

## Argument For Granting of Variances and Waiver

There are two existing condition variances as follows:

1. C1 variance – The existing building provides 0-feet front yard setback whereas 5 feet is required.

There are two proposed variances as follows:

2. D3 conditional use variance – whereas apartments are a permitted use the density must be 10 du/ac, 32 du/ac is proposed.
3. C2 variance – whereas a maximum impervious coverage of 80% maximum is permitted, 86.9% is proposed.

There are two de minimus exceptions/waivers requested:

1. Whereas parking stalls per RSIS are required to be 162 s.f. and 18-feet long, and 180 s.f. and 18-feet long by the Township code, two parking stalls are proposed to be compact car stalls and provide 144 s.f. and be 16-feet long.

Project Description:

The property is an old, vacant and dilapidated Industrial Building on the main street of town. The land has some environmental contamination dating back to the previous use as a manufacturing facility. The land use patterns for the township have changed obviously and the demand for manufacturing space is nonexistent in this area. Therefore, we have proposed to rehabilitate the existing building.

The previously proposed plans provided 39 apartment units and 780 s.f. of retail space. The current application is for 24 apartment units and 560.2 s.f. of retail space. This project will activate the neighborhood, prevent blight and degeneration, and create rental housing opportunities for many years to come. The real estate taxes from this project will increase significantly and allow Cranford to maintain this ratable on its tax rolls. The renovated building will beautify the area and add to the existing values in town and provide for the remediation of the existing contamination.

- 1. C1 Front Setback – This is an existing condition.**
- 2. C1 Impervious Cover – whereas 80% is permitted, 89.2 % is proposed.**
- 3. D3 conditional use variance – whereas apartments are a permitted use the density must be 10 du/ac, 32 du/ac is proposed.**

To address the use variance, we will break down the conditions which are not met. The actual use is acceptable in the zone the issue is whether the deviation of the conditions can be approved without a negative impact to the neighborhood.

**Condition of Density** – we are proposing 24 units, whereas 10 du/ac is permitted we have 32 du/ac

(Grubbs v. Slothower) a density variance does not have to meet the same standard of “stringent” proofs as a use variance since it is a permitted use it is only the whether the “site will accommodate the problems associated with a proposed use with a greater density than permitted by the ordinance” applicant must show that despite the proposed increase in density above the zone’s restriction and the increased intensity in the use of the site, the project nonetheless serves one or more of the purposes of zoning and is consistent with the overall goals of the MLUL. Which we do as the project will “promotes a more desirable, visual environment through this redevelopment of otherwise underutilized property” and “promotes the character of the neighborhood or better-preserved property values in the adjacent community? The rehabilitation of an existing dilapidated building and the clean up of the site will better preserve property values.

To address whether the neighborhood can accommodate the change in density the main impact will have to do with parking and traffic;

1. Parking- We are planning to have only 1-2 residents per apartment. Due to the proximity to the train, these residents will likely have very few cars. Therefore, the parking requirements are much smaller than in a typical suburban development. NJAC 5:21-4.14c (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.”. This project, being in the center of town within 2 blocks of the train station, bus and ride share pick up points will require much fewer parking spaces for the residents. There are 45 parking stalls on the site to the west and north of the existing building. and 3 stalls on the street adjacent to the site which under the Township’s code counts toward the sites parking needs to provide a total of 49 parking stalls. Whereas on 43 parking stalls are required.

The positive factors of this redevelopment are the following:

- Prevent Blight, and keep the building from staying Vacant, Underutilized
- Clean Up Environmental Contamination Onsite
- Provide much needed Rental Housing for next generation of Cranford Residents
- Beautify the landscape and look of this Main Street City Block
- Generate New Tax Revenue for Cranford from Increase in Property Value
- Provide Affordable housing units to help Cranford Satisfy their COAH obligations

The negative factors of this redevelopment are the following:

To address negative criteria and applicant must “demonstrate that the increase in density would not have a more detrimental effect on the

neighborhood than construction of the project in a manner consistent with the zone's restrictions". So the main impacts of the increase in density would be parking and traffic impacts. We are providing 49 parking stalls for the residents.

Traffic can be said to result from any new development or redevelopment. Unless the town plans to remain only as populated as it was 10, 20 or 30 years ago, there will always be some new traffic. The vast majority of these units are planned to be smaller studios and one bedroom. They won't be occupied by large families.

As supported by the Residential Site Improvement Standard the actual traffic and parking needs for this site will not be the same as a similar project due to its proximity to the train station 2 blocks away from the site and the increased use of bicycles and ride share such as Uber will further positively impact the traffic and parking which would be associated with the site.

I see no detriment to the zone or master plan or the surrounding neighborhood by the approval of these variances.

**4. C2 variance – whereas a maximum impervious coverage of 80% maximum is permitted, 86.9% is proposed.**

The main impact of increased impervious surface has to do with increases in drainage runoff. However, the slight increase in impervious surface will be accommodated by a proposed underground drainage system. The increase of impervious will not be recognizable by the surrounding property owners or residents and the impervious is necessary in order to provide the necessary parking for the rehabilitation of the building. The gravel area that has historically been used for truck and passenger vehicle parking is very compacted and functions similar to an impervious surface.

A de minimis exception is requested from RSIS 5:21-4.15 and waiver from 255-26.3.a.1 for parking stall size. Whereas 162 s.f. is required by RSIS and 180 s.f. by the Township and the stall is required to be 18-feet long. There are two parking stalls proposed to be 144 s.f and 16 feet in length. This is a common acceptable practice to have some spaces reduced in depth to accommodate compact cars. The spaces will be labeled "compact cars only". Though minor, this allows for a reduced impervious coverage and provides two parking stalls on the site. As such the benefit of this exception not only typical but also beneficial.