



UNLOCKING POTENTIAL
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Planning Report #1

DATE: January 29, 2021
TO: Zoning Board, Township of Cranford
FROM: Greer Patras, AICP, PP
APPLICANT: Cranford Harrison Developers, LLC
ATTORNEY: Ronald Shimanowitz, Esq.
SUBJECT: **APPLICATION ZBA-20-003
24 SOUTH AVENUE WEST
BLOCK 474, LOT 1
USE VARIANCE APPLICATION**

The purpose of this report is to provide the Zoning Board with guidance in its evaluation of Application ZBA-20-003, submitted by Cranford Harrison Developers, LLC (the "Applicant"). The Applicant proposes to demolish the existing commercial structure and construct a mixed-use building with retail space on the ground floor and residential units on the upper floors.

Based on the application submitted, the Applicant has elected to bifurcate the application and currently only seeks approval for d(3) conditional use variance, d(5) density variance, and some bulk variances at this time, and that if the Board approves these variances, the Applicant will return for Major Preliminary and Final Site Plan approval, as part 2 of this application.

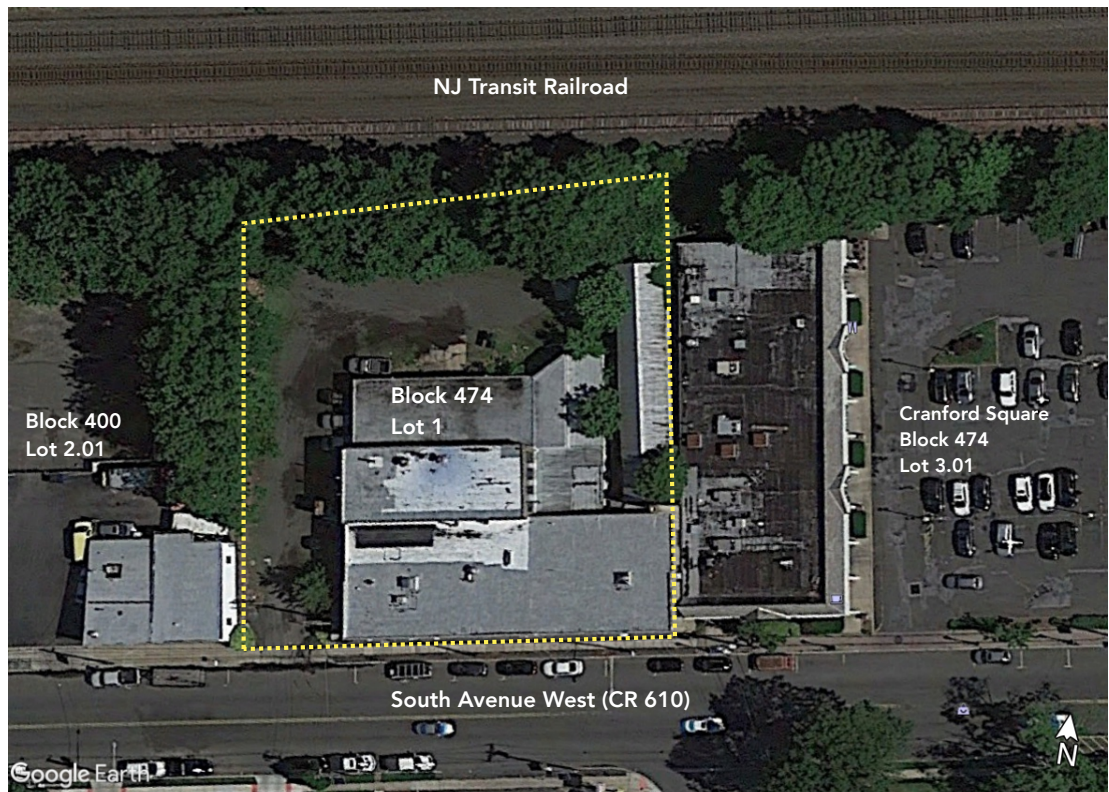
Upon our review, the Applicant may also require a d(4) FAR variance, a d(6) height variance, and additional bulk variances and design waivers. The Applicant and Board Counsel must clarify the scope of the application and which items are included in Part 1 of the bifurcated application.

