



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

Department of Planning and Development

SUSAN MC CARTNEY
Mayor

Tel: (973) 325-4108
Fax: (973) 325-6359
Email: planning@westorange.org

TO: Planning Board Members

FROM: Paul Grygiel, AICP, PP, Township Planner

DATE: May 17, 2023 – *revised June 22, 2023*

RE: PB 21-01/West Orange Plaza
Block: 152.01; Lots: 1445 and 1445.05; Zone: P-C and R-5/IHO-1
235 Prospect Avenue
Seeking preliminary and final major site plan approval and “c” variances for the expansion and renovation of an existing shopping center

This memorandum supplements my original review memorandum dated May 17, 2023, as the applicant has submitted additional information subsequent to the preparation of that document. New information is denoted in **bold**, deletions are shown in ~~striketrough~~.

INTRODUCTION

The applicant is requesting site plan approval and multiple “c” bulk variances in conjunction with a proposal to renovate and expand the existing West Orange Plaza Shopping Center. The proposed development includes the construction of four new buildings, modifications to circulation patterns and parking areas, provision of new landscaping and lighting, and construction of various related improvements.

It is noted this application was reviewed previously in 2021, but due to revisions to the plans and time that has elapsed since the original submittal, this review memorandum supersedes my prior review memorandum for this application.



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LAND USE/CIRCULATION

The subject property is located in the P-C Planned Commercial zone and the R-5 Residential zone, although no improvements exist or are proposed for the portion of the site in the R-5 zone. The property is also located in the IHO-1 Inclusionary Housing Overlay zone, which was created by the Township in accordance with an ordinance adopted in October 2020.

The site is located in the northeastern portion of West Orange in an area developed with a mix of land uses. These include commercial, office, residential, open space and hotel uses. The property is bounded by Prospect Avenue on the east and by Eagle Rock Avenue on the south. The former Mayfair Farms catering facility is located directly to the west, and residential and vacant properties border the site to the north and west. Eagle Rock Reservation is located to the east across Prospect Avenue, and commercial uses are located to the south across Eagle Rock Avenue. Site photographs taken on March 16 and 20, 2023 are included at the end of this memorandum.

The subject property is located at the signalized intersection of Prospect Avenue and Eagle Rock Avenue, which is one of the busiest in West Orange. Existing traffic signals are also located at the site's Eagle Rock Avenue driveway opposite Woodhull Avenue and the northerly Prospect Avenue driveway. There is a southerly unsignalized driveway on Prospect Avenue as well. A sidewalk is located along Eagle Rock Avenue between Prospect Avenue and the site driveway. No sidewalks currently exist along the site's Prospect Avenue frontage. A bus stop is located to the west of the Eagle Rock Avenue driveway and a companion bus stop is located on the opposite side of the street at Woodhull Avenue.

SUBMISSIONS

<u>ITEM</u>	<u>SIGNED BY</u>	<u>DATE/REVISION</u>
Site Plan (19 sheets)	J. Michael Petry, P.E., P.P., R.A.	5/4/23
Architectural Plans (15 sheets)	John M. Montoro, A.I.A.	5/5/23
Landscape Plans (9 sheets)	Allen E. Juba, L.A.	5/5/23
Stormwater Management Report	J. Michael Petry, P.E.	3/3/23
Drainage Area Maps (4 sheets)	Petry Engineering, LLC	not dated
Truck Turning Movements (5 sheets)	J. Michael Petry, P.E., P.P., R.A.	5/4/23
Planning Report	John McDonough, LA, AICP, PP	5/19/23
Traffic Impact Assessment	Gary W. Dean, P.E.	5/17/23



VARIANCES REQUIRED

SECTION	REQUIRED	EXISTING	PROPOSED
25-7.1 Minimum front yard setback (Prospect Avenue)	300 ft.	372.3 ft. (main building), 113.8 ft. (Verizon), 31.3 ft. (Mavis)	268.3 feet (Building A), 135.9 feet (Building B), 65.4 feet (Building C), 72 feet (Building D)
25-7.1 Minimum side front yard setback (Eagle Rock Avenue)	100 ft.	53.9 ft. (main building) 43.4 ft. (Verizon)	68.6 feet (Building D)
25-7.1 Minimum side yard setback	100 ft.	10.1 ft. (Mavis)	50.7 feet (Building A) and 60 feet (Building B)
25-7.1 Minimum rear yard setback	75 ft.	52.5 ft. (main building)	39.6 feet (loading dock of main building)
25-7.1 Minimum space between buildings	150 ft.	182 ft. (main building and Verizon)	90.3 feet (existing Main Building and Building A), 38.0 feet (Building A and Building B), 54.2 feet (Building B and the Mavis Building)
25-8.1 Minimum parking setback	5 ft.	Not provided	2 ft.
25-8.1a. Accessory use location	Not permitted in required front or side yard	N/A	Drive-up windows in required front yard
25-8.4 Maximum retaining wall height	4 ft.	Not provided	13.5 ft.
25-11.9 Loading area/bay location	Entirely within the structure	Not entirely within the structure	Not entirely within the structure
25-11.14i. Drive-up window	Not permitted in a required yard setback	N/A	Proposed in required front yard
25-12.1o. Maximum parking row length without landscaped island	20 spaces	> 20 spaces	Up to 32 spaces



