

Franklin Township

Somerset County, New Jersey



DEPARTMENT OF PLANNING AND ZONING
Planning – Zoning – Affordable Housing
Planning Board – Zoning Board of Adjustment

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MEMORANDUM

To: Planning Board

From: Mark Healey, PP/AICP
Director of Planning/ Senior Zoning Officer

Date: March 5, 2020

Re: Ivy River Property LLC
Site Plan and "C" Variance Approval (PLN-19-00015)
1 Riverview Drive (Block 517.03; Lot 3.30)

As requested, I have reviewed the application materials listed below and issue the following report for the Board's consideration:

- 23-sheet set of site plan drawings prepared by Dynamic Engineering last revised 12/30/19
- 2-sheet set of architectural plans prepared by Cerminara Architect last revised 12/17/19

Site Description

The subject site is located at the southwest corner of Apgar Drive's intersection with Riverview Drive (see Figures 1 and 2). The site is currently developed with a 109,269 square foot warehouse/ office building¹ and associated improvements including parking areas and a stormwater management basin. The site is located within the M-1 (Light Manufacturing) zoning district which permits warehouses and office as a permitted principal uses. Access to the site is provided via one 2-way curb cut each on Apgar Drive and Riverview Drive and via parking lot interconnections with adjoining lots 50 and 100 Randolph Road. The development is served by public water and public sewer. Surrounding land uses consist of office, light industrial, warehouse and other uses permitted in the M-1 zone.

Project Description

The application consists of construction of a 79,380 square foot warehouse/office building² with modifications to on-site loading and parking areas, driveways, utilities, landscaping, lighting and stormwater management facilities. The application involves a substantial reduction in the amount of on-site parking. The existing 109,269 square foot warehouse/office building would remain bring the total building square footage on the site to 183,649 square feet. Loading areas for both buildings would be accessed via the existing curb cut on Apgar Drive.

¹ 74,380 square feet warehouse/ 5,000 square feet office

² 61,963 square feet warehouse/ 47,306 square feet office

A total of 119 parking spaces are proposed as follows:

- *Existing 109,269 square foot building:* 69 parking spaces (of which 11 to be “landbanked”). Access to this parking area would be from Riverview Drive.
- *Proposed 79,380 square foot building:* 50 parking spaces. Access to this parking area would be via parking lot interconnections with adjoining lots 50 and 100 Randolph Road. A proposed gate with Knox box would separate this area from the rest of the site.

The application requires the following approvals:

- Site Plan Approval
- “C” Variances:
 - *Building Height:* 50 feet permitted – 54.3 feet proposed
 - *Off-Street Parking:* 267³ spaces required – 119 spaces proposed
 - *Parking Lot Front Yard Setback:* 50 feet required – 9.9 feet proposed (11 proposed “landbanked” spaces along Riverview Drive frontage)
 - *Parking Lot Aisle Width:* 26 feet required – 24 feet proposed

Variances – Required Proofs

The applicant must prove that the variances would satisfy the c-1 (hardship) and/or c-2 (advancement of the MLUL) criteria.

If sought as c-1 variances, the applicant must prove that a unique circumstance exists whereby strict application of the requirements would result in practical difficulties and undue hardship upon the applicant.

If sought as c-2 variances, the applicant would need to demonstrate that the proposed variances would represent a better zoning alternative than compliant development such that the purposes of the MLUL would be advanced.

The applicant must prove that the variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance, and that benefits of granting the variances would substantially outweigh any detriments.

³ The reference to 189 required spaces in the Application Form is in error

Review Comments

1. Parking Variance. The applicant seeks a rather substantial variance from the off-street parking requirement (267 space required – 119 proposed).

It is noted that the majority of the parking requirement (209 out of the 267 required spaces) results from the parking requirement associated with the 52,306 square feet of office space in the two buildings. I offer the following:

- a. While the Board has heard a number of parking variances for warehouse uses, what is the justification for such a substantial variance for office use? For example, the parking requirement for existing building (#1) alone (with 47,306 square feet of office space) is in excess of 200 spaces yet only 69 spaces (of which 11 would be landbanked) are proposed in proximity to this building. How is that sufficient to serve the parking needs for that building?
 - b. The application form indicates: “Applicant owns 100 Randolph Road which has significant excess parking. Should this matter be approved, a cross parking agreement shall be executed to allow parking on 100 Randolph Road.” The applicant needs to explain how this would work.
 - The parking areas associated with Randolph Road are actually located a rather significant distance from existing building (#1) - e.g., the parking areas for 100 Randolph are south and west of the area depicted on Figure 3.
 - In my opinion, if insufficient parking is provided in association with existing building (#1) users of that building are most likely going to park in other areas that are far closer and more convenient than 100 Randolph including: along Riverview Drive and/or in other closer parking lots where spaces are available such as 50 Randolph. The applicant should demonstrate otherwise.
 - How would people access existing building (#1) if parked at 100 Randolph Road? Will any means be provided to allow pedestrian to traverse the area without walking through parking and loading areas?
 - The applicant should document the extent to which “significant excess parking” exists at 100 Randolph Road.
 - c. The parking requirement for proposed building (#2) is approximately 58 spaces. The site plan proposes 50 spaces proximate to that building.
2. Site Access. The only means of access to the 50-space parking area associated with proposed building (#2) is via a parking lot interconnection with adjoining lots 50 and 100 Randolph Road. Obviously, the applicant will need to demonstrate proof of such access via existing or proposed cross access easements. As this would be the only means of access to

this parking area I defer to the reviewing engineer as to whether modifications to this interconnection are necessary.

