



TOWNSHIP OF WEST ORANGE

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

Department of Planning and Development

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TO: Zoning Board Members

FROM: Paul Grygiel, AICP, PP, Township Planning Director

DATE: August 21, 2020

RE: **ZB-20-09/Morris Union Holdings, LLC**
Block: 155, Lots: 26 & 29; Zone: O-R
347 Mt. Pleasant Avenue
Seeking a "c" variance for parking spaces to construct a surgery center

INTRODUCTION/LAND USE

The applicant received use variance and other approvals in 2019 to convert one floor within an existing three-story office building for use as surgery center. The applicant is now seeking to reduce the number of parking spaces provided onsite by one space to allow for the relocation of a proposed emergency generator.

The primary subject property (Lot 29) is located in the O-R Office Research zone. It is in an area developed with a mix of land uses, including office, commercial, residential, utility and institutional uses. The property is bounded by Mount Pleasant Avenue on the south, PSE&G's West Orange electrical switching and substation on the east, and a property developed with a medical office building on the north and west. Essex County Country Club is located across Mount Pleasant Avenue to the south. Lot 26 is also included in the application due to an



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easement for parking on this lot. Lot 26 is located in the O-RA Organon Redevelopment Area zone, but no changes are proposed to the principal use or to the site layout on Lot 26.

SUBMISSIONS

<u>ITEM</u>	<u>SIGNED BY</u>	<u>DATE/REVISION</u>
Site Plan Cover Sheet	Gerard P. Gesario, PE	7/14/20
Construction Plan & Details	Gerard P. Gesario, PE	8/19/19
Emerg Gen Set Site Details	James W. Brick, RA	7/16/20

VARIANCES REQUIRED

SECTION	REQUIRED	APPROVED	PROPOSED	VARIANCE
25-12.2.b.1 Minimum number of off-street parking spaces	216	198 on Lot 29, 40 on Lot 26	197 on Lot 29, 40 on Lot 26	“c”

DISCUSSION/RECOMMENDATIONS

The applicant previously received Zoning Board of Adjustment approval on July 22, 2019 to convert one floor within an existing three-story office building for use as surgery center. Some exterior changes to the site were proposed, which required the removal of one existing parking space. The applicant subsequently determined that the proposed location of an emergency generator for the use needed to be relocated. The applicant indicates that “it was determined that the only acceptable location would be in the existing parking lot, further reducing the Parking Variance by 1 parking space.”

The generator is proposed to be located in a corner of the parking lot closest to the building, approximately 120 feet to the north of the building. The generator would be 14 feet long by 4 feet, 7 inches wide and 7 feet, 6 inches in height. Six steel bollards are proposed four feet apart and three feet from the generator to protect it from motor vehicles. There do not appear to be any other site changes proposed as part of this application. The applicant should confirm that is the case.

The primary subject property (Lot 29) is located in the O-R Office Research zone district. The proposed use of a surgical center is not permitted in the O-R zone. A use variance was previously requested and granted to permit the use.

A “c” variance is required for the number of parking spaces. The Zoning Ordinance requirement for “medical, dental, psychiatric and chiropractic offices” is:



“1 for each professional person, plus 1 for each employee plus 2 per examination room, not including a room for x-ray examination in a medical or chiropractic office, plus 2 additional parking spaces for each dental chair, or 1 for each 200 square feet of gross floor area, whichever requirement is greater”

According to the previously approved site plan, 25,601 square feet of the building will be occupied by medical offices, which would require 128 parking spaces based on the latter requirement. (The former standard would require 91 spaces.) Other office space would occupy 22,000 square feet of the building, with a requirement of one space per 250 square feet of gross floor area, or 88 parking spaces. Therefore a total of 216 spaces is required.

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 variance for this specific piece of property would substantially outweigh any detriment, in order to grant these variances. In addition, the Board must be satisfied that the granting of the variance 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 planner must provide testimony as to how the above proofs are addressed.