The following items have been reviewed:

- A. **Application Form**, filed on August 27, 2020.
- B. **Variance Site Plan**, consisting of three (3) sheets, prepared by Brian P. Murphy, P.E. of FWH Associates, P.A., dated August 25, 2020.
- C. **Architectural Floor Plan and Elevations**, consisting of eight (8) sheets, prepared by Judith A. Donnelly of Donnelly Architecture, LLC, dated August 24, 2020.
- D. **Traffic Impact Study**, consisting of seven (7) pages prepared by Jay S. Troutman Jr., P.E. of McDonough & Rea Associates, Inc., dated June 5, 2020.
- E. **Somerset-Union SCD Letter**, prepared by Mark Kirby, dated July 27, 2020.
- F. **NJ DEP Administrative Consent Order**, consisting of 7 pages written by Kevin F. Kratina, dated August 26, 2020.
- G. **NJ DEP Administrative Consent Order Cover Letter**, consisting of 1 page written by Kevin F. Kratina, dated August 26, 2020.

I. EXISTING CONDITIONS

- A. **The Site:** The Site is a 32,673.2 SF (0.75 AC) property comprised of one lot that has frontage along South Avenue West (County Route 610). The Site consists of a two-story masonry building which was previously used for industrial manufacturing. The Site also contains a gravel parking lot and chain link fencing. According to the Applicant, the Site contains environmental contamination from the prior industrial use.
- B. **Zoning:** DB (Downtown Business)
- C. **Neighborhood Context:** The Site is located just outside of downtown Cranford and is within walking distance to the downtown and train station. South Avenue West is a commercial corridor; however, the Site borders the Office Residential District (ORC) to the south. To the north (rear) of the Site is the NJ Transit railroad, and directly east is "Cranford Square", a commercial plaza with several retail uses and a large parking lot. Across the street to the south is an auto body shop and offices, and to the west is an industrial building.
- D. **Traffic + Parking:** The Site is accessible via one curb cut along South Avenue West (County Road 610). The nearest bus stop (NJ Transit Route 59) is located at the corner of South Avenue West and Lincoln Avenue West. The Cranford train station is approximately a 5-minute walk from the Site.
- E. **Aerial Image (Courtesy of Google):**



II. PROJECT PROPOSAL

- A. **Proposed Project:** The Applicant proposes the following and **must confirm** the items in **red** text:

1. Demolish the existing building
2. Construct a new mixed-use building with ground floor retail space and 75 residential units:
 - First Floor (**unknown total SF of floor**):
 - i. Retail space: 500 SF
 - ii. Lobby: 622 SF
 - iii. Parking garage with 76 spaces (4 handicap accessible)
 - iv. Two curb cuts serving one-way ingress and one-way egress
 - v. Bicycle parking (**unknown quantity of spaces**)
 - Second Floor – Fourth Floor (**unknown total SF of floors**):
 - i. 6 studio units
 - ii. 12 one-bedroom units
 - iii. 6 two-bedroom units
 - iv. 1 three-bedroom unit
3. Additional improvements include lighting, signage, utilities, concrete sidewalk, and an amenity courtyard (**unknown total SF**) located on the second floor.

B. **Bulk Chart:** The Applicant must clarify which use and bulk variances are currently requested. Even if bulk variance approval will be deferred to the Major Site Plan portion of this bifurcated application, conformance with bulk standards should be used to evaluate site suitability for the proposed uses on this site, which must be demonstrated to grant the various “d” use variances required.

