scheduled by the Land Use Administrator. An affidavit of service on all property owners, post office receipts and proof of publication must be filed before the application will be deemed complete.**

Sixth Step: Application Submission

Submit this SPR checklist / land use application, fees and site plans to the Land Use Administrator in the Division of Comprehensive Planning, which is located in the Department of Policy, Planning and Development. Application drop-off is on Tuesdays and Thursdays of each week. The application with supporting documentation must be filed with the Office of the City Clerk and should be delivered to the Division of Comprehensive Planning for review at least ten (10) business days prior to the meeting at which the application is to be considered. Submittal by the "cut-off" deadline does not guarantee placement on the hearing agenda.

CONTACT WITH QUESTIONS:

Land Use Administrator, Janis I. Nelson

Telephone: (973) 266-266-5486

Fax: (973) 673-4077

Location: Lower Level of City Hall, City of East Orange, Department of Policy, Planning and Development, Division of Comprehensive Planning, 44 City Hall Plaza, East Orange, NJ 07017

Office Hours: Monday through Friday 8:30 am – 4:30 pm

Dropoff/Pickup Days: Tuesday, Thursday and Friday

Sample Site Plan Signature Blocks

APPROVED BY THE PLANNING BOARD OF THE CITY OF EAST ORANGE AT A MEETING HELD ON THE _____ DAY OF _____, 20	
_____	_____
PLANNING BOARD CHAIRPERSON	BOARD SECRETARY
_____	_____
CITY CLERK	CITY ENGINEER
_____	_____
RESOLUTION NUMBER	DATE

APPROVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF EAST ORANGE AT A MEETING HELD ON THE _____ DAY OF _____, 20	
_____	_____
BOARD OF ADJUSTMENT CHAIRPERSON	BOARD SECRETARY
_____	_____
CITY CLERK	CITY ENGINEER
_____	_____
RESOLUTION NUMBER	DATE

SPR ADVISORY COMMITTEE - OFFICE USE ONLY

HAVE COMMENTS BEEN RECEIVED FROM THE FOLLOWING LOCAL AGENCIES:

- Department of Policy, Planning and Development
- Department of Public Works
- Department of Property Maintenance
- Department of Fire
- Department of Tax Assessment
- Department of Tax Collector
- Department of Water
- Department of Health

ARE THE ORDINANCE STANDARDS FOR SITE PLAN REVIEW MET?

Each of the discretionary standards for site plan review in your ordinance would be listed, and they would be checked off as met or unmet.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

**Request for Taxpayer
Identification Number and Certification**

Give Form to the
requester. Do not
send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
315 URBAN RENEWAL, LLC

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ **S**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any) _____
Exemption from FATCA reporting code (if any) _____
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
570 BROAD STREET, SUITE 1206

6 City, state, and ZIP code
NEWARK, NJ 07102

7 List account number(s) here (optional)

Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Social security number

			-			-				
--	--	--	---	--	--	---	--	--	--	--

OR

Employer identification number

2	7	-	3	9	6	6	5	5	6
---	---	---	---	---	---	---	---	---	---


Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ **12/10/2021**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
- If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



East Orange City
POLICY, PLANNING AND DEVELOPMENT
44 CITY HALL PLAZA
BASEMENT LEVEL
EAST ORANGE, NJ 07018
(973) 266-5449 FAX(862) 930-7804
LLOYDARAHEEM@GMAIL.COM

Application Date: 1/14/2022
Application Number: ZA-22-016
Permit Number: _____
Project Number: _____

Fee: \$100

Denial of Application

Date: 1/19/2022

To: 315 URBAN RENEWAL LLC
570 BROAD STREET, SUITE 1206
NEWARK, NJ 07102

CC: APP TELE:(973) 624-6300

RE: 315 S HARRISON ST
BLOCK: 722 LOT: 5.01 QUAL: ZONE:

DEAR 315 URBAN RENEWAL LLC,

Change of proposed use of 18.003 SF of retail to retail/self storage....

Your request is hereby denied based upon the following requirements:

THE PROPOSED USE IS NOT PERMITTED IN THE R-4 ZONE...

