

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: September 21, 2021

RE: *Orion IV Elizabeth Logistics Center, LLC* - Preliminary and Final Major Site Plan w/ "c" Variance – 425 & 429 Elizabeth Avenue – Block 502.01 Lots 2 & 4 (PLN-21-00013)

As requested, I have reviewed the following documents relative to the above referenced preliminary and final site plan application:

- 36-sheet set of site plans, prepared by Stonefield Engineering & Design, last revised 7/19/21
- 5-sheet set of architectural plans, prepared by KSS Planning Group, dated 7/22/21

SITE DESCRIPTION

The 15.29-acre property is located on the easterly side of Elizabeth Avenue within the Business and Industry (B-I) zone and the Retail District Overlay (RDO) district. The site is largely undeveloped and forested with the exception of an abandoned residence close to Elizabeth Avenue. The site is traversed by a regulated stream on the westerly portion of the site in proximity to its Elizabeth Avenue frontage along with associated flood hazard area, wetlands and regulated buffer/ regulated areas. A gas transmission pipeline (and associated 50-foot wide easement) traverses the easterly portion of the site. A 25-foot wide emergency access easement traverses depth-wise through the southerly portion of the site from The Palace (an convention/ event site on Davidson Avenue that abuts the rear of the site to the east) and extends to Elizabeth Avenue.

Surrounding properties are largely developed with uses permitted in the B-I and RDO zones and include The Palace (abutting to the east); ShopRite and Herra distribution site (abutting to the south); an undeveloped site abuts to the north; and to the west on the opposite side of Elizabeth Avenue, are located three residences and a light industrial use in the B-I zone which are approved for development of a 355,790 square foot warehouse (Docket No. PLN-21-00005).

PROJECT DESCRIPTION

The applicant seeks approval for the proposed development which consists of:

- construction of a new 182,780 square foot building consisting of a 178,720 square feet footprint with roughly 9,600 square feet of office and utility space with the remainder being warehouse space. The proposed warehouse use is a permitted principal use in the B-I zone.
- The site plan proposes one access drive on Elizabeth Avenue. In total, 130 car parking spaces are proposed to the south of the building while 26 loading bays and 17 trailer parking spaces are proposed to the north of the building.
- associated site modification including grading and drainage and proposed landscaping and site lighting.
- An emergency access drive would connect to The Palace site that adjoins to the east.

The proposal requires the following approvals from the Township Planning Board:

- *Preliminary and Final Site Plan*
- *"C" Variances: Depth of loading area: 147 feet required – 130 feet proposed*

REVIEW COMMENTS

1. The proposed lighting levels are significantly higher than typical for such developments and significantly higher than outlined in Section 112-33.2, Outdoor Lighting. Section 112-33.2.C(2) indicates a minimum illumination level of 0.2 footcandles (a minimum of 0.8 footcandles is proposed) and an average illumination level of 1.0 footcandles (an average 3.3 footcandles is proposed). These levels even exceed the minimum and average illumination levels for “enhanced security” which is recommended for “high vehicular traffic locations (e.g., areas that experience frequent customer turn-over, drive-thru areas, etc) and areas such as exits, entrances and internal connecting roadways). The plan should be consistent with the illumination levels per the ordinance.

Although not prohibited by the ordinance, the proposed mounting heights of the site lighting (at 30 and 37 feet) is higher than normally seen in such developments in the Township (we typically see a maximum of 25 feet). The proposed mounting heights should be lowered.