The Applicant’s bulk chart contains errors and missing information that must be corrected on revised plans. Additional bulk variance relief may be required. Below is a table detailing bulk compliance within the DB zone (the items in **red** text **must be confirmed** for further review):

Requirements	Required	Existing	Proposed
Lot Area (Min.)	Not regulated	32,673.2 SF	(NC)
Lot Width (Min.)	Not regulated	196’	(NC)
Front Yard Setback (Min.)	5’	0’	0’ (V)
Side Yard Setback (Lot 2.01) (Min.)	0’	Applicant must confirm	6’*
Side Yard Setback (Lot 3.01) (Min.)	0’	0.5’	5’*
Side Yard Setback (Both) (Min.)	0’	Applicant must confirm	11’
Rear Yard Setback (Min.)	10’	15.7’	10.2’
Lot Impervious Coverage (Max.)	80%	52%	86% (V)
Building Height (Max.)	45’	Applicant must confirm	51’-4” (V)**
Building Stories (Max.)	3 stories	Applicant must confirm	4 stories (V)
Density (Units/Acre)	10 units/acre	N/A	100 units/acre (V)
FAR (Max.)	2.5	Applicant must confirm	Applicant must confirm***
Distance from 1- or 2-Family Residence (Min.)	20’	>20’	(NC)
Parking Spaces (Min.)	143 spaces	Applicant must confirm	76 spaces (V)



Requirements	Required	Existing	Proposed
Parking Space Dimensions (Min.)	10' wide x 20' long	Applicant must confirm	9' wide x 18' long (W)
Driveway Width	10'-26'	Applicant must confirm	24'
Parking Aisle Width (Min.)	12'	N/A	20'
Loading Spaces (Min.)	1 space at 12' wide x 50' long	Applicant must confirm	Not proposed (W)
Bicycle Parking Spaces (Min.)	76 Spaces	N/A	Applicant must confirm
Fence Height (Rear) (Min.)	6'	Applicant must confirm	Applicant must confirm
Lighting Level (Max.)	1.5 FC	N/A	Applicant must confirm
Wall Mounted Sign Area (South) (Max.)	10% of façade or 812.2 SF	N/A	812 SF
Wall Mounted Sign Area (East) (Max.)	10% of façade or 728.5 SF	N/A	729 SF (W)
Wall Mounted Sign Area (West) (Max.)	10% of façade or 639.8 SF	N/A	640 SF (W)
Business Sign Total	1 sign per wall	N/A	1 sign
Min. Building-Mounted Sign Setback to Residential Zone	150'	N/A	>150'

(M) Variance (W) Waiver (NC) No Change

*The Applicant must revise the bulk chart to include both side yard setbacks that are consistent with the site plan. The bulk chart for the side yard setback to Lot 3.01 says 0.5' proposed, however, the plans show a 5' setback. This must be confirmed.

**The Applicant should update their bulk chart to correct the reported height of 45' tall, as the proposed height to the highest point of the building of 51'-4", discussed further below in Section III.

***The Applicant must provide the square feet of each floor, including the ground/first floor, on the floor plans to confirm the proposed FAR and ensure correct calculations, discussed further below in Section III.

III. VARIANCE DISCUSSION

A. The Applicant requires the following "d" Use Variance Relief:

1. **The Applicant requires d(3) Variance Relief from Section 255-39.B(22):** Residential uses in the Downtown Business District are permitted uses only if compliant with the conditions specified in Section 255-39.B(22), included below. The proposed mixed-used building with retail space and residential units on this lot does not fully comply with the conditions (specifically the items bolded) and therefore requires a conditional use variance.

The conditional use requirements for residential units are as follows, per Section 255-39.B(22):

- a. *Each apartment shall have its own entrance to a hallway, staircase or to the exterior.*
- b. *The ground floor entrance to the apartment unit or units shall be separate from the entrance to the ground floor use.*
- c. *An applicant or developer shall provide credible evidence to the satisfaction of the reviewing board that sufficient parking spaces are available and/or reserved in either public or private off-street parking lots for the overnight parking of vehicles of the prospective tenants of the apartment or apartments.*

- d. **Such apartments shall be a minimum of 700 square feet for one-room studio or efficiency apartments and 150 square feet for each additional bedroom, but in no case contain more than two bedrooms.**
- e. *No boarders shall be permitted to occupy such apartments, nor shall any portion of the space within the apartment be sublet or rented out for any period of time.*
- f. *A minimum lot size of 5,000 square feet is required.*
- g. **The gross density shall not exceed 10 units per acre.**
- h. *A principal nonresidential use must be located on the ground floor of the building.*