The following comments were made during the denial process:

Sincerely,

LLOYD ABDUL-RAHEEM, ZONING OFFICER

Site Plan Review Checklist

Basic Elements of Site Plan: 1st PAGE

- Project name and short narrative description of development including impact on surrounding uses
- Property Address, Block, Lot, Case number in title box
- Revision box and date of each revision
- Standard scale and North arrow (preferably on each site plan page)
- Size of property (include feet and acreage)
- Use of land and structures indicated
- Property dimensions (depth, width, and frontage)
- Key map (hatched location of property)
- Zoning map (zoning districts within 100-feet; hatch property on map)
- Zoning schedule analysis table (zoning district designation, required and proposed dimensions, parking requirements, variance requests)
- Sanborn map (Structure & uses within 100 feet can be obtained in Public Works Department; hatch property on map)
- Names and addresses of property owners within 200-feet of subject property on site plan
- Business hours and number of employees noted (if applicable)
- Description of trucking activities on site, if applicable
- Signature block (required signatures for Board Chairperson, Board Secretary, City Engineer, and City Clerk) (See Sample Attached)
- Evidence of compliance with any state requirements, if applicable

Existing Features: On or adjacent to subject property: 2nd - 3rd PAGE

- Survey of the entire subject property (2nd page only)
- Adjacent roads/ driveways/ streams/rivers/ waterways/ floodplains/floodways
- Existing structures (including setbacks and lot lines)
- Easements (access/utility)
- Existing sanitary, sewer, water pipe sizes, connections and direction flow
- Existing utility lines and connections
- Existing vegetation, topography and landscaping
- Fences and refuse area details
- Existing lighting, traffic circulation, and pedestrian walkways
- Spot elevations for property
- Other site improvements (i.e. signs, parking meters, street lighting)
- Photographs of existing property and adjacent properties (separate page)

Proposed / New Modifications & Improvements: Must show the following including dimensions - 4th PAGE & BEYOND

- Full site layout of proposed structures (including planned streets, road orientation, dedications, demolitions, additions)
- Signage plan with details (include height and width dimensions, lettering, and location)
- Roads, driveways, parking areas and locations, circulation (ingress & egress access)
- Grading, drainage, lighting plan with isolux lines (details location; hours of operation; all shown on same sheet)
- Sanitary, sewer, water pipe sizes, connections and direction of flow shown
- Landscaping plan (separate page with details including plant/tree type, size and planting schedules)
- Soil erosion and sedimentation plan (separate page)
- Fences and refuse area details (include location, height, materials, colors, and narrative of waste disposal methods)
- Egress and ingress for pedestrian circulation, automobile traffic, parking and fire
- Interior floor plans (include room square footages); Building elevation drawings (include existing grade, height above existing grade, finish grade, materials and colors) (separate pages)
- Notation of cell tower locations at subject property, if applicable
- Setbacks distances from structures to lot lines
- Environmental information statement (narrative description on impacts on air, soil, existing environment, potable water demands, runoff, etc.)

Site plans should be 24"x36" in size or smaller, signed and sealed by a licensed surveyor, professional planner, registered architect or professional engineer. All plans should be folded to an 8.5"x11" size. The Division of Comprehensive Planning will schedule the applicant for site plan review once site plan and application is received. Any waiver request for site plan review must be made in a separate letter to the Manager of Comprehensive Planning with detailed reasons for waiver. Site Plan Review is held each Wednesday at 10:00 a.m. on a first-come, first-served basis.

Copies of all relevant ordinances or plans such as the Land Use & Development Ordinance, (City Clerk Department), Zoning Map (Public Works Department), and Master Plan and Redevelopment Plans (Policy, Planning and Development Department) can be obtained in East Orange City Hall, located at 44 City Hall Plaza, East Orange, NJ 07017.

No Change

PLANNING AND ZONING BOARD
ZONING DETERMINATION



CITY OF EAST ORANGE
44 CITY HALL PLAZA
EAST ORANGE, NEW JERSEY 07018

TO BE COMPLETED BY APPLICANT

Today's Date: APRIL 12, 2022

Name of Applicant: 315 URBAN RENEWAL, LLC

Address of Applicant: 570 BROAD STREET, SUITE 1206, NEWARK, NJ 07102

Telephone: (973) 624-6300

Name of Owner (if different from applicant): SAME AS APPLICANT

Address of Owner: SAME AS APPLICANT

Subject Property:

Address: 315 SOUTH HARRISON STREET, EAST ORANGE, NJ

Tax Map Block: 722 Lot(s): 5.01

Block: _____ Lot(s): _____

Dimensions Frontage: 503 FT Depth: 320 FT Total Area: 142,434 SF

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes (attach copies): _____ No: X Proposed: _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Proposed Use: MIXED-USE RESIDENTIAL HIGH-RISE WITH RETAIL/SELF-STORAGE..

Present use of the premises: MIXED-USE RESIDENTIAL HIGH-RISE WITH RETAIL.