SECTION	REQUIRED	EXISTING	PROPOSED
25-12.2 Minimum number of parking spaces	1,476 ¹	1,555	1,202
25-12.3a.1. Minimum number of loading spaces	34 (1 per 10,000 sq. ft. of gross floor area)	7	12
25-14.1c. Maximum light fixture height	18 feet	Not provided	25 feet
25-14.3 Minimum lighting levels in parking areas	1.5 footcandles	Not provided	0.0 footcandles
25-15.3c.2.(b) Maximum number of wall signs	1 per unit: 6 bldg. A 4 bldg. B 2 bldg. B-5 3 bldg. C 3 bldg. D 1 bldg. 1M-D	N/A	8 bldg. A 6 bldg. B 6 bldg. B-5 11 bldg. C 7 bldg. D 5 bldg. 1M-D
25-15.3c.2.(d) Maximum number of freestanding signs	1	2 (2 monument signs)	4 (1 monument sign, 3 shopping center signs)
25-15.3c.2.(d) Location of freestanding signs	Front yard	Front yard	Front and side front yards
25-15.3c.2.(d) Minimum sign front setback	50 ft. (shopping center sign)	Not provided	Not provided (1 shopping center sign), 0 ft. (2 shopping center signs)
25-15.3c.2.(d) Maximum sign area - shopping center sign	150 sq. ft. (shopping center)	Not provided	260 sq. ft. (2 signs), 338 sq. ft. (1 sign)
25-15.3c.2.(d) Maximum sign height - shopping center sign	20 ft.	N/A	28 ft. (2 signs), 36 ft. (1 sign)
25-15.3c.2.(d) Maximum sign width - shopping center sign	15 ft.	N/A	16 ft. (3 signs)

PROPOSED DEVELOPMENT

As noted, the applicant is proposing to renovate and expand the existing West Orange Shopping Center. The proposal includes construction of four new buildings with total floor area of 38,702 square feet, which will increase the total floor area on the subject property from 296,517 square

¹ 1 per 250 sq. ft. of gross floor area of retail and office space, 1 per 45 sq. ft. for restaurants, 1 per 150 sq. ft. of medical use, 1 per 600 sq. ft. of storage



feet to 335,219 square feet. Other aspects of the proposed development include the creation of outdoor dining areas and gathering space, provision of multiple accessory drive-through windows, and improving the landscaping, lighting and signage.

As noted, four new buildings are proposed: 15,794 square foot Building A and 8,055 square foot Building B in the northeast corner of the site, 8,400 square foot Building C in the east-central portion of the site and 5,502 square foot Building D in the southeast corner of the site, abutting the existing building occupied by Verizon. A courtyard area will be provided between Buildings A and B. Buildings C and D are both proposed to have one drive-through window, as well as outdoor space.

The existing main building will undergo interior and exterior renovations to accommodate a new anchor tenant, Target. Changes will include modifications to the front entrance and rear loading docks. The Target will include ancillary uses such as sales of food and beverages for on- and off-site consumption and warehouse space for delivery of merchandise. Twenty-four spaces for order pickup are proposed in front of the store.

The existing Mavis building will be renovated and reclad, and designated as Building B-5. The existing garage bays will be removed and replaced with traditional storefronts.

A number of changes are proposed to the layout of parking areas and site circulation. The total number of parking spaces is proposed to decrease from 1,555 to 1,156 parking spaces. Forty-eight electric vehicle (EV) charging spaces are proposed and grouped in eight locations around the site. With credits for the EV spaces as permitted by State law, the total proposed parking count is 1,204 spaces.

Proposed modifications to site circulation from existing conditions include reconfiguring vehicle travel patterns at each of the site access driveways and in other locations. Notably, the existing one-way "slip ramp" along Prospect Avenue is proposed to be removed and access will be restricted along the internal driveways connected to each of the Prospect Avenue driveways.