The standard for D(3) variances under N.J.S.A. 40:55(d)-70(d)(3): Not Meeting Conditional Use: The applicant will require variance relief from the conditional use standards contained in the Land Development Ordinance. The Zoning Board may grant relief from conditional use standards pursuant to N.J.S.A. 40:55D-70(d)(3). The board is guided in its evaluation of conditional use variances, otherwise known as "d(3)" variance, by the seminal New Jersey Supreme Court Decision, Coventry Square v. Westwood Zoning Bd. of Adjustment, 138 N.J. 285 (1994). In Coventry, the Court set forth a distinction between a use variance, which allows an applicant to engage in a prohibited use, from that of a conditional use variance, in which non-compliance with the conditions of a use, but not the use itself, violates the ordinance. The Coventry Court held that since a conditional use is not a prohibited use, it did not need to meet the more stringent special reasons standards summarized in Medici v. BPR Co., 107 N.J. 1, 9-18 (1987), but rather the following:

Positive Criteria

- Proof of special reasons that the site proposed in context of applicant's site plan, continues to be an appropriate site for the conditional use notwithstanding the deviations from one or more conditions imposed by the ordinance.
- Applicant must show that the site will accommodate the problems associated with the use even though the proposal does not comply with the conditions the ordinance established to address those problems.

Negative Criteria

- Variance can be granted without substantial detriment to the public good, with focus on the effect on surrounding properties of the grant of the variance for the specific deviations.
- Variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance and that the grant of the variance for the specific project at the designated site is reconcilable with the municipality's legislative intent.

2. **The Applicant may require d(4) Variance Relief from Section 255 Attachment 1:** A maximum floor area ratio of 2.5 is permitted, but it appears that the proposal exceeds this, once the ground/first floor is included in the calculation. Per ordinance FAR is:

FAR Definition: *The ratio of the gross floor area of all buildings on a lot to the lot area.*

Gross Floor Area Definition: *The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of the exterior walls, but not including*



areas devoted exclusively to off-street parking and loading space for motor vehicles or any space where the floor-to-ceiling height is less than seven feet.

The Applicant reports a proposed FAR of 2.4, where 2.5 is the maximum permitted. It is unclear what floors and areas have been used to calculate the 2.4 proposed. The Applicant must provide a chart that show the gross floor area of each of the four floors. The floor area of the first floor **including** the off-street parking area and **excluding** the off-street parking area should be provided for review.

The Board should discuss whether the entire first floor should be calculated as "gross floor area" since it is not exclusively parking area, or whether just the non-parking area, meaning the lobby, retail, stairs, storage, etc, should be included in the FAR calculation.

The standard for D(4) variances under N.J.S.A. 40:55(d)-70(d)(4): The Board has the power to grant a D(4) variance to permit an increase in the permitted floor area ratio (FAR) "in particular cases and for special reasons." New Jersey courts have directed the Board to Randolph Town Center v. Randolph, 324 N.J. Super. 412, 416 (App. Div. 1999). This case held that the standard enunciated in Coventry Square v. Westwood Board of Adjustment, 138 N.J. 285, 298-299 (1994) pertaining to D(3) conditional use variances applies to D(4) FAR variances. Under the D(4) variance, the Applicant need not to show that the property is particularly suited for more intensive development, but rather that the site will accommodate the problems associated with a larger floor area than permitted by the ordinance ("Positive Criteria").

Under Randolph Town Center, the Board's focus regarding the "negative criteria" in a D(4) FAR variance case is identical to a D(3) conditional use variance case, namely, determining whether conditions can be imposed in its approval to ensure that the deviations from the FAR requirements do not cause substantial detriment to the public good and substantial impairment of the intent and purpose of the zone plan and zoning ordinance.

3. **The Applicant requires d(5) Variance Relief from Section 255-39.B(22):** The maximum permitted density in the Downtown Business District is 10 units per acre, but the Applicant proposes 100 units per acre, thus requiring d(5) density variance relief.