2. The site plan proposes certain modifications (fill, retaining wall, portion of proposed access drive to loading area) within the 150-foot stream preservation regulated by Article XXIX, Stream Corridor Preservation, of the Land Development Ordinance. These modifications require relief from the Planning Board pursuant to Section 112-228.D, Hardship Waiver,

which requires the applicant to prove the following to the Board's satisfaction:

- Proof that application of this article will result in a particular hardship, including demonstration that the disturbance cannot be located outside the undisturbed area without resulting in an undue hardship;
- That the application has been designed to minimize the extent of disturbance within the undisturbed area including employment of methods to minimize the amount of tree removal, grading, fill or deposition and disturbance to steep slopes within the stream corridor; and, to minimize impact to the stream including employment of necessary sedimentation and erosion control measures and nutrient control by vegetation filters or other mechanisms incorporated to protect the stream;
- That disturbance to the undisturbed area is eliminated where possible and minimized where not possible by relocating the project or reducing the size of the project;
- That any temporarily cleared area of vegetation will be replanted with indigenous, noninvasive vegetation;
- A condition of any waiver shall be submission of proof that the proposed activity has received all necessary approvals including those of the NJDEP and Delaware and Raritan Canal Commission, as applicable.

Section 112-230 requires an approved application for development or use on a lot which contains a stream corridor or portion of a stream corridor to provide a conservation easement delineated by metes and bounds for the continued protection of the stream corridor. Conservation easements shall be established by deed if no subdivision map is being filed, or by plat filed with the county, recording officer in compliance with the Map Filing Law.

3. The site plan proposes significantly more parking spaces than required (74 required – 130 provided). While no impervious surface variance is requested the Board frequently looks for opportunities to reduce unnecessary impervious coverage. The applicant should address in testimony whether proposed parking could be scaled back and/or whether a certain number of spaces could be “land-banked”.
4. While the building and parking lot comply with applicable setbacks, the proposed development will be quite visible from public visiting the adjoining retail developments to the south. The applicant should explore site plan changes that would provide additional screening including: shifting the proposed development slightly further to the north to provide room for some screening; land-banking of parking spaces (see comment #2 above); and/or incorporation of landscape islands along the southerly row of parking consistent with Section 112-33.6.B (which indicates that effort should be made to provide a portion of the required landscaping within the interior of the site).
5. The building height should be measured as per the ordinance - i.e., see definition of “building height” in Section 112-4 (e.g., measured from the average finished grade of the

front of the building) and height exceptions in Section 112-28.A (i.e., not excluding parapets under 5 feet). The front of the building is the west elevation. Necessary calculations need to be added to the plan. This is important to confirm whether the supplemental setbacks (for buildings over 50-feet in height) would need to be applied.

If the building is not over 50 feet in height, then the setbacks on the site plan drawing need to be revised to reflect the standard building setbacks.

6. The site plan complies with the applicable building and parking lot setbacks of Schedule 6 including compliance with the 50-foot front yard parking setback along the site frontage. In my opinion, the site plan is also consistent with the intent of Section 112-33.6.A (i.e., encourages a well landscaped frontage) in that the forested nature of the site's frontage will remain minus the minimum necessary to provide proposed access to the site.
7. The site layout is consistent with §112-33.6.C which indicates that loading docks, truck parking, and other service functions should be located in a manner than minimizes their view from adjoining roadways.
8. The architectural plans comply with §112-33.6.D as the sides of the building facing and visible from adjoining roadways are designed and finished the same as other sides of the building.
9. The applicant should present testimony and appropriate exhibit(s) addressing §112-33.6.E which indicates that mechanical equipment should be screened from view from adjoining roadways and that any such screening is architecturally integrated with the building through materials, color, texture, shape, size, and with design features, such as facade parapets.
10. The applicant should present testimony addressing §112-33.6.F which requires that such applications appropriately take into consideration non-automotive modes of transportation including convenient and safe interconnection of sidewalks, bicycle parking and electric vehicle charging stations.
11. The applicant should present testimony addressing §112-33.6.G. which encourages appropriate accommodation for pick-up/ drop-off area(s) for ride hailing services, bus and/or shuttle.
12. The site plan complies with Schedule 6 which requires 1 tree for every 2,000 square feet of paved area (76 trees required - 189 trees of qualifying size are proposed on the plan).
13. Per Chapter 222 and the calculations on the plan, the plan results in a tree replacement requirement of 1,657 trees while 189¹ trees of qualifying size (2.5" caliper size) are proposed leaving a deficit of 1,468. The plan notes that the deficit will be addressed via contribution to the Township tree fund, as permitted per Chapter 222.