New sidewalks, crosswalks and other pedestrian connections are proposed throughout the site. Sidewalks are proposed to be provided along the entirety of the site's street frontages.

The applicant is proposing four new freestanding signs. These include:

- A 36-foot tall, 338-square foot pylon shopping center sign at the southerly Prospect Avenue driveway
- A 28-foot tall, 260-square foot pylon shopping center sign at the northerly Prospect Avenue driveway
- A 28-foot tall, 260-square foot pylon sign at the Eagle Rock Avenue driveway



- A six-foot tall, 40-square foot monument sign in the southeast corner of the site

DISCUSSION/RECOMMENDATIONS

Zoning Compliance

The portions of the subject property where development exists and is proposed is located in the P-C Planned Commercial zone district. The existing and proposed uses of the property are permitted in the P-C zone. However, a number of P-C zone bulk standards will not be met, and variances are also required pertaining to parking, loading, lighting and signage. For these “c” or bulk variances, the Board must find that there is either undue hardship or practical difficulty associated with the strict application of the requirements of the Zoning Ordinance in connection with this specific piece of property; or that one or more purposes of zoning would be advanced by the deviation and the benefits of granting the variances for this specific piece of property would substantially outweigh any detriment. In addition, the Board must be satisfied that the granting of the variances would not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and zoning ordinance.

The applicant’s planning report lists all of the requested variances and provides the required proofs for them as “c” variances, which is consistent with how they are classified. Testimony must be provided at the public hearing on the application elaborating on how the required variance proofs are addressed. For the requested parking variance, the justification for the requested relief is provided in the applicant’s traffic impact assessment. The applicant’s traffic engineer must provide testimony regarding this issue.

It is noted that the Land Use Regulations Ordinance was amended in 2020 to add a new Subsection 25-11.14, Drive-up Windows. This subsection is part of Section 25-11, Supplemental Provisions for Nonresidential Districts and Uses, and states: “A drive-up window shall be permitted as an accessory use for banks, restaurants, fast food restaurants, pharmacies and similar retail uses in the zoning districts in which such uses are permitted.” The requirements in Subsection 25-11.14 are not conditional use standards, and therefore any deviation from these regulations would require a “c” variance.

As discussed above, in addition to being located in the P-C Planned Commercial zone and the R-5 Residential zone, the subject property is in the IHO-1 Inclusionary Housing Overlay zone. An overlay zone does not remove the “underlying” zone classification, but provides additional regulations and options. The IHO-1 overlay zone includes the following development option: “in addition to any principal or conditional use permitted in the underlying zone district, mixed-use development shall be permitted.” However, it does not mandate construction of mixed-use development, and a set aside of affordable dwelling units is only required if residential units are developed as part of a mixed-use development.



Site Plan/Other Issues

The Township of West Orange Site Plan Review Advisory Board (SPRAB) held a meeting on March 21, 2023. At this meeting, the SPRAB reviewed the above application with the applicant's attorney, engineer, architect and landscape architect, as well as a representative of Target. It is noted this application was originally submitted over two years ago and was reviewed by the SPRAB at that time, so some prior comments have been addressed in the current submission.

Most of the site plan and design issues discussed at this meeting have been addressed. One issue that remains is whether a pedestrian connection could be made from Building C to the parking area to its north. Another issue to be addressed is for the applicant to provide an overview of proposed sustainable design measures (e.g. solar panels, cool roofs, water reclamation system).

The applicant is requesting a variance from Subsection 25-12.1o of the Land Use Regulations Ordinance, which allows a maximum length of a single row of parking spaces of 20 spaces, "at which point a landscaped area with a minimum width of eight feet shall be provided." It is recognized that the landscaping on the site is being increased and upgraded. However, testimony should be provided as to whether this requirement can be addressed as there are rows up to 32 spaces in length proposed in the southeast parking field.

Testimony should be provided regarding the sizing of the refuse enclosures, and in particular why the largest one (10 feet by 30 feet) is proposed for the smallest building (Building D). If the Building D enclosure is to remain its current proposed size, additional information should be provided regarding the gates for this structure as they would face Prospect Avenue a short distance from Eagle Rock Avenue, a heavily utilized intersection, and the enclosure opening is wider than typically provided.

There is a discrepancy between the proposed number of parking spaces provided in the zoning compliance chart (1,202) and the electric vehicle calculations (1,204). The applicant should confirm which is correct.





Views of front of former K-Mart building where Target is proposed



Northern portion of main building and location of proposed Building A



Area where proposed Buildings A and B would be located



Existing Mavis building, to be renovated with garages removed



Portion of site where Building C is proposed



Portion of site where Building D is proposed



Existing building to remain and be attached to Building D