The standard for D(5) variances under N.J.S.A. 40:55(d)-70(d)(5): The Board has the power to grant a D(5) variance to permit an increase in the permitted density. New Jersey courts have held that a relaxed standard of proof should be applied to D(5) variances under Grubbs v. Slothower, 389 N.J. Super. 377 (N.J. App Div. 2007). Specifically, the Applicant is not required to demonstrate that the property is "particularly suitable to more intensive development" in order to prove "special reasons" under the Municipal Land Use Law. Rather, in considering such applications, the Board should focus its attention on whether the applicant's proofs demonstrate "that the site will accommodate the problems associated with a proposed use with [a greater density] than permitted by the ordinance." Since special reasons supporting a particular variance request "must be tailored" to the purpose served by the restriction in the ordinance, the Board should consider the purpose of restricting density in a particular zone. Density restrictions, in the residential context serve to limit the intensity of the use of the land to be developed. As such, the Board should consider whether the Applicant has demonstrated whether, despite the proposed increase in density above the zone's restrictions, and, thus, the increased intensity in the use of the site, the project nonetheless served one or more of the purposes of zoning and was consistent with the overall

goals of the MLUL.

Under the “negative criteria,” the Board’s focus should be to determine whether conditions can be imposed in its approval to ensure that the proposed deviations from the density requirements do not cause substantial detriment to the public good and substantial impairment of the intent and purpose of the zone plan and zoning ordinance.

4. **The Applicant may require d(6) Variance Relief from Section 255 Attachment 1:** The maximum permitted building height in the Downtown Business District is 45’. The Applicant proposes a building with a total maximum height of 51’-4” including parapets and arches.

The height regulations outlined in §255-35C do not include exceptions for architectural features such as parapets, however, per §255-1.B(2), ‘height’ is defined as “the vertical distance from the grade plane to the highest point of the roof surface of a building.”

Per MLUL, a height variance is triggered when the proposed building height exceeds the maximum requirement plus ten percent of that requirement. In this case, the maximum permitted building height is 45’ and an additional ten percent of that requirement totals 49.5’ which is the maximum allowable height without triggering a d variance. The height measured from the bottom grade to the highest point of the roof at the arch is 51’-4”. The Applicant and the Board should discuss height measurements and definitions, and whether a d(6) variance is required.

The standard for D(6) variances under N.J.S.A. 40:55(d)-70(d)(6): New Jersey courts have held that a relaxed standard of proof should be applied to “D(6)” variances as compared to the “d(1)” standards. The relaxed standard reflects the fact that the use itself is permitted, whereas the height is not permitted. In the case of Grasso v. Borough of Spring Lake Heights, 375 N.J. Super. 41 (App. Div. 2004), “special reasons necessary to establish a height variance must be tailored to the purpose for imposing height restrictions in the zoning ordinance. See Coventry Square, supra...”

When reviewing the impact of excessive height, the Board should consider whether the Applicant’s has demonstrated whether the proposal avoids the types of impact the height limitation seeks to avoid. Generally speaking, height restrictions serve to limit the intensity of the use of the land to be developed; ensure consistency of character and the adequate provision of light and air to adjacent properties. The purposes of the MLUL and local policy objectives should be advanced by nature of the Site and its ability to accommodate the proposal in a way that avoids negative impacts.

- B. **Bulk Variance Relief:** At this time, we have evaluated the following “c” Bulk Variance Relief, however, as discussed above, further information is required to determine the full scope of the application and whether proposed conditions require variance relief.