¹ Sheet C-21 indicates a replacement of 390. However, this incorrectly includes trees below 2.5" caliper. Either this figure should be changed or the size of the trees revised to 2.5" caliper.

- 14. The zoning table should be revised to indicate permitted and proposed FAR (0.50 permitted – 0.27 proposed).
- 15. The development would be subject to collection of an affordable housing development fee equal to 2.5% of the equalized assessed value.

Figure 1: Site Location

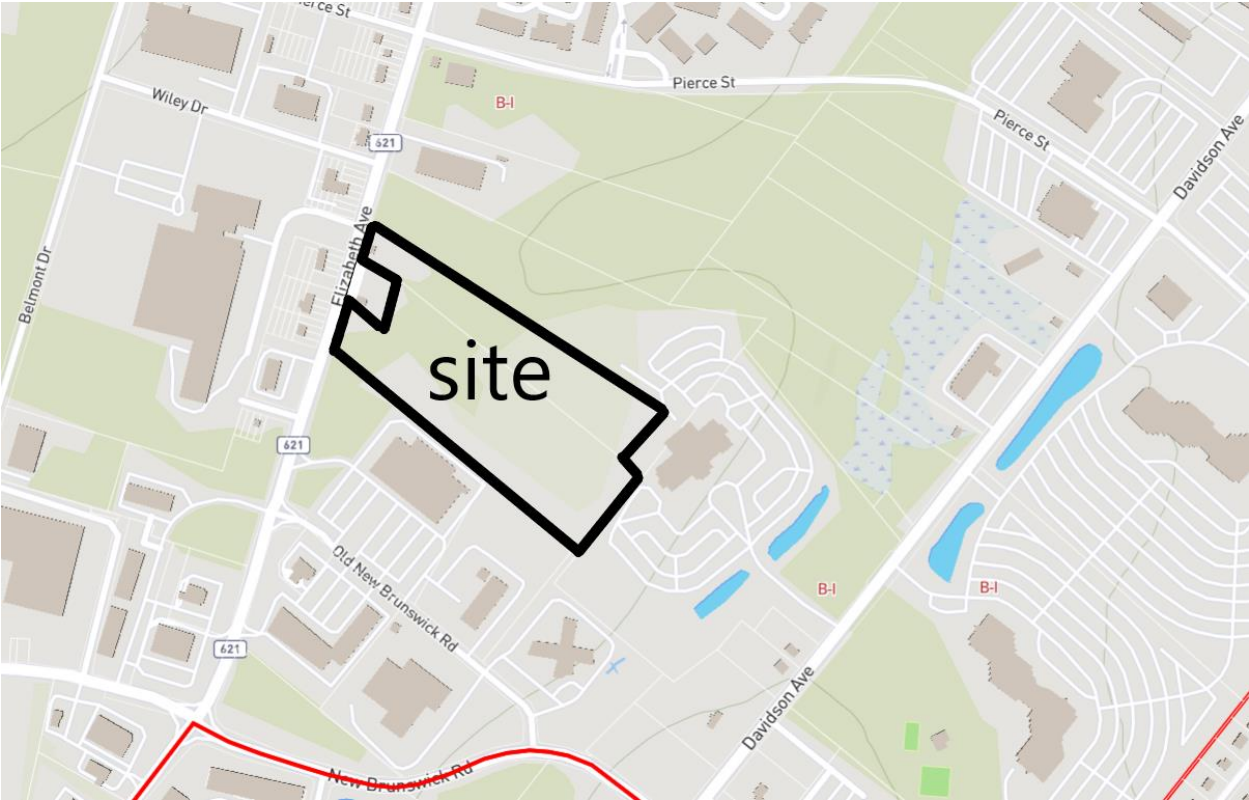


Figure 2: Site and Surrounding Area