3. Chapter 222, Trees. I offer the following comments:

- The site plan shows several trees to remain within the limits of disturbance and areas of proposed grading (e.g., including several very large trees along the entrance from Apgar Drive). The application should be revised accordingly (e.g., to modify the limit of disturbance and grading to retain these trees). If these trees are to be removed then the tree replacement calculations would need to be modified accordingly.
- Per the Applicant's calculations 76 replacement trees are proposed. The applicant has proposed 4 qualifying replacement trees leaving a deficit of 72 required replacement trees. Per Chapter 222 the applicant should propose to provide as many replacement trees on site as practicable. To the extent not practicable the remaining deficit may be addressed as a payment-in-lieu to the Township Shade Tree Fund.

4. Landbanked Spaces

a. When an applicant proposes to landbank spaces, the Township requires that the site plan reflects all associated site plan modifications associated with the potential construction of these spaces including but not limited to stormwater modifications, grading, landscaping, lighting, etc. In that way, the site plan for those spaces would be approved but their initial construction would be waived (or "landbanked") until such time they are deemed to be needed. The submitted plans do not show such modifications associated with the landbanked spaces. I defer to the reviewing engineer with respect to the stormwater calculations/ plan.

b. The following note should be added to the plan:

"The spaces identified as "prop. banked spaces" shall not be constructed unless authorization for such improvement is provided from the Township Zoning Officer, or unless the Township Zoning Officer requires that such spaces be constructed should conditions warrant, or by the Township's approval through the change of tenant procedure. In the event that the Zoning Officer determines that conditions require improvement of all or a portion of these spaces, such spaces shall be constructed within 6 months of the Zoning Officer's determination weather permitting. In such event, the Zoning Officer may consult with the appropriate Township staff with respect to related plan amendments".

5. The plan should appropriately treat the closed-off connection from 100 Randolph.

6. The site plan complies with the requirement in Schedule 6 for 1 tree/ 2000 square feet of paved area.

7. Since the project is located within 1,000 feet of the D&R Canal the application required review by the Township Historic Preservation Advisory Commission. The applicant appeared before the Commission and the Commission apparently had no comments on the application

8. The development is subject to collection of Non-Residential Development Fees equal to 2.5% of any increase in Equalized Assessed Value.

Figure 1: Site Location

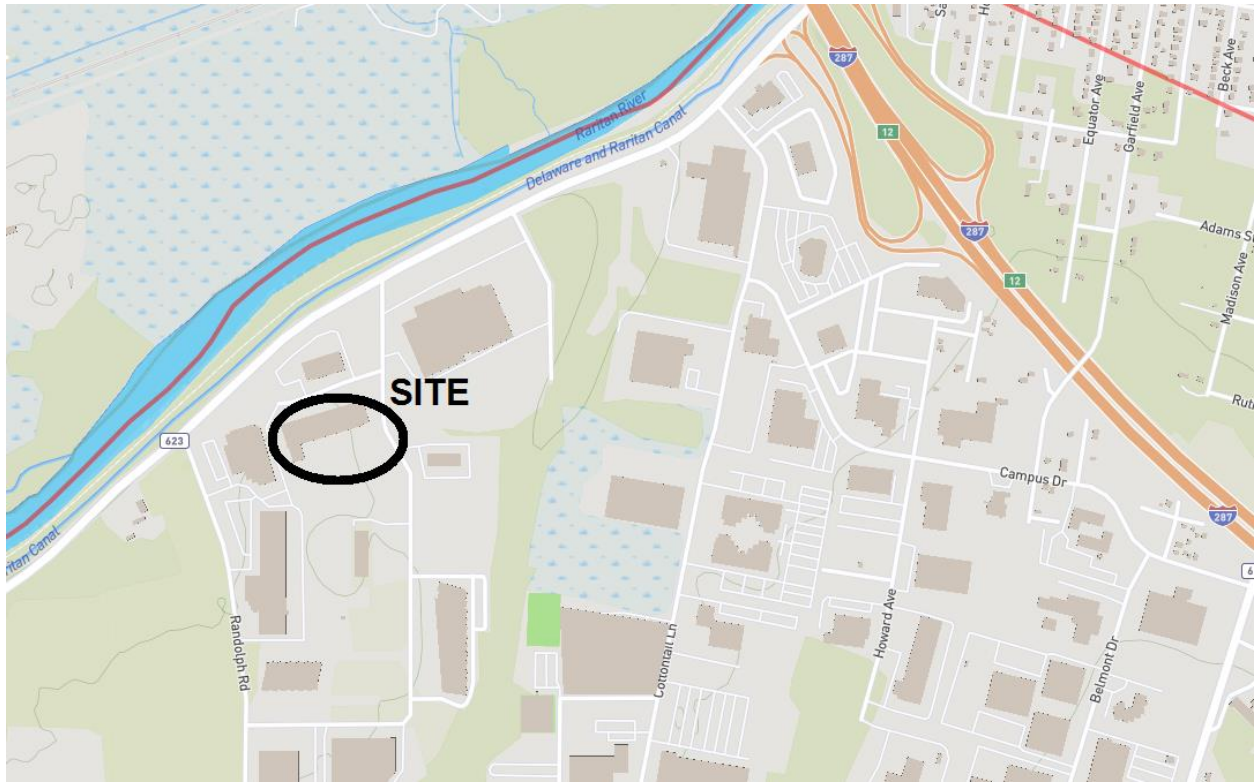


Figure 2: Site and Proposed Subdivision



Figure 3: Site – Site Plan Application