1. **Section 255 Attachment 1: Front Yard Setback**

- Required: 5’ (Min.)
- Proposed: 0’

2. **Section 255 Attachment 1: Impervious Coverage**

- Permitted: 80% (Max.)
- Proposed: 86%

3. **Section 255 Attachment 1: Building Height**
 - Permitted: 3 stories (Max.)
 - Proposed: 4 stories
 4. **Section 255-44.A & B: Parking Spaces**
 - Required: 143 spaces (Min.)
 - Proposed: 76 spaces
- C. **The Applicant requires the following Design Waiver Relief:**
1. **Section 255-26.G.3.a.(2): Parking Space Dimensions**
 - Required: 10' wide x 20' long (Min.)
 - Proposed: 9' x 18'
 2. **Section 255-26.G(11)(A): Loading Spaces**
 - Required: 1 space (Min.) at 12' wide x 50' long (Min.)
 - Proposed: 0
 3. **Section 255-26.J.4.B.1: Wall Mounted Sign Area (East)**
 - Required: 10% of façade or 728.5 SF (Max.)
 - Proposed: 729 SF
 4. **Section 255-26.J.4.B.1: Wall Mounted Sign Area (West)**
 - Required: 10% of façade or 639.8 SF (Max.)
 - Proposed: 640'

All bulk variances and design waivers have not been evaluated or identified, as the scope of the application is not clear. Full review and comment will be made once application scope is determined.

The Standard for "C" variance relief under N.J.S.A 40:55D-70:

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 have been satisfied. The criteria is as follows:

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

- By reason of exceptional narrowness, shallowness or shape of a specific piece of property, or
- By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- 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



- 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:

- that the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirement and
- 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 (negative criteria).

IV. PLANNING COMMENTS

We offer the following comments for the Board’s review and consideration:

A. General + Use Comments

1. The Applicant should provide testimony to the proposed intensity of the site, which requires variance relief for multiple conditions. While this is a bifurcated application primarily for the “d” variances, all variances and design waivers should be discussed in order to determine site suitability for the bifurcated variances. The scope of this portion of the bifurcated application must be clarified, especially as it relates to all use and bulk variances.
 - i. The Applicant should discuss the request for conditional use variance and density variance relief including which conditions are not met.
 - ii. The Applicant must provide a breakdown of the floor area ratio calculations to confirm a variance is not required for FAR.
 - iii. The Applicant must discuss the height of the building and confirm whether the variance is necessary.
 - iv. The Applicant must confirm all information requested in Section II of this report, including information in the bulk chart, for further review.
2. The Applicant should provide testimony regarding all existing site conditions. The Applicant must discuss any environmental conditions and contamination from the prior industrial use as discussed in the NJ DEP Administrative Consent. We note for the Board that the developer has agreed to perform site remediation per the Consent Order upon purchase of the property.
3. The Applicant should discuss the proposal in relationship to adjacent uses, scale, intensity, and character. Particular attention should be relationship of building height, massing, and architecture.
4. The Applicant should provide testimony regarding compliance with the Township’s affordable housing regulations. The Applicant has indicated that 15% of the units will be affordable units. Per Cranford’s ordinance, for inclusionary projects in which the low and moderate units are to be offered for sale, the appropriate set-aside percentage is 20%;



for projects in which the low- and moderate-income units are to be offered for rent, the appropriate set-aside percentage is 15%. Compliance must be discussed. Further comments related to bedroom breakdown are discussed in the Architecture Section below.

5. If the Board approves these variances and the Applicant proceeds to request site plan approval, the Applicant must submit the following for review:
 - i. Survey with all titles and easements
 - ii. Revised site plan submission with demolition, grading, utility, drainage, landscape, lighting, construction, and soil erosion and sediment control plans
 - iii. Revised architecture plans
 - iv. Stormwater management report
 - v. Traffic/Parking and circulation plan and turning templates
 - vi. Union County Planning Board approval
 - vii. Environmental Impact Statement

B. Architecture + Signage Comments

1. The Applicant shall specify and provide testimony to all building façade materials, colors, and overall details of design, relative to the site and surrounding character.
2. Given the size of the proposal and all the variances requested, we recommend the Applicant incorporate sustainable design / construction elements. For example, the flat roof would lend itself to solar panels or green-roof designs. At a minimum, energy star appliances, LED fixtures, and low-flow plumbing should be utilized.
3. The Applicant must provide the square feet of each floor, including the ground/first floor, on the floor plans to confirm the proposed FAR and ensure correct calculations.
4. The Applicant must revise the floor plans to label which units are affordable and provide a breakdown chart for each affordable bedroom type to show compliance with the UHAC percentage requirements.
5. The Applicant must revise the elevation plan to represent the correct number of stories. The ground floor shall be considered a story per §255-1.B(2): "story definition."
6. There are discrepancies between the bulk chart and the site plan as it relates to the side yard setbacks. The bulk chart for the side yard setback to Lot 3.01 says 0.5' proposed, however, the plans show a 5' setback. This must be confirmed. We recommend all side yard setbacks be a minimum of 5' for compliance with the ordinance.
7. The Applicant should provide testimony regarding the amenity courtyard features and accessibility, especially handicap accessibility. The Applicant should discuss if the courtyard is only available to residents or if visitors and retail customers can access it.

The building occupies the majority of the site and doesn't allow for much ground level green space, so all opportunities to provide additional amenities and access to light and



air for each unit should be incorporated. We typically recommend a minimum of 75 SF outdoor space per residential unit, either in shared amenity area or private balcony.

8. The first-floor stone façade should be reconsidered as a design element to break up the façade. Maintaining the pedestrian and visually friendly street façade is important to the character of the neighborhood and to the Township. The Applicant should discuss other façade designs for the ground level.
 - i. We recommend the transition between the stone and brick to be at waist height to appear more human scale.
 - ii. The second floor should not overhang the first floor, as it appears to loom over the pedestrian realm. If any protrusions are permitted, this must be reflected on the engineering plans, and accounted for in setbacks.
 - iii. Greater attention should be given to the ground floor architecture, especially considering its prominent location along the South Avenue corridor. We recommend the incorporation of windows, dedicated art mural areas, trellis systems for greenery, or setback the building to allow for a 5' wide landscape area so that evergreen plantings could break up the massing.
 - iv. The elevation plans should be revised to confirm and label all material colors.
 - v. We have additional recommendations that can be provided at the request of the board and applicant once the more significant issues related to density and intensity have been resolved.
9. The Applicant should provide an overview of all building-mounted signage, relative to compliance with the Ordinance. We note the following:
 - i. The Applicant should provide the colors of all signs.
 - ii. Waiver relief will be needed for the size of the east and west wall-mounted signs.
 - iii. We recommend the Applicant discuss relationship to other signage along the South Avenue West commercial corridor, particularly nearby multi-family residential buildings.
 - iv. The Applicant proposes 5 wall-mounted signs, mainly for residential identification. We recommend the number of signs be reduced.
 - v. Four of the five signs are proposed to be backlit by LED lights, which are not permitted by ordinance. More architectural lights should be provided. Hours of lighting should be discussed. All lights should be turned off overnight.

C. Parking + Circulation Comments

1. The Applicant shall provide an overview of anticipated vehicle circulation including residents, visitors, and employees of the building. This should include access to the garage and whether any gates or entrance security systems will be used.
2. The Applicant should provide testimony regarding the parking calculation and variance relief required. The Applicant should discuss the feasibility of 76 parking spaces where 143 spaces are required. To offset any parking deficiency, the following should be considered:

- i. The opportunity to lease parking spaces from nearby parking lots.
 - ii. Compact spaces in order to increase the parking count.
 - iii. This proposed development is targeting a demographic that may be more reliant on public transportation. We recommend two of the parking spaces to be dedicated "flex" spaces for ride-share services or deliveries to offset the parking deficiency.
 - iv. Shuttle system between the site and the train station
3. No electric vehicle parking spaces are proposed. Given the size of the parking garage and variances requested, we recommend the Applicant to consider electric vehicle parking to further the energy and environmental goals of the State.
4. The Applicant should confirm on the plans and in testimony regarding which parking spaces will be dedicated to which use such as residential, retail, and visitors of the property.
5. The proposed ADA parking is not adequate and not compliant with the applicable requirements for ADA parking including:
 - i. Pathways to egress is not dedicated
 - ii. Pathways cannot be obstructed

The Applicant should update the plans to resolve ADA compliance for parking, building access, and parking reconfiguration.

6. Per Ordinance, one loading space is required, where none are proposed. The Applicant should discuss where loading/unloading will be located, frequencies of deliveries, and anticipated size of delivery trucks for both the residential and commercial users.

Particular attention should be given to moving trucks for the 75 residential units. We recommend a dedicated loading area should be provided. However, if the board considers an off-site loading space, a move-in/out operations plan showing routes and scheduling should be provided.
7. Turning templates should be provided for the parking stalls nearest to the ingress and egress points as well as the bidirectional center aisle.
8. The Applicant should discuss the addition of two curb cuts along South Avenue West, and coordination with Union County since South Avenue West is a county road. We defer to the Board Engineer regarding the placement of curb cuts near the intersection and pedestrian safety. The width of the curb cuts must be added to the plans and demonstrate compliance with the ordinance.
9. The Applicant should provide testimony regarding ingress and egress from the garage. Sight lines should be discussed. The Applicant should discuss tactics to reduce conflicts between pedestrians and vehicles, either with tactile surfaces, gates, signage, corner mirrors, etc.
10. The Applicant shall provide testimony regarding waste removal truck circulation within the parking garage.

11. The Applicant should discuss walking feasibility within the parking garage and if any walking paths and identification signage should be incorporated to protect pedestrians in the drive aisles.
12. We note that any improvements within the county or municipal right-of-way remain outside of the Zoning Board jurisdiction must receive appropriate approvals.
13. The bike racks locations should be reconsidered. Two locations may pose conflicts with parked and moving vehicles. Two locations may impede pedestrian paths. Bike racks need a clear path for accessibility and little interaction with cars.

The Applicant should confirm on the plans how the bikes will be mounted/stored, with fixture details. The accurate size of the storage areas should be shown, and as well as how many bicycle parking spaces are proposed and indicate compliance with the ordinance or specifically request relief.

14. Full comment will be made on parking and circulation items during a site plan review and report, however, we encourage the Applicant to discuss intent to comply or seek variances for items related to circulation, driveways, parking and loading requirements discussed regulated in Section 255-26G of the Ordinance, as it relates to site suitability. Particular attention should be given to ingress and egress drives, curb cuts, drive aisles, parking stall sizes, and minimum site distances, which appears to require some variance relief.

D. Landscaping + Lighting Comments

1. The Applicant should be prepared to discuss any proposed landscaping and lighting improvements. The Applicant must provide a landscape plan with all streetscape and site plantings.
2. All efforts to incorporate on-site stormwater management should be discussed to mitigate effects of the high percentage of impervious cover proposed on the site, such as rain gardens, bio-swales, vegetation on the roof, and permeable materials.
3. The Applicant should increase areas along the street frontage to create space for evergreens along portions of the blank façade and shade trees along the street to improve coverage and the streetscape.
4. Landscape and coverage details of the amenity courtyard should be provided. All opportunities to include drought-resistant plants should be used. The Applicant should explore ways to utilize rainwater harvesting, given the excessive building coverage.
5. The Applicant must provide a lighting plan with lighting levels, fixture locations, and fixture details. Lighting levels shall be compliant with Section 255-25 of the Township Ordinance.
6. Further revised plans should demonstrate compliance with, or specifically request relief from, the design requirements contained within Section 255-26.

E. Utilities + Drainage Comments

1. The Applicant should provide testimony regarding proposed utilities, drainage, grading, and any stormwater management strategies.
2. The Applicant should discuss the logistics of waste management including the frequency of trash removal, method, access, and if the proposed trash location is best location. Given




the size of the proposed trash area, the Applicant should consider a second trash location or expand the proposed area.

3. We intend to provide a full review and comment once utility plans have been provided. However, we offer the following preliminary comments:
 - i. The Applicant should confirm the location of all utilities, including meters, and HVAC systems on both the civil and architectural sets.
 - ii. Any outdoor equipment should be screened by landscaping, as required by Section by 255-37J(3)(h).
 - iii. Size and height of all mechanical / HVAC units should be provided.

Any revised submission should be accompanied by a response letter to our report and/or a list of changes made the submission, with these changes bubbled or highlighted on the plans.

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

Sincerely,



Greer Patras, AICP, PP
Board Planner